

MARCH 20, 1991

OLYMPIA, WASHINGTON

ISSUE 91-06



IN THIS ISSUE

Agriculture, Department of
Architects, Board of Registration for
Attorney General, Office of the
Building Code Council
Chiropractic Disciplinary Board
Code Reviser's Office
Community College Education, Board for
Community Development, Department of
Community Economic Revitalization Board
Convention and Trade Center
Corrections, Department of
Ecology, Department of
Emergency Management, Division of
Engineers and Land Surveyors Board
Fire Protection Policy Board
Fisheries, Department of
Gambling Commission
General Administration, Department of
Governor, Office of the
Health, Department of
Higher Education Personnel Board
Human Rights Commission
Legal Foundation of Washington
Licensing, Department of

Lottery Commission
Medical Examiners, Board of
Nursing Home Administrators, Board of
Examiners for
Optometry Board
Outdoor Recreation, Interagency Committee for
Pierce College
Pilotage Commissioners, Board of
Public Disclosure Commission
Public Instruction, Superintendent of
Retirement Systems, Department of
Revenue, Department of
Savings and Loan Associations, Division of
Seattle Community Colleges
Social and Health Services, Department of
South Puget Sound Community College
Toxicologist, State
Transportation, Department of
University of Washington
Utilities and Transportation Commission
Vocational Education, Board for
Washington Institute of Applied Technology
Washington State Patrol
Wildlife Commission

(Subject/Agency index at back of issue)
This issue contains documents officially
filed not later than March 6, 1991

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

REPUBLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

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

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

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

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is twelve point two five percent (12.25%) for the second calendar quarter of 1991.

The maximum allowable retail installment contract service charge for the purchase of a vessel pursuant to RCW 63.14.130(3)(a) is twelve point seven five percent (12.75%) for the first calendar quarter of 1991.

WASHINGTON STATE REGISTER

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

POSTMASTER: SEND ADDRESS CHANGES TO:

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

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

Raymond W. Haman
Chairman, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

1990 – 1991

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing on or after
90-14	Jun 7	Jun 21	Jul 5	Jul 18	Aug 7
90-15	Jun 20	Jul 5	Jul 18	Aug 1	Aug 21
90-16	Jul 5	Jul 18	Aug 1	Aug 15	Sep 4
90-17	Jul 25	Aug 8	Aug 22	Sep 5	Sep 25
90-18	Aug 8	Aug 22	Sep 5	Sep 19	Oct 9
90-19	Aug 22	Sep 5	Sep 19	Oct 3	Oct 23
90-20	Sep 5	Sep 19	Oct 3	Oct 17	Nov 6
90-21	Sep 26	Oct 10	Oct 24	Nov 7	Nov 27
90-22	Oct 10	Oct 24	Nov 7	Nov 21	Dec 11
90-23	Oct 24	Nov 7	Nov 21	Dec 5	Dec 25
90-24	Nov 7	Nov 21	Dec 5	Dec 19	Jan 8, 1991
91-01	Nov 21	Dec 5	Dec 19, 1990	Jan 2, 1991	Jan 22
91-02	Dec 5	Dec 19, 1990	Jan 2, 1991	Jan 16	Feb 5
91-03	Dec 26, 1990	Jan 9, 1991	Jan 23	Feb 6	Feb 26
91-04	Jan 9	Jan 23	Feb 6	Feb 20	Mar 12
91-05	Jan 23	Feb 6	Feb 20	Mar 6	Mar 26
91-06	Feb 6	Feb 20	Mar 6	Mar 20	Apr 9
91-07	Feb 20	Mar 6	Mar 20	Apr 3	Apr 23
91-08	Mar 6	Mar 20	Apr 3	Apr 17	May 7
91-09	Mar 20	Apr 3	Apr 17	May 1	May 21
91-10	Apr 3	Apr 17	May 1	May 15	Jun 4
91-11	Apr 24	May 8	May 22	Jun 5	Jun 25
91-12	May 8	May 22	Jun 5	Jun 19	Jul 9
91-13	May 22	Jun 5	Jun 19	Jul 3	Jul 23
91-14	Jun 5	Jun 19	Jul 3	Jul 17	Aug 6
91-15	Jun 26	Jul 10	Jul 24	Aug 7	Aug 27
91-16	Jul 10	Jul 24	Aug 7	Aug 21	Sep 10
91-17	Jul 24	Aug 7	Aug 21	Sep 4	Sep 24
91-18	Aug 7	Aug 21	Sep 4	Sep 18	Oct 8
91-19	Aug 21	Sep 4	Sep 18	Oct 2	Oct 22
91-20	Sep 4	Sep 18	Oct 2	Oct 16	Nov 5
91-21	Sep 25	Oct 9	Oct 23	Nov 6	Nov 26
91-22	Oct 9	Oct 23	Nov 6	Nov 20	Dec 10
91-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
91-24	Nov 6	Nov 20	Dec 4	Dec 18	Jan 7, 1992

¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

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

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

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

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

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

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

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

5. EFFECTIVE DATE OF RULES

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

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

WSR 91-06-001
NOTICE OF PUBLIC MEETINGS
LEGAL FOUNDATION
OF WASHINGTON
 [Memorandum—February 20, 1991]

The following are meeting dates scheduled for 1991 by the board of trustees of the Legal Foundation of Washington for publication by the code reviser as required by the Washington Supreme Court.

March 8-9, 1991, noon	Inn at Langley Whidbey Island
May 9, 1991, 10:00 a.m.	Westwater Inn Olympia
September 20, 1991, 9:30 a.m.	Inn at the Park Spokane
October 25, 1991, 9:00 a.m.	Sea-Tac Airport Skoal Room Seattle
November 15-16, 1991	Location and time to be determined

WSR 91-06-002
NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE
 [Memorandum—February 19, 1991]

At their regular February 7, 1991, board meeting, the trustees moved the April 4, 1991, meeting to March 26, 1991. There will not be an April meeting.

WSR 91-06-003
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 3140—Filed February 21, 1991, 4:18 p.m.]

Date of Adoption: February 21, 1991.
 Purpose: To assure the rules are consistent with federal law.
 Citation of Existing Rules Affected by this Order: Amending WAC 388-82-010 Persons eligible for medical assistance.
 Statutory Authority for Adoption: RCW 74.08.090.
 Pursuant to notice filed as WSR 91-02-069 on December 28, 1990.
 Effective Date of Rule: Thirty-one days after filing.
 February 21, 1991
 Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2932, filed 1/29/90, effective 3/1/90)

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

- (1) Receiving or eligible to receive a cash assistance payment. Payment categories a person may qualify for include:
 - (a) Aid to families with dependent children (AFDC);
 - (b) Supplemental Security Income (SSI);
 - (c) State supplemental payment. The ineligible spouse of an SSI beneficiary receiving a state supplement payment for the ineligible spouse is not eligible for categorically needy medical assistance; and
 - (d) A person under twenty-one years of age:
 - (i) Whose income is less than the one-person AFDC standard and is in:
 - (A) Foster care; or
 - (B) Subsidized adoption; or
 - (C) A skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded (ICF/MR); or
 - (D) An approved inpatient psychiatric facility.
 - (ii) Meeting the eligibility requirements under WAC 388-83-033.
 - (e) Family independence program (FIP).
- (2) A pregnant woman:
 - (a) Who would be eligible for AFDC if her child were born and residing with her. In determining income eligibility for Medicaid, the department shall increase the number in the household (~~(by one)~~) as if the unborn was born before comparing the pregnant woman's income to the AFDC payment standard; or
 - (b) Meeting the eligibility requirements under WAC 388-83-032.
- (3) In a medical facility and:
 - (a) Who would be eligible for cash assistance if the person was not institutionalized. This includes all categorically needy groups; or
 - (b) SSI categorically related and would not be eligible for cash assistance if they were not institutionalized and whose gross income does not exceed the three hundred percent SSI benefit cap. This includes only aged, blind, and disabled groups.
- (4) Not receiving cash assistance because of special provisions as defined in WAC (~~(388-83-028.)~~) 388-83-130;
- (5) Not an inmate of a public institution(~~(:)~~);
- (6) (~~(Sixty-four)~~) Sixty-five years of age or older, a patient in an institution for mental diseases, and eligible under subsection (3)(a) and (b) of this section(~~(:)~~); or
- (7) An individual eligible for and accepting of hospice services as described under WAC 388-86-047 shall be:
 - (a) SSI categorically related(~~(;~~
 - (~~b))~~) with gross income ((in excess of the total of the SSI and state supplement rate, but)) less than three hundred percent of the SSI federal benefit rate; ((and)) or
 - ((c) Eligible for, and accepting of, hospice services as described under WAC 388-86-047)) (b) AFDC categorically related.

WSR 91-06-004
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3141—Filed February 21, 1991, 4:22 p.m.]

Date of Adoption: February 21, 1991.

Purpose: To allow student dependent care costs as food stamp program income exclusions from specific income sources.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-470 Income—Exclusions.

Statutory Authority for Adoption: 91-02-068 [RCW 74.04.510].

Pursuant to notice filed as WSR 91-02-068 on December 28, 1990.

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

February 21, 1991

Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending order 3040, filed 7/13/90, effective 8/13/90)

WAC 388-49-470 INCOME—EXCLUSIONS.

(1) The department shall exclude the following income:

(a) Money withheld from an assistance payment, earned income, or other income source used to repay a prior overpayment from that same income source;

(b) Income specifically excluded by any federal statute from consideration as income in the food stamp program;

(c) The earned income of children who are:

- (i) Members of the household;
(ii) Seventeen years of age or under; and
(iii) Attending school at least half time.

(d) Infrequent or irregular income received during a three-month period that:

- (i) Cannot be reasonably anticipated as available; and
(ii) Shall not exceed thirty dollars for all household members.

(e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred;

- (f) Nonrecurring lump sum payments;
(g) The cost of producing self-employment income;
(h) Financial aid received under Title IV of the Higher Education Act designated by the school for:

- (i) Tuition;
(ii) Fees, including equipment and material;
(iii) Books;
(iv) Supplies;
(v) Transportation; and
(vi) Miscellaneous personal expenses, including dependent care, determined by the institution.

(i) Other federal financial aid designated by the school for:

- (i) Tuition; and
(ii) Mandatory fees.

(j) Nonfederal financial aid designated by the school for:

(i) Tuition and mandatory fees at any school beyond high school or a school at any level for the physically or mentally handicapped; and

(ii) Other earmarked educational expenses such as transportation, supplies, ((and)) textbooks, and dependent care.

(k) Reimbursements for past or future expenses to the extent the reimbursements do not:

- (i) Exceed the actual expense; and
(ii) Represent a gain or benefit to the household.

(l) Any gain or benefit not in money;

(m) Vendor payments as defined in WAC 388-49-020;

(n) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member;

(o) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs;

(p) Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

Table with 2 columns: Number in Grant Assistance Unit, Energy Exclusion. Rows: 1 (\$36), 2 (47), 3 (56), 4 (67), 5 (77), 6 (87), 7 (101), 8 or more (111).

(q) Support payments specified by the support court order or other legally binding written support or alimony agreement to go directly to a third-party beneficiary rather than to the household;

(r) Support payments not required by the support court order or other legally binding written support or alimony agreement paid directly to a third party rather than to the household;

(s) Payments from the individual and family grant program;

(t) Public assistance payments:

- (i) Over and above the regular warrant amount;
(ii) Not normally a part of the regular warrant; and
(iii) Paid directly to a third party on behalf of the household.

(u) From Jobs Training Partnership Act programs:

- (i) Allowances; and
(ii) Earnings from on-the-job training by household members under parental control and eighteen years of age and younger.

(v) Cash donations based on need:

- (i) Received directly by the household;
(ii) From one or more private, nonprofit, charitable organizations; and
(iii) Not exceeding three hundred dollars in any federal fiscal year quarter.

(w) Earned income credit; and

- (x) Federal census bureau wages earned:
 - (i) During the 1990 Federal Census Demonstration Project; and
 - (ii) By a temporary census worker eligible for this exclusion.
- (2) When a child's earnings or amount of work performed cannot be differentiated from the earnings or work performed by other household members, the department shall:
 - (a) Prorate the earnings equally among the working members; and
 - (b) Exclude the child's pro rata share.
- (3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary include both household members and persons not in the household, the department shall exclude:
 - (a) Any identifiable portion intended and used for the care and maintenance of the person out of the household; or
 - (b) If the portions are not readily identified as:
 - (i) An even pro rata share; or
 - (ii) The amount actually used for the care and maintenance of the person out of the household, whichever is less.

WSR 91-06-005
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3142—Filed February 21, 1991, 4:24 p.m.]

Date of Adoption: February 21, 1991.
 Purpose: Increase the standards for vendor payments by three percent effective January 1, 1991.
 Citation of Existing Rules Affected by this Order: Amending WAC 388-42-150 Maximum cost standards.
 Statutory Authority for Adoption: RCW 74.08.090.
 Pursuant to notice filed as WSR 91-02-082 on December 31, 1990.
 Effective Date of Rule: Thirty-one days after filing.
February 21, 1991
 Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2973, filed 4/25/90, effective 5/26/90)

WAC 388-42-150 MAXIMUM COST STANDARDS.

- (1) Mortuary services—Actual costs, but not to exceed:
 - (a) Essential services only \$ ((278)) 286
 - (b) Essential services plus funeral/memorial service \$ ((638)) 657
- (2) Burial services—Actual costs, but not to exceed:
 - (a) Burial only, no plot included \$ ((348)) 358
 - (b) Burial with plot included, single or multiple interment . . \$ ((402)) 414

- (3) Cremation services—Actual costs, but not to exceed:
 - (a) Cremation only \$ ((165)) 169
 - (b) Cremation and disposition \$ ((247)) 254
- (4) These standards include all applicable taxes.
- (5) These standards shall be effective ((February 13, 1990)) January 1, 1991.

WSR 91-06-006
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3143—Filed February 21, 1991, 4:28 p.m.]

Date of Adoption: February 21, 1991.
 Purpose: To update eligibility standards for the individual and family grant (IFG) program.
 Citation of Existing Rules Affected by this Order: Amending WAC 388-53-010 Purpose; and 388-53-050 Eligibility for grants.
 Statutory Authority for Adoption: RCW 38.52.030.
 Pursuant to notice filed as WSR 91-02-081 on December 31, 1990.
 Effective Date of Rule: Thirty-one days after filing.

February 21, 1991
 Rosemary Carr
 Acting Director
 Administrative Services

Chapter 388-53 WAC
 ((~~DISASTER AND RELIEF PROGRAM~~))INDIVIDUAL AND FAMILY GRANT PROGRAM—
DISASTER RELIEF

AMENDATORY SECTION (Amending Order 2498, filed 6/1/87)

WAC 388-53-010 PURPOSE. The purpose of these rules is to set forth the conditions ((and time limits and to enumerate the items and services which make disaster assistance available to individuals and families)) of eligibility for the individual and family grant (IFG) program under P.L. 93-288, following a presidential declaration of a major disaster in the state. ((P.L. 93-288 (the Disaster Relief Act of 1974) and 44 CFR 205.54 provide for grants up to five thousand dollars in the individual and family grant (IFG) program)) For disasters declared on or after November 23, 1988, the Robert T. Stafford Disaster Relief, Emergency Assistance Act of 1988, and 44 CFR 206.131 provide for IFG grants up to the standard set annually by the Federal Emergency Management Agency (FEMA). Chapter 38.52 RCW places responsibility for determining eligibility standards with the department of social and health services. Responsibility for administration of disaster assistance rests with the division of emergency management in the department of Community Development (DCD). Program administration rules and procedures are contained in chapter 118-33 WAC and in the DCD administrative plan for the IFG program.

AMENDATORY SECTION (Amending Order 2498, filed 6/1/87)

WAC 388-53-050 ELIGIBILITY FOR GRANTS.

(1) General. In order to qualify for a grant under this section, an individual or family representative shall:

(a) Make application to all applicable ~~((available))~~ governmental disaster programs for assistance ~~((to meet))~~;

(i) Meeting a necessary expense or serious need, and be determined not qualified for such assistance~~((:));~~ or ~~((demonstrate that))~~

(ii) Demonstrating the assistance received does not satisfy the total necessary expense or serious need~~((:));~~

(b) Not have previously received or refused assistance from other means for the specific necessary expense or serious need, or portion thereof, for which application is made. If other benefits applied for have not been received by the IFG application date, IFG may be granted providing the applicant agrees to repay the IFG administrator all duplicate assistance received.

(c) ~~((Certify))~~ Agree to refund to the state that part of the grant for which assistance from other means is received~~((:))~~ or ~~((which))~~ is not spent as identified in the grant award document.

(d) ~~((Be informed by the department that individuals or families who incur a necessary expense or serious need in the major disaster area may be eligible for assistance under this section without regard to their alienage, residency in the major disaster area or within the state in which the major disaster has been declared.~~

~~((e)))~~ Live in an area in which a grant may be authorized.

The Flood Disaster Protection Act of 1973, P.L. 93-234, as amended, imposes certain restrictions on approval of federal financial assistance for acquisition and construction purposes. ~~((Subpart K of Part 205 implements P.L. 93-234 for FEMA assistance generally.))~~ 44 CFR ~~((205.54))~~ 206.131 (d)(i), (iii) refines those requirements for the individual and family grant program. ~~((To the extent that IFG regulations are inconsistent with Subpart K, the IFG regulations apply.))~~

~~((f))~~ (e) Make application within sixty days following the date on which the major disaster was declared:

(i) Except ~~((that))~~ applications filed after the sixty-day filing period, but within ninety days following the date on which the major disaster was declared shall be reviewed by the assistant director of the division of emergency management to determine whether the late filing was the result of extenuating circumstances or conditions beyond the ~~((control of the))~~ individual's or family's control. If it is determined good cause existed for late filing, the application shall be accepted. If ~~((such))~~ the determination ~~((cannot be))~~ is not made, the application shall be rejected.

(ii) Except the state may accept applications after ninety days from persons for whom the Small Business Administration (SBA) has processed an application submitted late because of "substantial causes essentially beyond the control of the applicant." The SBA must have declined to approve an adequate loan for reasons that would normally make the applicant eligible for IFG and

referred the application to the state IFG administrator. The state must complete all administrative activity for the IFG grant within a two hundred seventy-day period after the disaster declaration.

(iii) Application shall be taken on forms provided by the Federal Emergency Management Agency at times and places ~~((made available by))~~ the state coordinating officer and the Federal Coordinating Officer make available. An application on the FEMA Disaster Assistance Registration Application form allows the individual or family to apply to all applicable governmental programs available simultaneously.

~~((g))~~ (f) First apply to ~~((the))~~ participating Small Business Administration (SBA) or Farmers Home Administration (FMHA) ~~((if participating))~~ offices for loan assistance for repair, replacement, or rebuilding of real or personal property, transportation or other eligible items/services~~((, and be determined)).~~ SBA/FMHA must determine the applicant ineligible, or the assistance from SBA/FMHA must be insufficient, before ((they)) the applicant can be found eligible for an individual and family grant.

(2) Eligible categories. ~~((Assistance))~~ IFG may ~~((be made available))~~ provide assistance to meet disaster-related necessary expenses or serious needs by providing essential items or services in the following categories ~~((set forth as follows))~~:

(a) Medical or dental.

(b) Housing. ~~((With respect to))~~ For private owner-occupied primary residences ~~((f))~~, including mobile homes~~((g))~~, IFG grants may be authorized to:

(i) Repair, replace, rebuild;

(ii) Provide access;

(iii) Clean or make sanitary; ~~((or))~~

(iv) Remove debris from ~~((such))~~ residences. ~~((Any))~~ Debris removal shall be limited to the minimum required to remove health hazards or protect against additional residence damage ~~((to the residence)).~~

(v) Provide minimum ~~((protective))~~ measures required to protect ~~((such))~~ residences against the immediate damage threat ~~((of damage)).~~

(vi) Move mobile homes to prevent and/or reduce the immediate damage threat ~~((of damage)).~~ These ~~((are))~~ minimization measures ~~((required by owner-occupants))~~, to comply with the provisions of 44 CFR Part 9 (Floodplain management and protection of wetlands), ~~((to))~~ enable ~~((them))~~ owner-occupants to receive assistance from other means and/or to comply with a community's floodplain management regulation.

(c) Personal property. Grants may be authorized to:

(i) Replace clothing~~((:));~~

(ii) Repair and replace household items, furnishings, or appliances~~((:));~~

(iii) Replace tools, specialized or protective clothing or equipment essential to or a condition of a wage earner's employment~~((:));~~

(iv) Repair, clean, or sanitize, any eligible personal property item~~((:));~~ and

(v) Move and store to prevent or reduce the immediate threat of damage.

(d) Transportation. Grants may be authorized to replace, repair, or provide privately-owned vehicles, or

provide public transportation. The cost of replacing the vehicle should not exceed fifty percent of the maximum grant, except in the instance of a handicapped person needing special controls.

(e) Funeral expenses. Grants may include funeral and burial (and/or cremation) expenses, less payment from other sources e.g., Social Security, veterans benefits, etc.

(f) Flood insurance requirements. Individuals or families eligible for a grant under this section who live in a flood hazard area (Zone A or V) shall purchase and maintain adequate flood insurance (~~and shall maintain such insurance~~) for three years, or as long as they live in the affected area, whichever is less.

(i) Adequate flood insurance for ~~((homeowners is at least five thousand dollars for real property and two thousand dollars for contents coverage))~~ IFG purposes is a policy that covers at least the amount of the grant award.

(ii) ~~((Adequate coverage for renters is five thousand dollars flood insurance on their personal property.~~

(iii)) The first year's flood insurance premium is an eligible cost and is ~~((to be))~~ included in the award. If the same premium ~~((with))~~ provides more than the required coverage, the higher coverage should be obtained.

~~((iv))~~ (iii) Grant recipients required to obtain flood insurance must furnish proof of purchase to the grant coordinating officer.

(g) Estimates. Cost for estimates required for eligibility determinations under the IFG program. Housing and personal property estimates ~~((with))~~ shall be provided by the government. However, an applicant may appeal to the state if ~~((he/she))~~ the applicant feels the government estimate is inaccurate. The cost of an applicant-obtained estimate to support the appeal is not an eligible cost.

(3) Ineligible categories. Assistance shall not be made available under the IFG program to applicants for any item or service in the following categories.

(a) Business losses, including farm businesses, self-employment and loss of wages~~((:));~~

(b) Improvements or additions to real or personal property~~((:));~~

(c) Landscaping~~((:));~~

(d) Real or personal property used exclusively for recreation~~((:));~~

(e) Financial obligations incurred prior to the disaster~~((:));~~ and

(f) Any necessary expense or serious need or portion thereof for which assistance was available from other means but was refused by the individual or family.

(4) Other categories. Should the state determine an individual or family has an expense or need not specifically identified as eligible, the state shall provide a factual summary to the regional director, FEMA, and request a determination.

(5) Item cost standards. Cost standards not set by FEMA for covered property and services may be developed by the IFG administrator using documented current median prices, subject to department review and approval.

WSR 91-06-007
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3144—Filed February 21, 1991, 4:30 p.m.]

Date of Adoption: February 21, 1991.

Purpose: To consider education financial assistance according to FSA-AT-88-20.

Citation of Existing Rules Affected by this Order: Amending WAC 388-28-575 Disregard of income and resources.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-02-083 on December 31, 1990.

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

February 21, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2975, filed 5/3/90, effective 6/3/90)

WAC 388-28-575 DISREGARD OF INCOME AND RESOURCES. (1) For aid to families with dependent children (AFDC), the department shall disregard as income and as a resource the following payments:

(a) ~~((Grants, loans, or federal work study to an undergraduate student insured by the Secretary of Education, U.S. Department of Education;~~

(b)) The income of a Supplemental Security Income recipient;

~~((c))~~ (b) The monthly child support incentive payment from the office of support enforcement;

~~((d))~~ (c) AFDC benefits resulting from a court order modifying a department policy; and

~~((e))~~ (d) Wages earned during the 1990 Federal Census Demonstration Project by a temporary census worker eligible for the exclusion.

(2) For AFDC and general assistance (GA), the department shall disregard as income and as a resource the following payments:

(a) Loans specified in Wac 388-28-480(4);

(b) Grants, loans, or work study to a student under Title IV-A of the Higher Education Amendments or Bureau of Indian Affairs for attendance costs as identified by the institution. For a student attending school:

(a) At least half-time, attendance costs include tuition, fees, books, supplies, transportation, and miscellaneous personal expenses; or

(b) Less than half-time, attendance costs include tuition and fees.

(c) Grants or loans to an undergraduate student insured by the commissioner of education;

(d) Any remaining grants, work study, scholarships, or fellowships as allowed under WAC 388-28-578;

(e) Apply the earned income disregards in WAC 388-28-570(6) to any work study earnings received and not excluded in subsection (2)(b), (c), and (d) of this section;

~~((f))~~ (f) Payment under Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

~~((g))~~ (g) The food coupon allotment under Food Stamp Act of 1977;

~~((h))~~ (h) Compensation to volunteers in ACTION programs established by Titles I, II, and III of P.L. 93-113;

~~((i))~~ (i) Benefits under women, infants and children program (WIC);

~~((j))~~ (j) Food service program for children under the National School Lunch Act;

~~((k))~~ (k) Energy assistance payments;

~~((l))~~ (l) Per capita judgment funds under Public Law (P.L.) 92-254 to members of the:

(i) Blackfoot Tribe of the Blackfoot Indian Reservation, Montana; and

(ii) Gros Ventre Tribe of the Fort Belknap Reservation, Montana.

~~((m))~~ (m) Indian claim settlement per capita funds or funds held in trust under P.L. 93-134 or P.L. 94-114;

~~((n))~~ (n) Two thousand dollars per individual per calendar year received under the Alaska Native Claims Settlement Act or under P.L. 98-64;

~~((o))~~ (o) Veterans' Administration educational assistance for the student's educational expenses and child care necessary for school attendance;

~~((p))~~ (p) Housing and Urban Development (HUD) community development block grant funds that preclude use for current living costs;

~~((q))~~ (q) Restitution payments made under the Wartime Relocation of Civilians Act, P.L. 100-383. The department shall disregard income and resources derived from restitution payments;

~~((r))~~ (r) A previous underpayment of assistance under WAC 388-33-195;

~~((s))~~ (s) Payment from the annuity fund established by the Puyallup Tribe of Indians Settlement Act of 1989, P.L. 101-41, made to a Puyallup Tribe member upon reaching twenty-one years of age.

(i) Real or personal property purchased directly with funds from the annuity fund payment up to the amount of the funds from the annuity fund payment hereafter referred to as the initial investments.

(ii) Income derived either from the annuity fund payment or the initial investments shall be treated as newly acquired income per WAC 388-28-482 and 388-28-484.

(iii) When the initial investments are nonexempt resources, appreciation in value shall be applied to the resource ceiling value as specified for the applicable program in WAC 388-28-430 (2)(a) or WAC 388-28-435(1). When appreciation is in excess of the applicable ceiling value, the department shall apply WAC 388-28-438(2) for AFDC (~~WAC 388-28-438(2))~~ and WAC 388-28-450(2) for GA-U (~~WAC 388-28-450(2))~~. The department shall determine appreciation in value at the time of eligibility review.

(iv) Proceeds from the transfer of the initial investments are treated according to WAC 388-28-471. After sixty days, if funds are in excess of the applicable ceiling value, the department shall apply WAC 388-28-438(2) for AFDC (~~WAC 388-28-438(2))~~ and WAC 388-28-

440 (3) and (4) for GA-U (~~WAC 388-28-440 (3) and (4))~~).

~~((t))~~ (t) Payments from the trust fund established by the P.L. 101-41 made to a Puyallup Tribe member; and

~~((u))~~ (u) Payments made from the Agent Orange Settlement Fund or any other funds established to settle Agent Orange liability claims. Under P.L. 101-201, the effective date of the disregard is retroactive to January 1, 1989.

WSR 91-06-008

PERMANENT RULES

GAMBLING COMMISSION

[Order 220A—Filed February 22, 1991, 9:23 a.m.]

Date of Adoption: February 8, 1991.

Purpose: Clarifies that employee salaries at fund raising events are not considered "payment" under certain conditions.

Citation of Existing Rules Affected by this Order: Amending WAC 230-25-265.

Statutory Authority for Adoption: Chapter 9.46 RCW.

Pursuant to notice filed as WSR [90-24-006 on November 26, 1990; WSR 91-03-049 on January 14, 1991]; and WSR 91-05-047 on February 14, 1991.

Changes Other than Editing from Proposed to Adopted Version: Removes the exemption from the statutory limitation on revenue. Correction verified by public hearing minutes.

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

February 21, 1991

Kathy Gish

for Frank L. Miller
Deputy Director

AMENDATORY SECTION (Amending Order 111, filed 9/15/81)

WAC 230-25-265 FUND RAISING EVENT—REGULAR SALARY FOR LICENSEE'S EMPLOYEE NOT "PAYMENT" FOR WORK ON FUND RAISING EVENT UNDER CERTAIN CONDITIONS—FOOD & BEVERAGE EXCEPTION. The salary of a regular and full time employee, or a regular but part time employee if the organization has employed a person in that part time position for the past three consecutive years, of an organization licensed to conduct fund raising events shall not be deemed "payment" (as the term "paid" is used in RCW 9.46.02(~~0(23))~~33) for work performed by the employee in connection with a fund raising event conducted by that organization when all of the following conditions are met:

(1) The position held by the employee has been created for purposes unrelated to the conduct of fund raising events and requires the performance of duties unrelated to fund raising events year around. The employee's contribution to fund raising events must be an incidental part of his or her total duties, consisting of less than 1% of total time worked for the organization; and

(2) The employee is paid on a recurring basis on a regular and established rate throughout the calendar year, unrelated to the income produced by any fund raising event; and

(3) The employee does not operate any gambling game or lottery at any fund raising event conducted by the organization but confines his or her services in connection with the event to assisting the organization's other members with the overall planning and organization of the event and with supervision of the supporting services for the event. However, such an employee who is also a bona fide member of the organization or its bona fide auxiliary and is not otherwise scheduled for duty in his or her assigned employee duties at the time the fund raising event is to be held may participate in the conduct of the fund raising event as a bona fide member as set out in WAC 230-25-260.

(4) For the purposes of this rule, the furnishing of food and nonalcoholic beverages to event volunteers, not to exceed \$20 per volunteer per event, shall not be construed as payment or compensation.

WSR 91-06-009
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed February 22, 1991, 12:09 p.m.]

Original Notice.

Title of Rule: WAC 480-12-030 and 480-12-033 relating to motor carriers. The proposed amendatory sections are shown below as Appendix A, Docket No. TV-2322. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed sections on economic values, pursuant to chapter 43.21H RCW.

Purpose: See Explanation of Rule below.

Statutory Authority for Adoption: RCW 80.01.040.

Summary: See Explanation of Rule below.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Curl, Secretary and Transportation Staff, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendment to WAC 480-12-030 will establish a fee of \$50 for application for emergency temporary authority, raise the application fee for permanent authority from \$150 to \$200, and the application fee for temporary authority from \$35 to \$100 and effective January 1, 1992, raise it to \$150. These fees will more

correctly cover the processing costs involved; and the amendment to WAC 480-12-033 will clarify the standards for granting temporary permits.

Proposal Changes the Following Existing Rules: See Explanation of Rule above.

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

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on April 10, 1991, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by April 1, 1991.

Date of Intended Adoption: April 10, 1991.

February 21, 1991

Paul Curl
Secretary

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-276, Cause No. TV-2092, filed 9/17/87)

WAC 480-12-030 APPLICATIONS. (1) Applications for permits or extensions for permanent or temporary common or contract authority, requests for permanent or temporary authority to transfer outstanding common or contract carrier permits, and requests for permanent or temporary authority to acquire control of common or contract carriers, shall be made on forms furnished by the commission and, in accordance with any instructions accompanying the forms, shall contain all the information required therein, and shall be accompanied by the documents and exhibits specified in the application form or instructions and the fee of (~~one hundred fifty~~) two hundred dollars for applications for permanent authority including applications for extensions, (~~thirty-five~~) one hundred dollars for applications for temporary authority, fifty dollars for applications for emergency temporary authority, and thirty-five dollars for applications for a change of corporate name. Effective January 1, 1992, the application fee for temporary authority will increase to one hundred fifty dollars. No application will be accepted for filing until all required information is supplied, and in the case of applications for permits or extensions, until the authority sought has been expressed in clear and acceptable permit terminology. In the case of a transfer of a portion of a permit, the applicant must also submit a proposed revision of the balance of the permit which complies with WAC 480-12-050(5), which proposed revision will be docketed along with the transfer application.

(2) Notwithstanding the foregoing, applications to register ICC operating authority with the commission shall be accompanied by the fee of twenty-five dollars for motor carriers who have not previously filed currently effective applications for such registration and the fee of ten dollars for motor carriers who have previously filed currently effective applications for such registration.

(3) All exhibits or papers submitted with application must be plainly written or typed on one side of the paper only, such paper to be of standard letter size, 8 1/2 by 11 inches.

AMENDATORY SECTION (Amending Order R-262, Cause No. TV-1956, filed 6/27/86)

WAC 480-12-033 TEMPORARY PERMITS. (1) The commission may issue temporary permits for authority to engage in common or contract carrier operations for a period of (~~not to exceed~~) up to one hundred eighty days, but only after it finds that the issuance of (~~such~~) the temporary permit is consistent with the public interest.

(a) In determining whether (~~or not~~) the requested temporary authority is consistent with the public interest the commission will consider evidence of the following factors:

(i) (~~A showing of an~~) Any immediate and urgent need for the requested service;

(ii) (~~The presence of lack of~~) Any available service capable of meeting the need; and

(iii) Any other circumstances indicating that (~~the~~) a grant of (~~such~~) temporary authority is consistent with the public interest.

(b) An application for a temporary permit shall be supported by a notarized statement from one or more shippers (~~(; consignees or others)~~) setting forth all pertinent facts relating to ~~((their))~~ need for the ~~((applied-for temporary))~~ service.

~~((c))~~ Temporary authority issued under this subsection shall be published in the commission's weekly application docket along with a list of supporting shippers. Any interested carrier may, within ten days from the date of publication, protest the grant of authority by submitting a notarized statement that it has contacted the supporting shippers, consignees, or others supporting the application, that it has discussed their shipping problems with them, and that it is ready, willing and able and commits to provide service to their satisfaction on demand, or that the granting of temporary authority is not consistent with the public interest.)

(2) The commission may also issue temporary permits pending the determination of an application filed with the commission for approval of a consolidation or merger of the properties of two or more common carriers or contract carriers or of a purchase or lease of one or more common or contract carriers or of the transfer of a permit.

In determining whether ~~((or not))~~ the requested temporary authority will be granted, the commission will consider whether the failure to grant such authority may result in ~~((the destruction of or injury))~~ damage to the motor carrier properties sought to be acquired, or ~~((whether the failure to grant such authority))~~ may interfere with the future usefulness of ~~((such))~~ those properties in the performance of adequate and continuous service to the public. The commission may also consider the reasons for seeking to transfer the permit, whether the permit sought to be acquired has been operated during all of the past twelve months, and the reasons for any break in operations.

(3) ~~((Any temporary permit granted under subsection (1) of this section (except a temporary permit which has been canceled as herein after provided) or subsection (2) of this section, shall be continued in force beyond the expiration date specified in such temporary permit, until the determination of an application for permanent permit authority to engage in operations authorized by such temporary permit, provided such application for permanent permit authority has been filed in accordance with the applicable laws, rules, and instructions not later than sixty days after issuance of the temporary permit.~~

~~((4))~~ In all cases, the commission may consider whether the applicant has been cited for violation of motor carrier law or has been denied authority on the basis of fitness.

(4) The commission will publish notice of the issuance of temporary authority under this section in its weekly application docket. The commission shall also publish the names of the shippers which the applicant may serve under the temporary authority issued pursuant to subsection (1) of this section.

(a) Any interested carrier may, within ten days after the date of publication, file a protest to the grant of authority. A copy of the protest must also be served on the applicant and the applicant's attorney or representative if one is named in the docket. The protest and each copy must include a certificate of service in accordance with WAC 480-09-120.

(b) The protest must be accompanied by a notarized statement that the protestant has contacted the shippers supporting an application granted under subsection (1) of this section, that the protestant has discussed their shipping problems with them, and is ready, willing, and able and commits to provide service to their satisfaction on demand. A protest to an application should contain a statement of any reasons why the protestant believes the grant of temporary authority is not consistent with the public interest.

(c) A protest filed in substantial compliance with this section will be considered an application for a brief adjudicative proceeding. Procedure thereafter is governed by WAC 480-09-500.

(5) The commission may impose special terms and conditions in connection with ~~((granting))~~ the grant of any temporary permit~~((s))~~. ~~((The commission will impose the following condition in connection with the granting of))~~ A temporary permit~~((s issued pursuant to subsection (1) of this section:~~

~~^This permit is subject to cancellation))~~ may be cancelled any time within ~~((forty-five))~~ sixty days after the date of ~~((issuance))~~ publication, if the commission determines that ~~((no emergency exists or))~~ there is no immediate and urgent need for the service, that another carrier with authority is ready, willing and able to render satisfactory service to the shipper, or ~~((evidence))~~ that ~~((this))~~ the temporary permit was not issued in the public interest.~~((^))~~ A temporary permit may be cancelled at any time if the commission determines that its grant

was based on fraud, misrepresentation, or erroneous information from the applicant.

~~((6))~~ If a valid application for motor carrier authority is filed within thirty days after the grant of a temporary permit, that temporary authority will continue in force until the commission grants or denies the application for motor carrier authority or until the temporary permit is otherwise cancelled pursuant to law, whichever event occurs first.

~~((7))~~ (7) Emergency temporary authority may be authorized for periods of thirty days or less to meet an immediate and urgent need for service due to emergencies, in which time or circumstances do not reasonably permit the filing and processing of an application for a temporary permit ~~((in the usual manner. PROVIDED, That))~~. Emergency temporary authority may also be issued for periods not to exceed ninety days for the hauling of agricultural commodities as defined by WAC 480-12-990, or Christmas trees.

Emergency temporary authority may be ~~((authorized upon))~~ granted after application to the commission or any of its duly authorized agents upon payment of the fee set by WAC 480-12-030 and the furnishing of proof of possession of public liability and property damage insurance in limits provided in WAC 480-12-350. ~~((Such))~~ Proof of insurance may consist of an insurance policy or a certificate of insurance. Grants of emergency temporary authority are not subject to the provisions of this section regarding protest and cancellation.

~~((8))~~ (8) Temporary permits may be authorized only when the vehicles to be used in performance of the hauling under said temporary permit have passed a vehicle safety inspection by a commission agent.

WSR 91-06-010

PERMANENT RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Order R-336, Docket No. A-900700—Filed February 22, 1991,
12:14 p.m.]

In the matter of amending WAC 480-09-015, 480-09-100, 480-09-120, 480-09-440, 480-09-500, 480-09-510, 480-09-610, and 480-09-736 relating to procedures before the commission.

This action is taken pursuant to Notice No. WSR 91-02-105 filed with the code reviser on January 2, 1991. The rule change hereinafter adopted shall taken effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and 34.05.220 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-02-105 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, February 6, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to January 28, 1991, and orally at 9:00 a.m., Wednesday, February 6, 1991, in the commission's hearing room above noted. At the February 6, 1991, meeting the commission considered the rule change proposal. Written comments

were received from GTE Northwest Incorporated and no oral comments were made.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-09-015, 480-09-100, 480-09-120, 480-09-440, 480-09-500, 480-09-510, 480-09-610, and 480-09-736 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-09-015, 480-09-100, 480-09-120, 480-09-440, 480-09-500, 480-09-510, 480-09-610, and 480-09-736 as amended will clarify and add procedures to the commission's procedural rules.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-09-015, 480-09-120, 480-09-440, 480-09-500, 480-09-510, 480-09-610, and 480-09-736 as set forth in Appendix A, be amended as rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order and annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 20th day of February, 1991.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-310, Docket No. U-89-2966-R, filed 10/12/89, effective 11/12/89)

WAC 480-09-015 SUBMISSION OF "CONFIDENTIAL" INFORMATION. (1) General.

The commission will provide special handling and limited access to confidential information properly submitted pursuant to this section. Nothing in this rule shall foreclose the entry and enforcement of protective orders in specific cases.

(2) Designated official.

The secretary of the commission is responsible for the implementation of this rule.

(3) Definitions.

"Confidential information." As used in this rule, confidential information consists of and is limited to information filed with or provided to the commission or its staff which is protected from inspection or copying under chapter 42.17 RCW or RCW 80.04.095. In the absence of a challenge, information designated as confidential under this rule will be presumed to meet this definition. In the event of a challenge, the burden of proving that the statutory definition applies is on the party asserting confidentiality.

"Provider." Any person who submits information to the commission or commission staff under a claim of confidentiality pursuant to this rule.

"Requester." Any person who submits a data request ~~((in a contested case))~~ in an adjudicative proceeding or a request for public documents under the State Public Disclosure Law.

(4) How to seek protection under this rule.

A provider may claim the protection of this rule only by strict compliance with the following requirements:

(a) The claim of confidentiality must be submitted in writing on a form provided by the secretary or in a letter providing equivalent supporting information. The provider must identify any person (other than the provider itself) which might be directly affected by disclosure of the confidential information.

(b) The confidential information must be clearly marked "confidential." Marking must include the first page of a multi-page document and each specific page which contains allegedly confidential information.

(c) The confidential information must be sealed in an envelope or similar wrapping which is clearly marked "confidential."

(d) If the confidential information is submitted under the provisions of a protective order, said order must be cited in the form or letter claiming confidentiality. The "confidential" mark should indicate "Confidential per Protective Order in WUTC Docket No. _____."

(5) Requests for "confidential information."

Information designated confidential will be released upon a request properly filed under the following requirements.

(a) The requester shall submit a written request to the secretary on a form provided by the commission or in a letter containing equivalent supporting information. The request must, at a minimum, identify the requester by name, address, any organization represented, and whether the information sought is to be used for a commercial purpose.

(b) The request must be sufficiently specific to allow the secretary to readily identify the documents or other material which contains the information requested. Upon receipt of a request for confidential information, the secretary will notify the requester of any deficiency which has been identified in the request. It will be the responsibility of the requester to correct the request and re-submit same pursuant to this rule. No action will be taken pending resubmission.

(c) The requester shall commit to prepayment of copying fees designated by the secretary.

(6) Informal resolution.

When the secretary finds that the request may be satisfied without disclosing confidential information, the secretary will attempt to facilitate an informal resolution.

(7) Release of information.

Any information alleged to be exempt from inspection and copying pursuant to RCW 80.04.095, shall be released only upon notice to the provider and any person identified by the provider as one who might be directly affected by release of the information so as to allow invocation of the statutory procedures for securing a court

order protecting the records as confidential. Such notice shall be given not more than two days following location of the materials requested, and determination that they contain information claimed to be confidential. Notice will be given in writing, either by first class mail or by transmission of a copy of the request by electronic facsimile. Notice by mail shall be deemed complete in accordance with WAC 480-09-120(2), and facsimile shall be deemed complete when transmission is complete. A copy of the notice will be forwarded concurrently to the requester.

If the provider consents to the release of the information, in writing or facsimile, or does not restrain disclosure by way of court order within ten days following notice, the information shall thereupon be deemed public, shall be so designated in the files of the commission, and shall promptly be released to the requester. The foregoing shall not apply if the request is withdrawn or modified so as to exclude confidential material, or if the requester agrees in writing to the satisfaction of the provider to be bound by a pre-existing and effective protective order.

(8) Judicial intervention.

The commission need not assist any person in seeking or resisting judicial intervention, but reserves the right to participate in any such proceeding as its interest may appear.

AMENDATORY SECTION (Amending Order R-310, Docket No. U-89-2966-R, filed 10/12/89, effective 11/12/89)

WAC 480-09-100 COMMISSION ADDRESS—
~~((RECEIPT OF DOCUMENTS))~~ **COMMUNICATIONS.** (1) Address~~((, receipt of documents))~~. Except as provided in chapter 480-04 WAC, all written communications and documents should be addressed to: The Office of the Secretary, Washington Utilities and Transportation Commission, P.O. Box 9022, 1300 South Evergreen Park Drive S.W., Olympia, Washington 98504-9022, and not to individual members of the commission staff.

(2) Receipt of communications. Except as provided in chapter 480-04 WAC, all communications and documents are deemed to be officially received only when delivered at the office of the secretary and stamped with the date and time. Documents and communications physically received in the commission offices between 5:00 p.m. of one business day and the start of the next business day are not considered officially received until the next business day when stamped with the date and time.

~~((2))~~ **(3) Identification; one subject in a letter.** Letters to the Washington utilities and transportation commission (referred to in these rules as the "commission") should include only one subject.

(a) Each item of pleading or correspondence which relates to a proceeding before the commission shall set forth at the top of the first page the docket number and name of the proceeding, if known to the writer, the title of the pleading, and the identity of the person who submits it.

(b) Communications to the commission from the holder of any permit, license, or certificate shall identify the exact name and the number under which the authority is held and the name and title of the writer.

~~((3) After business hours, communications with the commission may be made by calling toll-free 1-800-562-6150 and leaving a recorded message:))~~ **(4) Communications from the commission. Official communications from the commission, other than orders, shall be signed by the commissioners, secretary of the commission, or the secretary's designee.**

AMENDATORY SECTION (Amending Order R-310, Docket No. U-89-2966-R, filed 10/12/89, effective 11/12/89)

WAC 480-09-120 FILING AND SERVICE. (1) Filing. Filing of any document shall be deemed complete only upon receipt by the secretary or, when authorized by the presiding officer of a proceeding before the commission, upon receipt by the presiding officer.

(a) Except as provided in WAC 480-80-070 for tariff filings, receipt in the commission's telefax machine, or similar device, does not constitute filing.

(b) Unless in a particular case the commission specifies a different number of copies, every pleading submitted to the commission shall be filed with three copies for transportation matters and nineteen copies for all other matters.

(c) Filing a document with the commission does not constitute service upon the office of the attorney general or any other party. Likewise, service on the office of the attorney general does not constitute a filing with the commission.

(d) The filing of a pleading with the commission is not complete unless service has been made upon all parties to a proceeding, evidenced by a valid certificate of service or its equivalent as provided in this rule.

(2) Service.

(a) Except as otherwise provided, when any party has appeared by an attorney or other authorized representative in a proceeding before the commission, service of documents required to be served shall be made upon ((such attorney or)) the representative ((will be deemed)). Service upon the representative is valid service upon the party ((of all future pleadings in the proceeding before the commission)).

(b) Service by parties. Service by parties shall be made by delivering one copy to each party in person; by mailing, properly addressed with postage prepaid; by commercial parcel delivery company properly tendered with fees prepaid, or by telefacsimile transmission, where originals are mailed simultaneously. Service by mail shall be complete when a true copy of the document is properly addressed and stamped and deposited in the United States mail. Service by commercial parcel delivery company shall be complete when accepted for delivery by the company.

(c) Service by commission. All notices, complaints, petitions, findings of fact, opinions, and orders required to be served by the commission may be served in person, by mail, by commercial parcel delivery company, properly tendered with fees prepaid, or by telefacsimile

transmission, when originals are mailed simultaneously. Service thereof shall be complete when a true copy of the document, properly addressed and stamped, is deposited in the United States mail with first class postage affixed, or accepted for delivery by the parcel delivery company.

(d) Certificate of service. There shall appear on the original of every pleading when filed with the commission in accordance with this subsection (2) of this section, either an acknowledgment of service, or the following certificate:

"I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding, by (authorized method of service pursuant to WAC 480-09-120 (2)(a))

Dated at this day of
(signature)

AMENDATORY SECTION (Amending Order R-310, Docket No. U-89-2966-R, filed 10/12/89, effective 11/12/89)

WAC 480-09-440 CONTINUANCES—EXTENSIONS OF TIME. (1) General. Postponements, continuances and extensions of time, called "continuances" in this section, may be requested by any party, upon notice to all other parties, and may be granted upon a showing of good and sufficient cause. Continuances may be directed by the commission or the presiding officer without the request of any party when doing so is in the public interest or furthers administrative needs of the commission. The date which is sought to be continued is called the "deadline" in this section.

(2) Procedure. Requests for continuances may be made orally on the record during a hearing. Whenever possible, requests shall be made by letter. Requests may be decided orally in hearing, or by letter, by the presiding officer or the commission. Requests may be granted; granted, with modification; or denied.

(3) Timing. Oral requests must be made at least five days prior to the deadline sought to be continued. Written requests must be filed with the commission, and served upon other parties so as to be received, no less than five days prior to the deadline which is sought to be continued. Responses must be filed no less than four days after service of the request, or two days prior to the deadline which is sought to be continued; whichever is earlier. Response shall be made orally when a related hearing is held prior to the stated response deadline. Requests which are made prior to the deadline, but which are not made within the time specified in this subsection, must specify the nature of the circumstances which prevented making a timely request.

(4) Content. A request for continuance must contain the following information:

(a) The name of the requesting party and its role in the proceeding (e.g., applicant, respondent, intervenor, etc.);

(b) Whether the requestor or any other party has previously requested a continuance in the proceeding and whether any continuance has been granted;

(c) Whether the requestor has discussed the request with other parties and whether, upon discussion, all other parties agree;

(d) The proposed new deadline;

(e) The reason for the request and for requesting the proposed new deadline;

(f) What efforts have been made to avoid a continuance and to minimize the length of the delay sought;

(g) If the continuance is to allow time to acquire a transcript, the date the transcript was ordered, when delivery is expected, and the length of the transcript or the length of the hearing;

(h) If the request relates to an application for transportation operating authority, whether the applicant is presently providing all or part of the requested service, and whether an application for temporary authority has been filed and the status of the application; and

(i) Any other factor which may bear upon whether allowing the continuance is consistent with the public interest.

(5) Date certain—Dismissal. Continuances should be granted to a date certain. A party seeking an indefinite continuance must demonstrate why a date certain is not feasible. Each ninety days after the initial request is granted, the party making the request must (a) file a statement with the commission describing the status of the proceeding and why it is still infeasible to establish a date certain, or must (b) request a date certain. Failure to file the statement required in this subsection is grounds for dismissal without further notice. The commission may at any time rescind the continuance and set the proceeding for hearing.

(6) Agreed requests. A request for continuance as to which all parties agree is an "agreed request." Agreed requests for continuances other than hearings may be made orally until the deadline, provided a confirming letter is served and sent for filing on the same day. A first agreed request, timely made, will be granted unless it is inconsistent with the public interest or commission administrative needs.

AMENDATORY SECTION (Amending Order R-310, Docket No. U-89-2966-R, filed 10/12/89, effective 11/12/89)

WAC 480-09-500 BRIEF ADJUDICATIVE PROCEEDINGS. (1) Pursuant to RCW 34.05.482, the commission (~~will~~) may use brief adjudicative proceedings where not violative of law and where protection of the public interest does not require the commission to give notice and an opportunity to participate to persons other than the parties. Those circumstances may include:

(a) Review of denials or partial denials of applications that are not protested;

(b) Contested applications for temporary authority; (~~and~~)

(c) Proceedings which could lead to suspension, cancellation, or revision of authority for failure to maintain tariffs, pay fees, or file required documents; and

(d) Formal complaints in which notice and an opportunity to participate in the proceeding need not be given to persons other than the parties.

(2) Application may be made for a brief adjudicative proceeding by filing a letter of request and certificate of service with the secretary of the commission (~~(or by the filing of a protest in the case of temporary applications)~~). The commission shall designate either a review judge, the director of its transportation division, or the director of its utilities division as a presiding officer in specified brief adjudicative proceedings. Each applicant for a brief adjudicative proceeding shall submit a written explanation of its view of the matter along with its application. Other parties may file a written response within ten days after service of the application for a brief adjudicative proceeding. In the discretion of the presiding officer, oral comments offered by parties may be considered.

(a) If a party to a brief adjudicative proceeding desires an opportunity to make an oral statement, the request should be made in the application or in the response to the application.

(b) A request to make an oral statement may be granted if the presiding officer believes such a statement would benefit him or her in reaching a decision. The presiding officer shall notify the parties within a reasonable time of the decision to grant or deny the request to hear oral comments, and, if the request is granted, shall notify the parties of the time and place for hearing comments.

(3) If the party is present at the time any unfavorable action is taken, the presiding officer shall make a brief statement of the reasons for the decision. The action on the application shall be expressed in a written order which shall be served upon all parties within ten days after entry of the order or the decision.

(4) The brief written statement is an initial order. If no review is taken of the initial order, it shall be the final order.

(5) Service of the initial order shall be made pursuant to WAC 480-09-120.

(6) The commission shall conduct a review of an initial order resulting from a brief adjudicative proceeding upon the written or oral request of a party if the commission receives the request within twenty-one days after service of the initial order. If no request is timely filed, the commission may adopt, modify, or reject the initial order.

(7) A request for review of an initial order shall contain an explanation of the party's view of the matter, with a statement of reasons why the initial order is incorrect, and a certificate of service. Responses to a request for review of an initial order shall be filed with the commission and served upon the other parties within ten days after service of the request for review.

(8) The order on review must be in writing, must include a brief statement of the reasons for the decision, and must be entered within thirty days after the date of the initial order or of the request for review, whichever is later. The order shall include a description of any further available administrative review or, if none is available, a notice that judicial review may be available.

(9) A request for administrative review is deemed to have been denied if the agency does not make a disposition of the matter within thirty days after the request is filed.

(10) The record in a brief adjudicative proceeding shall consist of any documents regarding the matter that were considered or prepared by the presiding officer for the brief adjudicative proceeding or by the reviewing officer for any review.

AMENDATORY SECTION (Amending Order R-310, Docket No. U-89-2966-R, filed 10/12/89, effective 11/12/89)

WAC 480-09-510 EMERGENCY ADJUDICATIVE PROCEEDINGS. (1) Pursuant to RCW (~~(34.05-482)~~) 34.05.479, the commission shall use emergency adjudicative proceedings (~~(for the suspension or cancellation of)~~) to suspend or cancel authority, to require that a dangerous condition be terminated or corrected, or to require immediate action in situations involving an immediate danger to the public health, safety, or welfare requiring immediate action by the commission. Such situations shall include:

(a) Failure to possess insurance;

(b) (~~(Safety violations when the violation involves an immediate danger to the public health, safety, or welfare; and~~

~~(c))~~ Inadequate service by a gas, water, or electric company when the inadequacy involves an immediate danger to the public health, safety, or welfare; and

(c) Violations of law, rule, or order related to public safety, when the violation involves an immediate danger to the public health, safety, or welfare.

(2) (~~(The commission may designate a review judge, the director of the commission's utilities division, or the director of the commission's transportation division as presiding officer in specified emergency adjudicative proceedings.)~~) The matter shall be heard and the order shall be entered by the commission. If a majority of the commissioners is not available, a commissioner shall hear the matter. If no commissioner is available, a commission review judge shall hear matters.

(3) The commission's decision shall be based upon the written submissions of the parties and upon oral comments by the parties if the presiding officer has allowed oral comments. The order shall include a brief statement of findings of fact, conclusions of law, and justification for the determination of an immediate danger to the public health, safety, or welfare. The order shall be effective when entered. Service of the order shall be made pursuant to WAC 480-09-120.

AMENDATORY SECTION (Amending Order R-310, Docket No. U-89-2966-R, filed 10/12/89, effective 11/12/89)

WAC 480-09-610 CONSOLIDATION OF PROCEEDINGS. Two or more proceedings in which the facts or principles of law are related may be consolidated for hearing or disposition in the discretion of the commission.

(1) A motion for consolidation or for the severance of consolidated matters shall be addressed to the commission. The commission may rule on the motion or may refer the motion to the office of administrative hearings for resolution.

(2) The commission may on its own motion consolidate matters for hearing, or sever consolidated matters, when it believes that the action is appropriate.

AMENDATORY SECTION (Amending Order R-310, Docket No. U-89-2966-R, filed 10/12/89, effective 11/12/89)

WAC 480-09-736 HEARING GUIDELINES. These guidelines are of a general nature and are provided to assist the presiding officer in regulating the course of the proceeding. The presiding officer has discretion to suspend or modify the guidelines or to use measures not specified herein when appropriate in the circumstances of the case.

(1) Starting times will be strictly observed. The proceeding will go forward in the absence of counsel who are late.

(2) Motions will be stated and argued at the start of the day, unless they arise from matters emerging during the hearing that are not reasonably foreseeable. This rule does not apply to motions with respect to the admissibility of evidence which may require foundation. In such cases, the presiding officer should be notified that a motion will be presented during the hearing.

(3) All counsel are expected to address comments, objections, and statements to the presiding officer rather than to other counsel. Questions will be addressed to the witnesses rather than to counsel.

(4) There will be no off-the-record discussions at the request of counsel unless counsel asks leave to go off the record and states the purpose for the request.

(5) Extended colloquies regarding procedural issues may be conducted off the record. Each attorney will be given the opportunity to state for the record a summary of his or her view on behalf of his or her client when the record resumes.

(6) When predistribution of evidence is required, one copy should be addressed specifically to the presiding administrative law judge. One copy should be addressed to the commission's accounting adviser, in care of the secretary of the commission. Each party is responsible for having two revised, corrected copies of its exhibits ready for marking and inclusion in the official case file at the hearing itself. One set of copies should also be brought to the hearing for the court reporter. To advise the parties of corrections, an errata sheet may be used to indicate the corrections to copies that have been predistributed. Corrections and revisions should be made to all copies distributed at hearing before the copies are distributed. The presiding officer will advise the parties regarding the number of extra copies to be filed with the commission.

(7) Prefiled testimony may be accompanied by exhibits. Parties should not preassign numbers to their own prefiled testimony and exhibits. Instead the following system should be used, including the witness's initials,

and marked serially. For John Q. Witness's prefiled testimony and accompanying exhibits:

Ex (JQW-Testimony) Ex (JQW-2)
Ex (JQW-1) Ex (JQW-3)

Counsel unfamiliar with this method of identification should contact the presiding officer for further guidance. The official numbers for the case will be assigned by the administrative law judge at the hearing session.

(8) Each witness should present a short summary of his or her remarks on the opening page or two of prepared testimony. Counsel will be expected to ask as a foundation question the subjects that will be covered by the witness. This foundation question should request only a statement of the subjects to be covered by the witness, e.g., rate of return, and not a summary of the witness's positions on those subjects. Twenty copies of the summary shall be filed with the secretary of the commission unless the presiding officer advises that a different number is required.

(9) All prepared testimony, exhibits, and pleadings shall be 8-1/2 by 11 inches in size or folded to that size and punched for insertion into three-ring binders. Line numbers shall be set out on all prepared testimony to facilitate transcript or exhibit references. Large charts may be used at the hearing so long as a letter-size reduction is provided or so long as the chart is foldable to 8-1/2" by 11" for inclusion in the official record.

(10) Any revised pages for predistributed or previously admitted testimony or exhibits shall be prominently labeled "REVISED" and bear the date of the revision. The revised portions should be indicated for cross-reference to the original submissions. This practice should be followed even as to minor changes that involve only one page of an exhibit.

(11) Cross-examination will be limited to two rounds except upon a showing that good cause exists. Witnesses should not be asked to perform calculations or extract detailed data on the stand. Such questions should be provided to the witness in advance or asked "subject to check." When a witness answers "subject to check," the witness must perform the "check" as soon as possible. A response given "subject to check" will be deemed accurate unless disputed by the witness within ten days of distribution of the transcript or prior to the closing of the record, whichever occurs first.

(12) At the beginning of a hearing session for the purpose of taking testimony from members of the public, public counsel may inform the public of the major contested issues.

(13) All case-related correspondence should be addressed to the secretary of the commission, under existing commission rules. The parties are cautioned that correspondence addressed directly to an individual may not be logged in, may not be inserted in the case file, and may not constitute a part of the official record for appeal or for other purposes. In addition, one copy should be addressed to the presiding administrative law judge at the Office of Administrative Hearings, (~~(1212 Jefferson Street, Suite 200, Mailstop PG-21)~~) Third Floor, 2420 Bristol Court SW, Building E, Mailstop FS-34, Olympia, Washington 98504.

(14) Petitions or motions intended for argument or resolution at previously-scheduled hearing sessions should be received by the commission and all parties at least three business days prior to argument. Oral response will be allowed on the record. (This guideline does not require personal service. Petitions or motions, if mailed, should be served so as to effect actual receipt three business days before argument.)

(15) When the commission is requested to take some action prior to the next hearing session, the petitioner or movant shall effect service upon all other parties. Responses are due in the office of the secretary of the commission no later than the close of the fifth business day following service, except as provided in WAC 480-09-425(3).

(16) The presiding officer shall confer with the parties at the conclusion of the hearing about post-hearing process. The presiding officer will determine whether oral argument, briefs, or both will be required, taking into consideration the ((desires of the)) parties' preferences. If briefs are required, ((they)) the presiding officer shall determine a format to be used by all parties. Briefs shall not exceed sixty pages, including appendices and attachments but excluding the cover and index pages, without permission from the presiding officer. Briefs shall comply with WAC 480-09-770(1).

(17) Each party will bear its own costs for transcripts including charges for expedited service when requested.

(18) For planning purposes, counsel should be prepared to provide time estimates for cross-examination of witnesses.

(19) Documents provided by or on behalf of members of the public at a public hearing will ordinarily be placed with the hearing file or may be offered as an illustrative exhibit. Letters received by the secretary of the commission and by public counsel from members of the public may be offered into evidence as illustrative of the opinions of the correspondents. Documents which are exceptional in their detail or their probative nature may be offered into evidence separately, provided that a sponsoring witness is available for cross-examination. Only exhibits and testimony offered and received are part of the record and subject to consideration by the commission in its decision.

WSR 91-06-011
RULES COORDINATOR
DEPARTMENT OF CORRECTIONS
 [Filed February 22, 1991, 2:56 p.m.]

This is to advise you that Gary L. Banning has been designated rules coordinator for the Department of Corrections for the year 1991.

Chase Riveland
 Secretary

WSR 91-06-012
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Registration for Architects)
 [Filed February 22, 1991, 4:15 p.m.]

Original Notice.

Title of Rule: WAC 308-12-115 Definitions.

Purpose: Sets forth the definition of the term "design-build."

Statutory Authority for Adoption: RCW 18.08.340.

Statute Being Implemented: RCW 18.08.410(7).

Summary: WAC 308-12-115 is amended to add and define the term "design-build" as used in architect law RCW 18.08.410(7).

Reasons Supporting Proposal: The term "design-build" is used in the architect law, RCW 18.08.410 Application of chapter, without having been defined in law. The board is responsible to develop this definition.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James Hanson, 2424 Bristol Court, 753-6967.

Name of Proponent: Board of Registration for Architects, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This amendment provides clarification of a term stated in the law.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule sets forth the definition of the term "design-build." The term is used in law, but not defined in law. The definition clarifies who may perform design-build services.

Proposal Changes the Following Existing Rules: This rule would add and define the term "design-build" to WAC 308-12-115 Definitions.

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

Hearing Location: Room 208 J, Department of Architecture, Gould Hall, Second Floor, 3949 15th N.E., Seattle, WA, on May 31, 1991, at 9:30 a.m.

Submit Written Comments to: James D. Hanson, Department of Licensing, P.O. Box 9649, Olympia, WA 98504, by May 24, 1991.

Date of Intended Adoption: May 31, 1991.

February 21, 1991

James D. Hanson

Program Administrator

AMENDATORY SECTION (Amending Order PM 676, filed 9/17/87)

WAC 308-12-115 DEFINITIONS. (1) Accredited architectural degree—A professional degree received from the current list of accredited schools of architecture as published by the National Architectural Accrediting Board.

(2) Practical architectural work experience—Practical work experience performing activities involved in the practice of architecture, as defined in RCW 18.08.320, under the direct supervision of an architect. The board may approve similar practical work experience for full or partial credit and will accept intern development program experience as defined in the IDP training guidelines.

(3) Intern development program (IDP)—An internship program designed to provide a formal means of evaluating training, to recognize

the intern-architects' professional development by compiling a continuing, comprehensive record of their internship training and to ensure intern-architects of a range of exposures that will help qualify them to take the professional examination.

(4) Supervision—The word "supervision" in RCW 18.08.320 means the periodic observation of materials and work in progress or completed work to observe the general compliance with plans, specifications, and design and planning concepts, and does not include responsibility for the superintendence of construction processes, site conditions, operations equipment, personnel, maintenance of a safe place to work, or any safety in, on, or about the site of the work.

(5) Principal—The word "principal" as used herein shall mean an architect who is registered in this state; who is a shareholder, if the practice is through a professional service corporation; or a partner if the practice is through a partnership; or the proprietor if the practice is through a proprietorship; or the designated architect of a stock corporation; and is the person in charge of the architectural practice, either alone or in concert with others who qualify as herein described.

(6) Direct supervision—The phrase, "under the direct supervision of an architect" as used in connection with architectural work experience for qualification and eligibility for the examination shall refer to any of the following conditions or situations.

(a) The supervising architect is an employer who is knowledgeable of the performance and competence of the applicant.

(b) The supervising architect works for the same employer as the applicant, and is either the direct superior of the applicant, or a co-worker knowledgeable and responsible for the efforts of the applicant.

(7) Design-build—A delivery approach in which responsibility for both design and construction is vested in a single entity.

WSR 91-06-013
NOTICE OF PUBLIC MEETINGS
WASHINGTON INSTITUTE
OF APPLIED TECHNOLOGY
 [Memorandum—February 22, 1991]

BOARD OF DIRECTORS MEETING
 Thursday, February 28, 1991
 7:30 a.m.
 WIAT Sixth Floor Boardroom

The next regular meeting of the board of directors is scheduled for Wednesday, March 27, 1991, at 7:30 a.m. in the WIAT boardroom.

WSR 91-06-014
NOTICE OF PUBLIC MEETINGS
HIGHER EDUCATION
PERSONNEL BOARD
 [Memorandum—February 25, 1991]

Notice of Date and Location Change

Former Date	Former Location
April 4, 1991	Centralia College 600 West Locust Centralia, WA
New Date	New Location
April 12, 1991	South Puget Sound Community College 2011 Mottman Road S.W. Olympia, WA

WSR 91-06-015
PERMANENT RULES
WILDLIFE COMMISSION

[Order 485—Filed February 25, 1991, 4:30 p.m.]

Date of Adoption: January 11, 1991.

Purpose: To establish 1991 Wild turkey seasons and to repeal 1990 Wild turkey seasons.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 232-28-713 1990 Wild turkey seasons.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Pursuant to notice filed as WSR 90-24-082 on December 5, 1990.

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

February 21, 1991

John C. McGlenn

Chairman

NEW SECTION

WAC 232-28-714 1991 SPRING TURKEY SEASONS Gobblers and Turkeys with Visible Beards Only.

REGULAR SEASON (Merriam's and Rio Grande Subspecies):

April 17, 1991 through May 12, 1991 in Asotin, Columbia, Garfield, Kittitas, Klickitat, Lincoln, Skamania, Stevens, and Yakima counties, that part of Chelan County within the following described area: beginning at Kittitas-Chelan County line; then north on S.R. 97 to Wenatchee and the Columbia River; then south along the Columbia River to the Kittitas County line, and that part of Okanogan County north and west of S.R. 97.

PERMIT SEASON (Eastern Subspecies):

April 17, 1991 through May 12, 1991 in that part of Grays Harbor, Lewis, Pacific, and Thurston counties within the following described area; beginning at the intersection of State Highway 6 and Interstate Highway 5; then north on Interstate Highway 5 to State Highway 101; then northwest on State Highway 101 to State Highway 8; then west on State Highway 8 to State Highway 107; then southwest on State Highway 107 to State Highway 101; then south on State Highway 101 to State Highway 6; then east on State Highway 6 to Butz Road; then north on Butz Road to Mill Creek Road; then east on Mill Creek Road to Elk Creek Road; then southeast on Elk Creek Road to State Highway 6; then east on State Highway 6 to Interstate Highway 5 and point of beginning.

PERMITS AVAILABLE: 125

SPECIAL WILD TURKEY PERMIT SEASON APPLICATIONS

(Turkey may be killed by permit holder only)

Applications shall be on a standard 3-1/2" X 5" postcard obtained from the United States Post Office and shall include the following information: "Spring Turkey Permit Application"; applicant's full name; complete address including zip code; phone number (including area code) if available; applicant's date of birth; valid hunting

license number; and 1991 turkey tag number. A maximum of two persons can apply per card (partnership application).

Applications not containing the above information or not on the specified postcard will be disqualified from the permit drawing. All applications must be received no later than 5:00 p.m., March 15, 1991 at the Department of Wildlife Headquarters (600 Capitol Way N., Olympia, WA 98501-1091) or at any Department of Wildlife regional office.

WHO MAY APPLY

Anyone with a valid 1991 Washington hunting license and 1991 turkey tag may submit one (only) special permit application for spring turkey during 1991.

SPRING TURKEY PERMIT DRAWINGS

Permit drawings will be conducted at the Washington Department of Wildlife Headquarters, 600 Capitol Way N., Olympia. The Department will mail written notification to all successful applicants no later than April 5, 1991.

OFFICIAL HUNTING HOURS/BAG LIMITS:

Bag and Possession Limit: One turkey per calendar year (January 1, 1991 to December 31, 1991).

Hunting Hours: One-half hour before sunrise to sunset.

SPECIAL REGULATIONS:

1. Turkey season is open for shotgun and bow-and-arrow hunting only.
2. A turkey transport tag is required for hunting turkey.
3. Each successful hunter must complete and return a game harvest report card to the Department of Wildlife within 10 days after taking a turkey.
4. It is unlawful to use dogs to hunt turkeys.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-713 1990 WILD TURKEY SEASONS

**WSR 91-06-016
PERMANENT RULES
WILDLIFE COMMISSION
[Order 486—Filed February 25, 1991, 4:34 p.m.]**

Date of Adoption: January 11, 1991.
Purpose: To establish general hunting season opening dates for deer, elk, and upland birds.
Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.
Pursuant to notice filed as WSR 90-24-081 on December 5, 1990.

Changes Other than Editing from Proposed to Adopted Version: The Wildlife Commission changed the opening dates for early archery deer seasons. The deer hunting season for early archery will open three days earlier than proposed in 1991 (September 11), 1992 (September 16) and 1993 (September 15); the Wildlife Commission changed the opening dates for early muzzleloader deer seasons. The deer season for early muzzleloader will open three days earlier than proposed in 1991 (September 25), 1992 (September 30) and 1993 (September 29); the Wildlife Commission deleted the opening dates for the Colockum early archery elk season for 1991, 1992 and 1993; the Wildlife Commission changed the opening dates for early archery elk seasons in the Blue Mountains, Yakima, and Western Washington elk areas. The elk season for early archery in these areas will open on October 1, 1992, and October 1, 1993; and the Wildlife Commission changed the opening dates for early muzzleloader elk seasons in all tag areas. The elk season for early muzzleloader will open on October 8, 1992, and October 8, 1993.

Effective Date of Rule: Thirty-one days after filing.
February 21, 1991
John C. McGlenn
Chairman

NEW SECTION

WAC 232-28-225 1991, 1992, AND 1993 GENERAL OPENING DATES FOR DEER, ELK, AND UPLAND BIRDS

DEER			
YEAR	HUNTING METHOD	SEASON	DATE
1991	Modern Firearm	1991 Early Buck	Sept. 15 (Sunday)
	Archery	1991 General Buck	Oct. 12 (Saturday)
		1991 Early Deer	Sept. 11 (Wednesday)
1992	Muzzleloader	1991 Late Deer	Nov. 27 (Wednesday)
		1991 Early Deer	Sept. 25 (Wednesday)
		1991 Late Deer	Nov. 27 (Wednesday)
1993	Modern Firearm	1992 Early Buck	Sept. 15 (Tuesday)
	Archery	1992 General Buck	Oct. 17 (Saturday)
		1992 Early Deer	Sept. 16 (Wednesday)
1994	Muzzleloader	1992 Late Deer	Nov. 25 (Wednesday)
		1992 Early Deer	Sept. 30 (Wednesday)
		1992 Late Deer	Nov. 25 (Wednesday)
1995	Modern Firearm	1993 Early Buck	Sept. 15 (Wednesday)
	Archery	1993 General Buck	Oct. 16 (Saturday)
		1993 Early Deer	Sept. 15 (Wednesday)
1996	Muzzleloader	1993 Late Deer	Nov. 24 (Wednesday)
		1993 Early Deer	Sept. 29 (Wednesday)
		1993 Late Deer	Nov. 24 (Wednesday)

ELK			
YEAR	HUNTING METHOD	SEASON	DATE
1991	Modern Firearm	1991 Blue Mountains Early	Oct. 30 (Wednesday)
		1991 Blue Mountains Late	Nov. 2 (Saturday)
1992	Muzzleloader	1991 Colockum Early	Oct. 23 (Wednesday)
		1991 Colockum Late	Oct. 26 (Saturday)
1993	Muzzleloader	1991 Yakima Early	Nov. 5 (Tuesday)
		1991 Yakima Late	Nov. 8 (Friday)
1994	Muzzleloader	1991 Western Washington Early	Nov. 6 (Wednesday)
		1991 Western Washington Late	Nov. 9 (Saturday)

YEAR	METHOD	SEASON	DATE		
1991	Archery	1991 Early Elk, Except Colockum BA, YA and WA	Sept. 28 (Saturday)		
		Late Elk	Nov. 27 (Wednesday)		
	Muzzleloader	1991 (All Tag Areas) Early Elk	Oct. 5 (Saturday)		
		Late Elk	Nov. 27 (Wednesday)		
1992	Modern Firearm	1992 Blue Mountains Early	Oct. 28 (Wednesday)		
		Late	Oct. 31 (Saturday)		
		1992 Colockum Early	Oct. 28 (Wednesday)		
		Late	Oct. 31 (Saturday)		
		Archery	1992 Early Elk, Except Colockum BA, YA and WA	Oct. 1 (Thursday)	
			Late Elk	Nov. 25 (Wednesday)	
			Muzzleloader	1992 (All Tag Areas) Early Elk	Oct. 8 (Thursday)
				Late Elk	Nov. 25 (Wednesday)
	1993	Modern Firearm	1993 Blue Mountains Early	Oct. 27 (Wednesday)	
			Late	Oct. 30 (Saturday)	
			1993 Colockum Early	Oct. 27 (Wednesday)	
			Late	Oct. 30 (Saturday)	
		Archery	1993 Early Elk, Except Colockum BA, YA and WA	Oct. 1 (Friday)	
			Late Elk	Nov. 24 (Wednesday)	
			Muzzleloader	1993 (All Tag Areas) Early Elk	Oct. 8 (Friday)
				Late Elk	Nov. 24 (Wednesday)

BLUE, RUFFED, AND SPRUCE GROUSE

YEAR	DATE
1991	Sept. 1 (Sunday)
1992	Sept. 1 (Tuesday)
1993	Sept. 1 (Wednesday)

RING-NECKED PHEASANT, QUAIL, CHUKAR, AND HUNGARIAN PARTRIDGE

YEAR	DATE
1991	Oct. 12 (Saturday)
1992	Oct. 17 (Saturday)
1993	Oct. 16 (Saturday)

WSR 91-06-017

**NOTICE OF PUBLIC MEETINGS
COMMUNITY ECONOMIC
REVITALIZATION BOARD**
[Memorandum—February 25, 1991]

The March 16, 1991, Community Economic Revitalization Board (CERB) meeting date has been changed to March 23, 1991. The meeting will be held at the Tye Hotel, Tumwater, Washington.

WSR 91-06-018

**PROPOSED RULES
DEPARTMENT OF LICENSING
(Engineers and Land Surveyors Board)**
[Filed February 25, 1991, 4:41 p.m.]

Continuance of WSR 91-05-078.

Title of Rule: Amendment to WAC 196-24-095 Seals; and creating new section WAC 196-24-097 Seal/stamp usage.

Purpose: Changing location of original hearing.

Hearing Location: Ramada Inn, Spokane International Airport, Spokane, Washington, on May 3, 1991, at 10:00 a.m.

Submit Written Comments to: Alan E. Rathbun, P.O. Box 9649, Olympia, WA 98504, by May 1, 1991.

Date of Intended Adoption: May 3, 1991.

February 22, 1991
Alan E. Rathbun P.E.
Registrar

WSR 91-06-019

**PERMANENT RULES
DEPARTMENT OF AGRICULTURE**
[Order 2073—Filed February 26, 1991, 12:34 p.m.]

Date of Adoption: February 26, 1991.

Purpose: Making previous emergency rules permanent, housekeeping.

Citation of Existing Rules Affected by this Order:
Repealing WAC 16-230-110, 16-230-115, 16-230-120, 16-230-475, 16-231-033, 16-231-148, 16-231-238, 16-231-343, 16-231-938, 16-231-950, and 16-232-950; and amending WAC 16-228-164, 16-230-400, 16-230-410, 16-230-440, 16-230-450, 16-230-460, 16-230-470, 16-230-605, 16-230-610, 16-230-615, 16-230-625, 16-230-670, 16-230-675, 16-231-001, 16-231-100, 16-231-200, 16-231-205, 16-231-210, 16-231-235, 16-231-300, 16-231-305, 16-231-310, 16-231-330, 16-231-340, 16-231-400, 16-231-405, 16-231-410, 16-231-420, 16-231-425, 16-231-500, 16-231-505, 16-231-510, 16-231-525, 16-231-530, 16-231-600, 16-231-605, 16-231-610, 16-231-615, 16-231-620, 16-231-700, 16-231-705, 16-231-715, 16-231-720, 16-231-800, 16-231-805, 16-231-825, 16-231-840, 16-231-900, 16-231-905, 16-231-935, 16-232-001, 16-232-100, 16-232-105, 16-232-110, 16-232-120, 16-232-200, 16-232-205, 16-232-

220, 16-232-225, 16-232-300, 16-232-305, and 16-232-315.

Statutory Authority for Adoption: Chapters 15.58 and 17.21 RCW.

Pursuant to notice filed as WSR 91-02-106 on January 2, 1991.

Changes Other than Editing from Proposed to Adopted Version: Adding word "amine" to WAC 16-230-615.

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

February 26, 1991
 Michael Schwisow
 Deputy Director
 for C. Alan Pettibone
 Director

AMENDATORY SECTION (Amending Order 2022, filed 11/30/89, effective 12/31/89)

WAC 16-228-164 STATE RESTRICTED USE PESTICIDES FOR USE BY CERTIFIED APPLICATORS ONLY. (1) Pesticides containing the following active ingredients are hereby declared state restricted use pesticides for the protection of groundwater and shall be distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives. These pesticides shall be used or applied only by certified applicators or persons under the direct supervision of a certified applicator and only for those uses covered by the certified applicator's license category(s).

Common Chemical Name Also Known As*

alachlor	Lasso
aldicarb	Temik
atrazine	
bromacil	Hyvar, Krovar
carbofuran	Furadan
cyanazine	Bladex
DCPA	Dacthal
1,3-dicloropropene	Telone
disulfoton	Di-Syston
diuron	Karmex, Krovar
heptachlor	
hexazinone	Velpar
metolachlor	Dual
metribuzin	Lexone, Sencor
oxamyl	Vydate
picloram	Tordon
prometon	Pramitol
simazine	Princep
tebuthiuron	Spike

*This column is to be used only as a guide and may not include all brand or trade names under which these chemicals are distributed.

