

Washington State Register

July 19, 2000

OLYMPIA, WASHINGTON

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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located 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 (360) 786-6697.

REPUBLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

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

The maximum allowable interest rate applicable for the month of July 2000 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.

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

John G. Schultz
Chair, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following nine sections:

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

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

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

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

4. EFFECTIVE DATE OF RULES

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

5. EDITORIAL CORRECTIONS

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

2000 - 2001

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue Number	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³	Expedited Adoption ⁴
	Non-OTS and 30 p. or more	Non-OTS and 11 to 29 p.	OTS ² or 10 p. max. Non-OTS	Count 20 days from -	For hearing on or after	First Agency Adoption Date
00 - 13	May 24, 00	Jun 7, 00	Jun 21, 00	Jul 5, 00	Jul 25, 00	Aug 22, 00
00 - 14	Jun 7, 00	Jun 21, 00	Jul 5, 00	Jul 19, 00	Aug 8, 00	Sep 5, 00
00 - 15	Jun 21, 00	Jul 5, 00	Jul 19, 00	Aug 2, 00	Aug 22, 00	Sep 19, 00
00 - 16	Jul 5, 00	Jul 19, 00	Aug 2, 00	Aug 16, 00	Sep 5, 00	Oct 3, 00
00 - 17	Jul 26, 00	Aug 9, 00	Aug 23, 00	Sep 6, 00	Sep 26, 00	Oct 24, 00
00 - 18	Aug 9, 00	Aug 23, 00	Sep 6, 00	Sep 20, 00	Oct 10, 00	Nov 7, 00
00 - 19	Aug 23, 00	Sep 6, 00	Sep 20, 00	Oct 4, 00	Oct 24, 00	Nov 21, 00
00 - 20	Sep 6, 00	Sep 20, 00	Oct 4, 00	Oct 18, 00	Nov 7, 00	Dec 5, 00
00 - 21	Sep 20, 00	Oct 4, 00	Oct 18, 00	Nov 1, 00	Nov 21, 00	Dec 19, 00
00 - 22	Oct 4, 00	Oct 18, 00	Nov 1, 00	Nov 15, 00	Dec 5, 00	N/A
00 - 23	Oct 25, 00	Nov 8, 00	Nov 22, 00	Dec 6, 00	Dec 26, 00	N/A
00 - 24	Nov 8, 00	Nov 22, 00	Dec 6, 00	Dec 20, 00	Jan 9, 01	N/A
01 - 01	Nov 22, 00	Dec 6, 00	Dec 20, 00	Jan 3, 01	Jan 23, 01	N/A
01 - 02	Dec 6, 00	Dec 20, 00	Jan 3, 01	Jan 17, 01	Feb 6, 01	N/A
01 - 03	Dec 27, 00	Jan 10, 01	Jan 24, 01	Feb 7, 01	Feb 27, 01	N/A
01 - 04	Jan 10, 01	Jan 24, 01	Feb 7, 01	Feb 21, 01	Mar 13, 01	N/A
01 - 05	Jan 24, 01	Feb 7, 01	Feb 21, 01	Mar 7, 01	Mar 27, 01	N/A
01 - 06	Feb 7, 01	Feb 21, 01	Mar 7, 01	Mar 21, 01	Apr 10, 01	N/A
01 - 07	Feb 21, 01	Mar 7, 01	Mar 21, 01	Apr 4, 01	Apr 24, 01	N/A
01 - 08	Mar 7, 01	Mar 21, 01	Apr 4, 01	Apr 18, 01	May 8, 01	N/A
01 - 09	Mar 21, 01	Apr 4, 01	Apr 18, 01	May 2, 01	May 22, 01	N/A
01 - 10	Apr 4, 01	Apr 18, 01	May 2, 01	May 16, 01	Jun 5, 01	N/A
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01 - 13	May 23, 01	Jun 6, 01	Jun 20, 01	Jul 5, 01	Jul 25, 01	N/A
01 - 14	Jun 7, 01	Jun 21, 01	Jul 5, 01	Jul 19, 01	Aug 8, 01	N/A
01 - 15	Jun 20, 01	Jul 5, 01	Jul 18, 01	Aug 1, 01	Aug 21, 01	N/A
01 - 16	Jul 5, 01	Jul 18, 01	Aug 1, 01	Aug 15, 01	Sep 4, 01	N/A
01 - 17	Jul 25, 01	Aug 8, 01	Aug 22, 01	Sep 5, 01	Sep 25, 01	N/A
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01 - 19	Aug 22, 01	Sep 5, 01	Sep 19, 01	Oct 3, 01	Oct 23, 01	N/A
01 - 20	Sep 5, 01	Sep 19, 01	Oct 3, 01	Oct 17, 01	Nov 6, 01	N/A
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01 - 22	Oct 10, 01	Oct 24, 01	Nov 7, 01	Nov 21, 01	Dec 11, 01	N/A
01 - 23	Oct 24, 01	Nov 7, 01	Nov 21, 01	Dec 5, 01	Dec 25, 01	N/A
01 - 24	Nov 7, 01	Nov 21, 01	Dec 5, 01	Dec 19, 01	Jan 8, 02	N/A

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

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

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

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

REGULATORY FAIRNESS ACT

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

Small Business Economic Impact Statements (SBEIS)

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

Mitigation

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

When is an SBEIS Required?

When:

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

When is an SBEIS Not Required?

When:

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

There is less than minor economic impact on business;

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

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

The rule is pure restatement of state statute.

WSR 00-14-001
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION

[Filed June 22, 2000, 8:18 a.m.]

Subject of Possible Rule Making: Amending WAC 468-38-100 Escort car requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.44.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current rule provides inconsistent requirements for when an escort vehicle is required when compared with neighboring jurisdictions, with no overriding justification for the inconsistency. In addition, current rule is silent with regards to when an escort vehicle would be necessary for an overweight load, resulting in inconsistent treatment by different permit sales locations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The WAC is enforced by the Washington State Patrol.

Process for Developing New Rule: Agency study, a review of best practices by other jurisdictions and the recommendations of the WASHTO Committee on Highway Transport.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barry Diseth, Motor Carrier Services, P.O. Box 47367, Olympia, WA 98504-7367, fax (360) 664-9440.

June 21, 2000

Gerald E. Smith

Deputy Secretary, Operations

WSR 00-14-033
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2000-06—Filed June 29, 2000, 4:13 p.m.]

Subject of Possible Rule Making: Extending the "reasonable time" under RCW 48.104.090.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.104.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A rule could allow more time for the application of the Holocaust Victim Insurance Relief Act of 1999 to be suspended as to certain companies.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Kacy Brandeberry, Office of Insurance Commissioner, P.O. Box 40255, Olympia, WA 90504

[98504], or send her e-mail at kacyb@oic.wa.gov, NO LATER THAN July 26, 2000.

June 29, 2000

Robert A. Harkins

Chief Deputy Insurance Commissioner

WSR 00-14-043
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)

[Filed June 30, 2000, 2:41 p.m.]

Subject of Possible Rule Making: WAC 388-438-0110 Alien emergency medical program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 42 C.F.R. 436.128, 436.406(c) and 440.255.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendment is necessary to include client population eligible for nursing facility and COPES services.

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

Process for Developing New Rule: The department invites the interested public to review and provide input into the adopted language of this proposed WAC amendment. The department will distribute draft material for an internal and external review process. All comments are taken into consideration before issuance of final rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanie Scotson, Program Manager, Medical Assistance Administration, Mailstop 45534, P.O. Box 5534, Olympia, WA 98504-5534, phone (360) 725-1330, e-mail SCOTSJK@DSHS.WA.GOV, fax (360) 664-0910, TDD 1-800-848-5429.

June 29, 2000

Edith M. Rice, Chief
Office of Legal Affairs

WSR 00-14-049
PREPROPOSAL STATEMENT OF INQUIRY
LOTTERY COMMISSION

[Filed June 30, 2000, 3:41 p.m.]

Subject of Possible Rule Making: Retailer licensing.
Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.70.040(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The lottery is considering amending WAC 315-06-120 dealing with payment of prizes.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary Jane Ferguson, Rules Coordinator, at (360) 664-4833, fax (360) 586-6586, P.O. Box 43025, Olympia, WA 98504-3025, with any comments or questions regarding this statement of intent.

June 30, 2000
Mary Jane Ferguson
Rules Coordinator

WSR 00-14-061

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed July 5, 2000, 8:53 a.m.]

Subject of Possible Rule Making: Certification by Department of Health (DOH) of independent review organizations (IROs) which will be approved to make binding determinations when a health insurance enrollee disputes the insurance carrier's decision to deny, modify, reduce, or terminate coverage or payment for health care service. The certification of IROs is a new Department of Health responsibility under Washington's recently enacted Health Care Patient Bill of Rights Act of 2000 (chapter 5, Laws of 2000; formerly E2SSB 6199).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Section 12, chapter 5, Laws of 2000 (which will become part of chapter 43.70 RCW) requires the Department of Health to adopt rules "providing a procedure and criteria for certifying" independent review organizations. Additional requirements involving IROs are contained in section 11 of the same legislation.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The law requires the Department of Health to adopt rules on this subject; see above.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Office of the Insurance Commissioner (OIC) is responsible for rule making and enforcement to ensure that health plans provide their enrollees with the option of appealing issues to external review (IRO) if they are not resolved through internal processes. OIC also will develop a means to assign specific cases to IROs on a rotational basis. DOH and OIC staff will coordinate so that the two agencies' areas of rule making work together. Congress is considering federal legislation, which, if enacted, would establish national requirements.

Process for Developing New Rule: Collaborative rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The Department of Health (DOH) has scheduled two fact-finding meetings to hear the interests and concerns of interested parties about how this law is implemented: On August 16, 2000, at 2-4 p.m., West Coast SeaTac Hotel, Seattle Room, 18220 International Boulevard South, Seattle, WA; and on August 17, 2000, at 9:30-11:30 a.m.,

Cavanaugh's Inn at the Park, Finch Room, 303 West North River Drive, Spokane.

Other developmental meetings may be scheduled. A preliminary list of questions on which the department wishes input is shown below. By July 15, 2000, an Internet web page related to development of this rule will be operational at <http://www.doh.wa.gov/rules/IROcertification>. This site will contain further information and a means to comment electronically. At least one formal hearing will be scheduled later in the year to accept comments on the proposed rule. For further information please contact any of these DOH staff: Steve Boruchowitz, (360) 236-4621, Health Services Quality Assurance, P.O. Box 47850, Olympia, WA 98504-7850, fax (360) 236-4626; or Patti Rathbun, (360) 236-4627 or Dan Rubin (360) 236-4023, Office of Secretary, P.O. Box 47879, Olympia, WA 98504-7879, fax (360) 586-2171.

1. The requirements for independent review organizations (IROs) are addressed in sections 11 and 12 of Washington's Health Care Patient Bill of Rights Act of 2000 (chapter 5, Laws of 2000; formerly E2SSB 6199). Copies of the legislation are available from the Department of Health. Are there specific statutory requirements that you believe will be difficult to implement in the Department of Health's program for IRO certification? Why?

2. Are there requirements not spelled out in section 12 of the law that you believe are essential for appropriate DOH certification of IROs? If so, does DOH have legal authority to require compliance with the requirements you suggest?

3. The law requires the Department of Health, in adopting rules, to "take into consideration standards for independent review organizations adopted by national accreditation organizations." This clearly would include the accreditation standards for external review organizations recently adopted by The American Accreditation HealthCare Commission (also known as URAC after its former name, Utilization Review Accreditation Commission). Are there certain URAC standards that you believe are inappropriate for certification of IROs under Washington's law? Which standards, and why? Information on URAC standards is available from the Department of Health.

4. Apart from URAC, are there other national accreditation standards for IROs which the department should consider in implementing Washington's law? Do those other standards have specific provisions that you believe are superior to, or address gaps in, related URAC standards? Why?

5. Are there other states whose standards for IROs are a good model for implementing Washington's law? Which specific standards from those states should be considered?

6. Washington's IRO law requires reviewers to be appropriately licensed, certified or registered as required in Washington or another state with "substantially comparable" standards. Review decisions must be based in part on "medical standards of practice in the state of Washington." How should these requirements be implemented?

7. Should IROs that handle only specialized types of reviews (such as behavioral health, chiropractic or high-technology) be certified in Washington? Why or why not?

8. Do you have other recommendations or concerns that the Department of Health should be aware of in developing rules for certification of IROs?

July 3, 2000
Nancy Ellison
for Mary C. Selecky
Secretary

Olympia, WA 98504-4322, phone (360) 902-6801, fax (360) 902-4249, Internet gism235@lni.wa.gov.

July 5, 2000
Gary L. Moore
Director

PREPROPOSAL

WSR 00-14-072

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed July 5, 2000, 10:37 a.m.]

Subject of Possible Rule Making: The Department of Labor and Industries (L&I) is considering revising its payment method for ambulatory surgery centers (ASCs) and other nonhospital surgical suite services provided to injured workers. The ASC payment method may also affect the crime victims compensation (CVC) program. L&I would adopt this new rule as new chapter 296-23B WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.04.030(1), and 51.36.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: L&I uses a number of different payment methods, such as fee schedules and discounting, to pay for medical services purchased for injured workers and crime victims. Most of these payment methods are designed to help assure that L&I meets its responsibility to cost-effectively purchase health care while assuring access to services. The current ASC payment method is unlike most other L&I medical payment methods in that it has no provisions for managing costs, and partly as a result of this, L&I's ASC payments have been rising much more rapidly than other medical costs. The new ASC payment method will help L&I better manage these costs and make ASC payment more consistent with other medical payment methods used by L&I.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal Health Care Financing Administration (HCFA), the state Health Care Authority and the DSHS/Medical Assistance Administration have rules or other procedures in place establishing their payment methods for similar services. When we evaluate our options for an ASC payment method, we will consider the methods used by those agencies.

Process for Developing New Rule: Agency staff will evaluate ASC payment method options with input from ASCs and other stakeholders. Draft rules will be developed by staff and shared with stakeholders for their input. We will work with stakeholders through an ASC project workgroup as well as established professional organizations and advisory committees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Marilyn Gisser, Department of Labor and Industries, Health Services Analysis, P.O. Box 44322,

WSR 00-14-073

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed July 5, 2000, 10:38 a.m.]

Subject of Possible Rule Making: WAC 296-155-305 Signaling, Flaggers, 296-155-205 Head protection, 296-155-625 Site clearing, 296-32-240 Employee protection in public work areas, and 296-45-52530 Employee protection in public work areas.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, and [49.17].050, chapter 239, Laws of 2000 (ESHB 2647), and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 239, Laws of 2000 (ESHB 2647) states that the department's director must adopt permanent rules designed to improve options available to ensure the safety of flaggers and ensure that flaggers have adequate visual warning of objects approaching from behind them. These permanent rules must take effect no later than March 1, 2001.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal agencies (other than OSHA) are known that regulate this subject. The Washington State Department of Transportation (WSDOT) has rules that affect WAC 296-155-305. The department will communicate its rule-making activity to both OSHA and WSDOT.

Process for Developing New Rule: The department must adopt rules identical to or at-least-as-effective-as OSHA rules as required by the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules for proposal may contact the individuals listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lou Flores, Department of Labor and Industries, Policy and Technical Services, P.O. Box 44650, Olympia, WA 98504-4650, phone (360) 902-5237, fax (360) 902-5438; Dan McMurdie, Department of Labor and Industries, Policy and Technical Services, P.O. Box 44650, Olympia, WA 98504-4650, phone (360) 902-5460, fax (360) 902-5438; or George Huffman, Project Manager, Department of Labor and Industries, WISHA Services Division, P.O. Box

WSR 00-14-073

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44620, Olympia, WA 98504-4620, phone (360) 902-5008,
fax (360) 902-5529.

July 5, 2000
Gary Moore
Director

WSR 00-14-057
EXPEDITED REPEAL
LOTTERY COMMISSION
[Filed July 3, 2000, 9:12 a.m.]

The Following Sections are Proposed for Expedited Repeal: WAC 315-11A-215 Instant Game Number 215 ("215th Anniversary"), WAC 315-11A-216 Instant Game Number 216 ("Pot O'Gold"), and WAC 315-11A-217 Instant Game Number 217 ("Domino Dough").

Rules Proposed for Expedited Repeal Meet the Following Criteria: Rule is no longer necessary because of changed circumstances.

Any person who objects to the repeal of the rule must file a written objection to the repeal within thirty days after publication of this preproposal statement of inquiry.

Address Your Objection to: Mary Jane Ferguson, Rules Coordinator, Washington State Lottery, P.O. Box 43025, Olympia, WA 98504.

Reason the Expedited Repeal of the Rule is Appropriate: The scratch games covered by these rules have been closed.

June 30, 2000
Mary Jane Ferguson
Rules Coordinator

EXPEDITED REPEAL



WSR 00-12-080
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed June 6, 2000, 1:18 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-07-045.

Title of Rule: New chapter 388-531 WAC, Physician-related services; and repealing WAC 388-86-011 Advanced registered nurse practitioners, 388-86-055 Laboratory services, 388-86-095 Physician services, 388-86-09601 Podiatric services, 388-86-110 X-ray services, 388-87-0075 Payment—Laboratory services, and 388-87-095 Payment—Physician services.

Purpose: The department is establishing a new chapter for rules pertaining to physician-related services. To avoid duplication, related rules in chapters 388-86 and 388-87 WAC are proposed for repeal.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520.

Statute Being Implemented: RCW 74.08.090, 74.09.520.

Summary: The department is establishing a new chapter for rules pertaining to physician-related services. To avoid duplication, related rules in chapters 388-86 and 388-87 WAC are proposed for repeal.

Reasons Supporting Proposal: To consolidate physician-related services rules in one chapter. To add payment methodology to various physician-related service rules. To comply with the Governor's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45533, Olympia, WA 98504, (360) 725-1345; Implementation and Enforcement: Dave Cundiff M.D., P.O. Box 45500, Olympia, WA 98504, (360) 725-1500.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule will consolidate physician-related services rules into one chapter. It also puts payment methodology into rule. As new and existing rules are consolidated into the new chapter, they have been reviewed and written to meet the clear-language guidelines in the Governor's Executive Order 97-02.

The purpose of this action is to move physician-related services into one chapter, and to state those rules in clear, understandable language. This contributes to better understanding and easier usage by both department staff and providers.

The anticipated effects are to make the rules easier to find and to understand.

Proposal Changes the Following Existing Rules: The proposal repeals rules listed above and restates those policies in the new chapter.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rules and concludes that, since the rules reflect no change in current policy, no new costs will [be] imposed on the small businesses affected by them.

RCW 34.05.328 applies to this rule adoption. The department has analyzed the proposed rules and determined that they meet the definition of a "significant legislative rule." An analysis of the probable costs and benefits is available from the person listed above.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 8, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson by July 28, 2000, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by August 8, 2000.

Date of Intended Adoption: August 9, 2000.

June 1, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Chapter 388-531 WAC

PHYSICIAN-RELATED SERVICES

NEW SECTION

WAC 388-531-0050 Physician-related services definitions. The following definitions and abbreviations and those found in WAC 388-500-0005, apply to this chapter. Defined words and phrases are bolded the first time they are used in the text.

"**Acquisition cost**" means the cost of an item excluding shipping, handling, and any applicable taxes.

"**Acute care**" means care provided for clients who are not medically stable. These clients require frequent monitoring by a health care professional in order to maintain their health status (WAC 248-27-015).

"**Acute physical medicine and rehabilitation (PM&R)**" means a comprehensive inpatient and rehabilitative program coordinated by a multidisciplinary team at an MAA-approved rehabilitation facility. The program provides twenty-four hour specialized nursing services and an intense level of specialized therapy (speech, physical, and occupational) for a diagnostic category for which the client shows significant potential for functional improvement (see WAC 388-550-2501).

"**Add-on procedure(s)**" means secondary procedure(s) that are performed in addition to another procedure.

"**Admitting diagnosis**" means the medical condition responsible for a hospital admission, as defined by ICD-9-M diagnostic code.

"**Advanced registered nurse practitioner (ARNP)**" means a registered nurse prepared in a formal educational

program to assume an expanded health services provider role in accordance with WAC 246-840-300 and 246-840-305.

"Aging and adult services administration (AASA)" means the administration that administers directly or contracts for long-term care services, including but not limited to nursing facility care and home and community services. See WAC 388-15-202.

"Allowed charges" means the maximum amount for any procedure that is allowed by MAA.

"Anesthesia technical advisory group (ATAG)" means an advisory group representing anesthesiologists who are affected by the implementation of the anesthesiology fee schedule.

"Base anesthesia units (BAU)" means a number of anesthesia units assigned to a surgical procedure that includes the usual pre-operative, intra-operative, and post-operative visits. This includes the administration of fluids and/or blood incident to the anesthesia care, and interpretation of noninvasive monitoring by the anesthesiologist.

"Bundled services" means services integral to the major procedure that are included in the fee for the major procedure. Bundled services are not reimbursed separately.

"Bundled supplies" means supplies which are considered to be included in the practice expense RVU of the medical or surgical service of which they are an integral part.

"By report (BR)" means a method of reimbursement in which MAA determines the amount it will pay for a service that is not included in MAA's published fee schedules. MAA may request the provider to submit a "report" describing the nature, extent, time, effort, and/or equipment necessary to deliver the service.

"Call" means a face-to-face encounter between the client and the provider resulting in the provision of services to the client.

"Cast material maximum allowable fee" means a reimbursement amount based on the average cost among suppliers for one roll of cast material.

"Certified registered nurse anesthetist (CRNA)" means an advanced registered nurse practitioner (ARNP) with formal training in anesthesia who meets all state and national criteria for certification. The American Association of Nurse Anesthetists specifies the National Certification and scope of practice.

"Children's health insurance plan (CHIP)," see chapter 388-542 WAC.

"Clinical Laboratory Improvement Amendment (CLIA)" means regulations from the U.S. Department of Health and Human Services that require all laboratory testing sites to have either a CLIA registration or a CLIA certificate of waiver in order to legally perform testing anywhere in the U.S.

"Conversion factors" means dollar amounts MAA uses to calculate the maximum allowable fee for physician-related services.

"Covered service" means a service that is within the scope of the eligible client's medical care program, and listed in specific fee-for-service billing instructions.

"CPT," see "current procedural terminology."

"Critical care services" means physician services for the care of critically ill or injured clients. A critical illness or injury acutely impairs one or more vital organ systems such that the client's survival is jeopardized. Critical care is given in a critical care area, such as the coronary care unit, intensive care unit, respiratory care unit, or the emergency care facility.

"Current procedural terminology (CPT)" means a systematic listing of descriptive terms and identifying codes for reporting medical services, procedures, and interventions performed by physicians and other practitioners who provide physician-related services. CPT is copyrighted and published annually by the American Medical Association (AMA).

"Diagnosis code" means a set of numeric or alphanumeric characters assigned by the ICD-9-CM, or successor document, as a shorthand symbol to represent the nature of a disease.

"Emergency medical condition(s)" means a medical condition(s) that manifests itself by acute symptoms of sufficient severity so that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part.

"Emergency services" means medical services required by and provided to a patient experiencing an emergency medical condition.

"Estimated acquisition cost (EAC)" means the department's best estimate of the price providers generally and currently pay for drugs and supplies.

"Evaluation and management (E&M) codes" means procedure codes which categorize physician services by type of service, place of service, and patient status.

"Expedited prior authorization" means the process of obtaining authorization that must be used for selected services, in which providers use a set of numeric codes to indicate to MAA which acceptable indications, conditions, diagnoses, and/or criteria are applicable to a particular request for services.

"Experimental" means a term to describe a procedure, or course of treatment, which lacks sufficient scientific evidence of safety and effectiveness. See WAC 388-531-0500. A service is not "experimental" if the service:

- (1) Is generally accepted by the medical profession as effective and appropriate; and
- (2) Has been approved by the FDA or other requisite government body.

"Fee-for-service" means the general payment method MAA uses to reimburse providers for covered medical services provided to clients for whom those services are not covered under MAA's healthy options program or children's health insurance program (CHIP) programs.

"Flat fee" means the maximum allowable fee established by MAA for a service or item that does not have a relative value unit (RVU) or has an RVU that is not appropriate.

"Geographic practice cost index (GPCI)" as defined by Medicare, means a Medicare adjustment factor that includes local geographic area estimates of how hard the pro-

vider has to work (work effort), what the practice expenses are, and what malpractice costs are. The GPCI reflects one-fourth the difference between the area average and the national average.

"Global surgery reimbursement," see WAC 388-531-1700.

"HCPCS Level II" means a coding system established by the HCFA to define services and procedures not included in CPT.

"Health Care Financing Administration (HCFA)" means the agency within the federal Department of Health and Human Services (DHHS) with oversight responsibility for the Medicare and Medicaid programs.

"Health Care Financing Administration Common Procedure Coding System (HCPCS)" means the name used for the Health Care Financing Administration codes made up of CPT and HCPCS level II codes.

"Health care team" means a group of health care providers involved in the care of a client.

"Hospice" means a medically directed, interdisciplinary program of palliative services which is provided under arrangement with a Title XVIII Washington licensed and certified Washington state hospice for terminally ill clients and the clients' families.

"ICD-9-CM," see "International Classification of Diseases, 9th Revision, Clinical Modification".

"Informed consent" means that an individual consents to a procedure after the provider who obtained a properly completed consent form has done all of the following:

(1) Disclosed and discussed the client's diagnosis; and
(2) Offered the client an opportunity to ask questions about the procedure and to request information in writing; and

(3) Given the client a copy of the consent form; and
(4) Communicated effectively using any language interpretation or special communication device necessary per 42 C.F.R. Chapter IV 441.257; and

(5) Given the client oral information about all of the following:

(a) The client's right to not obtain the procedure, including potential risks, benefits, and the consequences of not obtaining the procedure; and

(b) Alternatives to the procedure including potential risks, benefits, and consequences; and

(c) The procedure itself, including potential risks, benefits, and consequences.

"Inpatient hospital admission" means an acute hospital stay for longer than twenty-four hours when the medical care record shows the need for inpatient care beyond twenty-four hours. All admissions are considered inpatient hospital admissions, and are paid as such, regardless of the length of stay, in the following circumstances:

(1) The death of a client;
(2) Obstetrical delivery;
(3) Initial care of a newborn; or
(4) Transfer to another acute care facility.

"International Classification of diseases, 9th Revision, Clinical Modification (ICD-9-CM)" means the sys-

tematic listing that transforms verbal descriptions of diseases, injuries, conditions, and procedures into numerical or alpha-numerical designations (coding).

"Investigational" means a term to describe a procedure, or course of treatment, which lacks sufficient scientific evidence of benefit for a particular condition. A service is "investigational" if the service:

(1) Is generally accepted by the medical professional as effective and appropriate for the condition in question; or

(2) Is supported by a preponderance of objective scientific evidence, in which the risks and benefits are examined, demonstrating the proposed service to be of greater overall benefit to the client in the particular circumstance than another, generally available service.

"Life support" means mechanical systems, such as ventilators or heart-lung respirators, which are used to supplement or take the place of the normal autonomic functions of a living person.

"Limitation extension" means a process for requesting and approving reimbursement for covered services whose proposed quantity, frequency, or intensity exceeds that which MAA routinely reimburses. Limitation extensions require prior authorization.

"Maximum allowable fee" means the maximum dollar amount that MAA will reimburse a provider for specific services, supplies, and equipment.

"Medically necessary," see WAC 388-500-0005.

"Medicare Physician Fee Schedule Data Base (MPFSDB)" means the official HCFA publication of the Medicare policies and RVUs for the RBRVS reimbursement program.

"Medicare Program Fee Schedule for Physician Services (MPFSPS)" means the official HCFA publication of the Medicare fees for physician services.

"Medicare Clinical Diagnostic Laboratory Fee Schedule" means the fee schedule used by Medicare to reimburse for clinical diagnostic laboratory procedures in the state of Washington.

"Mentally incompetent" means a client who has been declared mentally incompetent by a federal, state, or local court.

"Modifier" means a two-digit alphabetic and/or numeric identifier that is added to the procedure code to indicate the type of service performed. The modifier provides the means by which the reporting physician can describe or indicate that a performed service or procedure has been altered by some specific circumstance but not changed in its definition or code. The modifier can affect payment or be used for information only. Modifiers are listed in fee schedules.

"Outpatient" means a client who is receiving medical services in other than an inpatient hospital setting.

"Peer-reviewed medical literature" means medical literature published in professional journals that submit articles for review by experts who are not part of the editorial staff. It does not include publications or supplements to publications primarily intended as marketing material for pharmaceutical, medical supplies, medical devices, health service providers, or insurance carriers.

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"Physician care plan" means a written plan of medically necessary treatment that is established by and periodically reviewed and signed by a physician. The plan describes the medically necessary services to be provided by a home health agency, a hospice agency, or a nursing facility.

"Physician standby" means physician attendance without direct face-to-face client contact and which does not involve provision of care or services.

"Physician's current procedural terminology," see "CPT, current procedural terminology."

"PM&R," see acute physical medicine and rehabilitation.

"Podiatric service" means the diagnosis and medical, surgical, mechanical, manipulative, and electrical treatments of ailments of the foot and ankle.

"Pound indicator (#)" means a symbol (#) indicating a CPT procedure code listed in MAA fee schedules that is not routinely covered.

"Preventive" means medical practices that include counseling, anticipatory guidance, risk factor reduction interventions, and the ordering of appropriate laboratory and diagnostic procedures intended to help a client avoid or reduce the risk or incidence of illness or injury.

"Prior authorization" means a process by which clients or providers must request and receive MAA approval for certain medical services, equipment, or supplies, based on medical necessity, before the services are provided to clients, as a precondition for provider reimbursement. Expedited prior authorization and limitation extension are forms of prior authorization.

"Professional component" means the part of a procedure or service that relies on the provider's professional skill or training, or the part of that reimbursement that recognizes the provider's cognitive skill.

"Prognosis" means the probable outcome of a client's illness, including the likelihood of improvement or deterioration in the severity of the illness, the likelihood for recurrence, and the client's probable life span as a result of the illness.

"Prolonged services" means face-to-face client services furnished by a provider, either in the inpatient or outpatient setting, which involve time beyond what is usual for such services. The time counted toward payment for prolonged E&M services includes only face-to-face contact between the provider and the client, even if the service was not continuous.

"Provider," see WAC 388-500-0005.

"Radioallergosorbent test" or "RAST" means a blood test for specific allergies.

"RBRVS," see resource based relative value scale.

"RVU," see relative value unit.

"Reimbursement" means payment to a provider or other MAA-approved entity who bills according to the provisions in WAC 388-502-0100.

"Reimbursement steering committee (RSC)" means an interagency work group that establishes and maintains RBRVS physician fee schedules and other payment and pur-

chasing systems utilized by the health care authority, MAA, and department of labor and industries.

"Relative value guide (RVG)" means a system used by the American Society of Anesthesiologists for determining base anesthesia units (BAUS).

"Relative value unit (RVU)" means a unit which is based on the resources required to perform an individual service or intervention.

"Resource based relative value scale (RBRVS)" means a scale that measures the relative value of a medical service or intervention, based on the amount of physician resources involved.

"RBRVS RVU" means a measure of the resources required to perform an individual service or intervention. It is set by Medicare based on three components - physician work, practice cost, and malpractice expense. Practice cost varies depending on the place of service.

"RSC RVU" means a unit established by the RSC for a procedure that does not have an established RBRVS RVU or has an RBRVS RVU deemed by the RSC as not appropriate for the service.

"Stat laboratory charges" means charges by a laboratory for performing tests immediately. "Stat" is an abbreviation for the Latin word "statim," meaning immediately.

"State unique procedure codes" means procedure codes established by the RSC to define services or procedures not contained in CPT or HCPCS level II.

"Sterile tray" means a tray containing instruments and supplies needed for certain surgical procedures normally done in an office setting. For reimbursement purposes, tray components are considered by HCFA to be nonroutine and reimbursed separately.

"Technical advisory group (TAG)" means an advisory group with representatives from professional organizations whose members are affected by implementation of RBRVS physician fee schedules and other payment and purchasing systems utilized by the health care authority, MAA, and department of labor and industries.

"Technical component" means the part of a procedure or service that relates to the equipment set-up and technician's time, or the part of the procedure and service reimbursement that recognizes the equipment cost and technician time.

NEW SECTION

WAC 388-531-0100 Scope of coverage for physician-related services—General and administrative. (1) **The medical assistance administration (MAA)** covers medical services, equipment, and supplies when they are both:

(a) Within the scope of an eligible client's medical care program. Refer to chapter 388-529 WAC; and

(b) **Medically necessary** as defined in 388-500-0005.

(2) MAA evaluates a request for any service that is listed as noncovered in WAC 388-531-0150 under the provisions of WAC 388-501-0165 which relate to noncovered services.

(3) MAA evaluates a request for a service that is in a covered category, but has been determined to be experimen-

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tal or investigational under WAC 388-531-0550, under the provisions of WAC 388-501-0165 which related to medical necessity.

(4) MAA evaluates requests for covered services that are subject to limitations or other restrictions and approves such services beyond those limitations or restrictions when medically necessary, under the standards for covered services in WAC 388-501-0165.

(5) MAA covers the following physician-related services, subject to the conditions in subsection (1) and (2) of this section:

- (a) Allergen immunotherapy services;
 - (b) Anesthesia services;
 - (c) Dialysis and end stage renal disease services (refer to chapter 388-540 WAC);
 - (d) Emergency physician services;
 - (e) ENT (ear, nose, and throat) related services;
 - (f) Early and periodic screening, diagnosis, and treatment (EPSDT) services (refer to WAC 388-534-0100);
 - (g) Gender dysphoria surgery and related procedures, treatment, prosthetics, or supplies when recommended after a multidisciplinary evaluation including at least urology, endocrinology, and psychiatry;
 - (h) Family planning services (refer to chapter 388-532 WAC);
 - (i) **Hospital** inpatient services (refer to chapter 388-550 WAC);
 - (j) Maternity care, delivery, and newborn care services (refer to chapter 388-533 WAC);
 - (k) Office visits;
 - (l) Ophthalmology care services;
 - (m) Osteopathic treatment services;
 - (n) Pathology and laboratory services;
 - (o) Physiatry and other rehabilitation services (refer to chapter 388-550 WAC);
 - (p) Podiatry services;
 - (q) Primary care services;
 - (r) Psychiatric services, provided by a psychiatrist;
 - (s) Pulmonary and respiratory services;
 - (t) Radiology services;
 - (u) Surgical services;
 - (v) Surgery to correct defects from birth, illness, or trauma, or for mastectomy reconstruction; and
 - (w) Other **outpatient** physician services.
- (6) MAA covers physical examinations for MAA clients only when the physical examination is one or more of the following:
- (a) A screening exam covered by the EPSDT program (see WAC 388-534-0100);
 - (b) An annual exam for clients of the division of developmental disabilities; or
 - (c) A screening pap smear, mammogram, or prostate exam.
- (7) By providing covered services to a client eligible for a medical care program, a provider who has signed an agreement with MAA accepts MAA's rules and fees as outlined in the agreement, which includes federal and state law and regulations, billing instructions, and MAA issuances.

NEW SECTION

WAC 388-531-0150 Noncovered physician-related services—General and administrative. (1) Except as provided in WAC 388-531-0100 and subsection (2) of this section, MAA does not cover the following:

- (a) Acupuncture, massage, or massage therapy;
 - (b) Any service specifically excluded by statute;
 - (c) Care, testing, or treatment of infertility, frigidity, or impotency. This includes procedures for donor ovum, sperm, womb, and reversal of vasectomy or tubal ligation;
 - (d) Cosmetic treatment or surgery, except for medically necessary reconstructive surgery to correct defects attributable to trauma, birth defect, or illness;
 - (e) Experimental or investigational services, procedures, treatments, devices, drugs, or application of associated services, except when the individual factors of an individual client's condition justify a determination of medical necessity under WAC 388-501-0165;
 - (f) Hair transplantation;
 - (g) Marital counseling or sex therapy;
 - (h) More costly services when MAA determines that less costly, equally effective services are available;
 - (i) Orthoptic eye training therapy;
 - (j) Payment for body parts, including organs, tissues, bones and blood, except as allowed in WAC 388-531-1750;
 - (k) Physician-supplied medication, except those drugs administered by the physician in the physician's office;
 - (l) Physical examinations or routine checkups, except as provided in WAC 388-531-0100;
 - (m) Routine foot care. This does not include clients who have a medical condition that affects the feet, such as diabetes or arteriosclerosis obliterans. Routine foot care includes, but is not limited to:
 - (i) Treatment of mycotic disease;
 - (ii) Removal of warts, corns, or calluses;
 - (iii) Trimming of nails and other hygiene care; or
 - (iv) Treatment of flat feet;
 - (n) Except as provided in WAC 388-531-1600, weight reduction and control services, procedures, treatments, devices, drugs, products, or the application of associated services.
 - (o) Nonmedical equipment; and
 - (p) Nonemergent admissions and associated services to out-of-state hospitals or noncontracted hospitals in contract areas.
- (2) MAA covers excluded services listed in (1) of this subsection if those services are mandated under and provided to a client who is eligible for one of the following:
- (a) The EPSDT program;
 - (b) A Medicaid program for qualified **Medicare** beneficiaries (QMBs); or
 - (c) A waiver program.

NEW SECTION

WAC 388-531-0200 Physician-related services requiring prior authorization. (1) MAA requires **prior authorization** for certain services. Prior authorization

includes **expedited prior authorization (EPA)** and **limitation extension (LE)**. See WAC 388-501-0165.

(2) The EPA process is designed to eliminate the need for telephone prior authorization for selected admissions and procedures.

(a) The provider must create an authorization number using the process explained in MAA's physician-related billing instructions.

(b) Upon request, the provider must provide supporting clinical documentation to MAA showing how the authorization number was created.

(c) Selected nonemergent admissions to contract hospitals require EPA. These are identified in MAA billing instructions.

(d) Procedures requiring expedited prior authorization include, but are not limited to, the following:

(i) Bladder repair;

(ii) Hysterectomy for clients age forty-five and younger, except with a diagnosis of cancer(s) of the female reproductive system;

(iii) Outpatient magnetic resonance imaging (MRI) and magnetic resonance angiography (MRA);

(iv) Reduction mammoplasties/mastectomy for gynecomastia; and

(v) Strabismus surgery for clients eighteen years of age and older.

(3) MAA evaluates new technologies under the procedures in WAC 388-531-0550. These require prior authorization.

(4) Prior authorization is required for the following:

(a) abdominoplasty;

(b) All inpatient hospital stays for **acute physical medicine and rehabilitation (PM&R)**;

(c) Cochlear implants, which also:

(i) For coverage, must be performed in an ambulatory surgery center (ASC) or an inpatient or outpatient hospital facility; and

(ii) For reimbursement, must have the invoice attached to the claim;

(d) Diagnosis and treatment of eating disorders for clients twenty-one years of age and older;

(e) Osteopathic manipulative therapy in excess of MAA/s published limits;

(f) Panniculectomy;

(g) Surgical procedures related to weight loss or reduction; and

(h) Vagus nerve stimulator insertion, which also:

(i) For coverage, must be performed in an inpatient or outpatient hospital facility; and

(ii) For reimbursement, must have the invoice attached to the claim.

(5) MAA may require a second opinion and/or consultation before authorizing any elective surgical procedure.

(6) Children six year of age and younger do not require authorization for hospitalization.

NEW SECTION

WAC 388-531-0250 Who can provide and bill for physician-related services. (1) The following enrolled providers are eligible to provide and bill for physician-related medical services which they provide to eligible clients:

(a) Advanced registered nurse practitioners (ARNP);

(b) Federally qualified health centers (FQHCs);

(c) Health departments;

(d) Hospitals currently licensed by the department of health;

(e) Independent (outside) laboratories CLIA certified to perform tests. See WAC 388-531-0800;

(f) Licensed radiology facilities;

(g) Medicare-certified ambulatory surgery centers;

(h) Medicare-certified rural health clinics;

(i) Providers who have a signed agreement with MAA to provide screening services to eligible persons in the EPSDT program;

(j) Registered nurse first assistants (RNFA); and

(k) Persons currently licensed by the state of Washington department of health to practice any of the following:

(i) Dentistry (refer to chapter 388-535 WAC);

(ii) Medicine and osteopathy;

(iii) Nursing;

(iv) Optometry, for vision-related services; or

(v) Podiatry, for **podiatric services**.

(2) MAA does not reimburse for services performed by any of the following practitioners:

(a) Acupuncturists;

(b) Christian Science practitioners or theological healers;

(c) Counselors;

(d) Herbalists;

(e) Homeopaths;

(f) Massage therapists as licensed by the Washington state department of health;

(g) Naturopaths;

(h) Sanipractors;

(i) Those who have a master's degree in social work (MSW), except those employed by an FQHC;

(j) Any other licensed or unlicensed practitioners not otherwise specifically provided for in WAC 388-87-005; or

(k) Any other licensed practitioners providing services which the practitioner is not:

(i) Licensed to provide; and

(ii) Trained to provide.

(3) MAA reimburses practitioners listed in subsection (2) of this section for physician-related services if those services are mandated by, and provided to, clients who are eligible for one of the following:

(a) The EPSDT program;

(b) A Medicaid program for qualified Medicare beneficiaries (QMB); or

(c) A waiver program.

NEW SECTION

WAC 388-531-0300 Anesthesia providers and covered physician-related services. MAA bases coverage of

anesthesia services on Medicare policies and the following rules:

(1) MAA reimburses providers for covered anesthesia services performed by:

- (a) Anesthesiologists;
- (b) **Certified registered nurse anesthetists (CRNAs)**;
- (c) Oral surgeons with a special agreement with MAA to provide anesthesia services; and
- (d) Other providers who have a special agreement with MAA to provide anesthesia services.

(2) MAA covers and reimburses anesthesia services for children and noncooperative clients in those situations where the medically necessary procedure cannot be performed if the client is not anesthetized. A statement of the client-specific reasons why the procedure could not be performed without specific anesthesia services must be kept in the client's medical record. Examples of such procedures include:

- (a) Computerized tomography (CT);
 - (b) Dental procedures;
 - (c) Electroconvulsive therapy; and
 - (d) Magnetic resonance imaging (MRI).
- (3) MAA covers anesthesia services provided for any of the following:

- (a) Dental restorations and/or extractions;
- (b) Maternity per subsection (9) of this section. See WAC 388-531-1550 for information about sterilization/hysterectomy anesthesia;
- (c) Pain management per subsection (5) of this section;
- (d) Radiological services as listed in WAC 388-531-1450; and
- (e) Surgical procedures.

(4) For each client, the anesthesiologist provider must do all of the following:

- (a) Perform a pre-anesthetic examination and evaluation;
 - (b) Prescribe the anesthesia plan;
 - (c) Personally participate in the most demanding aspects of the anesthesia plan, including, if applicable, induction and emergence;
 - (d) Ensure that any procedures in the anesthesia plan that the provider does not perform, are performed by a qualified individual as defined in the program operating instructions;
 - (e) At frequent intervals, monitor the course of anesthesia during administration;
 - (f) Remain physically present and available for immediate diagnosis and treatment of emergencies; and
 - (g) Provide indicated post anesthesia care.
- (5) MAA does not allow the anaesthesiologist provider to:

- (a) Direct more than four anesthesia services concurrently; and
 - (b) Perform any other services while directing the single or concurrent services, other than attending to medical emergencies and other limited services as allowed by Medicare instructions.
- (6) MAA requires the anesthesiologist provider to document in the client's medical record that the medical direction requirements were met.
- (7) General anesthesia:

(a) When a provider performs multiple operative procedures for the same client at the same time, MAA reimburses the base anesthesia units (BAU) for the major procedure only.

(b) MAA does not reimburse the attending surgeon for anesthesia services.

(c) When more than one anesthesia provider is present on a case, MAA reimburses as follows:

(i) The supervisory anesthesiologist and certified registered nurse anesthetist (CRNA) each receive fifty percent of the allowed amount.

(ii) For anesthesia provided by a team, MAA limits reimbursement to one hundred percent of the total allowed reimbursement for the service.

(8) Pain management:

(a) MAA pays CRNAs or anesthesiologists for pain management services.

(b) MAA allows two postoperative or pain management epidurals per client, per hospital stay plus the two associated E&M fees for pain management.

(9) Maternity anesthesia:

(a) To determine total time for obstetric epidural anesthesia during normal labor and delivery and c-sections, time begins with insertion and ends with removal for a maximum of six hours. "Delivery" includes labor for single or multiple births, and/or cesarean section delivery.

(b) MAA does not apply the six-hour limit for anesthesia to procedures performed as a result of post-delivery complications.

(c) See WAC 388-531-1550 for information on anesthesia services during a delivery with sterilization.

(d) See chapter 388-533 WAC for more information about maternity-related services.

NEW SECTION

WAC 388-531-0350 Anesthesia services—Reimbursement for physician-related services. (1) MAA reimburses anesthesia services on the basis of base anesthesia units (BAU) plus time.

(2) MAA calculates payment for anesthesia by adding the BAU to the time units and multiplying that sum by the conversion factor. The formula used in the calculation is: $(BAU \times \text{fifteen}) + \text{time} \times (\text{conversion factor divided by fifteen}) = \text{reimbursement}$.

(3) MAA obtains BAU values from the relative value guide (RVG), and updates them annually. MAA and/or the anesthesia technical advisory group (ATAG) members establish the base units for procedures for which anesthesia is appropriate but do not have BAUs established by RVSP and are not defined as add-on.

(4) MAA determines a budget neutral anesthesia conversion factor by:

(a) Determining the BAUs, time units, and expenditures for a **base period** for the provided procedure. Then,

(b) Adding the latest BAU RVSP to the time units for the base period to obtain an estimate of the new time unit for the procedure. Then,

(c) Multiplying the time units obtained in (b) of this subsection for the new period by a conversion factor to obtain estimated expenditures. Then,

(d) Comparing the expenditures obtained in (c) of this subsection with base period expenditure levels obtained in (a) of this subsection. Then,

(e) Adjusting the dollar amount for the anesthesia conversion factor and the projected time units at the new BAUs equals the allocated amount determined in (a) of this subsection.

(5) MAA calculates anesthesia time units as follows:

(a) One minute equals one unit.

(b) The total time is calculated to the next whole minute.

(c) Anesthesia time begins when the anesthesiologist, surgeon, or CRNA begins physically preparing the client for the induction of anesthesia; this must take place in the operating room or its equivalent. When there is a break in continuous anesthesia care, blocks of time may be added together as long as there is continuous monitoring. Examples of this include, but are not limited to, the following:

(i) The time a client spends in an anesthesia induction room; or

(ii) The time a client spends under the care of an operating room nurse during a surgical procedure.

(d) Anesthesia time ends when the anesthesiologist, surgeon, or CRNA is no longer in constant attendance (i.e., when the client can be safely placed under post-operative supervision).

(6) MAA changes anesthesia **conversion factors** if the legislature grants a vendor rate increase, or other increase, and if the effective date of that increase is not the same as MAA's annual update.

(7) If the legislatively authorized vendor rate increase or other increase becomes effective at the same time as MAA's annual update, MAA applies the increase after calculating the budget-neutral conversion factor.

(8) When more than one surgical procedure is performed at the same operative session, MAA uses the BAU of the major procedure to determine anesthesia **allowed charges**. MAA reimburses add-on procedures as defined by CPT only for the time spent on the add-on procedure that is in addition to the time spent on the major procedure.

NEW SECTION

WAC 388-531-0400 Client responsibility for reimbursement for physician-related services. Clients may be responsible to reimburse the provider, as described under WAC 388-501-0100, for services that are not covered under the client's medical care program. Clients whose care is provided under CHIP may be responsible for copayments as outlined in chapter 388-542 WAC. Also, see WAC 388-502-0160, Billing the client.

NEW SECTION

WAC 388-531-0450 Critical care—Physician-related services. (1) MAA reimburses the following physicians for critical care services:

(a) The attending physician who assumes responsibility for the care of a client during a life-threatening episode;

(b) More than one physician if the services provided involve multiple organ systems; or

(c) Only one physician for services provided in the emergency room.

(2) MAA reimburses preoperative and postoperative critical care in addition to a **global surgical package** when all the following apply:

(a) The client is critically ill and the physician is engaged in work directly related to the individual client's care, whether that time is spent at the immediate bedside or elsewhere on the floor;

(b) The critical injury or illness acutely impairs one or more vital organ systems such that the client's survival is jeopardized;

(c) The critical care is unrelated to the specific anatomic injury or general surgical procedure performed; and

(d) The provider uses any necessary, appropriate modifier when billing MAA.

(3) MAA limits payment for critical care services to a maximum of three hours per day, per client.

(4) MAA does not pay separately for certain services performed during a critical care period when the services are provided on a per hour basis. These services include, but are not limited to, the following:

(a) Analysis of information data stored in computers (e.g., ECG, blood pressure, hematologic data);

(b) Blood draw for a specimen;

(c) Blood gases;

(d) Cardiac output measurement;

(e) Chest X-rays;

(f) Gastric intubation;

(g) Pulse oximetry;

(h) Temporary transcutaneous pacing;

(i) Vascular access procedures; and

(j) Ventilator management.

NEW SECTION

WAC 388-531-0500 Emergency physician-related services. (1) MAA reimburses for E&M services provided in the hospital emergency department to clients who arrive for immediate medical attention.

(2) MAA reimburses emergency physician services only when provided by physicians assigned to the hospital emergency department or the physicians on **call** to cover the hospital emergency department.

(3) MAA pays a provider who is called back to the emergency room at a different time on the same day to attend a return visit the same client. When this results in multiple claims on the same day, the time of each encounter must be clearly indicated on the claim.

(4) MAA does not pay emergency room physicians for **hospital admission** charges or additional service charges.

NEW SECTION

WAC 388-531-0550 Experimental and investigational services. (1) When MAA makes a determination as to whether a proposed service is experimental or investigational, MAA follows the procedures in this section. The policies and procedures and any criteria for making decisions are available upon request.

(2) In making the determination, whether a service is experimental and investigational and, therefore, not a covered service, MAA considers the following:

(a) Evidence in **peer-reviewed medical literature**, as defined in WAC 388-531-0050, and pre-clinical and clinical data reported to the National Institute of Health and/or the National Cancer Institute, concerning the probability of the service maintaining or significantly improving the enrollee's length or quality of life, or ability to function, and whether the benefits of the service or treatment are outweighed by the risks of death or serious complications;

(b) Whether evidence indicates the service or treatment is likely to be an beneficial as existing conventional treatment alternatives;

(c) Any relevant, specific aspects of the condition;

(d) Whether the service or treatment is generally used for the condition in the state of Washington;

(e) Whether the service or treatment is under continuing scientific testing and research;

(f) Whether the service or treatment shows a demonstrable benefit for the condition;

(g) Whether the service or treatment is safe and efficacious;

(h) Whether the service or treatment will result in greater benefits for the condition than another generally available service; and

(i) If approval is required by a regulating agency, such as the Food and Drug Administration, whether such approval has been given before the date of service.

(3) MAA applies consistently across clients, the criteria to determine whether a service is experimental. A service or treatment that is not experimental for one client with a particular medical condition is not determined to be experimental for another enrollee with the same medical condition and similar health status.

(4) MAA does not determine a service or treatment to be experimental or investigational solely because it is under clinical investigation when there is sufficient evidence in peer-reviewed medical literature to draw conclusions, and the evidence indicates the service or treatment will probably be of greater overall benefit to the client in question and to others similarly situated, than another generally available service.

(5) All determinations that a proposed service or treatment is "experimental" or "investigation" are subject to the review and approval of a physician who is:

(a) Licensed under chapter 18.57 RCW or an osteopath licensed under chapter 18.71 RCW;

(b) Designated by MAA's medical director to issue such approvals; and

(c) Available to consult with the client's treating physician by telephone.

NEW SECTION

WAC 388-531-0600 HIV/AIDS Counseling and testing as physician-related services. MAA covers one pre- and one post-HIV/AIDS counseling/testing session per client each time the client is tested for HIV/AIDS.

NEW SECTION

WAC 388-531-0650 Hospital physician-related services not requiring authorization when provided in MAA-approved centers of excellence or hospitals authorized to provide the specific services. MAA covers the following services without prior authorization when provided in MAA-approved centers of excellence. MAA issues periodic publications listing centers of excellence. These services include the following:

(1) All transplant procedures specified in WAC 388-550-1900;

(2) Chronic pain management services, including outpatient evaluation and inpatient treatment, as described under WAC 388-550-2400. See also WAC 388-531-0700;

(3) Sleep studies including but not limited to polysomnograms for clients one year of age and older. MAA allows sleep studies only in outpatient hospital settings as described under WAC 388-550-6350. See also WAC 388-531-1500;

(4) Diabetes education, in a DOH-approved facility, per WAC 388-550-6300; and

(5) MAA-approved structured weight loss programs. See also WAC 388-531-1600.

NEW SECTION

WAC 388-531-0700 Inpatient chronic pain management physician-related services. (1) MAA covers inpatient chronic pain management services only when the services are obtained through an MAA-approved chronic pain facility.

(2) A client qualifies for inpatient chronic pain management services when all of the following apply:

(a) The client has had chronic pain for at least three months, that has not improved with conservative treatment, including tests and therapies;

(b) At least six months have passed since a previous surgical procedure was done in relation to the pain problem; and

(c) Clients with active substance abuse must have completed a detoxification program, if appropriate, and must be free from drugs or alcohol for six months.

(3) For chronic pain management, MAA limits coverage to only one inpatient hospital stay per client's lifetime, up to a maximum of twenty-one days.

(4) MAA reimburses for only the chronic pain management services and procedures that are listed in the fee schedule.

NEW SECTION

WAC 388-531-0750 Inpatient hospital inpatient physician-related services. (1) MAA separately reimburses the attending provider for inpatient hospital professional services rendered by the attending provider during the surgical fol-

low-up period only if the services are performed for an emergency condition or a diagnosis that is unrelated to the inpatient stay.

(2) MAA reimburses for only one inpatient hospital call per client, per day for the same or related diagnoses. If a call is included in the **global surgery reimbursement**, MAA does not reimburse separately.

(3) MAA reimburses a hospital admission related to a planned surgery through the global fee for surgery.

NEW SECTION

WAC 388-531-0800 Laboratory and pathology physician-related services. (1) MAA reimburses providers for laboratory services only when they are:

(a) Are certified according to Title XVII of the Social Security Act (Medicare), if required; and

(b) Have a clinical laboratory improvement amendment (CLIA) certificate and identification number.

(2) MAA includes a handling, packaging, and mailing fee in the reimbursement for lab tests and does not reimburse these separately.

(3) MAA reimburses only one blood drawing fee per client, per day. MAA allows additional reimbursement for an independent laboratory when it goes to a nursing facility or a private home to obtain a specimen.

(4) MAA reimburses only one catheterization for collection of a urine specimen per client, per day.

(5) MAA reimburses automated multichannel tests done alone or as a group, as follows:

(a) The provider must bill a panel if all individual tests are performed. If not all tests are performed, the provider must bill individual tests.

(b) If the provider bills one automated multichannel test, MAA reimburses the test at the individual procedure code rate, or the internal code maximum allowable fee, whichever is lower.

(c) Tests may be performed in a facility that owns or leases automated multichannel testing equipment. The facility may be any of the following:

(i) A clinic;

(ii) A hospital laboratory;

(iii) An independent laboratory; or

(iv) A physician's office.

(6) MAA allows a **STAT** fee in addition to the maximum allowable fee when a laboratory procedure is performed STAT.

(a) MAA reimburses STAT charges for only those procedures identified by the clinical laboratory advisory council as appropriate to be performed STAT.

(b) Tests generated in the emergency room do not automatically justify a STAT order, the physician must specifically order the tests as STAT.

(c) Refer to the fee schedule for a list of STAT procedures.

(7) MAA reimburses for drug screen charges only when medically necessary and when ordered by a physician as part of a total medical evaluation.

(8) MAA does not reimburse for drug screens for clients in the division of alcohol and substance abuse (DASA)-contracted methadone treatment programs. These are reimbursed through a contract issued by DASA.

(9) MAA does not cover for drug screens to monitor any of the following:

(a) Program compliance in either a residential or outpatient drug or alcohol treatment program;

(b) Drug or alcohol abuse by a client when the screen is performed by a provider in private practice setting; or

(c) Suspected drug use by clients in a residential setting, such as a group home.

(10) MAA may require a drug or alcohol screen in order to determine a client's suitability for a specific test.

NEW SECTION

WAC 388-531-0850 Laboratory and pathology physician-related services reimbursement. (1) MAA pays for clinical diagnostic laboratory procedures based on the **Medicare clinical diagnostic laboratory fee schedule (MCDLF)** for the state of Washington. MAA obtains information used to update fee schedule regulations from Program Memorandum and Regional Medicare Letters as published by HCFA.

(2) MAA updates budget-neutral fees each July by:

(a) Determining the units of service and expenditures for a base period. Then,

(b) Determining in total the ratio of current MAA fees to existing Medicare fees. Then,

(c) Determining new MAA fees by adjusting the new Medicare fee by the ratio. Then,

(d) Multiplying the units of service by the new MAA fee to obtain total estimated expenditures. Then,

(e) Comparing the expenditures in subsection (14)(d) of this section to the base period expenditures. Then,

(f) Adjusting the new ratio until estimated expenditures equals the base period amount.

(3) MAA calculates maximum allowable fees (MAF) by:

(a) Calculating fees using methodology described in subsection (2) of this section for procedure codes that have an applicable Medicare clinical diagnostic laboratory fee (MCDLF).

(b) Establishing **RSC** fees for procedure codes that have no applicable MCDLF.

(c) Establishing maximum allowable fees, or "**flat fees**" for procedure codes that have no applicable MCDLF or RSC fees. MAA updates flat fee reimbursement only when authorized by the legislature.

(d) MAA reimbursement for clinical laboratory diagnostic procedures does not exceed the regional MCDLF schedule.

(4) MAA increases fees if the legislature grants a vendor rate increase or other increase. If the legislatively authorized increase becomes effective at the same time as MAA's annual update, MAA applies the increase after calculating budget-neutral fees.

NEW SECTION

WAC 388-531-0900 Neonatal intensive care unit (NICU) physician-related services. (1) MAA pays the physician directing the care of a neonate or infant in an NICU, for NICU services.

(2) NICU services include, but are not limited to, any of the following:

- (a) Patient management;
- (b) Monitoring and treatment of the neonate, including nutritional, metabolic and hematologic maintenance;
- (c) Parent counseling; and
- (d) Personal direct supervision by the **health care team** of activities required for diagnosis, treatment, and supportive care of the patient.

(3) Payment for NICU care begins with the date of admission to the NICU.

(4) MAA reimburses a provider for only one NICU service per client, per day.

(5) A provider may bill for NICU services in addition to **prolonged services** and newborn resuscitation when the provider is present at the delivery.

NEW SECTION

WAC 388-531-0950 Office and other outpatient physician-related services. (1) MAA reimburses for the following:

- (a) Two calls per month for routine conditions in a nursing facility; and
- (b) One call per client, per day, per individual physician, except for valid call-backs to the emergency room per WAC 388-531-0500.

(2) The provider must provide justification based on medical necessity at the time of billing for visits in excess of subsection (1) of this section.

(3) See physician billing instructions for procedures that are included in the office call and cannot be billed separately.

(4) Using selected diagnosis codes, MAA reimburses the provider at the appropriate level of physician office call for history and physical procedures in conjunction with dental surgery services performed in an outpatient setting.

(5) MAA may reimburse providers for injection procedures and/or injectable drug products only when:

- (a) The injectable drug is administered during an office visit; and
- (b) The injectable drug used is from office stock and purchased from a pharmacist or drug manufacturer as described in WAC 388-530-1200.

(6) MAA does not reimburse a prescribing provider for a drug when a pharmacist dispenses the drug.

(7) MAA does not reimburse the prescribing provider for an immunization when the immunization material is received from the department of health; MAA does reimburse an administrative fee. If the immunization is given in a health department and is the only service provided, MAA reimburses a minimum E&M service.

(8) MAA reimburses immunizations at **estimated acquisition costs (EAC)** when the immunizations are not part of the vaccine for children program. MAA reimburses a sepa-

rate administration fee for these immunizations. Covered immunizations are listed in the fee schedule.

(9) MAA reimburses therapeutic and diagnostic injections subject to certain limitations as follows:

(a) MAA does not separately reimburse for intra-arterial and intravenous therapeutic or diagnostic injections provided in conjunction with intravenous infusion therapy services. MAA does reimburse separately for these injections when they are provided on the same day as an E&M service.

(b) MAA does not reimburse separately for subcutaneous or intramuscular antibiotic injections provided on the same day as an E&M service. If the injection is the only service provided, MAA covers the injection service. MAA reimburses separately for the drug.

(c) MAA reimburses injectable drugs at **acquisition cost**. The provider must document the name, strength, and dosage of the drug and retain that information in the client's file. The provider must provide an invoice when requested by MAA. This subsection does not apply to drugs used for chemotherapy; see subsection (11) in this section for chemotherapy drugs.

(d) The provider must submit a manufacturer's invoice and to document the name, strength, and dosage on the claim form when billing MAA for the following drugs:

- (i) Classified drugs that cost over one thousand, one hundred dollars;
- (ii) Unclassified drugs that cost over one hundred dollars; and
- (iii) Unclassified antineoplastic drugs that cost over five hundred dollars.

(10) MAA reimburses allergen immunotherapy only as follows:

- (a) Antigen/antigen preparation codes are reimbursed per dose.
- (b) The provider must bill the total number of doses in a multiple dose vial.
- (c) When remaining doses of a multiple dose vial are injected at subsequent times, MAA reimburses the injection service only.

(d) MAA covers both the injection and the antigen/antigen preparation code.

(e) MAA reimburses a provider separately for an E&M service if there is a diagnosis for conditions unrelated to allergen immunotherapy.

(f) MAA reimburses for **RAST** testing when the physician has written documentation in the client's record indicating that previous skin testing failed and was negative.

(11) Chemotherapy drugs.

(a) MAA reimburses for chemotherapy drugs administered in the physician's office only when:

- (i) The physician personally supervises the E&M services furnished by office medical staff; and
- (ii) The medical record reflects the physician's active participation in or management of course of treatment.

(b) MAA establishes a maximum allowable based on its pricing of the estimated acquisition cost (EAC).

(12) Notwithstanding the provisions of this section, MAA reserves the option of determining drug pricing for any particular drug based on the best evidence available to MAA

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regarding the actual cost, after discounts and promotions, paid by typical providers nationally or in Washington state.

NEW SECTION

WAC 388-531-1000 Ophthalmological physician-related services. (1) MAA covers ophthalmological services furnished by a provider as listed in WAC 388-531-0250, and subject to the limitations in this section and other published WAC.

(2) MAA requires expedited prior authorization for strabismus surgery for clients eighteen years of age and older.

(3) MAA does not cover any of the following:

- (a) Orthoptics and visual training therapy;
- (b) Two pairs of eyeglasses;
- (c) E&M services billed in combination with eye exam procedure codes;
- (d) Radial Keratotomy or other surgery for refractive purposes;
- (e) Refractive prescriptions over two years old; or
- (f) Group screening for eyeglasses (except for EPSDT).

NEW SECTION

WAC 388-531-1050 Osteopathic manipulative therapy. (1) MAA reimburses osteopathic manipulative therapy (OMT) only when OMT is provided by an osteopathic physician licensed under chapter 18.71 RCW.

(2) MAA reimburses OMT only when the provider bills using the appropriate CPT codes that involve the number of body regions involved.

(3) MAA allows an osteopathic physician to bill MAA for an E&M service in addition to the OMT when one of the following apply:

- (a) The physician diagnoses the condition requiring manipulative therapy and provides it during the same visit;
- (b) The existing related diagnosis or condition fails to respond to manipulative therapy or the condition significantly changes or intensifies, requiring E/M services beyond those included in the manipulation codes; or
- (c) The physician treats the client during the same encounter for an unrelated condition that does not require manipulative therapy.

(4) MAA limits reimbursement for manipulations to ten per client, per calendar year. Reimbursement for each manipulation includes a brief evaluation as well as the manipulation.

(5) MAA does not reimburse for physical therapy services performed by osteopathic physicians.

NEW SECTION

WAC 388-531-1100 Out-of-state physician services. (1) MAA covers medical services provided to Medicaid clients who are temporarily located outside the state, subject to the provisions of this chapter and WAC 388-501-0180.

(2) Out-of-state border areas as described under WAC 388-501-0175 are not subject to out-of-state limitations. MAA considers physicians in border areas as providers in the state of Washington.

(3) In order to be eligible for reimbursement, out-of-state physicians must meet all criteria for, and must comply with all procedures required of in-state physicians, in addition to other requirements of this chapter.

NEW SECTION

WAC 388-531-1150 Physician care plan oversight services. (1) MAA covers **physician care plan** oversight services only when:

- (a) A physician provides the service; and
 - (b) The client is served by a home health agency, a nursing facility, or a **hospice**.
- (2) MAA reimburses for physician care plan oversight services when both of the following apply:
- (a) The facility/agency has established a plan of care; and
 - (b) The physician spends thirty or more minutes per calendar month providing oversight for the client's care.
- (3) MAA reimburses only one physician per client, per month, for physician care plan oversight services.
- (4) MAA reimburses for physician care plan oversight services during the global surgical reimbursement period only when the care plan oversight is unrelated to the surgery.

NEW SECTION

WAC 388-531-1200 Physician office medical supplies. (1) Refer to RBRVS billing instructions for a list of:

- (a) Supplies that are a routine part of office or other outpatient procedures and that cannot be billed separately; and
- (b) Supplies that can be billed separately and that MAA considers nonroutine to office or outpatient procedures.

(2) MAA reimburses at acquisition cost certain supplies under fifty dollars that do not have a maximum allowable fee listed in the fee schedule. The provider must retain invoices for these items and make them available to MAA upon request.

(3) Providers must submit invoices for items costing fifty dollars or more.

(4) MAA reimburses for **sterile tray** for certain surgical services only. Refer to the fee schedule for a list of covered items.

NEW SECTION

WAC 388-531-1250 Physician standby services. (1) MAA reimburses **physician standby** services only when the standby physician does not provide care or service to other clients during this period, and either:

(a) The services are provided in conjunction with newborn care history and examination, or result in an admission to a neonatal intensive care unit on the same day; or

(b) A physician requests another physician to stand by, resulting in the prolonged attendance by the second physician without face-to-face client contact.

(2) MAA does not reimburse physician standby services when any of the following occur:

- (a) The standby ends in a surgery or procedure included in a global surgical reimbursement;
 - (b) The standby period is less than thirty minutes; or
 - (c) Time is spent proctoring another physician.
- (3) One unit of physician standby service equals thirty minutes. MAA reimburses subsequent periods of physician standby service only when full thirty minutes of standby is provided for each unit billed. MAA rounds down fractions of a thirty-minute time unit.
- (4) The provider must clearly document the need for physician standby services in the client's medical record.

NEW SECTION

WAC 388-531-1300 Podiatric physician-related services. (1) MAA covers podiatric services as listed in this section when provided by any of the following:

- (a) A medical doctor;
 - (b) A doctor of osteopathy; or
 - (c) A podiatric physician.
- (2) MAA reimburses for the following:
- (a) Nonroutine foot care when a medical condition that affects the feet (such as diabetes or arteriosclerosis obliterans) requires that any of the providers in subsection (1) of this section perform such care;
 - (b) One treatment in a sixty-day period for debridement of nails. MAA covers additional treatments in this period if documented in the client's medical record as being medically necessary;
 - (c) Impression casting. MAA includes ninety-day follow-up care in the reimbursement;
 - (d) A surgical procedure performed on the ankle or foot, requiring a local nerve block, and performed by a qualified provider. MAA does not reimburse separately for the anesthesia, but includes it in the reimbursement for the procedure; and
 - (e) Custom fitted and/or custom molded orthotic devices:
 - (i) MAA's fee for the orthotic device includes reimbursement for a biomechanical evaluation (an evaluation of the foot that includes various measurements and manipulations necessary for the fitting of an orthotic device); and
 - (ii) MAA includes an E&M fee reimbursement in addition to an orthotic fee reimbursement if the E&M services are justified and well documented in the client's medical record.
- (3) MAA does not reimburse podiatrists for any of the following radiology services:
- (a) X-rays for soft tissue diagnosis;
 - (b) Bilateral x-rays for a unilateral condition;
 - (c) X-rays in excess of two views;
 - (d) X-rays that are ordered before the client is examined;
- or
- (e) X-rays for any part of the body other than the foot or ankle.

NEW SECTION

WAC 388-531-1350 Prolonged physician-related service. (1) MAA reimburses prolonged services based on established Medicare guidelines. The services provided may or

may not be continuous. The services provided must meet both of the following:

- (a) Consist of face-to-face contact between the physician and the client; and
 - (b) Be provided with other services.
- (2) MAA allows reimbursement for a prolonged service procedure in addition to an E&M procedure or consultation, up to three hours per client, per diagnosis, per day, subject to other limitations in the CPT codes that may be used. The applicable CPT codes are indicated in the fee schedule.

NEW SECTION

WAC 388-531-1400 Psychiatric physician-related services. (1) MAA limits psychotherapy to one hour per day, per client, up to a total of twelve hours per calendar year. This includes family or group psychotherapy. Psychotherapy must be provided by a psychiatrist in the office, in the client's home, or in a nursing facility.

(2) MAA reimburses only one hospital call for direct psychiatric client care, per client, per day. Psychiatrists must bill the total time spent on direct psychiatric client care during each visit. Making rounds is considered direct client care and includes any one of the following:

- (a) Brief (up to one hour), individual psychotherapy;
 - (b) Family/group therapy;
 - (c) Electroconvulsive therapy; or
 - (d) Pharmacologic management.
- (3) MAA reimburses psychiatrists for either hospital care or psychotherapy, but not for both on the same day.
- (4) MAA reimburses psychiatrists for a medical physical examination in the hospital in addition to a psychiatric diagnostic or evaluation interview examination.
- (5) MAA reimburses only one psychiatric diagnostic interview examination in a calendar year unless a significant change in the client's circumstances renders such an evaluation medically necessary.
- (6) MAA requires psychiatrists to use hospital E&M codes when billing for daily rounds.
- (7) MAA does not cover for psychiatric sleep therapy.
- (8) Medication adjustment is the only psychiatric service for which MAA reimburses psychiatric ARNPs.
- (9) MAA reimburses for one interactive or insight oriented call per client, per day, in an office or outpatient setting. Individual psychotherapy, interactive services may be billed only for clients age twenty and younger.
- (10) DSHS providers must comply with chapters 275-55 and 275-57 WAC for hospital inpatient psychiatric admissions, and must follow rules adopted by the division of mental health or the appropriate regional support network (RSN). MAA does not reimburse for those psychiatric services that are eligible for reimbursement under those agencies.

NEW SECTION

WAC 388-531-1450 Radiology physician-related services. (1) MAA reimburses radiology services subject to the limitations in this section and under WAC 388-531-0300.

(2) MAA does not make separate payments for contrast material. The exception is low osmolar contrast media

(LOCM) used in intrathecal, intravenous, and intra-arterial injections. Clients receiving these injections must have one or more of the following conditions:

(a) A history of previous adverse reaction to contrast material. An adverse reaction does not include a sensation of heat, flushing, or a single episode of nausea or vomiting;

(b) A history of asthma or allergy;

(c) Significant cardiac dysfunction including recent or imminent cardiac decompensation, severe arrhythmias, unstable angina pectoris, recent myocardial infarction, and pulmonary hypertension;

(d) Generalized severe debilitation;

(e) Sickle cell disease;

(f) Pre-existing renal insufficiency; and/or

(g) Other clinical situations where use of any media except LOCM would constitute a danger to the health of the client.

(3) MAA reimburse separately for radiopharmaceutical diagnostic imaging agents for nuclear medicine procedures. Providers must submit invoices for these procedures when requested by MAA, and reimbursement is at acquisition cost.

(4) MAA reimburses general anesthesia for radiology procedures. See WAC 388-531-0300.

(5) MAA reimburses radiology procedures in combination with other procedures according to the rules for multiple surgeries. See WAC 388-531-1700. The procedures must meet all of the following conditions:

(a) Performed on the same day;

(b) Performed on the same client; and

(c) Performed by the same physician or more than one member of the same group practice.

(6) MAA reimburses consultation on X-ray examinations. The consulting physician must bill the specific radiological X-ray code with the appropriate **professional component** modifier.

(7) MAA reimburses for portable x-ray services furnished in the client's home or in nursing facilities, limited to the following:

(a) Chest or abdominal films that do not involve the use of contract media;

(b) Diagnostic mammograms; and

(c) Skeletal films involving extremities, pelvis, vertebral column or skull.

NEW SECTION

WAC 388-531-1500 Sleep studies. (1) MAA covers sleep studies only when all of the following apply:

(a) The study is done to establish a diagnosis of narcolepsy or of sleep apnea;

(b) The study is done only at an MAA-approved sleep study center that meets the standards and conditions in subsections (2), (3), and (4) of this section; and

(c) An ENT consultation has been done for a client under ten years of age.

(2) In order to become an MAA-approved sleep study center, a sleep lab must send MAA verification of both of the following:

(a) Sleep lab accreditation by the American Academy of Sleep Medicine; and

(b) Physician's Board Certification by the American Board of Sleep Medicine.

(3) Registered polysomnograph technicians (PSGT) must meet the accreditation standards of the American Academy of Sleep Medicine.

(4) When a sleep lab changes directors, MAA requires the provider to submit accreditation for the new director. If an accredited director moves to a facility that MAA has not approved, the provider must submit certification for the facility.

NEW SECTION

WAC 388-531-1550 Sterilization physician-related services. (1) For purposes of this section, sterilization is any medical procedure, treatment, or operation for the purpose of rendering a client permanently incapable of reproducing. A hysterectomy is a surgical procedure or operation for the purpose of removing the uterus. Hysterectomy results in sterilization, but MAA does not cover hysterectomy performed solely for that purpose. Both hysterectomy and sterilization procedures require the use of specific consent forms.

STERILIZATION

(2) MAA covers sterilization when all of the following apply:

(a) The client is at least eighteen years of age at the time consent is signed;

(b) The client is a mentally competent individual;

(c) The client has voluntarily given **informed consent** in accordance with all the requirements defined in this subsection; and

(d) At least thirty days, but not more than one hundred eighty days, have passed between the date the client gave informed consent and the date of the sterilization.

(3) MAA does not require the thirty-day waiting period, but does require at least a seventy-two hour waiting period, for sterilization in the following circumstances:

(a) At the time of premature delivery, the client gave consent at least thirty days before the expected date of delivery. The expected date of delivery must be documented on the consent form;

(b) For emergency abdominal surgery, the nature of the emergency must be described on the consent form.

(4) MAA waives the thirty-day consent waiting period for sterilization when the client requests that sterilization be performed at the time of delivery, and completes a sterilization consent form. One of the following circumstances must apply:

(a) The client became eligible for **medical assistance** during the last month of pregnancy;

(b) The client did not obtain medical care until the last month of pregnancy; or

(c) The client was a substance abuser during pregnancy, but is not using alcohol or illegal drugs at the time of delivery.

(5) MAA does not accept informed consent obtained when the client is in any of the following conditions:

- (a) In labor or childbirth;
- (b) Seeking to obtain or obtaining an abortion; or
- (c) Under the influence of alcohol or other substances that affect the client's state of awareness.

(6) MAA has certain consent requirements that the provider must meet before MAA reimburses sterilization of a **mentally incompetent** or institutionalized client. MAA requires both of the following:

- (a) A court order; and
- (b) A sterilization consent form signed by the legal guardian, sent to MAA at least thirty days prior to the procedure.

(7) MAA reimburses epidural anesthesia in excess of the six-hour limit for sterilization procedures that are performed in conjunction with or immediately following a delivery. MAA determines total billable units by:

- (a) Adding the time for the sterilization procedure to the time for the delivery; and
- (b) Determining the total billable units by adding together the delivery BAUs, the delivery time, and the sterilization time.
- (c) The provider cannot bill separately for the BAUs for the sterilization procedure.

(8) The physician identified in the "consent to sterilization" section of the DSHS-approved sterilization consent form must be the same physician who completes the "physician's statement" section and performs the sterilization procedure. If a different physician performs the sterilization procedure, the client must sign and date a new consent form at the time of the procedure that indicates the name of the physician performing the operation under the "consent for sterilization" section. This modified consent must be attached to the original consent form when the provider bills MAA.

(9) MAA reimburses all attending providers for the sterilization procedure only when the provider submits an appropriate, completed DSHS-approved consent form with the claim for reimbursement. MAA reimburses after the procedure is completed.

HYSTERECTOMY

(10) Hysterectomies performed for medical reasons may require expedited prior authorization as explained in WAC 388-531-0200(2).

(11) MAA reimburses authorization in either of the following circumstances:

- (a) The client has been diagnosed with cancer(s) of the female reproductive organs; and/or
- (b) The client is forty-six years of age or older.

(12) MAA reimburses all attending providers for the hysterectomy procedure only when the provider submits an appropriate, completed DSHS-approved consent form with the claim for reimbursement. If a prior authorization number is necessary for the procedure, it must be on the claim. MAA reimburses after the procedure is completed.

NEW SECTION

WAC 388-531-1600 Structured weight loss physician-related services. MAA covers structured outpatient weight loss only through an MAA-approved program.

NEW SECTION

WAC 388-531-1650 Substance abuse detoxification physician-related services. (1) MAA reimburses substance abuse detoxification services under state-unique codes.

(2) MAA covers physician services for three-day alcohol detoxification or five-day drug detoxification services for a client eligible for medical care program services in an MAA-enrolled hospital-based detoxification center.

(3) MAA covers treatment in programs qualified under chapter 275-25 WAC and certified under chapter 275-19 WAC or its successor.

(4) MAA covers detoxification and medical stabilization services to chemically using pregnant (CUP) women for up to twenty-seven days in an inpatient hospital setting.

NEW SECTION

WAC 388-531-1700 Surgical physician-related services. (1) MAA's global surgical reimbursement for all covered surgeries includes all of the following:

- (a) The operation itself;
- (b) Postoperative dressing changes, including:
 - (i) Local incision care and removal of operative packs;
 - (ii) Removal of cutaneous sutures, staples, lines, wire, tubes, drains, and splints;
 - (iii) Insertion, irrigation, and removal of urinary catheters, routine peripheral intravenous lines, nasogastric and rectal tubes; or
 - (iv) Change and removal of tracheostomy tubes.
- (c) All additional medical or surgical services required because of complications that do not require additional operating room procedures.

(2) MAA's global surgical reimbursement for major surgeries, includes all of the following:

- (a) Preoperative visits, in or out of the hospital, beginning on the day before surgery; and
- (b) Services by the primary surgeon, in or out of the hospital, during a standard ninety-day postoperative period.

(3) MAA's global surgical reimbursement for minor surgeries includes all of the following:

- (a) Preoperative visits beginning on the day of surgery; and
- (b) Follow-up care for zero or ten days, depending on the procedure.

(4) When a second physician provides follow-up services for minor procedures performed in hospital emergency departments, MAA does not include these services in the global surgical reimbursement. The physician may bill these services separately.

(5) MAA's global surgical reimbursement for multiple surgical procedures is as follows:

- (a) Payment for multiple surgeries performed on the same client on the same day equals one hundred percent of MAA's allowed fee for the highest value procedure. Then,
- (b) For additional surgical procedures, payment equals fifty percent of MAA's allowed fee for each procedure.
- (6) MAA allows separate reimbursement for any of the following:

- (a) The initial evaluation or consultation;

(b) Preoperative visits more than one day before the surgery;

(c) Postoperative visits for problems unrelated to the surgery; and

(d) Postoperative visits for services that are not included in the normal course of treatment for the surgery.

(7) MAA's reimbursement for endoscopy is as follows:

(a) The global surgical reimbursement fee includes follow-up care for zero or ten days, depending on the procedure.

(b) Multiple surgery rules apply when a provider bills multiple endoscopies from different endoscopy groups. See subsection (4) of this section.

(c) When a physician performs more than one endoscopy procedure from the same group on the same day, MAA pays the full amount of the procedure with the highest maximum allowable fee.

(d) MAA pays the procedure with the second highest maximum allowable fee at the maximum allowable fee minus the base diagnostic endoscopy procedure's maximum allowed amount.

(e) MAA does not pay when payment for other codes within an endoscopy group is less than the base code

(8) MAA restricts reimbursement for surgery assists to selected procedures as follows:

(a) MAA applies multiple surgery reimbursement rules for surgery assists apply. See subsection (4) of this section.

(b) Surgery assists are reimbursed at twenty percent of the maximum allowable fee for the surgical procedure.

(c) A surgical assist fee for a registered nurse first assistant (RNFA) is reimbursed if the nurse has been assigned a provider number.

(d) A provider must use a modifier on the claim with the procedure code to identify surgery assist.

(9) MAA bases payment splits between preoperative, intraoperative, and postoperative services on Medicare determinations for given surgical procedures or range of procedures. MAA pays any procedure that does not have an established Medicare payment split according to a split of ten percent - eighty percent - ten percent respectively.

(10) For preoperative and postoperative critical care services provided during a global period refer to WAC 388-531-0450.

NEW SECTION

WAC 388-531-1750 Transplant coverage for physician-related services. MAA covers transplants when performed in an MAA-approved center of excellence. See WAC 388-550-1900 for information regarding transplant coverage.

NEW SECTION

WAC 388-531-1800 Transplant coverage—Medical criteria to receive transplants. See WAC 388-550-2000 for information about medical criteria to receive transplants.

NEW SECTION

WAC 388-531-1850 Payment methodology for physician-related services—General and billing modifiers. GENERAL PAYMENT METHODOLOGY

(1) MAA bases the payment methodology for most physician-related services on Medicare's RBRVS. MAA obtains information used to update MAA's RBRVS from the MPFSPS.

(2) MAA updates and revises the following RBRVS areas each January prior to MAA's annual update.

(3) MAA determines a budget-neutral conversion factor (CF) for each RBRVS update, by:

(a) Determining the units of service and expenditures for a **base period**. Then,

(b) Applying the latest Medicare RVU obtained from the MPFSDB, as published in the MPFSPS, and GCPI changes to obtain projected units of service for the new period. Then,

(c) Multiplying the projected units of service by conversion factors to obtain estimated expenditures. Then,

(d) Comparing expenditures obtained in (c) of this subsection with base period expenditure levels.

(e) Adjusting the dollar amount for the conversion factor until the product of the conversion factor and the projected units of service at the new RVUs equals the base period amount.

(4) MAA calculates maximum allowable fees (MAFs) in the following ways:

(a) For procedure codes that have applicable Medicare RVUs, the three components (practice, malpractice, and work) of the RVU are:

(i) Each multiplied by the statewide GCPI. Then,

(ii) The sum of these products is multiplied by the applicable conversion factor. The resulting RVUs are known as RBRVS RVUs.

(b) For procedure codes that have no applicable Medicare RVUs, RSC RVUs are established in the following way:

(i) When there are three RSC RVU components (practice, malpractice, and work):

(A) Each component is multiplied by the statewide GCPI. Then,

(B) The sum of these products is multiplied by the applicable conversion factor.

(ii) When the RSC RVUs have just one component, the RVU is not GCPI adjusted and the RVU is multiplied by the applicable conversion factor.

(c) For procedure codes with no RBRVS or RSC RVUs, MAA establishes maximum allowable fees, also known as "flat" fees.

(i) MAA does not use the conversion factor for these codes.

(ii) MAA updates flat fee reimbursement only when the legislature authorizes a vendor rate increase, except for the following categories which are revised annually during the update:

(A) Immunization codes are reimbursed at EAC. (See WAC 388-530-1050 for explanation of EAC.) When the provider receives immunization materials from the department of health, MAA pays the provider a flat fee only for administering the immunization.

(B) A **cast material maximum allowable fee** is set using an average of wholesale or distributor prices for cast materials.

(iii) Other supplies are reimbursed at physicians' acquisition cost, based on manufacturers' price sheets. Reimbursement applies only to supplies that are not considered part of the routine cost of providing care (e.g., intrauterine devices (IUDs)).

(d) For procedure codes with no RVU or maximum allowable fee, MAA reimburses "by report." By report codes are reimbursed at a percentage of the amount billed for the service.

(e) For supplies that are dispensed in a physician's office and reimbursed separately, the provider's acquisition cost when flat fees are not established.

(f) MAA reimburses at acquisition cost those HCPCS J and Q codes that do not have flat fees established.

(5) The **technical advisory group** reviews RBRVS changes.

(6) MAA also makes fee schedule changes when the legislature grants a vendor rate increase and the effective date of that increase is not the same as MAA's annual update.

(7) If the legislatively authorized vendor rate increase, or other increase, becomes effective at the same time as the annual update, MAA applies the increase after calculating budget-neutral fees. MAA pays providers a higher reimbursement rate for primary health care E&M services that are provided to children age twenty and under.

(8) MAA does not allow separate reimbursement for bundled services. However, MAA allows separate reimbursement for items considered prosthetics when those items are used for a permanent condition and are furnished in a provider's office.

(9) Variations of payment methodology which are specific to particular services and which differ from the general payment methodology described in this section are included in the sections dealing with those particular services.

CPT/HCFA MODIFIERS

(10) A modifier is a code a provider uses on a claim in addition to a billing code for a standard procedure. Modifiers eliminate the need to list separate procedures that describe the circumstance that modified the standard procedure. A modifier may also be used for information purposes.

(11) Certain services and procedures require modifiers in order for MAA to reimburse the provider. This information is included in the sections dealing with those particular services and procedures, as well as the fee schedule.

NEW SECTION

WAC 388-531-1900 Reimbursement—General requirements for physician-related services. (1) MAA reimburses physicians and related providers for covered services provided to eligible clients on a fee-for-service basis, subject to the exceptions, restrictions, and other limitations listed in this chapter and other published issuances.

(2) In order to be reimbursed, physicians must bill MAA according to the conditions of payment under WAC 388-501-0150 and other issuances.

(3) MAA does not separately reimburse certain administrative costs or services. MAA considers these costs to be included in the reimbursement. These costs and services include the following:

- (a) Delinquent payment fees;
- (b) Educational supplies;
- (c) Mileage;
- (d) Missed or canceled appointments;
- (e) Reports, client charts, insurance forms, copying expenses;
- (f) Service charges;
- (g) Take home drugs; and
- (h) Telephoning (e.g., for prescription refills).

(4) MAA does not routinely pay for procedure codes which have a "#" indicator in the fee schedule. MAA reviews these codes for conformance to Medicaid program policy only as an exception to policy or as a limitation extension. See WAC 388-501-0160 and 388-501-0165.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-86-011	Advanced registered nurse practitioners (ARNP) services.
WAC 388-86-055	Laboratory services.
WAC 388-86-095	Physician services.
WAC 388-86-09601	Podiatric services.
WAC 388-86-110	X-ray services.
WAC 388-87-075	Payment—Laboratory services.
WAC 388-87-095	Payment—Physician service.

WSR 00-13-008
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed June 9, 2000, 7:59 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-07-042.

Title of Rule: Repealing WAC 388-86-100 Durable medical equipment, prosthetics, orthotics and medical supplies and 388-87-110 Durable medical equipment—Prosthetic devices; and new chapter 388-543 WAC, Durable medical equipment and related supplies, prosthetics, orthotics, medical supplies, and related services.

Purpose: The department is establishing a new chapter for durable medical equipment, chapter 388-543 WAC, so that all the rules relating to this subject will be contained in one WAC chapter. The new chapter codifies current policy

PROPOSED

and payment methodology, in compliance with *Failor's Pharmacy v. DSHS* lawsuit. The proposed rules have been written to comply with the Governor's Executive Order 97-02.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.530.

Statute Being Implemented: Chapters 74.08, 74.09 RCW.

Summary: The proposed new WAC chapter consolidates all DME rules in one chapter for ease of use. The new chapter codifies current policy and payment methodology.

Reasons Supporting Proposal: To comply with the Governor's Executive Order 97-02. To comply with *Failor's Pharmacy* lawsuit judgment.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45530, Olympia, WA 98504, (360) 725-1345; Implementation and Enforcement: Sharon Morrison, DHSQS, P.O. Box 45506, Olympia, WA 98504, (360) 725-1671.

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

Rule is necessary because of state court decision, *Failor's Pharmacy v. DSHS*, 125 WN.2d 488, 886 P.2d 147 (1994).

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule codifies current policy and payment methodology for durable medical equipment, prosthetics, and orthotics. The proposed rule implements a policy change that requires MAA to provide wheelchairs to clients in nursing facilities.

The purpose is to clearly state current policy and payment methodology, and to codify the changed policy regarding wheelchairs for clients in nursing facilities.

The anticipated effect is that providers and clients will have a clearer understanding of MAA policy, and that clients in nursing facilities will have greater access to wheelchairs.

Proposal Changes the Following Existing Rules: WAC 388-86-100 and 388-87-110 will be repealed and replaced with new chapter 388-543 WAC that incorporates a change in policy regarding wheelchairs for clients in nursing homes.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule and concludes that no new costs will be imposed on the small businesses affected by them.

RCW 34.05.328 applies to this rule adoption. The department has analyzed the proposed rule and concludes that it meets the definition of a "significant legislative rule." An analysis of the probable costs and probable benefits is available from the person listed above.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 8, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson by July 28, 2000, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by August 8, 2000.

Date of Intended Adoption: No sooner than August 9, 2000.

June 1, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Chapter 388-543 WAC

DURABLE MEDICAL EQUIPMENT AND RELATED SUPPLIES, PROSTHETICS, ORTHOTICS, MEDICAL SUPPLIES AND RELATED SERVICES

NEW SECTION

WAC 388-543-1000 Definitions for durable medical equipment (DME) and related supplies, prosthetics, and orthotics, medical supplies and related services. The following definitions and abbreviations and those found in WAC 388-500-0005 apply to this chapter. Defined words and phrases are bolded the first time they are used in the text.

"Artificial limb" - See "prosthetic device."

"Augmentative communication device (ACD)" means a medical device that transmits or produces messages or symbols, either by voice output or in writing, in a manner that compensates for the impairment or disability of a client with severe expressive or language communication and comprehension disorders. The communication device may use mechanical or electrical impulses to produce messages or symbols that supplement or replace speech.

"Base year" means the year of the data source used in calculating prices.

"By report (BR)" means a method of reimbursement for covered items, procedures, and services for which the department has no set maximum allowable fees.

"Date of delivery" means the date the client actually took physical possession of an item or equipment.

"Disposable supplies" means supplies which may be used once, or more than once, but are time limited.

"Durable medical equipment (DME)" means equipment that: (1) Can withstand repeated use;

(2) Is primarily and customarily used to serve a medical purpose;

(3) Generally is not useful to a person in the absence of illness or injury; and

(4) Is appropriate for use in the client's place of residence.

"EPSDT/healthy kids" - see WAC 388-500-0005.

"Expedited prior authorization (EPA)" means the process for obtaining authorization that must be used for selected durable medical equipment, and related supplies, prosthetics, orthotics, medical supplies and related services, in which providers use a set of numeric codes to indicate to MAA which acceptable indications/conditions/MAA-defined criteria are applicable to a particular request for DME authorization.

"Fee-for-service (FFS)," means the general payment method MAA uses to reimburse for covered medical services

provided to clients, except those services covered under MAA's managed care programs.

"Health care financing administration common procedure coding system (HCPCS)" means a coding system established by the Health Care Financing Administration to define services and procedures.

"House wheelchair" means a nursing facility wheelchair that is included in the nursing facility's per-patient-day rate under chapter 74.46 RCW.

"Nonreusable supplies" are disposable supplies, which are used once and discarded.

"Manual wheelchair" - see "wheelchair - manual."

"Orthotic device" or **"orthotic"** means a corrective or supportive device that:

(1) Prevents or corrects physical deformity or malfunction; or

(2) Supports a weak or deformed portion of the body.

"Personal or comfort item" means an item or service, which primarily serves the comfort or convenience of the client. These items or services do not contribute meaningfully to the treatment of an illness or injury or the functioning of a malformed body member.

"Personal computer (PC)" means any of a variety of electronic devices that are capable of accepting data and instructions, executing the instructions to process the data, and presenting the results. A PC has a central processing unit (CPU), internal and external memory storage, and various input/output devices such as a keyboard, display screen, and printer. A computer system consists of hardware (the physical components of the system) and software (the programs used by the computer to carry out its operations).

"Power-drive wheelchair" - see "wheelchair - power."

"Prior authorization" means a process by which clients or providers must request and receive MAA approval for certain medical equipment and related supplies, prosthetics, orthotics, medical supplies and related services, based on medical necessity, before the services are provided to clients, as a precondition for provider reimbursement. Expedited prior authorization and limitation extension are forms of prior authorization. Also see WAC 388-501-0165.

"Prosthetic device" or **"prosthetic"** means a replacement, corrective, or supportive device prescribed by a physician or other licensed practitioner of the healing arts, within the scope of his or her practice as defined by state law, to:

(1) Artificially replace a missing portion of the body;

(2) Prevent or correct physical deformity or malfunction;

or (3) Support a weak or deformed portion of the body.

"Resource based relative value scale (RBRVS)" means a scale that measures the relative value of a medical service or intervention, based on the amount of physician resources involve.

"Reusable supplies" are supplies which are to be used more than once.

"Scooter" means a federally-approved, motor-powered vehicle that:

(1) Has a seat on a long platform;

(2) Moves on either three or four wheels;

(3) Is controlled by a steering handle; and

(4) Can be independently driven by a client.

"Specialty bed" means a pressure reducing support surface, such as foam, air, water, or gel mattress or overlay.

"Three- or four-wheeled scooter" means a three- or four-wheeled vehicle meeting the definition of scooter (see "scooter") and which has the following minimum features:

(1) Rear drive;

(2) A twenty-four volt system;

(3) Electronic or dynamic braking;

(4) A high to low speed setting; and

(5) Pneumatic rear tires.

"Trendelenburg position" means a position in which the patient is lying on his or her back on a plane inclined thirty to forty degrees. This position makes the pelvis higher than the head, with the knees flexed and the legs and feet hanging down over the edge of the plane.

"Usual and customary charge" means the amount the provider typically charges to fifty percent or more of his or her non-Medicaid clients, including clients with other third-party coverage.

"Warranty-wheelchair" means a warranty, according to manufacturers' guidelines, of not less than one year from the date of purchase.

"Wheelchair - manual" means a federally-approved, nonmotorized wheelchair that can be independently propelled by a client using his or her upper extremities and fits one of the following categories:

(1) Standard:

(a) Usually is not capable of being modified;

(b) Accommodates a person weighing up to two hundred fifty pounds; and

(c) Has a warranty period of at least one year.

(2) Lightweight:

(a) Composed of lightweight materials;

(b) Capable of being modified;

(c) Accommodates a person weighing up to two hundred fifty pounds; and

(d) Usually has a warranty period of at least three years.

(3) High strength lightweight:

(a) Is usually made of a composite material;

(b) Is capable of being modified;

(c) Accommodates a person weighing up to two hundred fifty pounds;

(d) Has an extended warranty period of over three years;

and

(e) Accommodates the very active person.

(4) Hemi:

(a) Has a seat-to-floor height lower than eighteen inches to enable an adult to propel the wheelchair with one or both feet; and

(b) Is identified by its manufacturer as "Hemi" type with specific model numbers that include the "Hemi" description.

(5) Pediatric: Has a narrower seat and shorter depth more suited to pediatric patients, usually adaptable to modifications for a growing child.

(6) Recliner: Has an adjustable, reclining back to facilitate weight shifts and provide support to the upper body and head.

(7) Tilt-in-space: Has a positioning system, which allows both the seat and back to tilt to a specified angle to reduce shear or allow for unassisted pressure releases.

(8) Heavy Duty:

(a) Specifically manufactured to support a person weighing up to three hundred pounds; or

(b) Accommodating a seat width of up to twenty-two inches wide (not to be confused with custom manufactured wheelchairs).

(9) Rigid: Is of ultra-lightweight material with a rigid (nonfolding) frame.

(10) Custom heavy duty:

(a) Specifically manufactured to support a person weighing over three hundred pounds; or

(b) Accommodates a seat width of over twenty-two inches wide (not to be confused with custom manufactured wheelchairs).

(11) Custom manufactured specially built:

(a) Ordered for a specific client from custom measurements; and

(b) Is assembled primarily at the manufacturer's factory.

"Wheelchair - power" means a federally-approved, motorized wheelchair that can be independently driven by a client and fits one of the following categories:

(1) Custom power adaptable to:

(a) Alternative driving controls; and

(b) Power recline and tilt-in-space systems.

(2) Noncustom power: Does not need special positioning or controls and has a standard frame.

(3) Pediatric: Has a narrower seat and shorter depth that is more suited to pediatric patients. Pediatric wheelchairs are usually adaptable to modifications for a growing child.

NEW SECTION

WAC 388-543-1100 Scope of coverage and coverage limitations for DME and related supplies, prosthetics, orthotics, medical supplies and related services. The federal government deems durable medical equipment (DME) and related supplies, prosthetics, orthotics, and medical supplies as optional services under the **Medicaid** program, except when prescribed as an integral part of an approved plan of treatment under the home health program or required under the early and periodic screening, diagnosis and treatment (EPSDT)/**healthy kids** program. The **department** may reduce or eliminate coverage for optional services, consistent with legislative appropriations.

(1) **MAA** covers only those DME and related supplies, prosthetics, orthotics, medical supplies and related services, repairs and labor charges, listed in **MAA's** published issuances, including Washington Administrative Code (WAC), billing instructions, and numbered memoranda.

(2) **MAA** covers DME and related supplies, prosthetics, orthotics, medical supplies, related services, repairs and labor charges when all of the following apply. They must be:

(a) Within the scope of an eligible client's medical care program (see chapter 388-529 WAC);

(b) Within accepted medical or physical medicine community standards of practice;

(c) Prior authorized as described in WAC 388-543-1600, 388-543-1800, and 388-543-1900;

(d) Prescribed by a qualified **provider**, acting within the scope of the provider's practice. The prescription must state the specific item or service requested, diagnosis, prognosis, estimated length of need (weeks or months, not to exceed six months before being reevaluated), and quantity;

(e) Billed to the department as the payor of last resort only. **MAA** does not pay first and then collect from Medicare;

(f) Justified as **medically necessary** as determined by **MAA**. The provider or client must submit sufficient objective evidence to establish medical necessity. Information used to establish medical necessity includes, but is not limited to, the following:

(i) A physiological description of the client's disease, injury, impairment, or other ailment, and any changes in the client's condition written by the prescribing physician, licensed prosthetist and/or orthotist, physical therapist, occupational therapist, or speech therapist; or

(ii) Video and/or photograph(s) of the client demonstrating the impairments as well and client's ability to use the requested equipment, when applicable.