(2) Pesticides defined by the following categories are hereby declared state restricted use pesticides and shall be distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives. These pesticides shall be used or applied only by certified applicators or persons under the direct supervision of a certified applicator, and only for those uses covered by the certified applicator's license category. Dealers shall

keep records as defined in subsection (4) of this section, and shall furnish the records to the director as defined in subsection (7) of this section.

(a) Any EPA restricted use pesticide not listed in this rule.

(b) 2,4-D - all dry formulations and all liquid formulations distributed in packages (~~of one gallon and~~) larger than one gallon to be used in counties located east of the crest of the Cascade Mountains. The following types of formulations are exempt from this requirement:

(i) Dry formulations labeled and intended for home and garden use only;

(ii) (~~One gallon containers of~~) Liquid amine formulations ((packaged as ready-to-use products, labeled for consumer use)) of any concentration up to and including one gallon in size when purchased and used in all counties located east of the crest of the Cascade Mountains; and

(iii) One gallon containers of liquid amine formulations containing fifteen percent or less of restricted use herbicides, labeled for consumer use.

(3) Pesticides which are not classified as EPA restricted use pesticides and which are labeled and intended only for the following uses are exempt from the requirements of this section:

- (a) Home and garden use;
- (b) Pet products;
- (c) Cooling tower, air conditioner, industrial systems and humidifier biocides;

(d) Use within wholly enclosed structures (with floors) or fumigation chambers. Greenhouses are not considered as wholly enclosed structures.

(4) Pesticide dealers shall keep records of distribution of state restricted use pesticides specified by common chemical name in subsections (1) and (2) of this section for a period of seven years from the date of distribution. The records shall contain the following information:

- (a) Name and address of purchaser;
- (b) Name and address of certified applicator (if different from (a) above);
- (c) Name of authorized agent (if applicable);
- (d) Brand and specific pesticide name and/or EPA registration number;
- (e) Number of pounds or gallons of the pesticide distributed;
- (f) Date of distribution;
- (g) Certified applicator number.

(5) Certified applicators may designate authorized agent(s) for the purpose of purchasing or receiving restricted use pesticides listed in subsections (1) and (2) of this section by making previous arrangements with the pesticide dealer, or the authorized agent may provide written authorization to the dealer at the time of purchase. At the time of purchase by an authorized agent the pesticide dealer shall require the certified applicator's name and license or certification number.

(6) Certified applicators shall keep records of applications of state restricted use pesticides specified by common chemical name in subsections (1) and (2) of this section for a period of seven years from the date of application, and the records shall contain the information specified in WAC 16-228-190.

(7) Records required by subsections (4) and (6) of this section shall be furnished to the director immediately upon request.

AMENDATORY SECTION (Amending Order 1585, filed 12/20/78)

WAC 16-230-400 RESTRICTED USE HERBICIDES—SPOKANE COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the borders of Spokane County. WAC 16-230-410 through 16-230-470 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1585, filed 12/20/78)

WAC 16-230-410 RESTRICTED USE HERBICIDES—SPOKANE COUNTY. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides, including 2,4-D(~~(, -2,4,5-T, 2,4,5-TP)~~) and MCPA are hereby declared to be restricted use herbicides.

AMENDATORY SECTION (Amending Order 1678, filed 2/20/80)

WAC 16-230-440 RESTRICTED USE HERBICIDES—SPOKANE COUNTY—AREA 4. (1) Area 4 description. All remaining lands in Spokane County not included in WAC 16-230-420 and 16-230-430.

(2) Area 4 restrictions(~~(+)~~).

(a) On and after May 1 through October 15, ground applications of restricted use herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after May 1 through October 15, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

(c) Ground applications of restricted use herbicides shall be allowed when using No. 2RD or 2RA Raindrop nozzles: PROVIDED, That the mean sustained wind velocity is fifteen miles per hour or less.

AMENDATORY SECTION (Amending Order 1585, filed 12/20/78)

WAC 16-230-450 RESTRICTED USE HERBICIDES—SPOKANE COUNTY—FARM OPERATOR TO NOTIFY. The landowner or person in charge of the farming operation shall notify the aerial applicator (~~(he)~~) he/she hires of any susceptible crops planted or to be planted bordering the field to which restricted use herbicides are to be applied in the area under order (see WAC 16-230-400).

AMENDATORY SECTION (Amending Order 1585, filed 12/20/78)

WAC 16-230-460 RESTRICTED USE HERBICIDES—SPOKANE COUNTY—COMMERCIAL GREENHOUSE NOTIFICATION. The owners of commercial greenhouses located in the area under order shall be notified in person or by certified mail by aerial applicators and public operators at least (~~(48)~~) forty-eight hours prior to the application of allowable restricted use herbicides to be applied within (~~(+2)~~) one-half mile of the above greenhouses.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-230-470 RESTRICTED USE HERBICIDES—SPOKANE COUNTY—WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in the area under order when the mean sustained wind velocity is over twelve miles per hour throughout the year: PROVIDED, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved (~~(hooded boom sprayer)~~) ground apparatus is used. (~~(Hooded boom sprayers)~~) Ground apparatus shall be approved by the department of agriculture. (~~(The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.)~~) Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-605 SPECIFIC COUNTY (~~(ORDERS)~~) RULES—EASTERN WASHINGTON. The (~~(regulations)~~) rules in (~~(this order with)~~) WAC 16-230-600 through 16-230-675 shall not preclude any additional restrictions on the application of restricted use herbicides provided for in (~~(regulations)~~) the rules for specific counties located east of the Cascade Mountains.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-610 RESTRICTED USE HERBICIDES AND DEFINITIONS—EASTERN WASHINGTON. (1) All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D(~~(, -2,4,5-T)~~) and MCPA are (~~(by this order)~~) declared to be restricted use herbicides in all counties located east of the crest of the Cascade Mountains.

(2) High and low volatile esters mean those formulations labeled as high and low volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide, and Rodenticide Act. High volatile 2,4-D includes those esters with five or less carbon atoms, such as but not limited to methyl, ethyl, isopropyl, n-butyl, isobutyl, and n-pentyl.

(3) Commercial vineyard means a parcel of land from which the grape crop is intended to be sold to a processor or for commercial fresh market.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-230-615 RESTRICTED USE HERBICIDES—EASTERN WASHINGTON—SALE AND DISTRIBUTION. Liquid formulations of restricted use herbicides distributed in packages ~~((of one gallon or))~~ larger than one gallon in counties located east of the crest of the Cascade Mountains shall be sold and distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives ~~((except for liquid amine formulations of ready-to-use products, or liquid amine formulations containing fifteen percent or less of restricted use herbicides, labeled for consumer use in containers up to and including one gallon in size))~~: PROVIDED, That liquid amine formulations of any concentration of restricted use herbicides in containers up to and including one gallon in size is allowed in all counties located east of the crest of the Cascade Mountains.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-625 RESTRICTED USE HERBICIDES—EASTERN WASHINGTON—MIXING AND LOADING. The mixing of restricted use herbicides, the loading and decontamination of equipment used to apply restricted use herbicides, and aircraft entering on to and exiting from landing sites ~~((must))~~ shall be done in a manner as not to cause possible damage to susceptible crops.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-670 RESTRICTED USE HERBICIDES—EASTERN WASHINGTON—AIRCRAFT BOOM LENGTH AND PRESSURE REQUIREMENTS. In all Areas 1 and 2, of all counties restricted by rule the working boom length on fixed wing aircraft shall not exceed 3/4 of the wing span and the working boom length on helicopters shall not exceed 6/7 of the total rotor length or 3/4 of the total rotor length where the rotor length exceeds forty feet.

Pressure for aerial equipment shall not exceed 25 psi at the nozzles: PROVIDED, That helicopters shall be allowed to use up to 35 psi in Areas 3 and 4 of all counties restricted by rule: PROVIDED FURTHER, That pressure up to 50 psi at the nozzle may be used with invert systems which are allowed by written permit only.

AMENDATORY SECTION (Amending Order 1680, filed 2/20/80)

WAC 16-230-675 RESTRICTED USE HERBICIDES—EASTERN WASHINGTON—MINIMUM NOZZLE ORIFICE AND CORE PLATE SIZES FOR AIRCRAFT APPLICATION. Minimum nozzle

orifice and core plate sizes shall be as listed in the dormant season, caution, warning, and danger area restrictions. (1) DORMANT SEASON AREA. (Dormant season only – refer to specific county regulations.)

(a) Fixed wing –

~~((+))~~ (i) Minimum nozzle orifice of 0.063 inches (no core plate). Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of 0.075 inches (may use No. 45 or larger core plate) and nozzles shall be directed downward and backward 170 degrees or more from the direction of flight.

(b) Helicopter –

Minimum nozzle orifice of 0.047 inches (may use No. 45 or larger core plate) and nozzles shall be directed downward and backward 90 degrees or more from the direction of flight. Pressure over 35 psi is prohibited.

(2) CAUTION AREA.

(a) Fixed wing –

(i) Minimum nozzle orifice of 0.075 inches (no core plate). Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of 0.125 inches (may use No. 45 or larger core plate). Nozzles shall be directed downward and backward 170 degrees or more from the direction of flight.

(b) Helicopter –

(i) Area 2 of all counties restricted by rule –

Minimum nozzle orifice of 0.063 inches (may use No. 46 or larger core plate). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(ii) Areas 3 and 4 of all counties restricted by rule –

Minimum nozzle orifice of 0.063 inches (may use No. 45 or larger core plate). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(3) WARNING AREA

(a) Fixed wing –

(i) Minimum nozzle orifice of 0.075 inches (no core plate). Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of 0.125 inches (may use No. 46 or larger core plate in all counties under order except Franklin County and Benton County). Nozzles shall be directed downward and backward 170 degrees or more from the direction of flight: PROVIDED, That RD8 nozzles with orifice size of 0.125 inches and No. 45 core plates may be used. Nozzles shall be directed downward and backward 170 degrees or more from direction of flight.

(iii) No flat fan nozzles shall be allowed.

(b) Helicopter –

(i) Minimum nozzle orifice of 0.047 inches for applications made under sixty miles per hour (no core plate) and minimum orifice of 0.063 for applications made over sixty miles per hour (no core plate). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of 0.125 inches (may use No. 46 or larger core plate in all counties under order

except Franklin County and Benton County). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight: PROVIDED, That RD8 nozzles with orifice size of 0.125 inches and No. 45 core plates may be used.

(iii) No flat fan nozzles shall be allowed.

(4) DANGER AREA

(a) Fixed wing – minimum nozzle or

(i) Minimum nozzle orifice of 0.075 inches (no core plate): PROVIDED, That RD8 nozzles with orifice size of 0.125 inches and No. 46 core plates may be used. Nozzles shall be directed downward and backward 170 degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

(b) Helicopter –

(i) Minimum nozzle orifice of 0.063 inches (no core plate): PROVIDED, That RD8 nozzles with orifice size of 0.125 inches and core plate No. 46 may be used. Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(ii) No flat fan nozzles shall be allowed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-230-110 REGULATIONS PERTAINING TO THE COLLECTION OF SPECIAL PROGRAM FEES ON SALES OF 2,4-D—DEFINITIONS.

WAC 16-230-115 PROCEDURE FOR COLLECTING SPECIAL PROGRAM FEES.

WAC 16-230-120 PROCEDURE FOR SUBMITTING REPORTS.

WAC 16-230-475 RESTRICTED USE HERBICIDES—DISTRIBUTION, USE, AND APPLICATION.

AMENDATORY SECTION (Amending Order 1677, filed 2/20/80)

WAC 16-231-001 RESTRICTED USE HERBICIDES—BENTON COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Benton County. WAC 16-231-005 through 16-231-033 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1676, filed 2/20/80)

WAC 16-231-100 RESTRICTED USE HERBICIDES—FRANKLIN COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Franklin County. WAC 16-231-110 through 16-231-145 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-680.

AMENDATORY SECTION (Amending Order 1675, filed 2/20/80)

WAC 16-231-200 RESTRICTED USE HERBICIDES—YAKIMA COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Yakima County. WAC 16-231-205 through 16-231-235 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1675, filed 2/20/80)

WAC 16-231-205 RESTRICTED USE HERBICIDES—YAKIMA COUNTY. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D((, 2,4,5-F)) and MCPA are ((by this order)) declared to be restricted use herbicides in the area under order as listed in WAC 16-231-200.

AMENDATORY SECTION (Amending Order 1675, filed 2/20/80)

WAC 16-231-210 RESTRICTED USE HERBICIDES—YAKIMA COUNTY—OIL-TYPE CARRIERS. On and after April 5 through October 31, oil-type carriers are prohibited in the area under order for brush control: PROVIDED, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-235 RESTRICTED USE HERBICIDES—YAKIMA COUNTY—WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Areas 1, 1A and 2 when the mean sustained wind velocity is over twelve miles per hour throughout the year: PROVIDED, That such application shall be prohibited in Areas 1 and 1A on and after April 1 through October 31 when the mean sustained wind velocity is over ten miles per hour: PROVIDED FURTHER, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved ((hooded boom sprayer)) ground apparatus is used. ((Hooded boom sprayers)) Ground apparatus shall be approved by the department of agriculture. ((The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer:)) Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 1674, filed 2/20/80)

WAC 16-231-300 RESTRICTED USE HERBICIDES—ADAMS COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Adams County. WAC 16-231-305 through 16-231-340 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1674, filed 2/20/80)

WAC 16-231-305 RESTRICTED USE HERBICIDES—ADAMS COUNTY. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D((-2,4,5-F)) and MCPA are ((by this order)) declared to be restricted use herbicides in the area under order as listed in WAC 16-231-300.

AMENDATORY SECTION (Amending Order 1674, filed 2/20/80)

WAC 16-231-310 RESTRICTED USE HERBICIDES—ADAMS COUNTY—OIL-TYPE CARRIERS. On and after May 16 through October 31, oil-type carriers are prohibited in the area under order for brush control: PROVIDED, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1674, filed 2/20/80)

WAC 16-231-330 RESTRICTED USE HERBICIDES—ADAMS COUNTY—AREA 4. (1) Area 4 description. ((f))Outlying area east of Area 3.((g))

(2) Area 4 restrictions. On and after May 16 through October 31, aircraft applications or restricted use herbicides shall be made using caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-340 RESTRICTED USE HERBICIDES—ADAMS COUNTY—WIND CONDITIONS. (1) Area 1 and 2.

(a) The use or application of restricted use herbicides shall be prohibited on and after April 16 through October 31 when the mean sustained wind velocity is over ten miles per hour.

(b) The use or application of restricted use herbicides shall be prohibited on and after November 1 through April 15 of the following year when the mean sustained wind velocity is over twelve miles per hour: PROVIDED, That application of allowable restricted use herbicides shall be exempt from these wind restrictions when applying fifty gallons or more per acre.

(2) Area 3 and 4. The use or application of restricted use herbicides shall be prohibited when the mean sustained wind velocity is over twelve miles per hour: PROVIDED, That ground applications of restricted use herbicides are allowed when using No. 2RD or 2RA rain-drop nozzles when the mean sustained wind velocity is fifteen miles per hour or less: PROVIDED FURTHER, That application of allowable restricted use herbicides shall be exempt from these wind restrictions when applying fifty gallons or more per acre: AND PROVIDED FURTHER, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved ((hooded boom sprayer)) ground apparatus is used. ((Hooded boom sprayers)) Ground apparatus shall be approved by the department of agriculture. ((The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.)) Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 1673, filed 2/20/80)

WAC 16-231-400 RESTRICTED USE HERBICIDES—COLUMBIA COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Columbia County. WAC 16-231-405 through 16-231-425 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1673, filed 2/20/80)

WAC 16-231-405 RESTRICTED USE HERBICIDES—COLUMBIA COUNTY. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D((-2,4,5-F)) and MCPA are ((by this order)) declared to be restricted use herbicides in the area under order as listed in WAC 16-231-400.

AMENDATORY SECTION (Amending Order 1673, filed 2/20/80)

WAC 16-231-410 RESTRICTED USE HERBICIDES—COLUMBIA COUNTY—OIL-TYPE CARRIERS. On and after May 1 through October 31, oil-type carriers are prohibited in the area under order for brush control: PROVIDED, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1673, filed 2/20/80)

WAC 16-231-420 RESTRICTED USE HERBICIDES—COLUMBIA COUNTY—AREA 4. (1) Area 4 description. This area includes all remaining lands in

Columbia County not included in WAC 16-231-413 and 16-231-415.

(2) Area 4 restrictions.

(a) On and after May 1 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after May 1 through October 31, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-425 RESTRICTED USE HERBICIDES—COLUMBIA COUNTY—WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Area 2 and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year: PROVIDED, That such application shall be prohibited in Area 2 on and after May 1 through October 31 when the mean sustained wind velocity is over seven miles per hour: PROVIDED FURTHER, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved ~~((hooded boom sprayer))~~ ground apparatus is used. ~~((Hooded boom sprayers))~~ Ground apparatus shall be approved by the department of agriculture. ~~((The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.))~~ Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 1672, filed 2/20/80)

WAC 16-231-500 RESTRICTED USE HERBICIDES—WHITMAN COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Whitman County. WAC 16-231-505 through 16-231-530 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1672, filed 2/20/80)

WAC 16-231-505 RESTRICTED USE HERBICIDES—WHITMAN COUNTY. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D(~~(,2,4,5-F)~~) and MCPA are ~~((by this order))~~ declared to be restricted use herbicides in the area under order as listed in WAC 16-231-500.

AMENDATORY SECTION (Amending Order 1672, filed 2/20/80)

WAC 16-231-510 RESTRICTED USE HERBICIDES—WHITMAN COUNTY—AREA 1. (1) Area 1 description. (Cities and/or towns and Pullman vicinity.) The areas within a distance of one mile of the city limits of any incorporated city or town and the same distance from the center of any unincorporated town comprised of ten or more inhabited, closely grouped residences within Whitman County: PROVIDED, That the area under this ~~((regulation))~~ section shall also include all of the lands in Section 28 through 33, T15N, R45E; Sections 25, 26, 27, 34, 35, and 36, T15N, R44E; Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, and 21, T14N, R45E; Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, T14N, R44E.

(2) Area 1 restrictions.

(a) The use or application of low volatile ester formulations of restricted use herbicides shall be prohibited throughout the year: PROVIDED, That the low volatile formulation of MCPA shall be allowed on and after November 1 through April 15 of each year.

(b) On and after April 15 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after April 15 through October 31, aircraft applications of restricted use herbicides shall be made using the warning area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1672, filed 2/20/80)

WAC 16-231-525 RESTRICTED USE HERBICIDES—WHITMAN COUNTY—FARM OPERATOR TO NOTIFY. The landowner or person in charge of farming operations shall notify the aerial applicator ~~((he))~~ he/she hires of any susceptible crops planted or to be planted bordering the field to which restricted use herbicides are to be applied in the area under order.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-530 RESTRICTED USE HERBICIDES—WHITMAN COUNTY—WIND CONDITIONS. (1) Areas 1 and 3.

(a) On and after April 15 through October 31, the use or application of restricted use herbicides shall be prohibited when the mean sustained wind velocity is over seven miles per hour.

(b) On and after November 1 through April 14 the following year, the use or application of restricted use herbicides shall be prohibited when the mean sustained wind velocity is over twelve miles per hour.

(2) Area 4. The use or application of restricted use herbicides is prohibited when the mean sustained wind velocity is over twelve miles per hour: PROVIDED, That ground applications of restricted use herbicides are allowed when using No. 2RD or No. 2RA Raindrop nozzles when the mean sustained wind velocity is fifteen miles per hour or less.

(3) All areas. Applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved (~~hooded boom sprayer~~) ground apparatus is used. (~~Hooded boom sprayers~~) Ground apparatus shall be approved by the department of agriculture. (~~The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.~~) Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 1668, filed 2/20/80)

WAC 16-231-600 RESTRICTED USE HERBICIDES—Klickitat County—Area Under Order. (1) The area under order shall include all lands lying within the boundaries of Klickitat County. WAC 16-231-605 through 16-231-620 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1668, filed 2/20/80)

WAC 16-231-605 RESTRICTED USE HERBICIDES—Klickitat County. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D(~~(, 2,4,5-F)~~) and MCPA are (~~by this order~~) declared to be restricted use herbicides in the area under order as listed in WAC 16-231-600.

AMENDATORY SECTION (Amending Order 1668, filed 2/20/80)

WAC 16-231-610 RESTRICTED USE HERBICIDES—Klickitat County—Oil-Type Carriers. On and after May 1 through September 30, oil-type carriers are prohibited in the area under order for brush control: PROVIDED, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1849, filed 3/15/85)

WAC 16-231-615 RESTRICTED USE HERBICIDES—Klickitat County—Area 3. (1) Area 3 description. All remaining lands within the boundaries of Klickitat County not included in WAC 16-231-613.

(2) Area 3 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides shall be prohibited on and after May 1 through September 30 of each year: PROVIDED, That on and after May 1 through May 14 of each year, low volatile formulations shall be considered through written request to the department of agriculture.

(b) On and after May 1 through September 30, ground applications of restricted use herbicides shall be made with nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after May 1 through September 30, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-620 RESTRICTED USE HERBICIDES—Klickitat County—Wind Conditions. The use or application of restricted use herbicides shall be prohibited in the area under order when the mean sustained wind velocity is over twelve miles per hour throughout the year: PROVIDED, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved (~~hooded boom sprayer~~) ground apparatus is used. (~~Hooded boom sprayers~~) Ground apparatus shall be approved by the department of agriculture. (~~The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.~~) Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 1666, filed 2/20/80)

WAC 16-231-700 RESTRICTED USE HERBICIDES—Okanogan County—Area Under Order. (1) The area under order shall include all lands lying within the boundaries of Okanogan County. WAC 16-231-705 through 16-231-725 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1666, filed 2/20/80)

WAC 16-231-705 RESTRICTED USE HERBICIDES—Okanogan County. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D(~~(, 2,4,5-F)~~) and MCPA are (~~by this order~~) declared to be restricted use herbicides in the area under order as listed in WAC 16-231-700.

AMENDATORY SECTION (Amending Order 1666, filed 2/20/80)

WAC 16-231-715 RESTRICTED USE HERBICIDES—Okanogan County—Area 4. (1) Area 4 description. This area includes all remaining lands in Okanogan County not included in WAC 16-231-710.

(2) Area 4 restrictions. On and after May 1 through October 31, aerial applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-720 RESTRICTED USE HERBICIDES—OKANOGAN COUNTY—WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in the area under order when the mean sustained wind velocity is over twelve miles per hour throughout the year: PROVIDED, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved ~~((hooded boom sprayer))~~ ground apparatus is used. ~~((Hooded boom sprayers))~~ Ground apparatus shall be approved by the department of agriculture. ~~((The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.))~~ Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 1667, filed 2/20/80)

WAC 16-231-800 RESTRICTED USE HERBICIDES—DOUGLAS AND CHELAN COUNTIES—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Douglas and Chelan counties. WAC 16-231-805 through 16-231-840 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1667, filed 2/20/80)

WAC 16-231-805 RESTRICTED USE HERBICIDES—DOUGLAS AND CHELAN COUNTIES. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides, including 2,4-D(~~(,2,4,5-F)~~) and MCPA are ~~((by this order))~~ declared to be restricted use herbicides in the area under order as listed in WAC 16-231-800.

AMENDATORY SECTION (Amending Order 1667, filed 2/20/80)

WAC 16-231-825 RESTRICTED USE HERBICIDES—DOUGLAS AND CHELAN COUNTIES—AREA 4. (1) Area 4 description. All remaining lands in Douglas County not included in WAC 16-231-810, 16-231-815 and 16-231-820.

(2) Area 4 restrictions. On and after May 1 through October 31, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-840 RESTRICTED USE HERBICIDES—DOUGLAS AND CHELAN COUNTIES—WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Areas 2, 3 and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year and in Area 1 when the mean sustained wind velocity is over twelve miles per hour on and after November 1 through April 15 of the following year, and over seven miles per hour from April 16 through October 31: PROVIDED, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved ~~((hooded boom sprayer))~~ ground apparatus is used. ~~((Hooded boom sprayers))~~ Ground apparatus shall be approved by the department of agriculture. ~~((The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.))~~ Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 1670, filed 2/20/80)

WAC 16-231-900 RESTRICTED USE HERBICIDES—GRANT COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Grant County. WAC 16-231-905 through 16-231-935 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1670, filed 2/20/80)

WAC 16-231-905 RESTRICTED USE HERBICIDES—GRANT COUNTY. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D(~~(,2,4,5-F)~~) and MCPA are ~~((by this order))~~ declared to be restricted use herbicides in the area under order as listed in WAC 16-231-900.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-231-935 RESTRICTED USE HERBICIDES—GRANT COUNTY—WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Areas 2, 3, and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year and in Area 1 and 1A when the mean sustained wind velocity is over twelve miles per hour on and after November 1 through March 31 of the following year, and over ten miles per hour from April 1 through October 31: PROVIDED, That applications of allowable restricted use herbicides shall be exempt from

these wind restrictions when applying fifty gallons or more per acre: PROVIDED FURTHER, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved (~~hooded boom sprayer~~) ground apparatus is used. (~~Hooded boom sprayers~~) Ground apparatus shall be approved by the department of agriculture. (~~The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.~~) Approval shall be based on research data.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-231-033 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—BENTON COUNTY.

WAC 16-231-148 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—FRANKLIN COUNTY.

WAC 16-231-238 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—YAKIMA COUNTY.

WAC 16-231-343 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—ADAMS COUNTY.

WAC 16-231-938 RESTRICTED USE HERBICIDES—APPLICATION RECORDS—GRANT COUNTY.

WAC 16-231-950 RESTRICTED USE HERBICIDES—DISTRIBUTION, USE, AND APPLICATION.

AMENDATORY SECTION (Amending Order 1665, filed 2/20/80)

WAC 16-232-001 RESTRICTED USE HERBICIDES—WALLA WALLA COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Walla Walla County. WAC 16-232-005 through 16-232-038 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1669, filed 2/20/80)

WAC 16-232-100 RESTRICTED USE HERBICIDES—LINCOLN COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Lincoln County. WAC 16-232-105 through 16-232-120 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228

WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1669, filed 2/20/80)

WAC 16-232-105 RESTRICTED USE HERBICIDES—LINCOLN COUNTY. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D(~~(-2,4,5-F)~~) and MCPA are (~~by this order~~) declared to be restricted use herbicides in the area under order as listed in WAC 16-232-100.

AMENDATORY SECTION (Amending Order 1669, filed 2/20/80)

WAC 16-232-110 RESTRICTED USE HERBICIDES—LINCOLN COUNTY—OIL-TYPE CARRIERS. On and after May 15 through October 31, oil-type carriers are prohibited in the area under order for brush control: PROVIDED, That oil-type carriers may be used in invert systems the entire year.

AMENDATORY SECTION (Amending Order 1669, filed 2/20/80)

WAC 16-232-120 RESTRICTED USE HERBICIDES—LINCOLN COUNTY—AREA 4. (1) Area 4 description. All remaining lands in Lincoln County not included in WAC 16-232-115.

(2) Area 4 restrictions. On and after May 16 through October 31, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1671, filed 2/20/80)

WAC 16-232-200 RESTRICTED USE HERBICIDES—GARFIELD COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Garfield County. WAC 16-232-205 through 16-232-225 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1671, filed 2/20/80)

WAC 16-232-205 RESTRICTED USE HERBICIDES—GARFIELD COUNTY. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D(~~(-2,4,5-F)~~) and MCPA are (~~by this order~~) declared to be restricted use herbicides in the area under order as listed in WAC 16-232-200.

AMENDATORY SECTION (Amending Order 1671, filed 2/20/80)

WAC 16-232-220 RESTRICTED USE HERBICIDES—GARFIELD COUNTY—AREA 4. (1) Area 4 description. This area includes all remaining lands in Garfield County not included in WAC 16-232-210 and 16-232-215.

(2) Area 4 restrictions.

(a) On and after May 1 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(b) On and after May 1 through October 31, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675).

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-232-225 RESTRICTED USE HERBICIDES—GARFIELD COUNTY—WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Areas 2, 3, and 4 when the mean sustained wind velocity is over twelve miles per hour throughout the year: PROVIDED, That such applications shall be prohibited in Areas 2 and 3 on and after May 1 through October 31 when the mean sustained wind velocity is over seven miles per hour: PROVIDED FURTHER, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved ((hooded boom sprayer)) ground apparatus is used. ((Hooded boom sprayers)) Ground apparatus shall be approved by the department of agriculture. ((The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.)) Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 1754, filed 3/31/82)

WAC 16-232-300 RESTRICTED USE HERBICIDES—KITTITAS COUNTY—AREA UNDER ORDER. (1) The area under order shall include all lands lying within the boundaries of Kittitas County. WAC 16-232-305 through 16-232-315 shall apply to the area under order.

(2) The distribution, use, and application of restricted use herbicides in the area under order shall comply with rules relating to the use of pesticides in chapter 16-228 WAC, and rules relating to restricted use herbicides in WAC 16-230-600 through 16-230-675.

AMENDATORY SECTION (Amending Order 1754, filed 3/31/82)

WAC 16-232-305 RESTRICTED USE HERBICIDES—KITTITAS COUNTY. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D((-2,4,5-F)) and MCPA are ((by this order)) declared to be restricted use

herbicides in the area under order as listed in WAC 16-232-300.

AMENDATORY SECTION (Amending Order 1923, filed 4/6/87)

WAC 16-232-315 RESTRICTED USE HERBICIDES—KITTITAS COUNTY—WIND CONDITIONS. The use or application of restricted use herbicides shall be prohibited in Area 1 when the mean sustained wind velocity is over twelve miles on and after April 15 through October 31: PROVIDED, That applications of allowable restricted use herbicides shall be exempt from these wind restrictions when applying fifty gallons or more per acre: PROVIDED FURTHER, That applications of restricted use herbicides shall be allowed in winds up to and including twenty miles per hour when an approved ((hooded boom sprayer)) ground apparatus is used. ((Hooded boom sprayers)) Ground apparatus shall be approved by the department of agriculture. ((The department shall consider the recommendations of the pesticide advisory board 2,4-D ad hoc committee in determining the criteria of what constitutes an approved hooded boom sprayer.)) Approval shall be based on research data.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-232-950 RESTRICTED USE HERBICIDES—DISTRIBUTION, USE, AND APPLICATION.

WSR 91-06-020
PROPOSED RULES
DEPARTMENT OF
COMMUNITY DEVELOPMENT
 [Filed February 26, 1991, 12:50 p.m.]

Original Notice.

Title of Rule: Chapter 212-56A WAC, Child day care centers and family day care homes, standards for fire protection.

Purpose: To repeal chapter 212-54 WAC, Day care centers and day treatment centers, standards for fire protection and chapter 212-55 WAC, Mini-day care centers, standards for fire protection and adopt new chapter 212-56A WAC. Chapter 212-56A WAC will be compatible with changes to the Uniform Building Code (chapter 19.27 RCW) (chapter 51-16 WAC) and the rules and regulations of the Department of Social and Health Services.

Statutory Authority for Adoption: Chapters 48.48 and 43.63A RCW.

Summary: Rules for family child day care homes and child day care centers updated and streamlined; and chapters 212-54 and 212-55 WAC repealed and chapter 212-56A WAC adopted.

Reasons Supporting Proposal: Proposal will make State Fire Marshal rules consistent with those of the

Department of Social and Health Services and the State Building Code Council.

Name of Agency Personnel Responsible for Drafting: Mike Paddock, 4317 6th Avenue S.E., Lacey, (206) 493-2655; Implementation and Enforcement: State Fire Marshal, 4317 6th Avenue S.E., Lacey, (206) 493-2643.

Name of Proponent: Department of Community Development, Fire Protection Services Division, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rules for child day care homes and centers amended to allow 7 to 12 children in family child day care homes; child day care centers above the second story in certain buildings; and child day care centers in basements less than four feet above and below grade.

Proposal does not change existing rules: Expands existing rules to allow child day care service in additional facilities.

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

These rules will streamline provisions for family child day care homes and day care centers.

Hearing Location: 4317 6th Avenue S.E., Lacey, WA, on April 9, 1991, at 9:00 a.m.

Submit Written Comments to: Mike Paddock, 9th and Columbia Building, Mailstop QJ-22, Olympia, Washington 98504, by April 8, 1991.

Date of Intended Adoption: April 15, 1991.

February 26, 1991
Chuck Clarke
Director

Chapter 212-56A WAC
CHILD DAY CARE CENTERS AND FAMILY CHILD DAY
CARE HOMES—STANDARDS FOR FIRE PROTECTION

PART A
CHILD DAY CARE CENTERS AND FAMILY CHILD DAY
CARE HOMES

NEW SECTION

WAC 212-56A-001 PURPOSE. The purpose of this regulation is to implement minimum requirements for fire and life safety for child day care centers and family child day care homes, requiring state fire marshal approval under chapter 74.15 RCW.

NEW SECTION

WAC 212-56A-005 DEFINITIONS. The following definitions shall apply when used in this regulation. When terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used.

(1) "Approved" as to fire protection systems, assemblies, and devices means approved by the state fire marshal as the result of tests conducted by him; or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

(2) "Building official" is the designated authority charged with the administration and enforcement of the Uniform Building Code, or his duly authorized representative.

(3) "Child" means a person eighteen years of age and under.

(4) "Exit" is a continuous and unobstructed means of egress to a public way and shall include intervening aisles, doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts, and yards.

(5) "Family abode" means a single dwelling unit and accessory buildings occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking, and sanitation.

(6) "Family child day care home" is a child day care facility, licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home.

(7) "Fire official" means the person or agency appointed by the governing body of each city, town, or county for the administration and enforcement of the Uniform Fire Code.

(8) "Heat detector" means an approved device which detects abnormally high temperatures or rate of temperature rise.

(9) "Infant" means a child under the age of one year.

(10) "Licensing agency" means the Washington state department of social and health services.

(11) "Child day care," shall, for the purposes of these regulations, mean the care of children during any period of a twenty-four-hour day.

(12) "Child day care center" means an agency which provides care for any number of children outside the abode of the licensee or for thirteen or more children in the abode of the licensee.

(13) "Smoke detector" is an approved device that senses visible or invisible particles of combustion. The detector shall bear a label or other identification issued by an approved testing agency having a service for inspection of materials and workmanship at the factory during fabrication and assembly.

(14) "State building code" means the state building code as adopted by the state building code council.

(15) "State fire marshal" means the director of fire protection services division or his/her authorized representative.

NEW SECTION

WAC 212-56A-010 COMPLIANCE REQUIRED. All child day care centers and family child day care homes, licensed previous to final adoption of this section, may have their use continued without compliance with this regulation, provided that such continued use is not dangerous to life, as determined by the state fire marshal.

NEW SECTION

WAC 212-56A-015 INSPECTIONS AND APPROVAL. (1) Facilities with six or fewer children. The office of state fire marshal will not inspect facilities with six or fewer children.

(2) Family child day care homes and facilities with seven to twelve children. Family child day care homes and facilities with seven to twelve children will be inspected prior to initial licensure. No other inspections will be scheduled except for compliance to the initial inspection, complaints, or on request of the licensing agency.

(3) Facilities with more than twelve children. Upon receipt of an application for a new license, or at least ninety days prior to the expiration date of a current license for a facility which has been previously inspected by the state fire marshal, the licensing agency shall submit a written request for inspection to the state fire marshal for facilities with over twelve children. The state fire marshal or his/her designated representative shall inspect the facility. If the facility fails to meet the requirements contained in this regulation, a written report shall be made to the applicant or licensee, indicating the violations noted, corrective action required, and a reasonable time schedule for correcting the violations noted. Upon expiration of the time specified for correction of the violations, the state fire marshal shall make an inspection to determine violations have been corrected.

(4) Upon completion of the inspection if facility is found to be in compliance with this regulation, notification of approval shall be forwarded to the licensing agency, and a certificate of compliance shall be forwarded to the applicant or licensee.

(5) The state fire marshal may designate another person or agency to conduct the inspection.

NEW SECTION

WAC 212-56A-020 RIGHT OF APPEAL. Any person aggrieved by the requirements imposed by the state fire marshal may, within five days after receipt of such order, appeal to the state fire marshal. If the state fire marshal confirms the order, the order shall remain in force.

PART B
FAMILY CHILD DAY CARE HOMES—STANDARDS FOR
FIRE PROTECTION

NEW SECTION

WAC 212-56A-030 OCCUPANCY RESTRICTIONS. (1) Any family abode used for child day care purposes for fewer than thirteen children shall be considered a Group R Division 3 occupancy per the State Building Code. For occupancy separation see Table No. 5-B, State Building Code.

(2) Stairs, exits, and smokeproof enclosures shall be as specified in Chapter 33, State Building Code.

Exception: Only one exit door from a family child day care home need be of the pivoted or side hinged swinging type. Approved sliding doors may be used for other exits.

(3) For family child day care homes with more than six children, each floor level used for family child day care purposes shall be served by two separate exits. Outside exit doors shall be operable from the inside without the use of keys or any special knowledge or effort.

(4) Basements located more than four feet below grade level shall not be used for family child day care homes unless one of the following conditions exist:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above; or

(c) One of the two required exits is an operable window or door, approved for emergency escape or rescue, that opens directly to a public street, public alley, yard, or exit court; or

(d) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13D.

(5) Floors located more than four feet above grade level shall not be occupied by children in family child day care homes.

Exception #1: Use of toilet facilities while under supervision of a staff person.

Exception #2: Family child day care homes may be allowed on the second story if one of the following conditions exist:

(a) Exit stairways from the second story open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the second story level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor below; or

(c) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13D.

(6) Distance to exits shall not exceed those per Section 3303(d), State Building Code.

(7) Sleeping or napping rooms having doors leading to two separate exit ways, or a door leading directly to the exterior of the building.

(8) Basements in dwelling units and every sleeping or napping room shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard, or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor.

Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

(a) Such devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort; and

(b) The building is equipped with smoke detectors installed in accordance with Section 1210, State Building Code.

(9) The swing and opening force of exit doors shall be in accordance with Section 3304(b), State Building Code. The door latch shall release when subjected to a fifteen-pound force, and the door shall be set in motion when subjected to a thirty-pound force. The door shall swing to full open position when subjected to fifteen-pound force. Forces shall be applied to the latch side.

(10) Exit doors shall be openable from the inside without the use of keys or any special knowledge or effort.

(11) Obstructions shall not be placed in the required width of an exit except in corridors, handrails and doors, when fully opened, shall not reduce the required width by more than seven inches. Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features may project into the required width one and one-half inches on each side.

(12) No space which is accessible only by ladder, folding stairs or trap doors, shall be used for family child day care purposes.

(13) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(14) Every closet door latch shall be such that children can open the door from inside the closet.

(15) Exits shall be provided and maintained as per the State Building Code and this regulation.

NEW SECTION

WAC 212-56A-035 HAZARDOUS AREAS. Rooms or spaces containing a commercial-type kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible storage, painting operation, or parking garage shall be separated from the family child day care home or means of egress by an occupancy separation wall per Section 503, the State Building Code.

Exception: An occupancy separation wall shall not be required where the food preparation kitchen contains only a domestic cooking range and the preparation of food does not result in the production of smoke or grease laden vapors. Cooking must be limited to the warming of food.

NEW SECTION

WAC 212-56A-040 SINGLE STATION SMOKE DETECTORS. (1) In family child day care homes detectors shall be located in all sleeping and napping areas.

(2) If family child day care homes with more than one story, and in family child day care homes with basements, a detector shall be installed on each story and in the basement.

(3) In family child day care homes where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level, except that when the lower level contains a sleeping or napping area, a detector shall be located on each level.

(4) When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway.

(5) In family child day care homes where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and the adjacent room.

(6) Detectors shall sound an alarm audible in all areas of the building.

(7) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(8) Smoke detectors may be battery operated when installed in existing buildings, or in buildings without commercial power.

(9) Where battery operated smoke detectors are installed, at least one extra battery of the type and size specified for the battery operated smoke detector shall be maintained upon the premises.

(10) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

NEW SECTION

WAC 212-56A-045 ALTERNATE MEANS OF SOUNDING A FIRE ALARM. In addition to single station smoke detectors, family child day care homes shall provide an alternate means for sounding a fire alarm. A police type whistle or similar device is adequate for meeting this requirement: PROVIDED, That whatever method is selected shall be limited to a fire emergency only.

NEW SECTION

WAC 212-56A-050 FIRE EXTINGUISHER. (1) At least one approved 2A, 10B:C rated fire extinguisher shall be provided on each occupied floor level. Such extinguishers shall be located in the normal path of egress. The maximum travel distance to an extinguisher shall not exceed seventy-five feet.

(2) Portable fire extinguishers shall be installed and maintained as per Section 10.301(a) and 10.303, the State Building Code.

(3) Fire extinguishers shall be operationally ready for use at all times.

(4) Fire extinguishers shall be mounted in the bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(5) Fire extinguishers shall receive annual maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of (a) mechanical parts, (b) extinguishing agent, and (c) expelling means.

NEW SECTION

WAC 212-56A-055 FIRE PREVENTION. (1) Furnace rooms shall be maintained free of lint, grease and rubbish accumulations and suitably isolated, enclosed, or protected.

(2) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers.

(3) Open-flame devices capable of igniting clothing shall not be left on, unattended, or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(4) All electrical circuits, devices, and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multiplug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(5) The use of portable space heaters of any kind are prohibited.

(6) A poster, obtained from the department of community development, fire protection services division, life safety unit, shall be posted where visible to parents when dropping off and picking up children. The purpose of this poster is to involve parents in the fire and life safety of their children when at the facility.

NEW SECTION

WAC 212-56A-060 SPRINKLER SYSTEM MAINTENANCE. Sprinkler systems shall be tested on an annual basis by a person or agency qualified by licensure. The results of the system test shall be documented on forms provided by the state fire marshal and submitted to the state fire marshal prior to the licensing date.

NEW SECTION

WAC 212-56A-065 FIRE EVACUATION PLAN. Each facility shall develop a written fire evacuation plan. The plan shall include the following:

- (1) Action to take by the person discovering a fire.
- (2) Method of sounding an alarm on the premises.
- (3) Action to take for evacuation of the building and assuring accountability of the children.
- (4) Action to take pending arrival of the fire department.

NEW SECTION

WAC 212-56A-070 FIRE EVACUATION DRILL. A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises indicating the date, time, and other required entries on the form. Such forms are available from the state fire marshal.

NEW SECTION

WAC 212-56A-075 STAFF TRAINING. The licensee and each member of the staff shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

- (1) Operation of fire extinguishers installed on the premises.
- (2) Testing smoke detectors (single station types).

(3) Conducting frequent inspections of the facility to identify fire hazards, and taking remedial action to correct any hazards noted during the inspection. Inspection forms are available from the state fire marshal. Such inspections should be conducted on a monthly basis and records kept on the premises.

**PART C
CHILD DAY CARE CENTERS—STANDARDS FOR FIRE
PROTECTION**

NEW SECTION

WAC 212-56A-080 OCCUPANCY RESTRICTIONS. (1) Child day care centers shall not be located above or below the first story.

- Exception:
- (a) Rooms on floors which have exits to the exterior of the building no more than four feet of vertical travel from the floor level to the level of the exterior finished surface of the ground, paving, or sidewalk.
 - (b) In buildings equipped with an automatic sprinkler system throughout, rooms used for child day care purposes may be located on the second story, provided there are at least two exits directly into separate exiting systems as defined in Section 3319(a), the State Building Code.
 - (c) Child day care centers may be located above the second story provided:
 - (i) They shall be in buildings equipped with an automatic sprinkler system throughout; and
 - (ii) They shall be in buildings of Type I or Type II fire-resistive construction; and
 - (iii) Child day care centers above the fourth floor shall not have more than twelve children per floor; and
 - (iv) The entire story on which the child day care facility is located is equipped with an approved fire alarm and smoke detection system as set forth in the State Building Code. Actuation of the system shall sound an alarm audible throughout the entire story; and
 - (v) The child day care facility is divided into not less than two areas of approximately the same size, separated from each other by not less than one-hour fire-resistive construction. Openings between the two areas shall be protected by automatic-closing fire assemblies, having a fire-protection rating of not less than twenty minutes, which will close automatically upon activation of the fire alarm or detection systems; and
 - (vi) Each area is provided with air-moving equipment independent of that serving the other; and
 - (vii) Each area has not less than two exits, one of which is permitted to be through the adjoining area; and
 - (viii) The exits from the child day care facility shall be into separate exiting systems as defined in Section 3319, the State Building Code.

(3) Child day care facilities shall be considered a Group E Division 3 Occupancy. For occupancy separation see Table No. 5-B, the State Building Code.

(4) Each floor level used for a child day care center shall be served by at least two separate exits. Distance to exits shall not exceed those per Section 3303(d), the State Building Code.

(5) The swing and opening force of exit doors shall be as per Section 3304(b), the State Building Code. The door latch shall release when subjected to a fifteen-pound force, and the door shall be set in motion when subjected to a thirty-pound force. The door shall swing to full open position when subjected to fifteen-pound force. Forces shall be applied to the latch side.

(6) Exit doors from rooms having an occupant load of fifty or more and from corridors shall be equipped with panic hardware. Other exit doors shall be openable from the inside without the use of keys or any special knowledge or effort.

(7) Basements shall not be used for child day care centers unless:

- (a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or
- (b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above; or
- (c) One operable window or door, approved for emergency escape or rescue, opens directly to a public street, public alley, yard, or exit court; or
- (d) An approved sprinkler system, not otherwise required, is provided throughout the entire building.

(8) Obstructions shall not be placed in the required width of an exit.

Exception: Corridors, handrails and doors, when fully opened, shall not reduce the required width by more than seven inches. Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features may project into the required width one and one-half inches on each side.

(9) No space shall be used which is accessible only by ladder, folding stairs, or trap doors.

(10) Every closet door latch shall be such that children can open the door from inside the closet.

(11) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(12) Emergency lighting shall be provided in child day care centers in the following areas:

(a) In all interior stairs and corridors.

(b) In all normally occupied spaces, except for administrative areas, mechanical rooms, and storage areas.

(c) In flexible and open plan buildings or areas.

(d) In all portions of buildings that are interior or windowless.

(13) Exits shall be provided and maintained as per the State Building Code, and this regulation. Fire doors, exit lights, corridor lighting, door latches, and exit hardware shall be maintained operationally ready for use at all times.

NEW SECTION

WAC 212-56A-085 HAZARDOUS AREAS. Rooms or spaces containing a commercial-type kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible storage, parking garage, or painting operation shall be separated from the child day care center or means of egress by an occupancy separation wall per Section 503, the State Building Code.

Exception: An occupancy separation wall shall not be required where the food preparation kitchen contains only a domestic cooking range and the preparation of food does not result in the production of smoke or grease laden vapors. Cooking must be limited to the warming of food.

NEW SECTION

WAC 212-56A-090 SLEEPING AND NAPPING ROOMS. (1) Basements and every sleeping or napping room below the fourth story shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard, or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

(2) All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor.

(3) Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

(a) Such devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort; and

(b) The building is equipped with smoke detectors installed in accordance with Section 1210, Uniform Building Code, as specified in WAC 212-12-010(3).

NEW SECTION

WAC 212-56A-095 SINGLE STATION SMOKE DETECTORS. (1) Child day care centers not required to have an electrically supervised fire alarm system, shall be provided with at least one approved single station smoke detector installed and maintained as per Section 1210, the State Building Code. Additional detectors are required in the corridor or passageway providing access to sleeping or napping rooms and shall be required at other locations as determined by the state fire marshal.

(2) Detectors shall be located in all sleeping and napping areas.

(3) When the child day care center has more than one story, and in child day care centers with basements, a detector shall be installed on each story and in the basement.

(4) Where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level.

Exception: When the lower level contains a sleeping or napping area, a detector shall be located on each level.

(5) When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway.

(6) Where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and the adjacent room.

(7) Detectors shall sound an alarm audible in all areas of the building.

(8) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(9) Smoke detectors may be battery operated when installed in existing buildings, or in buildings without commercial power.

(10) Where battery operated smoke detectors are installed, at least one extra battery of the type and size specified for the battery operated smoke detector shall be maintained upon the premises.

(11) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

NEW SECTION

WAC 212-56A-100 ALTERNATE METHOD FOR ALARM. Child day care centers not otherwise required to have an electrically supervised fire alarm system shall provide, in addition to single station smoke detectors, an alternate means for sounding a fire alarm. A police type whistle or similar device is adequate for meeting this requirement: PROVIDED, That whatever method is selected shall be limited to a fire emergency only.

NEW SECTION

WAC 212-56A-105 FIRE ALARM SYSTEM. (1) An approved electrically supervised fire alarm system shall be installed in each child day care center having an occupant load of fifty or more, or where the child day care center is located within a building of another occupancy, or where the day care center, or any portion thereof, is located above or below the grade level.

(2) Smoke detectors shall be installed in corridors or passageways providing access to rooms used for sleeping or napping purposes. Heat detectors may be required by the state fire marshal in hazardous areas which enter upon the means of egress. Smoke detectors and heat detectors shall be electrically interconnected to the fire alarm system.

(3) Sprinkler systems shall be electrically interconnected with the fire alarm system.

(4) The fire alarm system shall include an alarm mounted on the exterior of the building.

(5) The fire alarm system control panel shall be equipped with an approved secondary power supply.

(6) Fire alarm systems shall be tested at monthly intervals. Automatic fire detectors shall be inspected annually. The inspection shall be conducted by a person or agency qualified by experience, training, or licensure. The results of the system test or inspections shall be maintained on the premises, preferably at the system control panel, or other location approved by the state fire marshal.

NEW SECTION

WAC 212-56A-110 FIRE EXTINGUISHER. (1) At least one approved 2A, 10B:C rated fire extinguisher shall be provided on each occupied floor level.

(2) Such extinguishers shall be located in the normal path of egress.

(3) The maximum travel distance to an extinguisher shall not exceed seventy-five feet.

(4) Portable fire extinguishers shall be installed and maintained as per Section 10.301(a) and 10.303, Uniform Fire Code, as specified in WAC 212-12-010(3).

(5) Fire extinguishers shall be operationally ready for use at all times.

(6) Fire extinguishers shall be mounted in the bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(7) Fire extinguishers shall receive annual maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of (a) mechanical parts, (b) extinguishing agent, and (c) expelling means.

NEW SECTION

WAC 212-56A-115 FIRE PREVENTION. (1) Furnace rooms shall be maintained free of lint, grease, and rubbish accumulations; and suitably isolated, enclosed, or protected.

(2) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers.

(3) Open-flame devices capable of igniting clothing shall not be left on, unattended, or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(4) All electrical circuits, devices, and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multiplug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(5) The use of portable space heaters of any kind are prohibited.

(6) A poster, obtained from the department of community development, fire protection services division, life safety unit, shall be posted where visible to parents when dropping off and picking up children. The purpose of this poster is to involve parents in the fire and life safety of their children when at the facility.

NEW SECTION

WAC 212-56A-120 SPRINKLER SYSTEM MAINTENANCE. Sprinkler systems shall be tested on an annual basis by a person or agency qualified by licensure. The results of the system test shall be documented on forms provided by the state fire marshal and submitted to the state fire marshal prior to the licensing date.

NEW SECTION

WAC 212-56A-125 FIRE EVACUATION PLAN. Each facility shall develop a written fire evacuation plan. The plan shall include the following:

- (1) Action to take by the person discovering a fire.
- (2) Method of sounding an alarm on the premises.
- (3) Action to take for evacuation of the building and assuring accountability of the children.
- (4) Action to take pending arrival of the fire department.

NEW SECTION

WAC 212-56A-130 FIRE EVACUATION DRILL. A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises indicating the date, time, and other required entries on the form. Such forms are available from the state fire marshal.

NEW SECTION

WAC 212-56A-135 STAFF TRAINING. The licensee and each member of the staff shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

- (1) Operation of fire extinguishers installed on the premises.
- (2) Resetting the fire alarm system (if installed).

Note: The fire alarm system should not be reset without the permission of the fire department.

(3) Testing smoke detectors (single station types).

(4) Conducting frequent inspections of the facility to identify fire hazards, and taking remedial action to correct any hazards noted during the inspection. Inspection forms are available from the state fire marshal. Such inspections should be conducted on a monthly basis and records kept on the premises.

PART D
CHILD DAY CARE CENTERS AND FAMILY CHILD DAY
CARE HOMES

NEW SECTION

WAC 212-56A-140 ALTERNATE METHODS. The state fire marshal may modify any of the provisions of this regulation upon application in writing by the owner or licensee or his duly authorized representative, where there are practical difficulties in carrying out the strict letter of this regulation. The particulars of such modification may be granted or allowed: PROVIDED, That it does not create a condition that is dangerous to life. The decision of the state fire marshal shall be entered upon the record, and a signed copy shall be furnished the owner or licensee.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 212-54-001	PURPOSE.
WAC 212-54-005	DEFINITIONS.
WAC 212-54-010	COMPLIANCE REQUIRED.
WAC 212-54-015	INSPECTIONS AND APPROVAL.
WAC 212-54-020	RIGHT OF APPEAL.
WAC 212-54-025	CONTACT WITH LOCAL BUILDING AND FIRE OFFICIALS.
WAC 212-54-030	OCCUPANCY RESTRICTIONS.
WAC 212-54-035	HAZARDOUS AREAS.
WAC 212-54-040	EXITS.
WAC 212-54-045	SLEEPING AND NAPPING ROOMS.
WAC 212-54-050	SINGLE STATION SMOKE DETECTORS.
WAC 212-54-055	ALTERNATE METHOD FOR ALARM.
WAC 212-54-060	FIRE ALARM SYSTEM.
WAC 212-54-065	FIRE EXTINGUISHER.
WAC 212-54-070	FIRE PREVENTION.
WAC 212-54-075	MAINTENANCE.
WAC 212-54-080	FIRE EVACUATION PLAN.
WAC 212-54-085	FIRE EVACUATION DRILL.
WAC 212-54-090	STAFF TRAINING.
WAC 212-54-095	ALTERNATE METHODS.
WAC 212-54-100	SEVERABILITY.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 212-55-001	PURPOSE.
WAC 212-55-005	DEFINITIONS.
WAC 212-55-010	COMPLIANCE REQUIRED.
WAC 212-55-015	INSPECTIONS AND APPROVAL.
WAC 212-55-020	RIGHT OF APPEAL.
WAC 212-55-025	CONTACT WITH LOCAL BUILDING AND FIRE OFFICIALS.
WAC 212-55-030	OCCUPANCY RESTRICTIONS.
WAC 212-55-035	HAZARDOUS AREAS.
WAC 212-55-040	EXITS.
WAC 212-55-045	SLEEPING AND NAPPING ROOMS.
WAC 212-55-050	AUTOMATIC SMOKE DETECTION.
WAC 212-55-055	ALARM IN CASE OF FIRE.
WAC 212-55-060	FIRE EXTINGUISHERS.
WAC 212-55-065	FIRE PREVENTION.
WAC 212-55-070	MAINTENANCE.
WAC 212-55-075	FIRE EVACUATION PLAN.
WAC 212-55-080	FIRE EVACUATION DRILL.
WAC 212-55-085	STAFF TRAINING.
WAC 212-55-090	ALTERNATE METHODS.
WAC 212-55-095	SEVERABILITY.

WSR 91-06-021
EMERGENCY RULES
DEPARTMENT OF
COMMUNITY DEVELOPMENT
[Filed February 26, 1991, 12:54 p.m.]

Date of Adoption: February 26, 1991.

Purpose: To repeal chapter 212-54 WAC, Day care centers and day treatment centers, standards for fire protection; chapter 212-55 WAC, Mini-day care centers, standards for fire protection; and adopt chapter 212-56A WAC.

Citation of Existing Rules Affected by this Order: Repealing chapters 212-54 and 212-55 WAC.

Statutory Authority for Adoption: Chapters 48.48 and 43.63A RCW.

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

Reasons for this Finding: Proposal will make State Fire Marshal rules consistent with those of the Department of Social and Health Services and the State Building Code Council and will provide for the safety of children. Chapter 212-56A WAC is being filed within the same time period as the day care WAC of the Department of Social and Health Services.

Effective Date of Rule: Immediately.

February 26, 1991

Chuck Clarke

Director

Chapter 212-56A WAC
**CHILD DAY CARE CENTERS AND FAMILY
CHILD DAY CARE HOMES—STANDARDS FOR
FIRE PROTECTION**

PART A
**CHILD DAY CARE CENTERS AND FAMILY
CHILD DAY CARE HOMES**

NEW SECTION

WAC 212-56A-001 PURPOSE. *The purpose of this regulation is to implement minimum requirements for fire and life safety for child day care centers and family child day care homes, requiring state fire marshal approval under chapter 74.15 RCW.*

NEW SECTION

WAC 212-56A-005 DEFINITIONS. *The following definitions shall apply when used in this regulation. When terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used.*

(1) "Approved" as to fire protection systems, assemblies, and devices means approved by the state fire marshal as the result of tests conducted by him; or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

(2) "Building official" is the designated authority charged with the administration and enforcement of the Uniform Building Code, or his duly authorized representative.

(3) "Child" means a person eighteen years of age and under.

(4) "Exit" is a continuous and unobstructed means of egress to a public way and shall include intervening aisles, doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts, and yards.

(5) "Family abode" means a single dwelling unit and accessory buildings occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking, and sanitation.

(6) "Family child day care home" is a child day care facility, licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home.

(7) "Fire official" means the person or agency appointed by the governing body of each city, town, or county for the administration and enforcement of the Uniform Fire Code.

(8) "Heat detector" means an approved device which detects abnormally high temperatures or rate of temperature rise.

(9) "Infant" means a child under the age of one year.

(10) "Licensing agency" means the Washington state department of social and health services.

(11) "Child day care," shall, for the purposes of these regulations, mean the care of children during any period of a twenty-four-hour day.

(12) "Child day care center" means an agency which provides care for any number of children outside the abode of the licensee or for thirteen or more children in the abode of the licensee.

(13) "Smoke detector" is an approved device that senses visible or invisible particles of combustion. The detector shall bear a label or other identification issued by an approved testing agency having a service for inspection of materials and workmanship at the factory during fabrication and assembly.

(14) "State building code" means the state building code as adopted by the state building code council.

(15) "State fire marshal" means the director of fire protection services division or his/her authorized representative.

NEW SECTION

WAC 212-56A-010 COMPLIANCE REQUIRED. *All child day care centers and family child day care homes, licensed previous to final adoption of this section, may have their use continued without compliance with this regulation, provided that such continued use is not dangerous to life, as determined by the state fire marshal.*

NEW SECTION

WAC 212-56A-015 INSPECTIONS AND APPROVAL. (1) *Facilities with six or fewer children. The office of state fire marshal will not inspect facilities with six or fewer children.*

(2) *Family child day care homes and facilities with seven to twelve children. Family child day care homes*

and facilities with seven to twelve children will be inspected prior to initial licensure. No other inspections will be scheduled except for compliance to the initial inspection, complaints, or on request of the licensing agency.

(3) Facilities with more than twelve children. Upon receipt of an application for a new license, or at least ninety days prior to the expiration date of a current license for a facility which has been previously inspected by the state fire marshal, the licensing agency shall submit a written request for inspection to the state fire marshal for facilities with over twelve children. The state fire marshal or his/her designated representative shall inspect the facility. If the facility fails to meet the requirements contained in this regulation, a written report shall be made to the applicant or licensee, indicating the violations noted, corrective action required, and a reasonable time schedule for correcting the violations noted. Upon expiration of the time specified for correction of the violations, the state fire marshal shall make an inspection to determine violations have been corrected.

(4) Upon completion of the inspection if facility is found to be in compliance with this regulation, notification of approval shall be forwarded to the licensing agency, and a certificate of compliance shall be forwarded to the applicant or licensee.

(5) The state fire marshal may designate another person or agency to conduct the inspection.

NEW SECTION

WAC 212-56A-020 **RIGHT OF APPEAL.** Any person aggrieved by the requirements imposed by the state fire marshal may, within five days after receipt of such order, appeal to the state fire marshal. If the state fire marshal confirms the order, the order shall remain in force.

PART B FAMILY CHILD DAY CARE HOMES— STANDARDS FOR FIRE PROTECTION

NEW SECTION

WAC 212-56A-030 **OCCUPANCY RESTRICTIONS.** (1) Any family abode used for child day care purposes for fewer than thirteen children shall be considered a Group R Division 3 occupancy per the State Building Code. For occupancy separation see Table No. 5-B, State Building Code.

(2) Stairs, exits, and smokeproof enclosures shall be as specified in Chapter 33, State Building Code.

Exception: Only one exit door from a family child day care home need be of the pivoted or side hinged swinging type. Approved sliding doors may be used for other exits.

(3) For family child day care homes with more than six children, each floor level used for family child day care purposes shall be served by two separate exits. Outside exit doors shall be operable from the inside without the use of keys or any special knowledge or effort.

(4) Basements located more than four feet below grade level shall not be used for family child day care homes unless one of the following conditions exist:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor, or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above; or

(c) One of the two required exits is an operable window or door, approved for emergency escape or rescue, that opens directly to a public street, public alley, yard, or exit court; or

(d) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13D.

(5) Floors located more than four feet above grade level shall not be occupied by children in family child day care homes.

Exception #1: Use of toilet facilities while under supervision of a staff person.

Exception #2: Family child day care homes may be allowed on the second story if one of the following conditions exist:

(a) Exit stairways from the second story open directly to the exterior of the building without entering the first floor, or

(b) One of the two required exits discharges directly to the exterior from the second story level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor below; or

(c) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13D.

(6) Distance to exits shall not exceed those per Section 3303(d), State Building Code.

(7) Sleeping or napping rooms having doors leading to two separate exit ways, or a door leading directly to the exterior of the building.

(8) Basements in dwelling units and every sleeping or napping room shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard, or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor.

Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

(a) Such devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort; and

(b) The building is equipped with smoke detectors installed in accordance with Section 1210, State Building Code.

(9) The swing and opening force of exit doors shall be in accordance with Section 3304(b), State Building Code. The door latch shall release when subjected to a fifteen-pound force, and the door shall be set in motion when subjected to a thirty-pound force. The door shall swing to full open position when subjected to fifteen-pound force. Forces shall be applied to the latch side.

(10) Exit doors shall be openable from the inside without the use of keys or any special knowledge or effort.

(11) Obstructions shall not be placed in the required width of an exit except in corridors, handrails and doors, when fully opened, shall not reduce the required width by more than seven inches. Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features may project into the required width one and one-half inches on each side.

(12) No space which is accessible only by ladder, folding stairs or trap doors, shall be used for family child day care purposes.

(13) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(14) Every closet door latch shall be such that children can open the door from inside the closet.

(15) Exits shall be provided and maintained as per the State Building Code and this regulation.

NEW SECTION

WAC 212-56A-035 HAZARDOUS AREAS. Rooms or spaces containing a commercial-type kitchen, boiler, maintenance shop, janitor closet, laundry, wood-working shop, flammable or combustible storage, painting operation, or parking garage shall be separated from the family child day care home or means of egress by an occupancy separation wall per Section 503, the State Building Code.

Exception: An occupancy separation wall shall not be required where the food preparation kitchen contains only a domestic cooking range and the preparation of food does not result in the production of smoke or grease laden vapors. Cooking must be limited to the warming of food.

NEW SECTION

WAC 212-56A-040 SINGLE STATION SMOKE DETECTORS. (1) In family child day care homes detectors shall be located in all sleeping and napping areas.

(2) If family child day care homes with more than one story, and in family child day care homes with basements, a detector shall be installed on each story and in the basement.

(3) In family child day care homes where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level, except that when the lower level contains a sleeping or napping area, a detector shall be located on each level.

(4) When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway.

(5) In family child day care homes where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and the adjacent room.

(6) Detectors shall sound an alarm audible in all areas of the building.

(7) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(8) Smoke detectors may be battery operated when installed in existing buildings, or in buildings without commercial power.

(9) Where battery operated smoke detectors are installed, at least one extra battery of the type and size specified for the battery operated smoke detector shall be maintained upon the premises.

(10) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

NEW SECTION

WAC 212-56A-045 ALTERNATE MEANS OF SOUNDING A FIRE ALARM. In addition to single station smoke detectors, family child day care homes shall provide an alternate means for sounding a fire alarm. A police type whistle or similar device is adequate for meeting this requirement: **PROVIDED,** That whatever method is selected shall be limited to a fire emergency only.

NEW SECTION

WAC 212-56A-050 FIRE EXTINGUISHER. (1) At least one approved 2A, 10B:C rated fire extinguisher shall be provided on each occupied floor level. Such extinguishers shall be located in the normal path of egress. The maximum travel distance to an extinguisher shall not exceed seventy-five feet.

(2) Portable fire extinguishers shall be installed and maintained as per Section 10.301(a) and 10.303, the State Building Code.

(3) Fire extinguishers shall be operationally ready for use at all times.

(4) Fire extinguishers shall be mounted in the bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(5) Fire extinguishers shall receive annual maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of (a) mechanical parts, (b) extinguishing agent, and (c) expelling means.

NEW SECTION

WAC 212-56A-055 FIRE PREVENTION. (1) Furnace rooms shall be maintained free of lint, grease and rubbish accumulations and suitably isolated, enclosed, or protected.

(2) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers.

(3) Open-flame devices capable of igniting clothing shall not be left on, unattended, or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(4) All electrical circuits, devices, and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multiplug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(5) The use of portable space heaters of any kind are prohibited.

(6) A poster, obtained from the department of community development, fire protection services division, life safety unit, shall be posted where visible to parents when dropping off and picking up children. The purpose of this poster is to involve parents in the fire and life safety of their children when at the facility.

NEW SECTION

WAC 212-56A-060 SPRINKLER SYSTEM MAINTENANCE. Sprinkler systems shall be tested on an annual basis by a person or agency qualified by licensure. The results of the system test shall be documented on forms provided by the state fire marshal and submitted to the state fire marshal prior to the licensing date.

NEW SECTION

WAC 212-56A-065 FIRE EVACUATION PLAN. Each facility shall develop a written fire evacuation plan. The plan shall include the following:

- (1) Action to take by the person discovering a fire.
- (2) Method of sounding an alarm on the premises.
- (3) Action to take for evacuation of the building and assuring accountability of the children.
- (4) Action to take pending arrival of the fire department.

NEW SECTION

WAC 212-56A-070 FIRE EVACUATION DRILL. A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises indicating the date, time, and other required entries on the form. Such forms are available from the state fire marshal.

NEW SECTION

WAC 212-56A-075 STAFF TRAINING. The licensee and each member of the staff shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

(1) Operation of fire extinguishers installed on the premises.

(2) Testing smoke detectors (single station types).

(3) Conducting frequent inspections of the facility to identify fire hazards, and taking remedial action to correct any hazards noted during the inspection. Inspection forms are available from the state fire marshal. Such inspections should be conducted on a monthly basis and records kept on the premises.

**PART C
CHILD DAY CARE CENTERS—STANDARDS
FOR FIRE PROTECTION**

NEW SECTION

WAC 212-56A-080 OCCUPANCY RESTRICTIONS. (1) Child day care centers shall not be located above or below the first story.

Exception: (a) Rooms on floors which have exits to the exterior of the building no more than four feet of vertical travel from the floor level to the level of the exterior finished surface of the ground, paving, or sidewalk.

(b) In buildings equipped with an automatic sprinkler system throughout, rooms used for child day care purposes may be located on the second story, provided there are at least two exits directly into separate exiting systems as defined in Section 3319(a), the State Building Code.

(c) Child day care centers may be located above the second story provided:

(i) They shall be in buildings equipped with an automatic sprinkler system throughout; and

(ii) They shall be in buildings of Type I or Type II fire-resistive construction; and

(iii) Child day care centers above the fourth floor shall not have more than twelve children per floor; and

(iv) The entire story on which the child day care facility is located is equipped with an approved fire alarm and smoke detection system as set forth in the State Building Code. Actuation of the system shall sound an alarm audible throughout the entire story; and

(v) The child day care facility is divided into not less than two areas of approximately the same size, separated from each other by not less than one-hour fire-resistive construction. Openings between the two areas shall be protected by automatic-closing fire assemblies, having a fire-protection rating of not less than twenty minutes, which will close automatically upon activation of the fire alarm or detection systems; and

(vi) Each area is provided with air-moving equipment independent of that serving the other; and

(vii) Each area has not less than two exits, one of which is permitted to be through the adjoining area; and

(viii) The exits from the child day care facility shall be into separate exiting systems as defined in Section 3319, the State Building Code.

(3) Child day care facilities shall be considered a Group E Division 3 Occupancy. For occupancy separation see Table No. 5-B, the State Building Code.

(4) Each floor level used for a child day care center shall be served by at least two separate exits. Distance to exits shall not exceed those per Section 3303(d), the State Building Code.

(5) The swing and opening force of exit doors shall be as per Section 3304(b), the State Building Code. The door latch shall release when subjected to a fifteen-pound force, and the door shall be set in motion when subjected to a thirty-pound force. The door shall swing to full open position when subjected to fifteen-pound force. Forces shall be applied to the latch side.

(6) Exit doors from rooms having an occupant load of fifty or more and from corridors shall be equipped with panic hardware. Other exit doors shall be openable from the inside without the use of keys or any special knowledge or effort.

(7) Basements shall not be used for child day care centers unless:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor, or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above; or

(c) One operable window or door, approved for emergency escape or rescue, opens directly to a public street, public alley, yard, or exit court; or

(d) An approved sprinkler system, not otherwise required, is provided throughout the entire building.

(8) Obstructions shall not be placed in the required width of an exit.

Exception: Corridors, handrails and doors, when fully opened, shall not reduce the required width by more than seven inches. Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features may project into the required width one and one-half inches on each side.

(9) No space shall be used which is accessible only by ladder, folding stairs, or trap doors.

(10) Every closet door latch shall be such that children can open the door from inside the closet.

(11) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(12) Emergency lighting shall be provided in child day care centers in the following areas:

(a) In all interior stairs and corridors.

(b) In all normally occupied spaces, except for administrative areas, mechanical rooms, and storage areas.

(c) In flexible and open plan buildings or areas.

(d) In all portions of buildings that are interior or windowless.

(13) Exits shall be provided and maintained as per the State Building Code, and this regulation. Fire doors, exit lights, corridor lighting, door latches, and exit hardware shall be maintained operationally ready for use at all times.

NEW SECTION

WAC 212-56A-085 HAZARDOUS AREAS. Rooms or spaces containing a commercial-type kitchen,

boiler, maintenance shop, janitor closet, laundry, wood-working shop, flammable or combustible storage, parking garage, or painting operation shall be separated from the child day care center or means of egress by an occupancy separation wall per Section 503, the State Building Code.

Exception: An occupancy separation wall shall not be required where the food preparation kitchen contains only a domestic cooking range and the preparation of food does not result in the production of smoke or grease laden vapors. Cooking must be limited to the warming of food.

NEW SECTION

WAC 212-56A-090 SLEEPING AND NAPPING ROOMS. (1) Basements and every sleeping or napping room below the fourth story shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard, or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

(2) All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor.

(3) Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

(a) Such devices are equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort; and

(b) The building is equipped with smoke detectors installed in accordance with Section 1210, Uniform Building Code, as specified in WAC 212-12-010(3).

NEW SECTION

WAC 212-56A-095 SINGLE STATION SMOKE DETECTORS. (1) Child day care centers not required to have an electrically supervised fire alarm system, shall be provided with at least one approved single station smoke detector installed and maintained as per Section 1210, the State Building Code. Additional detectors are required in the corridor or passageway providing access to sleeping or napping rooms and shall be required at other locations as determined by the state fire marshal.

(2) Detectors shall be located in all sleeping and napping areas.

(3) When the child day care center has more than one story, and in child day care centers with basements, a detector shall be installed on each story and in the basement.

(4) Where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level.

Exception: When the lower level contains a sleeping or napping area, a detector shall be located on each level.

(5) When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway.

(6) Where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and the adjacent room.

(7) Detectors shall sound an alarm audible in all areas of the building.

(8) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(9) Smoke detectors may be battery operated when installed in existing buildings, or in buildings without commercial power.

(10) Where battery operated smoke detectors are installed, at least one extra battery of the type and size specified for the battery operated smoke detector shall be maintained upon the premises.

(11) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

NEW SECTION

WAC 212-56A-100 ALTERNATE METHOD FOR ALARM. Child day care centers not otherwise required to have an electrically supervised fire alarm system shall provide, in addition to single station smoke detectors, an alternate means for sounding a fire alarm. A police type whistle or similar device is adequate for meeting this requirement: PROVIDED, That whatever method is selected shall be limited to a fire emergency only.

NEW SECTION

WAC 212-56A-105 FIRE ALARM SYSTEM. (1) An approved electrically supervised fire alarm system shall be installed in each child day care center having an occupant load of fifty or more, or where the child day care center is located within a building of another occupancy, or where the day care center, or any portion thereof, is located above or below the grade level.

(2) Smoke detectors shall be installed in corridors or passageways providing access to rooms used for sleeping or napping purposes. Heat detectors may be required by the state fire marshal in hazardous areas which enter upon the means of egress. Smoke detectors and heat detectors shall be electrically interconnected to the fire alarm system.

(3) Sprinkler systems shall be electrically interconnected with the fire alarm system.

(4) The fire alarm system shall include an alarm mounted on the exterior of the building.

(5) The fire alarm system control panel shall be equipped with an approved secondary power supply.

(6) Fire alarm systems shall be tested at monthly intervals. Automatic fire detectors shall be inspected annually. The inspection shall be conducted by a person or agency qualified by experience, training, or licensure. The results of the system test or inspections shall be maintained on the premises, preferably at the system control panel, or other location approved by the state fire marshal.

NEW SECTION

WAC 212-56A-110 FIRE EXTINGUISHER. (1) At least one approved 2A, 10B:C rated fire extinguisher shall be provided on each occupied floor level.

(2) Such extinguishers shall be located in the normal path of egress.

(3) The maximum travel distance to an extinguisher shall not exceed seventy-five feet.

(4) Portable fire extinguishers shall be installed and maintained as per Section 10.301(a) and 10.303, Uniform Fire Code, as specified in WAC 212-12-010(3).

(5) Fire extinguishers shall be operationally ready for use at all times.

(6) Fire extinguishers shall be mounted in the bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(7) Fire extinguishers shall receive annual maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of (a) mechanical parts, (b) extinguishing agent, and (c) expelling means.

NEW SECTION

WAC 212-56A-115 FIRE PREVENTION. (1) Furnace rooms shall be maintained free of lint, grease, and rubbish accumulations, and suitably isolated, enclosed, or protected.

(2) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers.

(3) Open-flame devices capable of igniting clothing shall not be left on, unattended, or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(4) All electrical circuits, devices, and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multiplug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(5) The use of portable space heaters of any kind are prohibited.

(6) A poster, obtained from the department of community development, fire protection services division, life safety unit, shall be posted where visible to parents when dropping off and picking up children. The purpose of this poster is to involve parents in the fire and life safety of their children when at the facility.

NEW SECTION

WAC 212-56A-120 SPRINKLER SYSTEM MAINTENANCE. Sprinkler systems shall be tested on an annual basis by a person or agency qualified by licensure. The results of the system test shall be documented on forms provided by the state fire marshal and submitted to the state fire marshal prior to the licensing date.

NEW SECTION

WAC 212-56A-125 FIRE EVACUATION PLAN. Each facility shall develop a written fire evacuation plan. The plan shall include the following:

- (1) Action to take by the person discovering a fire.
- (2) Method of sounding an alarm on the premises.
- (3) Action to take for evacuation of the building and assuring accountability of the children.
- (4) Action to take pending arrival of the fire department.

NEW SECTION

WAC 212-56A-130 FIRE EVACUATION DRILL. A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises indicating the date, time, and other required entries on the form. Such forms are available from the state fire marshal.

NEW SECTION

WAC 212-56A-135 STAFF TRAINING. The licensee and each member of the staff shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

- (1) Operation of fire extinguishers installed on the premises.
 - (2) Resetting the fire alarm system (if installed).
- Note: The fire alarm system should not be reset without the permission of the fire department.
- (3) Testing smoke detectors (single station types).
 - (4) Conducting frequent inspections of the facility to identify fire hazards, and taking remedial action to correct any hazards noted during the inspection. Inspection forms are available from the state fire marshal. Such inspections should be conducted on a monthly basis and records kept on the premises.

PART D**CHILD DAY CARE CENTERS AND FAMILY CHILD DAY CARE HOMES**NEW SECTION

WAC 212-56A-140 ALTERNATE METHODS. The state fire marshal may modify any of the provisions of this regulation upon application in writing by the owner or licensee or his duly authorized representative, where there are practical difficulties in carrying out the strict letter of this regulation. The particulars of such modification may be granted or allowed: **PROVIDED**, That it does not create a condition that is dangerous to

life. The decision of the state fire marshal shall be entered upon the record, and a signed copy shall be furnished the owner or licensee.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 212-54-001	PURPOSE.
WAC 212-54-005	DEFINITIONS.
WAC 212-54-010	COMPLIANCE REQUIRED.
WAC 212-54-015	INSPECTIONS AND APPROVAL.
WAC 212-54-020	RIGHT OF APPEAL.
WAC 212-54-025	CONTACT WITH LOCAL BUILDING AND FIRE OFFICIALS.
WAC 212-54-030	OCCUPANCY RESTRICTIONS.
WAC 212-54-035	HAZARDOUS AREAS.
WAC 212-54-040	EXITS.
WAC 212-54-045	SLEEPING AND NAPPING ROOMS.
WAC 212-54-050	SINGLE STATION SMOKE DETECTORS.
WAC 212-54-055	ALTERNATE METHOD FOR ALARM.
WAC 212-54-060	FIRE ALARM SYSTEM.
WAC 212-54-065	FIRE EXTINGUISHER.
WAC 212-54-070	FIRE PREVENTION.
WAC 212-54-075	MAINTENANCE.
WAC 212-54-080	FIRE EVACUATION PLAN.
WAC 212-54-085	FIRE EVACUATION DRILL.
WAC 212-54-090	STAFF TRAINING.
WAC 212-54-095	ALTERNATE METHODS.
WAC 212-54-100	SEVERABILITY.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 212-55-001	PURPOSE.
WAC 212-55-005	DEFINITIONS.
WAC 212-55-010	COMPLIANCE REQUIRED.
WAC 212-55-015	INSPECTIONS AND APPROVAL.
WAC 212-55-020	RIGHT OF APPEAL.
WAC 212-55-025	CONTACT WITH LOCAL BUILDING AND FIRE OFFICIALS.
WAC 212-55-030	OCCUPANCY RESTRICTIONS.
WAC 212-55-035	HAZARDOUS AREAS.
WAC 212-55-040	EXITS.
WAC 212-55-045	SLEEPING AND NAPPING ROOMS.
WAC 212-55-050	AUTOMATIC SMOKE DETECTION.
WAC 212-55-055	ALARM IN CASE OF FIRE.
WAC 212-55-060	FIRE EXTINGUISHERS.
WAC 212-55-065	FIRE PREVENTION.
WAC 212-55-070	MAINTENANCE.
WAC 212-55-075	FIRE EVACUATION PLAN.
WAC 212-55-080	FIRE EVACUATION DRILL.

WAC 212-55-085 STAFF TRAINING.
 WAC 212-55-090 ALTERNATE METHODS.
 WAC 212-55-095 SEVERABILITY.

WSR 91-06-022
PERMANENT RULES
STATE TOXICOLOGIST
 [Filed February 26, 1991, 1:02 p.m.]

Date of Adoption: February 26, 1991.

Purpose: Means by which methods, procedures, equipment, personnel, and written protocols are approved by the State Toxicologist for use in the administration of breath tests for alcohol content.

Citation of Existing Rules Affected by this Order: Repealing chapter 448-12 WAC.

Statutory Authority for Adoption: RCW 46.61.506.

Pursuant to notice filed as WSR 91-03-123 on January 23, 1991.

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

February 26, 1991

Barry Kerr Logan Ph.D.
 State Toxicologist

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 448-12-010 BREATHALYZER APPROVED.
 WAC 448-12-015 CHECKING OF BREATHALYZER MACHINES.
 WAC 448-12-016 CERTIFICATIONS.
 WAC 448-12-020 ADMINISTRATION OF BREATHALYZER TEST.
 WAC 448-12-030 INSTRUCTORS.
 WAC 448-12-040 MAINTENANCE OPERATORS.
 WAC 448-12-050 OPERATORS.
 WAC 448-12-055 REVIEW OF QUALIFICATIONS.
 WAC 448-12-060 PERMIT CARDS.
 WAC 448-12-070 COURSE APPROVAL.
 WAC 448-12-075 MINIMUM COURSE REQUIREMENTS.
 WAC 448-12-080 INSTRUCTION.
 WAC 448-12-090 ADDRESS FOR CORRESPONDENCE.
 WAC 448-12-100 NAMES OF INSTRUCTORS.
 WAC 448-12-210 BAC VERIFIER DATAMASTER, INFRARED BREATH TEST INSTRUMENT APPROVED.
 WAC 448-12-220 TEST DEFINED.
 WAC 448-12-230 ADMINISTRATION OF BREATH TEST ON BAC VERIFIER DATAMASTER INSTRUMENT.
 WAC 448-12-240 INSTRUCTORS.
 WAC 448-12-250 OPERATORS.
 WAC 448-12-260 REVIEW OF QUALIFICATIONS.

WAC 448-12-270 PERMIT CARDS.
 WAC 448-12-280 COURSE APPROVAL.
 WAC 448-12-290 MINIMUM COURSE REQUIREMENTS.
 WAC 448-12-300 INSTRUCTION.
 WAC 448-12-320 ADDRESS FOR CORRESPONDENCE.
 WAC 448-12-330 NAMES OF INSTRUCTORS.
 WAC 448-12-340 EFFECTIVE DATE.

Chapter 448-13 WAC
ADMINISTRATION OF BREATH TEST PROGRAM

NEW SECTION

WAC 448-13-010 BASIS FOR RULES GOVERNING BREATH TESTING. These rules have been written based on currently accepted scientific principles and practices in the field of breath alcohol testing. They have been formulated to inform the public of the administrative aspects of the state's breath alcohol test program. Technical aspects of breath testing are constantly investigated, discussed, and debated in the scientific literature. The procedures used in the operation of this program may be updated to reflect the consensus in the relevant scientific community. The state toxicologist will provide information on the technical details of any of the currently used procedures upon request pursuant to WAC 448-13-210. The office of the state toxicologist will cooperate fully with the courts in the interpretation of these rules and in providing additional technical information.

NEW SECTION

WAC 448-13-020 APPROVAL OF BREATH TEST INSTRUMENTS. Pursuant to RCW 46.61.506, the BAC Verifier DataMaster is the only infrared breath test instrument approved by the state toxicologist as a device for the measurement of alcohol in a person's breath. A simulator filled with a certified simulator solution will be attached to each instrument to provide a known external standard as defined in WAC 448-13-020(11). The simulator used must be on the National Highway Traffic Safety Administration (NHTSA) conforming products list. Any agency, group, or individual seeking approval or certification from the state toxicologist for the use of other breath test instruments for evidential breath testing programs in the state of Washington should contact the state toxicologist at the address given in WAC 448-13-210.

NEW SECTION

WAC 448-13-030 DEFINITIONS. (1) "Accuracy" means the proximity of a measured value to a reference value.

(2) "Alcohol" means the unique chemical compound ethyl alcohol.

(3) "Blank test" means the testing of a DataMaster instrument to ensure that no alcohol from a previous test can interfere with a person's breath test.

(4) "Breath alcohol analysis" means analysis of a sample of a person's expired breath, using a breath testing instrument designed for this purpose, which instrument is approved by the state toxicologist, in order to determine the alcohol concentration in that breath sample.

(5) "Breath test document" means the form which is printed by the BAC Verifier DataMaster on the completion of a breath alcohol test.

(6) "Calibration" means the process of standardizing the DataMaster using a certified simulator solution to allow by proportion, the measurement of the alcohol concentration of a person's breath. Calibration will be performed periodically as required and at least once a year during quality assurance.

(7) "Certified" when used in conjunction with breath test personnel means an operator, instructor, solution changer or technician possessing a valid permit.

(8) "Certified simulator solution" means an alcohol/water solution prepared and tested by an approved protocol, and meeting the criteria specified therein.

(9) "Certified test" means a test conducted in accordance with WAC 448-13-040 and 448-13-050. A test which meets these requirements as determined from the breath test document is a certified test.

(10) "Concentration" means the weight amount of alcohol, expressed in grams, contained in two hundred ten liters of breath or alcohol/water vapor.

(11) "Data base" means information collected primarily for the purposes of statistical analysis of patterns of drinking and driving in the state of Washington.

(12) "Data entry" means the process of providing information through a keyboard to the BAC Verifier DataMaster for the purposes of (a) identifying a breath test document to an individual, and (b) statistical analysis.

(13) "External standard test" means the use of a simulator containing a certified simulator solution, to provide a known alcohol vapor concentration to test the accuracy and proper working order of the DataMaster and confirm its calibration at the time of a person's breath test. This test of the function of the DataMaster is performed with every breath test. The external standard test does not calibrate the DataMaster.

(14) "Internal standard test" means the use of a quartz filter to provide a check that the instrument has maintained calibration since the last time calibration was performed and is in proper working order at the time of the test.

(15) "Precision" means the ability of a technique to perform a measurement in a reproducible manner.

(16) "Procedure" and "method" are used interchangeably to indicate a series of steps which, when carried out as directed, constitute the means by which a given task is performed in a reproducible manner.

(17) "Protocol" means the written record of any method or procedure.

(18) "Quality assurance program" means an ongoing program designed to perform preventative maintenance and identify potential defects before they affect the operation of the instrument.

(19) "Simulator" means a device which when filled with a certified simulator solution, maintained at a known temperature, provides a vapor sample of known alcohol concentration.

(20) "Software" means the computer program stored in the DataMaster which allows it to operate.

(21) "Valid breath sample" means a sample of a person's breath provided in such a manner to be accepted for analysis by the BAC Verifier DataMaster.

NEW SECTION

WAC 448-13-040 ADMINISTRATION OF BREATH TEST ON THE BAC VERIFIER DATAMASTER. The following method for performing a breath test is approved by the state toxicologist pursuant to WAC 448-13-120 and includes the following safeguards to be observed by the operator prior to the test being performed. It must be determined that: (1) The person does not vomit or have anything to eat, drink, or smoke for at least fifteen minutes prior to administration of the test; and (2) the subject does not have any foreign substances, not to include dental work, fixed or removable, in his or her mouth at the beginning of the fifteen minute observation period. Such determination shall be made by either an examination of the mouth or a denial by the person that he or she has any foreign substances in mouth. A test mouthpiece is not to be considered a foreign substance for purposes of this section. The temperature of the solution in the simulator prior to the start of the test must be thirty-four degrees centigrade plus or minus 0.2 degrees centigrade. During the test the person will be required to provide at least two valid breath samples. A refusal to provide a valid breath sample at any point during the test will constitute a refusal. The results of the test will be provided in the form of a printout on a breath test document. These results will indicate the grams of alcohol per two hundred ten liters of breath.

NEW SECTION

WAC 448-13-050 TEST DEFINED. The test of a person's breath for alcohol concentration using the BAC Verifier DataMaster shall consist of the person insufflating end-expiratory air samples at least twice into the instrument, sufficient to allow two separate measurements. There will be sufficient time between the provision of each sample to permit the instrument to measure each sample individually. The two valid breath samples will constitute one test.

The BAC Verifier DataMaster will perform this test according to the following protocol when being employed to measure an individual's breath alcohol concentration. Any test not performed according to the following protocol is not a valid test. Successful compliance with each step of this protocol is determined from an inspection of the breath test document. These steps are necessary to ensure accuracy, precision, and confidence in each test.

- Step 1. Data entry.
- Step 2. Blank test with a result of .00.
- Step 3. Internal standard verified.
- Step 4. First breath sample provided by subject.
- Step 5. Blank test with a result of .00.

- Step 6. External standard simulator solution test. The result of this test must be between .090 and .110 inclusive.
- Step 7. Blank test with a result of .00.
- Step 8. Second breath sample provided by subject.
- Step 9. Blank test with a result of .00.
- Step 10. Printout of results on a breath test document.

NEW SECTION

WAC 448-13-060 VALIDITY AND CERTIFICATION OF TEST RESULTS. A test shall be a valid test and so certified, if the requirements of WAC 448-13-040 and 448-13-050 are met, and in addition the following criteria for precision and accuracy, as determined solely from the breath test document, are met:

(1) The internal standard test results in the message "verified."

(2) The results of both breath samples are within, and inclusive of, plus or minus ten percent of the average of the two measurements. The upper and lower limits of this range shall be based on a three-digit average and shall be truncated to two digits (e.g., .109 will be read as .10).

(3) The simulator external standard result lies between .090 to .110 inclusive.

(4) All four blank tests give results of .00.

If these criteria are met, then these and no other factors are necessary to indicate the proper working order of the instrument, and so certify it, at the time of the breath test.

NEW SECTION

WAC 448-13-070 EXTERNAL STANDARD SIMULATOR SOLUTION. In order to validate and certify the proper working order of the BAC Verifier DataMaster at the time of a person's breath test, the vapor from a certified external standard simulator solution will be tested, separated by blank tests, between the two valid breath samples provided by the subject per WAC 448-13-050. This test of the vapor from the certified external standard simulator solution concentration, by the infrared technique employed by the BAC Verifier DataMaster, will confirm the certification of the person's test results as they appear on the breath test document, provided that the results of such analysis also meet the criteria of WAC 448-13-060. At such time as the concentration of the vapor from the external standard simulator solution measured by the DataMaster approaches the lower acceptable limit of .090, the solution will be discarded and replaced with a new solution which meets the criteria of WAC 448-13-080. As there is no meaningful way to interpret data resulting from reanalysis of the simulator solution following its removal after use on a DataMaster instrument, collection and reanalysis of such solutions is neither recommended nor approved by the state toxicologist. The internal standard test conducted with every breath test provides a check that the instrument has remained in calibration while in use in the field.

NEW SECTION

WAC 448-13-080 PREPARATION AND CERTIFICATION OF EXTERNAL STANDARD SIMULATOR SOLUTION. The external standard simulator solutions shall be prepared by the forensic toxicology staff in the state toxicology laboratory, using standard laboratory procedures, in such a manner that when used in a BAC Verifier DataMaster the external standard test performed as part of a person's breath test pursuant to WAC 448-13-050, will read between .090 and .110 inclusive, at the time of the test. The principle used for the preparation of the simulator solutions is that a 0.123g/100mL solution will give a vapor ethanol concentration at 34°C of 0.100g/210L. The protocol which shall be followed for the preparation and certification of the external standard simulator solution will be that protocol currently approved and authorized by the state toxicologist according to WAC 448-13-120 and conforming to WAC 448-14-010. Details of the currently approved and authorized protocols are available upon request from the office of the state toxicologist. Sworn statements from the analyst regarding the preparation, testing, and certification of the simulator solution are available under the provisions of CrRLJ 6.13.

NEW SECTION

WAC 448-13-090 SOFTWARE. The software which shall be used in the data collection by, in the operation of, and in the measurements made by the BAC Verifier DataMaster, will be those versions currently approved for use by the state toxicologist. A list of those versions of software currently approved for use can be obtained from the office of the state toxicologist.

NEW SECTION

WAC 448-13-100 USE OF THE DATA BASE ON THE BAC VERIFIER DATAMASTER. The specific purpose of the data base functions of the BAC Verifier DataMaster is to provide statistical analysis and remote monitoring of the instruments to determine their current operational status. The information contained in the data base is separate from, and does not affect the results of, any individual breath test. All information required to certify a breath test per WAC 448-13-060 is contained in the breath test document. The presence or absence of data base information does not compromise the validity of a breath test certified per WAC 448-13-060.

NEW SECTION

WAC 448-13-110 QUALITY ASSURANCE PROGRAM. Technicians authorized per WAC 448-13-170 and 448-13-180 shall carry out on a regular periodic basis a quality assurance program which shall include recalibration, and checks of components and function of every BAC Verifier DataMaster instrument used for evidential breath testing purposes in the state of Washington. The protocol which shall be followed for

quality assurance will be that protocol currently approved and authorized by the state toxicologist pursuant to WAC 448-13-130.

Upon successfully meeting all the requirements of the quality assurance program, the instrument is approved by the state toxicologist for use over a period of not more than one year, or until such time as one of the following operations is required: Replacement of the central processing unit (CPU) board, replacement of the infrared detector, replacement of the infrared detector block, replacement of the infrared detector board, replacement or updating of the software, disassembly and then reassembly of the sample chamber, or recalibration. On successful completion of the quality assurance procedure the instrument is approved for use for a further one-year period. As the quality assurance procedure includes all the elements of the procedure previously known as "certification," the use of BAC Verifier DataMaster Certification documents described in CrRLJ 6.13 is recommended by the state toxicologist to indicate compliance with this quality assurance program.

NEW SECTION

WAC 448-13-120 BLOOD/BREATH CORRELATION STUDIES. The state toxicologist neither requires nor recommends that blood/breath correlation studies be conducted as part of the breath test program in the state of Washington. These studies may be used for experimental purposes to investigate the blood/breath ratio for a particular individual at a given time, but are inappropriate for use to establish or otherwise determine the proper working order of a breath test instrument at any time. Such proper working order will be determined by the use of an external simulator standard, as recommended by the National Highway Traffic Safety Administration (NHTSA), and such other criteria as required under WAC 448-13-040, 448-13-050, and 448-13-060.

NEW SECTION

WAC 448-13-130 REVIEW, APPROVAL, AND AUTHORIZATION OF PROTOCOLS OF PROCEDURES AND METHODS BY THE STATE TOXICOLOGIST. The state toxicologist shall review, approve, and authorize such protocols of procedures and methods (of his own promulgation or submitted to him by outside agencies or individuals) required in the administration of the breath test program. Such review, approval, and authorization will be so signified by a signed statement attached to each protocol, and kept on file in the office of the state toxicologist. These protocols will be updated as necessary to maintain the quality of the breath test program in light of new findings in the scientific literature or from peer discussion, or the availability of superior equipment or services. Information concerning currently approved protocols can be obtained on application to the office of the state toxicologist.

NEW SECTION

WAC 448-13-140 INSTRUCTORS. The state toxicologist shall certify persons found by him to be

competent and qualified, as "instructors." Instructors are authorized to administer breath tests for alcohol concentration using the BAC Verifier DataMaster infrared breath testing instrument and are further authorized to train and certify as operators, according to outlines approved by the state toxicologist, those persons the instructor finds qualified to administer the breath test utilizing the BAC Verifier DataMaster breath test instrument. Details of persons certified as instructors shall be maintained by the state toxicologist and available upon request.

If an instructor fails or refuses to demonstrate to the state toxicologist or to his representative, that they have the ability to adequately perform their responsibilities as an instructor, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-13-150 OPERATORS. The state toxicologist, or instructors on his behalf, shall certify as "operators" persons found by them to be competent and qualified to administer breath tests for alcohol concentration using the BAC Verifier DataMaster infrared breath testing instrument. Persons who have attended courses in the operation of the BAC Verifier DataMaster infrared breath testing instrument taught by an instructor qualified by the state toxicologist, upon certification of attendance and qualification, shall be designated as "operators." Details of persons so certified shall be maintained by the state toxicologist and available upon request.

If an operator fails or refuses to demonstrate to the state toxicologist or to an instructor certified by the state toxicologist, that he or she has the ability to adequately perform his or her responsibilities as an operator, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-13-160 SOLUTION CHANGERS. The state toxicologist, or instructors on his behalf, shall certify as "solution changers" operators found by them to be competent and qualified. In addition to being qualified as "operators" these persons must receive approved instruction covering the changing of simulator external standard solutions for the BAC Verifier DataMaster infrared breath testing instrument, taught by an instructor qualified by the state toxicologist. Details of persons so certified shall be maintained by the state toxicologist and available upon request.

If a solution changer fails or refuses to demonstrate to the state toxicologist or to an instructor certified by the state toxicologist, that he or she has the ability to adequately perform his or her responsibilities as a solution changer, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-13-170 TECHNICIANS. The state toxicologist shall certify as "technicians" such persons found by him to be competent and qualified to maintain the proper working order of the BAC Verifier

DataMaster infrared breath testing instrument, through adjustment, repair, and regular service. Further, technicians are authorized by the state toxicologist to perform the procedures approved for periodic quality assurance of the BAC Verifier DataMaster infrared breath testing instruments as required pursuant to WAC 448-13-090. Details of persons so certified shall be maintained by the state toxicologist and available upon request.

If a technician fails or refuses to demonstrate to the state toxicologist or his representative, that he or she has the ability to adequately perform his or her responsibilities as a technician, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-13-180 PERMIT CARDS. The state toxicologist shall authorize the issuance to persons deemed qualified as "instructors," "operators," "solution changers" or "technicians," a wallet-sized card bearing his or her name and designation. Permit cards shall bear the signature or facsimile signature of the state toxicologist. Such permit cards shall expire three years after the date on the card, unless renewed for a like three-year period.

NEW SECTION

WAC 448-13-190 REVIEW, APPROVAL, AND AUTHORIZATION BY THE STATE TOXICOLOGIST OF TRAINING COURSES AND OUTLINES. The state toxicologist shall approve and authorize such courses and course outlines (of his own promulgation or submitted for his consideration by outside agencies or individuals) required in the training of breath test program personnel. Such review, approval, and authorization will be so signified by a signed statement attached to each course outline. These course outlines may be reviewed and updated as necessary to maintain the quality of the breath test program. Instructors are directed to use only approved outlines in conducting the training of operators. Information concerning currently approved course outlines can be obtained on application to the office of the state toxicologist.

NEW SECTION

WAC 448-13-200 INFORMATION CONCERNING TECHNICAL ASPECTS OF THE BREATH TEST PROGRAM. Documents used by the state toxicologist and personnel involved in breath testing for the state of Washington, which are available on request include: The breath test document, simulator solution preparation protocol, alcohol analysis protocol, certification document for simulator solution, affidavit from analyst of simulator solution, quality assurance protocol, quality assurance procedure report, affidavit concerning quality assurance procedure, operator course outline, operator refresher course outline, and operator training record. A fee may be charged to cover the cost of providing these copies.

NEW SECTION

WAC 448-13-210 ADDRESS FOR CORRESPONDENCE. Persons seeking information regarding currently approved protocols and procedures, or information regarding those persons currently authorized as operators, instructors, solution changers, or technicians for the BAC Verifier DataMaster, shall direct their request to the State Toxicologist, State Toxicology Laboratory, Harborview Medical Center ZA-88, 325 9th Avenue, Seattle, Washington 98104.

NEW SECTION

WAC 448-13-220 EFFECTIVE DATE. These provisions, WAC 448-13-010 through and including WAC 448-13-210, will be adopted and in full force and effect for all aspects of the operation of the breath alcohol concentration test program in the state of Washington thirty-one days after the filing of the permanent rules. These new provisions are not retroactive and will not apply to the interpretation of results from any breath test conducted prior to thirty-one days after the filing of the permanent rules.

WSR 91-06-023

EXECUTIVE ORDER

OFFICE OF THE GOVERNOR

[EO 91-01]

ESTABLISHING A STATE ADVISORY COUNCIL ON HOMELESSNESS

An increasing and unacceptable number of Washington citizens are becoming homeless. The reasons for homelessness are many and complex. They include a lack of affordable housing, wages and transfer payments which do not keep up with the rising cost of housing, domestic violence, shortage of special housing with support services for persons with mental illnesses, the problems of alcoholism and substance abuse, and the growing number of troubled youth.

Private businesses, charitable organizations, cities, counties, the federal government, and the State of Washington have started to invest substantial resources in assisting the homeless and have begun to address the root causes of homelessness. Because homelessness is a multifaceted problem, its solution requires a coordinated blend of resources and efforts from the private sector and all levels of government.

NOW, THEREFORE, in recognition of the nature of the problem, the need for coordination, and to put into action the first recommendation of the Governor's Task Force on Homelessness in its report to me, I, Booth Gardner, Governor of the State of Washington, do hereby establish a State Advisory Council on Homelessness, as follows:

1. The Council shall consist of up to 15 members selected by the Governor to represent private businesses, non-profit organizations that provide services to the homeless, public housing authorities, cities,

counties, and the federal government. In addition, the Council shall consist of the Directors of the Department of Community Development, Department of Social and Health Services, Employment Security Department, Department of Health, Department of General Administration, Department of Veterans Affairs, Department of Corrections, and the Office of the Superintendent of Public Instruction or their designees.

- 2. The Director of the Department of Community Development shall chair the Council with a vice chair selected from among the members who do not represent state agencies. The members shall serve without compensation except for reimbursement for travel expenses to and from meetings. Staffing to the council shall be provided by the Department of Community Development with the assistance of other member state agencies.
- 3. Each state department shall cooperate with the Council, and furnish it with such information as necessary to accomplish the purposes of this order.
- 4. The Council shall meet at least quarterly in locations agreed upon by the members.
- 5. The Council shall carry out the following responsibilities:
 - a. Review actions recommended by the Governor's Task Force on Homelessness and advise the Governor on what measures can be taken to coordinate state efforts on behalf of people who are homeless.
 - b. Make annual policy recommendations to the Governor on ways to enhance the state's ability to respond to the needs of people who are homeless.
 - c. Provide a forum for representatives of private businesses, service providers, and local, federal, and state government to address issues and coordinate programs relating to homelessness across the state.
 - d. Increase the awareness of homeless issues at state and local government agencies and local organizations that provide services to people who are homeless, and promote training for employees to better serve people who are homeless and those at risk of becoming homeless.
 - e. Promote interagency cooperation in distributing public information, both to educate the general public about the needs of the homeless and to provide homeless people and service providers with current information about available resources.
- 6. This order shall take effect immediately.

IN WITNESS WHERE-OF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 23rd day of February, A.D., nineteen hundred and ninety one.

Booth Gardner

Governor of Washington

BY THE GOVERNOR:

Ralph Munro

Secretary of State

WSR 91-06-024
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Examining Board of Psychology)
 [Memorandum—February 25, 1991]

The following are the 1991 meeting dates for the Examining Board of Psychology:

January 11 and 12, 1991	Seattle Airport Hilton Board Meeting Rules Hearing and Oral Examinations
February 8, 1991	WestCoast Sea-Tac Hotel Seattle Board Meeting
March 8 and 9, 1991	WestCoast Ridpath Hotel Spokane Disciplinary Meeting
April 12 and 13, 1991	Silverdale on the Bay Resort Hotel Silverdale Board Meeting
May 10 and 11, 1991	Silverdale on the Bay Resort Hotel Silverdale Board Meeting
June 14 and 15, 1991	Silverdale on the Bay Resort Hotel Silverdale Board Meeting
July 12 and 13, 1991	Seattle Airport Hilton Oral Examinations
September 13 and 14, 1991	Nendel's South Center Board Meeting
October 11 and 12, 1991	WestCoast Sea-Tac Hotel Seattle Board Meeting
November 8 and 9, 1991	Silverdale on the Bay Resort Hotel Silverdale Board Meeting
December 13 and 14, 1991	Silverdale on the Bay Resort Hotel Silverdale Board Meeting

WSR 91-06-025
PERMANENT RULES
DEPARTMENT OF HEALTH
(Optometry Board)

[Order 119B—Filed February 26, 1991, 2:45 p.m.]

Date of Adoption: February 15, 1991.

Purpose: To transfer rules from chapter 308-53 WAC to chapter 246-851 WAC.

Citation of Existing Rules Affected by this Order: See Recodification Section below.

Statutory Authority for Adoption: RCW 18.54.070.

Pursuant to notice filed as WSR 90-24-035 on November 30, 1990; and WSR 91-03-116 on January 23, 1991.

Effective Date of Rule: Thirty-one days after filing.
February 15, 1991
Dean H. Hattan O.D.
Chair

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-851 WAC:

Chapter 246-851 WAC
Optometrists

- 308-53-010 as 246-851-020
- 308-53-030 as 246-851-030
- 308-53-070 as 246-851-040
- 308-53-075 as 246-851-050
- 308-53-084 as 246-851-060
- 308-53-085 as 246-851-070
- 308-53-320 as 246-851-080
- 308-53-100 as 246-851-090
- 308-53-110 as 246-851-100
- 308-53-120 as 246-851-110
- 308-53-123 as 246-851-120
- 308-53-125 as 246-851-130
- 308-53-135 as 246-851-140
- 308-53-140 as 246-851-150
- 308-53-145 as 246-851-160
- 308-53-146 as 246-851-170
- 308-53-150 as 246-851-180
- 308-53-151 as 246-851-190
- 308-53-155 as 246-851-200
- 308-53-165 as 246-851-210
- 308-53-170 as 246-851-220
- 308-53-175 as 246-851-230
- 308-53-180 as 246-851-240
- 308-53-200 as 246-851-250
- 308-53-205 as 246-851-260
- 308-53-210 as 246-851-270
- 308-53-215 as 246-851-280
- 308-53-220 as 246-851-290
- 308-53-230 as 246-851-300
- 308-53-235 as 246-851-310
- 308-53-240 as 246-851-320
- 308-53-245 as 246-851-330
- 308-53-250 as 246-851-340
- 308-53-260 as 246-851-350
- 308-53-265 as 246-851-360
- 308-53-270 as 246-851-370

- 308-53-275 as 246-851-380
- 308-53-280 as 246-851-390
- 308-53-330 as 246-851-400
- 308-53-340 as 246-851-410
- 308-53-350 as 246-851-420
- 308-53-400 as 246-851-430

WSR 91-06-026
PERMANENT RULES
DEPARTMENT OF HEALTH

[Order 126—Filed February 26, 1991, 2:49 p.m.]

Date of Adoption: December 5, 1990.

Purpose: To amend rules to bring the state of Washington current with national standards and corrects errors brought about by changes in program direction.

Citation of Existing Rules Affected by this Order: Amending WAC 246-975-160, 246-975-180, 246-975-200, 246-975-210, 246-975-220, 246-975-240, and 246-975-250.

Statutory Authority for Adoption: Chapter 18.73 RCW.

Pursuant to notice filed as WSR 90-21-143 on October 24, 1990.

Changes Other than Editing from Proposed to Adopted Version: In WAC 248-17-180 [246-975-180] a reference to RCW 70.24.260 was added.

Effective Date of Rule: Thirty-one days after filing.
February 22, 1991
Pam Campbell Mead
for Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-975-160 AMBULANCE OPERATOR, AMBULANCE DIRECTOR RECORD REQUIREMENTS. (1) Each ambulance operator or ambulance director shall have an organized record system which shall include the following minimum data:

- (a) Records showing training levels of ambulance personnel.
- (b) Records showing make and model of each ambulance.
- (c) Records of each ambulance run which shall include, but not be limited to:
 - (i) Name of driver.
 - (ii) Name of attendant.
 - (iii) Date and time of medical emergency.
 - (iv) Length of time of ambulance in service.
- (d) Types of injury/illness in the following categories:
 - (i) General trauma.
 - (ii) Heart emergencies.
 - (iii) Burn emergencies.
 - (iv) Head and/or spinal.
 - (v) Psychiatric emergencies.
 - (vi) Childbirth/infant emergencies.
 - (vii) Poison/drug emergencies.
- (e) Name of hospital(s) where patient was delivered.

(2) Each ambulance operator or ambulance director shall:

(a) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS) consistent with RCW 70.24.310; and

(b) Use infection control standards and educational material consistent with the approved curriculum manual "Know-HIV/AIDS Prevention Education for Health Care Facility Employees," May 31, 1989, published by the department office on HIV/AIDS.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-975-180 FIRST AID VEHICLE OPERATOR, FIRST AID VEHICLE DIRECTOR REQUIREMENTS. (1) Each first aid vehicle operator or first aid vehicle director shall have an organized record system which shall include the following minimum data:

(a) Records of each emergency response which shall include, but not be limited to:

(i) Records showing training levels of personnel.

(ii) Name(s) of responding personnel.

(iii) Date and time of emergency.

(iv) Length of time first aid vehicle is in service.

(v) Name of service providing transportation (if needed).

(2) Each first aid vehicle operator or first aid vehicle director shall provide written information showing method(s) of coordination with transportation (ambulance) services which provide additional patient care.

(3) Each first aid operator or first aid director shall:

(a) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS) consistent with RCW 70.24.310 and 70.24.260; and

(b) Use infection control standards and educational material consistent with the approved curriculum manual "KNOW - HIV/AIDS PREVENTION EDUCATION FOR HEALTH CARE FACILITY EMPLOYEES," May 31, 1989, published by the department office on HIV/AIDS.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-975-200 ADVANCED FIRST AID TRAINING. ((+)) A person shall be ((designated)) accepted as certified in advanced first aid upon successful completion of an advanced first aid training program provided by the American Red Cross, ((department of labor and industry, or fire services training, commission for vocational education. No fees shall be required, other than fees charged by the provider)) or an equivalent, determined by the department.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-975-210 BASIC LIFE SUPPORT—EMERGENCY MEDICAL TECHNICIAN QUALIFICATIONS AND TRAINING. (1) Applicants for training as emergency medical technicians (EMT) shall meet the following prerequisites:

(a) Be at least eighteen years of age at the beginning of the course enrollment.

(b) Have a high school diploma or equivalency qualifications.

(c) ~~((Possess a valid and current certificate reflecting completion of the "standard first aid and personal safety" course by the American Red Cross, department of labor and industries or the equivalent training.~~

(d)) Be an active member of one of the following emergency medical services entities:

(i) ~~((Firefighter))~~ Fire fighter who is providing emergency medical care to the general public;

(ii) Licensed ambulance service;

(iii) Licensed first aid vehicle service;

(iv) State, county or municipal police;

(v) Military and civilian personnel involved in search and rescue to the general public;

(vi) Individuals who have a need for training to qualify for employment in a prehospital emergency medical services system.

~~((e))~~ (d) Possess a current state driver's license.

~~((f))~~ (e) Have the physical strength to carry, lift, extricate and perform similar maneuvers in a manner not detrimental to the patient, fellow emergency medical technicians or self.

(2) The prospective student shall have his/her application for training reviewed by selection committees approved by the local emergency medical services council or their delegates. The selection committee shall determine that general prerequisites for enrollment in the course have been met and shall approve or disapprove the application.

(3) Waivers of enrollment in the course may be recommended to the department by the local emergency medical services council selection committee when it is determined to be in the best interest of the local emergency medical services needs, except that no waivers shall be granted for the age requirement.

(4) In counties where emergency medical services training responsibilities are established by county ordinances, the agency named in the ordinance shall have the same responsibilities for selection of students and training as the local emergency medical services councils described in this section.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-975-220 EMERGENCY MEDICAL TECHNICIAN TRAINING—COURSE CONTENT, REGISTRATION, AND INSTRUCTOR QUALIFICATIONS. (1) The National Training Course, Emergency Medical Technician - Ambulance, United States Department of Transportation, National Highway Traffic Safety Administration, shall be used in the course

presentation. The course shall ~~((consist of a minimum of seventy-one hours classroom))~~ be the most current version consisting of didactic and practical instruction and ~~((ten hours of hospital))~~ observation as described in the national course guide, or as amended by the department.

(2) EMT training courses shall normally be conducted by approved training agencies which have written agreements with the department to provide such training. If the local or regional EMS council recommends another entity to conduct a course in a region, the council shall notify the department of this decision and request approval.

(3) Registration for EMT training courses shall be submitted to the department at least two weeks prior to the beginning of the course. Registrations shall be completed on the forms supplied by the department. The registration shall consist of a completed registration form, a lesson outline indicating the names of the instructors and a supply requisition form (if course supplies are needed). No course will be certified without an approved registration.

(4) Course instructional and administrative personnel shall consist of:

(a) A course coordinator who shall be responsible for the registration of the course, classroom location, scheduling of instructional personnel, arranging for the ten-hour ~~((hospital))~~ required experience, compliance with contractual conditions and all other administrative matters not involving instruction. The course coordinator need not be a physician or approved lay instructor.

(b) The approved EMS medical program director or delegate(s) who shall be responsible for:

(i) Overall supervision of the didactic and practical training aspects of the course;

(ii) The instruction of those lessons requiring a physician and for making arrangements, for guest lecturers as desired;

(iii) For counseling students as needed and to allow only those students who have successfully completed all the requirements of the course to be admitted to the final written and skill examination;

(iv) The final examination of skills of all students enrolled in the class after they complete a final written examination. The approved EMS medical program director shall have the authority to ~~((deny))~~ withhold recommending certification to the department for a student when, in his professional judgment, the student is unable to function as an effective EMT irrespective of successful completion of the course.

(c) A senior lay instructor who shall be approved by the EMS medical program director and the department, who is a currently certified EMT or currently certified in advanced life support skills and who is currently certified as a cardiopulmonary resuscitation instructor by the Washington State Heart Association or the American Red Cross. The senior lay instructor shall:

(i) Assist the EMS medical program director as needed;

(ii) Be responsible for the conduct and scheduling of all nonphysician instructors and evaluators participating in an EMT training course;

(iii) Maintain all registration and other necessary forms for the enrolled students, including the record of attendance of students and instructors;

(iv) Supervise the distribution of textbooks and other course material to the students;

(v) See that all written examinations are graded, discussed with the EMS medical program director and that graduation lists are forwarded to the department not later than thirty days following completion of a course;

(vi) The senior lay instructor may be the course coordinator.

(d) Other instructional personnel employed in a course of instruction shall consist of:

(i) Adequate numbers of experienced ~~((EMTs))~~ certified EMS personnel to provide a ratio of one evaluator to six students during practical skills examinations;

(ii) Other qualified individuals such as registered nurses, experts in legal affairs, experts in extrication and driving safety who may act in the capacity of guest lecturers and practical skills evaluators.

(e) Any instruction given in cardiopulmonary resuscitation must be accomplished by an individual who is currently certified as a cardiopulmonary resuscitation instructor by the Washington State Heart Association or the American Red Cross.

(f) Course materials used in the conduct of an EMT course shall consist of those textbooks, reference materials, visual aids and medical supplies that have been approved by the department.

(g) Testing shall occur periodically throughout the course. There shall be a minimum of a first quarter, mid-term, third quarter and final written examination. The final written examination may be administered through state testing procedures or through the National Registry of Emergency Medical Technicians (NREMT). If the NREMT examination is used, each student is responsible for the testing fee.

(h) The practical examination shall be administered on examination forms supplied by the department and shall be scored as pass or fail. Percentage points shall not be used. Failure in areas of the practical examination that are designated as life-threatening conditions shall be considered as failure of the examination. In situations where regional or county EMS councils employ test teams, such teams shall accomplish the practical testing procedures.

(i) A student who fails the state written and/or the practical examination may be retested within two months of the failure. A second failure shall require a repeat of the course.

(j) Rules governing class attendance shall be at the option of the approved EMS medical program director. However, any student missing three sessions (nine hours of instruction) shall be considered to have withdrawn from the course.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-975-240 EMERGENCY MEDICAL TECHNICIAN—RECIPROCITY AND CHALLENGES. (1) Reciprocity as a Washington state EMT

may be granted to a currently certified EMT from another state or territory if the applicant has proof of completion of the United States Department of Transportation (~~'s eighty-one hour EMT~~), National Highway Traffic Safety Administration's course.

(2) An individual certified by the National Registry of Emergency Medical Technicians (~~((for other similar national certifying agency))~~) may be considered for reciprocity only under the following conditions:

(a) The applicant must have completed the (~~(minimum of an eighty-one hour))~~ United States Department of Transportation, National Highway Traffic Safety Administration's EMT course (equivalent training for certification is not acceptable);

(b) The category of the national certification must be "EMT-Ambulance";

(c) The candidate must be fully certified - provisional certification is not acceptable;

(d) The former state of the individual must accept the national registry certification or must require both state and national certification.

(3) Certification by reciprocity shall be based on need and shall be for the duration of the former state's certification but in no case will exceed two year's duration.

(4) An individual who wishes to challenge the EMT examination must meet the following conditions of eligibility:

(a) There must be proof of need for certification as specified by WAC (~~((248-17-211))~~) 246-975-210;

(b) The candidate must show the testing agency proof of equivalent training and/or experience, including the ten-hour (~~((hospital))~~) required experience required for initial certification.

(5) Reinstatements are recertifications for individuals who have let their certifications lapse before applying for such recertification. Reinstatements may be accomplished in the following manner:

(a) An individual whose expiration of certification is less than one year old may, at the option of the approved EMS medical program director, be allowed to credit prior continuing education and take the practical and written recertification examinations;

(b) An individual whose expiration of certification is more than one year old at the time of application, must retake the basic minimum (~~((eighty-one hour))~~) course as described in WAC (~~((248-17-212))~~) 246-975-220.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-975-250 **EMERGENCY MEDICAL TECHNICIAN AND FIRST RESPONDER—SPECIALIZED TRAINING.** (1) For the purpose of this chapter, specialized training shall mean the training of a basic EMT and/or first responder to use a skill, technique and equipment that is not included as part of the standard course curriculum.

(2) In the event a regional or local emergency medical services council wishes to provide specialized training to emergency medical technicians and/or first responders, the following procedures shall apply:

(a) State-approved course curriculum and patient care protocols shall be developed before training may begin.

(b) Training shall be conducted by personnel experienced and qualified in the area of training. The department shall approve the instructors in advance (~~((of the beginning))~~) of any training program.

(c) Requests for specialized training shall be submitted to the department on the form "application for training."

(3) On completion of the specialized training, personnel using the equipment shall function under authorized physician control.

WSR 91-06-027

PERMANENT RULES

DEPARTMENT OF HEALTH

[Order 131—Filed February 26, 1991, 2:54 p.m.]

Date of Adoption: February 11, 1991.

Purpose: To amend rules as required to maintain clarity when Department of Health rules are consolidated in Title 246 WAC.

Citation of Existing Rules Affected by this Order: See Recodification Section below.

Statutory Authority for Adoption: RCW 43.70.040.

Pursuant to notice filed as WSR 90-22-093 on November 7, 1990.

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

February 11, 1991

Pam Campbell Mead
for Kristine M. Gebbie
Secretary

NEW SECTION

WAC 246-917-990 **PHYSICIAN AND SURGEON FEES.** The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Physician and surgeons:	
Application with examination or reexamination (both components)	\$600.00
Examination or reexamination (component I)	295.00
Examination or reexamination (component II)	320.00
Applicants (without full examination)	300.00
Renewal	107.50
Renewal effective April 1, 1991	100.00
Late renewal penalty	50.00
Disciplinary assessment	107.50
Disciplinary assessment effective April 1, 1991	100.00
Surcharge-impaired physician Certification	25.00
	50.00
Duplicate license	15.00

Title of Fee	Fee
Limited license:	
Limited license application	200.00
Renewal	107.50
Renewal effective April 1, 1991	100.00
Duplicate license	15.00
Disciplinary assessment	107.50
Disciplinary assessment effective April 1, 1991	100.00
Surcharge-impaired physician	25.00

NEW SECTION

WAC 246-918-990 FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Physician's assistants:	
Application	\$50.00
Renewal	35.00
Duplicate license	15.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-52-590 PHYSICIAN AND SURGEON FEES.

**WSR 91-06-028
PERMANENT RULES
DEPARTMENT OF HEALTH**
[Order 137—Filed February 26, 1991, 2:57 p.m.]

Date of Adoption: February 11, 1991.
 Purpose: A housekeeping action to transfer rules to Title 246 WAC.
 Citation of Existing Rules Affected by this Order: See Recodification Section below.
 Statutory Authority for Adoption: RCW 43.70.040.
 Pursuant to notice filed as WSR 90-22-094 on November 7, 1990.
 Effective Date of Rule: Thirty-one days after filing.
 February 11, 1991
 Pam Campbell Mead
 for Kristine M. Gebbie
 Secretary

RECODIFICATION SECTION

The following section is being recodified:
 308-53-020 as 246-851-990

**WSR 91-06-029
PERMANENT RULES
DEPARTMENT OF HEALTH**
[Order 145—Filed February 26, 1991, 3:00 p.m.]

Date of Adoption: February 22, 1991.
 Purpose: To enable the women, infant, children program to improve client access.
 Citation of Existing Rules Affected by this Order: Amending WAC 246-790-070.
 Statutory Authority for Adoption: RCW 43.70.120.
 Pursuant to notice filed as WSR 91-01-119 on December 19, 1990.
 Effective Date of Rule: Thirty-one days after filing.
 February 22, 1991
 Pam Campbell Mead
 for Kristine M. Gebbie
 Secretary

AMENDATORY SECTION (Amending Order 3117, filed 12/18/90, effective 1/18/91)

WAC 246-790-070 FOOD VENDOR PARTICIPATION. (1) The department shall authorize food vendors who may redeem WIC food instruments or otherwise provide supplemental foods to WIC participants. Unauthorized vendors who redeem WIC food instruments are subject to the penalties specified in WAC ((388-19-035)) 246-790-100.

(2) Application procedure.

(a) Food vendors shall submit an application to the department, including a price list for authorized WIC food. Forms used in the application process are contained in the state plan which is submitted annually to the United States Department of Agriculture Food and Nutrition Services regional office.

(b) The department may require vendor applicants to provide information regarding gross food sales and inventory records for WIC-approved foods.

(c) The department shall conduct a documented on-site visit prior to, or at the time of, initial authorization of a new vendor, for the purpose of evaluating the inventory of WIC foods and providing training on rules and regulations of WIC transactions.

(d) The department shall issue contracts for a maximum period of two years. All contracts expire on March 31 of odd-numbered years. No new applications will be accepted after October 1 in even-numbered years, except in the case of an ownership change or where there is a documented need for a location in order to solve client access problems. The department has the authority to limit acceptance of new applications to other specific times as well.

(3) The department shall authorize an appropriate number and distribution of food vendors to assure adequate participant convenience and access, and to assure the department can effectively manage review of these vendors. The department has the authority to limit the number of authorized food vendors in any given geographic area or state-wide. Selection is based on the following conditions:

(a) The vendor applicant shall have requests from or the potential of serving six or more WIC participants.

(i) For vendors without prior contracts, the local WIC agency shall document six or more WIC participants requesting use of a location.

(ii) Vendors applying for re-authorization shall have a check redemption record averaging fifteen or more checks per month over a six-month period, documented by department statistics reports.

(iii) Exceptions may be made for:

(A) Pharmacies needed as suppliers of special infant formulas; or

(B) Retail grocery stores in isolated areas.

In either case, the need shall be documented by the local WIC agency.

(b) Food vendors shall stock representative items from all food categories on the authorized WIC food list that apply to the vendor's classification. Minimum quantities specified on the authorized WIC food list shall be stocked before a contract is offered to the food vendor. A food vendor seeking a waiver from the minimum formula stock requirement shall request the waiver in writing for each contracting period. No waivers shall be granted unless there is an insufficient number of authorized vendors in a given service area;

(c) Prices of individual food items shall not exceed one hundred twenty percent of the state-wide average price(~~{The state WIC office shall have the prerogative to grant waivers to the price percentage requirement when client access is jeopardized}~~). The state WIC office shall have the prerogative to grant waivers to the price percentage requirement when client access is jeopardized;

(d) The food vendor shall possess a valid Washington state tax registration number;

(e) The food vendor shall comply with training sessions, monitor visits, and provide invoices and shelf prices upon request;

(f) The store shall be open for business eight or more hours per day, six days per week.

(4) The department shall give written notification of denial, stating the reason, and advising the food vendor of the vendor's right of appeal. The department may deny a food vendor authorization for reasons including, but not limited to the following:

(a) Redeeming WIC food instruments without authorization;

(b) (~~Store which has had~~)) Changing ownership more than twice during a two-year contracting period;

(c) Failure to implement corrective action imposed by the department;

(d) Failure to complete payment of an imposed fine;

(e) Refusing to accept training from the WIC program; and

(f) Repeated department-documented noncompliance with program regulations.

WSR 91-06-030
PERMANENT RULES
DEPARTMENT OF HEALTH
(Board of Medical Examiners)

[Order 147B—Filed February 26, 1991, 3:02 p.m.]

Date of Adoption: January 25, 1991.

Purpose: A housekeeping action to transfer rules to Title 246 WAC.

Citation of Existing Rules Affected by this Order: See Recodification Section below.

Statutory Authority for Adoption: RCW 18.71.017.

Pursuant to notice filed as WSR 91-01-076 on December 17, 1990.

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

February 25, 1991

Philip Cleveland M.D.

Chairman

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-917 WAC:

Chapter 246-917 WAC

Physicians and surgeons—Board of medical examiners

308-52-010	as	246-917-020
308-52-030	as	246-917-080
308-52-040	as	246-917-050
308-52-100	as	246-917-090
308-52-120	as	246-917-030
308-52-255	as	246-917-040
308-52-260	as	246-917-100
308-52-265	as	246-917-110
308-52-270	as	246-917-120
308-52-320	as	246-917-130
308-52-400	as	246-917-140
308-52-405	as	246-917-150
308-52-406	as	246-917-160
308-52-410	as	246-917-170
308-52-415	as	246-917-180
308-52-420	as	246-917-190
308-52-425	as	246-917-200
308-52-600	as	246-917-070
308-52-620	as	246-917-060

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-918 WAC:

Chapter 246-918 WAC

Physician assistants—Board of medical examiners

308-52-132	as	246-918-040
308-52-135	as	246-918-030
308-52-136	as	246-918-020
308-52-138	as	246-918-060
308-52-139	as	246-918-080
308-52-140	as	246-918-090
308-52-141	as	246-918-100
308-52-146	as	246-918-110
308-52-147	as	246-918-120
308-52-148	as	246-918-130
308-52-149	as	246-918-140

308-52-150	as	246-918-150
308-52-160	as	246-918-160
308-52-165	as	246-918-050
308-52-190	as	246-918-170
308-52-201	as	246-918-180
308-52-205	as	246-918-190
308-52-211	as	246-918-200
308-52-215	as	246-918-210
308-52-221	as	246-918-220
308-52-500	as	246-918-290
308-52-502	as	246-918-300
308-52-504	as	246-918-310
308-52-510	as	246-918-320
308-52-515	as	246-918-330
308-52-530	as	246-918-340
308-52-540	as	246-918-350
308-52-570	as	246-918-360
308-52-580	as	246-918-370
308-52-610	as	246-918-070
308-52-630	as	246-918-230
308-52-640	as	246-918-240
308-52-650	as	246-918-250
308-52-660	as	246-918-260
308-52-680	as	246-918-270
308-52-690	as	246-918-280

WSR 91-06-031
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
COMMUNITY DEVELOPMENT
(Governor's Emergency Management Council)
 [Memorandum—February 21, 1991]

The Governor's Emergency Management Council will meet on March 21, 1991. The meeting will begin at 8:30 a.m. and end at 2:00 p.m. It will be located at the State's Emergency Operations Center, 4220 East Martin Way, Olympia, WA.

1991 CALENDAR - UPDATE - FEBRUARY 20, 1991

DATE	TIME	LOCATION
January 17, 1991	8:30 a.m. - 2:00 p.m.	Olympia - Aladdin Inn
March 21, 1991	8:30 a.m. - 2:00 p.m.	Olympia - State EOC
*June 4, 1991 (Orientation and New Member Training)	1:00 p.m. - 5:00 p.m.	Port Angeles - Red Lion
*June 5, 1991 (Regular Business Meeting)	8:00 a.m. - 12:00 Noon	Port Angeles
July 18, 1991		To be announced.
September 19, 1991		To be announced.
November 21, 1991		To be announced.

*Meeting changed from May 16, 1991.

WSR 91-06-032
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Order 45—Filed February 26, 1991, 3:48 p.m.]

Date of Adoption: October 30, 1990.

Purpose: To amend chapter 392-145 WAC to coincide with 1990 legislative changes to RCW 46.61.370 and Title 28A RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 392-145-015 and 392-145-030.

Statutory Authority for Adoption: RCW 46.61.380.

Other Authority: RCW 46.61.370 and Title 28A RCW.

Pursuant to notice filed as WSR 90-19-113 on September 19, 1990.

Effective Date of Rule: Thirty-one days after filing.
 February 26, 1991
 Judith A. Billings
 Superintendent of
 Public Instruction

AMENDATORY SECTION (Amending Order 84-40, filed 10/2/84)

WAC 392-145-015 GENERAL OPERATING REGULATIONS. (1) Every school district board of directors shall adopt written policies or rules implementing the provisions and objectives of WAC 392-145-035. District policies or rules governing student conduct during the course of transportation shall be established and implemented pursuant to the state board of education, chapter 180-40 WAC, as now or hereafter amended.

(2) All school bus drivers shall meet the qualifications established in chapter 180-20 WAC, as now or hereafter amended.

(3) Each school bus driver shall hold a valid and current first aid card which certifies that he/she has completed a course in the basic principles of first aid within the past three years.

(4) When a teacher, coach, or other certificated staff member is assigned to accompany students on a bus, such person shall be responsible for the behavior of the students in his or her charge. However, the bus driver shall have final authority and responsibility.

(5) Heavy, sharp, bulky, and/or other articles which may be hazardous in the event of an accident or an emergency stop shall not be transported in the passenger area of any school bus. Specific attention is directed to items such as skis, ski poles, vaulting poles, musical instruments, riser platforms, etc.

(6) Teachers and all other school district staff members shall be notified that students shall not be requested to transport prohibited items between home and school on a school bus. Items which shall not be transported within the passenger area of a school bus also shall include all forms of animal life (except seeing eye dogs), firearms, weapons, breakable containers, flammables, and all other articles which could adversely affect the safety of the bus and passengers.

(7) A school bus driver shall not order or allow a student to depart the bus other than at his or her boarding or alighting place except as provided in WAC 392-145-020(7).

(8) Motor fuel shall not be put into the tank while the engine is running or while passengers are on the bus.

(9) All school buses shall operate with their headlights on when carrying passengers.

(10) On highways divided into separate roadways as provided in RCW 46.61.150 and highways with three or more marked traffic lanes, school districts shall design bus routes that serve each side of the highway so that students do not have to cross the highway, unless there is a traffic control signal as defined in RCW 46.04.600 or an adult crossing guard within three hundred feet of the bus stop to assist students while crossing such multiple-lane highways.

AMENDATORY SECTION (Amending Order 84-40, filed 10/2/84)

WAC 392-145-030 ADDITIONAL RULES FOR SCHOOL BUS DRIVERS. (1) All school buses shall stop at all railroad crossings except:

(a) Where traffic is controlled by a police officer or duly authorized flagman;

(b) Where traffic is regulated by a traffic control signal;

(c) Where traffic is protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train;

(d) Where an official traffic control device gives notice that the stopping requirements do not apply.

(2) The driver shall open the door to listen for approaching trains and shall not proceed until the door is closed, visibility is clear, and the bus can proceed with safety. Drivers shall not change gears while the bus is crossing a railroad track.

(3) No bus shall stop on a curve or a hill where visibility is not at least 500 feet. If it is impossible to secure a distance of at least 500 feet for a bus stop, the school authorities, the state patrol and the traffic engineering department of the jurisdiction responsible for the roadway shall be advised and the stop shall be changed or proper signs installed.

(4) All changes in the direction of a school bus shall be indicated by the use of electrical directional signals on the bus.

(5) Prior to stopping the school bus for the purpose of receiving or discharging passengers, school bus drivers shall activate the alternating amber flashing warning lamps by means of a master sequencing switch. The driver shall activate the amber warning lamps:

(a) No less than 100 feet and no more than 300 feet from the bus stop where the posted speed limit is 35 miles per hour or less; and

(b) No less than 300 feet and no more than 500 feet from the bus stop where the posted speed limit is more than 35 miles per hour.

(6) No school bus shall pull over to the left-hand side of the road to load or unload.

(7) ~~((The stop sign on the left side of a school bus shall not be used to indicate that the bus is going to stop.))~~ The stop sign and red, alternately flashing lamps shall be displayed ~~((at all times))~~ whenever a school bus is ~~((receiving or discharging passengers except:~~

~~(a) When passengers do not have to cross a highway and the bus is stopped completely off the traveled portion of the roadway, or~~

~~(b) When a school bus is stopped at an intersection or place where traffic is controlled by a traffic officer or official traffic signal, or~~

~~(c) When a school bus is stopped upon school grounds for the purpose of receiving or discharging passengers, and passengers are not required to cross the roadway)) stopped on the roadway to receive or discharge school children.~~

(8) Whenever school children have to cross the roadway, the school bus shall stop on the roadway and display the stop sign and red, alternately flashing lamps. A school bus driver shall not allow school children to cross any roadway having three or more marked traffic lanes or any highway divided into separate roadways as provided in RCW 46.61.150.

(9) The stop sign and red, alternately flashing lamps on a school bus shall not be used to indicate that the bus is going to stop.

(10) Amber, simultaneously flashing hazard warning lamps shall be activated whenever a school bus is stopped off the roadway to receive or discharge school children.

(11) School bus drivers shall proceed with caution when passing or meeting a school bus but are not required to come to a stop unless the school bus stop sign and red flashing lights of the other bus are displayed.

~~((9))~~ (12) In order to lessen the potential for collisions, school bus drivers may use 4-way hazard warning lights within 500 feet prior to stopping for a railroad crossing or where a special hazard exists such as dense traffic conditions or adverse weather conditions, or where the necessary school bus speed is substantially below the posted speed limit. This procedure shall be used only on buses equipped with amber 4-way hazard warning lights on the front and rear of the school bus.

WSR 91-06-033
PERMANENT RULES
BOARD OF
PILOTAGE COMMISSIONERS
[Filed February 26, 1991, 4:22 p.m.]

Date of Adoption: February 14, 1991.

Purpose: The purpose of the proposed rule is to codify the retirement disbursement requirement for pilot associations.

Statutory Authority for Adoption: RCW 88.16.035.

Pursuant to notice filed as WSR 91-02-062 on December 28, 1990.

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

February 26, 1991

Marjorie T. Smitch

Assistant Attorney General

NEW SECTION

WAC 296-116-315 RETIREMENT DISBURSEMENTS. Pilot associations having retirement plans, the expense of which is reimbursed through board established tariffs, shall make such payments to retired pilots

as are required by the benefits and enforcement provisions of those plans.

WSR 91-06-034
PROPOSED RULES
PUBLIC DISCLOSURE COMMISSION
[Filed February 26, 1991, 4:47 p.m.]

Continuance of WSR 90-23-107.

Title of Rule: WAC 390-20-0101 Forms for lobbyist registration.

Purpose: Adopts the registration statement for use by lobbyists.

Statutory Authority for Adoption: RCW 42.17.370.

Summary: Adopts the registration statement for lobbyists.

Reasons Supporting Proposal: Needed generic change to heading.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Graham E. Johnson, Olympia, 753-1111.

Name of Proponent: Public Disclosure Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rule adopts a lobbyist registration form required by lobbyists.

Proposal Changes the Following Existing Rules: Only the title of the form is changing.

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

Hearing Location: Second Floor Conference Room, Evergreen Plaza Building, FJ-42, Olympia, Washington 98504-3342, on March 26, 1991, at 9 a.m.

Submit Written Comments to: Public Disclosure Commission, 403 Evergreen Plaza Building, FJ-42, Olympia, WA 98504-3342, by March 25, 1991.

Date of Intended Adoption: Tuesday, March 26, 1991.

February 26, 1991
Graham E. Johnson
Executive Director

WSR 91-06-035
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
[Filed February 27, 1991, 1:59 p.m.]

Date of Adoption: February 27, 1991.

Purpose: To prevent the introduction and establishment of potato Y virus necrotic strain in the state of Washington.

Statutory Authority for Adoption: Chapter 17.24 RCW, Insect pests and plant diseases.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the

public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Potato Y Virus Necrotic Strain is a serious viral disease of certain important species of the family Solanaceae, and is not known to occur in the United States. Seed potatoes from infested portions of Canada have entered Washington and other states, and may be planted unless quarantined.

Effective Date of Rule: Immediately.

February 27, 1991
Michael Schwisow
Deputy Director
for C. Alan Pettibone
Director

NEW SECTION

WAC 16-484-200 *DEFINITIONS*. The definitions set forth in this section shall apply to WAC 16-484-205 through WAC 16-484-260 unless the context otherwise requires:

(1) "Director" means the director of agriculture of this state, or a duly authorized representative.

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

(3) "Seed potatoes" means White or Irish potatoes, *Solanum tuberosum*, intended for the purpose of propagation or reproduction.

(4) "Interior quarantine" means a quarantine within the state of Washington established against the movement of designated pests, life stages, their hosts, and possible carriers from areas identified by the department.

(5) "Exterior quarantine" means a quarantine established against the movement into Washington state of designated pests, life stages, their hosts, and possible carriers from areas identified by the department.

NEW SECTION

WAC 16-484-205 *PENALTIES*. Any person who violates or fails to comply with any rule adopted under chapter 17.24 RCW shall be guilty of a misdemeanor, and for a second and each subsequent violation of the same rule, shall be guilty of a gross misdemeanor.

NEW SECTION

WAC 16-484-210 *QUARANTINE—POTATO VIRUS Y NECROTIC STRAIN*. A quarantine is established under this chapter against the disease known as potato virus Y necrotic strain (PVY-N). PVY-N is a serious viral disease of certain species of the family Solanaceae, and is not known to occur in the United States.

NEW SECTION

WAC 16-484-220 *AREA UNDER QUARANTINE*. The following areas are declared to be under quarantine for PVY-N:

(1) Exterior quarantine. All states and districts of the United States, and

(2) Interior quarantine. All counties in the state of Washington.

NEW SECTION

WAC 16-484-230 REGULATED ARTICLES. (1) The following are hereby declared to be hosts or possible carriers of PVY-N and are prohibited entry into the state from any area under exterior quarantine either directly, indirectly, diverted or reconsigned except as provided in WAC 16-484-240:

(a) All seed potatoes originating in the Province of Prince Edward Island, Canada, potato inspection districts 1 through 4; and

(b) All seed potatoes of the Atlantic variety originating in the Province of Prince Edward Island, Canada potato inspection districts 5 and 6; and

(c) All seed potatoes originating in the Province of New Brunswick, Canada, that are progeny of potatoes of the Atlantic variety that originated in Prince Edward Island in 1989 or 1990; and

(d) All other seed potatoes grown on farms where potatoes identified in (b) and (c), of this subsection have been grown; and

(e) All seed potatoes originating in any other location within Canada, except the Province of Newfoundland and the Land District of South Saanich of Vancouver Island of British Columbia that are the progeny of potatoes of the Atlantic variety that originated in Prince Edward Island in 1989 or 1990.

(2) It is prohibited to cut for seed, plant, move, sell or transport any regulated article identified in subsection (1) (a) through (e), of this section which arrived in the state of Washington prior to the effective date of this quarantine until inspected and released by the department.

NEW SECTION

WAC 16-484-240 CONDITIONS GOVERNING THE MOVEMENT OF REGULATED ARTICLES INTO WASHINGTON STATE. (1) Each shipment of a regulated article shall be accompanied by a certificate issued by the state of origin that clearly identifies each seed lot and shall contain an additional declaration stating that the seed potatoes were tested and found free of PVY-N utilizing a method prescribed by the director.

(2) Persons shipping regulated articles into this state from areas under exterior quarantine shall notify the department's plant protection branch prior to arrival of the nature and quantity of each shipment, its expected date of arrival at destination, the name of the intended receiver and the destination. The person to whom the regulated articles are shipped shall hold the same until they are inspected and released by the department.

NEW SECTION

WAC 16-484-250 SPECIAL PERMITS AND COMPLIANCE AGREEMENTS. The director may issue special permits or enter into compliance agreements allowing the movement of regulated articles covered in WAC 16-484-230 not otherwise eligible for movement from the area under quarantine, subject to conditions

and provisions which the director may prescribe to prevent the escape or spread of PVY-N.

NEW SECTION

WAC 16-484-260 DISPOSITION OF REGULATED ARTICLES ENTERING IN VIOLATION OR FOUND INFECTED WITH PVY-N. Any regulated article (1) entering the state in violation of this quarantine; or (2) entering the state prior to the effective date of this quarantine which is or may be infected with PVY-N; shall be disposed of in a manner prescribed by the director, returned out of state, or destroyed at the option and expense of the owner or the owner's agent.

WSR 91-06-036

NOTICE OF PUBLIC MEETINGS CONVENTION AND TRADE CENTER

[Memorandum—February 26, 1991]

The Art Committee of the Washington State Convention and Trade Center will meet on Wednesday, March 6, 1991, at 12:00 noon in the 5th Floor Board Room of the Convention Center, 800 Convention Place, Seattle.

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

WSR 91-06-037

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF HEALTH

[Filed February 28, 1991, 2:30 p.m.]

Please withdraw WSR 90-21-142, filed on October 24, 1990, which proposes to move Board of Pharmacy rules to Title 246 WAC. The Board of Pharmacy will refile at a later date.

Don Williams
Executive Director

WSR 91-06-038

PERMANENT RULES DEPARTMENT OF HEALTH (Board of Medical Examiners)

[Order 148B—Filed February 28, 1991, 2:33 p.m.]

Date of Adoption: January 25, 1991.

Purpose: To establish how long examination applications remain valid and to establish how many times a candidate can fail an examination and what additional requirements must be met to be eligible for examination again.

Citation of Existing Rules Affected by this Order: Amending WAC 308-52-260 Examination scores.

Statutory Authority for Adoption: RCW 18.71.017.

Pursuant to notice filed as WSR 91-01-074 on December 17, 1990.

Changes Other than Editing from Proposed to Adopted Version: Clarified (four cycles) to state (four examination cycles).

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

February 25, 1991
Philip Cleveland M.D.
Chairman

AMENDATORY SECTION (Amending Order 083, filed 8/24/90, effective 9/24/90)

WAC 308-52-260 EXAMINATION SCORES. Examinations given by the Washington state board of medical examiners:

(a) The board adopts the examination of the federation of state licensing boards as the examination given by the board.

(b) The minimal passing scores for each component of the FLEX I and II examinations shall be seventy-five percent.

(c) ~~((An applicant must pass both components of the examination within seven years. An applicant will be required to demonstrate evidence of completion of a remedial or refresher medical course approved by the board after three failures of a single component. Time will be calculated for this subsection beginning with the June, 1989 examination. There will be no exemptions from the seven-year limitation because of failure to sit for an examination or because a remedial or refresher course was required.))~~ Applications for examination shall remain valid for two years (four examination cycles). Applicants who do not pass the examination within the two-year period must submit a new application and meet the licensure eligibility requirements in effect at the time of the new application.

Applicants who do not pass the examination after three sittings shall demonstrate evidence satisfactory to the board of having completed a remedial or refresher medical course approved by the board prior to being permitted to take the examination again. Applicants who do not pass after the fourth sitting may not take the examination without completing another residency program or satisfying any other conditions specified by the board.

(d) Applicants will be eligible to take FLEX I after completion of medical school and satisfactory verification of good standing in a board-approved postgraduate training program. FLEX II may only be taken after having completed or substantially completed the first year of postgraduate training: PROVIDED, That after completing or substantially completing one year of a board-approved postgraduate training program, an applicant has the option of taking FLEX II or taking both FLEX I and FLEX II in a single sitting.

WSR 91-06-039

**WITHDRAWAL OF PROPOSED RULES
GAMBLING COMMISSION**

[Filed February 28, 1991, 3:14 p.m.]

The Washington State Gambling Commission wishes to withdraw WAC 230-30-075 Minimum percentages of prizes for certain gambling activities. Filed by WSR 90-24-006 on November 26, 1990; continued by WSR 91-03-049 on January 14, 1991; and continued by WSR 91-05-046 on February 14, 1991.

Sharon M. Tolton
Special Agent III
Rules Coordinator

WSR 91-06-040

**PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed February 28, 1991, 3:44 p.m.]

Original Notice.

Title of Rule: WAC 388-11-220 Liability for birth costs.

Purpose: To implement a policy decision.

Statutory Authority for Adoption: Chapter 2, Laws of 1990 1st ex. sess.

Summary: OSE shall not attempt to establish a financial liability against a responsible parent for birth costs paid by DSHS. OSE will attempt to establish a liability for birth costs against the responsible parent when the custodial parent has paid these costs and requests non-assistance support enforcement services. OSE will continue to enforce and collect judgments for birth costs in existing support orders. OSE will continue to gather information regarding available health insurance coverage which can be used to offset birth costs paid by DSHS.

Reasons Supporting Proposal: This rule is necessary to clarify that the Office of Support Enforcement (OSE) will not attempt to establish a liability for birth costs paid by DSHS against the responsible parent.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Steve Cesar, Support Enforcement, 586-3515.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on April 9, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health

Services, Mailstop OB-33H, Olympia, Washington 98504, by April 9, 1991.

Date of Intended Adoption: April 23, 1991.

February 28, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3081, filed 9/28/90, effective 10/29/90)

WAC 388-11-220 LIABILITY FOR BIRTH COSTS. (1) The department may assess a responsible parent's liability for a dependent child's birth costs, not covered by health insurance, if there is no superior court order assessing or relieving the responsible parent of liability for birth costs. The department shall assess liability for birth costs based on the parent's proportionate share of the basic support obligation for the child, except as provided under subsections (4) and (5) of this section. Medical assistance provided by the department under chapter 74.09 RCW is not health insurance.

(2) The office of support enforcement (OSE) may serve an affidavit of birth costs on the responsible parent by certified mail to the parent's last known address if the actual costs of birth were not included in the notice and finding of parental responsibility.

(3) OSE may take action to collect the birth costs under chapter 26.23 and 74.20A RCW:

(a) Twenty days after service of the affidavit of birth costs or service of a notice and finding of parental responsibility stating birth costs, unless the responsible parent requests an adjudicative proceeding under subsection (4) of this section; or

(b) After the entry of a support order requiring payment of birth costs.

(4) A responsible parent may request an adjudicative proceeding seeking a reduction of, or relief from, the parent's liability for birth costs. The department shall:

(a) Assess liability for birth costs in the lesser of the following amounts:

(i) The responsible parent's proportional share of the actual birth costs the ((department)) custodial parent paid based on the responsible parent's share of the combined net income of the parties; or

(ii) Twenty-five percent of the greater of the:

(A) Responsible parent's annual net income; or

(B) Approximate median net annual income for a person in the responsible parent's age group as published in the Washington state support schedule.

(b) Relieve the responsible parent from liability based on a written finding supported by evidence that the parent is unemployable and disability benefits are the parent's only source of income.

(5)(a) The department shall not establish a liability for birth costs paid by the department, except that the department shall be allowed to:

(i) Establish and collect reimbursement for blood test costs paid by the department; and

(ii) Collect reimbursement for birth costs as awarded to the department in an existing superior court order or administrative order.

(b) Nothing in this rule shall prohibit the department from:

(i) Establishing and collecting a liability for birth costs actually incurred by a recipient of nonassistance support enforcement services on behalf of that recipient; or

(ii) Seeking reimbursement for birth costs from any available health insurance coverage.

WSR 91-06-041

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed February 28, 1991, 3:45 p.m.]

Original Notice.

Title of Rule: WAC 388-29-125 Standards of assistance—Persons in medical institutions.

Purpose: Adds psychiatric hospital to list of alternate living situations which had been mistakenly omitted.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: This issuance clarifies the types of medical institutions by listing psychiatric hospital as an alternate living situation which had been mistakenly omitted.

Reasons Supporting Proposal: This rule amendment is necessary to enable field staff to identify all the types of medical institutions included in alternate living situation.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dave Monfort, Income Assistance, 586-4594.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on April 9, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by April 9, 1991.

Date of Intended Adoption: April 23, 1991.

February 28, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2659, filed 8/2/88)

WAC 388-29-125 STANDARDS OF ASSISTANCE—PERSONS IN MEDICAL INSTITUTIONS. Effective July 1, 1988, the monthly standard for clothing, personal maintenance, and necessary incidentals for an eligible person in a skilled nursing home, a public nursing home, a general or tuberculosis hospital, JCAH-approved psychiatric hospital, or an intermediate care facility shall be forty-one dollars and sixty-two cents.

WSR 91-06-042

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed February 28, 1991, 3:47 p.m.]

Original Notice.

Title of Rule: WAC 388-83-013 Cooperation in security medical support.

Purpose: To change when the department collects for birth costs for clients not covered by insurance or third party liability.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The department shall not collect for birth costs unless the costs are covered by available insurance or a third party.

Reasons Supporting Proposal: Administer the policy that the state will not collect payment for birth costs except when there is insurance or a liable third party.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on April 9, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by [April 9, 1991].

Date of Intended Adoption: May 1, 1991.

February 28, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2937, filed 1/29/90)

WAC 388-83-013 COOPERATION IN SECURING MEDICAL ((CARE)) SUPPORT. (1) As a condition of eligibility for medical assistance, the department shall require the applicant or recipient/enrollee, unless a pregnant woman or there is a finding of good cause, to cooperate with the department in:

(a) Obtaining medical ((care)) support ((or payment)) for the applicant or recipient/enrollee or for any other applicant or recipient/enrollee other than an unborn for whom the applicant or recipient/enrollee can legally assign rights; and

(b) Identifying and providing information to assist the department in pursuing any liable third party.

(2) The department shall also require an AFDC/FIP-related medical assistance client to cooperate as described under WAC 388-14-200 (2)(a), (b), (c), (3), (4), (5), (6), (7), (8), (9), and (16), unless a pregnant woman or there is a finding of good cause under WAC 388-24-111, except for the provision under WAC 388-24-111 (15)(b), in establishing:

(a) The paternity of a child; and

(b) Medical ((care)) support as defined under WAC 388-11-011.

(3) The department shall waive such cooperation requirements if the department finds the applicant or recipient/enrollee has good cause under WAC 388-83-014 for noncooperation.

(4) Unless the department finds good cause for noncooperation under WAC 388-24-111 or 388-83-014, the department shall find the applicant or recipient/enrollee, who refuses to cooperate under subsection (1) of this section, ineligible to receive medical assistance.

(5) The department shall provide medical assistance to an otherwise eligible applicant or recipient/enrollee when the person who has the legal authority to cooperate on behalf of the applicant or recipient/enrollee refuses such cooperation.

(6) Effective March 1, 1991, the department shall not establish an obligation to collect birth costs that are:

(a) Paid or expected to be paid by the department; and

(b) Defined under WAC 388-11-011.

(7) The department may seek reimbursement of birth costs covered by available insurance or other liable third party.

WSR 91-06-043
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed February 28, 1991, 3:48 p.m.]

Original Notice.

Title of Rule: WAC 388-83-032 Pregnant women; and 388-83-130 Eligibility—Special situations.

Purpose: To implement the state plan change to reflect the 1991 federal poverty level.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: WAC 388-83-130 in determining Medicaid eligibility for a pregnant woman, the income of her natural, stepparents, or adoptive parents is not considered, unless the income is actually contributed. WAC 388-83-032 reflects new federal poverty levels, cross references WAC 388-83-130 for determining countable income for the pregnant minor.

Reasons Supporting Proposal: To implement the state plan change that in determining medical eligibility, the income of the natural, stepparent, or adoptive parent is not considered, unless actually contributed.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on April 9, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by April 9, 1991.

Date of Intended Adoption: May 1, 1991.

February 28, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3105, filed 11/30/90, effective 12/31/90)

WAC 388-83-032 PREGNANT WOMEN. (1) The department shall find a pregnant woman eligible for Medicaid as categorically needy, if the pregnant woman meets:

(a) The income requirements of this section; and

(b) Citizenship, Social Security number, and residence requirements under chapter 388-83 WAC.

(2) If a pregnant woman applies on or before the last day of pregnancy, the department shall find her eligible for continued Medicaid coverage through the end of the month containing the sixtieth day from the day pregnancy ends.

(3) Income eligibility:

(a) Total family income shall not exceed one hundred eighty-five percent of the federal poverty income guidelines as published and updated by the secretary of health and human services. Effective April 1, 1991, one hundred eighty-five percent of the ((+990)) 1991 federal poverty income guidelines is:

Family Size	Monthly
(i) One	\$ ((968)) 1,021
(ii) Two	\$ ((+298)) 1,369
(iii) Three	\$ ((+628)) 1,717
(iv) Four	\$ ((+958)) 2,066
(v) Five	\$ ((2,288)) 2,414
(vi) Six	\$ ((2,618)) 2,762
(vii) Seven	\$ ((2,948)) 3,112
(viii) Eight	\$ ((3,278)) 3,460

(ix) For family units with nine members or more, add \$((330)) 348 to the monthly income for each additional member.

(b) The department shall determine family income:

(i) According to AFDC methodology, except the department shall:

(A) Exclude the income of the unmarried father of the unborn or unborns unless the income is actually contributed; and

(B) Determine eligibility as if the unborn or unborns are born.

(ii) Apply the special situations under WAC 388-83-130.

(c) The department shall consider the provisions of WAC 388-83-130(1) in determining countable income for a pregnant minor.

(4) The department shall not consider resources in determining the pregnant woman's eligibility.

(5) Changes in family income shall not affect eligibility for medical assistance for the pregnant woman during pregnancy and when eligible under subsection (2) of this section through the end of the month that contains the sixtieth day from the last day of pregnancy:

(a) Once the department determines a pregnant woman eligible under this section; or

(b) If at any time while eligible for and receiving medical assistance a pregnant woman meets the eligibility requirements of this section.

AMENDATORY SECTION (Amending Order 3018, filed 5/31/90, effective 7/1/90)

WAC 388-83-130 ELIGIBILITY—SPECIAL SITUATIONS.

(1) In determining eligibility for medical services, the department shall:

(a) Consider parent's income available whether or not actually contributed, when determining eligibility of a person under eighteen years of age residing in the same family unit with parents; except

(b) In determining a pregnant woman's medical eligibility, the department shall not consider the income of her natural, adoptive or stepparents unless the income is actually contributed.

(2) The department shall not allow the AFDC earned income exemption of thirty dollars plus one-third of remainder to clients:

(a) Applying solely for medical assistance, except for families applying for medical assistance who received AFDC or FIP cash assistance in any of the four preceding months; and

(b) After the client receives the thirty dollars plus one-third income disregard for a maximum of four consecutive months. A client is not eligible for the disregard until the client does not receive AFDC or FIP cash assistance for twelve consecutive months.

(3) For family units determined ineligible for AFDC or FIP cash assistance solely due to the requirements of WAC 388-24-050 or 388-77-210 that certain siblings be included in the assistance unit, at the applicant's option, such individuals and their income may be excluded from the assistance unit when determining eligibility of the remaining assistance unit members for categorically needy medical assistance.

(4) For family units determined ineligible for AFDC or FIP financial assistance solely due to the requirements of WAC 388-28-500(4) or 388-77-285 that income of the nonapplying parents of a minor parent be considered available to the assistance unit of the minor parent and such minor's child or children, such income shall be disregarded when determining eligibility of such minor's child or children.

(5) The department shall consider AFDC children sixteen and seventeen years of age, terminated from cash assistance, as eligible for Medicaid on the same basis as a dependent child when termination was solely due to the children:

(a) Ceasing to attend school; and

(b) Refusing to participate in the OPPORTUNITIES program.

(6) The department shall consider a person eligible for Medicaid when the person is denied AFDC cash assistance solely because:

(a) Of income and resources deemed available from the following person who is not a member of the AFDC unit, unless actually available to the assistance unit:

(i) Stepparent who is not legally liable for support of stepchildren;

(ii) Grandparent;

(iii) Legal guardian who is not a parent;

(iv) Alien sponsor; or

(v) Sibling.

(b) Of counting a sibling's income or resources or both to determine AFDC cash assistance when the sibling is residing in the same residence, unless the sibling actually contributes or makes available the income or resources or both to the AFDC assistance unit; and

(c) After July 1, 1989, a member of the family transferred a resource without receiving adequate compensation. If the family member is institutionalized, refer to chapter 388-95 WAC.

(7) The department shall consider a person eligible for Medicaid when the person is denied SSI cash assistance solely because of income and resources deemed available from an alien sponsor.

WSR 91-06-044

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed February 28, 1991, 3:49 p.m.]

Original Notice.

Title of Rule: WAC 388-87-070 Payment—Hospital inpatient services; and 388-87-072 Payment—Hospital outpatient services.

Purpose: To establish a new methodology for paying for hospital inpatient and outpatient.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Effective March 1, 1991, the Department of Social and Health Services will implement policy changes for hospital inpatient and outpatient reimbursement. For diagnostically related group (DRG) exempt services, the ratio of costs to charges (RCC) will be used to compute the payment for inpatient hospital and outpatient hospital services. RCCs are developed using hospital specific HCFA-2552 medical cost report. Effective March 1, 1991, the Department of Social and Health Services will implement a disproportionate share program for all out-of-state hospitals.

Reasons Supporting Proposal: Implement policy changes for inpatient and outpatient reimbursement.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on April 9, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by April 9, 1991.

Date of Intended Adoption: April 23, 1991.

February 28, 1991
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 2916, filed 12/15/89, effective 1/15/90)

WAC 388-87-070 PAYMENT—HOSPITAL INPATIENT SERVICES. (1) For eligible recipients, the department shall pay for inpatient hospital (~~cost of categorically needy, medically needy, medically indigent and medical care services recipients as defined in WAC 388-80-005, as now or hereafter amended, who are~~) services when:

(a) The eligible recipient is a patient((s)) in a general hospital((s)) when such hospital((s)) meets the criteria as defined in RCW 70.41-.020, as now or hereafter amended;

(b) The services are medically necessary as defined under WAC 388-80-005;

(c) Effective with the 1990 annual cost reporting period, in-state and border hospital providers shall annually:

(i) Submit a copy of their annual Medicare HCFA 2552 cost report, except as described under item (1)(c)(ii) of this section:

(A) According to the applicable Medicare statutes, regulation, and instructions;

(B) Within one-hundred twenty days from the end of the hospital's fiscal year; or

(C) If the hospital provider's contract is terminated, within one-hundred twenty days of effective termination date.

(ii) Request up to a thirty-day extension of the time for submitting the cost report in writing at least ten days prior to the due date of the report. The extension request shall contain:

(A) The completion date of the report; and

(B) The circumstances prohibiting compliance with the report due date.

(iii) Maintains adequate records for:

(A) Audit and review purposes; and

(B) Assurance of accuracy of cost report.

(d) The hospital provider improperly completes a cost report or the cost report is received after the due date or approved extension dates, all or part of the payment due may be held by the department until the department receives the properly completed or late report.