(3) **MAA** does not reimburse for DME and related supplies, prosthetics, orthotics, medical supplies, related services, and related repairs and labor charges under **fee-for-service (FFS)** when the client is any of the following:

(a) An inpatient hospital client;

(b) Eligible for both **Medicare** and Medicaid, and is staying in a **nursing facility** in lieu of hospitalization;

(c) Terminally ill and receiving hospice care; or

(d) Enrolled in a risk-based managed care plan that includes coverage for such items and/or services.

(4) **MAA** considers new technologies available through manufacturers to be noncovered unless **MAA** establishes coverage by assigning the technology a new procedure code and a reimbursement rate, or by assigning an existing procedure code. A manufacturer may request **MAA** to include new equipment/supplies in the billing instructions by sending a written request plus all of the following:

(a) Manufacturer's literature;

(b) Manufacturer's pricing;

(c) Clinical research/case studies (including FDA approval, if required); and

(d) Any additional information the manufacturer feels is important.

(5) **MAA** bases the decision to purchase or rent DME for a client, or to pay for repairs to client-owned equipment, on the least costly and/or equally effective alternative.

(6) **MAA** covers replacement batteries for purchased medically necessary DME equipment covered within this chapter.

(7) **MAA** covers the following categories of medical equipment and supplies only when they are medically necessary, prescribed by a physician or other licensed practitioner of the healing arts, are within the scope of his or her practice as defined by state law, and are subject to the provisions of this chapter and related WACs:

(a) Equipment and supplies prescribed in accordance with an approved plan of treatment under the home health program;

(b) Wheelchairs and other DME;

(c) Prosthetic/orthotic devices;

(d) Surgical/ostomy appliances and urological supplies;

(e) Bandages, dressings, and tapes;

(f) Equipment and supplies for the management of diabetes; and

(g) Other medical equipment and supplies, as listed in MAA published issuances.

(8) MAA evaluates a **BR** item, procedure, or service for its medical appropriateness and reimbursement value on a case-by-case basis.

(9) For a client in a **nursing facility**, MAA covers only the following when medically necessary. All other DME and supplies identified in MAA billing instructions are the responsibility of the nursing facility, in accordance with chapters 388-96 and 388-97 WAC. See also WAC 388-543-2900 (3) and (4). MAA covers:

(a) The purchase and repair of an **augmentative communication device (ACD)**, a wheelchair, or **specialty bed**; and

(b) The rental of a specialty bed.

NEW SECTION

WAC 388-543-1200 Providers who are eligible to provide services. (1) MAA requires a provider who supplies DME and related supplies, prosthetics, orthotics, medical supplies and related services to an MAA client to meet all of the following. The provider must:

(a) Have the proper business license;

(b) Have appropriately trained qualified staff; and

(c) Be certified, licensed and/or bonded if required, to perform the services billed to the department.

(2) MAA may reimburse qualified providers for DME and related supplies, prosthetics, orthotics, medical supplies, repairs, and related services on a fee-for-service (FFS) basis as follows:

(a) DME providers for DME and related repair services;

(b) Medical equipment dealers, pharmacies, and home health agencies under their medical vendor provider number for medical supplies, subject to the limitations in this section;

(c) Licensed prosthetics and orthotics providers who are licensed by the Washington state department of health in prosthetics and orthotics. This does not apply to medical equipment dealers and pharmacies that do not require licensure to provide selected prosthetics and orthotics; and

(d) Physicians who provide medical equipment and supplies in the physician's office. MAA may pay separately for medical supplies, subject to the provisions in MAA's **resource based relative value scale (RBRVS)** fee schedule.

(3) MAA terminates from Medicaid participation any provider who violates program regulations and policies, as described in WAC 388-502-0020.

NEW SECTION

WAC 388-543-1300 Noncovered equipment, related supplies and services, or other nonmedical equipment, supplies, and devices. MAA pays only for medical equipment, supplies, and services that are listed as covered and meet MAA's definition of DME. DME means equipment that can stand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury, and is appropriate for use in the client's place of residence. All requests for noncovered equipment, and related supplies prosthetics, orthotics, medical supplies and related services will be reviewed based on WAC 388-501-0165(8). Case-by-case exceptions will only be considered based on WAC 388-501-0160. MAA specifically excludes services and equipment in this chapter from fee-for-service (FFS) scope of coverage. This exclusion does not apply if the services and equipment are required under the EPSDT/healthy kids program, included as part of a managed care plan service package, included in a waived program, or part of one of the Medicare programs for qualified Medicare beneficiaries. Excluded services and equipment include, but are not limited to:

(1) Services, procedures, treatment, devices, drugs, or the application of associated services that the department of the Food and Drug Administration (FDA) and/or the Health Care Financing Administration (HCFA) consider investigative or experimental on the date the services are provided;

(2) Any service specifically excluded by statute;

(3) More costly services or equipment when MAA determines that less costly, equally effective services or equipment are available;

(4) A client's utility bills, even if the operation or maintenance of medical equipment purchased or rented by MAA for the client contributes to an increased utility bill;

(5) Bilirubin lights, except as rentals, for at-home newborns with jaundice;

(6) Hairpieces or wigs;

(7) Material or services covered under manufacturers' warranties;

(8) Procedures, prosthetics, or supplies related to gender dysphoria surgery;

(9) Shoe lifts less than one inch, arch supports, and non-orthopedic shoes;

(10) Supplies and equipment used during a physician office visit, such as tongue depressors and surgical gloves;

(11) Temporary prostheses or prosthetic devices dispensed for cosmetic reasons;

(12) Home improvements, including but not limited to the following:

(a) Automatic door openers for the house or garage;

(b) Saunas;

(c) Security systems, burglar alarms, call buttons, lights, light dimmers, motion detectors, and similar devices;

(d) Swimming pools;

(e) Whirlpool systems, such as jacuzzies, hot tubs, or spas; or

(f) Structural modifications of any kind to a client's house, including but not limited to, the following:

(i) Electrical rewiring for any reason;

(ii) Elevator systems, elevators, ceiling lifts and ceiling tracks, stair lifts; and

(iii) Wheelchair lifts or ramps for the home; or

(iv) Installation of bathtubs or shower stall.

(13) Nonmedical equipment, supplies, and related services, including but not limited to, the following:

(a) Back-packs, pouches, bags, baskets, or other carrying containers for use with aids to mobility;

(b) Bed wetting (Enuresis) prevention training equipment;

(c) Beds other than hospital, bed boards/conversion kits, and blanket lifters (e.g., for feet);

(d) Car seats for children under five, except for positioning car seats that are prior authorized. Refer to WAC 388-543-1700(13) for car seats;

(e) Cleaning brushes and supplies, except for ostomy-related cleaners/supplies;

(f) Diathermy machines used to produce heat by high frequency current, ultrasonic waves, or microwave radiation;

(g) Electronic communication equipment, installation services, or service rates including but not limited to the following:

(i) Devices intended for amplifying voices (e.g., microphones);

(ii) Interactive communications computer programs used between patients and healthcare providers (e.g., hospitals, physicians), for self care home monitoring, or emergency response systems and services;

(iii) Two-way radios; and

(iv) Rental of related equipment or services;

(h) Environmental control devices, such as air conditioners, air cleaners/purifiers, dehumidifiers, portable room heaters or fans (including ceiling fans), heating or cooling pads;

(i) Ergonomic equipment;

(j) Exercise classes or equipment such as exercise mats, bicycles, tricycles, stair steppers, weights, trampolines;

(k) Generators;

(l) Instructional materials, such as pamphlets and videotapes;

(m) Personal computers including laptops, computer software, printers, computer accessories (such as anti-glare shields, backup memory cards), and computer equipment other than specified in WAC 388-543-2300;

(n) Racing strollers/wheelchairs and recreational equipment;

(o) Room fresheners/deodorizers;

(p) Sitz bath, bidet or hygiene systems, paraffin bath units, and shampoo rings;

(q) Timers or electronic devices to turn things on or off;

(r) Vacuum cleaners, carpet cleaners/deodorizers, and/or pesticides/insecticides; or

(s) Wheeled reclining chairs, lounge and/or lift chairs (e.g., geri-chair, posture guard, or lazy boy).

(14) Personal and **comfort items**, including but not limited to the following:

(a) Bathroom items, such as antiperspirant, astringent, bath gel, conditioner, deodorant, moisturizer, mouthwash, powder, sanitary napkins (e.g., Kotex), shampoo, shaving

cream, shower cap, shower curtains, soap, toothpaste, towels, and weight scales;

(b) Bedding items, such as bed pads, blankets, mattress covers/bags, pillows, pillow cases/covers and sheets;

(c) Bedside items, such as bed trays, carafes, and over-the-bed tables;

(d) Clothing and accessories, such as coats, gloves (including wheelchair gloves), hats, scarves, slippers, and socks;

(e) Clothing protectors and other protective cloth furniture coverings as protection against incontinence;

(f) Cosmetics, including corrective formulations, hair depilatories, and products for skin bleaching, sun screens, and tanning;

(g) Diverter valves for bathtub;

(h) Eating/feeding utensils;

(i) Emesis basins, enema bags, peri-wash, and diaper wipes;

(j) Health club memberships;

(k) Hot or cold temperature food and drink containers/holders;

(l) Hot water bottles and cold/hot packs or pads;

(m) Impotence devices;

(n) Insect repellants;

(o) Massage equipment;

(p) Medication dispensers, such as med-collators and count-a-dose, except as obtained under the compliance packaging program. See chapter 388-530 WAC;

(q) Medicine cabinet and first aid items, such as adhesive bandages (e.g., Band-Aids, Curads), cotton balls, cotton-tipped swabs, medicine cups, thermometers, and tongue depressors;

(r) Page turners;

(s) Radio and television;

(t) Telephones, telephone arms, cellular phones, electronic beepers, and other telephone messaging services; and

(u) Toothettes and toothbrushes, waterpics, and periodontal devices whether manual, battery-operated, or electric.

(15) Certain wheelchair features and options are not considered by MAA to be medically necessary or essential for wheelchair use. This includes, but is not limited to, the following:

(a) Attendant controls (remote control devices);

(b) Canopies, including those for strollers and other equipment;

(c) Clothing guards to protect clothing from dirt, mud, or water thrown up by the wheels (similar to mud flaps for cars);

(d) Identification devices (such as labels, license plates, name plates);

(e) Lighting systems;

(f) Speed conversion kits; and

(g) Tie-down restraints.

NEW SECTION

WAC 388-543-1400 General reimbursement for DME and related services, prosthetics, orthotics, medical supplies and related services. (1) MAA reimburses a qualified provider who serves a client who is not enrolled in a

department-contracted managed care plan only when all of the following apply:

- (a) The provider meets all of the conditions in WAC 388-502-0100; and
- (b) MAA does not include the item/service for which the provider is requesting reimbursement in other reimbursement rate methodologies. Other methodologies include, but are not limited to, the following:
 - (i) Hospice providers' per diem reimbursement;
 - (ii) Hospitals' diagnosis related group (DRG) reimbursement;
 - (iii) Managed care plans' capitation rate; and
 - (iv) Nursing facilities' per diem rate.
- (2) MAA sets maximum allowable fees for medical equipment and related supplies, prosthetics, orthotics, medical supplies and related services using available published information, such as:
 - (a) Commercial databases for price comparisons;
 - (b) Manufacturers' catalogs;
 - (c) Medicare fee schedules; and
 - (d) Wholesale prices.
- (3) MAA may adopt policies, procedure codes, and/or rates that are inconsistent with those set by Medicare if MAA determines that such actions are in the best interest of its clients.
- (4) MAA updates the maximum allowable fees for medical equipment and supplies and prosthetic/orthotic devices no more than once per year, unless otherwise directed by the legislature. MAA may update the rates for different categories of medical equipment and prosthetic/orthotic devices at different times during the year.
- (5) A provider must not bill MAA for the rental or purchase of equipment supplied to the provider at no cost by suppliers/manufacturers.
- (6) MAA's maximum payment for medical equipment and supplies is the lesser of either of the following:
 - (a) Providers' **usual and customary charges**; or
 - (b) Established rates, except as provided in subsection (7)(a) of this section.
- (7) If a client is eligible for both Medicare and Medicaid, the following apply:
 - (a) MAA requires a provider to accept Medicare assignment before any Medicaid reimbursement;
 - (b) If the service provided is covered by Medicare and Medicaid, MAA pays:
 - (i) The deductible and coinsurance up to Medicare's allowed amount or MAA's allowed amount, whichever is less; or
 - (ii) For services that are not covered by Medicare but are covered by MAA, if medically necessary.
 - (8) MAA may pay for medical services rendered to a client only when MAA is the payor of last resort.
 - (9) MAA does not cover medical equipment and/or services provided to a client who is enrolled in a MAA-contracted managed care plan, but did not use the plan's participating provider.
 - (10) See WAC 388-543-2100, 388-543-2500, 388-543-2700, and 388-543-2900 for other reimbursement methodologies.

NEW SECTION

WAC 388-543-1500 When MAA purchases DME and related supplies, prosthetics, and orthotics. (1) Durable medical equipment (DME) and related supplies, prosthetics, and orthotics purchased by MAA for a client is the client's property.

(2) MAA's reimbursement for covered DME and related supplies, prosthetics, and orthotics includes all of the following:

(a) Any adjustments or modifications to the equipment that are required within three months of the **date of delivery**. This does not apply to adjustments required because of changes in the client's medical condition;

(b) Fitting and set-up; and

(c) Instruction to the client or client's caregiver in the appropriate use of the equipment, device, and/or supplies.

(3) MAA requires a provider to furnish to MAA clients only new equipment that includes full manufacturer and dealer warranties.

(4) MAA requires a dispensing provider to include a warranty on equipment for one year after the date MAA considers rented equipment to be purchased, as provided under WAC 388-543-1700(3).

(5) MAA charges the dispensing provider for any costs it incurs to have another provider repair equipment if all of the following apply:

(a) Any DME that MAA considers purchased according to WAC 388-543-1700 requires repair during the applicable warranty period;

(b) The dispensing provider is unwilling or unable to fulfill the warranty; and

(c) The client still needs the equipment.

(6) MAA charges the dispensing provider fifty percent of the total amount MAA paid toward rental and eventual purchase of the first equipment if the rental equipment must be replaced during the warranty period. All of the following must apply:

(a) Any medical equipment that MAA considers purchased according to WAC 388-543-1700 requires replacement during the applicable warranty period;

(b) The dispensing provider is unwilling or unable to fulfill the warranty; and

(c) The client still needs the equipment.

(7) Purchase orders:

(a) MAA rescinds any purchase order for a prescribed item if the equipment was not delivered to the client before the client:

(i) Dies;

(ii) Loses medical eligibility;

(iii) Becomes covered by a hospice agency; or

(iv) Becomes covered by an MAA managed care plan.

Refer to subsection (7)(c) of this section.

(b) A provider may incur extra costs for customized equipment that may not be easily resold. In these cases, for purchase orders rescinded per (a) of this subsection, MAA may pay the provider an amount it considers appropriate to help defray these extra costs. MAA requires the provider to submit justification sufficient to support such a claim.

(c) A client may become a managed care plan client before MAA completes the purchase of prescribed medical equipment. If this occurs:

- (i) MAA rescinds the purchase order until the managed care primary care provider (PCP) evaluates the client; then
- (ii) MAA requires the PCP to write a new prescription if the PCP determines the equipment is still medically necessary as defined in WAC 388-500-0005; then
- (iii) The managed care plan's applicable reimbursement policies apply to the purchase or rental of the equipment.

NEW SECTION

WAC 388-543-1600 Items and services which require prior authorization. MAA requires providers to obtain **prior authorization** for certain items and services. This includes, but is not limited to, the following:

- (1) Augmentative communication devices (ACDs);
- (2) Certain by report (BR) DME and supplies as specified in MAA's published issuances, including billing instructions and numbered memoranda;
- (3) Blood glucose monitors requiring special features;
- (4) Certain equipment rentals and certain prosthetic limbs, as specified in MAA's published issuances, including billing instructions and numbered memoranda;
- (5) Decubitus care products and supplies;
- (6) Decubitus care mattresses, including flotation or gel mattress, if the provider fails to meet the criteria in WAC 388-543-1900;
- (7) Equipment parts and labor charges for repairs or modifications and related services;
- (8) Hospital beds, if the provider fails to meet the requirements in WAC 388-543-1900;
- (9) Low air loss flotation system, if the provider fails to meet the requirements in WAC 388-543-1900;
- (10) Orthopedic shoes and selected orthotics;
- (11) Osteogenic stimulator, noninvasive, if the provider fails to meet the requirements in WAC 388-543-1900;
- (12) Positioning car seats for children under five years of age;
- (13) Transcutaneous electrical nerve stimulators, if the provider fails to meet the requirements in WAC 388-543-1900;
- (14) Wheelchairs, wheelchair accessories, wheelchair modifications, air, foam, and gel cushions, and repairs;
- (15) Wheelchair-style shower/commode chairs; and
- (16) Other DME not specifically listed in MAA's published issuances, including billing instructions and numbered memoranda, and submitted as a miscellaneous procedure code.

NEW SECTION

WAC 388-543-1700 When MAA covers rented DME.

- (1) MAA's reimbursement amount for rented durable medical equipment (DME) includes all of the following:
- (a) Delivery to the client;
 - (b) Fitting, set-up, and adjustments;
 - (c) Maintenance, repair and/or replacement of the equipment; and

(d) Return pickup by the provider.

(2) MAA requires a dispensing provider to ensure the DME rented to a MAA client is both of the following:

- (a) In good working order; and
 - (b) Comparable to equipment the provider rents to clients with similar medical equipment needs who are either private pay clients or who have other third-party coverage.
- (3) MAA considers rented equipment to be purchased after twelve months' rental unless one of the following apply:
- (a) The equipment is restricted as rental only; or
 - (b) Other MAA published issuances state otherwise.
- (4) MAA rents, but does not purchase, certain medically necessary equipment for clients. This includes, but is not limited to, the following:

- (a) Bilirubin lights for newborns at home with jaundice; and
 - (b) Electric breast pumps.
- (5) MAA's minimum rental period for covered DME is one day.
- (6) If a client becomes ineligible before the end of the month, MAA stops paying for any rented equipment effective the date the client becomes ineligible.
- (7) If a fee-for-service (FFS) client becomes a managed care plan client, both of the following apply:

- (a) MAA stops paying for any rented equipment on the last day of the month preceding the month in which the client becomes enrolled in the managed care plan; and
 - (b) The plan determines the client's continuing need for the equipment and is responsible for reimbursing the provider.
- (8) MAA stops paying for any rented equipment effective the date of a client's death. MAA prorates monthly rentals as appropriate.

(9) For a client who is eligible for both Medicaid and Medicare, MAA pays only the client's coinsurance and deductibles. MAA discontinues paying client's coinsurance and deductibles for rental equipment when either of the following applies:

- (a) The reimbursement amount reaches Medicare's reimbursement cap for the equipment; or
 - (b) Medicare considers the equipment purchased.
- (10) MAA does not obtain or pay for insurance coverage against liability, loss and/or damage to rental equipment that a provider supplies to a MAA client.

NEW SECTION

WAC 388-543-1800 Prior authorization—General policies for DME and related supplies, prosthetics, orthotics, medical supplies and related services. (1) A provider/vendor may obtain **expedited prior authorization (EPA)** from MAA according to WAC 388-543-1900.

(2) For prior authorization requests, MAA requires the prescribing provider to furnish patient-specific justification for base equipment and each requested line item accessory or modification as identified by the manufacturer as a separate charge. MAA does not accept general standards of care or industry standards for generalized equipment as justification.

(3) When MAA receives an initial request for prior authorization, the prescription(s) for those items or services cannot be older than three months from the date MAA receives the request.

(4) MAA authorizes BR items that require prior authorization and are listed in MAA's published issuances, including billing instructions and numbered memoranda, only if medical necessity is established and the provider furnishes all of the following information to MAA:

- (a) A detailed description of the item or service to be provided;
- (b) The cost or charge for the item;
- (c) A copy of the manufacturer's invoice, price-list or catalog with the product description for the item being provided; and
- (d) A detailed explanation of how the requested item differs from an already existing code description.

(5) MAA requires certain information from providers in order to prior authorize the purchase or rental of equipment. This information includes, but is not limited to, the following:

- (a) The manufacturer's name;
- (b) The equipment model and serial number;
- (c) A detailed description of the item; and
- (d) Any modifications required, including the product or accessory number as shown in the manufacturer's catalog.

(6) MAA prior authorizes payment for repair and modification of client-owned equipment only when the criteria in subsection (1) of this section are met. Requests for repairs must include the information listed in subsection (5) of this section.

(7) MAA does not reimburse for purchase, rental, or repair of medical equipment that duplicates equipment the client already owns or rents. If the requesting provider makes such a request, MAA requires the provider to submit for prior authorization and explain the following:

- (a) Why the existing equipment no longer meets the client's medical needs; or
- (b) Why the existing equipment could not be repaired or modified to meet those medical needs.

(8) MAA denies a request for an item when a less costly, equally effective alternative is available that will meet the client's medical needs. MAA informs the provider and/or the client of a less costly alternative from MAA's manufacturers' literature on file.

(9) A provider may resubmit a request for prior authorization for an item or service that MAA has denied. MAA requires the provider to include new documentation that is relevant to the request.

(10) MAA authorizes rental equipment for a specific period of time. The provider must request authorization from MAA for any extension of the rental period.

NEW SECTION

WAC 388-543-1900 Expedited prior authorization criteria for DME and related supplies, prosthetics, orthotics, medical supplies, and related services. (1) The expedited prior authorization process (EPA) is designed to

eliminate the need for written and telephonic requests for prior authorization for selected DME procedure codes. MAA allows payment during a continuous twelve-month period for this process.

(2) MAA requires a provider to create an authorization number for EPA for selected DME procedure codes. The process and criteria used to create the authorization number is explained in MAA published DME-related billing instructions. The authorization number must be used when the provider bills MAA.

(3) The written or telephonic request for prior authorization process must be used when a situation does not meet the criteria for a selected DME code or a requested rental exceeds the limited rental period indicated.

(4) Upon request, a provider must provide documentation to MAA showing how the client's condition met the criteria for EPA in subsection (2) of this section.

(5) MAA may recoup any payment made to a provider under this section if the provider did not follow the expedited authorization process and criteria. Refer to WAC 388-502-0100.

NEW SECTION

WAC 388-543-2000 Wheelchairs. (1) MAA purchases a wheelchair for a client when MAA determines that a wheelchair is medically necessary for more than six months.

(2) The following apply when MAA determines that a wheelchair is medically necessary for six months or less:

- (a) If the client lives at home, MAA rents a wheelchair for the client; or
- (b) If the client lives in a nursing facility, the nursing facility must provide a **house wheelchair** as part of the per diem rate paid by AASA.

(3) MAA considers rental or purchase of a **manual wheelchair** if the client is nonambulatory or has limited mobility and requires a wheelchair to participate in normal daily activities. MAA determines the type of manual wheelchair based on the following:

- (a) A standard wheelchair if the client's medical condition requires the client to have a wheelchair to participate in normal daily activities;
- (b) A standard lightweight wheelchair if the client's medical condition is such that the client:
 - (i) Cannot self-propel a standard weight wheelchair; or
 - (ii) Requires custom modifications that cannot be provided on a standard weight wheelchair; and
- (c) A high-strength lightweight wheelchair for a client:
 - (i) Whose medical condition is such that the client cannot self-propel a lightweight or standard weight wheelchair; or

(ii) Requires custom modifications that cannot be provided on a standard weight or lightweight wheelchair.

(d) A heavy duty wheelchair for a client who requires a specifically manufactured wheelchair designed to:

- (i) Support a person weighing up to three hundred pounds; or

(ii) Accommodate a seat width up to twenty-two inches wide (not to be confused with custom heavy duty wheelchairs).

(e) A custom heavy duty wheelchair for a client who requires a specifically manufactured wheelchair designed to:

(i) Support a person weighing over three hundred pounds; or

(ii) Accommodate a seat width over twenty-two inches wide.

(f) A rigid wheelchair for a client:

(i) With a medical condition that involves severe upper extremity weakness;

(ii) Who has a high level of activity; and

(iii) Who is unable to self-propel any of the above categories of wheelchair.

(g) A custom manufactured wheelchair for a client with a medical condition requiring wheelchair customization that cannot be obtained on any of the above categories of wheelchairs.

(4) MAA considers a **power-drive wheelchair** only if the client's medical needs cannot be met by a less costly means of mobility. The prescribing physician must certify that the client can safely and effectively operate a power-drive wheelchair and that the client meets all of the following conditions:

(a) The client has severe abnormal upper extremity weakness and the extent of impairment is documented;

(b) The client's medical condition negates his or her ability to self-propel any of the wheelchairs listed in the manual wheelchair category; and

(c) A power-drive wheelchair will provide the client the only means of independent mobility; or

(d) A power-drive wheelchair will enable a child to achieve age-appropriate independence and developmental milestones.

(e) The following additional information is required for a three or four-wheeled power-drive scooter/cart:

(i) The prescribing physician certifies that the client's condition is stable; and

(ii) The client is unlikely to require a standard power-drive wheelchair within the next two years.

(5) MAA considers the power-drive wheelchair to be the client's primary chair when the client has both a power-drive wheelchair and a manual wheelchair.

(6) In order to consider purchasing a wheelchair, MAA requires the provider to submit the following information from the prescribing physician or occupational therapist:

(a) Specific medical justification for the make and model of wheelchair requested;

(b) Define the degree and extent of the client's impairment (such as stage of decubitus, severity of spasticity or flaccidity, degree of kyphosis or scoliosis); and

(c) Documented outcomes of less expensive alternatives (aids to mobility) that have been tried by the client.

(7) In addition to the basic wheelchair, MAA may consider wheelchair accessories or modifications that are specifically identified by the manufacturer as separate line item charges. The provider must submit specific medical justification for each line item, with the modification request.

(8) MAA considers wheelchair modifications to a medically necessary wheelchair when the provider submits all of the following with the modification request:

(a) The make, model, and serial number of the wheelchair to be modified;

(b) The modification requested; and

(c) Specific information regarding the client's medical condition that necessitates the modification.

(9) MAA may consider wheelchair repairs to a medically necessary wheelchair; the provider must submit to MAA the make, model, and serial number of the wheelchair for which the repairs are requested.

(10) MAA may cover two wheelchairs, a manual wheelchair and a power-drive wheelchair, for a noninstitutionalized client in certain situations. One of the following must apply:

(a) The architecture of the client's home is completely unsuitable for a power-drive wheelchair, such as narrow hallways, narrow doorways, steps at the entryway, and insufficient turning radii;

(b) The architecture of the client's home bathroom is such that power-drive wheelchair access is not possible, and the client needs a manual wheelchair to safely and successfully complete bathroom activities and maintain personal cleanliness;

(c) The client has a power-drive wheelchair, but also requires a manual wheelchair because the power-drive wheelchair cannot be transported to meet the client's community, workplace, or educational activities; the manual wheelchair would allow the caregiver to transport the client in a standard automobile or van. In these cases, MAA requires the client's situation to meet both of the following conditions:

(i) The client's activities that require the second wheelchair must be located farther than one-fourth of a mile from the client's home; and

(ii) Cabulance, public buses, or personal transit are neither available, practical, nor possible for financial or other reasons.

NEW SECTION

WAC 388-543-2100 Wheelchairs—Reimbursement methodology. (1) MAA reimburses a DME provider for purchased wheelchairs for a home or nursing facility client based on the specific brand and model of wheelchair dispensed. MAA decides which brands and/or models of wheelchairs are eligible for reimbursement based on all of the following:

(a) The client's medical needs;

(b) Product quality;

(c) Cost; and

(d) Available alternatives.

(2) For HCPCS codes for wheelchair rentals and wheelchair accessories (e.g., cushions and backs), MAA uses the Medicare fees that are current on April 1 of each year.

(3) For state-assigned procedure codes, including those listed as BR, for wheelchairs and wheelchair accessories, MAA's maximum allowable reimbursement is based on a percentage of the manufacturer's list price in effect on Janu-

ary 31 of the **base year**, or the invoice for the specific item. This applies to the following:

- (a) For basic standard wheelchairs, sixty-five percent;
 - (b) For add-on accessories and parts, eighty-four percent;
 - (c) For upcharge modifications and cushions, eighty percent;
 - (d) For all other manual wheelchairs, eighty percent; and
 - (e) For all other power-drive wheelchairs, eighty-five percent.
- (4) MAA determines rental reimbursement for categories of manual and power-driven wheelchairs based on average market rental rates or Medicare rates.
- (5) MAA evaluates and updates the wheelchair fee schedule once per year.
- (6) MAA implements wheelchair rate changes on April 1 of the base year, and the rates are effective until the next rate change.

NEW SECTION

WAC 388-543-2200 Augmentative communication devices (ACD). (1) MAA considers all requests on a case-by-case basis for augmentative communication devices (ACDs) for the purpose of relaying medical information.

(2) MAA requires a provider to submit a prior authorization request for ACDs. The request must be in writing and contain all of the following information:

- (a) A detailed description of the client's therapeutic history;
- (b) An assessment by a licensed speech pathologist of the client's verbal capabilities. The pathologist must be knowledgeable about selecting ACDs that meet the client's needs;
- (c) If the client has a physical disability, condition, or impairment that requires equipment, such as a wheelchair, or a device to be specially adapted to accommodate an ACD, an assessment by the prescribing physician, licensed occupational therapist or physical therapist; and
- (d) Documented trials of each ACD that the client has tried. This includes less costly types/models, and the effectiveness of each device in promoting the client's ability to communicate with health care providers and caregivers.

(3) MAA requires the provider to show or the client to demonstrate all of the following:

- (a) The client has reliable and consistent motor response, which can be used to communicate with the help of an ACD;
- (b) The client has the cognitive ability to effectively and independently utilize the equipment; and
- (c) With the ADC, the client will be able to do all of the following:
 - (i) Communicate with the personal physician about the medical condition, complaint, ailment, or symptoms;
 - (ii) Communicate with the personal caregiver about both urgent medical needs and routine personal care needs;
 - (iii) Communicate with medical personnel who provide emergency services, rehabilitative care, and other therapeutic treatment;

(iv) Improve expressive communication skills, vocabulary, and understanding; and

(v) Attain specific speech therapy goals and objectives in the speech treatment or training plan.

(4) MAA covers ACDs only once every two years for a client who meets the criteria in subsection (3) of this section. MAA does not approve a new or updated component, modification, or replacement model for a client whose ACD is less than two years old. MAA may make exceptions to the criteria in subsection (3) of this section based strictly on a finding of unforeseeable and significant changes to the client's medical condition. The prescribing physician is responsible for justifying why the changes in the client's medical condition were unforeseeable.

NEW SECTION

WAC 388-543-2300 Bathroom/shower equipment.

(1) MAA considers a caster-style shower commode chair as the primary option for clients.

(2) MAA considers a wheelchair-style shower commode chair only if the client meets both of the following:

- (a) Is able to propel the equipment; and
- (b) Has special positioning needs that cannot be met by a caster-style chair.

NEW SECTION

WAC 388-543-2400 Hospital beds. (1) MAA bases the decision to rent or purchase a hospital bed on the length of time the client needs the bed, as follows:

- (a) MAA initially authorizes a maximum of two months rental for a short-term need. Upon request, MAA may allow extensions as medically necessary;
- (b) MAA determines rental on a month-to-month basis if a client's prognosis is poor;
- (c) MAA considers a purchase if the need is for more than six months;
- (d) If the client continues to have a medical need for a hospital bed after six months, MAA may approve rental for up to an additional six months. MAA considers the equipment to be purchased after a total of twelve months' rental.

(2) MAA considers a manual hospital bed the primary option when the client has full-time caregivers.

(3) MAA considers a full electric hospital bed only if the client meets all of the following criteria:

- (a) The client's medical need requires the client to be positioned in a way that is not possible in a regular bed;
- (b) The position cannot be attained through less costly alternatives (e.g., the use of bedside rails, a trapeze, pillows, bolsters, rolled up towels or blankets);
- (c) The client's medical condition requires immediate position changes;
- (d) The client is able to operate the controls independently; and
- (e) The client needs to be in the **Trendelenburg position**.

NEW SECTION

WAC 388-543-2500 Reimbursement methodology for other durable medical equipment. (1) For the purposes of this section, MAA uses the following terms:

(a) **"Other durable medical equipment (other DME)"** means all durable medical equipment, excluding wheelchairs and related items.

(b) **"Pricing cluster"** means a group of discounted manufacturers' list prices and/or dealer's costs for brands/models of other DME that MAA uses to calculate the reimbursement rate for a procedure code that does not have a fee established by Medicare. MAA uses the discounted manufacturer list price for a brand/model unless that price is not available.

(2) MAA establishes reimbursement rates for purchased other DME.

(a) For HCPCS procedure codes that have a Medicare rate established for a new purchase, MAA uses the rate that is in effect on January first of the year in which MAA sets the reimbursement.

(b) For all other procedure codes, MAA uses a pricing cluster to establish the rate.

(3) Establishing a pricing cluster and reimbursement rates.

(a) In order to make up a pricing cluster for a procedure code, MAA determines which brands/models of other DME its clients most frequently use. MAA obtains prices for these brands/models from manufacturer catalogs or commercial databases. MAA may change or otherwise limit the number of brands/models included in the pricing cluster, based on the following:

- (i) Client medical needs;
- (ii) Product quality;
- (iii) Introduction of new brands/models;
- (iv) A manufacturer discontinuing or substituting a brand/model; and/or
- (v) Cost.

(b) If a manufacturer list price is not available for any of the brands/models used in the pricing cluster, MAA calculates the reimbursement rate at the manufacturer's published cost to providers plus a thirty-five percent mark-up.

(c) For each brand used in the pricing cluster, MAA discounts the manufacturer's list price by twenty percent.

(i) If six or more brands/models are used in the pricing cluster, MAA calculates the reimbursement rate at the seventieth percentile of the pricing cluster.

(ii) If five brands/models are used in the pricing cluster, MAA establishes the reimbursement rate at the fourth highest discounted list price, as described in (b) of this subsection.

(iii) If four brands/models are used in the pricing cluster, MAA establishes the reimbursement rate at the third highest discounted list price, as described in (b) of this subsection.

(iv) If three brands/models are used in the pricing cluster, MAA establishes the reimbursement rate at the third highest discounted list price, as described in (b) of this subsection.

(v) If two or fewer brands/models are used in the pricing cluster, MAA establishes the reimbursement rate at the highest discounted list price, as described in (b) of this subsection.

(4) Rental reimbursement rates for other DME.

(a) MAA sets monthly rental rates at one-tenth of the purchase reimbursement rate as it would be calculated as described in subsections (2) and (3) of this section.

(b) MAA sets daily rental rates at one-three hundredth of the purchase reimbursement rate as it would be calculated as described in subsections (2) and (3) of this section.

(5) MAA annually evaluates and updates reimbursement rates for other DME.

NEW SECTION

WAC 388-543-2600 Prosthetics and orthotics. (1) MAA reimburses for prosthetics and orthotics to licensed prosthetic and orthotic providers only. This does not apply to selected prosthetics and orthotics that do not require specialized skills to provide.

(2) MAA does not cover prosthetics dispensed for purely cosmetic reasons.

(3) MAA covers a replacement prosthesis only when the purchase of a replacement prosthesis is less costly than repairing or modifying a client's current prosthesis.

(4) MAA requires the client to take responsibility for routine maintenance of a prosthetic or orthotic. If the client does not have the physical or mental ability to perform the task, MAA requires the client's caregiver to be responsible. MAA authorizes extensive maintenance that the manufacturer recommends be performed by an authorized dealer.

NEW SECTION

WAC 388-543-2700 Prosthetics and orthotics—Reimbursement methodology. (1) MAA determines reimbursement for prosthetics and orthotics according to a set fee schedule. MAA considers Medicare's current fee schedule when determining maximum allowable fees. For BR codes, MAA reimburses eighty-five percent of the agreed upon fee.

(2) MAA's reimbursement for a prosthetic or orthotic includes the cost of any necessary molds.

(3) MAA's hospital reimbursement rate includes any prosthetics and/or orthotics required for surgery and/or placed during the hospital stay.

(4) MAA evaluates and updates the maximum allowable fees for prosthetics and orthotics once per year, independent of scheduled legislatively authorized vendor rate increases.

(5) MAA implements fee schedule changes for prosthetics and orthotics July 1 of each year. Rates remain effective until the next rate change.

NEW SECTION

WAC 388-543-2800 Reusable and disposable medical supplies. (1) MAA requires that a physician prescribe reusable and disposable medical supplies. The prescription must state the specific item or service requested, diagnosis, prognosis, estimated length of need (weeks or months, not to exceed six months before being re-evaluated), and quantity.

(2) MAA categorizes medical supplies and non-DME (MSE) as follows:

- (a) Antiseptics and germicides;
- (b) Bandages, dressings, and tapes;

- (c) Blood monitoring supplies;
- (d) Braces, belts, and supportive devices;
- (e) Decubitus care products;
- (f) Ostomy supplies;
- (g) Pregnancy-related testing kits and nursing equipment;
- (h) Supplies associated with osteogenesis stimulators;
- (i) Supplies associated with transcutaneous electrical nerve stimulators (TENS);
- (j) Syringes and needles;
- (k) Urological supplies; and
- (l) Miscellaneous supplies.

NEW SECTION

WAC 388-543-2900 Medical supplies and nondurable medical equipment (MSE)—Reimbursement methodology. (1) MAA determines rates for each category of medical supplies and non-DME (MSE) using either the:

- (a) Medicare fee schedule; or
- (b) Manufacturers' catalogs and commercial databases for price comparisons.

(2) MAA evaluates and updates the maximum allowable fees for MSE as follows:

- (a) For HCPCS MSE codes, MAA considers the current Medicare fee schedule;
- (b) For all MSE with state-assigned procedure codes, when the legislature mandates a vendor rate increase or decrease.

(c) MAA sets the maximum allowable fees for new MSE using one of the following:

- (i) Medicare's fee schedule; or
- (ii) For those items without a Medicare fee, commercial databases to obtain all brands to make up MAA's pricing cluster. MAA establishes the fee for products in the pricing cluster by using the lesser of either:

- (A) Eighty-five percent of the average manufacturer's list price; or
- (B) One hundred twenty-five percent of the average dealer cost.

(d) All the brands for which MAA obtains pricing information make up MAA's pricing cluster. However, MAA may limit the number of brands included in the pricing cluster if doing so is in the best interests of its clients. MAA considers all of the following:

- (i) A client's medical needs;
- (ii) Product quality;
- (iii) Cost; and
- (iv) Available alternatives.

(4) MAA's nursing facility per diem rate includes any reusable and disposable medical supplies that may be required for a nursing facility client. MAA may reimburse the following medical supplies separately for a client in a nursing facility:

- (a) Medical supplies or services that replace all or parts of the function of a permanently impaired or malfunctioning internal body organ. This includes, but is not limited to the following:

- (i) Colostomy and other ostomy bags and necessary supplies; and
- (ii) Urinary retention catheters, tubes, and bags, excluding irrigation supplies;
- (b) Supplies for intermittent catheterization programs, for the following purposes:
 - (i) Long term treatment of atonic bladder with a large capacity; and
 - (ii) Short term management for temporary bladder atony;
- (c) Surgical dressings required as a result of a surgical procedure, for up to six weeks after surgery.
- (5) MAA considers decubitus care products to be included in the nursing facility per diem rate and does not reimburse for these separately.

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 388-543-3000 DME and supplies provided in physician's office. MAA does not pay a DME provider for medical supplies used in conjunction with a physician office visit. MAA pays the office physician for these supplies, as stated in the RBRVS, when it is appropriate.

WSR 00-14-008

PROPOSED RULES

DEPARTMENT OF FISH AND WILDLIFE

[Filed June 26, 2000, 11:15 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-076.

Title of Rule: Ballast water management and control—Reporting and sampling requirements.

Purpose: To regulate the discharge of ballast water to minimize the risk of introducing new nonindigenous species.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Statute Being Implemented: Section 7, chapter 107, Laws of 2000.

Summary: The proposed rule requires incoming vessels to report ballast water management information to the department, and allows for ballast water to be sampled and tested for monitoring compliance with requirements for open ocean exchange.

Reasons Supporting Proposal: Nonindigenous species introduced into Washington waters via ballast water from shipping vessels have the potential to cause economic and environmental damage.

Name of Agency Personnel Responsible for Drafting: Scott S. Smith, 1111 Washington Street S.E., Olympia, WA, (360) 902-2724; Implementation: Lew Atkins, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2325; and

Enforcement: Bruce Bjork, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2373.

Name of Proponent: Washington Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule establishes ballast water management and monitoring guidelines for vessels entering Washington state waters, limited vessel exceptions are provided. All nonexempt vessels must provide the Department of Fish and Wildlife with ballast water management information required by the United States Coast Guard. The rule's mandatory reporting requirements apply to vessels intending to discharge ballast water into Washington waters from a voyage. Under this rule, a vessel may not discharge ballast water into state waters unless it has undergone an open ocean exchange at least fifty miles offshore, using methodologies recognized by the United States Coast Guard. An exemption is provided if, in the opinion of the vessel's master, such an exchange would threaten the safety of the vessel or its crew, or extraordinary conditions exist such as vessel design limitations or equipment failure.

To monitor for compliance with the rule, and the effectiveness of efforts to prevent the introduction of invasive species, the department is allowed to sample ballast water and sediment and examine ballast water management records.

Under the new legislation, beginning on January 1, 2002, a vessel may treat its ballast water in a manner certified by the United States Coast Guard and/or the department in lieu of an open ocean exchange. The department is directed to develop and adopt ballast sampling and testing protocols and standards for exchanged or treated ballast water discharges. The sampling allowed under this rule will be used in scientific research and development of these protocols and standards.

The purpose of the rule is to minimize the risk of introducing new nonindigenous species into state waters. Current efforts to manage introductions via ballast water under the voluntary United States Coast Guard program do not address coastal shipping, and have not proven to be adequate.

Proposal does not change existing rules.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping, and Other Compliance Requirements of the Proposed Rule: Ballast water management reporting to the Department of Fish and Wildlife is required of the masters of vessels entering Washington waters. Recordkeeping will be done by the department in cooperation with the marine trade associations.

2. Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements: None required.

3. Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs: The reporting required by this rule is a copy of a report already being filed with the United States Coast Guard. There should not be any increased costs.

4. Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue? No.

5. Cost of Compliance for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rules Using One or More of the Following as a Basis for Comparing Costs:

- Cost per employee;
- Cost per hour of labor; or
- Cost per one hundred dollars of sales.

Should a vessel owner elect to file through a local marine trade association it may result in a slightly increased burden equal to approximately 1/8 FTE, or approximately \$4,000 per year to that association.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So: No steps have been taken, as the costs of compliance are very small and the marine trade associations requested that they be included as a viable alternative to filing directly.

7. A Description of How the Agency Will Involve Small Businesses in the Development of the Rule: The rule impacts the shipping vessel industry, which does not usually involve small businesses. However, the rule may encourage the development of new small businesses to be involved in independent sampling and monitoring, or in the development of ballast water treatment technologies.

8. A List of Industries That Will Be Required to Comply with the Rule: The shipping vessel industry.

A copy of the statement may be obtained by writing to Scott S. Smith, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2724, fax (360) 902-2944.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. These are not hydraulic rules.

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA 98188, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 25, 2000, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2944, by August 10, 2000.

Date of Intended Adoption: August 11, 2000.

June 26, 2000

Evan Jacoby
Rules Coordinator

NEW SECTION

WAC 220-77-090 Ballast water management and control—Reporting and sampling requirements. (1) At least 24 hours before a vessel subject to Chapter 108, Laws of 2000, enters Washington waters intending to discharge ballast water, or 24 hours prior to the actual discharge of the ballast water, the master of the vessel must report ballast water management information in written or electronic form to the Washington Department of Fish and Wildlife (WDFW). This information may be submitted by filing a ballast water report pursuant to 33 CFR Ch. 1 § 151.1045, or the report may be

forwarded through a recognized marine trade association in a timely manner. Failure to comply may trigger civil penalties under Section 8 Chapter 108, Laws 2000.

(2) WDFW, with assistance from recognized marine trade associations, will compile the ballast water management information required under subsection (1) of this section, compare ballast water reports with vessel arrivals, determine vessel reporting rates, and evaluate the adequacy of ballast water exchange monitoring.

(3) WDFW may at reasonable times and in a reasonable manner, during a vessel's scheduled stay in port, take samples of ballast water and sediment, may examine ballast water management records, and may make other appropriate inquiries to assess the compliance of vessels with ballast water reporting and control requirements.

(4) No vessel may discharge ballast water into state waters if the ballast water has a salinity level less than thirty parts per thousand and viable aquatic organisms, unless specifically exempted in Chapter 108, laws of 2000.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 00-14-019

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF LICENSING

[Filed June 28, 2000, 1:48 p.m.]

The Department of Licensing hereby withdraws WSR 00-12-084 filed with your office on June 6, 2000.

Deborah McCurley, Administrator
Title and Registration Services

WSR 00-14-020

PROPOSED RULES DEPARTMENT OF FISH AND WILDLIFE

[Filed June 28, 2000, 4:24 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-02-085.

Title of Rule: Amend commercial fishing rules.

Purpose: To prohibit bottom trawling in the western Strait of Juan de Fuca and in state coastal waters (zero to three miles).

Statutory Authority for Adoption: RCW 75.08.080.

Statute Being Implemented: RCW 75.08.080.

Summary: Trawling activity will be disallowed in the coastal inshore waters and in the western Strait of Juan de Fuca.

Reasons Supporting Proposal: The coastal trawl fishery inside three miles was allowed to provide an opportunity for a flatfish fishery, however, the few landings that have occurred since that action have been primarily of black rockfish, a species with a policy intent of providing for the inshore

recreational fishery. This action will meet the policy intent of the department. The western Strait of Juan de Fuca (Area 29) allows trawl roller gear which is banned in all other state waters, both inside Puget Sound and in coastal waters. Commercial bottom fish trawl landings from this area have been small and inconsistent over time. This action will provide rule consistency in all state waters and be consistent with adjacent ocean waters.

Name of Agency Personnel Responsible for Drafting: Morris Barker, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2826; Implementation: Lew Atkins, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2325; and Enforcement: Bruce Bjork, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2373.

Name of Proponent: Washington Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule will ban bottom trawl gear in coastal state waters (zero to three miles) and in the western Strait of Juan de Fuca (Area 29). The purpose of the rule is to meet the recreational policy intent for the harvest of the coastal black rockfish stocks and to provide regulatory consistency for trawl gear in Area 29 that will be consistent with adjacent coastal waters. Anticipated effects is to remove black rockfish harvest by means of trawl gear in the coastal inshore waters, provide additional protection to inshore depleted marine fish species, and reduce potential bottom habitat impacts in state waters.

Proposal Changes the Following Existing Rules: Closes trawl fishing in coastal state waters and in the western Strait of Juan de Fuca (Area 29).

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping, and Other Compliance Requirements of the Proposed Rule: No reporting or recordkeeping will be required - compliance requires a cessation of trawl activities in the areas described.

2. Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements: None required.

3. Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs: No costs for compliance.

4. Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue? Yes.

5. Cost of Compliance for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rules Using One or More of the Following as a Basis for Comparing Costs:

- Cost per employee;
- Cost per hour of labor; or
- Cost per one hundred dollars of sales.

In regards to the ocean fishery occurring in the zero to three mile area of the coast, the shrimp trawl activities take place outside of this zone so no compliance costs will occur

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for these fishers. The food fish trawlers in this same area have landed catches with estimated annual average fleet values of \$911.31 per license holder over the last three years, this will be the average cost of compliance. In the Marine Fish/Shellfish Catch Reporting Area 29, the shrimp trawl fishery has made no landings from this area so no compliance costs would be incurred. Food fish trawlers have an estimated annual average fleet value over the last three years of \$86/yr, this will be the average cost of compliance.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So: No steps taken as the costs of compliance are very small compared to the values landed in other open areas where these license holders can still participate.

7. A Description of How the Agency Will Involve Small Businesses in the Development of the Rule: A mailing will be sent to all affected license holders inviting participants to a discussion on the proposed rule. The information gathered will be shared with the Fish and Wildlife Commission which will also hold a public hearing where testimony will be taken prior to action on the proposed rules.

8. A List of Industries That Will Be Required to Comply with the Rule: The Puget Sound food fish trawl industry, the Puget Sound shrimp trawl industry, the coastal food fish trawl industry, the coastal pink shrimp trawl industry, the coastal spot shrimp trawl industry and the coastal scallop trawl industry.

A copy of the statement may be obtained by writing to Morris Barker, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2826, fax (360) 902-2944.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not hydraulic rules.

Hearing Location: Best Western Hotel, Southcenter, 15901 West Valley Road, Tukwila, WA 98188, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 27, 2000, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2944, by August 10, 2000.

Date of Intended Adoption: August 11, 2000.

June 28, 2000

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending WSR 98-05-043, filed 2/11/98, effective 3/14/98)

WAC 220-44-030 Coastal bottomfish gear. It is unlawful to take, fish for, possess, transport through the waters of the state or land in any Washington state ports, bottomfish taken for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 59A, 59B, 60A and that portion of Area 58 within the United States 200-mile Fishery Conservation Zone with any gear except as provided in this section:

(1) Otter trawl and beam trawl.

(a) It is unlawful to use, operate or carry aboard any fishing vessel otter trawl gear having meshes measuring less than 3 inches anywhere in the net.

(b) It is unlawful to use or operate any bottom roller or bobbin trawl having meshes less than 4.5 inches anywhere in the net. Rollers, bobbins, or discs used in roller or bobbin trawls must be a minimum of 14 inches in diameter.

(c) It is unlawful to use or operate a pelagic trawl with meshes less than 3.0 inches anywhere in the net. Footropes of pelagic trawls must be less than 1.75 inches in diameter, including twine necessary for seizing material. Sweeplines, including the bottom leg of the bridle, must be bare.

(d) For at least 20 feet immediately behind the footrope or headrope, bare rope or mesh of 16-inch minimum mesh size must completely encircle the net. A band of mesh may encircle the net under transfer cables, lifting or splitting straps (chokers), but must be: Over riblines and restraining straps; the same mesh size and coincide knot-to-knot with the net to which it is attached; and no wider than 16 meshes.

(e) Chafing gear may encircle no more than 50 percent of the circumference of any bottom, roller, bobbin or pelagic trawl except as specified in (d) of this subsection. No section of chafing gear may be longer than 50 meshes of the net to which it is attached. Except at the corners, the terminal end of each section of chafing gear must not be connected to the net. Chafing gear must be attached outside any riblines and restraining straps. There is no limit on the number of sections of chafing gear on a net.

(f) It is unlawful to use double wall codends in any trawl gear.

(g) Licensing: A food fish trawl—non-Puget Sound fishery license is the license required to operate the gear provided for in this section. Additionally a federal limited entry permit is required in Areas 59A, 59B, 60A and that portion of Area 58 within the Exclusive Economic Zone.

(h) Area restriction: It is unlawful to use (~~bottom roller, bobbin or disc~~) otter trawl or (~~to use a foot rope greater than 5 inches in diameter~~) beam trawl gear in state territorial waters (0-3 miles) within (~~the catch areas provided for in this section~~) Areas 58A, 58B, 59A, 59B or 60A.

(2) Set lines.

(a) It is unlawful for the operator of set lines to leave such gear unattended unless marked as provided in WAC 220-20-010(5). Set lines must be attended at least once every seven days. Set lines must be marked at the surface at each terminal end with a pole, flag, light, radar reflector, and a buoy displaying clear identification of the owner or operator.

(b) Licensing: A food fish set line fishery license is the license required to operate the gear provided for in this section.

(c) Area restriction: It is unlawful to use set line gear in state territorial waters (0-3 miles) within Areas 59A, 59B, 60A and that portion of Area 58 within the Exclusive Economic Zone.

(3) Bottomfish pots.

(a) It is unlawful for the operator of bottomfish pots to leave such gear unattended unless marked as provided in WAC 220-20-010(5). Bottomfish pots must be attended at least once every seven days. Bottomfish pots set individually must be marked at the surface with a pole and a flag, light, or

radar reflector, and a buoy displaying clear identification of the owner. Bottomfish pots laid on a groundline must be marked at the surface at each terminal end of the groundline with a pole and a flag, light, and radar reflector, and a buoy displaying clear identification of the owner or operator.

(b) Licensing: A bottomfish pot fishery license is the license required to operate the gear provided for in this section.

(c) Area restriction: It is unlawful to use bottomfish pots in state territorial waters (0-3 miles) within the catch areas provided for in this section.

(4) Commercial jig gear.

(a) Licensing: A bottomfish jig fishery license is the license required to operate the gear provided for in this section.

(b) Area restriction: It is unlawful to use commercial jig gear in state territorial waters (0-3 miles) within the catch areas provided for in this section.

(5) Troll lines.

(a) Licensing: A bottomfish troll fishery license is the license required to operate the gear provided for in this section.

(b) Area restriction: It is unlawful to use bottomfish troll gear in state territorial waters (0-3 miles) within the catch areas provided for in this section.

(6) Incidental catch.

(a) It is lawful to retain bottomfish taken incidental to any lawful salmon fishery, up to a daily limit of 100 pounds or 30% of all fish on board, whichever is greater. No more than one trip per day provided the bottomfish could be lawfully taken.

(b) It is unlawful to take salmon incidental to any lawful bottomfish fishery.

(c) It is lawful to retain sturgeon taken incidental to any lawful bottomfish fishery, provided the sturgeon could be lawfully taken.

(d) It is unlawful to retain any species of shellfish taken incidental to any lawful bottomfish fishery, except that it is lawful to retain octopus and squid.

AMENDATORY SECTION (Amending Order 94-23, filed 5/19/94, effective 6/19/94)

WAC 220-48-011 Beam trawl and otter trawl—Gear. (1)(a) **Mesh sizes.** It is unlawful to use or operate beam trawls or otter trawls having mesh size in the codend section less than 4 1/2 inches in waters of Puget Sound, unless otherwise provided.

(b) It is lawful to use or operate pelagic trawl gear having mesh size in the codend section of not less than 3 inches while fishing for Pacific whiting during the seasons provided in WAC 220-48-017 (1) and (2).

(2) **Chafing gear.**

(a) For bottom trawls, chafing gear must have a minimum mesh size of 15 inches unless only the bottom one-half (underside) of the codend is covered by chafing gear.

(b) For roller trawls and pelagic trawls chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6.0 inches.

(3) **Roller trawl.**

~~((a))~~ It is unlawful to use ~~((a))~~ roller trawl gear in Puget Sound ~~((except in Marine Fish-Shellfish Management and Catch Reporting Area 29.~~

~~(b) It is unlawful to use a roller trawl that does not conform to the gear requirements in WAC 220-44-030).~~

AMENDATORY SECTION (Amending WSR 98-05-043, filed 2/11/98, effective 3/14/98)

WAC 220-48-015 Beam trawl and bottom trawl—Seasons. (1) It is lawful to fish for and possess bottomfish taken with bottom trawl and beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 22A, 22B, 23A, 23B, 23C, 25A, and 25B ~~((and 29))~~ the entire year with the following exceptions:

(a) Those waters of Area 20A east of a line projected from Point Whitehorn to Sandy Point are closed the entire year.

(b) Those waters of Area 20A within an area bounded by lines from Lilly Point to Birch Point and from the southwest corner of Point Roberts to Point Whitehorn to where these two lines are intersected by a line south from Kwomais Point in British Columbia and a line from Lilly Point to the north Alden Bank buoy are closed April 15 through May 31.

(c) Those waters of Area 20A within an area bounded by lines from Lilly Point to Birch Point and Lilly Point to the north Alden Bank buoy to where those lines are intersected by a line projected approximately 230 degrees south from Birch Point to Alden Point on Patos Island are closed June 1 through June 30.

(d) Areas 20A, 20B, 21A, 22A and 22B are closed to all trawl fishing in waters less than 30 feet deep.

(e) Areas 20A, 20B, 21A, 22A and 22B are closed in waters deeper than 40 fathoms from July 1 through December 31.

(f) Area ~~((s))~~ 23C ~~((and 29 are))~~ is closed to otter trawl fishing the entire year in waters shallower than 50 fathoms and ~~((are))~~ is closed to beam trawl fishing in waters less than 60 feet deep.

(g) Area ~~((s))~~ 23C ~~((and 29 are))~~ is closed to otter trawl Wednesday, Saturday and Sunday, January 1 through August 31, and closed to all otter trawl September 1 through December 31.

(2) It is lawful to fish for and possess bottomfish taken with beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23B, 25A and 25B the entire year with the following exceptions:

(a) All of Area 25A is closed February 1 through April 15 of each year.

(b) Those waters of Area 25A lying southerly and westerly of a line projected from Kiapot Point to Gibson Spit (Sequim Bay) are closed the entire year.

(c) Areas 23A, 25A and 25B are closed to beam trawl fishing in waters less than 60 feet deep.

(3) It is unlawful to fish for or possess bottomfish taken with otter trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23B, 25A and 25B the entire year.

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(4) It is unlawful to take, fish for or possess bottomfish taken with bottom trawl or beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 21B, 23D, 24A, 24B, 24C, 24D, 25C, 25D, 25E, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, ~~((and)) 28D, and 29~~ the entire year.

(5) It is unlawful to take more than 500 pounds of rockfish with beam trawl and bottom trawl gear during any vessel trip in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas.

AMENDATORY SECTION (Amending WSR 98-05-043, filed 2/11/98, effective 3/14/98)

WAC 220-48-019 Roller trawl—Seasons. (1) It is ~~((lawful))~~ unlawful to use roller trawls ~~((in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29 the entire year.~~

~~((2))~~ (2) It is ~~unlawful to take more than 500 pounds of rockfish with roller trawl gear during any vessel trip~~) in ~~((all))~~ any Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area~~((s))~~.

AMENDATORY SECTION (Amending Order 98-257, filed 12/22/98, effective 1/22/99)

WAC 220-52-050 Ocean pink shrimp trawl fishery—Coastal waters. It is unlawful to fish for, possess or deliver ocean pink shrimp taken for commercial purposes from ~~((Washington territorial waters west of))~~ the ~~((Bonilla-Tatoosh line or))~~ waters of the Exclusive Economic Zone except as provided for in this section:

(1) Ocean pink shrimp fishery:

(a) The open season for trawl gear is April 1 through October 31 of each year.

(b) The following gear is prohibited: Trawl gear having a net mesh size greater than two inches in the intermediate or codend, except for net mesh used in fish excluder devices. It is lawful to have net mesh larger than two inches in the wings or body of the trawl.

(c) Minimum number of shrimp per pound: The count per pound must average no more than 160 shrimp per pound for a minimum of two samples increasing at a rate of one sample per one thousand pounds landed or in possession up to a maximum requirement of twenty samples. Such samples shall consist of at least one pound of each of whole unbroken shrimp taken at random from throughout the individual load landed or in possession. This shall apply only to loads of 3,000 pounds of shrimp or more.

(d) Incidental catch-fish: It is unlawful to take salmon incidental to any shrimp fishery. It is unlawful to retain any bottomfish species taken incidental to shrimp trawl fishery except as provided for in WAC 220-44-050.

(e) Incidental catch-shellfish:

(i) It is unlawful to retain any species of shellfish except that it is lawful to retain up to 50 pounds round weight of other shrimp species taken incidentally in the ocean pink shrimp fishery, or octopus or squid.

(ii) It is unlawful to ~~((retain))~~ fish for ocean pink shrimp ~~((taken))~~ within the territorial boundaries of the state.

(f) An ocean pink shrimp delivery license is the license required to operate the gear provided for in this section, and allows the operator to retain shrimp taken in ~~((offshore))~~ the waters of the Exclusive Economic Zone.

~~((2))~~ ~~((Ocean spot shrimp fishery: The spot shrimp fishery shall be governed by chapter 220-88B WAC.~~

~~((3))~~ Fisheries for shrimp species other than ocean pink shrimp or ocean spot shrimp: Species other than ocean pink shrimp and ocean spot shrimp may only be taken incidentally to the ocean pink shrimp and ocean spot shrimp fisheries.

AMENDATORY SECTION (Amending Order 94-23, filed 5/19/94, effective 6/19/94)

WAC 220-52-068 Scallop fishery—Coastal waters. It is unlawful to fish for or possess scallops taken for commercial purposes from ~~((coastal and offshore))~~ the waters of the Exclusive Economic Zone except as provided for in this section.

(1) Season: July 1 through November 30 in the waters of the Exclusive Economic Zone. It is unlawful to trawl for scallops in Washington territorial waters west of the Bonilla-Tatoosh line or in Marine Fish-Shellfish Management and Catch Reporting Area 29.

(2) Gear: Only scallop dredge gear may be used. Scallop dredge gear may not exceed fifteen feet in width per unit of gear and must have three inch or larger net mesh or rings throughout. Scallop dredges may not use a dredge liner nor have chaffing gear covering any portion of the top half of the dredge.

(3) Licensing: A shrimp trawl—non-Puget Sound fishery license is the license required to operate the gear provided for in this section.

(4) Incidental catch: It is unlawful to retain food fish or shellfish taken incidental to any lawful scallop fishery, except that it is lawful to retain octopus and squid.

WSR 00-14-021
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE
[Filed June 28, 2000, 4:26 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-036.

Title of Rule: 2000 coastal buy-back.

Purpose: Establish salmon license buy-back program.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Statute Being Implemented: Section 7, chapter 107, Laws of 2000.

Summary: Coastal salmon license buy-back program.

Reasons Supporting Proposal: The fishery is overcapitalized and a reduction in fishing capacity will allow for economic stability.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, 902-2930;

Implementation: Jim Lux, 1111 Washington Street, Olympia, 902-2444; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: \$900,000 has been appropriated by the Washington state legislature to address loss of coastal salmon fishing opportunity due to the federal Endangered Species Act. The department will allocate \$300,000 each to purchases of coastal salmon troll, gill net, and charter licenses. This is expected to reduce the number of licensees by 40, 24 and 38, respectively. These rules set up the program, define eligibility, and provide for the buy-back to proceed.

Proposal Changes the Following Existing Rules: Small modifications are made to the process by which the 1998 program was administered, but this buy-back program affects coastal salmon licenses only.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping and Other Compliance Measures Required by Proposed Rule: Persons participating in the program will be required to provide proof of fishing effort if a Phase 2 program is reached.

2. Profession Services Required by the Rule: None.

3. Costs of Compliance, Including Costs of Equipment, Supplies, Labor and Increased Administrative Costs: There is no compliance requirement, as this is a voluntary program. There will be some time required to complete the application form.

4. Will Compliance Cost Businesses to Lose Sales or Revenue? No.

5. Comparison of Costs for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rule: No requirement; no additional costs.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses: Persons who participated in the 1998 program need not provide additional records. This is the fourth buy-back program involving coastal fishers, and the affected fishers are very familiar with the program requirements.

7. Description of How the Agency Will Involve Small Businesses in Rule Development: These rules are the result of negotiation with industry. The participation, phase one offer amount and phase two calculation method were all suggested by industry.

8. List of Industries Required to Comply with the Rule: No compliance requirement. Washington licenses [licensed] coastal salmon fishers may participate.

A copy of the statement may be obtained by writing to Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2930, fax (360) 902-2942.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not hydraulic rules.

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 25, 2000, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501, fax (360) 902-2942, by August 10, 2000.

Date of Intended Adoption: August 11, 2000.

June 28, 2000

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 98-206, filed 10/1/98, effective 11/1/98)

WAC 220-95-013 ((1998)) 2000 Coastal salmon license buy-back program established—Fund allocation—Expiration. (1) The ~~((National Marine Fisheries Service (NMFS) has designated the department as the administering agency for distribution of Magnuson-Stevens Fisheries Conservation and Management Act (the act) funds))~~ legislature has allocated funds to buy back salmon licenses from commercial license holders ~~((who have been affected by reductions in salmon fishing caused by winter flooding in Washington state))~~. The department hereby designates ~~((the))~~ \$923,400 of these funds ((distribution)) as the ~~((1998))~~ 2000 coastal salmon license buy-back program (program). The licenses eligible to participate in the program are salmon charter, salmon delivery, salmon troll, Grays Harbor salmon gill net, ~~((salmon purse seine))~~ and Willapa Harbor salmon ~~((reef))~~ gill net.

(2) The goal of the program is to provide economic relief to Washington commercial salmon fishers, and to reduce the number of Washington commercial salmon licenses. To accomplish this, the department is proposing a two-step process, first an open purchase of licenses for a fixed sum (Phase One), then, if any funds remain available, an income-based purchase plan (Phase Two).

(3) The department will allocate the ~~(((\$4,670,000))~~ \$923,400 available ~~((under Section 312(a))~~ for coastal salmon fishery licenses as follows:

(a) Program administration - ~~(((\$123,000))~~ \$23,400.

(b) Salmon charter - ~~(((\$152,000))~~ \$300,000.

(c) Salmon troll and salmon delivery - ~~(((\$750,000))~~ \$300,000.

(d) Willapa-Columbia River and Grays Harbor-Columbia River gill net - ~~(((\$840,000))~~ \$300,000.

~~((e) Puget Sound salmon gill net—\$2,040,000.~~

~~((f) Salmon purse seine—\$660,000.~~

~~((g) Reef net—\$105,000.))~~

Program administration funds that will not be used will be reallocated to license purchases.

(4) The program expires upon the distribution of all available funds.

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AMENDATORY SECTION (Amending Order 98-206, filed 10/1/98, effective 11/1/98)

WAC 220-95-018 Program eligibility. Only persons meeting the following criteria are eligible to participate in the program.

(1) For phase one applicants, the person possessed or was eligible to possess in ~~((1997 one of the Washington state salmon fishing licenses issued pursuant to RCW 75.28.110 or 75.28.113))~~ 1999 a salmon troll or delivery license, a Grays Harbor salmon gill net license, a Willapa Harbor salmon gill net license or a salmon charter license issued pursuant to RCW 75.28.095, and is eligible to possess the same license in ((1998)) 2000.

(2) For phase two applicants:

(a) The person possessed or was eligible to possess in ~~((1997)) 1999 one of the Washington state salmon fishing licenses ((issued pursuant to RCW 75.28.110 or 75.28.113 or a salmon charter license issued pursuant to RCW 75.28.095 and is eligible to possess the same license in 1998)) listed in subsection (1) of this section, is eligible to possess the same license in 2000, and had income derived under the license from 1986 through 1991;~~

(b) The person had a salmon income loss greater than \$0, computed as follows:

The salmon income loss under the program is the difference between the highest gross income derived from Washington state and offshore salmon fishing activity (including incidental catch provided that some salmon are shown on the fish receiving ticket documenting the catch) during any calendar year 1986 through 1991 (the base year), less the sum of the least amount of gross income derived from the same salmon fishing activity during any calendar year from 1992 through ~~((1997))~~ 1999 (the comparison year), multiplied by 2.5. For purposes of calculating income, the license holder must and may only use income from salmon fisheries in the coastal waters of Washington, the waters of Grays Harbor, Willapa Bay, and the Columbia River ~~((, and waters of Puget Sound easterly of the Bonilla Tatoosh Line))~~. Income that was used in calculating uninsured loss in the 1995 salmon disaster relief license buy-back program ~~((or))~~, salmon decline impact in the 1996 Washington salmon license buy-out program or salmon income loss in the 1998 salmon license buy-back program may not be used to calculate salmon income loss in the ~~((1998))~~ 2000 coastal salmon license buy-back program if the license offered in ~~((either))~~ the 1995 ~~((or))~~, 1996, or 1998 program was purchased and retired.

AMENDATORY SECTION (Amending Order 98-206, filed 10/1/98, effective 11/1/98)

WAC 220-95-022 Program application. (1) A person may make only one offer per license per phase under the program.

(2) Income used in the calculation of offers that are accepted may not be used in the calculation of any other offer.

(3) Phase one applications:

(a) Phase one applications must be submitted to the department's licensing division on a department offer form. A completed offer form must contain the following information:

The applicant's name, Social Security number, mailing address during the offer period, telephone number (if applicable), and the license type and license number being offered;

(b) The offer amounts for phase one are:

(i) Salmon troll and salmon delivery: \$7,500.

(ii) Grays Harbor-Columbia and Willapa Bay-Columbia gill net: ~~(((\$10,000))~~ \$12,500.

~~((iii))~~ (iii) Puget Sound gill net: \$12,000.

~~((iv))~~ (iv) Reef net: \$15,000.

~~((v))~~ (v) Salmon purse seine: \$30,000.

~~((vi))~~ (vi) Salmon charter: \$1,000 per angler permit not to exceed \$10,000, and including ((only and)) all angler permits ((that were)) currently on the license or all angler permits on the license as of ((August 1, 1998)) December 31, 1999, whichever is the lesser number.

(c) Phase one applications will be accepted ~~((October 26, 1998,))~~ through ~~((4:30 p.m., October 30, 1998))~~ 5:00 p.m., September 1, 2000. ~~((Any application received before October 26, 1998, will be treated as being received on October 26, 1998, for purposes of prioritizing the applications)).~~ Any amounts remaining in the ~~((area and))~~ gear category from phase one will be used in phase two, unless the department deems that there are insufficient funds remaining to conduct a phase two plan.

(4) Phase two applications:

(a) Phase two applications must be made on department forms and must be received by the department's licensing division ~~((between November 16, 1998, and 4:30 p.m., November 30, 1998))~~ by 5:00 p.m., October 6, 2000.

(b) The licensee may offer the license for any amount up to the salmon income loss incurred under the license or \$75,000, whichever is the lesser amount.

(c) An offer is not made unless a complete offer is received by the department. In order for an offer to be complete, the following must be received:

(i) A complete offer sheet, showing:

(A) The applicant's name, Social Security number, mailing address during the offer period and telephone number (if applicable);

(B) The license type and license number that is being offered;

(C) The offer amount;

(D) The base year income (1986-1991);

(E) The comparison year income (1992-~~((1997))~~ 1999); and

(F) The offer ratio, defined as the offer amount divided by the salmon income loss.

(ii) Salmon income supporting documents other than salmon charter are defined as official state fish receiving tickets documenting landings under a Washington license, or computer generated landing lists that have been certified by the department or the Pacific States Marine Fisheries Commission to be true and correct copies of Washington or Columbia River landings. All landings count in calculation of base and comparison year incomes.

(iii) For salmon charter license fishing activity, acceptable supporting documents are trip tickets identifying the species targeted, the number of anglers, and the date of the trip or, if such tickets are unavailable, the department will accept a letter of endorsement from a charterboat association or charterboat booking office indicating salmon fishing was a major component of earnings, and, if such a letter is provided, will review the total income of the applicant for the base and comparison years.

Note: Commercial salmon licensee applicants who submitted complete offers in the ~~((1996)) 1998~~ Washington salmon license buy-out program need not resubmit supporting documents for offers based on the same base and comparison years if all landings are from Washington state. Such persons must submit a new offer sheet to participate in the ~~((1998)) 2000~~ program, but the offer amount may differ from the ~~((1996)) 1998~~ offer amount, provided it does not exceed the ~~((1998)) 2000~~ program limits.

(iv) Records disclosure authorization that allows the department to receive copies of the applicant's Internal Revenue Service returns for the base and comparison years and to receive landing information from the Pacific States Marine Fisheries Commission.

(v) A signed statement certifying that all information provided is true and correct.

~~((vi) A completed 1998 license application if the person has not already renewed for 1998 the license offered for sale. If the applicant is not reached on the ranked offers, the 1998 license fee will be required within 30 days of notification.))~~

AMENDATORY SECTION (Amending Order 98-206, filed 10/1/98, effective 11/1/98)

WAC 220-95-032 Offer acceptance—Acknowledgment—Retirement of licenses. (1) Phase one. The department will accept applications for phase one ~~((on a first come, first serve basis))~~ until 5:00 p.m. September 1, 2000. Applicants will not be prioritized on the basis of the date the application was received by the department. Phase one applicants may apply in person at the department licensing office in Olympia, by FAX to the license office at (360) 902-2925, or by mail to Fish and Wildlife Licensing, 600 Capitol Way North, Olympia, Washington 98501-1091. If there are insufficient funds ~~((are remaining))~~ to process all applications received ~~((on a given day))~~, a random drawing will be made ~~((of that day's applicants))~~ to determine which applications will be accepted to participate in the program.

(2) Phase two. The department will accept applications for phase two in rank order, beginning with the lowest offer ratio. In the event of a tie between identical offer ratios, the lowest offer amount will be given preference.

(3) The department will notify license holders that it has accepted a license offer by sending an acceptance and acknowledgment to the license holder by registered mail to the address provided on the offer form or offer sheet. The acknowledgment must be signed and returned to the department within ten days of the date of the mailing of the acceptance. Any acknowledgment received after the 10-day period is void and the acceptance is withdrawn.

(4) The department will tender the amount of the offer upon receipt of a valid acknowledgment. Upon tendering the offer amount, the department will retire the license and any angler permits that formed the basis of the offer amount.

(5) Persons who sell a license in phase two of the program cannot purchase or operate a commercial license listed in RCW 75.28.110 or 75.28.113 or a salmon charter license listed in RCW 75.28.095 for ten years, beginning January 1, ~~((1999)) 2001~~, except that persons may operate such a license if the license was owned or operated by that person in ~~((1997)) 1999~~.

WSR 00-14-022
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed June 28, 2000, 4:28 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-07-020.

Title of Rule: Conservation areas—Puget Sound.

Purpose: To change several marine preserves into conservation areas, modify one conservation area and regulate harvest in one marine preserve.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Statute Being Implemented: Section 7, chapter 107, Laws of 2000.

Summary: Two marine preserves will become new conservation areas and the boundaries of one conservation area will be modified. One marine preserve (Colvos Passage) will be closed to commercial harvest and to recreational harvest except recreational salmon trolling.

Reasons Supporting Proposal: Many fish species in the area east of Cape Flattery are depressed. Additional areas are needed as unfished reference areas to provide information on resources and ecological relationships absent fishing pressure. These areas will provide production areas for a variety of species including rocky reef species such as rockfish. Orchard Rocks Conservation Area is being modified to make it easier to understand and to improve the effectiveness of the closure. Saltar's Point Beach is owned by the city of Steilacoom and managed as a city park. Closure to harvest is supportive of the local management intent.

Name of Agency Personnel Responsible for Drafting: Mary Lou Mills, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2834; Implementation: Lew Atkins, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2325; and Enforcement: Bruce Bjork, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2373.

Name of Proponent: Washington Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule changes two marine preserves to conservation areas (Waketick Creek and Saltar's Point Beach),

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modifies the boundaries of one existing conservation area (Orchard Rocks Conservation Area), and establishes harvest regulations in the marine preserves.

Marine preserves and conservation areas are needed to provide protection for depressed stocks of fish, shellfish and unclassified wildlife, to afford nonconsumptive use, and to serve as study sites. Additionally rebuilding efforts for over-harvested stocks will be enhanced by having nonharvest zones.

Proposal Changes the Following Existing Rules: The proposal changes the status of Waketickeh Creek and Saltar's Point Beach from marine preserves to conservation areas. The rule will clarify the boundaries for the Orchard Rocks Conservation Area. The adoption of the rules at Colvos Passage Marine Preserve will close all commercial fishing and all recreational fishing except for recreational salmon harvest by trolling. Harvest of unclassified species will also be closed in this area.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping, and Other Compliance Requirements of the Proposed Rule: There are no reporting or record-keeping requirements in the proposed rule.

2. Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements: None.

3. Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs: None.

4. Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue? The rule is not expected to produce a loss of revenue for any commercial fishing operation in the area. Saltar's Point Beach and the additional area at Orchard Rocks do not have significant commercial harvest for any species. Saltar's Point Beach is only intertidal area. The area being closed at Orchard Rocks is mainly within the lease holding of the net pen operation. The net pen operation will be unaffected by the closure since they deal with private cultured product (the fish in the pens) which is not under WDFW authority.

The total allowable catch for all species will remain the same for the Puget Sound and Hood Canal area following establishment of these conservation areas and preserve. Total commercial catch for the basins involved will not be affected by the establishment of the conservation areas or the marine preserves, although nontribal fishers will be displaced geographically. The commercial salmon fishers have a strong interest in having the Colvos Passage site marked because it is between two popular drifts. Marking for potential night fishing would be more difficult.

5. Cost of Compliance for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rules Using One or More of the Following as a Basis for Comparing Costs:

- a. Cost per employee;
- b. Cost per hour of labor; or

c. Cost per one hundred dollars of sales.

No cost.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So: There are no costs for this rule.

7. A Description of How the Agency Will Involve Small Businesses in the Development of the Rule:

A. Several public meetings were held to discuss these sites.

1. Prior to the adoption of the boundaries, two public meetings were held (Hoodsport, Washington and Tacoma, Washington).

2. After adoption of the boundaries, a public meeting was held in Tacoma, Washington, to discuss the closures. Approximately 1500 letters were sent to holders of commercial fishing licenses to announce the meeting.

3. Information was distributed at the North of Falcon meeting in Tukwila, Washington.

B. Public hearings in the Fish and Wildlife Commission rule adoption process.

One public hearing was held at the time the boundaries were adopted. A second hearing will be held as part of the adoption process for the fishing regulations within the boundaries.

8. A List of Industries That Will Be Required to Comply with the Rule: All commercial fishers must comply.

A copy of the statement may be obtained by writing to Mary Lou Mills, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2834, fax (360) 902-2944.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. These are not hydraulic rules.

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA, on August 11, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 25, 2000, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2942, by August 10, 2000.

Date of Intended Adoption: August 11, 2000.

June 28, 2000

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

WAC 220-16-590 Orchard Rocks Conservation Area. "Orchard Rocks Conservation Area" is defined as those waters and bedlands of Rich Passage within a 400-yard radius of Orchard Rocks day marker. ~~((All waters and bedlands within 400 yards of the day marker at Orchard Rocks not within the Orchard Rocks Conservation Area are included in the Orchard Rocks Marine Reserve.))~~

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

WAC 220-16-740 Waketickeh Creek ((~~Marine Reserve~~) Conservation Area. "Waketickeh Creek ((~~Marine Reserve~~) Conservation Area" is defined as those waters and bedlands from Waketickeh Creek (located 1000 yards north-east of Cummings Point) out perpendicular to shore 500 yards, then parallel to shore northeast 1700 yards, then back to shore along a line perpendicular to shore, excluding the area within 100 feet of ordinary high water.

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

WAC 220-16-750 Saltar's Point Beach ((~~Marine Reserve~~) Conservation Area. "Saltar's Point Beach ((~~Marine Reserve~~) Conservation Area" is defined as those tidelands owned by the Town of Steilacoom at Saltar's Point Beach located between Montgomery Street and Martin Street, and the water column above those tidelands.

AMENDATORY SECTION (Amending Order 98-120, filed 7/7/98, effective 8/7/98)

WAC 220-20-015 Lawful and unlawful acts—Salmon. (1) It is unlawful to operate in any river, stream or channel any gill net gear longer than three-fourths the width of the stream; this provision shall supersede all other regulations in conflict with it.

(2) It is unlawful to operate any net for removing snags from state waters without permit from the department of fisheries.

(3) It is unlawful to take, fish for or possess for commercial purposes chinook salmon less than 28 inches in length or coho salmon less than 16 inches in length except as follows:

(a) In the Puget Sound, Grays Harbor, Willapa Bay and Columbia River commercial salmon net fisheries there is no minimum size limit on salmon taken with gill net gear.

(b) In the Pacific Ocean commercial salmon troll fishery frozen chinook salmon, dressed heads off shall be 21 1/2 inches minimum and frozen coho salmon dressed heads off shall be 12 inches minimum, measured from the midpoint of the clavicle arch to the fork of the tail.

(c) This subsection does not apply to salmon raised in aquaculture.

(4) It is unlawful to set, maintain, or operate any reef net gear at any location which places the stern ends of either or both reef net boats of said gear less than a distance of 800 feet in front of or behind the head buoys of any row or reef net gear, within the boundaries of the Lummi Island Reef Net Fisheries Area, as described in RCW 75.12.140.

(5) It is lawful to possess salmon for any purpose which were lawfully obtained from state and federal government fish hatcheries and facilities. Subsections (3) and (12) of WAC 220-20-010 and subsection (3) of WAC 220-20-015 do not apply to salmon possessed under this subsection.

(6) It is unlawful to take or fish for food fish from a commercial salmon trolling vessel with gear other than lawful

troll line gear while said vessel is engaged in commercial fishing or has commercially caught fish aboard.

(7) It shall be unlawful to angle for salmon for personal use from any vessel that is engaged in commercial salmon trolling or has commercially caught salmon aboard.

(8) It is unlawful to fish for or possess salmon taken for commercial purposes from the Sund Rock Marine Preserve ((~~or~~), the Titlow Beach Marine Preserve or the Colvos Passage Marine Preserve.

(9) It is unlawful to take salmon for personal use from the Colvos Passage Marine Preserve except by trolling, defined as fishing from a vessel under power and in gear making forward progress.

AMENDATORY SECTION (Amending Order 99-215, filed 12/16/99, effective 1/16/00)

WAC 220-20-020 General provisions—Lawful and unlawful acts—Food fish other than salmon. (1) It is unlawful to fish for or possess for commercial purposes any round, undressed white sturgeon less than 48 inches or greater than 60 inches in length or any round, undressed green sturgeon less than 48 inches or greater than 66 inches in length.

(2) It is unlawful to fish for or possess for commercial purposes or possess aboard a commercial fishing vessel for any purpose any species of halibut (*Hippoglossus*) unless permitted by the current regulations of the International Pacific Halibut Commission.

(3) It is unlawful to fish for or possess for commercial purposes sturgeon taken from any of the waters of Puget Sound or tributaries, and any sturgeon taken with any type of commercial gear incidental to a lawful fishery shall immediately be returned to the water unharmed.

(4) It is unlawful to fish for food fish for commercial purposes in the waters of Shilshole Bay inland and inside a line projected in a southwesterly direction from Meadow Point to West Point.

(5) It is unlawful to fish for or possess for commercial purposes any starry flounder less than 14 inches in length taken by any commercial gear, in all Puget Sound Marine Fish-Shellfish Areas.

(6) It shall be unlawful to harvest herring eggs naturally deposited on marine vegetation or other substrate, unless a person has a permit issued by the director.

(7) It is unlawful to fish for or possess food fish other than salmon taken for commercial purposes from the San Juan Islands Marine Preserve, except that it is lawful to take herring.

(8) It is unlawful to fish for or possess food fish other than salmon taken from the Titlow Beach Marine Preserve, ((~~or~~)) the Sund Rock Marine Preserve or the Colvos Passage Marine Preserve.

AMENDATORY SECTION (Amending Order 99-213, filed 12/15/99, effective 1/15/00)

WAC 220-20-025 General provisions—Shellfish. (1) It is unlawful to drive or operate any motor-propelled vehicle, land any airplane or ride or lead any horse on the razor clam

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beds of the state of Washington, as defined in WAC 220-16-257. A violation of this subsection shall be punished as an infraction.

(2) It is unlawful to possess any soft-shelled crab for any purpose.

(3) It is unlawful to possess in the field any crab from which the back shell has been removed.

(4) It is unlawful to use any chemicals when taking or fishing for octopus except for persons granted a scientific collector's permit from the department for the harvest of octopus for display or scientific purposes.

(5) It is unlawful to willfully damage crab or other shellfish. Any crab taken incidentally to a net fishery must be immediately returned to the water with the least possible damage to the crab.

(6) It is unlawful to fish for or possess shellfish taken for commercial purposes from the San Juan Islands Marine Preserve, except it is lawful to fish for crab in Parks Bay.

(7) It is unlawful to fish for, harvest, or possess shellfish taken from the Titlow Beach Marine Preserve ((~~Area~~)), the Sund Rock Marine Preserve or the Colvos Passage Marine Preserve.

AMENDATORY SECTION (Amending Order 00-47, filed 4/19/00, effective 5/20/00)

WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished. Protected wildlife are designated into three subcategories: Threatened, sensitive, and other.

(1) Threatened species are any wildlife species native to the state of Washington that are likely to become endangered within the foreseeable future throughout a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as threatened include:

Common Name	Scientific Name
western gray squirrel	<i>Sciurus griseus</i>
Steller (northern) sea lion	<i>Eumetopias jubatus</i>
North American lynx	<i>Lynx canadensis</i>
Aleutian Canada goose	<i>Branta Canadensis leucopareia</i>
bald eagle	<i>Haliaeetus leucocephalus</i>
ferruginous hawk	<i>Buteo regalis</i>
marbled murrelet	<i>Brachyramphus marmoratus</i>
green sea turtle	<i>Chelonia mydas</i>
loggerhead sea turtle	<i>Caretta caretta</i>
sage grouse	<i>Centrocercus urophasianus</i>
sharp-tailed grouse	<i>Phasianus columbianus</i>

(2) Sensitive species are any wildlife species native to the state of Washington that are vulnerable or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative

management or removal of threats. Protected wildlife designated as sensitive include:

Common Name	Scientific Name
Gray whale	<i>Eschrichtius gibbosus</i>
Common Loon	<i>Gavia immer</i>
Larch Mountain salamander	<i>Plethodon larselli</i>
Pygmy whitefish	<i>Prosopium coulteri</i>
Margined sculpin	<i>Cottus marginatus</i>
Olympic mudminnow	<i>Novumbra hubbsi</i>

(3) Other protected wildlife include:

Common Name	Scientific Name
cony or pika	<i>Ochotona princeps</i>
least chipmunk	<i>Tamias minimus</i>
yellow-pine chipmunk	<i>Tamias amoenus</i>
Townsend's chipmunk	<i>Tamias townsendii</i>
red-tailed chipmunk	<i>Tamias ruficaudus</i>
hoary marmot	<i>Marmota caligata</i>
Olympic marmot	<i>Marmota olympus</i>
Cascade golden-mantled ground squirrel	<i>Spermophilus saturatus</i>
golden-mantled ground squirrel	<i>Spermophilus lateralis</i>
Washington ground squirrel	<i>Spermophilus washingtoni</i>
red squirrel	<i>Tamiasciurus hudsonicus</i>
Douglas squirrel	<i>Tamiasciurus douglasii</i>
northern flying squirrel	<i>Glaucomys sabrinus</i>
wolverine	<i>Gulo gulo</i>
painted turtle	<i>Chrysemys picta</i>
California mountain kingsnake	<i>Lampropeltis zonata;</i>

All birds not classified as game birds, predatory birds or endangered species, or designated as threatened species or sensitive species; all bats, except when found in or immediately adjacent to a dwelling or other occupied building; all wildlife within Titlow Beach Marine Preserve ((~~Area~~)), the Sund Rock Marine Preserve, the Colvos Passage Marine Preserve, and the conservation areas defined in chapter 220-16 WAC; mammals of the order *Cetacea*, including whales, porpoises, and mammals of the order *Pinnipedia* not otherwise classified as endangered species, or designated as threatened species or sensitive species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear.

PROPOSED

WSR 00-14-036
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE
 [Filed June 30, 2000, 8:49 a.m.]

Date of Intended Adoption: August 11, 2000.

June 29, 2000

Evan Jacoby

Rules Coordinator

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-02-002.

Title of Rule: Commercial fishing rules.

Purpose: Amend Columbia River smelt season setting.

Statutory Authority for Adoption: Sections 7 and 137, chapter 107, Laws of 2000.

Statute Being Implemented: Sections 7 and 137, chapter 107, Laws of 2000.

Summary: Columbia River smelt season to be set by emergency rule.

Reasons Supporting Proposal: Columbia River smelt returns have been depressed, and the season has been managed by emergency rule after stock status is ascertained. This conforms the rule to current practice.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, 902-26561 [902-2651]; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Columbia River smelt stocks have had a low return for several years. The current season does not reflect actual management, as the season has been closed by emergency rule until test fishing shows sufficient fish to open a fishery. Since this is the current management practice, leaving an unrealistic season in the rule defeats the management intent. This change will not affect management, but makes it easier to open the season when justified.

Proposal Changes the Following Existing Rules: Deletes unrealistic season.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no change in smelt management, and the commercial closures that happened the last several years reflect the actual status of the smelt. This change will neither increase or decrease commercial smelt fishing.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 25, 2000, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501, fax (360) 902-2942, by August 10, 2000.

AMENDATORY SECTION (Amending Order 88-86, filed 9/2/88)

WAC 220-33-040 Smelt. It is unlawful to fish for smelt in the lower Columbia River for commercial purposes or to possess smelt taken from those waters for commercial purposes, except as provided in this section:

Gear

(1) Otter trawl gear may be used to fish for smelt if:

(a) The head rope of the trawl does not exceed 25 feet in length.

(b) The foot rope or groundline of the trawl does not exceed 25 feet in length.

(c) The dimensions of the trawl's otter doors do not exceed 3 feet by 4 feet.

(d) The bag length of the trawl, as measured from the center of the head rope to the terminal end of the bunt, does not exceed 35 feet.

(e) The bridal rope from the rear of the otter doors to the foot and head ropes does not exceed 8 feet.

(f) Each breast rope does not exceed 5 feet.

(g) The mesh size used in the trawl does not exceed 2 inches stretch measure.

(h) Only one trawl net is fished from the boat at a time.

(2) Gill net gear may be used to fish for smelt if it does not exceed 1,500 feet in length along the cork line and the mesh size of the net does not exceed 2 inches stretch measure. Gill net gear includes trammel nets.

(3) Hand dip net gear may be used to fish for smelt if it does not measure more than 36 inches across the bag frame.

Fishing periods

(4) (~~Otter trawl gear may be used to fish for smelt in SMCRA 1A from 6 p.m. Monday to 6 p.m. Wednesday of each week from March 1 through March 31, and for boats not exceeding 32 feet in length, in SMCRA 1B, 1C, 1D and 1E 7 days per week from December 1 through March 31 of the following year.~~) The Columbia River smelt fishery will be opened by emergency rule upon a yearly determination that there are sufficient smelt to achieve escapement.

(5) (~~Gill net gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E 7 days per week from December 1 of each year through March 31 of the following year.~~)

(6) ~~Hand dip net gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E and tributaries to these areas 7 days per week from December 1 of each year through March 31 of the following year.~~

(7) The following areas of the lower Columbia River remain closed to smelt fishing during the (~~open time periods specified in this section~~) openings provided for in this section:

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(a) Those waters within one mile of a dam or other obstruction.

(b) Those waters of the Cowlitz River upstream from a monument located at Peterson's Eddy, also known as Miller's Eddy.

WSR 00-14-037
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed June 30, 2000, 8:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-08-036.

Title of Rule: Commercial fishing rules.

Purpose: Crab gear limitation

Statutory Authority for Adoption: Section 7 [107], chapter 107, Laws of 2000.

Statute Being Implemented: Section 7, chapter 7, Laws of 2000.

Summary: Limits coastal crab gear.

Reasons Supporting Proposal: The crab fishery is over-capitalized, and the available surplus of crab is taken too quickly, resulting in economic disruption. The legislature has charged the department with implementing an even-flow system to provide economic stability.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Phil Anderson, 1111 Washington Street, Olympia, (360) 902-2720; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: the department is proposing rules to achieve an even-flow of coastal commercial crab harvest, as mandated by former RCW 75.30.480 (now recodified). This harvest rate, by lengthening the time period of harvest, promotes stability in the fishery. The maximum crab pot size is standardized to achieve parity between fishers. By establishing a three-tiered maximum number of pots, license history is accounted for. An appeal process is provided.

Proposal Changes the Following Existing Rules: Sets the maximum number of pots that can be fished and standardizes maximum pot size.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Background: In 1994, the Washington state legislature enacted legislation that established a license limitation program for the coastal Dungeness crab fishery (E2SHB 1471). As a result of this legislation, RCW 75.30.480 was enacted which states:

Coastal Dungeness crab resource plan.

The department [of fish and wildlife], with input from Dungeness crab—Coastal fisher licensees and processors, shall prepare a resource plan to achieve even-flow harvesting and long-term stability of the coastal Dungeness crab resource. The plan may include pot limits, further reduction in the number of vessels, individual quotas, monthly limits, area quotas, or other measures as determined by the department. The plan shall be submitted to the appropriate standing committees of the legislature by December 1, 1995. [1994 c 260 § 20.]

In February 1996, the Department of Fish and Wildlife submitted its resource plan for even-flow harvesting and long-term stability in the coastal Dungeness crab fishery to the Senate and House Natural Resource Committees. In developing that resource plan, department staff met with two crab industry workgroups - one representing processors and one representing fishers. After much discussion, the industry representatives and department staff concluded that there were three outstanding issues which prevented them from accomplishing their task: (1) The question of whether the offshore crab resource would be under federal or state jurisdiction; (2) the effect of the federal court order regarding sharing the harvestable shellfish resources with the treaty tribes; and (3) the license limitation program had not been fully implemented. Until these factors had been resolved, the department and the industry recommended delaying further development of an even-flow harvest plan.

These three factors have been resolved to a certain extent. Since 1996, the department has negotiated Dungeness crab annual management agreements with each of the coastal treaty tribes to implement the federal court decision by Judge Rafeedie, and by the end of 1996, the license limitation program had been fully implemented. In 1998, the United States Congress extended the state's authority to manage the Dungeness crab fishery in the exclusive economic zone (from three to two hundred miles) adjacent to the Washington coast until September 30, 2001.

The coastal Dungeness crab fleet has significantly grown since the mid-1980s. This has greatly accelerated the catch rates, which has resulted in most of the harvest occurring very early in the season. By 1994, 50% of the harvest occurred in the first six weeks of the nine-month season; by 1996, 50% of the harvest was occurring in the first two weeks of the season. This increasing harvest rate in the months of December and January makes it difficult relative to sharing the harvestable resource with the treaty tribes. As a result of concern over the increasing catch rate and the resolution of these three factors, department staff and industry members agreed to move forward with the development of an even-flow harvest regime. The department formed a Coastal Dungeness Crab Advisory Group and held a series of meetings, which were open to the public to discuss goals, objectives, and management strategies.

The Coastal Dungeness Crab Advisory Group is comprised of twenty members - seventeen fishers and three processing representatives. Advisors were selected based on various criteria, including:

- Experience in the coastal Dungeness crab fishery.
- Affiliation/membership to a larger group (to maximize stakeholder participation).

- Size of the vessel used (to ensure small and large boat representation).
- Area fished (for broad geographical representation).

Of the fishing representatives, ten are from the Westport area, four are from the Columbia River area, and three reside in the Puget Sound area. Of the processors, two are based in Westport and one is located in the Columbia River area. These fishers also represent the Washington Dungeness Crab Fishermen's and the Columbia River Fisherman's Associations on the advisory group.

Department staff and members of the coastal Dungeness crab fishing industry jointly developed a goal of providing a sustainable Dungeness crab fishery of high quality product consistent with the "even flow" legislative mandate, and the following objectives for the "even flow" harvest management process:

1. Reduce December/January harvest rate.
2. Improve economic yield.
3. Develop fair and equitable management strategies.
4. Utilize best biological information.
5. Reduce differences between Indian and non-Indian regulations.
6. Coordinate with other government entities as appropriate.

Between February 1999 and April 2000 the department held eighteen advisory group meetings which were open to the public and, together with industry representatives, developed an even flow harvest management plan which outlines the need to implement a plan to reduce the overcapitalization of the coastal crab fishery. There was general acceptance that taking no more than 50% of the total nontreaty harvest in the months of December and January would represent "even flow."

Proposed Regulatory Amendments: The Department of Fish and Wildlife is proposing amendments to WAC 220-52-040 Commercial crab fishery—Lawful and unlawful gear, methods, and other unlawful acts to include the following provisions:

- A tiered pot limit of three hundred, four hundred fifty, or five hundred fifty pots for each coastal Dungeness crab license based on landings during the qualifying period (12/1/96 - 9/15/98) of which no more than two hundred pots may be fished in Grays Harbor.
- A requirement for pot tags, effective November 28, 2000.
- A requirement that all crab buoy color schemes are registered with the department.
- A requirement that each license has only one buoy brand registered with the department.
- Unlicensed vessels will be allowed to barge pots from November 28 - December 2 provided the licensed owner is on board and that no more than one hundred fifty pots are being barged.

The Department of Fish and Wildlife is proposing an amendment to WAC 220-52-043 Commercial crab fishery—Additional gear and license use requirements to include the following provisions:

- A maximum size limit for coastal crab pots of thirteen cubic feet, effective December 1, 2000 (or the effective date of the regulation).

Economic Impact of the Proposed Amendments to WAC 220-52-040 and 220-52-043: The Department of Fish and Wildlife used the following process in evaluating the economic impact of the proposed amendments to WAC 220-52-040 and 220-52-043:

1. Determine the categories of businesses that must comply with the proposed regulations.
2. Determine the employment profile of businesses affected by the proposed regulation.
3. Determine the "more than minor" cost threshold for each category of business.
4. Determine whether the estimated cost exceeds the "more than minor" cost threshold for each category of business.
5. Determine whether the proposed regulations impose a disproportionate cost burden on small businesses.
6. Miscellaneous small business economic impact statement (SBEIS) requirements.

1. Which businesses must comply with the proposed regulation? The purpose of the proposed rule is to limit the number of pots a coastal Dungeness crab fisher can fish in Pacific Ocean waters adjacent to Washington's coast in order to reduce the catch rate during the months of December and January in order to achieve even-flow harvesting and long-term stability of the coastal Dungeness crab resource. The category of businesses that the rule affects is coastal Dungeness crab commercial fishers who are:

1. Licensed by the state of Washington, Oregon, or California; and
2. Fishing in Pacific Ocean waters adjacent to Washington's coast (from 0 to 200 miles offshore).

2. What is the employment profile of businesses affected by the proposed regulation? To the Department of Fish and Wildlife's knowledge, all coastal Dungeness crab commercial fishing operations are businesses with fewer than fifty employees and are "small businesses" as that term is defined in the Regulatory Fairness Act (RFA), RCW 19.85.020(1).

3. What are the "more than minor" cost thresholds for businesses affected by the proposed regulation? An SBEIS is required if a proposed regulation will impose "more than minor" costs on businesses in an industry. An industry is defined as all of the businesses in this state in any one four-digit standard industrial classification as published by the United States Department of Commerce. The "more than minor" threshold ranges from \$50 to \$300 depending on what standard industrial code category the business falls into. This SBEIS uses \$50.00 as the benchmark between minor and "more than minor" costs.