(2) The department shall determine payment for hospital inpatient services according to a diagnosis related group (DRG) based formula payment system established by the department, except for hospitals participating in the selective contracting program as ((prescribed in)) described under WAC 388-86-051 and services excluded from DRG-based reimbursement as prescribed in subsection (4) of this section. The department shall base formula price payments on the methodology prescribed in the department's State Plan under Title XIX of the Social Security Act, Methods and Standards Used for Establishing Payment Rates for Hospital Inpatient Services (hereafter referred to as the Title XIX State Plan).

(3) The ((rate structure)) all inclusive-conversion factor of selective contracting hospitals for inpatient hospital services is identified in Appendix B of such selective contracts. The rate shall be inclusive of all inpatient services provided directly or indirectly by the contractor and constitutes the department's maximum financial obligation under the contract.

(4) Certain services are excluded from the DRG-based payment system. These exclusions shall include:

(a) Rehabilitation services provided in department-approved rehabilitation hospitals and general hospital distinct units, and services for physical medicine and rehabilitation (PM&R) patient;

(b) Pain treatment provided in department-approved pain treatment facilities;

(c) Free standing psychiatric hospitals;

(d) Alcoholism treatment and detoxification provided in a department-approved alcohol treatment center (ATC);

(e) Detoxification, medical stabilization, and drug treatment for the pregnant Medicaid recipient at the division of alcoholism and substance abuse certified hospitals;

(f) Neonates, DRGs 385-389;

(g) Long-term hospital level care services;

(h) Services provided to patients occupying beds utilized by the Fred Hutchinson Cancer Research Center bone marrow transplant program;

(i) Health maintenance organization (HMO) hospitals providing inpatient services to HMO enrollees; and

(j) Department-approved services to AIDS patients.

(5) ((Payments)) The department shall pay for ((excluded)) non-DRG-based services ((are)) based on the ((Operating Expenses to Total Rate Setting Revenue (OE/TRSR))) ratio of cost-to-charges (RCC) payment methodology as prescribed in the department's Title XIX State Plan. For out-of-state hospitals, ((including border area hospitals,)) the department shall apply the Washington state-wide weighted average ((OR/TRSR)) RCC to allowable charges((-unless the border hospital is a contracting hospital)). Border area hospitals shall be paid in the same manner as in-state hospitals.

(6) For the purposes of this section and section 388-87-072, "ratio of cost to charges (RCC)" shall mean the hospital-specific ratio calculated based on a hospital's cost-to-charges determined from the annual Medicare cost report (HCFA 2552).

(7) For dates of admission beginning October 1, 1985, payment rates established in accordance with subsections (2), (4) and (5) of this section are reduced for services provided to persons eligible for the medically indigent component of the limited casualty program and recipients of medical care services. Hospitals are grouped according to the percentage of total rate setting revenue comprising medical assistance, medicare, bad debt, charity, and other contractual adjustments and rates are reduced according to the following table.

Hospital Group	Percent Medicare, Medicaid, Bad Debt, Charity and other Contractual Adjustments of Total Rate Setting Revenue	Percentage Reduction in Payment Rate
1	60.00 or more*	20.0
2	50.00 - 59.99	40.0
3	less than 50.00	60.0

*Plus psychiatric hospitals

AMENDATORY SECTION (Amending Order 2266, filed 8/15/85)

WAC 388-87-072 PAYMENT—HOSPITAL OUTPATIENT SERVICES. (1) ((Payment)) For eligible recipients, the department shall ((be made by the department)) reimburse for medically necessary hospital outpatient services when the services are medically necessary as defined under WAC 388-80-005, and the hospital provider meets the requirements under WAC 388-87-070(1).

(2) For hospital outpatient services provided prior to July 1, 1985, except for nonallowable revenue codes, ((reimbursable costs will)) reimbursement shall be determined by the application of the ratio of hospital commission approved operating expenses and total rate setting revenue.

(3) For hospital outpatient services, except for services in subsection (5) of this section and nonallowable revenue codes, provided ((on or after)) from July 1, 1985, to March 1, 1991, reimbursement payment shall be determined ((as follows):

(a) For hospital outpatient laboratory, x-ray, and allowable therapy (physical, speech and hearing) services payment will be the lesser of billed charges or the fee listed in the Division of Medical Assistance Schedule of Maximum Allowances.

(b) For all other hospital outpatient services, except for nonallowable revenue codes, reimbursable costs will be determined)) by the application of the ratio of hospital commission approved operating expenses and total rate setting revenue.

(4) For hospital outpatient services provided after February 28, 1991, except for nonallowable revenue codes, the department shall determine reimbursement by using the ratio of cost-to-charges as defined under WAC 388-87-070.

(5) For hospital outpatient laboratory, x-ray, and allowable therapy (physical, speech, and hearing) services, payment shall be the lesser of billed charges or the fee listed in the Division of Medical Assistance Schedule of Maximum Allowances.

WSR 91-06-045
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3145—Filed February 28, 1991, 3:51 p.m., effective March 1, 1991]

Date of Adoption: February 28, 1991.

Purpose: Adds psychiatric hospital to list of alternate living situations which had been mistakenly omitted.

Citation of Existing Rules Affected by this Order: Amending WAC 388-29-125 Standards of assistance—Persons in medical institutions.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: This rule amendment is necessary to enable field staff to identify all the types of medical institutions included in alternate living situations.

Effective Date of Rule: March 1, 1991.

February 28, 1991
 Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2659, filed 8/2/88)

WAC 388-29-125 STANDARDS OF ASSISTANCE—PERSONS IN MEDICAL INSTITUTIONS. Effective July 1, 1988, the monthly standard for clothing, personal maintenance, and necessary incidentals for an eligible person in a skilled nursing home, a public nursing home, a general or tuberculosis hospital, JCAH-approved psychiatric hospital, or an intermediate care facility shall be forty-one dollars and sixty-two cents.

WSR 91-06-046
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3146—Filed February 28, 1991, 3:52 p.m., effective March 1, 1991]

Date of Adoption: February 28, 1991.

Purpose: To change when the department collects for birth costs for clients not covered by insurance or third party liability.

Citation of Existing Rules Affected by this Order: Amending WAC 388-83-013 Cooperation in securing medical support.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: Administer the policy that the state will not collect payment for birth costs except when there is insurance or a liable third party.

Effective Date of Rule: March 1, 1991.

February 28, 1991
 Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2937, filed 1/29/90)

WAC 388-83-013 COOPERATION IN SECURING MEDICAL ((CARE)) SUPPORT. (1) As a condition of eligibility for medical assistance, the department shall require the applicant or recipient/enrollee, unless a pregnant woman or there is a finding of good cause, to cooperate with the department in:

(a) Obtaining medical ((care)) support ((or payment)) for the applicant or recipient/enrollee or for any other applicant or recipient/enrollee other than an unborn for whom the applicant or recipient/enrollee can legally assign rights; and

(b) Identifying and providing information to assist the department in pursuing any liable third party.

(2) The department shall also require an AFDC/FIP-related medical assistance client to cooperate as described under WAC 388-14-200 (2)(a), (b), (c), (3), (4), (5), (6), (7), (8), (9), and (16), unless a pregnant woman or there is a finding of good cause under WAC 388-24-111, except for the provision under WAC 388-24-111 (15)(b), in establishing:

(a) The paternity of a child; and

(b) Medical ((care)) support as defined under WAC 388-11-011.

(3) The department shall waive such cooperation requirements if the department finds the applicant or recipient/enrollee has good cause under WAC 388-83-014 for noncooperation.

(4) Unless the department finds good cause for noncooperation under WAC 388-24-111 or 388-83-014, the department shall find the applicant or recipient/enrollee, who refuses to cooperate under subsection (1) of this section, ineligible to receive medical assistance.

(5) The department shall provide medical assistance to an otherwise eligible applicant or recipient/enrollee when the person who has the legal authority to cooperate on behalf of the applicant or recipient/enrollee refuses such cooperation.

(6) Effective March 1, 1991, the department shall not establish an obligation to collect birth costs that are:

(a) Paid or expected to be paid by the department; and

(b) Defined under WAC 388-11-011.

(7) The department may seek reimbursement of birth costs covered by available insurance or other liable third party.

WSR 91-06-047
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3147—Filed February 28, 1991, 3:53 p.m., effective March 1, 1991]

Date of Adoption: February 28, 1991.

Purpose: To implement the state plan change to reflect the 1991 federal poverty level.

Citation of Existing Rules Affected by this Order: Amending WAC 388-83-032 Pregnant women; and 388-83-130 Eligibility—Special situations.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: To implement the state plan change that in determining medical eligibility, the income of the natural, stepparent, or adoptive parent is not considered, unless actually contributed.

Effective Date of Rule: March 1, 1991.

February 28, 1991

Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 3105, filed 11/30/90, effective 12/31/90)

WAC 388-83-032 PREGNANT WOMEN. (1) *The department shall find a pregnant woman eligible for Medicaid as categorically needy, if the pregnant woman meets:*

- (a) *The income requirements of this section; and*
- (b) *Citizenship, Social Security number, and residence requirements under chapter 388-83 WAC.*

(2) *If a pregnant woman applies on or before the last day of pregnancy, the department shall find her eligible for continued Medicaid coverage through the end of the month containing the sixtieth day from the day pregnancy ends.*

(3) *Income eligibility:*

(a) *Total family income shall not exceed one hundred eighty-five percent of the federal poverty income guidelines as published and updated by the secretary of health and human services. Effective April 1, 1991, one hundred eighty-five percent of the ((+1990)) 1991 federal poverty income guidelines is:*

	Family Size	Monthly
(i)	One	\$ ((968)) 1,021
(ii)	Two	\$ ((+298)) 1,369
(iii)	Three	\$ ((+628)) 1,717
(iv)	Four	\$ ((+958)) 2,066
(v)	Five	\$ ((2,288)) 2,414
(vi)	Six	\$ ((2,618)) 2,762
(vii)	Seven	\$ ((2,948)) 3,112
(viii)	Eight	\$ ((3,278)) 3,460

(ix) *For family units with nine members or more, add \$((330)) 348 to the monthly income for each additional member.*

(b) *The department shall determine family income:*

(i) *According to AFDC methodology, except the department shall:*

(A) *Exclude the income of the unmarried father of the unborn or unborns unless the income is actually contributed; and*

(B) *Determine eligibility as if the unborn or unborns are born.*

(ii) *Apply the special situations under WAC 388-83-130.*

(c) The department shall consider the provisions of WAC 388-83-130(1) in determining countable income for a pregnant minor.

(4) *The department shall not consider resources in determining the pregnant woman's eligibility.*

(5) *Changes in family income shall not affect eligibility for medical assistance for the pregnant woman during pregnancy and when eligible under subsection (2) of this section through the end of the month that contains the sixtieth day from the last day of pregnancy:*

(a) *Once the department determines a pregnant woman eligible under this section; or*

(b) *If at any time while eligible for and receiving medical assistance a pregnant woman meets the eligibility requirements of this section.*

AMENDATORY SECTION (Amending Order 3018, filed 5/31/90, effective 7/1/90)

WAC 388-83-130 ELIGIBILITY—SPECIAL SITUATIONS. (1) In determining eligibility for medical services, the department shall:

(a) Consider parent's income available whether or not actually contributed, when determining eligibility of a person under eighteen years of age residing in the same family unit with parents; except

(b) In determining a pregnant woman's medical eligibility, the department shall not consider the income of her natural, adoptive or stepparents unless the income is actually contributed.

(2) *The department shall not allow the AFDC earned income exemption of thirty dollars plus one-third of remainder to clients:*

(a) *Applying solely for medical assistance, except for families applying for medical assistance who received AFDC or FIP cash assistance in any of the four preceding months; and*

(b) After the client receives the thirty dollars plus one-third income disregard for a maximum of four consecutive months. A client is not eligible for the disregard until the client does not receive AFDC or FIP cash assistance for twelve consecutive months.

(3) For family units determined ineligible for AFDC or FIP cash assistance solely due to the requirements of WAC 388-24-050 or 388-77-210 that certain siblings be included in the assistance unit, at the applicant's option, such individuals and their income may be excluded from the assistance unit when determining eligibility of the remaining assistance unit members for categorically needy medical assistance.

(4) For family units determined ineligible for AFDC or FIP financial assistance solely due to the requirements of WAC 388-28-500(4) or 388-77-285 that income of the nonapplying parents of a minor parent be considered available to the assistance unit of the minor parent and such minor's child or children, such income shall be disregarded when determining eligibility of such minor's child or children.

(5) The department shall consider AFDC children sixteen and seventeen years of age, terminated from cash assistance, as eligible for Medicaid on the same basis as a dependent child when termination was solely due to the children:

(a) Ceasing to attend school; and

(b) Refusing to participate in the OPPORTUNITIES program.

(6) The department shall consider a person eligible for Medicaid when the person is denied AFDC cash assistance solely because:

(a) Of income and resources deemed available from the following person who is not a member of the AFDC unit, unless actually available to the assistance unit:

(i) Stepparent who is not legally liable for support of stepchildren;

(ii) Grandparent;

(iii) Legal guardian who is not a parent;

(iv) Alien sponsor, or

(v) Sibling.

(b) Of counting a sibling's income or resources or both to determine AFDC cash assistance when the sibling is residing in the same residence, unless the sibling actually contributes or makes available the income or resources or both to the AFDC assistance unit; and

(c) After July 1, 1989, a member of the family transferred a resource without receiving adequate compensation. If the family member is institutionalized, refer to chapter 388-95 WAC.

(7) The department shall consider a person eligible for Medicaid when the person is denied SSI cash assistance solely because of income and resources deemed available from an alien sponsor.

WSR 91-06-048
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3148—Filed February 28, 1991, 3:54 p.m., effective March 1, 1991]

Date of Adoption: February 28, 1991.

Purpose: OSE shall attempt to establish a financial liability against a responsible parent for birth costs paid by DSHS. OSE will attempt to establish a liability for birth costs against the responsible parent when the custodial parent has paid these costs and requests nonassistance support enforcement services. OSE will continue to enforce and collect judgments for birth costs in existing support orders. OSE will continue to gather information regarding available health insurance coverage which can be used to offset birth costs paid by DSHS.

Citation of Existing Rules Affected by this Order: Amending WAC 388-11-220 Liability for birth costs.

Statutory Authority for Adoption: Chapter 2, Laws of 1990 1st ex. sess.

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

Reasons for this Finding: This rule is necessary to clarify that the Office of Support Enforcement (OSE) will not attempt to establish a liability for birth costs paid by DSHS against the responsible parent.

Effective Date of Rule: March 1, 1991.

February 28, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3081, filed 9/28/90, effective 10/29/90)

WAC 388-11-220 LIABILITY FOR BIRTH COSTS. (1) The department may assess a responsible parent's liability for a dependent child's birth costs, not covered by health insurance, if there is no superior court order assessing or relieving the responsible parent of liability for birth costs. The department shall assess liability for birth costs based on the parent's proportionate share of the basic support obligation for the child, except as provided under subsections (4) and (5) of this section. Medical assistance provided by the department under chapter 74.09 RCW is not health insurance.

(2) The office of support enforcement (OSE) may serve an affidavit of birth costs on the responsible parent by certified mail to the parent's last known address if the actual costs of birth were not included in the notice and finding of parental responsibility.

(3) OSE may take action to collect the birth costs under chapter 26.23 and 74.20A RCW:

(a) Twenty days after service of the affidavit of birth costs or service of a notice and finding of parental responsibility stating birth costs, unless the responsible parent requests an adjudicative proceeding under subsection (4) of this section; or

(b) After the entry of a support order requiring payment of birth costs.

(4) A responsible parent may request an adjudicative proceeding seeking a reduction of, or relief from, the parent's liability for birth costs. The department shall:

(a) Assess liability for birth costs in the lesser of the following amounts:

(i) The responsible parent's proportional share of the actual birth costs the ((department)) custodial parent paid based on the responsible parent's share of the combined net income of the parties; or

(ii) Twenty-five percent of the greater of the:

(A) Responsible parent's annual net income; or

(B) Approximate median net annual income for a person in the responsible parent's age group as published in the Washington state support schedule.

(b) Relieve the responsible parent from liability based on a written finding supported by evidence that the parent is unemployable and disability benefits are the parent's only source of income.

(5)(a) The department shall not establish a liability for birth costs paid by the department, except that the department shall be allowed to:

(i) Establish and collect reimbursement for blood test costs paid by the department; and

(ii) Collect reimbursement for birth costs as awarded to the department in an existing superior court order or administrative order.

(b) Nothing in this rule shall prohibit the department from:

(i) Establishing and collecting a liability for birth costs actually incurred by a recipient of nonassistance support enforcement services on behalf of that recipient; or

(ii) Seeking reimbursement for birth costs from any available health insurance coverage.

WSR 91-06-049
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3149—Filed February 28, 1991, 3:55 p.m., effective March 1, 1991]

Date of Adoption: February 28, 1991.

Purpose: Effective March 1, 1991, the Department of Social and Health Services will implement policy changes for hospital inpatient and outpatient reimbursement. For diagnostically related group (DRG) exempt services, the ratio of costs to charges (RCC) will be used to compute the payment for inpatient hospital and outpatient hospital services. RCCs are developed using hospital specific HCFA-2552 medical cost report. Effective March 1, 1991, the Department of Social and Health

Services will implement a disproportionate share program for all out-of-state hospitals.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-070 and 388-87-072.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: Implement policy changes for inpatient and outpatient reimbursement.

Effective Date of Rule: March 1, 1991.

February 28, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2916, filed 12/15/89, effective 1/15/90)

WAC 388-87-070 PAYMENT—HOSPITAL INPATIENT SERVICES. (1) For eligible recipients, the department shall pay for inpatient hospital ((cost of categorically needy, medically needy, medically indigent and medical care services recipients as defined in WAC 388-80-005, as now or hereafter amended, who are)) services when:

(a) The eligible recipient is a patient((s)) in a general hospital((s)) when such hospital((s)) meets the criteria as defined in RCW 70.41.020, as now or hereafter amended;

(b) The services are medically necessary as defined under WAC 388-80-005;

(c) Effective with the 1990 annual cost reporting period, in-state and border hospital providers shall annually:

(i) Submit a copy of their annual Medicare HCFA 2552 cost report, except as described under item (1)(c)(ii) of this section:

(A) According to the applicable Medicare statutes, regulation, and instructions;

(B) Within one-hundred twenty days from the end of the hospital's fiscal year, or

(C) If the hospital provider's contract is terminated, within one-hundred twenty days of effective termination date.

(ii) Request up to a thirty-day extension of the time for submitting the cost report in writing at least ten days prior to the due date of the report. The extension request shall contain:

(A) The completion date of the report; and

(B) The circumstances prohibiting compliance with the report due date.

(iii) Maintains adequate records for:

(A) Audit and review purposes; and

(B) Assurance of accuracy of cost report.

(d) The hospital provider improperly completes a cost report or the cost report is received after the due date or approved extension dates, all or part of the payment due

may be held by the department until the department receives the properly completed or late report.

(2) The department shall determine payment for hospital inpatient services according to a diagnosis related group (DRG) based formula payment system established by the department, except for hospitals participating in the selective contracting program as ~~((prescribed in))~~ described under WAC 388-86-051 and services excluded from DRG-based reimbursement as prescribed in subsection (4) of this section. The department shall base formula price payments on the methodology prescribed in the department's State Plan under Title XIX of the Social Security Act, Methods and Standards Used for Establishing Payment Rates for Hospital Inpatient Services (hereafter referred to as the Title XIX State Plan).

(3) ~~The ((rate structure))~~ all inclusive-conversion factor of selective contracting hospitals for inpatient hospital services is identified in Appendix B of such selective contracts. The rate shall be inclusive of all inpatient services provided directly or indirectly by the contractor and constitutes the department's maximum financial obligation under the contract.

(4) Certain services are excluded from the DRG-based payment system. These exclusions shall include:

(a) Rehabilitation services provided in department-approved rehabilitation hospitals and general hospital distinct units, and services for physical medicine and rehabilitation (PM&R) patient;

(b) Pain treatment provided in department-approved pain treatment facilities;

(c) Free standing psychiatric hospitals;

(d) Alcoholism treatment and detoxification provided in a department-approved alcohol treatment center (ATC);

(e) Detoxification, medical stabilization, and drug treatment for the pregnant Medicaid recipient at the division of alcoholism and substance abuse certified hospitals;

(f) Neonates, DRGs 385-389;

(g) Long-term hospital level care services;

(h) Services provided to patients occupying beds utilized by the Fred Hutchinson Cancer Research Center bone marrow transplant program;

(i) Health maintenance organization (HMO) hospitals providing inpatient services to HMO enrollees; and

(j) Department-approved services to AIDS patients.

(5) ~~((Payments))~~ The department shall pay for ~~((excluded))~~ non-DRG-based services ~~((are))~~ based on the ~~((Operating Expenses to Total Rate Setting Revenue (OE/TRSR)))~~ ratio of cost-to-charges (RCC) payment methodology as prescribed in the department's Title XIX State Plan. For out-of-state hospitals, ~~((including border area hospitals,))~~ the department shall apply the Washington state-wide weighted average ~~((OR/TRSR))~~ RCC to allowable charges ~~((, unless the border hospital is a contracting hospital)).~~ Border area hospitals shall be paid in the same manner as in-state hospitals.

(6) For the purposes of this section and section 388-87-072, "ratio of cost to charges (RCC)" shall mean the hospital-specific ratio calculated based on a hospital's cost-to-charges determined from the annual Medicare cost report (HCFA 2552).

(7) For dates of admission beginning October 1, 1985, payment rates established in accordance with subsections (2), (4) and (5) of this section are reduced for services provided to persons eligible for the medically indigent component of the limited casualty program and recipients of medical care services. Hospitals are grouped according to the percentage of total rate setting revenue comprising medical assistance, medicare, bad debt, charity, and other contractual adjustments and rates are reduced according to the following table.

Hospital Group	Percent Medicare, Medicaid, Bad Debt, Charity and other Contractual Adjustments of Total Rate Setting Revenue	Percentage Reduction in Payment Rate
1	60.00 or more*	20.0
2	50.00 - 59.99	40.0
3	less than 50.00	60.0

*Plus psychiatric hospitals

AMENDATORY SECTION (Amending Order 2266, filed 8/15/85)

WAC 388-87-072 PAYMENT—HOSPITAL OUTPATIENT SERVICES. (1) ~~((Payment))~~ For eligible recipients, the department shall ~~((be made by the department))~~ reimburse for medically necessary hospital outpatient services when the services are medically necessary as defined under WAC 388-80-005, and the hospital provider meets the requirements under WAC 388-87-070(1).

(2) For hospital outpatient services provided prior to July 1, 1985, except for nonallowable revenue codes, ~~((reimbursable costs will))~~ reimbursement shall be determined by the application of the ratio of hospital commission approved operating expenses and total rate setting revenue.

(3) For hospital outpatient services, except for services in subsection (5) of this section and nonallowable revenue codes, provided ~~((on or after))~~ from July 1, 1985, to March 1, 1991, reimbursement payment shall be determined ~~((as follows:~~

(a) For hospital outpatient laboratory, x-ray, and allowable therapy (physical, speech and hearing) services payment will be the lesser of billed charges or the fee listed in the Division of Medical Assistance Schedule of Maximum Allowances.

(b) For all other hospital outpatient services, except for nonallowable revenue codes, reimbursable costs will be determined) by the application of the ratio of hospital commission approved operating expenses and total rate setting revenue.

(4) For hospital outpatient services provided after February 28, 1991, except for nonallowable revenue codes, the department shall determine reimbursement by using the ratio of cost-to-charges as defined under WAC 388-87-070.

(5) For hospital outpatient laboratory, x-ray, and allowable therapy (physical, speech, and hearing) services, payment shall be the lesser of billed charges or the fee listed in the Division of Medical Assistance Schedule of Maximum Allowances.

WSR 91-06-050
EMERGENCY RULES
WASHINGTON STATE PATROL
 [Order 90-005—Filed February 28, 1991, 4:26 p.m.]

Date of Adoption: February 28, 1991.

Purpose: To adopt standards for private carriers which conform to the regulations contained in Title 49 CFR, Chapter 3, Subchapter B, Parts 390, 392, 393, 394, 396, and 397.

Statutory Authority for Adoption: RCW 46.32.020.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Office of Motor Carrier Safety, Federal Highway Administration expects that these administrative codes will be in effect by March 1, 1991. Failing to adopt these administrative codes places at risk the state receipt of federal funds.

Effective Date of Rule: Immediately.

February 28, 1991
 George B. Tellevik
 Chief

Chapter 446-65 WAC
PRIVATE CARRIER REGULATIONS

NEW SECTION

WAC 446-65-005 PROMULGATION. *By authority of RCW 46.32.020, the Washington state patrol hereby adopts the following rules establishing standards for private carriers as defined by RCW 81.80.010(6).*

NEW SECTION

WAC 446-65-010 TRANSPORTATION REQUIREMENTS. *(1) The Washington state patrol hereby adopts the following parts of Title 49 Code of Federal Regulations as they exist during 1989, subject to any appendices and amendments in the future: Parts 390 General, 392 Driving of motor vehicles, 393 Parts and accessories necessary for safe operation, 394 Notification and reporting of accidents, 396 Inspection, repair, and maintenance, 397 Transportation of hazardous materials; driving and parking rules.*

(2) Copies of Title 49 CFR, parts 390 through 397, now in force are on file at the code reviser's office, Olympia and at the Washington state patrol headquarters, commercial vehicle enforcement section, Olympia. Additional copies may be available for review at Washington state patrol district headquarters offices, public libraries, Washington utilities and transportation commission offices, and at the United States Department of Transportation, Bureau of Motor Carrier Safety Office, Olympia. Copies of the CFR may be purchased through the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

WSR 91-06-051
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
COMMUNITY DEVELOPMENT
(Fire Protection Policy Board)
 [Memorandum—March 1, 1991]

The next meeting of the fireworks work group is scheduled for Thursday, March 7, 1991, from 9:00 a.m. to 4:00 p.m. The meeting will be held at the Angle Lake Fire Station, 2929 200th Street, Seattle, WA.

Questions regarding the meeting should be directed to Richard Small, Director, Fire Protection Services Division at (206) 586-3442.

WSR 91-06-052
PROPOSED RULES
DEPARTMENT OF REVENUE
 [Filed March 1, 1991, 1:09 p.m.]

Original Notice.

Title of Rule: WAC 458-40-660 Stumpage value tables.

Purpose: To establish the stumpage values for reporting and payment of the timber excise tax.

Statutory Authority for Adoption: RCW 82.32.300 and 84.33.096.

Statute Being Implemented: RCW 84.33.091.

Summary: The rule establishes the stumpage value of timber within the state of Washington. These values are to be used by harvesters to compute their timber tax liability for the period from January 1, 1991, through June 30, 1991, first half 1991.

Name of Agency Personnel Responsible for Drafting: Gordon S. Gienty, 6004 Capitol Boulevard, Tumwater, (206) 586-2903; Implementation and Enforcement: John B. Conklin, 6004 Capitol Boulevard, Tumwater, (206) 753-2871.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule establishes the stumpage value of timber, and adjustments, throughout the state of Washington. These values are to be used by harvesters to determine their taxable stumpage value when calculating their timber tax liability.

Proposal Changes the Following Existing Rules: This rule changes the stumpage values of timber throughout the state.

Small Business Economic Impact Statement: The Department of Revenue has reviewed administrative provisions contained in WAC 458-40-660 and 458-40-670 in order to determine the economic impact on small businesses. The new provisions incorporated in this rule do not change the timing or frequency of tax payments; require new forms; or alter long standing and generally accepted record-keeping requirements. This rule will

have no economic impact on industry. The economic impact of actual tax liability is beyond the scope of the small business economic impact statement and is therefore not addressed. The department does not have the legal authority to exempt small businesses from statutory requirements merely repeated in this rule. Taxpayers report liability on the forest excise tax return. Records that a taxpayer must keep are those necessary to determine actual tax liability or those which show a harvester's right to a deduction, credit, or exemption. There is no other compliance requirement imposed by this rule.

Hearing Location: Evergreen Plaza Building, 3rd Floor Conference Room, 711 South Capitol Way, Olympia, WA, on April 10, 1991, at 10:00 a.m.

Submit Written Comments to: John B. Conklin, Department of Revenue, Forest Tax Division, General Administration Building, AX-02, Olympia, Washington 98504, by April 9, 1991.

Date of Intended Adoption: April 10, 1991.

March 1, 1991
John B. Conklin
Assistant Director
Forest Tax

AMENDATORY SECTION (Amending WSR 91-02-088, filed 12/31/90, effective 1/31/91)

WAC 458-40-660 TIMBER EXCISE TAX—STUMPAGE VALUE TABLES. The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period January 1 through June 30, 1991:

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$509	\$502	\$495	\$488	\$481
		2	438	431	424	417	410
		3	400	393	386	379	372
		4	379	372	365	358	351
		5	267	260	253	246	239
		6	101	94	87	80	73
Western Redcedar ²	RC	1	675	668	661	654	647
		2	476	469	462	455	448
		3	308	301	294	287	280
		4	252	245	238	231	224
Sitka Spruce	SS	1	585	578	571	564	557
		2	448	441	434	427	420
		3	311	304	297	290	283
		4	290	283	276	269	262
		5	154	147	140	133	126
		6	107	100	93	86	79
Western Hemlock ³	WH	1	459	452	445	438	431
		2	374	367	360	353	346
		3	334	327	320	313	306
		4	297	290	283	276	269
		5	160	153	146	139	132
		6	105	98	91	84	77
Other Conifer	OC	1	459	452	445	438	431
		2	374	367	360	353	346
		3	334	327	320	313	306
		4	297	290	283	276	269

TABLE 1—
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		5	160	153	146	139	132
		6	105	98	91	84	77
Red Alder	RA	1	167	160	153	146	139
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Alaska-Cedar.
³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 2—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	149	142	135	128	121
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45
Douglas-Fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$599	\$592	\$585	\$578	\$571
		2	558	551	544	537	530
		3	411	404	397	390	383
		4	334	327	320	313	306
		5	257	250	243	236	229
		6	179	172	165	158	151

TABLE 3—
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar ²	RC	1	588	581	574	567	560
		2	484	477	470	463	456
		3	416	409	402	395	388
		4	311	304	297	290	283
Sitka Spruce	SS	1	585	578	571	564	557
		2	448	441	434	427	420
		3	311	304	297	290	283
		4	290	283	276	269	262
		5	154	147	140	133	126
		6	107	100	93	86	79
Western Hemlock ³	WH	1	480	473	466	459	452
		2	362	355	348	341	334
		3	319	312	305	298	291
		4	309	302	295	288	281
		5	282	275	268	261	254
		6	198	191	184	177	170
Other Conifer	OC	1	480	473	466	459	452
		2	362	355	348	341	334
		3	319	312	305	298	291
		4	309	302	295	288	281
		5	282	275	268	261	254
		6	198	191	184	177	170
Red Alder	RA	1	112	105	98	91	84
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Alaska-Cedar.
³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 4—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks	RCF	1	149	142	135	128	121
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45
Douglas-Fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$654	\$647	\$640	\$633	\$626
		2	480	473	466	459	452
		3	406	399	392	385	378
		4	340	333	326	319	312
		5	210	203	196	189	182
		6	177	170	163	156	149
Western Redcedar ³	RC	1	610	603	596	589	582
		2	490	483	476	469	462
		3	322	315	308	301	294
		4	311	304	297	290	283
Western Hemlock ⁴	WH	1	330	323	316	309	302
		2	321	314	307	300	293
		3	312	305	298	291	284
		4	276	269	262	255	248
		5	231	224	217	210	203
		6	142	135	128	121	114
Other Conifer	OC	1	330	323	316	309	302
		2	321	314	307	300	293
		3	312	305	298	291	284
		4	276	269	262	255	248
		5	231	224	217	210	203
		6	142	135	128	121	114
Red Alder	RA	1	139	132	125	118	111
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 6—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	149	142	135	128	121
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45
Douglas-Fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25

TABLE 6—
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$551	\$544	\$537	\$530	\$523
		2	492	485	478	471	464
		3	394	387	380	373	366
		4	354	347	340	333	326
		5	210	203	196	189	182
		6	283	276	269	262	255
Western Redcedar ³	RC	1	508	501	494	487	480
		2	438	431	424	417	410
		3	314	307	300	293	286
		4	307	300	293	286	279
Western Hemlock ⁴	WH	1	413	406	399	392	385
		2	345	338	331	324	317
		3	303	296	289	282	275
		4	263	256	249	242	235
		5	159	152	145	138	131
		6	142	135	128	121	114
Other Conifer	OC	1	413	406	399	392	385
		2	345	338	331	324	317
		3	303	296	289	282	275
		4	263	256	249	242	235
		5	159	152	145	138	131
		6	142	135	128	121	114
Red Alder	RA	1	120	113	106	99	92
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 8—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	149	142	135	128	121
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45
Douglas-Fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$683	\$676	\$669	\$662	\$655
		2	497	490	483	476	469
		3	410	403	396	389	382
		4	315	308	301	294	287
		5	196	189	182	175	168
		6	177	170	163	156	149
Western Redcedar ³	RC	1	610	603	596	589	582
		2	479	472	465	458	451
		3	401	394	387	380	373
		4	242	235	228	221	214
Western Hemlock ⁴	WH	1	513	506	499	492	485
		2	381	374	367	360	353
		3	304	297	290	283	276
		4	289	282	275	268	261
		5	265	258	251	244	237
		6	142	135	128	121	114
Other Conifer	OC	1	513	506	499	492	485
		2	381	374	367	360	353
		3	304	297	290	283	276
		4	289	282	275	268	261
		5	265	258	251	244	237
		6	142	135	128	121	114
Red Alder	RA	1	149	142	135	128	121
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 10—Stumpage Value Table
 Stumpage Value Area 5
 January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
 Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	149	142	135	128	121
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45
Douglas-Fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 11—Stumpage Value Table
 Stumpage Value Area 6
 January 1 through June 30, 1991

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
 Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$252	\$246	\$240	\$234	\$228
Engelmann Spruce	ES	1	147	141	135	129	123
Lodgepole Pine	LP	1	92	86	80	74	68
Ponderosa Pine	PP	1	286	280	274	268	262
		2	270	264	258	252	246
Western Redcedar ³	RC	1	232	226	220	214	208
True Firs ⁴	WH	1	178	172	166	160	154
Western White Pine	WP	1	181	175	169	163	157
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	42	36	30	24	18

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 12—Stumpage Value Table
 Stumpage Value Area 6
 January 1 through June 30, 1991

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
 Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts ²	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

TABLE 13—Stumpage Value Table
 Stumpage Value Area 7
 January 1 through June 30, 1991

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
 Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$144	\$138	\$132	\$126	\$120
Engelmann Spruce	ES	1	134	128	122	116	110
Lodgepole Pine	LP	1	87	81	75	69	63
Ponderosa Pine	PP	1	287	281	275	269	263
		2	154	148	142	136	130
Western Redcedar ³	RC	1	145	139	133	127	121
True Firs ⁴	WH	1	111	105	99	93	87
Western White Pine	WP	1	295	289	283	277	271
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	25	19	13	7	1

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 14—Stumpage Value Table
Stumpage Value Area 7
January 1 through June 30, 1991

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts ²	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴ Stumpage value per lineal foot.

TABLE 16—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 1991

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts ²	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴ Stumpage value per lineal foot.

TABLE 15—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 1991

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$362	\$356	\$350	\$344	\$338
		2	281	275	269	263	257
		3	200	194	188	182	176
Engelmann Spruce	ES	1	210	204	198	192	186
		2	187	181	175	169	163
		3	164	158	152	146	140
Lodgepole Pine	LP	1	220	214	208	202	196
		2	210	204	198	192	186
		3	200	194	188	182	176
Ponderosa Pine	PP	1	417	411	405	399	393
		2	374	368	362	356	350
		3	255	249	243	237	231
Western Redcedar ³	RC	1	258	252	246	240	234
		2	244	238	232	226	220
		3	193	187	181	175	169
True Firs ⁴	WH	1	240	234	228	222	216
		2	234	228	222	216	210
		3	228	222	216	210	204
Western White Pine	WP	1	417	411	405	399	393
		2	374	368	362	356	350
		3	255	249	243	237	231
Hardwoods	OH	1	61	55	49	43	37
Utility	CU	5	59	53	47	41	35

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

WSR 91-06-053
EMERGENCY RULES
DEPARTMENT OF REVENUE
[Filed March 1, 1991, 1:12 p.m.]

Date of Adoption: March 1, 1991.
Purpose: To establish the stumpage values for reporting and payment of the timber excise tax.
Citation of Existing Rules Affected by this Order: Amending WAC 458-40-660.
Statutory Authority for Adoption: RCW 84.33.096.
Other Authority: RCW 84.32.300.

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

Reasons for this Finding: Correction of stumpage values established and in effect on January 1, 1991.

Effective Date of Rule: Immediately.

March 1, 1991
John B. Conklin
Assistant Director
Forest Tax

AMENDATORY SECTION (Amending WSR 91-02-088, filed 12/31/90, effective 1/31/91)

WAC 458-40-660 TIMBER EXCISE TAX—STUMPAGE VALUE TABLES. The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period January 1 through June 30, 1991:

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$509	\$502	\$495	\$488	\$481
		2	438	431	424	417	410
		3	400	393	386	379	372
		4	379	372	365	358	351
		5	267	260	253	246	239
		6	101	94	87	80	73
Western Redcedar ²	RC	1	675	668	661	654	647
		2	476	469	462	455	448
		3	308	301	294	287	280
		4	252	245	238	231	224
Sitka Spruce	SS	1	585	578	571	564	557
		2	448	441	434	427	420
		3	311	304	297	290	283
		4	290	283	276	269	262
		5	154	147	140	133	126
		6	107	100	93	86	79
Western Hemlock ³	WH	1	459	452	445	438	431
		2	374	367	360	353	346
		3	334	327	320	313	306
		4	297	290	283	276	269
		5	160	153	146	139	132
		6	105	98	91	84	77
Other Conifer	OC	1	459	452	445	438	431
		2	374	367	360	353	346
		3	334	327	320	313	306
		4	297	290	283	276	269
		5	160	153	146	139	132
		6	105	98	91	84	77
Red Alder	RA	1	167	160	153	146	139
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Alaska-Cedar.
³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 2—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	149	142	135	128	121

TABLE 2—
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45
Douglas-Fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$599	\$592	\$585	\$578	\$571
		2	558	551	544	537	530
		3	411	404	397	390	383
		4	334	327	320	313	306
		5	257	250	243	236	229
		6	179	172	165	158	151
Western Redcedar ²	RC	1	588	581	574	567	560
		2	484	477	470	463	456
		3	416	409	402	395	388
		4	311	304	297	290	283
Sitka Spruce	SS	1	585	578	571	564	557
		2	448	441	434	427	420
		3	311	304	297	290	283
		4	290	283	276	269	262
		5	154	147	140	133	126
		6	107	100	93	86	79
Western Hemlock ³	WH	1	480	473	466	459	452
		2	362	355	348	341	334
		3	319	312	305	298	291
		4	309	302	295	288	281
		5	282	275	268	261	254
		6	198	191	184	177	170
Other Conifer	OC	1	480	473	466	459	452
		2	362	355	348	341	334
		3	319	312	305	298	291
		4	309	302	295	288	281
		5	282	275	268	261	254
		6	198	191	184	177	170
Red Alder	RA	1	112	105	98	91	84
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Alaska-Cedar.
³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 4—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1991**

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	149	142	135	128	121
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45
Douglas-Fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

**TABLE 5—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1991**

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$654	\$647	\$640	\$633	\$626
		2	480	473	466	459	452
		3	406	399	392	385	378
		4	340	333	326	319	312
		5	210	203	196	189	182
		6	177	170	163	156	149
Western Redcedar ³	RC	1	610	603	596	589	582
		2	490	483	476	469	462
		3	322	315	308	301	294
		4	311	304	297	290	283
Western Hemlock ⁴	WH	1	330	323	316	309	302
		2	321	314	307	300	293
		3	312	305	298	291	284
		4	276	269	262	255	248
		5	231	224	217	210	203
		6	142	135	128	121	114
Other Conifer	OC	1	330	323	316	309	302
		2	321	314	307	300	293
		3	312	305	298	291	284
		4	276	269	262	255	248
		5	231	224	217	210	203
		6	142	135	128	121	114
Red Alder	RA	1	139	132	125	118	111
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36

**TABLE 5—
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 6—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1991**

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	149	142	135	128	121
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45
Douglas-Fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

**TABLE 7—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1991**

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$551	\$544	\$537	\$530	\$523
		2	492	485	478	471	464
		3	394	387	380	373	366
		4	354	347	340	333	326
		5	210	203	196	189	182
		6	177	170	163	156	149
Western Redcedar ³	RC	1	508	501	494	487	480
		2	438	431	424	417	410
		3	314	307	300	293	286
		4	307	300	293	286	279

TABLE 7—

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock ⁴	WH	1	413	406	399	392	385
		2	345	338	331	324	317
		3	303	296	289	282	275
		4	263	256	249	242	235
		5	159	152	145	138	131
		6	142	135	128	121	114
Other Conifer	OC	1	413	406	399	392	385
		2	345	338	331	324	317
		3	303	296	289	282	275
		4	263	256	249	242	235
		5	159	152	145	138	131
		6	142	135	128	121	114
Red Alder	RA	1	120	113	106	99	92
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 8—Stumpage Value Table

Stumpage Value Area 4
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	149	142	135	128	121
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45
Douglas-Fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table

Stumpage Value Area 5

January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$683	\$676	\$669	\$662	\$655
		2	497	490	483	476	469
		3	410	403	396	389	382
		4	315	308	301	294	287
		5	196	189	182	175	168
		6	177	170	163	156	149
Western Redcedar ³	RC	1	610	603	596	589	582
		2	479	472	465	458	451
		3	401	394	387	380	373
		4	242	235	228	221	214
Western Hemlock ⁴	WH	1	513	506	499	492	485
		2	381	374	367	360	353
		3	304	297	290	283	276
		4	289	282	275	268	261
		5	265	258	251	244	237
		6	142	135	128	121	114
Other Conifer	OC	1	513	506	499	492	485
		2	381	374	367	360	353
		3	304	297	290	283	276
		4	289	282	275	268	261
		5	265	258	251	244	237
		6	142	135	128	121	114
Red Alder	RA	1	149	142	135	128	121
Black Cottonwood	BC	1	108	101	94	87	80
Other Hardwood	OH	1	105	98	91	84	77
Hardwood Utility	HU	5	64	57	50	43	36
Conifer Utility	CU	5	79	72	65	58	51

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 10—Stumpage Value Table

Stumpage Value Area 5

January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$385	\$378	\$371	\$364	\$357
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	149	142	135	128	121
Western Redcedar & Other Posts ²	RCP	1	0.45	0.45	0.45	0.45	0.45

**TABLE 10—
Stumpage Values per Product Unit**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir Christmas Trees ¹	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ²	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

**TABLE 11—Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 1991**

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$252	\$246	\$240	\$234	\$228
Engelmann Spruce	ES	1	147	141	135	129	123
Lodgepole Pine	LP	1	92	86	80	74	68
Ponderosa Pine	PP	1	286	280	274	268	262
		2	270	264	258	252	246
Western Redcedar ³	RC	1	232	226	220	214	208
True Firs ⁴	WH	1	178	172	166	160	154
Western White Pine	WP	1	181	175	169	163	157
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	42	36	30	24	18

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 12—Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 1991**

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts ²	LPP	1	0.35	0.35	0.35	0.35	0.35

**TABLE 12—
Stumpage Values per Product Unit**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Pine Christmas Trees ¹	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees ²	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

**TABLE 13—Stumpage Value Table
Stumpage Value Area 7
January 1 through June 30, 1991**

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$144	\$138	\$132	\$126	\$120
Engelmann Spruce	ES	1	134	128	122	116	110
Lodgepole Pine	LP	1	87	81	75	69	63
Ponderosa Pine	PP	1	287	281	275	269	263
		2	154	148	142	136	130
Western Redcedar ³	RC	1	145	139	133	127	121
True Firs ⁴	WH	1	111	105	99	93	87
Western White Pine	WP	1	295	289	283	277	271
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	25	19	13	7	1

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 14—Stumpage Value Table
Stumpage Value Area 7
January 1 through June 30, 1991**

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit**

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts ²	LPP	1	0.35	0.35	0.35	0.35	0.35

TABLE 14—
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Pine Christmas Trees ¹	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

TABLE 15—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 1991

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$362	\$356	\$350	\$344	\$338
		2	281	275	269	263	257
		3	200	194	188	182	176
Engelmann Spruce	ES	1	210	204	198	192	186
		2	187	181	175	169	163
		3	164	158	152	146	140
Lodgepole Pine	LP	1	220	214	208	202	196
		2	210	204	198	192	186
		3	200	194	188	182	176
Ponderosa Pine	PP	1	417	411	405	399	393
		2	374	368	362	356	350
		3	255	249	243	237	231
Western Redcedar ³	RC	1	258	252	246	240	234
		2	244	238	232	226	220
		3	193	187	181	175	169
True Firs ⁴	WH	1	240	234	228	222	216
		2	234	228	222	216	210
		3	228	222	216	210	204
Western White Pine	WP	1	417	411	405	399	393
		2	374	368	362	356	350
		3	255	249	243	237	231
Hardwoods	OH	1	61	55	49	43	37
Utility	CU	5	59	53	47	41	35

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 16—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 1991

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts ²	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

WSR 91-06-054

ATTORNEY GENERAL OPINION
Cite as: **AGO 1991 No. 6**
[February 27, 1991]

PUBLIC RECORDS—INITIATIVE NO. 276

1. RCW 42.17.270 requires agencies to make identifiable public records promptly available to the public. To comply with this requirement, agencies should act reasonably expeditiously in light of all the circumstances.
2. RCW 42.17.300 provides that no fee shall be charged for the inspection of public records. This statute prohibits any agency from imposing a charge for searching for and retrieving public records.
3. RCW 42.17.300 permits agencies to impose a reasonable charge for providing copies of public records. This includes actual costs directly incident to copying.

Requested by:

Honorable A.L. "Slim" Rasmussen
State Senator, District 29
203 Institutions Building, AS-32
Olympia, Washington 98504

Honorable Neil Amondson
State Senator, District 20
203 Institutions Building, AS-32
Olympia, Washington 98504

WSR 91-06-055
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed March 1, 1991, 1:27 p.m.]

Continuance of WSR 90-22-099, 91-03-039, and 91-04-047.

Title of Rule: WAC 388-44-145 Involuntary repayment of overpayment—Mandatory grant deduction.

Date of Intended Adoption: April 1, 1991.

February 1, 1991
[March 1, 1991]
Rosemary Carr
Acting Director
Administrative Services

WSR 91-06-056
RESCINDING EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed March 1, 1991, 1:30 p.m.]

This memorandum is to serve the purpose of rescinding Emergency Order 3149, WAC 388-87-070 and 388-87-072, WSR 91-06-049.

Rosemary Carr
Acting Director
Administrative Services

WSR 91-06-057
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 91-11—Filed March 1, 1991, 2:37 p.m., effective March 17, 1991]

Date of Adoption: March 1, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-360.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Test results show that adequate clams are available for limited digging. Limitation of harvest to odd-numbered days allows adequate monitoring to prevent over-harvest of existing resources.

Effective Date of Rule: 12:01 a.m., March 17, 1991.

March 1, 1991
Joseph R. Blum
Director

NEW SECTION

WAC 220-56-36000W RAZOR CLAMS—AREAS AND SEASONS. Notwithstanding the provisions of WAC 220-56-360, it is unlawful to dig for or possess razor clams taken for personal use from any beach in Razor Clam Areas 1, 2, or 3 except as provided for in this section:

(1) Razor clam digging is allowed from 12:01 a.m. through 11:59 a.m. on odd days only, March 17 through April 29, 1991 except it is unlawful to dig for razor clams between Cape Shoalwater and Grays Harbor North Jetty.

(2) It is unlawful to dig for razor clams at any time in the Long Beach or Copalis Beach Clam Sanctuaries defined in WAC 220-56-372.

WSR 91-06-058
PERMANENT RULES
DEPARTMENT OF HEALTH
[Order 138—Filed March 1, 1991, 2:41 p.m.]

Date of Adoption: February 11, 1991.

Purpose: A housekeeping action to transfer rules to Title 246 WAC.

Citation of Existing Rules Affected by this Order: See Recodification Section below.

Statutory Authority for Adoption: RCW 43.70.040.

Pursuant to notice filed as WSR 90-22-094 on November 7, 1990.

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

February 11, 1991
Pam Campbell Mead
for Kristine M. Gebbie
Secretary

RECODIFICATION SECTION

The following section is being recodified:

308-54-315 as 246-843-990

WSR 91-06-059
PERMANENT RULES
DEPARTMENT OF HEALTH
(Board of Examiners for Nursing Home Administrators)
[Order 149B—Filed March 1, 1991, 2:42 p.m.]

Date of Adoption: February 22, 1991.

Purpose: To allow nursing home administrators to maintain their license on inactive status.

Statutory Authority for Adoption: RCW 18.52.100.

Pursuant to notice filed as WSR 91-02-058 on December 28, 1990.

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

February 22, 1991
Ted Day
Chairman

NEW SECTION

WAC 246-843-330 INACTIVE STATUS. A Nursing Home Administrator in good standing may place his or her license on inactive status by giving written notice to the Secretary. To maintain an inactive license status, the yearly inactive license fee must be paid by the licensee. The Secretary shall determine fees as provided in RCW 43.70.250. The licensee may resume active practice by submitting proof of maintenance of continuing education requirements and payment of current licensing fee. A person whose license is on inactive status shall not practice as a Nursing Home Administrator until his or her license is activated.

308-54-200	as	246-843-200
308-54-205	as	246-843-205
308-54-220	as	246-843-220
308-54-225	as	246-843-225
308-54-230	as	246-843-230
308-54-240	as	246-843-240
308-54-250	as	246-843-250
308-54-320	as	246-843-320

**WSR 91-06-061
PROPOSED RULES
DEPARTMENT OF AGRICULTURE**

[Filed March 1, 1991, 2:48 p.m.]

WSR 91-06-060

PERMANENT RULES

DEPARTMENT OF HEALTH

(Board of Examiners for Nursing Home Administrators)

[Order 141B—Filed March 1, 1991, 2:45 p.m.]

Date of Adoption: February 22, 1991.

Purpose: A housekeeping action to transfer rules from chapter 308-54 WAC to chapter 246-843 WAC.

Citation of Existing Rules Affected by this Order: See Recodification Section below.

Statutory Authority for Adoption: RCW 18.52.100.

Pursuant to notice filed as WSR 91-02-059 on December 28, 1990.

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

February 22, 1991

Ted Day
Chairman

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-843 WAC:

**Chapter 246-843 WAC
Nursing home administrators**

308-54-010	as	246-843-001
308-54-020	as	246-843-010
308-54-030	as	246-843-030
308-54-040	as	246-843-040
308-54-050	as	246-843-050
308-54-060	as	246-843-060
308-54-070	as	246-843-070
308-54-080	as	246-843-080
308-54-090	as	246-843-090
308-54-095	as	246-843-095
308-54-100	as	246-843-100
308-54-110	as	246-843-110
308-54-120	as	246-843-120
308-54-125	as	246-843-125
308-54-130	as	246-843-130
308-54-150	as	246-843-150
308-54-155	as	246-843-155
308-54-160	as	246-843-160
308-54-162	as	246-843-162
308-54-170	as	246-843-170
308-54-180	as	246-843-180

Original Notice.

Title of Rule: Rules relating to certification of seed potatoes.

Purpose: The proposal revises rules providing for the certification of seed potatoes.

Statutory Authority for Adoption: Chapter 15.14 RCW.

Statute Being Implemented: Chapter 15.14 RCW.

Summary: The proposal revises certain rules of the current standards for submission of applications, increased fees, and disease testing requirements for production and eligibility of pre-nuclear seed potato stock.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Max G. Long, 2015 South 1st Street, Yakima, 98903, (509) 575-2750.

Name of Proponent: Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal Changes the Following Existing Rules: [No Information Supplied By Agency.]

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

Hearing Location: Whatcom County Cooperative Extension Office, 1000 North Forest Street, Bellingham, WA 98225, on April 9, 1991, at 1:00 p.m.

Submit Written Comments to: Max G. Long, 2015 South 1st Street, Yakima, WA 98903, by April 9, 1991.

Date of Intended Adoption: April 24, 1991.

March 1, 1991

William E. Brookreson
Assistant Director

AMENDATORY SECTION (Amending Order 1897, filed 7/17/86)

WAC 16-324-375 CERTIFIED SEED POTATO—APPLICATION AND WITHDRAWAL. (1) Application shall be made on a form provided by the department. Applications for certification shall reach the state department of agriculture, seed branch, Yakima, Washington, on or before June 15 of each year (~~or fourteen days after planting, in order to assure eligibility~~). Late applications, without prior approval, will be assessed a late application fee of twenty dollars per application. Applications shall be accompanied by the appropriate fee, as well as tags, certificates or other evidence of eligibility. An application shall be made for each variety.

(2) Withdrawal of a seed lot from the certification program shall be made on a form provided by the department which shall become part of the permanent public record.

AMENDATORY SECTION (Amending Order 2020, filed 11/16/89, effective 12/17/89)

WAC 16-324-380 CERTIFIED SEED POTATO STOCK—FEES. (1) Potato certification fees shall be twenty-~~((seven))~~ nine dollars per acre.

Applications shall be accompanied by fifty percent of the total charge due and payable on or before June 15 of each year. Applications may be adjusted ten percent on or before July 15.

(2) Final payment of above fee is due and payable November 1 of each year: **PROVIDED**, That

~~((a))~~ Fees for five acres or less must be paid in full at the time of application.

~~((b))~~ Fee for two acres or less is forty dollars minimum to be paid in full at time of application.

~~((c))~~ No fees may be charged, up to five acres, for regularly enrolled high school 4-H or FFA projects.)

(3) Refunds of the application fee may be made only if the withdrawal form is received by the department prior to the first field inspection.

(4) Lots rejected before the second inspection shall not be subject to the final one-half payment fee.

Certification fees shall not be refunded after two field inspections have been completed.

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

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

(7) Minimum plot fee – twenty dollars per application. The Washington state department of agriculture may assess an additional fee charged on a time and mileage basis.

AMENDATORY SECTION (Amending Order 2020, filed 11/16/89, effective 12/17/89)

WAC 16-324-605 LIMITED GENERATION CERTIFIED SEED POTATO—REQUIREMENTS FOR PRODUCTION AND ELIGIBILITY OF PRENUCLEAR STOCK. Requirements for production and eligibility of pre-nuclear seed potato stock are as follows:

(1) Basic requirements for plant material increase:

(a) All micropropagation facilities shall be approved by the department.

(b) All material shall be documented as to source of variety and shall be a variety approved by the department.

(c) All tests required shall be conducted by a third party laboratory approved by the department.

(d) Entry level material shall be isolated from all other material and limited to fifty in vitro propagules per line selection. All plant material to be mass micropropagated shall be disease tested.

(2) Testing requirements for mother plants. Yearly testing of one hundred percent of the mother plants for the following pathogens shall be required as follows:

(a) Corynebacterium sepedonicum by gram stain ((and)), or immunofluorescent antibody stain ((and)), or Richardsons Media, or other methods approved by the Washington state department of agriculture. The eggplant bioassay may be substituted for Richardsons Media.

(b) Erwinia species by crystal violet pectate, or other methods approved by the Washington state department of agriculture.

(c) Potato viruses – X, Y, S, M, A, and leafroll by ELISA((; radioimmuno assay and nonspecific viral assay by electron microscopy or dsRNA hybridization)).

(d) Potato spindle tuber viroid by cDNA, dot hybridization or gel electrophoresis.

(e) All plant material to be mass propagated shall test negative for the pathogens listed above.

(3) Sampling requirements for mass propagated plants or tubers.

(a) Samples shall be taken prior to kill down or shipping plantlets. A minimum of one percent (no less than twenty samples) of the plants or tuber population shall be ~~((disease))~~ tested for Potato Virus X, Potato Virus Y, Potato Virus S, Potato Leaf Roll Virus, Erwinia spp. and Corynebacterium sepedonicum in the manner described for testing requirements for mother plants. No more than five plants or tubers shall be bulked per sample.

(b) Pre-nuclear class stock shall have a zero tolerance for all pathogens listed above.

(4) Private micropropagation labs shall make samples of propagation material available to the department for further testing when requested.

(5) Propagators shall select tubers or mother plants that are true-to-type. Such material shall be derived from more than a single tuber; ten to twenty tubers shall be selected to maximize the genetic base of each line and to avoid selecting a tuber or mother plant that may carry a genetic mutation uncharacteristic of the variety. Micropropagated plants shall not be derived from callus culture due to the possibility of somatic mutations or variants.

(6) Detailed records of the progress of all increases shall be maintained by the agency or private labs engaged in the production of "prenuclear" material. These records shall include:

(a) A numbering code or system used to identify the explants or clones and their origins;

(b) The amount of time this material has been in tissue culture, and the dates and numbers of transfers that have occurred since initiation or selection;

(c) The testing/inspection history of all such material.

(7) Material planted for recertification at a nuclear level shall have been produced either under standard aseptic microbiological techniques (i.e., in vitro micropropagation) or in an insect proofed greenhouse using sterilized potting media, and water known to be free of bacterial potato pathogens. Material shall be produced under phytosanitary standards established in this chapter.

(8) The laboratory and/or greenhouses used to produce material to be accepted as pre-nuclear shall be open to inspection by department personnel on a periodic basis, and contain only material that has satisfied initial testing requirements.

(9) All greenhouse-produced material shall be inspected by the certification agency in the state of origin for disease and off-types during the growing cycle. One inspection shall be performed for transplant material and at least two inspections shall be performed for tuber-producing plants.

(10) The tubers and tuber storage facilities shall be inspected by the certification agency in the state of origin and satisfy the requirements for sanitation and proper storage as approved by the department.

(11) All lines used in the production of pre-nuclear material shall be field-plot tested on at least an annual basis with particular emphasis on the evaluation of the phenotype (trueness-to-type), yield ability, and freedom from disease symptoms. Such testing shall be the responsibility of the participant and the certification agency in the state of origin.

WSR 91-06-062

PERMANENT RULES

DEPARTMENT OF

GENERAL ADMINISTRATION

(Division of Savings and Loan Associations)

[Filed March 1, 1991, 3:34 p.m.]

Date of Adoption: March 1, 1991.

Purpose: To revise the fees and charges levied by the Division of Savings and Loan for the examination and supervision of credit unions.

Citation of Existing Rules Affected by this Order: Amending WAC 419-18-030, 419-18-040, 419-18-050, 419-18-060, and 419-18-070.

Statutory Authority for Adoption: RCW 31.12.535 and 31.12.545.

Pursuant to notice filed as WSR 91-03-106 on January 22, 1991.

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

March 1, 1991

Betty Reed
Supervisor

AMENDATORY SECTION (Amending Order 85-2, filed 3/8/85)

WAC 419-18-030 HOURLY CHARGE FOR EXAMINATIONS. The hourly charge for hours spent by personnel of the division of savings and loan in conducting examinations shall be assessed as follows:

(1) For division personnel classified as (~~Examiner I, \$24.75~~) Savings and Loan Analyst, \$40.00 per hour;

(2) For division personnel classified as (~~Examiner II, \$28.75~~) Savings and Loan Senior Analyst, \$45.00 per hour; and

(3) For division personnel classified as (~~Examiner III, \$31.25~~) Review Analyst or above, \$50.00 per hour.

~~((4) For division personnel classified as Examiner IV or above, \$35.00 per hour.))~~ The supervisor may charge the actual cost of examinations performed under personal service contracts by third parties. The supervisor shall submit a statement for the forgoing charges following the completion of any applicable examination, and the charges shall be paid not later than thirty days after submission of such statement.

AMENDATORY SECTION (Amending Order 85-2, filed 3/8/85)

WAC 419-18-040 SEMIANNUAL ASSET CHARGE. The semiannual asset charge will be assessed at a rate of three cents per thousand dollars of total assets, computed on assets as of June 30 and December 31 of each calendar year, and payable no later than July 15 and January 15 next following the respective assessment dates. Those credit unions the total assets of which are less than two hundred thousand dollars as of a particular assessment date shall not be required to pay an asset charge for the semiannual period immediately preceding such assessment date. Assets included in total assets include all assets held by a Washington chartered credit union whether held within this state or a branch in another state and assets of foreign credit unions held through branches within the state of Washington, provided that the supervisor shall have the authority to waive the assessment of asset fees held by Washington chartered credit unions in branches within other states based upon reciprocal agreements with the foreign state's regulatory authority.

AMENDATORY SECTION (Amending Order 83-4, filed 9/26/83)

WAC 419-18-050 HOURLY CHARGE FOR (~~EXTRAORDINARY~~) LEGAL ASSISTANCE. The hourly charge for consultation involving an assistant attorney general shall be assessed at the rate of (~~(\$40.00)~~) \$60.00 per hour. (~~Extraordinary~~) Legal assistance shall include, but not be limited to, (~~auditing~~) supervisory committee meetings and board meetings requiring legal assistance, preparation and enforcement of removal actions, involuntary liquidations, declarations of insolvency, cease and desist orders, and other agreements or actions requiring legal advice; and to (~~supervisory~~) administrative hearings and preparation of memorandum opinions which relate to a specific credit union.

AMENDATORY SECTION (Amending Order 85-2, filed 3/8/85)

WAC 419-18-060 SUPERVISORY REVIEW OF EXAMINATIONS. Upon completion of each examination the (~~examiner's~~) analyst's report shall be reviewed and an examination letter prepared by administrative personnel. The hourly charge for the review and preparation of the examination letter shall be assessed at the rate of (~~(\$35.00)~~) \$50.00 per hour.

AMENDATORY SECTION (Amending Order 85-2, filed 3/8/85)

WAC 419-18-070 SPECIAL EXAMINATIONS. Special examinations shall be assessed at the rate of (~~(\$35.00)~~) \$50.00 per hour, per examiner. Special examinations shall include, but not be limited to electronic data processing examinations, special investigations, special examinations involving the division's staff supervisory personnel, and other special examinations and reviews the supervisor deems necessary.

WSR 91-06-063

PERMANENT RULES
DEPARTMENT OF

GENERAL ADMINISTRATION

(Division of Savings and Loan Associations)

[Filed March 1, 1991, 3:36 p.m.]

Date of Adoption: March 1, 1991.

Purpose: To revise the fees and charges levied by the Division of Savings and Loan for the examination and supervision of savings and loan associations.

Citation of Existing Rules Affected by this Order: Amending WAC 419-14-030, 419-14-040, 419-14-090, 419-14-100, and 419-14-110.

Statutory Authority for Adoption: RCW 33.28.020.

Pursuant to notice filed as WSR 91-03-107 on January 22, 1991.

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

March 1, 1991

Betty Reed

Supervisor

AMENDATORY SECTION (Amending Order 85-3, filed 3/8/85)

WAC 419-14-030 HOURLY CHARGE FOR EXAMINATIONS. The hourly charge for hours spent by personnel of the division of savings and loan in conducting examinations shall be assessed as follows:

(1) For division personnel classified as (~~Examiner I, \$27.50~~) Savings and Loan Analyst, \$40.00 per hour;

(2) For division personnel classified as (~~Examiner II, \$31.00~~) Savings and Loan Senior Analyst, \$45.00 per hour;

(3) For division personnel classified as (~~Examiner III, \$34.00~~) Review Analyst or above, \$50.00 per hour;

~~((4) For division personnel classified as Examiner IV \$35.00 per hour.))~~ In addition to the hourly examination fee, foreign associations doing business in the state of

Washington will defray the costs of travel and per diem paid to division personnel in examinations performed outside the state of Washington.

The supervisor may charge the actual cost of examinations performed under personal service contracts by third parties. The supervisor shall submit a statement for the foregoing charges following the completion of any applicable examination, and the charges shall be paid not later than thirty days after submission of such statement.

AMENDATORY SECTION (Amending Order 85-3, filed 3/8/85)

WAC 419-14-040 SEMIANNUAL ASSET CHARGE. The semiannual asset charge will be assessed at a rate of three cents per thousand dollars of assets. ~~((On the first twenty-five million dollars of assets, and two and three-fourths cents per thousand dollars on the next twenty-five million dollars of assets, and two and one-half cents per thousand dollars of assets on all remaining assets, except that a minimum charge of one thousand dollars will be charged to all associations and no association will be charged more than seven thousand five hundred dollars.))~~ Asset fees will be computed on assets as of June 30 and December 31 of each calendar year, and payable no later than July 15 and January 15 next following the respective assessment dates.

AMENDATORY SECTION (Amending Order 83-5, filed 9/26/83)

WAC 419-14-090 HOURLY CHARGE FOR LEGAL ASSISTANCE. The hourly charge for consultation involving an assistant attorney general shall be assessed at a rate of ~~((~~\$40.00~~))~~ \$60.00 per hour. ~~((Extraordinary))~~ Legal assistance shall include, but not be limited to, legal research and advice pertaining to granting new charters, acquisition of savings and loan associations, conversions, stock offerings, board meetings requiring legal assistance, preparation and enforcement of removal actions, involuntary liquidations, declarations of insolvency, cease and desist orders, and other agreements or actions requiring legal advice; and to ~~((supervisory))~~ administrative hearings and preparation of memorandum opinions which relate to a specific savings and loan association.

AMENDATORY SECTION (Amending Order 85-3, filed 3/8/85)

WAC 419-14-100 SUPERVISORY REVIEW OF EXAMINATION. Upon completion of each examination the ~~((examiner's))~~ analyst's report shall be reviewed and an examination letter prepared by administrative personnel. The hourly charge for the review and preparation of the examination letter shall be assessed at the rate of ~~((~~\$35.00~~))~~ \$50.00 per hour.

AMENDATORY SECTION (Amending Order 85-3, filed 3/8/85)

WAC 419-14-110 SPECIAL EXAMINATIONS. Special examinations shall be assessed at the rate of

~~((~~\$35.00~~))~~ \$50.00 per hour ~~((per examiner))~~. Special examinations shall include, but not be limited to electronic data processing examinations, special investigations, special examinations involving the division's staff supervisory personnel, and other special examinations and reviews the supervisor deems necessary.

WSR 91-06-064

WITHDRAWAL OF PROPOSED RULES BUILDING CODE COUNCIL

[Filed March 1, 1991, 3:39 p.m.]

The State Building Code Council's intention is to not adopt WAC 51-19-470, filed under WSR 90-17-152, at this time.

Donna J. Voss
Staff

WSR 91-06-065

PERMANENT RULES BUILDING CODE COUNCIL

[Filed March 1, 1991, 3:44 p.m., effective July 1, 1991]

Date of Adoption: November 9, 1990.

Purpose: To adopt WAC 51-11-0600 Chapter 6 building design by prescriptive requirements approach.

Citation of Existing Rules Affected by this Order: Repealing chapter 51-12 WAC when new chapter 51-11 WAC becomes effective July 1, 1991.

Statutory Authority for Adoption: RCW 19.27A.020.

Other Authority: Chapter 2, Laws of 1990.

Pursuant to notice filed as WSR 90-17-150 on August 22, 1990.

Effective Date of Rule: July 1, 1991.

March 1, 1991
Gene Colin
Chair

[NEW SECTION]

WAC 51-11-0600 CHAPTER 6 BUILDING DESIGN BY PRESCRIPTIVE REQUIREMENTS APPROACH

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

WSR 91-06-066

PERMANENT RULES WASHINGTON STATE PATROL

[Order 90-005—Filed March 1, 1991, 4:01 p.m.]

Date of Adoption: February 29 [28], 1991.

Purpose: To adopt standards for private carriers which conform to the regulations contained in Title 49 CFR, Chapter 3, Subchapter B, Parts 390, 392, 393, 394, and 397.

Statutory Authority for Adoption: RCW 46.32.020.

Pursuant to notice filed as WSR 91-01-105 on December 18, 1990.

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

February 29 [28], 1991
George B. Tellevik
Chief

Chapter 446-65 WAC
PRIVATE CARRIER REGULATIONS

NEW SECTION

WAC 446-65-005 PROMULGATION. By authority of RCW 46.32.020, the Washington state patrol hereby adopts the following rules establishing standards for private carriers as defined by RCW 81.80.010(6).

NEW SECTION

WAC 446-65-010 TRANSPORTATION REQUIREMENTS. (1) The Washington state patrol hereby adopts the following parts of Title 49 Code of Federal Regulations as they exist during 1989, subject to any appendices and amendments in the future: Parts 390 General, 392 Driving of motor vehicles, 393 Parts and accessories necessary for safe operation, 394 Notification and reporting of accidents, 396 Inspection, repair, and maintenance, 397 Transportation of hazardous materials; driving and parking rules.

(2) Copies of Title 49 CFR, parts 390 through 397, now in force are on file at the code reviser's office, Olympia and at the Washington state patrol headquarters, commercial vehicle enforcement section, Olympia. Additional copies may be available for review at Washington state patrol district headquarters offices, public libraries, Washington utilities and transportation commission offices, and at the United States Department of Transportation, Bureau of Motor Carrier Safety Office, Olympia. Copies of the CFR may be purchased through the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

WSR 91-06-067
PROPOSED RULES
CODE REVISER'S OFFICE
[Filed March 4, 1991, 9:00 a.m.]

Original Notice.

Title of Rule: Amending WAC 1-06-040 Operations and procedures; and repealing chapter 1-08 WAC, Uniform procedure rules.

Purpose: To comply with RCW 34.05.250; and make a housekeeping change.

Statutory Authority for Adoption: RCW 1.08.110 and 34.05.220.

Statute Being Implemented: RCW 34.05.250.

Summary: Repealing chapter 1-08 WAC to comply with RCW 34.05.250; and amending WAC 1-06-040 to correctly refer to chapter 10-08 WAC.

Reasons Supporting Proposal: Chapter 1-08 WAC is no longer necessary because of the repeal of RCW

34.04.022 and the adoption of chapter 10-08 WAC; and to change the reference in WAC 1-06-040 from chapter 1-08 WAC to chapter 10-08 WAC.

Name of Agency Personnel Responsible for Drafting: Gary Reid, Chief Assistant Code Reviser, Legislative Building, Olympia, 753-1440; Implementation and Enforcement: Code Reviser's Office, Legislative Building, Olympia, 753-7470.

Name of Proponent: Code Reviser's Office, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: In accordance with RCW 34.05.250, the Code Reviser's Office is repealing chapter 1-08 WAC since RCW 34.04.022 has been repealed and chapter 10-08 WAC has been adopted. The amendment to WAC 1-06-040 is changing the reference from chapter 1-08 WAC to chapter 10-08 WAC and is housekeeping in nature.

Proposal Changes the Following Existing Rules: Repeals chapter 1-08 WAC, which is no longer necessary; and amends WAC 1-06-040 to change the reference from chapter 1-08 WAC to chapter 10-08 WAC.

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

The Code Reviser's Office has determined that the rule is not subject to the Regulatory Fairness Act because the rule is housekeeping in nature and adopts procedures already in force in chapter 10-08 WAC.

Hearing Location: Code Reviser's Office, Library, Legislative Building, Ground Floor, Olympia, Washington 98504, on April 12, 1991, at 4:00 p.m.

Submit Written Comments to: Kerry S. Radcliff, Rules Coordinator, Code Reviser's Office, Ground Floor, Legislative Building, Olympia, Washington 98504, by April 11, 1991.

Date of Intended Adoption: April 19, 1991.

March 4, 1991
Dennis W. Cooper
Code Reviser

AMENDATORY SECTION (Amending Order 8, filed 9/25/74, effective 10/25/74)

WAC 1-06-040 OPERATIONS AND PROCEDURES. (1) Practice and procedure in and before the agency are governed by the uniform procedure rules, chapter ~~((1-08))~~ 10-08 WAC.

(2) The operations of the agency, including meetings, selection of officers, filling of vacancies, and fiscal matters, are conducted according to the provisions of chapter 1.08 RCW.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- 1-08-005 APPLICATION AND SCOPE OF CHAPTER 1-08 WAC.
- 1-08-007 "AGENCY" DEFINED.
- 1-08-010 APPEARANCE AND PRACTICE BEFORE AGENCY—WHO MAY APPEAR.
- 1-08-030 APPEARANCE AND PRACTICE BEFORE AGENCY—SOLICITATION OF BUSINESS UNETHICAL.
- 1-08-040 APPEARANCE AND PRACTICE BEFORE AGENCY—STANDARDS OF ETHICAL CONDUCT.

1-08-050 APPEARANCE AND PRACTICE BEFORE AGENCY—APPEARANCE BY FORMER EMPLOYEE OF AGENCY OR FORMER MEMBER OF ATTORNEY GENERAL'S STAFF.

1-08-060 APPEARANCE AND PRACTICE BEFORE AGENCY—FORMER EMPLOYEE AS EXPERT WITNESS.

1-08-070 COMPUTATION OF TIME.

1-08-080 NOTICE AND OPPORTUNITY FOR HEARING IN CONTESTED CASES.

1-08-090 SERVICE OF PROCESS—BY WHOM SERVED.

1-08-100 SERVICE OF PROCESS—UPON WHOM SERVED.

1-08-110 SERVICE OF PROCESS—SERVICE UPON PARTIES.

1-08-120 SERVICE OF PROCESS—METHOD OF SERVICE.

1-08-130 SERVICE OF PROCESS—WHEN SERVICE COMPLETE.

1-08-140 SERVICE OF PROCESS—FILING WITH AGENCY.

1-08-150 SUBPOENAS—WHERE PROVIDED BY LAW—FORM.

1-08-160 SUBPOENAS—ISSUANCE TO PARTIES.

1-08-170 SUBPOENAS—SERVICE.

1-08-180 SUBPOENAS—FEES.

1-08-190 SUBPOENAS—PROOF OF SERVICE.

1-08-200 SUBPOENAS—QUASHING.

1-08-210 SUBPOENAS—ENFORCEMENT.

1-08-220 SUBPOENAS—GEOGRAPHICAL SCOPE.

1-08-230 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—RIGHT TO TAKE.

1-08-240 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—SCOPE.

1-08-250 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—OFFICER BEFORE WHOM TAKEN.

1-08-260 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—AUTHORIZATION.

1-08-270 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—PROTECTION OF PARTIES AND DEPENDENTS.

1-08-280 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—ORAL EXAMINATION AND CROSS-EXAMINATION.

1-08-290 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—RECORDATION.

1-08-300 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—SIGNING ATTESTATION AND RETURN.

1-08-310 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—USE AND EFFECT.

1-08-320 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—FEES OF OFFICERS AND DEPENDENTS.

1-08-330 DEPOSITIONS UPON INTERROGATORIES—SUBMISSION OF INTERROGATORIES.

1-08-340 DEPOSITIONS UPON INTERROGATORIES—INTERROGATION.

1-08-350 DEPOSITIONS UPON INTERROGATORIES—ATTESTATION AND RETURN.

1-08-360 DEPOSITIONS UPON INTERROGATORIES—PROVISIONS OF DEPOSITION RULE.

1-08-370 OFFICIAL NOTICE—MATTERS OF LAW.

1-08-380 OFFICIAL NOTICE—MATERIAL FACTS.

1-08-390 PRESUMPTIONS.

1-08-400 STIPULATIONS AND ADMISSIONS OF RECORD.

1-08-410 FORM AND CONTENT OF AGENCY DECISIONS IN CONTESTED CASES.

1-08-420 DEFINITION OF ISSUES BEFORE HEARING.

1-08-430 PREHEARING CONFERENCE RULE—AUTHORIZED.

1-08-440 PREHEARING CONFERENCE RULE—RECORD OF CONFERENCE ACTION.

1-08-450 SUBMISSION OF DOCUMENTARY EVIDENCE IN ADVANCE.

1-08-460 EXCERPTS FROM DOCUMENTARY EVIDENCE.

1-08-470 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—NUMBER AND QUALIFICATIONS OF WITNESSES.

1-08-480 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—WRITTEN SWORN STATEMENTS.

1-08-490 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—SUPPORTING DATA.

1-08-500 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—EFFECT OF NONCOMPLIANCE WITH WAC 1-08-470 OR 1-08-480.

1-08-510 CONTINUANCES.

1-08-520 RULES OF EVIDENCE—ADMISSIBILITY CRITERIA.

1-08-530 RULES OF EVIDENCE—TENTATIVE ADMISSION—EXCLUSION—DISCONTINUANCE—OBJECTIONS.

1-08-540 PETITIONS FOR RULE MAKING, AMENDMENT OR REPEAL—WHO MAY PETITION.

1-08-550 PETITIONS FOR RULE MAKING, AMENDMENT OR REPEAL—REQUISITES.

1-08-560 PETITIONS FOR RULE MAKING, AMENDMENT OR REPEAL—AGENCY MUST CONSIDER.

1-08-570 PETITIONS FOR RULE MAKING, AMENDMENT OR REPEAL—NOTICE OF DISPOSITION.

1-08-580 DECLARATORY RULINGS.

1-08-590 FORMS.

WSR 91-06-068

NOTICE OF PUBLIC MEETINGS SEATTLE COMMUNITY COLLEGES

[Memorandum—February 22, 1991]

The board of trustees of the Seattle Community College District will hold two work sessions, one on March 6 and one on March 14, 1991, beginning at noon and lasting until 6:00 p.m.

These meetings will be held in the Meeting Room in the Siegal Education and Service Center, 1500 Harvard, Seattle, WA 98122.

WSR 91-06-069

EMERGENCY RULES BOARD FOR

COMMUNITY COLLEGE EDUCATION

[Resolution 91-02, Order 125—Filed March 4, 1991, 2:05 p.m.]

Date of Adoption: February 28, 1991.

Purpose: Repeal of former rule and enactment of a revised eligibility rule regarding membership in the community college retirement annuity plan.

Citation of Existing Rules Affected by this Order: Repealing WAC 131-16-020.

Statutory Authority for Adoption: RCW 28B.10.400.

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

Reasons for this Finding: The state board finds that replacement of the existing rule with one coordinated with the counterpart rule of the teachers retirement system, which was effective September 1, 1991, will result

in a cost saving to the state and an improved retirement benefit for certain part-time community college employees who otherwise would be required to participate in the more costly teachers retirement plan.

Effective Date of Rule: Immediately.

March 4, 1991
Gilbert J. Carbone
Assistant Director

REPEALER

WAC 131-16-020 is hereby repealed.

NEW SECTION

WAC 131-16-021 *EMPLOYEES ELIGIBLE TO PARTICIPATE IN RETIREMENT ANNUITY PURCHASE PLAN.* (1) *Eligibility to participate in the TIAA/CREF plan is limited to persons who hold appointments to college districts or state board staff positions as part-time faculty members or administrators exempt from the provisions of chapter 28B.16 RCW and who otherwise would be eligible for membership in the Washington State Teachers Retirement System or who have acquired such membership after August 31, 1990.*

(2) *Participation in the plan is also permitted for current and former employees of college districts or the state board who are on leave of absence or who have terminated employment by reason of permanent disability and who are receiving a salary continuation insurance benefit through a plan made available by the state of Washington: PROVIDED, That such noncontributory participation shall not be creditable toward the number of years of full-time service utilized in calculating eligibility for supplemental retirement benefits pursuant to WAC 131-16-061.*

(3) *Participation in the plan without matching employer contributions is also permitted for any employee of a community college district or the state board who desires to utilize the plan as a supplemental retirement savings vehicle to any state-sponsored retirement plan in which the employee participates.*

(4) *An employee who moves from an ineligible to an eligible position for the same appointing authority may become a participant by so electing in writing within six months following such move.*

(5) *A participant who moves from an eligible position to an ineligible position for the same appointing authority may continue to be a participant by so electing within six months following such move.*

(6) *Participants shall continue participation regardless of the proportion of full-time duties assigned, except as otherwise provided in this section, as long as continuously employed by the same appointing authority. For the purpose of this section, spring and fall quarters shall be considered as consecutive periods of employment.*

(7) *Any eligible employee who at the time of initial employment is required to or elects to become a participant in this plan may also select at that time to delay active participation and payment of required contributions for two years following the date of initial employment.*

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

WSR 91-06-070
PREPROPOSAL COMMENTS
INTERAGENCY COMMITTEE
FOR OUTDOOR RECREATION
[Filed March 4, 1991, 2:09 p.m.]