4. Do the costs imposed by the proposed rule exceed the "more than minor" cost threshold? There is a cost associated with the mandatory pot tags, which would be effective from November 28, 2000. Costs of the pot tags range from .17/tag to .21/tag. A large number of fishers already use these tags because they are helpful in recovery of lost gear. An initial cost to each fisher could be from \$51

(300 tags at .17/tag for each pot) up to a maximum of \$116 (550 tags at .21/tag for each pot) tags can be used from year to year; additional costs would only be for replacement of lost or broke tags.

For fishers who have to reduce the number of pots they fish, there may be some costs associated with fishing fewer pots. A pot reduction may mean some fishers will make more frequent trips to and from port to tend their pots. This may result in added fuel costs, but may be offset by less time/cost to fish fewer pots and reduced pot loss.

The Department of Fish and Wildlife concludes that the proposed regulatory amendments are likely to increase costs by more than the "more than minor" \$50 cost threshold.

5. Does the proposed regulation impose a disproportionate cost burden on small businesses? The Regulatory Fairness Act, chapter 19.85 RCW, requires that the economic impact of proposed regulations on small businesses be examined relative to their impact on large businesses. The act outlines the requirements for a small business economic impact statement (SBEIS). For the purposes of an SBEIS, the term "small business" is defined as a business entity that has the purpose of making a profit and has fifty or fewer employees. An agency must prepare an SBEIS when a proposed rule, or rule amendments, have the potential of placing a more than minor economic impact on businesses in an industry.

To determine whether the proposed amendments to these rules will have a disproportionate impact on small businesses, the impact statement must compare the cost of compliance for small businesses with the cost of compliance for the 10% of the businesses that are the largest businesses required to comply with the proposed rules. Since all coastal Dungeness crab fishers are by definition small businesses there are no large businesses within this industry required to comply with the proposed amendments to these two rules. Consequently, small businesses are not disproportionately impacted by the proposed amendments to the rules.

6. Miscellaneous SBEIS requirements.

a. How did the Department of Fish and Wildlife involve affected businesses and other interested parties in the development of this rule? The department established the Coastal Dungeness Crab Advisory Group that is comprised of twenty members - seventeen fishers and three processing representatives and held a series of meetings that were open to the public. The advisory group meetings were held on the following dates in 1999: February 19, March 3, March 24, June 9, July 1, July 16, August 6, October 11, October 26, October 29, November 9, and November 12. There have been six advisory group meetings held in 2000: February 11, February 29, April 3, April 8, April 19, and April 28.

Following the July 16 meeting, department staff developed and distributed the coastal Dungeness crab even flow harvest management plan to all Washington coastal Dungeness crab license holders for review. The Department's Fish and Wildlife Commission held a public meeting on August 6, 1999, in Ocean Shores at which it discussed management objectives for the coastal Dungeness crab fishery.

Department staff held another advisory group meeting on October 11, 1999, to discuss pot limit options and the potential effects on coastal crab fishers.

The department held a formal rule adoption hearing on October 26, 1999, at which it received comments from twenty coastal crab fishers regarding the proposed rule.

Following the hearing, the department held a conference call with the Coastal Dungeness Crab Advisory Group on October 29, 1999, and an advisory group meeting on November 12, 1999. At those meetings, department staff further discussed the pot limit options and solicited possible alternatives.

Due to unanticipated implementation challenges with a tiered pot reduction system, the department placed a temporary limit of five hundred pots for all fishers effective December 1, 1999, through March 22, 2000. The department spent a great deal of time working on the challenges that it identified in the fall of 1999 regarding implementation of a tiered system. The department held a meeting February 11, 2000, with the coastal crab advisory group and presented a list of proposed rules that would make implementation of a tiered pot limit feasible and discussed whether or not industry wanted to move forward with a pot reduction plan.

On February 29, 2000, the department held an advisory group meeting to discuss pot limit options. While industry members were still committed to pot reduction, they had become sharply divided in the type of pot reduction plan they preferred.

The department presented a three-tiered pot limit plan as its preferred alternative at the Fish and Wildlife Commission meeting on April 8. The commission voiced its approval for a three-tiered pot limit system. Fifteen members of the crab industry testified; five in support of the tiered pot limit, and ten in support of a limit of five hundred pots for all fishers.

After the April 8 meeting, a group of crab fishers met with the director to discuss whether there was any flexibility relative to implementing a pot limit system different than what the commission approved. In response, the director indicated that he was in favor of a pot reduction system that would achieve some level of pot reduction; he also stated that he had a limited amount of flexibility and directed department staff to meet with industry representatives one more time in an effort for industry to reach an "informed consent."

On April 28, department staff met with members of the coastal crab industry including representatives from the Washington Dungeness Crab Fishermen's Association and the Columbia River Crab Fishermen's Association. After much discussion, industry was unable to reach a consensus on a pot limit system.

With regard to the development of the SBEIS, prior to the implementation of the temporary 500-pot limit the department conducted a survey of thirteen Washington coastal Dungeness crab fishers who represented a cross-section of the coastal crab fleet and one processor. The fishers who were surveyed varied in the number of pots currently fished, the size of their fishing vessels, and the amount of crab they landed during the qualifying period.

b. What are the reporting, record-keeping, and other compliance requirements, and what professional services

is a small business likely to need in order to comply with the requirements of the proposed rule? Compliance requirements include: (1) Mandatory registration of buoy brand numbers and buoy color schemes for all gear deployed in the coastal crab fishery, (2) a pot tag on all pots; printed with the license number or name of the vessel, and a contact phone number, (3) a maximum crab pot size of thirteen cubic feet.

Currently, to our knowledge, all of the crab pots used in this fishery are in compliance with the maximum pot size and several fishers already use pot tags that meet the department's proposed requirement. Registration of buoy brands and buoy color schemes will be able to be done at the time that a fisher renews his/her license. Department staff plans to accommodate the registration of buoy color schemes by being available in major crab fishing ports during the summer to voluntarily record fishers' buoy color schemes.

A small business should not need any professional services to comply with the requirements of the proposed rule.

c. Will the proposed rule cause businesses to lose sales or revenue? It is very difficult to assess the economic impact of a pot limit on the coastal Dungeness crab fishery because there are so many factors to consider:

- Amount of pot reduction (i.e., number of pots currently fishing minus individual pot limit) which may vary from a significant reduction to a significant increase (e.g., if a fisher currently fishes three hundred pots and receives a four hundred fifty pot limit, he/she may add one hundred fifty pots).
- Annual crab abundance (i.e., amount of crab available to be caught).
- Individual effort level.
- Amount of crab fishing experience.
- Distribution of crab off the coast (i.e., fishing in an area with a high crab abundance vs. an area with low crab abundance).
- Weather conditions.
- Size of fishing vessel (i.e., larger vessels can usually travel greater distances offshore).
- Market conditions and demand for crab.

Appendix A lists Washington's coastal crab fishers, the amount of crab each individual fisher caught during the qualifying period (1996-97 and 1997-98 seasons) in pounds, and the amount of pots each fisher reported to have fished during the 1998-99 season. This table demonstrates that fishers who produced large quantities of crab, 150,000 pounds or more in two seasons, currently fish an average of six hundred thirty-eight pots, but range anywhere from three hundred - one thousand pots. Fishers who produced small quantities of crab, less than 39,000 pounds in two years, fish an average of two hundred seventy-three pots, and range from one hundred - five hundred seventy-five pots.

Currently, the number of pots fished is up to each individual fisher without a maximum limit. If the reduction to an individual is significant, the pot limit may mean a reduced catch for that fisher in a given month. However, by limiting the number of pots that can be fished overall, there could potentially be more crab per pot fished and/or more crab caught by an individual throughout the season.

One of the key factors in determining the amount of crab a fisher may catch is fishing effort. Fishing effort in the crab fishery can best be expressed in "pot-months." A pot-month is defined as one pot fishing for one month. Estimates of total fishing effort expressed in pot-months and total season catch from 1982 to 1997 are shown in Appendix B. The correlation between fishing effort and crab abundance is apparent. Fishing effort increases during and immediately following years of high crab abundance and remains high for several seasons after crab abundance declines. By reducing the amount of pots being fished each month by a maximum of 6.6%, the crab fleet will more than likely continue to catch the amount of crab available to be caught. Thus, it is the Department of Fish and Wildlife's opinion that there would not be a loss of revenue to the crab fleet; rather, there may be an increase in revenue if the catch of crab is spread out over the season because market value tends to increase as the season progresses.

In an effort to gather information for this SBEIS, prior to the temporary five hundred-pot limit, the department surveyed thirteen Washington coastal Dungeness crab fishers regarding the estimated economic impact to their businesses if the proposed rules were passed. Of the thirteen fishers, seven currently fish with more than five hundred pots and would have to reduce the number of pots fished, four fish around five hundred pots and would fish the same amount, and two fish less than five hundred pots and could increase the amount of pots fished. The following are the results of that survey:

Historically fish from six hundred to nine hundred fifty pots:

- Four of these fishers fish the entire season - from December 1 through September 15; one fishes from December through March, another from December through April, and another from December through June - all fish the months of December and January.
- One fisher who fishes the entire season landed 50,000 pounds in each of the last two seasons with about 66% of that landed in December and January; another fisher who fishes December through April landed 200,000 pounds in each of the last two seasons with about 50% of that landed in December and January.
- With a five hundred pot limit, three of the fishers estimate that their revenue would decrease by 15-25%; two fishers did not think a five hundred pot limit would affect their revenue; one fisher believed that a five hundred pot limit would have the potential to increase his revenue as a result of higher market prices for crab; and one fisher did not quantify the effect of a five hundred pot limit on his revenue.

Historically fish from four hundred fifty to six hundred pots:

- Two of these fishers fish the entire season - from December through September; one fisher fishes from December through April, and another fishes from December through June or July - all of them fish in December and January.
- Three of the fishers landed between 50,000 to 80,000 pounds in each of the 97-98 and 98-99 sea-

sons; one fisher did not disclose his landings; all of the fishers landed more than 50% of their total landings in December and January.

- Three of the fishers believe that there would not be any loss in revenue if they were restricted to five hundred pots; one fisher believes that there would be an increase in revenue with a five hundred pot limit because the market value for crab may increase as the season progresses.

Historically fish less than five hundred pots:

- These fishers currently fish three hundred sixty to four hundred pots (although one has fished up to seven hundred pots in the past).
- One fisher fishes from December through July, and the other fishes from December through April or May - both fish in December and January.
- One fisher landed about 30,000 pounds in each of the last two seasons with march being his most productive month; the other fisher did not disclose his landings, but estimated that 60% were caught in December and January.

6,219	21,781	12,457	168	21,781
22,351	22,446	19,627	300	22,446
17,882	18,901	23,770	250	23,770
12,082	24,450	9,578	275	24,450
10,050	24,504	19,282	300	24,504
21,063	24,720	24,949	200	24,949
25,261	20,707	11,489	300	25,261
11,989	10,418	27,196	438	27,196
1,099	5,047	28,503	575	28,503
17,111	28,678	20,779	550	28,678
29,333	10,270	22,070	430	29,333
30,027	2,825	0	300	30,027
18,431	31,043	17,997	440	31,043
26,404	31,290	20,756	305	31,290
23,718	31,673	17,102	400	31,673
31,828	22,537	17,866	347	31,828
32,182	19,161	28,886	400	32,182
27,732	28,037	32,356	380	32,356
24,323	20,241	32,378	400	32,378
157	22,445	32,600	450	32,600
32,650	33,477	19,285	300	33,477
18,219	34,484	28,922	300	34,484
22,875	35,240	16,593	270	35,240
36,114	29,051	36,278	400	36,278
37,280	26,870	31,038	320	37,280
37,595	32,017	0	530	37,595
38,409	29,642	4,396	525	38,409
32,990	38,945	29,571	300	38,945
30,912	23,606	39,217	400	39,217
29,860	32,777	39,793	500	39,793
21,253	22,755	39,836	550	39,836
30,935	35,838	39,996	450	39,996
40,053	21,808	0	350	40,053
9,004	40,456	17,671	300	40,456
37,776	40,732	33,229	500	40,732
36,185	25,511	40,950	450	40,950
17,548	10,540	41,580	550	41,580
30,796	41,631	24,611	425	41,631
22,881	41,634	28,367	550	41,634
37,476	38,239	43,515	520	43,515
39,777	29,266	43,628	562	43,628
43,962	39,794	40,474	330	43,962
44,094	31,337	33,555	400	44,094
34,613	44,470	0	460	44,470
35,556	27,997	45,271	390	45,271
40,559	46,106	41,540	600	46,106
32,186	46,432	28,295	500	46,432
30,181	46,772	32,549	500	46,772
27,801	46,978	46,752	456	46,978
27,747	47,227	26,601	350	47,227
48,406	39,865	40,969	400	48,406
48,525	46,348	46,219	635	48,525
9,424	7,654	49,434	350	49,434
15,869	24,777	49,880	450	49,880
1,063	3,864	50,367	300	50,367
39,142	37,147	50,758	597	50,758
21,190	40,182	50,968	500	50,968

Appendix A

	Qualifying Seasons		98/99 pots	Best of 3 years
96/97	97/98	98/99	98/99 pots	3 years
815	1,432	114	100	1,432
2,882	2,446	0	200	2,882
2,392	4,618	554	100	4,618
1,114	4,811	3,688	180	4,811
2,471	5,060	2,877	380	5,060
5,173	2,951	331	150	5,173
5,412	3,435	1,985	200	5,412
4,578	5,639	3,922	200	5,639
6,590	5,570	3,505	130	6,590
2,021	5,302	7,957	210	7,957
3,896	8,690	5,386	181	8,690
2,765	9,196	4,927	200	9,196
7,407	9,972	8,716	208	9,972
7,043	10,092	278	150	10,092
2,123	5,798	10,310	340	10,310
9,994	10,885	8,756	210	10,885
4,836	9,778	11,285	240	11,285
2,452	11,330	4,988	200	11,330
8,252	7,964	11,698	150	11,698
5,657	11,710	0	155	11,710
12,206	6,884	2,313	400	12,206
7,853	13,424	4,695	300	13,424
10,993	13,591	8,116	200	13,591
9,677	16,036	12,993	189	16,036
7,520	11,557	16,918	200	16,918
11,384	17,570	16,903	400	17,570
2,793	18,702	10,016	483	18,702
5,774	18,894	0	300	18,894
9,633	19,445	8,126	308	19,445
15,344	13,286	20,560	280	20,560
20,763	20,300	13,187	250	20,763
20,897	16,676	9,340	483	20,897
15,246	21,309	24,321	410	21,309
21,677	20,921	0	550	21,677

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37,856	23,338	51,700	480	51,700	99,083	86,312	51,904	600	99,083
50,952	53,218	36,527	494	53,218	104,564	106,401	75,432	925	106,401
43,498	37,279	56,071	500	56,071	106,684	38,604	38,238	500	106,684
26,477	27,828	56,402	400	56,402	105,264	83,512	108,400	720	108,400
31,667	44,808	57,140	470	57,140	110,261	55,552	108,430	775	110,261
57,523	49,686	53,482	483	57,523	92,012	71,093	119,256	520	119,256
36,052	25,358	58,370	600	58,370	89,691	72,203	120,031	500	120,031
50,286	58,743	44,260	500	58,743	126,879	126,398	95,588	670	126,879
49,224	30,241	59,867	445	59,867	127,097	51,560	94,180	640	127,097
39,959	35,481	60,258	400	60,258	99,291	106,804	131,820	1,000	131,820
21,062	60,459	0	440	60,459	133,740	73,816	116,542	700	133,740
49,308	60,485	45,491	440	60,485	99,053	102,514	138,390	761	138,390
37,754	49,172	62,199	500	62,199	140,939	40,692	62,150	498	140,939
39,391	28,456	62,361	500	62,361	100,039	140,135	141,898	750	141,898
63,279	46,219	52,828	482	63,279	61,260	38,508	145,334	750	145,334
63,915	63,506	59,637	479	63,915	145,509	60,391	41,410	518	145,509
64,304	41,847	4,454	550	64,304	146,832	119,029	70,522	550	146,832
64,982	54,324	50,236	520	64,982	107,386	128,725	148,129	1,000	148,129
66,443	32,946	65,257	660	66,443	92,422	59,778	148,276	665	148,276
60,593	54,407	66,717	700	66,717	150,706	135,283	129,097	600	150,706
66,963	22,819	0	575	66,963	170,903	82,088	123,971	770	170,903
62,641	53,509	67,097	500	67,097	242,842	137,938	208,692	800	242,842
31,535	67,287	68,496	669	68,496					
49,521	69,005	45,726	507	69,005					
44,501	32,245	70,157	600	70,157					
51,161	71,226	63,020	530	71,226					
38,038	46,831	71,314	545	71,314					
60,664	72,116	55,127	550	72,116					
72,367	70,673	70,596	600	72,367					
61,647	76,238	55,668	540	76,238					
63,983	62,143	76,289	600	76,289					
76,672	57,720	0	470	76,672					
77,038	37,055	64,815	500	77,038					
60,062	78,521	32,159	575	78,521					
38,113	44,664	80,174	475	80,174					
80,441	44,255	61,393	500	80,441					
58,969	80,816	60,054	550	80,816					
45,784	41,171	81,083	360	81,083					
84,861	51,978	65,520	595	84,861					
85,670	53,439	64,857	523	85,670					
54,686	46,092	86,827	600	86,827					
72,150	86,455	87,086	630	87,086					
48,047	55,642	89,307	550	89,307					
29,762	68,109	89,600	450	89,600					
47,113	89,767	91,292	640	91,292					
86,780	88,616	92,210	600	92,210					
74,328	65,683	92,478	650	92,478					
37,786	52,450	92,802	500	92,802					
42,346	80,225	93,180	540	93,180					
93,335	63,531	23,698	300	93,335					
69,548	93,572	76,984	708	93,572					
76,141	64,531	93,810	650	93,810					
30,064	95,076	59,781	750	95,076					
95,347	51,693	45,365	440	95,347					
45,541	33,356	95,646	400	95,646					
83,353	75,887	96,111	500	96,111					
65,587	98,952	76,290	535	98,952					

PROPOSED

Appendix B

Number of vessels and estimated number of crab pots fished in the Washington coastal Dungeness crab fishery 1976 through 1998.

Season	Number of vessels	Pounds landed	Landings	Effort estimate (pot-months)	CPUE estimate, (lbs./pot-month)			Low	Month
					Mean	High	Month		
1976-77	141	11,673,995	5,599	196,574	59.4	94.4	May	25	July
1977-78	125	7,368,660	5,616	176,638	41.7	82.8	Dec.	18.7	June
1978-79	132	7,979,403	5,515	192,544	41.4	89.1	Jan.	16.2	June
1979-80	121	6,546,544	4,492	180,628	36.2	53.5	Jan.	24.9	June
1980-81	103	2,689,142	3,470	119,112	22.6	60.8	Sept.	8.8	March
1981-82	95	2,564,766	3,522	131,854	19.4	58	Sept.	10.7	July
1982-83	102	3,972,555	4,693	147,696	26.9	50.8	Dec.	12.1	June
1983-84	122	4,696,701	5,277	207,990	22.6	68.5	Dec.	6.7	April/June
1984-85	105	2,921,078	4,319	149,294	19.6	33.2	Dec.	5.4	March
1985-86	100	3,946,552	4,145	177,400	22.2	51.7	Dec.	5.8	April
1986-87	104	3,183,005	4,021	177,003	18	47	Dec.	8	March
1987-88	149	16,247,701	6,966	225,256	72	212	Dec.	16	Aug./Sept.
1988-89	229	21,867,413	9,245	379,823	58	102	Jan.	9	Sept.
1989-90	229	6,666,783	7,173	326,662	20	32	Jan.	9	Sept.
1990-91	171	6,760,143	6,722	325,740	21	54	Dec.	5.9	March
1991-92	185	7,455,029	6,113	281,231	26.5	50.7	Sept.	6.8	April
1992-93	203	13,396,700	7,515	379,921	35.3	92.6	Dec.	7.4	June
1993-94	257	19,693,787	9,237	469,402	42	103.3	Dec.	10.9	June
1994-95a	242	19,407,222	8,581	474,735	40.9	93.9	Jan.	10.6	July
1995-96	212	16,895,429	6,543	444,586	38	209.6b	Dec.	5	July
1996-97	200	9,269,172	5,832	433,590	19.7	61.7	Sept.	3	March
1997-98	184	7,551,638	5,230	414,568	18.2	61.8	Dec.	2.8	May
1998-99	178	8,799,439	5,513	438,800	20	53	Dec.	4.6	Feb.

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- a Starting in 1994-95 only nontreaty effort and harvest figures reported.
- b Only 15 "regular" vessels participated due to an exvessel price strike during December.

A copy of the statement may be obtained by writing to Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2942.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. No hydraulics rules.

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA 98188, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 25, 2000, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501, fax (360) 902-2942, by August 10, 2000.

Date of Intended Adoption: August 11, 2000.

June 29, 2000

Evan Jacoby
Rules Coordinator

AMENDATORY SECTION (Amending Order 98-185, filed 9/4/98, effective 10/5/98)

WAC 220-52-040 Commercial crab fishery—Lawful and unlawful gear, methods, and other unlawful acts. (1) **Net fishing boats shall not have crab aboard.** It is unlawful for any vessel geared or equipped with commercial net fish-

ing gear to have aboard any quantity of crab while it is fishing with the net gear or when it has other food fish or shellfish aboard for commercial purposes.

(2) Area must be open to commercial crabbing.

Unless otherwise provided, it is unlawful to set, maintain, or operate any baited or unbaited shellfish pots or ring nets for taking crabs for commercial purposes in any area or at any time when the location is not opened for taking crabs for commercial purposes by permanent rule or emergency rule of the department: Provided, That following the close of a commercial crab season, permission may be granted by the director or his or her designee on a case-by-case basis for crab fishers to recover shellfish pots that were irretrievable due to extreme weather conditions at the end of the lawful opening. Crab fishers must notify and apply to department enforcement for such permission within twenty-four hours prior to the close of season.

(3) Crabs must be male and 6-1/4 inches. It is unlawful for any person acting for commercial purposes to take, possess, deliver, or otherwise control:

(a) Any female Dungeness crabs; or

(b) Any male Dungeness crabs measuring less than 6-1/4 inches, caliper measurement, across the back immediately in front of the tips.

(4) Each person and each Puget Sound license limited to 100 pots. It is unlawful for any person to take or fish for crab for commercial purposes in the Puget Sound licensing district using, operating, or controlling any more than an aggregate total of 100 shellfish pots or ring nets. This limit shall apply to each license. However, this shall not preclude

a person holding two Puget Sound crab licenses from designating and using the licenses from one vessel as authorized by RCW 75.28.048(4).

(5) **Dungeness Bay Area Limit of 20 pots.** No person, nor any group of persons using the same vessel, may take or fish for crabs for commercial purposes by setting, using, operating, or controlling more than 20 shellfish pots and/or ring nets within the waters of Dungeness Bay lying west of a line projected from the new Dungeness Light southward to the outermost end of the abandoned dock at the Three Crabs Restaurant on the southern shore of Dungeness Bay.

(6) **Additional area gear limits.** The following Marine Fish-Shellfish Management and Catch Reporting Areas are restricted in the number of pots fished, operated, or used by a person or vessel and it is unlawful for any person to use, maintain, operate, or control pots in excess of the following limits:

(a) 10 pots in Marine Fish-Shellfish Management and Catch Reporting Area 25E.

(b) 10 pots in all waters of Marine Fish-Shellfish Management and Catch Reporting Area 25A south of a line projected true west from Travis Spit on Miller Peninsula.

(c) 30 pots in Marine Fish-Shellfish Management and Catch Reporting Area 25A west of a line from the new Dungeness Light to the mouth of Cooper Creek.

(7) **Groundline gear is unlawful.** No crab pot or ring net may be attached or connected to other crab pot or ring net by a common groundline or any other means that connects crab pots together.

(8) **Puget Sound crab pots must be tagged.** In Puget Sound it is unlawful to place in the water, pull from the water, possess on the water, or transport on the water any crab pot without a pot tag that meets the requirements of WAC 220-52-043.

(9) **Puget Sound - No person can possess or use gear with other person's tag.** In Puget Sound no person may possess, use, control, or operate any crab pot not bearing a tag identifying the pot as that person's, except that an alternate operator designated on a primary license may possess and operate a crab pot bearing the tag of the license holder.

(10) **Cannot tamper with pot tags.** No person shall remove, damage, or otherwise tamper with crab pot tags except when lawfully applying or removing tags on the person's own pots.

(11) **Thirty-day period when it is unlawful to buy or land crab from ocean without crab vessel inspection.** It is unlawful for any fisher or wholesale dealer or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, Columbia River, Washington coastal or adjacent waters of the Pacific Ocean during the first thirty days following the opening of a coastal crab season from any vessel which has not been issued a Washington crab vessel inspection certificate. The certificate will be issued to vessels made available for inspection in a Washington coastal port and properly licensed for commercial crab fishing if no Dungeness crabs are aboard. Inspections will be performed by authorized department personnel not earlier than twelve hours prior to the opening of the coastal crab season and during the following thirty-day period.

(12) **Grays Harbor pot limit of 200.** It is unlawful for any person to take or fish for crab for commercial purposes in Grays Harbor (catch area 60B) with more than 200 shellfish pots in the aggregate. It shall be unlawful for any group of persons using the same vessel to take or fish for crab for commercial purposes in Grays Harbor with more than 200 shellfish pots.

(13) Coastal crab pot limit.

(a) It is unlawful for a person to take or fish for Dungeness crab for commercial purposes in Grays Harbor, Willapa Bay, the Columbia River, or waters of the Pacific Ocean adjacent to the state of Washington unless a shellfish pot limit has been assigned to the Dungeness crab-coastal fishery license held by the person, or to the equivalent Oregon or California Dungeness crab fishery license held by the person.

(b) It is unlawful for a person to deploy or fish more shellfish pots than the number of shellfish pots assigned to the license held by that person, and it is unlawful to use any vessel other than the vessel designated on a license to operate or possess shellfish pots assigned to that license.

(c) It is unlawful for a person to take or fish for Dungeness crab or to deploy shellfish pots unless the person is in possession of valid documentation issued by the department that specifies the shellfish pot limit assigned to the license.

(14) Determination of coastal crab pot limits.

(a) The number of shellfish pots assigned to a Washington Dungeness crab-coastal fishery license, or to an equivalent Oregon or California Dungeness crab fishery license will be based on documented landings of Dungeness crab taken from waters of the Pacific Ocean south of the United States/Canada border and west of the Bonilla-Tatoosh line, and from coastal estuaries in the states of Washington, Oregon and California. Documented landings may be evidenced only by valid Washington state shellfish receiving tickets, or equivalent valid documents from the states of Oregon and California, that show Dungeness crab were taken between December 1, 1996, and September 16, 1999. Such documents must have been received by the respective states no later than October 15, 1999.

(b) The following criteria shall be used to determine and assign a shellfish pot limit to a Dungeness crab-coastal fishery license, or to an equivalent Oregon or California Dungeness crab fishery license:

(i) The three "qualifying coastal Dungeness crab seasons" are from December 1, 1996, through September 15, 1997, from December 1, 1997, through September 15, 1998, and from December 1, 1998, through September 15, 1999. Of the three qualifying seasons, the season with the most poundage of Dungeness crab landed on a license shall determine the shellfish pot limit for that license. A shellfish pot limit of 300 shall be assigned to a license with landings that total from zero to 26,999 pounds; a shellfish pot limit of 450 shall be assigned to a license with landings that total from 27,000 to 104,999 pounds; a shellfish pot limit of 550 shall be assigned to a license with landings that total 105,000 pounds or more.

(ii) Landings of Dungeness crab made in the states of Oregon or California on valid Dungeness crab fisheries licenses during a qualifying season may be used for purposes

of assigning a shellfish pot limit to a Dungeness crab fishery license, provided that documentation of the landings is provided to the department by the Oregon Department of Fish and Wildlife and/or the California Department of Fish and Game. Landings of Dungeness crab made in Washington, Oregon, and California on valid Dungeness crab fishery licenses during a qualifying season may be combined for purposes of assigning a shellfish pot limit, provided that the same vessel was named on the licenses, and the same person held the licenses. A shellfish pot limit assigned as a result of combined landings is invalidated by any subsequent change in ownership of the licenses. No vessel named on a Dungeness crab fishery license shall be assigned more than one shellfish pot limit.

(15) Appeals of coastal crab pot limits. An appeal of a shellfish pot limit by a coastal commercial license holder shall be filed with the department on or before the 30th day following the department's assignment of a shellfish pot limit under subsection (14) of this section. The shellfish pot limit assigned to a license by the department shall remain in effect until such time as the appeal process is concluded.

(16) Coastal - Barging of crab pots by undesignated vessels. It is lawful for a vessel not designated on a Dungeness crab-coastal fishery license to be used to deploy shellfish pot gear provided that:

(a) Such a vessel may not carry aboard more than 150 shellfish pots at any one time.

(b) Such a vessel may deploy shellfish pot gear only during the 64-hour period immediately preceding the season opening date and during the 48-hour period immediately following the season opening date.

(c) The lawful owner of the shellfish pot gear must be aboard the vessel when the gear is being deployed.

(17) Coastal shellfish pot tags. It is unlawful for a person to use a shellfish pot in the coastal Dungeness crab fishery unless the pot bears a tag that identifies either the name of the vessel being used to operate the pot or the Dungeness crab fishery license number of the owner of the pot, and the telephone number of a contact person. No person may operate or possess a pot that bears another person's tag, except that a person who is licensed as an alternate operator may operate or possess a pot that bears the tag of the primary license holder. It is unlawful for any person who is not the owner of Dungeness crab pot gear to remove, damage, or otherwise tamper with pot gear tags.

(18) Coastal - Registration and use of buoy brands and colors.

(a) It is unlawful for any coastal Dungeness crab fishery license holder to fish for crab unless the license holder has registered the buoy brand and buoy color(s) to be used with the license. A license holder shall be allowed to register with the department only one, unique buoy brand and one buoy color scheme per license. Persons holding more than one license state shall register buoy color(s) for each license that are distinctly different. The buoy color(s) shall be shown in a color photograph.

(b) It is unlawful for a coastal Dungeness crab fishery license holder to fish for crab using any other buoy brand or

color(s) than those registered with and assigned to the license by the department.

AMENDATORY SECTION (Amending Order 98-185, filed 9/4/98, effective 10/5/98)

WAC 220-52-043 Commercial crab fishery—Additional gear and license use requirements. (1) **Commercial gear limited to pots and ring nets.** It shall be unlawful to take or fish for crabs for commercial purposes except with shellfish pots and ring nets.

(2) **Commercial gear escape rings and ports defined.** It shall be unlawful to use or operate any shellfish pot gear in the commercial Dungeness crab fishery unless such gear meets the following requirements:

(a) Pot gear must have not less than two escape rings or ports not less than 4-1/4 inches inside diameter.

(b) Escape rings or ports described above must be located in the upper half of the trap.

(3) **Puget Sound commercial gear tagging requirements.**

In Puget Sound, all crab pots must have a durable, non-biodegradable tag permanently and legibly marked with the primary license owner's name or license number, and telephone number securely attached to the pot. If the tag information is illegible, or if the tag is lost for any reason, the pot is not in compliance with law.

(4) **Puget Sound - Description of lawful buoys.** All buoys attached to commercial crab gear in Puget Sound waters must consist of a durable material and remain floating on the water's surface when five pounds of weight is attached. It is unlawful to use bleach or antifreeze bottles or any other container as a float. All buoys fished under a single license must be marked in a uniform manner using one buoy brand number registered by the license holder with the department and be of identical color or color combinations. No buoys attached to commercial crab gear in Puget Sound may be both red and white in color unless a minimum of thirty percent of the surface of each buoy is also prominently marked with an additional color or colors other than red or white, as the red and white colors are reserved for personal use crab gear as described in WAC 220-56-320 (1)(c).

(5) **Commercial crab license requirements.** In addition to, and separate from, all requirements in this chapter that govern the time, area, gear, and method for crab fishing, landing, possession, or delivery of crabs, no commercial crab fishing is allowed except when properly licensed. A person may take, fish for, land, or deliver crabs for commercial purposes in Washington or coastal waters only when the person has the license required by statute, or when the person is a properly designated alternative operator to a valid license. For Puget Sound, a person must have a "Dungeness crab - Puget Sound" fishery license provided by RCW 75.28.130. For coastal waters, such person must have a "Dungeness crab - Coastal" fishery license provided by RCW 75.28.130. To use ring nets instead of or in addition to pots, then the licensee must also have the "Crab ring net - Puget Sound" or "Crab ring net - non-Puget Sound" license in RCW 75.28.130. Qualifications for the limited entry licenses,

requirements for designating vessels, and use of alternate operators is provided by and controlled by chapters 75.28 and 75.30 RCW.

(6) **Maximum size for coastal crab pots.** The maximum volume of a crab pot used to fish for or take Dungeness crab from the waters provided for in WAC 220-52-040(12) is thirteen cubic feet.

(7) **Incidental catch may not be retained.** It is unlawful to retain salmon, food fish, or any shellfish other than octopus that is taken incidental to any crab fishing.

WSR 00-14-038
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed June 30, 2000, 8:52 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-05-027.

Title of Rule: Commercial fishing rules.

Purpose: Open a coastal sardine fishery.

Statutory Authority for Adoption: Sections 7 and 137, chapter 107, Laws of 2000.

Statute Being Implemented: Sections 7 and 137, chapter 107, Laws of 2000.

Summary: Provides for a coastal sardine fishery.

Reasons Supporting Proposal: In recent years sardines have appeared off the coast of Washington in commercially harvestable numbers. Oregon opened a fishery in 1999.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, 902-26561 [902-2651]; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Sardine fishing has not been allowed in coastal waters because of low population levels. During the recent El Nino, sardine levels started to increase. In 1999 Oregon opened an experimental sardine fishery which took several hundred tons of fish. Currently there are sufficient numbers of sardines to allow for a trial emerging commercial fishery off Washington. Although the prospect of colder waters may result in sardines staying more southerly, a trial fishery with at least half-time observer coverage will provide valuable information on sardine abundance and tell if a sardine fishery encounters salmon. Should significant salmon encounters take place, the fishery will be closed.

Proposal Changes the Following Existing Rules: Deletes unrealistic season.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

1. Description of Reporting, Recordkeeping, and Other Compliance Measures Required by Proposal: The coastal sardine permit has a logbook requirement.

2. Professional Services Required for Compliance: None.

3. Costs of Compliance, Including Costs of Equipment, Supplies, Labor and Increased Administrative Costs: There is a minimal cost in keeping the logbook current. A person who wants to participate in the fishery needs to buy an emerging commercial fishery license (\$185 resident; \$295 nonresident).

4. Will Compliance Cause Businesses to Lose Sales or Revenue? These rules provide for a fishery that was previously closed.

5. Comparison of Costs for the 10% of Businesses That are the Largest Business Required to Comply with the Proposed Rule: Costs are dependent on days fished. No comparison information is available.

6. Steps Taken by Agency to Reduce the Costs of the Rule on Small Businesses: This fishery was designed with industry and processors.

7. Description of How the Agency Will Involve Small Businesses in the Development of the Rule: Industry and processors met to design the experimental fishery.

8. List of Industries Required to Comply with this Rule: No one is required to participate in this fishery.

A copy of the statement may be obtained by writing to Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2942.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 25, 2000, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501, fax (360) 902-2942, by August 10, 2000.

Date of Intended Adoption: August 11, 2000.

June 29, 2000

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 95-166, filed 11/8/95, effective 12/9/95)

WAC 220-33-060 Herring and anchovies. It is unlawful to fish for herring or anchovies in the lower Columbia River for commercial purposes or to possess herring or anchovies taken from those waters for commercial purposes, except as provided in this section:

Gear

(1) Purse seine and lampara gear may be used to fish for herring or anchovies if the cork line of the gear does not

PROPOSED

exceed 1,400 feet in length and the mesh size of the gear is not less than one-half inch stretch measure.

(2) It is unlawful to fish with purse seine or lampara gear in the waters of the Columbia River if any part of the purse seine or lampara is in waters that are less than 20 feet deep.

Licensing

(3)(a) A baitfish purse seine fishery license is a license required to operate a gear provided for in this section and allows the operator to retain anchovies.

(b) A herring purse seine fishery license is a license required to operate a gear provided for in this section and allows the operator to retain herring.

(c) A baitfish lampara fishery license is a license required to operate a gear provided for in this section and allows the operator to retain anchovies.

(d) A herring lampara fishery license is a license required to operate a gear provided for in this section and allows the operator to retain herring.

Fishing periods

(4) Purse seine and lampara gear may be used to fish for herring or anchovies in SMCRA 1A 7 days per week from January 1 through December 31 of each year.

General

(5) Species of fish other than herring or anchovies, except shad and pilchard, taken in the operation of the purse seine and lampara gear shall be returned immediately to the water. Pilchard taken incidental to the herring and anchovy fisheries provided for in this section may not exceed twenty-five percent of the weight of any landing.

AMENDATORY SECTION (Amending Order 94-23, filed 5/19/94, effective 6/19/94)

WAC 220-44-020 Coastal baitfish gear. It is unlawful to fish for or possess smelt, anchovies, candlefish, herring or pilchard taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, or 60A, except as provided for in this section.

(1)(a) It is unlawful to fish for or possess smelt taken for commercial purposes except by hand net gear not exceeding 72 inches maximum frame width. It is unlawful to take smelt for commercial purposes during weekly closed periods from 8:00 a.m. Friday to 8:00 a.m. Sunday.

(b) Licensing: A smelt dip bag net fishery license is the license required to operate the gear provided for in this section.

(c) Incidental catch: It is lawful to retain only anchovies and candlefish taken incidental to a lawful smelt fishery.

(2)(a) It is unlawful to fish for or possess candlefish or anchovies taken for commercial purposes with any gear except purse seine or lampara not exceeding 1,400 feet in length nor having mesh size less than 1/2 inch, or dip bag net not exceeding 72 inches maximum frame width.

(b) Licensing:

(i) A baitfish lampara fishery license is the license required to operate the lampara gear provided for in this section.

(ii) A baitfish purse seine fishery license is the license required to operate the purse seine gear provided for in this section.

(iii) A smelt dip bag net fishery license is the license required to operate the hand dip net gear provided for in this section.

(c) Incidental catch: It is lawful to retain only shad and pilchard taken incidental to a lawful anchovy or candlefish fishery. Pilchard may not exceed twenty-five percent of the weight of the landing. Any sturgeon must be released unharmed.

(3)(a) It is unlawful to fish for or possess herring or pilchard taken for commercial purposes except as authorized by permit issued by the director, except pilchard taken incidental to candlefish and anchovy.

(b) Licensing:

(i) An emerging commercial fishery license is the license for a permittee to fish for or retain pilchard.

(ii) Herring dip bag net, herring drag seine, herring gill net, herring lampara or herring purse seine are the licenses for a permittee to fish for or retain herring.

NEW SECTION

WAC 220-88C-010 Emerging commercial fishery—Coastal pilchard fishery. The purpose of this chapter is to establish the coastal pilchard fishery as an emerging commercial fishery.

NEW SECTION

WAC 220-88C-020 Designation of the coastal pilchard fishery as an emerging commercial fishery. (1) The director designates the coastal pilchard fishery as an emerging commercial fishery for which use of a vessel is required. It is unlawful for any person to fish for, possess, or deliver pilchard taken from Washington waters west of the Bonilla-Tatoosh line or from the waters of the Exclusive Economic Zone unless the fisher has a valid emerging commercial fishery license and a valid coastal pilchard fishery permit, or except as otherwise provided.

(2) After the effective date of this section, the following fishery licenses may not be used to take pilchard from Washington waters west of the Bonilla-Tatoosh line or from the waters of the Exclusive Economic Zone: Baitfish lampara; baitfish purse seine; Columbia River smelt; food fish trawl—non-Puget Sound; herring dip bag net; herring gill net; herring lampara; herring purse seine; smelt dip bag net; smelt gill net, except as provided for in chapter 220-44 WAC.

(3) After the effective date of this section, pilchard taken from Washington waters west of the Bonilla-Tatoosh line or from the waters of the Exclusive Economic Zone may not be delivered into a Washington port under a nonlimited entry delivery license, and may not be delivered under the licenses provided for in RCW 75.28.125(2).

NEW SECTION

WAC 220-88C-030 Eligibility to participate in the coastal pilchard fishery. (1) All persons who are eligible to purchase a commercial fishery license may obtain a coastal pilchard trial fishery permit and purchase an emerging commercial fishery license.

(2) Persons who violate the terms of the coastal pilchard trial fishery permit will have the permit revoked, pursuant to appeal rights under chapter 34.05 RCW, and will be ineligible to obtain a coastal pilchard trial fishery permit for the remainder of the calendar year for which the emerging commercial fishery license is valid.

WSR 00-14-041
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 30, 2000, 9:53 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-13-124.

Title of Rule: All rules relating to elevators and other conveyances (chapters 296-81, 296-82, 296-84, 296-85, 296-87, 296-89, 296-91, 296-93A, 296-94, 296-95, and 296-100 WAC).

Purpose: **Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 00-16 issue of the Register.

Statutory Authority for Adoption: RCW 70.87.020, 70.87.030, 70.87.034, 70.87.120, 70.87.185, and 70.87.190.

Statute Being Implemented: Chapter 70.87 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Rich Atkinson, Tumwater, (360) 902-6128; Implementation and Enforcement: Patrick Woods, Tumwater, (360) 902-6348.

Name of Proponent: Department of Labor and Industries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules are exempt from the small business economic impact statement requirements because the purpose of these rules is to:

- Rewrite, reorganize, and combine all of the existing rules relating to elevators and other conveyances in one location and in a more usable format as directed in the department's August 1997 rule review plan (in response to the Governor's Executive Order 97-02 on regulatory improvement) in order to make them easier to understand;
- Make clarifying and housekeeping changes;

- Adopt either by reference or without material change national consensus codes;
- Separate the requirements for inclined private residence conveyances for transporting people and property into two parts - inclined private residence elevators for transporting person(s) and inclined private residence elevators for transporting property in order to clarify the differences and provide the appropriate level of safety for the two different types of elevators;
- Implement requirements authorized by statute (e.g. specified when inspections of private residence conveyances are performed and when they are not necessary and implement a penalty structure for failure to notify corrections on all conveyances); and
- Incorporate necessary policy (and current practice) into rule as directed by the Governor's Executive Order 97-02 on regulatory improvement.

RCW 34.05.328 does not apply to this rule adoption. This rule making was a comprehensive clear rule write of all the rules relating to elevators and other conveyances. The purpose of this rule making is to:

- Rewrite, reorganize, and combine all of the existing rules relating to elevators and other conveyances in one location and in a more usable format as directed in the department's August 1997 rule review plan (in response to the Governor's Executive Order 97-02 on regulatory improvement) in order to make them easier to understand;
- Make clarifying and housekeeping changes;
- Adopt either by reference or without material change national consensus codes;
- Separate the requirements for inclined private residence conveyances for transporting people and property into two parts - inclined private residence elevators for transporting person(s) and inclined private residence elevators for transporting property in order to clarify the differences and provide the appropriate level of safety for the two different types of elevators;
- Implement requirements authorized by statute (e.g. specified when inspections of private residence conveyances are performed and when they are not necessary and implement a penalty structure for failure to notify corrections on all conveyances); and
- Incorporate necessary policy (and current practice) into rule as directed by the Governor's Executive Order 97-02 on regulatory improvement.

Significant rule-making criteria does not apply to these rule changes because the exempt criteria outlined in RCW 34.05.328(5) was met.

Hearing Location: Department of Labor and Industries, Tukwila Service Location, 12806 Gateway Drive, Tukwila, WA 98168-1050, on September 5, 2000, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Josh Swanson by September 1, 2000, at (360) 902-6411.

Submit Written Comments to: Josh Swanson, Specialty Compliance Services Division, P.O. Box 44400, Olympia, WA 98504-4400, swaj235@lni.wa.gov, fax (360) 902-5292, by September 12, 2000. Comments submitted by fax must be ten pages or less.

PROPOSED

Date of Intended Adoption: October 20, 2000.
 June 30, 2000
 Gary Moore
 Director

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 00-16 issue of the Register.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by August 8, 2000.

Date of Intended Adoption: Not sooner than August 9, 2000.

June 30, 2000
 Edith M. Rice, Chief
 Office of Legal Affairs

WSR 00-14-044
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed June 30, 2000, 2:42 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-07-054.

Title of Rule: WAC 388-478-0075 and 388-478-0085.

Purpose: Implements the increased federal standards for the federal poverty level, which was effective April 1, 2000.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.530.

Statute Being Implemented: Poverty guidelines updated annually in the Federal Register under the authority of Section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)).

Summary: These amendments increase the monthly income standards for children, pregnant women and for people participating in the Medicare cost-sharing programs.

Reasons Supporting Proposal: To amend state rules to implement the increased standards for the federal poverty level.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, Medical Assistance Administration, Mailstop 45534, Olympia, WA 98504-5534, (360) 725-1330.

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

Rule is necessary because of federal law, Section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)).

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule has no impact on small businesses.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that apply to medical eligibility.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 8, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by July 28, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopkd@dshs.wa.gov.

AMENDATORY SECTION (Amending WSR 99-19-005, filed 9/3/99, effective 10/4/99)

WAC 388-478-0075 Medical programs—Monthly income standards based on the federal poverty level (FPL). (1) The department bases the income standard upon the Federal Poverty Level (FPL) for the following medical programs:

(a) Children's health program ((is)) up to one hundred percent of FPL;

(b) Pregnant women's program ((is)) up to one hundred eighty-five percent of FPL;

(c) Children's categorically needy program ((is)) up to two hundred percent of FPL; and

(d) The children's health insurance program (CHIP)((; effective January 1, 2000,)) is over two hundred percent of FPL but under two hundred fifty percent of FPL.

(2) Beginning April 1, ((1999)) 2000, the monthly FPL standards are:

FAMILY SIZE	100% FPL	185% FPL	200% FPL	250% FPL
1	\$((687)) <u>696</u>	\$((1271)) <u>1288</u>	\$((1374)) <u>1392</u>	\$((1717)) <u>1740</u>
2	\$((922)) <u>938</u>	\$((1706)) <u>1735</u>	\$((1844)) <u>1875</u>	\$((2305)) <u>2344</u>
3	\$((1157)) <u>1180</u>	\$((2140)) <u>2182</u>	\$((2314)) <u>2359</u>	\$((2892)) <u>2948</u>
4	\$((1392)) <u>1421</u>	\$((2575)) <u>2629</u>	\$((2784)) <u>2842</u>	\$((3480)) <u>3553</u>
5	\$((1627)) <u>1663</u>	\$((3010)) <u>3076</u>	\$((3254)) <u>3325</u>	\$((4067)) <u>4157</u>
6	\$((1862)) <u>1905</u>	\$((3445)) <u>3523</u>	\$((3724)) <u>3809</u>	\$((4655)) <u>4761</u>
7	\$((2097)) <u>2146</u>	\$((3879)) <u>3970</u>	\$((4194)) <u>4292</u>	\$((5242)) <u>5365</u>
8	\$((2332)) <u>2388</u>	\$((4314)) <u>4417</u>	\$((4664)) <u>4775</u>	\$((5830)) <u>5969</u>
9	\$((2567)) <u>2630</u>	\$((4749)) <u>4864</u>	\$((5134)) <u>5259</u>	\$((6417)) <u>6573</u>
10	\$((2802)) <u>2871</u>	\$((5184)) <u>5312</u>	\$((5604)) <u>5742</u>	\$((7005)) <u>7178</u>

Add to the ten person standard for each person over ten:
 \$((235)) 242 \$((435)) 448 \$((470)) 484 \$((588)) 605

PROPOSED

(3) There are no resource limits for the programs under this section.

- (a) One person \$ 4000
- (b) Two persons \$ 6000

AMENDATORY SECTION (Amending WSR 99-19-005, filed 9/3/99, effective 10/4/99)

WAC 388-478-0085 Medicare cost sharing programs—Monthly income and countable resources standards. (1) The qualified Medicare beneficiary (QMB) program income standard is up to one hundred percent of the Federal Poverty Level (FPL). Beginning April 1, ~~((1999))~~ 2000, the QMB program's income standards are:

- (a) One person \$ ~~((687))~~ 696
- (b) Two persons \$ ~~((922))~~ 938

(2) The special low-income Medicare beneficiary (SLMB) program income standard is over one hundred percent of FPL, but under one hundred twenty percent of FPL. Beginning April 1, ~~((1999))~~ 2000, the SLMB program's income standards are:

	Minimum	Maximum
(a) One person	\$ ((687.01)) <u>696.01</u>	\$ ((824)) <u>835</u>
(b) Two persons	\$ ((922.01)) <u>938.01</u>	\$ ((1106)) <u>1125</u>

(3) The expanded special low-income Medicare beneficiary (ESLMB) program income standard is over one hundred twenty percent of FPL, but under one hundred thirty-five percent of FPL. Beginning April 1, ~~((1999))~~ 2000, the ESLMB program's income standards are:

	Minimum	Maximum
(a) One person	\$ ((824.01)) <u>835.01</u>	\$ ((927)) <u>940</u>
(b) Two persons	\$ ((1106.01)) <u>1125.01</u>	\$ ((1245)) <u>1266</u>

(4) The qualified disabled working individual (QDWI) program income standard is ~~((standard is based upon))~~ up to two hundred percent of FPL. Beginning April 1, ~~((1999))~~ 2000, the QDWI program's income standards are:

- (a) One person \$ ~~((1374))~~ 1392
- (b) Two persons \$ ~~((1844))~~ 1875

(5) The qualified individual (QI) program income standard is over one hundred thirty-five percent of FPL, but under one hundred seventy-five percent of FPL. Beginning April 1, ~~((1999))~~ 2000, the QI program's income standards are:

	Minimum	Maximum
(a) One person	\$ ((927.01)) <u>940.01</u>	\$ ((1202)) <u>1218</u>
(b) Two persons	\$ ((1245.01)) <u>1266.01</u>	\$ ((1613)) <u>1641</u>

(6) The resource standard for the Medicare cost sharing programs in this section is:

WSR 00-14-045
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed June 30, 2000, 2:43 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-03-011.

Title of Rule: New WAC 388-556-0100 Chemical dependency treatment services and repealing WAC 388-86-300 Chemical dependency outpatient services.

Purpose: Medical Assistance Administration is establishing new chapters in WAC in order to concentrate most of the agency's rules in one area of Title 388 WAC. This rule is being moved into a new WAC section and the current WAC is being repealed. The limitation on the maximum number of treatment hours allowed a client in a two-year period has been eliminated. The proposed new rule has also been rewritten to meet the clear writing standards in the Governor's Executive Order 97-02.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.035, 74.50.055.

Statute Being Implemented: RCW 74.09.035, 74.50-055.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kevin Sullivan, 925 Plum Street, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1344.

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: See Purpose above.

Proposal Changes the Following Existing Rules: Most of the restrictions of the current rule have been eliminated; the location of the rule in WAC has changed.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not affect small businesses.

RCW 34.05.328 does not apply to this rule adoption. This rule does not meet the definition of a "significant legislative rule."

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 8, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by July 27, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coo-pekcd@dshs.wa.gov.

PROPOSED

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by July 27, 2000.

Date of Intended Adoption: Not sooner than August 9, 2000.

June 22, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

NEW SECTION

WAC 388-556-0100 Chemical dependency treatment services. The department covers chemical dependency treatment services, as defined in chapter 388-805 WAC, for Medicaid and children's health clients. Coverage is limited to services performed by providers defined in WAC 388-502-0010.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-300 Chemical dependency outpatient services.

WSR 00-14-062

PROPOSED RULES

DEPARTMENT OF HEALTH

(Nursing Care Quality Assurance Commission)

[Filed July 5, 2000, 8:56 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-23-071.

Title of Rule: WAC 246-840-700 Standards of conduct or practice for nurses, 246-840-705 Functions of registered nurse and licensed practical nurse practice, 246-840-710 Violations of standards of nursing conduct or practice, and 246-840-715 Standards/competencies.

Purpose: To protect the public by requiring nurses to adhere to standards of competency and delineation of violations of the practice standards for nurses.

Other Identifying Information: The primary components identified in WAC 246-840-715 Standards/competencies are combined into WAC 246-840-700, thereby eliminating the need for WAC 246-840-715.

Statutory Authority for Adoption: Chapter 18.79 RCW.
Statute Being Implemented: Chapter 18.79 RCW.

Summary: The proposal clarifies the scope of practice standards for registered nurses and licensed practical nurses by combining the standards and competencies for nurses into one rule, WAC 246-840-700 and repealing a redundant rule, WAC 246-840-715. The revisions to WAC 246-840-705 add a description of the functions of the registered nurse. WAC 246-840-710 uniformly outlines RN and LPN violations of nursing standards.

Reasons Supporting Proposal: The restructuring of the rules provide clearer guidance to nurses about the scope of practice requirements and a consistent description of the violations of the practice standards.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jeanne Vincent, 1300 S.E. Quince, Olympia, WA 98504, (360) 236-4725.

Name of Proponent: Department of Health, Health Professions Quality Assurance Division, Nursing Care Quality Assurance Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule revisions are intended to eliminate redundancies in the current WACs. The reformatting of the standards of practice will enable the practitioner to examine the differences in the scope of practice for registered nurses and licensed practical nurses in the context of the nursing process. Combining the LPN competencies under one rule which describes nursing standards will clarify the expectations and streamline the chapter. By expanding the rule related to the functions of a nurse to include a description of the RN function will make the section consistent with the table format to enable side-by-side comparison of the RN and LPN functions. The revised rule relating to violations of the nursing standards help simplify the requirements and to apply the same language to both the RN and LPN.

Proposal Changes the Following Existing Rules: The primary change to WAC 246-840-700 is the format in which the standards are described and expressed. The LPN competencies in WAC 246-840-715 are modified and reordered into the "700" rule. WAC 246-840-715 is repealed as a result. WAC 246-840-705 adds the function of the RN and again expresses the functions in a table format to allow side-by-side comparison. WAC 246-840-710 describes violations of the standards uniformly for both RN and LPN practice, thereby eliminating differences in violations for RN and LPN practice.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

In preparing this small business economic impact statement (SBEIS), the department used SIC code 809 Miscellaneous Health & Allied Services, Not Elsewhere Classified which has a minor impact threshold of \$53.00. The estimated cost to health care practitioners for amending these rules is zero.

Therefore, there is no disproportionate cost for small businesses.

A copy of the statement may be obtained by writing to Department of Health, Nursing Care Quality Assurance Commission, P.O. Box 47864, Olympia, WA 98504-7864, phone (360) 236-4712, fax (360) 236-4738.

RCW 34.05.328 applies to this rule adoption. Violators will be subject to penalty or sanction.

Hearing Location: Cavanaugh's Yakima Center, Yakima, Washington, on September 8, 2000, at 10:00 a.m.

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Assistance for Persons with Disabilities: Contact Kris McLaughlin by September 5, 2000, TDD (360) 664-0064, or (360) 236-4713.

Submit Written Comments to: Jeanne Vincent, P.O. Box 47864, Olympia, WA 98504-7864, fax (360) 236-4738, by August 25, 2000.

Date of Intended Adoption: September 8, 2000.

June 21, 2000

Paula R. Meyer, RN, MSN

Executive Director

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-700 Standards of nursing conduct or practice. (1) The purpose of defining standards of nursing conduct or practice through WAC 246-840-700 and 246-840-710 is to identify responsibilities of the nurse in health care settings and as provided in the Nursing Practice Act, chapter 18.79 RCW. Violation of these standards may be grounds for disciplinary action ((pursuant to)) under chapter 18.130 RCW. Each individual, upon entering the practice of nursing, assumes a measure of responsibility and public trust and the corresponding obligation to adhere to the standards of nursing practice. ((The nurse shall be responsible and accountable for the quality of nursing care given to clients.)) This responsibility cannot be avoided by accepting the orders or directions of another person. The standards of nursing conduct or practice include, but are not limited to the following((:

FOR REGISTERED NURSES:

(1) Nursing process:

(a) The registered nurse shall collect pertinent objective and subjective data regarding the health status of the client.

(b) The registered nurse shall plan and implement nursing care which will assist the client to maintain or return to a state of health or will support a dignified death.

(c) The registered nurse shall communicate significant changes in the client's status to appropriate members of the health care team. This communication shall take place in a time period consistent with the client's need for care.

(d) The registered nurse shall document, on essential client records, the nursing care given and the client's response to that care.

(2) Delegation and supervision: The registered nurse shall be accountable for the safety of clients receiving nursing service by:

(a) Delegating selected nursing functions to others in accordance with their education, credentials, and demonstrated competence.

(b) Supervising others to whom he/she has delegated nursing functions.

(3) Other responsibilities:

(a) The registered nurse shall have knowledge and understanding of the laws and rules regulating nursing and shall function within the legal scope of nursing practice.

(b) The registered nurse shall be responsible and accountable for practice based on and limited to the scope of

her/his education, demonstrated competence, and nursing experience.

(c) The registered nurse shall obtain instruction, supervision, and consultation as necessary before implementing new or unfamiliar techniques or practices.

(d) The registered nurse shall be responsible for maintaining current knowledge in his/her field of practice.

(e) The registered nurse shall conduct nursing practice without discrimination.

(f) The registered nurse shall respect the client's right to privacy by protecting confidential information.

(g) The registered nurse shall report unsafe nursing acts and practices, and illegal acts as defined in WAC 246-840-730.

FOR PRACTICAL NURSES:

(4) The licensed practical nurse, functioning under the direction and supervision of other licensed health care professionals as provided in RCW 18.79.060, shall be responsible and accountable for his or her own nursing judgments, actions and competence.

(5) The licensed practical nurse shall practice practical nursing in the state of Washington only with a current Washington license.

(6) The licensed practical nurse shall not permit his or her license to be used by another person for any purpose.

(7) The licensed practical nurse shall have knowledge of the statutes and rules governing licensed practical nurse practice and shall function within the legal scope of licensed practical nurse practice.

(8) The licensed practical nurse shall not aid, abet or assist any other person in violating or circumventing the laws or rules pertaining to the conduct and practice of licensed practical nursing.

(9) The licensed practical nurse shall not disclose the contents of any licensing examination or solicit, accept or compile information regarding the contents of any examination before, during or after its administration.

(10) The licensed practical nurse shall delegate activities only to persons who are competent and qualified to undertake and perform the delegated activities, and shall not delegate to unlicensed persons those functions that are to be performed only by licensed nurses.

(11) The licensed practical nurse, in delegating functions, shall supervise the persons to whom the functions have been delegated.

(12) The licensed practical nurse shall act to safeguard clients from unsafe practices or conditions, abusive acts, and neglect.

(13) The licensed practical nurse shall report unsafe acts and practices, unsafe practice conditions, and illegal acts to the appropriate supervisory personnel or to the appropriate state disciplinary board or commission.

(14) The licensed practical nurse shall respect the client's privacy by protecting confidential information, unless required by law to disclose such information.

(15) The licensed practical nurse shall make accurate, intelligible entries into records required by law, employment or customary practice of nursing, and shall not falsify,

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destroy, alter or knowingly make incorrect or unintelligible entries into client's records or employer or employee records.

~~(16) The licensed practical nurse shall not sign any record attesting to the wastage of controlled substances unless the wastage was personally witnessed.~~

~~(17) The licensed practical nurse shall observe and record the conditions of a client, and report significant changes to appropriate persons.~~

~~(18) The licensed practical nurse may withhold or modify client care which has been authorized by an appropriate health care provider, only after receiving directions from an appropriate person, unless in a life threatening situation.~~

~~(19) The licensed practical nurse shall leave a nursing assignment only after properly reporting to and notifying appropriate persons and shall not abandon clients.~~

~~(20) The licensed practical nurse shall not misrepresent his or her education and ability to perform nursing procedures safely.~~

~~(21) The licensed practical nurse shall respect the property of the client and employer and shall not take equipment, materials, property or drugs for his or her own use or benefit nor shall the licensed practical nurse solicit or borrow money, materials or property from clients.~~

~~(22) The licensed practical nurse shall not obtain, possess, distribute or administer legend drugs or controlled substances to any person, including self, except as directed by a person authorized by law to prescribe drugs.~~

~~(23) The licensed practical nurse shall not practice nursing while affected by alcohol or drugs, or by a mental, physical or emotional condition to the extent that there is an undue risk that he or she, as a licensed practical nurse, would cause harm to him or herself or other persons.~~

~~(24) It is inconsistent for a licensed practical nurse to perform functions below the minimum standards of competency as expressed in WAC 246-840-715.));~~

(2) The nursing process is defined as a systematic problem solving approach to nursing care which has the goal of facilitating an optimal level of functioning for the client, recognizing diversity. It consists of assessment and planning, intervention and evaluation with each phase building upon the preceding phases.

(a) Registered Nurse:

Minimum standards expected of registered nurses include the following:

(i) Standard I Initiating the Nursing Process:

(A) Assessment: The registered nurse shall collect and analyze pertinent objective

(b) Licensed Practical Nurse:

Minimum standards expected of licensed practical nurses include the following:

(i) Standard I - The practical nurse assists in implementing the nursing process.

(A) Assessment - The licensed practical nurse

and subjective data regarding the health status of the client.

(B) The registered nurse shall plan nursing care which will assist the client to maintain or return to a state of health or will support a dignified death.

(C) Implementation: The registered nurse shall implement the plan of care by initiating nursing interventions through giving direct care and/or assisting with care.

(D) Evaluation: The registered nurse evaluates the responses of individuals to nursing interventions and is responsible for the analysis and modification of the nursing care plan.

(ii) Standard II Delegation and Supervision: The registered nurse is accountable for the safety of clients receiving nursing service by:

(A) Delegating selected nursing functions to others in accordance with their education, credentials, and demonstrated competence as provided by WAC 246-840-010(10).

(B) Supervising others to whom he/she has delegated nursing functions as provided by WAC 246-840-010(10).

makes basic observations, gathers data and assists in identification of needs and problems relevant to the client. Collects specific data as directed and identifies major deviation from normal.

(B) Planning - The licensed practical nurse contributes to the development of approaches to meet the needs of clients and families. Develops client care plans utilizing a standardized nursing care plan and assists in setting priorities for care.

(C) Implementation - The licensed practical nurse carries out planned approaches to client care; performs common therapeutic nursing techniques and documents care provided in the essential client record.

(D) Evaluation - Utilizing a standard plan for nursing care, the licensed practical nurse appraises the effectiveness of client care. Assists with adjustments in care and reports outcome of care.

(ii) Standard II. Under direction, the practical nurse is responsible and accountable for own actions by using common techniques of problem solving and decision making to plan and organize own assignment. Problem solving and decision making include utilization of available resources to secure a desired result. The licensed practical nurse may withhold or modify client care which has been authorized by an appropriate health care provider, only after receiving directions from an appropriate person, unless in a life threatening situation.

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(C) Differentiating delegation activities in community care settings as provided by WAC 246-840-900.

(A) The practical nurse may delegate selected nursing tasks to others in accordance with their education, credentials and competence.

(B) In community care settings, the practical nurse may delegate only personal care tasks to qualified care givers.

(iii) **Standard III Health Teaching.** The registered nurse assesses learning needs for patients, develops plans to meet those learning needs, implements the learning plan and evaluates the outcome.

(iii) **Standard III Health Teaching.** The practical nurse assists in health teaching of clients and provides routine health information and instruction recognizing individual differences. Health teaching is defined as facilitating learning and instructing clients and significant others in preventive and therapeutic measures.

(3) The following standards apply to registered nurses and licensed practical nurses:

(a) The registered nurse and licensed practical nurse shall communicate significant changes in the client's status to appropriate members of the health care team. This communication shall take place in a time period consistent with the client's need for care. Communication is defined as a process by which information is exchanged between individuals through a common system of speech, symbols, signs, or behaviors that serves as both a means of gathering information and of influencing the behavior, actions, attitudes, and feelings of others.

(b) The registered nurse and licensed practical nurse shall document, on essential client records, the nursing care given and the client's response to that care.

(c) The registered nurse and licensed practical nurse act as client advocates in health maintenance and clinical care.

(4) Other responsibilities:

(a) The registered nurse and the licensed practical nurse shall have knowledge and understanding of the laws and rules regulating nursing and shall function within the legal scope of nursing practice.

(b) The registered nurse and the licensed practical nurse shall be responsible and accountable for their practice based on and limited to the scope of her/his education, demonstrated competence, and nursing experience.

(c) The registered nurse and the licensed practical nurse shall obtain instruction, supervision, and consultation as necessary before implementing new or unfamiliar techniques or practices.

(d) The registered nurse and the licensed practical nurse shall be responsible for maintaining current knowledge in his/her field of practice.

(e) The registered nurse and the licensed practical nurse shall conduct nursing practice without discrimination.

(f) The registered nurse and the licensed practical nurse shall respect the client's right to privacy by protecting confidential information and shall not use confidential health care information for other than legitimate patient care purposes or as otherwise provided in the Health Care Information Act, chapter 70.02 RCW.

(g) The registered nurse and the licensed practical nurse shall make mandatory reports to the Nursing Care Quality Assurance Commission concerning unsafe or unprofessional conduct as required in WAC 246-840-730.

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-705 Functions of a registered nurse and a licensed practical nurse. ((A licensed practical nurse is one who has met the requirements of the Washington state Nurse Practice Act, chapter 18.79 RCW. The licensed practical nurse recognizes and is able to meet the basic needs of the client, and gives nursing care under the direction and supervision of the registered nurse or licensed physician to clients in routine nursing situations. In more complex situations the licensed practical nurse functions as an assistant to the registered nurse and carries out selected aspects of the designated nursing regimen.

A routine nursing situation is one that is relatively free of scientific complexity. The clinical and behavioral state of the client is relatively stable and requires abilities based upon a comparatively fixed and limited body of knowledge.

In complex situations, the licensed practical nurse facilitates client care by meeting specific nursing requirements to assist the registered nurse in the performance of nursing care.

The functions of the licensed practical nurse makes practical nursing a distinct occupation within the profession of nursing. The licensed practical nurse has specific roles in nursing in direct relation to the length, scope and depth of his or her formal education and experience. In the basic program of practical nursing education, the emphasis is on direct client care.

With additional preparation, through continuing education and practice, the licensed practical nurse prepares to assume progressively more complex nursing responsibilities.))

(1) Registered Nurses:

The registered nurse performs acts that require substantial knowledge, judgment and skill based on the principles of biological, physiological, behavioral, and sociological sciences. Such acts are grounded in the elements of the nursing

(2) Licensed Practical Nurses:

The licensed practical nurse performs services requiring knowledge, skill and judgment necessary for carrying out selected aspects of the designated nursing regimen under the direction and supervision of the registered nurse, advanced registered nurse

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process which include the observation, assessment, analysis, diagnosis, planning, implementation and evaluation of nursing care and health teaching in the maintenance of health or prevention of illness of others and the support of a dignified death. The registered nurse using specialized knowledge can perform the activities of administration, supervision, delegation and evaluation of nursing practice.

practitioner, licensed physician and surgeon, dentist, osteopathic physician and surgeon, naturopathic physician, physician assistant, osteopathic physician assistant, and podiatric physician and surgeon. The licensed practical nurse recognizes and is able to meet the basic needs of the client, and gives nursing care under the direction and supervision, to clients in **routine** nursing situations.

A routine nursing situation is one that is relatively free of complexity. The clinical and behavioral state of the client is relatively stable and requires care based upon a comparatively fixed and limited body of knowledge.

In **complex** nursing care situations the licensed practical nurse functions as an assistant to the registered nurse and facilitates client care by carrying out selected aspects of the designated nursing regimen to assist the registered nurse in the performance of nursing care.

(3) Registered Nurses:

The registered nurse functions in an **independent role** when utilizing unique skills, knowledge and judgment based on the biopsychosocial sciences to meet the complex needs of the client.

In an **interdependent role** as a member of a healthcare team, the registered nurse functions to coordinate and evaluate the care of the client and independently

(4) Licensed Practical Nurses:

The licensed practical nurse functions in an **interdependent** role to deliver care as directed and revises care plans in collaboration with the registered nurse.

The licensed practical nurse functions in a **dependent** role when under the direction of a registered nurse, advanced registered nurse practitioner, licensed physician and surgeon, dentist, osteopathic physician and surgeon, physician assistant,

revises the plan and delivery of nursing care.

The registered nurse functions in a **dependent role** when under the direction of an advanced registered nurse practitioner, licensed physician and surgeon, dentist, osteopathic physician and surgeon, physician assistant, osteopathic physician assistant, podiatric physician and surgeon, and naturopathic physician, and executing a medical regimen.

osteopathic physician assistant, podiatric physician and surgeon, and naturopathic physician and performs delegated elements of the nursing process.

These functions of practical nursing create a distinct occupation within the profession of nursing. In the basic program of practical nursing education, the emphasis is on direct client care. With additional preparation, through continuing education and practice the licensed practical nurse prepares to assume progressively more complex nursing responsibilities while under the direction and supervision of the health care professionals listed in RCW 18.79.270.

This shall not be construed as authorizing an independent role for the LPN.

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-710 Violations of standards of nursing conduct or practice. ((The following will serve as a guideline for the nurse as to the acts, practices, or omissions that are inconsistent with generally accepted standards of nursing conduct or practice. Such conduct or practice may be grounds for action with regard to the license to practice nursing pursuant to chapter 18.79 RCW and the Uniform Disciplinary Act, chapter 18.130 RCW. Such conduct or practice includes, but is not limited to the following:

(1) ~~Failure to adhere to the standards enumerated in WAC 246-840-700(1) which may include:~~

(a) ~~Failing to assess and evaluate a client's status or failing to institute nursing intervention as required by the client's condition.~~

(b) ~~Willfully or repeatedly failing to report or document a client's symptoms, responses, progress, medication, or other nursing care accurately and/or intelligibly.~~

(c) ~~Willfully or repeatedly failing to make entries, altering entries, destroying entries, making incorrect or illegible entries and/or making false entries in records pertaining to the giving of medication, treatments, or other nursing care.~~

(d) ~~Willfully or repeatedly failing to administer medications and/or treatments in accordance with policy and procedure.~~

~~(e) Willfully or repeatedly failing to follow the policy and procedure for the wastage of medications where the nurse is employed or working.~~

~~(f) Willfully causing or contributing to physical or emotional abuse to the client.~~

~~(2) Failure to adhere to the standards enumerated in WAC 246-840-700(2) which may include:~~

~~(a) Delegating nursing care function or responsibilities to a person who the nurse knows or has reason to know lacks the ability or knowledge to perform the function or responsibility, or delegating to unlicensed persons those functions or responsibilities the nurse knows or has reason to know are to be performed only by licensed persons. This section should not be construed as prohibiting delegation to family members and other caregivers exempted by RCW 18.79.040(3), 18.79.050, 18.79.060 or 18.79.240.~~

~~(b) Failure to supervise those to whom nursing activities have been delegated. Such supervision shall be adequate to prevent an unreasonable risk of harm to clients.~~

~~(3) Failure to adhere to the standards enumerated in WAC 246-840-700(3) which may include:~~

~~(a) Performing or attempting to perform nursing techniques and/or procedures for which the nurse lacks the appropriate knowledge, experience, and education and/or failing to obtain instruction, supervision and/or consultation for client safety.~~

~~(b) Violating the confidentiality of information or knowledge concerning the client, except where required by law or for the protection of the client.~~

~~(c) Writing prescriptions for drugs unless authorized to do so by the board.~~

~~(4) Other violations:~~

~~(a) Appropriating for personal use medication, supplies, equipment, or personal items of the client, agency, or institution.~~

~~(b) Practicing nursing while impaired by any mental, physical and/or emotional condition to the extent that the person may be unable to practice with reasonable skill and safety.~~

~~(c) Willfully abandoning clients by leaving a nursing assignment without transferring responsibilities to appropriate personnel or caregiver when continued nursing care is required by the condition of the client(s).~~

~~(d) Practicing nursing while impaired by alcohol and/or drugs.~~

~~(e) Conviction of a crime involving physical abuse or sexual abuse relating to the practice of nursing.)) The following conduct may subject a nurse to disciplinary action under the Uniform Disciplinary Act, chapter 18.130 RCW:~~

~~(1) Engaging in conduct described in RCW 18.130.180.~~

~~(2) Failure to adhere to the standards enumerated in WAC 246-840-700 which may include, but are not limited to:~~

~~(a) Failing to assess and evaluate a client's status or failing to institute nursing intervention as required by the client's condition.~~

~~(b) Willfully or repeatedly failing to report or document a client's symptoms, responses, progress, medication, or other nursing care accurately and/or intelligibly.~~

~~(c) Willfully or repeatedly failing to make entries, altering entries, destroying entries, making incorrect or illegible~~

entries and/or making false entries in employer or employee records or client records pertaining to the giving of medication, treatments, or other nursing care.

(d) Willfully or repeatedly failing to administer medications and/or treatments in accordance with nursing standards.

(e) Willfully or repeatedly failing to follow the policy and procedure for the wastage of medications where the nurse is employed or working.

(f) Nurses shall not sign any record attesting to the wastage of controlled substances unless the wastage was personally witnessed.

(g) Willfully causing or contributing to physical or emotional abuse to the client.

(h) Engaging in sexual misconduct with a client as defined in WAC 246-840-740.

(i) Failure to protect clients from unsafe practices or conditions, abusive acts, and neglect.

(3) Failure to adhere to the standards enumerated in WAC 246-840-700(2) which may include:

(a) Delegating nursing care function or responsibilities to a person who the nurse knows or has reason to know lacks the ability or knowledge to perform the function or responsibility, or delegating to unlicensed persons those functions or responsibilities the nurse knows or has reason to know are to be performed only by licensed persons. This section should not be construed as prohibiting delegation to family members and other caregivers exempted by RCW 18.79.040(3), 18.79.050, 18.79.060 or 18.79.240.

(b) Failure to supervise those to whom nursing activities have been delegated. Such supervision shall be adequate to prevent an unreasonable risk of harm to clients.

(4)(a) Performing or attempting to perform nursing techniques and/or procedures for which the nurse lacks the appropriate knowledge, experience, and education and/or failing to obtain instruction, supervision and/or consultation for client safety.

(b) Violating the confidentiality of information or knowledge concerning the client, except where required by law or for the protection of the client.

(c) Writing prescriptions for drugs unless authorized to do so by the commission.

(5) Other violations:

(a) Appropriating for personal use medication, supplies, equipment, or personal items of the client, agency, or institution. Nor shall the nurse solicit or borrow money, materials or property from clients.

(b) Practicing nursing while affected by alcohol or drugs, or by a mental, physical or emotional condition to the extent that there is an undue risk that he or she, as a nurse, would cause harm to him or herself or other persons.

(c) Willfully abandoning clients by leaving a nursing assignment, when continued nursing care is required by the condition of the client(s), without transferring responsibilities to appropriate personnel or caregiver.

(d) Conviction of a crime involving physical abuse or sexual abuse relating to the practice of nursing.

(e) Failure to make mandatory reports to the Nursing Care Quality Assurance Commission concerning unsafe or unprofessional conduct as required in WAC 246-840-730.

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Other:

(6) The nurse shall only practice nursing in the state of Washington with a current Washington license.

(7) The licensed nurse shall not permit his or her license to be used by another person.

(8) The nurse shall have knowledge of the statutes and rules governing nursing practice and shall function within the legal scope of nursing practice.

(9) The nurse shall not aid, abet or assist any other person in violating or circumventing the laws or rules pertaining to the conduct and practice of licensed practical nursing.

(10) The nurse shall not disclose the contents of any licensing examination or solicit, accept or compile information regarding the contents of any examination before, during or after its administration.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-840-715 Standards/competencies.

WSR 00-14-063**PROPOSED RULES****DEPARTMENT OF HEALTH**

[Filed July 5, 2000, 8:57 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-20-035.

Title of Rule: Chapter 246-130 WAC, Human immunodeficiency virus (HIV) early intervention program.

Purpose: The HIV early intervention program helps eligible persons with HIV infection in Washington state pay for prescription medications and other services to treat HIV infection. Chapter 246-130 WAC identifies the services the program offers, how the department decides what services to offer, how clients may access the services, how providers are reimbursed, and how the public may provide input.

Statutory Authority for Adoption: RCW 43.70.040.

Statute Being Implemented: RCW 43.70.120.

Summary: The changes the department is proposing for chapter 246-130 WAC are intended to make the rules more user-friendly and clarify the program's policies and procedures.

Reasons Supporting Proposal: The HIV client services program receives a substantial amount of funding from the federal government, and the provisions of chapter 246-130 WAC help clarify that the program has sufficient legal basis and programmatic infrastructure necessary to use those funds.

Name of Agency Personnel Responsible for Drafting: Pamela J. Hayes, Box 47844, Olympia, WA 98504-7844, (360) 236-3402; Implementation and Enforcement: Raleigh Watts, Box 47841, Olympia, WA 98504-7841, (360) 236-3477.

Name of Proponent: Washington State Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The changes that the department is proposing for chapter 246-130 WAC are intended to make the chapter more user-friendly and to clarify the program's policies and procedures. The proposed amendments will help Washington state residents who are infected with HIV understand what services the Department of Health offers and how they can access them. The chapter was last amended in 1995 and since that time the program's enrollment and use of resources has grown considerably. The proposed amendment to chapter 246-130 WAC identifies what services the HIV client services program offers, and how it makes programmatic decisions regarding the provision of those services. Finally, the existing rule language is fairly broad and much of it contains legalistic phrasing that is difficult for people to follow. The proposed language is clearer and easier to comprehend. Also, it provides more complete program information that helps the reader understand more about how the program operates and how the public can access more information.

Proposal Changes the Following Existing Rules: One of the critical areas in which it provides more clarity is the section that defines who is eligible for the program (WAC 246-130-040). The additional detail describes how the program makes eligibility decisions and reinforces the public's ability to affect those decisions. As with other eligibility criteria, the proposed changes stress that the public has the opportunity to affect financial eligibility rules. Another section in which the department proposes to add clarifying detail is WAC 246-130-030, which describes how the HIV client services program interacts with the medical providers who are contracted with the program to provide services for its clients. The proposed changes add detail that informs providers what they must do to receive payment for their services, and stresses that the contract between the department and the providers defines the legal relationship that allows the agency to reimburse them for their services.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Background: In response to Executive Order 97-02 on regulatory improvement, the Department of Health created a four-year schedule to review all of its rules and the rules of the State Board of Health. The purpose of the review is to ensure that the rules are necessary, effective, reasonable, clear, and do not conflict with other rules that govern the same or similar activities. Consistent with the department's rule review plan, in late 1999 the HIV client services program began its review of chapter 246-130 WAC, Human immunodeficiency virus (HIV) infection interventions, to determine what changes the department should make to the chapter to achieve the goals of the executive order on regulatory improvement.

RCW 43.70.040 describes the general rule-making authority of the secretary of the Department of Health. The

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purpose of the statute is to allow the secretary to adopt rules that protect public health. RCW 43.70.120 requires the Department of Health to adopt rules that are necessary to allow the department to receive federal funds. The HIV client services program receives a substantial amount of funding from the federal government, and the provisions of chapter 246-130 WAC help clarify that the program has sufficient legal basis and programmatic infrastructure necessary to receive those funds.

The changes that the department is proposing to make to chapter 246-130 WAC are intended to make the chapter more user-friendly and to clarify the program's existing policies and procedures. The proposed amendments will help Washington state residents who are HIV positive understand what services the Department of Health offers and how they can access them. The chapter was last amended in 1995 and since that time the program's enrollment and use of resources has grown considerably. The proposed amendment to chapter 246-130 WAC will help Washington state residents understand what services the HIV client services program offers, and how it makes programmatic decisions regarding the provision of those services.

Small Business Economic Impact Statements: Pursuant to requirements of the Regulatory Fairness Act (act), state agencies must prepare a small business economic impact statement (SBEIS) prior to proposing a new regulation. The impetus for this legislation was a concern that regulatory mandates could "...threaten the very existence of some small businesses" (RCW 19.85.011). The act defines a small business as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees" (RCW 19.85.020).

The Department of Health prepared this SBEIS as required by the Regulatory Fairness Act. The department used the following process to determine whether the act mandates that the proposed rule include regulatory relief for small businesses.

- Step I Determine the categories of businesses affected by the proposed regulations.
- Step II Determine the employment profile for each business category.
- Step III Determine the "more than minor" cost threshold.
- Step IV Determine whether the estimated cost exceeds the "more than minor" cost threshold for each category of business.
- Step V Determine whether the proposed regulation imposes a disproportionate cost burden on small businesses.
- Step VI Determine whether regulatory relief is legal and feasible.
- Step VII Describe the regulatory relief provided to small businesses.
- Step VIII Miscellaneous SBEIS requirements.

This process need not result in the provision of regulatory relief. At several steps along this process the department could determine that regulatory relief is not warranted or even that an SBEIS is not necessary. For example, if in Step II all businesses found within an industrial category had more (or less) than fifty employees, the regulation could not, by definition, disproportionately affect small businesses. Such a finding would obviate the need to provide regulatory relief. Or, if the cost to businesses determined in Step IV were below the "more than minor" cost threshold, then, by law, an SBEIS is not required. Similarly, the department could determine that it could not legally provide regulatory relief in Step VI.

Step I: What businesses are affected by the proposed regulation? The businesses affected by the proposed regulation are health care providers contracted by the department to supply pharmaceutical, medical, dental or laboratory services to clients of the early intervention program (EIP). These businesses are represented by the following SIC codes: 591 = pharmaceutical; 805 = medical; 802 = dental; and 807 = laboratory.

Step II: What is the employment profile of businesses affected by the proposed regulation? The health care providers affected by the proposed revision are both small and large. For the purposes of this analysis the department will consider the costs to two categories of provider businesses: 0-49 employees (small) and over 50 (large).

Step III: What are the "more than minor" cost thresholds for businesses affected by the proposed regulation? An SBEIS is required whenever a regulation imposes "more than minor" costs on a regulated business. The "more than minor" thresholds were developed by the Washington State Business Assistance Center (Department of Community, Trade and Economic Development) and the amount is dependent on a business' SIC code. The threshold for SIC codes in the three digit 591 and 805 categories are \$50; for 802 the threshold is \$170, and for 807 the threshold is \$300. For ease of analysis the department will consider anything over \$50 as the threshold for "more than minor" costs for all the codes.

Step IV: Do the costs imposed by the proposed rule exceed the "more than minor" cost threshold? The proposed regulations do not impose any new costs and therefore do not exceed the "more than minor" thresholds. The revisions only clarify how the department will provide reimbursement to contracted providers. The proposed changes to chapter 246-130 WAC do not result in additional costs to HIV positive individuals, members of the affected community, or contracted medical service providers. The revision more clearly describes the services offered and the criteria that it uses to determine program eligibility. The department and members of the affected community who developed the draft amendment worked hard to ensure that the proposed changes capture and describe in WAC the manner in which the HIV client services program should operate. The intent of amending the chapter is to make it clearer and easier to use, not to make programmatic changes that affect critical items such as cost or program-provider relationships.

The current WAC has a broad statement that says the department will reimburse contracted providers for services they provide to eligible clients and that the department will produce a schedule of reimbursement for covered services. The following are examples of clarification of the department's relationship with providers in the proposed WAC. WAC 246-130-030 answers the question of how the department pays providers. It states the department will pay contracted providers for covered services, and that the providers must bill within one hundred eighty days from the date of service. Subsection (3) says that payment depends upon availability of funds, and that the department will provide written notice to clients and providers before it reduces its schedule of covered services. Subsection (4) says that must use contractual procedures to solve disputes. Subsection (5) requires providers to bill according to the terms of their contracts, and subsection (6) defines the department as the payer of last resort.

Step V: Does the proposed regulation impose a disproportionate cost burden on small businesses? The proposed regulation does not impose a disproportionate cost burden on small business because there is no change in cost burden to either small or large businesses. The cost of contracting with the department under the WAC revision is unchanged and will be the same, no matter the size of the operation.

Step VI: Is regulatory relief for small businesses necessary, legal and feasible? There is no need for regulatory relief for small businesses because the proposed revision does not impose a disproportionate cost burden on small businesses.

Step VII: Miscellaneous SBEIS requirements: How did the department involve affected businesses and other interested parties in the development of the rule? The department solicited stakeholder input from the beginning of the revision process. The Early Intervention Program Steering Committee participated in the initial review that determined that the existing rule was basically sound, that it did not require major changes, but that it would be useful to amend the chapter to make it easier to understand and use. The steering committee includes a pharmacist from a large employer, and physician from a large employer, and representatives from not-for-profit agencies. In addition, drafts of the proposed revision have been sent to a large mailing list of "interested persons" that includes some businesses affected by the rules such as pharmaceutical companies and health consultants. The CR-102 will be mailed to all contracted medical and dental providers.

A copy of the statement may be obtained by writing to Raleigh Watts, P.O. Box 47841, Olympia, WA 98504-7841 or raleigh.watts@doh.wa.gov, phone (360) 236-3477, fax (360) 664-2216.

RCW 34.05.328 applies to this rule adoption. DOH staff reviewed the revisions to the existing WAC and determined that it meets the definition of a "significant legislative rule." Therefore, we analyzed the probable costs and benefits of the revisions, taking into account both the qualitative and quantitative benefits and costs. The analysis revealed that no new

costs will be imposed, existing costs will not be increased, and benefits to businesses will not be decreased.

Hearing Location: WestCoast SeaTac Hotel, Seattle Room, 18415 Int'l Boulevard (Pacific Highway South), SeaTac, WA, on August 21, 2000, at 11:00 a.m.

Assistance for Persons with Disabilities: Contact Raleigh Watts (raleigh.watts@doh.wa.gov) by August 10, 2000, TDD (800) 833-6388, or (360) 236-3477.

Submit Written Comments to: Raleigh Watts, HIV Client Services, P.O. Box 47841, Olympia, WA 98504-7841, fax (360) 664-2216, by August 21, 2000.

Date of Intended Adoption: August 30, 2000.

June 29, 2000

M. C. Selecky

Secretary

AMENDATORY SECTION (Amending WSR 95-23-018, filed 11/7/95, effective 12/8/95)

WAC 246-130-001 ((Purpose-)) What is the HIV early intervention program? ~~((The department shall administer federal and state funds appropriated to assist eligible persons with HIV infection to access early intervention services-))~~ The early intervention program provides treatment of HIV infection to eligible clients based on available funds. The department provides these early intervention services to improve the public health by treating people living with HIV, its complications, and side effects of HIV treatment, and in order to decrease the risk of clients with HIV infecting others. Information on how to contact this program is in WAC 246-130-090.

AMENDATORY SECTION (Amending WSR 95-23-018, filed 11/7/95, effective 12/8/95)

WAC 246-130-010 ((Definitions-)) What definitions do we use? The following words and phrases have the following meaning in chapter 246-130 WAC ~~((unless the context clearly indicates otherwise)):~~

~~((("AIDS" means acquired immunodeficiency syndrome.~~

~~("APDP" means HIV/AIDS prescription drug program.~~

~~"Department" or "DOH" means the Washington state department of health.~~

~~"Early intervention services" means personal health services and behavioral risk reduction interventions codelivered with these services that reduce the rate of progression of HIV infection and reduce HIV transmission.~~

~~"HIP" means the HIV intervention program.~~

~~"HIV" means human immunodeficiency virus.~~

~~"Participation" means the amount of cost borne by the eligible client.~~

~~"Personal health services" mean clinical interventions and treatments, including but not limited to medications, that are delivered to individuals and are intended to reduce morbidity and mortality-))~~ (1) "AIDS" means acquired immunodeficiency syndrome.

(2) "Applicant" means a person applying for early intervention program services.

(3) "**Client**" means a person determined to be currently eligible by the department for early intervention program services.

(4) "**Department**" means the Washington state department of health.

(5) "**Early intervention program services**" means medically necessary treatment and services that reduce the rate of progression of HIV infection and HIV transmission. This includes behavioral risk reduction interventions. See WAC 246-130-020 for details.

(6) "**Federal poverty level**" means the official income level for poverty released by the federal government each year in February.

(7) "**Formulary**" means the list of prescription drugs that the early intervention program will pay for. To obtain a copy of that list, see WAC 246-130-090.

(8) "**HIV**" means human immunodeficiency virus.

(9) "**Medical assistance administration (MAA)**" means the part of the department of social and health services responsible for operating the state's Medicaid and related medical programs.

(10) "**Provider**" means a health care professional contracted by the department to supply pharmaceutical, medical, dental, or laboratory services to a client.

(11) "**Schedule of services**" means the department's list of medical, dental, and laboratory services covered by its early intervention program. To obtain a copy of that list, see WAC 246-130-090.

(12) "**Standard of care**" means treatment for HIV commonly accepted by the local medical community.

(13) "**Steering committee**" means the department's HIV early intervention steering committee. This advisory committee serves at the pleasure of the DOH secretary per RCW 43.70.040(2), consists of Washington state residents living with HIV and HIV medical experts and community organizations, and advises the department on its early intervention program. Its bylaws are available from the department per WAC 246-130-090.

AMENDATORY SECTION (Amending WSR 95-23-018, filed 11/7/95, effective 12/8/95)

WAC 246-130-020 (~~Early intervention services~~)
What early intervention program services are available?
(~~To the extent federal or state funds are appropriated for the purpose of providing services through HIP or APDP, the department shall contract with participating pharmacies, other health care providers, or social service providers for the delivery of early intervention services.~~) Services to treat HIV are available from the department, based on available funding, to eligible clients as described in this section.

(1) The department decides what specific medical, laboratory, dental, and prescription medication services to cover after actively consulting with its steering committee and considering:

(a) Support of the steering committee, which represents clients and local medical HIV/AIDS communities;

(b) FDA approval (for prescription medications);

(c) Recognition by the medical community as a standard of care;

(d) Effectiveness in treatment for HIV, complications of HIV, side effects of current treatments for HIV or support for HIV treatment adherence; and

(e) Relative cost of services.

(2) The early intervention program services described in this section are available to all clients, unless they receive those services from other sources. Specific services of this section are available for a client only when medically necessary to treat HIV and associated diseases, complications of treating HIV, or support for HIV treatment adherence.

(3) Specific covered medical, laboratory, and dental services are listed in the department's "schedule of services."

(4) Prescription drugs covered are listed in the department's "early intervention drug formulary."

(5) Covered health insurance includes:

(a) Premium payment, including COBRA premiums;

(b) Deductible payment up to five hundred dollars per twelve-month period; and

(c) Co-pay payment for third-party insurance, except basic health plan, as follows:

(i) The percentage of prescription medication costs covered by the department and not covered by third-party insurers; and

(ii) Fixed dollar co-pay required by a client's third-party insurance plan.

(d) For basic health plan enrollees, the department pays the percentage of prescription medication expenses not covered by the basic health plan but covered by the department's early intervention program formulary.

(6) The department may also coordinate other services to treat HIV and AIDS. These are available as funding and contracting permit. For example, as of July 1, 2000, the department may pay the spend-down for MAA medically needy (MN) clients who are also DOH clients, up to one thousand one hundred dollars per month.

(7) You may contact the department per WAC 246-130-090 to make comments on service coverage or to receive information.

NEW SECTION

WAC 246-130-028 What services are not available?

The department does not cover any services which are:

- (1) Not specified or referenced in WAC 246-130-020; or
- (2) Not funded as specified in WAC 246-130-030(3).

AMENDATORY SECTION (Amending WSR 95-23-018, filed 11/7/95, effective 12/8/95)

WAC 246-130-030 (~~Reimbursements~~) **How do we pay providers?** (~~The department will make reimbursement to contracted providers to provide early intervention services to eligible persons. The department shall produce a schedule of reimbursement for all services covered on a fee-for-service basis that shall be applicable to all contracted providers.~~) The department pays providers for covered services delivered to clients, as limited by this section.

PROPOSED

(1) The department pays providers who contract with the department for services described in WAC 246-130-020.

(a) The department will only pay for services delivered by a contracted provider.

(b) Services must be billed within one hundred eighty days of being provided.

(2) The department only pays for covered, medically necessary early intervention program services delivered to clients who are eligible under WAC 246-130-040.

(3) Payment of services depends on availability of federal and state funds. The department will not deny payment of any individual claim for funding availability unless the department denies an entire class of claims, or an entire program.

(a) Providers and clients will receive written notice of any limitation or reduction in coverage or payment that results from loss of federal or state funding at least thirty days in advance.

(b) If the department denies or reduces payment for any class of claims or program, it must only show that it made a good faith effort to mail written notice to all providers and clients.

(4) Providers who dispute a payment may do so through the contracts process. See WAC 246-130-080(3).

(5) Providers must bill the department per terms of the contract between the provider and department.

(6) The department is payer of last resort.

(a) Providers must bill all other third-party sources prior to billing the department for covered services, and

(b) Providers must reimburse the department for any funds paid by the department, which are payable by other sources.

AMENDATORY SECTION (Amending WSR 95-23-018, filed 11/7/95, effective 12/8/95)

WAC 246-130-040 ((Financial eligibility.)) **How do persons with HIV become eligible?** ((The department shall provide early intervention services for persons with HIV infection, including those persons with disabling AIDS conditions, who meet financial eligibility requirements established by the department and who are not receiving similar services funded by other resources. Prior to their application, the department shall publish and seek public comment upon the process and criteria for establishing medical and financial eligibility for early intervention services. The department shall provide for public involvement in establishing and periodically reviewing these criteria, including seeking input from clients and providers of early intervention services.

The following exemptions shall not be considered in determining financial eligibility for early intervention services:

(1) A home, defined as real property owned by an eligible client as a principal place of residence, together with the property surrounding and contiguous thereto not to exceed five acres;

(2) Commercial property, or property used for the purpose of producing income, except to the extent that its value exceeds the sum of twenty thousand dollars;

(3) Household furnishings;

(4) An automobile;

(5) Savings, property, or other liquid assets, to the extent the value thereof does not exceed the sum of ten thousand dollars;

(6) Proceeds whether lump sum or annuities from a viatical settlement contract; and

(7) Accelerated benefits of a life insurance policy whether in lump sum or annuities.) (1) The department determines client eligibility for its early intervention program per this section. Beginning the month that the applicant's completed application was postmarked, an applicant is eligible for twelve months of early intervention program services when:

(a) The applicant has a medical diagnosis of HIV (the department may require a doctor's diagnosis);

(b) The applicant has a Washington state address and intends to stay in Washington state;

(c) The applicant or his/her designated representative has submitted truthful information on the department's application form to the department;

(d) The applicant has monthly income, averaged over twelve months, equal to or less than the limit set by DOH in consultation with the early intervention program steering committee. For example: In 2000, that limit was three hundred seventy percent of Federal Poverty Level for one person (\$2,575) per month. The department shall announce and seek public comment on proposed changes to the income limit. Income includes:

(i) Wages, salary, overtime, tips, and bonuses;

(ii) Social Security, trust funds for disability, or other disability insurance payments;

(iii) Unemployment benefits;

(iv) Veteran's Administration benefits;

(v) Lump sum payments of gifts, cash inheritance, property, lottery winnings, worker's compensation for lost income, or severance pay;

(vi) Private pensions, annuities, or royalties; and

(vii) Investment dividends.

(e) The applicant has current resources of less than ten thousand dollars. Resources include trust funds, and any other financial resources available to the applicant. The department does not count the following as resources:

(i) One home, defined as real property owned by the client as his or her principal place of residence in Washington state, together with surrounding property not to exceed five acres;

(ii) Commercial property, or property used for producing income, up to the first twenty thousand dollars of value;

(iii) Household furnishings;

(iv) One automobile; or

(v) Pensions and other Internal Revenue Service designated retirement accounts;

(f) The applicant is not currently eligible for or cannot access medical benefits from the department of social and health services; and

(g) The applicant is not currently an inmate of any correctional institute or jail or will not be when their application is approved.

(2) Periods of eligibility caused by false information may cause the department to:

(a) Disenroll a client from the department's early intervention program; and

(b) Recover funds paid by the department during periods of false eligibility.

AMENDATORY SECTION (Amending WSR 95-23-018, filed 11/7/95, effective 12/8/95)

WAC 246-130-060 (~~Medical and financial information.~~) What information is required for client eligibility, and will it be kept confidential? (~~An individual seeking early intervention services shall provide medical and financial information upon request of the department including:~~

~~(1) Sources and amounts of resources to verify financial eligibility;~~

~~(2) Evidence that all other available resources or entitlements for which a person is eligible were accessed before a person could receive early intervention services through HIP or APDP; and~~

~~(3) Other medical or financial information as required by the department.)~~ An applicant seeking early intervention program services must apply to the department.

(1) Applicant and client information supplied to the department is confidential.

(2) Applicants must provide medical and financial information at the department's request, including:

(a) Sources and amounts of all income and resources;

(b) Evidence that all resources or entitlements available to an applicant were accessed before that applicant applied for or received early intervention program services; and

(c) Other medical or financial information.

(3) Clients must notify the department of medical or financial changes that affect their eligibility within twenty days of the change. Clients who do not notify the department of medical or financial changes must pay back to the department funds provided during the period of ineligibility caused by those changes.

NEW SECTION

WAC 246-130-080 **What do clients do if they disagree with the department's decision about their eligibility or coverage?** Applicants and clients may appeal any decision by the department about their early intervention program eligibility or coverage.

(1) Chapter 246-10 WAC details the adjudicated proceeding for matters involving receipt of benefits. The department will provide information on the cause for denied benefits, how a proceeding may be requested, the forms necessary to request a proceeding and information on required time frames.

(2) Applicants and clients may not appeal the department's denial or limitations when the department closes or limits an early intervention program service due to funding availability. See WAC 246-130-030(3) for more details.

(3) Rate and payment disputes between providers and the department are handled by contract.

(4) Clients of any other public agency must use that agency's process to resolve eligibility or other disputes

regarding that agency. MAA's fair hearings process is described in chapter 388-08 WAC.

NEW SECTION

WAC 246-130-090 **How do I contact the department?** For information or application, contact:

Department of Health
Client Services
P.O. Box 47841
Olympia, WA 98504-7841
Telephone 1-800-272-2437 Option 2

Or, visit the WEB site at www.doh.wa.gov. Clicking on "HIV Information" accesses information about the early intervention program.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-130-070 Participation.

WSR 00-14-064
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed July 5, 2000, 9:15 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-06-043.

Title of Rule: New WAC 388-533-0400, 388-533-0500 and 388-533-0600, maternity care and newborn delivery; and repealing WAC 388-86-059 Licensed midwives, 388-87-079 Payments to licensed midwives, and 388-86-200 (2)(q) that lists home births as a noncovered service.

Purpose: The department is establishing a new chapter to incorporate and consolidate rules regarding maternity-related services. The proposed rule includes an expansion of coverage to include home births, reflects long-standing department policy, is more readable, and complies with the Governor's Executive Order 97-02 on regulatory reform. The proposed rule has been reviewed in consultation with the regulated parties. WAC 388-86-059 and 388-87-079 are being repealed in order to avoid duplication.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.09.760 through 74.09.800.

Summary: The department is rewriting these rules in order to consolidate all rules on maternity services into a single chapter, expand coverage to include home births, and ensure that department policy is reflected in rule.

Reasons Supporting Proposal: To ensure that department rules reflect current and accurate department policy, to increase options in regard to birthing locations, to eliminate

confusion by consolidating related rules and to comply with the Governor's Executive Order 97-02 on regulatory reform.

Name of Agency Personnel Responsible for Drafting: L. Mike Freeman, MAA/RIP, P.O. Box 45533, Olympia, WA 98504, (360) 725-1350; Implementation and Enforcement: Bev Atteridge, MAA/DHSQS, P.O. Box 45506, Olympia, WA 98504, (360) 725-1575.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules continue the implementation of a program authorized by the legislature. The intent is to promote prenatal health and to allow the Medical Assistance Administration to authorize and reimburse providers of maternity services in appropriate birthing locations.

Proposal Changes the Following Existing Rules: The rules proposed above repeal existing rules and establish a new WAC chapter for maternity-related services.

The proposed rules reflect the program's operational policies and provide greater detail into long-standing policy.

The proposed rules allow for one additional birthing location (home births).

No small business economic impact statement has been prepared under chapter 19.85 RCW. MAA reviewed the proposed rules and concluded that the impact of the proposed rules will not place "a more than minor impact on businesses." MAA program managers surveyed the service providers most impacted by the addition of the home birth option and they have agreed with MAA's assessment of the impacts.

RCW 34.05.328 applies to this rule adoption. MAA has determined that the proposed rules qualify as "significant legislative rules." Therefore, MAA has analyzed the probable costs and the probable benefits of the proposed rules, taking into account both the qualitative and quantitative benefits and costs. MAA's analysis revealed that no new costs will be imposed, existing costs will not be increased, and benefits to businesses will not be decreased. The analysis may be obtained from Bev Atteridge, MAA/DHSQS, P.O. Box 45506, Olympia, WA 98504, (360) 725-1575.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 8, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by August 1, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by August 8, 2000.

Date of Intended Adoption: Not sooner than August 9, 2000.

June 29, 2000
Edith M. Rice, Chief
Office of Legal Affairs

NEW SECTION

WAC 388-533-0400 Maternity care and newborn delivery. (1) The following definitions and abbreviations and those found in WAC 388-500-0005 apply to this chapter. Defined words and phrases are bolded the first time they are used in the text.

(a) "**Birthing center**" means a specialized facility licensed as a childbirth center by the department of health (DOH) under chapter 246-349 WAC.

(b) "**Bundled services**" means those services that are integral to a major procedure that may be bundled with the major procedure for the purposes of reimbursement. Under this chapter, certain bundled services must be billed separately (unbundled) when the services are provided by different providers.

(c) "**Facility fee**" means that portion of MAA's reimbursement that covers the hospital or birthing center charges. This does not include MAA's reimbursement for the professional fee defined below.

(d) "**Global fee**" means the fee MAA pays for total obstetrical care. Total obstetrical care includes all antepartum care, delivery services and postpartum care.

(e) "**High-risk**" pregnancy means any pregnancy that poses a significant risk of a poor birth outcome.

(f) "**Professional fee**" means that portion of MAA's reimbursement that covers the services that rely on the provider's professional skill or training, or the part of the reimbursement that recognizes the provider's cognitive skill. (See WAC 388-531-1850 for reimbursement methodology).

(2) MAA covers full scope maternity care and newborn delivery services to its clients who qualify for categorically needy (CN) or medically needy (MN) scope of care (see WAC 388-462-0015 for client eligibility).

(3) MAA does not provide full scope maternity care and delivery services to its clients who qualify for medically indigent (MI) scope of care (see WAC 388-462-0015 for client eligibility). Clients who qualify for MI scope of care have hospital delivery coverage only.

(4) MAA does not provide maternity care and delivery services to its clients who are eligible for:

(a) Family planning only (a pregnant client under this program should be referred to the local office for eligibility review); or

(b) Any other program not listed.

(5) MAA requires providers of maternity care and newborn delivery services to meet all of the following. Providers must:

(a) Be currently licensed by the state of Washington's department of health (DOH) and/or department of licensing;

(b) Have signed core provider agreements with MAA;

(c) Be practicing within the scope of their licensure; and

(d) Have valid certifications from the appropriate federal or state agency, if such is required to provide these services (e.g., federally qualified health centers (FQHCs), laboratories certified through the Clinical Laboratory Improvement Amendment (CLIA), etc.).

(6) MAA covers total obstetrical care services (reimbursed under a **global fee**). Total obstetrical care includes all of the following:

(a) Routine antepartum care that begins in any trimester of a pregnancy;

(b) Delivery (intrapartum care/birth) services; and

(c) Postpartum care. This includes family planning counseling.

(7) When an eligible client receives all the services listed in subsection (6) of this section from one provider, MAA reimburses that provider in one of the following ways:

(a) Through a global obstetrical fee; or

(b) Through separate fees in any combination:

(i) First trimester antepartum care;

(ii) Second trimester antepartum care;

(iii) Third trimester antepartum care;

(iv) Delivery services (intrapartum care); and

(v) Postpartum care.

(8) When an eligible client receives services from more than one provider, MAA reimburses each provider for the services furnished. The separate services that MAA reimburses appear in subsection (7)(b) of this section.

(9) MAA reimburses for antepartum care services in one of the following two ways:

(a) Under a global fee (for total obstetrical care); or

(b) Under separate trimester care fees.

(10) MAA's fees for antepartum care include all of the following:

(a) An initial and any subsequent patient history;

(b) All physical examinations;

(c) Recording and tracking the client's weight and blood pressure;

(d) Recording fetal heart tones;

(e) Routine chemical urinalysis (including all urine dipstick tests); and

(f) Maternity counseling.

(11) MAA covers certain antepartum services in addition to the **bundled services** listed in subsection (10) of this section. MAA reimburses separately for any the following:

(a) A prenatal assessment fee for a pregnant client (limited to one prenatal assessment fee per pregnancy per provider);

(b) An enhanced prenatal management fee (a monthly fee for medically necessary increased prenatal monitoring). MAA provides a list of diagnoses and/or conditions that MAA identifies as justifying more frequent monitoring visits. MAA reimburses for either (b) or (c) of this subsection, but not both;

(c) A prenatal management fee for "**high-risk**" maternity clients. This monthly fee is payable to either a physician or a certified nurse midwife. MAA reimburses for either (b) or (c) of this subsection, but not both;

(d) Necessary prenatal laboratory tests except routine chemical urinalysis, including all urine dipstick tests, as described in subsection (10)(e) of this section; and/or

(e) Treatment of medical problems that are not related to the pregnancy. MAA pays these fees to physicians or advanced registered nurse practitioners.

(12) MAA covers high-risk pregnancies. MAA considers a pregnant client to have a high-risk pregnancy when the client:

(a) Has any high-risk medical condition (whether or not it is related to the pregnancy); or

(b) Has a diagnosis of multiple births.

(13) MAA covers delivery services for clients with high-risk pregnancies, described in subsection (12) of this section, when the delivery services are provided in a hospital.

(14) MAA covers the **facility fee** for delivery services in the following settings:

(a) Inpatient hospital; or

(b) Birthing centers.

(15) MAA covers the **professional fee** for delivery services in the following settings:

(a) Hospitals, to a provider who meets the criteria in subsection (5) of this section and who has privileges in the hospital;

(b) Planned home birth settings, as described in WAC 388-533-0500; or

(c) **Birthing centers**, as described in WAC 388-533-0600.

(16) MAA covers hospital delivery services for an eligible client as defined in subsections (2), (3), and (4)(b) of this section. MAA's bundled reimbursement for the professional fee for hospital delivery services include:

(a) The admissions history and physical examination;

(b) The management of uncomplicated labor (intrapartum care);

(c) The vaginal delivery of the newborn (with or without episiotomy or forceps); and

(d) Cesarean delivery of the newborn.

(17) MAA pays only a labor management fee to a provider who begins intrapartum care and unanticipated medical complications prevent that provider from following through with the birthing services.

(18) In addition to the MAA reimbursement for professional services in subsection (16) of this section, MAA may reimburse separately for services provided by any of the following professional staff:

(a) A stand-by physician in cases of high risk delivery and/or newborn resuscitation;

(b) A physician assistant when delivery is by cesarean section;

(c) A registered nurse - "first assist" when delivery is by cesarean section;

(d) A physician, advanced registered nurse practitioner, or licensed midwife for newborn examination as the delivery setting allows; and/or

(e) An obstetrician/gynecologist specialist for external cephalic version and consultation.

(19) In addition to the professional delivery services fee in subsection (16) or the global/total fees (i.e., those that include the hospital delivery services) in subsections (6) and (7) of this section, MAA allows additional fees for any of the following:

(a) High-risk vaginal delivery;

(b) Multiple vaginal births. MAA's typical reimbursement covers delivery of the first child. For each subsequent

PROPOSED

child, MAA reimburses at fifty percent of the provider's usual and customary charge, up to MAA's maximum allowable fee; or

(c) High-risk cesarean section delivery.

(20) MAA does not reimburse separately for any of the following:

(a) More than one child delivered by cesarean section during a surgery. MAA's cesarean section surgery fee covers one or multiple surgical births;

(b) Post-operative care for cesarean section births. This is included in the surgical fee. Post-operative care is not the same as or part of postpartum care.

NEW SECTION

WAC 388-533-0500 Planned home births. (1) MAA covers planned home births when the client:

(a) Is eligible for CN or MN scope of care (see WAC 388-533-400(2));

(b) Has an MAA approved medical provider who has accepted responsibility for the home birth as provided in this section;

(c) Is expected to deliver the child vaginally and without complication (i.e., with a low risk of adverse birth outcome); and

(d) Passes MAA's risk screening criteria. MAA provides these risk-screening criteria to qualified medical services providers.

(2) MAA requires providers of planned home birth services to:

(a) Have a valid core provider agreement with MAA;

(b) Meet MAA's planned home birth program requirements;

(c) Be specifically approved by MAA to provide planned home births;

(d) Abide by the applicable provisions of WAC 388-533-0400 and this section.

(3) MAA approves only the following provider types to provide MAA covered planned home birth services:

(a) Physicians licensed under chapters 18.57 or 18.71 RCW;

(b) Nurse midwives licensed under chapter 18.79 RCW; and

(c) Midwives licensed under chapter 18.50 RCW.

(4) Providers who provide planned home birth services must:

(a) Obtain from the client a signed consent form in advance of the planned home birth;

(b) Follow MAA's risk screening criteria and consult with and/or refer the client or newborn to a physician or hospital when medically appropriate;

(c) Have current, written, and appropriate plans for consultation, emergency transfer and transport of a client and/or newborn to a hospital;

(d) Maintain equipment, supplies, and medications that are medically necessary;

(e) Make appropriate referral of the newborn for screening and medically necessary follow-up care;

(f) Offer to send the newborn's blood sample to the department of health for newborn screening tests (the parents may refuse this service); and

(g) Submit to MAA a completed planned home birth outcome report (on an MAA approved form) for each client for program evaluation. MAA requires a completed report even if the client is transferred to another provider or delivery setting and the home-birth provider is billing for only a portion of the maternity care.

NEW SECTION

WAC 388-533-0600 Births in birthing centers. (1) MAA covers births in birthing centers for its clients when:

(a) The client meets the same eligibility criteria as those in WAC 388-533-0500(1); and

(b) The client and the maternity care provider choose an MAA-approved birthing center.

(2) Each participating birthing center must:

(a) Be licensed as a childbirth center by the department of health (DOH) under chapter 246-349 WAC;

(b) Have a valid core provider agreement with MAA;

(c) Be specifically approved by MAA to provide birthing center services; and

(d) Maintain standards of care required by DOH for licensure.

(3) MAA suspends or terminates the core provider agreement of a birthing center if it fails to maintain DOH standards cited in subsection (2) of this section.

(4) MAA approves only the following provider types to provide MAA covered births in birthing centers:

(a) Physicians licensed under chapters 18.57 or 18.71 RCW;

(b) Nurse midwives licensed under chapter 18.79 RCW; and

(c) Midwives licensed under chapter 18.50 RCW.

(5) Each provider using a birthing center must:

(a) Obtain from the client a signed consent form in advance of the birthing center birth;

(b) Follow MAA's risk screening criteria and consult with and/or refer the client or newborn to a physician or hospital when medically appropriate;

(c) Have current, written, and appropriate plans for consultation, emergency transfer and transport of a client and/or newborn to a hospital;

(d) Make appropriate referral of the newborn for screening and medically necessary follow-up care; and

(e) Offer to send the newborn's blood sample to the department of health for newborn screening tests (the parents may refuse this service).

AMENDATORY SECTION (Amending Order 3599, filed 7/28/93, effective 8/28/93)

WAC 388-86-200 Limits on scope of medical program services. (1) The medical assistance administration (MAA) shall pay only for equipment, supplies, and services that are listed as covered in MAA published issuances, including Washington Administrative Code (WAC), billing

instructions, numbered memoranda, and bulletins, and when the items or services are:

- (a) Within the scope of an eligible client's medical care program;
- (b) Medically necessary;
- (c) Within accepted medical, dental, or psychiatric practice standards and are:
 - (i) Consistent with a diagnosis; and
 - (ii) Reasonable in amount and duration of care, treatment, or service.
- (d) Not listed under subsection (2) of this section; and
- (e) Billed according to the conditions of payment under WAC 388-87-010.

(2) Unless required under EPSDT/healthy kids program; included as part of a managed care plan service package; included in a waived program; or part of one of the Medicare programs for the qualified Medicare beneficiaries, the MAA shall specifically exclude from the scope of covered services:

- (a) Nonmedical equipment, supplies, personal or comfort items and/or services, including, but not limited to:
 - (i) Air conditioners or air cleaner devices, dehumidifiers, other environmental control devices, heating pads;
 - (ii) Enuresis (bed wetting) training equipment;
 - (iii) Recliner and/or geri-chairs;
 - (iv) Exercise equipment;
 - (v) Whirlpool baths;
 - (vi) Telephones, radio, television;
 - (vii) Any services connected to the telephone, television, or radio;
 - (viii) Homemaker services;
 - (ix) Utility bills; or
 - (x) Meals delivered to the home.
- (b) Services, procedures, treatment, devices, drugs, or application of associated services which the department or HCFA consider investigative or experimental on the date the services are provided;
- (c) Physical examinations or routine checkups;
- (d) Cosmetic treatment or surgery, except for medically necessary reconstructive surgery to correct defects attributable to an accident, birth defect, or illness;
- (e) Routine foot care that includes, but not limited to:
 - (i) Medically unnecessary treatment of mycotic disease;
 - (ii) Removal of warts, corns, or calluses;
 - (iii) Trimming of nails and other hygiene care; or
 - (iv) Treatment of asymptomatic flat feet.
- (f) More costly services when less costly equally effective services as determined by the department are available;
- (g) Procedures, treatment, prosthetics, or supplies related to gender dysphoria surgery except when recommended after a multidisciplinary evaluation including but not limited to urology, endocrinology, and psychiatry;
- (h) Care, testing, or treatment of infertility, frigidity, or impotency. This includes procedures for sterilization reversals and donor ovum, sperm, or womb;
- (i) Acupuncture, massage, or massage therapy;
- (j) Orthoptic eye training therapy;
- (k) Weight reduction and control services not provided in conjunction with a MAA medically approved program. This includes food supplements and educational products;

- (l) Parts of the body, including organs tissues, bones, and blood;
- (m) Blood and eye bank charges;
- (n) Domiciliary or custodial care, excluding nursing facility care;
- (o) Hair pieces, wigs, or hair transplantation;
- (p) Biofeedback or other self-help care;
- (q) ~~((Home births;~~
- ~~((s)))~~ (r) Marital counseling or sex therapy; and
- ~~((s)))~~ (r) Any service specifically excluded by statute.
- (3) Clients shall be responsible for payment as described under WAC 388-87-010 for services not covered under the client's medical care program.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-86-059	Licensed midwife services.
WAC 388-87-079	Payment—Licensed midwives.

WSR 00-14-065
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed July 5, 2000, 9:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-03-011.

Title of Rule: WAC 388-501-0125 Advance directives.

Purpose: To rewrite according to the principles in the Governor's Executive Order 97-02 on regulatory improvement.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.035.

Statute Being Implemented: 42 U.S.C. 1396a (w), 42 C.F.R. 417.436, 42 C.F.R. 489 Subpart I, and chapter 70.122 RCW.

Summary: This rule explains the responsibilities of agencies, HMOs, and facilities that provide care for medical assistance clients in regard to advance directives.

Reasons Supporting Proposal: To comply with the Governor's Executive Order 97-02 on regulatory improvement.

Name of Agency Personnel Responsible for Drafting: Leslie Saeger, P.O. Box 45533, Olympia, WA 98504, (360) 725-1347; and Implementation: Phyllis Coolen, P.O. Box 45506, Olympia, WA 98504, (360) 725-1347.

Name of Proponent: Department of Social and Health Services, Medical Assistance Administration, governmental.
 Rule is necessary because of federal law, 42 U.S.C. 1396a (w), 42 C.F.R. 417.436, 42 C.F.R. 489 Subpart I.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule implements state and federal law and federal regulations regarding advance directives, and includes

requirements for providers to: Have policies and procedures concerning advance directives; provide information to clients; honor advance directives or tell clients or potential clients if their policies would keep them from doing so; educate staff and the community on issues concerning advance directives; and document in the client's file whether or not the client has executed an advance directive.

It also protects a health care practitioner from discrimination by the facility or organization for refusing to withhold or withdraw life-sustaining treatment.

Proposal Changes the Following Existing Rules: Updates and clarifies existing policy.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There are no new requirements in this rule that will financially impact businesses.

RCW 34.05.328 does not apply to this rule adoption. The proposed amendments to not "make significant amendments to a policy or regulatory program" (see RCW 34.05-328 (5)(c)(iii)).

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 8, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by August 1, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by August 8, 2000.

Date of Intended Adoption: No sooner than August 9, 2000.

June 30, 2000

Edith M. Rice, Chief
Office of Legal Affairs

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-501-0125 ((Requirements for)) Advance directives. ((1) Each hospital, nursing facility, provider of home health care or personal care services, hospice program, or health maintenance organization receiving Medicaid funds shall as providers under this section:

(a) Maintain written policies and procedures concerning a person's right to make medical decisions including advance directives;

(b) Provide written information to all adults as defined in RCW 26.28.010 and 26.28.015 receiving medical care by or through the provider or organization to include the person's right to:

- (i) Make decisions concerning the person's medical care;
- (ii) Accept or refuse surgical or medical treatment; and
- (iii) Formulate advance directives.

(c) Provide written information to all adults on policies concerning implementation of these rights;

(d) Document in the person's medical record whether or not the person has executed an advance directive;

~~(e) Not condition the provision of care or otherwise discriminate against a person based on whether or not the person has executed an advance directive;~~

~~(f) Ensure compliance with the requirements of chapters 11.94, 68.50, and 70.122 RCW concerning advance directives.~~

~~(g) Provide for educating staff and the community on the requirements for advance directives.~~

~~(2) For the purpose of this section, the term "advance directive" means a voluntarily written instruction, such as a living will, durable power of attorney for health care, or anatomical gift recognized under state law (whether statutory or as recognized by the courts of the state) and relating to the provision of such care when the person is incapacitated.~~

~~(3) The written material distributed by the providers as defined concerning medical decision making shall summarize state law found in statute and case law and may include the actual law, copies of the statute, case law, or forms.~~

~~(4) The provider as defined shall give information concerning these rights to adults as follows:~~

~~(a) Hospitals at the time of the person's admission as an inpatient;~~

~~(b) Nursing facility at the time of the person's admission as a resident;~~

~~(c) Provider of home health care or personal care services before the person comes under the care of the provider;~~

~~(d) Hospice program at the time of the initial receipt of hospice care by the person in the program; and~~

~~(e) Health maintenance organization at the time of enrollment of the person with the organization.~~

~~(5) This section shall not be construed to require any physician to implement an advance directive, when the physician objects on the basis of conscience. When the physician refuses to implement the directive, the physician shall make a good faith effort to transfer the person to another physician who will implement the person's directive.~~

~~(6) When a person in a comatose or otherwise incapacitated state, unable to receive information or to say whether an advance directive has been executed, comes under the care of a provider, the provider shall include information concerning advance directives with materials about the provider's policies and procedures to the families or to the surrogates or other concerned persons of the incapacitated person as specified under RCW 7.70.065. The provider shall be obligated to provide this information to the person once the person is no longer incapacitated.~~

~~(7) When a person is incapacitated or otherwise unable to receive information or articulate whether such person has executed an advance directive and no one comes forward with a previously executed advance directive, the provider shall document in a person's file that the person was unable to receive information and was unable to communicate whether an advance directive exists.~~

~~(8) When the patient or a relative, surrogate, or other interested person presents the provider with a copy of the person's advance directive, the provider shall comply, except as specified under subsection (5) of this section, with the advance directive)) In this section "advance directive" means a written instruction, recognized under state law, relating to~~

the provision of health care when an individual is incapacitated.

(1) All agencies, health maintenance organizations (HMOs), and facilities including hospitals, critical access hospitals, skilled nursing and nursing facilities, and providers of in-home care services that serve medical assistance clients eighteen years of age or older must have written policies and procedures concerning advance directives.

(2) The agencies, HMOs, and facilities must give the following information to each adult client, in writing and orally, and in a language the client understands:

(a) A statement about the client's right to:

(i) Make decisions concerning the client's medical care;

(ii) Accept or refuse surgical or medical treatment;

(iii) Execute an advance directive;

(iv) Revoke an advance directive at any time;

(b) The written policies of the agency, HMO, or facility concerning advance directives, including any policy that would preclude it from honoring the client's advance directive; and

(c) The client's rights under state law.

(3) The agencies, HMOs, and facilities must provide the information described in subsection (2) of this section to adult clients as follows:

(a) Hospitals at the time the client is admitted as an inpatient;

(b) Nursing facilities at the time the client is admitted as a resident;

(c) Providers of in-home care services before the client comes under the care of the provider or at the time of the first home visit so long as it is provided prior to care being rendered;

(d) Hospice programs at the time the client initially receives hospice care from the program; and

(e) HMOs at the time the client enrolls with the organization.

(4) If the client is incapacitated at the time of admittance or enrollment and is unable to receive information or articulate whether or not the client has executed an advance directive, the agencies, HMOs, and facilities:

(a) May give the information described in subsection (2) to the person authorized by RCW 7.70.065 to make decisions regarding the client's health care;

(b) Must document in the client's file that the client was unable to communicate whether an advance directive exists if no one comes forward with a previously executed advance directive; and

(c) Must give the information described in subsection (2) to the client once the client is no longer incapacitated.

(5) The agencies, HMOs, and facilities must:

(a) Review each client's medical record prior to admittance or enrollment to determine if the client has an advance directive;

(b) Honor the directive or follow the process explained in subsection (6); and

(c) Not refuse, put conditions on care, or otherwise discriminate against a client based on whether or not the client has executed an advance directive.

(6) If an agency, HMO, or facility has a policy or practice that would keep it from honoring a client's advance directive, the facility or organization must:

(a) Tell the client prior to admission or enrollment or when the client executes the directive;

(b) Provide the client with a statement clarifying the differences between institution-wide conscience objections and those that may be raised by individual physicians and explaining the range of medical conditions or procedures affected;

(c) Prepare and keep a written plan of intended actions according to the requirements in RCW 70.122.060 if the client still chooses to retain the facility or organization; and

(d) Make a good faith effort to transfer the client to another health care practitioner who will honor the directive if the client chooses not to retain the facility or organization.

(7) A health care practitioner may refuse to implement a directive, and may not be discriminated against by the facility or organization for refusing to withhold or withdraw life-sustaining treatment.

(8) The agencies, HMOs, and facilities must document, in a prominent place in each client's medical record, whether or not the client has executed an advance directive.

(9) The agencies, HMOs, and facilities must educate staff and the community on issues concerning advance directives.

(10) The agencies, HMOs, and facilities must comply with state and federal laws and regulations concerning advance directives, including but not limited to: 42 USC 1396a, subsection (w); 42 CFR 417.436; 42 CFR 489 Subpart I; and chapter 70.122 RCW.

WSR 00-14-074
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed July 5, 2000, 10:39 a.m.]

Continuance of WSR 00-10-106.

Preproposal statement of inquiry was filed as WSR 00-05-002.

Title of Rule: New chapter 296-19A WAC, Vocational rehabilitation; new section WAC 296-15-500 What vocational rehabilitation reports are required for self-insured employers?; and new section WAC 296-15-510 What is the process used for vocational rehabilitation with regard to self-insured employers?

Purpose: Chapter 296-19A WAC will replace chapter 296-18A WAC as the regulatory basis for vocational rehabilitation for industrial insurance. New section WAC 296-15-500 and 296-15-510 will move regulations applicable to vocational services provided in the self-insured arena to the self-insured chapter.

Date of Intended Adoption: September 1, 2000.

July 5, 2000

Gary Moore

Director

WSR 00-14-076
PROPOSED RULES
DEPARTMENT OF AGRICULTURE

[Filed July 5, 2000, 11:08 a.m.]

Continuance of WSR 00-11-146.

Preproposal statement of inquiry was filed as WSR 00-08-095.

Title of Rule: Chapter 16-42 WAC, Biological products.

Purpose: The purpose of chapter 16-42 WAC is to detail rules for control of sale, distribution and use of biological products. At the first hearing held June 27, 2000, changes were requested which go beyond minor technical changes. Making these changes will bring the rules into congruence with what individuals, livestock organizations and interested parties requested.

Statutory Authority for Adoption: RCW 16.36.040.

Statute Being Implemented: RCW 16.36.010, [16.36.]020, [16.36.]040, [16.36.]050, [16.36.]060, [16.36.]090, [16.36.]096, and [16.36.]100.

Summary: Changes update the definitions, modernize the language and make technical corrections.

Reasons Supporting Proposal: Modernizes the chapter, provides updated definitions, removes unnecessary language and makes technical corrections in terminology and testing methods.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kathleen M. Connell, DVM, 1111 Washington Street, Olympia, WA 98504, (360) 902-1835.

Name of Proponent: Washington State Department of Agriculture, WSU College of Veterinary Medicine Agricultural Animal Health Program Advisory Board, Washington Pork Producers and USDA APHIS Veterinary Services Area Office, private and governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Generally, since language is being modernized, there is little change.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of chapter 16-42 WAC is to detail rules necessary for control of sale, distribution and use of biological products. Certain biologics are restricted to protect animal or human health, ensure accurate diagnosis of disease, prevent spread of diseases and ensure quality state-federal animal disease control and eradication programs.

Proposal Changes the Following Existing Rules: Changes update the definitions, modernize the language and make technical corrections in terminology and testing methods. The first hearing was held June 27, 2000. There were significant changes beyond minor technical changes. WAC 16-42-022 Biologics, should be repealed and a new section adopted, "Sale of licensed products." WAC 16-42-025 Purchasing and administering biologics limited, should be repealed and a new section adopted, "Restricted products." These changes will bring the rules into congruence with what individuals, livestock organizations, and interested parties requested.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Because only language is being modernized, the overall impact of these changes is fiscally neutral. The regulatory burden on small agricultural businesses stays the same.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Department of Agriculture is not a listed agency in section 201.

Hearing Location: Conference Room 250, 2nd Floor, Natural Resources Building, 1111 Washington Street, Olympia, WA 98504-2577, on August 8, 2000, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Jodi Truett by August 7, 2000, TDD (360) 902-1996, or (360) 902-1878.

Submit Written Comments to: Kathleen M. Connell, DVM, Assistant State Veterinarian, P.O. Box 42577, Olympia, WA 98504-2577, fax (360) 902-2087, by August 8, 2000, 5:00 p.m.

Date of Intended Adoption: August 14, 2000.

June 30, 2000

Candace A. Jacobs, DVM, MPH
 Assistant Director

AMENDATORY SECTION (Amending Order 1866, filed 7/10/85)

WAC 16-42-005 Definitions. (1) "Department" means the department of agriculture of the state of Washington.

(2) "Director" means the director of the department of agriculture of the state of Washington or his/her authorized representative.

(3) "Biologics," sometimes referred to as biologicals or biological products, means all bacteria, viruses, serums, toxins, and analogous products of natural or synthetic origin, or products prepared from any type of genetic engineering, such as diagnostics, antitoxins, vaccines, live microorganisms, killed microorganisms and the antigenic or immunizing components of microorganisms intended for use in the diagnosis, treatment, or prevention of diseases in animals.

AMENDATORY SECTION (Amending Order 1866, filed 7/10/85)

WAC 16-42-017 Permits required. (1) Any person manufacturing biologics within the state for distribution within the state (~~shall~~) must first obtain a permit from the director. (~~Such~~) This permit may be revoked or suspended (~~(in the manner provided for)~~) under chapter (~~(34.04)~~) 34.05 RCW for any violation of this chapter.

(2) (~~(Prior to importation of)~~) Written approval of the director is required before any newly licensed biologic is imported into the state for sale, use or distribution (~~(within the state, the written approval of the director shall be required. When deemed necessary,)~~). The director may also require a special permit for the importation or distribution of other biologics into the state.

NEW SECTION

WAC 16-42-023 Sale of licensed products. Biologics produced in accordance with WAC 16-42-015 or 16-42-017 may be sold over the counter as well as by persons or firms properly licensed under chapter 18.64 RCW and by any veterinarian licensed pursuant to chapter 18.92 RCW. Persons other than licensed veterinarians or state or federal veterinarians may purchase and administer biologics to their own animals, except for those biologics restricted in WAC 16-42-026.

NEW SECTION

WAC 16-42-026 Restricted products. (1) All biologics now in existence or newly developed to diagnose, prevent, or combat the following diseases are declared by the director to be of such a nature that their control is necessary to protect animal or human health and welfare, to ensure accurate diagnosis, to prevent the spread of infectious, contagious, communicable, and dangerous diseases affecting domestic animals within the state and/or to effectuate state-federal animal disease control and eradication programs:

- (a) Anaplasmosis.
- (b) Anthrax.
- (c) Bluetongue.
- (d) Brucellosis.
- (e) Equine infectious anemia.
- (f) Equine viral arteritis.
- (g) Paratuberculosis.
- (h) Pseudorabies.
- (i) Rabies.
- (j) Tuberculosis.
- (k) Swine erysipelas (Avirulent vaccine exempted).
- (l) Vesicular stomatitis.
- (m) All conditionally approved vaccines.

(2) All biologics used to control or diagnose any of the diseases listed in subsection (1) of this section are restricted, and may only be purchased, administered, or otherwise used by or under the direct supervision of veterinarians licensed pursuant to chapter 18.92 RCW, or by state or federal veterinarians. The director may authorize others by written permit to purchase biologics listed in subsection (1) of this section for research agencies or laboratories authorized by the department, for emergency disease control programs, or for other limited and controlled purposes which are not likely to create a hazard to the public health or to the health of domestic animals. In issuing this permit, the director will consider:

- (a) The known effectiveness of the biologic;
- (b) Whether or not the disease for which the biologic is used or intended to be used is present in this state and to what extent it is present;
- (c) Degree of isolation of the animals and area, and availability of veterinary service; and
- (d) Any other factor which, having due regard for the properties of the biologic, may constitute a hazard to animal or public health in this state.

AMENDATORY SECTION (Amending Order 1866, filed 7/10/85)

WAC 16-42-035 Reports. In the interest of public health and good cooperative disease control it is recommended that any person using any biologics (~~(as defined in WAC 16-42-005,)~~) immediately report to the department any suspected or actual disease outbreak that occurs in connection with use of the biologic.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-42-022	Biologics.
WAC 16-42-025	Purchasing and administering biologics limited.
WAC 16-42-060	Penalty.

WSR 00-14-080
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE
 [Filed July 5, 2000, 11:48 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-077.

Title of Rule: 1998-99 and 1999-00 Official hunting hours and small game seasons and 1999 Big game auction permits and raffles.

Purpose: To repeal WAC 232-28-264, 1998-99 and 1999-2000 Official hunting hours and small game seasons and 232-28-274 Big game auction permits and raffles.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: This proposed action repeals obsolete WACs.

Reasons Supporting Proposal: Avoid contradictions with existing regulations and meet intent of current WAC.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Program, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Assistant Director, Enforcement, Olympia, (360) 902-2932.

Name of Proponent: Washington Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed actions repeal outdated WACs and eliminates contradictions with current WACs.

Repealing WAC 232-28-264, effective upon filing, will eliminate the contradiction and allow hunters who draw fall turkey permits to purchase tags and participate in the hunt. Making the action effective upon filing is necessary to ensure

orderly distribution of permits and allow hunters adequate time to purchase tags.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule is not related to the hydraulics code.

Hearing Location: Best Western Southcenter, 15901 West Valley Road, Tukwila, WA, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 31, 2000, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Dave Brittell, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2162, by July 31, 2000.

Date of Intended Adoption: August 11, 2000.

July 5, 2000

David Ware

Game Division Manager

for Evan Jacoby

Rules Coordinator

REPEALER

The following sections of the Washington Administrative Code are repealed:

- 232-28-264 1999-2000 Official hunting hours and small game seasons
- 232-28-274 1999 Big game auction permits and raffles

**WSR 00-14-081
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Filed July 5, 2000, 11:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-085.

Title of Rule: Wild animal trapping, and trapping seasons and regulations.

Purpose: To amend WAC 232-12-141 Wild animal trapping, and 232-28-515 Trapping seasons and regulations.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: Trapping is an essential wildlife management tool that is benefitting from technological improvements and other changes designed to improve animal welfare. The amendment to WAC 232-12-141 reduces the amount of time

that animals can remain in restraining traps from forty-eight hours to twenty-four hours statewide. Proposed changes to WAC 232-28-515 are designed to optimize use of the wildlife resource and include reopening a section of private land near Mt. St. Helens and closing a section of St. Helens Monument land; extending trapping season length for three furbearer species in Skagit and Whatcom counties to match standard season structure; and extending beaver and river otter seasons by fifteen days in western Washington (close February 15 instead of current January 31).

Reasons Supporting Proposal: Improves welfare of animals captured in restraining traps.

Increases trapping opportunity in some areas without negatively impacting wildlife populations.

Clarifies existing regulations that may be confusing to some participants.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Program, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Assistant Director, Enforcement, Olympia, (360) 902-2932.

Name of Proponent: Washington Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule changes reduce the maximum time an animal can be held in a trap from forty-eight to twenty-four hours. Trapping opportunity is increased in three ways:

- (1) Returns mink, muskrat, and raccoon seasons in three counties to same length as remainder of western Washington (currently three weeks shorter than other counties).
- (2) Extends trapping season for beaver and river otter by fifteen days in western Washington.
- (3) Opens some lands previously impacted by Mt. St. Helens eruption to trapping for all legal species (previously open only for bobcat and coyote).

The purpose is to improve animal welfare while maintaining reasonable trapper efficiency and opportunity, and optimize opportunity when and where the resource can be maintained in healthy condition. Currently, trappers must check traps that restrain animals at least once every forty-eight hours (twenty-four hours in some areas of high human population). The proposed rule requires that animals be removed from restraining traps within twenty-four hours of capture. The proposed rule clarifies that animals must be removed from traps and allows trappers to observe traps from remote locations (e.g., via binoculars) rather than requiring physical presence of a trapper at each trap site.

Likely effects include reductions in the amount of time some animals spend in restraining traps, thereby improving welfare of captured animals; increased trapper opportunity; and small to moderate increases in harvest of beaver, river otter, and other furbearers in western Washington. Some trappers may trap less often or be forced to use fewer traps because traps must be monitored more often.

Proposal Changes the Following Existing Rules: See above.

PROPOSED

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule is not related to the hydraulics code.

Hearing Location: Best Western Southcenter, 15901 West Valley Road, Tukwila, WA, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 31, 2000, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Dave Brittell, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2162, by July 31, 2000.

Date of Intended Adoption: August 11, 2000.

July 5, 2000

David Ware

Game Division Manager

for Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 99-118, filed 8/11/99)

WAC 232-12-141 Wild animal trapping. (1) The trapping season authorizes the taking of furbearing animals for their hides and pelts only. Furbearers may not be taken from the wild and held alive for sale or personal use without a special permit pursuant to WAC 232-12-064.

(2) Any wildlife trapped for which the season is not open shall be released unharmed. Any wildlife that cannot be released unharmed must be left in the trap, and the department of fish and wildlife must be notified immediately.

(3) Lawfully trapped wild animals must be lethally dispatched or immediately released. A firearm may be used ~~((for this purpose))~~ to dispatch trapped animals.

(4) It is unlawful to trap for wild animals:

(a) By any means other than padded foot-hold traps having a minimum rubber pad thickness of one-eighth inch, unpadded foot-hold traps, cage (live) traps, kill traps and snares.

(b) With an unpadded foot-hold trap, unless the trap has jaws with a minimum jaw face width of one-fourth inch, or the trap is set so that it completely submerges and drowns any trapped animal, except that unpadded foot-hold traps not meeting the one-fourth inch jaw face requirement may be used on nondrowning sets on private property with landowner permission for the purpose of protecting livestock, domestic animals, private property, or public safety.

(c) With a steel trap having a jaw spread exceeding seven and one-half inches, except that a kill trap having a jaw spread exceeding seven and one-half inches is lawful when set beneath the water surface.

(d) On dry land, with a nondrowning set with a No. 3 size or larger unpadded foot-hold trap if it does not have jaw spacing of at least three-sixteenth of one inch when the trap is sprung,

(e) With a steel trap with teeth or serrated edges.

(f) Unless kill traps, including foot-hold drowning sets, are checked and animals removed within seventy-two hours.

(g) ~~((Unless traps not capable of killing the animal are checked and animals removed within forty-eight hours, except within identified urban trapping areas, where sets not capable of killing the animal, must be checked and animals removed within twenty-four hours))~~ Unless animals captured in restraining traps (any non-killing set) are removed within 24 hours of capture.

(h) With a neck or body snare attached to a spring pole or any spring pole type of device.

(i) Using game birds, game fish or game animals for bait, except nonedible parts of game birds, game fish or game animals may be used as bait.

(j) Within thirty feet of any exposed meat bait or nonedible game parts which are visible to flying raptors.

(5) Game bird feathers may be used as an attractor.

AMENDATORY SECTION (Amending Order 97-252, filed 12/23/97, effective 1/23/98)

WAC 232-28-515 ~~((1997-98, 1998-99, 1999-2000))~~

Trapping seasons and regulations. Trapping Regulations

To be issued your first Washington State trapping license an individual must pass the Washington State trapper education exam.

A trapping license will only be issued to a trapper that has returned the mandatory trapper report of catch postmarked on or before April 10 of the previous year. A trapper that fails to submit a report of catch must wait one year before purchasing another trapping license. False reports will be considered the same as failure to return the catch report.

It is unlawful to: Trap for wild animals before October 1, and after March 15, in western Washington, except that owners of, or persons legally controlling a property (or their designee) may trap unclassified wild animals that are causing damage or depredating on said property.

It is unlawful to: Place traps or establish drowning wires and weights prior to 7:00 a.m. on the opening date of the trapping season. All opening and closing season dates are inclusive.

Trapping Seasons:

General Western Washington Trapping Seasons (Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, Whatcom counties):

SPECIES	OPENING DATE	CLOSING DATE
Bobcat, Red Fox, and Weasel	November ((22, 1997)) 18, 2000	February 15, ((1998)) 2001
	November ((21, 1998)) 17, 2001	February 15, ((1999)) 2002
	November ((20, 1999)) 16, 2002	February 15, ((2000)) 2003
((Red Fox))	((November 22, 1997 November 21, 1998 November 20, 1999))	((February 15, 1998 February 15, 1999 February 15, 2000))

PROPOSED

SPECIES	OPENING DATE	CLOSING DATE
((Weasel))	((November 22, 1997 November 21, 1998 November 20, 1999))	((February 15, 1998 February 15, 1999 February 15, 2000))
Marten, Mink, Muskrat, and Raccoon	November ((22, 1997)) 18, 2000 November ((21, 1998)) 17, 2001 November ((20, 1999)) 16, 2002	January 31, ((1998)) 2001 January 31, ((1999)) 2002 January 31, ((2000)) 2003
((Raccoon))	((November 22, 1997 November 21, 1998 November 20, 1999))	((January 31, 1998 January 31, 1999 January 31, 2000))
((Mink))	((November 22, 1997 November 21, 1998 November 20, 1999))	((January 31, 1998 January 31, 1999 January 31, 2000))
((Muskrat))	((November 22, 1997 November 21, 1998 November 20, 1999))	((January 31, 1998 January 31, 1999 January 31, 2000))
Beaver and River Otter	December ((13, 1997)) 9, 2000 December ((12, 1998)) 8, 2001 December ((11, 1999)) 14, 2002	((January 31, 1998)) February 15, 2001 ((January 31, 1999)) February 15, 2002 ((January 31, 2000)) February 15, 2003
((River Otter))	((December 13, 1997 December 12, 1998 December 11, 1999))	((January 31, 1998 January 31, 1999 January 31, 2000))

Exceptions to General Western Washington Trapping Seasons:

((Cowlitz County))

Game Management Unit 522 (Loo-wit) (Cowlitz and Skamania counties) is closed to all trapping.

Island County

The red fox season is closed.

Lewis County

Green River drainage, above and including Miners Creek drainage, ((above the confluence of Elk Creek)), is closed to all trapping except for bobcat(;) and coyote. ((Game Management Unit 522 (Loo-wit) is closed to all trapping.))

((Skagit County)) Skagit and Whatcom counties

((The Ross Lake National Recreation Area is closed to all trapping. The red fox season is closed in Skagit County, except within the exterior boundaries of the Mount Baker-Snoqualmie National Forest. Raccoon, mink, and muskrat seasons are December 13, 1997 to January 31, 1998; December 12, 1998 to January 31, 1999; and December 11, 1999 to January 31, 2000.)) Ross Lake National Recreation Area is closed to all trapping. Red fox season is closed, except within the boundaries of Mount Baker-Snoqualmie and Okanogan National Forests.

Skamania County

((Smith Creek, Bean Creek, and Clearwater Creek, above USFS 83 Road on Pine Creek, and above the confluence of Bean Creek on the Muddy River are closed to all trapping except for bobcat and coyote. Game Management Unit 522 (Loo-wit) is closed to all trapping.)) The following areas are closed to all trapping, except for bobcat and coyote: Muddy

River drainage, above and including Bean Creek drainage; Pine Creek drainage above USFS Road 83; and Green River drainage, above and including Miners Creek drainage.

((Whatecom County))

The Ross Lake National Recreation Area is closed to all trapping. The red fox season is closed in Whatecom County, except within the exterior boundaries of the Mount Baker-Snoqualmie, and Okanogan National Forests. Raccoon, mink, and muskrat seasons are December 13, 1997 to January 31, 1998; December 12, 1998 to January 31, 1999; and December 11, 1999 to January 31, 2000.))

General Eastern Washington Trapping Seasons (Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties):

SPECIES	OPENING DATE	CLOSING DATE
Badger, Beaver, Bobcat, Mink, Muskrat, Raccoon, Red Fox, and Weasel	November ((8, 1997)) 11, 2000 November ((14, 1998)) 10, 2000 November ((13, 1999)) 9, 2002	February 28, ((1998)) 2001 February 28, ((1999)) 2002 February 28, ((2000)) 2003
((Bobcat))	((November 8, 1997 November 14, 1998 November 13, 1999))	((February 28, 1998 February 28, 1999 February 28, 2000))
((Red Fox))	((November 8, 1997 November 14, 1998 November 13, 1999))	((February 28, 1998 February 28, 1999 February 28, 2000))
((Weasel))	((November 8, 1997 November 14, 1998 November 13, 1999))	((February 28, 1998 February 28, 1999 February 28, 2000))
Marten	December 15, ((1997)) 2000 December 15, ((1998)) 2001 December 15, ((1999)) 2002	January 31, ((1998)) 2001 January 31, ((1999)) 2002 January 31, ((2000)) 2003
((Raccoon))	((November 8, 1997 November 14, 1998 November 13, 1999))	((February 28, 1998 February 28, 1999 February 28, 2000))
((Mink))	((November 8, 1997 November 14, 1998 November 13, 1999))	((February 28, 1998 February 28, 1999 February 28, 2000))
((Muskrat))	((November 8, 1997 November 14, 1998 November 13, 1999))	((February 28, 1998 February 28, 1999 February 28, 2000))
((Beaver))	((November 8, 1997 November 14, 1998 November 13, 1999))	((February 28, 1998 February 28, 1999 February 28, 2000))
River Otter (Season Bag Limit is 6 River Otter in Eastern Washington)	November ((8, 1997)) 11, 2000 November ((14, 1998)) 10, 2001 November ((13, 1999)) 9, 2002	February 28, ((1998)) 2001 February 28, ((1999)) 2002 February 28, ((2000)) 2003

PROPOSED

Exceptions to General Eastern Washington Trapping Seasons:

~~((The river))~~ River otter trapping season is closed in all Eastern Washington counties, except that it is open in Chelan, Ferry, Klickitat, Kittitas, Okanogan, Pend Oreille, Spokane, Stevens, and Yakima counties, as well as in the Snake and Walla Walla ~~((Rivers and their tributaries))~~ river drainages.

Chelan County

~~((The beaver))~~ Beaver season is closed in Swakane and Mudd Creek drainages.

Kittitas County

~~((The beaver))~~ Beaver season is closed in the following drainages: north fork of Tarpiscan Creek~~((;))~~ and ~~((the))~~ Umtanum Creek ~~((drainage))~~.

Urban Trapping Areas: Special Regulations and Trap Restrictions

The following described areas are closed to the taking of classified furbearing animals, and coyote, opossum, nutria, and skunk, by the use of foot-hold, kill, or snare traps except muskrat and mink may be taken with a number one and one-half foot-hold drowning set or a 110 instant kill trap during lawful trapping seasons as established by the Fish and Wildlife Commission. In these areas all traps or devices, not capable of killing the animal must be checked and the animal removed within 24 hours.

Thurston County, within the established city limits (including county islands) of Lacey, Olympia, and Tumwater.

Within Snohomish, King, and Pierce counties~~((;))~~; Beginning at the confluence of ~~((the))~~ Snohomish River and ~~((the))~~ Puget Sound; ~~((then))~~ east up ~~((the))~~ Snohomish River to Interstate 5 (I-5); ~~((then))~~ south on I-5 to Interstate 405 (I-405); ~~((then))~~ south on I-405 to I-5; ~~((then))~~ south on I-5 to ~~((its junction with))~~ Pioneer Way; ~~((then))~~ east ~~((along))~~ on Pioneer Way to Waller Road; ~~((then))~~ south ~~((along))~~ on Waller Road to SR 512; ~~((then))~~ west ~~((along))~~ on SR 512 to Highway 7; ~~((then))~~ south on Highway 7 ~~((to))~~ and Highway 507 to ~~((the))~~ Pierce County line; north on Pierce County line to Puget Sound; ~~((then))~~ north along ~~((the))~~ coast to ~~((the))~~ mouth of the Snohomish River and point of beginning.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 00-14-082
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE
[Filed July 5, 2000, 11:53 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-077.

Title of Rule: Migratory waterfowl seasons and regulations.

Purpose: To adopt WAC 232-28-424 2000-2001 Migratory waterfowl seasons and regulations and repeal WAC 232-28-423 1999-2000 Migratory waterfowl seasons and regulations.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: WAC 232-28-424 specifies legal season dates, bag limits, and open areas to hunt waterfowl for the 2000-2001 hunting season. To eliminate obsolete waterfowl seasons WAC 232-28-423 needs to be repealed.

Reasons Supporting Proposal: Waterfowl seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway and the United States Fish and Wildlife Service, considering population status and other biological parameters.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Program, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Assistant Director, Enforcement, Olympia, (360) 902-2932.

Name of Proponent: Washington Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule establishes waterfowl seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the waterfowl resources of Washington.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The rule is not related to the hydraulics code.

Hearing Location: Best Western Southcenter, 15901 West Valley Road, Tukwila, WA, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 31, 2000, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Dave Brittell, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2162, by July 31, 2000.

Date of Intended Adoption: August 11, 2000.

July 5, 2000

David Ware

Game Division Manager

for Evan Jacoby

Rules Coordinator

NEW SECTION**WAC 232-28-424 2000-2001 Migratory waterfowl seasons and regulations.****DUCKS****Western Washington**

Oct. 7-18, 2000 and Oct. 21, 2000-Jan. 21, 2001 Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 23-24, 2000

Daily bag limit: 7 ducks—to include not more than 2 hen mallards, 1 pintail, 4 scaup, 2 redheads, 1 canvasback, 1 harlequin, 4 scoters, and 4 oldsquaws.

Possession limit: 14 ducks—to include not more than 4 hen mallards, 2 pintails, 8 scaup, 4 redheads, 2 canvasbacks, 1 harlequin, 8 scoters, and 8 oldsquaws.

Eastern Washington

Oct. 7-18, 2000 and Oct. 21, 2000-Jan. 21, 2001

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 23-24, 2000

Daily bag limit: 7 ducks—to include not more than 2 hen mallards, 1 pintail, 4 scaup, 2 redheads, and 1 canvasback.

Possession limit: 14 ducks—to include not more than 4 hen mallards, 2 pintails, 8 scaup, 4 redheads, and 2 canvasbacks.

COOT (Mudhen)

Same areas, dates (including Youth Hunting Weekend), and shooting hours as the general duck season.

Daily bag limit: 25 coots.

Possession limit: 25 coots.

COMMON SNIPE

Same areas, dates (except Youth Hunting Weekend), and shooting hours as the general duck season.

Daily bag limit: 8 snipe.

Possession limit: 16 snipe.

GEESE (except Brant and Aleutian Canada Geese)

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 23-24, 2000, statewide except Western Washington Goose Management Area 2

Daily bag limit: 4 Canada geese

Possession limit: 8 Canada geese

Western Washington Goose Seasons**Western Washington Goose Management Area 1**

Island, Skagit, Snohomish counties

Oct. 7, 2000 - Jan. 1, 2001 for snow, Ross', or blue geese

Oct. 7-26, 2000 and Nov. 4 - Jan. 21, 2001 for other geese (except Brant and Aleutian Canada geese)

Daily bag limit: 4 geese, to include not more than 3 snow, Ross', or blue geese

Possession limit: 8 geese, to include not more than 6 snow, Ross', or blue geese

WRITTEN AUTHORIZATION REQUIRED TO HUNT SNOW GEESE. All persons hunting snow geese in this season are required to obtain a written authorization and Harvest Report from the Washington Department of Fish and Wildlife. Hunters who held a 1999-2000 authorization and returned the Harvest Report prior to the deadline will be mailed a 2000-01 authorization in early October. Hunters who did not possess a 1999-2000 authorization must fill out an application (available at Washington Department of Fish and Wildlife Olympia and Regional offices). Application forms must be delivered to a Department office no later than September 25 or postmarked on or before September 25 in order for applicants to be mailed a 2000-01 authorization before the season starts. No applications will be accepted after October 31, 2000. Immediately after taking a snow goose into possession, hunters must record in ink the information required on the Harvest Report. Return of the Harvest Report is mandatory. Those hunters not returning the Harvest Report to the Washington Department of Fish and Wildlife by January 31, 2001, will be ineligible to participate in the 2001-02 snow goose season.

Western Washington Goose Management Area 2

Cowlitz, Pacific, Wahkiakum counties, that part of Clark County north of the Washougal River, and that part of Grays Harbor County south of U.S. Highway 12 and east of U.S. Highway 101.

Open on the following days from 8:00 a.m. to 4:00 p.m.:

Saturdays, Mondays, and Wednesdays only, Nov. 22, 2000 - Jan. 14, 2001, except closed Dec. 25, 2000 and Jan. 1, 2001.

Bag limits for all of Western Washington Goose Management Area 2:

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose, and not more than 3 snow, Ross', or blue geese.

Possession limit: 8 geese, to include not more than 1 dusky Canada goose, and not more than 6 snow, Ross', or blue geese.

Season limit: 1 dusky Canada goose.

A dusky Canada goose is defined as a dark-breasted (as shown in the Munsell color chart 10 YR, 5 or less) Canada goose with a culmen (bill) length of 40-50 mm.

The Canada goose season for Western Washington Goose Management Area 2 will be closed early if dusky Canada goose harvests exceed area quotas which collectively total 80 geese. The Fish and Wildlife Commission has authorized the director to implement emergency area closures in accordance with the following quotas: A total of 80 dusky, to be distributed 10 for Zone 1 (Ridgefield NWR); 25 for Zone 2 (Cowlitz County south of the Kalama River); 20 for Zone 3 (Clark County private lands); 10 for Zone 4 (Cowlitz County north of the Kalama River and Wahkiakum County); 10 for Zone 5 (Pacific County); and 5 for Zone 6 (Gray's Harbor County). Quotas may be shifted to other zones during the season to

optimize use of the statewide quota and minimize depredation.

Hunting is only permitted by written authorization from the Washington Department of Fish and Wildlife. Hunters who maintained a valid 1999-2000 written authorization will be mailed a 2000-01 authorization card prior to the 2000-01 season. New hunters and those who did not maintain a valid 1999-2000 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive written authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization until that time. Information on training materials and testing dates/locations is available at the Olympia and regional offices.

With written authorization, hunters will receive a Harvest Report. Hunters must carry the authorization card and Harvest Report while hunting. Immediately after taking a Canada goose (dusky, lesser/Taverner, cackling, or other subspecies) into possession, hunters must record in ink the information required on the Harvest Report. Hunters must go directly to the nearest check station and have geese tagged when leaving a hunt site, before 6:00 p.m. If a hunter takes the season bag limit of one dusky Canada goose or does not comply with requirements listed above regarding checking of birds and recording harvest on the Harvest Report, written authorization will be invalidated and the hunter will not be able to hunt in Western Washington Goose Management Area 2 for the remainder of the season and the Special Late Canada Goose Season. It is unlawful to fail to comply with all provisions listed above for Western Washington Goose Management Area 2.

Western Washington Goose Management Area 2

Special Late Canada Goose Season

Open to Washington Department of Fish and Wildlife Advanced Hunter Education (AHE) program graduates and youth hunters (15 years of age or under, who are accompanied by an AHE hunter) possessing a valid 2000-01 southwest Washington Canada goose hunting authorization, on the following days, from 7:00 a.m. to 4:00 p.m.:

Saturdays, Sundays, and Wednesdays, January 20-March 10, 2001

Daily bag limit: 4 Canada geese, to include not more than 1 dusky Canada goose.

Possession limit: 4 Canada geese, to include not more than 1 dusky Canada goose.

Season limit: 1 dusky Canada goose.

A dusky Canada goose is defined as a dark-breasted Canada goose (as shown in the Munsell color chart 10 YR, 5 or less) with a culmen (bill) length of 40-50 mm.

Hunters qualifying for the season will be placed on a list for participation in this hunt. WDFW will assist landowners with contacting qualified hunters to participate in damage control hunts on specific agricultural lands incurring goose damage. The Special Late Canada Goose Season will be closed by emergency action if the harvest of dusky Canada geese exceeds 85 for the regular and late seasons. All provi-

sions listed above for Western Washington Goose Management Area 2 regarding written authorization, harvest reporting, and checking requirements also apply to the Special Late Season; except hunters must confirm their participation at least 24 hours in advance by calling the goose hunting hotline (listed on hunting authorization), and hunters must check out by 5:00 p.m. on each hunt day regardless of success. It is unlawful to fail to comply with all provisions listed above for the Special Late Season in Western Washington Goose Management Area 2.

Western Washington Goose Management Area 3

Includes all parts of Western Washington not included in Western Washington Goose Management Areas 1 and 2.

Oct. 7-26, 2000 and Nov. 4 - Jan. 21, 2001

Daily bag limit: 4 geese, to include not more than 3 snow, Ross', or blue geese.

Possession limit: 8 geese, to include not more than 6 snow, Ross', or blue geese.

Eastern Washington Goose Seasons

Eastern Washington Goose Management Area 1

Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties.

Saturdays, Sundays, and Wednesdays only during Oct. 7-26, 2000 and Nov. 4 - Jan. 14, 2001; Nov. 23, 24, Dec. 25, 2000, and Jan. 1, 2001; and every day Jan. 15-21, 2001.

Eastern Washington Goose Management Area 2

Includes all other parts of Eastern Washington not included in Eastern Washington Goose Management Area 1.

Every day, from Oct. 7-26, 2000 and Nov. 4 - Jan. 21, 2001.

Bag limits for all Eastern Washington Goose Management Areas:

Daily bag limit: 4 geese, to include not more than 3 snow, Ross', or blue geese.

Possession limit: 8 geese, to include not more than 6 snow, Ross', or blue geese.

BRANT

Open in Skagit and Pacific counties only on the following dates:

Jan. 13, 14, 17, 20, and 21, 2001

In 2000, the brant wintering population in Padilla/Samish/Fidalgo bays remained below objective levels. If the 2000-01 preseason wintering brant population in Skagit County is below 6,000 (as determined by the winter survey in late December/early January), the brant season in Skagit County will be closed or shortened.

WRITTEN AUTHORIZATION REQUIRED: All hunters participating in this season are required to obtain a written authorization and Harvest Report from the Washington Department of Fish and Wildlife. Hunters who held a 1999-2000 authorization and returned the Harvest Report prior to the deadline will be mailed a 2000-01 authorization in December. Hunt-

ers who did not possess a 1999-2000 authorization must fill out an application (available at Washington Department of Fish and Wildlife Regional offices). Application forms must be delivered to a Department office no later than 5:00 p.m. on November 10 or postmarked on or before November 10, after which applicants will be mailed a 2000-01 authorization in early December. Late applications will not be accepted. Immediately after taking a brant into possession, hunters must record in ink the information required on the Harvest Report. Return of the Harvest Report is mandatory. Those hunters not returning the Harvest Report to the Washington Department of Fish and Wildlife by January 31, 2001, will be ineligible to participate in the 2001-02 brant season.

Bag limits for Skagit and Pacific counties:

Daily bag limit: 2 brant.

Possession limit: 4 brant.

ALEUTIAN CANADA GEESE AND SWANS

Season closed statewide.

FALCONRY SEASONS

DUCKS, COOTS, AND SNIPE (Falconry)

(Bag limits include geese and mourning doves.)

Oct. 7-18, 2000 and Oct. 21, 2000 - Jan. 21, 2001, statewide

Daily bag limit: 3, straight or mixed bag with geese and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with geese and mourning doves during established seasons.

GEESE (Falconry)

(Bag limits include ducks, coot, snipe, and mourning doves.)

Oct. 7-26, 2000 and Nov. 4 - Jan. 21, 2001, statewide, except Western Washington Goose Management Area 2.

Western Washington Goose Management Area 2: Nov. 22, 2000 - Jan. 14, 2001 and Jan. 20, 2001 - Mar. 10, 2001, except closed Dec. 25, 2000 and Jan. 1, 2001.

Daily bag limit: 3, straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.

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.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 232-28-423

Migratory waterfowl seasons and regulations

WSR 00-14-083
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE
[Filed July 5, 2000, 11:54 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-077.

Title of Rule: Provisions for accidental take by falconers.

Purpose: To adopt WAC 232-12-106 Provisions for accidental take by falconers.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: The proposed changes provide reasonable protection for falconers whose birds accidentally kill species for which there is no open season while maintaining restrictions for species of special concern and requiring falconers to report information about some species. Gives the director authority to develop a supplemental list of species for which specific reporting is required. At this time, the list includes white-tailed and black-tailed jackrabbits.

Reasons Supporting Proposal: Allows falconers to continue their pursuit without undue risk of citation for accidentally killing several species of wildlife.

Maintains protection for species of concern and those afforded specific protection (sensitive, threatened, and endangered).

Provides means of capturing data on some species of uncertain population status (jackrabbits and candidate species).

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Program, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Assistant Director, Enforcement, Olympia, (360) 902-2932.

Name of Proponent: Washington Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule changes will allow accidental take of some species. Under present rules, killing of any protected species by a falconer's raptor is a violation. The proposed rule:

(1) Maintains complete protection for sensitive, threatened, and endangered species.

(2) Limits accidental take of candidate or species identified by the director to three per season.

(3) Requires falconers to report kills of species noted in (2) above.

(4) Allows raptors to feed on accidentally killed species, but does not allow falconers to retain carcasses.

The purpose is to implement reasonable protection for falconers lawfully hunting game or unclassified species, while maintaining protection of wildlife species of concern and species already afforded special legal protection.

Making allowances for some accidental take reduces the risk of falconers unintentionally violating rules. Complete

protection is maintained for threatened and endangered species. Limiting annual accidental take of some species meets the intent of season closures and the need to better understand population status. Allows falconers to continue their pursuit, rewarding those who are most diligent in avoiding species of concern and providing a consequence for those who do not avoid those species.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule is not related to the hydraulics code.

Hearing Location: Best Western Southcenter, 15901 West Valley Road, Tukwila, WA, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 31, 2000, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Dave Brittell, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2162, by July 31, 2000.

Date of Intended Adoption: August 11, 2000.

July 5, 2000

David Ware

Game Division Manager

for Evan Jacoby

Rules Coordinator

NEW SECTION

WAC 232-12-106 Provisions for accidental take by falconers (1) When a raptor being used in falconry accidentally takes any species of wildlife ('quarry') for which the hunting season is not currently open or which is otherwise protected, the falconer must release the quarry if it is not seriously injured. If the quarry has been seriously injured or killed, the falconer may not retain or possess the quarry, but the raptor may feed upon the quarry before leaving the site of the kill.

(2) If the accidentally killed quarry is a species identified on the Washington Candidate species list (for endangered, threatened, or sensitive status) or specifically identified by the director, the falconer shall, before leaving the site of the kill, record upon a form provided by the Department, or upon a facsimile, the falconer's name, falconry permit number, date, species and sex (if known) of the quarry, and exact location of the kill. The falconer shall submit the information to a representative of the Washington Department of Fish and Wildlife within 72 hours of the kill.

(3) Accidental kill by any falconer in any license year shall not exceed three individuals of any species designated under (2) above.

(4) Notwithstanding any other section of this rule, no take of species protected under federal laws or designated as

endangered, threatened, or sensitive in Washington is permitted.

PROPOSED



WSR 00-14-028
EXPEDITED ADOPTION
DEPARTMENT OF REVENUE

[Filed June 29, 2000, 9:32 a.m.]

Title of Rule: WAC 458-57-035 Washington estate tax return to be filed—Penalty for late filing—Interest on late payments—Waiver or cancellation of penalty—Application of payment and 458-57-045 Administration of the tax—Releases, amended returns, refunds, heirs of escheat estates.

Purpose: Rule 035 discusses the due date for filing Washington's estate tax return, the interest and penalties imposed when the return is not timely filed, and the circumstances under which a penalty can be waived or cancelled. Rule 045 discusses the releases issued to personal representatives by the department when the state estate taxes are paid. Rule 045 also explains how and when an amended state return should be filed.

Statutory Authority for Adoption: RCW 83.100.200.

Statute Being Implemented: RCW 83.100.050, 83.100.060, 83.100.070, 83.100.080, 83.100.090, 83.100-130.

Summary: Rule 035 is being revised to incorporate chapter 105, Laws of 2000, which limits the late payment penalty to the lesser of 25% of the tax due or \$1500. Rule 045 is being revised to eliminate the requirement that refund claims for overpaid taxes be made within one year of the date the taxes were paid. RCW 83.100.130 no longer places this limitation on refund claims.

Reasons Supporting Proposal: To incorporate statutory changes.

Name of Agency Personnel Responsible for Drafting: Alan R. Lynn, 1025 Union Avenue, Room 400, Olympia, WA, (360) 570-6125; Implementation and Enforcement: Gary O'Neil, 2735 Harrison N.W., Building 4, Olympia, WA, (360) 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: WAC 458-57-035 discusses the due date for filing of Washington's estate tax return and payment of the tax due. It explains that a penalty is imposed on the taxes due with the state return when the return is not filed on or before the due date, and that interest is imposed when the tax due is not paid by the due date. The rule also discusses the limited circumstances under which the law allows the Department of Revenue to cancel or waive the penalty, and the procedure for requesting that cancellation or waiver.

WAC 458-57-045 contains information on releases issued by the department for state estate taxes paid. It explains how and when an amended state return should be filed. The rule also identifies the requirements for notification to the department when a claimed heir to an escheat estate is located.

Proposal Changes the Following Existing Rules: The department is proposing a revision of two existing rules, WAC 458-57-035 Washington estate tax return to be filed—Penalty for late filing—Interest on late payments—Waiver or

cancellation of penalty—Application of payment and 458-57-045 Administration of the tax—Releases, amended returns, refunds, heirs of escheat estates. The rules are being revised to incorporate legislative changes as discussed above.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Alan R. Lynn, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail alanl@dor.wa.gov, AND RECEIVED BY September 6, 2000.

To Obtain a Copy of this Form and Rule in an Alternative Format: Contact Ginny Dale, at (360) 570-6176, TDD 1-800-451-7985. Please allow ten days for the form and rule to be prepared and sent to you.

June 29, 2000

Claire Hesselholt

Rules Manager

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 99-15-095, filed 7/21/99, effective 8/21/99)

WAC 458-57-035 Washington estate tax return to be filed—Penalty for late filing—Interest on late payments—Waiver or cancellation of penalty—Application of payment. (1) **Introduction.** This rule discusses the due date for filing of Washington's estate tax return and payment of the tax due. It explains that a penalty is imposed on the taxes due with the state return when the return is not filed on or before the due date, and that interest is imposed when the tax due is not paid by the due date. The rule also discusses the limited circumstances under which the law allows the department of revenue to cancel or waive the penalty, and the procedure for requesting that cancellation or waiver.

(2) **Filing the state return—Payment of the tax due.** The Washington estate tax return (state return) referred to in RCW 83.100.050 and a copy of the federal estate tax return (federal return) must be filed on or before the date that the federal return is required to be filed. The tax due with the state return must be paid on or before the date that the federal estate tax is required to be paid.

(a) Section 6075 of the Internal Revenue Code (IRC) requires that the federal return be filed within nine months after the date of the decedent's death. In the case of any estate for which a federal return must be filed, a state return must be filed with the Washington state department of revenue (department) on or before the date on which the federal return is required to be filed. (This may include a federally granted extension of time for filing. See subsection (2)(b).)

(b) Section 6081 of the IRC permits the granting of a reasonable extension of time for filing the federal return, generally not to exceed six months from the original due date. If a federal extension of the time to file is granted, the personal representative is required to file a true copy of that extension with the department on or before the original due date, or within thirty days of the issuance of the federal extension, whichever is later. RCW 83.100.050(2). If the personal representative fails to do so, the department may require the personal representative to file the state return on the date that the federal return would have been due had the federal extension not been granted.

(c) When the personal representative obtains an extension of time for payment of the federal tax, or elects to pay that tax in installments, the personal representative may choose to pay the state estate tax over the same time period and in the same manner as the federal tax. The personal representative is required to file a true copy of that extension with the department on or before the original due date, or within thirty days of the issuance of the federal extension, whichever is later. RCW 83.100.060(2). If the personal representative fails to do so, the department may require the personal representative to pay the state tax on the date that the federal tax would have been due had the federal extension not been granted.

(d) The department shall issue a release when Washington's estate tax has been paid. Upon issuance of a release, all property subject to the tax shall be free of any claim for the tax by the state. RCW 83.100.080.

(3) **The late filing penalty.** If the state return is not filed by the due date, or any extension of the state return's due date, the person required to file the federal return ~~((shall pay a penalty))~~ may be subject to a late filing penalty. This penalty applies if the person required to file the federal return has not timely filed the state return with the department prior to being notified by the department, in writing, of the necessity to file the state return. The late payment penalty is equal to five percent of the tax due for each month during which the ((report)) state return has not been filed((- RCW 83.100.070. The total penalty may)), not to exceed the lesser of twenty-five percent of the tax or one thousand five hundred dollars. RCW 83.100.070.

(a) The penalty is the equivalent of five percent for each month, but is accrued on a daily basis for those periods less than a month. For any portion of a month, it is calculated by taking the five percent monthly rate and dividing it by the number of days from the beginning of the month through the date the return is filed, including the filing date.

~~((a))~~ For example, assume a state return is due on February 3rd but is not filed until April 20th of the same year. The state return is delinquent starting with February 4th. The amount of tax due with the state return is \$10,000.

(i) The penalty should be computed as follows:

Feb 4-Mar 3	\$10,000 tax at 5% per month	\$500.00
Mar 4-Apr 3	\$10,000 tax at 5% per month	\$500.00
Apr 4-Apr 20	\$10,000 tax at .1667% x 17 days	<u>\$283.39</u>
Total delinquent penalty due on April 20th filing date		\$1,283.39

(ii) In this example, the first two calendar months are complete and incur the full five percent penalty. The last portion of a month is a total of seventeen days, including both April 4th and April 20th. Since April has thirty days total, the five percent monthly rate is divided by the thirty days in April to arrive at a daily rate of .001667 (or .1667 percent). The daily rate is then multiplied by the seventeen days of penalty accrual to arrive at the total percentage of penalty due for that portion of a month (.001667 x 17 days = .028339 or 2.8339 percent).

(b) If a federal extension of the due date is requested, the penalty provided for late filing of the state return will be imposed if the state return is filed after the due date and the federal extension is ultimately denied.

(4) **Interest is imposed on late payment.** The department is required by law to impose interest on the tax due with the state return if payment of the tax is not made on or before the due date. RCW 83.100.070. Interest applies to the delinquent tax only, and is calculated from the due date until the date of payment. Interest imposed for periods after December 31, 1996, will be computed at the annual variable interest rate described in RCW 82.32.050(2). Interest imposed for periods prior to January 1, 1997, will be computed at the rate of twelve percent per annum.

(5) **Waiver or cancellation of penalties.** RCW 83.100.070(3) authorizes the department to waive or cancel the penalty for late filing of the state return under limited circumstances.

(a) **Claiming the waiver.** A request for a waiver or cancellation of penalties should contain all pertinent facts and be accompanied by such proof as may be available. The request must be made in the form of a letter and submitted to the department's special programs division. The person responsible bears the burden of establishing that the circumstances were beyond the responsible person's control and directly caused the late filing. The department will cancel or waive the late filing penalty imposed on the state return when the delinquent filing is the result of circumstances beyond the control of the person responsible for filing of the state return. The person responsible for filing the state return is the same person who is responsible for filing the federal return.

(b) **Circumstances eligible for waiver.** In order to qualify for a waiver of penalty the circumstances beyond the control of the person responsible for filing the state return must directly cause the late filing of the return. These circumstances are generally immediate, unexpected, or in the nature of an emergency. Such circumstances result in the person responsible not having reasonable time or opportunity to obtain an extension of their due date (see subsection (2)(b)) or to otherwise timely file the state return. Circumstances beyond the control of the responsible person include, but are not necessarily limited to, the following:

(i) The delinquency was caused by the death or serious illness of the person responsible for filing the state return or a member of the responsible person's immediate family. In order to qualify for penalty waiver, the death or serious illness must directly prevent the person responsible from having reasonable time or opportunity to arrange for timely filing of the state return. Generally, the death or serious illness

EXPEDITED ADOPTION

must have occurred within sixty days prior to the due date, provided that a valid state return is filed within sixty days of the due date.

(ii) The delinquency was caused by an unexpected and unavoidable absence of the person responsible. Generally, this absence must be within sixty days prior to the due date, provided that a valid state return is filed within sixty days of the due date. "Unavoidable absence of the person responsible" does not include absences because of business trips, vacations, personnel turnover, or personnel terminations.

(iii) The delinquency was caused by the destruction by fire or other casualty of estate records necessary for completion of the state return.

(iv) An estate tax return was timely filed, but was filed incorrectly with another state due to an issue of the decedent's domicile.

(v) A Washington estate tax return was properly prepared and timely filed, but was sent to the location for filing of the federal estate tax return.

(6) **Waiver or cancellation of interest.** Title 83 RCW (Estate Taxation) does not provide any circumstances that allow for waiver of the interest, even though penalty may be waived under limited circumstances (see subsection (5)).

(7) **Application of payment towards liability.** The department will apply taxpayer payments first to interest, next to penalties, and then to the tax, without regard to any direction of the taxpayer.

AMENDATORY SECTION (Amending WSR 99-15-095, filed 7/21/99, effective 8/21/99)

WAC 458-57-045 Administration of the tax—Releases, amended returns, refunds, heirs of escheat estates. (1) **Introduction.** This rule contains information on releases issued by the department for state estate taxes paid. It explains how and when an amended state return should be filed (~~and states the time limit for claiming a refund of overpaid taxes~~). The rule also gives several requirements for notification to the department when a claimed heir to an escheat estate is located.

(2) **Releases.** When the state estate taxes have been paid in full, the department will issue a release to the personal representative upon request. The request will include a completed state return and a copy of the completed federal return. The final determination of the amount of taxes due from the estate is contingent on receipt of a copy of the final closing letter issued by the Internal Revenue Service (IRS). The department may require additional information to substantiate information provided by the estate. The release issued by the department will not bind or estop the department in the event of a misrepresentation of facts.

(3) **Amended returns.** An amended state return must be filed with the department within five days after any amended federal return is filed with the IRS and must be accompanied by a copy of the amended federal return.

(a) Any time that the amount of federal tax due is adjusted or when there is a final determination of the federal tax due the person responsible must give written notification to the department. This notification must include copies of

any final examination report, any compromise agreement, the state tax closing letter, and any other available evidence of the final determination.

(b) If any amendment, adjustment or final determination results in additional state estate tax due, interest will be calculated on the additional tax due at the annual variable interest rate described in RCW 82.32.050(2).

(4) **Refunds.** (~~Claims for refund of taxes overpaid must be initiated within one year of the time the taxes are first paid to the state of Washington.~~) Only the personal representative or the personal representative's retained counsel may make (~~such~~) a claim for a refund of overpaid tax. Any refund issued by the department will include interest at the existing statutory rate defined in RCW 82.32.050(2), computed from the date the overpayment was received by the department until the date it is mailed to the estate's representative. RCW 83.100.130(2).

(5) **Heirs of escheat estates.** Heirs to an estate may be located after the estate escheats to Washington. The personal representative of an escheat estate or a claimed heir must provide the department with all information and documentary evidence available that supports the heir's claim. All supporting documents must be in the English language when submitted to the department. The English translation of any foreign document shall be authenticated as reasonably required by the department.

(a) In all cases where there is a court hearing or the taking of a deposition on the question of a claimed heir, the personal representative shall give the department twenty days' written notice of such hearing or matter.

(b) The personal representative must give the department at least twenty days' written notice of the hearing on the final account and petition for distribution.

WSR 00-14-032

EXPEDITED ADOPTION

DEPARTMENT OF ECOLOGY

[Order 00-20—Filed June 29, 2000, 2:02 p.m.]

Title of Rule: Chapter 173-24 WAC, Tax exemptions and credits for pollution control facilities.

Purpose: The purpose of this rule is to provide tax credits and exemptions for pollution control facilities approved by the appropriate agency.

Statutory Authority for Adoption: Chapter 82.34 RCW.

Statute Being Implemented: Chapter 82.34 RCW.

Summary: This amendment is being proposed to correct errors in grammar, punctuation, and to clarify the language of the rule without changing its effect.

Name of Agency Personnel Responsible for Drafting: Kathy Carpenter, Headquarters, (360) 407-6216; Implementation and Enforcement: Cullen Stephenson, Headquarters, (360) 407-6103.

Name of Proponent: [Department of Ecology], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to provide tax credits and exemptions for pollution control facilities approved by the appropriate agency.

This amendment corrects typographic errors and updates addresses.

Proposal does not change existing rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Jerry Thielen, Rules Coordinator, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, AND RECEIVED BY September 6, 2000.

June 27, 2000

Daniel J. Silver

Deputy Director

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-010 Introduction and purpose. Chapter 82.34 RCW provides for tax credits and exemptions for pollution control facilities approved by the appropriate control agency. ~~((The purpose of this regulation is to establish a procedure for reviewing applications for tax benefits received from the department of revenue for review by the department of ecology, including the establishment of criteria for identifying the individual facilities within each application and, for each facility, approving the facility, approving the facility as a "dual purpose pollution control facility," or denying the facility.))~~ The purposes of this rule are to:

(1) Establish a procedure for reviewing applications for tax benefits received from the department of revenue for review by the department of ecology; and

(2) Establish criteria for identifying the individual facilities within each application and, for each facility, either:

(a) Approve the facility;

(b) Approve the facility as a "dual purpose pollution control facility"; or

(c) Deny the facility.

AMENDATORY SECTION (Amending Order DE 70-7, filed 8/4/71)

WAC 173-24-020 Authority. This ~~((regulation))~~ rule is adopted ~~((pursuant to))~~ under the authority granted the director of the department of ecology by RCW 43.21A.080 and 43.21A.090.

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-030 Definitions. Unless a different meaning is plainly required by the context, the following words as ~~((hereinafter))~~ used in this chapter ~~((shall))~~ have the following meanings:

(1) "Commercial or industrial operation" ~~((shall))~~ means the industrial, manufacturing, waste disposal, utility or other commercial establishment operated by an applicant for a certificate under chapter 82.34 RCW.

(2) "Department" ~~((shall))~~ means the Washington state department of ecology.

(3) "Dual purpose pollution control facility" or "dual purpose facility" ~~((shall))~~ means a facility in which the portion for the purpose of pollution control is so integrated into the total facility with portions for other purposes that separation into identifiable component parts is not possible.

(4) "Facility" ~~((shall))~~ means any treatment works, control device~~((s))~~, disposal system~~((s))~~, machinery, equipment, structure~~((s))~~ or property for which a certificate is applied for under chapter 82.34 RCW or any physically or conceptually identifiable part or ~~((accessories))~~ accessory thereof.

(5) "Necessary to the manufacture of products" ~~((shall))~~ means that without which manufacture of products at the present or proposed level could not be undertaken.

If the manufacture of products could be undertaken at present levels without a facility, even though ~~((such))~~ the manufacture would be uneconomical or impractical, such a facility is not necessary to the manufacture of products. However, if a commercial or industrial operation is recovering or producing chemicals or heat for use in the manufacturing process at the time it submits an application, then any facilities necessary for ~~((such))~~ production or for recovery of chemicals at present percentage rates will be considered necessary to the manufacture of products.

(6) "Pollution" ~~((shall))~~ means "air contaminant" and "air pollution" as defined in RCW 70.94.030, and "pollution" as defined in RCW 90.48.020.

(7) "Products" as used in the phrase, "manufacture of products," ~~((shall))~~ includes the item or items which an industrial operation is designed primarily to manufacture or produce.

(8) "Regional or local air pollution control authority" ~~((shall))~~ means any local or regional entity or control program considered as an "authority" for the purpose of chapter 70.94 RCW.

(9) "Single purpose facility" ~~((shall))~~ means a facility other than a dual purpose facility.

AMENDATORY SECTION (Amending Order DE 70-7, filed 8/4/71)

WAC 173-24-040 Applications submitted to the department of revenue. Applications filed ~~((pursuant to))~~ under RCW 82.34.020 ~~((shall))~~ must be submitted to the department of revenue ~~((pursuant to))~~ in accordance with that department's requirements. The department of revenue will supply an identifying application number and forward the application to the department or regional or local air pollution

control authority, as appropriate, for review ~~((pursuant to))~~ under RCW 82.34.030.

AMENDATORY SECTION (Amending Order DE 70-7, filed 8/4/71)

WAC 173-24-050 Applications reviewed by the department. The department will review applications for approval of facilities ~~((which))~~ that may be designated "water pollution control facilities" as defined in RCW 82.34.010 (1)(b). The department will also review any application relating to a facility ~~((which))~~ that is not within the jurisdiction of an activated regional or local air pollution control authority, or ~~((which))~~ that is within any area over which the department has assumed jurisdiction ~~((pursuant to))~~ under RCW 70.94.390. The department will also review any application for approval of a facility relating to any air contaminant source subject to rules ~~((and regulations))~~ adopted by the department or its predecessor agencies ~~((pursuant to))~~ under RCW 70.94.395.

The department will, when necessary, advise the department of revenue of the proper agency or agencies to which an application is to be submitted for review.

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-060 Action by the department within thirty days—Request for further information. The department shall, within thirty days of receipt of an application from the department of revenue, make the identification and classification described in WAC 173-24-070 and approval or denial described in WAC 173-24-080, or it shall request further information from the applicant. A copy of any request from the department to the applicant for further information ~~((shall))~~ must be transmitted to the department of revenue. The failure of the applicant to supply any additional information requested by the department, without reasonable grounds for such a failure, may result in disapproval of all or part of the application.

The department shall notify the department of revenue, in writing, of its decisions on any application submitted ~~((to it))~~ and shall send a copy of ~~((such))~~ the notification ~~((shall be sent))~~ to the applicant by certified mail.

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-070 Identification and classification of facilities. The department will review each application to determine whether the facility is a single, integrated facility, or can be separated, either physically or conceptually, into identifiable component parts. Each component part ~~((shall))~~ must be considered as a separate facility for the purpose of the department's review of the application. The department will identify all ~~((such))~~ those facilities within each application.

For each facility identified, the department shall classify it as a "dual purpose facility" or a "single purpose facility."

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-080 Approval of a facility. The department shall approve any facility when:

- (1) It was installed or intended to be installed for the primary purpose of pollution control, and;
- (2) When it is operated or intended to be operated primarily for the purpose of pollution control, and;
- (3) When it is suitable, reasonably adequate, and meets the intent and purposes of chapter 70.94 or 90.48 RCW;

If the facility does not meet these criteria, it ~~((shall))~~ must be denied.

AMENDATORY SECTION (Amending Order DE 80-33, filed 10/7/80)

WAC 173-24-090 Installation for the purpose of pollution control. A facility will be considered to be installed or intended to be installed for the primary purpose of pollution control when:

- (1) It was installed or intended to be installed in response to a requirement of the department or a regional or local air pollution control authority contained in a permit, order, or ~~((regulation which))~~ rule that applies to the particular industry or commercial establishment ~~((in it))~~ in question, and such a facility meets or exceeds the requirements of such a permit, order, or ~~((regulation))~~ rule; and

- (2) It was installed ~~((pursuant to))~~ in conformance with a requirement developed under chapter 90.48 or 70.94 RCW and not under some other statute administered by the department such as, for example, chapter 70.95 or 70.105 RCW.

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-100 Operation for the purpose of pollution control. A facility is operated or intended to be operated primarily for the purpose of pollution control when:

- (1) The emissions or effluents from the commercial or industrial operation do or will contain measurably less pollution with the facility installed than they would without the facility installed, and;

- (2) For a facility, other than a dual purpose facility, it is not necessary to the manufacture of products.

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-110 Meeting the intent and purposes of chapters 70.94 and 90.48 RCW. A facility is suitable, reasonably adequate, and meets the intent and purposes of chapters 70.94 and 90.48 RCW, when:

- (1) Normal operation of the particular commercial or industrial operation with the facility installed will not be in violation of any provision of chapter 70.94 or 90.48 RCW and;

- (2) Such an operation will meet the requirements of any applicable permits, orders, ~~((regulations))~~ rules or standards

of the department or a regional or local air pollution control authority.

AMENDATORY SECTION (Amending Order DE 70-7, filed 8/4/71)

WAC 173-24-120 Treatment (~~((prior to))~~ **before connection to utilities.** Any facility designed for the primary purpose of reducing, controlling, disposing of, or treating industrial or commercial wastes (~~((prior to))~~ **before** the ultimate conveyance thereof to the waste collecting facilities of public or privately owned utilities (~~((shall))~~ **must** be approved if it satisfies the requirements set forth in this chapter(~~(;)~~). **However**, any facility installed or constructed for the primary purpose of connecting any commercial establishment with the waste collecting facilities of public or privately owned utilities (~~((shall))~~ **may** not be eligible for approval.

AMENDATORY SECTION (Amending Order DE 80-33, filed 10/7/80)

WAC 173-24-125 Revision of prior findings. On its own initiative or (~~((on compliant of))~~ **in compliance with** the local or regional air pollution control agency in which an air pollution control facility is located, the department may revise the prior findings of the appropriate control agency whenever it appears that any of the conditions listed in RCW 82.34.100 (1) or (2) have been met or when the department determines that the prior determination had been made in error.

AMENDATORY SECTION (Amending Order DE 70-7, filed 8/4/71)

WAC 173-24-130 Administrative appeal of department decision. The approval or disapproval by the department (~~((pursuant to))~~ **under** RCW 82.34.030 of any application, or any revision of prior findings by the department (~~((pursuant to))~~ **under** RCW 82.34.100 shall constitute a decision of the department subject to review by the pollution control hearings board (~~((pursuant to))~~ **in accordance with** chapter 43.21B RCW. Any aggrieved party may appeal any (~~((such))~~) decision (~~((pursuant to))~~ **in accordance with** the rules (~~((and regulations))~~) of the pollution control hearings board no later than thirty days after receipt of written notice thereof.

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-140 Delegation. The powers, duties, and functions vested in the department by chapter 82.34 RCW, will be performed by the deputy director of the department or his or her delegate.

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-150 Delegation of state responsibilities under federal program. The functions of the "state certifying authority" for the federal tax credit program for pollution

control facilities (~~((shall))~~ **must** be performed by the deputy director of the department or his or her delegate.

WSR 00-14-053
EXPEDITED ADOPTION
DEPARTMENT OF
FINANCIAL INSTITUTIONS
[Filed July 3, 2000, 9:00 a.m.]

Title of Rule: Chapter 50-32 WAC, Establishment of alien banks in Washington—Procedure.

Purpose: Housekeeping changes and recodifying chapter 50-32 WAC.

Statutory Authority for Adoption: RCW 30.04.030 and 43.320.040.

Statute Being Implemented: RCW 30.04.030 and 43.320.040.

Summary: To make housekeeping changes in chapter 50-32 WAC and to recodify it as a chapter of Title 208 WAC. Chapter 50-32 WAC currently refers to "supervisor of banking" and "division of banking." These terms were changed in October 1993 to "director of the department of financial institutions" and "division of banks."

Reasons Supporting Proposal: Terms were changed in October 1993 after the Division of Banking, the Division of Savings and Loan Association, and the Securities Division of Department of Licensing merged to form the Department of Financial Institutions. The intent of the rule remains unchanged.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Abe, 210 11th Avenue S.W., Suite 300, (360) 902-8704.

Name of Proponent: The Department of Financial Institutions, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To make housekeeping changes in chapter 50-32 WAC and to recodify it as a chapter of Title 208 WAC. Chapter 50-32 WAC currently refers to "supervisor of banking" and "division of banking." These terms were changed in October 1993 to "director of the department of financial institutions" and "division of banks."

Proposal does not change existing rules. No substantive changes to rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Mike Abe, Program Manager, Division of Banks, Department of Financial Institu-

tions, 210 11th Avenue S.W., Suite 300, Olympia, WA 98504-1200, AND RECEIVED BY September 5, 2000, by 5:00 p.m.

June 30, 2000

John L. Bley

Director

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-020 Definitions. For purposes of these rules and regulations, the following terms are defined as:

(1) **Act** - chapter 53, Laws of 1973 1st ex. sess.

(2) **Application** - "Application" means an application of an alien bank to the ((~~supervisor of banking~~)) director of the department of financial institutions for a certificate of authority to establish and operate an agency, branch or bureau in the state of Washington.

(3) **Domiciliary country** - "Domiciliary country" means the foreign country under the laws of which the alien bank is organized.

(4) **Fiscal year** - "Fiscal year" means the fiscal year of the alien bank.

(5) **Depository** - "Depository" shall mean a bank with its principal place of business within the state of Washington selected by the alien bank and approved by the ((~~supervisor of banking~~)) director, for the deposit of the cash or liquid assets required by section 7 and 12 of the act.

(6) **Rules and regulations** - "Rules and regulations" means all of Title ((~~50~~)) 208 WAC. Alien banks in conducting authorized banking business shall be subject to such rules and regulations under the same terms and conditions as applied to banks organized under the laws of this state to the extent that such rules and regulations as applied to alien banking operations are consistent with the intent and purposes of the alien bank act and subject to limitations and restrictions imposed by these alien bank rules and regulations.

(7) **Section** - Section numbers referred to herein are those found in chapter 53, Laws of 1973 1st ex. sess.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-030 Application procedure. An application by an alien bank to establish and operate an office or bureau in the state of Washington shall be made on the form prescribed in Appendices 1, 2 or 3, whichever is applicable.

An application shall not be deemed complete if, in the opinion of the ((~~supervisor~~)) director, the applicant has not supplied all of the required information or the information supplied is deficient. After receipt of the completed application, the ((~~supervisor~~)) director shall conduct his required investigation.

(1) **Office.** The ((~~supervisor~~)) director shall notify the applicant of denial or conditional approval of an application for a certificate for an agency or branch within 180 days of his receipt of the completed application.

If the application for a certificate for an agency or branch is conditionally approved, the applicant must supply the following documents executed by the governing board and properly sworn to before a U.S. Consular Official within 60 days of notification.

(a) Appointment of the ((~~supervisor of banking~~)) director of the department of financial institutions as agent

(b) Designation of bank's agent for service in Washington

(c) Letter of guaranty

(d) Appointment of depository(ies)

(e) Certificate of allocation and assignment of capital

(f) Depository agreements for assigned and allocated capital

(g) A power of attorney in favor of the person designated to be in charge of the business and affairs of the office.

The applicant shall also provide proof of fidelity bond coverage and the oath of the managing officer of the Washington office.

After receipt of these documents and after the ((~~supervisor~~)) director is satisfied that all statutory requirements have been met, he shall issue his certificate.

(2) **Bureau.** The ((~~supervisor~~)) director shall notify the applicant of denial or approval of an application for a certificate for a bureau within 90 days of his receipt of the completed application. If the application is approved, the certificate will be issued forthwith.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-040 Examination—Frequency—Scope.

The accountant selected to audit the books of account of an alien office shall be an independent accountant licensed to practice by the state of Washington and who is not an employee, officer, or holder of the securities of the alien bank or its subsidiaries. Such accountant must have knowledge and experience with respect to auditing books of international corporations. A resume' of such accountant wherein the knowledge and experience is set forth must accompany the alien bank's request that such accountant be approved by the ((~~supervisor of banking~~)) director. The report of such independent accountant shall be based upon an audit made in accordance with generally accepted auditing standards without limitation on its scope and shall be unqualified.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-090 Reports—Required reports. Each alien bank shall file the following periodic reports relating to the financial condition of the office:

(1) Examination (audit) report by an accountant approved by the ((~~supervisor~~)) director as of the last business day of the fiscal year as prescribed by section 14 of the act.

(2) Reports of resources and liabilities as required by banks chartered by the state of Washington as prescribed by RCW 30.08.180 and 30.08.190, together with proof of publication. An agency need not publish such reports.

(3) Annual report of income on calendar year basis as a special report as required of banks chartered by the state of Washington (RCW 30.08.190).

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-99001 Appendix I—Forms—Application for certificate authorizing an alien bank to establish and operate a branch in the state of Washington.

APPLICATION FOR CERTIFICATE AUTHORIZING AN ALIEN BANK TO ESTABLISH AND OPERATE A BRANCH IN THE STATE OF WASHINGTON

TO: ((~~Supervisor of Banking~~)) Director of the Department of Financial Institutions

Division of ((~~Banking~~)) Banks
Olympia, Washington 98504

The (Applicant alien bank), with its head office and principal place of business located at (Domiciliary Country) hereby initiates this application for certificate authorizing the establishment and operation of a branch to be located in the City of, County of, State of Washington.

The (Bank), is incorporated, chartered or otherwise authorized to conduct a banking business under the laws of (Domiciliary Country). We enclose a verified copy of the resolution adopted by the bank's governing board, properly sworn to before a U.S. Consular Official, authorizing the filing of this application and designating the officer(s) who is (are) to sign this application and provide the material required herein, authorizing the payment of fees required by law or regulation, and designating the managing officer(s) of the proposed branch. We enclose a bank draft for \$1,500.00 to apply upon the statutory cost of investigation. If the cost of investigation to be made exceeds \$1,500.00 we agree to pay such excess in accordance with WAC ((~~50-12-040~~)) 208-512-040 together with such other costs and fees as may be legally required by statute or regulation.

Correspondence, instructions, requests for information, reports, etc., should be addressed:

.....
Head Office

.....
Proposed Branch

To expedite the statutory investigation the following information, schedules, certifications, resume's, etc., are furnished:

(a) Name of present Chief Executive Officer and Name of the Secretary

(b) The bank's fiscal year ends

(c) (English translation): Four certified copies of the most recent edition of the bank's certificate of authority or other legal authorization of your country to conduct a banking business and the bank's articles of incorporation.

(d) Date of certificate of authority or its equivalent under which presently operating and expiration date, or duration, of the certificate of authority or its equivalent

(e) Capital structure at end of last fiscal year: (i.e., equity capital, surplus, undivided profits, unallocated or contingency reserves).

(f) Two copies of last available statement of condition.

(g) Statement of object and purpose or purposes which bank proposes to pursue in the transaction of business in the state of Washington.

(h) Copy of (English translation where applicable) laws of domiciliary country under which applicant bank is organized which permits a bank with its principal place of business in the state of Washington to establish in that foreign country a branch, agency or similar operation. Attached to a copy of such laws shall be either (a) an opinion of counsel (a member of the bar in the foreign country under whose laws the applicant is organized), including references to or extracts from relevant statutes, if any, to the effect that a bank with its principal place of business in the state of Washington may be permitted to establish and maintain in such foreign country a branch, agency or similar operation, or (b) a certificate of an official of the applicant's country who is authorized under its laws to issue a license to a bank with its principal place of business in the state of Washington to maintain either a branch or agency, to the effect he is so authorized.

(i) An opinion of counsel for the applicant (a member of the bar in the foreign country under whose laws the applicant is organized) to demonstrate that this application to establish a branch is in compliance with local laws. Such opinion should state that (a) the applicant's charter authorizes it to carry on the business contemplated by the application, (b) the applicant has conducted, and is now conducting, its business as authorized by the charter and bylaws in compliance with the laws of its country of incorporation, and (c) the making of the application is in compliance with the laws of the country of incorporation.

(j) Letter or certificate from banking authorities of domiciliary country granting permission to the applicant to apply for a branch in this state.

(k) Furnished herewith:

(1) Name, title and resume' for each officer of the proposed branch in Washington.

(2) Confidential financial statement for the managing officer of the proposed branch in Washington.

(l) Deposit projections for the first three years of operations:

I. Highest deposit totals anticipated by end of first year of operations of the proposed branch \$.

II. Highest deposit totals anticipated by end of second year of operations of the proposed branch \$.

III. Highest deposit totals anticipated by the end of the third year of operations of the proposed branch \$.

(m) Indicate whether eligible deposit liabilities of the branch in the state of Washington will be covered by the insurance protection of the Federal Deposit Insurance Corporation (yes or no).

(n) Outline of background information in support of application.

EXPEDITED ADOPTION

(o) Copy of option or conditional lease on proposed branch site.

(p) A verified or authenticated copy of the bank's bylaws.

EXECUTED at, for the (Bank), this day of, 19. . . .

(By the bank's chief executive officer) *

(and the secretary of the banking corporation) *

Bank Seal

*Please type name and official title under the signatures.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-99002 Appendix II—Forms—Application for certificate authorizing an alien bank to establish and operate an agency in the state of Washington.

APPLICATION FOR CERTIFICATE AUTHORIZING AN ALIEN BANK TO ESTABLISH AND OPERATE AN AGENCY IN THE STATE OF WASHINGTON

TO: ((~~Supervisor of Banking~~)) Director of the Department of Financial Institutions

Division of ((~~Banking~~)) Banks
Olympia, Washington 98504

The (Applicant alien bank) with its head office and principal place of business located (Domiciliary Country) hereby initiates this application for certificate authorizing the establishment and operation of an agency to be located in the City of, County of, State of Washington.

The (Bank), is incorporated, chartered or otherwise authorized to conduct a banking business under the laws of (Domiciliary Country). We enclose a verified copy of the resolution adopted by the bank's governing board, properly sworn to before a U.S. Consular Official, authorizing the filing of this application and designating the officer(s) who is (are) to sign this application and provide the material required herein, authorizing the payment of fees required by law or regulation, and designating the managing officer(s) of the proposed agency. We enclose a bank draft for \$1,500.00 to apply upon the statutory cost of investigation. If the cost of investigation to be made exceeds \$1,500.00 we agree to pay such excess in accordance with WAC ((~~50-12-040~~)) 208-512-040 together with such other costs and fees as may be legally required by statute or regulation.

Correspondence, instructions, requests for information, reports, etc., should be addressed:

.....
Head Office

.....
Proposed Agency

To expedite the statutory investigation, the following information, schedules, certifications, resume's, etc., are furnished:

(a) Name of present chief executive officer and name of the secretary

(b) The bank's fiscal year ends

(c) Four certified copies (English translation where applicable) of the most recent edition of the bank's certificate of authority or other legal authorization of your country to conduct a banking business and the bank's articles of incorporation.

(d) Date of certificate of authority or its equivalent under which presently operating and expiration date, or duration, of the certificate of authority or its equivalent

(e) Capital structure at end of last fiscal year: (i.e., equity capital, surplus, undivided profits, unallocated or contingency reserves).

(f) Two copies of last available statement of condition.

(g) Statement of object and purpose or purposes which bank proposes to pursue in the transaction of business in the state of Washington.

(h) Copy of (English translation where applicable) laws of domiciliary country under which applicant bank is organized which permits a bank with its principal place of business in the state of Washington to establish in that foreign country a branch, agency of similar operation. Attached to a copy of such laws shall be either (a) an opinion of counsel (a member of the bar in the foreign country under whose laws the applicant is organized), including references to or extracts from relevant statutes, if any, to the effect that a bank with its principal place of business in the state of Washington may be permitted to establish and maintain in such foreign country a branch, agency or similar operation, or (b) a certificate of an official of the applicant's country who is authorized under its laws to issue a license to a bank with its principal place of business in the state of Washington to maintain either a branch or agency, to the effect he is so authorized.