Subject of Possible Rule Making: Eligibility of local and state agencies to participate in grants of the Washington wildlife and recreation program (WWRP) for outdoor recreation and habitat conservation as described in chapter 43.98A RCW and distributed by the Interagency Committee for Outdoor Recreation (IAC).

Persons may Comment on this Subject in the Following Way: Written Comments to: Gary Ogden, Rules Coordinator, IAC or attend IAC meeting March 21, 1991, Interagency Committee for Outdoor Recreation (IAC), 4800 Capitol Boulevard, Mailstop KP-11, Olympia, WA 98504-5611. Comments submitted no later than June 12, 1991.

Other Information or Comments by Agency at this Time, if any: Draft rules on this subject will be considered at the Interagency Committee for Outdoor Recreation's (IAC) regular business meeting on March 21, 1991, in Lacey, Washington at the City Council Chambers, City Hall, 420 College Street S.E. Formal rules review and adoption by the committee will take place at 1:00 p.m., July 25, 1991, in an open public hearing of the Interagency Committee for Outdoor Recreation (IAC) at a meeting place to be selected.

March 1, 1991

Gary Ogden

Chief

Management Services

Rules Coordinator

WSR 91-06-071
PERMANENT RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Order R-337, Docket No. TV-2333—Filed March 5, 1991, 2:26 p.m.]

In the matter of repealing WAC 480-12-315 relating to interstate tariffs.

This action is taken pursuant to Notice No. WSR 90-23-082 filed with the code reviser on November 20, 1990. The rule change hereinafter adopted shall taken effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter

43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 90-23-082 the above matter was scheduled for consideration at 9:00 a.m., Friday, December 28, 1990, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to December 17, 1990, and orally at 9:00 a.m., December 28, 1990, in the commission's hearing room above noted. At the December 28, 1990, meeting the commission considered the rule change proposal. No written or oral comments were received.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-315, should be repealed since the 1989 legislature repealed RCW 81.28.070 which required the filing of interstate tariffs.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-12-315, as set forth in Appendix A, be repealed as a rule of the Washington Utilities and Transportation Commission.

IT IS FURTHER ORDERED That the order and annexed repeal, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 5th day of March, 1991.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

APPENDIX "A"

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 480-12-315 TARIFFS, INTERSTATE.

WSR 91-06-072

**NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION**

[Memorandum—March 4, 1991]

The Washington State Human Rights Commission will hold its next regular commission meeting in Spokane on April 17 and 18, 1991. The meeting on April 17, will be held at the Sheraton-Spokane Hotel, Trentwood Mead Room, North 322 Spokane Falls Court, Spokane, beginning at 7:00 p.m. and will be a planning and training session. The regular business meeting will be held at the

Eastern Washington University Higher Education Center, West 705 First at Wall, Fourth Floor Mall, Spokane, beginning at 9:00 a.m.

WSR 91-06-073

**NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON**

[Memorandum—March 1, 1991]

Following is a meeting schedule for regular meetings to be held by the University of Washington's Office of Development - Planned Giving.

Planned Giving Acceptance

Meeting Dates	Location	Time
February 22	Room 272	9:30-10:30
March 22	Room 272	9:30-10:30
April 26	Room 272	9:30-10:30
May 24	Room 272	9:30-10:30
June 28	Room 272	9:30-10:30
July 26	Room 272	9:30-10:30
August 23	Room 272	9:30-10:30
September 27	Room 272	9:30-10:30
October 25	Room 272	9:30-10:30
November 22	Room 272	9:30-10:30
December 27	Room 272	9:30-10:30

The Planned Giving Acceptance Committee will meet the fourth Friday of every month in Room 272.

WSR 91-06-074

**PERMANENT RULES
LOTTERY COMMISSION**

[Filed March 5, 1991, 4:44 p.m.]

Date of Adoption: March 1, 1991.

Purpose: To establish the game play rules and criteria for determining winners of Instant Games No. 62 (Roulette) and No. 63 (Lucky 7's); and to amend WAC 315-11-611 to clarify the rule for multiple wins in Instant Game No. 61 (Triple Play).

Citation of Existing Rules Affected by this Order: Amending WAC 315-11-611.

Statutory Authority for Adoption: RCW 67.70.040.

Pursuant to notice filed as WSR 91-03-112 on January 22, 1991.

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

March 5, 1991

Evelyn Y. Sun

Director

NEW SECTION

WAC 315-11-620 DEFINITIONS FOR INSTANT GAME NUMBER 62 ("ROULETTE"). (1) Play symbols: The following are the "play symbols": "0", "1", "2", "3", "4", "5", "6", and "9". One of these play symbols appears in each of the five play spots under the latex covering on the front of the ticket. The latex covered area shall be known as the playfield. One play

symbol shall be in the center of the playfield. The other four play symbols shall be placed on the inside perimeter of the playfield.

(2) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption contains four characters. The first character repeats the play symbol. The last three characters repeat the ticket number. One and only one caption appears under each play symbol. An example of play symbol captions for Instant Game Number 62 follows:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
	(Example for ticket number 122)
0	0122
1	1122
2	2122
3	3122
4	4122
5	5122
6	6122
9	9122

(3) Prize symbols: The following are the "prize symbols": "\$1.00", "\$2.00", "\$5.00", "\$8.00", "\$20.00", "\$50.00", and "\$5,000". One of these prize symbols appears above each of the four play symbols placed on the inside perimeter of the playfield. There is no prize symbol above the center play symbol.

(4) Prize symbol captions: The small printed characters which follow the play symbol caption and verify and correspond with that prize symbol. The prize symbol caption is a spelling out, in full or abbreviated form, of the prize symbol. For Instant Game Number 62, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE
\$2.00	TWO
\$5.00	FIV
\$8.00	EGT
\$20.00	TWY
\$50.00	FTY
\$5,000	FTH

(5) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex.

(6) Pack-ticket number: The eleven-digit number of the form 06200001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 62 constitute the "pack number" which starts at 06200001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25.00 or less. For Instant Game

Number 62, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00 (\$1)
TWO	\$2.00 (\$2; \$1 and \$1)
FIV	\$5.00 (\$5; \$2, \$2 and \$1)
EGT	\$8.00 (\$8; \$5, \$2 and \$1; \$2, \$2, \$2, and \$2)
THN	\$13.00 (\$8 and \$5; \$5, \$5, \$2 and \$1)
TTN	\$21.00 (\$20 and \$1)

(8) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

NEW SECTION

WAC 315-11-621 CRITERIA FOR INSTANT GAME NUMBER 62. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) When a perimeter play symbol matches exactly the center play symbol, the matching perimeter play symbol shall be a winning play symbol, and the bearer of the ticket shall win the prize above the winning play symbol.

(b) The bearer of a ticket which has more than one winning play symbol shall win the total amount of the prizes above each winning play symbol.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 62 set forth in WAC 315-11-622, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

NEW SECTION

WAC 315-11-622 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 62. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 62 all of the following validation requirements apply.

(a) Exactly one play symbol must appear in the center play spot and in each of the four perimeter play spots in the playfield on the front of the ticket.

(b) Each play symbol must have a play symbol caption below it and each must agree with its caption.

(c) Each of the perimeter play symbols shall have a prize symbol above it. Each of the perimeter play symbols shall also have a prize symbol caption following its play symbol caption.

(d) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retailer Verification Code	Validation Font

(e) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(f) Each of the play symbols must be exactly one of those described in WAC 315-11-620(1) and each of the play symbol captions must be exactly one of those described in WAC 315-11-620(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11-630 DEFINITIONS FOR INSTANT GAME NUMBER 63 ("LUCKY 7'S"). (1) Play symbols: The following are the "play symbols": "0", "2", "3", "4", "5", "6", "7" and "9". One of these play symbols appears in each of the nine play spots under the latex covering on the front of the ticket. The nine play spots are arranged in a three by three configuration. The area under the latex covering shall be known as the playfield.

(2) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption contains four characters. The first character repeats the play symbol. The last three characters repeat the ticket number. One and only one caption appears under each play symbol. An example of play symbol captions for Instant Game Number 63 follows:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
	(Example for ticket number 122)
0	0122
2	2122
3	3122
4	4122
5	5122
6	6122
7	7122
9	9122

(3) Prize symbols: The following are the "prize symbols": "\$1.00", "\$2.00", "\$4.00", "\$7.00", "\$17.00", "\$70.00", "\$700" and "\$7,000". One of these prize symbols appears under the prize box on the front of the ticket which has the word "PRIZE" printed on the latex covering. The prize box shall be contiguous to the playfield.

(4) Prize symbol captions: The small printed characters appearing below the prize symbol which verify and

correspond with that prize symbol. The caption is a spelling out, in full or abbreviated form, of the prize symbol. Only one caption appears under the prize symbol. For Instant Game Number 63, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE DOL
\$2.00	TWO DOL
\$4.00	FOR DOL
\$7.00	SVN DOL
\$17.00	SVNTEEN
\$70.00	SEVENTY
\$700	SVNHUND
\$7,000	SVNTHOU

(5) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex.

(6) Pack-ticket number: The eleven-digit number of the form 06300001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 63 constitute the "pack number" which starts at 06300001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25.00 or less. For Instant Game Number 63, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TWO	\$2.00
FOR	\$4.00
SVN	\$7.00
SVT	\$17.00

(9) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

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

NEW SECTION

WAC 315-11-631 CRITERIA FOR INSTANT GAME NUMBER 63. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having three "7" play symbols in any row, column or diagonal beneath the removable covering on the front of the ticket shall win the prize shown in the prize box.

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 63 set forth in WAC 315-11-632, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

NEW SECTION

WAC 315-11-632 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 63. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 63 all of the following validation requirements apply.

(a) Exactly one play symbol must appear in each of the nine play spots in the playfield.

(b) Each play symbol must have a play symbol caption below it and each must agree with its caption.

(c) Exactly one prize symbol must appear under the rub-off material covering the prize box on the front of the ticket.

(d) The prize symbol must have a prize symbol caption below it and must agree with its caption.

(e) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retailer Verification Code	Validation Font

(f) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(g) Each of the play symbols must be exactly one of those described in WAC 315-11-630(1) and each of the play symbol captions must be exactly one of those described in WAC 315-11-630(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

AMENDATORY SECTION (Amending WSR 91-03-036, filed 1/9/91)

WAC 315-11-611 CRITERIA FOR INSTANT GAME NUMBER 61. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner: The bearer of a ticket having a play symbol in the "your

score" column that is a larger number than the play symbol in the "their score" column in the same game (row) shall win the prize shown in the prize column for that game (row). The bearer of a ticket having winning play symbols in (~~Game 1, Game 2 or Game 3~~) more than one game (row) shall win (the total amount of all game) the sum of the prizes in each winning game (row). Play symbols in different games (rows) may not be combined to win a prize.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 61 set forth in WAC 315-11-612, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 61; and/or

(b) Vary the number of tickets sold in Instant Game Number 61 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

**WSR 91-06-075
EMERGENCY RULES
BOARD FOR
COMMUNITY COLLEGE EDUCATION**

[Order 126, Resolution 91-03—Filed March 6, 1991, 9:18 a.m.]

Date of Adoption: February 28, 1991.

Purpose: To extend previously adopted temporary rules implementing the "running start" program pending the outcome of legislation presently being considered by the legislature that would affect this program.

Statutory Authority for Adoption: Chapter 9, Laws of 1990 1st ex. sess.

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

Reasons for this Finding: The state board finds that the temporary rules enacted to implement the pilot projects established by chapter 9, Laws of 1990 1st ex. sess., should be extended by a further temporary adoption pending the outcome of legislation currently before the session affecting this program. This rule will be adopted as a permanent rule at a later date if no changes are necessary.

Effective Date of Rule: Immediately.

March 4, 1991
Gilbert J. Carbone
Assistant Director

NEW SECTION

WAC 131-32-050 RUNNING START PROGRAM. Pursuant to the provisions of RCW 34.05.365, by this reference the provisions of WAC 392-127-700 through 392-127-830 related to the operation of the student choice program known as "Running Start" are hereby adopted to the extent they are applicable to community colleges.

WSR 91-06-076
NOTICE OF PUBLIC MEETINGS
BOARD FOR
VOCATIONAL EDUCATION
 [Memorandum—March 1, 1991]

MEETING AND PUBLIC HEARINGS NOTICE
MARCH 27-28, 1991

Public hearing, March 27, 1991, 3:00-5:00 p.m., Room B-11, New Market Vocational Skills Center, Tumwater, Washington, the Washington State Board for Vocational Education will hold a public hearing on the state plan for vocational education to gather public input on the draft state plan and planning process.

Public hearing, March 28, 1991, 8:30-9:00 a.m., Pacific Rooms, Educational Services District 113, Olympia, Washington, the Washington State Board for Vocational Education will hold a public hearing on the proposed WACs for the Private Vocational School Act.

Board meeting, March 28, 1991, 9:00 a.m., Pacific Rooms, Educational Services District 113, Olympia, Washington, the regular business meeting of the state board will convene at 9:00 a.m. Primary agenda items include the adoption of the Private Vocational School Act WACs, adoption of the state plan for vocational education, and consideration of job skills program grant applications.

People needing special accommodations, please call Patsi Justice at (206) 753-5660 or 234-5660 scan.

WSR 91-06-077
PROPOSED RULES
HIGHER EDUCATION
PERSONNEL BOARD
 [Filed March 6, 1991, 9:32 a.m.]

Original Notice.

Title of Rule: WAC 251-08-112 Salary—Reallocation.

Purpose: Sets forth the criteria for salary adjustments when an employee is reallocated.

Statutory Authority for Adoption: Chapter 28B.16 RCW.

Statute Being Implemented: RCW 28B.16.100.

Summary: Amendments clarify the criteria for reallocation to an existing class and when reallocation occurs due to board action affecting a class.

Reasons Supporting Proposal: When the board creates, abolishes, or modifies a class, the salary action for an employee in that class must be clearly addressed.

Name of Agency Personnel Responsible for Drafting: Joanel Huart, 1202 Black Lake Boulevard, FT-11, Olympia, 753-3927; Implementation and Enforcement: John Spitz, Director, 1202 Black Lake Boulevard, FT-11, Olympia, 753-3730.

Name of Proponent: High Education Personnel Board staff, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The clarifications/modifications made to this rule specifically address the salary action required when an employee occupies a position reallocated to a class with a higher salary range maximum.

Proposal Changes the Following Existing Rules: This rule previously specified that such an employee would be treated as if he/she had received a promotion and would therefore receive a two-step increase over the salary received immediately prior to the action. When board action affects a class, an employee in that class who is reallocated to another class with a higher salary range is not actually being promoted but rather being reallocated.

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

Hearing Location: Board Room, South Puget Sound Community College, Olympia, Washington, on April 12, 1991, at 10:00 a.m.

Submit Written Comments to: 1202 Black Lake Boulevard, FT-11, Olympia, WA 98502, by April 11, 1991.

Date of Intended Adoption: April 12, 1991.

March 5, 1991
 John A. Spitz
 Director

AMENDATORY SECTION (Amending Order 166, filed 12/31/87, effective 2/1/88)

WAC 251-08-112 SALARY—REALLOCATION. (1) An employee occupying a position that is reallocated to ((~~an~~)) an existing class with a higher salary range maximum shall receive an increase in the same manner as is provided for promotion in WAC 251-08-110. The periodic increment date shall be established as provided in WAC 251-08-100.

(2) An employee occupying a position that is reallocated to ((~~an~~)) an existing class with a lower salary maximum shall be placed in the salary step in the new range which is closest to the current salary, provided such salary does not exceed the top step of the new salary range.

(3) When reallocation is necessary because the board has created, abolished, or modified a class, the incumbent will remain in the position and the following will apply:

(a) An employee occupying a position reallocated to a class with a lower salary range maximum will retain his/her current salary and will be allowed to achieve the salary maximum of the former class at the time of reallocation. The employee will lose the right to such salary maintenance if he/she voluntarily demotes, promotes, or moves to another class;

(b) An employee occupying a position reallocated to a class with a higher salary range maximum will ~~((receive an increase as provided in WAC 251-08-110))~~ have his/her salary adjusted to the same step in the new range as was held in the previous range. The periodic increment date of the affected employee will remain unchanged;

(c) A reallocation which results from the board's abolishment of a class will be effective the date of the board's action.

WSR 91-06-078
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION

[Filed March 6, 1991, 10:22 a.m.]

Original Notice.

Title of Rule: Amendments to chapter 468-38 WAC, Vehicle size and weight rules.

Purpose: To make certain changes in chapter 468-38 WAC to improve safety of oversize load movements and repeal irrelevant sections.

Statutory Authority for Adoption: RCW 46.44.090 and 47.01.071.

Statute Being Implemented: RCW 46.44.090.

Summary: WAC 468-38-050 authorizes tow-truck operators to move without an actual permit in the vehicle. Approval will have been given but no proof of that approval is available. WAC 468-38-260 authorizes night movement of certain loads when deemed by the department to expedite traffic flow.

Reasons Supporting Proposal: These changes are being proposed as a means of making the movement of trucks on state highways more efficient.

Name of Agency Personnel Responsible for Drafting: Barry Diseth, Department of Transportation, Lacey, 459-6426; Implementation: Jim Buss, Department of Transportation, Olympia, 753-6014; and Enforcement: Captain Lavere Klewin, Washington State Patrol, Olympia, 753-6554.

Name of Proponent: Washington State Department of Transportation, governmental.

Rule is necessary because of federal law. WAC 468-38-035 was established to conform to federal policy. That policy subsequently was abandoned.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 468-38-050 indicates that a permittee must have an original permit or certified copy in the power unit when operating. Tow-trucks on emergency call find that it is sometimes impossible to have the aforementioned documents on board. This rule change authorizes tow-truck operators to operate under permit when approval has been received by telephone; WAC 468-38-260 allows the Department of Transportation to authorize over-legal movement at night when the night movement would substantially alleviate daytime traffic congestion; and WAC 468-38-035 and 468-38-370 are repealed due to change in federal law; WAC 468-38-400 and 468-38-410 are repealed because of redundancy with contract between Washington State Department of Transportation and Mount Rainier park service.

Proposal Changes the Following Existing Rules: Currently every vehicle must have a permit on the vehicle when it is operating under permit. The proposed change in WAC 468-38-050 will resolve this situation. At present, night movement of oversize or overweight loads is prohibited. The proposed change in WAC 468-38-260 will also resolve this situation.

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

Hearing Location: Red Lion Inn at the Quay, 100 Columbia Street, Vancouver, WA 98660, on April 18, 1991, at 9:00 a.m.

Submit Written Comments to: Barry Diseth, Motor Carrier Services Administrator, Department of Transportation, Olympia, Washington 98504, by April 15, 1991.

Date of Intended Adoption: April 18, 1991.

March 5, 1991
 Anna Peterson
 Administrator

AMENDATORY SECTION (Amending Order 68, filed 11/22/89, effective 12/23/89)

WAC 468-38-050 SPECIAL PERMITS FOR MOVEMENT OF OVERLEGAL SIZE OR WEIGHT LOADS. The department of transportation may issue permits for movement of overlegal size or weight loads when:

(1) Application has been made to the department and the applicant has shown that there is good cause for the move, and that the applicant is capable of making the move.

(2) The applicant has shown that the load cannot reasonably be dismantled or disassembled.

(3) The vehicle, combination, or load has been dismantled and made to conform to legal limitations where practical. Reductions shall be made even though the use of additional vehicles becomes necessary.

(4) The vehicle(s) and load have been thoroughly described and identified; the points of origin and destination and the route of travel have been stated and approved.

(5) The proposed move has been determined to be consistent with public safety and the permittee has shown proof of seven hundred fifty thousand dollars liability insurance for the cost of any accident, damage, or injury to any person or property resulting from the operation of the vehicle covered by the permit upon the public highways of this state: PROVIDED, That a noncommercial operator shall have at least three hundred thousand dollars liability insurance.

(6) The permittee affirms that:

(a) The vehicles have been properly licensed to make the proposed move or carry the load described in accordance with the provisions of Washington law;

(b) The drivers are properly licensed to operate in Washington in the manner proposed.

(7) The permittee will comply with all applicable rules pertaining to the issuance of any special permit.

(8) Except as provided for in RCW 46.44.140, the original permit or certified copy must be carried on the power unit at all times the permit is in effect. Tow truck operators who have received approval by telephone to operate under permit are exempt from this requirement.

AMENDATORY SECTION (Amending Order 68, filed 11/22/89, effective 12/23/89)

WAC 468-38-260 NIGHT-TIME MOVEMENTS. Special permits will authorize overlegal movements only during daytime hours under normal atmospheric conditions, except that movements up to ten feet wide may be made by permit at night on fully controlled access highways. The department may authorize overlegal movements at night for tow trucks or when, in its discretion, it determines that movement at night would substantially alleviate daytime traffic congestion. Those oversize loads that are allowed to move at night shall have lighting equipment as required by the Code of Federal Regulations, Title 49, part ~~((393-18))~~ 393.11. No movements shall be made when visibility is reduced to less than one thousand feet or when hazardous roadway conditions exist. Daytime means from one-half hour before sunrise to one-half hour after sunset. Night-time means any other hour. It shall be the responsibility of the permittee to discontinue movement and remove the unit from the highway when any of the above conditions exist which could create an unsafe movement.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 468-38-035 COMPLIANCE WITH FEDERAL BRIDGE LAW.

WAC 468-38-370 TRIPLE SADDLEMOUNTS.

WAC 468-38-400 LOAD LIMITATIONS ON STATE HIGHWAYS WITHIN MOUNT RAINIER NATIONAL PARK.

WAC 468-38-410 LOAD LIMITATIONS ON CERTAIN STATE HIGHWAYS ADJACENT TO MOUNT RAINIER NATIONAL PARK.

Date of Intended Adoption: April 18, 1991.

March 5, 1991
Anna Peterson
Administrator

WSR 91-06-079

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed March 6, 1991, 10:24 a.m.]

Original Notice.

Title of Rule: Oversize load signs on overdimensional vehicles: Standards for size, coloring, and display, WAC 468-38-190.

Purpose: To bring our sign standards into conformity with AASHTO guidelines.

Statutory Authority for Adoption: RCW 46.44.090 and 47.01.071.

Statute Being Implemented: RCW 46.44.090.

Summary: The existing regulation requires that signs be at least 5' wide and 10" high. The proposal is that they be at least 7' long and 18" high.

Reasons Supporting Proposal: Other states have agreed to adopt the proposed dimensions as standard among these states. AASHTO has agreed to those criteria.

Name of Agency Personnel Responsible for Drafting: Barry Diseth, Department of Transportation, Lacey, 459-6426; Implementation: James Buss, Department of Transportation, Olympia, 753-6014; and Enforcement: Captain Lavere Klewin, Washington State Patrol, Olympia, 753-6554.

Name of Proponent: Barry Diseth, Administrator, Motor Carrier Services, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Department of Transportation supports the change.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Oversized loads and vehicles escorting such loads are required to display signs indicating the unusual aspect of the move to other motorists. Interstate haulers have often had to satisfy different states by displaying signs of varying dimensions. AASHTO has established a standard size which this proposal recommends for this state. The effect will be to standardize the signs for movements within the state and make our signs acceptable in other states.

Proposal Changes the Following Existing Rules: The proposal increases the minimum size of signs warning of the movement of an oversize load.

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

Hearing Location: Red Lion Inn at the Quay, 100 Columbia Street, Vancouver, WA 98660, on April 18, 1991, at 9:00 a.m.

Submit Written Comments to: Barry Diseth, Administrator, Motor Carrier Services, Department of Transportation, Olympia, Washington 98504, by April 15, 1991.

AMENDATORY SECTION (Amending Order 31, Resolution No. 156, filed 8/20/82)

WAC 468-38-190 SIGNS. OVERSIZE LOAD signs (at least ((5)) 7 feet ((wide)) long and ((+0)) 18 inches high with ((+inch)) black lettering at least 10 inches high in 1.41 inch brush stroke on yellow background) will be mounted on the front of the towing vehicle and on the rear of the load or trailing unit and above the roof line of escort cars a minimum of five feet above the roadway surface measured from the bottom of the sign. If the nature of the towing vehicle or load is such that the sign cannot be mounted five feet above the roadway surface, it shall be placed above the front bumper or as high as practicable on the vehicle or load. Such signs are to be displayed only when the unit is in transit and must be removed or retracted at all other times. Such signs shall be clean and clearly legible at a distance of five hundred feet during clear weather.

WSR 91-06-080

PROPOSED RULES

DEPARTMENT OF WILDLIFE

[Filed March 6, 1991, 11:30 a.m.]

Original Notice.

Title of Rule: Amending WAC 232-12-267 Field identification of wildlife—Evidence of sex definitions.

Purpose: To require successful big game hunters to prove the sex of the animal they harvested. This requirement is necessary to allow the identification of sex and/or species.

Statutory Authority for Adoption: RCW 77.12.040 and 77.16.095.

Statute Being Implemented: RCW 77.12.040 and 77.16.095.

Summary: This WAC specifies that hunters must leave certain body parts of game birds and big game animals attached to, or with the carcass during transportation. The amendment will require that parts of big game animals used to identify the sex of the animal must remain naturally attached to a part of the carcass. This will prohibit a person from transporting an illegal animal and using a detached identifying part as proof of sex. The amendment also defines what is meant by "evidence of sex."

Reasons Supporting Proposal: Illegal hunters have the opportunity to, and in fact do, transport big game animals of one sex by using an identifying part from an animal of the opposite sex. This allows for the killing of excess animals or animals of the wrong sex. This amendment does not place an undue burden on the hunter.

Name of Agency Personnel Responsible for Drafting: Pam Madsen, Administrative Rules Officer, Olympia, (206) 586-6212; Implementation and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary and Reasons above.

Proposal Changes the Following Existing Rules: See Purpose and Summary above.

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

Hearing Location: Tower Inn, 1515 George Washington Way, Richland, WA 99352, on April 13, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98401-1091 [98501-11091, by April 3, 1991.

Date of Intended Adoption: April 13, 1991.

March 6, 1991

Pamela K. Madson

Administrative Rules Officer

AMENDATORY SECTION [Amending Order 401, filed 6/26/89]

WAC 232-12-267 FIELD IDENTIFICATION OF WILDLIFE — EVIDENCE OF SEX—DEFINITIONS. (1) It is unlawful to possess or transport game birds unless the feathered heads are left attached to the carcass, except falconry caught birds, until the carcass is processed and/or stored for consumption.

(2) It is unlawful to possess or transport big game animals unless evidence of the sex of the animal remains naturally attached to ~~((with))~~ the carcass until the carcass is processed and/or stored for consumption.

(a) In goat, sheep, or moose hunting areas or in deer or elk hunting areas with antler restrictions, the head with antlers or horns attached must accompany the carcass of the animal ~~((as evidence of sex))~~.

(b) Evidence of sex means ~~((in deer or elk hunting areas with no antler restrictions;))~~ the head with antlers attached or penis or testes or udder must be naturally attached to at least one quarter of the carcass or ~~((the animal as evidence of sex))~~ to the largest portion of meat.

(c) For the purpose of this rule, "stored for consumption" means at the final point of storage prior to consumption of the meat.

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

WSR 91-06-081

PROPOSED RULES

DEPARTMENT OF WILDLIFE

[Filed March 6, 1991, 11:35 a.m.]

Original Notice.

Title of Rule: Adopting WAC 232-12-245 Hunting restrictions; and repealing WAC 232-12-244 Hunting restrictions.

Purpose: To restrict the hunting of wild animals and wild birds with certain weapons, and during times and places open to the hunting of big game animals unless the hunter possesses the proper big game tag. Also, to prohibit the possession of specified projectiles by non-exempted hunters; and to repeal existing WAC 232-12-244.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: This new section specifies the type of firearms, ammunition and archery equipment that cannot be used and/or possessed if a person does not have a valid tag for the big game species being hunted. The prohibition only applies during those times and in those

places that are open to the taking of a big game animal. It allows for the lawful hunting of wild animals and wild birds with weapons that are traditionally acceptable to use for those species. This WAC is proposed as a method to prohibit party hunting and attempts to exceed the bag limit of big game animals. It would require a modern firearm hunter and archer to have a valid tag for the big game animal being hunted during those times and in those places open to the taking of any big game animal. The tag requirement would only apply if the hunter possessed certain firearms/ammunition or broadhead arrows. A modern firearm hunter without a valid tag could legally hunt migratory waterfowl, turkey, sharp tail grouse, sage grouse, and coot with a shotgun containing any size shot. He/she could hunt any other wild animals or wild birds with a rimfire rifle/handgun or a shotgun using number five or smaller shot. Examples are forest grouse, upland game birds, pigeon, dove, snipe, rabbit and hare. It also allows for the hunting of animals during times and places when there is not a big game season i.e., raccoon and bobcat at night. A modern firearm hunter could not possess shotgun shells with number one or larger shot or slugs unless they had a valid big game tag or were hunting certain species identified in subsection (3) of the proposed regulation. An archery hunter without a valid tag could legally hunt any wild animal or wild bird without possessing a valid big game tag as long as he/she did not use or possess broadhead arrows. They would be able to hunt turkey with a broadhead. The proposed regulation places very few restrictions on ethical and lawful hunters.

Reasons Supporting Proposal: The hunting of wild animals and wild birds during big game seasons is used as an excuse to hunt big game without a valid big game tag. When hunters are allowed to be in the field hunting with weapons that are legal for big game hunting and not required to have a valid tag it provides the opportunity to harvest a big game animal for another person. The opportunity to shoot a big game animal and then purchase a tag also exists. This new section eliminates the temptation for a person to violate the rules against hunting without a valid tag or to kill an illegal animal. At the same time it does not unduly restrict the ethical and lawful hunter.

Name of Agency Personnel Responsible for Drafting: Pam Madson, Administrative Rules Officer, Olympia, (206) 586-6212; Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary and Reasons above.

Proposal does not change existing rules.

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

Hearing Location: Tower Inn, 1515 George Washington Way, Richland, WA 99352, on April 13, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by April 3, 1991.

Date of Intended Adoption: April 13, 1991.

March 6, 1991
Pamela K. Madson
Administrative Rules Officer

NEW SECTION

WAC 232-12-245 HUNTING RESTRICTIONS (1) During those times and in those places open to the taking of any big game animal, it is unlawful to hunt wild animals or wild birds with a handgun or modern firearm using a centerfire cartridge containing a bullet, slug or number 4 or larger shot or, with archery equipment using broadhead arrows unless the hunter possesses a valid tag or permit for the big game animal being hunted.

(2) Notwithstanding the provision of section (1): Persons who are lawfully hunting migratory waterfowl, turkey, sharp-tailed grouse, sage grouse, and coots may hunt with a shotgun containing any size shot. Persons who are lawfully hunting turkey with archery equipment may use a broadhead.

(3) It is unlawful for a person to carry or possess broadhead arrows, slugs or shotgun shells containing number 1 or larger shot while in the field hunting during those times and in those places open to the taking of any big game animal, except as provided for in sections (1) or (2).

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 232-12-244 Hunting restrictions.

WSR 91-06-082
PROPOSED RULES
DEPARTMENT OF WILDLIFE
[Filed March 6, 1991, 11:36 a.m.]

Original Notice.

Title of Rule: Amending WAC 232-12-024 Sealing of hide and tooth requirements for bobcat, Canada lynx, cougar, and river otter.

Purpose: To amend the regulation on requirements for sealing pelts and collecting biological data for river otter, cougar, lynx, and bobcat.

Statutory Authority for Adoption: RCW 77.12.030, 77.12.040, and 77.32.220.

Statute Being Implemented: RCW 77.12.030, 77.12.040, and 77.32.220.

Summary: This amendment clarifies and revises requirements of the public to present lawfully taken river otter, cougar, lynx, and bobcat to the Department of Wildlife in a timely manner for pelt sealing and collection of biological information.

Reasons Supporting Proposal: To clarify confusing language in this WAC for both public and agency use; and to change time requirements for pelt tagging for cougar and lynx from 48 to 72 hours to accommodate three-day weekends and holidays.

Name of Agency Personnel Responsible for Drafting: Pam Madson, Administrative Rules Officer, Olympia, (206) 586-6212; Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal Changes the Following Existing Rules: See Purpose and Summary above.

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

Hearing Location: Tower Inn, 1515 George Washington Way, Richland, WA 99352, on April 13, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by April 3, 1991.

Date of Intended Adoption: April 13, 1991.

March 6, 1991
Pamela K. Madson
Administrative Rules Officer

AMENDATORY SECTION (Amending Order 404, filed 8/28/89)

WAC 232-12-024 REQUIREMENTS FOR SEALING OF ((HIDE)) PELTS AND ((TOOTH REQUIREMENTS)) COLLECTION OF BIOLOGICAL INFORMATION FOR ((BOBCAT, CANADA LYNX, COUGAR AND)) RIVER OTTER, COUGAR, LYNX, AND BOBCAT. (1) It is unlawful to possess ((bobcat, Canada lynx, cougar or)) river otter, cougar, lynx, or bobcat ((pelts or parts thereof)) taken in Washington ((unless they have)) without a department identification seal which has been attached to the raw pelt prior to the pelt sealing deadline.

((1)) Pelts of bobcat and river otter must be sealed by an authorized department employee within ten days after the close of the appropriate hunting or trapping season in which they were harvested.))

(2) ((A)) Any ((bobcat, Canada lynx, cougar and)) river otter, cougar, lynx, or bobcat raw pelt((s)) must be presented unfrozen and by the person harvesting the animal to ((a wildlife agent or department office)) an authorized Department employee for ((tagging)) sealing.

(3) The raw pelt of a bobcat or river otter must be sealed by an authorized Department employee within ten days after the close of the appropriate hunting or trapping season in which it was killed.

((2)) A permit holder who takes a cougar must notify the department of wildlife within 48 hours of kill. A permit holder who takes a cougar must present the unfrozen pelt and skull to a Washington department of wildlife agent for inspection, sealing and premolar teeth extraction by a department employee within five days of the kill.))

((3)) A permit holder who takes a Canada lynx must notify the department of wildlife within 48 hours of kill. A permit holder who takes a Canada lynx must present the unfrozen pelt and carcass to a Washington department of wildlife agent for inspection, sealing and canine tooth extraction by a department employee within five days of the kill.))

(4) Any person who takes a cougar or lynx must notify the Department within 72 hours of kill (excluding legal state holidays) and provide the hunter's or trapper's name, date and location of kill, and sex of animal. The raw pelt of a cougar or lynx must be sealed by an authorized Department employee within five days of the notification of kill.

Any person who takes a cougar must present the unfrozen cougar skull to an authorized Department employee for premolar tooth extraction at the time of sealing. Any person who takes a lynx must give the unfrozen lynx carcass to an authorized Department employee for collection of biological data at the time of sealing.

((4)) (5) It is unlawful to transport or cause the transport out of Washington of ((an unprocessed native cat)) a raw pelt of river otter, cougar, lynx, or bobcat taken in Washington ((out of Washington)) without a department seal attached to the pelt.

((5)) (6) ((Bobcat, Canada lynx.)) The raw pelt of a river otter, ((or)) cougar, lynx, or bobcat taken outside Washington and imported into the state((-)) must be identified by a tag and/or seal from the state or country of origin and be accompanied by an invoice or declaration specifying the number of pelts in the shipment.

((6)) (7) It is unlawful to possess an unlocked, broken, or otherwise open department seal for ((bobcat, Canada lynx)) river otter, ((or)) cougar, lynx or bobcat unless the seal wire or band has been cut through and removed from a ((hide)) pelt that has been received and invoiced by a licensed taxidermist or fur dealer for processing or removed from a ((hide)) pelt that has been processed. Invoices must be sequentially numbered and record name, address, license number, date received, and ((tag)) seal number. The ((tag)) seal must accompany the ((hide)) pelt while being processed. The ((hide)) pelt must be punched with invoice number at the time of skinning or prior to the removal of the seal.

(8) When a river otter or bobcat is presented unskinned and is to be taken to a taxidermist for processing and will not be sold, an authorized Department employee may lock the seal and then cut through the band or wire. The cut seal must be presented to the taxidermist along with the unskinned carcass.

WSR 91-06-083
PROPOSED RULES
DEPARTMENT OF WILDLIFE
 [Filed March 6, 1991, 11:38 a.m.]

Original Notice.

Title of Rule: Adopting WAC 232-12-831 Assistance to the visually handicapped.

Purpose: This regulation is intended to carry out the legislative policy to enhance access to public recreational opportunities for persons of disability codified in RCW 77.12.010 and 77.32.237. This regulation is also intended to carry out the legislative policy to encourage and enable the blind and visually handicapped to participate fully in social life of the state codified in RCW 70.84.010 and 74.18.010. This regulation will enhance the opportunity of the blind and visually handicapped to participate in hunting of game animals. Persons of disability are defined and assistance by nondisabled companions for holders of a disabled hunter permit is provided.

Statutory Authority for Adoption: RCW 77.12.010 and 77.32.237.

Statute Being Implemented: RCW 77.12.010 and 77.32.237.

Summary: This rule is furtherance of the legislative policy of this state to enhance public recreation opportunities for persons of disability and to encourage and enable the blind and visually handicapped to participate fully in social life of the state codified in RCW 70.84.010 and 74.18.010. A definition of a blind or visually handicapped person comparable to that used in other states is provided. The rule allows for the director to issue a disabled hunter permit to a blind or visually handicapped person; authorizes the designation of a nondisabled hunter to assist with identified activities related to hunting; and specifies the activities which the nondisabled licensed hunter may do in assisting the blind hunter.

Reasons Supporting Proposal: A blind or visually handicapped person, otherwise qualified, cannot be denied the opportunity to purchase a hunting license or tag. Legislative policy, as reflected by the activities of the citizen's task force for the disabled, established at the request of the Wildlife Commission, supports development and enhancement of wildlife related recreation for the disabled. The Wildlife Commission has heard

previously from a blind person, Mr. John Logelin, expressing his desire to have the ability to hunt deer with assistance. The procedures to administratively support this rule parallel those in place for persons of disability. The commission has heard a comparable proposal in session, August 1990. Action was deferred to allow the agency to gather more complete information on the subject. The citizen's task force surveyed the 50 states by letter requesting information on hunting by the blind. Thirty-seven states replied to this request. Several respondents requested future information from Washington as they are in the process of addressing this issue in their state.

SURVEY RESPONSE

STATE	RESPONDED	LAWS REGARDING BLIND HUNTERS	DISABLED HUNTING LAWS
Alabama	Yes	No	No
Alaska	Yes	Yes	Yes
Arizona	Yes	No	No
Arkansas	Yes	No	Yes
California	Yes	No	No
Colorado	Phone Call	No	No
Connecticut	Yes	No	No
Delaware	No	—	—
Florida	No	—	—
Georgia	No	—	—
Hawaii	Yes	No	No
Idaho	Yes	No	No
Illinois	Yes	No	No
Indiana	Yes	No	No
Iowa	No	—	—
Kansas	Yes	No	No
Kentucky	Yes	No	No
Louisiana	Yes	No	No
Maine	No	—	—
Maryland	Yes	No	No
Massachusetts	Yes	No	No
Michigan	Yes	No	No
Minnesota	No	—	—
Mississippi	Phone Call	No	No
Missouri	Yes	Yes	No
Montana	Yes	No	Yes
Nebraska	Yes	No	Yes
Nevada	Yes	Yes	Yes
New Hampshire	Yes	No	No
New Jersey	No	—	—
New Mexico	Yes	No	No
New York	No	—	—
North Carolina	Yes	No	No
North Dakota	Yes	Yes	Yes
Ohio	Yes	No	No
Oklahoma	Yes	No	No
Oregon	Yes	No	Yes
Pennsylvania	Yes	No	No
Rhode Island	No	—	—
South Carolina	Yes	Yes	Yes
South Dakota	Yes	Yes	Yes
Tennessee	Yes	No	Yes
Texas	Yes	No	Yes
Utah	No	—	—
Vermont	No	—	—
Virginia	No	—	—
Washington	N/A	—	—
West Virginia	No	—	—
Wisconsin	Yes	Yes	Yes
Wyoming	Yes	No	Yes

The definition provided in the proposed rule is comparable to several states which have laws governing blind hunters. State programs run the gamut from identifying proxy hunters (Alaska) to having the blind hunter do the shooting (Missouri). The most common approach is similar to that proposed for Washington in having the blind hunter designate a nondisabled licensed hunter to assist the blind hunter by

shooting, tagging and retrieving game while accompanied by the blind hunter.

Seven states have laws governing or providing for hunting by the blind or visually handicapped; Alaska, Missouri, Nevada, North Dakota, South Carolina, South Dakota, and Wisconsin. The laws expressing these provisions are provided in the following list:

ALASKA:

AS 16.05.405. Taking game by proxy for the blind. (a) A resident holding a valid hunting license may take moose, caribou, deer, or elk under a hunting license issued to a blind resident in accordance with (b) of this section if the resident possesses the license of the blind hunter.

(b) A resident hunting license indicating that the purchaser is blind may be obtained from the department upon payment of the fee prescribed in AS 16.05.340 and upon presentation of either an affidavit of the applicant stating that the applicant cannot distinguish light from darkness or an affidavit signed by a licensed physician or a licensed optometrist stating that the applicant's central visual acuity does not exceed 20/200 in the better eye with correcting lenses or that the applicant's widest diameter of visual field subtends an angle no greater than 20 degrees.

(Their letter stated, "Very few such licenses are issued in Alaska, and enforcement problems are virtually nonexistent.")

MISSOURI:

(Their letter states, "Our Wildlife Code of Missouri does not prohibit blind persons from hunting. We do allow properly licensed persons to assist blind persons in their hunting. These individuals who assist, serve to point the blind person in the correct direction, help them to aim, and communicate to them when to release the safety and pull the trigger. They also assist with getting in and out of the hunting field, tagging and checking, and help ensure the safety of the hunt.

Our Wildlife Code, provides that residents having a visual acuity not exceeding 20/200 in the better eye with maximum correction, or having 20 degrees or less field of visual concentric contraction may take fish, bait and frogs without a fishing permit.")

NEVADA:

502.075. Issuance of hunting and fishing licenses to blind persons. The department shall issue to a blind person, as defined in subsection 2 of NRS 361.085:

1. A hunting license which: (a) Authorizes a person selected by the blind person to hunt on his behalf if:

(1) The person selected is a resident of the State of Nevada and possesses a valid Nevada hunting license; and

(2) The blind person is in the company of or in the immediate area of the person selected.

(b) Is issued pursuant and subject to regulations prescribed by the commission.

(c) Contains the word "Blind" printed on the face of the license.

2. A fishing license which authorizes the blind person to fish whether or not accompanied by or in the immediate area of any other person.

(Their letter stated, "We have experienced no problems with the current statutes.")

NORTH DAKOTA:

20.1-05-08. Taking of big game by blind persons. Any individual who is totally or partially blind and who holds a valid big game hunting license may be accompanied by and have a person designated on the license, who is otherwise qualified, to hunt big game for that individual except as provided by section 20.1-01-12.

SOUTH CAROLINA:

50-9-830. Blind, physically handicapped, or mentally retarded persons; orphans; boy or girl scouts. All blind residents of this state, all orphans of any orphanage or other eleemosynary institution of this state, any boy or girl scout, and physically handicapped and mentally retarded persons, as defined by 44-21-30(4), may hunt or fish within any county in this state without obtaining a license to do so, if the blind person or the superintendent or person in charge of the institution, scouts, or physically handicapped or mentally retarded persons shall first apply to the Director of the Division of Game for a permit allowing the blind person, orphans, scouts, or physically handicapped or mentally retarded persons to hunt or fish, giving the name of the blind person or each orphan, scout, or physically handicapped or mentally retarded person and the name of the institution, sponsoring entity, or troop. The superintendent or person in charge of the orphans, scouts, or physically handicapped or mentally retarded persons shall accompany them on the hunting or fishing trip for which the permit is granted. The director may issue the permit when the above conditions have been complied with.

Notwithstanding the provisions of this section or any other provision of law, mentally retarded persons permitted to hunt or fish pursuant to this section are not authorized in any instance to carry or use firearms while hunting or fishing hereunder.

SOUTH DAKOTA:

41-8-31. Hunting methods restricted. No persons may at any time hunt, catch, take, attempt to take or kill any small game or game animal in any other manner than by shooting the same with a firearm, except that game birds and game animals may be taken with birds trained in falconry or with bow and arrow. However, a handicapped person who is missing an upper limb or is physically incapable of using an upper limb or is confined to a wheelchair may use a crossbow to take such game birds and animals. The department of game, fish and parks may, by special authorization, allow a legally blind person, who is legally licensed and is physically present and participates in the hunt but cannot safely discharge a firearm or bow and arrow, to claim game birds and animals taken by a designated hunter in accordance with the license or licenses possessed by the legally blind hunter.

(Their letter stated, "I'm unaware of any problems caused by this legislation. We have only less than half a dozen people avail themselves of this each year. It is certainly far more preferable than having sight testing as a condition of obtaining a hunting license or having vision impaired persons practicing "sound shooting."

From our experience here, we've had no abuses of the law and experienced no problems or complaints.")

WISCONSIN:

637 89-90 Wisconsin Stats.

4. The department shall issue a Class C permit to any person who is visually handicapped.

(cg) Approval required. In order to hunt after receiving a permit under this section, the permit holder must apply for and be issued, or must already hold, any type of approval required under this chapter for the type of hunting he or she will be doing.

(cr) Authorization. A person holding a current resident or nonresident deer hunting license and a Class A or Class C permit may hunt deer of either sex with a firearm during any season open to hunting of deer with firearms that is established by the department.

(d) Assistance. 1. A holder of a Class A or Class B permit may be accompanied by a person who is not eligible to apply for a Class A or Class B permit. The accompanying person may not hunt or carry a firearm, bow or crossbow unless authorized to do so. The assistance rendered by an accompanying person who is not authorized to hunt or carry a firearm, bow or cross bow is limited to field dressing, tagging and retrieving deer or other game for the permit holder.

2. A holder of a Class C permit shall be accompanied by a person who is not eligible to apply for a permit under this section. The accompanying person may not hunt or carry a firearm, bow or crossbow unless authorized to do so. The assistance rendered by an accompanying person may include sighting the firearm, bow or crossbow, identifying the deer or other game and field dressing, tagging and retrieving deer or other game for the permit holder.

(Their letter stated, "... there is no law prohibiting a blind person from hunting without a permit. In fact, we found when we started this permit that some completely blind hunters have been hunting with assistance for years.")

No state which has experience with blind hunting has indicated any problems associated with this activity. To the contrary, several states indicated that participation rates were low and they had no known problems.

Very limited participation is expected.

Name of Agency Personnel Responsible for Drafting: Pam Madson, Administrative Rules Officer, Olympia, (206) 586-6212; Implementation: Rich Poelker, Governmental and External Affairs, Olympia, (206) 753-2921; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule will enable the blind or visually handicapped to obtain a disabled hunter permit and allow the use of a designated licensed hunter to accompany and assist in the hunting of game. The vicarious benefits of the hunt accrue to the disabled hunter who chooses to avail him/herself of this opportunity.

Proposal does not change existing rules.

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

Hearing Location: Tower Inn, 1515 George Washington Way, Richland, WA 99352, on April 13, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by April 3, 1991.

Date of Intended Adoption: April 13, 1991.

March 6, 1991
Pamela K. Madson
Administrative Rules Officer

NEW SECTION

WAC 232-12-831 ASSISTANCE TO THE VISUALLY HANDICAPPED. (1) This regulation is intended to carry out the legislative policy of this state to enhance participation in hunting opportunities by persons of disability.

(2) Definition of blind and visually handicapped. As used in this section, blind or visually handicapped person means a person who is totally blind or whose central visual acuity does not exceed 20/200 in the better eye with corrective lenses, or the widest diameter of the visual field is no greater than 20 degrees.

(3) Disabled hunter permit for the blind. A blind or visually handicapped person may receive a disabled hunter permit for the blind or visually handicapped upon application.

(4) A person who possesses a disabled hunter permit for the blind or visually handicapped, as well as all other required licenses, tag, and permits, is authorized to designate a nondisabled licensed hunter who, while in the immediate company of the blind or visually handicapped hunter, may shoot, tag and retrieve game for the blind or visually handicapped hunter.

WSR 91-06-084

PROPOSED RULES

DEPARTMENT OF WILDLIFE

[Filed March 6, 1991, 11:39 a.m.]

Original Notice.

Title of Rule: See Repealer Section below.

Purpose: To repeal existing WACs.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: This proposal will repeal seasonal WACs from 1990-91.

Reasons Supporting Proposal: See Summary above.

Name of Agency Personnel Responsible for Drafting: Pam Madson, Administrative Rules Officer, Olympia, (206) 586-6212; Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: [No information supplied by agency.]

Proposal does not change existing rules.

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

Hearing Location: Tower Inn, 1515 George Washington Way, Richland, WA 99352, on April 13, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by April 3, 1991.

Date of Intended Adoption: April 13, 1991.

March 6, 1991
Pamela K. Madson
Administrative Rules Officer

REPEALER

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

WAC 232-28-219	Firearm Restriction Areas and 1990-1991 Deer Hunting Seasons
WAC 232-28-220	1990-91 Elk Hunting Seasons
WAC 232-28-221	1990-91 Special Deer and Elk Permit Seasons
WAC 232-28-222	1990-91 Hunting Hours, Closure Notices, and Hound Hunting Areas
WAC 232-28-223	1990-91 Bear and Small Game Hunting Seasons

WSR 91-06-085

PROPOSED RULES

DEPARTMENT OF WILDLIFE

[Filed March 6, 1991, 11:40 a.m.]

Original Notice.

Title of Rule: Adopting WAC 232-28-231 1991-92 Special species hunting and trapping permits.

Purpose: To establish 1991-92 special permit seasons for hunting moose, mountain sheep, mountain goat, and cougar and for hunting or trapping lynx.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: This regulation establishes the 1991-92 special permit seasons for hunting moose, mountain sheep, mountain goat, and cougar and for hunting or trapping lynx and provides for recreational opportunity and population management.

Reasons Supporting Proposal: See Summary above.

Name of Agency Personnel Responsible for Drafting: Pam Madson, Administrative Rules Officer, Olympia, (206) 586-6212; Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal does not change existing rules.

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

Hearing Location: Tower Inn, 1515 George Washington Way, Richland, WA 99352, on April 13, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by April 3, 1991.

Date of Intended Adoption: April 13, 1991.

March 6, 1991
Pamela K. Madson
Administrative Rules Officer

NEW SECTION

WAC 232-28-231 1991-92 SPECIAL SPECIES HUNTING AND TRAPPING PERMITS PERMIT APPLICATION INSTRUCTIONS

You must have a valid 1991 Washington hunting license to apply for any special hunting season permit.

Application Deadline: Applications must be postmarked no later than June 28, 1991, or received not later than 5:00 p.m., June 28, 1991, at the Washington Department of Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, or any Department of Wildlife regional office.

Computer Drawing: Drawings for goat, bighorn sheep, moose, cougar, and lynx will be done by computer selection. All applicants will be notified by August 10, 1991.

Disqualification: Anyone who submits more than one application for each species will be disqualified for drawings for that species.

Incomplete Applications: To be eligible for the permit drawing, applications must contain unit number and unit name, date of birth, and hunting license number. Applicant's complete name and address including zip code.

Permit Hunting Report: A hunter questionnaire report will be sent to each permittee. This questionnaire must be returned to the Department of Wildlife within ten days after the close of the hunting season.

MOOSE

Open Season: Oct. 1 to Nov. 30, 1991, both dates inclusive.

Who may apply: Anyone with a 1991 Washington hunting license. Only one moose permit will be issued during an individual's lifetime.

Bag Limit: One moose of either sex.

Moose Unit 1

Selkirk Mountain Area:
5 Special Moose Permits will be issued.

Moose Unit 2

Mt. Spokane:
3 Special Moose Permits will be issued.

MOUNTAIN SHEEP (BIGHORN)

Open Season: Separate seasons are indicated for each bighorn sheep unit.

Who may apply: Anyone with a valid 1991 Washington hunting license: EXCEPT those who drew bighorn permits during 1986, 1987, 1988, 1989, or 1990.

Bag Limit for Permit Holders: One bighorn ram.

Any Legal Weapon

Sheep Unit 1

Okanogan:
Open Season: Sept. 7-29, 1991, both dates inclusive.
1 Special Permit will be issued.

Sheep Unit 2

Vulcan Mountain Area:
Open Season: Sept. 21-Oct. 6, 1991, both dates inclusive.
2 Special Permits will be issued.

Sheep Unit 3

Tucannon River Area:
Open Season: Sept. 7-29, 1991, both dates inclusive.
2 Special Permits will be issued.

Sheep Unit 5

Umtanum Area
Open Season: Sept. 21-Oct. 6, 1991, both dates inclusive.
3 Special Permits will be issued.

Sheep Unit 9

Blackbutte:
Open Season: Sept. 1-18, 1991, both dates inclusive.
2 Special Permits will be issued.

Sheep Unit 10

Mt. Hull:
Open Season: Sept. 7-29, 1991, both dates inclusive.
2 Special Permits will be issued.

Sheep Unit 11

Wenaha Wilderness:
Open Season: Sept. 7-29, 1991, both dates inclusive.
2 Special Permits will be issued.

MOUNTAIN GOAT

Open Season: Sept. 21 to Oct. 31, 1991, both dates inclusive, in all goat units.

Who may apply: Anyone with a valid 1991 Washington hunting license; EXCEPT those who drew goat permits in 1986, 1987, 1988, 1989, or 1990.

Bag Limit: One (1) adult goat of either sex with horns four (4) inches or longer. The Department of Wildlife urges hunters to refrain from shooting nannies with kids.

Any Legal Weapon

Goat Unit 2-1

Mount Chopaka Area:
2 Special Permits will be issued.

Goat Unit 2-2

South Methow Area:
5 Special Permits will be issued.

Goat Unit 3-2

North Wenatchee Mountains Area:
5 Special Permits will be issued.

Goat Unit 3-4

Snoqualmie:
5 Special Permits will be issued.

Goat Unit 3-6

Naches Pass Area:
8 Special Permits will be issued.

Goat Unit 3-7

Bumping River Area:
5 Special Permits will be issued.

Goat Unit 3-9

Tieton River Area:
5 Special Permits will be issued.

Goat Unit 4-1

Ruth Creek Area:
5 Special Permits will be issued.

Goat Unit 4-3

Chowder Ridge Area:
1 Special Permit will be issued.

Goat Unit 4-4

Lincoln Peak Area:
2 Special Permits will be issued.

Goat Unit 4-6

Dillard Creek Area:
5 Special Permits will be issued.

Goat Unit 4-7

Avalanche Gorge Area:
5 Special Permits will be issued.

Goat Unit 4-8

East Ross Lake Area:
10 Special Permits will be issued.

Goat Unit 4-9

Jack Mountain Area:
2 Special Permits will be issued.

- Goat Unit 4-16
Glacier Peak Area:
5 Special Permits will be issued.
- Goat Unit 4-32
Foss River Area:
10 Special Permits will be issued.
- Goat Unit 4-34
Pratt River Area:
10 Special Permits will be issued.
- Goat Unit 5-2
Tatoosh Area:
5 Special Permits will be issued.
- Goat Unit 5-4
Goat Rocks Area:
10 Special Permits will be issued.
- Muzzleloading Goat Hunts
- Goat Unit 3-5
Cle Elum:
5 Special Permits will be issued.
- Goat Unit 3-8
Bumping Area:
5 Special Permits will be issued.
- Goat Unit 4-24
Sloan Peak Area:
3 Special Permits will be issued.
- Archery Goat Hunts
- Goat Unit 3-3
Goat and Davis Mountain Area:
10 Special Permits will be issued.
- Goat Unit 4-18
Sauk River Area:
4 Special Permits will be issued.
- Goat Unit 4-21
Liberty Mountain Area:
8 Special Permits will be issued.
- Goat Unit 4-23
Twin Peaks Area:
4 Special Permits will be issued.
- Goat Unit 4-38
Corral Pass Area:
4 Special Permits will be issued.
- Goat Unit 6-1
Elwha River Area:
3 Special Permits will be issued.
- Goat Unit 6-2
Quilcene River Area:
25 Special Permits will be issued.
- Goat Unit 6-3
Hamma Hamma River Area:
10 Special Permits will be issued.

NATIVE CATS

A valid hunting license is required to hunt (including pursuit seasons) native cats. A hound stamp is required for all hunters if dogs are used to hunt any native cats.

COUGAR

Pursuit-Only Season (Cougar may not be killed or injured.): Sept. 1-30 and Nov. 27-Jan. 15, 1992 in the cat units listed below, EXCEPT closed to hound hunting in Walla Walla and Columbia counties outside of Umatilla National Forest Sept. 1-Oct. 11, 1991.

Open Season (Cougar may be killed by permit holders only.): Nov. 27-Jan. 15, 1992.

Who May Apply: Anyone with a valid 1991 Washington hunting license may submit one special permit application for cougar during the 1991-92 season. Successful cougar applicants must purchase a cougar

tag by October 1, 1991. Special permits assigned to those hunters failing to purchase a cougar tag by the deadline will be voided and cougar permits will be issued to other applicants. Cougar permit hunters failing to return their cougar hunting questionnaire by January 31, 1992, will be ineligible to apply for a permit the following season.

Bag Limit: One (1) cougar during the 1991-92 hunting season except that it is unlawful to kill or possess spotted cougar kittens or adult cougar accompanied by spotted kittens.

Unit	Description	Permits
1	Pend Oreille	25
2	Colville	35
3	Republic	25
4	Spokane	10
5	Blue Mountains	40
6	Okanogan	20
7	Wenatchee	25
8	Nooksack	10
9	Skagit	5
10	Snoqualmie	8
11	Olympic Peninsula	25
12	Rainier	7

LYNX

Open Season (Lynx may be killed by permit holders only.): Nov. 27-Jan. 15, 1992.

Who May Apply: Anyone with a valid 1991 Washington hunting license may submit one special permit application for lynx during the 1991-92 season. Lynx permittees failing to return their lynx questionnaire by January 31, 1992 will be ineligible to apply for a permit the following season.

Bag Limit: One (1) lynx during the 1991-92 hunting or trapping season except that it is unlawful to kill adult lynx accompanied by kittens.

Lynx Unit 1

Okanogan

2 Special Lynx Permits will be issued.

**WSR 91-06-086
PROPOSED RULES
DEPARTMENT OF WILDLIFE
[Filed March 6, 1991, 11:42 a.m.]**

Original Notice.

Title of Rule: Adopting WAC 232-28-229 1991-92 Special closures and firearm restriction areas.

Purpose: To establish 1991-92 special closure areas and firearm restriction areas.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: This rule restricts the use of firearms in specified geographic areas for public safety and establishes hunting closure areas for resource management.

Reasons Supporting Proposal: See Summary above.

Name of Agency Personnel Responsible for Drafting: Pam Madson, Administrative Rules Officer, Olympia, (206) 586-6212; Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal does not change existing rules.

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

Hearing Location: Tower Inn, 1515 George Washington Way, Richland, WA 99352, on April 13, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by April 3, 1991.

Date of Intended Adoption: April 13, 1991.

March 6, 1991

Pamela K. Madson

Administrative Rules Officer

NEW SECTION

WAC 232-28-229 1991-92 SPECIAL CLOSURES AND FIREARM RESTRICTION AREAS

SPECIAL CLOSURES

HUNTING PROHIBITED AREAS

IT IS UNLAWFUL TO HUNT WILD ANIMALS OR WILD BIRDS AS PROVIDED IN THE FOLLOWING AREAS:

1. Little Pend Oreille Wildlife Area: The southern part of the Little Pend Oreille Wildlife Area in Stevens County is closed to hunting and discharge of firearms except during the period of Oct. 1-Dec. 31, 1991. This closure is south of a boundary beginning at the west project boundary in Section 3, Township 34 N, R 40 EWM, thence easterly along Road 1.0 to the intersection with Road 2.0 in Section 2, thence easterly along Road 2.0 to the easterly boundary in Section 8, Township 34 N, R 42 EWM.

The Little Pend Oreille Wildlife Area north of the preceding boundary is open to all legally established hunting seasons during September and October.

2. Parker Lake: All lands south of Ruby Creek Road (USFS Road 2489), north of Tacoma Creek Road (USFS Road 2389) and west of Bonneville Power Administration power lines are designated as "CLOSED AREA" to the hunting of wild animals and wild birds EXCEPT during the period Aug. 1-Sept. 30, 1991. The above closures were established to provide a protected area for the Air Force Military Survival Training Program.
3. Columbia River and all the islands in the river, and the Benton County shoreline below the high water mark, and any peninsula originating on the Benton County shoreline, between Vernita Bridge (Highway 24) downstream to the old Hanford townsite powerline crossing (wooden towers) in Section 24, T 13 N, R 27 E, is designated as a "CLOSED AREA" to the hunting of wild animals and wild birds.
4. Green River (GMU 485): Except for special permit hunts, all lands within GMU 485 are designated as a "CLOSED AREA" to the hunting of big game throughout the year. During the general westside elk season and general and late deer seasons, all lands within GMU 485 are also designated as a "CLOSED AREA" to the hunting of all wild animals and wild birds. The City of Tacoma enforces trespass within GMU 485 on lands owned or controlled by the City during all times of the year.
5. McNeil Island: McNeil Island (part of GMU 480) is closed to the hunting of all wild animals and wild birds year around.

BIG GAME CLOSURES

1. Cathlamet: Those lands between State Highway 4 and the Columbia River between Cathlamet and Skamokawa, and all of Puget Island in Wahkiakum County; closed to all deer hunting. This closure is established to protect the endangered Columbian Whitetail Deer.

2. Clark, Cowlitz, Pacific, and Wahkiakum counties are closed to Columbian Whitetail Deer hunting.
3. Willapa National Wildlife Refuge: Except for Bow Area No. 802 (Long Island), Willapa National Wildlife Refuge is closed to all big game hunting.
4. Walla Walla Mill Creek Watershed (GMU 157): All lands in the Mill Creek Watershed are designated as a "CLOSED AREA" to the hunting of all wild animals and wild birds except for holders of special elk permits during the established open season. This area is closed to motorized vehicles.
5. Colocum elk hunting restrictions: No entry in GMU 330 (West Bar) except permit holders, Oct. 20-22, 1991. Closed to entry (no trespassing) Oct. 23-Nov. 8, 1991.
6. Westport: Closed to hunting of all big game animals on that part of Westport Peninsula lying north of State Highway 105 from the west end of the Elk River Bridge and the Schafer Island Road to the ocean beach.
7. Baleville: Closed to hunting of all big game animals on those lands between State Highway 105 and the Willapa River west of Raymond.

UPLAND BIRD CLOSURES

It is unlawful to hunt game birds on the Columbia River or from any island in the Columbia River in the following areas:

1. From the mouth of Glade Creek (River Marker 57) to the old townsite of Paterson (River Marker 67) in Benton County, except the hunting of game birds is permitted from the main shoreline of the Columbia River in this area. (Check with Umatilla National Wildlife Refuge for other federal regulations for this area.)
2. Between the public boat launch at Sunland Estates in Grant County (Wanapum Pool) and a point perpendicular in Kittitas County; upstream to the posted marker 200 yards north of Quilomene Bay and a point perpendicular in Grant County, including islands.

HORSE RESTRICTIONS

Colocum horse restrictions: GMU 330 (West Bar)—It is unlawful to ride horses, mules, or other livestock during any open elk season in GMU 330 PROVIDED, however, that livestock may be used for transporting camp gear and elk carcasses. GMU 329 (Quilomene)—It is unlawful to allow a horse to enter the Brushy and Cape Horn agricultural fields prior to 9 a.m. from Oct. 20-Nov. 3, 1991.

HUNTING FIREARM RESTRICTION AREAS

In firearm restriction areas, centerfire and rimfire rifles are not legal for hunting during any time of the year. Hunters may hunt only during the season allowed by their tag. Archery tag holders may hunt during archery seasons with archery equipment. Muzzleloaders may hunt during muzzleloader seasons with muzzleloader equipment. Modern firearm tag holders may hunt during modern firearm seasons with bows and arrows, muzzleloader or shotguns firing slugs or legal buckshot. Shotguns are not legal for hunting elk.

County	Area
Clallam	That portion of GMU 624 (Coyle) located within Clallam County
Clark	GMU 564 (Battleground)
Cowlitz	GMU 554 (Yale) GMU 504 (Stella)
Franklin,	All of GMU 281 (Ringold) and Wahluke Slope
Grant, Adams	Wildlife Area (portion of GMU 278 - Wahluke)
Grays Harbor	That portion of GMU 658 (North River) beginning at Bay City; then west along Highway 105 to Twin Harbors State Park; then south along Highway 105 to Grayland, then east on Smith Road to the Bayview Road, then north on the Bayview Road to Mallard Slough, then east and south along the Bayview Road to Andrews Creek, then north along main channel of Andrews Creek to Grays Harbor, then north and west along the main navigation channel to Bay City and point of beginning.
Island	That portion of GMU 410 (Island) located on Camano and Whidbey islands
Jefferson	Indian and Marrowstone islands

County	Area
King	The area west of Highway 203 (Monroe-Fall City-Preston) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; Vashon and Maury Islands
King	The following portion of GMU 484 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue southeast; then north along 284th Avenue southeast to State Highway 410; then west along Highway 410 to the point of beginning. (This restriction includes highpower rifles and muzzleloaders.)
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to North Lake Way, north of North Lake Way and the Bremerton-Seabeck Highway to Big Beef Creek bridge; all of Bainbridge Island, and Bangor Military Reservation
Kittitas	GMU 334 (Ellensburg) Closed to high power rifles during deer and elk seasons.
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Hartstene Island
Pacific Pierce	GMU 684 (Long Beach) west of Sand Ridge Road GMU 480 (Anderson and Ketron Islands) limited to archery, shotgun, and muzzleloader shotgun. McNeil Island closed to hunting.
Snohomish Skagit	West of Highway 9 Guemes Island and March Point north of State Highway 20
Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River
Whatcom	Area west of I-5 and north of Bellingham city limits including Point Roberts.

WSR 91-06-087
PROPOSED RULES
DEPARTMENT OF WILDLIFE
 [Filed March 6, 1991, 11:44 a.m.]

Original Notice.

Title of Rule: Adopting WAC 232-28-230 1991-92 Deer and elk permit hunting seasons.

Purpose: To establish 1991-92 special permit seasons for hunting deer and elk.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: This regulation establishes the 1991-92 special permit seasons for hunting deer and elk and provides for recreational opportunity, population management and wildlife damage control in specified areas of the state.

Reasons Supporting Proposal: See Summary above.

Name of Agency Personnel Responsible for Drafting: Pam Madson, Administrative Rules Officer, Olympia, (206) 586-6212; **Implementation:** Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and **Enforcement:** Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal does not change existing rules.

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

Hearing Location: Tower Inn, 1515 George Washington Way, Richland, WA 99352, on April 13, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by April 3, 1991.

Date of Intended Adoption: April 13, 1991.

March 6, 1991

Pamela K. Madson

Administrative Rules Officer

NEW SECTION

WAC 232-28-230 1991-92 DEER AND ELK PERMIT HUNTING SEASONS

Application Instructions

NOTE: Hunt numbers and GMU numbers are not the same.

A permit gives a hunter additional opportunity but it does not give him/her an extra deer or elk, EXCEPT that antlerless only permit holders for GMUs 105, 108, 111, 113, 118, 119, 121, and 124 may buy a second deer tag and harvest a second antlerless deer (See Special Deer Permit Hunting Seasons).

To apply for Special Deer Permit: You must have a valid 1991 Washington hunting license and a modern firearm or muzzleloader deer tag. You may submit one (only one) special deer permit application for 1991.

To apply for Special Elk Permit: You must have a valid 1991 Washington hunting license and a valid late modern firearm or muzzleloader elk tag. Blue Mountain archery tag holders may apply for branched antler permits in the Blue Mountains. You may submit one (only one) special permit application for elk. You may not submit an elk permit application if you were drawn for any elk permit during 1989 or 1990. Permit hunters may hunt only with a weapon in compliance with their tag.

Application Deadline: To qualify for the drawing all applications must be postmarked no later than August 1, 1991 or received no later than 5:00 p.m. on August 1, 1991 at the Department of Wildlife headquarters in Olympia or at any of the regional Department of Wildlife offices.

- Permits will be drawn by random computer selection.

- There are no refunds or exchanges for deer or elk tags for persons applying for special permits.

Special Hunting Season Permits

You MUST have a valid hunting license and tag to apply for any special hunting season set by the Wildlife Commission. (Special hunting seasons do not include hunts open to all hunters.)

SPECIAL DEER PERMIT HUNTING SEASONS
 (Open to Permit Holders Only)

Hunters must purchase a hunting license and deer tag prior to purchase of a permit application. Only modern firearm deer tag holders and muzzleloader deer tag holders may apply for the following permit hunts.

Hunters successfully drawn for an antlerless only permit for GMUs 105, 108, 111, 113, 118, 119, 121, or 124 may, after killing an antlerless white-tailed deer, purchase one additional antlerless only deer tag by presenting, in person, a completed report card and valid 1991 hunting license at the Spokane Regional Office. Additional tags are valid only in the GMU and season for which the original permit was issued. No more than two antlerless white-tailed deer per hunter

may be harvested. It is ILLEGAL for hunters with the second antlerless deer tag to kill a buck. Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1001	Curlew	200	Oct. 2-9	Whitetail, Antlerless Only	GMU 100
1002	Boulder	150	Oct. 2-9	Whitetail, Antlerless Only	GMU 103
1003	Kellyhill	350	Oct. 2-9	Whitetail, Antlerless Only	GMU 105
1004	Douglas	900	Oct. 2-9	Whitetail, Antlerless Only	GMU 108
1005	Aladdin	400	Oct. 2-9	Whitetail, Antlerless Only	GMU 111
1006	Selkirk	100	Oct. 2-9	Whitetail, Antlerless Only	GMU 113
1007	Chewelah	400	Oct. 2-9	Whitetail, Antlerless Only	GMU 118
1008	Boyer	500	Oct. 2-9	Whitetail, Antlerless Only	GMU 119
1009	Huckleberry	1,800	Oct. 2-9	Whitetail, Antlerless Only	GMU 121
1010	Mt. Spokane	1,000	Oct. 2-9	Whitetail, Antlerless Only	GMU 124
1011	Roosevelt	400	Nov. 13-24	Antlerless Only	GMU 133
1012	Harrington	150	Nov. 13-24	Antlerless Only	GMU 136
1013	Steptoe	200	Nov. 13-24	Antlerless Only	GMU 139
1014	Almota	400	Nov. 13-24	Antlerless Only	GMU 142
1015	Mayview	400	Nov. 13-24	Antlerless Only	GMU 145
1016	Starbuck	200	Nov. 13-24	Antlerless Only	GMU 148
1017	Eureka	50	Nov. 13-24	Antlerless Only	GMU 151
1018	Bluecreek	150	Nov. 13-24	Whitetail, Antlerless Only	GMU 154
1019	Touchet	75	Nov. 13-24	Whitetail, Antlerless Only	GMU 160
1020	Eckler	75	Nov. 13-24	Whitetail, Antlerless Only	GMU 161
1021	Marengo A	125	Nov. 13-24	Whitetail, Antlerless Only	GMU 163
1022	Marengo B	75	Nov. 13-24	Antlerless Only	GMU 163
1023	Mountain View	50	Nov. 13-24	Antlerless Only	GMU 172
1024	Lick Creek	50	Nov. 13-24	Antlerless Only	GMU 175
1025	Peola	200	Nov. 13-24	Antlerless Only	GMU 178
1026	Couse A	150	Nov. 13-24	Antlerless Only	GMU 181
1027	Couse B	150	Nov. 13-24	Whitetail, Antlerless Only	GMU 181
1028	Blue Mtn. Foothills A	60	Nov. 13-26	Whitetail, Antlerless or 3-Pt. Min.	GMUs 148, 154, 160, 161, 163, 166
1029	Blue Mtn. Foothills B	60	Nov. 13-26	Whitetail, Antlerless or 3-Pt. Min.	GMUs 145, 172, 175, 178, 181
1030	Tunk	100	Dec. 2-8	Whitetail, Either Sex	GMU 200
1031	Bonaparte	100	Dec. 2-8	Whitetail, Either Sex	GMU 206
1032	Wannacut	100	Nov. 2-8	Antlerless Only	GMU 209
1033	Sinlahekin A	200	Nov. 2-8	Antlerless Only	GMU 215
1034	Sinlahekin B	25	Dec. 2-8	Whitetail, Either Sex	GMU 215
1035	Chewuch A	400	Nov. 2-8	Antlerless Only	GMU 218
1036	Chewuch B	25	Dec. 2-8	Whitetail, Either Sex	GMU 218
1037	Pearrygin A	500	Nov. 2-8	Antlerless Only	GMU 224
1038	Pearrygin B	25	Dec. 2-8	Whitetail, Either Sex	GMU 224
1039	Gardner A	400	Nov. 2-8	Antlerless Only	GMU 231
1040	Gardner B	50	Dec. 2-8	Whitetail, Either Sex	GMU 231
1041	Pogue A	400	Nov. 2-8	Antlerless Only	GMU 233
1042	Pogue B	50	Dec. 2-8	Whitetail, Either Sex	GMU 233
1043	Bigbend	300	Oct. 19-27	Antlerless Only	GMU 248
1044	Saint Andrews	100	Oct. 19-27	Antlerless Only	GMU 254
1045	Foster Creek	200	Oct. 19-27	Antlerless Only	GMU 260
1046	Withrow	100	Oct. 19-27	Antlerless Only	GMU 262
1047	Badger	100	Oct. 19-27	Antlerless Only	GMU 266
1048	Moses Coulee	200	Oct. 19-27	Antlerless Only	GMU 269
1049	Beezley	200	Oct. 26-31	Either Sex	GMU 272
1050	Kahlotus	150	Oct. 19-27	Antlerless Only	GMU 284
1051	Entiat	150	Nov. 9-17	Antlerless Only	GMU 308
1052	Wenatchee	200	Nov. 16- Dec. 1	Antlerless Only	Portion of GMU 314
1053	Naneum	75	Nov. 2-10	Either Sex	GMU 328
1054	Olala	150	Nov. 9-17	Antlerless Only	Portion of GMU 316
1055	Quilomene	75	Nov. 2-10	Either Sex	GMU 329
1056	Teanaway	150	Nov. 13-15	Either Sex	GMU 335
1057	Taneum	100	Nov. 16-20	Either Sex	GMU 336
1058	Manastash	100	Nov. 16-20	Either Sex	GMU 340
1059	Naches	75	Oct. 26-29	Either Sex	GMU 346
1060	Bumping	50	Oct. 26-29	Either Sex	GMU 356
1061	Bethel	50	Oct. 26-29	Either Sex	GMU 360
1062	Rimrock	25	Oct. 26-29	Either Sex	GMU 364
1063	Priest Rapids	50	Oct. 26-29	Either Sex	GMU 370
1064	Champion N.	250	Dec. 6-10	Antlerless Only	Area 001
1065	Champion S.	100	Dec. 7, 8 and 14, 15	Antlerless Only	Area 002*

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1066	Green River A	45	Oct. 19-25	Antlerless or 2-Pt. Buck Min.	GMU 485
1067	Green River B	30	Oct. 19-25	Antlerless Only	GMU 485
1068	Lincoln	100	Oct. 21-27	Either Sex	GMU 501
1069	Mossyrock	100	Oct. 21-27	Either Sex	GMU 505
1070	Willapa Hills	75	Oct. 21-27	Either Sex	GMU 506
1071	Stormking	50	Oct. 21-27	Either Sex	GMU 510
1072	Sawtooth	50	Oct. 21-27	Either Sex	GMU 512
1073	Packwood	30	Oct. 21-27	Either Sex	GMU 516
1074	Ryderwood	50	Oct. 21-27	Either Sex	GMU 530
1075	Coweeman	60	Oct. 21-27	Either Sex	GMU 550
1076	Lewis River	50	Oct. 21-27	Either Sex	GMU 560
1077	Siouxon	50	Oct. 21-27	Either Sex	GMU 572
1078	White Salmon	100	Oct. 21-27	Antlerless or 2-Pt. Min.	GMU 576
1079	Goodnoe	100	Oct. 21-27	Antlerless or 2-Pt. Min.	GMU 584
1080	Grayback	200	Oct. 21-27	Antlerless or 2-Pt. Min.	GMU 588
1081	Hoko	50	Oct. 21-27	Either Sex	GMU 601
1082	Pysht	100	Oct. 21-27	Either Sex	GMU 603
1083	Soleduck	20	Oct. 21-27	Either Sex	GMU 607
1084	Goodman	50	Oct. 21-27	Either Sex	GMU 612
1085	Clearwater	50	Oct. 21-27	Either Sex	GMU 615
1086	Olympic	150	Oct. 21-27	Either Sex	GMU 621
1087	Coyle	125	Oct. 21-27	Either Sex	GMU 624
1088	Mason lake	25	Oct. 21-27	Either Sex	GMU 633
1089	Skokomish	125	Oct. 21-27	Antlerless or 2-Pt. Buck Min.	GMU 636
1090	Wynoochee	75	Oct. 21-27	Either Sex	GMU 648
1091	North River	25	Oct. 21-27	Either Sex	GMU 658
1092	Capitol Peak	30	Oct. 21-27	Either Sex	GMU 663
1093	Deschutes	75	Oct. 21-27	Either Sex	GMU 666
1094	Skookumchuck	250	Oct. 21-27	Either Sex	GMU 667
1095	Palix	20	Oct. 21-27	Either Sex	GMU 669
1096	Fall River	75	Oct. 21-27	Either Sex	GMU 672
1097	Nemah	25	Oct. 21-27	Either Sex	GMU 678
1098	Marrowstone I.	20	Oct. 21-27	Either Sex	Area 061
1099	Minot Peak	75	Oct. 21-27	Either Sex	GMU 660

*Young hunter opportunity. Applicants must be 16 years old or younger and must be accompanied by an adult.