(i) An opinion of counsel for the applicant (a member of the bar in the foreign country under whose laws the applicant is organized) to demonstrate that this application to establish an agency is in compliance with local laws. Such opinion should state that (a) the applicant's charter authorizes it to carry on the business contemplated by the application, (b) the applicant has conducted, and is now conducting, its business as authorized by the charter and bylaws in compliance with the laws of its country of incorporation, and (c) the making of the application is in compliance with the laws of the country of incorporation.

(j) Letter or certificate from banking authorities of domiciliary country granting permission to the applicant to apply for an agency in this state.

(k) Furnished herewith:

(1) Name, title and resume' for each officer of the proposed agency in Washington.

(2) Confidential financial statement of the managing officer of the proposed agency in Washington.

(l) Outline of background information in support of application.

EXPEDITED ADOPTION

(m) Copy of option or conditional lease on proposed agency site.

(n) A verified or authenticated copy of the bank's bylaws.

EXECUTED at, for the (Bank), this day of, 19. . .

(By the bank's chief executive officer) *

(and the secretary of the banking entity) *

Bank Seal

*Please type name and official title under the signatures.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-99003 Appendix III—Forms—Application for certificate authorizing an alien bank to establish and operate a bureau in the state of Washington.

APPLICATION FOR CERTIFICATE AUTHORIZING AN ALIEN BANK TO ESTABLISH AND OPERATE A BUREAU IN THE STATE OF WASHINGTON

(To be filed in duplicate)

TO: ((~~Supervisor of Banking~~)) Director of the Department of Financial Institutions

Division of ((~~Banking~~)) Banks
Olympia, Washington 98504

The (Applicant alien bank), with its head office and principal place of business located at (Domiciliary Country), hereby initiates this application for certificate authorizing the establishment and operation of a bureau to be located in the City of, County of, State of Washington.

The (Bank) is incorporated, chartered or otherwise authorized to conduct a banking business under the laws of (Domiciliary Country).

We enclose a verified copy of the resolution, adopted by the bank's governing board, specifically empowering its President (or Chief Executive Officer) and the bank's Secretary (or equivalent officer) to execute this application, pay the fees required by law or regulation, provide such information and furnish such reports and enter into such agreements as may be necessary.

Correspondence, instructions, and requests for information, reports, etc., should be addressed:

.....
Head Office

.....
Proposed Bureau

To expedite the statutory investigation, the following information, schedules, documents, etc., are furnished:

(a) Name of present Chief Executive Officer. and name of the Secretary.

(b) The bank's fiscal year ends

(c) (English translation) Four certified copies of most recent edition of the bank's certificate of authority or other legal authorization of your country to conduct an international banking business and the bank's articles of incorporation.

(d) Date of certificate of authority or its equivalent under which presently operating. and expiration date, or duration, of the certificate of authority or its equivalent

(e) Capital structure at end of last fiscal year: (i.e., equity capital, surplus or rest accounts, undivided profits, unallocated or contingency reserves).

(f) Two copies of last available statement of condition.

(g) Statement of object, purpose and activities which bank proposes to pursue the establishment and operation of a bureau in this state at the place designated herein.

Enclosed is a bank draft for \$300.00 to apply upon the statutory cost of investigation. If the cost of investigation to be made exceeds \$300.00, we agree to pay such excess in accordance with WAC ((~~50-12-040~~)) 208-512-040 together with such other costs and fees as may be legally required by state or regulation.

..... EXECUTED in duplicate at for the (Legal name of applicant bank) this day of, 19. . .

(By the chief executive officer) *

(and the Secretary of the banking corporation) *

Bank Seal

*Please type name and official title under the signatures.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-32-010	208-532-010
50-32-020	208-532-020
50-32-030	208-532-030
50-32-040	208-532-040
50-32-050	208-532-050
50-32-060	208-532-060
50-32-070	208-532-070
50-32-080	208-532-080
50-32-090	208-532-090
50-32-100	208-532-100
50-32-99001	208-532-99001
50-32-99002	208-532-99002
50-32-99003	208-532-99003

EXPEDITED ADOPTION

WSR 00-14-075
EXPEDITED ADOPTION
HEALTH CARE AUTHORITY
 (Basic Health Plan)

[Order 00-04—Filed July 5, 2000, 11:02 a.m.]

Title of Rule: Washington basic health plan.

Purpose: Updates basic health plan definitions and eligibility requirements for subsidized enrollees to reflect recent legislative changes.

Statutory Authority for Adoption: RCW 70.47.050.

Statute Being Implemented: RCW 70.47.020(4) as revised by E2SSB 6067.

Summary: E2SSB 6067 revised RCW 70.47.020(4) to expand the definition of subsidized enrollee to include persons whose gross family income is more than 200% but less than 251% of federal income guidelines. Basic health's definition of "subsidized enrollee" and eligibility requirements for subsidized enrollees are revised to reflect that change. The definitions of "basic health plan" and "rate" are also revised to reflect changes in E2SSB 6067.

Reasons Supporting Proposal: These changes make basic health rules consistent with legislation.

Name of Agency Personnel Responsible for Drafting: Rosanne Reynolds, Lacey, Washington, (360) 923-2948; Implementation and Enforcement: Becky Loomis, Lacey, Washington, (360) 923-2996.

Name of Proponent: Health Care Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Changes definitions and to be consistent with statute.

Proposal Changes the Following Existing Rules: Expands the definition of subsidized enrollee and eligibility criteria for subsidized enrollment to include persons with incomes over 200% FPL but less than 251% FPL, dependent on specific funding and federal matching funds. Also removes the requirement that all payments for coverage be on a capitated basis.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Rosanne Reynolds, Health Care Authority, Basic Health, P.O. Box 42683, Olympia, WA 98504-2683, AND RECEIVED BY September 6, 2000.

July 5, 2000
 Melodie Bankers
 Rules Coordinator

AMENDATORY SECTION (Amending Order 99-06, filed 11/18/99, effective 12/19/99)

WAC 182-25-010 Definitions. The following definitions apply throughout these rules.

(1) "Administrator" means the administrator of the Washington state health care authority (HCA) or designee.

(2) "Appeal procedure" means a formal written procedure for resolution of problems or concerns raised by enrollees which cannot be resolved in an informal manner to the enrollee's satisfaction.

(3) "Basic health plan" (or BHP) means the system of enrollment and payment (~~on a prepaid capitated basis~~) for basic health care services administered by the administrator through managed health care systems.

(4) "BHP plus" means the program of expanded benefits available to children through coordination between the department of social and health services (DSHS) and basic health plan. Eligibility for BHP Plus is determined by the department of social and health services, based on Medicaid eligibility criteria. To be eligible for the program children must be under age nineteen, with a family income at or below two hundred percent of federal poverty level, as defined by the United States Department of Health and Human Services. They must be Washington state residents, not eligible for Medicare, and may be required to meet additional DSHS eligibility requirements.

(5) "Co-payment" means a payment indicated in the schedule of benefits which is made by an enrollee to a health care provider or to the MHCS.

(6) "Covered services" means those services and benefits in the BHP schedule of benefits (as outlined in the member handbook issued to the enrollee, or to a subscriber on behalf of the enrollee), which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments.

(7) "Disenrollment" means the termination of covered services in BHP for a subscriber and dependents, if any.

(8) "Effective date of enrollment" means the first date, as established by BHP, on which an enrollee is entitled to receive covered services from the enrollee's respective managed health care system.

(9) "Dependent" means:

(a) The subscriber's lawful spouse, not legally separated, who resides with the subscriber; or

(b) The unmarried child of the subscriber or the subscriber's dependent spouse, whether by birth, adoption, legal guardianship, or placement pending adoption, who is:

(i) Younger than age nineteen, and who has not been relinquished for adoption by the subscriber or the subscriber's dependent spouse; or

(ii) Younger than age twenty-three, and a registered student at an accredited secondary school, college, university, technical college, or school of nursing, attending full time, other than during holidays, summer and scheduled breaks; or

(c) A person of any age who is under legal guardianship of the subscriber or the subscriber's dependent spouse, and who is incapable of self-support due to disability.

(10) "Eligible full-time employee" means an employee who meets all eligibility requirements in WAC 182-25-030

EXPEDITED ADOPTION

and who is regularly scheduled to work thirty or more hours per week for an employer. The term includes a self-employed individual (including a sole proprietor or a partner of a partnership, and may include an independent contractor) if the individual:

(a) Is regularly scheduled to work thirty hours or more per week; and

(b) Derives at least seventy-five percent of his or her income from a trade or business that is licensed to do business in Washington.

Persons covered under a health benefit plan pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1986 shall not be considered eligible employees for purposes of minimum participation requirements.

(11) "Eligible part-time employee" means an employee who meets all the criteria in subsection (10) of this section, but who is regularly scheduled to work fewer than thirty hours per week for an employer.

(12) "Employee" means one who is in the employment of an employer, as defined by RCW 50.04.080.

(13) "Employer" means an enterprise licensed to do business in Washington state, as defined by RCW 50.04.080, with employees in addition to the employer, whose wages or salaries are paid by the employer.

(14) "Enrollee" means a person who meets all eligibility requirements, who is enrolled in BHP, and for whom applicable premium payments have been made.

(15) "Family" means an individual or an individual and spouse, if not legally separated, and dependents. For purposes of eligibility determination and enrollment in the plan, an individual cannot be a member of more than one family.

(16) "Financial sponsor" means a person, organization or other entity, approved by the administrator, that is responsible for payment of all or a designated portion of the monthly premiums on behalf of a subscriber and any dependents.

(17) "Gross family income" means total cash receipts, as defined in (a) of this subsection, before taxes, from all sources, for subscriber and dependents whether or not they are enrolled in BHP, with the exceptions noted in (b) of this subsection.

(a) Income includes:

(i) Money wages, tips and salaries before any deductions;

(ii) Net receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses);

(iii) Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);

(iv) Regular payments from Social Security, railroad retirement, unemployment compensation, strike benefits from union funds, workers' compensation, veterans' payments, public assistance, alimony, child support, military family allotments, private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments;

(v) Work study or training stipends;

(vi) Dividends and interest accessible to the enrollee without a penalty;

(vii) Net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

(b) Income does not include the following types of money received:

(i) Capital gains;

(ii) Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;

(iii) Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury (except workers' compensation);

(iv) Noncash benefits, such as the employer-paid or union-paid portion of health insurance or other employee fringe benefits, food or housing received in lieu of wages, the value of food and fuel produced and consumed on farms, the imputed value of rent from owner-occupied nonfarm or farm housing, and such noncash benefit programs as Medicare, Medicaid, food stamps, school lunches, and housing assistance;

(v) Income earned by dependent children;

(vi) Income of a family member who resides in another household when such income is not available to the subscriber or dependents seeking enrollment in BHP;

(vii) College or university scholarships, grants, fellowships and assistantships;

(viii) Payments from the department of social and health services adoption support program authorized under RCW 26.33.320 and 74.13.100 through 74.13.145;

(ix) Documented child care expenses for the care of a dependent child of a subscriber may be deducted (at a rate set by the administrator and consistent with Internal Revenue Service requirements) when calculating gross family income. To qualify for this deduction, the subscriber must be employed during the time the child care expenses were paid, and payment may not be paid to a parent or step parent of the child or to a dependent child of the subscriber or his/her spouse.

(18) "Home care agency" means a private or public agency or organization that administers or provides home care services directly or through a contract arrangement to ill, disabled, or infirm persons in places of temporary or permanent residence, and is licensed by the department of social and health services (DSHS) as a home care agency. In order to qualify, the agency must be under contract with one of the following DSHS programs: Chore, Medicaid Personal Care, Community Options Program Entry System (COPES) or Respite Care (up to level three).

(19) "Institution" means a federal, state, county, city or other government correctional or detention facility or government-funded facility where health care historically has been provided and funded through the budget of the operating agency, and includes, but is not limited to: Washington state department of corrections institutions; federal, county and municipal government jail and detention institutions; Washington state department of veterans affairs soldiers' and veterans' homes; department of social and health services state hospitals and facilities and juvenile rehabilitation institutions and group homes. An institution does not include: Educational institutions; government-funded acute health care or mental health facilities except as provided above; chemical dependency facilities; and nursing homes.

(20) "Institutionalized" means to be confined, voluntarily or involuntarily, by court order or health status, in an institution, as defined in subsection (19) of this section. This does not include persons on work release or who are residents of higher education institutions, acute health care facilities, alcohol and chemical dependency facilities, or nursing homes.

(21) "Insurance broker" or "agent" means a person who is currently licensed as a disability insurance broker or agent, according to the laws administered by the office of the insurance commissioner under chapter 48.17 RCW.

(22) "Managed health care system" (or "MHCS") means any health care organization (including health care providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof) which has entered into a contract with the HCA to provide basic health care services.

(23) "Maternity benefits through medical assistance," also known as S-Medical, means the coordinated program between BHP and DSHS for eligible pregnant women. This program includes all Medicaid benefits, including maternity coverage. Eligible members must be at or below one hundred eighty-five percent of the federal poverty level. Eligibility for this program is determined by DSHS, based on Medicaid eligibility criteria.

(24) "Medicaid" means the Title XIX Medicaid program administered by the department of social and health services, and includes the medical care programs provided to the "categorically needy" and the "medically needy" as defined in chapter 388-503 WAC.

(25) "Medicare" means programs established by Title XVIII of Public Law 89-97, as amended, "Health Insurance for the Aged and Disabled."

(26) "Nonsubsidized enrollee" or "full premium enrollee" means an individual who enrolls in BHP, as the subscriber or dependent, and who pays or on whose behalf is paid the full costs for participation in BHP, without subsidy from the HCA.

(27) "Open enrollment" means a time period designated by the administrator during which enrollees may enroll additional dependents or apply to transfer their enrollment from one managed health care system to another.

(28) "Participating employee" means an employee of a participating employer or home care agency who has met all the eligibility requirements and has been enrolled for coverage under BHP.

(29) "Participating employer" means an employer who has been approved for enrollment in BHP as an employer group.

(30) "Preexisting condition" means any illness, injury or condition for which, in the three months immediately preceding an enrollee's effective date of enrollment in BHP:

(a) Treatment, consultation or a diagnostic test was recommended for or received by the enrollee; or

(b) The enrollee was prescribed or recommended medication; or

(c) Symptoms existed which would ordinarily cause a reasonably prudent individual to seek medical diagnosis, care or treatment.

(31) "Premium" means a periodic payment, based upon gross family income and determined under RCW 70.47.060(2), which an individual, their employer or a financial sponsor makes to BHP for subsidized or nonsubsidized enrollment in BHP.

(32) "Program" means subsidized BHP, nonsubsidized BHP, BHP Plus, or maternity benefits through medical assistance.

(33) "Provider" or "health care provider" means a health care professional or institution duly licensed and accredited to provide covered services in the state of Washington.

(34) "Rate" means the ((per capita)) amount, including administrative charges and any applicable premium and prepayment tax imposed under RCW 48.14.020, negotiated by the administrator with and paid to a managed health care system, to provide BHP health care benefits to enrollees.

(35) "Schedule of benefits" means the basic health care services adopted and from time to time amended by the administrator, which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments, as described in the member handbook.

(36) "Service area" means the geographic area served by a managed health care system as defined in its contract with HCA.

(37) "Subscriber" is a person who applies to BHP on his/her own behalf and/or on behalf of his/her dependents, if any, who meets all applicable eligibility requirements, is enrolled in BHP, and for whom the monthly premium has been paid. Notices to a subscriber and, if applicable, a financial sponsor or employer shall be considered notice to the subscriber and his/her enrolled dependents.

(38) "Subsidized enrollee" or "reduced premium enrollee" means an individual who enrolls in BHP, either as the subscriber or an eligible dependent, whose current gross family income does not exceed twice the federal poverty level as adjusted for family size and determined annually by the federal Department of Health and Human Services, and who receives a premium subsidy from the HCA. To the extent that state funds are specifically appropriated for this purpose, with a corresponding federal match, "subsidized enrollee" also means an individual who enrolls in BHP, either as the subscriber or an eligible dependent, whose current gross family income is more than two hundred percent, but less than two hundred fifty-one percent, of the federal poverty level as adjusted for family size and determined annually by the federal Department of Health and Human Services, and who receives a premium subsidy from the HCA.

(39) "Subsidy" means the difference between the amount of periodic payment the HCA makes to a managed health care system on behalf of a subsidized enrollee, and the amount determined to be the subsidized enrollee's responsibility under RCW 70.47.060(2).

AMENDATORY SECTION (Amending Order 99-06, filed 11/18/99, effective 12/19/99)

WAC 182-25-030 Eligibility. (1) To be eligible for enrollment in BHP, an individual must be a Washington state resident who is not:

(a) Eligible for free Medicare coverage or eligible to buy Medicare coverage; or

(b) Institutionalized at the time of enrollment.

(2) Persons not meeting these criteria, as evidenced by information submitted on the application for enrollment or otherwise obtained by BHP, will not be enrolled. An enrollee who is no longer a Washington resident, who becomes eligible for free or purchased Medicare, or who is later determined to have failed to meet BHP's eligibility criteria at the time of enrollment, will be disenrolled from the plan as provided in WAC 182-25-090. An enrollee who was not confined to an institution at the time of enrollment, who is subsequently confined to an institution, will not be disenrolled, provided he or she remains otherwise eligible and continues to make all premium payments when due.

(3) Eligibility for BHP Plus and maternity benefits through medical assistance is determined by DSHS, based on Medicaid eligibility criteria.

(4) For subsidized enrollment in BHP, an individual must meet the eligibility criteria in subsection (1) of this section (~~(, have a gross family income that does not exceed two hundred percent of federal poverty level as adjusted for family size and determined annually by the U.S. Department of Health and Human Services)) and the definition of "subsidized enrollee" in WAC 182-25-010(38), and must pay, or have paid on his or her behalf, the monthly BHP premium.~~

(5) To be eligible for nonsubsidized enrollment in BHP, an individual may have any income level, must meet the eligibility criteria in subsection (1) of this section, and must pay, or have paid on their behalf, the full costs for participation in BHP, including the cost of administration, without subsidy from the HCA.

(6)(a) An individual otherwise eligible for enrollment in BHP may be denied enrollment if the administrator has determined that acceptance of additional enrollment would exceed limits established by the legislature, would jeopardize the orderly development of BHP, or would result in an overexpenditure of BHP funds. An individual otherwise eligible for enrollment in either the subsidized or nonsubsidized program may also be denied enrollment if no MHCS is accepting new enrollment in that program or from the geographic area where the applicant lives.

(b) If the administrator closes or limits subsidized enrollment, to the extent funding is available, BHP will continue to accept and process applications for enrollment from:

(i) Applicants who will pay the full premium, provided at least one MHCS is accepting new nonsubsidized enrollment from the geographic area where the applicant lives;

(ii) Children eligible for BHP Plus;

(iii) Children eligible for subsidized BHP, who were referred to DSHS for BHP Plus coverage, but were found ineligible for BHP Plus for reasons other than noncompliance;

(iv) Employees of a home care agency group enrolled or applying for coverage under WAC 182-25-060;

(v) Eligible individual home care providers;

(vi) Licensed foster care workers;

(vii) Limited enrollment of new employer groups; and

(viii) Subject to availability of funding, additional space for enrollment may be reserved for other applicants as deter-

mined by the administrator, in order to ensure continuous coverage and service for current individual and group accounts. (For example: Within established guidelines, processing routine income changes that may affect subsidy eligibility for current enrollees; adding new family members to an existing account; transferring enrollees between group and individual accounts; restoring coverage for enrollees who are otherwise eligible for continued enrollment under WAC 182-25-090 after a limited suspension of coverage due to late payment or other health care coverage; adding newly hired employees to an existing employer group; or adding new or returning members of federally recognized native American tribes to that tribe's currently approved financial sponsor group.)

(c) If the administrator has closed or limited subsidized enrollment, applicants for subsidized BHP who are not in any of the categories in (b) of this subsection may reserve space on a reservation list to be processed according to the date the reservation or application is received by BHP. When enrollment is reopened by the administrator, applicants whose names appear on the reservation list will be notified by BHP of the opportunity to enroll. BHP may require new application forms and documentation from applicants on the reservation list, or may contact applicants to verify continued interest in applying, prior to determining their eligibility.

WSR 00-14-077

EXPEDITED ADOPTION

DEPARTMENT OF AGRICULTURE

[Filed July 5, 2000, 11:09 a.m.]

Title of Rule: Chapter 16-333 WAC, Certification of caneberry planting stock.

Purpose: To comply with caneberry certification standards implemented by EPPO (an international organization), to reflect changes in industry and program practices and to comply with legislative mandates such as regulatory reform and use of clear and readable format.

Statutory Authority for Adoption: Chapter 15.14 RCW.
Statute Being Implemented: Chapter 15.14 RCW.

Summary: NAFTA (North American Free Trade Agreement) and GATT (General Agreement on Trade and Tariffs) have altered the regulatory parameters for plant disease and insect phytosanitary issues, not only for international trade, but also for interstate and internal quarantines and certification programs such as the one defined in these rules. EPPO (European and Mediterranean Plant Pest Organization), the international organization authorized to define standards for Europe, an important market for certified caneberry planting stock, has implemented standards - requirements for importation of caneberry planting stock into an EPPO member country. This rule revision brings the existing caneberry certification standards into compliance with this international standard, to position Washington growers to take advantage of market opportunities. Participation in the caneberry certification program is voluntary.

Reasons Supporting Proposal: Many sections of this rule were last rewritten in 1985. In order to comply with new

international standards, this rule must be modified. In addition, changes in industry and program practices and legislative mandates (for instance, the regulatory reform statutes) have made other modifications necessary.

Name of Agency Personnel Responsible for Drafting: Mary Toohey, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1907; Implementation and Enforcement: Tom Wessels, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1984.

Name of Proponent: Washington State Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Approximately five participants enroll in the Washington caneberry (i.e. raspberry, blackberry, marionberry, etc.) certification program, which is created by these rules. Participation is entirely voluntary for any producer of caneberry plants. Enrollment and compliance with the requirements of this fee-supported program are intended to produce a known, high quality agricultural product apparently free of specified diseases and other pests, that normally commands a market premium. Certified caneberry stock is frequently the only United States stock that complies with international standards, and certification enables some trade opportunities for Washington businesses. Changes in international, industry and program practices and legislative mandates (for instance, the regulatory reform statutes) have made modifications to the rule necessary.

WSDA has sought individual input from all program participants. Because of the resulting high level of participation and intensive discussion, we feel agreement was reached. We anticipate that the positive effects of these rule changes, particularly expanded trade opportunities, outweigh any adverse effects that might result from the changes.

Proposal Changes the Following Existing Rules: Specific isolation distances required between various classes of certified caneberry planting stock and noncertified *Rubus* species are established. Provisions to verify trueness to name and fruit character have been eliminated. Micropropagation is incorporated throughout the rule as a standard technique. Tolerances for various diseases and conditions have been modified to meet EPPO standards. The terminology has been updated and made consistent throughout the rule. Some of the sections have been reorganized into a more coherent framework and clear and readable format has been incorporated into the rule.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Mary Toohey, Washing-

ton State Department of Agriculture, Lab Services Division, P.O. Box 42560, Olympia, WA 98504-2560, AND RECEIVED BY September 5, 2000.

July 5, 2000

Mary A. Martin Toohey
Assistant Director

Chapter 16-333 WAC

~~((RULES AND STANDARDS FOR))~~ CERTIFICATION OF ~~((PLANTS))~~ CANE BERRY PLANTING STOCK

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

WAC 16-333-010 Definitions. (1) "Caneberry" means any cultivated *Rubus* species.

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

~~((2))~~ (3) "Director" means the director of the department of agriculture or ~~((his))~~ a duly appointed representative.

~~((3))~~ "Virus infected (affected)" means presence of a virus(es) or yellows disease agent in a plant or plant part. The word "virus" shall be used hereafter to include yellows disease in this chapter.

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

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

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

~~((7))~~ (4) "Index ((or indexing))" means to ~~((determine))~~ test for virus infection by means of inoculation from the plant to be tested to an indicator plant((:)), or by any other method approved by the department.

(5) "Indicator plant" means any herbaceous or woody plant used to index or test for virus infection.

(6) "Nuclear stock" means caneberry plants that have been indexed and found free of known viruses and virus-like diseases by United States Department of Agriculture personnel or other personnel acceptable to the department. Nuclear plants must be reindexed for virus and virus-like diseases at least every three years and maintained under conditions that would ensure freedom from infection.

(7) "Off-type" means appearing by visual examination to be different from the species or variety listed on the application or exhibiting symptoms of a genetic or nontransmissible disorder.

(8) "Root cuttings" means sections of roots which have one or more bud.

(9) "Succulent plants" means small, actively growing plants that are developing from root buds, not having passed through a dormant period.

(10) ~~(("One-year-old plants" means well-rooted plants that have developed during one growing season.~~

(11) "Caneberry" means any cultivated *Rubus* species.)) "Tolerance" means the maximum acceptable percentage of planting stock that is diseased, infected by plant pests, defective, or off-type based on visual inspection or laboratory testing by the director or other authorized person.

(11) "Virus-like" means a graft-transmissible disorder resembling a virus disease, including, but not limited to, diseases caused by viroids and phytoplasmas.

AMENDATORY SECTION (Amending Order 1932, filed 6/9/87)

WAC 16-333-020 Certifying agency issuance of certificate. (1) ~~(The)~~ Issuance of a ~~(certified)~~ state of Washington certified plant tag ~~(or)~~, stamp or other document under this chapter ~~(affirms solely)~~ means only that the tagged ~~(or)~~, stamped or otherwise documented caneberry planting stock has been subjected to ~~(certification standards and procedures by the department)~~ procedures and requirements described in this chapter and determined to be in compliance with its standards and requirements. The department disclaims all express or implied warranties, including without limitation, implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant materials under this chapter.

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

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

AMENDATORY SECTION (Amending Order 3005, filed 7/21/92, effective 8/21/92)

WAC 16-333-040 Caneberry certification fees. (1) Caneberry certification application fee. The applicant ~~(shall)~~ must furnish all information requested on the application ~~(for inspection and shall)~~ form furnished by the department, including, but not limited to, the crop, variety, class planted, date planted, source of seed or plants, acreage, field number, applicant's name and address, applicant's signature, and date of application. The applicant must allow the department to take plants or plant parts from any planting for inspection and testing purposes. A separate application ~~(shall be made)~~ is required for each cultivar and/or ~~(unit)~~ lot entered for certification. ~~(Each lot of each cultivar shall be listed separately on the application. Lots under observation by the department shall pay the inspection fees.)~~ Applications ~~(for inspection shall)~~ must be filed with the ~~(seed branch, 2015 South First Street, Yakima, Washington 98903)~~ Plant Services Program, P.O. Box 42560, Olympia, Washington 98504-2560 by May 15 each year and be accompanied by a one hundred twenty-five dollar fee.

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

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

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

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

~~(6) No application from any grower owing the department for previous fees shall be considered)~~ may be arranged subject to department policies and processes.

~~(3) The department will remove any applicant from the certification program for failing to pay fees when due.~~

~~(4) The department will not accept applications from growers owing the department for previous fees.~~

NEW SECTION

WAC 16-333-045 Production requirements for foundation caneberry planting stock. (1) Foundation caneberry plants must originate directly from nuclear stock and may be grown in a greenhouse, screenhouse or field.

(2) Growers may use micro-propagation techniques to multiply foundation plants prior to planting them in a foundation greenhouse, screenhouse or field, if both of the following conditions are met:

(a) The micro-propagated plants are isolated at all times from all other caneberry plants, except those that have been indexed and found free of virus or virus-like infections; and

(b) The micro-propagation facility is approved by the department.

(3) Growers may transplant micro-propagated foundation plants to a greenhouse or screenhouse for conditioning prior to planting them in a foundation field.

(4) Foundation plants may be harvested from a foundation field planting for no more than one year.

(5) Foundation plants grown in an insect-proof facility on pasteurized soilless media may be maintained indefinitely, providing they are indexed and found free of virus or virus-like infections at intervals of no more than three years by personnel employed by the United States Department of Agriculture or other institution approved by the department.

(6) Each foundation plant in a foundation greenhouse or screenhouse must be grown in a container individually identified by the cultivar and lot.

(7) Different cultivars planted in a foundation field must be separated by a distance of fourteen feet or by a physical barrier that prevents the intermingling of roots.

(8) Upon request, growers must provide records to the department documenting the cultivar, nuclear source, indexing results and date of acquisition for any foundation stock.

NEW SECTION

WAC 16-333-051 Production requirements for registered caneberry planting stock. (1) Registered caneberry plants must originate directly from nuclear or foundation stocks and may be grown in a greenhouse, screenhouse or field.

(2) Registered plants of differing cultivars produced in a registered greenhouse or screenhouse must be grown in separate containers.

(3) Different cultivars planted in a registered field must be separated by a distance of fourteen feet or by a physical barrier that prevents the intermingling of roots.

(4) Registered plants may be harvested from a registered planting for no more than one year.

(5) Upon request, growers must provide records to the department documenting the cultivar, source, indexing results and date of acquisition for any registered stock.

NEW SECTION

WAC 16-333-056 Production requirements for certified caneberry planting stock. (1) Certified caneberry plants must originate directly from foundation or registered planting stock, or from root cuttings or succulent plants from foundation or registered plants.

(2) Different cultivars planted in a certified field must be separated by a distance of fourteen feet or by a physical barrier that prevents the intermingling of roots.

(3) Certified plants may be harvested from a certified planting for no more than one year.

(4) Upon request, growers of certified planting stock must provide records to the department documenting the cultivar, source, indexing results and date of acquisition for any certified stock.

NEW SECTION

WAC 16-333-061 Site requirements for foundation, registered and certified caneberry planting stock. (1) Prior to planting foundation, registered, or certified planting stock, the grower must obtain approval from the department for each field site or facility.

(2) For approval by the department, a field site for growing foundation, registered, or certified planting stock must comply with each of the following criteria:

(a) The site has not been planted to caneberry plants or solanaceous crops for the previous five years, or the entire site has been tarp fumigated with chloropicrin and methyl bromide or other equivalent soil treatments approved by the department.

(b) The entire site is at least five hundred feet from any noncertified *Rubus* plants.

(c) The site has been treated for plant parasitic nematodes using methods recommended by the Washington State University Cooperative Agricultural Extension Service, and its soil has been tested and found free of harmful plant parasitic nematodes.

(3) In order to grow foundation or registered caneberry planting stock in a greenhouse or screenhouse, the grower must use a pasteurized growing media, free of plant pests and vectors of virus pests.

(4) Upon request, growers must provide records to the department documenting fumigations, treatments, and tests.

(5) A map identifying cultivars and lots at each site must be provided to the department by the grower.

(6) Growers must tag all lots identifying the cultivar and/or the lot number.

NEW SECTION

WAC 16-333-066 Caneberry greenhouse and screenhouse inspection. (1) Foundation or registered caneberry plants growing in a greenhouse or screenhouse must be inspected by the department at least one time during the growing period when the plants are likely to express symptoms of virus infection, crown and cane gall infections, and other disorders. The department may conduct additional inspections.

(2) During inspection, the department will flag all plants that are visibly off-type, crown gall infected, virus infected, or exhibiting virus-like symptoms.

(3) Growers must remove all plants flagged by the department immediately after inspection.

(4) The unit of certification is the lot.

NEW SECTION

WAC 16-333-071 Caneberry field inspection. (1) Field grown foundation, registered, or certified caneberry planting stock must be inspected by the department at least three times during the growing period.

(a) The first and second inspections must be conducted when the plants are likely to express symptoms of virus infection, crown and cane gall infections, and other disorders.

(b) The department will conduct the third inspection during or after harvest.

(c) The department may conduct additional inspections.

(2) During inspections, the department will flag all plants that are visibly off-type, crown gall infected, virus infected, or exhibiting symptoms of other caneberry pests or diseases.

(3) Growers must rogue in compliance with the criteria in this subsection all plants flagged by the department within one week after inspection.

(a) Roguing after the first field inspection must include removing the undesirable plant and all of its roots.

(b) Roguing after the second field inspection must include removing the undesirable plant and all of its roots, as well as all plants and plant parts within ten feet of the undesirable plant.

(4) Any portion of a field not meeting the standards, tolerances and criteria established in this chapter may be marked and removed from consideration for certification if, in the judgment of the department, it does not jeopardize the certification eligibility of the remaining portion of the field.

(5) The unit of certification is the lot.

NEW SECTION

WAC 16-333-085 Tolerances for foundation, registered and certified caneberry planting stock. (1) Each lot of foundation, registered or certified planting stock may have no more than the percentage of affected plants listed in the table below:

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EXPEDITED ADOPTION
DEPARTMENT OF AGRICULTURE

[Filed July 5, 2000, 11:10 a.m.]

Factors	Foundation All inspec- tions	Registered All inspec- tions	Certified All inspec- tions
	Percent	Percent	Percent
Varietal mixture	0	0	0
Visible symptoms of virus diseases	0	0.05	0.5
Crown and cane gall	0	0.1	1.0
Nematode	0	0.05	0.1
Anthracnose	0	2.0	5.0
Other diseases	0	0.2	0.5
Root, cane or crown inhabiting insects	0	0.05	0.1

(2) Caneberry planting stock that fails to meet any tolerance for its intended class may be reclassified to the next class for which it meets all of the tolerances.

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

WAC 16-333-090 Caneberry (~~tagging or stamping and plant inspection~~) planting stock identification and grading. (1) ("Certified") All caneberry planting stock (~~shall~~) meeting the requirements and standards of this chapter may be identified with the state of Washington official certified caneberry plant tag or stamp (~~under the supervision of~~) issued by the department (~~after plants have passed inspection~~).

~~(2) (Only plants meeting Washington standards for caneberry plants shall be tagged or stamped, except those marked foundation or registered.~~

~~(3))~~ All containers (~~shall~~) must be marked with the name and address of the grower, (~~grade or~~) class of certified stock, (~~and~~) variety, and lot number.

~~((4) The grower is referred to chapter 15.14 RCW, planting stock, for additional information.))~~ (3) Quality and grading of planting stock is the responsibility of the grower.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-333-030 Caneberry certification standards.
- WAC 16-333-050 Requirements for production of caneberry foundation and registered stock.
- WAC 16-333-060 Requirements for production of caneberry certified planting stock.
- WAC 16-333-065 Production of certified caneberry nursery stock by micropropagation techniques.
- WAC 16-333-070 Caneberry field inspection.
- WAC 16-333-080 Caneberry field standards.

Title of Rule: Chapter 16-350 WAC, Registration and certification of fruit tree planting stock.

Purpose: To reflect changes in industry and program practices and to comply with legislative mandates such as regulatory reform and use of clear and readable format.

Statutory Authority for Adoption: Chapter 15.14 RCW.

Statute Being Implemented: Chapter 15.14 RCW.

Summary: These proposed changes clarify existing requirements and update the program to acknowledge current industry and program practices. Certification of fruit tree planting stock makes plants of known pest status and quality available to growers engaged in tree fruit (i.e. apple, pear, peach, prune, cherry, etc.) production in several states and foreign countries. Certified planting stock usually commands a market premium, and certified stock is the only tree fruit planting stock eligible for export to many nations. It is necessary that the rule remain in compliance with current industry standards.

Reasons Supporting Proposal: Some sections of this rule were rewritten in 1990, and others date from 1974. Changes in industry and program practices and legislative mandates (for instance, the regulatory reform statutes) have made modifications necessary.

Name of Agency Personnel Responsible for Drafting: Mary Toohey, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1907; Implementation and Enforcement: Tom Wessels, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1984.

Name of Proponent: Joint proposal of Washington State Department of Agriculture (WSDA) and the Fruit Tree Certification Advisory Committee, private and governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: About ten nurseries enroll in the Washington fruit tree certification program, which is created by these rules. This is the largest of nine different crops' certification programs administered by the plant services program of WSDA. Participation in the production of certified planting stock is entirely voluntary for any producer of fruit trees. Enrollment and compliance with the requirements of this assessment-supported program are intended to produce a known, high quality agricultural product apparently free of specified diseases and other pests, that normally commands a market premium. The existing rule is a combination of provisions written in 1974 and 1990, and it needs updating to acknowledge technical progress. Changes in industry and program practices and legislative mandates (for instance, the regulatory reform statutes) have made other modifications necessary.

WSDA has sought individual and collective input from all program participants and other stakeholders. Because of the resulting high level of stakeholder participation and intensive discussion, we feel a stakeholder consensus was reached. We anticipate that the positive effects of these rule changes

EXPEDITED ADOPTION

outweigh any adverse effects that might result from the changes.

Proposal Changes the Following Existing Rules: The proposal changes a number of technical requirements within the fruit tree certification program. It reduces the required minimum distance between plantings of registered scion trees and nonregistered members of the Rosaceae family from a universal one hundred feet (the current requirement) to sixty feet or less in some circumstances. It provides for exceptions to the existing rule that states registered trees may only be propagated from foundation stock. It changes isolation distance requirements for some registered seed trees and stool beds. It provides for production of Prunus rootstock from tested commercial seed. It also differentiates between virus diseases and virus-like diseases.

The proposal also clarifies records requirements and increases uniformity (where appropriate) with provisions of other certification programs administered by the department. Terminology has been updated and made consistent throughout the rule. Some of the sections have been reorganized into a more coherent framework, and clear and readable format has been incorporated into the rule.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Mary Toohey, Washington State Department of Agriculture, Lab Services Division, P.O. Box 42560, Olympia, WA 98504-2560, AND RECEIVED BY September 5, 2000.

July 5, 2000

Mary A. Martin Toohey
Assistant Director

Chapter 16-350 WAC

~~((FRUIT TREES—))~~REGISTRATION AND CERTIFICATION OF FRUIT TREE PLANTING STOCK

AMENDATORY SECTION (Amending Order 1331, filed 1/15/74)

WAC 16-350-010 General. (1) Trees may be registered as rootstock and ~~((top stock))~~ scion sources for the propagation of certified nursery stock when inspected, tested and found to be ~~((true to name and))~~ discernibly free from harmful virus and virus-like diseases and other conditions by procedures outlined in this program.

(2) ~~((Registration and/or certification does not imply any warranty on the part of the department or any employee thereof.~~

~~((3) Participation in this program shall be voluntary.))~~
Issuance of a certified state of Washington plant tag, stamp or other document under this chapter means only that the tagged, stamped or otherwise documented fruit tree or fruit tree related ornamental stock and rootstock have been subjected to procedures and requirements described in this chapter and determined to be in compliance with its standards and requirements. The department disclaims all express or implied warranties, including without limitation implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant materials under this chapter.

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

(4) Participation in the fruit tree planting stock certification program is voluntary.

AMENDATORY SECTION (Amending Order 2058, filed 11/9/90, effective 12/10/90)

WAC 16-350-015 Definitions. (1) ~~((“Virus-infected (affected)” means presence of a harmful virus(es) in a plant or plant part.~~

~~((2) “Virus-like” means a disorder of genetic or nontransmissible origin.~~

~~((3) “Off type” means not true to name.~~

~~((4))~~ (4) “Indicator plant” means any herbaceous or woody plant used to index or ~~((determine))~~ test for virus infection.

~~((5))~~ (2) “Index” means to ~~((determine))~~ test for virus infection by means of inoculation from the plant to be tested to an indicator plant, or by any other method approved by the department.

~~((6) “Registered tree” means that a registration number has been assigned by the department to a tree or clonal planting that has been inspected and tested in accordance with the provisions of this program.~~

~~((7) “Scion block” means a planting of registered trees which serves as a source of scionwood for the propagation of “Washington-certified nursery stock.”~~

~~((8) “Seed block” means a planting of registered prunus seed trees which serves as a source of seed for producing rootstock used in the propagation of “Washington-certified nursery stock.”~~

~~((9) “Stool bed” means a clonal planting of self-rooted registered trees for the specific purpose of producing vegetatively propagated rootstock used in the propagation of “Washington-certified nursery stock.”~~

~~((10) “Washington certified nursery stock” means nursery grown seedlings, clonal rootstocks originating from registered trees and nursery grown trees propagated by using topstock from registered trees and rootstock originating from registered trees except as herein provided for certain rootstocks, but limited to the plant Genera 1. Chaenomeles, 2. Cydonia, 3. Crataegus, 4. Malus, 5. Prunus, 6. Pyrus, 7. Sorbus.~~

~~(1) "Washington certified seed" means seed produced on registered seed trees.)) (3) "NRSP-5" means the United States Department of Agriculture National Research Support Project 5.~~

~~(4) "Off-type" means appearing by visual examination to be different from the species or variety certified or exhibiting symptoms of a genetic or nontransmissible disorder.~~

~~(5) "Scion block" means a planting of registered trees which serves as a source of scion wood for the propagation of certified nursery stock.~~

~~(6) "Seed block" means a planting of registered trees which serves as a source of seed for producing rootstock used in the propagation of certified nursery stock.~~

~~(7) "Stool bed" means a clonal planting of self-rooted registered trees for the specific purpose of producing vegetatively propagated rootstock used in the propagation of certified nursery stock.~~

~~(8) "Virus-like" means a graft-transmissible disorder resembling a virus disease, including, but not limited to, diseases caused by viroids and phytoplasmas.~~

~~(9) "Washington certified nursery stock" means nursery grown seedlings, clonal rootstocks and nursery grown trees of the plant genera *Chaenomeles*, *Cydonia*, *Crataegus*, *Malus*, *Prunus*, *Pyrus* and *Sorbus*, that comply with the requirements of this chapter.~~

~~(10) "Washington certified seed" means seed produced on registered seed trees in compliance with this chapter.~~

AMENDATORY SECTION (Amending Order 1331, filed 1/15/74)

WAC 16-350-020 Requirements. (1) The applicant ~~((nurseryman shall be))~~ is responsible, subject to the approval of the department, for the selection of the location and the proper maintenance of registered plantings ~~((being))~~ grown under the provisions of this program. The applicant ~~((nurseryman shall be))~~ is also responsible for maintaining the identity of all nursery stock entered in this program in a manner approved by the department. Any planting entered in this program ~~((shall))~~ must be kept in a thrifty growing condition ~~((and))~~ free of plant pests.

~~(2) ((There shall be no)) Budding, grafting, or top-working of registered trees ((in any scion block, seed block or stool bed)) is prohibited, except for indexing under the supervision of the department.~~

~~(3) ((Any plant found to be affected by a virus or virus-like disease or if off-type shall be removed and destroyed immediately from any planting)) Applicants must remove any tree that is infected with virus or virus-like disease or is off-type, following notification by the department.~~

AMENDATORY SECTION (Amending Order 2058, filed 11/9/90, effective 12/10/90)

WAC 16-350-025 Requirements for registered scion blocks. (1) ~~((Location. A scion block shall be located not less than 100 feet from any nonregistered cultivated plant of the Rosaceae family. The ground in a scion block and for a distance of 20 feet surrounding it shall be kept either clean cultivated or in an approved, properly controlled, ground~~

~~cover. Registered scion block trees shall be planted and maintained in a manner and at sufficient distance that branches of different varieties do not overlap. Each tree shall bear a permanent registration number.~~

~~(2) **Acceptability.** The root stock and top stock sources of the scion block trees shall have originated from foundation trees established under this program, or from virus tested trees originating through the inter-regional project No. 2 (IR-2) or other approved sources. If the tree is scion-rooted, its source shall have met the above requirements. Only registered trees shall be permitted in the scion block.)) The department will assign a registration number to each registered scion tree.~~

~~(2) Only registered trees are permitted in a registered scion block.~~

~~(3) Isolation requirements.~~

~~(a) *Prunus* trees must be at least one hundred feet from any nonregistered *Prunus* tree.~~

~~(b) *Chaenomeles*, *Cydonia*, *Crataegus*, *Malus*, *Pyrus*, and *Sorbus* trees must be at least sixty feet from any nonregistered plant of the Rosaceae family. The department may waive the isolation distance for registered trees of these genera, if the trees are separated by a physical barrier that would prevent the intermingling of roots.~~

~~(4) The ground in a scion block and for a distance of twenty feet on all sides around it must be kept either clean cultivated or in ground cover relatively free of broadleaf weeds.~~

~~(5) Registered scion trees must be propagated from foundation scion wood obtained from NRSP-5 or other equivalent sources approved by the department and rootstock that complies with the requirements established in this chapter, except:~~

~~(a) Registered scion trees of the genus *Malus* may be propagated with scion wood from other registered *Malus* trees, if all of the following three conditions are complied with:~~

~~(i) No registered tree utilized is more than two generations from the foundation source.~~

~~(ii) The registered tree providing scion wood for a second generation registered tree is identified and its location is known.~~

~~(iii) The department monitors the propagation of second generation registered scion trees.~~

~~(b) Registered scion trees may be propagated from trees that have been indexed and found free of all known virus and virus-like diseases by NRSP-5 or other programs approved by the department using equivalent indexing methods.~~

AMENDATORY SECTION (Amending Order 2058, filed 11/9/90, effective 12/10/90)

WAC 16-350-030 Requirements for registered seed blocks. (1) ~~((Location. A prunus seed block shall be located not less than 100 feet from any nonregistered plant of the Prunus species. The ground in a seed block and for a distance of 20 feet surrounding the seed block shall be kept clean cultivated or in an approved, controlled ground cover. Each tree shall bear a permanent registration number.~~

~~(2) **Acceptability.** The rootstock and top-stock sources of the seed tree shall have originated from foundation trees established under this program or from virus-tested trees originating through the inter-regional project No. 2 (IR-2) or other approved sources. If the tree is scion-rooted, its source shall have met the above requirements. Only registered trees shall be permitted in the seed block.))~~ The department will assign a registration number to each registered seed tree.

~~(2) Only registered trees are permitted in a registered seed block.~~

~~(3) Prunus seed blocks must be located at least one hundred feet from any nonregistered Prunus plants.~~

~~(4) The ground in a seed block and for a distance of twenty feet on all sides around it must be kept either clean cultivated or in ground cover relatively free of broadleaf weeds.~~

~~(5) Registered seed trees must be propagated from foundation or registered scion wood and rootstock that has been demonstrated to be free of all virus or virus-like diseases.~~

AMENDATORY SECTION (Amending Order 2058, filed 11/9/90, effective 12/10/90)

WAC 16-350-032 Requirements for registered stool beds. (1) ~~((**Location.** A stool bed shall be located not less than fifty feet from any nonregistered cultivated plant of the Rosaceae family. The following exception will apply. Non-registered stool beds may be located no less than ten feet from registered stool bed plantings. The ground in a stool bed and for a distance of ten feet surrounding it shall be kept clean cultivated.~~

~~(2) **Acceptability.** Existing stool beds that index clean on the commonly used virus indicators will qualify as **registered stool beds.** New stool beds (those planted after January 1, 1976) shall have originated from foundation stock established under this program, or from virus-tested plants originating through the inter-regional project No. 2 (IR-2) or other approved sources. If the tree is scion-rooted, its source shall have met the above requirements. Only registered trees shall be permitted in the stool bed.))~~ Only registered trees are permitted in a registered stool bed.

~~(2) Registered stool beds must be at least ten feet from nonregistered plants of the Rosaceae family.~~

~~(3) The ground in a stool bed and for a distance of at least ten feet on all sides around it must be kept clean cultivated.~~

~~(4) Registered stool beds must be planted with foundation or registered planting stock. Certified rootstocks from programs approved by the department may also be used, provided the resulting stock in the stool bed is tested and found free of virus and virus-like diseases prior to harvest of certified rootstock.~~

AMENDATORY SECTION (Amending Order 2058, filed 11/9/90, effective 12/10/90)

WAC 16-350-035 Requirements for certified nursery planting stock. (1) ~~((**Rootstocks.**) All ((stone and pome fruit and related ornamental)) nursery stock being grown for ((blue tag)) certification ((shall be on rootstocks from regis-~~

~~tered trees except for stone fruit and related ornamental trees grown on virus tested seedlings and pome fruit and related ornamental trees grown on apple and pear seedlings. These seedling rootstocks, when grown from commercial seed, will be acceptable if seed transmissible virus content does not exceed five percent. Clonal rootstocks used in the production of Washington certified blue tag nursery stock must originate from registered stool beds.~~

~~(2) **Location.** Nursery stock being grown for certification shall be planted sufficiently apart to maintain its identity and shall be kept clean cultivated. It shall be designated as to rootstock, top stock, and interstock sources. There shall be no rebudding or regrafting of nursery row stock unless such stock is reworked with bud wood from the same registered scion tree.~~

~~(3) **Seed.** Certified seed shall have been produced on registered seed trees only.~~

~~(4) **Tagging.** A blue tag shall designate trees produced from registered scion source trees and which have been propagated on rootstocks produced from registered seed source or stool bed trees; or which are self rooted. Stone and pome fruit and related ornamental trees grown on seedling rootstocks from commercial seed will also qualify for blue tag certification if seed transmissible virus content does not exceed five percent.~~

~~A yellow tag shall designate trees produced from registered scion source trees and which have been propagated on rootstocks which originate from nonvirus tested sources.~~

~~All nursery stock meeting the requirements of this program when sold shall have the variety, interstock and rootstock designated where applicable as follows: Variety/interstock/rootstock.~~

~~(5) **Acceptability.** All nursery stock meeting the requirements of this program shall be known as Washington certified nursery stock))~~ must be propagated on certified rootstock. Certified rootstock may be any one of the following:

~~(a) Rootstock originating from registered trees.~~

~~(b) Rootstock originating from other approved certification programs.~~

~~(c) Prunus seedlings grown from commercial seed, if the seed lot has been tested for transmissible virus content and not more than five percent of the seed tested positive for transmissible virus content.~~

~~(d) Pome fruit seedlings.~~

~~(2) Growers must keep records identifying the scion, rootstock, and interstock sources for all Washington certified stock. Upon request, these records must be made available to the department.~~

~~(3) Seed may be designated as Washington certified seed only if both of the following conditions are complied with:~~

~~(a) The seed was produced on registered seed trees; and~~

~~(b) The seed lot has been tested for transmissible virus content, and not more than five percent of the seed tested positive for transmissible viruses.~~

~~(4) Washington certified nursery stock must be identified by a blue certification tag.~~

~~(5) When it is offered for sale, Washington certified nursery stock must be identified as to variety, interstock and rootstock.~~

AMENDATORY SECTION (Amending Order 1331, filed 1/15/74)

WAC 16-350-040 Inspection and testing for certification of nursery planting stock. (1) ~~((Methods and procedures. Inspection and testing procedures prescribed in this program may be made only by the department and shall be conducted in a manner and at times determined as suitable. The methods and procedures used for making the virus disease determinations will conform to IR-2 standards.~~

(2) ~~Inspection of nursery stock for certification. At least one visual inspection shall be made of nursery rootstock in a planting for certification during the first growing season. At the request of the department any undesirable rootstock shall be rogued before propagation. At least two visual inspections shall be made of nursery stock during the growing season following bud or graft placement.~~

The department shall refuse certification in part or all of a planting if plants have been propagated from registered trees determined to be affected by a virus or virus-like disease or if other requirements of this program have not been met.) The department will conduct all inspections, testing and indexing prescribed in this chapter in a manner and at times the department has determined to be suitable. The methods and procedures used for making the virus and virus-like disease determinations will conform to the standards of NRSP-5.

(2) The department will conduct at least one visual inspection of certified nursery rootstock during the first growing season. Upon request by the department, growers must rogue any undesirable rootstock prior to bud or graft placement.

(3) The department will conduct at least two visual inspections of nursery stock during the growing season following bud or graft placement.

(4) The department will refuse certification of planting stock that has been propagated from registered trees found to be infected by a virus or virus-like disease, or if other requirements of this chapter have not been complied with.

AMENDATORY SECTION (Amending Order 2058, filed 11/9/90, effective 12/10/90)

WAC 16-350-045 Application and fees. (1) ~~((Application:~~

(a)) ~~The applicant ((nurseryman shall furnish to)) must provide the department with all information ((pertinent to the operation of this program)) documenting the eligibility of all registered and certified stock and ((shall give his/her consent to)) must allow the department to take ((propagating wood from any tree)) samples for indexing or testing purposes.~~

~~((b) Trees registered and used under the provisions of the Washington state nursery improvement program shall be deemed usable as registered scion trees and seed trees if they meet the requirements outlined in this program.~~

(e) ~~Application for inspection and indexing of registered scion and seed trees and for inspection of nursery stock))~~ (2) An application for certification must be filed with the department by June 1 of each year accompanied by an application

fee. The application fee will consist of \$100.00 plus \$1.00 for each registered seed tree ~~((entered in this program)).~~

~~((2) Fees.)~~ (3) The application fee will apply toward the one percent annual assessment on the gross sale price of the wholesale market value for all fruit trees, fruit tree related ornamentals, and fruit tree rootstock sold within the state or shipped from the state of Washington by any licensed nursery dealer during any license period, as set forth in RCW 15.13.130 ~~((: Provided, That)),~~ No refund of the application fee will be allowed.

AMENDATORY SECTION (Amending Order 2058, filed 11/9/90, effective 12/10/90)

WAC 16-350-050 Tagging and identity. (1) ~~((Tagging.))~~ The department ~~((with))~~ authorizes the use of official certification tags for the identification of nursery stock or seed that meet the requirements of this program. These tags will be supplied by the ~~((Washington state))~~ department ~~((of agriculture))~~ to all ~~((members))~~ growers participating in the program. Participating ~~((members))~~ growers will reimburse the department ~~((of agriculture))~~ for all certification tags supplied. This reimbursement will be based on the cost incurred by the ~~((Washington state))~~ department ~~((of agriculture))~~.

(2) ~~((Identity.))~~ Any person selling Washington certified nursery stock or Washington certified seed is responsible for the identity of the stock bearing each tag and for such nursery stock or seed meeting the requirements of this program. Persons issued tags authorized by the program ~~((shall))~~ must account for stock produced and sold ((and)), keep such records ((as may be necessary)), and make them available to the department upon request.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-350-001	Promulgation.
WAC 16-350-003	Promulgation.
WAC 16-350-060	Grades and standards for Washington certified fruit tree nursery stock.
WAC 16-350-065	Statutory declaration of unlawful acts.
WAC 16-350-070	Effective date.
WAC 16-350-075	Certifying agency issuance of certificate.

WSR 00-14-079
EXPEDITED ADOPTION
DEPARTMENT OF AGRICULTURE

[Filed July 5, 2000, 11:11 a.m.]

Title of Rule: Chapter 16-328 WAC, Certification of strawberry planting stock.

Purpose: To reflect changes in industry and program practices and to comply with legislative mandates such as regulatory reform and use of clear and readable format.

Statutory Authority for Adoption: Chapter 15.14 RCW.
Statute Being Implemented: Chapter 15.14 RCW.

Summary: These proposed changes clarify existing requirements and update the program to acknowledge current industry and program practices. Certification of strawberry planting stock makes plants of known pest status and quality available to growers engaged in strawberry fruit production in several states. Use of certified planting stock and participation in the certified planting stock program are voluntary activities. Certified stock usually commands a market premium.

Reasons Supporting Proposal: Most sections of this rule were last rewritten in 1987. Changes in industry and program practices and legislative mandates (for instance, the regulatory reform statutes) have made modifications necessary.

Name of Agency Personnel Responsible for Drafting: Mary Toohey, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1907; Implementation and Enforcement: Tom Wessels, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1984.

Name of Proponent: Washington State Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: There is currently one participant in the Washington strawberry planting stock certification program, which is created by these rules. Participation is entirely voluntary for any producer of strawberry plants. Enrollment and compliance with the requirements of this fee-supported activity are intended to produce a known, high quality agricultural product apparently free of specified diseases and other pests, that normally commands a market premium. Changes in industry and program practices and legislative mandates (for instance the regulatory reform statutes) have made these modifications necessary. The modifications should not affect any current practices for program participant(s).

WSDA consulted with the current program participant and other stakeholders, and agreement was reached. We anticipate that the positive effects of these rule changes outweigh minimal adverse effects that might result from the changes.

Proposal Changes the Following Existing Rules: The terminology has been updated and made consistent throughout the rule. For instance, the term "mother plants" has been more precisely defined as "nuclear stock," the current term of art. Some of the sections have been reorganized into a more coherent, less repetitious framework and clear and readable format has been incorporated throughout the rule.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRI-

TERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Mary Toohey, Washington State Department of Agriculture, Lab Services Division, P.O. Box 42560, Olympia, WA 98504-2560, AND RECEIVED BY September 5, 2000.

July 5, 2000

Mary A. Martin Toohey
Assistant Director

Chapter 16-328 WAC

CERTIFICATION OF STRAWBERRY ((PLANTS— CERTIFICATION)) PLANTING STOCK

AMENDATORY SECTION (Amending Order 1932, filed 6/9/87)

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

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

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

(4) ~~"Virus-like" means a disorder of genetic or nontransmissible origin.~~

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

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

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

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

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

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

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

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

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

(14) ~~Free from damage by:~~

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

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

(c) ~~"Freezing injury" means that the roots shall be of a normal color and only moderately affected by discolored~~

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roots which affect the normal growth of the plant. Black roots caused by disease shall not be permitted.

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

(15) "Free from detectable pests or diseases" means that administratively determined tolerance levels shall be established and administered for destructive pests such as cyclamen mite, crown borer, aphids, the red stele fungus, and nematodes. The evaluations for the pests shall be conducted by methods approved by the director.) "Fairly clean" means that the roots are not matted or caked with dirt.

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

(5) "Fairly well trimmed runners and petioles" means that the length of each runner and petiole is three inches or less.

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

(7) Free from damage by:

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

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

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

(d) "Broken or split crowns, mechanical injury" means there is no breaking or severance of the crown from the root section, or splitting of the crown, or other mechanical injury that would affect the normal growth of the plant.

(8) "Index" means to test for virus infection by means of inoculation from the plant to be tested to an indicator plant, or by any other method accepted by the department.

(9) "Indicator plant" means any herbaceous or woody plant used to index or test for virus infection.

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

(11) "Nuclear stock" means strawberry plants that have been indexed and found free of known viruses and virus-like diseases by United States Department of Agriculture personnel or other personnel acceptable to the department. Nuclear plants must be reindexed for virus and virus-like diseases at least every three years and maintained under conditions that would ensure freedom from infection.

(12) "Off-type" means appearing by visual examination to be different from the species or variety listed on the application or exhibiting symptoms of a genetic or nontransmissible disorder.

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

(14) "Tolerance" means the maximum acceptable percentage of planting stock that is diseased, infected by plant pests, defective, or off-type based on visual inspection or laboratory testing by the director or other authorized person.

(15) "Virus-like" means a graft-transmissible disorder resembling a virus disease, including, but not limited to, diseases caused by viroids and phytoplasmas.

AMENDATORY SECTION (Amending Order 3005, filed 7/21/92, effective 8/21/92)

WAC 16-328-010 Strawberry plant certification fees. Strawberry plant certification fees are as follows:

(1) Certification application fee. The applicant (~~((shall))~~) must furnish all information requested on the application for inspection (~~((and shall))~~), including, but not limited to, the crop, variety, class planted, date planted, source of seed or plants, acreage, field number, applicant's name and address, applicant's signature, and date of application. The applicant must allow the department to take plants or plant parts from any planting for inspection or testing purposes. A separate application (~~((shall be made))~~) is required for each cultivar and/or (~~((unit))~~) lot entered for certification. (~~((Each lot of each cultivar shall be listed separately on the application. Lots under observation by the department shall pay the inspection fees.))~~) Applications for inspection (~~((shall))~~) must be filed with the (~~((Seed Branch, 2015 South First Street, Yakima, Washington 98903))~~) Plant Services Program, P.O. Box 42560, Olympia, Washington, 98504-2560 by June 30 of each year and be accompanied by a one hundred twenty-five dollar fee.

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

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

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

(5) No application for any grower owing the Washington state department of agriculture for previous fees shall be considered) may be arranged subject to department policies and processes.

(3) The department will remove any applicant from the certification program for failing to pay fees when due.

(4) The department will not accept applications from growers owing the department for previous fees.

AMENDATORY SECTION (Amending Order 1932, filed 6/9/87)

WAC 16-328-015 Certifying agency issuance of certificate. (1) (~~((The))~~) Issuance of a state of Washington certified plant tag (~~((or))~~), stamp or other document, under this chapter (~~((affirms solely))~~) means only that the tagged ((or)), stamped, or otherwise documented strawberry ((rootstock)) planting stock has been subjected to ((certification standards and procedures by the department)) procedures and requirements described in this chapter and determined to be in com-

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pliance with its standards and requirements. The department disclaims all express or implied warranties, including without limitation, implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant materials under this chapter.

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

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

AMENDATORY SECTION (Amending Order 1932, filed 6/9/87)

~~WAC 16-328-025 ((Strawberry plant certification— Isolation requirements.))~~ Production requirements for foundation strawberry planting stock. (1) Foundation ((stock. These shall be produced in specially constructed houses to ensure protection from virus vectors or produced in a tissue culture laboratory.

~~(2) Registered stock. These shall be produced in specially constructed houses or grown in areas isolated by one-half mile or more from noncertified strawberry stock in order to minimize danger of virus infection.~~

~~(3) Certified stock. Same as registered stock.)~~ strawberry plants must originate directly from nuclear stock and must be grown in an insect-proof facility on pasteurized soil or a soil-less growing medium free of plant pests and vectors of plant pests.

(2) Growers may use micro-propagation techniques to multiply foundation plants prior to planting them in a foundation facility, if both of the following conditions are met:

(a) The micro-propagated plants are isolated from all nonfoundation strawberry plants at all times; and

(b) The micro-propagation facility is approved by the department.

(3) Growers may maintain and increase foundation stock indefinitely, if no individual plant remains in the foundation planting for more than two growing periods.

NEW SECTION

WAC 16-328-045 Production requirements for registered and certified strawberry planting stock. (1) Registered strawberry plants must originate directly from foundation stock.

(2) Certified strawberry plants must be planted with first year plantings of registered or foundation stock.

(3) Registered or certified strawberry plants must be grown in an insect-proof facility or in a field that is at least one-half mile from any noncertified strawberry plants.

(4) The grower must remove or rogue all low-yielding, diseased, off-type or abnormal plants.

(5) Use of any pesticide which suppresses the symptoms of red stele without eradicating the causal pathogen is prohibited.

(6) If registered or certified strawberry plants are grown in a field, all of the following conditions must be complied with:

(a) The field must not have been planted with strawberries during the previous growing season, unless the plants are of the same variety and class and one or both of the following two conditions have been complied with:

(i) The field was inspected by the department in the previous year and found free of red stele; or

(ii) The field was fumigated or treated to control red stele by methods approved by the department.

(b) Each variety must be separated by a distance of at least twelve feet.

(c) All insects and diseases must be effectively controlled using methods recommended by the Washington State University Cooperative Agricultural Extension Service.

(d) The field must be relatively free of weeds.

AMENDATORY SECTION (Amending Order 1932, filed 6/9/87)

~~WAC 16-328-060 ((Strawberry plant certification— Field standards.))~~ Standards and tolerances for inspection of growing foundation, registered, and certified strawberry planting stock. (1) The ~~((entire field or unit shall meet certification requirements except when soilborne pests are found in excess of tolerance in a portion of the field or unit, and the infestation can be safely delimited in the opinion of the department; or when plants in the infested portion are treated to eradicate or to control the pest to comply with the tolerance under the supervision of the department.~~

~~(2) Specific requirements:))~~ unit of certification is the lot.

(2) Any portion of a field not meeting the standards, tolerances and criteria established in this chapter may be marked and removed from consideration for certification if, in the judgment of the department, it does not jeopardize the certification eligibility of the remaining portion of the field.

(3) The department will perform at least two visual inspections of each planting prior to harvest and one inspection during or after harvest.

(4) Each lot of foundation, registered or certified planting stock may have no more than the percentage of affected plants listed in the table below.

Factors	TOLERANCES (%)			
	Foundation ((field)) (all inspections)	Registered ((field))	Certified ((Field))	
			1st & 2nd inspections	3rd inspection
<u>Visible Symptoms of Virus Diseases</u>	0 ^a	0	1 ^b	0.5 ^b
<u>Visible Symptoms of Red Stele^b</u>	0	0	0	0
<u>Nematode^c</u>	0	0	0	0

Factors	Foundation ((field))	Registered ((field))	Certified ((Field))	
	(all inspections)		1st & 2nd inspections	3rd inspection
Variety Mixture	0	0	0.1	0
All other Diseases (including lethal decline)	0	0.5	2	1

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

^b ~~Visible.~~

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

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

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

AMENDATORY SECTION (Amending Order 1932, filed 6/9/87)

WAC 16-328-065 Strawberry ((plant)) planting stock certification—~~(Designation of plants))~~ **Identification and marking.** (1) ~~((Foundation planting stock shall be identified by the state of Washington official certified strawberry plant tag or stamp, and in addition shall be marked "foundation planting stock."~~

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

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

~~(4) No. 2 certified planting stock shall be identified by the state of Washington official certified strawberry plant tag or stamp)) After the plants have passed inspection, foundation, registered and certified strawberry planting stock must be identified by the official state of Washington plant tag or stamp. In addition, foundation or registered strawberry planting stock must be marked with the appropriate class as "foundation planting stock" or "registered planting stock."~~

~~(2) When they are offered for sale, crown division plants from certified planting stock must be segregated and packed separately from other stock. The plants must be identified with the official state of Washington plant tag or stamp and marked "crown divisions."~~

~~(3) All containers must be marked with the name and address of the grower, grade or class of stock, and variety.~~

AMENDATORY SECTION (Amending Order 1932, filed 6/9/87)

WAC 16-328-083 Strawberry ((plant)) planting stock grades and standards—Washington No. 1. Washington No. 1 (~~shall~~) strawberry planting stock consists of strawberry plants of one variety or plants of similar varietal characteristics which are:

AMENDATORY SECTION (Amending Order 1932, filed 6/9/87)

WAC 16-328-085 Strawberry ((plant)) planting stock grades and standards—Washington No. 2. Washington No. 2 shall consist of strawberry plants of one variety or plants of similar varietal characteristics which meet all of the requirements of Washington No. 1 except strawberry plants in this grade (~~shall~~) must have (~~(not less than)~~) at least six main roots, (~~(the)~~) with a minimum length of (~~(which shall be not less than)~~) two and one-half inches.

AMENDATORY SECTION (Amending Order 1932, filed 6/9/87)

WAC 16-328-088 Strawberry ((plant)) planting stock grades and standards—Tolerances for inspection during or after harvest. (1) ~~((Application of tolerances. The tolerances for the standards are on a container basis. However, individual packages in any lot may vary from the specified tolerances as stated below, provided the averages for the entire lot, based on sample inspection, are within the tolerance specified.~~

~~(2) Tolerances. In order to allow for variations incident to proper grading and packing, not more than a combined total of ten percent, by count, of the plants in any lot may fail to meet the requirements of the above grade.) In order to allow for variations incident to proper grading and packing, not more than a combined total of ten percent, by count, of the plants in any lot may fail to meet the requirements of the grades specified in WAC 16-328-083 or 16-328-085.~~

~~(2) Individual packages in any lot may vary from the tolerance specified above in this subsection, if the average for the entire lot, based on sample inspection, is within the tolerance.~~

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

EXPEDITED ADOPTION

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-328-009 Strawberry plant certification standards.
- WAC 16-328-030 Strawberry plant certification—Requirements for production of foundation and registered stock.
- WAC 16-328-035 Strawberry plant certification—Requirements for the production of certified stock.
- WAC 16-328-038 Production of certified strawberry nursery stock by micro-propagation techniques.
- WAC 16-328-080 Strawberry plant certification—Tagging or stamping and plant inspection.

EXPEDITED ADOPTION



WSR 00-14-005
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
 [Filed June 23, 2000, 10:58 a.m.]

Date of Adoption: June 23, 2000.

Purpose: This rule adopts the 2000 versions of National Institute of Standards and Technology (NIST) Handbooks. NIST Handbook 130 entitled *Uniform Laws and Regulations in the Areas of Legal Metrology and Motor Fuel Quality* and NIST Handbook 44 entitled, *Specifications, Tolerances and other Technical Requirements for Weighing and Measuring Devices*.

Citation of Existing Rules Affected by this Order: Amending WAC 16-662-105.

Statutory Authority for Adoption: RCW 19.94.195.

Adopted under notice filed as WSR 00-09-090 on April 19, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

June 23, 2000

William E. Brookreson
 for Jim Jesernig
 Deputy Director

AMENDATORY SECTION (Amending WSR 99-07-056, filed 3/16/99, effective 4/16/99)

WAC 16-662-105 Adoption—Weighing and measuring equipment requirements—Package checking—Packaging and labeling—Method of sale—Price verification.

(1) The specifications, tolerances, and other technical requirements for the design, manufacture, installation, performance test, and use of weighing and measuring equipment shall be those contained in the ((+999)) 2000 Edition of the National Institute of Standards and Technology (NIST) Handbook 44, published by the U.S. Department of Commerce, entitled the *National Institute of Standards and Technology Handbook 44 - Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices*.

(2) The procedures for checking the accuracy of the net contents of packaged goods shall be those contained in the Third Edition of National Bureau of Standards (NBS) Hand-

book 133 published by the United States Department of Commerce, entitled the *National Bureau of Standards Handbook 133 - Third Edition - Checking the Net Contents of Packaged Goods* as modified by NIST Handbook 133 Supplements 1, 2, 3, and 4, issued in 1990, 1991, 1992, and 1994 respectively.

(3) The requirements for packaging and labeling, method of sale of commodities, and the examination procedures for price verification shall be those contained in the ((+999)) 2000 Edition of National Institute of Standards and Technology Handbook 130, entitled the *NIST Handbook 130 - Uniform Laws And Regulations in the areas of legal metrology and motor fuel quality*, specifically:

(a) Weights and measures requirements for all food and nonfood commodities in package form shall be the *Uniform Packaging and Labeling Regulation* requirements as adopted by the National Conference on Weights and Measures and published in NIST (National Institute of Standards and Technology) Handbook 130, ((+998)) 2000 Edition.

(b) Weights and measures requirements for the method of sale of food and nonfood commodities shall be those found in the *Uniform Regulation for the Method of Sale of Commodities* as adopted by the National Conference on Weights and Measures and published in NIST (National Institute of Standards and Technology) Handbook 130, ((+999)) 2000 Edition.

(c) Weights and measures requirements for price verification shall be the *Examination Procedures for Price Verification* as adopted by the National Conference on Weights and Measures and published in NIST (National Institute of Standards and Technology) Handbook 130, ((+999)) 2000 Edition.

WSR 00-14-007
PERMANENT RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed June 26, 2000, 10:12 a.m.]

Date of Adoption: June 20, 2000.

Purpose: To clarify rules on student conduct, health and safety and traffic regulations as well as processes and procedures for summary suspension and formal discipline regarding students.

Citation of Existing Rules Affected by this Order: Repealing WAC 132Q-04-035, 132Q-04-040, 132Q-04-050, 132Q-04-060, 132Q-04-061, 132Q-04-067, 132Q-04-068, 132Q-04-070, 132Q-04-075, 132Q-04-080, 132Q-04-081, 132Q-04-082, 132Q-04-083, 132Q-04-085, 132Q-04-090, 132Q-04-094, 132Q-04-095 and 132Q-04-096; and amending WAC 132Q-04-010, 132Q-04-020, 132Q-04-076, 132Q-04-100, 132Q-04-110, 132Q-04-120, 132Q-04-130, 132Q-04-140, 132Q-04-150, 132Q-04-170, 132Q-04-180, 132Q-04-190, 132Q-04-200, 132Q-04-210, 132Q-04-240, 132Q-04-250, 132Q-04-260, 132Q-04-280, 132Q-05-010, 132Q-05-020, 132Q-05-033, 132Q-05-036, 132Q-05-040, 132Q-05-050, 132Q-05-060, 132Q-05-070, 132Q-05-080, 132Q-

05-090, 132Q-05-100, 132Q-20-010, 132Q-20-020, 132Q-20-040, 132Q-20-060, 132Q-20-080, 132Q-20-090, 132Q-20-110, 132Q-20-130, 132Q-20-150, 132Q-20-160, 132Q-20-170, 132Q-20-180, 132Q-20-200, 132Q-20-210, 132Q-20-220, 132Q-20-240, 132Q-20-250, 132Q-20-260, 132Q-20-270, 132Q-94-010, 132Q-94-020, 132Q-94-030, 132Q-94-125, 132Q-94-130, and 132Q-94-150.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 00-08-075 on April 19 [3], 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 54, Repealed 18.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 54, Repealed 18.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 54, Repealed 18.

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

June 21, 2000

Geoffrey Eng

Associate Vice-Chancellor for

Workforce Development and Research

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-04-010 Purpose for adoption of student rules. (1) All colleges administered by the board of trustees for Washington State Community College District 17 doing business as Community Colleges of Spokane are maintained by the state of Washington for the accomplishment of certain special purposes; namely, the provision of programs of instruction in higher education, the advancement of knowledge through scholarship and research, and the provision of related community services. Like any other social institution having its own special purpose, a college must maintain conditions conducive to the effective performance of its functions. Consequently, the college has special expectations regarding the conduct of the various participants in the academic community. Student conduct which distracts from or interferes with accomplishment of college purposes is not acceptable.

(2) Admission to a college within the district carries with it the presumption that students will conduct themselves as responsible members of the academic community. This includes an expectation that students will obey the law, will comply with rules and regulations of the college and its departments, will maintain a high standard of integrity and honesty and will respect the rights, privileges and property of other members of the college community.

(3) It is assumed that students are and wish to be treated as adults. As such, the students will accept responsibility for their own conduct. In order to accomplish educational purposes of the college and also to provide students a full understanding of the rules that will enable the college to maintain conditions conducive to the effective performance of the college's functions, the following rules regarding the conduct of students are hereby adopted. Sanctions for violations of the rules of student conduct herein adopted will be administered by the college in the manner provided by said rules. When violations of laws of the state of Washington and/or the United States are also involved, the college may refer such matters to proper civil authorities. In case of minors, this conduct may be referred to parents or legal guardians.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-020 Definitions. As used in this chapter, the following words and phrases shall mean:

(1) "Assembly" shall mean any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons or group of persons.

(2) "Board" shall mean the board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(3) "College" shall mean any community college or center which may be created by the board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(4) "College facilities" shall mean and include any or all real property owned, ~~((rented, leased, or))~~ operated, or maintained by the board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane, and shall include all buildings and appurtenances affixed thereon or attached thereto.

(5) "College personnel" refers to any person employed or representing on a full-time or part-time basis ~~((except those who are faculty as defined in subsection (8) of this section, by any community college administered by the board of trustees for Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(6) "Disciplinary action" shall mean and include the expulsion, suspension or admonition of any student by the appropriate college president or ~~((college))~~ vice-president ~~((of student services))~~ for the violation of any designated rule of student conduct for which a student is subject to disciplinary action.

(7) "District" shall mean ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(8) ~~((Faculty shall mean any employee of Washington State Community College District 17 which includes full-time and part-time faculty, administrators, counselors, librarians, or department heads who are employed by any community college administered by the board of trustees.~~

~~(9))~~ "President" unless otherwise designated shall mean the duly appointed president or chief executive ~~((officer))~~ of any ~~((campus of Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

~~((10))~~ (9) "Rules of student conduct" shall mean those rules regulating student conduct as herein adopted in this chapter.

~~((11))~~ (10) A "student" is defined as any person who is or has been officially registered at any college or instructional unit with ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane and with respect to whom the college maintains education records or personally-identifiable information.

NEW SECTION

WAC 132Q-04-031 Prohibited conduct. Disciplinary action may be taken for a violation of any provision of this student code or for a violation of other district and college rules, policies and regulations by a student which may from time to time be properly enacted including, but not limited to, the following:

(1) Smoking as well as the use of chewing tobacco in district or college facilities and college vehicles shall not be permitted.

(2) Using, possessing, consuming or being under the influence of, or selling any liquor as defined by applicable law or in a manner which disrupts a college activity.

(3) Using, possessing, selling or being under the influence of any narcotic drug or controlled substance as defined by applicable law in a district/college facility or while participating in a college-related program.

(4) Engaging in lewd, indecent, or obscene behavior.

(5) Conducting one's self in a manner which presents an imminent danger to college property or to himself/herself or to other students or persons in college facilities on or off campus, or to the education process of the college.

(6) Interfering by force or violence with, or intimidation by threat of force or violence, of another student, college personnel, faculty, or visitor who is in the peaceful discharge or conduct of his/her duties or studies.

(7) Engaging in disorderly or abusive behavior including threatening behavior which interferes with the rights of others or which obstructs or disrupts teaching, learning, research or administrative functions.

(8) Conducting or participating in an assembly which violates the guidelines of assembly as defined elsewhere in this chapter.

(9) Engaging in academic dishonesty, including cheating, falsification, plagiarism or facilitating, aiding and abetting academic dishonesty.

(10) Creating forgery of or unauthorized alteration of or unauthorized access or trespass to any college document, record, fund or instrument of identification, including electronic hardware, software and information systems and applications.

(11) Making intentional false statements and/or filing of false charges against the college and/or members of the college community.

(12) Committing theft or conversion of college property from college; theft or conversion of property of a member of the college community on college premises; or possession of property stolen from college premises and/or a member of the college community while on college premises.

(13) Causing or attempting to cause physical damage to property owned, controlled or operated by the college or to property owned, controlled or operated by another person while said property is located on college facilities.

(14) Failing to comply with the direction of college personnel or faculty acting in the legitimate performance of their duties.

(15) Refusing to provide positive identification and evidence of student enrollment to any college employee in the lawful discharge of said employee's duties.

(16) Possessing, transporting, or storing of any firearm(s), explosives, dangerous chemicals or other weapons, including knives, devices or substances which can be used to inflict bodily harm or to damage real or personal property. This does not apply to commissioned police officers as prescribed by law.

(17) Falsely setting off or otherwise tampering with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or college facilities.

(18) Violating any of the computer and electronic information, including internet access systems use policies, rules, regulations, guidelines and laws applicable to the district, college or department of the college which include prohibitions against use for commercial benefit or gain and department restrictions prohibiting access into any sexually explicit internet sites.

(19) Engaging in any prohibited discriminatory or harassing behavior as defined by applicable law and/or district policies including stalking or hate activity as defined by law.

(20) Engaging in intentional conduct directed at another student, college personnel or faculty that has the purpose or effect of creating a hostile, intimidating or disruptive learning or working environment.

(21) Hazing in any form as described in this chapter.

(22) Bringing any person including children to a teaching and learning environment without the express approval of the faculty member or other authorized official.

(23) Bringing any thing or object to a teaching and learning environment that may disrupt the environment or cause a safety or health hazard without the express approval of the faculty member or other authorized official.

AMENDATORY SECTION (Amending WSR 95-16-066, filed 7/28/95, effective 8/28/95)

WAC 132Q-04-076 Hazing prohibited. Hazing is prohibited. Hazing means any method of initiation into a student organization or living group or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily ~~((danger or physical))~~ harm, or serious mental or emotional harm, to any student or other person attending any institution of higher education or post-secondary institution. Excluded from this definition are "customary athletic events or other similar contests or competitions."

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-04-100 Right of assembly. (1) Students shall have the right of "assembly" as defined in WAC 132Q-04-020 upon college facilities that are generally available to the public. Such assembly shall:

- (a) Be conducted in an orderly manner; and
- (b) Not unreasonably interfere with vehicular or pedestrian traffic; or
- (c) Not unreasonably interfere with classes, schedules, meetings or ceremonies, or with educational functions of the college; and
- (d) Not unreasonably interfere with college functions.

(2) A student who conducts or participates in an assembly violative of any provision of this section shall be subject to disciplinary action.

(3) Nonstudents who participate in ~~((or))~~, aid or abet any assembly or assemblies in violation of this section shall be subject to possible prosecution under the state criminal trespass law and/or any other possible civil or criminal remedies available to the college. Faculty and other college personnel who participate in ~~((or))~~, aid or abet any assembly or assemblies violative of this section shall be subject to appropriate discipline.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-04-110 Commercial activities. (1) No one shall use college facilities ~~((will not be used))~~ for commercial solicitation ~~((advertising))~~ or promotional activities except when such activities clearly serve educational objectives, including but not limited to display of books of interest to the academic community or the display or demonstration of technical or research equipment, and when such commercial activities relate to educational objectives and are conducted under the sponsorship or the request of a college department or the office of student activities of the college, provided that such solicitation does not interfere with or operate to the detriment of the conduct of college affairs or the free flow of pedestrian or vehicular traffic.

(2) For the purpose of this regulation, the term "commercial activities" does not include handbills, leaflets, newspapers, and similarly related materials as regulated in WAC 132Q-04-140.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-120 Outside speakers. (1) Any recognized campus student organization with the written certification of its advisor, may invite speakers on that campus subject to the legal restraints imposed by the laws of the United States and the state of Washington.

(2) The appearance of an invited speaker on a campus does not represent an endorsement, either implicit or explicit, of views or opinions of the speaker by the college, its students, its faculty, its college personnel, its administration or its board.

(3) The scheduling of facilities for hearing invited speakers shall be made through the student senate or the student activities council of the campus at which the speaker will appear.

(4) The appropriate student senate or student activities council will be notified at least seven days prior to the appearance of an invited speaker, at which time a proper form (available in the office of the director of student funded programs/student center) must be completed with all particulars regarding speaker, time, place, etc., signed by the sponsoring organization's advisor, and filed with the director of student funded programs/student center. Exceptions to the seven-day ruling may be made by the director of student funded programs/student center with the approval of the appropriate vice-president ~~((of student services))~~.

(5) The appropriate student senate or student activities council may require a question period or arrange to have views other than those of the invited speakers represented at the meeting, or at a subsequent meeting. The president of the college or a designated representative, may assign faculty to preside over any meeting where a speaker has been invited.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-130 Trespass. (1) The president of the college, or, in such president's absence, the ~~((acting))~~ president's designee, is authorized in the instance of any event that the president ~~((deems))~~ determines to be disruptive of order or which the president ~~((deems))~~ determines to impede ~~((s))~~ the movement of persons or vehicles or which the president ~~((deems))~~ determines to disrupt or threatens to disrupt the ~~((ingress and/or egress))~~ movement of persons from college facilities ~~((and the president acting through the vice president of student services or such other person designated by the president))~~ or grounds, shall have the power and authority to:

(a) Prohibit the entry of, or withdraw the license or privilege of a person or persons or any group of persons to enter onto or remain upon any portion of a college facility; or

(b) To give notice against trespass by any manner provided for by law, to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from, entering onto or remaining upon ~~((all or))~~ any or all portion of a college facility; or

(c) To order any person, persons, or group of persons to leave or vacate all of any portion of a college facility or grounds.

(2) Any student who shall disobey a lawful order given by the president, or the president's designee, pursuant to the requirements of subsection (1) of this section, shall be subject to disciplinary action.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-140 Distribution of materials. (1) Handbills, leaflets, newspapers, and similarly related matter distributed free of charge by any student or students or by members of recognized student organizations or by college

personnel, may be distributed upon college facilities designated by the ~~((director of student funded programs/))~~ appropriate student center administrator; provided that such distribution does not interfere with the ~~((ingress and egress))~~ movement of persons or interfere with the free flow of vehicle or pedestrian traffic.

(2) Newspapers, leaflets, and similarly related materials offered for sale by any student or nonstudent person or organization may be distributed and sold only through the college book store as are other commercial forms of merchandise, subject to reasonable rules and regulations that may be imposed by the bookstore manager. Exceptions may be made by the appropriate vice-president or designee.

(3) All handbills, leaflets, newspapers, and similarly related matter must bear identification as to the publishing agency and distributing organization or individual.

(4) All students and nonstudents shall be required to register with the ~~((director of student funded programs/))~~ appropriate student center administrator prior to the distribution or sale of any handbill, leaflet, newspaper or related matter, including, but not limited to, posting materials on college bulletin boards and distributing materials in college parking lots.

~~(5) ((Any student who violates any provision of this rule relating to the distribution and sale of handbills, leaflets, newspapers or related materials, shall be subject to disciplinary action.~~

~~(6))~~ Any distribution of the materials regulated in this section shall not be construed as approval of the same by the college or by the board of trustees of ~~((Washington State))~~ Community Colleges ((District 17)) of Spokane.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-04-150 Right to demand identification.

(1) For the purpose of determining whether probable cause exists for application of any section of the code of student conduct to any conduct by any person on a college facility, any faculty or other college personnel expressly authorized by the president ~~((of the college))~~ or chief executive ~~((officer))~~ of any instructional unit of the Community Colleges of Spokane may demand that any person on college facilities produce evidence of student enrollment at the college, by tender of said person's student identification card.

(2) Refusal by a student to produce a student identification card, as required by subsection (1) of this section, shall be cause for disciplinary action.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-170 Initiation of prosecution. ~~((+))~~

~~Faculty, the vice president of student services, or the vice president's designee, and the president shall have concurrent authority to invoke sanctions for violations of the rules of student conduct and to require the commencement of the disciplinary proceedings provided for in WAC 132Q-04-180 through 132Q-04-270.~~

~~(2) Faculty shall have the authority to take such summary actions as may be necessary to maintain order and proper conduct in the classroom in order to assure the effective cooperation of students in the accomplishment of objectives of the course of instruction. Such actions may be appealed to the president of the college at any time before the end of the next succeeding quarter in which the student is enrolled.~~

~~(3))~~ A request for the imposition of disciplinary action for a violation of the rules of student conduct shall be referred in writing to the appropriate vice-president ~~((of student services))~~ within twenty days of the discovery of the facts giving rise to the request. Such a request may be made by any member of the administration, faculty, or college personnel or any student. All such requests must be in writing and signed by the individual making such request. The vice-president may decline the request, implement the request or engage in informal negotiations to resolve the situation.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-180 Initial disciplinary proceedings.

(1) All disciplinary proceedings will be initiated by the appropriate vice-president ~~((of student services, or the vice president's))~~ or designee, who may also establish advisory panels to advise or act for the office of disciplinary proceedings.

(2) It is the responsibility of the appropriate administrator as designated by the appropriate vice-president ~~((of student services))~~ to be involved in the gathering of information and documentation relative to disciplinary problems that occur in their areas of responsibilities and submit such in written form.

(3) Any student accused of violating any provisions of the rules of student conduct will be called for an initial conference with the appropriate vice-president ~~((of student services, or the vice president's))~~ or designee, and will be informed of what provision or provisions of the rules of student conduct the student is charged with violating, and what appears to be maximum penalties which might result from consideration of the disciplinary proceeding.

(4) After considering the evidence in the case and interviewing the student or students accused of violating the rules of student conduct, the appropriate vice-president ~~((of student services, or the vice president's))~~ or designee, may take any of the following actions:

(a) Terminate the proceeding, exonerating the student or students;

(b) Dismiss the case after whatever counseling and advice may be appropriate;

(c) Impose minor sanctions directly (warning, reprimand, disciplinary probation or fine) subject to the student's rights of appeal described below;

(d) Refer the matter to the college disciplinary committee for appropriate action. The student shall be notified in writing when such a referral is made within three calendar days;

(e) Issue an order of dismissal pursuant to the conditions of WAC 132Q-04-260(4).

(5) A student accused of violating any provision of the rules of student conduct shall be given written notification of any disciplinary action taken by the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee. In the case of an unmarried student under eighteen years of age, written notification of the disciplinary action taken by the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, shall also be sent to the parents or guardian of the student.

(6) No disciplinary action recommended by the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, is final unless the student fails to exercise his right of appeal as provided in WAC 132Q-04-190.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-190 Appeals. Any disciplinary action taken by the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, may be appealed to the college disciplinary committee; and disciplinary action taken by the college disciplinary committee may be appealed by the student to the president of the college. All appeals by a student must be made in writing to the disciplinary committee or the president and presented to the committee or president within seven days after the student has been notified of the action taken by the disciplinary committee or the president.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-200 Composition of college disciplinary committee. Each college created by the board of trustees of (~~Washington State~~) Community Colleges (~~District 17~~) of Spokane shall have a college disciplinary committee composed of six members plus the presiding officer for a total of seven people who shall be chosen no later than October 15 of each academic year. The membership shall be selected as follows:

(1) The recognized faculty organization shall appoint two members and an alternate who are teaching on the appropriate campus or college; such members shall serve a two-year term.

(2) The college president shall appoint two members from the college administration who shall serve at the pleasure of the president.

(3) Student membership shall be appointed by the respective student governments on each college campus. Student membership must include a male and female student and two alternates who shall serve for no more than one year.

(4) The presiding officer of the college disciplinary committee shall be the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee; provided, however, that no person who personally participates in any disciplinary action reviewed by the disciplinary committee may serve as presiding officer, nor may said person cast a vote on the merits of the issue decided by the disciplinary committee pursuant to WAC 132Q-04-240.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-210 Brief adjudicative proceeding. ~~((+))~~ The college disciplinary committee for each college, will hear, de novo, all disciplinary cases referred to it by the appropriate vice-president (~~(of student services, the vice-president's)~~), designee, or cases where the student appeals the ~~((dean's))~~ vice-president's decision.

~~((2))~~ (1) The student has a right to a fair and impartial brief adjudicative proceeding before the disciplinary committee on any charge of violating the rules of student conduct. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the disciplinary committee from making its findings of fact, conclusions and recommendations as provided hereafter. Failure by the student to cooperate may be taken into consideration by the committee.

~~((3))~~ (2) The student shall be given written notice by registered or certified mail of the time and place of the proceeding before the college disciplinary committee, and be afforded not less than twenty days notice thereof. Said notice shall contain:

(a) A statement of the time, place and nature of the disciplinary proceeding;

(b) A statement of the charges including reference to the particular sections of the rules of student conduct involved;

(c) A list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the proceeding.

~~((4))~~ (3) The student shall be entitled to hear and examine the evidence brought forward and be informed of the identity of its source and shall be entitled to present evidence in the student's own behalf and to cross-examine witnesses testifying against the student as to factual matters. The student shall have all authority possessed by the college to obtain information provided requests for such information is specifically described, in writing, and tendered to the appropriate vice-president (~~(of student services)~~) no later than three days prior to the proceedings, or to request the presence of witnesses or the production of other evidence relevant to the issues of the proceedings.

~~((5))~~ (4) The student may be (~~represented~~) accompanied by counsel of choice at the disciplinary proceeding however, counsel cannot speak at the proceeding. If the student elects to choose a duly licensed attorney admitted to practice in any state in the United States as counsel, the student must tender three days' notice excluding weekends and holidays thereof to the appropriate vice-president (~~(of student services)~~).

~~((6))~~ (5) In all disciplinary proceedings the college may be represented by a designee appointed by the appropriate vice-president (~~(of student services)~~); said designee may then present the college's case against the student accused of violating the rules of student conduct, provided that in those cases in which the student elects to (~~be represented by~~) have present a licensed attorney, the appropriate vice-president (~~(of student services)~~) may elect to have (~~(the college represented by)~~) an assistant attorney general attend as well.

~~((7))~~ (6) An adequate summary of all the evidence and facts presented to the disciplinary committee during the course of the proceedings will be taken. A copy thereof shall be available at the office of the appropriate vice-president ~~((of student services))~~.

~~((8))~~ (7) The presiding officer of the college disciplinary committee shall preside at the disciplinary proceeding and make rulings on all evidentiary procedural matters heard in the course of the disciplinary proceeding.

AMENDATORY SECTION (Amending WSR 90-21-016, filed 10/8/90, effective 11/8/90)

WAC 132Q-04-240 Decision by the committee. (1) Upon conclusion of the disciplinary proceeding, the college disciplinary committee shall consider all the evidence therein presented and decide by majority vote of the members of the committee which of the following is to be taken:

(a) That the college terminate the proceedings and exonerate the student or students;

(b) That the college impose minor sanctions directly, such as warning, reprimand or minor fine, subject to the student's right of appeal as hereinafter described;

(c) That the college impose any of the disciplinary actions as provided in WAC 132Q-04-260; or

(d) Issue an order to dismiss under the conditions of WAC 132Q-04-260(4).

(2) Upon conclusion of the disciplinary proceeding of a student appeal, the college disciplinary committee shall consider all the evidence therein presented and decide by majority vote of the members of the committee to uphold the previous decision, terminate the proceeding and exonerate the student or students, or ~~((impose))~~ recommend to the college president or designee any disciplinary action authorized under WAC 132Q-04-260.

(3) The student will be provided with a copy of the committee's findings of fact and conclusions regarding whether the student did violate any rule or rules of the code of student conduct. The committee shall also advise the student of the right to present, within seven calendar days, a written statement to the president of the college appealing the decision of the college disciplinary committee.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-250 Final decision regarding appeal of disciplinary committee action. (1) The president of the college or any representative designated, except the appropriate vice-president ~~((of student services))~~, shall after reviewing the record of the case, include in the report of the college disciplinary committee any statement filed by the student, approval of the recommendations of the college disciplinary committee or give directions as to what lesser disciplinary action shall be taken.

(2) If the president decides that discipline is to be imposed or altered after the review provided by subsection (1) of this section, the president or the president's designee shall notify the student in writing of the discipline imposed. In case of an unmarried student under eighteen years of age,

written notice of any action involving dismissal or disciplinary action shall also be sent to parents or guardian of the student.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-260 Disciplinary action. The following disciplinary actions are hereby established any of which shall be the sanctions imposed upon violators of the rules of student conduct:

(1) Disciplinary warning: Notice to a student, either verbally or in writing, that the student has been in violation of the rules of student conduct or has otherwise failed to satisfy the college's expectations regarding conduct. Such warnings imply that continuation or repetition of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described in this section. The college president may act without the need to utilize the disciplinary committee again for these continuing or repetitive violations.

(2) Reprimand: Formal action censuring a student for violation of the rules of student conduct. Reprimands are always made in writing to the student by the officer or agency taking the action, with copies to the office of student services. A reprimand indicates to the student that continuation or repetition of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described in this section.

(3) Disciplinary probation: Formal action placing conditions upon the student's continued attendance for violation of rules of student conduct. The office placing the student on disciplinary probation will specify, in writing, the period of probation and the conditions, such as limiting the student's participation in extracurricular activities. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college. Violation of disciplinary probation shall be cause for disciplinary action.

(4) Dismissal: Termination of student status for violation of the rules of student conduct. Dismissal may be for a stated or for an indefinite period. The notification dismissing a student will indicate, in writing, the term of the dismissal and any special conditions which must be met before readmission. There is no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter must be refunded.

(5) Fines: The office of student services may assess monetary fines against individual students for violation of the rules of student conduct. Failure to pay such fines promptly will result in the cancellation of the student's registration and will prevent the student from reregistering. Tuition fees paid by the student may be refunded at the discretion of the college president.

AMENDATORY SECTION (Amending WSR 92-14-038, filed 6/24/92, effective 7/25/92)

WAC 132Q-04-280 Reporting, recording and maintenance of records. (1) Records of all disciplinary cases

shall be kept by the office of student services. Except in proceedings wherein the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved insofar as possible for at least five years. No record of proceedings wherein the student is exonerated, other than the fact of exonerated, shall be maintained in the student's file or other college repository after the date of the student's graduation.

(2) The office of student services shall keep accurate records of all disciplinary actions taken by, or reported to, that office. All disciplinary action will be entered on the student's record and may be removed at the time of graduation or earlier, at the discretion of the office initiating the action, if special terms and conditions have been met or if other circumstances warrant the removal. ~~((The office which initiated the action is responsible for ordering the removal of temporary notations of any disciplinary action on the student's record.))~~ A student may petition to that office for removal of such a notation at any time, otherwise the record of disciplinary action shall be part of that student's record.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132Q-04-035	Smoking.
WAC 132Q-04-040	Liquor.
WAC 132Q-04-050	Drugs.
WAC 132Q-04-060	Cheating.
WAC 132Q-04-061	Plagiarism.
WAC 132Q-04-067	Classroom conduct.
WAC 132Q-04-068	Conduct at college functions.
WAC 132Q-04-070	Theft and/or sale of stolen property.
WAC 132Q-04-075	Damaging property.
WAC 132Q-04-080	Intimidation/interference.
WAC 132Q-04-081	Stalking.
WAC 132Q-04-082	Threatening/objectionable behavior.
WAC 132Q-04-083	Assault.
WAC 132Q-04-085	Abusive conduct.
WAC 132Q-04-090	Forgery or alteration of records.
WAC 132Q-04-094	Misuse of computer privileges.
WAC 132Q-04-095	Computer trespass.
WAC 132Q-04-096	Misrepresentation of identity.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-05-010 Purpose of summary suspension rules. (1) The board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane recognizes the need to provide the college's administrators with a summary system of student discipline that can swiftly and fairly respond to immediate disorder on ~~((campus))~~ all district facilities ~~((within the district))~~. The board further desires to create and operate such a system within the framework of fundamental due process as presently embodied in the historic notions embodied in the jurisprudential tool of the temporary restraining order.

(2) It is to be understood, however, that nothing within the rules adopted in this chapter shall be construed to supplant the provisions of the rules of conduct and procedures of enforcement embodied in chapter 132Q-04 WAC and the student disciplinary system created therein. Rather, the provisions of the rules of this chapter shall be deemed to be supplementary to the rules of student conduct by providing a method of suspension during the pendency of the investigation and prosecution for student violations that will be subsequently heard on their merits pursuant to the system embodied in the said rules of student conduct.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-05-020 Definitions. As used in this chapter, the following words and phrases shall mean:

(1) "Board" shall mean the board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(2) "College" shall mean any community college which may be created by the board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(3) "College facilities" shall mean and include any or all real property owned or operated by the board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane, and shall include all building and appurtenances affixed thereon or attached thereto.

(4) "District" shall mean ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(5) "President," unless otherwise designated, shall mean the duly appointed ~~((president or))~~ chief executive ~~((officer of any campus within Washington State))~~ of any college, instructional unit of Community Colleges ((District 17)) of Spokane.

(6) "Rules of student conduct" shall mean those rules regulating student conduct as adopted in chapter 132Q-04 WAC.