SPECIAL HUNT FOR DISABLED

Hunters must purchase a hunting license and modern firearm or muzzleloader deer tag prior to purchase of a special hunting season permit application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1100	Stillaguamish	3	Dec. 7, 8	Antlerless Only, Handicapped Only	GMU 448

DEER MUZZLELOADER ONLY

Hunters must purchase a hunting license and muzzleloader deer tag prior to submitting an application for a muzzleloader permit hunt.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1101	Blue Creek	50	Nov. 27- Dec. 8	Whitetail - Antlerless or 3-Pt. Min.	GMU 154
1102	Chiliwist	200	Nov. 9-17	Either Sex	GMU 239
1103	Alta	300	Nov. 9-17	Either Sex	GMU 242
1104	Moses Coulee	25	Nov. 30- Dec. 6	Antlerless Only	GMU 269
1105	Moses Coulee	25	Dec. 7-13	Antlerless Only	GMU 269
1106	Moses Coulee	25	Dec. 14-20	Antlerless Only	GMU 269
1107	Manson	200	Nov. 9-17	Either Sex	GMU 300
1108	Alpine	100	Sept. 28- Oct. 11	Either Sex	GMU 302
1109	Chiwawa	250	Nov. 9-17	Either Sex	GMU 304
1110	Stillaguamish	100	Dec. 7-8	Antlerless Only	GMU 448

**Special Elk Hunting Seasons
(Open to Permit Holders Only)**

Hunters must purchase a hunting license and elk tag prior to purchase of a permit application. Permit hunters may hunt only with a weapon in compliance with their tag. Applicants must have purchased the proper area tag for these hunts (see Elk Tag Prefix required to apply for each hunt). Hunters drawing a permit for a hunt after the first of the year can use their 1991 license and tag during the hunt. Only hunters who purchase an

Early Blue Mountain elk tag (BE) may apply for special Blue Mountain bull permits. Blue Mountain hunters must have the appropriate elk tag prefix for the hunt they are applying for.

Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2001	Aladdin	15	Nov. 2-10	Either Sex	BL or BM	GMU 111
2002	Selkirk	30	Nov. 2-10	Either Sex	BL or BM	GMU 113
2003	Mt. Spokane	30	Oct. 30- Nov. 10	Antlerless Only	BL or BM	GMU 124
2004	Mayview	50	Sept. 1-26	Either Sex	BL or BM	GMU 145
2005	Blue Creek	100	Oct. 30- Nov. 10	Spike Bull or Antlerless	BL or BM	GMU 154
2006	Blue Creek	10	Oct. 30- Nov. 10	Any Bull	BE	GMU 154
2007	Watershed	100	Nov. 2-10	Antlerless or 3-Pt. Bull Min.	BL or BM	GMU 157
2008	Touchet	11	Oct. 30- Nov. 10	Any Bull	BE	GMU 160
2009	Eckler	11	Oct. 30- Nov. 10	Any Bull	BE	GMU 161
2010	Touchet, Eckler, Marengo	50	Dec. 15- Jan. 15, 1992	Antlerless Only	BL or BM	GMUs 160, 161, 163
2011	Tucannon	12	Oct. 30- Nov. 10	Any Bull	BE	GMU 166
2012	Wenaha	15	Oct. 30- Nov. 10	Any Bull	BE	GMU 169
2013	Mountain View A	125	Oct. 30- Nov. 10	Spike Bull or Antlerless	BL or BM	GMU 172
2014	Mountain View B	75	Dec. 15- Jan. 15, 1992	Antlerless Only	BL or BM	GMU 172
2015	Mountain View C	10	Oct. 30- Nov. 10	Any Bull Antlerless	BE	GMU 172
2016	Lick Creek A	200	Oct. 30- Nov. 10	Spike Bull or Antlerless	BL or BM	GMU 175
2017	Lick Creek B	10	Oct. 30- Nov. 10	Any Bull	BE	GMU 175
2018	Peola	3	Oct. 30- Nov. 10	Any Bull	BE	GMU 178
2019	Couse	75	Oct. 30- Nov. 10	Spike Bull or Antlerless	BL or BM	GMU 181
2020	Couse	3	Oct. 30- Nov. 10	Any Bull	BE	GMU 181
2021	Joseph/Black Butte	1	Oct. 30- Nov. 10	Any Bull	BE	GMU 184-185
2022	Naneum	150	Oct. 20-22	Antlerless Only	CL or CM	GMU 328
2023	Reecer A	75	Oct. 5-11	Antlerless Only	CL or CM	Elk Area 030
2024	Reecer B	75	Dec. 9-15	Antlerless Only	CL or CM	Elk Area 030
2025	Shushuskin A	100	Nov. 16-24	Antlerless Only	YL or YM	Elk Area 031
2026	Shushuskin B	100	Nov. 30- Dec. 8	Antlerless Only	YL or YM	Elk Area 031
2027	Malaga A	150	Sept. 1- Oct. 4	Antlerless Only	CL or CM	Elk Area 032*
2028	Malaga B	150	Oct. 30- Nov. 6	Antlerless Only	CL or CM	Elk Area 032
2029	Peshastin	100	Sept. 1- Oct. 4	Either Sex	CL or CM	Elk Area 033*
2030	West Bar A	25	Oct. 20	Antlerless Only	CL or CM	GMU 330
2031	West Bar B	25	Oct. 21	Antlerless Only	CL or CM	GMU 330
2032	West Bar C	25	Oct. 22	Antlerless Only	CL or CM	GMU 330
2033	Caribou	175	Nov. 20- Dec. 1	Antlerless Only	CL or CM	Elk Area 002
2034	Taneum A	100	Nov. 1-4	Antlerless Only	YL or YM	GMU 336
2035	Taneum B	100	Nov. 14-16	Antlerless Only	YL or YM	GMU 336
2036	Manastash A	100	Nov. 1-4	Antlerless Only	YL or YM	GMU 340
2037	Manastash B	100	Nov. 14-16	Antlerless Only	YL or YM	GMU 340
2038	Naches & Umtanum A	350	Nov. 1-4	Antlerless Only	YL or YM	GMU 342 & 346*
2039	Naches & Umtanum B	150	Nov. 14-16	Antlerless Only	YL or YM	GMU 342 & 346*
2040	Naches	25	Sept. 29- Oct. 12	3-Pt. Bull Min.	YL or YM	GMU 346*
2041	Nile A	100	Nov. 1-4	Antlerless Only	YL or YM	GMU 352
2042	Nile B	75	Nov. 14-16	Antlerless Only	YL or YM	GMU 352
2043	Bumping A	250	Nov. 1-4	Antlerless Only	YL or YM	GMU 356

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2044	Bumping B	150	Nov. 14-16	Antlerless Only	YL or YM	GMU 356
2045	Bethel	175	Nov. 14-16	Antlerless Only	YL or YM	GMU 360
2046	Rimrock-Cowiche A	175	Nov. 1-4	Antlerless Only	YL or YM	GMU 366
2047	Rimrock-Cowiche B	100	Nov. 14-16	Antlerless Only	YL or YM	GMU 366
2048	Green River Cow	30	Nov. 16-20	Antlerless Only	WL or WM	GMU 485
2049	Green River Bull	15	Nov. 16-20	Antlerless, or 3-Pt. Bull Min.	WL or WM	GMU 485
2050	Green River Spike	5	Nov. 16-20	Spike or Antlerless Only	WL or WM	GMU 485
2051	Lincoln	25	Nov. 19-24	Antlerless Only	WL or WM	GMU 501
2052	Willapa Hills	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 506
2053	Packwood	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 516
2054	Margaret Cow	30	Nov. 19-24	Antlerless Only	WL or WM	GMU 524
2055	Margaret Bull	30	Nov. 6-7	3-Pt. Bull Min.	WL or WM	GMU 524
2056	Toutle Cow	100	Nov. 19-24	Antlerless Only	WL or WM	GMU 556
2057	Toutle Bull	200	Nov. 6-17	3-Pt. Bull Min.	WL or WM	GMU 556
2058	Marble	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 558
2059	Lewis River	75	Nov. 19-24	Antlerless Only	WL or WM	GMU 560
2060	Siouxon	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 572
2061	Doty	50	Jan. 2-19, 1992	Antlerless Only	WL or WM	Elk Area 051
2062	Dickey Cow	30	Nov. 12-17	Antlerless Only	WL or WM	GMU 602
2063	Dickey Early Bull	10	Sept. 28-Oct. 11	3-Pt. Bull Minimum	WL or WM	GMU 602
2064	Dickey Late Bull	75	Oct. 30-Nov. 10	3-Pt. Bull Minimum	WL or WM	GMU 602
2065	Soleduck	30	Nov. 12-17	Antlerless Only	WL or WM	GMU 607
2066	Goodman	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 612
2067	Matheny	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 618
2068	Quinault Ridge	5	Sept. 28-Oct. 11	3-Pt. Bull Minimum	WL or WM	GMU 638
2069	Humptulips	15	Nov. 12-17	Antlerless Only	WL or WM	GMU 639
2070	Wynoochee	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 648
2071	Minot Peak	20	Nov. 12-17	Antlerless Only	WL or WM	GMU 660
2072	Palix	40	Nov. 12-17	Antlerless Only	WL or WM	GMU 669
2073	Nemah	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 678
2074	Backbone	55	Nov. 27-Dec. 15	Either Sex	WL or WM	Area 025
2075	Curtis	50	Dec. 21-31, 1991	Antlerless Only	WL or WM	Area 050
2076	Boistfort	50	Jan. 2-19, 1992	Antlerless Only	WL or WM	Area 054
2077	Carlton	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Area 057
2078	West Goat Rocks	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Area 058
2079	Mt. Adams	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Area 059
2080	Mt. Tebo	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Area 061
2081	Willapa Valley	25	Jan. 1-15, 1992	Antlerless Only	WL or WM	Area 065
2082	Twin Valley A	20	Jan. 1-15, 1992	Antlerless Only	WL or WM	Area 066
2083	South Willapa	10	Jan. 1-15, 1992	Antlerless Only	WL or WM	Area 067

*Special damage control hunt in Malaga and Peshastin areas. Please send application for this hunt to Yakima regional office. Address - Washington Department of Wildlife, 2802 Fruitvale Boulevard, Yakima, Washington 98902-1120.

SPECIAL HUNT FOR DISABLED

Hunters must purchase a hunting license and modern firearm or muzzleloader elk tag prior to purchase of a special hunting season permit application. Note elk tag required.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2084	Centralia Mine	20	Nov. 18-Dec. 1	Antlerless Only Disabled Hunter Only	WL or WM	Portion of GMU 667

MUZZLELOADER ONLY

Hunters must purchase a hunting license and muzzleloader elk tag prior to purchase of a special hunting season permit application. Note the elk tag required for each hunt.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2085	Bluecreek	100	Dec. 1- Jan. 31, 1992	Antlerless Only	BM	GMU 154
2086	Mountain View	50	Oct. 5-11	Spike Bull or Antlerless	BM	GMU 172
2087	Mountain View	4	Oct. 5-11	Any Bull	BM	GMU 172
2088	Umtanum	200	Sept. 28- Oct. 11	Antlerless Only	YM	GMU 342
2089	Naches Cow	250	Nov. 16-19	Antlerless Only	YM	GMU 346
2090	Twin Valleys B	20	Jan. 16- Feb. 15, 1992	Antlerless Only	WM	Elk Area 066
2091	Coal Creek	35	Nov. 21- Dec. 9	Antlerless Only	WM	ML Area 940
2092	Yale	50	Nov. 22- Dec. 10	Either Sex	WM	GMU 554
2093	Hoko River A	15	Jan. 1- 15, 1992	Antlerless Only	WM	ML Area 961
2094	Hoko River B	15	Jan. 16- Feb. 15, 1992	Antlerless Only	WM	ML Area 961
2095	Chinook Late	10	Jan. 16- Feb. 15, 1992	Antlerless Only	WM	Elk Area 069
2096	North River	30	Nov. 20- Dec. 8	Antlerless Only	WM	GMU 658
2097	Elwha A	5	Dec. 15- Jan. 15, 1992	Antlerless Only	WM	ML Area 962
2098	Elwha B	5	Jan. 16- Feb. 15, 1992	Antlerless Only	WM	ML Area 962

ARCHERY ONLY

Hunters must purchase a hunting license and Blue Mountain elk tag prior to purchase of a special hunting season permit application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2099	Blue Mountains West	7	Sept 28.- Oct. 11	Either Sex	BA	GMUs 154, 160 161, 166, 169
2100	Blue Mountains East	4	Sept 28.- Oct. 11	Either Sex	BA	GMUs 175, 178 181, 184, 185

WSR 91-06-088
NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE
 [Memorandum—March 4, 1991]

The board of trustees of Community College District Number Eleven (Pierce College) would like to make the following change to the April 1991 regular board meeting:

Meeting Date/Location	Time	Change to
April 10, 1991 Ft. Lewis, Washington	12:30	Pierce College 9401 Farwest Drive S.W. Tacoma, WA 98498

WSR 91-06-089
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed March 6, 1991, 2:06 p.m.]

Purpose: Rules intending to clarify and define the interest rate and assessment procedures on payments of obligations owed to Department of Retirement Systems.

Statutory Authority for Adoption: Chapter 34.05 RCW and RCW 41.50.050 and 41.50.120.

Statute Being Implemented: RCW 41.50.120.

Summary: Provide rules and definitions for implementation of RCW 41.50.120, assessment of interest charges on employers' overdue payments of obligations owed to Department of Retirement Systems.

Name of Agency Personnel Responsible for Drafting: Hector Gonzalez, Manager, Legislative Legal Affairs Unit, 1205 East Union, Olympia, WA, (206) 586-3414; **Implementation:** George Northcroft, Director, Department of Retirement Systems, 1205 East Union, Olympia, WA, (206) 753-5281; and **Enforcement:** Jean Wilkinson, Assistant Attorney General, Attorney General's Office, Olympia, Washington, (206) 753-0225.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rules and definitions intended to implement the assessment of interest charges on employers' overdue

payments of obligations to the Department of Retirement Systems.

Proposal does not change existing rules.

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

Hearing Location: Department of Social and Health Services Office Building, 1002 North 16th Avenue, 2nd Floor Conference Room, Yakima, WA, on April 9, 1991, at 10 a.m.-1 p.m.; and Department of Retirement Systems Office Building, 402 Legion Way, Room 101, Olympia, WA 98504, on April 10, 1991, at 10 a.m.-1 p.m.

Submit Written Comments to: Hector X. Gonzalez, Jr., Manager, Legislative/Legal Affairs Unit, Department of Retirement Systems, 1205 East Union, Olympia, Washington 985043 [98504], by April 5, 1991.

Date of Intended Adoption: May 14, 1991.

March 6, 1991
George Northcroft
Director

CHAPTER 415-114

A Rule Relating to The Assessment of Interest Charges on Employers' Overdue Payments

NEW SECTION

WAC 415-114-010 **PURPOSE** These rules relate to the implementation of RCW 41.50.120 which provides the Department of Retirement Systems the authority to assess interest charges on employers' overdue payments of obligations owed to the Department.

These rules are intended to encourage employers to submit contribution transmittal reports and to pay obligations in a timely manner.

NEW SECTION

WAC 415-114-020 **DEFINITIONS** As used in this chapter, unless a different meaning is plainly required by the context:

1. **Department** - refers to the Department of Retirement Systems established pursuant to chapter 41.50 RCW as now existing or hereafter amended;
2. **Employers** - refers to all employers within the retirement systems administered by the Department, as defined in RCW 41.50.030;
3. **Obligations owed to the Department** - include, but are not limited to, employer and employee contributions;
4. **Average daily balance** - refers to the total of the obligations owed to the Department, less payments received each business day;
5. **Close of business day** - refers to 5:00 p.m. of a business day.

NEW SECTION

WAC 415-114-030 **WHAT IS CONSIDERED AN OVERDUE PAYMENT OF AN OBLIGATION OWED TO THE DEPARTMENT** Payment for a calendar month, or any portion thereof, shall be made to the Department on or before the 15th day of the following calendar month. Payment is overdue if not received within three business days following the 15th day of the following calendar month. Payment must be received by the Department or credited to the Department's account before the close of business on the third business day following the 15th day of the following calendar month.

NEW SECTION

WAC 415-114-040 **ASSESSMENT OF INTEREST CHARGE**

1. When a payment is overdue, interest charged at the rate of 1% per month will be assessed against the employer's outstanding average daily balance. The outstanding average daily balance is the total of the obligations owed to the Department, less payments received. The interest obligation shall not be compounded.

2. Interest charges of less than five dollars will not be billed.

3. Interest charges will be based upon the most recent month's contribution report transmitted by the employer to the Department. After

the contribution report is received by the Department, and determined past due, interest charges will be adjusted to the actual obligation due.

4. Beginning with May 1991, reports and obligations, which are due on or before June 15, 1991, interest will be charged for overdue obligations owed to the Department.

NEW SECTION

WAC 415-114-050 **ASSESSMENT OF INTEREST CHARGE ON ACCRUED OBLIGATIONS** Employers will be given until June 15, 1991, to pay the total balance due to the Department on all obligations, including those accrued and owing to the Department prior to the May 1991 obligations. Accrued obligations not paid by the close of business day on the third business day after June 15, 1991, will be assessed an interest charge in accordance with WAC 415-114-040.

NEW SECTION

WAC 415-114-060 **BILLING OF INTEREST CHARGES** Interest charges assessed against an employer for overdue payments will appear on the employer's monthly accounts receivable statement. Interest charges assessed on a monthly accounts receivable statement are due and payable by the close of the third business day after the 15th day of the following calendar month in accordance with WAC Section 415-114-030.

WSR 91-06-090

PROPOSED RULES DEPARTMENT OF HEALTH (Chiropractic Disciplinary Board) [Filed March 6, 1991, 2:51 p.m.]

Original Notice.

Title of Rule: WAC 246-807-171 Billing; WAC 246-807-410 Classification of chiropractic procedures and instrumentation; and repealing WAC 113-12-101 Billing, WAC 246-807-400 Consultation and review by unlicensed practitioners, and WAC 246-807-173 Documentation of care.

Purpose: To define billing, record-keeping and documentation of care. Defines consultation and review by unlicensed practitioners.

Statutory Authority for Adoption: RCW 18.26.110 and 18.130.050.

Statute Being Implemented: WAC 246-807-173 is RCW 18.25.005; WAC 246-807-400 is RCW 18.25.005 and 18.130.180; WAC 246-807-171 is RCW 18.25.005; and WAC 246-807-410 is RCW 18.130.050 and 18.130.180.

Summary: Clarifies unprofessional conduct, billing and record-keeping requirements for chiropractors.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Connie Glasgow, 1300 Quince Street, Olympia, WA 98504, 586-1931.

Name of Proponent: Chiropractic Disciplinary Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Billing, allows for chiropractors to bill for services rendered. Documentation of care, allows for proper record-keeping requirements. Classification of chiropractic procedures and instrumentation, allows for the board to approve procedures or instrumentation that could benefit chiropractic treatment. Consultation and

review by unlicensed practitioner, provides that rendering an opinion concerning a Washington state chiropractor must be done by a licensed Washington chiropractor.

Proposal does not change existing rules.

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

Hearing Location: Radisson Hotel, Seattle Airport, 17001 Pacific Highway South, Seattle, WA 98188, on April 17, 1991, at 7:30 p.m.

Submit Written Comments to: Connie Glasgow, 1300 Quince Street, EY-21, Olympia, WA 98504, by April 16, 1991.

Date of Intended Adoption: April 17, 1991.

March 4, 1991
Connie M. Glasgow
Program Manager

NEW SECTION

WAC 246-807-410 CLASSIFICATION OF CHIROPRACTIC PROCEDURES AND INSTRUMENTATION. (1) Procedures, instruments for treatment and/or diagnostic evaluation used by a doctor of chiropractic shall be classified by the board as follows:

(a) "Approved": A procedure or instrument which is taught at a board approved Chiropractic College for patient clinical application and not for research or experimental purposes and is allowable by statute;

(b) "Research or Investigational": A procedure or instrumentation that is not approved, but may have a positive benefit in the diagnosis or care of a patient's condition. No reimbursement is allowed for procedures or instruments used under this classification.

(c) "Non-approved or Experimental": Any instrumentation or procedure that does not meet with board approval. A procedure or instrument in this classification shall pass further testing in the laboratory before it can be used on the public. These may be defined by previous declaratory rules or rules and regulations.

(2) The board shall maintain a classified list of chiropractic procedures and instrumentation. The list shall be made available upon request.

(3) A doctor who intends to use a new instrument or procedure in practice which does not meet the definition of an approved procedure or instrument shall:

(a) Notify the board;

(b) Provide the board with supporting documentation concerning the use of such a procedure or instrumentation;

(c) Demonstrate sufficient additional training or study for the doctor and utilizing staff to properly use the procedure or instrumentation.

(4) The board may use the following factors to determine the classification of the procedure or instrumentation, and shall notify the doctor of such classification:

(a) The new procedure or instrument is taught at an approved Chiropractic College.

(b) There is a scientific basis for the new procedure or instrument.

(c) The procedure or instrument has a direct and positive relationship to chiropractic care.

(d) Comparison of potential risk to benefit to the patient.

(e) Any other factors the board may wish to consider.

NEW SECTION

WAC 246-807-171 BILLING. A Doctor of chiropractic may bill for all provided services that are allowable under chapters 18.25 and 18.26 RCW. The doctor shall utilize codes and/or descriptions of services that accurately describe the professional services rendered.

REPEALER

The following section of the Washington State Administrative Code is repealed:

WAC 113-12-101 BILLING.

NEW SECTION

WAC 246-807-173 DOCUMENTATION OF CARE. (1) The record keeping procedures of a Chiropractor shall be adequate to provide documentation of the necessity and rationale for examination, diagnostic/analytical procedures, and chiropractic services. The required documentation shall include, but not necessarily be limited to, the patient's history and/or subjective complaints; examination findings and/or objective signs; and a record of all chiropractic services performed.

(2) An accepted method of record keeping is the utilization of "SOAP" notes for examinations and "chart notes" for daily records.

(a) An examination shall involve the recording of a complete "SOAP" note:

(i) "S" denotes subjective complaints;

(ii) "O" denotes objective signs;

(iii) "A" denotes assessment or appraisal of the patient as to diagnosis/analysis; and

(iv) "P" denotes plan for case management.

(b) Daily chart notes are brief notations recorded in the patient's chart file between examinations. These notations shall include the chiropractic and diagnostic/analytical services performed and/or ordered and/or significant changes in the care or progress of the patient. Complete SOAP notes are not generally included on every visit when examinations are performed at reasonable intervals and include complete SOAP notations. Chart notes on each visit shall accurately record care administered to a patient and any change in subjective and/or objective findings.

(3) If a code is utilized by the doctor in connection with record keeping, a code legend shall be included in the records.

NEW SECTION

WAC 246-807-400 CONSULTATION AND REVIEW BY UNLICENSED PRACTITIONERS. (1) The board finds that rendering an opinion on the appropriateness and necessity of chiropractic care provided in Washington State by persons unlicensed by the Washington Board of Chiropractic Examiners is practicing chiropractic without a license.

(2) The board further finds that licensed Washington chiropractors cooperating with such persons performing chiropractic services without a license are aiding and abetting the unlicensed practice of chiropractic.

(3) The consulting/reviewing practitioner shall upon demand provide a valid Washington license number that can be verified by the licensed chiropractor being reviewed.

WSR 91-06-091

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed March 6, 1991, 2:54 p.m.]

Original Notice.

Title of Rule: Sex offender treatment providers. WAC 246-930-010 General definitions; 246-930-020 Requirement for underlying credential as a health professional; 246-930-030 Education requirement for full certification applicants; 246-930-040 Professional experience requirement for full certification applicants; 246-930-050 Education requirement for affiliate certification applicants; 246-930-060 Professional experience requirement for affiliate certification applicants; 246-930-070 Training for applicants for full or affiliate certification; 246-930-200 Application and examination; 246-930-210 Examination appeal procedures; 246-930-220 Reexamination for assurance of competency; 246-930-300 Mandatory reporting; 246-930-400 Issuance and renewal of certification; 246-930-499 Temporary and provisional certification during first year of certification

program; and 246-930-990 Sex offender treatment provider fees.

Purpose: To regulate and certify sex offender treatment providers.

Statutory Authority for Adoption: RCW 18.155.040.

Statute Being Implemented: Chapter 18.155 RCW.

Summary: Program implementation.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanne Redmond, 1300 Quince Street, Mailstop EY-23, 753-0712.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To establish entry level requirements for treatment providers certification to evaluate and treat sex offenders as directed by the courts.

Proposal does not change existing rules.

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

Hearing Location: General Administration, 218 General Administration, Mailstop AX-22, Olympia, Washington 98504, on April 18, 1991, at 10:30 - 12:00.

Submit Written Comments to: Joanne Redmond, 1300 Quince Street, Mailstop EY-23, Olympia, WA 98504, by April 17, 1991.

Date of Intended Adoption: April 19, 1991.

March 5, 1991
Pam Campbell Mead
for Kristine Gebbie
Secretary

Chapter 246-930 WAC
SEX OFFENDER TREATMENT PROVIDER

NEW SECTION

WAC 246-930-010 GENERAL DEFINITIONS. Whenever used in these rules, unless expressly otherwise stated, or unless the context or subject matter requires a different meaning, the following terms shall have the following meanings:

(1) "Department" means the department of health, professional licensing services division.

(2) "Secretary" means the secretary of the department of health, or designee.

(3) "Provider" means sex offender treatment provider.

(4) "Affiliate" means affiliate sex offender treatment provider.

(5) "Committee" means the sexual offender treatment providers advisory committee.

(6) "Credential" or its derivative means the process of licensing, registration, certification, or the equivalent through which a person is legally recognized by a state agency as lawfully authorized to practice a health profession.

(7) "Evaluation" is defined as the direct provision of comprehensive evaluation and assessment services to persons who have been investigated by law enforcement or child protective services for commission of a sex offense, or who have been adjudicated or convicted of a sex offense. Such services must have resulted in preparation of a formal written report. To qualify, the individual must have had primary responsibility for interviewing the offender and must have completed the written report. Only face-to-face contact with a client may be counted for evaluation credit. Evaluation hours performed by affiliate providers under the supervision of fully certified providers count toward certification under this definition. Note that limited assessments for the purpose of institution classification, treatment monitoring, and reporting do not qualify for evaluation credit under this definition.

(8) "Treatment" is defined as the direct provision of face-to-face individual, group, or family therapy with persons who have been investigated by law enforcement or child protective services for commission

of a sex offense, or who have been adjudicated or convicted of a sex offense. The professional must have had formal responsibility for provision of primary treatment services, and such services must have had direct relevance to a client's offending behavior. Treatment hours performed by affiliate providers under the supervision of fully certified providers count toward certification under this definition.

(9) "Group therapy hours" are defined as the actual number of hours the applicant spent facilitating a group session. Group co-therapists may both claim credit for therapy hours as long as both persons have formal responsibility for the group sessions. Time spent in maintaining collateral contacts and written case/progress notes can not be counted under this definition. Treatment performed by affiliate providers under the supervision of fully certified providers counts toward certification under this definition.

NEW SECTION

WAC 246-930-020 REQUIREMENT FOR UNDERLYING CREDENTIAL AS A HEALTH PROFESSIONAL. (1) Under RCW 18.155.020(1), only credentialed health professionals may be certified as providers.

(2) A person who is credentialed as a health professional in a state or jurisdiction other than Washington must satisfy this requirement by submitting the following:

(a) A copy of the current nonexpired credential issued by the credentialing state;

(b) A copy of the statute, administrative regulation, or other official document of the issuing state which sets forth the minimum requirements for the credential;

(c) A statement from the issuing authority:

(i) That the credential is in good standing;

(ii) That there is no disciplinary action currently pending; and

(iii) Listing any formal discipline actions taken by the issuing authority with regard to the credential;

(d) A statement signed by the applicant, on a form provided by the department, submitting to the jurisdiction of the Washington state courts for the purpose of any litigation involving his or her practice as a sex offender treatment provider, and designating the department as his or her agent for the purpose of service of process in such litigation;

(e) A statement signed by the applicant on a form provided by the department, that the applicant does not intend to practice the health profession for which he or she is credentialed by another state within the state of Washington without first obtaining an appropriate credential to do so from the state of Washington, except as may be authorized by Washington state law; and

(f) Evidence to show compliance with the AIDS education requirement:

(i) Education and training shall be consistent with the model curriculum available from the office on AIDS within the department of health pursuant to chapter 70.24 RCW. Such education and training shall be a minimum of four clock hours and shall include, but not be limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(ii) Documentation. The applicant shall:

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

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

(C) Be prepared to validate, through submission of these records, that attendance has taken place.

(3) Underlying registration, certification, or licensure must be maintained in good standing. If underlying registration, certification, or licensure is not renewed or is revoked, certification as a sex offender treatment provider, affiliate sex offender treatment provider, or temporary or provisional treatment provider will be immediately revoked.

NEW SECTION

WAC 246-930-030 EDUCATION REQUIREMENT FOR FULL CERTIFICATION APPLICANTS. (1) Applicants for full certification must have completed:

(a) A master's or doctoral degree in social work, psychology, counseling, or educational psychology from a fully accredited college or university; or

(b) A medical doctor or doctor of osteopathy degree if the individual is a board certified/eligible psychiatrist; or

(c) A master's or doctoral degree in a closely related field when there is documentation of thirty graduate semester hours or forty-five graduate quarter hours in approved subject content.

Approved subject content includes a core of study relating to treatment of sex offenders and shall include at least five graduate semester hours or seven graduate quarter hours in (c)(i) and (ii) of this subsection and five graduate semester hours or seven graduate quarter hours in at least two additional content areas from the entire list:

- (i) Counseling and psychotherapy.
- (ii) Personality theory.
- (iii) Research.
- (iv) Psychopathology/personality disorders.
- (v) Assessment/tests and measurement.
- (vi) Group therapy/family therapy.
- (vii) Human growth and development/sexuality.
- (viii) Corrections/criminal justice.

(2) Transcripts of all graduate work must be submitted directly to the department from the college or university where earned.

NEW SECTION

WAC 246-930-040 PROFESSIONAL EXPERIENCE REQUIREMENT FOR FULL CERTIFICATION APPLICANTS. (1) In order to qualify for examination, at least two thousand hours of direct treatment and evaluation experience, as defined in WAC 246-930-010, with adjudicated or convicted sex offenders is required. At least two hundred fifty of these hours must be evaluation experience and at least five hundred of these hours must be treatment experience.

(2) All of the prerequisite experience must have been within the seven-year period preceding application for certification as a provider.

NEW SECTION

WAC 246-930-050 EDUCATION REQUIREMENT FOR AFFILIATE CERTIFICATION APPLICANTS. (1) Applicants for affiliate certification must have completed:

(a) A bachelor's, master's, or doctorate degree in social work, psychology, counseling, or educational psychology from a fully accredited institution of higher education; or

(b) A medical doctor or doctor of osteopathy degree if the individual is a board certified/eligible psychiatrist; or

(c) A bachelor's degree in a closely related field when there is documentation of thirty semester hours or forty-five quarter hours in approved subject content.

Approved subject content includes a core of study relating to treatment of sex offenders and shall include at least five semester hours or seven quarter hours in (c)(i) and (ii) of this subsection and five semester hours or seven quarter hours in at least two additional content areas from the entire list:

- (i) Counseling and psychotherapy.
- (ii) Personality theory.
- (iii) Research.
- (iv) Psychopathology/personality disorders.
- (v) Assessment/tests and measurement.
- (vi) Group therapy/family therapy.
- (vii) Human growth and development/sexuality.
- (viii) Corrections/criminal justice.

(2) Transcripts of all academic work must be submitted directly to the department from the college or university where earned.

NEW SECTION

WAC 246-930-060 PROFESSIONAL EXPERIENCE REQUIREMENT FOR AFFILIATE CERTIFICATION APPLICANTS. (1) Applicants meeting only the minimal academic requirements for affiliate status (bachelor's degree), must have a total of two thousand hours of experience in evaluation and/or treatment as defined in WAC 246-930-010. No specific minimum number of hours in either category is required for affiliate applicants.

(2) All of the prerequisite experience must have been within the seven-year period preceding application for certification as a provider.

(3) If the applicant for affiliate status meets the academic requirements for full certification, post-graduate degree as outlined in WAC 246-930-030, no experience requirement applies.

NEW SECTION

WAC 246-930-070 TRAINING FOR APPLICANTS FOR FULL OR AFFILIATE CERTIFICATION. (1) All applicants for

certification as providers or affiliate providers shall submit documentation of attendance at fifty hours of formal conferences, symposia, or seminars related to the treatment and evaluation of sex offenders or abuse victims.

(2) All such training shall have been received within the three years preceding application for certification.

NEW SECTION

WAC 246-930-200 APPLICATION AND EXAMINATION.

(1) In order to be certified to practice under this chapter as a provider or affiliate provider in the state of Washington all applicants must pass an examination approved by the secretary.

(2) An applicant must meet all education, experience, and training requirements and be a health care provider before being allowed to sit for the examination.

(3) Examinations will be given twice annually at a time and place determined by the secretary.

(4) A completed application with the appropriate fee for certification must be received in the office of the department, no later than sixty days prior to the examination administration. All supporting documentation must be received no later than twenty days prior to the scheduled examination date.

(5) Any applicant who fails to follow written or oral instructions relative to the conduct of the examination, is observed talking or attempting to give or receive information, or attempting to remove materials from the examination or using or attempting to use unauthorized materials during any portion of the examination will be terminated from the examination and not permitted to complete it.

(6) The department shall approve the method of grading each examination, and shall apply such method uniformly to all applicants taking the examination.

(7) An applicant will be notified in writing of his or her examination score.

(8) An applicant's examination score shall not be disclosed to anyone other than the applicant, unless requested to do so in writing by the applicant.

(9) An applicant who fails to make the required grade in the first examination is entitled to take up to two additional examinations upon the payment of a reexamination fee for each subsequent examination determined by the secretary. Upon failure of three examinations, the secretary may require remedial education before admission to future examinations.

NEW SECTION

WAC 246-930-210 EXAMINATION APPEAL PROCEDURES. (1) Any candidate who takes and does not pass the sex offender treatment provider examination, may request review of the results of the examination.

(a) The examination results will not be modified unless the candidate presents clear and convincing evidence of error in the examination content or procedure, or bias, prejudice, or discrimination in the examination process.

(b) Any challenges to examination scores will not be considered unless the total of the potentially revised score would result in issuance of a certificate.

(2) The procedure for requesting an informal review of examination results is as follows:

(a) The request must be in writing and must be received by the department within thirty days of the date on the letter of notification of examination results sent to the candidate.

(b) In addition to the written request required in (a) of this subsection, the candidate must appear personally in the department office in Olympia for an examination review session. The department will contact the candidate upon receipt of the request to make an appointment for the examination review session.

(c) The candidate's incorrect answers will be available during the review session. The candidate will be given a form to complete in defense of the examination answers. The candidate must specifically identify the challenged questions on the examination and must state the specific reason(s) why the candidate believes the results should be modified.

(d) The candidate may not bring in any resource material for use while completing the informal review form.

(e) The candidate will not be allowed to remove any notes or materials from the office upon completing the review session.

(3) The advisory committee will schedule a closed session meeting to review the failed examination questions and forms completed by the candidate. The candidate will be notified in writing of the decision.

(a) The candidate will be identified only by candidate number for the purpose of this review.

(b) Letters of referral or requests for special consideration will not be read or considered.

(4) Any candidate not satisfied with the results of the informal examination review may request a formal hearing before the secretary to challenge the informal review decision. The procedures for requesting a formal hearing are as follows:

(a) The candidate must complete the informal review process before requesting a formal hearing.

(b) The request for formal hearing must be received by the department within twenty days of the date on the notice of the results of the informal review.

(c) The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the examination results should be modified.

(5) Before the hearing is scheduled the parties shall attempt by informal means to resolve 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.

If the parties are unable to resolve any of these issues informally, either party may request a prehearing conference to be held before an administrative law judge.

(6) 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.

(7) Candidates will receive at least twenty days' notice of the time and place of the formal hearing.

(8) The hearing will be restricted to the specific portion(s) of the examination the candidate had identified in the request for formal hearing.

(9) The formal hearing will be conducted pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

NEW SECTION

WAC 246-930-220 REEXAMINATION FOR ASSURANCE OF COMPETENCY. (1) An applicant for certification who has been previously certified shall retake the examination and achieve a passing score before recertification under any of the following circumstances:

(a) The applicant has been uncertified voluntarily for more than thirty-six calendar months; or

(b) The applicant's certificate has been revoked or suspended by reason of a disciplinary action by the secretary of the department of health.

(2) The secretary may require reexamination in any disciplinary order as a condition of reissuing a certificate or confirming certification.

(3) Whenever reexamination is required, the applicant shall pay the appropriate fees set forth in WAC 246-930-990.

NEW SECTION

WAC 246-930-300 MANDATORY REPORTING. (1) Pursuant to RCW 18.130.070, the persons designated in subsection (2) of this section are required to report to the department:

(a) Any conviction, determination, or finding of which they have personal knowledge that any person certified as a provider or affiliate provider has committed an act which constitutes unprofessional conduct under RCW 18.130.180; or

(b) Any information of which they have personal knowledge which indicates that any person certified as a provider or affiliate provider may not be able to practice with reasonable skill and safety to the public as a result of a mental or physical condition.

(2) The following persons are required to report the information identified in subsection (1) of this section:

(a) Persons certified as providers or affiliate providers;

(b) The president, chief executive officer, or designated official of any professional association or society whose members are certified providers or affiliate providers;

(c) Prosecuting attorneys and deputy prosecuting attorneys;

(d) Community corrections officers employed by the department of corrections;

(e) Juvenile probation or parole counselors who provide counseling or supervision to juvenile probationers;

(f) The president, chief executive officer, or designated official of any public or private agency which employs certified providers or affiliate providers;

(g) The president, chief executive officer, or designated official of any credentialing agency for health professionals.

(3) Reports under this section must be made in writing, and must include the name, address, and telephone number of the person making the report, the name and address of the person about whom the report is made, and complete information about the circumstances giving rise to the report.

NEW SECTION

WAC 246-930-400 ISSUANCE AND RENEWAL OF CERTIFICATION. (1) Individuals receiving an initial provider or affiliate provider certificate will be issued a certificate to expire on June 1st of the next calendar year.

(2) Individuals shall renew their certificate annually on or before June 1st. Failure to renew shall invalidate the certificate to practice as a provider. Any person practicing with an expired certificate shall be deemed to be engaging in uncertified practice.

(3) An individual will be considered to have made timely renewal application if the appropriate renewal fee and required accompanying documentation is received by the department on or before the expiration date.

NEW SECTION

WAC 246-930-499 TEMPORARY AND PROVISIONAL CERTIFICATION DURING FIRST YEAR OF CERTIFICATION PROGRAM. In order to provide adequate time for applicants to prepare for initial examination and avoid disruption of current service provision, a three-tier temporary and provisional certification system as described below will be in effect.

(1) Temporary full certification. Applicants who are credentialed health professionals and who meet all education, experience, and training prerequisites at the time of application will be issued temporary full certification in order to allow practice to continue pending satisfactory passage of the examination. This certification will expire on issuance of an initial certificate, or on June 30, 1992, whichever comes first. Temporary certification will not be renewed.

(2) Temporary affiliate certification. Applicants who are credentialed health professionals and who meet all affiliate education, experience, and training prerequisites at the time of application will be issued temporary affiliate certification in order to allow practice to continue pending satisfactory passage of examination. This certification will expire on issuance of an initial affiliate certificate, or on June 30, 1992, whichever comes first. Temporary affiliate certification will not be renewed.

(3) Provisional full certification. Applicants who are credentialed health professionals and who have at least one thousand hours of experience in either treatment and/or evaluation accrued over the seven years immediately preceding application, and who have the equivalent of one year of graduate school credit may submit a plan to the department at application documenting how he/she plans to meet all remaining experience, education, or training requirements and pass the examination by June 30, 1992. If the plan is approved by the department, the applicant will be granted provisional full certification. Providers practicing with provisional full certification status may not supervise affiliate providers. The certification will remain valid until completion of full certification requirements or June 30, 1992, whichever comes first. Provisional full certification status will not be renewed.

(4) The three level temporary certification system will be in effect from July 1, 1991, through June 30, 1992. On June 30, 1992, all provisional and temporary certificates expire, and only full certification or affiliate status certification will be issued.

NEW SECTION

WAC 246-930-990 SEX OFFENDER TREATMENT PROVIDER FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Sex offender treatment provider:	
Application and examination	\$ 650.00
Reexamination	325.00
Initial certification	100.00
Renewal	1,300.00
Late renewal penalty	200.00
Duplicate certificate	15.00
Affiliate treatment provider:	
Application and examination	300.00
Reexamination	150.00
Initial certification	50.00
Renewal	400.00
Late renewal penalty	200.00
Duplicate certificate	15.00

**WSR 91-06-092
PROPOSED RULES
UNIVERSITY OF WASHINGTON**
[Filed March 6, 1991, 3:26 p.m.]

Original Notice.

Title of Rule: Chapter 478-116 WAC, University of Washington parking and traffic regulations.

Purpose: To revise the University of Washington parking and traffic regulations by: Amending WAC 478-116-020, 478-166-055, 478-116-080, 478-116-090, 478-116-110, 478-116-130, 478-116-160, 478-116-210, 478-116-230, 478-116-240, 478-116-250, 478-116-260, 478-116-300, 478-116-360, 478-116-390, 478-116-450, 478-116-470, 478-116-520, 478-116-540, 478-116-584, 478-116-586, 478-116-588, and 478-116-601; repealing WAC 478-116-085, and 478-116-600; and adding WAC 478-116-088, 478-116-455, and 478-116-463.

Statutory Authority for Adoption: RCW 28B.20.130 and 28B.10.560.

Summary: The proposed revisions delete the schedule of fees from these regulations; authorize parking manager to adopt guidelines relating to parking allocation, special permits, and carpools; add provision regarding skateboard use; revise provisions regarding bicycles, parking areas, state-owned vehicles, visitor parking, parking violations, impoundment, and parking court; increase the fees for certain violations; and make certain housekeeping changes.

Reasons Supporting Proposal: Increase university's ability to implement objectives of parking and traffic regulations.

Name of Agency Personnel Responsible for Drafting: Parking Division, 3907 University Avenue N.E., 545-1543; Implementation: Executive Vice President, 306 Administration, 543-6410; and Enforcement: Parking Division and University Police, 545-1543, 543-9331.

Name of Proponent: University of Washington, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Deleting the schedule of fees from these regulations would allow the university greater flexibility in setting the fees, but university would still hold public hearing, adopt fee schedule by regents after public hearing, and publicize fee schedule after adoption. Authorizing parking manager to adopt guidelines relating to parking allocation, special permits, and carpools would allow university greater flexibility in implementing new traffic management plan. Adding use of skateboard regulation would limit use of skateboards on campus. Various revisions relating to parking violations and parking court would increase the ability of the university, and the parking court, to enforce parking rules particularly against repeat offenders. Revisions to schedule of fines would increase fines for various violations. Various other revisions would make mostly minor changes in rules regarding bicycles, parking areas, state-owned vehicles, and visitor parking, to comply with city codes, increase university's ability to implement objectives of its parking and traffic regulations, and to clean-up existing language.

Proposal Changes the Following Existing Rules: See Title of Rule and Explanation of Rule, its Purpose, and Anticipated Effects, above.

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

Hearing Location: 106B Husky Union Building, University of Washington, on April 11, 1991, at 12:00 noon.

Submit Written Comments to: Rules Coordination Office, AI-10, University of Washington, Seattle, Washington 98195 by April 10, 1991.

Date of Intended Adoption: April 19, 1991.

March 5, 1991
Melody Tereski
Administrative Procedures Officer

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-020 OBJECTIVES OF PARKING AND TRAFFIC REGULATIONS. (1) The objectives of these regulations are:

- (a) To protect and control traffic and parking.
- (b) To assure access at all times for emergency vehicles and equipment.
- (c) To minimize traffic disturbance during class hours.
- (d) To facilitate the work of the university by assuring access to its vehicles and by assigning the limited parking space for the most efficient use.
- (e) To encourage travel to the university by means other than single occupancy vehicle (SOV).

(2) Permission to park or operate a vehicle or bicycle upon state lands governed by these regulations is a privilege granted by the board of regents of the University of Washington, and does not ensure regular availability of a parking space under the conditions stated in WAC 478-116-020 and 478-116-180 and elsewhere in these regulations.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-055 DEFINITIONS. (1) Bicycle. Any device defined in chapter 46.04 RCW or hereafter amended.

(2) Campus. The state lands devoted mainly to the education, housing, or research activities of the University of Washington.

(3) Impoundment. The removal of the vehicle to a storage facility either by an officer or authorized agent of the University of Washington police department.

(4) Pedestrian. Any person afoot, as defined in chapter 46.04 RCW.

(5) Skateboard. Any oblong board of whatever composition, with a pair of small wheels at each end, which device may be ridden by a person.

(6) Traffic. Pedestrians and vehicular and nonvehicular modes of transportation, as the same are defined in chapter 46.04 RCW as now or hereafter amended.

(7) Vehicular modes of transportation and/or vehicles. "Vehicles" in chapter 46.04 RCW as now or hereafter amended.

(8) Nonvehicular modes of transportation. Nonpedestrian transportation devices other than vehicles (as defined herein) and shall include ~~((, but not be limited to;))~~ bicycles ~~((and skateboards))~~.

(9) Key card. A plastic card which actuates the automatic gate arms controlling certain parking areas, and is issued by the parking division.

(10) Legal owner. Person(s) having a security interest in a vehicle perfected in accordance with chapter 46.12 RCW or the registered owner of a vehicle unencumbered by a security interest or the lessor of a vehicle unencumbered by a security interest.

(11) Registered owner. The person whose lawful right of possession of a vehicle has most recently been recorded with the department of licensing.

(12) Valid. The effective period of a parking permit issued by the parking division and having the vehicle(s) license plate(s) listed on the permit for which the permit is to be displayed.

(13) Register/registration. The listing of any vehicle with parking division, by the applicant to be eligible but not yet having been issued a parking permit for the university.

(14) Renewal/renew. The replacement of an expired parking permit at the end of the permit's calendar date, provided all past parking fines on all vehicle(s) listed on the permit are paid.

(15) Reissue. The replacement of a permit which has been stolen, lost, change of parking lot designation, or a change of vehicle(s).

(16) Permit. A document issued by parking division that authorizes a person to park.

(17) Assign/assignment. Area designated for a person to park.

(18) Designate/designated. Parking area assignment for person to park per WAC 478-116-130(1).

(19) Reserve. Area within a parking area designated for individuals who have been assigned "reserve."

(20) Fee. A charge for the use of the permit issued.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-080 BICYCLE PARKING AND TRAFFIC REGULATIONS. (1) The primary aim of the bicycle control program is safety, and this aim will be achieved by keeping bicycles out of buildings, away from building exits, and parking them off paths and sidewalks. All bicycle owners are encouraged to register their bicycles at the university police department.

(2) Bicycles shall be parked in racks. At no time shall a bicycle be parked in a building, near a building exit, on a path or sidewalk, in planted areas nor chained or otherwise secured to trees, lamp standards or sign posts. Except for racks adjacent to the residence halls, bicycle racks in campus areas are for parking and shall not be used for overnight storage.

(3) Bicycles may be ridden any place where vehicles are permitted. They may be ridden on sidewalks, though pedestrians always have the right of way. Bicycles shall not be ridden on paths or streets where signs indicate such is prohibited. An audible signal ~~((shall))~~ or warning ~~must be ((used)) given by ((bicycle operators to warn pedestrians of oncoming bicycles))~~ the bicyclist whenever there is any appreciable risk of injury to a pedestrian not otherwise aware of the presence of the bicycle.

(4) Moving a bicycle into any unauthorized area is prohibited.

(5) Impounding for illegal parking.

(a) Bicycles parked in violation of WAC 478-116-080(2) will be subject to seizure and ~~((impounding))~~ impound by the university.

(b) A bicycle abandoned or parked on university land for twenty-one calendar days or longer is subject to seizure and impound by the university. A bicycle will not be considered abandoned when the owner/operator is unable to remove it and so notifies the university police department.

(c) Impounded bicycles will be stored at the university police department. Bicycles will be released at specified times and upon presentation of proof of ownership and payment of a \$5.00 fine. Owners of impounded bicycles, if identifiable, will be notified as soon as reasonably possible after impoundment and must reclaim the bicycle within fifteen calendar days. Bicycles unclaimed after sixty calendar days will be subject to sale at a public auction conducted by the university ~~((police))~~ surplus property department.

(d) The university and its officers, employees and agents shall not be liable for loss or damage of any kind resulting from such immobilization, impounding and storage.

(6) Bicycles operated on roadways shall be subject to all relevant Seattle ordinances and state statutes regulating bicycle use.

NEW SECTION

WAC 478-116-088 USE OF SKATEBOARDS. (1) Skateboards may not be used on the campus except as expressly approved in advance by the committee on the use of university facilities.

(2) Skateboards used in violation of this section are subject to seizure and impoundment by the university police.

(3) Skateboards impounded under this section will be stored at the university police department.

(a) For the first offense, such items shall remain at the university police department for not less than forty-eight hours.

(b) For a second or subsequent offense, such items shall remain at the university police department for not less than thirty days.

(4) After the applicable impoundment time period has elapsed, skateboards impounded under this section shall be released upon positive proof of identification and a payment of a five dollar fine. Minors may reclaim impounded items only through a parent or guardian. Parents and guardians must be able to provide proof of identification.

(5) Skateboards impounded under this section which are unclaimed sixty calendar days after the applicable minimum impoundment time period has elapsed will be presumed abandoned and be subject to sale at a public auction conducted by the university surplus property department.

(6) The university and its officers, agents, and employees shall not be liable for loss or damage of any kind resulting from impounding, storage, or sale of any item under this section.

(7) Impoundment or sale of any skateboard under this section shall not substitute for nor release any person from liability for damage to persons or property caused by use of a skateboard on campus.

AMENDATORY SECTION (Amending Order 78-3, filed 6/15/78)

WAC 478-116-090 TOURISTS AND VISITORS—EXEMPTION FROM PERMIT REQUIREMENTS. The manager of the parking division may allow tourists and visitors without permits to drive through the campus without parking, but ~~((he or she))~~ the manager may require them to wait at the entrances to the campus during times when traffic congestion is above normal, such as at the time of class changes.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-110 REGULATORY SIGNS AND DIRECTIONS. (1) Drivers of vehicles shall obey regulatory signs which are posted by the university consistent with the parking and traffic regulations of the University of Washington. Drivers of vehicles shall also comply with directions issued by members of the parking division in the assignment and use of parking space and in the collection of parking fees.

(2) Pedestrians and operators of vehicular modes of transportation shall comply with directions issued by university police officers in the enforcement of these regulations and in the general control and regulation of traffic. ~~((Drivers of vehicles shall also comply with directions issued by members of the parking division in the assignment and use of parking space and in the collection of parking fees.))~~

AMENDATORY SECTION (Amending Order 75-2, filed 6/4/75)

WAC 478-116-130 DESIGNATED AND ASSIGNED PARKING AREAS. (1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked:

(a) At any place where official signs prohibit parking.

(b) Within ~~((ten))~~ fifteen feet of a fire hydrant.

(3) No vehicle shall be parked in any parking area without a permit for that area, except as provided in WAC 478-116-160.

AMENDATORY SECTION (Amending Order 75-2, filed 6/4/75)

WAC 478-116-160 EXCEPTIONS TO PARKING RESTRICTIONS. (~~WAC 478-116-060 and 478-116-130 (1) and (3) of these rules and regulations shall not apply to the drivers of state-owned vehicles which are operated by the University of Washington. (1) State-owned vehicles which are operated by the University of Washington shall not:~~

~~(a) Be required to have a valid permit as set in WAC 478-116-060;~~
~~(b) Be required to park in designated parking areas as set in WAC 478-116-130 (1) and (3).~~

~~(2) State-owned vehicles which are operated by the University of Washington shall not:~~

~~(a) Park within fifteen feet of a fire hydrant;~~
~~(b) Park in areas marked as tow, fire, prohibitive, no parking, wheelchair/disability, or reserved parking stalls or areas.~~

~~(3) Exceptions for state-owned vehicles may be granted by the university police due to repair or construction upon written request.~~

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-210 AUTHORIZATION FOR ISSUANCE OF PERMITS. (1) The manager of the parking division is authorized to issue permits to drive or park upon the campus (~~to university faculty members and other employees, officers, and agents, university students, guests, and visitors of the university for such individual's personal use pursuant to the provisions of WAC 478-116-210 through 478-116-320 and 478-116-360).~~

(2) All outstanding campus parking violation penalties must be satisfactorily settled before a parking permit may be issued or reissued or renewed.

AMENDATORY SECTION (Amending Order 79-3, filed 8/2/79)

WAC 478-116-230 (~~PRIORITIES~~) **PARKING ALLOCATION**. (1) The parking space(s) available on the campus shall be allocated by the manager of the parking division (~~among applicants for permits~~) in such manner as will best obtain the objectives of these regulations while providing for the parking needs of all parking system patrons. In (~~making such~~) developing guidelines for the allocation of parking spaces, the manager of the parking division shall consult with and receive the advice of the (~~transportation~~) advisory committee (~~appointed by the president of the university to represent the interests of the faculty, the staff personnel and the student body.~~

(2) ~~Unless in his or her opinion the objectives of these regulations would otherwise be better served, the manager of the parking division shall observe the following priorities in the issuance of permits to applicants, with the first-listed priority being highest and the last-listed priority being lowest:~~

~~(a) Physically handicapped faculty members, staff personnel and students. Such faculty and staff must obtain a certificate from a physician and such students must obtain a disability parking request from Hall Health Center indicating that special parking assignment is essential in order for them to perform their assigned duties or to attend classes;~~

~~(b) Deans, senior executive and administrative officers, and department chairpersons and directors;~~

~~(c) Full professors, associate professors, and three or more person carpools;~~

~~(d) Assistant professors, instructors, research associates and lecturers, librarians with academic status, and two person carpools;~~

~~(e) Full-time personnel who regularly and frequently require their vehicle to facilitate their work. Procedures for such issuance will be determined by the manager of the parking division;~~

~~(f) Other full-time personnel;~~

~~(g) Teaching and research assistants, two or more person teaching and research assistants carpools;~~

~~(h) Students whose extracurricular activities require regular and frequent use of vehicles. Procedures for such issuance will be coordinated between the vice president for student affairs and the manager of the parking division;~~

~~(i) Part-time academic and part-time staff personnel;~~

~~(j) All other university students.~~

~~(3) When recommended by the appropriate vice president or dean or his or her designee, parking spaces may be redistributed among personnel within a department or administrative unit.~~

~~(4) Assignment of parking space to residence hall students will be made in accordance with priorities and procedures developed by the director of housing and food services and approved by the manager of the parking division)) on transportation.~~

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-240 VISITOR PARKING. All visitors, including guests, salespersons, patients, maintenance or service personnel, contractors, consultants, and all other members of the public shall park only in available space as directed by the parking division and the established parking fee shall be paid, except as noted below:

(1) (~~University of Washington licensed vehicles, and~~) Public safety(~~7~~) and emergency vehicles performing services to the University of Washington as required.

(2) Media vehicles may park in designated spaces without charge.

(3) Taxis, tow trucks, and commercial delivery vehicles may enter the campus without payment of the parking fee for pickup or delivery of passengers, supplies and equipment only.

(4) School buses and tour buses.

(5) Individuals coming to the campus for the purpose of rendering (~~uncompensated~~) requested services to the University of Washington will be parked in designated areas without charge. In such event, the department or administrative unit receiving the (~~uncompensated~~) requested service will pay the parking fee at the departmental commuter ticket rate.

(6) Persons retired from the university will be parked in designated areas (~~without charge~~) at a reduced rate. Retired persons reemployed may purchase annual permits at forty percent of the annual permit cost(~~, or may purchase quarterly permits at one hundred percent of the quarterly permit cost~~).

AMENDATORY SECTION (Amending WSR 90-13-026, filed 6/12/90, effective 7/13/90)

WAC 478-116-250 (~~SPECIAL~~) **OTHER TYPES OF PERMITS**. (1) Temporary or part-time employees, maintenance and service personnel, persons serving the university without pay, and other visitors who must frequently visit the campus on university business, (~~staff~~) may be issued parking permits at the regular annual or quarterly fee or at a rate based on the regular annual fee, (~~subject to the approval of~~) in accordance with guidelines issued by the manager of the parking division. Parking on the campus will not be provided to persons intending to make personal solicitations from or personal sales to university employees or students.

(2) Complimentary drive-through permits may be issued to parents of young children registered in university sponsored programs. Drive-through permits do not include parking privileges.

(3) The manager of the parking division will assist university departments which sponsor functions such as conferences, seminars, dinners, and similar events in arranging for parking and the collection of parking fees. Such fees will be deposited in the parking fund.

(4) Self-sustaining university departments may requisition parking for their events in the same manner as they do other services furnished by the university and the parking fees collected will be deposited in the parking fund.

(5) (~~Reserved parking areas may be assigned for use by the president, vice presidents, deans, department directors, or their equivalents. Additionally, reserved parking areas may be assigned for use by physically handicapped individuals where need and condition therefor are demonstrated to the manager of the parking division. The transportation officer is authorized to make exceptions to these restrictions if it is determined that such reserved status is required in the conduct of university business.~~) Reserved parking area (~~permits with~~) designators, such as reserve, wheelchair, disabled, may be issued (~~only~~) by the manager of the parking division (~~and~~) upon payment of the prescribed fee. (~~Such parking areas will be reserved usually between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday.~~)

(6) Capital projects which use parking spaces for employee parking or construction staging may be assessed a charge based on their impact to parking revenues.

(~~7~~) The parking manager shall designate parking areas and establish parking rate fees for the 1990 Goodwill Games. The rates shall be established with the advice of the advisory committee on transportation

~~and shall be sufficient to ensure that the parking fund remains self-sustaining and to encourage high occupancy vehicle trips to minimize traffic congestion.))~~

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-260 **ATHLETIC EVENT PARKING.** The parking fee established (~~in WAC 478-116-600~~) by schedule will be charged for each vehicle parked for athletic events, except:

- (1) Vehicles displaying valid university parking permits;
- (2) Vehicles of visiting teams, coaches and bands;
- (3) Vehicles of persons presenting permits for prepaid athletic parking. The agency or office issuing the permit will reimburse the parking fund at the established fee for each vehicle parked.

AMENDATORY SECTION (Amending Order 75-2, filed 6/4/75)

WAC 478-116-300 **VEHICLE AND DRIVER'S LICENSES REQUIRED.** ~~((++))~~ Any applicant for a permit must possess a valid driver's license and the vehicle for which ~~((he or she))~~ the applicant seeks a permit must also be validly licensed and registered.

~~((2) Persons who do not have the regular use of an automobile will not be eligible for permits, except in cases involving physical disability. Such applicants shall set forth in writing the arrangements for transporting them to and from campus.))~~

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-360 **CARPOOLS ((PERMITS)).** (1) Two or more people constitute a valid carpool.

(2) ~~((Faculty or staff personnel with/without students may be issued one transferable permit for each carpool. This permit is transferable only among the registered vehicles of the carpool and is not valid on any other vehicle.~~

~~((3))~~ The manager of the parking division is authorized to set aside carpool spaces in designated parking areas, establish guidelines for permit issuance, and to develop appropriate procedures, to encourage carpooling and insure against abuse of carpool privileges.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-390 **SCHEDULE OF FEES.** Fees for parking ~~((are those provided in WAC 478-116-600))~~ and the effective date thereof shall be submitted to the board of regents for approval by motion. Prior to approval by the board of regents, the university shall, after notice, hold a hearing on the proposed schedule. The hearing shall be open to the public, and shall be presided over by a presiding officer who shall prepare a memorandum for consideration by the university, summarizing the contents of the presentations made at the hearing. Approved fee schedules shall be available in the public area of the parking division office.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-450 **ELECTION TO FORFEIT OR CONTEST.** (1) The summons or parking violation notice issued pursuant to WAC 478-116-440 shall advise the alleged violator that ~~((he or she))~~ the alleged violator may elect either to pay and forfeit the fine applicable to the violation(s) charged or to contest the matter(s) in the university parking court within fifteen calendar days of receipt of violation.

(2) If an alleged violator has received one or more parking violation notice(s) amounting to twenty-eight dollars or more, a notice of election to forfeit or contest shall be issued within fifteen calendar days of service of the last summons or parking/traffic violations notice.

(3) The election to notice of election to forfeit or contest shall advise the alleged violator that the alleged violator may elect either to pay and forfeit the fine applicable to the violation(s) charged or to contest the matter(s) in the university parking court, within fifteen calendar days from the current date on the default notice.

(4) If the alleged violator chooses to forfeit the fine(s) ~~((he or she))~~ the alleged violator may do so by mail, forwarding the appropriate amount by check or money order or bringing such amount in cash to the university parking violations division. Such forfeiture shall constitute a waiver of the right to a hearing.

~~((3))~~ (5) If the alleged violator chooses to contest, ~~((he or she))~~ the alleged violator may do so by contacting the parking violations division and requesting a date to appear in court. Such request may be made by telephone, mail or in person. The alleged violator must set up a court date within fifteen calendar days of the current date on the default notice.

~~((4) If an alleged violator has received one or more parking violation notice(s) amounting to \$20.00 or more and has neither paid the fines nor requested a court date, the parking violations division shall send a notice of election to forfeit or contest to the alleged violator not less than seven calendar days following service of the unanswered summons or parking violations notice. This notice shall direct the individual to either (a) pay the fine in the amount specified or, (b) request an appearance before the university parking court. Such action must be taken within ten calendar days of the date the notice of election to forfeit or contest was posted. Failure to comply with either (a) or (b) within the specified time limit will result in a default judgment, and the university parking judge may impose such penalty or fines appropriate under the schedule of fines established pursuant to WAC 478-116-520.~~

~~((5))~~ (6) Failure ~~((of an alleged violator to appear in the university parking court on the date set or to apply for a continuance of the hearing date or to pay and forfeit fines prior to the hearing date shall, unless lawful excuse is established before the university parking court, constitute a plea of guilty to the complaint or information and such penalty or fine may be imposed by the parking judge as is))~~ to comply with either subsection (4) or (5) of this section within the time limit of fifteen calendar days, will result in a default judgment and the university parking court may impose such penalties or fines appropriate under the schedule of fines established pursuant to WAC 478-116-520.

NEW SECTION

WAC 478-116-455 **DEFAULT JUDGMENT/INVOICES.** (1) If an alleged violator has not responded to the summons or parking/traffic violation notice(s) or the election to forfeit or contest notice(s) by paying the fines or contesting them in the university parking court, the court shall impose a default judgment/invoice against the alleged violator. This judgment shall direct the alleged violator to either:

- (a) Pay the fine in the amount specified; or
- (b) Request an appearance before the Seattle district court within ten calendar days from the court date on the default judgment/invoice.

This default judgment will be issued not less than ten calendar days from the current date on the election to forfeit or contest notice. Failure to comply with either (a) or (b) of this subsection shall subject any vehicle to impoundment for outstanding fines, when, after ten calendar days after judgment of the university parking court imposing liability for fines, the owner has neither paid such fines nor requested within ten calendar days after judgment, set a hearing before the Seattle district court to contest the judgment.

(2) The parking violations division shall mail the default judgment/invoice to the alleged violator not less than ten calendar days following service of the unanswered election to forfeit or contest notice.

NEW SECTION

WAC 478-116-463 **CORRESPONDENCE COURT.** (1) The alleged violators wishing to contest a matter may do so in writing if:

- (a) They do not live in the Seattle area;
- (b) They are not a student, staff, employee, faculty, or contractor, sales/service of/for the University of Washington or any of its affiliates.

(2) Letter must be from the person who received the violation as the written material will be used as testimony in court in lieu of personal appearance. No other letters will be accepted.

(a) A letter that is written on "behalf of" an alleged violator will be returned and not used as testimony, unless as a witness statement and so stated as a witness statement.

(b) The witness statement must accompany the alleged violator letter.

(3) Contesting a matter in writing as provided in subsection (1) of this section, is in lieu of a personal court appearance hearing.

(4) Notwithstanding subsection (2) of this section, a parking judge may require the appearance of an alleged violator in court, in order for the alleged violator to contest the matter, if such an appearance seems reasonably necessary in order to fairly dispose of the matter.

(5) In cases where an alleged violator utilizes the procedure set out in subsection (1) of this section, the parking judge will issue a final

decision in the matter. The written material provided by the alleged violator will be considered to be the testimony the alleged violator would have given had the alleged violator appeared in parking court in person.

(6) Following issuance of the final decision by the parking judge a letter containing the judgment will be sent to the alleged violator. Final decision of correspondence court will have the same right of appeal as any other judgment of the university parking court.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-470 PROCEDURE—PLEAS AT HEARING.

(1) At the date set for the hearing, the alleged violator shall appear and ~~((plead either "guilty" or "not guilty." Upon a plea of "guilty," the parking judge shall hear such relevant evidence as the alleged violator may present concerning the amount of the fine or penalty which should be imposed. Upon a plea of "not guilty" an alleged violator may))~~ present to the parking judge all relevant, legal evidence and defenses as available to ~~((him or her))~~ the alleged violator.

(2) The parking judge shall determine whether or not the alleged violation was committed. If the parking judge determines that the alleged violation was not committed, the charge shall be dismissed. If the parking judge determines that the alleged violation was committed, a judgment shall be pronounced from one of the court actions—warning, suspension, reduction, imposed.

(3) Any violator who deems aggrieved by the final decision of the university parking court, may, in accordance with RCW 28B.10.560(2) appeal the decision to the Seattle district court. The violator will be responsible for any and all appellate charges to Seattle district court.

(4) If a violator fails to appeal with the time limit specified under RCW 28B.10.560(2), or fails to comply with the judgment of the university parking court, the violator is subject to the impoundment of the vehicle and/or all fines being sent to a collection agency.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-520 FINES AND PENALTIES. (1) The fines or penalties which may be assessed for violations of these regulations are those detailed in WAC 478-116-601.

(2) Fines.

(a) Persons cited for violation of these regulations may respond either by arranging for a university parking court date or by paying and forfeiting a fine within fifteen calendar days of service of the citation in accordance with WAC 478-116-450. Forfeitures submitted by mail must be postmarked within fifteen calendar days of the date of issue of the citation in order to avoid additional penalties.

(b) An additional fine of ~~((\$7.00))~~ ten dollars per offense shall be assessed for each parking citation which is not responded to within the fifteen calendar day limit provided in ~~((WAC 478-116-520(2)))~~ (a) of this subsection.

~~((c))~~ (3) The manager of the parking division shall cause these regulations or a reasonable summary thereof to be:

~~((i))~~ (a) Published in the University of Washington Daily at least twice each calendar year.

~~((ii))~~ (b) Prominently displayed in the offices of the university parking violations division, the university police department, and the parking division.

~~((iii))~~ (4) The fine schedule shall be printed on the parking violation notices served on alleged violators.

AMENDATORY SECTION (Amending Order 76-3, filed 10/6/76)

WAC 478-116-540 ENFORCEMENT OF JUDGMENTS OF THE UNIVERSITY PARKING COURT. (1) Any parking fine which, without lawful excuse, is unpaid for a period of time in excess of the time specified for payment, constitutes a delinquent and unpaid debt due and owing the University of Washington and may be processed for collection in accordance with applicable statutes and university procedures.

(2) If a parking permit holder refuses or fails without lawful excuse to comply with a final judgment in the parking court, the manager of the parking division may notify the individual concerned that ~~((his or her))~~ failure to comply with the judgment of the university parking court constitutes grounds for recall of ~~((his or her))~~ the violator's parking permit as provided in WAC 478-116-370(6) and/or may

subject ~~((his or her))~~ the violator's vehicle to impoundment as provided in WAC 478-116-582. If there is no response to this notice, a parking permit holder's parking privileges shall be revoked by the manager of the parking division and the vehicle made subject to impoundment if found parked on university lands.

(3) In any case where an alleged violator within a period of three months or less has a combined total of five or more violations with respect to which the violator has either forfeited the fine or been convicted of the violation, and/or has a combined total of two impounds, the parking court judge may, in addition to whatever fines are appropriate under the applicable fine schedule, impose the following sanctions:

(a) Probation of all parking privileges, including permit parking privileges, for whatever specified time the court deems necessary. The court can set and restrict parking times, areas, lots, and permits while a violator is under a probation period.

(b) Terminate all parking privileges and permits for whatever specified time the court deems necessary. The court will not allow the violator to park any vehicle on the university lands/campus during this termination period.

(c) Violation of (a) and (b) of this subsection shall cause the vehicle to be impounded without further notice.

(4) Any unpaid fine adjudged by the university parking court will be deducted from any refund due to revocation of parking privileges.

~~((4))~~ (5) Refusal or failure without lawful excuse to comply with a final judgment of the university parking court is a misdemeanor over which Seattle district court has jurisdiction.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-584 IMPOUNDMENT WITHOUT PRIOR NOTICE. A vehicle may be impounded without reasonable attempt having been made to notify the owner of the possibility of this action only in the following circumstances:

~~((a))~~ (1) When in the judgment of a university police officer the vehicle is obstructing or may impede the flow of traffic, or is parked unattended in a posted fire lane((:)); or

~~((b))~~ (2) When in the judgment of a university police officer the vehicle poses an immediate threat to public safety((:)); or

~~((c))~~ (3) When a university police officer has probable cause to believe the vehicle is stolen((:)); or

~~((d))~~ (4) When a university police officer has probable cause to believe that the vehicle contains or constitutes evidence of a crime, and in ~~((his))~~ the police officer's judgment impoundment is necessary to obtain or preserve such evidence((:)); or

~~((e))~~ (5) When a driver is arrested and/or deprived of the right to leave with ~~((his/her))~~ the driver's vehicle, and the university police are responsible for the "safekeeping" of the vehicle; or

(6) When a university police officer has probable cause to believe that a vehicle has parked in an area posted as a temporary tow zone; or

(7) When in violation of WAC 478-116-110(2) or as hereafter amended.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-586 IMPOUNDMENT OF ABANDONED VEHICLES. ~~((A vehicle not subject to impoundment under WAC 478-116-582 or 478-116-584 may be impounded after notice of such proposed impoundment has been securely attached to and conspicuously displayed on said vehicle for a period of twenty-four hours prior to such impoundment when such vehicle is abandoned as that term is defined in RCW 46.55.100 as now or hereafter amended.))~~ (1) A parking enforcement or law enforcement officer discovering an apparently abandoned vehicle shall attach to the vehicle a readily visible notification sticker. The sticker shall contain the following information:

(a) The date and time the sticker was attached;

(b) The identity of the officer;

(c) A statement that if the vehicle is not removed within seventy-two hours from the time the sticker is attached, the vehicle will be impounded;

(d) The address and telephone number where additional information may be obtained.

(2) If the vehicle has an annual or quarterly permit displayed, the officer or the parking violations office shall check the records to learn

the identity of the owner. The officer or the parking violations department shall make a reasonable effort to contact the owner by telephone in order to give the owner the information on the notification sticker.

(3) If the vehicle is not removed within the seventy-two hours from the time the notification sticker is attached, the officer may take custody of the vehicle and provide for the vehicle's removal to a place of safety.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-588 NOTICE AND REDEMPTION OF IMPOUNDED VEHICLES. (1) Not more than twenty-four hours after impoundment of any vehicle, the University of Washington police department shall mail a notice to the registered owner of the vehicle, as may be disclosed by the vehicle license number, if such be obtainable, and to any other person who claims the right to possession of the vehicle, if such a claim is known to an officer, agent or employee of the University of Washington police department who has knowledge of the impoundment. The notice shall be mailed to the registered owner at the address provided by the Washington state department of licensing or the corresponding agency of any other state or province. If a police officer who has knowledge of the impoundment has reason to believe that an owner, or one who claims to be an owner, is residing or in custody at some different address which is known to the officer, a copy of the notice shall be mailed or personally delivered to such owner or claimant in a manner designed, as nearly as may be practicable, to give actual notice to ~~((him or her))~~ the owner. The notice shall contain the full particulars of the impoundment, redemption, and an opportunity for a hearing to contest the propriety of the impoundment as hereinafter provided.

Similar notice shall be given to each person who seeks to redeem an impounded vehicle. If a vehicle is redeemed prior to the mailing of notice, the notice need not be mailed.

(2) Vehicles impounded shall be redeemed only under the following circumstances:

(a) Only the registered owner who has a valid driver's license or person authorized by the registered owner who has a valid driver's license and who produces proof of authorization and signs a receipt therefor, may redeem an impounded vehicle.

(b) Any person so redeeming a vehicle impounded shall pay the cost of such impoundment (towing and storage), together with such fines as are outstanding against the vehicle if impoundment was made pursuant to WAC 478-116-582 prior to redemption, except as provided in ~~((subsection))~~ (c) of this (regulation) subsection.

(c) Any person seeking to redeem a vehicle impounded under WAC 478-116-582, 478-116-584 or 478-116-586 has a right to a hearing to contest the validity of impoundment or the amount of towing and storage charges and shall have ~~((his or her))~~ the vehicle released upon making a written request for a hearing to the university parking court, paying any outstanding fines, and executing a promissory note, naming the University of Washington as payee, in an amount to include both the costs of towing and storage and a civil penalty of fifty dollars which promissory note shall immediately become due and owing in the event such person either:

(i) Fails to appear at the requested hearing~~((;))~~; or

(ii) Fails to pay by 6:00 p.m. the next business day following the hearing any towing and storage charges for which such person may be found liable.

~~((A))~~ (3) In addition to any other penalty which may be imposed as a result of actions described in subsection~~((s))~~ (2)(c)(i) or (ii) of this section, campus parking privileges shall be suspended until all such debts are paid.

~~((B))~~ (4) The promissory note shall be automatically cancelled and discharged when a person either:

~~((T))~~ (a) Pays the towing and storage charges and cancels ~~((his or her))~~ the request for a hearing~~((;))~~; or

~~((F))~~ (b) Pays the towing and storage charges by 6:00 p.m. the next business day after having been found liable therefore at the hearing provided for in this section.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-601 FINES AND PENALTIES. The following schedule of fines for violations of the rules listed in WAC 478-116-600 is hereby established:

OFFENSE	MAXIMUM FINE
01 Obstructing traffic	\$ ((15.00)) 25.00
WAC 478-116-190	
02 Enter/exit without paying	((15.00)) 20.00
WAC 478-116-110	
03 Failure to lock ignition	5.00
WAC 478-116-200	
04 Failure to set brakes	5.00
WAC 478-116-200	
05 Improper display of vehicle permit	3.00
WAC 478-116-340	
06 Permit not registered to this vehicle	5.00
WAC 478-116-060	
07 Occupying more than one stall or space	((5.00)) 10.00
WAC 478-116-140	
08 Parking in restricted parking area	((12.00)) 25.00
WAC 478-116-110	
09 Parking in prohibited area	((15.00)) 25.00
WAC 478-116-130	
10 Parking on planted areas	((12.00)) 16.00
WAC 478-116-130	
11 Parking out of assigned area	5.00
WAC 478-116-130	
12 Parking over posted time limit	((12.00)) 16.00
WAC 478-116-110	
13 Parking with no valid permit displayed	((12.00)) 20.00
WAC 478-116-060	
14 Parking within 10 feet of fire hydrant	((15.00)) 25.00
WAC 478-116-130	
15 Parking at expired meter	((12.00)) 16.00
WAC 478-116-350	
16 Parking outside cycle area	5.00
WAC 478-116-070	
17 Parking in space/area not designated for parking	12.00
WAC 478-116-130	
18 Parking while privilege suspended	((25.00)) 50.00
WAC 478-116-520	
19 Use of forged/stolen vehicle permit	100.00
WAC 478-116-060 and 478-116-370	
20 Impound	At cost
WAC 478-116-580	
21 Other violations of the university parking and traffic regulations	25.00
22 Failure to transfer a valid permit (upon application to the parking violations division the fine may be waived for the first offense in a 12-month period.)	3.00
WAC 478-116-340	
23 Parking in space designated for wheelchair	50.00

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 478-116-085 USE OF NONVEHICULAR MODES OF TRANSPORTATION.
- WAC 478-116-600 FEES.

WSR 91-06-093
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed March 6, 1991, 3:31 p.m.]

Date of Adoption: March 6, 1991.

Purpose: The purpose of these rules is to enable the Department of Licensing to implement and administer proportional vehicle registration of fleets of vehicles being operated interstate under the provisions of chapter 46.87 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 308-91-030, 308-91-090, and 308-91-150.

Statutory Authority for Adoption: RCW 46.01.110 and 46.87.010(2).

Pursuant to notice filed as WSR 91-02-110 on January 2, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 308-91-150(3) to reflect a fifteen dollar handling fee as authorized by WAC 308-04-020 instead of the ten dollar fee currently authorized in this rule.

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

March 6, 1991

Mary Faulk

Director

AMENDATORY SECTION (Amending WSR 90-16-072, filed 7/30/90, effective 9/1/90)

WAC 308-91-030 **DEFINITIONS.** The definitions set forth below, and in chapters 46.04, 46.85, and 46.87 RCW, apply throughout this chapter.

(1) "Backing plate" means a license plate which is designed for displaying validation decals, stickers or tabs issued by jurisdictions of the compact in which the vehicle displaying the plate is proportionally registered.

(2) "Base jurisdiction," under provisions of the compact, means the jurisdiction in which the owner has "properly registered" vehicle(s) of a fleet as defined in RCW 46.87.020(14).

(3) "Base plate" means the vehicle license plate assigned to a vehicle by the base jurisdiction. Under the provisions of the IRP, this would be an "apportioned plate."

(4) ("Compact" means the uniform vehicle registration proration and reciprocity agreement.

(5) "Combination of vehicles" means a power unit used in combination with trailer(s), semitrailer(s) and/or converter gear.

(6) "Department" means the department of licensing, state of Washington.

(7) "Interstate operation" means vehicle movement between or through two or more jurisdictions.

(8) "Intrastate operation" means vehicle movement within a single jurisdiction, from one point within that jurisdiction to another point within the same jurisdiction.

(9) "Latest purchase cost or price" means the actual purchase cost or price, if reasonable, for a vehicle paid by the current owner, including the value of any trade-in or other valuable considerations, cost of accessories

and modifications but excluding taxes, transportation or shipping costs, and preparatory or delivery costs. Reasonable purchase cost is considered to be the value of the vehicle as determined from guide books, reports or compendiums of value recognized in the automotive industry. All values are to be expressed in United States dollars.

(10) "Owner-operator" means an equipment lessor who leases their vehicular equipment with driver to a carrier.

(11) "Reciprocity jurisdiction" means a jurisdiction with which the state of Washington extends full vehicle license reciprocity because of an agreement, arrangement, declaration or mirror reciprocity as provided for in RCW 46.85.080.

(12) "Bus" (BS) means every motor vehicle designed for carrying more than five passengers and the driver and used primarily for the transportation of people.

(13) "Converter gear" (CG) means an auxiliary under carriage assembly with the fifth wheel and tow bar, used to convert a semitrailer to a full trailer.

(14) "Double bottom" (DB) means two full trailer(s)/ semitrailer(s) used in a combination of vehicles.

(15) "Dump truck" (DT) means a truck whose contents are unloaded by tilting the truck bed backward with the tailgate open.

(16) "Full trailer" (FT) means every vehicle without motive power, designed for carrying persons or property, drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(17) "Lessee" means a person, firm or corporation which has legal possession and control of a vehicle owned by another under the terms of a lease agreement.

(18) "Lessor" means a person, firm or corporation which, under the terms of a lease, grants the legal right of possession, control of and responsibility for the operation of the vehicle to another person, firm or corporation.