(7) "Student" shall mean and include any person who is enrolled in any community college administered by the board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(8) ~~((Faculty))~~ shall mean any employee of Washington State Community College District 17 which includes full-time and part-time faculty, administrators, counselors, librarians, or department heads who are employed by any commu-

~~nity college administered by the board of trustees.)) "College personnel" refers to **any person employed or representing on a full-time or part-time basis Community Colleges of Spokane.**~~

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-05-033 ~~((Classroom conduct.))~~ **Authority to suspend.** Each faculty member ~~or administrator~~ has the right to suspend up to three ~~((class))~~ **instructional** days any student who by any act of misconduct disrupts any college class, ~~program or the learning and teaching environment~~ by engaging in conduct that renders it difficult or impossible to maintain the decorum of the class ~~((see WAC 132Q-04-067; also see WAC 132Q-04-170(2)))~~, **program or teaching and learning environment.** Such suspension may include **exclusion from the college or any part thereof during the period of suspension.** ~~The faculty member or administrator shall report this suspension to the appropriate vice-president who may set conditions for the student upon return. The student may appeal to the appropriate vice-president and that vice-president may authorize an earlier return by the student only after consultation with the faculty member or administrator.~~

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-05-036 **Conduct at college functions.** ~~((Each college employee has))~~ **College personnel have** the right to remove or have removed from a college function and/or the college for up to three ~~((class))~~ **instructional** days any student who by an act of misconduct, substantially disrupts any college function by engaging in conduct that renders it difficult, or impossible, to continue such function in ~~((any))~~ **an** orderly manner ~~((see WAC 132Q-04-068))~~.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-05-040 **Initiation of summary suspension proceedings.** Notwithstanding WAC 132Q-05-033, if the president, or the president's designee, has cause to believe that any student has violated any law of the state or the United States, or any of the rules of student conduct contained in chapter 132Q-04 WAC, and the president, or president's designee, also has further cause to believe that the student's violations involve:

(1) Participation in any mass protest or demonstration violative of WAC 132Q-04-100, and that immediate disciplinary action is necessary to restore order on any college campus or instructional unit; or

(2) A significant probability that said violation or violations will continue to disrupt the educational environment of the college, so as to render the disciplinary proceeding process contained in chapter 132Q-04 WAC ineffectual.

Then the president, or president's designee, shall, pursuant to the following rules, have authority to suspend said student for a maximum of ten **additional instructional** days prior

to any subsequent disciplinary proceeding initiated under the rules of student conduct contained in chapter 132Q-04 WAC.

AMENDATORY SECTION (Amending WSR 92-14-037, filed 6/24/92, effective 7/25/92)

WAC 132Q-05-050 **Notice of summary proceedings.**

(1) If the president desires to exercise the authority conferred by WAC 132Q-05-040 against any student, he or she shall direct the **appropriate** vice-president ~~((of student services))~~ to cause notice thereof to be served upon said student.

(2) The notice shall be entitled "notice of summary suspension proceeding" and shall state:

~~((a))~~ The charges against the student, including reference to the law and/or rules of student conduct involved and ~~((b))~~ that the student charged must appear before the **appropriate** vice-president ~~((of student services, or the vice president's))~~ or designee, at a time to be set by the vice-president ~~((; but not later than twenty-four hours from the date and time of receipt of the "notice of summary suspension proceeding."))~~.

AMENDATORY SECTION (Amending WSR 92-14-037, filed 6/24/92, effective 7/25/92)

WAC 132Q-05-060 **Procedures of summary suspension proceeding.**

(1) At the summary suspension proceeding, the college, through the office of the **appropriate** vice-president ~~((of student services, or the vice president's))~~ or designee, shall make a determination as to whether there is probable cause to believe that the violation stated in the notice of summary suspension proceedings to the student did occur.

(2) The student may offer oral testimony of himself or herself or of any person, submit any statement or affidavit on his or her own behalf, examine any affidavit and cross-examine any witness who may appear against him **or her**, and submit any matter in extenuation or mitigation of the offense or offenses charged.

(3) The **appropriate** vice-president ~~((of student services))~~ shall at the time of the summary suspension proceeding determine whether there is probable cause to believe that a violation of law or of the rules of student conduct has occurred, pursuant to WAC 132Q-05-040 (1) or (2). In the course of making such a decision, said vice-president may only consider the sworn affidavit or oral testimony of persons who have alleged that the student charged has committed a violation of law or of the rules of student conduct and oral testimony and affidavits submitted by the student charged.

AMENDATORY SECTION (Amending WSR 92-14-037, filed 6/24/92, effective 7/25/92)

WAC 132Q-05-070 **Decision by vice-president** ~~((of student services))~~. If the **appropriate** vice-president ~~((of student services))~~, following the conclusion of the summary suspension proceeding, finds that there is probable cause to believe that:

(1) The student against whom specific violations of law or of the rules of student conduct are alleged has committed one or more such violations upon any college facility; and

(2) That summary suspension of said student is necessary to attain peace and order on the campus; and

(3) Such violation or violations of the law or of the rules of student conduct constitute grounds for disciplinary probation or dismissal pursuant to WAC 132Q-04-260,

Then the appropriate vice-president (~~(of student services)~~) may, with the written approval of the president, suspend such student from college (~~(for a maximum of ten days)~~) pending any subsequent disciplinary proceeding initiated under chapter 132Q-04 WAC or reinstate the student with or without conditions.

AMENDATORY SECTION (Amending WSR 92-14-037, filed 6/24/92, effective 7/25/92)

WAC 132Q-05-080 Notice of suspension. (1) If a student is suspended pursuant to the above rules, said student will be provided with a written copy of the appropriate vice-president's (~~(of student services)~~) findings of fact and conclusions, as expressly concurred in by the president, as to whether said vice-president had probable cause to believe that the conditions for summary suspension outlined in WAC 132Q-05-040 exists and whether immediate suspension of said student should be issued.

(2) The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail. Notice by mail shall be sent to said student's last known address. The suspension shall be effective for (~~(a ten day)~~) the period dating from the day the notice of suspension is mailed or personal service accomplished.

(3) During the period of summary suspension, the suspended student shall not enter the campus other than to meet with the appropriate vice-president (~~(of student services)~~) or to attend the summary suspension proceeding. However, the appropriate vice-president (~~(of student services)~~) may grant the student special permission to enter for the express purpose of meeting with faculty, college personnel, or students in preparation for the proceeding.

AMENDATORY SECTION (Amending WSR 92-14-037, filed 6/24/92, effective 7/25/92)

WAC 132Q-05-090 Suspension for failure to appear. If the student, against whom specific violations of the rules of student conduct or law have been alleged has been served pursuant to the notice required in WAC 132Q-05-050, fails to appear at the time designated for the summary suspension proceeding, the appropriate vice-president (~~(of student services)~~) may, with the written concurrence of the president, (~~(suspend the student from college for a maximum amount of ten days)~~) proceed with the proceedings under WAC 132Q-05-060.

AMENDATORY SECTION (Amending WSR 92-14-037, filed 6/24/92, effective 7/25/92)

WAC 132Q-05-100 Appeal. (1) Any student aggrieved by an order issued at the summary suspension proceeding may appeal the same to the board of trustees. No such appeal

shall be entertained, however, unless written notice of the appeal, specifically describing alleged errors in the findings of the appropriate vice-president (~~(of student services)~~) and the president, is tendered at the office of the president within seventy-two hours following the date notice of summary suspension was served or mailed to the student.

(2) The board shall, as soon as reasonably possible, examine the allegations contained within the notice of appeal, along with the findings of the vice-president and president, the record of the summary suspension proceeding, and determine therefrom whether the summary suspension order is justified. Following such examination, the board of trustees may, at its discretion, suspend the summary suspension pending determination of the merits of the disciplinary proceeding pursuant to the rules of student conduct.

(3) The board shall notify, by registered or certified mail, the appealing student within forty-eight hours following its consideration of the notice of appeal, as to whether the summary suspension shall be maintained or stayed pending disposition of the disciplinary proceeding pursuant to the rules of student conduct.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-20-010 Purpose for adopting rules. Pursuant to the authority granted by RCW 28B.50.140(10), the board of trustees of (~~(Washington State)~~) Community Colleges (~~(District 17)~~) of Spokane is granted authority to make rules and regulations for pedestrian and vehicular traffic on property owned, operated or maintained by the college district. The rules and regulations contained in this chapter pertain to all faculty, students, college personnel, and visitors who use district facilities unless exempted by the (~~(chief executive officer)~~) chancellor/CEO of the district and are established for the following purposes:

- (1) To protect and control pedestrian and vehicular traffic; and
- (2) To assure access at all times for emergency traffic; and
- (3) To minimize traffic disturbance during class hours; and
- (4) To facilitate the work of the community colleges.

AMENDATORY SECTION (Amending WSR 97-24-023, filed 11/24/97, effective 12/25/97)

WAC 132Q-20-020 Definitions. As used in this chapter the following words and phrases shall mean:

(1) "Board" shall mean the board of trustees of (~~(Washington State)~~) Community Colleges (~~(District 17)~~) of Spokane.

(2) "Campus" shall mean any or all real property owned, operated or maintained by (~~(Washington State)~~) Community Colleges (~~(District 17)~~) of Spokane.

(3) "Appropriate vice-president (~~(of student services)~~)" shall mean the (~~(vice president of)~~) chief administrative officer over student services (~~(of Spokane Community College or Spokane Falls Community College)~~) regardless of current position title.

(4) "College" shall mean any community college or separate instructional unit ~~((of))~~ which may be created by the board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(5) "Faculty" shall mean any employee ~~((or official))~~ of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(6) "Campus patrol" shall mean an employee of the college, ~~((or a law enforcement student))~~ administration of justice student or contracted security personnel, who is responsible to the appropriate vice-president ~~((of student services))~~ for campus security.

(7) "Student" ~~((shall mean))~~ is defined as any person who is ~~((enrolled in any community college operated by Washington State Community College District 17))~~ or has officially registered at any college or instructional unit with the Community Colleges of Spokane and with respect to whom the college maintains education records or personally identifiable information.

(8) "Vehicle" shall mean an automobile, truck, ~~((motor driven eyele))~~ motorcycle, scooter, or any vehicle empowered by a motor.

(9) "Visitors" shall mean any person or persons, excluding students as previously defined, who come upon the campus as guests and person or persons who lawfully visit the campus for purposes which are in keeping with the colleges' role as institutions of higher learning in the state of Washington.

(10) "Permanent permits" shall mean permits ~~((of))~~ which are valid for a school term.

(11) "Quarterly permits" shall mean permits valid for a specified academic quarter.

(12) "Temporary permits" shall mean permits ~~((of))~~ which are valid ~~((of))~~ for a specific period designated on the permit.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-040 Permits required for vehicles on campus. Students, faculty, administration, college personnel, guests and visitors shall not stop, park, or leave a vehicle whether attended or unattended upon the campus without a parking permit issued pursuant to WAC 132Q-20-050, except guests and visitors who will be given a reasonable time to secure a temporary permit from the appropriate vice-president ~~((of student services, or the vice president's))~~ or designee. All students who plan to park on campus and are attending educational programs on campus that meet ten or more times per quarter are required to purchase a valid quarterly permit. Failure to obtain a permit shall be grounds for disciplinary action. The fee for the parking permit shall be established from time to time by the board of trustees of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane and shall be published. Students attending education programs on campus that meet less than ten times are to obtain temporary guest permits.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-060 Valid permit. A valid parking permit is:

(1) An unexpired parking permit registered and properly displayed; or

(2) A short-term parking permit authorized by the appropriate vice-president ~~((of student services, or the vice president's))~~ or designee, and properly displayed; or

(3) A special parking permit authorized by the appropriate vice-president ~~((of student services, or the vice president's))~~ or designee, and properly displayed; or

(4) A guest's permit authorized by the appropriate vice-president ~~((of student services, or the vice president's))~~ or designee, and properly displayed; or

(5) A shop permit authorized by a vocational-technical instructor and properly displayed.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-20-080 Transfer of permits. ~~((Parking permits are not transferable. If a vehicle is sold, traded, or if there is a new purchase, a new permit will be issued to the permit holder at a nominal cost if the permit holder does the following:))~~

(1) ~~Records permit number and informs the auto registration clerk;~~

(2) ~~Scraps permit off the window;~~

(3) ~~Brings permit or remnant to appropriate office, which office shall then issue the permit holder a new parking permit registered under a new number.)~~ Student parking permits are not transferable. Replacement student parking permits may be obtained for an unused valid portion of such permit pursuant to regulations issued from time to time by the Community Colleges of Spokane. An employee parking permit may be transferred to another vehicle, provided that such permit is duly displayed on the parked vehicle but cannot be transferred to another individual.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-090 Permit revocation. Parking permits are the property of the college and may be recalled by the appropriate vice-president ~~((of student services))~~ for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists; or

(2) When a permit is used for an unregistered vehicle or by an unauthorized individual; or

(3) Falsification on a parking permit application; or

(4) Continued violations of parking regulations; or

(5) Counterfeiting or altering a parking permit.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-110 Right to appeal permit revocation or refusal to grant permit. When a parking permit has been recalled pursuant to WAC 132Q-20-090, or has been refused in accordance with WAC 132Q-20-100, or when a fine or penalty has been levied against a violator of the rules and regulations set forth in this chapter, such action by the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, may be appealed pursuant to WAC 132Q-108-050; provided, however, that faculty, administrators, and college personnel of (~~Washington State~~) Community Colleges (~~District 17~~) of Spokane shall appeal permit revocations, refusals to grant permits, and fines or penalties levied for violations by the appropriate vice-president (~~(of student services)~~) to the respective college presidents whose decision on the matter shall be final. Refusal to pay a fine still existing after exhaustion of the appellate process shall be grounds for disciplinary action. In the case of students, failure to pay fines after the exhaustion of the appellate process shall be grounds for the college, in addition to disciplinary action, to deny admission for subsequent enrollment with (~~Washington State~~) Community Colleges (~~District 17~~) of Spokane. In the case of (~~District 17~~) employees, failure to pay fines could result in the denial of issuing a permit, and/or impounding of vehicles.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-130 Designation of parking space.

The parking spaces available on campus shall be designated and allocated by the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, in such a manner which will best effectuate the objectives of the rules and regulations in this chapter.

(1) Faculty staff, student, and visitor spaces will be so designated for their use; and

(2) Parking spaces for the exclusive use by persons with disability will be designated. The office of student services may issue special permits to students and others to park in these designated spaces; and

(3) Other special use spaces may be designated.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-20-150 Parking hours. Parking is permitted on campus between the hours of 6:30 a.m. to 11:00 p.m. for faculty, college personnel, and students. The rules and regulations pertaining to the use of certain parking permits in specific areas are contained in WAC 132Q-20-140. Students, faculty, and college personnel may park in any of the spaces or stalls designated in WAC 132Q-20-140 except visitor's areas on a first-come, first-served basis between the hours of 5:00 p.m. and 11:00 p.m. Custodial and other authorized personnel may park on campus from (~~10:00~~) 11:00 p.m. to 6:30 a.m., and are still required to follow regular parking regulations and obtain parking permits.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-160 Overnight parking. Overnight parking is prohibited except when approval is granted by the appropriate vice-president (~~(of student services or the vice-president's)~~) or designee.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-170 Regulatory signs and directions. The appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, is authorized to erect signs, barricades and other structures and to paint marks or other directions upon the entry ways and streets on campus and upon the various parking lots owned or operated by the colleges. Such signs, barricades, structures, markings, and directions, shall be so made and placed as in the opinion of the appropriate vice-president (~~(of student services, or vice-president's)~~) or designee, which will best effectuate the objectives stated in WAC 132Q-20-010 and will best effectuate the rules and regulations contained in this chapter.

Drivers of vehicles shall observe and obey the signs, barricades, structures, markings and directions erected pursuant to this section. Drivers shall also comply with the directions given them by the campus patrol in the control and regulation of traffic.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-20-180 Speed limit. No vehicle shall be operated on the campuses at a speed in excess of (~~fifteen miles per hour~~) the posted speed limit in parking lots; and (~~fifteen miles per hour~~) the posted speed limit on campus roads or such slower speed as is reasonable and prudent in the circumstances. No person operating a vehicle of any type shall at any time use the campus parking lots for testing, racing, or other unauthorized activities.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-200 Special traffic and parking regulations and restrictions authorized. Upon special occasions causing additional and/or heavy traffic and during emergencies, the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, is authorized to impose additional traffic and parking regulations and restrictions for the achievement of the objectives specified in WAC 132Q-20-010.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-210 Two-wheeled motor bikes or bicycles. (1) All two-wheeled vehicles empowered by a motor shall park in a space designated for *motorcycles only*.

(2) No vehicle shall be ridden on the sidewalks on campus at any time unless authorized by the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-220 Report of accidents. The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or *total of claimed damage to either or both vehicles exceeding \$300.00 shall immediately report such accident to the appropriate vice-president* (~~(of student services, or the vice-president's)~~) or designee, and shall within twenty-four hours after such accident, file a state of Washington motor vehicle accident report if required.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-240 Enforcement. (1) Enforcement of the parking rules and regulations will begin the first day of classes of the fall quarter and will continue through subsequent quarters until the start of the following fall quarter.

(2) The appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, shall be responsible for the enforcement of the rules and regulations contained in this chapter. The appropriate vice-president (~~(of student services)~~) is hereby authorized to delegate this responsibility to the campus patrol or other subordinates.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-250 Issuance of traffic tickets. Upon the violations of any of the rules and regulations contained in this chapter, the appropriate vice-president (~~(of student services, or the vice-president's)~~), or designee or subordinates, may issue a summons or traffic ticket setting forth the date, the approximate time, permit number, license information, infraction, officer, and schedule of fines. Such summons or traffic tickets may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the operator or owner.

AMENDATORY SECTION (Amending WSR 92-14-036, filed 6/24/92, effective 7/25/92)

WAC 132Q-20-260 Fines and penalties for students. The appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, is authorized to impose the following fines and penalties for the violation of the rules and regulations contained in this chapter:

(1) Except as provided under subsection (2) of this section, fines will be levied for all violations of the regulations contained in this chapter. A current schedule of fines is available from the parking office.

(2) Community Colleges of Spokane and its recognized instructional units are authorized to:

(a) (~~Place an "administrative hold" in the records;~~

~~(b)) Deny registration for subsequent quarters, and deny registration; and~~

~~((e)) (b) Deny graduation from the college to any student that fails to promptly pay any financial obligation due the college including the payment for parking citations.~~

(3) Vehicles which are parked on any campus within (~~Washington State~~) Community Colleges (~~(District 17)~~) of Spokane and which are in violation of any of the regulations contained in this chapter, may be impounded or detained by use of mechanical devices at the discretion of the appropriate vice-president (~~(of student services)~~). If a vehicle is impounded, it may be taken to such place for storage as the appropriate vice-president (~~(of student services, or the vice-president's)~~) or designee, selects. The expenses of such impoundings and storage shall be charged to the owner or operator of the vehicle and paid by him or her prior to its release. The college and its employees shall not be liable for loss or damage of any kind resulting from such impounding and storage.

(4) At the discretion of the appropriate vice-president (~~(of student services)~~), an accumulation of traffic violations by a student will be cause for disciplinary action, and the appropriate vice-president (~~(of student services)~~) shall initiate disciplinary proceedings against such student pursuant to WAC 132Q-04-180.

(5) The duly elected associated student government officers of Spokane Falls Community College and Spokane Community College may, in a joint meeting with the District 17 executive committee, recommend a proposed schedule of fines prior to adoption of a new fine schedule.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Resolution No. 27), filed 7/23/87)

WAC 132Q-20-270 Liability of college. The Community Colleges of Spokane assumes no liability under any circumstances for vehicles parked on campus.

AMENDATORY SECTION (Amending WSR 90-21-022, filed 10/8/90, effective 11/8/90)

WAC 132Q-94-010 Declaration of purpose. By adoption of the following health and safety regulations the board of trustees of the (~~Washington State~~) Community Colleges (~~(District 17)~~) of Spokane expresses its firm commitment to the safety and health of its students and employees. The board further recognizes the importance of students and employees developing safe work habits, particularly in the areas of equipment and machinery operation, and in the handling of potentially hazardous chemical substances. This chapter shall apply to all students(~~(+)~~), employees and visitors and shall pertain to all campuses and sites under the direct or indirect control of the district.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-94-020 Rationale. Adoption of these health and safety rules by the board of trustees is based on the following standards:

(1) The possibility of accidental injury to an individual exists at all times and in all places and no place of work nor any human activity is exempt from the possibility of accidents.

(2) All community college safety programs are for the benefit of both the ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane and the individual students enrolled within the institution. There is no conflict of interests between the students and the college in the area of an accident prevention program; through accident prevention, everyone benefits.

(3) Accident prevention requires both organization and education, consisting largely of the desire to provide and maintain an environment free of hazards through institution of a common-sense safety program and the determination to carry out the program effectively.

(4) Effective accident prevention includes instructor leadership, student cooperation, effective organization, thorough training, and good supervision.

AMENDATORY SECTION (Amending Resolution No. 27, filed 7/23/87)

WAC 132Q-94-030 Students' responsibilities. Students attending ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane shall, to the best of their ability, make it their individual responsibility to keep themselves and their fellow students free from accidents. In the interest of accident prevention, students shall obey the approved district safety rules and procedures including those outlined below, as well as other, more specific safety rules, as outlined by their instructors:

(1) Students shall consider the benefits of accident prevention to themselves, to others, and to their work, and shall act accordingly, conducting their work to avoid accidents through observation of safe work practices.

(2) Students shall study and observe all safe practices governing their specific area of work or class assignment, and shall make a concerted effort to understand their job and area of assignment.

(3) Students shall ascertain emergency procedures from their instructor or supervisor.

(4) Students shall remain alert for any unsafe condition(s) or practice(s), immediately reporting any observed to their instructor or supervisor.

(5) Students shall promptly report any accident in which they are injured, regardless of the degree of severity, to their instructor or supervisor.

(6) Students shall not engage in practical jokes or horseplay while attending class or while on the job.

(7) Students shall not report to class or a work study position while under the influence of intoxicants or drugs, nor shall such items be used or consumed while on the premises of the ~~((Washington State))~~ Community Colleges ~~((District~~

17)) of Spokane or representing the ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane at an off-site location.

(8) Students who receive their instructor's or supervisor's permission to operate a state vehicle shall comply with existing fleet policies and procedures of ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

(9) Students shall comply with existing smoking regulations of the ~~((Washington State))~~ Community Colleges ~~((District 17))~~ of Spokane.

AMENDATORY SECTION (Amending WSR 97-24-023, filed 11/24/97, effective 12/25/97)

WAC 132Q-94-125 Pets and other animals prohibited in college buildings and grounds. For reasons of health, sanitation, and safety, no person shall be permitted to bring or leave any dog, cat, or any other pet or animal in any ~~((school))~~ college building, nor leave such pet or animal unattended on any district property. ~~((All dogs, cats, or other pets of any kind shall be and remain on a leash while on any district property.))~~ This section does not apply to ~~((the blind, the visually handicapped, the hearing impaired, and the otherwise disabled person))~~ persons with a disability who require~~((s))~~ the services and assistance of a guide dog and/or trained service animal as defined by law.

AMENDATORY SECTION (Amending WSR 90-21-023, filed 10/8/90, effective 11/8/90)

WAC 132Q-94-150 Prohibition of firearms and other dangerous instrumentalities. No employee, student or guest shall carry, transport within a vehicle or otherwise possess any gun, pistol(~~(s)~~) or other firearm or explosive device, hazardous chemicals or any other hazardous device such as knives or substance on any college campus or other district property except for use in an authorized college activity with express authorization from the ~~((district vice president))~~ chief executive of the campus or an authorized designee.

WSR 00-14-010

PERMANENT RULES

UTILITIES AND TRANSPORTATION COMMISSION

[General Order No. R-471, Docket No. TV-991559—Filed June 27, 2000, 10:13 a.m.]

In the matter of repealing, amending, and adopting chapter 480-15 WAC, rules relating to household goods carriers.

1 STATUTORY OR OTHER AUTHORITY: The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 00-09-079, filed with the code reviser on April 18, 2000. The commission brings this proceeding pursuant to RCW 81.04.160, 81.04.250, 81.28.040, 81.80.090, 81.80.120, 81.80.130, 81.80.290, 81.80.211, and 80.01.040.

PERMANENT

2 STATEMENT OF COMPLIANCE: This proceeding complies 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 34.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

3 DATE OF ADOPTION: The commission adopts these rules on June 26, 2000.

4 CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE: This rule making amends the following household goods carrier rules to improve their effectiveness, clarify meaning and ensure that the rules are serving their intended purpose:

The statement of purpose and application in WAC 480-15-010 is revised to clarify that household goods carriers must comply with other state laws, including tax and licensing laws.

The definition of household goods in WAC 480-15-020 is revised to limit the exclusion of self-storage containers to those containers transported between a self-storage facility and its customers, when that transportation is in conjunction with a self-storage agreement.

The definition of a motor vehicle in WAC 480-15-020 is revised to clarify that a self-storage container is not a motor vehicle.

WAC 480-15-030 Waiver of rules, is repealed and 480-15-035 Exemption from rules is adopted. The new rule has alternate language that more clearly describes the filing and review process for seeking exemptions from rules.

Exceptions to the permanent authority application process in WAC 480-15-260 are revised to clarify existing exceptions, and to include additional circumstances under which exceptions may be allowed.

The rate band in WAC 480-15-490 is revised to establish a new maximum rate with an annual review and adjustment of that maximum rate according to an index for the next five years. The rule is also revised to establish a new minimum rate fixed at a percentage of the new maximum rate. The rule names the tariff that establishes the starting point in the rate calculation.

The term "commercial vehicle" in WAC 480-15-560 and 480-15-570 is revised to ensure that federal safety regulations are applied consistently to intrastate and interstate vehicles and drivers. WAC 480-15-560 is revised to remove reference to compliance with hazardous materials regulations that do not apply to household goods carriers.

The "text" of the commission's consumer brochure in WAC 480-15-620 is replaced with a description of the brochure's contents.

Estimate requirements in WAC 480-15-560 are revised to reduce the record retention period for estimates and to add disclosure language to the estimate form regarding rates used on supplemental estimates.

Supplemental estimate requirements in WAC 480-15-660 are revised to clarify when a company must provide a supplemental estimate to a customer and the rate that may be used on the supplemental estimate.

Information required on the bill of lading in WAC 480-15-740 is revised to allow companies alternative ways of recording the details about each worker's time on the job.

5 REFERENCE TO AFFECTED RULES: This order repeals, amends, and adopts the following sections of the Washington Administrative Code: The order repeals WAC 480-15-030 Waiver of rules.

The order amends WAC 480-15-010 Purpose and application, 480-15-020 Definitions, 480-15-260 Are there exceptions to the application process? (amended title: Exceptions to the application process.), 480-15-490 Tariff and rates, general, 480-15-560 Equipment safety requirements, 480-15-570 Driver safety requirements, 480-15-620 What information must I provide to each shipper? (amended title: Information household goods carriers must provide to customers.), 480-15-650 Form of estimates, 480-15-660 Supplemental estimates, and 480-15-740 What information must I include on a bill of lading? (amended title: Information required on a bill of lading.).

The order adopts WAC 480-15-035 Exemptions from rules.

6 PREPROPOSAL STATEMENT OF INQUIRY AND ACTIONS THEREUNDER: The commission filed a preproposal statement of inquiry (CR-101) on October 28, 1999, at WSR 99-22-039. The preproposal statement of inquiry advised interested persons that the commission was gathering information regarding the effect of existing rules on household goods moving companies and their customers to determine if it was appropriate to enter a rule making to consider changes, additions, or deletions to the rules.

7 ADDITIONAL NOTICE AND ACTIVITY PURSUANT TO PREPROPOSAL STATEMENT: The commission informed persons of the inquiry into this matter by providing notice of the subject and the CR-101 to all persons on the commission's list of persons requesting such information pursuant to RCW 34.05.320(3) and by sending notice to all affected companies and other persons involved in the commission's prior rule making on this subject. The commission accepted written comments regarding the CR-101 through November 29, 1999.

8 Pursuant to the notice, the commission staff and stakeholders participated in a stakeholder's workshop on December 9, 1999, to discuss written comments received, to gather additional comments, and to discuss solutions. Representatives of the household goods moving industry, self-storage industry, independent movers, and Office of State Procurement attended the workshop. Workshop participants and staff reached agreement on the following issues: Exemptions from rules, exceptions to the application process, equipment and safety requirements, driver safety requirements, the form of estimates, and information on bills of lading.

9 Following the workshop, stakeholders filed additional written comments confirming agreement on issues discussed at the workshop and identifying unresolved issues, specifically the rate band and the exclusion of the transportation of customer packed and sealed self-storage containers from the definition of household goods. Staff continued to hold informal discussions with interested persons to resolve outstand-

ing issues. Comments and suggestions were incorporated into a discussion draft of rules.

10 On March 10, 2000, the commission mailed to stakeholders a copy of the discussion draft rules, and a notice of opportunity to file comments. The commission received comments through March 24, 2000. Washington Movers Conference, Door-to-Door Storage, Inc., Shurgard Storage To Go, Inc., and Public Storage Pickup and Delivery, L.P. filed comments regarding the definition of household goods. As a result of those comments the term "public storage" was changed to "self-storage" in the definition of household goods and language was added to the motor vehicle definition stating self-storage container is not a motor vehicle.

11 **NOTICE OF PROPOSED RULE MAKING:** The commission filed a notice of proposed rule making (CR-102) on April 18, 2000, at WSR 00-09-079. The commission scheduled this matter for oral comment and adoption under Notice No. WSR 00-09-079 at 9:30 a.m., Wednesday, May 24, 2000, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA. The notice provided interested persons the opportunity to submit written comments to the commission.

12 **COMMENTERS (WRITTEN COMMENTS):** The commission received written comments from Brian McCulloch expressing opinions and concerns about the rules, issues of law, and regulation in general. The commission received comments from Shelby Gilje in the form of a consumer column in the Seattle-Times. Ms. Gilje suggested that the commission establish a standard estimate format so that moving customers would be able to compare information received from different companies. She also suggested that the estimate form should include the date the estimate is given, and provide additional information about valuation protection options available to customers.

13 **RULE-MAKING HEARING:** The rule proposal was considered for adoption, pursuant to the notice, at a rule-making hearing scheduled during the commission's regularly scheduled open public meeting on May 24, 2000, before Chairwoman Marilyn Showalter and Commissioner Richard Hemstad. The commission heard oral comments from Bonnie L. Allen and Paul Curl, representing commission staff; David Wiley, representing Door-to-Door Storage, Inc., and Shurgard Storage To Go, Inc.; Brian McCulloch, individual; and Deborah Chackos, representing General Administration, Office of State Procurement.

14 **SUGGESTIONS FOR CHANGE THAT HAVE NOT BEEN INCORPORATED INTO THE ADOPTED RULES:** Mr. McCulloch expressed his concern that the proposed rules perpetuate a system of regulation that he believes is not necessary. He asked the commission to reject the proposed rules, and suggested that the commission stop regulating household goods carriers and seek legislative change instead. Mr. McCulloch stated that he was opposed to the rule changes because he wanted to have things get as bad as possible to enlighten the legislature and support legislative change to eliminate regulation. Mr. McCulloch did not recommend changes to the proposed rules. The commission decided to continue with the rule making because it cannot discontinue regulation if the existing laws require it. The commission did not agree that

rejecting or revising the proposed rules to make things worse was an appropriate action to take, and adopted the changes to improve its ability to regulate the household goods moving industry.

15 Ms. Gilje suggested that we establish a standard estimate format in the rules. The commission agrees that a standard format for estimates should be adopted, but believes such a change belongs in the household goods tariff and not in the rules. A standard bill of lading format, rates, charges, and valuation options are all established in the household goods tariff published by the commission. Establishing a uniform estimate format in the tariff would be consistent with current practice, and allow more flexibility in amending the format if necessary to react quickly to consumer protection needs. The commission will consider adopting a standard estimate format in the household goods carrier tariff when it considers the other tariff revisions that must be incorporated as a result of this rule adoption.

16 **COMMISSION ACTION:** After considering all of the information regarding this proposal, the commission repealed, amended, and adopted the proposed rules, with the changes described below.

17 **CHANGES FROM PROPOSAL:** The commission adopted the proposal with the following changes from the text noticed at WSR 00-09-079:

- The term "may not" has been added to the definitions.
- The term "shipper" has been changed to "customer."
- When referring to the commission, the personal pronoun "we" has been changed to "the commission."
- When referring to the household goods carrier, the personal pronoun "I" has been changed to "household goods carrier."
- Titles of rules that were stated in the form of a question have been changed to a statement.
- The household goods tariff is named as the starting point for calculating the maximum rate in the rate band.

The commission also adopts minor typographical changes.

18 The changes from the proposal reflect minor revisions of terms and other editorial revisions that clarify and enhance understanding and do not change the meaning of any rule. The effect of the rules remains unchanged from the language originally noticed in the CR-102 at WSR 00-09-079.

19 **STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE:** In reviewing the entire record, the commission determines that WAC 480-15-030 should be repealed, 480-15-010, 480-15-020, 480-15-260, 480-15-490, 480-15-560, 480-15-570, 480-15-620, 480-15-650, 480-15-660 and 480-15-740 should be amended, and WAC 480-15-035 should be adopted to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380(2) on the thirty-first day after filing with the code reviser.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 10, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

ORDER

THE COMMISSION ORDERS:

20 WAC 480-15-030 is repealed; WAC 480-15-010, 480-15-020, 480-15-260, 480-15-490, 480-15-560, 480-15-570, 480-15-620, 480-15-650, 480-15-660 and 480-15-740 are amended; and WAC 480-15-035 is adopted as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect on the thirty-first day after the date of filing with the code reviser pursuant to RCW 34.05.380(2).

21 This order and the rule set out below, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapters 80.01 and 34.05 RCW and chapter 1-21 WAC.

22 The commission adopts the commission staff memorandum, presented when the commission considered filing a preproposal statement of inquiry, when it considered filing the formal notice of proposed rule making, and when it considered adoption of this proposal, in conjunction with the text of this order, as its concise explanatory statement of the reasons for adoption and for rejection of proposed changes, as required by RCW 34.05.025.

DATED at Olympia, Washington, this 26th day of June, 2000.

Washington Utilities and Transportation Commission
Marilyn Showalter, Chairwoman
Richard Hemstad, Commissioner

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-010 Purpose and application. (1) The legislature has declared that operating as a motor carrier of freight, including household goods, for compensation over the highways of this state is a business affected with a public interest and should be regulated. The purpose of these rules is to carry out the policies set forth in RCW 81.80.020 as they apply to household goods carriers, by establishing standards for public safety, fair competitive practices, just and reasonable charges, nondiscriminatory application of rates, adequate and dependable service, consumer protection, and compliance with statutes, rules and commission orders.

(2) This chapter applies to all intrastate household goods carriers.

(3) Nothing in this chapter relieves any household goods carrier from its duties and obligations under the laws of the state of Washington including, but not limited to, public utility, labor, employment, and other taxes, and business and vehicle licensing requirements.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-020 Definitions. For the purpose of this chapter, the words, terms, and phrases in this section have the following meaning:

((+)) "**Accessorial services**" means any services provided by a household goods carrier that supplement, or are secondary to, the transportation of household goods, including, but not limited to, packing and unpacking, wrapping or protecting a portion of the shipment, and providing special handling of household goods.

((2)) "**Agent**" means a permitted carrier, who, under the provisions of a formal written agreement, performs services on behalf of another permitted carrier.

((3)) "**Application docket**" means a commission publication listing applications requesting operating authority, and commission action taken on applications for temporary authority.

((4)) "**Authority**" means the rights granted to a common carrier to transport household goods.

((5)) "**Cancellation**" means an act by the commission to terminate a household goods carrier's authority.

((6)) "**Commission**" means the Washington utilities and transportation commission.

((7)) "**Common carrier**" means any person who undertakes to transport property, including household goods, for the general public by motor vehicle, for compensation over the public highways. This term also includes transportation under special and individual contracts or agreements.

((8)) "**Constructive weight**" means a weight based on a formula of seven pounds per cubic foot of properly loaded van space occupied by the ((shipper's)) customer's goods.

((9)) "**Consumer**" means a person or entity that hires a household goods carrier.

((10)) "**Customer**" means a person or entity that hires a household goods carrier.

((11)) "**Exempt carrier**" means any person operating a motor vehicle exempt from certain provisions of Title 81 RCW pursuant to RCW 81.80.040.

((12)) "**Filing**" means any application, petition, tariff proposal, annual report, comment, complaint, pleading, or other document submitted to the commission.

((13)) "**Household goods carrier**" means a common carrier transporting household goods within the state of Washington.

((14)) "**Household goods**" when the term is used in connection with transportation, means personal effects and property used or to be used in a residence when it is a part of the equipment or supply of such residence, and is transported between residences or between a residence and a storage facility, with the intent to later transport to a residence. This

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term excludes transportation of customer packed and sealed self-storage ((type)) containers that are delivered to and from a self-storage facility, when that transportation is provided in conjunction with a self-storage agreement executed in good faith, and when no accessorial services are provided by a motor carrier in connection with the storage or the transportation of the container.

((15)) "I" means a household goods carrier or ((shipper)) customer, depending upon the context of the rule.

((16)) "Loaded weight" means the weight of a motor vehicle obtained when:

((a)) • The ((shipper's)) customer's goods are loaded into the vehicle;

((b)) • The vehicle's fuel tank is full;

((c)) • All pads, chains, dollies, hand trucks, and other equipment needed in the transportation of the shipment are on board the vehicle;

((d)) • The vehicle's crew is not on board the vehicle.

((17)) "Local move" means all moves taking place within the limits of a city or town or moves specifically defined as local in the commission tariff.

((18)) "Long distance move" means any move not meeting the definition of a local move.

((19)) "May" means an option. You may do something but it is not a requirement.

"May not" means to prohibit from doing something.

((20)) "Motor carrier" means "common carrier," "exempt carrier," and "private carrier," as defined in this chapter.

((21)) "Motor vehicle" means any vehicle, machine, tractor, trailer, or semi-trailer, propelled or drawn by mechanical power, or any combination of such vehicles, used upon the highways in the transportation of property, including household goods. A motor vehicle is not a self-storage container.

((22)) "Must" means a legal obligation. You are required to do something.

((23)) "Net weight" means the weight of the goods shipped by the consumer. It is determined by subtracting the tare weight of a motor vehicle from the loaded weight.

((24)) "Permit" means a document issued by the commission describing the authority granted to a household goods carrier under the provisions of chapter 81.80 RCW, as amended. A permit may be temporary or permanent in duration, and may allow a household goods carrier to transport household goods throughout the state of Washington or limit the household goods carrier to transportation of household goods in designated areas of the state.

((25)) "Person" includes any individual, firm, corporation, company, or partnership.

((26)) "Private carrier" means persons who transport their own household goods, household goods being bought or sold by them in good faith, or transport household goods purely as an incidental adjunct to some established business owned or operated in good faith.

((27)) "Registered carriers" means motor carriers operating in interstate or foreign commerce under authority

issued by the Interstate Commerce Commission, the U.S. Department of Transportation, or a successor agency.

((28)) "Registered exempt carriers" means motor carriers operating in interstate or foreign commerce under the exemptions of the Federal Motor Carrier Act without interstate authority issued by the Interstate Commerce Commission, the U.S. Department of Transportation, or a successor agency.

((29)) "Shipper" means a person or entity that hires a household goods carrier.

((30)) "Small business" means any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees.

((31)) "State" means the state of Washington.

((32)) "Suspension" means an act by the commission to temporarily withhold a household goods carrier's authority.

((33)) "Tare weight" means the weight of an empty motor vehicle obtained when:

((a)) • The vehicle's fuel tank is full;

((b)) • All pads, chains, dollies, hand trucks, and other equipment needed in the transportation of the shipment are on board the vehicle; and

((c)) • The crew is not on board the vehicle.

((34)) "Tariff" means a publication containing the rates and charges that must be assessed on shipments of household goods and the rules that govern how rates and charges are assessed.

((35)) "Transportation of household goods" means the for hire movement of household goods by motor vehicle over the public highways of the state. This includes providing estimates, arranging for receipt, delivery, storage in transit, handling, and providing any accessorial services in connection with that movement.

((36)) "Us" means the Washington utilities and transportation commission.

((37)) "We" means the Washington utilities and transportation commission.

((38)) "You" means a household goods carrier, ((shipper)) customer, insurance company, or other person or entity, depending on the context of the rule.

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WAC 480-15-035 Exemptions from rules. (1) The commission may grant an exemption of any rule in this chapter when doing so is consistent with the public interest, the purposes underlying regulation, and applicable statutes.

(2) To request a rule exemption, a company must file with the commission a written request identifying the rule for which an exemption is sought and giving a full explanation of the reason the exemption is requested.

(3) The commission will assign the request a docket number, if needed, and schedule the request for consideration at one of its regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an adjudication. The commission will notify the company requesting the exemp-

tion, and other interested persons, of the date the commission will consider the request.

(4) The commission will issue an order granting or denying the request or setting it for hearing, pursuant to chapter 480-09 WAC.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-260 ~~((Are there))~~ Exceptions to the application process~~((?))~~. ~~((We))~~ (1) The commission will grant an application for permanent authority without temporary permit operations, public notice, or comment if~~((:~~

~~((:)))~~ the applicant is fit, willing, and able to provide service~~((:))~~, and

~~((2)))~~ the application is filed to transfer or acquire control of permanent authority for the following reasons:

(a) A partnership has dissolved due to the death, bankruptcy, or withdrawal of a partner, and that partner's interest is being transferred to a spouse, or to one or more remaining partners ~~((or a spouse))~~;

(b) A shareholder in a corporation has died and that shareholder's interest is being transferred to a surviving spouse or one or more surviving shareholders;

(c) A sole proprietor has died and the interest is being transferred as property of the estate;

(d) An individual has incorporated, and the same individual remains the majority shareholder;

(e) An individual has added a partner, but the same individual remains the majority partner;

(f) A corporation has dissolved and the interest is being transferred to the majority shareholder;

(g) A partnership has dissolved and the interest is being transferred to the majority partner;

(h) A partnership has incorporated, and the partners are the majority shareholders; or

(i) Ownership is being transferred from one corporation to another corporation when both are wholly owned by the same shareholders.

(2) The commission will grant an application for permanent authority without temporary permit operations, after the application has been published on the application docket subject to comment for thirty days, if the applicant is fit, willing, and able to provide service and the application is filed to transfer or acquire control of permanent authority for the following reasons:

Ownership or control of a permit is being transferred to any shareholder, partner, family member, employee, or other person familiar with the company's operations and the household goods moving services provided; and

(a) The permit has been actively used by the current owner to provide household goods moving services during the twelve-month period prior to the application; and

(b) The application includes a certified statement from the applicant and the current owner explaining why the transfer of ownership or control is necessary to ensure the company's economic viability; and

(c) The application includes a certified statement from the applicant and the current owner describing the steps taken

by the parties to ensure that safe operations and continuity of service to customers is maintained.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-490 Tariff and rates, general. (1) What is a tariff? A tariff is a publication containing the rates and charges that household goods carriers must assess on shipments of household goods, including rules that govern how rates and charges are assessed.

(2) How are tariff rates and charges established?

(a) Pursuant to RCW 81.80.130 and 81.80.150, the commission publishes tariffs to be used by all household goods carriers, or allows household goods carriers to file individual tariffs if the commission finds it is impractical to publish tariffs for certain commodities or services. The commission determines the rates and charges contained in the tariffs by commission order following notice and hearing. Under RCW 81.80.130, the commission must set fair, just, reasonable, and sufficient rates and charges. ~~((We))~~ The commission will do this by setting minimum and maximum rates.

(b) Upon the effective date of these rules, and continuing until such time as the commission, after notice and hearing, determines a different rate level, household goods carriers ~~((may charge no more than fifteen percent above the current tariff rates and charges and no less than thirty five percent below the current tariff rates and charges contained in the commission's household goods tariff on the effective date of these rules))~~ must assess rates and charges within a band.

(i) The maximum rates and charges must be no more than twenty percent above the rates and charges as published by the commission in Tariff 15A in effect on February 1, 2000.

(ii) The maximum rates and charges established in (b)(i) of this subsection will be adjusted each June 1, through 2005, by an index calculated using the first-quarter Implicit Price Deflator (IPD) of the Gross Domestic Product as follows:

$$\text{Index for Current Year} = \frac{\text{IPD for Previous Year First Quarter}}{\text{IPD for Current Year First Quarter}}$$

Example: Using the following data:

<u>IPD for Previous Year First Quarter</u>	<u>102.35</u>
<u>IPD for Current Year First Quarter</u>	<u>103.83</u>

Index for Current Year is calculated as follows:

<u>IPD for Current Year First Quarter</u>	<u>103.83</u>
<u>Divided by IPD for Previous Year First Quarter</u>	<u>102.35</u>
<u>Equals Index for Current Year</u>	<u>= 1.0145</u>

Maximum Rate or Charge is calculated as follows:

<u>Maximum Rate for Previous Year</u>	<u>\$ 100.00</u>
<u>Multiplied by Index for Current Year</u>	<u>x 1.0145</u>
<u>Equals the Maximum Rate for Current Year</u>	<u>= \$ 101.45</u>

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Round the maximum rate to the next \$.01, with \$.005 and greater rounded up and less than \$.005 rounded down. Mileage rates are rounded to the next \$.0001.

(iii) The minimum rate or charge is fixed at no less than forty percent below the maximum rate or charge established in (b)(i) of this subsection.

(3) **Who must have tariffs?** Each person holding household goods permit authority must purchase and display at least one copy of the current tariff, and pay applicable tariff maintenance fees. Any interested person may purchase a copy by paying the applicable fees in advance.

(4) **Where must ~~(f)~~ a household goods carrier display ~~(my)~~ its tariffs?** ~~(You)~~ A household goods carrier must display a current copy of the tariff in ~~(your)~~ its main office and in each billing office.

(5) **Who must charge rates contained in the tariff?** All household goods carriers must charge the rates and charges, and comply with the rules contained, in the tariff unless ~~(we have)~~ the commission has approved, in writing, deviations from the tariff.

(6) **Is the tariff the only publication ~~(I need)~~ a household goods carrier needs to use to determine rates?** ~~(We)~~ The commission may adopt other publications that will be used to assess rates. If we do, we will notify tariff subscribers of the change.

(7) **Where may the public view tariffs?** Tariffs are public documents and you must make them available for the public by posting copies at your main office and any billing office. Tariffs are also available for review at our headquarters office.

(8) **How much does a tariff cost?** The cost of tariffs may change periodically depending on our costs for compiling, printing, distributing, and maintaining them. To find out the current cost, you may contact the commission as described in WAC 480-15-060.

(9) **Are copies of current or expired tariff pages available?** ~~(We)~~ The commission will supply you with current or expired single tariff pages upon request. Copies of entire expired tariffs, or entire tariffs applicable on a specific date in the past, generally are not available.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-560 Equipment safety requirements.

(1) **What is the commission's equipment safety policy?** All motor vehicles operated under the provisions of this chapter must be at all times:

- (a) Maintained in a safe and sanitary condition;
- (b) Free of defects likely to result in an accident or breakdown; and
- (c) Made available for inspection by commission representatives.

All motor vehicles having safety defects likely to result in an accident or breakdown will be placed out-of-service and taken off the road until such time as all out-of-service defects have been repaired and the motor vehicle is safe to operate.

(2) **How does the commission enforce this policy?**

Commission representatives conduct inspections of motor vehicles and safety operations. These representatives may place out-of-service any motor vehicle having a defect defined in the *North American Uniform Out-Of-Service Criteria*. No motor vehicle which has been placed out-of-service may be operated until all out-of-service defects are repaired and the motor vehicle is safe to operate.

(3) **How must ~~(f)~~ a household goods carrier identify ~~(my)~~ its motor vehicles?** ~~(You)~~ A household goods carrier must display ~~(your)~~ its permit name and number, as registered with the commission, on both the driver and passenger doors of all power units.

- (a) All markings on the power unit must be:
 - (i) Clearly legible;
 - (ii) No less than three inches high;
 - (iii) In a color that contrasts with the background color;

and

- (iv) Permanent. *Exception:* You may use temporary markings on vehicles you are operating under lease.

(b) If you have both intrastate and interstate authority, you must display either your commission permit number, federal permit number, or both, on the power unit.

(4) **What vehicle safety laws and rules must ~~(f)~~ a household goods carrier follow?**

- (a) You must comply with:
 - (i) All state and local motor vehicle safety laws and rules including, but not limited to, those contained in this chapter;
 - (ii) The following parts of Title 49 of the Code of Federal Regulations (49 CFR), as adopted by reference in this chapter:

(A) 49 CFR Part 390: Safety Regulations, General; except:

(I) The terms "exempt motor carrier," "motor carrier," "motor vehicle," and "private carrier" have the meanings assigned to them in this chapter;

(II) The term "commercial motor vehicle" means any motor vehicle used by a household goods carrier to transport household goods, if either the vehicle has a gross vehicle weight rating or gross combination weight rating of ten thousand one pounds or more; or if the gross vehicle weight or gross combination weight is ten thousand one pounds or more;

(III) Whenever the term "director" is used, it shall mean the commission.

- (B) 49 CFR Part 392: Driving of Motor Vehicles;
- (C) 49 CFR Part 393: Parts and Accessories Necessary for Safe Operation; and
- (D) 49 CFR Part 396: Inspection, Repair, and Maintenance ~~(; and~~
- ~~(E) 49 CFR Part 397: Transportation of Hazardous Materials; Driving and Parking Rules).~~

(b) If you fail to comply with these laws and rules, ~~(we)~~ the commission may issue a citation to you, place your vehicle out-of-service, and/or initiate an administrative proceeding against you. See WAC 480-15-130(3).

(5) ~~(Am I)~~ **Are household goods carriers required to equip ~~(my)~~ their motor vehicles with anti-spray devices (mud flaps)?**

(a) Yes, all motor vehicles must be equipped with mud flaps which effectively reduce the spray or splash of water from the road.

(b) Mud flaps must be as wide as the tires on which they are mounted, and must extend from the top of the tires down to at least the center of the axle.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-570 Driver safety requirements. (1) **What ((is)) are the commission's ((policy for)) driver safety requirements?** No household goods carrier shall employ or allow any driver to operate a motor vehicle who fails to meet minimum criteria related to:

- (a) Driver's licensing;
- (b) Background and character;
- (c) Physical qualifications;
- (d) Hours of service; and
- (e) Controlled substances and alcohol use testing.

(2) **How does the commission enforce those requirements?** Commission representatives inspect driver and company safety records and documents to determine compliance with these rules. Additionally, the representatives may contact drivers during the course of investigations, inspections, or other routine commission business. The representatives may order out-of-service any driver meeting the conditions defined in the *North American Uniform Out-Of-Service Criteria*. No driver who has been placed out-of-service may operate a commercial motor vehicle until all conditions which caused the driver to be placed out-of-service are corrected.

(3) **(((With which)) Driver qualification ((laws and regulations must I comply?)) requirements.**

(a) You must comply with:

- (i) All state and local laws and rules governing driver safety, including, but not limited to, the rules in this chapter;
- (ii) The following parts of Title 49 of the Code of Federal Regulations (49 CFR), as adopted by reference in this chapter:

(A) 49 CFR Part 390: Safety Regulations, General; except:

(I) The terms "exempt motor carrier," "motor carrier," "motor vehicle," and "private carrier" have the meanings assigned to them in this chapter;

(II) The term "commercial motor vehicle" means any motor vehicle used by a household goods carrier to transport household goods, if either the vehicle has a gross vehicle weight rating or gross combination weight rating of ten thousand one pounds or more; or if the gross vehicle weight or gross combination weight is ten thousand one pounds or more;

(III) Whenever the term "director" is used, it shall mean the commission.

(B) 49 CFR Part 382: Controlled Substance and Alcohol Use and Testing;

(C) 49 CFR Part 383: Commercial Driver's License Standards; Requirements and Penalties;

(D) 49 CFR Part 391: Qualification of Drivers; and

(E) 49 CFR Part 395: Hours of Service of Drivers.

(b) If you, or your driver, fail to comply with any driver safety law or rule, we may issue a citation to you or your driver, place your driver out-of-service, and/or initiate an administrative proceeding against you. See WAC 480-15-130(3).

(4) **(((Are there any)) Exceptions((?—Yes;)) to the requirements in this rule.** The following exceptions apply:

(a) If your operations are exclusively in intrastate commerce, you are not subject to the following provisions:

(i) 49 CFR Part 391.11 (b)(1): Minimum age requirements. The minimum age for drivers of motor carriers operating solely intrastate is eighteen years of age rather than the twenty-one years of age required to operate in interstate commerce.

(ii) 49 CFR Part 391.49: Waiver of certain physical defects. This part does not apply if the driver has obtained from the Washington department of licensing a driver's license with endorsements and/or restrictions allowing operation of the motor vehicle they are driving.

(b) If you are a single vehicle owner-operator and your operations are solely intrastate, you are not subject to the following provisions:

(i) 49 CFR Part 391.21: Application for Employment;

(ii) 49 CFR Part 391.23: Investigation and Inquiries;

(iii) 49 CFR Part 391.25: Annual Review of Driving Record;

(iv) 49 CFR Part 391.27: Record of Violations;

(v) 49 CFR Part 391.31: Road Test; and

(vi) 49 CFR Part 391.33: Equivalent of Road Test.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-620 ((What)) Information household goods carriers must ((I)) provide to ((each shipper?)) customers. (1) You must give each ((shipper)) customer a copy of the commission brochure, *"Your Rights and Responsibilities as a Moving Company Customer"*:

(a) At the time you issue a written nonbinding estimate;

(b) At the time you issue a written binding estimate;

(c) If you issue neither a written estimate or a written nonbinding estimate, prior to loading the shipment; or

(d) Upon request, by the ((shipper)) customer.

(2) The brochure is available from the commission and contains (((the text shown below))) consumer information about selecting a moving company, estimates, rates and tariff charges, payment terms, change orders, supplemental estimates, preparing articles for shipment, valuation protection for loss and damage of goods, expedited service, small shipments, temporary storage, bill of lading contracts, loss and damage claims, informal complaints, and formal complaints. The commission may (((choose to: Add information, present information in a different format than shown below, or))) also present information in different formats for various media (printed materials, on-line materials, fact sheets, brochures, etc.).

~~((YOUR RIGHTS AND RESPONSIBILITIES
AS A MOVING COMPANY CUSTOMER~~

~~**Important information:** As a shipper of household goods in the state of Washington, the Washington utilities and transportation commission requires that your mover provide you with the following important information. Please take the time necessary to read it thoroughly.~~

~~**Make sure you know the full name, address and phone number of the mover:** Some movers perform the transportation themselves. Others act as agents for other movers who do the actual hauling. In other instances, the transportation is arranged by brokers. You should be sure to obtain the complete and correct name, business address, and telephone number of the mover who is to transport your shipment, and keep that mover informed as to how and where you may be reached at all times until the shipment is delivered.~~

~~**1. Estimates.** Your mover will provide you with a written estimate if you request one. Commission rules require that all estimates must be written — oral or telephone estimates are not permitted.~~

~~**A. The accuracy of the estimate you receive depends upon cooperation between you, as the shipper, and the mover.** The mover cannot provide an accurate estimate unless you provide the mover with sufficient information upon which to base the estimate. This includes, but is not limited to:~~

- ~~• Accurately describing all articles to be included in the shipment: This requires you to carefully consider what articles, if any, you will pack or transport yourself. Be realistic in this assessment. Many shippers believe they will be able to pack most of their own goods, only to find that when moving day arrives they have been unable to attend to all of the items they were going to pack, sell, give away, or ship themselves.~~
- ~~• Accurately describing any problems the household goods mover may encounter at the pickup point: Are there large pieces of furniture that were moved into your current residence with a hoist, or that had to be disassembled before they could be moved into the residence?~~
- ~~• Accurately describing special services you wish to be performed during your move: For example: Picking up part of the load from another residence or storage facility, or disconnecting appliances.~~

- ~~• Accurately describing conditions at the delivery point: Will delivery involve the use of stairs, elevators, or hoisting goods using special equipment? Are there narrow roads, streets or alleys that will require the mover to transfer the shipment to smaller trucks to accomplish delivery? Are there ordinances or covenants that limit parking to unload or that restrict the hours of the day during which delivery may be done? Is there a narrow driveway that will hamper unloading?~~

~~**B. Supplemental estimates.** The mover must provide to you an additional (supplemental) estimate if there are additional items and services to be performed which were not covered by the original estimate. For example: Services and items you may have intended to take care of yourself but were unable to accomplish. Before the mover performs the additional services, those services must be listed on a supplemental estimate and you must, by signature, accept the supplemental estimate.~~

~~**C. Types of estimates:**~~

~~**1. Binding estimates of total cost.** Binding estimates are provided at the option of the mover. Some movers may not offer binding estimates. When you receive a binding estimate, you cannot be required to pay any more than the amount shown in the binding estimate. However, if you request the mover to provide more or different services than those included on the estimate, the mover must provide you with a supplemental estimate. You will then be expected to pay the total of the original binding estimate, plus the amount shown on the supplemental estimate, at the time of delivery.~~

~~If you agree to a binding estimate, you are responsible for paying the total charges due. If you are unable to pay at the time the shipment is delivered, the mover may place your shipment in storage, at your expense, until the charges are paid.~~

~~**2. Nonbinding estimates of approximate costs.** A nonbinding estimate is not a bid or a contract. It is provided by the mover to give you a general idea of the cost of the move, but does not bind the mover to the estimated cost. It does not guarantee that the final cost of your move will be the same amount as the estimate.~~

~~You must pay the transportation and other charges computed in accordance with the tariff published by the Washington utilities and transportation commission. However, in no instance will you be required to pay more than:~~

- ~~(a) On hourly-rated shipments:

 - ~~(i) One hundred twenty-five percent of the amount of the estimate (and any supplemental estimates) for your move; and~~
 - ~~(ii) One hundred fifteen percent of the amount of the estimate (and any supplemental estimates) for accessorial services provided during your move.~~~~
- ~~(b) On distance-rated shipments: One hundred fifteen percent of the amount of the estimate (and any supplemental estimates) for your move.~~

If the charges at the destination exceed the amount of the original estimate plus any supplemental estimate, the mover must, at your request, deliver the shipment to you upon payment of one hundred ten percent of the estimate. The mover will defer payment of the balance of the amount due for thirty days.

3. Paying for your move. Most carriers insist that you pay in cash, by money order, or by certified check. However, you may arrange in advance for the carrier to extend you credit. If the carrier will accept payment by credit card or personal check, be sure this arrangement is noted on the agreement. If a carrier accepts credit arrangements at the beginning of your move, the carrier must accept the same credit arrangements for the final bill.

4. Tariffs. The tariff is published by the commission. It contains rates, charges, and rules governing the transportation of household goods. The tariff is available for public inspection at the mover's office. The tariff includes special provisions governing shipments to be picked up or delivered at more than one place, overtime charges, packing and marking, furnishing of boxes, and carrying goods up and down steps.

5. Preparing articles for shipment. Some articles, such as large appliances and stereo sets, may require special servicing to prepare them for being moved, such as disconnection. If the mover provides these services there may be an extra charge. If you wish to avoid extra per-hour charges, you should consider taking down drapes, blinds, mirrors, and any other articles attached to the walls.

Movers are not responsible for articles of extraordinary value. You should never pack the following items with your other belongings:

- jewelry
- money
- valuable papers
- valuable collections
- coins
- inflammables
- dangerous articles

6. Valuation protection for loss and damage. All movers are required to assume liability for the value of the goods which they transport. However, there are different levels of valuation protection, and consumers should be aware of the amount of protection provided and the charges for each option.

The dollar amount of responsibility your mover assumes for loss or damage to your household articles is up to you. You choose the dollar amount. What the mover is or is not responsible for is printed on the mover's standard bill of lading. Ask your mover for a sample bill of lading and read it before you move.

Most movers offer four different levels of liability. Generally, your choices are:

Option 1: Basic value protection.

This is the most economical protection option available. This option provides minimal protection at no additional cost, but may be inadequate in case of a major or total loss (as in the

ease of the moving truck being involved in an accident). Under this option, the mover assumes liability for only sixty cents per pound per article. Loss or damage claims are settled based on the pound weight of the article multiplied by sixty cents. For example: If a ten-pound stereo, valued at one thousand dollars were lost or destroyed, the mover would be liable for six dollars. You should think carefully before selecting this level of protection. There is no charge for this minimal protection, but you must sign a specific statement on the bill of lading agreeing to it.

Option 2: Depreciated value protection.

Under this option, the valuation of your shipment is based on the total weight of the shipment times two dollars per pound. For example, a four thousand-pound shipment would have a maximum liability of eight thousand dollars. Any loss or damage claim under this option is settled based on the depreciated value of the lost or damaged item(s) up to the maximum liability value based on the weight of the entire shipment. Under this option, if you shipped a ten-pound stereo that originally cost one thousand dollars, the mover would be liable for up to one thousand dollars, based on the depreciated value of the item. There is a charge for this type of protection.

Option 3: Replacement cost coverage, with a deductible, and

Option 4: Replacement cost coverage, with no deductible.

Coverage under these plans is also referred to as "full value protection" or "full replacement value." If you choose to purchase full value protection, articles that are lost, damaged or destroyed will either be repaired, replaced with like items, or a cash settlement will be made for the current market replacement value regardless of the age of the lost or damaged item. Unlike the other options, depreciation of the lost or damaged item is not a factor in determining replacement value. The prices for these types of coverage are set in the tariff and are based on a charge per one hundred dollars of declared value. Declared value is the amount which you, the shipper, state in writing on the bill of lading. It must be equal to or exceed the figure determined by multiplying the weight of your shipment times three dollars and fifty cents. For example: If your shipment weighs five thousand pounds, the minimum declared value upon which you will be required to pay valuation charges must be at least seventeen thousand five hundred dollars.

Normally, replacement cost protection will not apply to antiques, fine art, paintings, statuary or other similar articles which, by their inherent nature, cannot be replaced with new articles. Shippers should arrange for third party insurance on these items.

Replacement cost protection does not normally cover memorabilia, souvenirs and collector's items, or other articles when the age of the item or its history contribute substantially to the value of the article. The valuation for these articles reverts to the depreciated or fair market value basis.

7. Weights. For distance-rated moves, the transportation charge you will be assessed depends on the weight of the goods you ship. To determine the net weight of your shipment, the mover weighs the empty vehicle then reweighs it after loading your goods into the truck. If you request it, the mover will:

- Notify you of the weight and charges as soon as the net weight of your shipment is established.
- Reweigh the shipment before delivery, if it is practical to do so. You are responsible for the cost of reweighing the shipment. The charges that apply in the tariff.

8. Expedited service. Movers must offer reasonable dispatch, but do not have to make delivery at any definite time. However, at your request, a shipment will be delivered on or before the date specified. You may have to pay an extra charge for delivery by a specified date.

9. Small shipments. The minimum weight for shipments in distance moves is five hundred pounds. If your shipment weighs less than five hundred pounds, you should consider using other means of transportation (a freight carrier, small package carrier, etc.) even if you have to pay for crating and packing. Movers frequently find it difficult to deliver small shipments in a reasonable time.

10. Temporary storage. You may ask the mover to place your goods in temporary storage for a period not to exceed one hundred eighty days. You will be charged an additional amount for this service. If you do not remove the shipment from temporary storage within one hundred eighty days, then the shipment will revert to permanent storage and the mover ceases to have responsibility as a mover. The mover's responsibility becomes that of a warehouseman and the commission has no further jurisdiction over the shipment.

11. Bill of lading contract. The bill of lading is a receipt for goods, and is also a contract between you and the mover. You should obtain a copy of this document before your shipment leaves the point of origin. It is your responsibility to read the bill of lading and understand it. If you do not understand something on the bill of lading, ask the mover to explain it to your satisfaction. You should sign the bill of lading before transportation begins, and sign it again as a receipt upon delivery of the goods at your destination.

The bill of lading is an important document. Do not lose or misplace your copy. Have it available until your shipment is delivered, all charges are paid, and all claims are settled.

12. Payment of charges—freight bill. Movers do not ordinarily deliver or relinquish possession of property until all tariff rates and charges have been paid in cash, by certified check, or by traveler's check. Some movers may accept bank cards or personal checks. You should clarify with the individual mover what forms of payment are acceptable, and be prepared to make payment for the move when the shipment is delivered.

13. Bills of lading on long distance moves. Because long distance moves are charged on the basis of weight and distance, your receipt for the charges should show:

- The gross (loaded) and tare (empty) weights of the vehicle;
- The net weight of your shipment (loaded weight minus empty weight);
- The mileage;
- The rate per one hundred pounds for the transportation;
- The cost for valuation protection; and
- Rates or charges for any accessorial services.

14. Bills of lading on local moves. Because local moves are charged on an hourly basis, the receipt should show:

- The time the vehicle left the mover's place of business, and the time of return to that place of business;
- The rate per hour;
- The cost for valuation protection; and
- Rates or charges for any accessorial services.

15. Loss and damage. In the event of loss or damage to your shipment, ask the driver to acknowledge the facts on the bill of lading. If the driver refuses, you should have a disinterested party inspect the damage in the driver's presence, and report it in writing to the mover.

16. Loss or damage claims. All claims for loss or damage must be filed with the mover in writing. Ask the mover for a claim form.

Claims must be filed within nine months from date of delivery. It is preferable to do so as soon as possible—while memories are fresh. While the commission can sometimes act informally to facilitate negotiation between parties, we cannot require you or the mover to settle claims for loss and damage. If the mover will not voluntarily settle a claim to your satisfaction, the recourses available to you are:

- Submitting the claim to arbitration or mediation through a third party (including services provided by a local government agency); or
- Filing suit in a court of law (depending upon the amount contested, you may be able to use small claims courts).

17. Complaints, other than loss and damage claims. If you have a complaint about your household goods move, you must first contact your mover and attempt to resolve the dispute. If you are unable to resolve the dispute with the mover, then you may file an informal complaint with the commission.

An **informal complaint** is an unresolved dispute between the shipper and the mover, brought to the attention of the commission staff by the shipper. The shipper is generally requesting assistance in resolving the complaint.

~~The complaint is handled informally by commission staff working directly with the carrier in an attempt to resolve the complaint without the need for a formal hearing process or legal arbitration. The conclusion (finding) of the informal complaint is not binding on the company or the shipper, but is included in a permanent file subject to public review.~~

~~You may file an informal complaint with the commission: In writing, in person, by telephone, by e-mail or by FAX. We do have forms available with which you may file an informal complaint, and will provide them to you upon request. No matter which method you choose to file, you must include at least the following information:~~

- ~~• Your name, current address and telephone number;~~
- ~~• The date of your move;~~
- ~~• The bill of lading number for your move;~~
- ~~• The name and address of the company who performed the move;~~
- ~~• The origin and destination cities of the move;~~
- ~~• The details of your dispute; and~~
- ~~• The resolution you seek.~~

~~It is also helpful to us in resolving your dispute if you attach a copy of the bill of lading and/or other documents related to the dispute.~~

~~You may file a **formal complaint** with the commission at any time. A formal complaint is a quasi-judicial proceeding, much like going to court. A formal complaint must state a situation in which the moving company is in violation or claimed to be in violation of a provision of law, order, or rule of the commission, or the provisions of the company's approved tariff. You are responsible for proving the violation occurred.))~~

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-650 Form of estimates. (1) **When must ((~~the~~) a household goods carrier provide a written estimate?** If a ((~~shipper~~)) customer requests an estimate, you must provide a written estimate only after you, or your representative, have visually inspected the goods to be shipped.

(2) **What must ((~~the~~) a household goods carrier include on a written estimate?** Your written estimate must include the following information:

- (a) The name, address and telephone number of the household goods carrier who will perform the service;
- (b) The name, company affiliation, title and telephone number of the person preparing the estimate;
- (c) The name of the ((~~shipper~~)) customer and the receiver of the goods;
- (d) The complete physical address of the origin, destination and any intermediate stops of the proposed movement;
- (e) The total mileage between the origin and destination, including any intermediate stops;
- (f) The ((~~applicable~~)) rates on which the estimated charges will be based;

(g) A list of the articles upon which the estimate is based (inventory);

(h) The estimated cubic footage for each article;

(i) The estimated total weight of the shipment, based upon a formula of not less than seven pounds per cubic foot (example: A box one foot by one foot by one foot = seven pounds);

(j) An itemized statement of all known accessorial services to be performed, articles supplied, and their charges;

(k) An estimate of the total charges, including transportation and accessorial charges;

(l) A printed statement on the first page of a nonbinding estimate, in contrasting lettering, and not less than eight-point bold or full-faced type, as follows:

IMPORTANT NOTICE

This nonbinding estimate covers only the articles and services listed. It is not a warranty or representation that the actual charges will not exceed the amount of the estimate. If you request additional services to complete the move or add articles to the inventory attached to this estimate, the household goods mover must prepare a supplemental estimate which will change the amount of the original estimate and may change the rate on which these new charges are based.

Household goods carriers are required by law to collect transportation and other incidental charges computed on the basis of rates shown in their lawfully published tariffs, except as provided below:

(1) A household goods carrier may not charge more than twenty-five percent more than its written nonbinding estimate for time charges for a local hourly rated move nor can the household goods carrier charge more than fifteen percent more than the written nonbinding estimate for accessorial and other services not related to time, unless the household goods carrier prepares and the shipper signs a supplemental estimate.

(2) A household goods carrier may not charge more than fifteen percent above your written nonbinding estimate for a long-distance-rated move, unless the household goods carrier prepares and the ((~~shipper~~)) customer signs a supplemental estimate.

(3) ((~~Am I required to have~~) **Must the ((~~shipper~~)) customer sign the estimate?** Yes, ((~~shippers~~)) customers must sign the written estimate.

(4) **How long must ((~~the~~) a household goods carrier keep written estimates?** You must keep a written estimate((s)) in your files for at least two years((~~including estimates you provided but for which you did not perform any services~~)) after you conduct the move.

(5) **What if ((~~I am~~) a household goods carrier is unable to provide a written estimate?** If a customer requests a written estimate and you refuse to provide one, you may not conduct that move by agreeing to meet or beat another company's estimate.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-660 Supplemental estimates. (1) **When must ((~~F~~) a household goods carrier prepare a written supplemental estimate?** You must provide a written supplemental estimate if you have given the ((~~shipper~~)) customer a written estimate and the circumstances surrounding the move change in any way to cause the rate for service or the estimated charges to increase.

(2) **What rates must ((~~F~~) a household goods carrier use to prepare a supplemental estimate?** ((~~You must use the same rates as you used in determining charges for the original estimate.~~)) When providing a supplemental estimate you must not apply a higher rate to the articles and services identified in the original estimate. You may choose to use a higher rate for new services or additional articles not included in the original estimate.

(3) **Must the ((~~shipper~~)) customer sign the supplemental estimate?** Yes, the ((~~shipper~~)) customer must sign the supplemental estimate or the additional work cannot be performed.

AMENDATORY SECTION (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

WAC 480-15-740 ((~~What~~) Information ((~~must I include~~)) required on a bill of lading((~~?~~)). You must list on the bill of lading all information necessary to determine tariff rates and charges. Any element that you use in determining transportation charges must be clearly shown on the bill of lading. This information includes, but is not limited to:

(1) The date the shipment was packed, loaded, transported, delivered, unloaded and unpacked;

(2) The number and size of each type of carton, crate, or container used in packing the ((~~shipper's~~)) customer's goods;

(3) The exact address at which the shipment, or any part of that shipment, was loaded or unloaded;

(4) The nature of any special services performed on behalf of the ((~~shipper~~)) customer;

(5) The name, address, and total charges of any third party services incurred on behalf of the ((~~shipper~~)) customer;

(6) Any special circumstances that entered into the determination of transportation charges (for example: Detours or road conditions that required you to take a circuitous route, thus incurring additional mileage charges);

(7) The start time, stop time, and any interruptions for each person involved in or on a shipment rated under hourly rates;

(a) In lieu of recording each person's start time, stop time, and interruptions on the bill of lading, a carrier may maintain a separate, but complete, record of each person's activities in sufficient detail to verify the proper rates and charges.

(b) A carrier must be able to identify, through payroll records, each person involved in a move and provide that information to commission staff on request.

(c) In all cases a carrier must record on the bill of lading the start time and stop time of any hourly rated move, and any interruptions in service;

(8) On any shipments where the ((~~shipper~~)) customer did not receive a written estimate, you must make a notation on the bill of lading that the ((~~shipper~~)) customer was given a copy of the brochure "Your Rights and Responsibilities as a Moving Company Customer." The ((~~shipper~~)) customer must initial on or near your notation on the bill of lading, acknowledging receipt of the information.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 480-15-030

Waiver of rules.

WSR 00-14-011 PERMANENT RULES DEPARTMENT OF REVENUE

[Filed June 27, 2000, 11:05 a.m., effective July 1, 2000]

Date of Adoption: June 27, 2000.

Purpose: WAC 458-40-660 contains the stumpage values for the second half of 2000. Harvesters of timber use these values to calculate the timber excise tax.

Citation of Existing Rules Affected by this Order: Amending WAC 458-40-660.

Statutory Authority for Adoption: RCW 82.32.300 and 84.33.096.

Other Authority: RCW 84.33.091.

Adopted under notice filed as WSR 00-10-055 on April 27, 2000.

Changes Other than Editing from Proposed to Adopted Version: Values for Ponderosa Pine, quality code 2, in Stumpage Value Area 6, Table 6, were decreased from \$248 to \$210.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The stumpage value rule is required by statute (RCW 84.33.091) to be effective on July 1, 2000.

Effective Date of Rule: July 1, 2000.

June 27, 2000
 Claire Hesselholt
 Rules Manager
 Legislation and Policy Division

((TABLE 1—Stumpage Value Table
 Stumpage Value Area 1
 January 1 through June 30, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[†]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Other Hardwood	OH	1	136	129	122	115	108
		2	116	109	102	95	88
		3	83	76	69	62	55
Douglas-fir Poles	DFL	1	845	838	831	824	817
Western Redcedar Poles	RCL	1	845	838	831	824	817
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁴	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁵	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁵	TFX	1	0.50	0.50	0.50	0.50	0.50

AMENDATORY SECTION (Amending WSR 00-02-019, filed 12/27/99, effective 1/1/00)

WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments. (1) **Introduction.** This section sets forth the stumpage value tables and the stumpage value adjustments that are used to calculate the amount of timber excise tax owed by a timber harvester.

(2) **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)) July 1 through ((June 30)) December 31, 2000:

((TABLE 1—Stumpage Value Table
 Stumpage Value Area 1
 January 1 through June 30, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[†]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$536	\$529	\$522	\$515	\$508
		2	442	435	428	421	414
		3	439	432	425	418	411
		4	439	432	425	418	411
Western Redcedar ²	RC	1	726	719	712	705	698
		2	726	719	712	705	698
		3	705	698	691	684	677
		4	689	682	675	668	661
Western Hemlock ³	WH	1	371	364	357	350	343
		2	370	363	356	349	342
		3	339	332	325	318	311
		4	334	327	320	313	306
Other Conifer	OC	1	371	364	357	350	343
		2	370	363	356	349	342
		3	339	332	325	318	311
		4	334	327	320	313	306
Red Alder	RA	1	258	251	244	237	230
		2	223	216	209	202	195
		3	180	173	166	159	152
Black Cottonwood	BC	1	81	74	67	60	53
		2	81	74	67	60	53
		3	15	8	1	1	1

TABLE 2—Stumpage Value Table
 Stumpage Value Area 2
 January 1 through June 30, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[†]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$515	\$508	\$501	\$494	\$487
		2	461	454	447	440	433
		3	439	432	425	418	411
		4	351	344	337	330	323
Western Redcedar ²	RC	1	726	719	712	705	698
		2	726	719	712	705	698
		3	705	698	691	684	677

[†] 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.

⁴ Stumpage value per 8 lineal feet or portion thereof.

⁵ Stumpage value per lineal foot.

PERMANENT

TABLE 3—Stumpage Value Table

Stumpage Value Area 3
January 1 through June 30, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Quantity	Timber				Species Name	Quantity	Hauling							
		Code	Number	Code	Number			Code	Number	Code	Number				
Douglas-Fir ²	+	DF	1	\$536	\$529	\$522	\$515	\$508	+	DF	1	4	5		
Western Hemlock ³	2		419	412	405	398	391		2		419	412	405	398	
Western Hemlock ³	3		419	412	405	398	391		3		419	412	405	398	
Western Hemlock ³	4		419	412	405	398	391		4		419	412	405	398	
Western Redcedar ²	+	RC	1	726	719	712	705	698	+	RC	1	726	719	712	705
Western Redcedar ²	2		726	719	712	705	698		2		726	719	712	705	
Western Redcedar ²	3		705	698	691	684	677		3		705	698	691	684	
Western Hemlock ³	4		689	682	675	668	661		4		689	682	675	668	
Western Hemlock ³	+	WH	1	371	364	357	350	343	+	WH	1	371	364	357	350
Western Hemlock ³	2		367	360	353	346	339		2		367	360	353	346	
Western Hemlock ³	3		367	360	353	346	339		3		367	360	353	346	
Western Hemlock ³	4		371	364	357	350	343		4		371	364	357	350	
Other Conifer	+	OC	1	371	364	357	350	343	+	OC	1	371	364	357	350
Other Conifer	2		367	360	353	346	339		2		367	360	353	346	
Other Conifer	3		333	326	319	312	305		3		333	326	319	312	
Other Conifer	4		270	263	256	249	242		4		270	263	256	249	
Red Alder	+	RA	1	258	251	244	237	230	+	RA	1	258	251	244	237
Red Alder	2		223	216	209	202	195		2		223	216	209	202	
Red Alder	3		180	173	166	159	152		3		180	173	166	159	
Black Cottonwood	+	BC	1	81	74	67	60	53	+	BC	1	81	74	67	60
Black Cottonwood	2		81	74	67	60	53		2		81	74	67	60	
Black Cottonwood	3		15	8	+	+	+		3		15	8	+	+	
Other Hardwood	+	OH	1	136	129	122	115	108	+	OH	1	136	129	122	115
Other Hardwood	2		116	109	102	95	88		2		116	109	102	95	
Other Hardwood	3		83	76	69	62	55		3		83	76	69	62	
Douglas-fir Poles	+	DPL	1	845	838	831	824	817	+	DPL	1	845	838	831	824
Douglas-fir Poles	2		845	838	831	824	817		2		845	838	831	824	
Douglas-fir Poles	3		83	76	69	62	55		3		83	76	69	62	
Western Redcedar Poles	+	RCL	1	845	838	831	824	817	+	RCL	1	845	838	831	824
Western Redcedar Poles	2		845	838	831	824	817		2		845	838	831	824	
Western Redcedar Poles	3		83	76	69	62	55		3		83	76	69	62	
Chipwood	+	CHW	1	3	2	+	+	+	+	CHW	1	3	2	+	+
Chipwood	2		3	2	+	+	+		2		3	2	+	+	
Chipwood	3		3	2	+	+	+		3		3	2	+	+	
RC Shake Blocks	+	RCS	1	303	296	289	282	275	+	RCS	1	303	296	289	282
RC Shake Blocks	2		303	296	289	282	275		2		303	296	289	282	
RC Shake Blocks	3		121	114	107	100	93		3		121	114	107	100	
RC Shingle Blocks	+	RCF	1	121	114	107	100	93	+	RCF	1	121	114	107	100
RC Shingle Blocks	2		121	114	107	100	93		2		121	114	107	100	
RC Shingle Blocks	3		121	114	107	100	93		3		121	114	107	100	
RC & Other Posts ⁴	+	RCP	1	0.45	0.45	0.45	0.45	0.45	+	RCP	1	0.45	0.45	0.45	0.45
RC & Other Posts ⁴	2		0.45	0.45	0.45	0.45	0.45		2		0.45	0.45	0.45	0.45	
RC & Other Posts ⁴	3		0.45	0.45	0.45	0.45	0.45		3		0.45	0.45	0.45	0.45	
DF Christmas Trees ⁵	+	DFX	1	0.25	0.25	0.25	0.25	0.25	+	DFX	1	0.25	0.25	0.25	0.25
DF Christmas Trees ⁵	2		0.25	0.25	0.25	0.25	0.25		2		0.25	0.25	0.25	0.25	
DF Christmas Trees ⁵	3		0.25	0.25	0.25	0.25	0.25		3		0.25	0.25	0.25	0.25	
Other Christmas Trees ⁵	+	TFX	1	0.50	0.50	0.50	0.50	0.50	+	TFX	1	0.50	0.50	0.50	0.50
Other Christmas Trees ⁵	2		0.50	0.50	0.50	0.50	0.50		2		0.50	0.50	0.50	0.50	
Other Christmas Trees ⁵	3		0.50	0.50	0.50	0.50	0.50		3		0.50	0.50	0.50	0.50	

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Quantity	Timber				Species Name	Quantity	Hauling							
		Code	Number	Code	Number			Code	Number	Code	Number				
Douglas-Fir ²	4		689	682	675	668	661		4		689	682	675	668	
Western Hemlock ³	+	WH	1	370	363	356	349	342	+	WH	1	370	363	356	349
Western Hemlock ³	2		370	363	356	349	342		2		370	363	356	349	
Western Hemlock ³	3		345	338	331	324	317		3		345	338	331	324	
Western Hemlock ³	4		333	326	319	312	305		4		333	326	319	312	
Red Alder	+	RA	1	258	251	244	237	230	+	RA	1	258	251	244	237
Red Alder	2		223	216	209	202	195		2		223	216	209	202	
Red Alder	3		180	173	166	159	152		3		180	173	166	159	
Black Cottonwood	+	BC	1	81	74	67	60	53	+	BC	1	81	74	67	60
Black Cottonwood	2		81	74	67	60	53		2		81	74	67	60	
Black Cottonwood	3		15	8	+	+	+		3		15	8	+	+	
Other Hardwood	+	OH	1	136	129	122	115	108	+	OH	1	136	129	122	115
Other Hardwood	2		116	109	102	95	88		2		116	109	102	95	
Other Hardwood	3		83	76	69	62	55		3		83	76	69	62	
Douglas-fir Poles	+	DPL	1	845	838	831	824	817	+	DPL	1	845	838	831	824
Douglas-fir Poles	2		845	838	831	824	817		2		845	838	831	824	
Douglas-fir Poles	3		83	76	69	62	55		3		83	76	69	62	
Western Redcedar Poles	+	RCL	1	845	838	831	824	817	+	RCL	1	845	838	831	824
Western Redcedar Poles	2		845	838	831	824	817		2		845	838	831	824	
Western Redcedar Poles	3		83	76	69	62	55		3		83	76	69	62	
Chipwood	+	CHW	1	3	2	+	+	+	+	CHW	1	3	2	+	+
Chipwood	2		3	2	+	+	+		2		3	2	+	+	
Chipwood	3		3	2	+	+	+		3		3	2	+	+	
RC Shake Blocks	+	RCS	1	303	296	289	282	275	+	RCS	1	303	296	289	282
RC Shake Blocks	2		303	296	289	282	275		2		303	296	289	282	
RC Shake Blocks	3		121	114	107	100	93		3		121	114	107	100	
RC Shingle Blocks	+	RCF	1	121	114	107	100	93	+	RCF	1	121	114	107	100
RC Shingle Blocks	2		121	114	107	100	93		2		121	114	107	100	
RC Shingle Blocks	3		121	114	107	100	93		3		121	114	107	100	
RC & Other Posts ⁴	+	RCP	1	0.45	0.45	0.45	0.45	0.45	+	RCP	1	0.45	0.45	0.45	0.45
RC & Other Posts ⁴	2		0.45	0.45	0.45	0.45	0.45		2		0.45	0.45	0.45	0.45	
RC & Other Posts ⁴	3		0.45	0.45	0.45	0.45	0.45		3		0.45	0.45	0.45	0.45	
DF Christmas Trees ⁵	+	DFX	1	0.25	0.25	0.25	0.25	0.25	+	DFX	1	0.25	0.25	0.25	0.25
DF Christmas Trees ⁵	2		0.25	0.25	0.25	0.25	0.25		2		0.25	0.25	0.25	0.25	
DF Christmas Trees ⁵	3		0.25	0.25	0.25	0.25	0.25		3		0.25	0.25	0.25	0.25	
Other Christmas Trees ⁵	+	TFX	1	0.50	0.50	0.50	0.50	0.50	+	TFX	1	0.50	0.50	0.50	0.50
Other Christmas Trees ⁵	2		0.50	0.50	0.50	0.50	0.50		2		0.50	0.50	0.50	0.50	
Other Christmas Trees ⁵	3		0.50	0.50	0.50	0.50	0.50		3		0.50	0.50	0.50	0.50	

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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.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
 January 1 through June 30, 2000

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	\$557	\$550	\$543	\$536	\$529
		2	450	443	436	429	422
		3	431	424	417	410	403
		4	431	424	417	410	403
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	350	343	336	329	322
		2	212	205	198	191	184
Western Redcedar ³	RC	1	726	719	712	705	698
		2	726	719	712	705	698
		3	705	698	691	684	677
		4	689	682	675	668	661
Western Hemlock ⁴	WH	1	414	407	400	393	386
		2	414	407	400	393	386
		3	355	348	341	334	327
		4	343	336	329	322	315
Other Conifer	OC	1	414	407	400	393	386
		2	414	407	400	393	386
		3	355	348	341	334	327
		4	343	336	329	322	315
Red Alder	RA	1	258	251	244	237	230
		2	223	216	209	202	195
		3	180	173	166	159	152
Black Cottonwood	BC	1	81	74	67	60	53
		2	81	74	67	60	53
		3	15	8	1	1	1
Other Hardwood	OH	1	136	129	122	115	108
		2	116	109	102	95	88
		3	83	76	69	62	55

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
 January 1 through June 30, 2000

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 Poles	DFL	1	845	838	831	824	817
Western Redcedar Poles	RCL	1	845	838	831	824	817
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	FFX	1	0.50	0.50	0.50	0.50	0.50

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.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 5
 January 1 through June 30, 2000

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	\$543	\$536	\$529	\$522	\$515
		2	431	424	417	410	403
		3	394	387	380	373	366
		4	394	387	380	373	366
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	350	343	336	329	322
		2	212	205	198	191	184

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**TABLE 5—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 2000**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[†]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar ³	RC	1	726	719	712	705	698
		2	726	719	712	705	698
		3	705	698	691	684	677
		4	689	682	675	668	661
Western Hemlock ⁴	WH	1	378	371	364	357	350
		2	378	371	364	357	350
		3	342	335	328	321	314
		4	269	262	255	248	241
Other Conifer	OC	1	378	371	364	357	350
		2	378	371	364	357	350
		3	342	335	328	321	314
		4	269	262	255	248	241
Red Alder	RA	1	258	251	244	237	230
		2	223	216	209	202	195
		3	180	173	166	159	152
Black Cottonwood	BC	1	81	74	67	60	53
		2	81	74	67	60	53
		3	15	8	1	1	1
Other Hardwood	OH	1	136	129	122	115	108
		2	116	109	102	95	88
		3	83	76	69	62	55
Douglas fir Poles	DFL	1	845	838	831	824	817
Western Redcedar Poles	RCL	1	845	838	831	824	817
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

[†] 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.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

**TABLE 6—Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 2000**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[†]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir ²	DF	1	\$287	\$280	\$273	\$266	\$259
Engelmann Spruce	ES	1	233	226	219	212	205
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	350	343	336	329	322
		2	212	205	198	191	184
Western Redcedar ³	RC	1	539	532	525	518	511
True Firs ⁴	WH	1	222	215	208	201	194
Western White Pine	WP	1	346	339	332	325	318
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	516	509	502	495	488
Small Logs	SML	1	21	20	19	18	17
Chipwood	CHW	1	2	1	1	1	1
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts ⁵	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁶	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁷	DFX	1	0.25	0.25	0.25	0.25	0.25

[†] 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.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁷ Stumpage value per lineal foot.

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**TABLE 7—Stumpage Value Table
Stumpage Value Area 7
January 1 through June 30, 2000**

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	+	\$287	\$280
Engelmann Spruce	ES	+	233	226	219	212	205
Lodgepole Pine	LP	+	246	239	232	225	218
Ponderosa Pine	PP	+	392	385	378	371	364
		2	305	298	291	284	277
Western Redcedar ³	RC	+	539	532	525	518	511
True Firs ⁴	WH	+	213	206	199	192	185
Western White Pine	WP	+	346	339	332	325	318
Hardwoods	OH	+	50	43	36	29	22
Western Redcedar Poles	RCL	+	516	509	502	495	488
Small Logs	SML	+	22	21	20	19	18
Chipwood	CHW	+	2	1	1	1	1
RC Shake & Shingle Blocks	RCF	+	92	85	78	71	64
LP & Other Posts ⁵	LPP	+	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁶	PX	+	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁷	DFX	+	0.25	0.25	0.25	0.25	0.25

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.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁷ Stumpage value per lineal foot.

**TABLE 8—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 2000**

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	\$543	\$536
		2	436	429	422	415	408
		3	417	410	403	396	389
		4	417	410	403	396	389
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	350	343	336	329	322
		2	212	205	198	191	184
Western Redcedar ³	RC	1	712	705	698	691	684
		2	712	705	698	691	684
		3	691	684	677	670	663
		4	675	668	661	654	647
Western Hemlock ⁴	WH	1	400	393	386	379	372
		2	400	393	386	379	372
		3	341	334	327	320	313
		4	329	322	315	308	301
Other Conifer	OC	1	400	393	386	379	372
		2	400	393	386	379	372
		3	341	334	327	320	313
		4	329	322	315	308	301
Red Alder	RA	1	244	237	230	223	216
		2	209	202	195	188	181
		3	166	159	152	145	138
Black Cottonwood	BC	1	67	60	53	46	39
		2	67	60	53	46	39
		3	15	8	1	1	1
Other Hardwood	OH	1	122	115	108	101	94
		2	102	95	88	81	74
		3	69	62	55	48	41
Douglas fir Poles	DFL	1	831	824	817	810	803
Western Redcedar Poles	RCL	1	831	824	817	810	803
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45

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TABLE 8—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[†]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	FPX	1	0.50	0.50	0.50	0.50	0.50

[†] 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.
⁵ Stumpage value per 8 lineal feet or portion thereof.
⁶ Stumpage value per lineal foot.))

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$513	\$506	\$499	\$492	\$485
		2	513	506	499	492	485
		3	462	455	448	441	434
		4	301	294	287	280	273
Western Redcedar ⁽²⁾	RC	1	902	895	888	881	874
		2	799	792	785	778	771
		3	782	775	768	761	754
		4	781	774	767	760	753
Western Hemlock ⁽³⁾	WH	1	504	497	490	483	476
		2	338	331	324	317	310
		3	332	325	318	311	304
		4	306	299	292	285	278
Other Conifer	OC	1	504	497	490	483	476
		2	338	331	324	317	310
		3	332	325	318	311	304
		4	306	299	292	285	278
Red Alder	RA	1	286	279	272	265	258
		2	235	228	221	214	207

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		3	182	175	168	161	154
Black Cottonwood	BC	1	38	31	24	17	10
		2	34	27	20	13	6
		3	15	8	1	1	1
Other Hardwood	OH	1	167	160	153	146	139
		2	138	131	124	117	110
		3	78	71	64	57	50
Douglas-Fir Poles	DFL	1	903	896	889	882	875
Western Redcedar Poles	RCL	1	903	896	889	882	875
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁽⁴⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁵⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁵⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

⁽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.
⁽⁴⁾ Stumpage value per 8 lineal feet or portion thereof.
⁽⁵⁾ Stumpage value per lineal foot.

TABLE 2—Stumpage Value Table
Stumpage Value Area 2
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$529	\$522	\$515	\$508	\$501
		2	529	522	515	508	501
		3	485	478	471	464	457

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TABLE 2—Stumpage Value Table
Stumpage Value Area 2
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		4	388	381	374	367	360
Western Redcedar ⁽²⁾	RC	1	902	895	888	881	874
		2	799	792	785	778	771
		3	782	775	768	761	754
		4	781	774	767	760	753
Western Hemlock ⁽²⁾	WH	1	530	523	516	509	502
		2	370	363	356	349	342
		3	353	346	339	332	325
		4	318	311	304	297	290
Other Conifer	OC	1	530	523	516	509	502
		2	370	363	356	349	342
		3	353	346	339	332	325
		4	318	311	304	297	290
Red Alder	RA	1	286	279	272	265	258
		2	235	228	221	214	207
		3	182	175	168	161	154
Black Cottonwood	BC	1	38	31	24	17	10
		2	34	27	20	13	6
		3	15	8	1	1	1
Other Hardwood	OH	1	167	160	153	146	139
		2	138	131	124	117	110
		3	78	71	64	57	50
Douglas-fir Poles	DFL	1	903	896	889	882	875
Western Redcedar Poles	RCL	1	903	896	889	882	875
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁽⁴⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁵⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁵⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

⁽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.

⁽⁴⁾ Stumpage value per 8 lineal feet or portion thereof.

⁽⁵⁾ Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 3
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$492	\$485	\$478	\$471	\$464
		2	451	444	437	430	423
		3	442	435	428	421	414
		4	258	251	244	237	230
Western Redcedar ⁽³⁾	RC	1	902	895	888	881	874
		2	799	792	785	778	771
		3	782	775	768	761	754
		4	781	774	767	760	753
Western Hemlock ⁽⁴⁾	WH	1	357	350	343	336	329
		2	326	319	312	305	298
		3	317	310	303	296	289
		4	227	220	213	206	199
Other Conifer	OC	1	357	350	343	336	329
		2	326	319	312	305	298
		3	317	310	303	296	289
		4	227	220	213	206	199
Red Alder	RA	1	286	279	272	265	258
		2	235	228	221	214	207
		3	182	175	168	161	154
Black Cottonwood	BC	1	38	31	24	17	10
		2	34	27	20	13	6
		3	15	8	1	1	1
Other Hardwood	OH	1	167	160	153	146	139
		2	138	131	124	117	110
		3	78	71	64	57	50
Douglas-fir Poles	DFL	1	903	896	889	882	875
Western Redcedar Poles	RCL	1	903	896	889	882	875
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93

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TABLE 3—Stumpage Value Table
Stumpage Value Area 3
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
RC & Other Posts ⁽²⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁶⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁶⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

- (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.
- (5) Stumpage value per 8 lineal feet or portion thereof.
- (6) Stumpage value per lineal foot.

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$506	\$499	\$492	\$485	\$478
		2	506	499	492	485	478
		3	503	496	489	482	475
		4	297	290	283	276	269
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	399	392	385	378	371
		2	262	255	248	241	234
Western Redcedar ⁽³⁾	RC	1	902	895	888	881	874
		2	799	792	785	778	771
		3	782	775	768	761	754
		4	781	774	767	760	753
Western Hemlock ⁽⁴⁾	WH	1	504	497	490	483	476
		2	369	362	355	348	341
		3	346	339	332	325	318
		4	308	301	294	287	280

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Other Conifer	OC	1	504	497	490	483	476
		2	369	362	355	348	341
		3	346	339	332	325	318
		4	308	301	294	287	280
Red Alder	RA	1	286	279	272	265	258
		2	235	228	221	214	207
		3	182	175	168	161	154
Black Cottonwood	BC	1	38	31	24	17	10
		2	34	27	20	13	6
		3	15	8	1	1	1
Other Hardwood	OH	1	167	160	153	146	139
		2	138	131	124	117	110
		3	78	71	64	57	50
Douglas-fir Poles	DFL	1	903	896	889	882	875
Western Redcedar Poles	RCL	1	903	896	889	882	875
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁽²⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁶⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁶⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

- (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.
- (5) Stumpage value per 8 lineal feet or portion thereof.
- (6) Stumpage value per lineal foot.

PERMANENT

TABLE 5—Stumpage Value Table
Stumpage Value Area 5
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$496	\$489	\$482	\$475	\$468
		2	496	489	482	475	468
		3	424	417	410	403	396
		4	340	333	326	319	312
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	399	392	385	378	371
		2	262	255	248	241	234
Western Redcedar ⁽³⁾	RC	1	902	895	888	881	874
		2	799	792	785	778	771
		3	782	775	768	761	754
		4	781	774	767	760	753
Western Hemlock ⁽⁴⁾	WH	1	504	497	490	483	476
		2	372	365	358	351	344
		3	346	339	332	325	318
		4	330	323	316	309	302
Other Conifer	OC	1	504	497	490	483	476
		2	372	365	358	351	344
		3	346	339	332	325	318
		4	330	323	316	309	302
Red Alder	RA	1	286	279	272	265	258
		2	235	228	221	214	207
		3	182	175	168	161	154
Black Cottonwood	BC	1	38	31	24	17	10
		2	34	27	20	13	6
		3	15	8	1	1	1
Other Hardwood	OH	1	167	160	153	146	139
		2	138	131	124	117	110
		3	78	71	64	57	50
Douglas-fir Poles	DFL	1	903	896	889	882	875
Western Redcedar Poles	RCL	1	903	896	889	882	875
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁽⁵⁾	RCP	1	0.45	0.45	0.45	0.45	0.45

TABLE 5—Stumpage Value Table
Stumpage Value Area 5
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
DF Christmas Trees ⁽⁶⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁶⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

(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.

(5) Stumpage value per 8 lineal feet or portion thereof.

(6) Stumpage value per lineal foot.

TABLE 6—Stumpage Value Table
Stumpage Value Area 6
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$305	\$298	\$291	\$284	\$277
Engelmann Spruce	ES	1	245	238	231	224	217
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	399	392	385	378	371
		2	224	217	210	203	196
Western Redcedar ⁽³⁾	RC	1	423	416	409	402	395
True Firs ⁽⁴⁾	WH	1	245	238	231	224	217
Western White Pine	WP	1	446	439	432	425	418
Hardwoods	OH	1	14	7	1	1	1
Western Redcedar Poles	RCL	1	516	509	502	495	488
Small Logs	SML	1	25	24	23	22	21
Chipwood	CHW	1	2	1	1	1	1

TABLE 6—Stumpage Value Table
Stumpage Value Area 6
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts ⁽⁵⁾	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁽⁶⁾	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁷⁾	DFX	1	0.25	0.25	0.25	0.25	0.25

- (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.
- (5) Stumpage value per 8 lineal feet or portion thereof.
- (6) Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
- (7) Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 7
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$305	\$298	\$291	\$284	\$277
Engelmann Spruce	ES	1	245	238	231	224	217
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	411	404	397	390	383
		2	316	309	302	295	288
Western Redcedar ⁽³⁾	RC	1	423	416	409	402	395
True Firs ⁽⁴⁾	WH	1	260	253	246	239	232
Western White Pine	WP	1	446	439	432	425	418
Hardwoods	OH	1	14	7	1	1	1

TABLE 7—Stumpage Value Table
Stumpage Value Area 7
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Poles	RCL	1	516	509	502	495	488
Small Logs	SML	1	25	24	23	22	21
Chipwood	CHW	1	2	1	1	1	1
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts ⁽⁵⁾	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁽⁶⁾	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁷⁾	DFX	1	0.25	0.25	0.25	0.25	0.25

- (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.
- (5) Stumpage value per 8 lineal feet or portion thereof.
- (6) Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
- (7) Stumpage value per lineal foot.