(19) "Mileage experience year" means the period of time between July 1st and June 30th of the year immediately preceding the year in which application for registration is made.

(20)) "Bus" (BS) means every motor vehicle designed for carrying more than five passengers and the driver and used primarily for the transportation of people.

(5) "Combination of vehicles" means a power unit used in combination with trailer(s), semitrailer(s) and/or converter gear.

(6) "Compact" means the uniform vehicle registration proration and reciprocity agreement.

(7) "Converter gear" (CG) means an auxiliary under carriage assembly with the fifth wheel and tow bar, used to convert a semitrailer to a full trailer.

(8) "Department" means the department of licensing, state of Washington.

(9) "Double bottom" (DB) means two full trailer(s)/ semitrailer(s) used in a combination of vehicles.

(10) "Dump truck" (DT) means a truck whose contents are unloaded by tilting the truck bed backward with the tailgate open.

(11) "Full trailer" (FT) means every vehicle without motive power, designed for carrying persons or property,

drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(12) "Interstate operation" means vehicle movement between or through two or more jurisdictions.

(13) "Intrastate operation" means vehicle movement within a single jurisdiction, from one point within that jurisdiction to another point within the same jurisdiction.

(14) "Latest purchase cost or price" means the actual purchase cost or price, if reasonable, for a vehicle paid by the current owner, including the value of any trade-in or other valuable considerations, cost of accessories and modifications but excluding taxes, transportation or shipping costs, and preparatory or delivery costs. Reasonable purchase cost is considered to be the value of the vehicle as determined from guide books, reports or compendiums of value recognized in the automotive industry. All values are to be expressed in United States dollars.

(15) "Lessee" means a person, firm or corporation which has legal possession and control of a vehicle owned by another under the terms of a lease agreement.

(16) "Lessor" means a person, firm or corporation which, under the terms of a lease, grants the legal right of possession, control of and responsibility for the operation of the vehicle to another person, firm or corporation.

(17) "Mileage experience year" means the period of time between July 1st and June 30th of the year immediately preceding the year in which application for registration is made.

(18) "Owner-operator" means an equipment lessor who leases their vehicular equipment with driver to a carrier.

(19) "Preceding year" means the period of twelve consecutive months immediately prior to July 1st of the year immediately preceding the commencement of the registration (calendar) year for which registration is sought.

(20) "Reciprocity jurisdiction" means a jurisdiction with which the state of Washington extends full vehicle license reciprocity because of an agreement, arrangement, declaration or mirror reciprocity as provided for in RCW 46.85.080.

(21) "Road tractor" (RT) means every motor vehicle designed without a fifth wheel and used for drawing other vehicles by use of a ball hitch and so constructed as to carry part of the weight of a vehicle or load so drawn (commonly referred to as a mobile home toter).

~~((21))~~ (22) "Semitrailer" (ST) means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

~~((22))~~ (23) "Tractor" (TR) means every motor vehicle designed and used primarily for drawing other vehicles but not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

~~((23))~~ (24) "Trailer" refers to a full trailer, semitrailer, pole trailer, or utility trailer.

~~((24))~~ (25) "Trip lease" means a lease of vehicular equipment to a common or contract carrier (lessee) for a

single movement by either (a) another common or contract carrier for transportation in the direction of a point which the lessor carrier is authorized to serve, or (b) a carrier of exempt commodities, as defined in the interstate commerce act, for transportation in the general direction of the general area in which the vehicle is based. The term may also include a similar movement intrastate where such movement is authorized under the laws of the jurisdiction.

~~((25))~~ (26) "Truck" (TK) means every motor vehicle designed, used or maintained primarily for the transportation of property (the maximum gross weight for solo trucks with three axles is 40,000 pounds).

~~((26))~~ (27) "Truck tractor" (TT) means every motor vehicle designed and used primarily for drawing other vehicles but so constructed as to carry a load thereon in addition to a part of the weight of the vehicle and load so drawn (dromedary).

~~((27))~~ (28) "Utility trailer" means any full trailer or semitrailer constructed and used solely for the purpose of carrying property and not to exceed a gross weight of 6,000 pounds.

~~((28))~~ (29) "Washington fee/tax receipt" is a receipt issued to foreign based IRP vehicles for which Washington must calculate and collect Washington fee/taxes. The receipt is issued upon payment of the Washington fee/taxes due on the vehicle. The receipt is proof of payment of Washington fee/taxes and must be carried with the vehicle while being operated in Washington.

AMENDATORY SECTION (Amending WSR 90-16-072, filed 7/30/90, effective 9/1/90)

WAC 308-91-090 LEASED AND RENTED VEHICLES. (1) The registration of leased or rental vehicles will be conducted under either the provisions of chapter 46.16 RCW or under the provisions, currently identified as article XI—registration of rental vehicles, of the international registration plan (IRP) as now written or hereafter amended. Rental or leased vehicles under this section include: Trucks, tractors, and truck-tractors; trucks of one-way fleets (less than 26,000 pounds gross weight); trailers and semitrailers (exceeding 6,000 pounds gross weight), utility trailers (not exceeding 6,000 pounds gross weight), and passenger cars ~~((includes recreational vehicles))~~ (for the purpose of these rules, motorhomes and travel trailers are treated the same as passenger cars). In addition to the certificate of registration (cab card) or a photocopy thereof, a copy of the rental/lease agreement must be carried in the rental/leased vehicle or if it is a nonpowered vehicle, the vehicle providing the motive power for the combination. Refer to WAC 308-91-030 for the definition of terms used in this section.

(2) ~~((Single trip lease. The requirements for single trip leasing are as follows:~~

(a) ~~The lessor's motor vehicles must be prorated in this state or operated under authority of vehicle trip permits.~~

(b) ~~The duration of the lease agreement is for a single trip and cannot exceed thirty days.~~

(c) ~~A completed copy of the single trip lease agreement must be carried in the lessor's vehicle throughout the duration of the lease.~~

(d) ~~All mileage accumulated throughout the duration of the single trip lease agreement will be recorded by the lessor and become a part of the lessor's mileage experience year. The mileage records, trip reports and single trip lease agreement must be maintained by the lessor for a period of four years following the mileage experience year or period upon which the application is based.~~

~~(3)) Owners of rental vehicles engaged in the business of renting passenger cars in this state may register such vehicles each calendar year under the provisions of the IRP by making application to the department on or before December 1st of the year immediately preceding the desired year of registration. Applications will be submitted on forms furnished by the department.~~

~~(a) To determine the percentage of total fleet vehicles that shall be registered in this state, divide the gross revenue received in the preceding year for use of such rental vehicles arising from passenger car rental transactions occurring in this state by the gross revenue received in the preceding year for the use of such rental vehicles arising from passenger car rental transactions occurring in all jurisdictions in which such vehicles were operated (the rental transaction location is deemed to be where the vehicle first comes into possession of the user). The resulting percentage shall be applied to the total number of passenger cars in the fleet and that figure shall be the minimum number of rental passenger cars that shall be fully licensed in the state of Washington during the registration (calendar) year. The vehicles to be fully licensed in this state shall consist of a mix of vehicles by age and value which is representative of all vehicles in the fleet. To facilitate the mix of values, three value classes have been established based upon the latest purchase price of the vehicles. Class I will include all vehicles with a latest purchase price of less than ten thousand dollars; Class II will include vehicles with a latest purchase price of ten to twenty thousand dollars inclusive; Class III will include all vehicles with a latest purchase price above twenty thousand dollars.~~

~~(b) A license inventory report will be filed with the department each year for which proportional registration of the rental fleet has been granted. This report will be due on or before March 1st of the year immediately following the registration year being reported. This report will list all rental cars registered in Washington during the previous registration year and will, as a minimum, contain the following information:~~

- ~~(i) Model year;~~
- ~~(ii) Make;~~
- ~~(iii) Model;~~
- ~~(iv) Equipment or unit number;~~
- ~~(v) Washington license plate number;~~
- ~~(vi) Vehicle identification number (VIN);~~
- ~~(vii) Latest purchase cost;~~
- ~~(viii) Latest purchase date.~~

~~The report will be separated into three parts to reflect the three value classes outlined in (a) of this subsection.~~

~~(3) Owners of rental vehicles engaged in the business of renting passenger cars in this state who do not make~~

application under the provisions of subsection (2) of this section or comply with the requirements of subsection (2) of this section must register all such vehicles under the provisions of chapter 46.16 RCW.

(4) In the absence of an agreement or arrangement to the contrary, rental or leased vehicles are not eligible for vehicle license reciprocity in the state of Washington except for the classes of vehicles and circumstances indicated below:

(a) Passenger cars and motorhomes currently and properly registered in another jurisdiction will be granted vehicle license reciprocity in this state if:

(i) The vehicle was rented by the vehicle operator from a location outside of the state of Washington; or

(ii) The vehicle was dropped off in Washington by the previous renter and is being rented for a one-way trip out of Washington.

(b) Trailers and semitrailers with a gross vehicle weight in excess of 6,000 pounds, trucks, truck tractors, tractors, and road tractors that are currently and properly registered in other jurisdictions will be granted vehicle license reciprocity in this state if:

(i) The vehicle is rented from a location within another jurisdiction; and

(ii) The vehicle registration certificate (cab card) or a photo copy thereof and a copy of the rental agreement is carried in the rental vehicle or in the vehicle providing the motive power for a combination of vehicles.

(5) Normally the lessee of a vehicle is responsible for its licensing under proportional registration subject to the following exceptions:

(a) Household goods carriers, wherein the agent is the lessor and the company is the lessee, may file and register as dual applicants. Under this procedure, the lessor's fleet is prorated in its name and cab cards are issued in the name of both the lessor and lessee. The application is based on the lessor's vehicles and the mileage accumulated by the lessor under its name and that of the lessee. The application should be filed in the name of the lessee and the lessor. For equipment owned and operated by owner-operators, other than service representatives, and used exclusively to transport cargo for the household goods carrier, the vehicle shall be registered by the carrier in the base jurisdiction of the carrier, but in both the owner-operator's name and that of the carrier as lessee, with the apportionment of fees according to the records of the carrier.

~~(b) ((The lessor of a single trip lease agreement is responsible for licensing and recordkeeping.~~

~~(c)) Optional for rental vehicles referred to in subsection (1) of this section.~~

NEW SECTION

WAC 308-91-095 TRIP LEASING. The requirements for single trip leasing in interstate commerce under interstate commerce commission (ICC) regulations are as follows:

(1) The lessor's vehicles must be prorated in this state or operated under authority of vehicle trip permits.

(2) The duration of the lease agreement is for a single trip and cannot exceed thirty days.

(3) A completed copy of the single trip lease agreement must be carried in the lessor's vehicle throughout the duration of the lease.

(4) All mileage accumulated throughout the duration of the single trip lease agreement will be recorded by the lessor and become a part of the lessor's mileage experience year. The mileage records, trip reports, and single trip lease agreement must be maintained by the lessor for a period of four years following the mileage experience year or period upon which the application is based.

(5) The lessor of a single trip lease agreement is responsible for licensing and recordkeeping.

AMENDATORY SECTION (Amending Order PFT 8803, filed 3/2/88)

WAC 308-91-150 FORM OF PAYMENT REQUIRED—DISHONORED CHECKS. (1) An original or renewal application assessment for proportional registration fees/taxes due the state of Washington shall be paid in United States funds via cash, cashier's check, certified check, traveler's check, or money order. All other assessments may be paid by company or personal checks unless guaranteed payment is specifically required by the department.

(2) Any registrant who tenders two or more checks that are subsequently dishonored by the bank or other financial institution upon whom they were drawn, in any twelve continuous month period, may be required to tender all subsequent payments in person by cash or by cashier's check, certified check, traveler's check, or money order.

(3) A handling fee in the amount of ~~((ten))~~ fifteen dollars shall be assessed the drawer for each check dishonored by the bank or other financial institution upon whom it was drawn and interest on the amount of each check shall accrue from the date of dishonor at the rate of twelve percent per annum. The interest and handling fee shall be deposited into the high way safety fund.

WSR 91-06-094

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 91-18—Filed March 6, 1991, 3:33 p.m.]

Continuance of WSR 91-05-063.

Title of Rule: WAC 173-19-360 San Juan County shoreline master program.

Purpose: Change of location of hearing.

Hearing Location: Community Theater, Guard Street, Friday Harbor, Washington, on March 28, 1991, at 2:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504-8711, by April 5, 1991.

Date of Intended Adoption: June 4, 1991.

February 28, 1991
Fred Olson
Deputy Director

WSR 91-06-095

PROPOSED RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Filed March 6, 1991, 3:51 p.m.]

Original Notice.

Title of Rule: WAC 480-120-031 relating to accounting; WAC 480-120-126 relating to plan and facility safety of utilities; WAC 480-120-136 relating to preservation of telephone utility records; and WAC 480-120-137 relating to customer-owned pay telephones. The proposed amendments are shown below as Appendix A, Docket No. UT-901585. Written and/or oral submissions may also contain data, views and arguments concerning the effect of the proposed amendments on economic values pursuant to chapter 43.21H RCW.

Statutory Authority for Adoption: RCW 80.01.040.

Summary: See Explanation of Rule below.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Curl, Secretary and Commission Staff, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of these amendments is to insert the effective dates of the Uniform System of Accounts, the National Electric Safety Code, and the Preservation of Records of Communications Common Carriers published by the FCC.

Proposal Changes the Following Existing Rules: Only to the extent stated above in Explanation of Rule.

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

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on April 10, 1991, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by April 1, 1991.

Date of Intended Adoption: April 10, 1991.

March 6, 1991

Paul Curl
Secretary

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-311, Docket No. U-89-2864-R, filed 11/13/89, effective 12/14/89)

WAC 480-120-031 ACCOUNTING. (1) Except as provided in this rule, the Uniform System of Accounts (USOA) for Class A and Class B Telephone Companies published by the Federal Communications Commission (FCC) and designated as Part 32, effective January 1, 1988, is hereby prescribed for book and recording purposes for telecommunications companies in the state of Washington.

(2) Telecommunications companies operating within this state shall be classed by access lines as follows:

Class	Number of Access Lines
A	In Excess of 10,000
B	Less than 10,000

Upon authorization by the commission, a company presently classified by the commission as a Class B company but desiring more detailed accounting may adopt the accounts prescribed for Class A companies. Class B companies authorized to adopt the accounts prescribed for Class A companies shall be required to comply with the more detailed accounting specified for Class A companies. Any election to the contrary notwithstanding, the commission reserves the right to require any company to comply with the accounting requirements applicable to Class A companies.

(3) Jurisdictional differences. For Account 7910—Income effect of jurisdictional ratemaking differences—Net; Account 1500—Other jurisdictional assets—Net; Account 4370—Other jurisdictional liabilities and deferred credits—Net, and in a subaccount of Account 4550—Retained earnings, the exchange telecommunications companies operating in this state shall keep subsidiary accounts and records reflecting in separate accounts, subaccounts, and subsidiary records, the Washington intrastate differences in amounts arising from the departure of this commission for booking and/or ratemaking purposes from FCC prescribed accounting. Separate subaccounts shall be kept for each difference. Examples include, but are not limited to, separate accounting for the booking of an allowance for funds used during construction (AFUDC) for short-term construction work in progress (Account 2003, formerly subdivision (1) of Account 100.2); flow-through accounting of tax timing differences to the extent permitted by tax regulations (unless specific exceptions to the flow-through requirement have been granted or required by the commission); elimination of excess profits for affiliated transactions; or such other company specific ratemaking or accounting treatment ordered by the commission in any case involving the rates of a specific company, or in other accounting directives issued by the commission.

(a) All local exchange telecommunications companies shall account as of January 1, 1988, for any embedded jurisdictional ratemaking differences by incorporating any previous jurisdictional differences side-records accounts, and any other accounting directives made by the commission, into the appropriate jurisdictional differences account.

(b) All companies shall expense currently any costs associated with the implementation of Part 32.

(c) All companies shall keep subsidiary records as may be necessary to report readily the source of Washington intrastate local exchange network services revenues by residential and business class of service.

(d) All telecommunication companies subject to this rule shall keep subsidiary accounts in Account 5084—State access revenue, showing separately the following: Intrastate revenues from end users (subscriber line charges); special access revenues; interLATA and intraLATA switched access revenues, identified as revenue derived from the carrier common line and Universal Service Fund rate elements, and revenue derived from all other switched access rate elements; independent company settlements; and other access revenues.

(e) Any company filing with the FCC reports in compliance with the requirements of Part 32, Paragraph 32.25 of Subpart B, Unusual Items and Contingent Liabilities, relating to extraordinary items, prior period adjustments, or contingent liabilities shall file a copy of such report concurrently with this commission.

(f) As to a leased asset which is or has been used in the provision of utility service, unless an alternate accounting treatment has been specifically approved by the commission, any company which capitalizes leases in accordance with FASB-13 shall capitalize such leases at the lower of their original cost or the present value of the minimum lease payments. For purposes of this section "original cost" is defined as the net book value of the leased property to the lessor at the inception of the lease. If all efforts by a company to obtain original cost information fail, and the original cost can not be reasonably estimated, then the companies will file a request with the commission seeking approval to record the asset at the lower of the fair market value of the asset or the present value of the minimum lease payments.

When the asset in question has never been used in the provision of utility service, any company which capitalizes leases in accordance

with FASB-13 shall capitalize such leases at the lower of their fair market value or the present value of the minimum lease payments.

(g) Unless specific exceptions are granted, or required, all companies shall keep records for ratemaking and/or booking purposes which flow-through tax benefits to the extent permitted by federal tax regulations. Any jurisdictional ratemaking differences, created by this rule, shall be reflected in accounts provided in Part 32 for jurisdictional differences, more specifically Accounts 1500, 4370, and 7910. See sections 3(h) and 3(l) for further exceptions to this rule.

(h) As to compensated absences and sick pay, if payment of nonvesting accumulated sick pay benefits depends on the future illness of an employee, companies shall not accrue a liability for such an expense for purposes of portraying results of operations until such sick pay is actually paid. In addition, if a company accrues expenses for compensated absences before such expenses are actually deductible for federal income tax purposes, then an exception to the flow-through accounting requirement in section 3(g) is required. In such a case, a normalized tax accounting treatment will be required.

(i) No depreciation expense will be allowed for ratemaking purposes on amounts included in Account 2002—Property held for future telecommunications use. If a company records depreciation on amounts in this account, it shall record the jurisdictional difference in a separate subaccount of the designated jurisdictional differences accounts.

(j) Any property which has been used in the provision of utility service, when acquired from a nonaffiliate shall be recorded at its net book value at the time of the transfer. If the company wishes to record the acquisition at its acquisition cost rather than its net book value, it shall first seek approval for such accounting, providing such detail as the commission may require. If there is a jurisdictional difference in recording the cost of an acquisition, any such difference shall be recorded in a separate subaccount of the designated jurisdictional differences accounts. Any other property acquired from a nonaffiliate shall be recorded at its acquisition cost.

(k) Amounts booked to Account 2005—Telecommunications plant adjustment, shall be treated as nonoperating investment, and shall not be included in any rate base account without the expressed permission of the commission. Unless an alternate treatment has been authorized by the commission, any amortization taken on amounts in Account 2005 will be treated as though charged to Account 7360—Other nonoperating income, or other nonoperating accounts as required.

(l) If a company is allowed to convert to a GAAP accounting treatment of an item, or allowed other accounting changes which call for the accrual of expenses before such expenses are deductible for federal income tax purposes, an exception to the flow-through accounting requirement in section 3(g) is required. In such event, a normalized tax accounting treatment will be required.

(4) The annual report form promulgated by the Federal Communications Commission is hereby adopted for purposes of annually reporting to this commission by those Class A telecommunications companies classified by the FCC in CC Docket No. 86-182 as Class A Tier I telecommunications companies. The annual report forms for all other Class A and Class B telecommunications companies shall be published by the commission. The annual report shall be filed with the commission as soon after the close of each calendar year as possible but in no event later than May 1 of the succeeding year. Those telecommunications companies having multistate operations shall report both total company and Washington results in their annual report. Companies may also be required to include certain supplemental information in the annual report, such as the status of all jurisdictional differences accounts and subaccounts for the period. This supplemental information will be described in the mailing of the annual reports, or in other sections of this rule (see sections (7) and (9)).

(5) The total company results of operations reported by each telecommunications company in its annual report shall agree with the results of operations shown on its books and records.

(6) All telecommunications companies having multistate operations shall maintain records in such detail that the costs of property located and business done in this state in accordance with state geographic boundaries can be readily ascertained.

(7) All telecommunications companies having multistate operations shall report to this commission at least once each year, as a supplement to its annual report, such allocations between states as are requested by the commission from time to time for each utility. Any allocations required in developing results of operations for the state of Washington

separately shall be accomplished on a basis acceptable to the commission. In these supplemental reports, adjustments will be made to incorporate Washington intrastate amounts in the jurisdictional differences accounts.

(8)(a) If a company prepares an annual separations cost study and furnishes a copy thereof to the National Exchange Carrier Association, Inc., (NECA), that company shall, upon request by the commission, make available for commission review at a company-designated location in Thurston County a copy of the same study material as has been so furnished to NECA. Such copy shall be made available for such commission review within ten days after the later of:

(i) The date of the company's receipt of the commission's request therefor; or

(ii) The date on which NECA's copy of the study is furnished to NECA.

(b) If a company prepares an annual separations cost study and furnishes a copy thereof to the Federal Communications Commission (FCC), that company shall, upon request by the commission, make available for commission review at a company designated location in Thurston County a copy of the same study material as has been so furnished to the FCC. Such copy shall be made available for such commission review within ten days after the later of:

(i) The date of the company's receipt of the commission's request therefor; or

(ii) The date on which FCC's copy of the study is furnished to the FCC.

(9) Each telecommunications company shall file with the commission periodic results of operations statements showing total Washington per books, restating adjustments to per books, total Washington per books restated, and Washington restated intrastate results of operations.

Class A companies shall file periodic results of operations statements quarterly. Each quarterly statement shall show monthly and twelve months ended data for each month of the quarter reported. Class B companies shall show semiannual and twelve months ended results. For Class A companies, periodic results of operations statements shall be due ninety days after the close of the period being reported. Class B companies shall file the June 30 ended and December 31 ended semi-annual results of operations statements on October 1 and May 1 of each year, respectively.

The periodic results of operations statements shall be on a "commission basis" and restated for out-of-period items, nonoperating, nonrecurring, extraordinary items, or any other item that materially distorts test period earnings or expenses. By use of notes, an explanation of the restating adjustments shall accompany the results of operations statement.

"Commission basis" means that the rate base includes those standard rate base components that have been historically accepted by the commission for ratemaking. "Commission basis" does not include new theories or approaches which have not been previously addressed and resolved by the commission.

The telecommunications companies shall use the allocation factors from their most recent separations cost study to develop the Washington intrastate results of operations.

(10) This rule shall not supersede any reporting requirements specified in a commission order, nor shall it be construed to limit the commission's ability to request additional information on a company specific basis as is deemed necessary.

(11) The annual budget of expenditures form for budgetary reporting for telecommunications companies will be published by this commission in accordance with chapter 480-140 WAC.

(12) The requirements of this section shall not apply to telecommunications companies classified by the commission as competitive, and subject to WAC 480-120-033.

(13) There shall be no departure from the foregoing except as specifically authorized by the commission.

AMENDATORY SECTION (Amending Order R-25, filed 5/5/71)

WAC 480-120-126 SAFETY. The plant and all facilities of utilities shall be constructed and installed in conformity with good engineering practice and comply with the minimum standards as set out in the current National Electric Safety Code in effect on January 1, 1991. All instrumentalities and equipment shall be installed and maintained with due consideration to the safety of the subscribers, employees and general public. Hazardous conditions endangering persons, property, or the continuity of service when found, reported or known to exist, shall be expeditiously corrected.

Extreme vigilance shall be exercised to prevent the accumulation of trash and other fire hazards in or upon central office premises.

The storage of flammable and/or combustible materials in central office equipment spaces is prohibited.

AMENDATORY SECTION (Amending Order R-25, filed 5/5/71)

WAC 480-120-136 PRESERVATION OF RECORDS. (1) "Volume X, Part 42, Preservation of Records of Communication Common Carriers" adopted and published by the FCC effective January 1, 1991, is hereby prescribed as the preservation of records requirements of telephone utilities in the state of Washington.

(2) All records and reports required by these rules shall be retained on file in the office of the utility or in such other place as may be approved by the commission, for such time as is specifically provided in paragraph (1) and where no time is specified, for a period of three years.

(3) No records shall be destroyed prior to the expiration of such time or period specified in paragraphs (1) and (2) above, except by prior written permission of this commission.

AMENDATORY SECTION (Amending Order R-239, Cause No. U-85-45, filed 9/20/85)

WAC 480-120-137 CUSTOMER-OWNED PAY TELEPHONES-INTERSTATE. Every telecommunications company operating an exchange within the state of Washington shall allow customer-owned pay telephones to be connected to the company's network for purposes of interconnection and use of registered devices for interstate communications. When such service is requested every such telecommunications company shall file tariffs with the commission which shall allow the connection of customer-owned pay telephones to the interstate network under the following terms and conditions.

For purposes of these rules, the term "subscriber" is defined as a party subscribing for a pay telephone access line for the purpose of connecting a customer-owned pay telephone to a local exchange.

(1) Customer-owned pay telephones must be connected to the company network in compliance with Part 68 of the Federal Communications Commission rules and regulations and the current National Electric Code and National Electric Safety Code as those rules, regulations, and codes appear effective January 1, 1991.

(2) The caller will be able to access the operator and 911 where available without the use of a coin.

(3) The subscriber shall ensure that the customer-owned pay telephone is compatible for use with hearing aids and its installation complies with all applicable federal, state, and local laws and regulations concerning the use of telephones by disabled persons.

WSR 91-06-096

DEPARTMENT OF ECOLOGY

[Filed March 6, 1991, 4:17 p.m.]

PUBLIC HEARING ON THE DRAFT ISLAND COUNTY GROUND WATER MANAGEMENT PROGRAM

A draft ground water management area program has been jointly produced by the Island County planning department, a local ground water advisory committee, and the Washington State Department of Ecology. This program was developed in accordance with chapter 173-100 WAC, Ground water management areas and programs.

The intent of the program is to provide a framework for ground water management and protection. Developed over a three year period, the draft program describes ground water characteristics of Island County. The draft program contains goals and management recommendations, as well as a work plan to implement the program.

There have been several public workshops and meetings during the development of the program. A workshop and open house were jointly held by the ground

water advisory committee, Island County Planning, and ecology on March 26, 1991. This was an opportunity for the public to ask questions, seek clarification, and have the ground water advisory committee, Island County planning, and ecology answer questions.

A public hearing to receive public testimony on the draft Island County ground water management area program is scheduled for 7:00 p.m., April 9, 1991, Commissioner's Hearing's Room, Island County Courthouse, Coupeville, Washington.

Written comments on the draft program will be accepted until April 26, 1991. Comments and questions should be directed to: Mr. Jon Pace, Water Resources Program, Washington Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711 or telephone (206) 459-6021.

WSR 91-06-097
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed March 6, 1991, 4:44 p.m.]

Original Notice.

Title of Rule: WAC 388-14-275 Fifty dollars disregard payment.

Purpose: To remove the "date of postmark" rule from the determination of eligibility for the \$50.00 pass-through payment.

Statutory Authority for Adoption: RCW 74.04.057.

Statute Being Implemented: RCW 74.04.057.

Summary: This rule, as revised, will remove the "date of postmark" rule from consideration in the determination of eligibility for the \$50.00 pass-through payment.

Reasons Supporting Proposal: This rule is necessary to implement a policy change desired by the office of support and authorized by the United States Court of Appeals for the ninth circuit in the case of *Vanscoter v. Sullivan*.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Steve Cesar, Support Enforcement, 586-3515.

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

Rule is necessary because of federal court decision, United States Court of Appeals for the Ninth Circuit No. 89-35151.

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on April 9, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health

Services, Mailstop OB-33H, Olympia, Washington 98504, by April 9, 1991.

Date of Intended Adoption: April 23, 1991.

March 6, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2794, filed 5/3/89)

WAC 388-14-275 FIFTY DOLLARS DISREGARD PAYMENT. (1) In accordance with federal law, the department shall pay a family, receiving cash assistance under the aid to families with dependent children program or the family independence program, the first fifty dollars of each child support payment made by the responsible parent in the month when due. The department shall pay the family no more than fifty dollars for each month in which a support payment is made. For purposes of this section, a payment is made by the responsible parent on the earliest of the following dates:

(a) The date a payment is received by the office of support enforcement;

(b) The date a payment is withheld from the responsible parent's wages; or

(c) ~~((The date the envelope containing a payment is postmarked by the United States Postal Service; or~~

~~(d))~~ The date received by the IV-D agency in another state or other legal entity making the collection.

(2) The department shall make a payment to the family under subsection (1) of this section based on the best information provided to the office of support enforcement with the support payment. The best information includes the earliest of the following dates:

(a) The date wages were withheld;

(b) The date an employer issues a check containing wages withheld from the responsible parent;

(c) ~~((The date postmarked by the United States Postal Service;~~

~~(d))~~ The date received by the IV-D agency in another state or other legal entity making the collection;

~~((e))~~ (d) The date the IV-D agency in another state or other legal entity issues a check containing a child support payment from the responsible parent;

~~((f))~~ (e) The date a check is negotiable if the office of support enforcement receives a postdated check;

~~((g))~~ (f) The date process is served attaching accounts and earnings of a responsible parent, other than wages, or the date the responsible parent is entitled to receive such earnings, whichever is later; or

~~((h))~~ (g) The date the proceeds are paid from the sale of attached personal or real property.

(3) If the department subsequently receives information establishing an earlier payment date, the department shall take prompt action to make a payment required under this section or recover an erroneous payment.

(4) The office of support enforcement shall mail a notice, not less than once a quarter, to a family receiving cash assistance for whom child support was received during the reporting period. The notice shall contain the following information:

(a) The amount of the child support order;

(b) The amount of child support received;

(c) A description of how the office allocated the child support between the family and the state;

(d) The amount the department claims as reimbursement for public assistance paid; and

(e) A statement of the right to an adjudicative proceeding under chapter 34.05 RCW to contest the allocation of child support.

(5) The provisions of this section do not apply to:

(a) Child support received by the office of support enforcement by means of an income tax refund intercept authorized under 42 USC 666 (a)(1) or 666 (a)(3)(B); or

(b) Child support payments received by the office of support enforcement after the family terminates from assistance that are paid to the family under chapter 26.23 RCW and WAC 388-14-270 as current support for the month or on the support debt owed to the family.

(6) The section applies to payments made by the responsible parent on or after January 1, 1989.

WSR 91-06-098
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed March 6, 1991, 5:00 p.m.]

Continuance of WSR 91-03-094.

Title of Rule: Chapter 173-204 WAC, Sediment management standards.

Purpose: To establish sediment quality standards and sediment quality dilution zone standards per requirements of chapter 90.70 RCW, Puget Sound Water Quality Act, and the Puget Sound water quality management plan, and RCW 90.48.520 Water Pollution Control Act.

Statutory Authority for Adoption: Chapters 43.21C, 70.105D, 90.48, 90.52, 90.54, and 90.70 RCW.

Statute Being Implemented: Chapters 70.105D, 90.48, and 90.70 RCW.

Name of Proponent: Department of Ecology, governmental.

Date of Intended Adoption: March 20, 1991.

March 6, 1991
Fred Olson
Deputy Director

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
1-06-040	AMD-P	91-06-067	1-08-490	REP-P	91-06-067	16-228-164	AMD-P	91-02-106
1-08-005	REP-P	91-06-067	1-08-500	REP-P	91-06-067	16-228-164	AMD	91-06-019
1-08-007	REP-P	91-06-067	1-08-510	REP-P	91-06-067	16-230-110	REP-P	91-02-106
1-08-010	REP-P	91-06-067	1-08-520	REP-P	91-06-067	16-230-110	REP	91-06-019
1-08-030	REP-P	91-06-067	1-08-530	REP-P	91-06-067	16-230-115	REP-P	91-02-106
1-08-040	REP-P	91-06-067	1-08-540	REP-P	91-06-067	16-230-115	REP	91-06-019
1-08-050	REP-P	91-06-067	1-08-550	REP-P	91-06-067	16-230-120	REP-P	91-02-106
1-08-060	REP-P	91-06-067	1-08-560	REP-P	91-06-067	16-230-120	REP	91-06-019
1-08-070	REP-P	91-06-067	1-08-570	REP-P	91-06-067	16-230-150	AMD-P	91-04-078
1-08-080	REP-P	91-06-067	1-08-580	REP-P	91-06-067	16-230-160	AMD-P	91-04-078
1-08-090	REP-P	91-06-067	1-08-590	REP-P	91-06-067	16-230-170	AMD-P	91-04-078
1-08-100	REP-P	91-06-067	16-80-005	NEW-P	91-05-076	16-230-180	AMD-P	91-04-078
1-08-110	REP-P	91-06-067	16-80-007	NEW-P	91-05-076	16-230-190	AMD-P	91-04-078
1-08-120	REP-P	91-06-067	16-80-010	NEW-P	91-05-076	16-230-400	AMD-P	91-02-106
1-08-130	REP-P	91-06-067	16-80-015	NEW-P	91-05-076	16-230-400	AMD	91-06-019
1-08-140	REP-P	91-06-067	16-80-020	NEW-P	91-05-076	16-230-410	AMD-P	91-02-106
1-08-150	REP-P	91-06-067	16-80-025	NEW-P	91-05-076	16-230-410	AMD	91-06-019
1-08-160	REP-P	91-06-067	16-80-030	NEW-P	91-05-076	16-230-440	AMD-P	91-02-106
1-08-170	REP-P	91-06-067	16-80-035	NEW-P	91-05-076	16-230-440	AMD	91-06-019
1-08-180	REP-P	91-06-067	16-80-040	NEW-P	91-05-076	16-230-450	AMD-P	91-02-106
1-08-190	REP-P	91-06-067	16-80-045	NEW-P	91-05-076	16-230-450	AMD	91-06-019
1-08-200	REP-P	91-06-067	16-80-047	NEW-P	91-05-076	16-230-460	AMD-P	91-02-106
1-08-210	REP-P	91-06-067	16-80-050	NEW-P	91-05-076	16-230-460	AMD	91-06-019
1-08-220	REP-P	91-06-067	16-154	AMD-P	91-05-006	16-230-470	AMD-P	91-02-106
1-08-230	REP-P	91-06-067	16-154-010	AMD-P	91-05-006	16-230-470	AMD	91-06-019
1-08-240	REP-P	91-06-067	16-154-020	AMD-P	91-05-006	16-230-475	REP-P	91-02-106
1-08-250	REP-P	91-06-067	16-154-030	NEW-P	91-05-006	16-230-475	REP	91-06-019
1-08-260	REP-P	91-06-067	16-154-040	NEW-P	91-05-006	16-230-605	AMD-P	91-02-106
1-08-270	REP-P	91-06-067	16-154-050	NEW-P	91-05-006	16-230-605	AMD	91-06-019
1-08-280	REP-P	91-06-067	16-154-060	NEW-P	91-05-006	16-230-610	AMD-P	91-02-106
1-08-290	REP-P	91-06-067	16-154-070	NEW-P	91-05-006	16-230-610	AMD	91-06-019
1-08-300	REP-P	91-06-067	16-154-080	NEW-P	91-05-006	16-230-615	AMD-P	91-02-106
1-08-310	REP-P	91-06-067	16-154-090	NEW-P	91-05-006	16-230-615	AMD	91-06-019
1-08-320	REP-P	91-06-067	16-154-100	NEW-P	91-05-006	16-230-625	AMD-P	91-02-106
1-08-330	REP-P	91-06-067	16-154-110	NEW-P	91-05-006	16-230-625	AMD	91-06-019
1-08-340	REP-P	91-06-067	16-154-120	NEW-P	91-05-006	16-230-670	AMD-P	91-02-106
1-08-350	REP-P	91-06-067	16-156-005	AMD-P	91-05-006	16-230-670	AMD	91-06-019
1-08-360	REP-P	91-06-067	16-156-020	AMD-P	91-05-006	16-230-675	AMD-P	91-02-106
1-08-370	REP-P	91-06-067	16-156-035	AMD-P	91-05-006	16-230-675	AMD	91-06-019
1-08-380	REP-P	91-06-067	16-156-060	AMD-P	91-05-006	16-231-001	AMD-P	91-02-106
1-08-390	REP-P	91-06-067	16-158-120	AMD-P	91-05-006	16-231-001	AMD	91-06-019
1-08-400	REP-P	91-06-067	16-160-010	NEW	91-05-007	16-231-033	REP-P	91-02-106
1-08-410	REP-P	91-06-067	16-160-020	NEW	91-05-007	16-231-033	REP	91-06-019
1-08-420	REP-P	91-06-067	16-160-030	NEW	91-05-007	16-231-100	AMD-P	91-02-106
1-08-430	REP-P	91-06-067	16-160-040	NEW	91-05-007	16-231-100	AMD	91-06-019
1-08-440	REP-P	91-06-067	16-160-050	NEW	91-05-007	16-231-148	REP-P	91-02-106
1-08-450	REP-P	91-06-067	16-160-060	NEW	91-05-007	16-231-148	REP	91-06-019
1-08-460	REP-P	91-06-067	16-160-070	NEW	91-05-007	16-231-200	AMD-P	91-02-106
1-08-470	REP-P	91-06-067	16-160-090	NEW	91-05-007	16-231-200	AMD	91-06-019
1-08-480	REP-P	91-06-067	16-160-100	NEW	91-05-007	16-231-205	AMD-P	91-02-106

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-231-205	AMD	91-06-019	16-232-100	AMD-P	91-02-106	16-494-001	AMD-P	91-04-066
16-231-210	AMD-P	91-02-106	16-232-100	AMD	91-06-019	16-494-010	AMD-P	91-04-066
16-231-210	AMD	91-06-019	16-232-105	AMD-P	91-02-106	16-494-012	NEW-P	91-04-066
16-231-235	AMD-P	91-02-106	16-232-105	AMD	91-06-019	16-494-013	NEW-P	91-04-066
16-231-235	AMD	91-06-019	16-232-110	AMD-P	91-02-106	16-494-015	REP-P	91-04-066
16-231-238	REP-P	91-02-106	16-232-110	AMD	91-06-019	16-494-020	AMD-P	91-04-066
16-231-238	REP	91-06-019	16-232-120	AMD-P	91-02-106	16-494-030	AMD-P	91-04-066
16-231-300	AMD-P	91-02-106	16-232-120	AMD	91-06-019	16-494-042	AMD-P	91-04-066
16-231-300	AMD	91-06-019	16-232-200	AMD-P	91-02-106	16-494-043	NEW-P	91-04-066
16-231-305	AMD-P	91-02-106	16-232-200	AMD	91-06-019	16-494-044	AMD-P	91-04-066
16-231-305	AMD	91-06-019	16-232-205	AMD-P	91-02-106	16-494-045	NEW-P	91-04-066
16-231-310	AMD-P	91-02-106	16-232-205	AMD	91-06-019	16-494-046	NEW-P	91-04-066
16-231-310	AMD	91-06-019	16-232-220	AMD-P	91-02-106	16-494-047	NEW-P	91-04-066
16-231-330	AMD-P	91-02-106	16-232-220	AMD	91-06-019	16-494-062	AMD-P	91-04-066
16-231-330	AMD	91-06-019	16-232-225	AMD-P	91-02-106	16-494-063	NEW-P	91-04-066
16-231-340	AMD-P	91-02-106	16-232-225	AMD	91-06-019	16-494-064	NEW-P	91-04-066
16-231-340	AMD	91-06-019	16-232-300	AMD-P	91-02-106	16-494-001	AMD-P	91-04-067
16-231-343	REP-P	91-02-106	16-232-300	AMD	91-06-019	16-497-005	NEW-P	91-04-067
16-231-343	REP	91-06-019	16-232-305	AMD-P	91-02-106	16-497-020	AMD-P	91-04-067
16-231-400	AMD-P	91-02-106	16-232-305	AMD	91-06-019	16-497-030	AMD-P	91-04-067
16-231-400	AMD	91-06-019	16-232-315	AMD-P	91-02-106	16-497-040	AMD-P	91-04-067
16-231-405	AMD-P	91-02-106	16-232-315	AMD	91-06-019	16-497-050	AMD-P	91-04-067
16-231-405	AMD	91-06-019	16-232-315	AMD	91-06-019	16-497-050	AMD-P	91-04-067
16-231-410	AMD-P	91-02-106	16-232-950	REP-P	91-02-106	16-497-060	AMD-P	91-04-067
16-231-410	AMD	91-06-019	16-232-950	REP	91-06-019	16-528-105	NEW	91-05-065
16-231-420	AMD-P	91-02-106	16-316-280	AMD-P	91-04-066	16-528-110	AMD	91-05-065
16-231-420	AMD	91-06-019	16-316-285	AMD-P	91-04-066	16-528-150	AMD	91-05-065
16-231-425	AMD-P	91-02-106	16-316-290	AMD-P	91-04-066	16-528-170	NEW	91-05-065
16-231-425	AMD	91-06-019	16-324-375	AMD-P	91-06-061	16-603-010	NEW-P	91-04-076
16-231-500	AMD-P	91-02-106	16-324-380	AMD-P	91-06-061	16-752-300	AMD	91-03-045
16-231-500	AMD	91-06-019	16-324-605	AMD-P	91-06-061	16-752-305	AMD	91-03-045
16-231-505	AMD-P	91-02-106	16-333-200	NEW-P	91-04-068	16-752-310	RE-AD	91-03-045
16-231-505	AMD	91-06-019	16-333-205	NEW-P	91-04-068	16-752-315	AMD	91-03-045
16-231-510	AMD-P	91-02-106	16-333-210	NEW-P	91-04-068	16-752-320	RE-AD	91-03-045
16-231-510	AMD	91-06-019	16-333-215	NEW-P	91-04-068	16-752-325	REP	91-03-045
16-231-525	AMD-P	91-02-106	16-333-220	NEW-P	91-04-068	16-752-330	AMD	91-03-045
16-231-525	AMD	91-06-019	16-333-225	NEW-P	91-04-068	36-12	AMD-P	91-05-032
16-231-530	AMD-P	91-02-106	16-333-230	NEW-P	91-04-068	36-12-010	AMD-P	91-05-032
16-231-530	AMD	91-06-019	16-333-235	NEW-P	91-04-068	36-12-011	AMD-P	91-05-032
16-231-600	AMD-P	91-02-106	16-333-240	NEW-P	91-04-068	36-12-020	AMD-P	91-05-032
16-231-600	AMD	91-06-019	16-333-245	NEW-P	91-04-068	36-12-030	AMD-P	91-05-032
16-231-605	AMD-P	91-02-106	16-354-005	AMD-P	91-04-067	36-12-040	AMD-P	91-05-032
16-231-605	AMD	91-06-019	16-354-010	AMD-P	91-04-067	36-12-050	AMD-P	91-05-032
16-231-610	AMD-P	91-02-106	16-354-020	AMD-P	91-04-067	36-12-060	AMD-P	91-05-032
16-231-610	AMD	91-06-019	16-354-030	AMD-P	91-04-067	36-12-070	AMD-P	91-05-032
16-231-615	AMD-P	91-02-106	16-354-040	AMD-P	91-04-067	36-12-080	AMD-P	91-05-032
16-231-615	AMD	91-06-019	16-354-070	AMD-P	91-04-067	36-12-090	REP-P	91-05-032
16-231-620	AMD-P	91-02-106	16-354-100	AMD-P	91-04-067	36-12-100	AMD-P	91-05-032
16-231-620	AMD	91-06-019	16-403-141	AMD-P	91-03-093	36-12-110	AMD-P	91-05-032
16-231-700	AMD-P	91-02-106	16-470-100	AMD	91-03-115	36-12-120	AMD-P	91-05-032
16-231-700	AMD	91-06-019	16-471-010	NEW	91-03-046	36-12-130	AMD-P	91-05-032
16-231-705	AMD-P	91-02-106	16-471-015	NEW	91-03-046	36-12-150	AMD-P	91-05-032
16-231-705	AMD	91-06-019	16-471-020	NEW	91-03-046	36-12-160	AMD-P	91-05-032
16-231-715	AMD-P	91-02-106	16-471-030	NEW	91-03-046	36-12-170	AMD-P	91-05-032
16-231-715	AMD	91-06-019	16-471-040	NEW	91-03-046	36-12-180	AMD-P	91-05-032
16-231-720	AMD-P	91-02-106	16-471-050	NEW	91-03-046	36-12-190	AMD-P	91-05-032
16-231-720	AMD	91-06-019	16-471-060	NEW	91-03-046	36-12-195	NEW-P	91-05-032
16-231-800	AMD-P	91-02-106	16-471-070	NEW	91-03-046	36-12-200	AMD-P	91-05-032
16-231-800	AMD	91-06-019	16-471-080	NEW	91-03-046	36-12-220	AMD-P	91-05-032
16-231-805	AMD-P	91-02-106	16-482-001	AMD-P	91-03-105	36-12-230	REP-P	91-05-032
16-231-805	AMD	91-06-019	16-482-005	NEW-P	91-03-105	36-12-240	AMD-P	91-05-032
16-231-825	AMD-P	91-02-106	16-482-006	NEW-P	91-03-105	36-12-250	AMD-P	91-05-032
16-231-825	AMD	91-06-019	16-482-007	NEW-P	91-03-105	36-12-260	AMD-P	91-05-032
16-231-840	AMD-P	91-02-106	16-482-010	AMD-P	91-03-105	36-12-270	AMD-P	91-05-032
16-231-840	AMD	91-06-019	16-482-015	NEW-P	91-03-105	36-12-280	AMD-P	91-05-032
16-231-900	AMD-P	91-02-106	16-482-016	NEW-P	91-03-105	36-12-290	AMD-P	91-05-032
16-231-900	AMD	91-06-019	16-482-017	NEW-P	91-03-105	36-12-300	AMD-P	91-05-032
16-231-905	AMD-P	91-02-106	16-482-020	AMD-P	91-03-105	36-12-310	AMD-P	91-05-032
16-231-905	AMD	91-06-019	16-482-030	REP-P	91-03-105	36-12-320	AMD-P	91-05-032
16-231-935	AMD-P	91-02-106	16-482-040	REP-P	91-03-105	36-12-330	AMD-P	91-05-032
16-231-935	AMD	91-06-019	16-484-200	NEW-E	91-06-035	36-12-340	AMD-P	91-05-032
16-231-938	REP-P	91-02-106	16-484-205	NEW-E	91-06-035	36-12-350	AMD-P	91-05-032
16-231-938	REP	91-06-019	16-484-210	NEW-E	91-06-035	36-12-360	AMD-P	91-05-032
16-231-950	REP-P	91-02-106	16-484-220	NEW-E	91-06-035	36-12-365	NEW-P	91-05-032
16-231-950	REP	91-06-019	16-484-230	NEW-E	91-06-035	36-12-367	NEW-P	91-05-032
16-232-001	AMD-P	91-02-106	16-484-240	NEW-E	91-06-035	36-12-370	AMD-P	91-05-032
16-232-001	AMD	91-06-019	16-484-250	NEW-E	91-06-035	36-12-380	REP-P	91-05-032
			16-484-260	NEW-E	91-06-035	36-12-385	NEW-P	91-05-032

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
36-12-390	REP-P	91-05-032	114-12-170	DECOD	91-05-026	132K-16-400	NEW-P	91-03-150
36-12-400	AMD-P	91-05-032	114-12-180	DECOD	91-05-026	132K-16-410	NEW-E	91-03-084
36-12-410	AMD-P	91-05-032	114-12-190	DECOD	91-05-026	132K-16-410	NEW-P	91-03-150
36-12-415	NEW-P	91-05-032	114-12-200	DECOD	91-05-026	132K-16-420	NEW-E	91-03-084
36-12-420	REP-P	91-05-032	131-16-020	REP-E	91-06-069	132K-16-420	NEW-P	91-03-150
36-12-425	NEW-P	91-05-032	131-16-021	NEW-E	91-06-069	132K-16-430	NEW-E	91-03-084
36-12-430	REP-P	91-05-032	131-32-050	NEW-E	91-06-075	132K-16-430	NEW-P	91-03-150
36-12-435	NEW-P	91-05-032	132B-120-010	AMD-P	91-05-033	132K-16-440	NEW-E	91-03-084
36-12-440	REP-P	91-05-032	132B-120-045	NEW-P	91-05-033	132K-16-440	NEW-P	91-03-150
36-12-445	NEW-P	91-05-032	132B-120-060	AMD-P	91-05-033	132K-16-450	NEW-E	91-03-084
36-12-450	AMD-P	91-05-032	132B-120-090	AMD-P	91-05-033	132K-16-450	NEW-P	91-03-150
36-12-460	REP-P	91-05-032	132B-120-100	AMD-P	91-05-033	132K-16-460	NEW-E	91-03-084
36-12-470	REP-P	91-05-032	132B-120-120	AMD-P	91-05-033	132K-16-460	NEW-P	91-03-150
36-12-480	REP-P	91-05-032	132B-120-140	AMD-P	91-05-033	132K-16-470	NEW-E	91-03-084
51-11-0600	NEW	91-06-065	132B-120-160	AMD-P	91-05-033	132K-16-470	NEW-P	91-03-150
51-19-470	NEW-W	91-06-064	132B-120-170	AMD-P	91-05-033	132K-16-480	NEW-E	91-03-084
106-120-004	AMD	91-04-054	132B-120-180	AMD-P	91-05-033	132K-16-480	NEW-P	91-03-150
106-120-005	AMD	91-04-054	132B-120-190	AMD-P	91-05-033	132K-16-490	NEW-E	91-03-084
106-120-023	AMD	91-04-054	132K-16-110	NEW-E	91-03-084	132K-16-490	NEW-P	91-03-150
106-120-024	AMD	91-04-054	132K-16-110	NEW-P	91-03-150	132K-16-500	NEW-E	91-03-084
106-120-026	AMD	91-04-054	132K-16-120	NEW-E	91-03-084	132K-16-500	NEW-P	91-03-150
106-120-027	AMD	91-04-054	132K-16-120	NEW-P	91-03-150	132K-16-510	NEW-E	91-03-084
106-120-028	AMD	91-04-054	132K-16-130	NEW-E	91-03-084	132K-16-510	NEW-P	91-03-150
106-120-033	AMD	91-04-054	132K-16-130	NEW-P	91-03-150	132K-16-520	NEW-E	91-03-084
106-120-131	AMD	91-04-054	132K-16-140	NEW-E	91-03-084	132K-16-520	NEW-P	91-03-150
106-120-132	AMD	91-04-054	132K-16-140	NEW-P	91-03-150	132K-16-530	NEW-E	91-03-084
106-120-143	AMD	91-04-054	132K-16-150	NEW-E	91-03-084	132K-16-530	NEW-P	91-03-150
113-10-010	DECOD	91-05-095	132K-16-150	NEW-P	91-03-150	132K-16-540	NEW-E	91-03-084
113-10-020	DECOD	91-05-095	132K-16-160	NEW-E	91-03-084	132K-16-540	NEW-P	91-03-150
113-10-030	DECOD	91-05-095	132K-16-160	NEW-P	91-03-150	132K-16-550	NEW-E	91-03-084
113-10-040	DECOD	91-05-095	132K-16-170	NEW-E	91-03-084	132K-16-550	NEW-P	91-03-150
113-10-050	DECOD	91-05-095	132K-16-170	NEW-P	91-03-150	132K-16-560	NEW-E	91-03-084
113-10-060	DECOD	91-05-095	132K-16-180	NEW-E	91-03-084	132K-16-560	NEW-P	91-03-150
113-10-070	DECOD	91-05-095	132K-16-180	NEW-P	91-03-150	132S-30-036	AMD-P	91-02-101
113-10-090	DECOD	91-05-095	132K-16-190	NEW-E	91-03-084	132Y-400-010	NEW	91-05-012
113-10-100	DECOD	91-05-095	132K-16-190	NEW-P	91-03-150	132Y-400-020	NEW	91-05-012
113-10-110	DECOD	91-05-095	132K-16-200	NEW-E	91-03-084	132Y-400-030	NEW	91-05-012
113-12-010	DECOD	91-05-095	132K-16-200	NEW-P	91-03-150	132Y-400-040	NEW	91-05-012
113-12-075	DECOD	91-05-095	132K-16-210	NEW-E	91-03-084	143-06-130	AMD-P	91-04-090
113-12-080	DECOD	91-05-095	132K-16-210	NEW-P	91-03-150	154-300-005	NEW-P	91-02-098
113-12-085	DECOD	91-05-095	132K-16-220	NEW-E	91-03-084	154-300-005	NEW	91-05-084
113-12-087	DECOD	91-05-095	132K-16-220	NEW-P	91-03-150	154-300-010	NEW-P	91-02-098
113-12-101	DECOD	91-05-095	132K-16-230	NEW-E	91-03-084	154-300-010	NEW	91-05-084
113-12-101	REP-P	91-06-090	132K-16-230	NEW-P	91-03-150	154-300-020	NEW-P	91-02-098
113-12-103	DECOD	91-05-095	132K-16-240	NEW-E	91-03-084	154-300-020	NEW	91-05-084
113-12-104	DECOD	91-05-095	132K-16-240	NEW-P	91-03-150	154-300-030	NEW-P	91-02-098
113-12-115	DECOD	91-05-095	132K-16-250	NEW-E	91-03-084	154-300-030	NEW	91-05-084
113-12-120	DECOD	91-05-095	132K-16-250	NEW-P	91-03-150	154-300-040	NEW-P	91-02-098
113-12-150	DECOD	91-05-095	132K-16-260	NEW-E	91-03-084	154-300-040	NEW	91-05-084
113-12-165	DECOD	91-05-095	132K-16-260	NEW-P	91-03-150	154-300-050	NEW-P	91-02-098
113-12-170	DECOD	91-05-095	132K-16-270	NEW-E	91-03-084	154-300-050	NEW	91-05-084
113-12-175	DECOD	91-05-095	132K-16-270	NEW-P	91-03-150	154-300-060	NEW-P	91-02-098
113-12-180	DECOD	91-05-095	132K-16-280	NEW-E	91-03-084	154-300-060	NEW	91-05-084
113-12-190	DECOD	91-05-095	132K-16-280	NEW-P	91-03-150	154-300-070	NEW-P	91-02-098
113-12-195	DECOD	91-05-095	132K-16-290	NEW-E	91-03-084	154-300-070	NEW	91-05-084
113-12-197	DECOD	91-05-095	132K-16-290	NEW-P	91-03-150	154-300-080	NEW-P	91-02-098
113-12-200	DECOD	91-05-095	132K-16-300	NEW-E	91-03-084	154-300-080	NEW	91-05-084
113-12-210	DECOD	91-05-095	132K-16-300	NEW-P	91-03-150	154-300-090	NEW-P	91-02-098
113-12-220	DECOD	91-05-095	132K-16-310	NEW-E	91-03-084	154-300-090	NEW	91-05-084
113-12-230	DECOD	91-05-095	132K-16-310	NEW-P	91-03-150	154-300-100	NEW-P	91-02-098
113-12-300	DECOD	91-05-095	132K-16-320	NEW-E	91-03-084	154-300-100	NEW	91-05-084
113-12-310	DECOD	91-05-095	132K-16-320	NEW-P	91-03-150	154-300-110	NEW-P	91-02-098
113-12-320	DECOD	91-05-095	132K-16-330	NEW-E	91-03-084	154-300-110	NEW	91-05-084
113-12-330	DECOD	91-05-095	132K-16-330	NEW-P	91-03-150	154-300-120	NEW-P	91-02-098
113-12-340	DECOD	91-05-095	132K-16-340	NEW-E	91-03-084	154-300-120	NEW	91-05-084
113-12-350	DECOD	91-05-095	132K-16-340	NEW-P	91-03-150	173-16-064	NEW-P	91-04-069
114-12-011	DECOD	91-05-026	132K-16-350	NEW-E	91-03-084	173-16-064	NEW-W	91-05-042
114-12-021	DECOD	91-05-026	132K-16-350	NEW-P	91-03-150	173-19-120	AMD-W	91-02-112
114-12-031	DECOD	91-05-026	132K-16-360	NEW-E	91-03-084	173-19-2207	AMD-P	91-03-144
114-12-041	DECOD	91-05-026	132K-16-360	NEW-P	91-03-150	173-19-230	AMD	91-03-145
114-12-115	DECOD	91-05-026	132K-16-370	NEW-E	91-03-084	173-19-250	AMD	91-03-149
114-12-126	DECOD	91-05-026	132K-16-370	NEW-P	91-03-150	173-19-280	AMD-P	91-03-141
114-12-132	DECOD	91-05-026	132K-16-380	NEW-E	91-03-084	173-19-3203	AMD	91-03-147
114-12-136	DECOD	91-05-031	132K-16-380	NEW-P	91-03-150	173-19-3205	AMD	91-03-146
114-12-150	DECOD	91-05-026	132K-16-390	NEW-E	91-03-084	173-19-3208	AMD	91-03-148
114-12-155	DECOD	91-05-026	132K-16-390	NEW-P	91-03-150	173-19-3209	AMD	91-04-070
114-12-164	DECOD	91-05-026	132K-16-400	NEW-E	91-03-084	173-19-3210	AMD	91-04-071

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-19-350	AMD-P	91-03-143	173-340-700	AMD	91-04-019	173-405-078	AMD	91-05-064
173-19-360	AMD	91-04-072	173-340-702	NEW	91-04-019	173-405-086	AMD	91-05-064
173-19-360	AMD-P	91-05-063	173-340-704	NEW	91-04-019	173-405-087	AMD	91-05-064
173-19-360	AMD-C	91-06-094	173-340-705	NEW	91-04-019	173-405-091	AMD	91-05-064
173-19-4205	AMD-P	91-04-079	173-340-706	NEW	91-04-019	173-410-012	AMD	91-05-064
173-160-040	AMD-E	91-04-073	173-340-707	NEW	91-04-019	173-410-201	AMD	91-05-064
173-166	AMD-C	91-02-099	173-340-708	NEW	91-04-019	173-410-035	AMD	91-05-064
173-166	AMD	91-03-081	173-340-710	NEW	91-04-019	173-410-040	AMD	91-05-064
173-166-010	AMD	91-03-081	173-340-720	NEW	91-04-019	173-410-042	REP	91-05-064
173-166-020	AMD	91-03-081	173-340-730	NEW	91-04-019	173-410-045	AMD	91-05-064
173-166-030	AMD	91-03-081	173-340-740	NEW	91-04-019	173-410-062	AMD	91-05-064
173-166-040	AMD	91-03-081	173-340-745	NEW	91-04-019	173-410-067	AMD	91-05-064
173-166-050	AMD	91-03-081	173-340-750	NEW	91-04-019	173-410-071	AMD	91-05-064
173-166-060	AMD	91-03-081	173-340-760	NEW	91-04-019	173-410-086	AMD	91-05-064
173-166-070	AMD	91-03-081	173-340-830	AMD	91-04-019	173-410-087	AMD	91-05-064
173-166-080	NEW	91-03-081	173-360-220	NEW-W	91-04-022	173-410-100	NEW	91-05-064
173-166-090	NEW	91-03-081	173-360-230	NEW-W	91-04-022	173-415-010	AMD	91-05-064
173-166-100	NEW	91-03-081	173-360-620	NEW-W	91-04-022	173-415-020	AMD	91-05-064
173-166-110	NEW	91-03-081	173-400-010	AMD	91-05-064	173-415-030	AMD	91-05-064
173-166-120	NEW	91-03-081	173-400-020	AMD	91-05-064	173-415-040	AMD	91-05-064
173-166-130	NEW	91-03-081	173-400-030	AMD	91-05-064	173-415-041	REP	91-05-064
173-166-140	NEW	91-03-081	173-400-040	AMD	91-05-064	173-415-045	AMD	91-05-064
173-204	NEW-C	91-03-094	173-400-050	AMD	91-05-064	173-415-050	AMD	91-05-064
173-204	NEW-C	91-06-098	173-400-060	AMD	91-05-064	173-415-051	AMD	91-05-064
173-224-015	AMD-P	91-03-080	173-400-070	AMD	91-05-064	173-415-060	AMD	91-05-064
173-224-030	AMD-P	91-03-080	173-400-075	AMD	91-05-064	173-415-070	AMD	91-05-064
173-224-040	AMD-P	91-03-080	173-400-100	AMD	91-05-064	173-415-080	AMD	91-05-064
173-224-050	AMD-P	91-03-080	173-400-105	AMD	91-05-064	173-415-081	AMD	91-05-064
173-224-090	AMD-P	91-03-080	173-400-110	AMD	91-05-064	173-490-020	AMD	91-05-064
173-270-010	NEW-P	91-04-091	173-400-115	AMD	91-05-064	173-490-025	AMD	91-05-064
173-270-020	NEW-P	91-04-091	173-400-120	AMD	91-05-064	173-490-030	AMD	91-05-064
173-270-030	NEW-P	91-04-091	173-400-131	NEW	91-05-064	173-490-040	AMD	91-05-064
173-270-040	NEW-P	91-04-091	173-400-136	NEW	91-05-064	173-490-070	REP	91-05-064
173-270-050	NEW-P	91-04-091	173-400-141	NEW	91-05-064	173-490-071	REP	91-05-064
173-270-060	NEW-P	91-04-091	173-400-151	NEW	91-05-064	173-490-080	AMD	91-05-064
173-270-070	NEW-P	91-04-091	173-400-161	NEW	91-05-064	173-490-090	AMD	91-05-064
173-270-080	NEW-P	91-04-091	173-400-171	NEW	91-05-064	173-490-120	REP	91-05-064
173-270-090	NEW-P	91-04-091	173-400-180	NEW	91-05-064	173-490-130	REP	91-05-064
173-270-100	NEW-P	91-04-091	173-400-190	NEW	91-05-064	173-490-135	REP	91-05-064
173-305-010	REP-E	91-03-139	173-400-200	NEW	91-05-064	173-490-140	REP	91-05-064
173-305-01001	NEW-E	91-03-139	173-400-205	NEW	91-05-064	173-490-150	REP	91-05-064
173-305-015	REP-E	91-03-139	173-400-210	NEW	91-05-064	173-490-200	AMD	91-05-064
173-305-01501	NEW-E	91-03-139	173-400-220	NEW	91-05-064	173-490-201	AMD	91-05-064
173-305-020	REP-E	91-03-139	173-400-230	NEW	91-05-064	173-490-202	AMD	91-05-064
173-305-02001	NEW-E	91-03-139	173-400-240	NEW	91-05-064	173-490-203	AMD	91-05-064
173-305-030	REP-E	91-03-139	173-400-250	NEW	91-05-064	173-490-204	AMD	91-05-064
173-305-03001	NEW-E	91-03-139	173-400-260	NEW	91-05-064	173-490-205	AMD	91-05-064
173-305-040	REP-E	91-03-139	173-403-010	REP	91-05-064	173-490-207	AMD	91-05-064
173-305-04001	NEW-E	91-03-139	173-403-020	REP	91-05-064	173-490-208	AMD	91-05-064
173-305-050	REP-E	91-03-139	173-403-030	REP	91-05-064	173-491-010	NEW-P	91-02-107
173-305-05001	NEW-E	91-03-139	173-403-050	REP	91-05-064	173-491-015	NEW-P	91-02-107
173-305-060	REP-E	91-03-139	173-403-060	REP	91-05-064	173-491-020	NEW-P	91-02-107
173-305-06001	NEW-E	91-03-139	173-403-070	REP	91-05-064	173-491-030	NEW-P	91-02-107
173-305-070	REP-E	91-03-139	173-403-075	REP	91-05-064	173-491-040	NEW-P	91-02-107
173-305-07001	NEW-E	91-03-139	173-403-080	REP	91-05-064	173-491-050	NEW-P	91-02-107
173-305-080	REP-E	91-03-139	173-403-090	REP	91-05-064	173-500-080	NEW-E	91-04-080
173-305-090	REP-E	91-03-139	173-403-100	REP	91-05-064	173-548-050	AMD-E	91-04-073
173-331-010	NEW	91-05-020	173-403-110	REP	91-05-064	180-44-050	AMD-P	91-05-068
173-331-100	NEW	91-05-020	173-403-120	REP	91-05-064	180-55-005	AMD	91-04-015
173-331-200	NEW	91-05-020	173-403-130	REP	91-05-064	180-55-015	AMD	91-04-015
173-331-210	NEW	91-05-020	173-403-141	REP	91-05-064	180-79-003	AMD	91-04-016
173-331-220	NEW	91-05-020	173-403-145	REP	91-05-064	180-79-080	AMD	91-04-016
173-331-300	NEW	91-05-020	173-403-150	REP	91-05-064	180-79-230	AMD	91-05-056
173-331-400	NEW	91-05-020	173-403-160	REP	91-05-064	180-79-236	NEW	91-05-056
173-331-410	NEW	91-05-020	173-403-170	REP	91-05-064	180-79-241	NEW	91-05-056
173-331-500	NEW	91-05-020	173-403-180	REP	91-05-064	180-85-005	AMD	91-04-016
173-331-600	NEW	91-05-020	173-403-190	REP	91-05-064	180-85-045	AMD	91-04-016
173-340-120	AMD	91-04-019	173-405-012	AMD	91-05-064	180-86-100	AMD-P	91-05-024
173-340-200	AMD	91-04-019	173-405-021	AMD	91-05-064	182-12-127	REP-P	91-04-086
173-340-210	AMD	91-04-019	173-405-033	AMD	91-05-064	182-12-210	REP-P	91-04-086
173-340-300	AMD	91-04-019	173-405-035	AMD	91-05-064	182-12-215	NEW-P	91-04-086
173-340-350	AMD	91-04-019	173-405-040	AMD	91-05-064	182-16-010	NEW-P	91-04-087
173-340-360	AMD	91-04-019	173-405-041	REP	91-05-064	182-16-020	NEW-P	91-04-087
173-340-420	AMD	91-04-019	173-405-045	AMD	91-05-064	182-16-030	NEW-P	91-04-087
173-340-430	AMD	91-04-019	173-405-061	AMD	91-05-064	182-16-040	NEW-P	91-04-087
173-340-440	NEW	91-04-019	173-405-072	AMD	91-05-064	182-16-050	NEW-P	91-04-087
173-340-450	NEW	91-04-019	173-405-077	AMD	91-05-064	182-18-005	NEW-P	91-05-079

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-57-430	AMD-P	91-03-151	236-100-011	NEW-P	91-05-101	246-807-220	RECOD	91-05-095
220-57-435	AMD-P	91-03-151	236-100-012	NEW-P	91-05-101	246-807-230	RECOD	91-05-095
220-57-450	AMD-P	91-03-153	236-100-013	NEW-P	91-05-101	246-807-240	RECOD	91-05-095
220-57-450	AMD-P	91-03-151	236-100-014	NEW-P	91-05-101	246-807-250	RECOD	91-05-095
220-57-455	AMD-P	91-03-151	236-100-015	NEW-P	91-05-101	246-807-260	RECOD	91-05-095
220-57-460	AMD-P	91-03-153	236-100-016	NEW-P	91-05-101	246-807-270	RECOD	91-05-095
220-57-465	AMD-P	91-03-151	240-15-005	AMD	91-02-111	246-807-280	RECOD	91-05-095
220-57-470	AMD-P	91-03-151	240-15-010	AMD	91-02-111	246-807-290	RECOD	91-05-095
220-57-490	AMD-P	91-03-151	240-15-015	AMD	91-02-111	246-807-300	RECOD	91-05-095
220-57-497	AMD-P	91-03-153	240-15-020	AMD	91-02-111	246-807-310	RECOD	91-05-095
220-57A-035	AMD-P	91-03-153	240-15-025	AMD	91-02-111	246-807-320	RECOD	91-05-095
220-69-260	AMD	91-05-015	240-15-030	AMD	91-02-111	246-807-330	RECOD	91-05-095
220-69-262	AMD	91-05-015	240-15-035	AMD	91-02-111	246-807-340	RECOD	91-05-095
220-69-264	AMD	91-05-015	246-205-001	NEW	91-04-007	246-807-350	RECOD	91-05-095
220-69-26401	AMD	91-05-015	246-205-010	NEW	91-04-007	246-807-360	RECOD	91-05-095
230-02-505	NEW-P	91-03-062	246-205-020	NEW	91-04-007	246-807-370	RECOD	91-05-095
230-04-022	AMD-P	91-03-062	246-205-030	NEW	91-04-007	246-807-380	RECOD	91-05-095
230-04-120	AMD-P	91-03-062	246-205-040	NEW	91-04-007	246-807-390	RECOD	91-05-095
230-04-187	NEW-P	91-03-062	246-205-050	NEW	91-04-007	246-807-400	NEW-P	91-06-090
230-04-190	AMD-P	91-03-062	246-205-060	NEW	91-04-007	246-807-410	NEW-P	91-06-090
230-04-201	AMD-P	91-03-062	246-205-070	NEW	91-04-007	246-816-075	NEW	91-03-109
230-12-100	NEW-P	91-03-062	246-205-080	NEW	91-04-007	246-824-020	AMD-P	91-05-087
230-12-305	AMD-P	91-03-062	246-205-090	NEW	91-04-007	246-824-050	AMD-P	91-05-087
230-20-380	AMD-C	91-03-049	246-205-100	NEW	91-04-007	246-824-075	NEW-P	91-05-087
230-20-380	AMD-W	91-05-044	246-205-110	NEW	91-04-007	246-824-080	AMD-P	91-05-087
230-20-699	REP	91-03-063	246-205-120	NEW	91-04-007	246-843-001	RECOD	91-06-060
230-25-110	AMD-P	91-03-062	246-205-990	NEW	91-04-007	246-843-010	RECOD	91-06-060
230-25-265	AMD-C	91-03-049	246-310-500	AMD	91-05-093	246-843-030	RECOD	91-06-060
230-25-265	AMD	91-05-047	246-453-001	AMD	91-05-048	246-843-040	RECOD	91-06-060
230-25-265	AMD	91-06-008	246-453-010	AMD	91-05-048	246-843-050	RECOD	91-06-060
230-25-330	NEW-P	91-03-062	246-453-020	NEW	91-05-048	246-843-060	RECOD	91-06-060
230-30-075	AMD-C	91-03-049	246-453-030	NEW	91-05-048	246-843-070	RECOD	91-06-060
230-30-075	AMD-C	91-05-046	246-453-040	NEW	91-05-048	246-843-080	RECOD	91-06-060
230-30-075	AMD-W	91-06-039	246-453-050	NEW	91-05-048	246-843-090	RECOD	91-06-060
230-30-080	AMD-C	91-03-049	246-453-060	NEW	91-05-048	246-843-095	RECOD	91-06-060
230-30-080	AMD-P	91-05-045	246-453-070	AMD	91-05-048	246-843-100	RECOD	91-06-060
230-30-080	AMD	91-05-047	246-453-080	AMD	91-05-048	246-843-110	RECOD	91-06-060
230-40-125	AMD-C	91-03-049	246-453-085	REP	91-05-048	246-843-120	RECOD	91-06-060
230-40-125	AMD	91-05-047	246-453-090	AMD	91-05-048	246-843-125	RECOD	91-06-060
230-50-030	AMD	91-03-063	246-790-070	AMD	91-06-029	246-843-130	RECOD	91-06-060
232-12-004	AMD-P	91-03-131	246-806-010	RECOD	91-05-026	246-843-150	RECOD	91-06-060
232-12-007	AMD-P	91-03-133	246-806-020	RECOD	91-05-026	246-843-155	RECOD	91-06-060
232-12-055	AMD-P	91-03-137	246-806-030	RECOD	91-05-026	246-843-160	RECOD	91-06-060
232-12-017	AMD	91-03-082	246-806-040	RECOD	91-05-026	246-843-162	RECOD	91-06-060
232-12-024	AMD-P	91-06-082	246-806-050	RECOD	91-05-026	246-843-170	RECOD	91-06-060
232-12-244	REP-P	91-06-081	246-806-060	RECOD	91-05-026	246-843-180	RECOD	91-06-060
232-12-245	NEW-P	91-06-081	246-806-070	RECOD	91-05-026	246-843-200	RECOD	91-06-060
232-12-267	AMD-P	91-06-080	246-806-080	RECOD	91-05-026	246-843-205	RECOD	91-06-060
232-12-831	NEW-P	91-06-083	246-806-090	RECOD	91-05-026	246-843-220	RECOD	91-06-060
232-28-022	AMD-P	91-03-130	246-806-100	RECOD	91-05-026	246-843-225	RECOD	91-06-060
232-28-215	REP-W	91-02-113	246-806-110	RECOD	91-05-026	246-843-230	RECOD	91-06-060
232-28-219	REP-P	91-06-084	246-806-120	RECOD	91-05-026	246-843-240	RECOD	91-06-060
232-28-220	REP-P	91-06-084	246-806-130	RECOD	91-05-026	246-843-250	RECOD	91-06-060
232-28-221	REP-P	91-06-084	246-806-140	RECOD	91-05-026	246-843-320	RECOD	91-06-060
232-28-222	REP-P	91-06-084	246-806-990	RECOD	91-05-031	246-843-330	NEW	91-06-059
232-28-223	REP-P	91-06-084	246-807-020	RECOD	91-05-095	246-843-990	RECOD	91-06-058
232-28-224	NEW-W	91-02-113	246-807-030	RECOD	91-05-095	246-847-010	RECOD	91-05-027
232-28-225	NEW	91-06-016	246-807-040	RECOD	91-05-095	246-847-020	RECOD	91-05-027
232-28-226	NEW-P	91-03-138	246-807-050	RECOD	91-05-095	246-847-030	RECOD	91-05-027
232-28-226	NEW-P	91-03-138	246-807-060	RECOD	91-05-095	246-847-040	RECOD	91-05-027
232-28-227	NEW-P	91-03-135	246-807-070	RECOD	91-05-095	246-847-050	RECOD	91-05-027
232-28-228	NEW-P	91-03-134	246-807-080	RECOD	91-05-095	246-847-060	RECOD	91-05-027
232-28-229	NEW-P	91-06-086	246-807-090	RECOD	91-05-095	246-847-065	RECOD	91-05-027
232-28-230	NEW-P	91-06-087	246-807-100	RECOD	91-05-095	246-847-070	RECOD	91-05-027
232-28-231	NEW-P	91-06-085	246-807-110	RECOD	91-05-095	246-847-080	RECOD	91-05-027
232-28-61810	REP-P	91-03-136	246-807-120	RECOD	91-05-095	246-847-090	RECOD	91-05-027
232-28-61811	NEW-W	91-03-066	246-807-130	RECOD	91-05-095	246-847-100	RECOD	91-05-027
232-28-61813	NEW	91-05-002	246-807-140	RECOD	91-05-095	246-847-110	RECOD	91-05-027
232-28-61815	NEW	91-05-001	246-807-150	RECOD	91-05-095	246-847-120	RECOD	91-05-027
232-28-61817	NEW-P	91-03-136	246-807-160	RECOD	91-05-095	246-847-130	RECOD	91-05-027
232-28-713	REP	91-06-015	246-807-170	RECOD	91-05-095	246-847-140	RECOD	91-05-027
232-28-714	NEW	91-06-015	246-807-171	NEW	91-06-090	246-847-150	RECOD	91-05-027
236-12-290	AMD-P	91-04-081	246-807-173	NEW	91-06-090	246-847-160	RECOD	91-05-027
236-12-300	AMD-P	91-04-081	246-807-180	RECOD	91-05-095	246-847-170	RECOD	91-05-027
236-100-001	NEW-P	91-05-101	246-807-190	RECOD	91-05-095	246-847-180	RECOD	91-05-027
236-100-010	NEW-P	91-05-101	246-807-200	RECOD	91-05-095	246-847-190	RECOD	91-05-027
			246-807-210	RECOD	91-05-095	246-847-200	RECOD	91-05-027