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$492	\$485	\$478	\$471	\$464
		2	492	485	478	471	464
		3	489	482	475	468	461
		4	283	276	269	262	255
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	399	392	385	378	371
		2	262	255	248	241	234

PERMANENT

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
 July 1 through December 31, 2000

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Western Redcedar ⁽²⁾	RC	1	888	881
		2	785	778	771	764	757
		3	768	761	754	747	740
		4	767	760	753	746	739
Western Hemlock ⁽⁴⁾	WH	1	490	483	476	469	462
		2	355	348	341	334	327
		3	332	325	318	311	304
		4	294	287	280	273	266
Other Conifer	OC	1	490	483	476	469	462
		2	355	348	341	334	327
		3	332	325	318	311	304
		4	294	287	280	273	266
Red Alder	RA	1	272	265	258	251	244
		2	221	214	207	200	193
		3	168	161	154	147	140
Black Cottonwood	BC	1	24	17	10	3	1
		2	20	13	6	1	1
		3	15	8	1	1	1
Other Hardwood	OH	1	153	146	139	132	125
		2	124	117	110	103	96
		3	64	57	50	43	36
Douglas-fir Poles	DFL	1	889	882	875	868	861
Western Redcedar Poles	RCL	1	889	882	875	868	861
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁽²⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁶⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁶⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

⁽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.

⁽⁵⁾ Stumpage value per 8 lineal feet or portion thereof.

⁽⁶⁾ Stumpage value per lineal foot.

(3) **Harvest value adjustments.** Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against the stumpage values as set forth in subsection (2) of this section for the designated stumpage value areas. See WAC 458-40-670 for more information about these adjustments.

The following harvest adjustment tables are hereby adopted for use during the period of ((January)) July 1 through ((June 30)) December 31, 2000:

TABLE 9—Harvest Adjustment Table
Stumpage Value Areas 1, 2, 3, 4, 5, and 10
 ((January)) July 1 through ((June 30)) December 31, 2000

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00
Class 2	Harvest of 20 thousand board feet to 40 thousand board feet per acre.	-\$4.00
Class 3	Harvest of 10 thousand board feet to but not including 20 thousand board feet per acre.	-\$7.00
Class 4	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	-\$9.00
Class 5	Harvest of less than 5 thousand board feet per acre.	-\$10.00
II. Logging conditions		
Class 1	Most of the harvest unit has less than 30% slope. No significant rock outcrops or swamp barriers.	\$0.00
Class 2	Most of the harvest unit has slopes between 30% and 60%. Some rock outcrops or swamp barriers.	-\$17.00
Class 3	Most of the harvest unit has rough, broken ground with slopes over 60%. Numerous rock outcrops and bluffs.	-\$25.00
Class 4	For logs that are yarded from stump to landing by helicopter. This does not include special forest products.	-\$145.00
Note:	A Class 2 adjustment may be used for slopes less than 30% when cable logging is required by a duly promulgated forest practice regulation. Written documentation of this requirement must be provided by the taxpayer to the department.	
III. Remote island adjustment:		
	For timber harvested from a remote island	-\$50.00

PERMANENT

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
IV. Thinning (see WAC 458-40-610(21))		
Class 1	Average log volume of 50 board feet or more.	- \$25.00
Class 2	Average log volume of less than 50 board feet.	-\$125.00

TABLE 10—Harvest Adjustment Table
Stumpage Value Areas 6 and 7
 ((January)) July 1 through ((June 30)) December 31, 2000

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	- \$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	- \$10.00
II. Logging conditions		
Class 1	Most of the harvest unit has less than 40% slope. No significant rock outcrops or swamp barriers.	\$0.00
Class 2	Most of the harvest unit has slopes between 40% and 60%. Some rock outcrops or swamp barriers.	-\$20.00
Class 3	Most of the harvest unit has rough, broken ground with slopes over 60%. Numerous rock outcrops and bluffs.	-\$30.00
Class 4	For logs that are yarded from stump to landing by helicopter. This does not include special forest products.	- \$145.00
Note: A Class 2 adjustment may be used for slopes less than 40% when cable logging is required by a duly promulgated forest practice regulation. Written documentation of this requirement must be provided by the taxpayer to the department.		
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00

TABLE 11—Domestic Market Adjustment

Public Timber

Harvest of timber not sold by a competitive bidding process that is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber that must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska Yellow Cedar. (Stat. Ref. - 36 CFR 223.10)
 State, and Other Nonfederal, Public Timber Sales: Western Red Cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

Private Timber

Harvest of private timber that is legally restricted from foreign export, under the authority of The Forest Resources Conservation and Shortage Relief Act (Public Law 101-382), (16 U.S.C. Sec. 620 et seq.); the Export Administration Act of 1979 (50 U.S.C. App. 2406(i)); a Cooperative Sustained Yield Unit Agreement made pursuant to the Act of March 29, 1944, (16 U.S.C. Sec. 583-583i); or Washington Administrative Code (WAC 240-15-015(2)) is also eligible for the Domestic Market Adjustment.

The adjustment amounts shall be as follows:

Class 1:	SVA's 1 through 6, and 10	\$0.00 per MBF
Class 2:	SVA 7	\$0.00 per MBF

Note: The adjustment will not be allowed on special forest products.

WSR 00-14-017
PERMANENT RULES
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES
 [Filed June 28, 2000, 9:13 a.m.]

Date of Adoption: June 22, 2000.

Purpose: To further clarify TIAA/CREF retirement plan eligibility and participation.

Citation of Existing Rules Affected by this Order: Amending WAC 131-16-021 and 131-16-031.

Statutory Authority for Adoption: Chapter 28B.50 RCW.

Adopted under notice filed as WSR 00-10-099 on May 3, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

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

June 27, 2000

Claire C. Krueger

Agency Rules Coordinator

PERMANENT

AMENDATORY SECTION (Amending WSR 99-22-052, filed 10/29/99, effective 11/29/99)

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 district or state board staff positions as full-time or part-time faculty members or administrators exempt from the provisions of chapter 28B.16 RCW and, effective July 1, 1999, are assigned a cumulative total of at least fifty percent of full-time workload as defined by the collective bargaining agreement and/or the appointing authority at one or more college districts or the state board for at least two consecutive college quarters. (Part-time faculty workload is calculated in accordance with RCW 28B.50.489 and 28B.50.4891.)

(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) Optional participation in tax-deferred annuities other than this qualified plan as offered by individual colleges is permitted consistent with the Internal Revenue Code: Provided, That the provisions of WAC 131-16-015, 131-16-050, and 131-16-061 shall not apply in such cases. Optional tax-deferred annuities are provided through a salary reduction agreement between the employee and employer. There is no employer contribution for optional tax-deferred annuities.

(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 within the community and technical college system. The community and technical college or state board employer shall notify, in writing, all newly hired employees of their potential right to participate. A participating employee, who changes employers without a break in service, shall have the responsibility to notify in writing the new college or state board employer of his or her eligibility. In no case will there be a requirement for retroactive contributions if an employee fails to inform his or her college or state board employer about eligibility previously established with another community and technical college system employer. For the purposes of this section, spring and fall quarters shall be considered as consecutive periods of employment.

(7) As a condition of employment, all employees who become eligible on and after January 1, 1997, shall partici-

pate in this plan upon initial eligibility. Notwithstanding this provision, all eligible new employees who at the time of employment are members of the Washington state teachers retirement system or the Washington public employees retirement system may participate as provided in WAC 131-16-031(((+))).

AMENDATORY SECTION (Amending WSR 98-14-033, filed 6/23/98, effective 7/24/98)

WAC 131-16-031 Participation in the plan. (1) Except as provided in subsections (2) and (3) of this section, participation in the TIAA/CREF plan is required of all otherwise eligible new employees: Provided, That any such new employee, who at the time of employment is a member of the Washington state teachers retirement system or the Washington public employees retirement system, and whose college or state board employment meets the requirements of an "eligible position" as defined by such plan, may irrevocably elect to retain such membership or, if not vested in that system, retain membership until vesting occurs and then irrevocably elect to participate in the TIAA/CREF plan.

(2) Employees who establish TIAA/CREF plan eligibility in accordance with WAC 131-16-021 and who, through concurrent employment with another employer, are active Washington public employee retirement system (PERS) members are required to so advise the college or state board employer and shall be given the following options:

(a) To participate in the state board's TIAA/CREF retirement plan in accordance with chapter 131-16 WAC, forgoing active PERS membership (contributions and service credit) with their other employer; or

(b) To continue active participation in PERS based upon their employment with the other public employer; forgoing participation in the state board's TIAA/CREF retirement plan.

Failure to make an election within thirty days of notification results in the employee being placed in the TIAA/CREF plan. The college or state board employer is required to advise the department of retirement systems (DRS) of a PERS member's participation in the TIAA/CREF plan, whether through election or default. It shall be the employee's responsibility to notify the other employer if he or she elects to participate in the TIAA/CREF plan. The employee will notify his or her college or state board employer should the employee cease to be an active PERS member. This irrevocable election remains in effect as long as the employee is actively participating in a PERS plan and is required because RCW 41.40.023(4) prohibits PERS members from simultaneously participating in two state retirement plans.

(3) Any current active participant of TIAA/CREF who becomes an active member of PERS based on employment with another PERS employer is required to notify his or her college or state board employer. The employee will be provided the options listed in subsection (2) of this section and the college or state board employer will follow through accordingly.

PERMANENT

WSR 00-14-047
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed June 30, 2000, 2:46 p.m.]

Date of Adoption: June 30, 2000.

Purpose: WAC 388-501-0150 Confidential records, is no longer necessary because the policy has been incorporated into WAC 388-01-030 Disclosure of public records.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-501-0150.

Adopted under preproposal statement of inquiry filed as WSR 00-09-038 on April 14, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

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

June 30, 2000

Edith M. Rice, Chief
Office of Legal Affairs

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-501-0150 Confidential records.

WSR 00-14-048
PERMANENT RULES
PUBLIC EMPLOYMENT
RELATIONS COMMISSION
[Filed June 30, 2000, 2:53 p.m., effective August 1, 2000]

Date of Adoption: June 13, 2000.

Purpose: To implement recent reorganization of agency staff; to allow for filing of documents by fax or e-mail; to standardize the location for filing of documents; to eliminate need for copies of filed documents; and to streamline procedures for unfair labor practice and nonassociation cases.

Citation of Existing Rules Affected by this Order:

Repealing WAC 391-08-230 and 391-45-230; and amending WAC 391-08-001, 391-08-010, 391-08-120, 391-

08-180, 391-08-310, 391-25-050, 391-25-090, 391-25-230, 391-25-250, 391-25-270, 391-25-350, 391-25-590, 391-25-650, 391-25-660, 391-25-670, 391-35-030, 391-35-170, 391-35-210, 391-35-250, 391-45-001, 391-45-002, 391-45-010, 391-45-030, 391-45-050, 391-45-070, 391-45-090, 391-45-110, 391-45-130, 391-45-170, 391-45-190, 391-45-210, 391-45-250, 391-45-260, 391-45-270, 391-45-290, 391-45-310, 391-45-330, 391-45-350, 391-45-390, 391-45-410, 391-45-430, 391-45-550, 391-45-552, 391-55-030, 391-55-350, 391-65-070, 391-95-001, 391-95-010, 391-95-030, 391-95-050, 391-95-070, 391-95-090, 391-95-110, 391-95-130, 391-95-150, 391-95-170, 391-95-190, 391-95-230, 391-95-250, 391-95-260, 391-95-270, 391-95-290, and 391-95-310.

Statutory Authority for Adoption: RCW 28B.52.080, 41.56.090, 41.59.110, 41.58.050.

Other Authority: WAC 391-08-120 is RCW 34.05.010 (6) and (19); 391-08-310 is RCW 2.40.010, 5.56.010 and 34.05.446; 391-25-050 and 391-25-090 is RCW 28B.52.030, 34.05.413, 41.56.060, 41.56.070, 41.59.070 and 41.59.080; 391-25-230, 391-25-250 and 391-25-270 is RCW 28B.52.030, 41.56.060, 41.56.070, 41.59.070 and 41.59.080; 391-25-350 is RCW 28B.52.030, 34.05.437, 41.56.060, 41.56.070, 41.59.070 and 41.59.080; 391-25-590 is RCW 28B.52.030, 41.56.060 and 41.59.070; 391-25-650 is RCW 41.56.070 and 41.59.070; 391-25-660 and 391-25-670 is RCW 34.05.464, 41.56.070 and 41.59.070; 391-35-030 is RCW 34.05.413, 41.56.060 and 41.59.080; 391-35-170 is RCW 34.05.437, 41.56.060 and 41.59.080; 391-35-210 and 391-35-250 is RCW 34.05.464, 41.56.060 and 41.59.080; 391-45-010 is RCW 28B.52.065, 41.56.040, 41.58.040, 41.59.060 and 53.18.015; 391-45-030 and 391-45-050 is RCW 28B.52.065, 34.05.413, 41.56.160 and 41.59.150; 391-45-070 is RCW 28B.52.073, 41.56.140, 41.56.150, 41.56.170, 41.59.140 and 53.18.015; 391-45-090 is RCW 28B.52.073, 41.56.140, 41.56.150 41.59.140 and 53.18.015; 391-45-110 is RCW 28B.52.065, 28B.52.073, 34.05.419, 41.56.140, 41.56.150, and 41.59.140; 391-45-130, 391-45-190, 391-45-250 and 391-45-310 is RCW 28B.52.065, 41.56.160 and 41.59.150; 391-45-170 is RCW 28B.52.065, 34.05.434, 41.56.160 and 41.59.150; 391-45-210 is RCW 28B.52.073, 41.56.170, 41.59.150 and 53.18.015; 391-45-260 is RCW 34.05.431, 41.56.160 and 41.59.150; 391-45-290 is RCW 34.05.437, 41.56.160 and 41.59.150; 391-45-350 and 391-45-390 is RCW 28B.52.065, 34.05.464, 41.56.160 and 41.59.150; 391-45-410 is RCW 28B.52.073, 41.56.160, 41.59.150 and 53.18.015; 391-45-430 is RCW 41.56.160(3) and 41.59.150; 391-45-550 is RCW 28B.52.073, 41.56.030(4), 41.59.020(2) and 53.18.015; 391-45-552 and 391-55-350 is RCW 41.59.120; 391-65-070 is RCW 41.56.125; 391-95-010, 391-95-030, 391-95-050, 391-95-070 and 391-95-130 is RCW 28B.52.045, 41.56.122 and 41.59.100; 391-95-090 and 391-95-110 is RCW 28B.52.045, 34.05.413, 41.56.122 and 41.59.100; 391-95-150 is RCW 28B.52.045, 34.05.419, 41.56.122 and 41.59.100; 391-95-170 is RCW 28B.52.045, 34.05.434, 41.56.122 and 41.59.100; 391-95-190, 391-95-250 and 391-95-310 is RCW 28B.52.045, 41.56.122 and 41.59.100; 391-95-230 is RCW 28B.52.045, 34.05.437, 41.56.122 and 41.59.100; 391-95-270 and 391-95-290 is RCW 28B.52.045, 34.05.464, 41.56.122 and 41.59.100.

Adopted under notice filed as WSR 00-10-107 on May 3, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 63, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 63, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 1, 2000.

June 30, 2000

Marvin L. Schurke

Executive Director

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-08-001 Application and scope of chapter 391-08 WAC. Chapter 391-08 WAC has been added to the Washington Administrative Code by the public employment relations commission pursuant to the authority of section 12, chapter 288, Laws of 1975 1st ex. sess. (RCW 41.59.110); and sections 7, 14 and 20, chapter 296, Laws of 1975 1st ex. sess. (RCW 41.58.050, 28B.52.080 and 41.56.090(~~;~~ and section 7, chapter 296, Laws of 1975 1st ex. sess. (RCW 41.58.050)), respectively), to promulgate comprehensive and uniform rules for practice and procedure before the agency. This chapter sets forth general rules applicable to all types of proceedings before the agency, and should be read in conjunction with the provisions of:

(1) Chapter 10-08 WAC, which contains the model rules of procedure promulgated by the chief administrative law judge (~~(governing the conduct of)~~ to regulate adjudicative proceedings under chapters 391-25, 391-35, 391-45 and 391-95 WAC, except:

(a) WAC 10-08-035, which is replaced by detailed requirements in WAC 391-25-070, 391-25-090, 391-35-050, 391-45-050, and 391-95-110;

(b) WAC 10-08-050, which relates to (~~procedures of the~~) office of administrative hearings (~~(-is)~~) procedures inapplicable to proceedings before the public employment relations commission;

(c) WAC (~~(10-08-090, which is replaced by detailed requirements in WAC 391-08-180)~~) 10-08-083, which is replaced by detailed requirements in WAC 391-08-010;

(d) WAC 10-08-110, which is replaced by detailed requirements in WAC 391-08-120;

(e) WAC 10-08-120, which is replaced by detailed requirements in WAC 391-08-040, 391-08-300 and 391-08-310;

(f) WAC 10-08-140, which is limited by WAC 391-08-040, 391-08-300 and 391-08-310;

(g) WAC 10-08-150, which is limited by WAC 391-08-315;

(h) WAC 10-08-211, which is replaced by WAC 391-08-640 and detailed requirements in WAC 391-25-390, 391-25-391, 391-25-590, 391-25-630, 391-25-650, 391-25-660, 391-25-670, 391-35-210, 391-35-250, 391-45-350, 391-45-390, 391-95-270, and 391-95-290;

(i) WAC 10-08-230, which is replaced by detailed requirements in WAC 391-25-150, 391-25-220, 391-25-230, 391-25-250, 391-25-270, 391-35-070, 391-35-080, 391-45-070, 391-45-090, 391-45-260, and 391-95-170; and

(j) WAC 10-08-250, 10-08-251, and 10-08-252 which are replaced by detailed requirements in WAC 391-08-520.

(2) Chapter 391-25 WAC, which regulates representation proceedings.

(3) Chapter 391-35 WAC, which regulates unit clarification proceedings.

(4) Chapter 391-45 WAC, which regulates unfair labor practice proceedings.

(5) Chapter 391-55 WAC, which regulates the resolution of impasses in collective bargaining.

(6) Chapter 391-65 WAC, which regulates grievance arbitration and grievance mediation proceedings.

(7) Chapter 391-95 WAC, which regulates union security nonassociation proceedings.

In the event of a conflict between a general rule in this chapter and a special rule in another chapter applicable to a particular proceeding, the special rule shall govern.

AMENDATORY SECTION (Amending WSR 90-06-070, filed 3/7/90, effective 4/7/90)

WAC 391-08-010 Appearance and practice before agency—Who may appear—Notice of appearance. (1) No person may appear in a representative capacity before the agency (~~(or its designated hearing officer)~~) other than the following:

((~~(+)~~)) (a) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington;

((~~(2)~~)) (b) Attorneys at law duly qualified and entitled to practice before the highest court of record of any other state, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by our state law;

((~~(3)~~)) (c) A bona fide officer, employee or other authorized representative of: ((~~(a)~~)) (i) Any employer subject to the jurisdiction of the agency, or ((~~(b)~~)) (ii) any labor or employee organization.

(2) Except where the information is already listed in the agency's docket records for the particular case, a person appearing in a representative capacity shall file and serve a notice of appearance listing the representative's name, address, telephone number, fax number, and e-mail address.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-08-120 Filing and service of papers.

FILING OF PAPERS ((FOR ADJUDICATIVE PROCEEDINGS)) WITH THE AGENCY

(1) ~~((Filing of papers with the agency for adjudicative proceedings under the Administrative Procedure Act (cases under chapters 391-25, 391-35, 391-45 and 391-95 WAC) shall be deemed complete only upon actual receipt of the original paper and any required copies during office hours at the agency office designated in this rule. Electronic telefacsimile transmissions shall not be accepted as filing for such papers, unless RCW 34.05.010(6) or WAC 10-08-110 is amended to permit filings by electronic telefacsimile transmission.~~

~~(a) Petitions or complaints to initiate adjudicative proceedings shall be filed in the Olympia office;~~

~~(b)) Papers to be filed with the ((executive director or with the)) agency ((generally)) shall be filed ((in)) at the commission's Olympia office((;~~

~~(c) Papers to be filed with a presiding officer can be filed in the Olympia office or in the office of the presiding officer;~~

~~(d) Papers to be filed with the commission, including any objections, notice of appeal or notice of cross appeal, shall be filed in the Olympia office)). The executive director shall post, and from time to time revise as appropriate, a list containing the street and mailing addresses for filing by actual delivery of papers, the telephone number for filing by electronic telefacsimile transmission (fax), and the electronic mail (e-mail) address and software supported by the agency for filing by e-mail attachment.~~

((SUBMISSION OF PAPERS FOR NONADJUDICATIVE PROCEEDINGS))

(2) ~~((Submission of papers to the agency for cases that are not adjudicative proceedings under the Administrative Procedure Act (cases under chapters 391-55 and 391-65 WAC))) Papers may be filed by any of the following methods:~~

~~(a) FILING BY ACTUAL DELIVERY of papers to the agency (including filings delivered by United States mail) shall be subject to the following limitations:~~

~~(i) Only the original paper(s) shall be filed. No additional copies of papers are required.~~

~~(ii) The case number(s) shall be indicated on the front page of each document filed, except for petitions and complaints being filed to initiate proceedings before the agency.~~

~~(iii) Filing shall ((be deemed complete)) occur only upon actual receipt of the original paper ((and any required copy)) by the agency during office hours ((at the Olympia office or at the office of the agency staff member assigned to process the case. Papers may be submitted by electronic telefacsimile transmission in cases under this subsection, with)).~~

~~(iv) Papers delivered to or left at the agency office after the close of business will be deemed to be filed on the next business day the office is open.~~

~~(b) FILING BY FAX shall be subject to the following limitations:~~

~~((a) The maximum length of papers acceptable for submission by electronic telefacsimile transmission is ten pages;~~

~~(b) The party sending papers by electronic telefacsimile transmission is responsible for confirming that the material was complete and legible when received by the agency;~~

~~(c) An agency staff member processing the case may require mailing of the original papers to the agency;~~

~~(d) Electronic telefacsimile transmission) (i) Parties shall only transmit one copy of the paper, accompanied by a cover sheet or form identifying the party filing the paper, the total number of pages in the fax transmission, and the name, address, telephone number and fax number of the person sending the fax.~~

~~(ii) The original paper filed by fax shall be mailed to the commission's Olympia office on the same day the fax is transmitted.~~

~~(iii) The case number(s) shall be indicated on the front page of each document filed by fax, except for petitions and complaints being filed to initiate proceedings before the agency.~~

~~(iv) Filing by fax shall occur only when a complete legible copy of the paper is received by the agency. If a fax is not received in legible form, it will be treated as if it had never been filed. A party attempting to file a paper by fax bears the risk that the paper will not be timely or legibly received, regardless of the cause.~~

~~(v) If receipt of a fax transmission commences after office hours, the paper will be deemed filed on the next business day the office is open.~~

~~(vi) Fax shall not be used to submit or revoke authorization cards for purposes of a showing of interest or cross-check under chapter 391-25 WAC.~~

~~(c) FILING BY E-MAIL ATTACHMENT shall be subject to the following limitations:~~

~~(i) Parties shall only transmit one copy of the paper, as an attachment to an e-mail message identifying the party filing the paper, the total number of pages in the attachment, the software used to prepare the attachment, and the name, address, telephone number and e-mail address of the person sending the e-mail message.~~

~~(ii) The original paper filed by e-mail attachment shall be mailed to the commission's Olympia office on the same day the e-mail message and attachment are transmitted.~~

~~(iii) The case number(s) shall be indicated on the front page of each document filed by e-mail attachment, except for petitions and complaints being filed to initiate proceedings before the agency.~~

~~(iv) Filing by e-mail attachment shall occur only when a complete legible copy of the paper is received by the agency. If an e-mail attachment is not received in legible form, or cannot be opened with software on the list promulgated by the executive director under this section, it will be treated as if it had never been filed. A party attempting to file a paper by e-mail attachment bears the risk that the paper will not be timely or legibly received, regardless of the cause.~~

~~(v) If an e-mail transmission is received by the agency after office hours, the paper will be deemed filed on the next business day the office is open.~~

(vi) E-mail shall not be used to submit or revoke authorization cards for purposes of a showing of interest or cross-check under chapter 391-25 WAC.

SERVICE ON OTHER PARTIES

(3) A party which files ~~((or submits))~~ any papers ~~((to))~~ with the agency shall serve a copy of the papers upon all counsel and representatives of record ~~((;))~~ and upon ~~((all))~~ unrepresented parties ~~((not represented by counsel))~~ or upon their agents designated by them or by law. Service shall be completed no later than the day of filing ~~((or submission under subsection (1) or (2) of this section))~~, by one of the following methods:

(a) Service may be made personally, and shall be regarded as completed when delivered in the manner provided in RCW 4.28.080;

(b) Service may be made by first class, registered, or certified mail, and shall be regarded as completed upon deposit in the United States mail properly stamped and addressed.

(c) Service may be made by ~~((telegraph or by))~~ commercial parcel delivery company, and shall be regarded as completed ~~((when deposited with a telegraph company or))~~ upon delivery to the parcel delivery company, properly addressed ~~((and))~~ with charges prepaid.

(d) Service may be made by ~~((electronic telefacsimile transmission))~~ fax, and shall be regarded as completed upon production by the ~~((telefacsimile device))~~ fax machine of confirmation of transmission, together with same day mailing of a copy of the papers, postage prepaid and properly addressed, to the person being served.

(e) Service may be made by e-mail attachment, and shall be regarded as completed upon transmission, together with same day mailing of a copy of the papers, postage prepaid and properly addressed, to the person being served.

PROOF OF SERVICE

(4) On the same day that service of any papers is completed under subsection (3) of this section, the person who completed the service shall:

(a) Obtain an acknowledgment of service from the person who accepted personal service; or

(b) Make a certificate stating that the person signing the certificate personally served the papers by delivering a copy at a date, time and place specified in the certificate to a person named in the certificate; or

(c) Make a certificate stating that the person signing the certificate completed service of the papers by:

(i) Mailing a copy under subsection (3)(b) of this section; or

(ii) Depositing a copy under subsection (3)(c) of this section with a ~~((telegraph or))~~ commercial parcel delivery company named in the certificate; or

(iii) Transmitting and mailing a copy under subsection (3)(d) or (e) of this section.

(5) Where the sufficiency of service is contested, an acknowledgment of service obtained under subsection (4)(a) of this section or a certificate of service made under subsec-

tion (4)(b) or (c) of this section shall constitute proof of service.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-08-180 Continuances. (1) Postponements, continuances, extensions of time, and adjournments may be ordered by the presiding officer~~((:~~

~~((a))~~ on his or her own motion~~((;~~

~~((b))~~ With the consent of all parties; or

~~((c))~~ On the timely oral or written request of any party showing good and sufficient cause~~((;))~~ or may be granted on timely request of any party, with notice to all other parties, if the party shows good cause.

(2) ~~((Before submitting a request for a continuance;))~~ A request for a continuance may be oral or written. The party seeking the continuance shall notify all other parties of the request~~((; and shall attempt to obtain their consent))~~. The request for a continuance shall ~~((specify that))~~ state whether or not all other parties ~~((either))~~ agree to ~~((or disagree on))~~ the continuance.

~~((a))~~ If all parties do not agree to ~~((a))~~ the continuance ~~((requested before or after a hearing))~~, the presiding officer shall promptly schedule a prehearing conference to receive argument and to rule on the request.

~~((b))~~ If all parties do not agree to a continuance requested during a hearing, the presiding officer shall receive argument and rule on the request.

AMENDATORY SECTION (Amending WSR 99-14-060, filed 7/1/99, effective 8/1/99)

WAC 391-08-310 Subpoenas—Form—Issuance to parties. (1) Every subpoena shall:

(a) State the name of the agency as: State of Washington, public employment relations commission;

(b) State the title of the proceeding and case number; and

(c) Identify the party causing issuance of the subpoena.

(2) Every subpoena shall command the person to whom it is directed to attend and give testimony or produce designated books, documents, or things under his or her control at the time and place set for the hearing, except no subpoena shall be issued or given effect to require the attendance and testimony of, or the production of evidence by, any member of the commission or any member of the agency staff in any proceeding before the agency.

(3) Subpoenas may be issued by the commission or its presiding officer:

(a) On the request of counsel or other representative authorized to practice before the agency; or

(b) On the request of a party not represented by counsel or other representative authorized to practice before the agency, but may then be conditioned upon a showing of general relevance and reasonable scope of the testimony or evidence sought.

(4) Subpoenas may be issued by attorneys under the authority conferred upon them by RCW 34.05.446(1).

(5) A subpoena may be served by any suitable person over eighteen years of age, by exhibiting and reading it to the

witness, or by giving him or her a copy of the subpoena, or by leaving a copy of the subpoena at the place of his or her abode. When service is made by any person other than an officer authorized to serve process, proof of service shall be made by affidavit or declaration under penalty of perjury.

(6) The party which issues or requests issuance of a subpoena shall pay the fees and allowances and the cost of producing records required to be produced by subpoena.

(a) Witness fees, mileage, and allowances for meals and lodging shall be at the rates and terms allowed by the superior court for Thurston County.

(b) Witnesses shall be entitled to payment in advance for their fees for one day's attendance, together with mileage for traveling to and returning from the place where they are required to attend, if their demand for payment is made to the officer or person serving the subpoena at the time of service.

(7) The presiding officer, upon motion made at or before the time specified in the subpoena for compliance therewith, may:

(a) Quash or modify the subpoena if it is unreasonable or oppressive; or

(b) Condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(8) Subpoenas shall be enforced as provided in RCW 34.05.588(1).

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 391-08-230 Summary judgment.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-050 Petition form—Number of copies—Filing—Service. Each petition shall be prepared on a form furnished by the commission or on a facsimile thereof(~~:(The original and one copy of the petition)), and~~ shall be filed at the commission's Olympia office, as required by WAC 391-08-120(1). The party filing the petition shall serve a copy on the employer and on each employee organization named in the petition as having an interest in the proceedings, as required by WAC 391-08-120 (3) and (4).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-090 Contents of petition filed by employer. (1) Where an employer has been presented with one or more demands for recognition of an exclusive bargaining representative of previously unrepresented employees, it may obtain a determination of the question concerning representation. A petition under this subsection shall contain all of the information required by WAC 391-25-070, except as follows:

(a) The petition shall contain a statement that the employer has been presented with a demand by an organization seeking recognition as the exclusive bargaining representative of the employees in the bargaining unit described in the petition.

(b) WAC 391-25-110 shall not be applicable to petitions filed under this subsection.

(c) The employer shall attach copies of any written demand(s) for recognition or other correspondence pertaining to the claimed question concerning representation.

(2) Where an employer has a good faith belief that a majority of its employees in an existing bargaining unit no longer desire to be represented by their incumbent exclusive bargaining representative, it may obtain a determination of the question concerning representation. A petition under this subsection shall contain all of the information required by WAC 391-25-070 except as follows:

(a) The employer shall attach affidavits and other documentation as may be available to it to demonstrate the existence of a good faith doubt concerning the representation of its employees.

(b) To constitute a basis for a good faith doubt under this paragraph, signature documents provided to the employer by employees must be in a form which would qualify as supporting evidence under WAC 391-25-110 if filed by the employees directly with the commission.

(3) (~~The original and one copy of~~) A petition under this section shall be filed at the commission's Olympia office, as required by WAC 391-08-120(1). The employer shall serve a copy on each employee organization named in the petition as having an interest in the proceedings, as required by WAC 391-08-120 (3) and (4).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-230 Election agreements. Where an employer and all other parties agree on a representation election, they may enter into an election agreement.

(1) An election agreement shall contain:

(a) The name and address of the employer and the name, address and telephone number of its principal representative;

(b) The names and addresses of all other parties participating in the election agreement and the names, addresses and telephone numbers of their principal representatives;

(c) A description of the bargaining unit agreed to be appropriate, specifying inclusions and exclusions, and the number of employees in that unit;

(d) A statement by the parties that no organization is known which is or may be entitled to intervene as an incumbent representative, or the incumbent representative is a party to the election agreement, or the incumbent representative has abandoned the unit as evidenced by documentation attached to the election agreement;

(e) A statement by the parties that no other organization is known which claims to represent any of the employees in the bargaining unit; that the parties agree that a question concerning representation exists; that a hearing is waived; and that the agency is requested to proceed to conduct an election and certify the results;

(f) A list, attached to the election agreement as an appendix, containing the names of the employees eligible to vote in the election and the eligibility cut-off date for the election. If the election is to be conducted by mail ballot, the list shall include the last known address of each of the employees eligible to vote. If no eligibility cut-off date is specified by the parties, the eligibility cut-off date shall be the date on which the election agreement is filed;

(g) The suggestions of the parties as to the arrangements for conducting the election; and

(h) The signatures and, if any, the titles of all parties or their representatives.

(2) ~~((The original and one copy of the))~~ An election agreement shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be posted by the employer in conspicuous places on the employer's premises where notices to affected employees are usually posted. The election agreement shall remain posted for at least seven days after it is filed with the agency.

(3) Upon the filing of an election agreement conforming to the foregoing requirements and seeking an election in an appropriate bargaining unit, the executive director shall proceed to conduct an election.

(4) Objections to the election by a party to the election agreement shall be limited to matters relating to specific conduct affecting the results of the election.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-250 Cross-check agreements. Where only one organization is seeking certification as the representative of unrepresented employees, the employer and the organization may enter into a cross-check agreement.

(1) A cross-check agreement shall contain:

(a) The name and address of the employer and the name, address and telephone number of its principal representative;

(b) The name and address of the organization and the name, address and telephone number of its principal representative;

(c) A description of the bargaining unit agreed to be appropriate, specifying inclusions and exclusions, and the number of employees in that unit;

(d) A statement by the parties that no other organization is known which claims to represent any of the employees in the bargaining unit; that the parties agree that a question concerning representation exists; that a hearing is waived; and that the agency is requested to conduct and certify the results of a cross-check of individually signed and dated authorization cards or membership records submitted by the organization against the employment records of the employer;

(e) A list, attached to the cross-check agreement as an appendix, containing the names of the employees in the bargaining unit;

(f) The suggestions of the parties as to the arrangements for conducting the cross-check;

(g) The agreement of the parties to be bound by the results of the cross-check; and

(h) The signatures and, if any, the titles of the representatives of the parties.

(2) ~~((The original and one copy of the))~~ A cross-check agreement shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be posted by the employer in conspicuous places on the employer's premises where notices to affected employees are usually posted. The cross-check agreement shall remain posted for at least seven days after it is filed with the agency.

(3) Upon the filing of a cross-check agreement conforming to the foregoing requirements and seeking a cross-check in an appropriate bargaining unit, the executive director shall proceed with the cross-check of records. The cross-check may be conducted at any time following the execution of a cross-check agreement; but no certification shall be issued until seven days have elapsed following the filing and posting of the cross-check agreement. Where a motion for intervention is timely filed and granted, no certification shall be issued on the basis of the cross-check.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-270 Supplemental agreements. Where the parties are able to agree generally on the matters to be set forth in an election agreement under WAC 391-25-230 or a cross-check agreement under WAC 391-25-250, but are unable to agree on limited issues concerning the definition of the bargaining unit or employee eligibility, they may expedite the determination of the question concerning representation while reserving their disagreement for subsequent determination by entering into a supplemental agreement under this rule together with an agreement under WAC 391-25-230 or 391-25-250.

(1) A supplemental agreement shall contain:

(a) The names of all parties to the election agreement or cross-check agreement and the case number of the proceedings;

(b) Identification of the employees or classifications as to which a dispute exists, together with the identification of the position taken by each party on the dispute;

(c) A statement by all parties requesting that employees affected by the supplemental agreement be permitted to vote by challenged ballot or be challenged for purposes of a cross-check, subject to a subsequent determination of the dispute; and that the certification of the results of the election or cross-check not be withheld pending the determination of the dispute unless the challenges are sufficient in number to affect the outcome; and

(d) The signatures and, if any, the titles, of the representatives of the parties.

(2) ~~((The original and one copy of the))~~ A supplemental agreement shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), together with the agreement filed under WAC 391-25-230 or 391-25-250, and copies shall be posted with such agreement.

(3) Upon the filing of a supplemental agreement, the executive director shall proceed with the determination of the question concerning representation. If the challenges are sufficient in number to affect the outcome, they shall be determined prior to the issuance of a certification. Otherwise, an interim certification shall be issued which shall be amended

upon final disposition of the issues framed in the supplemental agreement.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-350 Hearings—Nature and scope. Hearings shall be public and shall be limited to matters concerning the determination of the existence of a question concerning representation, the appropriate bargaining unit and questions of eligibility. During the course of the hearing, the hearing officer may, upon motion by any party, or upon his or her own motion, sequester witnesses. It shall be the duty of the hearing officer to inquire fully into all matters in issue and to obtain a clear and complete factual record upon which the commission and the executive director may discharge their duties under the pertinent statutes and these rules. Once a hearing has been declared closed, it may be reopened only upon the timely motion of a party upon discovery of new evidence which could not with reasonable diligence have been discovered and produced at the hearing. ~~((A party which desires to have a brief or written argument considered shall file an original and one copy))~~ Any party shall be entitled, upon request made before the close of the hearing, to file a brief. The hearing officer may direct the filing of briefs as to any or all of the issues in a case. Arrangements and due dates for briefs shall be established by the hearing officer. Any brief shall be filed with the hearing officer as required by WAC 391-08-120(1), and ((shall serve)) copies shall be served on all other parties to the proceeding as required by WAC 391-08-120 (3) and (4).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-590 Filing and service of objections to improper conduct and interim orders. The due date for objections is seven days after the tally has been served under WAC 391-25-410 or under WAC 391-25-550, regardless of whether challenged ballots are sufficient in number to affect the results of the election. The time period for objections cannot be extended.

(1) Objections by the petitioner, the employer or any intervenor shall set forth, in separate numbered paragraphs:

(a) The specific conduct which the party filing the objection claims has improperly affected the results of the election; and/or

(b) The direction of election, direction of cross-check or other interim rulings which the objecting party desires to appeal to the commission.

(2) Objections by individual employees are limited to conduct or procedures which prevented them from casting a ballot.

(3) ~~((The original and three copies of the))~~ Any objections shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and the party filing the objections shall serve a copy on each of the other parties to the proceedings as required by WAC 391-08-120 (3) and (4).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-650 Briefs and written arguments on objections. (1) The due date for any brief which the party filing an objection desires to have considered by the commission is fourteen days following the later of:

(a) The issuance of a transcript of a hearing held under WAC 391-25-630(2); or

(b) The filing of objections under WAC 391-25-590 (1)(b).

~~((The original and three copies of the))~~ Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

(2) The due date for any responsive brief which other parties desire to have considered by the commission is fourteen days following the date on which that party is served with an appeal brief. ~~((The original and three copies of the))~~ Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

(3) The executive director or designee may extend the due date for an appeal brief or responsive brief. Such requests shall only be considered if made on or before the date the brief is due, and in compliance with WAC 391-08-180. Extensions of time shall not be routine or automatic.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-660 Appeals from orders and jurisdictional rulings. An order issued under WAC 391-25-390 or 391-25-510 and any rulings in the proceedings up to the issuance of the order, as well as rulings that the employer or employees are subject to the jurisdiction of the commission, may be appealed to the commission as follows:

(1) The due date for a notice of appeal shall be twenty days following the date of issuance of the order being appealed. The time for filing a notice of appeal cannot be extended.

(2) Where an order has been appealed, the due date for a notice of cross-appeal by other parties shall be seven days after the last date on which a notice of appeal could be timely. The time for filing a notice of cross-appeal cannot be extended.

(3) A notice of appeal or notice of cross-appeal shall identify, in separate numbered paragraphs, the specific rulings, findings of fact, conclusions of law, or orders claimed to be in error.

(4) ~~((The original and three copies of))~~ A party which desires to cite or reassert a document previously filed in the matter shall do so by reference to the document already on file, and shall not file or attach another copy of the document to papers filed regarding an appeal.

(5) A notice of appeal or notice of cross-appeal shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

~~((5))~~ (6) The due date for any appeal brief which the party filing an appeal or cross-appeal desires to have considered by the commission shall be fourteen days following the filing of its notice of appeal or notice of cross-appeal. ~~((The original and three copies of the))~~ Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

~~((6))~~ (7) The due date for any responsive brief which a party desires to have considered by the commission shall be fourteen days following the date on which that party is served with an appeal brief. ~~((The original and three copies of the))~~ Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

~~((7))~~ (8) The executive director or designee may extend the due date for an appeal brief or responsive brief. Such requests shall only be considered if made on or before the date the brief is due, and in compliance with WAC 391-08-180. Extensions of time shall not be routine or automatic.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-25-670 Commission action on objections and appeals. If there are objections under WAC 391-25-590 or an order is appealed under WAC 391-25-660, the entire record in the proceedings shall be ~~((transferred))~~ transmitted to the commission members. The commission may request the parties to appear before it to make oral argument as to any or all of the issues in the matter. The commission shall determine the objections or appeal and any challenged ballots referred to the commission pursuant to WAC 391-25-510, and shall issue appropriate orders.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-35-030 Petition form—Number of copies—Filing—Service. Each petition for clarification of an existing bargaining unit shall be prepared on a form furnished by the commission or shall be prepared in conformance with WAC 391-35-050~~((The original and one copy of the petition))~~, and shall be filed at the commission's Olympia office, as required by WAC 391-08-120(1). If the petition is filed other than as a jointly filed petition, the party filing the petition shall serve a copy on the other party to the collective bargaining relationship in which the disagreement arises, as required by WAC 391-08-120 (3) and (4).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-35-170 Hearings—Nature and scope. Hearings shall be public and shall be limited to matters concerning the determination of the petition for clarification of an existing bargaining unit. During the course of the hearing, the hearing officer may, upon motion by any party, or upon his or her own motion, sequester witnesses. It shall be the

duty of the hearing officer to inquire fully into all matters in issue and to obtain a full and complete factual record upon which the commission and the executive director may discharge their duties under the pertinent statutes and these rules. Once a hearing has been declared closed, it may be reopened only upon the timely motion of a party upon discovery of new evidence which could not with reasonable diligence have been discovered and produced at the hearing. ~~((A party which desires to have a brief or written argument considered shall file an original and one copy))~~ Any party shall be entitled, upon request made before the close of the hearing, to file a brief. The hearing officer may direct the filing of briefs as to any or all of the issues in a case. Arrangements and due dates for briefs shall be established by the hearing officer. Any brief shall be filed with the hearing officer as required by WAC 391-08-120(1), and ~~((shall serve))~~ copies shall be served on all other parties to the proceeding as required by WAC 391-08-120 (3) and (4).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-35-210 Appeals. An order issued under WAC 391-35-190 and any rulings in the proceedings up to the issuance of the order may be appealed to the commission as follows:

(1) The due date for a notice of appeal shall be twenty days following the date of issuance of the order being appealed. The time for filing a notice of appeal cannot be extended.

(2) Where an order has been appealed, the due date for a notice of cross-appeal by other parties shall be seven days after the last date on which a notice of appeal could be timely. The time for filing a notice of cross-appeal cannot be extended.

(3) A notice of appeal or notice of cross-appeal shall identify, in separate numbered paragraphs, the specific rulings, findings of fact, conclusions of law, or orders claimed to be in error.

(4) ~~((The original and three copies of))~~ A party which desires to cite or reassert a document previously filed in the matter shall do so by reference to the document already on file, and shall not file or attach another copy of the document to papers filed regarding an appeal.

(5) A notice of appeal or notice of cross-appeal shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

~~((5))~~ (6) The due date for any appeal brief which the party filing an appeal or cross-appeal desires to have considered by the commission shall be fourteen days following the filing of its notice of appeal or notice of cross-appeal. ~~((The original and three copies of the))~~ Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

~~((6))~~ (7) The due date for any responsive brief which a party desires to have considered by the commission shall be fourteen days following the date on which that party is served with an appeal brief. ~~((The original and three copies of the))~~

Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

~~((7))~~ (8) The executive director or designee may extend the due date for an appeal brief or responsive brief. Such requests shall only be considered if made on or before the date the brief is due, and in compliance with WAC 391-08-180. Extensions of time shall not be routine or automatic.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-35-250 Commission action on appeals. If an order is appealed under WAC 391-35-210, the entire record in the proceedings shall be ~~((transferred))~~ transmitted to the commission members. The commission may request the parties to appear before it to make oral argument as to any or all of the issues in the matter. The commission shall determine the status of each position, classification or group covered by the appeal, and shall issue appropriate orders.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

WAC 391-45-001 Scope—Contents—Other rules. This chapter governs proceedings before the public employment relations commission on complaints charging unfair labor practices. The provisions of this chapter should be read in conjunction with ~~((the provisions of))~~:

(1) Chapter 10-08 WAC, which contains the model rules of procedure promulgated by the chief administrative law judge ~~((governing the conduct of))~~ to regulate adjudicative proceedings under chapter ~~((391-45 WAC))~~ 34.05 RCW, except:

(a) WAC 10-08-035, which is ~~((supplanted))~~ replaced by detailed requirements in WAC 391-45-050;

(b) WAC 10-08-050, which relates to ~~((procedures of the))~~ office of administrative hearings ~~((and so is))~~ procedures inapplicable to proceedings before the public employment relations commission;

(c) WAC 10-08-211, which is ~~((supplanted))~~ replaced by detailed requirements in WAC 391-45-350 and ~~((391-45-370))~~ 391-45-390; and

(d) WAC 10-08-230, which is ~~((supplanted))~~ replaced by detailed requirements in WAC 391-45-070, 391-45-090, and 391-45-260.

(2) Chapter 391-08 WAC, which contains rules of practice and procedure applicable to all types of proceedings before the public employment relations commission, and which also replaces some provisions of chapter 10-08 WAC.

(3) Chapter 391-25 WAC, which ~~((contains rules relating to))~~ regulates representation proceedings ~~((on petitions for investigation of questions concerning representation of employees)).~~

(4) Chapter 391-35 WAC, which ~~((contains rules relating to))~~ regulates unit clarification proceedings ~~((on petitions for clarification of existing bargaining units)).~~

(5) Chapter 391-55 WAC, which ~~((contains rules relating to))~~ regulates the resolution of impasses ~~((occurring))~~ in collective bargaining.

(6) Chapter 391-65 WAC, which ~~((contains rules relating to))~~ regulates grievance arbitration ~~((of grievance disputes arising out of the interpretation or application of a collective bargaining agreement))~~ and grievance mediation proceedings.

(7) Chapter 391-95 WAC, which ~~((contains rules relating to determination of))~~ regulates union security ~~((disputes arising between employees and employee organizations certified or recognized as their bargaining representative))~~ non-association proceedings.

AMENDATORY SECTION (Amending WSR 90-06-074, filed 3/7/90, effective 4/7/90)

WAC 391-45-002 Sequence and numbering of rules—Special provisions. This chapter of the Washington Administrative Code is designed to regulate proceedings under a number of different chapters of the Revised Code of Washington. General rules are set forth in sections with numbers divisible by ten. Where a deviation from the general rule is required for conformity with a particular statute, that special provision is set forth in a separate rule ~~((;))~~ numbered as follows:

(1) ~~((Special provisions relating to chapter 41.56 RCW (Public Employees' Collective Bargaining Act) and to chapter 53.18 RCW (Port employees) are set forth in WAC sections numbered one digit greater than the general rule on that subject matter.~~

~~((2))~~ Special provisions relating to chapter 41.59 RCW (Educational Employment Relations Act) are set forth in WAC sections numbered two digits greater than the general rule on that subject matter.

~~((3))~~ Special provisions relating to chapter 28B.52 RCW (Professional negotiations—academic faculties of community college districts) are set forth in WAC sections numbered three digits greater than the general rule on that subject matter.

~~((4))~~ (2) Special provisions relating to chapter 49.08 RCW (Private sector employees) are set forth in WAC sections numbered nine digits greater than the general rule on that subject matter.

AMENDATORY SECTION (Amending WSR 90-06-074, filed 3/7/90, effective 4/7/90)

WAC 391-45-010 Complaint charging unfair labor practices—Who may file. A complaint charging that ~~((any))~~ a person has engaged in or is engaging in an unfair labor practice ~~((hereinafter referred to as a "complaint"))~~ may be filed by any employee, ~~((group of employees;))~~ employee organization, employer, or their agents.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-030 ((Form)) Complaint in writing—Number of copies—Filing—Service. ~~((Charges shall be in~~

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~~writing, in the form of a~~) Each complaint ((of) charging unfair labor practices~~((The original and one copy)) shall be in writing, and shall be filed at the commission's Olympia office, as required by WAC 391-08-120(1). The party filing the complaint shall serve a copy on each party named as a respondent, as required by WAC 391-08-120 (3) and (4).~~

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

WAC 391-45-050 Contents of complaint ~~((charging unfair labor practices))~~. Each complaint charging unfair labor practices shall contain, in separate numbered paragraphs:

(1) Information identifying the parties and (if known) their ((relationships)) representatives, including:

(a) The name ~~((and))~~, address and telephone number of the employer, and the name, address ~~((and))~~, telephone number, fax number, and e-mail address of ~~((the employer's)) its principal representative ((for the purposes of collective bargaining))~~;

(b) The name ~~((and))~~, address and telephone number of the entity (employer((;)) or employee organization ((or other person charged with engaging in, or having engaged in,)) accused of committing unfair labor practices ((hereinafter referred to as the)) (respondent), and ~~((; if known, the names, addresses and telephone numbers)) the name, address, telephone number, fax number, and e-mail address of ((the)) its principal representative((s of the respondent))~~); and

(c) The name ~~((and))~~, address, telephone number, fax number, and e-mail address of the party filing the complaint ((hereinafter referred to as the)) (complainant), and the name, address ~~((and))~~, telephone number, fax number, and e-mail address of its principal representative.

(2) Clear and concise statements of the facts constituting the alleged unfair labor practices, including times, dates, places and participants in occurrences.

(3) A statement of the remedy sought by the complainant.

(4) The name, signature and, if any, ~~((the))~~ title of the person filing the complaint, and the date of the signature.

(5) Information concerning the parties' relationships, including:

(a) The employer's principal business;

(b) Identification of the employer department or division in which the dispute arises;

(c) The parties' contractual relationship, indicating that:

(i) The parties have never had a contract; or

(ii) A copy of the current (or most recent) ~~((applicable))~~ collective bargaining agreement is attached;

(d) The status of related grievance proceedings between the parties, indicating that:

(i) No grievance has been filed on the dispute involved;

or

(ii) A grievance on the dispute is being processed under the parties' collective bargaining agreement; or

(iii) An arbitration award has been issued on a related grievance;

(e) ~~((The))~~ A description of the ((existing)) bargaining unit involved, specifying inclusions and exclusions; and

(f) The number of employees in the bargaining unit.

(6) Indication of the sections of the Revised Code of Washington (RCW) alleged to have been violated.

AMENDATORY SECTION (Amending WSR 90-06-074, filed 3/7/90, effective 4/7/90)

WAC 391-45-070 Amendment. ~~((Any))~~ (1) A complaint may be amended upon motion made by the complainant ((to the executive director or the examiner prior to the transfer of the case to the commission)), if:

(a) The proposed amendment only involves the same parties as the original complaint;

(b) The proposed amendment is timely under any statutory limitation as to new facts;

(c) The subject matter of the proposed amendment is germane to the subject matter of the complaint as originally filed or previously amended; and

(d) Granting the amendment will not cause undue delay of the proceedings.

(2) Motions to amend complaints shall be subject to the following limitations:

(a) Prior to the appointment of an examiner, amendment shall be freely allowed upon motion to the agency official responsible for making preliminary rulings under WAC 391-45-110;

(b) After the appointment of an examiner but prior to the opening of an evidentiary hearing, amendment may be allowed upon motion to the examiner and subject to due process requirements;

(c) After the opening of an evidentiary hearing, amendment may only be allowed to conform the pleadings to evidence received without objection, upon motion made prior to the close of the evidentiary hearing.

(3) Where a motion for amendment is denied, the proposed amendment shall be processed as a separate case.

AMENDATORY SECTION (Amending WSR 90-06-074, filed 3/7/90, effective 4/7/90)

WAC 391-45-090 Withdrawal. ~~((Any))~~ (1) A complaint may be withdrawn by the complainant ((under such conditions as the executive director or the commission may impose)), by a written request filed before issuance of a decision by an examiner.

(2) A withdrawal "without prejudice" shall not vary any statutory time limitation for filing of unfair labor practice complaints, unless the parties file a written agreement for a different arrangement prior to the expiration of the applicable statutory period.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-110 Deficiency notice—Preliminary ruling ~~((by executive director))—Deferral to arbitration.~~ The executive director or a designated staff member shall determine whether the facts ~~((as))~~ alleged in the complaint may constitute an unfair labor practice within the meaning of the applicable statute.

(1) If ~~((it is determined that))~~ the facts ~~((as))~~ alleged do not, as a matter of law, constitute a violation, ~~((the executive director shall issue and cause to be))~~ a deficiency notice shall be issued and served on all parties, identifying the defects and specifying a due date for the filing and service of an amended complaint. If the defects are not cured in a timely manner, an order ~~((of dismissal containing))~~ shall be issued and served, dismissing the defective allegation(s) and stating the reasons for that action. Unless appealed to the commission under WAC 391-45-350, an order of dismissal issued under this subsection shall be the final order of the agency on the defective allegation(s), with the same force and effect as if issued by the commission.

(2) If ~~((the complaint is found to))~~ one or more allegations state a cause of action for unfair labor practice proceedings before the commission, ~~((the executive director shall set a period))~~ a preliminary ruling summarizing the allegation(s) shall be issued and served on all parties. The preliminary ruling shall establish the due date for the respondent to file its answer ~~((, which shall be ten days or more following the issuance of the preliminary ruling))~~.

(3) The agency may defer the processing of allegations which state a cause of action under subsection (2) of this section, pending the outcome of related contractual dispute resolution procedures, but shall retain jurisdiction over those allegations.

(a) Deferral to arbitration may be ordered where:

(i) Employer conduct alleged to constitute an unlawful unilateral change of employee wages, hours or working conditions is arguably protected or prohibited by a collective bargaining agreement in effect between the parties at the time of the alleged unilateral change;

(ii) The parties' collective bargaining agreement provides for final and binding arbitration of grievances concerning its interpretation or application; and

(iii) There are no procedural impediments to a determination on the merits of the contractual issue through proceedings under the contractual dispute resolution procedure.

(b) Processing of the unfair labor practice allegation under this chapter shall be resumed following issuance of an arbitration award or resolution of the grievance, and the contract interpretation made in the contractual proceedings shall be considered binding, except where:

(i) The contractual procedures were not conducted in a fair and orderly manner; or

(ii) The contractual procedures have reached a result which is repugnant to the purposes and policies of the applicable collective bargaining statute.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

WAC 391-45-130 Examiner—Who may act. The executive director or a designated staff member shall assign an examiner to conduct further proceedings in the matter, and shall notify the parties of that assignment. The examiner may be a member of the agency staff or any other individual designated by the commission or executive director. Upon notice to all parties, an examiner may be substituted for the examiner previously presiding.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

WAC 391-45-170 Notice of hearing. The examiner shall issue a notice of hearing and ~~((cause to be))~~ have it served on the parties ~~((a notice of hearing at a time and place specified therein))~~. Attached to the notice of hearing shall be a copy of the ~~((complaint as approved by the executive director))~~ preliminary ruling issued under WAC 391-45-110. ~~((Any such))~~ A notice of hearing may be amended or withdrawn before the close of the hearing.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-190 Answer—Filing and service. An answer to a complaint charging unfair labor practices shall be in writing. The respondent ~~((s))~~ shall ~~((, on or before the date specified in the preliminary ruling or a notice of hearing,))~~ file ~~((the original and one copy of))~~ its answer ~~((to the complaint))~~ as required by WAC 391-08-120(1), and shall serve a copy on the complainant, as required by WAC 391-08-120(3) and (4).

AMENDATORY SECTION (Amending WSR 90-06-074, filed 3/7/90, effective 4/7/90)

WAC 391-45-210 Answer—Contents ~~((and))~~ = Amendment—Effect of failure to answer. (1) An answer filed by a respondent shall specifically admit, deny or explain each ~~((of the))~~ fact ~~((s))~~ alleged in the portions of a complaint ~~((, unless the respondent))~~ found to state a cause of action under WAC 391-45-110. A statement by a respondent that it is without knowledge of an alleged fact, ~~((in which case the respondent shall so state, such statement operating))~~ shall operate as a denial. ~~((The failure of))~~ An answer shall assert any affirmative defenses that are claimed to exist.

(2) Counterclaims by a respondent against a complainant shall be filed and processed as separate cases, subject to procedures for consolidation of proceedings.

(3) Motions to amend answers shall be acted upon by the examiner, subject to the following limitations:

(a) Amendment shall be allowed whenever a motion to amend the complaint has been granted;

(b) Amendment may be allowed prior to the opening of an evidentiary hearing, subject to due process requirements;

(c) After the opening of an evidentiary hearing, amendment may only be allowed to conform the pleadings to evidence received without objection, upon motion made prior to the close of the evidentiary hearing.

(4) If a respondent fails to file ~~((an))~~ a timely answer or ~~((the failure))~~ fails to specifically deny or explain ~~((in the answer))~~ a fact alleged in the complaint, the facts alleged in the complaint shall ~~((, except for good cause shown,))~~ be deemed to be ~~((an admission that the fact is))~~ admitted as true ~~((as alleged in the complaint))~~, and ~~((as a waiver of the respondent of))~~ the respondent shall be deemed to have waived its right to a hearing as to the facts so admitted. A motion for acceptance of an answer after its due date shall only be granted for good cause.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-250 Motion to make complaint more definite and ~~(certain)~~ detailed. ~~((If a))~~ The examiner may direct that the complaint be made more definite and detailed, upon motion of the respondent, if the examiner is satisfied that the complaint is ~~((alleged by a respondent to be))~~ so indefinite as to hamper the respondent in the preparation of its answer~~((, such)).~~

(1) ~~The respondent ~~((may,))~~ shall file its motion~~ on or before the date specified for the filing of an answer~~((, make a motion for an order that the complaint be made more definite and certain)).~~ ~~((Such))~~ The motion shall be filed and served as required by WAC 391-08-120.

(2) ~~The filing of ~~((such))~~ a motion ~~((with))~~ under this section shall extend the due date for the respondent's answer until ~~((such))~~ a date ~~((as))~~ set by the ~~((executive director or))~~ examiner ~~((may set)).~~ ~~((The examiner may require the complainant to file and serve a statement supplying information necessary to make the complaint definite and certain.))~~~~

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

WAC 391-45-260 Settlement conference. ~~((1) Prior to hearing, the parties may be requested to participate in a settlement conference conducted by a member of the commission staff other than the assigned examiner.)~~ A settlement conference may be held under WAC 10-08-200(15), on the examiner's own motion or at the request of any party to the proceeding. Any settlement conference shall be held in advance of the scheduled hearing date. During ~~((the course of))~~ a settlement conference, the parties will be encouraged, on factual and legal grounds including precedent on the particular subject, to resolve the unfair labor practice dispute. Participation in ~~((the))~~ a settlement conference is voluntary~~((, and the refusal of)).~~ Refusal by a party to participate shall not prejudice ~~((the nonparticipating))~~ that party in any manner.

~~((2) Whether or not a settlement conference has been held, the examiner may hold a prehearing conference to deal with procedural matters related to the hearing. The prehearing conference will be conducted pursuant to WAC 10-08-130. The parties are encouraged to reach binding stipulations on such matters during the course of the prehearing conference.))~~

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

WAC 391-45-270 Hearings—~~((Nature and scope))~~
Reopening of hearing. (1) Hearings shall be public, except where a protective order is issued under WAC 10-08-200(7), and shall be ~~((adversary in nature,))~~ limited to ~~((matters concerning the unfair labor practices alleged in))~~ the portions of a complaint found to state a cause of action under WAC 391-45-110.

(a) ~~The complainant shall ~~((prosecute its own complaint))~~ be responsible for the presentation of its case, and shall have the burden of proof. ~~((During the course of the~~~~

~~hearing, the examiner may, upon motion by any party, or on his or her own motion, sequester witnesses. It shall be the duty of the examiner to inquire fully into the facts as to whether the respondent has engaged in or is engaging in an unfair labor practice so as to obtain a clear and complete factual record on which the examiner and commission may discharge their duties under these rules: Provided, however, That such duty of the examiner shall not be construed as authorizing or requiring the examiner to undertake the responsibilities of the complainant with respect to the prosecution of its complaint or of)~~

(b) ~~The respondent ~~((with respect to the presentation of))~~ shall be responsible for the presentation of its defense, and shall have the burden of proof as to any affirmative defenses.~~

(c) ~~The examiner's authority under WAC 10-08-200 (8) and (9) shall not be construed as authorizing or requiring the examiner to undertake the responsibilities of the complainant or respondent under this subsection.~~

(2) ~~Once a hearing has been declared closed, it may be reopened only upon the timely motion of a party upon discovery of new evidence which could not with reasonable diligence have been discovered and produced at the hearing.~~

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-290 Briefs ~~((and proposed findings))~~. Any party shall be entitled, upon request made before the close of the hearing, to file a brief ~~((or proposed findings of fact, conclusions of law and order, or both, at such time as may be fixed by the examiner)).~~ The examiner may direct the filing of briefs ~~((when he or she deems such filing warranted by the nature of the proceeding or of particular issues therein. A party which desires to have a brief or written argument considered shall file an original and one copy))~~ as to any or all of the issues in a case. Arrangements and due dates for briefs shall be established by the examiner. Any brief shall be filed with the examiner as required by WAC 391-08-120(1), and ~~((shall serve))~~ copies shall be served on all other parties to the proceeding as required by WAC 391-08-120 (3) and (4).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-310 Examiner decision. After the close of the hearing and the filing of all briefs, the examiner shall issue ~~((an order))~~ a decision containing findings of fact ~~((and)),~~ conclusions of law, and an order. Unless appealed to the commission under WAC 391-45-350, ~~((an order))~~ a decision issued under this section shall be the final order of the agency, with the same force and effect as if issued by the commission.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-330 Withdrawal or modification of examiner decision. ~~((On the examiner's own motion or on the motion of any party.))~~ The examiner may set aside, mod-

ify, change or reverse any findings of fact, conclusions of law or order (~~at any time within ten days following the issuance thereof~~), if any mistake is discovered (~~therein. Provided, however, That~~) in the decision.

(1) Action may be taken under this section on the examiner's own motion, or on a written motion filed and served by any party as required by WAC 391-08-120.

(2) Action may only be taken under this section within ten days following issuance of the decision.

(3) This section shall be inoperative after the filing of an appeal to the commission.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-350 Appeals. An order issued under WAC 391-45-110(1) or 391-45-310 and any rulings in the proceedings up to the issuance of the order may be appealed to the commission as follows:

(1) The due date for a notice of appeal shall be twenty days following the date of issuance of the order being appealed. The time for filing a notice of appeal cannot be extended.

(2) Where an order has been appealed, the due date for a notice of cross-appeal by other parties shall be seven days after the last date on which a notice of appeal could be timely. The time for filing a notice of cross-appeal cannot be extended.

(3) A notice of appeal or notice of cross-appeal shall identify, in separate numbered paragraphs, the specific rulings, findings of fact, conclusions of law, or orders claimed to be in error.

(4) (~~The original and three copies of~~) A party which desires to cite or reassert a document previously filed in the matter shall do so by reference to the document already on file, and shall not file or attach another copy of the document to papers filed regarding an appeal.

(5) A notice of appeal or notice of cross-appeal shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

(~~5~~) (6) The due date for any appeal brief which the party filing an appeal or cross-appeal desires to have considered by the commission shall be fourteen days following the filing of its notice of appeal or notice of cross-appeal. (~~The original and three copies of the~~) Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

(~~6~~) (7) The due date for any responsive brief which a party desires to have considered by the commission shall be fourteen days following the date on which that party is served with an appeal brief. (~~The original and three copies of the~~) Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

(~~7~~) (8) The executive director or designee may extend the due date for an appeal brief or responsive brief. Such requests shall only be considered if made on or before the

date the brief is due, and in compliance with WAC 391-08-180. Extensions of time shall not be routine or automatic.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-390 Commission action on appeals. If an order is appealed under WAC 391-45-350, the entire record in the proceedings shall be (~~transferred~~) transmitted to the commission members. The commission may request the parties to appear before it to make oral argument as to any or all of the issues in the matter. The commission shall, on the basis of the record and any briefs or arguments submitted to it, determine the appeal, and shall issue appropriate orders.

AMENDATORY SECTION (Amending WSR 90-06-074, filed 3/7/90, effective 4/7/90)

WAC 391-45-410 Unfair labor practice remedies—Back pay. If an unfair labor practice is found to have been committed, the commission or (~~its~~) examiner shall issue a remedial order. In calculating back pay orders, the following shall apply:

(1) Individuals reinstated to employment with back pay shall have deducted from any amount due an amount equal to any earnings (~~such~~) the employee may have received during the period of the violation in substitution for the terminated employment, calculated on a quarterly basis.

(2) Individuals reinstated to employment with back pay shall have deducted from any amount due an amount equal to any unemployment compensation benefits (~~such~~) the employee may have received during the period of the violation, and the employer shall provide evidence to the commission that (~~such~~) the deducted amount has been repaid to the Washington state department of employment security as a credit to the benefit record of the employee.

(3) Money amounts due shall be subject to interest at the rate which would accrue on a civil judgment of the Washington state courts, from the date of the violation to the date of payment.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-45-430 Motion for temporary relief. In addition to the remedies available under WAC 391-45-410, (~~any~~) a complainant in an unfair labor practice proceeding may make a motion requesting that the commission seek appropriate temporary relief through the superior court, and all such motions shall be processed as provided in this section.

(1) When the complaint is filed, or as soon thereafter as facts giving rise to the request for temporary relief become known, the complainant shall file written notice of its intent to make a motion for temporary relief with the executive director as required by WAC 391-08-120(1), and shall serve a copy of (~~such~~) the notice on each of the other parties to the proceedings as required by WAC 391-08-120 (3) and (4).

(2) Upon the filing of a notice of intent to make a motion for temporary relief, (~~the executive director shall expedite~~)

the processing of the matter shall be expedited under WAC 391-45-110.

(3) After a determination (~~by the executive director~~) that the complaint states a cause of action under WAC 391-45-110, the complainant may file and serve, as required by WAC 391-08-120, a motion for temporary relief together with affidavits as to the risk of irreparable harm and the adequacy of legal remedies.

(4) If there is a motion for temporary relief, the due date for counter-affidavits from other parties is seven days following the date on which that party is served with a motion for temporary relief. The counter-affidavits shall be filed and served as required by WAC 391-08-120.

(5) The executive director shall forward all (~~such~~) motions and affidavits to the commission, which shall determine whether an injunction pendente lite should be sought. In making (~~such~~) its determination, the commission shall adhere to the following policy:

"The name and authority of the public employment relations commission shall not be invoked in connection with a request for temporary relief prior to the completion of administrative proceedings under WAC 391-45-010, et seq., unless it appears that one or more of the allegations in the complaint of unfair labor practices is of such a nature that, if sustained, the complainant would have no fair or adequate remedy and the complainant would suffer irreparable harm unless the status quo be preserved pending the completion of administrative proceedings."

(a) If the commission concludes that temporary relief should be sought, the executive director, acting in the name and on behalf of the commission and with the assistance of the attorney general, shall petition the superior court of the county in which the main office of the employer is located or wherein the person who is alleged to be engaging in unfair labor practices resides or transacts business for an injunction pendente lite.

(b) Whenever temporary relief has been procured, the complaint which has been the basis for (~~such~~) the temporary relief shall be heard expeditiously and the case shall be given priority over all other cases except cases of like character.

(c) A determination by the commission that temporary relief should not be sought at a particular time shall not bar renewal of the motion for temporary relief following the completion of administrative proceedings in which unfair labor practice violations have been found to exist.

AMENDATORY SECTION (Amending WSR 90-06-074, filed 3/7/90, effective 4/7/90)

WAC 391-45-550 Collective bargaining—Policy. It is the policy of the commission to promote bilateral collective bargaining negotiations between employers and the exclusive representatives of their employees. (~~Such~~) Parties are encouraged to engage in free and open exchange of proposals and positions on all matters coming into the dispute between them. The commission deems the determination as to whether a particular subject is mandatory or nonmandatory to

be a question of law and fact to be determined by the commission, and which is not subject to waiver by the parties by their action or inaction. It is the policy of the commission that a party which engages in collective bargaining with respect to (~~any~~) a particular issue does not and cannot (~~thereby~~) confer the status of a mandatory subject on a nonmandatory subject.

AMENDATORY SECTION (Amending WSR 90-06-074, filed 3/7/90, effective 4/7/90)

WAC 391-45-552 Special provision—Educational employees. The obligation to bargain in good faith imposed upon an employer and the exclusive representative of its employees, respectively, by RCW 41.59.020(2) and 41.59.140 (1)(e) or (2)(c) includes:

(1) The obligation to submit, as to each subject for bargaining advanced by the party, a written statement of the language proposed for incorporation in or deletion from the collective bargaining agreement between the parties, together with a written or oral explanation or justification of (~~such~~) the proposals.

(2) The obligation to submit, as to each subject for bargaining advanced by the other party, at least one written response (~~thereto~~), together with a written or oral explanation of (~~such~~) the response (~~—Provided, however, That~~). However, a party which asserts in a written response that a subject for bargaining advanced by the other party is not a mandatory subject for collective bargaining may thereafter refuse to make further proposals as to (~~such~~) the subject or subjects for bargaining.

(3) The obligation to receive proposals from the other party as to all subjects for bargaining in dispute between the parties and, until a legal impasse has been reached, to refrain from demanding the removal of (~~any such~~) the subject from the bargaining table on the basis that it is not a mandatory subject for collective bargaining.

(4) The obligation to exhaust the mediation and fact finding procedure established pursuant to RCW 41.59.120 before implementing all or any part of a final offer in negotiations, except as provided in RCW 41.59.930.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 391-45-230 Amendment of answer.

AMENDATORY SECTION (Amending WSR 99-14-060, filed 7/1/99, effective 8/1/99)

WAC 391-55-030 Assignment of mediator. (1) Upon submission of a request (~~for a mediator~~) under WAC 391-55-010 or 391-55-020 (3)(a), (~~the executive director shall appoint~~) a member of the agency staff shall be assigned as mediator. If the parties have stipulated to the names of one or more persons who are acceptable to both parties as mediator, (~~then the executive director shall consider~~) their request shall be considered in making the assignment.

(2) Upon submission of a request for a list under WAC 391-55-020 (3)(b), names shall be referred and a grievance mediator shall be selected under WAC 391-55-120.

AMENDATORY SECTION (Amending WSR 99-14-060, filed 7/1/99, effective 8/1/99)

WAC 391-55-350 Educational employees—Responsibility of parties after fact finding. Within seven days after the findings and recommendations have been issued, the parties shall notify the commission and each other whether they accept the recommendations of the fact finder. If the recommendations of the fact finder are rejected by one or both parties and their further efforts do not result in an agreement, either party may request mediation pursuant to chapter 41.58 RCW and, upon the concurrence of the other party, the ~~((executive director))~~ agency shall assign a mediator.

AMENDATORY SECTION (Amending WSR 99-14-060, filed 7/1/99, effective 8/1/99)

WAC 391-65-070 Grievance arbitration—Appointment of staff arbitrator. Upon concurrence of the parties or upon the submission of a joint request, a member of the agency staff shall be assigned as grievance arbitrator. The parties shall not be permitted to select a grievance arbitrator from a list of agency staff members, or to exercise a right of rejection on appointments made ~~((by the executive director))~~ under this section; but may jointly express a preference for appointment of one or more staff members as their arbitrator, and ~~((the executive director))~~ their request shall ((consider their request)) be considered in making the assignment. Upon the submission of a request by one party for the appointment of a member of the agency staff as grievance arbitrator, the ~~((executive director))~~ agency shall determine whether the other party to the collective bargaining agreement concurs in the appointment of a staff arbitrator. ~~((Upon concurrence or upon the submission of a joint request, the executive director shall assign a member of the agency staff as grievance arbitrator.))~~ In the absence of concurrence, the ~~((executive director))~~ agency shall notify the requesting party of the lack of concurrence and shall close the case if concurrence is not provided within a reasonable time.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

WAC 391-95-001 Scope—Contents—Other rules. This chapter governs proceedings before the public employment relations commission ~~((relating to union security))~~ on disputes ((arising between employees and employee organizations certified or recognized as their bargaining representative)) concerning the right of nonassociation under the union security provisions of certain statutes. The provisions of this chapter should be read in conjunction with ~~((the provisions of))~~:

(1) Chapter 10-08 WAC, which contains the model rules of procedure promulgated by the chief administrative law judge ~~((governing the conduct of))~~ to regulate adjudicative

proceedings under chapter ~~((391-95-WAC))~~ 34.05 RCW, except:

(a) WAC 10-08-035, which is ~~((supplanted))~~ replaced by detailed requirements in WAC 391-95-110;

(b) WAC 10-08-050, which relates to ~~((procedures of the))~~ office of administrative hearings ~~((and so is))~~ procedures inapplicable to proceedings before the public employment relations commission;

(c) WAC 10-08-211, which is ~~((supplanted))~~ replaced by detailed requirements in WAC 391-95-270 and ~~((391-95-280))~~ 391-95-290; and

(d) WAC 10-08-230, which is ~~((supplanted))~~ replaced by detailed requirements in WAC 391-95-170.

(2) Chapter 391-08 WAC, which contains rules of practice and procedure applicable to all types of proceedings before the public employment relations commission, and which also replaces some provisions of chapter 10-08 WAC.

(3) Chapter 391-25 WAC, which ~~((contains rules relating to))~~ regulates representation proceedings ~~((on petitions for investigation of questions concerning representation of employees)).~~

(4) Chapter 391-35 WAC, which ~~((contains rules relating to))~~ regulates unit clarification proceedings ~~((on petitions for clarification of an existing bargaining unit)).~~

(5) Chapter 391-45 WAC, which ~~((contains rules relating to))~~ regulates unfair labor practice proceedings ~~((on complaints charging unfair labor practices)).~~

(6) Chapter 391-55 WAC, which ~~((contains rules relating to))~~ regulates the resolution of impasses ~~((occurring))~~ in collective bargaining.

(7) Chapter 391-65 WAC, which ~~((contains rules relating to))~~ regulates grievance arbitration ~~((of grievance disputes arising out of the interpretation or application of a collective bargaining agreement))~~ and grievance mediation proceedings.

AMENDATORY SECTION (Amending WSR 90-06-075, filed 3/7/90, effective 4/7/90)

WAC 391-95-010 Notice of union security ~~((—))~~ obligation ~~((of exclusive bargaining representative)).~~ ~~((An exclusive bargaining representative which desires to enforce a union security provision contained in))~~ (1) Whenever a collective bargaining agreement negotiated under the provisions of chapter 28B.52, 41.56, or 41.59 RCW contains a union security provision, the exclusive bargaining representative shall provide each affected employee with a copy of the collective bargaining agreement ((containing the union security provision)), and shall specifically advise each employee of his or her obligations under that agreement, including informing the employee of the amount owed, the method used to compute that amount, when such payments are to be made, and the effects of a failure to pay.

(2) Disputes concerning whether an employee is within the bargaining unit covered by a union security provision shall be resolved through unit clarification proceedings under chapter 391-35 WAC, and shall not be a subject of proceedings under this chapter.

(3) Disputes concerning interpretation or application of a union security provision shall be resolved through grievance

arbitration or other procedures for interpretation or application of the collective bargaining agreement, and shall not be a subject of proceedings under this chapter.

AMENDATORY SECTION (Amending WSR 90-06-075, filed 3/7/90, effective 4/7/90)

WAC 391-95-030 (~~(Union security—)~~) **Assertion of right of nonassociation.** An employee who (~~asserts~~) claims a right of nonassociation based on bona fide religious tenets or teachings of a church or religious body of which such employee is a member shall (~~notify~~) provide written notice of that claim to the exclusive bargaining representative, (~~in writing, of the claim of a right of nonassociation~~) and shall, at the same time, provide the exclusive bargaining representative with the name(s) and address(es) of one or more nonreligious charitable organizations to which the employee is prepared to make alternative payments in lieu of the payments required by the union security provision.

AMENDATORY SECTION (Amending WSR 90-06-075, filed 3/7/90, effective 4/7/90)

WAC 391-95-050 (~~(Union security—)~~) **Response by exclusive bargaining representative.** Within sixty days after it is served with written notice of a claimed right of nonassociation under WAC 391-95-030, the exclusive bargaining representative shall (~~respond~~) provide a written response to the employee, (in writing, both as to) setting forth the position of the exclusive bargaining representative as to both:

(1) The eligibility of the employee to make alternative payments; and (as to)

(2) The acceptance or rejection of the charitable organization(s) suggested by the employee. (If a dispute exists concerning whether the employee is within a class of employees obligated under the terms of the union security provision, all such matters of contractual interpretation shall be resolved under such procedures as may be available for unit clarification or resolution of disputes concerning the interpretation or application of the collective bargaining agreement.)

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-95-070 (~~(Union security—)~~) **Disputes resolved by commission.** (~~In the event of a disagreement between an employee and his or her~~) If the exclusive bargaining representative (as to):

(1) Disputes the eligibility of (~~such~~) the employee to make alternative payments; or (~~as to~~)

(2) Disputes the charitable organization which is to receive such payments; or

(3) Fails to make a timely response under WAC 391-95-050, either the employee or the exclusive bargaining representative may obtain a ruling from the commission (~~on the union security obligations of the employee~~).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-95-090 (~~(Union security—)~~) **Petition (form) in writing—Number of copies—Filing—Service.** Each petition for a ruling on (~~union security obligations~~) a nonassociation claim shall be (~~prepared in conformance with WAC 391-95-110. The original and one copy of the petition~~) in writing, and shall be filed at the commission's Olympia office as required by WAC 391-08-120(1) (~~and~~). The party filing the petition shall serve a copy on the other party to the dispute and on the employer as required by WAC 391-08-120 (3) and (4).

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

WAC 391-95-110 (~~(Union security—)~~) **Contents of petition.** Each petition for a ruling on a nonassociation claim shall contain, in separate numbered paragraphs:

(1) (~~Identification of~~) Information identifying the parties and (if known) their representatives, including:

(a) The name (~~and~~), address and telephone number of the employer, and the name, address (and), telephone number, fax number, and e-mail address of (the employer's) its principal representative (for the purposes of collective bargaining);

(b) The name, address and (~~affiliation, if any;~~) telephone number of the (exclusive representative) employee organization, and the name, address (and), telephone number, fax number, and e-mail address of its principal representative (if any); and

(c) The name, address (~~and~~), telephone number, fax number, and e-mail address of the (affected) employee who has asserted a right of nonassociation, and the name, address (and), telephone number, fax number, and e-mail address of his or her representative.

(2) (~~Indication of~~) Indicate the matters in dispute as including:

(a) The eligibility of the employee to assert a right of nonassociation; and/or

(b) The designation of the charity (~~which is~~) to receive the alternative payments.

(3) (~~Indication of~~) Indicate whether the petition is filed on behalf of:

(a) The employee; or

(b) The employee organization.

(4) The name, signature and, if any, title of the person filing the petition, and the date of the signature.

(5) Information concerning the parties' relationships, including:

(a) The employer's principal business;

(b) A copy of the current (or most recent) (~~applicable~~) collective bargaining agreement; and

(c) (~~The~~) A description of the (existing) bargaining unit involved, specifying inclusions and exclusions (and

~~The approximate number of employees in the bargaining unit).~~

(6) (~~Indication of~~) Indicate whether the claimed right of nonassociation is based upon:

(a) Personal religious beliefs~~(s)~~; or

(b) Upon the teachings of a church or religious body identified in the petition, including the name, address ~~((and))~~, telephone number, fax number, and e-mail address of ~~((a))~~ its contact person.

(7) ~~((Identification of))~~ The name(s) of the charity or charities to which the petitioner proposes to ~~((have receive))~~ make alternative payments, including the name(s), address(es), ~~((and))~~ telephone number(s), fax number(s), and e-mail address(es) of ~~((a))~~ its/their contact person(s).

(8) ~~((Indication of))~~ Indicate whether disputed funds are being held in escrow by the employer.

(9) Any other relevant facts.

AMENDATORY SECTION (Amending WSR 90-06-075, filed 3/7/90, effective 4/7/90)

WAC 391-95-130 ~~((Union security—))~~ Escrow of disputed funds by employer. Upon being served with a copy of a petition filed under WAC 391-95-070, the employer shall preserve the status quo by withholding and retaining the disputed dues for periods during the pendency of the proceedings before the commission. ~~((Said))~~ Funds held in escrow shall draw interest at the rate provided by commercial banks for regular passbook savings accounts. While the proceedings remain pending before the commission, the employer shall not honor or otherwise act upon any request for discharge or other action against the affected employee based on the employee's union security obligations. This ~~((provision))~~ section shall be applicable to employees covered by chapter 41.56 RCW only upon the employee submitting to the employer a signed authorization for the deduction and escrow of disputed funds.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-95-150 ~~((Union security—Initial processing by executive director—))~~ Deficiency notice—Preliminary ruling. The executive director or a designated staff member shall determine whether the facts ~~((as))~~ alleged in the petition may constitute a basis for assertion of a right of nonassociation within the meaning of the applicable statute.

(1) If ~~((it is determined that the claim does))~~ the facts alleged do not, as a matter of law, constitute a basis for assertion of a right of nonassociation, ~~((the executive director shall issue and cause to be))~~ a deficiency notice shall be issued and served on all parties, identifying the defects and specifying a due date for the filing and service of an amended petition. If the defects are not cured in a timely manner, an order ~~((of dismissal containing))~~ shall be issued and served, dismissing the defective allegation(s) and stating the reasons for that action. Unless appealed to the commission under WAC 391-95-270, an order of dismissal issued under this subsection shall be the final order of the agency on the defective allegation(s), with the same force and effect as if issued by the commission.

(2) If ~~((the petition is found to))~~ one or more allegations state a ~~((claim))~~ cause of action for nonassociation proceedings before the commission, ~~((the executive director shall~~

assign the matter to an examiner and shall notify the parties of such assignment)) a preliminary ruling summarizing the allegation(s) shall be issued and served on all parties.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

WAC 391-95-170 ~~((Union security—Prehearing conference—))~~ Notice of hearing. ~~((There shall be issued and served on each of the parties to the dispute and on the employer))~~ The examiner shall issue a notice of hearing ~~((before an examiner at a time and place fixed therein. Any such))~~ and have it served on the employee and the exclusive bargaining representative. Attached to the notice of hearing shall be a copy of the preliminary ruling issued under WAC 391-95-150. A notice of hearing may be amended or withdrawn ~~((prior to))~~ before the close of the hearing. ~~((The examiner has discretion to conduct a prehearing conference to discuss with the parties all contested issues of fact, law, and procedure which may arise in union security cases. The prehearing conference will be conducted pursuant to WAC 10-08-130. The parties are encouraged to reach binding stipulations on all remaining issues during the course of the prehearing conference.))~~

AMENDATORY SECTION (Amending WSR 90-06-075, filed 3/7/90, effective 4/7/90)

WAC 391-95-190 ~~((Union security—Hearings—Who shall conduct—))~~ Examiner—Who may act. ~~((Hearings))~~ The executive director or a designated staff member shall assign an examiner to conduct further proceedings in the matter, and shall notify the parties of that assignment. The examiner may be ~~((conducted by the commission, by the executive director, by))~~ a member of the agency staff or ~~((by))~~ any other individual designated by the commission or executive director ~~((as an examiner)). ~~((At any time))~~ Upon notice to all parties, an examiner may be substituted for the examiner previously presiding.~~

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-95-230 ~~((Nature and scope))~~ Hearings—Reopening of hearing. (1) Hearings shall be public and shall be limited to ~~((matters concerning the determination of the eligibility of the employee to make alternative payments and the designation of an organization to receive such alternative payments. During the course of the hearing, the examiner may, upon motion by any party, or upon his or her own motion, sequester witnesses.))~~ the portions of a petition found to state a cause of action under WAC 391-95-150.

(2) The employee has the burden to make a factual showing, through testimony of witnesses and/or documentary evidence, of the legitimacy of his or her beliefs, as follows:

~~((+))~~ (a) In cases where the claim of a right of nonassociation is based on the teachings of a church or religious body, the claimant employee shall demonstrate:

~~((+))~~ (i) His or her bona fide religious objection to union membership; and

~~((b))~~ (ii) That the objection is based on a bona fide religious teaching of a church or religious body; and

~~((e))~~ (iii) That the claimant employee is a member of such church or religious body.

~~((2))~~ (b) In cases where the claim of a right of nonassociation is based on personally held religious beliefs, the claimant employee shall demonstrate:

~~((a))~~ (i) His or her bona fide religious objection to union membership; and

~~((b))~~ (ii) That the religious nature of the objection is genuine and in good faith.

(3) Once a hearing has been declared closed, it may be reopened only upon the timely motion of a party upon discovery of new evidence which could not with reasonable diligence have been discovered and produced at the hearing.

(4) ~~((A))~~ Any party (which desires to have) shall be entitled, upon request made before the close of the hearing, to file a brief (or written argument considered shall file an original and one copy). The examiner may direct the filing of briefs as to any or all of the issues in a case. Arrangements and due dates for briefs shall be established by the examiner. Any brief shall be filed with the examiner as required by WAC 391-08-120(1), and (shall serve) copies shall be served on all other parties to the proceeding as required by WAC 391-08-120 (3) and (4).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-95-250 Examiner decision. After the close of the hearing and the filing of all briefs, the examiner shall issue ~~((an order))~~ a decision containing findings of fact ~~((and))~~, conclusions of law, and an order. Unless appealed to the commission under WAC 391-95-270, ~~((an order))~~ a decision issued under this section shall be the final order of the agency, with the same force and effect as if issued by the commission.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-95-260 Withdrawal or modification of examiner decision. ~~((On the examiner's own motion or on the motion of any party,))~~ The examiner may set aside, modify, change, or reverse any findings of fact, conclusions of law or order ~~((at any time within ten days following the issuance thereof)),~~ if any mistake is discovered ~~((therein: Provided, however, That))~~ in the decision.

(1) Action may be taken under this section on the examiner's own motion, or on a written motion filed and served by any party as required by WAC 391-08-120.

(2) Action may only be taken under this section within ten days following issuance of the decision.

(3) This section shall be inoperative after the filing of an appeal to the commission.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-95-270 Appeals. An order issued under WAC 391-95-150(1) or 391-95-250 and any rulings in the proceedings up to the issuance of the order ~~((;))~~ may be appealed to the commission as follows:

(1) The due date for a notice of appeal shall be twenty days following the date of issuance of the order being appealed. The time for filing a notice of appeal cannot be extended.

(2) Where an order has been appealed, the due date for a notice of cross-appeal by other parties shall be seven days after the last date on which a notice of appeal could be timely. The time for filing a notice of cross-appeal cannot be extended.

(3) A notice of appeal or notice of cross-appeal shall identify, in separate numbered paragraphs, the specific rulings, findings of fact, conclusions of law, or orders claimed to be in error.

~~((The original and three copies of))~~ A party which desires to cite or reassert a document previously filed in the matter shall do so by reference to the document already on file, and shall not file or attach another copy of the document to papers filed regarding an appeal.

~~((5))~~ (5) A notice of appeal or notice of cross-appeal shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

~~((5))~~ (6) The due date for any appeal brief which the party filing an appeal or cross-appeal desires to have considered by the commission shall be fourteen days following the filing of its notice of appeal or notice of cross-appeal. (The original and three copies of the) Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

~~((6))~~ (7) The due date for any responsive brief which a party desires to have considered by the commission shall be fourteen days following the date on which that party is served with an appeal brief. (The original and three copies of the) Any brief shall be filed at the commission's Olympia office as required by WAC 391-08-120(1), and copies shall be served on all other parties as required by WAC 391-08-120 (3) and (4).

~~((7))~~ (8) The executive director or designee may extend the due date for an appeal brief or responsive brief. Such requests shall only be considered if made on or before the date the brief is due, and in compliance with WAC 391-08-180. Extensions of time shall not be routine or automatic.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

WAC 391-95-290 Commission action on appeals. If an order is appealed under WAC 391-95-270, the entire record in the proceedings shall be ~~((transferred))~~ transmitted to the commission members. The commission may request the parties to appear before it to make oral argument as to any or all of the issues in the matter. The commission shall, on

the basis of the record and any briefs or arguments submitted to it, determine the appeal, and shall issue appropriate orders.

AMENDATORY SECTION (Amending WSR 90-06-075, filed 3/7/90, effective 4/7/90)

WAC 391-95-310 Implementation. (1) Where alternative payments in lieu of payments under a union security agreement have been agreed upon by the parties or ordered by the commission((:));

(a) The employer shall release any funds (together with accumulated interest) held in escrow under WAC 391-95-130 to the designated charitable organization; and

(b) The employee shall thereafter make payments and shall furnish written proof to the exclusive bargaining representative that such payments have been made to the designated charitable organization.

(2) Where the employee is found ineligible to make alternative payments((:));

(a) The employer shall release any funds (together with accumulated interest) held in escrow under WAC 391-95-130 to the exclusive bargaining representative; and ~~((shall enforce the union security provision according to its terms.))~~

(b) The employer and the exclusive bargaining representative shall allow the affected employee a grace period of not less than thirty days following the agreement or final order of the commission to correct any arrearages.

intent; it only clarifies that this rule refers to professional teams (which is also currently specified in WAC 296-17-745).

The proposed language under the tenth bullet reads (in part): "Salaried employees: You must select one of the following methods to report your salaried employees - outside." Remove the word ((outside)). This was a typographical error; removing it will not change the intent of the proposal.

WAC 296-17-537 Classification 1102 (Interstate and Intrastate Trucking) Classifications, 1102-02 Interstate trucking, 1102-03 Intrastate trucking, 1102-04 Combined interstate/intrastate trucking. As a result of public comments received, in each of these classification descriptions remove the following sentence from the proposed language in the special note: ~~((Trucking establishments are allowed to have both the trucking classification 1102 and the permanent yard and shop operation classification 5206 provided the conditions in WAC 296 17 675 have been met. Hours cannot be split for a worker who works in both classes. If an employee has any driving duties, all their hours are to be reported in classification 1102.))~~ Remove the word ((also)) in the fourth sentence in that special note. Removal of this proposed language should prevent conflict and does not change the initial intent. The language in the new classification 5206-80 allows this alternative reporting.

WAC 296-17-544 Classification 1404-12 Cabulance and paratransit. In response to oral testimony at the public hearing by business owners in the paratransit industry, and in consideration that some have entered into contracts to provide paratransit services based, in part, on the industrial insurance rates they currently pay, we will add this statement to this rule: For purposes of this subclassification, paratransit businesses reporting under classification 1405-00 are not required to report in the subclassification until January 1, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 11, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 36, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 47, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 47, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The department finds that delaying the effective date of these rules would impose economic hardship on some employers and workers in Washington state. Therefore, the adoption and earlier effective date of these rules are necessary for the preservation of the public welfare and are made in accordance with RCW 34.05.380 (3)(c). Several amendments in this proposal allow lower-rated classifications in which to

WSR 00-14-052
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed July 1, 2000, 8:46 a.m., effective July 1, 2000]

Date of Adoption: July 1, 2000.

Purpose: Agency proposes to revise general reporting rules, classification plan and experience rating rules applicable to chapter 296-17 WAC for workers' compensation insurance, underwritten by the Department of Labor and Industries. Specifically, to amend three general reporting rules, establish one new risk classification description rule, amend forty-one risk classification definitions, and amend three experience rating rules.

Citation of Existing Rules Affected by this Order: Amending chapter 296-17 WAC.

Statutory Authority for Adoption: RCW 51.16.035, 51.04.020.

Adopted under notice filed as WSR 00-07-138 on March 22, 2000.

Changes Other than Editing from Proposed to Adopted Version: Three rules reflect nonsubstantial variances between the proposed rules and the final rules to be adopted. Those variances occur in the following rules:

WAC 296-17-31021 Units of exposure, subsection (2) second bullet reads (in part): "Baseball, basketball, and soccer teams - including players, coaches, trainers, and officials." Add as defined in WAC 296-19-745 after the word "teams." This additional language does not change the rule's

pay workers' compensation insurance. Employers and workers share in these costs; therefore, delaying implementation would place additional financial burden on both employers and workers who qualify for lower-rated classifications. Employers pay workers' compensation premiums on a quarterly basis. Since July 1 is the beginning date of the 3rd quarter, delaying implementation would result in more burdensome bookkeeping to compute different rates during the same quarter for those employees whose classification changed.

The rules' effective date of July 1, 2000, will not be a surprise to stakeholders and interested parties because, during the rule development process, insurance services staff have consistently announced the rules' effective date as July 1, 2000. As such, no one will be disadvantaged by the earlier effective date. At the proposal stage the department mailed letters, which included the intended effective date of July 1, 2000, to trade associations and employers of industries affected by rule proposals. The department mails letters to those parties when rules are adopted, which will confirm the effective date of July 1, 2000. Also, as noted in the hearing transcript, July 1, 2000, was announced as the intended effective date.

Effective Date of Rule: July 1, 2000.

July 1, 2000

Gary Moore

Director

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-31011 Classification system and plan.

(1) What is a workers' compensation classification system?

A workers' compensation classification system is an objective method of collecting money (*premiums*) to pay the benefits of workers injured on the job. We believe the method used to spread this cost among the employers we insure should be fair and have some relationship to their hazard and potential for loss. Classifications are the tool used to achieve a fair method of distributing the risk among employers we insure. Objective boundaries are established for each classification. These boundaries describe the types of businesses which are included in the classification, as well as the operations and employments routinely encountered. We refer to these objective boundaries as the scope of the classification. Once these boundaries have been defined, we can begin collecting information about the employers assigned to each classification. The information includes the exposure which is being covered (*risk*) and the losses (*claims*) which are related to these businesses. Next, we use this information to establish premium rates that employers in each industry will pay for their workers' compensation insurance. Our goal is to produce fair insurance rates which reflect the hazardous nature of each industry. We have tailored our classification system in Washington to reflect industries found in our state. This makes our system responsive to change and provides rate payer equity to the employers we insure. Employers engaged in more hazardous industries such as logging will

pay higher insurance rates than employers engaged in less hazardous businesses such as retail store operations.

(2) Why is a classification system needed?

We need a classification system to provide fair premium rates. Washington law (*RCW 51.16.035*) also requires us to have a classification system.

(3) Is the classification system the same as the classification plan?

No, we refer to the body of rules (*WACs*) which establish the general parameters of how classifications are to be used as the "classification system." These rules speak to the requirements of workers' compensation insurance and to our general classification approach, such as classifying by nature of business in the state of Washington, not by occupation of worker. The "classification plan" refers to all of the various classification descriptions which describe different types of business or industry. The classification system rules (*general rules*) will apply to all businesses unless another treatment is specifically provided for in the classification plan rules (*special rules*).

(4) How is our classification plan designed?

We have designed a plan which is keyed to the nature of the businesses or industries of the employers we insure. Our plan has over three hundred business or industry classifications. Each classification carries a premium rate which reflects the hazards that workers are exposed to. Descriptions of our classifications can be found in *WAC 296-17-501* through *296-17-779*.

(5) Is your classification approach similar to the approach used by private insurance companies?

Yes, we are required by law (*RCW 51.16.035*) to use the same classification (*underwriting*) approach used by private carriers.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-31012 Classification assignment. (1) How are classifications assigned to my business?

We will assign a basic classification or classifications to your business based on the nature of ~~((the))~~ your business ~~((you are engaged))~~ operation(s) in the state of Washington. We will not assign classifications to your business based on the individual operations, duties or occupations of individuals found within your business unless the basic classification assigned to your business either requires or permits a separate classification treatment for specified operations or employments. Exceptions to this approach are outlined in *WAC 296-17-31017* and *296-17-31018*.

(2) Does this same classification approach apply if I have several businesses?

This classification approach will apply to each separate legal entity. Each separate legal entity will be classified on its own merits.

(3) How do you decide what classification(s) to assign to my business?

To determine what classification(s) to assign to your business, we need enough information to give us a clear

understanding of the precise nature of your business and the hazards your business poses to your workers. In some cases we will need to call you to obtain more detailed information about your business. Occasionally one of our field representatives may visit your business to gain a better understanding of the nature of your business. In most cases we will find a classification that specifically describes your business.

Example: You operate a company that sells baked goods to retail customers. Before we can classify your business we need to determine whether you bake the goods you are selling or are simply selling goods another business has baked. Once we have determined the precise nature of your business, we will review all of the available classifications to find the one that best describes the entire business. If the business has baked the products they are selling, we would consider a bakery classification or maybe a restaurant classification. If your business simply sells baked goods that another business made, we may look at a retail store classification. In most cases we will find a classification that specifically describes the business we are classifying.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-31021 Units of exposure. (1) What is a "unit of exposure?"

A unit of exposure is the measure which is used to help determine the premium you will pay. For most businesses the unit of exposure is the **hours** worked by their employees. Because not all employees are compensated based on the hours they work, we have developed reporting alternatives to make reporting to us easier. Those alternatives are outlined in subsection (2) of this section. In other cases, the department may authorize some other method in assuming workers hours for premium calculation purposes.

~~((Example: Employers in the horse racing industry pay their premiums based on a type of license their employees hold rather than the hours the employees work. Drywall contractors pay premiums based on the square footage of the materials they install rather than the hours it took their employees to install the drywall material.~~

In other instances, we have developed daily, weekly, or monthly **assumed** work hours.

~~Example: Commission sales employees who work primarily away from your premises, such as a real estate sales person, are to be reported on the basis of eight hours per day or forty hours per week.))~~

(2) What are the alternatives to actual hours worked?

The exceptions are:

- **Apartment house managers, caretakers, or similar employees:** To determine the number of hours you need to report to us, divide an employee's total compensation, including housing and utility allowances, by the average hourly wage for the classification. The total number of work hours to be reported for each employee is not to exceed 520 hours per quarter. You will need to call us at (360) 902-4817 to obtain average hourly wage information.