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-31-040	DECOD	91-03-095	308-52-260	AMD	91-06-038	308-54-040	DECOD	91-06-060
308-31-040	AMD-P	91-05-089	308-52-265	DECOD	91-06-030	308-54-050	DECOD	91-06-060
308-31-050	DECOD	91-03-095	308-52-270	DECOD	91-06-030	308-54-060	DECOD	91-06-060
308-31-050	AMD-P	91-05-089	308-52-320	DECOD	91-06-030	308-54-070	DECOD	91-06-060
308-31-055	DECOD	91-05-029	308-52-400	DECOD	91-06-030	308-54-080	DECOD	91-06-060
308-31-057	DECOD	91-03-095	308-52-405	DECOD	91-06-030	308-54-090	DECOD	91-06-060
308-31-057	AMD-P	91-05-089	308-52-406	DECOD	91-06-030	308-54-095	DECOD	91-06-060
308-31-060	DECOD	91-03-095	308-52-410	DECOD	91-06-030	308-54-100	DECOD	91-06-060
308-31-060	AMD-P	91-05-089	308-52-415	DECOD	91-06-030	308-54-110	DECOD	91-06-060
308-31-100	DECOD	91-03-095	308-52-420	DECOD	91-06-030	308-54-120	DECOD	91-06-060
308-31-100	AMD-P	91-05-089	308-52-425	DECOD	91-06-030	308-54-125	DECOD	91-06-060
308-31-110	DECOD	91-03-095	308-52-500	DECOD	91-06-030	308-54-130	DECOD	91-06-060
308-31-110	AMD-P	91-05-089	308-52-502	DECOD	91-06-030	308-54-150	DECOD	91-06-060
308-31-120	DECOD	91-03-095	308-52-504	DECOD	91-06-030	308-54-155	DECOD	91-06-060
308-31-120	AMD-P	91-05-089	308-52-510	DECOD	91-06-030	308-54-160	DECOD	91-06-060
308-31-210	DECOD	91-03-095	308-52-515	DECOD	91-06-030	308-54-162	DECOD	91-06-060
308-31-210	AMD-P	91-05-089	308-52-530	DECOD	91-06-030	308-54-170	DECOD	91-06-060
308-31-220	DECOD	91-03-095	308-52-540	DECOD	91-06-030	308-54-180	DECOD	91-06-060
308-31-220	AMD-P	91-05-089	308-52-570	DECOD	91-06-030	308-54-200	DECOD	91-06-060
308-31-230	DECOD	91-03-095	308-52-580	DECOD	91-06-030	308-54-205	DECOD	91-06-060
308-31-230	AMD-P	91-05-089	308-52-590	REP	91-06-027	308-54-220	DECOD	91-06-060
308-31-240	DECOD	91-03-095	308-52-600	DECOD	91-06-030	308-54-225	DECOD	91-06-060
308-31-240	AMD-P	91-05-089	308-52-610	DECOD	91-06-030	308-54-230	DECOD	91-06-060
308-31-250	DECOD	91-03-095	308-52-620	DECOD	91-06-030	308-54-240	DECOD	91-06-060
308-31-250	AMD-P	91-05-089	308-52-630	DECOD	91-06-030	308-54-250	DECOD	91-06-060
308-31-260	DECOD	91-03-095	308-52-640	DECOD	91-06-030	308-54-315	AMD-P	91-05-025
308-31-260	AMD-P	91-05-089	308-52-650	DECOD	91-06-030	308-54-315	DECOD	91-06-058
308-31-270	DECOD	91-03-095	308-52-660	DECOD	91-06-030	308-54-320	DECOD	91-06-060
308-31-270	AMD-P	91-05-089	308-52-680	DECOD	91-06-030	308-56A-090	NEW	91-03-088
308-31-280	DECOD	91-03-095	308-52-690	DECOD	91-06-030	308-56A-150	AMD	91-04-024
308-31-280	AMD-P	91-05-089	308-53	DECOD-C	91-03-116	308-56A-460	AMD	91-04-025
308-31-500	DECOD	91-03-095	308-53-010	DECOD	91-06-025	308-57-005	NEW	91-04-026
308-31-500	AMD-P	91-05-089	308-53-020	DECOD	91-06-028	308-57-010	NEW	91-04-026
308-31-510	DECOD	91-03-095	308-53-030	DECOD	91-06-025	308-57-020	NEW	91-04-026
308-31-510	AMD-P	91-05-089	308-53-070	DECOD	91-06-025	308-57-030	NEW	91-04-026
308-31-520	DECOD	91-03-095	308-53-075	DECOD	91-06-025	308-57-110	NEW	91-04-026
308-31-520	AMD-P	91-05-089	308-53-084	DECOD	91-06-025	308-57-120	NEW	91-04-026
308-31-530	DECOD	91-03-095	308-53-085	DECOD	91-06-025	308-57-130	NEW	91-04-026
308-31-530	AMD-P	91-05-089	308-53-100	DECOD	91-06-025	308-57-140	NEW	91-04-026
308-31-540	DECOD	91-03-095	308-53-110	DECOD	91-06-025	308-57-210	NEW	91-04-026
308-31-540	AMD-P	91-05-089	308-53-120	DECOD	91-06-025	308-57-220	NEW	91-04-026
308-31-550	DECOD	91-03-095	308-53-123	DECOD	91-06-025	308-57-230	NEW	91-04-026
308-31-550	AMD-P	91-05-089	308-53-125	DECOD	91-06-025	308-57-240	NEW	91-04-026
308-31-560	DECOD	91-03-095	308-53-135	DECOD	91-06-025	308-57-310	NEW	91-04-026
308-31-560	AMD-P	91-05-089	308-53-140	DECOD	91-06-025	308-57-320	NEW	91-04-026
308-31-570	DECOD	91-03-095	308-53-145	DECOD	91-06-025	308-57-410	NEW	91-04-026
308-31-570	AMD-P	91-05-089	308-53-146	DECOD	91-06-025	308-57-420	NEW	91-04-026
308-42-075	AMD	91-05-004	308-53-150	DECOD	91-06-025	308-57-430	NEW	91-04-026
308-52-010	DECOD	91-06-030	308-53-151	DECOD	91-06-025	308-57-440	NEW	91-04-026
308-52-030	DECOD	91-06-030	308-53-155	DECOD	91-06-025	308-58-010	AMD	91-04-025
308-52-040	DECOD	91-06-030	308-53-165	DECOD	91-06-025	308-58-020	AMD	91-04-025
308-52-100	DECOD	91-06-030	308-53-170	DECOD	91-06-025	308-66-152	AMD	91-03-019
308-52-120	DECOD	91-06-030	308-53-175	DECOD	91-06-025	308-66-156	NEW	91-03-092
308-52-132	DECOD	91-06-030	308-53-180	DECOD	91-06-025	308-77-080	REP	91-03-018
308-52-135	AMD-E	91-04-033	308-53-200	DECOD	91-06-025	308-77-100	AMD	91-03-018
308-52-135	AMD-P	91-04-055	308-53-205	DECOD	91-06-025	308-77-250	AMD	91-03-017
308-52-135	DECOD	91-06-030	308-53-210	DECOD	91-06-025	308-91-030	AMD-E	91-02-109
308-52-136	DECOD	91-06-030	308-53-215	DECOD	91-06-025	308-91-030	AMD-P	91-02-110
308-52-138	DECOD	91-06-030	308-53-220	DECOD	91-06-025	308-91-030	AMD	91-06-093
308-52-139	DECOD	91-06-030	308-53-230	DECOD	91-06-025	308-91-090	AMD-E	91-02-109
308-52-140	DECOD	91-06-030	308-53-235	DECOD	91-06-025	308-91-090	AMD-P	91-02-110
308-52-141	DECOD	91-06-030	308-53-240	DECOD	91-06-025	308-91-090	AMD	91-06-093
308-52-146	DECOD	91-06-030	308-53-245	DECOD	91-06-025	308-91-095	NEW-E	91-02-109
308-52-147	DECOD	91-06-030	308-53-250	DECOD	91-06-025	308-91-095	NEW-P	91-02-110
308-52-148	DECOD	91-06-030	308-53-260	DECOD	91-06-025	308-91-095	NEW	91-06-093
308-52-149	DECOD	91-06-030	308-53-265	DECOD	91-06-025	308-91-150	AMD-E	91-02-109
308-52-150	DECOD	91-06-030	308-53-270	DECOD	91-06-025	308-91-150	AMD-P	91-02-110
308-52-160	DECOD	91-06-030	308-53-275	DECOD	91-06-025	308-91-150	AMD	91-06-093
308-52-165	DECOD	91-06-030	308-53-280	DECOD	91-06-025	308-93-670	NEW	91-03-089
308-52-190	DECOD	91-06-030	308-53-320	DECOD	91-06-025	308-94-035	AMD-P	91-03-142
308-52-201	DECOD	91-06-030	308-53-330	DECOD	91-06-025	308-96A-046	AMD	91-04-025
308-52-205	DECOD	91-06-030	308-53-340	DECOD	91-06-025	308-96A-056	AMD	91-04-025
308-52-211	DECOD	91-06-030	308-53-350	DECOD	91-06-025	308-96A-070	AMD	91-04-025
308-52-215	DECOD	91-06-030	308-53-400	DECOD	91-06-025	308-96A-073	NEW	91-04-025
308-52-221	DECOD	91-06-030	308-54-010	DECOD	91-06-060	308-96A-074	NEW	91-04-025
308-52-255	DECOD	91-06-030	308-54-020	DECOD	91-06-060	308-96A-075	AMD	91-04-025
308-52-260	DECOD	91-06-030	308-54-030	DECOD	91-06-060	308-96A-345	AMD	91-04-024

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-12	DECOD-W 91-06-037	371-08-115	REP 91-03-028	388-42-150	AMD 91-06-005
360-13	DECOD-W 91-06-037	371-08-120	REP 91-03-028	388-44-145	AMD-C 91-03-039
360-15	DECOD-W 91-06-037	371-08-125	AMD 91-03-028	388-44-145	AMD-C 91-04-047
360-16	DECOD-W 91-06-037	371-08-130	AMD 91-03-028	388-44-145	AMD-C 91-06-055
360-16A	DECOD-W 91-06-037	371-08-131	REP 91-03-028	388-49-020	AMD-P 91-05-074
360-17	DECOD-W 91-06-037	371-08-132	REP 91-03-028	388-49-190	AMD-P 91-05-073
360-17-010	AMD-W 91-05-049	371-08-135	REP 91-03-028	388-49-330	AMD-P 91-05-075
360-17-040	AMD-W 91-05-049	371-08-140	AMD 91-03-028	388-49-410	AMD-P 91-05-071
360-17-070	AMD-W 91-05-049	371-08-144	AMD 91-03-028	388-49-420	AMD-P 91-05-071
360-17-075	NEW-W 91-05-049	371-08-146	NEW 91-03-028	388-49-470	AMD 91-06-004
360-17-095	NEW-W 91-05-049	371-08-147	NEW 91-03-028	388-49-480	AMD-P 91-05-072
360-17-100	AMD-W 91-05-049	371-08-148	NEW 91-03-028	388-49-505	AMD-P 91-04-035
360-18	DECOD-W 91-06-037	371-08-155	AMD 91-03-028	388-49-505	AMD-E 91-04-036
360-19	DECOD-W 91-06-037	371-08-156	AMD 91-03-028	388-53	AMD 91-06-006
360-20	DECOD-W 91-06-037	371-08-160	REP 91-03-028	388-53-010	AMD 91-06-006
360-21	DECOD-W 91-06-037	371-08-162	NEW 91-03-028	388-53-050	AMD 91-06-006
360-23	DECOD-W 91-06-037	371-08-163	REP 91-03-028	388-76-030	AMD-P 91-05-070
360-32	DECOD-W 91-06-037	371-08-165	AMD 91-03-028	388-76-040	AMD-P 91-05-070
360-33	DECOD-W 91-06-037	371-08-175	REP 91-03-028	388-76-087	AMD-P 91-05-070
360-35-010	NEW 91-04-056	371-08-180	AMD 91-03-028	388-77-010	AMD 91-04-041
360-35-020	NEW 91-04-056	371-08-183	AMD 91-03-028	388-77-010	AMD 91-05-010
360-35-030	NEW 91-04-056	371-08-184	NEW 91-03-028	388-77-010	AMD 91-05-058
360-35-040	NEW 91-04-056	371-08-186	AMD 91-03-028	388-77-230	REP 91-04-041
360-35-050	NEW 91-04-056	371-08-187	AMD 91-03-028	388-77-230	REP 91-05-010
360-35-060	NEW 91-04-056	371-08-188	AMD 91-03-028	388-77-230	REP 91-05-058
360-35-070	NEW 91-04-056	371-08-189	AMD 91-03-028	388-77-320	AMD 91-04-041
360-35-080	NEW 91-04-056	371-08-190	REP 91-03-028	388-77-320	AMD 91-05-010
360-35-090	NEW 91-04-056	371-08-195	AMD 91-03-028	388-77-320	AMD 91-05-058
360-35-100	NEW 91-04-056	371-08-196	AMD 91-03-028	388-77-500	AMD 91-04-041
360-35-110	NEW 91-04-056	371-08-200	AMD 91-03-028	388-77-500	AMD 91-05-010
360-36	DECOD-W 91-06-037	371-08-201	REP 91-03-028	388-77-500	AMD 91-05-058
360-38	DECOD-W 91-06-037	371-08-205	REP 91-03-028	388-77-515	AMD 91-04-041
360-40	DECOD-W 91-06-037	371-08-210	REP 91-03-028	388-77-515	AMD 91-05-010
360-44	DECOD-W 91-06-037	371-08-215	AMD 91-03-028	388-77-515	AMD 91-05-058
360-46	DECOD-W 91-06-037	371-08-220	AMD 91-03-028	388-77-520	AMD 91-04-041
360-47	DECOD-W 91-06-037	371-08-230	AMD 91-03-028	388-77-520	AMD 91-05-010
360-48	DECOD-W 91-06-037	371-08-240	AMD 91-03-028	388-77-520	AMD 91-05-058
360-49	DECOD-W 91-06-037	371-08-245	REP 91-03-028	388-77-530	REP 91-04-041
360-49-050	NEW-P 91-05-090	371-12	REP-C 91-03-027	388-77-530	REP 91-05-010
360-52	DECOD-W 91-06-037	371-12-010	REP 91-03-028	388-77-530	REP 91-05-058
360-52-120	NEW-P 91-05-092	371-12-020	REP 91-03-028	388-77-555	AMD 91-04-041
360-54	DECOD-W 91-06-037	371-12-030	REP 91-03-028	388-77-555	AMD 91-05-010
360-60	DECOD-W 91-06-037	371-12-040	REP 91-03-028	388-77-555	AMD 91-05-058
365-90-010	AMD 91-04-017	371-12-050	REP 91-03-028	388-77-600	AMD 91-04-041
365-90-020	AMD 91-04-017	371-12-060	REP 91-03-028	388-77-600	AMD 91-05-010
365-90-030	REP 91-04-017	371-12-070	REP 91-03-028	388-77-600	AMD 91-05-058
365-90-040	AMD 91-04-017	371-12-080	REP 91-03-028	388-77-610	AMD 91-04-041
365-90-050	REP 91-04-017	371-12-090	REP 91-03-028	388-77-610	AMD 91-05-010
365-90-070	AMD 91-04-017	371-12-100	REP 91-03-028	388-77-610	AMD 91-05-058
365-90-080	AMD 91-04-017	371-12-110	REP 91-03-028	388-77-615	AMD 91-04-041
365-90-090	AMD 91-04-017	371-12-120	REP 91-03-028	388-77-615	AMD 91-05-010
371-08	AMD-C 91-03-027	371-12-130	REP 91-03-028	388-77-615	AMD 91-05-058
371-08-001	NEW 91-03-028	388-11-220	AMD-P 91-06-040	388-82-010	AMD 91-06-003
371-08-002	NEW 91-03-028	388-11-220	AMD-E 91-06-048	388-83-013	AMD-P 91-06-042
371-08-005	AMD 91-03-028	388-14-275	AMD-P 91-06-097	388-83-013	AMD-E 91-06-046
371-08-010	AMD 91-03-028	388-14-385	AMD-P 91-04-002	388-83-032	AMD-P 91-06-043
371-08-015	REP 91-03-028	388-14-385	AMD-E 91-04-003	388-83-032	AMD-E 91-06-047
371-08-020	AMD 91-03-028	388-14-415	AMD-P 91-04-002	388-83-041	NEW-P 91-05-008
371-08-030	AMD 91-03-028	388-14-415	AMD-E 91-04-003	388-83-041	NEW-E 91-05-009
371-08-031	REP 91-03-028	388-14-435	NEW-P 91-04-002	388-83-130	AMD-P 91-06-043
371-08-032	AMD 91-03-028	388-14-435	NEW-E 91-04-003	388-83-130	AMD-E 91-06-047
371-08-033	NEW 91-03-028	388-14-440	NEW-P 91-04-002	388-84-105	AMD 91-05-011
371-08-035	AMD 91-03-028	388-14-440	NEW-E 91-04-003	388-86-00901	AMD-P 91-04-040
371-08-040	AMD 91-03-028	388-14-445	NEW-P 91-04-002	388-86-00901	AMD-E 91-04-044
371-08-045	REP 91-03-028	388-14-445	NEW-E 91-04-003	388-87-070	AMD-P 91-06-044
371-08-065	AMD 91-03-028	388-14-450	NEW-P 91-04-002	388-87-070	AMD-E 91-06-049
371-08-071	AMD 91-03-028	388-14-450	NEW-E 91-04-003	388-87-070	RESCIND 91-06-056
371-08-075	AMD 91-03-028	388-15-208	AMD-S 91-04-039	388-87-072	AMD-P 91-06-044
371-08-080	AMD 91-03-028	388-15-209	AMD-S 91-04-039	388-87-072	AMD-E 91-06-049
371-08-085	AMD 91-03-028	388-15-212	AMD-S 91-04-039	388-87-072	RESCIND 91-06-056
371-08-095	REP 91-03-028	388-15-215	AMD-S 91-04-039	388-92-045	AMD-P 91-05-008
371-08-100	AMD 91-03-028	388-15-216	AMD-S 91-04-039	388-92-045	AMD-E 91-05-009
371-08-102	REP 91-03-028	388-24-050	AMD-E 91-04-042	388-95-320	AMD-P 91-05-034
371-08-104	AMD 91-03-028	388-24-050	AMD-P 91-04-043	388-95-320	AMD-E 91-05-035
371-08-105	REP 91-03-028	388-28-575	AMD 91-06-007	388-95-380	AMD-P 91-05-008
371-08-106	NEW 91-03-028	388-29-125	AMD-P 91-06-041	388-95-380	AMD-E 91-05-009
371-08-110	REP 91-03-028	388-29-125	AMD-E 91-06-045	388-99-040	AMD-P 91-05-008

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #					
388-99-040	AMD-E	91-05-009		392-115-045	NEW-P	91-03-001		392-127-720	NEW	91-03-129
388-150-005	AMD-P	91-03-127		392-115-050	NEW-P	91-03-001		392-127-725	NEW	91-03-129
388-150-005	AMD-E	91-03-128		392-115-055	NEW-P	91-03-001		392-127-730	NEW	91-03-129
388-150-100	AMD-P	91-03-127		392-115-060	NEW-P	91-03-001		392-127-735	NEW	91-03-129
388-150-100	AMD-E	91-03-128		392-115-065	NEW-P	91-03-001		392-127-740	NEW	91-03-129
388-150-180	AMD-P	91-03-127		392-115-070	NEW-P	91-03-001		392-127-745	NEW	91-03-129
388-150-180	AMD-E	91-03-128		392-115-075	NEW-P	91-03-001		392-127-750	NEW	91-03-129
388-150-210	AMD-P	91-03-127		392-115-080	NEW-P	91-03-001		392-127-755	NEW	91-03-129
388-150-210	AMD-E	91-03-128		392-115-085	NEW-P	91-03-001		392-127-760	NEW	91-03-129
388-150-280	AMD-P	91-03-127		392-115-090	NEW-P	91-03-001		392-127-765	NEW	91-03-129
388-150-280	AMD-E	91-03-128		392-115-095	NEW-P	91-03-001		392-127-770	NEW	91-03-129
388-150-390	AMD-P	91-03-127		392-115-100	NEW-P	91-03-001		392-127-775	NEW	91-03-129
388-150-390	AMD-E	91-03-128		392-115-105	NEW-P	91-03-001		392-127-780	NEW	91-03-129
388-150-450	AMD-P	91-03-127		392-115-110	NEW-P	91-03-001		392-127-785	NEW	91-03-129
388-150-450	AMD-E	91-03-128		392-115-115	NEW-P	91-03-001		392-127-790	NEW	91-03-129
388-155	NEW-C	91-03-038		392-115-120	NEW-P	91-03-001		392-127-795	NEW	91-03-129
388-155-005	NEW	91-04-048		392-115-125	NEW-P	91-03-001		392-127-800	NEW	91-03-129
388-155-010	NEW	91-04-048		392-115-130	NEW-P	91-03-001		392-127-805	NEW	91-03-129
388-155-020	NEW	91-04-048		392-115-135	NEW-P	91-03-001		392-127-810	NEW	91-03-129
388-155-040	NEW	91-04-048		392-115-140	NEW-P	91-03-001		392-127-815	NEW	91-03-129
388-155-050	NEW	91-04-048		392-115-145	NEW-P	91-03-001		392-127-820	NEW	91-03-129
388-155-060	NEW	91-04-048		392-115-150	NEW-P	91-03-001		392-127-825	NEW	91-03-129
388-155-070	NEW	91-04-048		392-115-155	NEW-P	91-03-001		392-127-830	NEW	91-03-129
388-155-080	NEW	91-04-048		392-121-108	AMD	91-02-096		392-140-257	AMD-P	91-04-089
388-155-090	NEW	91-04-048		392-121-133	AMD	91-02-096		392-140-340	NEW	91-02-094
388-155-100	NEW	91-04-048		392-121-136	AMD	91-02-096		392-140-341	NEW	91-02-094
388-155-110	NEW	91-04-048		392-121-182	AMD	91-02-096		392-140-342	NEW	91-02-094
388-155-120	NEW	91-04-048		392-121-184	NEW-P	91-04-088		392-140-343	NEW	91-02-094
388-155-130	NEW	91-04-048		392-121-265	AMD	91-02-097		392-140-345	NEW	91-02-094
388-155-140	NEW	91-04-048		392-121-268	AMD	91-02-097		392-140-346	NEW	91-02-094
388-155-150	NEW	91-04-048		392-121-269	NEW	91-02-097		392-140-347	NEW	91-02-094
388-155-160	NEW	91-04-048		392-121-270	AMD	91-02-097		392-140-348	NEW	91-02-094
388-155-165	NEW	91-04-048		392-121-272	AMD	91-02-097		392-140-349	NEW	91-02-094
388-155-170	NEW	91-04-048		392-121-280	AMD	91-02-097		392-140-350	NEW	91-02-094
388-155-180	NEW	91-04-048		392-121-295	AMD	91-02-097		392-140-351	NEW	91-02-094
388-155-190	NEW	91-04-048		392-121-297	REP	91-02-097		392-140-352	NEW	91-02-094
388-155-200	NEW	91-04-048		392-121-299	AMD	91-02-097		392-140-353	NEW	91-02-094
388-155-210	NEW	91-04-048		392-122-010	AMD	91-03-118		392-140-354	NEW	91-02-094
388-155-220	NEW	91-04-048		392-122-100	AMD	91-03-118		392-140-355	NEW	91-02-094
388-155-230	NEW	91-04-048		392-122-106	AMD	91-03-118		392-140-356	NEW	91-02-094
388-155-240	NEW	91-04-048		392-122-107	AMD	91-03-118		392-140-357	NEW	91-02-094
388-155-250	NEW	91-04-048		392-122-110	AMD	91-03-118		392-140-358	NEW	91-02-094
388-155-260	NEW	91-04-048		392-122-115	REP	91-03-118		392-140-359	NEW	91-02-094
388-155-270	NEW	91-04-048		392-122-120	AMD	91-03-118		392-140-360	NEW	91-02-094
388-155-280	NEW	91-04-048		392-122-125	REP	91-03-118		392-140-361	NEW	91-02-094
388-155-290	NEW	91-04-048		392-122-145	AMD	91-03-118		392-140-362	NEW	91-02-094
388-155-295	NEW	91-04-048		392-122-165	NEW	91-03-118		392-140-363	NEW	91-02-094
388-155-310	NEW	91-04-048		392-122-200	AMD	91-03-118		392-140-364	NEW	91-02-094
388-155-320	NEW	91-04-048		392-122-206	NEW	91-03-118		392-140-365	NEW	91-02-094
388-155-330	NEW	91-04-048		392-122-210	AMD	91-03-118		392-140-366	NEW	91-02-094
388-155-340	NEW	91-04-048		392-122-215	REP	91-03-118		392-140-367	NEW	91-02-094
388-155-350	NEW	91-04-048		392-122-230	AMD	91-03-118		392-140-368	NEW	91-02-094
388-155-360	NEW	91-04-048		392-122-235	AMD	91-03-118		392-140-369	NEW	91-02-094
388-155-370	NEW	91-04-048		392-122-240	REP	91-03-118		392-140-370	NEW	91-02-094
388-155-380	NEW	91-04-048		392-122-245	REP	91-03-118		392-140-371	NEW	91-02-094
388-155-390	NEW	91-04-048		392-122-250	REP	91-03-118		392-140-372	NEW	91-02-094
388-155-400	NEW	91-04-048		392-122-270	AMD	91-03-118		392-140-373	NEW	91-02-094
388-155-410	NEW	91-04-048		392-122-600	AMD	91-03-118		392-140-374	NEW	91-02-094
388-155-420	NEW	91-04-048		392-122-605	AMD	91-03-118		392-140-375	NEW	91-02-094
388-155-430	NEW	91-04-048		392-122-610	AMD	91-03-118		392-140-376	NEW	91-02-094
388-155-440	NEW	91-04-048		392-122-700	AMD	91-03-118		392-140-377	NEW	91-02-094
388-155-450	NEW	91-04-048		392-122-800	AMD	91-03-118		392-140-378	NEW	91-02-094
388-155-460	NEW	91-04-048		392-122-805	AMD	91-03-118		392-140-379	NEW	91-02-094
388-155-470	NEW	91-04-048		392-122-910	NEW	91-03-118		392-140-380	NEW	91-02-094
388-155-480	NEW	91-04-048		392-125-014	NEW-P	91-03-050		392-140-381	NEW	91-02-094
388-155-490	NEW	91-04-048		392-125-015	AMD-P	91-03-050		392-140-390	NEW	91-02-094
388-155-500	NEW	91-04-048		392-125-020	AMD-P	91-03-050		392-140-391	NEW	91-02-094
390-20-0101	AMD-C	91-06-034		392-125-025	AMD-P	91-03-050		392-140-392	NEW	91-02-094
391-101-015	NEW	91-02-095		392-125-026	NEW-P	91-03-050		392-140-393	NEW	91-02-094
392-115-005	NEW-P	91-03-001		392-125-027	NEW-P	91-03-050		392-145-015	AMD-P	91-03-074
392-115-010	NEW-P	91-03-001		392-125-030	AMD-P	91-03-050		392-145-015	AMD	91-06-032
392-115-015	NEW-P	91-03-001		392-125-085	AMD-P	91-03-050		392-145-030	AMD-P	91-03-074
392-115-020	NEW-P	91-03-001		392-127-700	NEW	91-03-129		392-145-030	AMD	91-06-032
392-115-025	NEW-P	91-03-001		392-127-703	NEW	91-03-129		392-202-003	AMD	91-03-119
392-115-030	NEW-P	91-03-001		392-127-705	NEW	91-03-129		400-12	PREP	91-05-066
392-115-035	NEW-P	91-03-001		392-127-710	NEW	91-03-129		415-100-041	NEW	91-03-013
392-115-040	NEW-P	91-03-001		392-127-715	NEW	91-03-129		415-100-045	NEW	91-03-013

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
415-100-051	NEW	91-03-013	446-65-005	NEW	91-06-066	448-13-110	NEW-S	91-03-123
415-100-055	NEW	91-03-013	446-65-010	NEW-E	91-06-050	448-13-110	NEW	91-06-022
415-104-201	NEW	91-03-014	446-65-010	NEW	91-06-066	448-13-120	NEW-S	91-03-123
415-104-205	NEW	91-03-014	448-12-010	REP-S	91-03-123	448-13-120	NEW	91-06-022
415-104-211	NEW	91-03-014	448-12-010	REP	91-06-022	448-13-130	NEW-S	91-03-123
415-104-215	NEW	91-03-014	448-12-015	REP-S	91-03-123	448-13-130	NEW	91-06-022
415-108-320	NEW	91-03-015	448-12-015	REP	91-06-022	448-13-140	NEW-S	91-03-123
415-108-322	NEW	91-03-015	448-12-016	REP-S	91-03-123	448-13-140	NEW	91-06-022
415-108-324	NEW	91-03-015	448-12-016	REP	91-06-022	448-13-150	NEW-S	91-03-123
415-108-326	NEW	91-03-015	448-12-020	REP-S	91-03-123	448-13-150	NEW	91-06-022
415-112-720	NEW	91-03-016	448-12-020	REP	91-06-022	448-13-160	NEW-S	91-03-123
415-112-722	NEW	91-03-016	448-12-030	REP-S	91-03-123	448-13-160	NEW	91-06-022
415-112-725	NEW	91-03-016	448-12-030	REP	91-06-022	448-13-170	NEW-S	91-03-123
415-112-727	NEW	91-03-016	448-12-040	REP-S	91-03-123	448-13-170	NEW	91-06-022
415-114-010	NEW-P	91-06-089	448-12-040	REP	91-06-022	448-13-180	NEW-S	91-03-123
415-114-020	NEW-P	91-06-089	448-12-050	REP-S	91-03-123	448-13-180	NEW	91-06-022
415-114-030	NEW-P	91-06-089	448-12-050	REP	91-06-022	448-13-190	NEW-S	91-03-123
415-114-040	NEW-P	91-06-089	448-12-055	REP-S	91-03-123	448-13-190	NEW	91-06-022
415-114-050	NEW-P	91-06-089	448-12-055	REP	91-06-022	448-13-200	NEW-S	91-03-123
415-114-060	NEW-P	91-06-089	448-12-060	REP-S	91-03-123	448-13-200	NEW	91-06-022
419-14-030	AMD-P	91-03-107	448-12-060	REP	91-06-022	448-13-210	NEW-S	91-03-123
419-14-030	AMD	91-06-063	448-12-070	REP-S	91-03-123	448-13-210	NEW	91-06-022
419-14-040	AMD-P	91-03-107	448-12-070	REP	91-06-022	448-13-220	NEW-S	91-03-123
419-14-040	AMD	91-06-063	448-12-075	REP-S	91-03-123	448-13-220	NEW	91-06-022
419-14-090	AMD-P	91-03-107	448-12-075	REP	91-06-022	448-14-010	REP-P	91-03-124
419-14-090	AMD	91-06-063	448-12-080	REP-S	91-03-123	448-14-020	REP-P	91-03-124
419-14-100	AMD-P	91-03-107	448-12-080	REP	91-06-022	448-14-030	REP-P	91-03-124
419-14-100	AMD	91-06-063	448-12-090	REP-S	91-03-123	448-15-010	NEW-P	91-03-124
419-14-110	AMD-P	91-03-107	448-12-090	REP	91-06-022	448-15-020	NEW-P	91-03-124
419-14-110	AMD	91-06-063	448-12-100	REP-S	91-03-123	448-15-030	NEW-P	91-03-124
419-18-030	AMD-P	91-03-106	448-12-100	REP	91-06-022	448-15-040	NEW-P	91-03-124
419-18-030	AMD	91-06-062	448-12-210	REP-S	91-03-123	448-15-050	NEW-P	91-03-124
419-18-040	AMD-P	91-03-106	448-12-210	REP	91-06-022	448-15-060	NEW-P	91-03-124
419-18-040	AMD	91-06-062	448-12-220	REP-S	91-03-123	448-15-070	NEW-P	91-03-124
419-18-050	AMD-P	91-03-106	448-12-220	REP	91-06-022	448-15-080	NEW-P	91-03-124
419-18-050	AMD	91-06-062	448-12-230	REP-S	91-03-123	456-09-210	AMD-P	91-04-084
419-18-060	AMD-P	91-03-106	448-12-230	REP	91-06-022	456-09-325	AMD-P	91-04-084
419-18-060	AMD	91-06-062	448-12-240	REP-S	91-03-123	456-09-365	AMD-P	91-04-084
419-18-070	AMD-P	91-03-106	448-12-240	REP	91-06-022	456-10-360	AMD-P	91-04-083
419-18-070	AMD	91-06-062	448-12-250	REP-S	91-03-123	456-10-547	NEW-P	91-04-083
434-42-900	NEW-P	91-03-125	448-12-250	REP	91-06-022	458-20-109	PREP	91-03-057
434-42-900	NEW-E	91-03-126	448-12-260	REP-S	91-03-123	458-20-110	PREP	91-03-058
434-42-905	NEW-P	91-03-125	448-12-260	REP	91-06-022	458-20-126	PREP	91-04-062
434-42-905	NEW-E	91-03-126	448-12-270	REP-S	91-03-123	458-20-151	PREP	91-04-061
434-42-910	NEW-P	91-03-125	448-12-270	REP	91-06-022	458-20-163	AMD	91-05-040
434-42-910	NEW-E	91-03-126	448-12-280	REP-S	91-03-123	458-20-227	AMD	91-05-039
434-42-915	NEW-P	91-03-125	448-12-280	REP	91-06-022	458-20-237	AMD	91-05-038
434-42-915	NEW-E	91-03-126	448-12-290	REP-S	91-03-123	458-30-262	AMD	91-04-001
434-42-920	NEW-P	91-03-125	448-12-290	REP	91-06-022	458-40-660	AMD-P	91-06-052
434-42-920	NEW-E	91-03-126	448-12-300	REP-S	91-03-123	458-40-660	AMD-E	91-06-053
434-42-925	NEW-P	91-03-125	448-12-300	REP	91-06-022	460-16A-102	AMD	91-04-008
434-42-925	NEW-E	91-03-126	448-12-320	REP-S	91-03-123	460-16A-200	NEW	91-04-008
434-42-930	NEW-P	91-03-125	448-12-320	REP	91-06-022	460-16A-205	NEW	91-04-008
434-42-930	NEW-E	91-03-126	448-12-330	REP-S	91-03-123	460-17A-030	AMD	91-04-009
434-42-935	NEW-P	91-03-125	448-12-330	REP	91-06-022	460-17A-070	AMD	91-04-009
434-42-935	NEW-E	91-03-126	448-12-340	REP-S	91-03-123	460-31A-410	REP	91-04-012
434-42-940	NEW-P	91-03-125	448-12-340	REP	91-06-022	460-31A-415	REP	91-04-012
434-42-940	NEW-E	91-03-126	448-13-010	NEW-S	91-03-123	460-31A-420	REP	91-04-012
434-42-945	NEW-P	91-03-125	448-13-010	NEW	91-06-022	460-31A-425	REP	91-04-012
434-42-945	NEW-E	91-03-126	448-13-020	NEW-S	91-03-123	460-31A-430	REP	91-04-012
434-42-950	NEW-P	91-03-125	448-13-020	NEW	91-06-022	460-31A-435	REP	91-04-012
434-42-950	NEW-E	91-03-126	448-13-030	NEW-S	91-03-123	460-31A-440	REP	91-04-012
434-42-955	NEW-P	91-03-125	448-13-030	NEW	91-06-022	460-31A-445	REP	91-04-012
434-42-955	NEW-E	91-03-126	448-13-040	NEW-S	91-03-123	460-31A-450	REP	91-04-012
434-42-960	NEW-P	91-03-125	448-13-040	NEW	91-06-022	460-31A-455	REP	91-04-012
434-42-960	NEW-E	91-03-126	448-13-050	NEW-S	91-03-123	460-31A-460	REP	91-04-012
434-42-965	NEW-P	91-03-125	448-13-050	NEW	91-06-022	460-31A-465	REP	91-04-012
434-42-965	NEW-E	91-03-126	448-13-060	NEW-S	91-03-123	460-31A-470	REP	91-04-012
434-42-970	NEW-P	91-03-125	448-13-060	NEW	91-06-022	460-31A-475	REP	91-04-012
434-42-970	NEW-E	91-03-126	448-13-070	NEW-S	91-03-123	460-31A-480	REP	91-04-012
434-42-975	NEW-P	91-03-125	448-13-070	NEW	91-06-022	460-31A-485	REP	91-04-012
434-42-975	NEW-E	91-03-126	448-13-080	NEW-S	91-03-123	460-31A-490	REP	91-04-012
434-42-980	NEW-P	91-03-125	448-13-080	NEW	91-06-022	460-31A-495	REP	91-04-012
434-42-980	NEW-E	91-03-126	448-13-090	NEW-S	91-03-123	460-31A-500	REP	91-04-012
434-42-985	NEW-P	91-03-125	448-13-090	NEW	91-06-022	460-31A-505	REP	91-04-012
434-42-985	NEW-E	91-03-126	448-13-100	NEW-S	91-03-123	460-31A-510	REP	91-04-012
446-65-005	NEW-E	91-06-050	448-13-100	NEW	91-06-022	460-31A-515	REP	91-04-012

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
460-31A-520	REP	91-04-012	460-36A-125	REP	91-04-012	478-116-085	REP-P	91-06-092
460-31A-525	REP	91-04-012	460-36A-130	REP	91-04-012	478-116-088	NEW-P	91-06-092
460-31A-530	REP	91-04-012	460-36A-135	REP	91-04-012	478-116-090	AMD-P	91-06-092
460-31A-535	REP	91-04-012	460-36A-140	REP	91-04-012	478-116-110	AMD-P	91-06-092
460-31A-540	REP	91-04-012	460-36A-145	REP	91-04-012	478-116-130	AMD-P	91-06-092
460-31A-545	REP	91-04-012	460-36A-150	REP	91-04-012	478-116-160	AMD-P	91-06-092
460-31A-550	REP	91-04-012	460-36A-155	REP	91-04-012	478-116-210	AMD-P	91-06-092
460-31A-555	REP	91-04-012	460-36A-160	REP	91-04-012	478-116-230	AMD-P	91-06-092
460-31A-560	REP	91-04-012	460-36A-165	REP	91-04-012	478-116-240	AMD-P	91-06-092
460-31A-565	REP	91-04-012	460-36A-170	REP	91-04-012	478-116-250	AMD-P	91-06-092
460-31A-570	REP	91-04-012	460-36A-175	REP	91-04-012	478-116-260	AMD-P	91-06-092
460-31A-575	REP	91-04-012	460-36A-180	REP	91-04-012	478-116-260	AMD-P	91-06-092
460-31A-580	REP	91-04-012	460-36A-185	REP	91-04-012	478-116-300	AMD-P	91-06-092
460-31A-585	REP	91-04-012	460-36A-190	REP	91-04-012	478-116-360	AMD-P	91-06-092
460-31A-590	REP	91-04-012	460-36A-195	REP	91-04-012	478-116-390	AMD-P	91-06-092
460-31A-595	REP	91-04-012	460-36A-195	REP	91-04-012	478-116-450	AMD-P	91-06-092
460-31A-600	REP	91-04-012	460-42A-081	AMD	91-04-010	478-116-455	NEW-P	91-06-092
460-31A-605	REP	91-04-012	460-46A-020	AMD	91-04-011	478-116-463	NEW-P	91-06-092
460-31A-610	REP	91-04-012	460-46A-040	AMD	91-04-011	478-116-470	AMD-P	91-06-092
460-31A-615	REP	91-04-012	460-46A-050	AMD	91-04-011	478-116-520	AMD-P	91-06-092
460-31A-620	REP	91-04-012	460-46A-055	NEW	91-04-011	478-116-540	AMD-P	91-06-092
460-31A-625	REP	91-04-012	460-46A-061	NEW	91-04-011	478-116-584	AMD-P	91-06-092
460-31A-630	REP	91-04-012	460-46A-065	NEW	91-04-011	478-116-586	AMD-P	91-06-092
460-31A-635	REP	91-04-012	460-46A-071	NEW	91-04-011	478-116-588	AMD-P	91-06-092
460-31A-640	REP	91-04-012	460-46A-072	NEW	91-04-011	478-116-600	REP-P	91-06-092
460-31A-645	REP	91-04-012	460-46A-095	AMD	91-04-011	478-116-601	AMD-P	91-06-092
460-31A-650	REP	91-04-012	460-46A-110	AMD	91-04-011	478-124-020	AMD-P	91-05-069
460-31A-655	REP	91-04-012	463-06-010	AMD	91-03-090	478-124-030	AMD-P	91-05-069
460-31A-660	REP	91-04-012	463-10-010	AMD	91-03-090	478-250-010	NEW-P	91-04-058
460-31A-665	REP	91-04-012	463-14-030	AMD	91-03-090	478-250-020	NEW-P	91-04-058
460-31A-670	REP	91-04-012	463-14-080	AMD	91-03-090	478-250-050	NEW-P	91-04-058
460-31A-675	REP	91-04-012	463-18-020	AMD	91-03-090	478-250-060	NEW-P	91-04-058
460-31A-680	REP	91-04-012	463-26-120	AMD	91-03-090	478-250-070	NEW-P	91-04-058
460-31A-685	REP	91-04-012	463-26-130	AMD	91-03-090	478-276-010	AMD-P	91-04-058
460-31A-690	REP	91-04-012	463-28-060	AMD	91-03-090	478-276-040	AMD-P	91-04-058
460-31A-695	REP	91-04-012	463-28-080	AMD	91-03-090	478-276-060	AMD-P	91-04-058
460-31A-700	REP	91-04-012	463-38-041	AMD	91-03-090	478-276-080	AMD-P	91-04-058
460-31A-705	REP	91-04-012	463-38-042	AMD	91-03-090	478-276-100	AMD-P	91-04-058
460-31A-710	REP	91-04-012	463-38-063	AMD	91-03-090	478-276-110	AMD-P	91-04-058
460-31A-715	REP	91-04-012	463-39-130	REP	91-03-090	478-276-130	REP-P	91-04-058
460-31A-720	REP	91-04-012	463-39-150	AMD	91-03-090	480-04-100	AMD-P	91-03-098
460-31A-725	REP	91-04-012	463-42-680	NEW-P	91-03-132	480-09-015	AMD-P	91-02-105
460-31A-730	REP	91-04-012	463-43-060	AMD	91-03-090	480-09-015	AMD	91-06-010
460-34A-010	REP	91-04-012	463-47-060	AMD	91-03-090	480-09-100	AMD-P	91-02-105
460-34A-015	REP	91-04-012	463-50-030	AMD	91-03-090	480-09-100	AMD	91-06-010
460-34A-020	REP	91-04-012	463-54-070	AMD	91-03-090	480-09-120	AMD-P	91-02-105
460-34A-025	REP	91-04-012	463-58-030	AMD	91-03-090	480-09-120	AMD	91-06-010
460-34A-030	REP	91-04-012	468-16-010	NEW	91-04-014	480-09-125	NEW-P	91-03-100
460-34A-035	REP	91-04-012	468-16-020	NEW	91-04-014	480-09-440	AMD-P	91-02-105
460-34A-037	REP	91-04-012	468-16-030	NEW	91-04-014	480-09-440	AMD	91-06-010
460-34A-040	REP	91-04-012	468-16-040	NEW	91-04-014	480-09-500	AMD-P	91-02-105
460-34A-045	REP	91-04-012	468-16-050	NEW	91-04-014	480-09-500	AMD	91-06-010
460-34A-050	REP	91-04-012	468-16-060	NEW	91-04-014	480-09-510	AMD-P	91-02-105
460-34A-055	REP	91-04-012	468-16-070	NEW	91-04-014	480-09-510	AMD	91-06-010
460-34A-060	REP	91-04-012	468-16-080	NEW	91-04-014	480-09-520	NEW-P	91-03-097
460-34A-065	REP	91-04-012	468-16-090	NEW	91-04-014	480-09-610	AMD-P	91-02-105
460-34A-070	REP	91-04-012	468-16-100	NEW	91-04-014	480-09-610	AMD	91-06-010
460-34A-075	REP	91-04-012	468-16-110	NEW	91-04-014	480-09-736	AMD-P	91-02-105
460-34A-080	REP	91-04-012	468-16-120	NEW	91-04-014	480-09-736	AMD	91-06-010
460-34A-085	REP	91-04-012	468-16-130	NEW	91-04-014	480-12-030	AMD-P	91-06-009
460-34A-090	REP	91-04-012	468-16-140	NEW	91-04-014	480-12-033	AMD-P	91-06-009
460-34A-095	REP	91-04-012	468-16-150	NEW	91-04-014	480-12-315	REP	91-06-071
460-34A-100	REP	91-04-012	468-16-160	NEW	91-04-014	480-12-500	NEW	91-03-101
460-34A-105	REP	91-04-012	468-16-170	NEW	91-04-014	480-12-510	NEW	91-03-101
460-34A-110	REP	91-04-012	468-16-180	NEW	91-04-014	480-12-520	NEW	91-03-101
460-34A-112	REP	91-04-012	468-16-190	NEW	91-04-014	480-70-050	AMD	91-03-053
460-34A-115	REP	91-04-012	468-16-200	NEW	91-04-014	480-70-060	AMD	91-03-053
460-34A-120	REP	91-04-012	468-16-210	NEW	91-04-014	480-70-070	AMD	91-03-053
460-34A-125	REP	91-04-012	468-38-035	REP-P	91-06-078	480-70-100	AMD	91-03-053
460-34A-130	REP	91-04-012	468-38-050	AMD-P	91-06-078	480-70-130	AMD	91-03-053
460-34A-135	REP	91-04-012	468-38-190	AMD-P	91-06-079	480-70-150	AMD	91-03-053
460-34A-200	REP	91-04-012	468-38-260	AMD-P	91-06-078	480-70-230	AMD	91-03-053
460-36A-100	REP	91-04-012	468-38-370	REP-P	91-06-078	480-70-260	AMD	91-03-053
460-36A-105	REP	91-04-012	468-38-400	REP-P	91-06-078	480-70-280	AMD	91-03-053
460-36A-110	REP	91-04-012	468-38-410	REP-P	91-06-078	480-70-330	AMD	91-03-053
460-36A-115	REP	91-04-012	478-116-020	AMD-P	91-06-092	480-70-340	AMD	91-03-053
460-36A-120	REP	91-04-012	478-116-055	AMD-P	91-06-092	480-70-350	AMD	91-03-053
			478-116-080	AMD-P	91-06-092	480-70-360	AMD	91-03-053

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #		
480-70-390	AMD	91-03-053	490-100-210	AMD-E	91-03-037
480-70-400	AMD	91-03-053	490-100-210	AMD-P	91-05-077
480-70-405	AMD	91-03-053	490-100-220	AMD-E	91-03-037
480-70-420	AMD	91-03-053	490-100-220	AMD-P	91-05-077
480-70-440	AMD	91-03-053	490-100-250	AMD-E	91-03-037
480-70-500	AMD	91-03-053	490-100-250	AMD-P	91-05-077
480-70-570	AMD	91-03-053	516-13-030	AMD-W	91-04-082
480-80-047	NEW-P	91-03-051	516-13-080	AMD-W	91-04-082
480-80-047	NEW-W	91-03-120			
480-80-047	NEW-P	91-03-121			
480-80-390	AMD-P	91-03-096			
480-120-021	AMD-S	91-03-122			
480-120-031	AMD-P	91-06-095			
480-120-106	AMD-S	91-03-122			
480-120-126	AMD-P	91-06-095			
480-120-136	AMD-P	91-06-095			
480-120-137	AMD-P	91-06-095			
480-120-138	AMD-S	91-03-122			
480-120-141	AMD-S	91-03-122			
480-120-400	NEW	91-03-052			
480-120-405	NEW	91-03-052			
480-120-410	NEW	91-03-052			
480-120-415	NEW	91-03-052			
480-120-420	NEW	91-03-052			
480-120-425	NEW	91-03-052			
480-120-430	NEW	91-03-052			
480-120-435	NEW	91-03-052			
480-140-020	AMD-P	91-03-099			
480-140-040	AMD-P	91-03-099			
490-100-010	AMD-E	91-03-037			
490-100-010	AMD-P	91-05-077			
490-100-012	REP-E	91-03-037			
490-100-012	REP-P	91-05-077			
490-100-030	AMD-E	91-03-037			
490-100-030	AMD-P	91-05-077			
490-100-035	AMD-E	91-03-037			
490-100-035	AMD-P	91-05-077			
490-100-040	AMD-E	91-03-037			
490-100-040	AMD-P	91-05-077			
490-100-050	AMD-E	91-03-037			
490-100-050	AMD-P	91-05-077			
490-100-060	AMD-E	91-03-037			
490-100-060	AMD-P	91-05-077			
490-100-070	AMD-E	91-03-037			
490-100-070	AMD-P	91-05-077			
490-100-080	AMD-E	91-03-037			
490-100-080	AMD-P	91-05-077			
490-100-090	AMD-E	91-03-037			
490-100-090	AMD-P	91-05-077			
490-100-100	AMD-E	91-03-037			
490-100-100	AMD-P	91-05-077			
490-100-105	AMD-E	91-03-037			
490-100-105	AMD-P	91-05-077			
490-100-110	AMD-E	91-03-037			
490-100-110	AMD-P	91-05-077			
490-100-120	AMD-E	91-03-037			
490-100-120	AMD-P	91-05-077			
490-100-130	AMD-E	91-03-037			
490-100-130	AMD-P	91-05-077			
490-100-135	NEW-E	91-03-037			
490-100-135	NEW-P	91-05-077			
490-100-140	AMD-E	91-03-037			
490-100-140	AMD-P	91-05-077			
490-100-150	AMD-E	91-03-037			
490-100-150	AMD-P	91-05-077			
490-100-160	AMD-E	91-03-037			
490-100-160	AMD-P	91-05-077			
490-100-170	AMD-E	91-03-037			
490-100-170	AMD-P	91-05-077			
490-100-180	AMD-E	91-03-037			
490-100-180	AMD-P	91-05-077			
490-100-200	AMD-E	91-03-037			
490-100-200	AMD-P	91-05-077			
490-100-205	AMD-E	91-03-037			
490-100-205	AMD-P	91-05-077			
490-100-208	AMD-E	91-03-037			
490-100-208	AMD-P	91-05-077			

Subject/Agency Index
(Citations in bold type refer to material in this issue)

ACCOUNTANCY, BOARD OF		BLIND, WASHINGTON STATE SCHOOL FOR THE	
Public records index	91-01-055	Rules coordinator	91-02-044
Superseded rules, repeal of	91-01-057		
AGRICULTURE, DEPARTMENT OF		BUILDING CODE COUNCIL	
Apple maggot quarantine	91-01-045	Barrier-free facilities	
	91-03-115	solicitation of preproposal comments	91-05-053
Apple marketing standards	91-03-093	Day care facilities for children	91-01-117
Aquaculture		Energy code	91-01-112
farm products identification, labeling	91-04-076		91-06-065
Asparagus commission		Historic buildings code	91-01-103
creation, powers, and duties	91-01-104		91-06-064
Barley commission		Meetings	91-01-101
producer assessment funds		Uniform codes	
expenditure of	91-01-100	solicitation of preproposal comments	91-05-021
Bean seed certification standards, quarantine	91-04-066	Ventilation and indoor air quality code	91-01-102
Blueberry assessments	91-01-054		
Chrysanthemum white rust disease		CENTRAL WASHINGTON UNIVERSITY	
quarantine	91-03-046	Rules coordinator	91-01-049
Desiccants and defoliants, rules	91-04-078	Student judicial code	
Fertilizers		due process for students in regard	
fertigation equipment requirements	91-01-015	to alleged violations	91-01-013
Garlic seed certification	91-04-068		91-01-095
Herbicides			91-04-054
phenoxy herbicides, use of	91-02-106	CLEMENCY AND PARDONS BOARD	
	91-06-019	Meetings	91-01-027
Hops			91-03-040
rootstock certification	91-04-067		91-05-096
disease quarantine	91-04-067	CODE REVISER'S OFFICE	
Noxious weed control board		Rules coordinator	91-01-001
noxious weed list, additions, deletions,		WAC amendments and repealers	91-06-067
and changes	91-01-016		
Organic foods		COLUMBIA BASIN COLLEGE	
crop production standards	91-05-006	Sex discrimination, grievance procedures	91-02-101
processing certification and			
labeling	91-05-006	COMMUNITY COLLEGE EDUCATION, BOARD FOR	
registration of materials		Retirement annuity plan participation	91-06-069
approved for production	91-01-116	Running start program	91-06-075
	91-05-007		
transition to organic producer		COMMUNITY DEVELOPMENT, DEPARTMENT OF	
certification	91-05-006	Border areas, supplemental law	
Plum curculio quarantine	91-01-045	enforcement for	91-04-017
Potato virus Y necrotic strain	91-06-035	Daycare centers	
Rules coordinator	91-03-020	fire protection standards	91-06-020
Seed potato certification	91-06-061		91-06-021
Seed potato quarantine	91-03-105	Emergency management council	
Swine		meetings	91-02-023
pseudorabies control and eradication	91-05-076	Fire protection policy board	
Wheat commission		meetings	91-03-048
producer assessment funds			91-05-017
expenditure of	91-01-099		91-05-018
	91-05-065	Fire protection services division	91-06-051
Yellow nutsedge quarantine	91-03-045	fire safety standards	91-05-043
ASIAN AMERICAN AFFAIRS, COMMISSION ON		Homelessness, advisory council on,	
Meetings	91-01-058	duties	91-06-023
ATTORNEY GENERAL'S OFFICE		Land classification, guidelines for	
Motor vehicle warranties		classification of agricultural,	
fines for noncompliance with		forest, mineral resource, and	
arbitration decision	91-02-080	critical areas lands	91-01-129
Opinions			91-01-130
apprenticeship council, authority of		Meetings	91-06-031
(1990, No. 17)	91-02-001	Public works board	
ecological commission, advisory role		meetings	91-02-003
(1991, No. 4)	91-05-003	Rules coordinator	91-04-006
freeholder elections, first class cities			
(1991, No. 3)	91-04-053	CONVENTION AND TRADE CENTER	
property tax payment, credit card use		Meetings	91-01-012
(1991, No. 2)	91-04-013		91-03-012
Public Disclosure Act	91-06-054		91-03-041
radioactive materials transport			91-05-013
(1991, No. 1)	91-03-085		91-06-036
small business export finance assistance		CORRECTIONS, DEPARTMENT OF	
center, public meetings and records		Rules coordinator	91-06-011
(1991, No. 5)	91-05-057		
Rules coordinator	91-01-086	CRIMINAL JUSTICE TRAINING COMMISSION	
BELLEVUE COMMUNITY COLLEGE		Corrections academy	
Meetings	91-03-061	equivalency or "challenge" process	91-01-041
		physical fitness standard for recruits	91-01-044

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

CRIMINAL JUSTICE TRAINING COMMISSION		ECOLOGY, DEPARTMENT OF—cont.	
—cont.		system developed	91-03-080
D.A.R.E. program		Water	
certification and decertification of		highway runoff quality enhancement	91-04-091
officers	91-01-042	Water resource situations strategy	91-04-080
Law enforcement academy		Wells	
physical fitness standard for admission		drilling restrictions	91-04-073
to basic academy	91-01-043	EDMONDS COMMUNITY COLLEGE	
Meetings	91-03-003	Athletes, loss of eligibility for	
DEAF, WASHINGTON STATE SCHOOL		unlawful drug use, procedure	91-05-012
FOR THE		Meetings	91-03-110
Rules coordinator	91-02-045		91-05-050
DEFERRED COMPENSATION, COMMITTEE FOR		EDUCATION, STATE BOARD OF	
Description	91-02-098	Accreditation of schools	91-01-068
	91-05-084		91-01-128
Public records, access to and copying of	91-02-098		91-04-015
	91-05-084	Certification	
EASTERN WASHINGTON UNIVERSITY		instructional specialist certificate	91-01-092
Rules coordinator	91-02-043		91-05-056
ECOLOGY, DEPARTMENT OF		internship certificate	91-01-092
Air pollution			91-05-056
sources	91-05-064	limited certificate	91-01-092
toxic air pollutants discharge,			91-05-056
control of	91-01-083	Environmental education, interdisciplinary	
Aluminum plants, control and prevention		study of	91-01-067
of air pollutant emissions	91-05-064	High school credit for courses taken by	
Batteries		students in grades 7 and 8	91-01-066
vehicle battery recycling	91-05-020	Meetings	91-04-050
Drought relief, emergency	91-02-099	Professional certification	
	91-03-081	reprimand or certificate suspension	91-05-024
Gasoline vapor control requirements	91-02-107	or revocation	91-05-068
Ground water management		Teacher school day requirement	
general schedule	91-05-100	Title 28A RCW, amendments to conform	
Island County	91-06-096	to recodification of title	91-01-091
West Snohomish County	91-03-102		91-04-016
	91-05-099	EMPLOYMENT SECURITY DEPARTMENT	
Walla Walla County	91-03-103	Eligibility determination	91-03-054
	91-05-098	Employer notices	91-03-054
Hazardous waste		Family independent program,	
generators	91-03-139	see FAMILY INDEPENDENCE PROGRAM	
Kraft pulping mills, control and prevention		Rules coordinator	91-03-055
of air pollutant emissions	91-05-064	ENERGY FACILITY SITE EVALUATION COUNCIL	
Model Toxics Control Act		Meetings	91-02-077
cleanup, identification and investigation,		Site restoration standards	91-03-132
processes and standards	91-04-019	ENERGY OFFICE	
Ocean management	91-05-042	Terminology, revision of obsolete	
Rules coordinator	91-03-025	language	91-03-090
Sediment management standards	91-01-052	EVERETT COMMUNITY COLLEGE	
	91-03-094	Meetings	91-02-047
	91-06-098	Rules coordinator	91-03-079
Shoreline master programs		EVERGREEN STATE COLLEGE, THE	
Chelan County	91-02-112	Meetings	91-02-054
Island County	91-03-145	FAMILY INDEPENDENCE PROGRAM	
King County	91-03-149	Child care eligibility to support	
Klickitat County	91-03-141	employment and training	91-01-061
Medina, city of	91-01-131	Income disregard	91-05-008
ocean management	91-04-069		91-05-009
Ocean Shores, city of	91-03-144	Management plan, implementation of	
Okanogan, city of	91-03-147	second stage	91-01-062
Oroville, town of	91-03-146		91-04-041
Pierce County	91-03-143		91-05-058
San Juan County	91-04-072		91-05-010
	91-05-063	Medical programs eligibility	91-05-008
	91-06-094		91-05-009
Tonasket, town of	91-03-148	Meetings	91-01-060
Tumwater, city of	91-04-079	FISHERIES, DEPARTMENT OF	
Twisp, town of	91-04-070	<u>Commercial</u>	
Winthrop, town of	91-04-071	bottomfish	
Solid and hazardous waste management		coastal bottomfish catch limits	91-01-018
coordinated prevention grants	91-02-052		91-01-023
Solid waste disposal facilities,			91-01-050
operator certification	91-01-093		91-01-094
Underground storage tanks program	91-04-022		91-03-152
Wastewater			
discharge permit fees			
solicitation of preproposal comment	91-01-019		

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

HEALTH, DEPARTMENT OF—cont.		HEALTH, DEPARTMENT OF—cont.	
Medical disciplinary board		Rules, transfer to Title 246 WAC	91-03-095
rules coordinator	91-01-020		91-04-020
transfer of rules to Title 246 WAC	91-02-012		91-05-028
Medical examiners, board of			91-05-029
examination scores	91-01-074		91-05-030
	91-06-038		91-05-031
meetings	91-02-061		91-06-027
physician assistants			91-06-028
prescriptions	91-04-055	Rural health care	91-06-058
prescription writing	91-04-033	facilities, licensing standards	91-02-014
rules coordinator	91-01-020	Sex offender treatment providers	91-06-091
transfer of rules to Title 246 WAC	91-01-076	Transfer of rules to Title 246 WAC	91-02-049
	91-06-030	Veterinary board of governors	
Nursing, board of		rules coordinator	91-01-020
rules coordinator	91-01-020	transfer of rules to Title 246 WAC	91-02-060
Nursing home administrators, board		Women, infant children program	
of examiners for		client access	91-06-029
inactive license fee	91-05-025		
inactive license status	91-02-058	HIGHER EDUCATION COORDINATING BOARD	
	91-06-059	American Indian endowed scholarship	
rules coordinator	91-01-020	program	91-03-087
transfer of rules to Title 246 WAC	91-02-059	Contract issuance procedures, 1991-93	
	91-06-060		91-04-045
Nursing homes		Displaced homemaker program administration	91-01-053
bed need standards	91-02-010	Environmental Policy Act (SEPA)	
Occupational therapy practice, board for		notice of action taken	91-01-124
educational programs	91-05-088		91-01-125
licensure requirements	91-05-088	HIGHER EDUCATION, JOINT CENTER FOR	
rules coordinator	91-01-020	Meetings	91-03-002
transfer of rules to Title 246 WAC	91-05-027	HIGHER EDUCATION PERSONNEL BOARD	
Opticians		Appointments	91-02-039
rules updating	91-05-087		91-05-055
continuing education requirements	91-05-087		91-05-060
Optometry board		Hearing examiners	91-02-039
rules coordinator	91-01-020		91-05-055
transfer of rules to Title 246 WAC	91-03-116		91-05-060
	91-06-025	Meetings	91-02-041
Osteopathic medicine and surgery			91-06-014
board of		Rules coordinator	91-02-040
examination procedures	91-03-117	Salary reallocation	91-05-052
rules coordinator	91-01-020		91-06-077
substance abuse monitoring programs	91-03-117	Workers' compensation	
Pharmacy, board of		return-to-work policy	91-02-038
animal control agencies, legend			91-05-054
drug use regulation	91-04-056		91-05-059
transfer of rules to Title 246 WAC	91-06-037	HORSE RACING COMMISSION	
humane societies, legend		Claiming races, next start requirements,	
drug use regulation	91-04-056	horses claimed but not processed	91-03-064
rules coordinator	91-01-020	Owner's license, use of facsimile	
internship requirements	91-05-091	application and trainer as agent	91-03-033
prescriptions, out-of-state		HUMAN RIGHTS COMMISSION	
practitioners	91-05-090	Meetings	91-01-087
pharmacy assistant/pharmacist ratio	91-05-092		91-01-088
Physician assistants			91-02-002
prescription writing	91-04-033		91-02-035
Physical therapy licensure requirements	91-05-094		91-02-102
Physical therapy, board of			91-04-063
licensing fees	91-05-004		91-04-064
rules coordinator	91-01-020		91-06-072
transfer of rules to Title 246 WAC	91-02-011	INDETERMINATE SENTENCE REVIEW BOARD	
Podiatric medical board		Rules coordinator	91-03-067
inactive license	91-05-089	INFORMATION SERVICES, DEPARTMENT OF	
license renewals	91-05-089	Public records access	91-04-090
reciprocity requirements	91-05-089	INSURANCE COMMISSIONER	
rules coordinator	91-01-020	Fees and assessments, clarification	91-04-057
terminology	91-05-089	Life and disability insurance, out-of-state	
Practical nursing board		group contracts, unfair practices	91-03-073
rules coordinator	91-01-020	Rate standards	91-01-073
transfer of rules to Title 246 WAC	91-01-078	Rules coordinator	91-02-009
Psychology, examining board of		INTEREST RATES	
continuing education	91-04-021	(See inside front cover)	
licensing requirements and procedures	91-04-021		
	91-06-024		
meetings	91-06-024		
rules coordinator	91-01-020		
Rules coordinator	91-01-020		

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

INVESTMENT BOARD		LICENSING, DEPARTMENT OF—cont.	
Meetings	91-02-015	disclosure of vehicle owner names and addresses	91-03-088
JUDICIAL CONDUCT, COMMISSION ON		drivers' licenses	
Public records access	91-01-126	waiver of driving test for new resident with valid license from previous home state	91-01-063
Rules coordinator	91-04-060 91-01-002	higher education institutions license plate emblems, criteria to obtain	91-03-091
LABOR AND INDUSTRIES, DEPARTMENT OF		license plates, special	91-04-025
Agricultural safety standards	91-04-077	parking tickets outstanding, information to be supplied by jurisdiction	91-04-024
Apprenticeship and training council meetings	91-04-038	proportional registration of fleet vehicles	91-02-109 91-02-110 91-06-093
Boiler rules, board of meetings	91-01-107 91-03-086 91-05-062	special license plates and emblems, criteria to obtain	91-03-091
Construction safety standards	91-04-077	title, "guaranteed title" defined	91-03-092
Crime victim compensation		veterans license plate emblems	91-03-091 91-04-025
repressed memory of criminal act, rights of victim with	91-01-065 91-04-027	Real estate appraiser certification	91-04-074
Electrical board meetings	91-03-076	Real estate commission course approval	91-03-047
Explosives safety standards	91-01-026	examination grading	91-03-047
Firefighters safety standards	91-01-026 91-04-077	instructor qualifications meetings	91-02-078 91-03-006
Grain handling facilities safety standards	91-04-077	Rules coordinator	
Longshore, stevedore operations safety standards	91-04-077	Securities division	
Occupational health standards general standards	91-01-026 91-03-043	cattle feeding programs	91-04-012
Passenger vessel safety standards	91-01-026	commodity pools	91-04-012
Prevailing wage filing fees	91-01-017	corporate limited offering exemption	91-04-011
terms and procedures used to determine, for public works projects	91-03-113	debt offering standards	91-04-008
Safety and health standards general standards	91-01-026 91-03-044 91-04-077	equipment programs	91-04-012
Travel expenses injured workers	91-03-114	exchange and national market system exemption from registration	91-04-010
Worker's compensation health care services, payment for medical aid rules	91-01-123 91-02-063 91-02-064 91-02-114	oil and gas programs	91-04-012
		promotional shares	91-04-008
		real estate investment trusts	91-04-012
		uniform limited offering registration (ULOR-C)	91-04-009
		Special fuel tax rules	
		power tax off use	91-03-017 91-03-018
		Vessel registration	
		owner's names and addresses, disclosure of	91-03-089
LEGAL FOUNDATION OF WASHINGTON		LIQUOR CONTROL BOARD	
Meetings	91-06-001	Advertising of liquor	91-03-007 91-04-085
LICENSING, DEPARTMENT OF		Beer	
Architecture		label requirements	91-05-086
"design-build" definition	91-06-012	Conduct on licensed premises, regulation	91-05-085
solicitation of preproposal comment	91-02-046	LOTTERY COMMISSION	
Camping resorts	91-01-082	Instant game number 20 through instant game number 39, repeal	91-03-034
Cosmetology, barber and manicurist rules	91-05-080	<u>Instant game number 59 - Lucky Draw</u>	
Court reporters, licensing requirements	91-03-065	criteria	91-03-036
Engineers and land surveyors seals		definitions	91-03-036
solicitation of preproposal comment	91-05-041	<u>Instant game number 61 - Triple Play</u>	
new seal required, design	91-05-078 91-06-018	criteria	91-03-036
use definition	91-05-078 91-06-018	definitions	91-03-036
Funeral directors and embalmers preneed renewal fees	91-01-006	ticket validation	91-03-036
Motor vehicle excise tax rules	91-04-026	<u>Instant game number 62 - Roulette</u>	
Motor vehicles		criteria	91-03-112 91-06-074
advertising and pricing practices of dealers, prohibited practices	91-03-019	definitions	91-03-112 91-06-074
certificate of inspection	91-04-024	ticket validation	91-03-112 91-06-074
		<u>Instant game number 63 - Lucky 7's</u>	
		criteria	91-03-112 91-06-074
		definitions	91-03-112 91-06-074

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

REVENUE, DEPARTMENT OF—cont.

Business and occupation tax	
community antenna television services, reporting of advertising income	91-01-114
	91-05-039
insurance companies, health insurance pool deductions to be deducted from the measure of the B&O tax	91-01-115
	91-05-040
real estate, lease, rental, or license to use, tax status	91-02-056
	91-02-057
Finance charges, carrying charges, interest, and penalties	
solicitation of preproposal comment	91-03-057
Freight and delivery charges	
solicitation of preproposal comment	91-03-058
Medical service providers, tax reporting	
solicitation of preproposal comment	91-04-061
Motor vehicle fuel and special fuel sales	
solicitation of preproposal comment	91-04-062
Open Space Taxation Act rules	
agricultural land valuation	91-04-001
Property tax	
annual ratio study	91-01-008
Rule-making procedure	
solicitation of preproposal comment	91-04-061
	91-04-062
	91-01-028
Rules coordinator	
Sales tax	
collection schedules	91-01-113
Timber excise tax	
stumpage values	91-02-088
	91-02-089
	91-06-052
	91-06-053

RULES COORDINATORS

Agriculture, department of	91-03-020
Attorney general	91-01-086
Blind, Washington State School for the	91-02-044
Central Washington University	91-01-049
Chiropractic disciplinary board	91-01-020
Chiropractic examining board	91-01-020
Code reviser	91-01-001
Community development, department of	91-04-006
Corrections, department of	91-06-011
Deaf, Washington State School for the	91-02-045
Dental disciplinary board	91-01-020
Dental examiners, board of	91-01-020
Eastern Washington University	91-02-043
Ecology, department of	91-03-025
Employment security department	91-03-055
Everett Community College	91-03-079
Forest practices board	91-02-065
General administration, department of	91-03-060
Geographic names, board on	91-01-106
Health, board of	91-01-020
Health, department of	91-01-020
Hearing aids council	91-01-020
Higher education personnel board	91-02-040
Indeterminate sentence review board	91-03-067
Insurance commissioner, office of	91-02-009
Judicial conduct commission	91-01-002
Licensing, department of	91-03-006
Maritime commission	91-04-028
Massage board	91-01-020
Medical disciplinary board	91-01-020
Medical examiners, board of	91-01-020
Natural resources, department of	91-01-108
Nursing, board of	91-01-020
Nursing home administrators, board of examiners for	91-01-020
Occupational therapy practice, board of	91-01-020
Optometry board	91-01-020
Osteopathic medicine and surgery board	91-01-020
Outdoor recreation, interagency committee for	91-03-011

RULES COORDINATORS—cont.

Parks and recreation commission	91-01-084
Personnel, department of	91-02-016
Pharmacy, board of	91-01-020
Physical therapy board	91-01-020
Pierce College	91-04-049
Podiatric medical board	91-01-020
Practical nursing board	91-01-020
Productivity board	91-03-111
Psychology, examining board of	91-01-020
Puget Sound water quality authority	91-05-067
Revenue, department of	91-01-028
Social and health services, department of	91-01-118
Tax appeals, board of	91-02-103
Trade and economic development, department of	91-03-088
Transportation commission	91-03-078
Transportation, department of	91-03-009
Transportation improvement board	91-04-051
University of Washington	91-03-056
Veterinary board of governors	91-01-020
Washington State University	91-05-022

SEATTLE COMMUNITY COLLEGES

Meetings	91-01-024
	91-03-023
	91-03-104
	91-06-068

SECRETARY OF STATE

Public record home and work address	
information protection for endangered persons	91-03-125
	91-03-126

SHORELINE COMMUNITY COLLEGE

Meetings	91-03-024
----------	-----------

SKAGIT VALLEY COLLEGE

Meetings	91-01-071
----------	-----------

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF

Adult family homes	
complaints	91-05-070
inspections	91-05-070
Aid to families with dependent children	
assistance standards	91-02-072
	91-02-075
fifty dollars disregard payment	91-06-097
income and resources disregard	91-02-083
	91-02-084
	91-05-008
	91-05-009
	91-06-007
loans, when treated as income or resource	91-01-029
	91-01-047
medical programs eligibility	91-05-008
	91-05-009
overpayments, mandatory grant deductions to recover	91-03-039
	91-04-047
	91-06-055
Child care	
family day care homes, licensing requirements	91-04-048
Children	
institutionalized	
parent income and resources	91-05-034
	91-05-035
Chore services program	91-04-039
Day care	
family child day care homes	
licensing requirements	91-02-017
	91-03-038
	91-03-127
	91-03-128

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.		SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.	
Developmentally disabled adult protective services, eligibility for	91-01-096	Refugee assistance eligibility	91-01-122 91-01-118
Disaster relief individual and family grant program eligibility	91-02-081	Rules coordinator	91-02-072
Emergency assistance	91-01-030 91-02-071	Standards of assistance	91-02-075 91-06-041 91-06-045
Family independence program, see FAMILY INDEPENDENCE PROGRAM		State hospitals schedule of charges revision	91-04-034 91-04-037
Food stamp program household status for temporarily disabled persons	91-05-074 91-01-120 91-02-067 91-02-068 91-02-073 91-06-004	Supplemental security income, assistance standards	91-02-072 91-02-075
income exclusions	91-04-035 91-04-036	Supplemental security income, state income disregard	91-05-008 91-05-009 91-05-008 91-05-009 91-01-046
standard utility allowance		medical programs eligibility	
student participant in work study program, eligibility	91-05-075	supplementary programs	
telephone standard allowance	91-04-035 91-04-036	Support enforcement, office of birth costs liability	91-06-040 91-06-048 91-06-097
work requirements	91-05-071 91-05-072 91-05-073	fifty dollars disregard payments residential parent or payee, grievance resolution	91-04-002 91-04-003
Funeral and internment services, vendor payment increases	91-02-082 91-02-085 91-06-005	Time loss payments to dependent child, recovery by office of financial recovery	91-01-031 91-01-048 91-02-070
Hospitals inpatient and outpatient services payment	91-06-044 91-06-049 91-06-056	Women, infants, and children (WIC) program food vendor participation	91-01-079 91-01-119 91-01-097 91-01-098
transfer of rules to Title 246 WAC			
Job opportunities and basic skills training program (JOBS)	91-02-092 91-02-093 91-04-042 91-04-043 91-02-086 91-02-087	SOUTH PUGET SOUND COMMUNITY COLLEGE Meetings	91-06-002
support services		SPOKANE COMMUNITY COLLEGES Meetings	91-02-036
Medicaid pregnant women eligibility	91-06-043 91-06-047	SUPREME COURT Admission and articulation to limited practice (Rule 18 for APR 12)	91-01-036 91-01-059
Medical assistance availability of resources	91-01-121	Attorney fees	
birth costs' collection	91-06-042 91-06-046	Dependents, separate cause numbers (AR3 and CrR 4.4 (c)(4))	91-01-038 91-01-040
eligibility	91-02-069 91-02-074 91-06-003	Discovery, scope and limits (CR 26(b))	
eligibility, community services office waiver of office interview	91-01-021 91-01-022 91-05-011	Presiding judges, more than one judge in superior court district (AR 4)	91-01-034
hospital inpatient and outpatient payments	91-06-044 91-06-049 91-06-056	Trust accounts (RLD 13.4, RPC 1.14(c), RLD 1.1(j) and RLD Title 13)	91-01-037
medical care services administration	91-02-090 91-02-091	TACOMA COMMUNITY COLLEGE Meetings	91-01-025
income levels	91-02-090 91-02-091	TAX APPEALS, BOARD OF Formal hearings, practice and procedure	91-04-083 91-04-084 91-04-083 91-02-104 91-02-103
Kitsap Physicians Service—Sound Care Plan payment	91-04-040 91-04-044 91-02-090 91-02-091	Informal hearings, practice and procedure	
Pregnant women Medicaid/eligibility	91-06-043 91-06-047 91-06-041 91-06-045	Meetings	
Psychiatric hospitals		Rules coordinator	
		TOXICOLOGIST, STATE Breath alcohol test program	91-03-123 91-06-022 91-03-124
		Blood alcohol test regulations	
		TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF Business and job retention advisory committee meetings	91-03-032
		Community economic revitalization board meetings	91-02-055 91-06-017

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF—cont.			
Economic development finance authority meetings	91-01-070		
Hardwoods commission meetings	91-01-127 91-03-026		
Rules coordinator	91-03-008		
TRAFFIC SAFETY COMMISSION			
Meetings	91-03-059		
TRANSPORTATION COMMISSION			
Meetings	91-02-042 91-04-023 91-04-075		
Rules coordinator	91-03-078		
TRANSPORTATION, DEPARTMENT OF			
Contractors, prequalification of county ferry franchises, tolls and financial assistance	91-04-014		
Dishonored checks, recovery of collection costs	91-02-007		
Oversize load signs on vehicles, standards	91-06-079		
Rules coordinator	91-03-009		
Tow truck operations	91-06-078		
Traffic control devices, adoption of 1988 edition of uniform manual on (MUCTD)	91-02-008		
Urban arterial trust account monies	91-02-006		
TRANSPORTATION IMPROVEMENT BOARD			
Meetings	91-02-079 91-04-059		
Rules coordinator	91-04-051		
TREASURER			
(See inside front cover)			
Rules coordinator	91-03-077		
UNIVERSITY OF WASHINGTON			
Alcohol and other prohibited substances possession and use on campus or at university-sponsored events prohibition	91-05-069		
use and possession at athletic events and concerts, inspection procedures	91-01-004 91-01-085 91-02-100 91-03-010 91-03-021 91-03-022 91-03-029 91-03-030 91-03-031 91-03-042 91-04-005 91-04-065 91-05-014		
Meetings	91-06-073 91-06-092 91-04-058 91-03-056		
Parking and traffic regulations			
Public records access			
Rules coordinator			
USURY			
(See inside front cover)			
UTILITIES AND TRANSPORTATION COMMISSION			
Budget reporting for major capital projects	91-03-099		
Common carriers preservation of records of communications	91-06-095 91-06-009		
fees			
Cost of copying and supplying public records	91-03-098		
Electric safety code, national	91-06-095		
Extended area service routes	91-03-052		
Failure to file sufficient copies, cost of copying	91-03-100		
UTILITIES AND TRANSPORTATION COMMISSION—cont.			
Interstate tariff filings, repeal of requirement		91-06-071	
Log road classification		91-01-080	
Procedures before the commission, procedural rules		91-02-105 91-06-010	
Recycling transportation of recovered materials		91-01-081 91-03-101 91-03-053	
Solid waste collection companies			
Telecommunications abbreviated proceedings for competitive classification		91-03-097 91-03-051 91-03-120 91-03-121 91-03-122 91-03-096 91-06-095	
access charges			
alternate operator services mandatory cost changes			
Uniform system of accounts			
VOCATIONAL EDUCATION, BOARD FOR			
Private vocational schools		91-01-056 91-03-037 91-05-077 91-04-052 91-06-076	
Meetings			
VOCATIONAL EDUCATION, COUNCIL ON			
Meetings		91-04-004 91-05-051	
WASHINGTON INSTITUTE OF APPLIED TECHNOLOGY			
Meetings		91-03-072 91-04-018 91-05-023 91-06-013	
WASHINGTON STATE LIBRARY			
Library commission meetings		91-01-014 91-05-061	
WASHINGTON STATE PATROL			
Motor helmets, exemption for operators and riders of antique motorcycles		91-05-019	
Private carriers, adoption of federal standards		91-01-105 91-06-050 91-06-066	
WASHINGTON STATE UNIVERSITY			
Rules Coordinator		91-05-022	
WESTERN WASHINGTON UNIVERSITY			
Bicycle traffic and parking regulation		91-04-082	
Parking and traffic		91-04-082	
WILDLIFE COMMISSION			
Deleterious exotic wildlife additions to list		91-03-082	
Hunting seasons Canada goose season, early closure snow goose season, early closure upland game bird seasons		91-02-022 91-01-064 91-02-113	
WILDLIFE, DEPARTMENT OF			
Coyote, classification		91-03-133	
Field identification, sex evidence definitions		91-06-080	
Fishing game fish seasons and catch limits			
Cedar River		91-05-001	
Lake Sammamish		91-05-001	
Lake Washington		91-05-001	
Sammamish River		91-05-001	
Snake River		91-05-002	
Snoqualmie River		91-03-136	
Tolt River		91-03-066 91-03-136	

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

WILDLIFE, DEPARTMENT OF—cont.	
Forest grouse, classification	91-03-131
Game management units	91-03-130
Hunting	
blind and visually handicapped hunters	91-01-109
firearm restriction areas	91-06-083 91-06-084 91-06-086
hours, closure notices, and hound hunting areas	91-06-084
hunter orange clothing requirements restrictions	91-03-137 91-06-081
Hunting seasons	
bear and small game seasons, 1990-91	91-06-084
bear 1991-92, 1992-93, 1993-94	91-03-138
deerhunting seasons, 1990-91	91-06-084
deerhunting seasons, 1991-92	91-06-087
deerhunting seasons, opening 1991, 1992, and 1993	91-06-016
deer 1991-92, 1992-93, 1993-94	91-03-138
elk	
seasons, opening dates, 1991, 1992, and 1993	91-06-016
seasons, 1990-91	91-06-084
seasons, 1991-92	91-06-087
elk 1991-92, 1992-93, 1993-94	91-03-135
general hunting seasons and rules 1991-92, 1992-93, 1993-94	91-03-134
mountain goat, sheep, moose, cougar, and lynx seasons	91-06-085
pelt sealing, river otter, cougar, lynx, and bobcat	91-06-082
special closure areas, 1991-92	91-06-086
turkey seasons	
1991 spring season	91-06-015
upland game bird seasons, opening dates, 1991, 1992, and 1993	91-06-016
Upland birds, classification	91-03-131

WASHINGTON STATE REGISTER Subscriptions

To: Subscription Clerk
WASHINGTON STATE REGISTER
Code Reviser's Office
Legislative Building
Olympia, WA 98504

I would like to order _____ subscription(s) to the WASHINGTON STATE REGISTER, at an annual rate of \$161.85, sales tax included (\$150 for state agencies). Enclosed is my check or money order for \$ _____. Please start my subscription with the January issue of 19 ____.

NAME _____

ADDRESS _____

TELEPHONE _____

THE WASHINGTON STATE REGISTER, published pursuant to RCW 34.08.020, is distributed on the first and third Wednesdays of each month. The Register contains the full text of proposed, emergency, and permanently adopted rules of state agencies, executive orders of the governor, notices of public meetings of state agencies, rules of the state supreme court, summaries of attorney general opinions, and juvenile disposition standards which have been filed in the code reviser's office prior to the pertinent closing date for that issue of the Register. A cumulative table of existing sections of the Washington Administrative Code (WAC) affected by a particular agency action guides the user to the proper volume of the Register.

The code reviser's office has established an annual subscription price of \$150 for the Register, and single copies will cost \$7. Sales tax of 7.9% now applies to all sales other than to state agencies. State law requires payment in advance. To subscribe to the Register, please complete the order form above and forward it to the address indicated, accompanied by your check or money order in the amount of \$161.85 (\$150 for state agencies) payable to the code reviser's office.