- **Baseball, basketball, and soccer teams as defined in WAC 296-17-745 - including players, coaches, trainers, and officials:** Report each individual at 40 hours per week for each week in which they have duties.
- **Commission employees - outside (such as, but not limited to, real estate and insurance sales):** You must select one of the following methods to report your commission employees - outside:
 - Actual hours worked; or
 - Assumed hours of eight hours per day for part-time employees or ~~((forty hours per week))~~ one hundred sixty hours per month for full-time employees. All outside commission employees of an employer must be reported by the same method. ~~((You must report either the actual hours worked for each employee or one hundred sixty hours per month.))~~ You cannot report some outside commission employees based on the actual hours they work and others using the eight hours per day for part-time employees or one hundred sixty hours per month for full-time employees method.
- **Drywall - stocking, installation, scrapping, taping, and texturing:** Premiums are based on material installed/finished rather than the hours it took to install/finish the drywall.
- **Horse racing - excluding jockeys:** Employers in the horse racing industry pay premiums based on a type of license their employees hold rather than the hours the employees work. Premiums are ~~((paid on a license basis and))~~ collected by the Washington horse racing commission at the time of licensing.
- **Jockeys:** Report ten hours for each race/mount or for any day in which duties are reported.
- **Race car drivers:** Report ten hours for each race/heat.
- **Salaried employees:** ~~((All salaried employees of an employer must be reported by the same method. You must report either the actual hours worked for each employee or one hundred sixty hours per month. You cannot report some salaried workers based on the actual hours they work and others using the one hundred sixty hours per month method.))~~ You must select one of the following methods to report your salaried employees:
 - Actual hours worked; or
 - Assumed hours of one hundred sixty hours per month.

All salaried employees of an employer must be reported by the same method. You cannot report some salaried employees based on the actual hours they work and others using the one hundred sixty hours per month method. Provided further, as in the case of contract personnel employed by schools and/or school districts, the school or school district shall report actual hours worked for each employee, one hundred sixty hours per month for each employee, or the department may authorize some other method in assuming workers hours for premium calculation purposes.

(3) Can I use assumed work hours for piece workers?

No, if you employ piece workers you must report the actual hours these individuals work for you unless another unit of exposure is required.

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Example: If you have employees engaged in drywall work you would report and pay premiums on the basis of the square footage of the material they installed not the hours they worked.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-501 Classification 0101.

0101-00 Land clearing: Highway, street and road construction, N.O.C.

Applies to contractors engaged in clearing right of ways for subsurface construction on a new or existing highway, street, or roadway project that is not covered by another classification (N.O.C.). The subsurface is the roadbed foundation consisting of dirt, sand, gravel and/or ballast which has been leveled and compressed. Unless the finished project is a compressed gravel road, the subsurface or sub base is constructed prior to any asphalt or concrete paving activities. Work contemplated by this classification involves the excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, earth excavation, cut and fill work, and bringing the roadbed to grade. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders, rollers, and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; bridge or tunnel construction including the abutments and approaches which is to be reported separately in classification 0201; felling of trees which is to be reported separately in the applicable logging classification; and logging road construction which is to be reported separately in classification 6902.

0101-01 Land clearing: Airport landing strips, runways and taxi ways; alleys and parking lots

Applies to contractors primarily engaged in clearing right of ways for subsurface construction on a new or existing airport landing strip, runway, and taxi way. This classification also includes clearing of right of ways for alley and parking lot projects. The subsurface is the foundation consisting of dirt, sand, gravel and/or ballast which has been leveled and compressed. Unless the finished project is compressed gravel, the subsurface or sub base is constructed prior to any asphalt or concrete paving activities. Work contemplated by this classification involves the excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, earth excavation, cut and fill work, and bringing the roadbed or project site to grade. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders, rollers, and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in clas-

sification 0210; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; and felling of trees which is to be reported separately in the applicable logging classification.

0101-02 Excavation work, N.O.C.

Applies to contractors engaged in general excavation work for others that is not covered by another classification (N.O.C.). Work contemplated by this classification involves excavating or digging of earth to form the foundation hole such as for a wood-frame or nonwood-frame building and side sewer hookups (street to house) when performed as part of the excavation contract. Activities include, but are not limited to, excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, piling or pushing of earth, earth excavation, cut and fill work, backfilling, etc. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210 and felling of trees which is to be reported separately in the applicable logging classification.

0101-03 Grading work, N.O.C.

Applies to contractors engaged in various forms of grading work for others that are not covered by another classification (N.O.C.). Typical equipment used is a grader, but other equipment such as a bulldozer and a front end loader may also be used. Work contemplated by this classification includes, but is not limited to, leveling and grading lands, spreading dirt, sand, gravel and/or ballast to desired contour on farm lands or other tracts of land.

0101-04 Land clearing, N.O.C.

Applies to contractors engaged in general land clearing work that is not covered by another classification (N.O.C.). This classification includes, but is not limited to, excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, piling or pushing of earth to rearrange the terrain, earth excavation, cut and fill work, backfilling, and slope grooming. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders and dump trucks.

This classification excludes felling of trees which is to be reported separately in the applicable logging classification.

0101-16 Railroad line: Construction, maintenance and repair, N.O.C.

Applies to contractors engaged in the construction, maintenance and repair of railroad tracks not covered by another classification (N.O.C.), including the dismantling of track and the sale of salvaged track metal and ties. Work contemplated by this classification includes all operations on new or existing main lines, side tracks and spurs to industrial properties. This classification includes, but is not limited to, the laying of rock or ballast, laying of ties and track, installa-

tion of crossover frogs and switches, erection of switch stands and switch mechanism, erection of cattle guards, the placing of grade crossing planks, and similar activities related to the laying or relaying of railroad lines and also includes the dismantling of railroad main lines, side tracks and spurs to include track, ties, etc., and the subsequent storage and sale of salvaged material after the railroad line is dismantled.

This classification excludes asphalt surfacing/resurfacing and all concrete construction work which is to be reported separately in the applicable asphalt or concrete construction classification; logging railroad construction which is to be reported separately in classification 6902; and the construction, maintenance, or repair of an elevated railway which is to be reported separately in classification 0508.

0101-17 Retaining wall: Construction or repair when done in connection with road, street and highway construction, N.O.C.

Applies to contractors engaged in the construction or repair of retaining walls in connection with highway, street, or roadway projects that are not covered by another classification (N.O.C.). Retaining walls are often constructed to protect against potential problems such as earth slides or erosion of banks alongside a roadway or overpass. Work contemplated by this classification involves large scale excavation to contour a specific area of earth serving as a retaining wall. Activities include, but are not limited to, excavation, clearing, cut and fill work, backfilling, grading and slope grooming. Fill material used may include dirt, sand, stone or boulder. Equipment used by contractors subject to this classification includes, but is not limited to, scrapers, bulldozers, graders, backhoes and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210; concrete construction which is to be reported separately in the applicable concrete construction classification; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; bridge or tunnel construction including the abutments and approaches which is to be reported separately in classification 0201; felling of trees by chain saw which is to be reported separately in classification 5001; logging road construction which is to be reported separately in classification 6902; and tunnels and approaches including lining, cofferdam work, shaft sinking and well digging with caissons which is to be reported separately in classification 0201.

0101-36 Tree care and pruning services, N.O.C.

Applies to specialist contractors engaged in providing a variety of tree care services such as tree topping and tree pruning that are not covered by another classification (N.O.C.). Work contemplated by this classification generally takes place in residential areas, parking lots, business parks, shopping malls, or settings adjacent to nonforestry or timberland roadways. A primary purpose of this work is to remove tree or branch hazards from power lines, structures, or buildings. This classification includes, but is not limited to, incidental ground operations such as picking up branches and limbs, operating mobile chip machines used in connection

with a tree care service, spraying or fumigating of trees, debris removal and stump removal when conducted by employees of an employer subject to this classification.

This classification excludes tree care services done in connection with an orchard operation which is to be reported separately in classification 4803 when performed by orchard employees; tree care services done in connection with a nursery operation which is to be reported separately in classification 4805; tree care services done in connection with a public or private forest or timberland which is to be reported separately in classification 5004; ~~((or))~~ tree care services done in connection with a Christmas tree farm operation which is to be reported separately in classification 7307; and felling trees which is to be reported separately in classification 5001.

0101-37 Soil remediation

Applies to establishments engaged in various types of remediation of soil contaminated with hazardous or toxic materials. Soil remediation can take place at the site of the contamination, or the contaminated soil may be hauled to another area for remediation. This classification also includes oil spill cleanup on land. Equipment used will include backhoes and front end loaders, as well as other types of dirt moving equipment.

The methods used for soil remediation ~~((may))~~ include, but are not limited to, ~~((the following))~~:

~~((-Bio-remediation~~

~~-Encapsulation~~

~~-Excavation and hauling to an approved disposal site~~

~~-Hot air vapor extraction~~

~~-Soil vapor extraction~~

~~-In situ vitrification~~

~~-Land farming~~

~~-Mobile incineration~~

~~-Thermal desorption~~

~~-Stabilization)) - Bio-remediation: Contaminated soil is mixed with nutrients, sawdust, and various other additives. Naturally occurring bacteria in the soil break down the pollutants.~~

~~- Encapsulation: Contaminated soil is enclosed in some type of protective material to prevent drainage into surrounding soil.~~

~~- Excavation and hauling to an approved disposal site.~~

~~- Hot air vapor extraction: A burner unit is mounted on a trailer. Contaminated soil is arranged in layers on which an aluminum perforated pipe system is placed at 2' intervals, with a return pipe on the top layer. The soil stack is enclosed in visqueen, then hot air is pumped into the piping system which creates the steam that is recycled through the system and carries the contaminants back through the catalytic burner. Because of the catalytic action there are virtually no contaminants exhausted into the atmosphere.~~

~~- Soil vapor extraction: A series of holes are bored in the ground and vacuum pumps are used to suck the trapped gases which are drawn through carbon filters for decontamination.~~

~~- In situ vitrification: Graphite electrodes are fed into contaminated soil at a specified rate, where high voltage "melts" the organic and inorganic materials in the soil and forms a solid, glasslike substance.~~

- Land farming: Contaminated soil is deposited and spread out by a farm type spreader on an area of ground dedicated for this purpose. Chemical or manure fertilizer is added to provide a medium for naturally occurring bacteria to thrive. (This part is similar to bio-remediation.) The soil is turned frequently by tillers or rototillers to assist in the aeration of the soil and in the growth of the bacteria. It may take anywhere from a month to two years to cleanse the soil, depending on the volatility of the contaminants. This method is used particularly with soil that is heavily contaminated with oil.

- Mobile incineration: Contaminated soil is loaded onto a conveyor belt which carries it into the hopper of a mobile unit mounted on a lowboy trailer. The unit is heated to burn off the contaminants in the soil. The mobile unit contains a type of dust-collecting mechanism which filters out gases and other nondesirable elements so only clean air enters the atmosphere as the refreshed soil is produced. There are various methods of mobile incineration, but the general process and the end result are similar.

- Thermal disabsorption: A process similar to mobile incineration.

- Stabilization: Concrete landfill cells are created by mixing cement with refuse or other contaminated soil to stabilize the material and reduce the seepage into the surrounding soil.

This classification excludes oil spill cleanup involving diking or ditching work which is to be reported separately in classification 0201.

0101-39 Pool or pond excavation

Placement of pool or pond liners

Applies to contractors engaged in the excavation of pools or ponds. Work contemplated by this classification involves excavating or digging of earth to form the hole such as for a swimming pool or pond. Work contemplated by this classification includes excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, piling or pushing of earth, earth excavation, cutting, filling or backfilling, etc. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, bulldozers, backhoes and dump trucks. This classification includes the placement of plastic pool and pond liners provided it is not in connection with concrete work.

This classification excludes concrete construction which is to be reported separately in the applicable concrete construction classification.

0101-40 Mowing or chemical spraying of roadway median strips, roadsides, and/or power line right of ways

Applies to contractors engaged in mowing, grooming, picking up litter, and chemical spraying of roadway median strips and edges, roadsides, and power line right of ways. Work contemplated by this classification includes spraying chemicals to control weeds and unwanted vegetation, tall grass, brush, brambles and tree seedlings as part of a roadway, roadside or right of way maintenance contract. Equipment used by contractors subject to this classification includes, but is not limited to, a variety of equipment such as

backhoes, tractors, push mowers, brush mowers, weed eaters, as well as hand tools such as machetes, sickles, and pruners.

This classification excludes mowing and/or grooming of roadway median strips, roadsides, and power line right of ways when performed by employees of cities, counties, state agencies, or other municipalities which is to be reported in the classification applicable to the type of municipality performing the work; forest, timber or range land contract work which is to be reported separately in the classification applicable to the work being performed; and the felling and removal of trees by chain saw which is to be reported separately in classification 5001.

Special note: Classification 0301, "landscape construction," and classification 0308, "landscape maintenance," are not to be assigned to mowing and/or grooming of roadway median strips, roadsides, and power line right of ways.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-50601 Classification 0107.

0107-00 Utility line construction: Underground, N.O.C.

Applies to contractors engaged in underground utility line or cable construction that is not covered by another classification (N.O.C.). Work contemplated by this classification includes the installation and maintenance of underground television cable, power, and telephone line including main, extension, and outside service connection lines. Installation of these types of utilities usually occurs at a depth of 3' or less. This classification includes digging narrow trenches, laying pipe or conduit, laying line or cable, and filling or backfilling trenches. In some instances automatic equipment is used which in one operation opens the trench, lays the line and backfills. Equipment used by contractors subject to this classification includes backhoes, mechanical or manual trench diggers, automatic equipment and dump trucks.

This classification excludes land or road clearing and excavation which is to be reported separately in classification 0101; overhead television, power, or telephone lines including poles or towers which are to be reported separately in classification 0509 or the applicable utility company classification; asphalt surfacing/resurfacing which is to be reported separately in classification 0210 or 0212; concrete construction which is to be reported separately in the applicable concrete construction classification(s); and construction specialty services including the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219.

0107-01 Pipelaying, N.O.C.

Applies to contractors engaged in underground pipelaying or pipeline construction not covered by another classification (N.O.C.). Work contemplated by this classification includes the installation and maintenance of underground gas, oil or water main construction, and other pipelines such as those extending cross country. Installation of these types of pipes usually occurs at a depth of approximately 3'. This classification includes digging narrow trenches, laying pipe, making connections, and filling or backfilling trenches. This

classification includes machinery and equipment such as backhoes, mechanical or manual trench diggers, and dump trucks.

This classification excludes land or road clearing and excavation which is to be reported separately in classification 0101; construction of sewer lines and drainage systems, canals, ditches, underground tanks generally occurring at a depth greater than 3' which are to be reported separately in classification 0108; asphalt surfacing/resurfacing which is to be reported separately in classification 0210 or 0212 as applicable; concrete construction which is to be reported separately in the applicable concrete construction classification(s); and construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219.

((0107-02 Invisible fence installation

~~Applies to specialist contractors engaged in the installation of invisible fences which are usually used to confine animals within a given area. Work contemplated by this classification includes identifying the land area to be fenced to keep animals in, digging a trench 1" wide by 2" deep along the field perimeter (usually the trench is made with a relatively small trench digger or modified rototiller), placing wire in the trench and burying it. The wire is connected to a transmitter box which plugs into a 110 volt electrical outlet. The intensity of the voltage is set by the transmitter and the animal wears a receiver collar. This classification includes related maintenance and repair at the customer's location.))~~

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-510 Classification 0301.

0301-04 Lawn type sprinkler systems: Installation, service or repair

Applies to contractors engaged in the installation, service or repair of lawn type sprinkler systems. This type of activity is performed by landscaping contractors, plumbing contractors, and irrigation specialist contractors. Generally, lawn type sprinkler systems are installed at private residences or commercial businesses. The process involves identifying the area of land to be covered to determine the size and amount of pipe and sprinkler heads needed for the job. The installation involves cutting a trench in the ground (12" to 18" deep and wide enough to accommodate the pipe) with a vibrating plow or pipe pulling machine. Next, pipe is laid in the trench, glued, or otherwise joined, heads and canisters are installed, and the timer is hooked up. The system is checked for leaks, needed adjustments are made, and the pipe and heads are buried.

This classification excludes open canal type irrigation systems which are to be reported separately in classification 0108; the installation, service or repair of above or below ground agricultural/irrigation systems which is to be reported separately in classification 0301-06; and maintenance and cleaning of lawn sprinkler system pipes and heads done in connection with a landscape maintenance contract which is to be reported separately in classification 0308.

0301-06 Agricultural sprinkler/irrigation systems, N.O.C.: Installation, service or repair

Applies to contractors engaged in the installation, service or repair of above or below ground agricultural sprinkler and irrigation systems not covered by another classification (N.O.C.). The more common types of systems include below ground, fixed or movable, and wheel or impulse. Generally, these types differ from lawn sprinkler systems in that the size of pipes and pumps installed are much larger to produce the water pressure needed to irrigate large areas of land. Installation of below ground systems involves the use of trenching equipment to dig trenches, which are usually more than two feet deep to lay pipe. The above ground systems are laid out and assembled based on the need of the land area.

This classification excludes open canal type irrigation systems which are to be reported separately in classification 0108, and the installation, service or repair of lawn type sprinkler systems which is to be reported separately in classification 0301-04.

0301-08 Landscape construction operations, N.O.C.

Applies to landscape contractors engaged in new landscape construction or renovation projects not covered by another classification (N.O.C.). This classification also applies to specialist contractors engaged in the installation of invisible fences which are usually used to confine animals within a given area. Landscape construction work contemplated by this classification includes producing a preliminary drawing of the landscape or renovation project, preparing the ground (which may include tilling and spreading top soils or custom mix soils), installing sprinkler systems, planting trees, plants or shrubs, planting or replanting grass from seed or sod, installing ground cover material or plastic to retard weeds, placement of concrete borders, and the incidental construction of rockery, fences, ponds, paths, walkways, arbors, trellis and gazebos when performed by employees of a landscape contractor as part of a landscape contract. Such activities conducted separately from a landscape contract and not part of the landscape project are to be reported separately in the classification applicable to the work being performed. Equipment used by contractors subject to this classification includes, but is not limited to, tractors with till attachments, small front end loaders, trenchers, mowers, fertilizer spreaders, wheelbarrows, and electric power tools.

Invisible fence construction work contemplated by this classification includes identifying the land area to be fenced, sketching a preliminary drawing, burying the wire in a narrow trench (about 1" wide by 2" to 6" deep) that has been dug along the field perimeter (or just securing the wire onto the ground around the perimeter), and connecting end of wire to a low voltage transmitter box (usually about the size of a hand-held calculator) that plugs into a 110 volt electrical outlet. This classification includes training sessions for the animal and related maintenance and repair at the customer's location. Equipment used to install invisible fences includes, but is not limited to, rakes or other hand tools, and small trench diggers.

This classification excludes all grading, clearing, or contouring of land which is to be reported separately in classification 0101; bulkheads not adjacent to water, or similar struc-

tures built of rock, which are to be reported separately in classification 0302; and lawn care maintenance or chemical spraying or fumigating which is to be reported separately in classification 0308.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-521 Classification 0508.

0508-00 Radio, television, cellular or water towers, poles and towers, N.O.C.: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel, or wood(☞) radio, television, cellular or water towers, poles, towers and those towers which are not covered by another classification (N.O.C.). Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the foundation/excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding or bolting them into place, and the installation, removal, service and/or repair of antennas, dish units and/or other transmitting/receiving apparatus to the structure. This classification also includes the delivery of material and supplies to the job site (~~and the installation of antennae or other apparatus to a structure covered by this classification~~) when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow the separate reporting of excavation or foundation work irrespective of who performs the work. This classification includes specialty contractors who install, remove, service or repair antennas, dish units and/or other transmitting/receiving apparatus to a structure covered by this classification.

0508-01 Smokestack: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel or concrete smokestacks. These structures are part of an industrial complex and facilitate the discharge of combustion vapors, gases, or smoke. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and

assembly of parts, installation of scaffolding, raising segments into place with a crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of any apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; preliminary clearing of land by a contractor who is not also excavating the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation work irrespective of who performs the work.

0508-02 Windmill and silo: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel or wood windmills or silos. Windmills use the force of wind passing around the rotor blades to turn turbines and produce electric power. These may be built individually or in groups known as "wind farms." Additional apparatus and storage batteries are housed in separate buildings nearby. Silos are large cylindrical structures used to store grain or fodder (silage). They are filled through the top by means of a conveyor. Within the structure, augers and pumps can move the grain to blend, aerate, or feed it out the chute. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow the separate reporting of excavation or foundation work irrespective of who performs the work.

0508-03 Oil still or refinery: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of oil stills or refineries. These facilities are basically composed of multi-story storage tanks, chimneys, pipelines, separating apparatus and steam generating systems. They receive unprocessed petroleum (crude oil) and convert it into usable products such as gasoline, kerosene, wax, grease and chemical feed stocks. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation and other concrete, on-site fabrication and assembly of parts, erecting framework, installation of scaffolding, raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus in an oil still or refinery when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of control or pump houses and other buildings not part of the main processing plant which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation work irrespective of who performs the work and plant maintenance contract work which is to be reported separately in classification 0603.

0508-04 Blast furnace and metal burners: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of blast furnaces and metal burners. These are tall, very heavy gauge, cylindrical steel structures in which heated air and combustible fuels are combined to produce the heat necessary to separate the usable material in metal ores from the waste products. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, installation of a brick lining, raising structural members by crane and welding or bolting into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when

done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of additional buildings as part of an ore reduction or metal producing facility which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-08 Elevated railway, tram, lift or similar conveyances: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of elevated railways, trams, lifts or similar conveyances. An elevated railway can be a full scale railroad or a smaller scale system such as a recreational monorail. For the purposes of this classification, trams are overhead cable cars, and lifts are similar to the typical ski lift. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting frames and supports (metal or concrete), installation of scaffolding, raising structural members by crane and welding or bolting them into place, and installing and securing tracks, cables or pulley systems. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; or the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-09 Exterior tanks, N.O.C.: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of all types of

exterior tanks not covered by another classification (N.O.C.). These tanks may be part of water storage and distribution systems, chemical or petroleum processing and storage operations, or other industrial applications. This classification includes the erection or construction of tanks that are elevated on structural piers and those that rest on the ground. These tanks may be constructed singly or in groups known as "tank farms" which are common to the petroleum industry. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, and raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-11 Crane or derrick: Installation, construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the installation, construction or erection, dismantling, maintenance or repair of nonmobile cranes and derricks for commerce and industrial use. Cranes and derricks can be very similar in that they are both defined as machines for hoisting and moving heavy objects through the use of stationary or movable booms equipped with cables. An object, sometimes weighing many tons, can be secured to the cables and moved into position along the length of a stationary boom or to another location within the reach of a movable boom. A derrick, however, can also be a permanent framework over an opening, such as an oil-drilling operation, to support boring equipment. The cranes included in this classification are those that are permanently installed at a marine port, cargo handling facility or an industrial facility to move supplies, cargo containers, or heavy objects (vertically or horizontally) that are being assembled and must pass through the length of a building to complete the process. Work contemplated by this classification includes, but is not limited to, the placement of forms and reinforcing steel for a foundation (in the case of some structures described above, the additional reinforcing required to support the crane is usually contemplated in the

plan for the building's foundation where the crane is being anchored), on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by hoist and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; and delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-12 Water cooling towers or structures - metal or wood: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of metal or wood water cooling towers or vertical structures. These structures are usually part of an industrial complex in which water is used as a cooling element in a manufacturing process. The water, which absorbs heat from the machinery being cooled, can be circulated and reused after it has been channeled through a cooling tower to be chilled sufficiently. A common design allows the hot water to tumble down numerous open louvers or steps to lower its temperature. These towers are often composed of prefabricated parts which are delivered to the site and then assembled by bolting or welding together, then the necessary motors, pipes, fans and pumps are installed. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding, bolting or otherwise fastening them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of other related buildings at the project site which is to be reported separately in the applicable construction classification.

Special notes: This classification does not allow separate reporting of excavation or foundation irrespective of who performs the work. Construction of a water cooling structure that uses a horizontal rather than tower-like design is to be reported separately in classification 0518.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-52102 Classification 0510.

0510-00 Wood frame building: Construction or alterations, N.O.C.

Applies to contractors engaged in wood frame building construction or alterations not covered by another classification (N.O.C.). For the purposes of this classification, wood frame building construction means buildings erected exclusively of wood or wood products. This classification includes all building framing activities done in connection with wood frame building construction including the placement of roof trusses, sheathing roofs, installation of exterior building siding, and the installation of exterior doors and door frames. This classification also includes the installation of windows, window frames, and skylights when performed by framing workers as part of the framing contract on a wood frame building.

This classification excludes all other phases of wood frame building construction not listed as part of the framing activities above such as, but not limited to, site preparation and excavation (0101); overhead or underground utilities, asphalt work, or concrete work which is to be reported separately in the applicable classification; new landscape work (0301); brick work (0302); stucco work (0303); plumbing work (0306); HVAC work (0307); carpet and tile work (0502); exterior painting (0504); roof work (0507); insulation work (0512); interior finish carpentry - interior doors, cabinets, fixtures or molding (0513); installation of garage doors (0514); installation of sheet metal siding, gutters, and non-structural sheet metal patio covers/carports (0519); interior painting (0521); electrical work (0601) or wallboard installation, taping or texturing which are to be reported separately in the applicable classifications. For a more thorough description of the activities included and excluded from wood frame building construction, review the Construction Industry Guide.

Special note: Classification 0510 also includes wood frame building alterations or remodel work when the activity involves building new additions. The term "new additions" is defined as adding on to an existing wood frame building (upwards or outwards) in which the use of structural supports and main bearing beams is required. This is distinguishable from classification 0516 - building repair or carpentry work that typically does not require the placement of structural supports or main bearing beams. The purpose of classification 0516 is to build or rebuild with nonstructural or bearing beams, or to replace an existing portion (including existing structural and bearing beams) of a wood frame building for appearances or as a result of deterioration to make it appear new again. Care should be exercised as the terminology to build, rebuild, remodel, construct or reconstruct is irrelevant

to assignment of classification which should recognize what the project actually involves.

Guidelines:

Constructing a new wood frame building that never existed - 0510

Altering all or part of an existing wood frame building by adding on new additions - 0510

Remodeling all or part of an existing wood frame building *without* adding on new additions - 0516

Installation of wood or vinyl siding on a new or existing wood frame building - 0510

Constructing a new wood garage that never existed - 0510

Altering all or part of an existing wood garage by adding on new additions - 0510

Remodeling all or part of an existing wood garage without adding on new additions - 0516

Constructing a new wood carport or wood shed that never existed - 0510

Rebuilding an existing wood carport or wood shed (all or part) with or without new additions - 0516

Construction of a new wood deck by the framing contractor when a new wood house is being built - 0510

Constructing or replacing a wood deck on an existing wood house - 0516

Constructing or replacing a wood deck for any type of nonwood building - 0516

Altering the existing interior of a wood frame building by adding exterior additions - 0510

Remodeling the existing interior of a wood frame building without adding exterior additions - 0516

Constructing, altering, or remodeling the interiors of nonwood frame buildings - 0516

Installation of windows, window frames, and skylights when performed by framing workers as part of the framing contract of a wood frame building - 0510.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-52106 Classification 0514.

0514-00 Garage or overhead door: Installation, service or repair

Applies to contractors engaged in the installation, service or repair of garage or overhead doors made of wood, metal, or aluminum. As part of a new construction project, the installation usually occurs before the building or structure is painted. Garage or overhead door installation can also occur as a replacement to an existing door or as an alteration or addition to a building or structure. The process involves installing door tracks on both sides of the doorway, inserting the door, which usually consists of panels or sections, into the tracks, and attaching panels or sections to one another. This classification also includes the installation of automatic door openers when performed as a part of the garage or overhead door installation contract, and by the same contractor installing the doors.

This classification excludes the installation, service or repair of commercial automatic door openers when it is not performed as a part of the garage or overhead door installation contract (~~(and by the same installation contractor)~~) which is to be reported separately in classification 0603 (~~(as is all service or repair for automatic door openers)~~); the installation, service or repair of residential automatic door openers when it is not performed as a part of the garage or overhead door installation contract which is to be reported separately in classification 0607; the installation of exterior glass doors and door frames such as nonautomatic and automatic opening doors at retail establishments or commercial buildings which are to be reported separately in classification 0511; the installation of interior or exterior doors and door frames when performed by a framing contractor as part of framing a wood frame building which is to be reported separately in classification 0510; the installation of interior doors and door frames which is to be reported separately in classification 0513; the installation of wood, fiberglass or metal exterior doors as part of a nonwood frame building when performed by employees of the general contractor which is to be reported separately in classification 0518; and the repair or replacement of wood, fiberglass or metal doors on an existing building which is to be reported separately in classification 0516.

0514-01 Nonstructural additions to buildings or structures: Installation, removal, alteration, and/or repair

Applies to contractors engaged in the installation, removal, alteration, and/or repair of nonstructural additions to buildings or structures. Nonstructural iron, steel, brass or bronze additions include, but are not limited to, fire escapes, staircases, balconies, railings, window or door lintels, protective window or door gratings, bank cages, decorative elevator entrances or doors, permanent stadium seating, and wall facades and facings. Shutters and similar decorative add-ons may be made of wood, vinyl or plastic. Generally, the process involves bolting, screwing, riveting, or welding these additions to the interior or exterior of buildings or structures. Contractors who operate a shop to prefabricate the additions are to be assigned the classification applicable for the shop manufacturing work being performed. When a contractor's business is assigned a manufacturing classification for shop operations, classification 5206, "Permanent yard or shop," is no longer applicable to the contractor's business for the storage of materials or repair of equipment.

This classification excludes sheet metal installation such as siding, gutters and downspouts, and nonstructural sheet metal patio covers/carports which are to be reported separately in classification 0519; the installation, repair or dismantling of portable bleachers or stages which is to be reported separately in classification 0603; and the erection of commercial metal carports, service station canopies, and structural iron or steel work as part of a building or structure which is to be reported separately in classification 0518.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-527 Classification 0607.

0607-11 Household appliances: Installation, service and/or repair by nonstore service or repair company; dealers of used household appliances

Applies to establishments engaged in the installation, service and/or repair of electrical or gas household appliances and to dealers of used electrical or gas household appliances. Many establishments covered by this classification have small retail store operations where they offer reconditioned or second hand appliances for sale, a parts department, and an area where appliances brought into the shop are repaired. Although this classification deals primarily with service away from the shop, the store, parts department and shop operations are included within the scope of this classification. The term "household appliances" includes, but is not limited to, stoves, ovens, ranges, dishwashers, refrigerators, trash compactors, television sets, residential type garage door openers, washing machines, and clothes dryers. This classification also applies to the installation, service or repair of automated teller machines. Repair services provided by establishments subject to this classification may also include related smaller appliances such as video players, portable television sets, stereo systems, microwave and toaster ovens, blenders, coffee makers and mixers. The *servicing* of water softening systems, coffee and juice machines, and beer taps is also included in this classification.

This classification excludes dealers of new household appliances who are to be reported separately in classification 6306; installation, service, and/or repair of commercial appliances such as those used in laundries, bakeries, and restaurants which is to be reported separately in classification 0603; installation, service, and repair of commercial garage doors and openers which is to be reported separately in classification 0603; installation of water softening systems which is to be reported separately in classification 0306; and small table top or counter top appliance stores which are to be reported separately in classification 6406.

Special note: Classification 0607 is distinguishable from classification 6306-02 operations in that appliance stores covered in classification 6306-02 are engaged primarily in the sales of new appliances. Although classification 6306 includes repair of appliances, most repairs are related to warranty work and represent a minor part of the business. By contrast, the repair of appliances in classification 0607 is the primary activity of the business.

0607-16 Television antenna or satellite dish: Installation, removal, service and/or repair

Applies to establishments engaged in the installation, removal, service and/or repair of television antennas or satellite dish receiving units. Operations contemplated by this classification are limited to rooftop installation of television antennas or ground or rooftop-mounted satellite dish reception units. Establishments covered by this classification will generally employ technicians and installers to install systems and trouble shoot reception problems. Equipment is limited

primarily to delivery trucks ((and)), vans, ladders, and small power and/or hand tools.

This classification excludes ~~((installation of larger commercial broadcasting or receiving antennas or dish units such as those found in television and radio broadcast stations which is))~~ specialty contractors who install, remove, service or repair antennas, dish units, and/or other transmitting/receiving apparatus to a structure covered by classification 0508, who are to be reported separately in classification 0508; and establishments engaged in the sale of new console type and big screen televisions who also sell and install antennas which are to be reported separately in classification 6306.

0607-17A Safes or vaults, private mail boxes, or safe deposit boxes: Installation, removal, service and/or repair

Applies to contractors engaged in the installation, removal, service and/or repair of all types of safes or vaults regardless of size or application, private mail or postal boxes, or safe deposit box units within buildings. Safes and vaults are found in businesses such as, but not limited to, banks, jewelry stores, rare coin and stamp stores, grocery stores, and gasoline service stations, as well as in private residences. Services contemplated by this classification include, but are not limited to, safe opening services.

0607-17B Lock sets and/or dead bolt locks: New installation

Applies to the *new installation* of lock sets and/or dead bolt locks on buildings or structures by contractor or by employees of a locksmith. The term new installation applies to installing a lock set (locking doorknob) or a dead bolt where none previously existed. The process consists of measuring and marking where the unit is to be placed on the door, boring holes into the door to accept the lock set or dead bolt lock, and installing the lock set unit using a power drill and basic hand tools.

This classification excludes the installation of a *replacement* lock set or dead bolt lock unit by employees of a locksmith, and locksmith store operations which are to be reported separately in classification 6309.

0607-18A Window/door blinds, shades, curtains and drapes: Installation

Applies to contractors and employees of store operations who are engaged in the installation of indoor or outdoor window coverings, such as, but not limited to, blinds, shades, screens, exterior roll shutters and draperies or curtains, but does not include awnings. The process consists of marking the location of covering on the frame or opening, securing brackets or hardware, rods and poles, and installing the covering.

This classification excludes the installation of window and door awnings which is to be reported separately in the applicable classification, and the manufacture of coverings which is to be reported in the applicable classification.

Special note: Care should be taken when considering the assignment of a store classification to an establishment engaged in the installation of coverings to verify that a store

exists. It is common for establishments subject to this classification to have show rooms to help customers visualize covering products available for sale. These establishments have little or no product available for immediate sale, as most items are special order from the manufacturer. A bona fide window/door covering store will have a large assortment of coverings, as well as related home interior products such as, but not limited to, pillows, small rugs, and accent pieces, readily available for sale to customers.

0607-19 Advertising or merchandise display: Set up or removal within buildings by nonstore employees

Applies to contractors engaged in the set up or removal of advertising or merchandise displays within buildings for retail or wholesale store customers. Operations contemplated by this classification will vary from seasonal panoramas with extensive carpentry, painting, and art work to dressing mannequins to be displayed in store windows. Classification 0607 also includes employees of a manufacturer and manufacturer's representatives who are involved in the setting up of these displays.

This classification excludes employees of store operations engaged in setting up displays who are to be reported separately in the applicable store classification as this is a common store activity.

0607-21 Meat slicer or grinder: Installation, service and/or repair

Applies to contractors and employees of equipment manufacturers engaged in the installation service and/or repair of meat cutting, slicing, or grinding equipment within stores, restaurants, or processing plants. Repair may be performed at the customer's location or in a shop operated by an employer subject to this classification. This classification includes repair shops, field technicians, installers, and warehouse or parts department employees.

Special note: Establishments subject to this classification generally do not have store operations. Equipment is generally ordered from the manufacturer or distributor and shipped to the customer's location where it will be installed. In the event that an establishment subject to this classification has a store operation it is included within classification 0607.

0607-22 Protective bumpers: Installation

Applies to contractors engaged in the installation of protective bumpers on structures such as, but not limited to, store loading docks for freight or cargo. Operations contemplated by this classification are limited to measuring the dock to be fitted with a rubber bumper, finish cutting or otherwise fabricating the rubber pieces to fit the required application, and fastening the dock bumper with the use of hand tools. Dock bumpers are made of rubber from recycled tires or similar pliable materials.

This classification excludes the manufacture of loading dock bumpers which is to be reported separately in the applicable manufacturing classification.

0607-23 Cellular phone systems or audio components: Installation in vehicles, service and repair

Applies to establishments engaged in the installation of cellular phone systems and/or audio components in vehicles.

Audio components include, but are not limited to, radios and stereo systems, speakers and amplifiers, alarm systems, television units, antennas, two-way radio systems. This classification applies to installation employees of stores that sell products as well as to auto service centers that specialize in the installation of products covered by this classification.

This classification excludes retail and wholesale store operations which are to be reported separately in the applicable store classification.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-529 Classification 0803.

0803-00 Cities and towns - all other employees

Applies to employees of cities or towns who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators including transit bus drivers. This classification includes administrative personnel such as engineers, safety inspectors, and biologists, who have field exposure, and also includes store and stock clerks. For purposes of this classification, field exposure is defined as any exposure other than the normal travel to a work assignment, such as an auditor or social worker would encounter.

This classification excludes municipal power districts which are to be reported separately in classification 1301; ~~((municipal))~~ privately owned and operated bus or transit systems which are to be reported separately in classification ~~((4404))~~ 1407; irrigation and waterworks operations which are to be reported separately in classification 1507; law enforcement officers who are to be reported separately in classifications 6905 and 6906, as appropriate; fire fighters who are to be reported separately in classification 6904; volunteers who are to be reported separately in classification 6901; and clerical office and administrative employees who are to be reported separately in classification 5305.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-537 Classification 1102.

1102-02 Interstate trucking

Applies to establishments engaged in interstate trucking. Interstate trucking is the hauling of goods that either originate out of state or have an out-of-state destination. Duties include driving, mechanical repair, and in some cases loading/unloading vehicles. The loading and unloading may be done with forklifts, pallet jacks, hand trucks, or by hand. The drivers may have an assigned route, or they may be assigned a different destination each trip.

Special notes: Effective July 1, 1993, trucking establishments are allowed to have both the trucking classification 1102 and the freight handling classification 2002. However, hours cannot be split for a worker who works in both classes. If an employee has any driving duties, *all* their hours are to be reported in classification 1102. Establishments subject to this classification are to report actual hours worked for each

driver. However, the hours are to be capped at 520 hours per driver per quarter. Detailed information can be found in the general audit rule covering the trucking industry and in RCW 51.12.095.

1102-03 Intrastate trucking

Applies to establishments engaged in intrastate trucking. Intrastate trucking is the hauling of goods *only* within the boundaries of a state. In other words, the goods must have both an origin and destination in the same state. Duties include driving, mechanical repair and, in some cases, loading and unloading the vehicles. The loading and unloading may be done with forklifts, pallet jacks, hand trucks, or by hand. The drivers are usually assigned routes or a territory. Businesses in this classification usually have terminals or storage depots where merchandise is stored awaiting transfer.

Special notes: Effective July 1, 1993, trucking establishments are allowed to have both the trucking classification 1102 and the freight handling classification 2002. However, hours cannot be split for a worker who works in both classes. If an employee has any driving duties, *all* their hours are to be reported in classification 1102. Establishments subject to this classification are to report actual hours worked for each driver. However, the hours are to be capped at 520 hours per driver per quarter. Detailed information can be found in the general audit rule covering the trucking industry and in RCW 51.12.095.

1102-04 Combined interstate/intrastate trucking

Applies to establishments engaged in a combination of interstate/intrastate trucking activities. Businesses assigned to this classification generally do not produce, manufacture, or legally own the goods they are hauling. Interstate trucking is the hauling of goods which either originate out of state or have an out-of-state destination. Intrastate trucking is the hauling of goods *only* within the boundaries of a state. In other words, the goods have both an origin and destination in the same state. Duties include driving, mechanical repair and, in some cases, loading and unloading the vehicles. The loading and unloading may be done with forklifts, pallet jacks, hand trucks, or by hand. The drivers are usually assigned routes or a territory. Establishments in this classification usually have terminals or storage depots where merchandise is stored awaiting transfer.

Special notes: Effective July 1, 1993, trucking establishments are allowed to have both the trucking classification 1102 and the freight handling classification 2002. However, hours cannot be split for a worker who works in both classes. If an employee has any driving duties, *all* their hours are to be reported in classification 1102. Establishments subject to this classification are to report actual hours worked for each driver. However, the hours are to be capped at 520 hours per driver per quarter. Detailed information can be found in the general audit rule covering the trucking industry and in RCW 51.12.095.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-53803 Classification 1106.

1106-00 Rental stores, N.O.C.; Truck canopy sales

Applies to establishments engaged in the rental of items, not covered by another classification (N.O.C.), such as hand tools, air compressors, automotive tools, baby equipment, convalescent equipment, exercise equipment, floor care equipment, pressure washers, party and banquet equipment, light construction tools or equipment such as saws, drills, and Sanders, and lawn and garden equipment, as opposed to machinery or larger commercial or industrial equipment. The tools and equipment are generally rented to homeowners for use on their property. Rental stores within this classification rent a variety of tools and equipment unlike specialty rental stores that specialize in one type of product. This classification includes clerical office personnel, sales personnel, as well as the maintenance and repair of rented goods when performed by employees of the rental store. This classification also applies to establishments engaged (~~(exclusively)~~) in the sale and (~~(related)~~) installation of truck canopies and related accessories, but who do not sell other types of vehicles or trailers.

This classification excludes establishments engaged in the rental of commercial or industrial equipment and/or machinery such as, but not limited to, bulldozers, tractors, and backhoes which are to be reported separately in classification 6409; establishments engaged in the rental of farm machinery equipment which are to be reported separately in classification 6408; establishments engaged in the rental of vehicles which are to be reported separately in the applicable classification; establishments engaged in the rental of sporting goods which are to be reported separately in classification 6309; establishments engaged in the rental of clothing or costumes which are to be reported separately in classification 6305; and establishments engaged in the rental of furniture which are to be reported separately in classification 6306.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-542 Classification 1401.

1401-01 Taxicab companies

Applies to establishments engaged in furnishing passenger transportation to others. Work contemplated by this classification includes, but is not limited to, operation of the vehicle, loading/unloading passengers' luggage, assisting passengers in and out of the vehicle, incidental "cabulance" services which may be offered in conjunction with the taxi service, and maintenance/repair of the vehicle when performed by employees of an employer subject to this classification. Businesses that operate (~~(cabulance,)~~) pedicab(~~(,)~~) and horse-drawn carriage services are included in this classification.

This classification excludes: Establishments that operate ambulance services which are to be reported separately in classification 1405(~~(,)~~); establishments that operate cabulance and paratransit services exclusively which are to be reported separately in classification 1404; and dispatchers

with no other job duties who may be reported separately in classification 4904.

Special note: Establishments that furnish only a dispatch service for taxicab drivers who own or lease their own vehicles may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met. Employees of a taxicab dispatch service who perform maintenance/repair are to be reported separately in classification 3411. See RCW 51.08.180 for the definition of "worker" to aid in determining if drivers are employees. Please also refer to the special note in classification 1404-12.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-544 Classification 1404.

~~(1404-04 Bus companies and transit systems~~

~~Applies to bus companies, transit systems, contract bus driving, and other establishments engaged in public transportation services such as, but not limited to, scenic bus tour services, contract school bus services, shuttle van services, and public transit systems. Work contemplated by this classification includes driving and related loading/unloading duties, inspecting and maintaining vehicles, and all terminal employment except for office personnel. Ticket sellers may be reported separately in classification 4904 provided that they do not handle baggage and that all the conditions of the standard exception general reporting rules have been met.~~

~~This classification excludes limousine companies which are to be reported separately in classification 6301.)~~

1404-06 Vessels, ferries, tugs, and steamboats, N.O.C.

Applies to employees not covered under federal jurisdiction, or another classification (N.O.C.), who provide services for seaworthy vessels such as ferries, tugs, or steamboats at the docking site or on adjacent land. Vessels may operate seasonal or year-round. Employments include, but are not limited to, dock workers, maintenance workers, traffic control personnel, and night security personnel.

Special note: Care should be exercised prior to assignment of this classification as the workers could be subject to federal laws covered by the Jones Act or by the U.S. Longshore and Harbor Workers Act. A detailed description of these acts can be found in classifications 0104 or 0202.

1404-07 Train rides

Applies to establishments engaged in the operation of passenger excursion train rides for scenic or amusement purposes on an intrastate basis only. Excursion train rides are typically operated from a mountain, lake or similar site. The trains may operate on a seasonal basis in direct relation to the volume of tourists, weather conditions, or dates of local celebration. Employments in this classification include, but are not limited to, drivers/engineers, guides, lecturers, hostesses, and maintenance personnel. Ticket sellers may be reported separately in classification 4904 provided that they do not handle baggage and that the conditions of the standard exception general reporting rules have been met. On-board food service personnel may be reported separately in classification

3905 as long as their duties are limited to food service and they do not facilitate the train ride or train ride operation in any way.

1404-11 Escort and pilot cars

Applies to establishments that provide escort or pilot car services for others. The duties include driving ahead of, or behind, various types of vehicles.

This classification excludes employees of an employer assigned to drive escort or pilot cars in connection with the delivery of equipment, buildings, goods, or similar items which the employer sells or contracts to deliver. Such employment is to be reported separately in the classification applicable to sales or delivery of such items. For example, an escort driver employed by a common carrier transporting a modular home to a customer's site is to be reported separately in classification 1102.

1404-12 Cabulance and paratransit

Applies exclusively to establishments that provide on-demand, nonemergency transportation services to passengers with special needs. Vehicles used are usually vans that are equipped for accessibility to accommodate passengers with mobility limitations including passengers in wheelchairs or gurneys. Work contemplated by this classification includes, but is not limited to, operation of the vehicle, assisting passengers in and out of the vehicle, and maintenance/repair of the vehicle when performed by employees of an employer subject to this classification.

This classification excludes: Cabulance services offered in conjunction with a taxi service which are to be reported separately in classification 1401, cabulance services offered in conjunction with an ambulance service which are to be reported separately in classification 1405, paratransit services offered in conjunction with a municipal bus or transit system which are to be included in classification 0803 or 1501 as appropriate, ambulance services which are to be reported separately in classification 1405, limousine drivers who are to be reported separately in classification 6301, and dispatchers with no other duties who are to be reported separately in classification 4904.

Special note: Care should be exercised in determining what type of cabulance service is being provided. This classification is not to be assigned when provided as an incidental part of a taxi cab service subject to classification 1401. A cabulance service as defined in this rule will need a specialized van or bus to transport passengers as opposed to a passenger automobile that is not equipped to accommodate special mobility needs, and whereby the transportation service has been prearranged. For purposes of this subclassification, paratransit businesses reporting under classification 1405-00 are not required to report in this subclassification until January 1, 2001.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-54401 Classification 1405.

1405-00 Ambulance services

Applies to establishments engaged in prehospital emergency care and transportation of ill or injured persons to or from medical facilities. The services provided by any one ambulance company will vary to some degree, however, normal operations for ambulance companies include, but are not limited to, the following: Prehospital care, responding to calls where the injury or accident does not require medical treatment other than that provided by Emergency Medical Technicians (para-medics) who work for the ambulance company, standby at events, assisting in providing prehospital care and patient transport services of injured players or spectators at games, concerts, and fairs, public education/training, teaching CPR, first aid, and related courses to the public, and cabulance service (transporting patients who do not require prehospital care to and from medical facilities).

This classification excludes: Cabulance services offered in conjunction with a taxi service which are to be reported separately in classification 1401; companies engaged exclusively in cabulance and paratransit services which are to be reported separately in classification 1404; and similar emergency services provided by a municipality which are to be reported separately in classification 6904.

Special notes: Special care must be taken in classifying cabulance services which ((are)) may also be included in classifications 1401 or 1404. In order to qualify for classification 1405, a company must be primarily in business as an ambulance company. For premium reporting purposes, ambulance companies are to report all employees on an hourly basis, provided the maximum will not exceed eight hours during any twenty-four hour period. If verifiable records disclosing actual time worked are unavailable, employees are to be reported at eight hours per day for each day they had duties. If records do not disclose hours or days worked by individual employees, an assessment of forty hours per week is to be made for each week in which an employee had duties, or one hundred and sixty hours per month. For *air ambulance services*, flight time is to be reported separately in classification 6803, and ground operations are to be reported separately in classification 1405.

NEW SECTION

WAC 296-17-54403 Classification 1407

1407-00 Bus companies

Applies to establishments engaged in providing transportation services such as, but not limited to, charter and tour bus, contract school bus, shuttle van, and nonmunicipal, scheduled bus systems. Work contemplated by this classification includes operation of the vehicle and related loading/unloading duties, cleaning, maintenance and ordinary repair of all facilities, equipment, and vehicles, all bus terminal employment except for office personnel. Ticket sellers and dispatchers may be reported separately in classification 4904 provided that they do not handle baggage and that all of

the conditions of the standard exception general reporting rules have been met.

This classification excludes: Municipal transit and bus service provided by a county or taxing district which is to be reported separately in classification 1501; municipal transit and bus service provided by a city or town which is to be reported separately in classification 0803; taxicab companies which are to be reported separately in classification 1401; cabulance and paratransit companies which are to be reported separately in classification 1404; and drivers employed by a limousine company who are to be reported separately in classification 6301.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-545 Classification 1501.

1501-00 Counties and taxing districts, N.O.C. - all other employees

Applies to employees of counties and taxing districts, not covered by another classification (N.O.C.), who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators including transit bus drivers. This classification includes administrative personnel such as engineers, safety inspectors, and biologists who have field exposure, and internal inventory and supply clerks. For purposes of this classification, field exposure is defined as any exposure other than the normal travel to or from a work assignment.

This classification excludes electric light and power public utility districts which are to be reported separately in classification 1301; privately owned and operated bus or transit systems which are to be reported separately in classification ((1404)) 1407; water distribution or purification system public utility districts which are to be reported separately in classification 1507; irrigation system public utility districts which are to be reported separately in classification 1507; port districts which are to be reported separately in classification 4201; school districts, library districts or museum districts which are to be reported separately in classifications 6103 or 6104; hospital districts which are to be reported separately in classification 6105; fire fighters who are to be reported separately in classification 6904; law enforcement officers who are to be reported separately in classification 6905 and 6906, as appropriate; clerical office and administrative employees who are to be reported separately in classification 5306, and volunteers who are to be reported separately in classifications 6901 or 6906, as appropriate.

1501-01 Housing authorities, N.O.C. - all other employees

Applies to employees of housing authorities, not covered by another classification, who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators. This classification includes all functional operations of a housing authority such as inspection, maintenance and repairs, including minor structural repairs, janitorial service, and building and grounds maintenance. Also included in this

classification are meter readers, security personnel, other than those with law enforcement powers, administrative personnel such as engineers and safety inspectors who have field exposure, and internal inventory and supply clerks. For purposes of this classification, housing authorities are defined as nonprofit, public and political entities which serve the needs of a specific city, county or Indian tribe. The nature and objectives of some of the projects undertaken by housing authorities include providing decent, safe and sanitary living accommodations for low income persons, or providing group homes or halfway houses to serve developmentally or otherwise disabled persons or juveniles released from correctional facilities. A housing authority has the power to prepare, carry out, lease and operate housing facilities; to provide for the construction, reconstruction, improvement, alteration or repair of any housing project; to sell or rent dwellings forming part of the project to or for persons of low income; to acquire, lease, rent or sell or otherwise dispose of any commercial space located in buildings or structures containing a housing project; to arrange or contract for the furnishing of the units; and to investigate into the means and methods of improving such conditions where there is a shortage of suitable, safe and sanitary dwelling accommodations for persons of low income.

This classification excludes new construction or major alteration activities which are to be reported separately in the appropriate construction classifications; clerical office and administrative employees who are to be reported separately in classification 5306; security personnel with law enforcement powers who are to be reported separately in classification 6905; and volunteers who are to be reported separately in classifications 6901 or 6906, as appropriate.

1501-08 Native American tribal councils - all other employees

Applies to employees of Native American tribal councils who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators. This classification includes administrative personnel such as engineers, safety inspectors, and biologists who have field exposure, and internal inventory and supply clerks of the tribal council. For purposes of this classification, field exposure is defined as any exposure other than the normal travel to and from a work assignment.

This classification excludes electric light and power public utility districts which are to be reported separately in classification 1301; (~~bus or transit systems which are to be reported separately in classification 1404;~~) water distribution or purification system public utility districts which are to be reported separately in classification 1507; irrigation system public utility districts which are to be reported separately in classification 1507; school districts, library districts or museum districts which are to be reported separately in classifications 6103 or 6104; hospital districts which are to be reported separately in classification 6105; fire fighters who are to be reported separately in classification 6904; law enforcement officers who are to be reported separately in classifications 6905 and 6906; new construction or reconstruction activities which are to be reported separately in the

appropriate construction classification; clerical office and administrative employees who are to be reported separately in classification 5306.

Special notes: Housing authorities operating under the name of, and for the benefit of, a particular tribe are not exempt from mandatory coverage. These housing authorities are federally funded and are not owned or controlled by a tribe.

Only those tribal operations which are also provided by county governments are subject to classification 1501. The following activities, such as but not limited to, visiting nurses and home health care, grounds keepers, building maintenance, park maintenance, road maintenance, and garbage and sewer works, are considered to be normal operations to be included in this classification. All other tribal council operations which are not normally performed by a county government shall be assigned the appropriate classification for the activities being performed. The following operations, such as but not limited to, meals on wheels, bingo parlors, casinos, liquor stores, tobacco stores, grocery stores, food banks, gift shops, restaurants, motels/hotels, Head Start programs, fish/shellfish hatcheries, logging, and tree planting/reforestation are outside the scope of classification 1501 and are to be reported separately in the applicable classifications.

1501-09 Military base maintenance, N.O.C.

Applies to establishments, not covered by another classification (N.O.C.), engaged in providing all support operations and services on a military base on a contract basis. Such services include, but are not limited to, data processing, photography, mail delivery (on post and to other military facilities), hotel/motel services, mess halls, recreational facilities, grounds and building maintenance, vehicle maintenance, and may also include the maintenance of such facilities as water works, sewer treatment plants and roads.

This classification excludes new construction or construction repair projects which are to be reported separately in the applicable construction classification for the work being performed; contracts for specific activities on a military base such as, but not limited to, building maintenance, club or mess hall operations, or vehicle maintenance, which are to be reported separately in the applicable classification for the work being performed; firefighters who are to be reported separately in classification 6904; law enforcement officers who are to be reported separately in classification 6905; and clerical office and administrative employees who are to be reported separately in classification 5306.

Special note: Classification 1501-09 is to be assigned to an establishment only when *all* support services on a military base are being provided by the contractor.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-546 Classification 1507.

1507-01 Irrigation ditches operation, repair and maintenance

Applies to establishments engaged in providing water for agricultural irrigation through a network of ditches, canals

and/or pipelines. Irrigation system operations may be owned by individuals, a private company, cooperatives or a municipality. Water for irrigation can come from a natural above or below ground source or a reservoir and is kept flowing by means of pumping plants. Irrigation water usage is monitored at the "turn-out" which must be manually opened by an employee of the irrigation company and is located between the ditch/pipeline and the user's field. Work contemplated by this classification includes, but is not limited to, digging and maintaining ditches or canals, installing underground pipe, installation or maintenance of control gates and pumps, cleaning of ditches, spraying to control insects, and regular maintenance of vehicles and equipment when done by employees of an employer having operations subject to this classification. Machinery and equipment includes, but is not limited to, water pumps, ditch digging/pipe laying equipment, control gates, pumps, vehicles, spraying equipment and hand tools. This classification includes the operation of drainage systems by a private company or a municipal special purpose district.

This classification excludes: Contractors engaged in the digging of ditches or canals who are to be reported separately in classification 0108 or 0201 as applicable; contractors engaged in underground pipe laying which is to be reported separately in classification 0107; contractors engaged in the installation of agricultural sprinkler systems which is to be reported separately in classification 0301; contractors engaged in the installation or repair of irrigation/drainage pumps which is to be reported separately in classification 0306; the routine irrigation of individual agricultural acreage with the owner's own system which is to be reported separately in the classification applicable to the establishment; the construction of any new buildings which is to be reported separately in the construction classification applicable to the work being performed; and clerical office and administrative personnel who are to be reported separately as appropriate, classification 5305 for cities and towns, classification 5306 for counties, or classifications 4904 and 6303 for nonmunicipal ownership.

Special note: Many water supply operations in Washington may have "irrigation district" as part of their name because of their original purpose, but they are actually functioning as a waterworks supplying residential users and are to be reported separately in classification 1507-02.

1507-02 Waterworks operations, repair and maintenance

Applies to establishments engaged in the operation of water purification and distribution systems known as waterworks. Water is obtained from natural sources of surface or ground water, piped to filtration plants, filtered, treated with chemicals, then pumped to holding facilities for eventual distribution to the user through underground pipes. Waterworks may be owned by cooperatives, such as homeowners' associations, a private company, or a municipality (as a P.U.D.). Work contemplated by this classification includes, but is not limited to, erection of towers and tanks, underground water-line construction, maintenance of purification and filtration facilities, installation of fire hydrants, operating a laboratory, main-to-house hook-ups and the installation and reading of meters when done by employees of an employer having oper-

ations subject to this classification. Machinery and equipment includes, but is not limited to, excavating, pipe laying, erecting and welding equipment, vehicles, machine shop equipment, pumps and gauges, meters and hand tools. This classification includes the operation of sewerage treatment plants by owner or contract.

This classification excludes: Contractors engaged in underground waterline construction, maintenance or repair, including main-to-house hook-ups, who are to be reported separately in classification 0107; plumbing contractors engaged in waterline main-to-house hook-ups as part of an all-inclusive plumbing installation contract which is to be reported separately in classification 0306; the erection of water towers and tanks by a contractor which is to be reported separately in classification 0508; contractors engaged in industrial plant maintenance who are to be reported separately in classification 0603; the construction of dams which is to be reported separately in classification 0701; the construction of any new buildings which is to be reported separately in the construction classification applicable to the work being performed; and clerical office and administrative personnel who are to be reported separately as appropriate, classification 5305 for cities and towns, classification 5306 for counties, or classifications 4904 and 6303 for nonmunicipal.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-562 Classification 2101.

2101-00 Grain milling; flour mills; feed mills; feed manufacturing

Applies to establishments engaged in milling grain into flour or meal or in the manufacture of dry (powdered, granule or pellet) feed. Operations contemplated by this classification include the receipt of grain (wheat, barley, oats, corn) in bulk or bag which is purchased from others, grinding or milling the grain to either a coarse or a fine powder, adding binder (molasses), adding and mixing ingredients (depending on product being made), and packaging. This classification includes delivery of products in packaged or bulk form to customers.

This classification excludes establishments engaged in the further processing of flour or meal to manufacture food products which are to be reported separately in the applicable food manufacturing classification, and establishments engaged in the manufacture of canned or frozen animal food which are to be reported separately in classification 3902.

2101-01 Hay, grain or feed dealers

Applies to establishments engaged in the sale of grain, feed, and hay to others. Operations contemplated by this classification are limited to the purchase of hay, grain, or feed in bulk from others and the subsequent resale of these items in bulk to others. Establishments subject to this classification may have a small store operation, a substantial storage facility, or they may haul product from location to location all of which are included within the scope of this classification when done by employees of employers subject to this classification.

This classification excludes the sale of hay by farm operations which is to be reported separately in classification 4808, and establishments engaged in the manufacture of animal feed which are to be reported separately in classification 2101-00.

2101-02 Seed processing

Applies to establishments engaged in the processing of agricultural seeds for wholesale or retail sales. These establishments receive produce such as wheat, barley, alfalfa, lentils, vegetables, fruit or flowers from farmers the seed company has contracted with, or in the case of larger seed companies, they may have their own fields for raising the seed crop. Work contemplated by this classification includes, but is not limited to, cleaning, grading, crushing, separating, and packaging of the product (either by hand or by machine). Machinery includes, but is not limited to, screening machines, air gravity separators, clippers, tumbling drums for polishing, and bagging machines. This classification also includes trial plots or lab research facilities used to develop new seed hybrids and improve existing varieties, consultation services provided to the farmers during planting and harvesting seasons, and custom milling work conducted at the farmer's premises. Also included in this classification are establishments engaged exclusively in providing grain or seed drying services.

This classification excludes growing of seeds, other than on a trial plot, which is to be reported separately in the appropriate agricultural classification; merchants engaged in hand packaging seeds that have been processed by others who are to be reported separately in classification 6309-06; grain milling which is to be reported separately in classification 2101-00; hay/grain/feed dealers which are to be reported separately in classification 2101-01; and grain or bean/pea elevators which are to be reported separately in classification 2007.

2101-05 Hop pellet manufacturing

Applies to establishments engaged in the manufacture of hop pellets. Hop pellets are one of several ingredients used by breweries in the manufacture of beer and ale. Operations contemplated by this classification include, but are not limited to, cold storage room operations where bales of hops are kept, bale breaking and grinding of hops into powder, blending of powders and additives, testing of hops, pelletizing, packaging, and shipping. Establishments subject to this classification may own the hops or do custom blending for others.

This classification excludes establishments engaged in the manufacture of hop extract which are to be reported separately in classification 3701.

Special note: Hop pellets are often referred to as a flavoring so care should be taken, when another classification is being considered, to determine the process used.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-57001 Classification 2907.

2907-00 Wood cabinet, countertop, and fixture: Manufacturing, modifying or assembly

Applies to establishments engaged in the manufacture, modification, or assembly of wood cabinets, countertops, and fixtures. Cabinetry work contemplated by this classification includes, but is not limited to, manufacturing custom or modular cabinets, assembling prefabricated modular cabinet components, refacing existing cabinets and replacing hardware, and modifying the dimension or design of modular cabinets. Manufacturing countertops includes fabricating the core or sub top in addition to laying the plastic laminate, polyester overlay or tile when performed in the shop by employees of employers subject to this classification. Finishing (~~(may be)~~) that is subcontracted out to a (~~(prefinish)~~) prefinishing contractor or performed by the general or specialty construction contractor at the job site (~~(+however,)~~) is to be reported in the classification applicable to the work being performed. Finish work, including staining, lamination, and the attachment of hardware, is included in classification 2907-00 when performed by employees of an employer subject to this classification. Fixture manufacturing includes built-in store, office, restaurant, bank and residential fixtures such as, but not limited to, showcases, display cases, end aisles, display pedestals, shelving, partitions, racks, closet organizers, bookshelves, work stations, credenzas, podiums, wall units, china hutches, entertainment centers, cashier cubicles, check-out counters, and curio cabinets. The wiring of fixtures for electrical fittings, and the cutting and fitting of plastic laminates, glass, mirrors, or metal trim, when performed in the shop, is included as an integral function of the manufacturing process encompassed within this classification. Raw materials include, but are not limited to, dimensional lumber, plywood, veneer, particleboard, plastic laminates, polyester overlays, sheet rock, slot wall dowels, hardware, mirrors, metal trim, electrical hardware, carpet, upholstery fabric, stain, paint, lacquer or glue. Machinery includes, but is not limited to, table, panel, radial arm, cut-off, chop, rip, band, and miter saws, wide belt sanders, edge sanders, hand finish jointers, mortises, tenoners, drill presses, hand drills, boring machines, edge banders, dowel machines, glue spreaders, face framing machines, pneumatic nail, screw and staple guns, air compressors, spray guns, forklifts, pallet jackets, and dust collectors. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. Lumber yards, building material dealers, or general construction contractors that maintain a separate woodworking shop for manufacturing, assembling cabinets, and fixtures are subject to this classification for the woodworking operations, in addition to any other basic classification applicable to their business.

This classification excludes the installation of cabinets, countertops, and fixtures which is to be reported separately in classification 0513; the manufacture of wood furniture and caskets which is to be reported separately in classification

2905; the manufacture of metal cabinets which is to be reported separately in classification 3404; lumber remanufacturing which is to be reported separately in classification 2903; veneer manufacturing which is to be reported separately in classification 2904; and sawmill operations which are to be reported separately in classification 1002.

Special note: Establishments primarily engaged in the manufacture of cabinets, countertops and fixtures, may make other wood products such as doors, windows, moldings, and/or furniture as an incidental activity to the main business. The manufacture of these incidental products is included within the scope of classification 2907-00. Furniture is generally moveable and unsecured. Fixtures are usually secured, stationary, permanently built-in objects. Even though some fixtures may be secured to a wall or floor, they are not intended to be relocated, unlike furniture which is frequently and more easily arranged.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-583 Classification 3406.

3406-00 Automotive or truck gas service stations, N.O.C.

Applies to establishments operating full service gasoline or diesel service stations not covered by another classification (N.O.C.) and includes lube and oil change specialists and mobile lube and oil services. Full service includes, but is not limited to, pumping gas for customers, replacing wiper blades, checking and/or filling the fluid levels (oil, transmission, wiper wash and antifreeze), and adding air to the tires. The repairs included in this classification are oil and filter changes, tune-ups, replacement of brakes, front end alignments and the repair or replacement of tires. This classification includes cashiers.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; establishments engaged in automobile or truck repair services and tune up specialists which are to be reported separately in classification 3411; establishments engaged in the service or repair of machinery or equipment N.O.C. which are to be reported separately in classification 6409; self-service gas stations which are to be reported separately in classification 3409; and convenience grocery stores or mini-markets with self-service gasoline operations which are to be reported separately in classification 3410.

3406-01 Automobile or truck storage garages

Applies to establishments operating automobile or truck storage garages. Generally, these types of storage garages consist of an enclosed structure and usually with more than one level of parking. Storage garages may provide additional incidental services such as, but not limited to, gasoline, tune-ups, washing and waxing services, as well as cashiers and full time attendants or security personnel.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; establishments providing parking lot services which are to be reported separately in classification 6704; automobile or truck repair services which are to be reported

separately in classification 3411; establishments engaged in the service or repair of machinery or equipment N.O.C. which are to be reported separately in classification 6409; self-service gas stations which are to be reported separately in classification 3409; and full service gas station services which are to be reported separately in classification 3406-00.

Special note: Storage garages applicable to this classification are distinguishable from parking lots in classification 6704 in that parking lots usually are not an enclosed structure, and they do not provide service to automobiles.

3406-04 Automobile or truck - detailing by contractor; glass tinting

Applies to establishments engaged in providing automobile or truck detailing services and to establishments engaged solely in tinting glass in automobiles. Detailing services involve((s)) complete, in-depth cleaning of exteriors and interiors such as, but not limited to, washing, waxing, polishing, buffing, vacuuming or otherwise cleaning the auto bodies, chrome work, tires, hub caps, windows, mirrors, carpets and seats and may also involve tinting glass. This classification includes ~~((the tinting of automobile or truck window glass when performed by employees of the detailing operation, as well as))~~ cashiers.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; tinting of automobile or truck window glass performed by a glass dealer which is to be reported separately in classification 1108; glass tinting or the application of tinted plastic film to glass windows and doors in buildings which are to be reported separately in classification 0511; detailing performed in connection with automobile or truck dealers, service centers or repair garages which are to be reported separately in classification 3411; detailing performed in connection with automobile or truck body and fender repair shops which are to be reported separately in classification 3412; detailing performed in connection with establishments engaged in the service or repair of machinery or equipment, N.O.C. which is to be reported separately in classification 6409; and detailing performed in connection with full service gas stations which are to be reported separately in classification 3406-00.

3406-05 Automobile or truck car washes

Applies to establishments providing automobile or truck washing services. This classification includes the exterior washing, waxing, polishing or buffing, cleaning of chrome and tires, and the interior cleaning of windows, carpets, dash and seats. These services may be performed at a coin operated self-service unit, or at a full service automatic unit where the vehicle is conveyed through the line assisted by attendants. This classification includes cashiers and the sale of accessory items such as, but not limited to, bottled car care products, air fresheners, floor mats, beverages and snack foods.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; washing services performed in connection with automobile or truck dealers, services centers or repair garages which are to be reported separately in classification 3411;

washing services performed in connection with automobile or truck body and fender repair shops which are to be reported separately in classification 3412; washing services performed in connection with establishments engaged in the service or repair of machinery or equipment, N.O.C. which are to be reported separately in classification 6409; washing services performed in connection with full service gas stations which are to be reported separately in classification 3406; washing services performed in connection with self-service gasoline operations which are to be reported separately in classification 3409; and washing services performed in connection with convenience stores that have self-service gasoline operations which are to be reported separately in classification 3410.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-58503 Classification 3411.

3411-00 Automobile: Dealers, rental or leasing agencies, including service ((centers,)) repair garages; ((Automobile or))

Recreational vehicle; Dealers, rental/leasing agencies, or service/repair garages

Applies to establishments engaged in ~~((the sales, servicing and repairing automobiles and trucks which they have sold, leased, or rented))~~ selling, renting, or leasing automobiles, including service/repair centers operated by dealers. This classification also applies to establishments engaged in selling, renting, leasing or servicing/repairing recreational vehicles. For purposes of this classification, the term "automobile" includes standard sized passenger cars, pick up trucks, and sport utility vehicles. The term "recreational vehicle" includes motor homes, travel trailers, campers, and also includes sport and utility trailers. Work contemplated by this classification includes, but is not limited to, all phases of automotive mechanical service and repair work, washing, vacuuming, and waxing vehicles, and ~~((automobile and truck))~~ detailing such as striping, window tinting, vinyl repair, installing molding and electronic accessories when performed by employees of an employer subject to this classification. This classification includes service managers, parts department employees who have shop exposure, towing service for in-shop repairs, lot personnel, and customer courtesy van or car drivers. ~~((Car rental or leasing employees who perform similar duties are also assigned to this classification. Recreational vehicle (motor home) dealers are assigned to this classification provided the dealer is not engaged in the sales of modular or mobile homes at the same location. For purposes of this classification the term "recreational vehicles" will also include travel trailers, campers, and canopies when sold by a dealer that also sells motorized recreational vehicles.))~~

This classification excludes: Dealers or service/repair centers for semi-trucks, diesel tractor-trailers, buses, and other heavy equipment or machinery which are to be reported separately in classification 6409; recreational vehicle dealers who also sell factory built housing units such as modular and mobile homes who are to be reported separately in classifica-

tion 3415; parts department employees who are not exposed to any hazards of the service/repair shop who ~~((are to))~~ may be reported separately in classification 6309; auto body shop employees or auto body specialty shops who are to be reported separately in classification 3412; ~~((and automobile or truck))~~ dealers who sell truck canopies and related accessories, but do not sell the other vehicles/trailers included in this classification who are to be reported separately in classification 1106; establishments engaged in welding or cutting repairs and/or hydraulic installation which are to be reported separately in classification 3402; and sales employees who may be reported separately in classification 6301 provided all the conditions of the general reporting rule covering standard exception employees have been met.

Special notes: Used ~~((car))~~ automobile dealers will not normally ~~((not))~~ have service/repair garages or parts departments ~~((They))~~ but will ~~((however,))~~ have lot personnel and detailers. ~~((Car))~~ Automobile rental and ~~((lease))~~ leasing agencies will normally have all the operations described above with the exception of parts department employees. New ~~((car))~~ automobile dealers will routinely have all of the operations described above. ((Establishments engaged exclusively in truck canopy sales are to be reported separately in classification 1106.))

Establishments engaged in providing towing service for hire are to be reported separately in classification 1109. For purposes of this classification "towing for hire" means a towing service not performed in connection with repairs to be done by the service/repair shop.

3411-01 Automobile: Service centers, repair shops or garages

Applies to establishments engaged in servicing and repairing automobiles for others. For purposes of this classification, the term "automobile" includes standard sized passenger cars, pick up trucks, and sport utility vehicles. Work contemplated by this classification includes, but is not limited to, all phases of automotive mechanical service such as engine overhauls and rebuilding, resurfacing heads, valve grinding, transmission overhauls or rebuilding, electrical repairs, brake service, engine tune ups, fuel injection service, carburetor repair, and engine diagnostic service when performed by employees of an employer subject to this classification. This classification includes service managers, parts department employees who have shop exposure, incidental sales of reconditioned cars, towing service for in-shop repairs, and customer courtesy van or car drivers. Parts department employees who are not exposed to any hazards of the repair shop may be reported separately in classification 6309.

This classification excludes auto body shop employees who are to be reported separately in classification 3412.

Special note: While most businesses assigned to this classification have an inventory of parts which they use in the service and repair of customer vehicles, some employers have full line auto parts stores. Care needs to be taken when considering assignment of classification 6309 for auto part sales. Only those businesses that have a full line auto parts store which is physically separated from the repair shop and whose sales of auto parts are primarily for off-premises repair

(do it yourself repair) should be considered for classification 6309. *This classification does not apply to auto repair shops that also sell and install tires on customer vehicles. See classification 6405 for auto repair shops that also sell and install tires.* Establishment engaged in providing towing service for hire are to be reported separately in classification 1109. For purposes of this classification "towing for hire" means a towing service not performed in connection with repairs to be done by the repair shop.

3411-02 Automobile: Service specialty shops

Applies to establishments engaged in providing specialized ~~((automotive))~~ automobile repair services such as air conditioning systems, muffler repair, cruise controls and electrical systems. For purposes of this classification, the term "automobile" includes standard sized passenger cars, pick up trucks, and sport utility vehicles. Work contemplated by this classification includes, but is not limited to, inspection of vehicle components for wear, diagnostic analysis, and repair of various components such as brakes and cooling systems, after-market installation of components such as cruise control, air conditioning systems, and sun roofs; and specialized repair services such as mufflers and transmissions. This classification includes service managers, part sales, towing service for in-shop repairs, and customer courtesy van or car drivers.

Special note: Businesses assigned to this classification will generally have an inventory of supplies and parts which they use in the service and repair of customer vehicles although some sales of parts and components may occur. *This classification does not apply to any shop that sells and installs tires on customer vehicles. See classification 6405 for auto repair shops that also sell and install tires.* Establishment engaged in providing towing service for hire are to be reported separately in classification 1109. For purposes of this classification "towing for hire" means a towing service not performed in connection with repairs to be done by the repair shop.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-597 Classification 3605.

3605-28 Truck: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of complete trucks. Truck manufacturers subject to this classification are the nonpassenger type vehicles such as semi-trucks. These establishments may manufacture the chassis, body and other truck components or they may purchase any of these items from other manufacturers and simply assemble the trucks. Usually they will purchase the axle assemblies, transmissions, electrical and cooling systems, and steering gears from others. The determining factor to assign this classification is that they do the final assembly of the various components to make the truck operational.

This classification excludes auto or passenger vehicle manufacturing including pick-up trucks which is to be reported separately in classification 3402; truck component manufacturing which is to be reported separately in the

appropriate manufacturing classification; and semi-truck repair and service centers which are to be reported separately in classification ((3413)) 6409.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-615 Classification 3902.

3902-00 Fruit and vegetable: Cannery and freezer operations

Applies to establishments engaged in fruit and vegetable canning or freezing operations for wholesale customers. Operations contemplated by this classification include the receipt of fruit and vegetables directly from growers or dealers, preparing produce for canning by removing foreign materials such as leaves or weeds, washing, sterilizing, grading, peeling, slicing, coring, blanching, scalding and pre-cooking, premeasuring, mixing them in a hopper with sugar or other ingredients, and further processing into canned or frozen products. Pea vining, when performed by employees of a cannery, is also included in this classification.

This classification excludes establishments engaged in evaporating, preserving or dehydrating fruits and vegetables which are to be reported separately in classification 3902-01; establishments engaged in manufacturing fruit juice, cider, jam or jelly which are to be reported separately in classification 3902-02; establishments engaged in packing *fresh* vegetables and fruits which are to be reported separately in classification 2104; and pea vining when done by employees of farm operations or farm labor contractors which is to be reported separately in the applicable farm classification.

3902-01 Fruit and vegetable: Evaporating, preserving or dehydrating

Applies to establishments engaged in evaporating, preserving, or dehydrating fruits and vegetables for wholesale customers. Operations contemplated by this classification include the receipt of fruit and vegetables directly from growers or dealers, washing, peeling, cooking, pressing fruits and vegetables by machine, adding preservatives and congealants, pasteurizing, then dehydrating, drying, or evaporating to remove the moisture which preserves the fruits and vegetables and leaves only the dry, solid portion. Finished products are packaged in cans, plastic bags, or boxes for shipping.

This classification excludes establishments engaged in canning or freezing of fruits and vegetables which are to be reported separately in classification 3902-00; establishments engaged in manufacturing fruit juice, cider, jam or jelly which are to be reported separately in classification 3902-02; establishments engaged in packing fresh vegetables and fruits which are to be reported separately in classification 2104; and farm operations which are to be reported separately in the applicable farm classification.

3902-02 Fruit syrup or juice, cider, jam or jelly: Manufacturing Applies to establishments engaged in the manufacture of fruit syrup, juice, cider, jam, or jelly. Operations contemplated by this classification include the receipt of fruit directly from growers or dealers, washing, peeling, and cook-

ing the fruit, extracting juice and separating seeds from pulp with fruit presses or separators, adding sugars, congealants and preservatives, pasteurizing, blending juices to produce a variety of flavors, and further processing to produce bottled, canned, or concentrate products.

This classification excludes establishments engaged in canning or freezing of fruits and vegetables which are to be reported separately in classification 3902-00; establishments engaged in evaporating, preserving or dehydrating fruits and vegetables which are to be reported separately in classification 3902-01; and farm operations which are to be reported separately in the applicable farm classification.

3902-11 Chocolate, cocoa, corn products: Manufacturing

Applies to establishments engaged in the manufacture of cocoa or chocolate such as Dutch or sweet chocolate or of corn products such as, but not limited to, tortillas. Operations contemplated by this classification include receipt of corn and cocoa beans from growers or dealers, processing operations, testing, packaging and shipping. Foreign matter is removed from the cocoa beans and they are sorted, divided, cleaned, and roasted in ovens. Shells are cracked, usually by machines, and the beans examined to ensure quality. Depending on the products being manufactured, beans may be pasteurized, ground, further dried, mixed with chocolate liquor, sugar, powdered milk, cocoa butter, or potassium solutions to make into finished products. Depending on the corn product being made, ingredients are pressed, kneaded, cut, shaped or flattened, and baked or cooked.

This classification excludes establishments engaged in the manufacture of crackers, potato chips, ravioli, tamale, and pasta, or chocolate candy and confections which are to be reported separately in classification 3906, and farm operations which are to be reported separately in the applicable farm classification.

3902-12 Baking powder, dextrine, glucose and starch: Manufacturing

Applies to establishments engaged in the manufacture of baking powder, dextrine, glucose and starch. Operations contemplated by this classification include the receipt of vegetables and grains, such as, but not limited to, potatoes, corn, and wheat from growers or dealers, processing operations, testing, storing finished products in storage tanks, packaging into drums or cans, and shipping. Vegetables or grains are cleaned, sorted, and foreign matter removed. They are dumped onto conveyors and transported to grinding machines where they are ground into a starch paste. Water may be added to make liquid starch or starch milk or dryers may remove excess moisture. Starch blends may be made from raw starch suspensions using chemical solutions. Shakers remove bran, gluten or other particles from the starch suspension. Dextrine is made by further mixing the starch with dextrine paste, adding chemicals, cooking and stirring until the starch is converted to dextrine. Baking powder is made by mixing baking soda, starch, and an acid compound such as cream of tartar.

This classification excludes establishments engaged in the manufacture of food sundries not covered by another classification which are to be reported separately in classification

3902-14 and farm operations which are to be reported separately in the applicable farm classification.

3902-13 Nut shelling, egg breaking, coconut shredding and peanut handling

Applies to establishments engaged in nut shelling, egg breaking, coconut shredding, and peanut handling. Nuts are received from suppliers in bulk and placed into machinery which cracks shells and separates broken shells from the nut meat. Another machine sorts whole nut meats from those that are chipped, broken, or contaminated. At each machine, nuts are examined for rejects, and foreign matter is removed with a vacuum hose or by hand. They may be chopped, sliced, or left whole, then poured from the machines into sacks or containers. The meats of certain nuts, such as almonds, may be ground into meal, then canned for shipment. This classification also includes the grading and polishing of nuts, and shredding of coconuts. Egg breaking machines break eggs and separate the yolk from the white. They are observed for color, quantity, and clarity; inferior yolks or whites are discarded prior to being automatically dropped onto separator trays with individual cups. Eggs may then be mixed with water, pasteurized or dried prior to packaging.

This classification excludes establishments engaged in the manufacture of oils which are to be reported separately in classification 3902-27 and establishments engaged in the manufacture of food sundries which are to be reported separately in classification 3902-14.

3902-14 Food sundries, N.O.C.: Manufacturing or processing

Applies to establishments engaged in the manufacture of a variety of miscellaneous food products not covered by another classification (N.O.C.). Products include, but are not limited to, imitation crab, spices, peanut butter, condiments, salsa, salad dressings, mayonnaise, soups, tofu, instant potatoes, salads and certain ready-to-eat dishes that are usually sold to wholesale distributors. This classification also applies to the grinding and roasting of coffee beans. Operations contemplated by this classification include the receipt of raw ingredients from growers or dealers, processing operations, testing, quality control, laboratory operations, packaging and shipping. Individual processes, which vary depending on the product being manufactured, include, but are not limited to, cleaning, dividing, grinding, mixing, blending with other ingredients, cooking, cooling, dividing again into desired portions, and packaging. The products are packaged in plastic bags, bottles, or cans, usually by machine. Some products require vacuum sealing, pasteurizing, or freezing.

This classification excludes establishments engaged in the manufacture of crackers, potato chips, ravioli, tamale, pasta, cough drops, confectionery, and chewing gum which are to be reported separately in classification 3906 and farm operations which are to be reported separately in the applicable farm classification.

3902-15 Pickles and sauerkraut: Manufacturing

Applies to establishments engaged in the manufacture of pickles and sauerkraut. Operations contemplated by this classification include the receipt of produce from growers or

dealers, processing operations, testing, laboratory operations, packaging and shipping. Produce, such as cucumbers and cabbage, is cleaned, cut, chopped and placed in barrels, vats, or tanks of brine (a mixture of salt, sugar, spices, vinegar) until cured. At the end of curing period, product may be packed into glass jars, plastic bags, or cans. This classification also applies to the pickling of fruits or vegetables such as, but not limited to, tomatoes, peppers, and asparagus.

This classification excludes establishments engaged in canning or freezing of fruits and vegetables which are to be reported separately in classification 3902-00; establishments engaged in evaporating, preserving or dehydrating fruits and vegetables which are to be reported separately in classification 3902-01; establishments engaged in packing fresh vegetables and fruits which are to be reported separately in classification 2104; and farm operations which are to be reported separately in the applicable farm classification.

3902-17 Pet food: Manufacturing

Applies to establishments engaged in the manufacture of frozen or canned pet foods. Operations contemplated by this classification include the receipt of raw ingredients, processing operations, packaging and shipping. After bones and foreign matter are removed, raw ingredients are cleaned and ground. Depending on the product, various ingredients such as, but not limited to, animal meat and fat, fish by-products, cornmeal, soybean meal, ground wheat, rice, poultry, yeast, whey, salt, acids, chemicals, minerals, vitamins, water, or oil are mixed in large vats either by machine or by hand. Mixture is frozen or baked, dried, and (~~shaped or~~) packed into cans.

This classification excludes establishments engaged in the manufacture of dry pet food using a milling process which is to be reported separately in classification 2101 and farm operations which are to be reported separately in the applicable farm classification.

3902-24 Breakfast food: Manufacturing

Applies to establishments engaged in the manufacture of breakfast foods such as cereals or breakfast bars. Operations contemplated by this classification include the receipt of ingredients, processing operations, quality control, laboratory operations, packaging, and shipping. Flour, meal, or milled grains such as, but not limited to, corn, oats, barley, wheat, and nuts are mixed with other ingredients, formed into a dough, rolled out and extruded into flakes or other shapes. Pressure cylinders may be used to expand or puff whole grains. Cereals may be sifted through screens to check for size, color, and uniformity or otherwise tested for quality, then baked or dried in bulk prior to packaging.

This classification excludes establishments engaged in the manufacture of wholesale bakery goods which are to be reported separately in classification 3906; establishments engaged in milling or grinding operations which are to be reported separately in classification 2101; and farm operations which are to be reported separately in the applicable farm classification.

3902-26 Poultry canning and canneries, N.O.C.

Applies to establishments engaged in canning poultry or canning operations not covered by another classification

(N.O.C.). Operations contemplated by this classification include the receipt of poultry or other products, processing operations, quality control, laboratory operations, packaging, and shipping. The process includes, but is not limited to, washing, cutting or chopping, and cooking poultry or other foods items. Preservatives or flavorings may be added before product is sealed in cans or jars.

This classification excludes establishments engaged in canning or freezing fruits or vegetables which are to be reported separately in classification 3902-00 and establishments engaged in canning or dehydrating meat products which are to be reported separately in classification 4301.

3902-27 Vegetable oil or butter substitutes: Manufacturing

Applies to establishments engaged in the manufacture of salad or vegetable oils, shortening, margarine or other butter substitutes. Operations contemplated by this classification include the receipt of seeds or beans from growers or through dealers, processing operations, quality control, laboratory operations, packaging and shipping. To make oils, soybeans, cottonseeds, safflower seeds, or shelled corn is cracked, ground, milled, steam cooked, and pressed to extract the oil. Depending on the product being made, other ingredients such as water, milk, powdered milk or salt may be blended with the oil, then heated, filtered, and filled into cans or bottles. To make shortening or butter substitutes, flavoring, catalytic agents, and chemicals are added to harden the oils; some products are kneaded to spread the coloring uniformly; then they are packaged in cans, plastic containers, or wrapped in plastic or foil. Machinery includes, but is not limited to, grinders, screens, presses, extractors, dryers, and conveyors.

This classification excludes establishments engaged in the manufacture of "real" butter which are to be reported separately in classification 4002 and farm operations which are to be reported separately in the applicable farm classification.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-618 Classification 3905.

3905-00 Restaurants, N.O.C.

Applies to establishments engaged in restaurant operations not covered by another classification (N.O.C.). These establishments are "traditional, family or full service" restaurants that provide sit-down services, or cafeteria or buffet style meals. This classification includes the preparation and service of food and beverages. Establishments in this classification may serve beer and wine; however, they are prohibited from selling spirits or hard liquor (~~(cocktails, and mixed drinks that Class H restaurants sell)~~). Typical occupations include, but are not limited to, hostesses, waiters, waitresses, cooks, busboys, dishwashers, cashiers, and managerial staff. This classification also includes the preparation of "take-out food" that customers pick up directly from the restaurant for consumption away from the premises and the operation of a card room in conjunction with the restaurant.

This classification excludes establishments engaged in operating (~~Class H~~) restaurants or lounges that sell spirits or

hard liquor (~~(cocktails, and mixed drinks)~~) which are to be reported separately in classification 3905-07, and catering services that are not part of the restaurant operation which are to be reported separately in classification 3909.

Special note: Traditional, family or full service restaurants are establishments where wait persons bring customers a menu, take orders, and deliver prepared meals to the customer's table or where customers choose from a variety of food items from a buffet or cafeteria style service. Such establishments will generally use nondisposable eating utensils and plates to serve food as opposed to throw away paper plates and plastic eating utensils. Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a restaurant are to be reported separately in classification 6605.

3905-01 Food, drink, and candy vending concessionaires at theatres, parks, tracks, and exhibitions

Applies to establishments engaged in operating food, drink or candy concessions at ball parks, race tracks, theaters and exhibitions. This classification is applicable only to concession operations which are operated independent from the facility or event at which the concession service is being provided. These independent vendors selling food items are not employees of the facility or site where the event or exhibition is taking place. Vendors subject to this classification sell a variety of food, snack and beverage items from booths, mobile push carts, mobile stands, carrying boxes, or trays.

This classification excludes food and beverage operations (concession stands) operated in connection with an event or facility by employees of the event sponsor or facility operator which are to be reported separately in the classification applicable to the event or exhibition; street vendors or route food services which are to be reported separately in classification 1101; vendors of nonfood items which are to be reported separately in the applicable classification; and vending machine service companies that replenish food, snack and beverage products which are to be reported separately in classification 0606.

3905-03 Commissaries and restaurants with construction, erection, logging or mine operations

Applies to commissary or restaurant operations conducted *exclusively* in connection with a construction, erection, logging or mining camp operation. This classification is limited to food preparation services provided at a camp site or at a mess hall used to feed employees of the construction, logging, erection, or mining company. The foods prepared and served are not intended for, or offered to, the general public.

Special note: The purpose of this classification is to provide employees engaged in the food preparation activity with a classification representative of the work being performed, even though such activities may be occurring at or adjacent to the construction, logging, erection or mining site as provided for in the general reporting rule covering general inclusions.

3905-04 Eating establishments, N.O.C. such as public lunch counters in stores

Applies to establishments not covered by another classification (N.O.C.) engaged in operating lunch counters and restaurants within a retail store location. Use of this classification is limited to employees of an employer who also operates the retail store where the food service is located.

3905-06 Taverns

Applies to establishments engaged in the operation of a tavern. A tavern is primarily engaged in the sale of beer and wine for on-premises consumption, and may also provide a variety of foods ranging from peanuts and pretzels to hot food dishes. Typical occupations include, but are not limited to, bartenders, waiters, waitresses, cooks, busboys, dishwashers, and managerial staff. Beer may also be sold by the keg with the rental of necessary taps and pumps. This classification includes the operation of a "beer garden" at special events such as, but not limited to, fairs or race meets, and the operation of a card room in connection with the tavern.

This classification excludes restaurants with a ((Class H)) license ~~((that))~~ to sell spirits or hard liquor which are to be reported separately in classification 3905-07.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a tavern are to be reported separately in classification 6605.

3905-07 ((Class H)) Restaurants selling spirits or hard liquor

Applies to establishments engaged in the operation of a ((Class H)) restaurant ~~((— A Class H restaurant is defined as having a legal permit to offer the sales of hard liquor, mixed drinks, and cocktails))~~ having a license to sell spirits or hard liquor, beer and wine in connection with their food preparation and service. This classification includes the preparation and service of food and beverages at sit down restaurants and lounges. Such establishments have extensive cooking facilities and equipment to prepare full meals. Typical occupations covered by this classification include, but are not limited to, bartenders, hostesses, waiters, waitresses, valet parking attendants, cooks, busboys, dishwashers, cashiers, and managerial staff. This classification also includes the preparation of "take-out food" that customers pick up directly from the restaurant for consumption away from the premises and the operation of a card room in connection with the restaurant.

This classification excludes establishments engaged as a restaurant without a ((Class H)) license to sell spirits or hard liquor which are to be reported separately in classification 3905-00; taverns which are to be reported separately in classification 3905-06; catering services which are not part of a restaurant operation which are to be reported separately in classification 3909; musicians who are to be reported separately in classification 6605; and entertainers such as dancers who are to be reported separately in classification 6620.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musi-

cians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a restaurant are to be reported separately in classification 6605.

3905-08 Pizza parlors

Applies to establishments engaged in operating a pizza parlor or restaurant. Establishments subject to this classification specialize in the preparation and sales of pizza (but may also provide other foods) and beverages such as wine, beer, or soft drinks for on-premises consumption. Typical occupations include, but are not limited to, hostesses, waiters, waitresses, cooks, busboys, dishwasher, cashiers, and managerial staff. This classification also includes establishments that deliver pizza to customers, or where customers can pick up already prepared pizza at the shop, but where no customer seating is provided.

This classification excludes pizza parlors with a ((Class H)) license to sell spirits or hard liquor which are to be reported separately in classification 3905-07 and U-bake pizza operations which are to be reported separately in classification 6403.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a pizza parlor are to be reported separately in classification 6605.

3905-09 Fast food drive-ins, N.O.C.

Applies to establishments engaged in the operation of fast food drive-ins or restaurants. These establishments serve easily prepared foods quickly and nonalcoholic beverages which can be eaten on the premises or picked up by customers at a counter or a drive through window. Fast food establishments offer a variety of menu items such as, but not limited to, hamburgers, french fries, tacos, sandwiches, fried chicken, hot dogs, fish and chips.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101 and full service restaurants which are to be reported separately in classification 3905-00.

3905-11 Soft drink lounges

Applies to establishments engaged in operating soft drink lounges. These types of establishments may provide entertainment such as dancing for an adult audience or a place where youths under the age of 21 can dance or listen to music. These lounges do not sell alcoholic beverages. This classification includes the preparation and service of light snacks and hors d'oeuvres, such as chips, peanuts, pretzels or finger sandwiches.

This classification excludes entertainers such as exotic dancers who are to be reported separately in classification 6620 and musicians who are to be reported separately in classification 6605.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musi-

cians or entertainers who are considered to be employees of a lounge are to be reported separately in classification 6605 or 6620 as applicable.

3905-12 Ice cream parlors

Applies to establishments engaged in the operation of an ice cream parlor or frozen yogurt shop. These specialty shops offer a limited menu, usually confined to ice cream and frozen yogurt offered in individual servings, various size containers, and specialty items. Special occasion ice cream cakes may be ordered and picked up at a later date by the customer. These establishments usually provide customer seating.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101.

3905-13 Candy, nut, and popcorn retail stores with on-premises manufacturing

Applies to establishments engaged in operating candy, nut or popcorn stores where some or all the products sold are manufactured on the premises. Establishments in this classification may sell a variety of candies, nuts, or popcorn, or may specialize in one or two products. They may also sell their products in gift wrapped packages.

This classification excludes establishments engaged in selling candy, nuts, or popcorn, *that do not manufacture* any product on the premises, which are to be reported separately in classification 6406, and establishments primarily engaged in the wholesale manufacturing of candy which is to be reported separately in classification 3906.

3905-14 Espresso/coffee stands and carts

Applies to vendors operating espresso or coffee stands or carts. Products sold include, but are not limited to, coffee, espresso, lattes, Italian sodas, soft drinks, pastries and pre-packaged items. These types of vendors *do not prepare food*. This classification is distinguishable from retail coffee, tea or spice stores in that coffee stands or carts in classification 3905 sell only ready-to-serve products; they do not sell packaged coffee, tea or spice items.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-643 Classification 4802.

4802-02 Farms: Berry

Applies to establishments engaged in raising berries of all types. Work contemplated by this classification includes, but is not limited to, preparing soil for new plants, planting, fertilizing, weeding, pruning canes, cutting runners, installing posts and wire supports, tying vines, machine harvesting of berries, and installing or maintaining sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes roadside fruit stands operated at or near the farm and farm store operations where a small stock of products not produced by

the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately in classification 6403 provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes fresh fruit packing operations which are to be reported separately in classification 2104; fruit cannery or freezer operations which are to be reported separately in classification 3902; winery operations which are to be reported separately in classification 3702; hand harvesting of berries which is to be reported separately in classification 4806; and any contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as, but not limited to, weeding, planting, irrigating, or fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4802-03 Farms: Bulb raising

Applies to establishments engaged in raising flowers and plants for bulbs. Work contemplated by this classification may take place in an open field or a greenhouse. Farming activities include, but are not limited to, preparing soil for new plants; planting, fertilizing, weeding, dead heading or cutting flowers, maintaining or installing sprinkler or irrigation systems, and machine digging and harvesting bulbs when performed by employees of an employer subject to this classification. Any subsequent grading, sorting, packing and shipping of bulbs is included within the scope of this classification as are roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes establishments engaged exclusively in the sale of fresh cut flowers and potted plants who are not involved in the cultivation of plants or flowers which are to be reported separately in classification 6404; hand picking of bulbs which is to be reported separately in classification 4806; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as, but not limited to, weeding, planting, irrigating, or fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4802-06 Picking of forest products, N.O.C.

Applies to establishments engaged exclusively in picking forest products that are not covered by another classification (N.O.C.) such as, but not limited to, holly, ferns, cones, cedar boughs, mushrooms, wild flowers, wild berries, moss, and tree bark. Work contemplated by this classification is limited to hand picking operations and is often accomplished through the aid of hand held cutting devices such as pruning shears or saws. Properties from which products are harvested from may be owned or leased. Operations not described above are to be reported separately in the classification applicable to the work being performed.

Special note: The farm labor contractor provision, as described in the general reporting rules, is not applicable to this classification as such establishments are not engaged in a farming operation.

4802-11 Farms: Flower or vegetable seeds

Applies to establishments engaged in raising flowers, flowering plants or vegetable plants for seed. Work contemplated by this classification may take place in an open field or a greenhouse. Farming activities include, but are not limited to, preparing soil for new plants, planting, fertilizing, weeding, machine harvesting seeds, cutting fresh flowers, harvesting incidental fresh vegetables, maintaining or installing sprinkler or irrigation systems, and drying of the seed. Any subsequent grading, sorting, packing and shipping of seeds is included within the scope of this classification as is the incidental sale of fresh cut flowers or vegetables from roadside stands located at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; cannery or freezer operations which are to be reported separately in classification 3902; establishments engaged exclusively in the sale of fresh cut flowers and potted plants who are not involved in the cultivation of plants or flowers which are to be reported separately in classification 6404; hand gathering of seeds where no hand held cutting device is used which is to be reported separately in classification 4806; establishments engaged exclusively in the sale of

fresh vegetables but are not involved in the cultivation of plants which are to be reported separately in classification 6403; and any contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4802-12 Farms: Field vegetable crops - mechanically harvested

Applies to establishments engaged in raising field vegetable crops *which are mechanically harvested*. Work contemplated by this classification includes, but is not limited to, preparing soil for new plants, planting, fertilizing, weeding, pruning, machine harvest of vegetables, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met. Typical crops include the following:

Beans, Green	Parsnips	Squash
Beets, Table	<u>Potatoes</u>	Tomatoes
Carrots	Radishes	Turnips
Corn, Sweet	Rhubarb	
Cucumbers	Rutabagas	

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; cannery or freezer operations which are to be reported separately in classification 3902; and any contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported in the classification applicable to the work being performed.

Special note: This classification differs from classification 4808 "diversified field crops" in that vegetable crops grown subject to classification 4808 generally have a long growing season and are harvested upon reaching maturity at the end of the season. Vegetable crops grown in classification 4802 are generally planted so that harvesting will occur continuously over the season and in smaller quantities. Although corn is technically a grain crop, it is widely

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accepted as a vegetable crop when harvested for fresh market as opposed to being left in the field to dry and used as feed, flour, or cereal grain. Corn grown subject to classification 4802 is for a fresh market, cannery or frozen food while the corn grown in classification 4808 is for grain, flour and feed.

The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4802-13 Farms: Flowers - field growing

Farms: Florists - cultivating or gardening

Applies to establishments engaged in raising flowers and flowering plants for sale. Work contemplated by this classification may take place in an open field or a greenhouse. Farming activities include, but are not limited to, preparing soil for new plants, planting, fertilizing, weeding, cutting fresh flowers, and maintaining or installing sprinkler or irrigation systems. Any subsequent grading, sorting, packing and shipping of flowers is included within the scope of this classification as is the incidental collection of flower seed for use in future crops. This classification includes roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes establishments engaged exclusively in the sale of fresh cut flowers and potted plants who are not involved in the cultivation of plants or flowers which are to be reported separately in classification 6404 and any contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808-11 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-649 Classification 4808.

4808-01 Farms: Diversified field crops

Applies to establishments engaged in growing a variety of grain, vegetable, or grass crops during a single season. Work contemplated by this classification includes, but is not limited to, preparing the soil for new crops, planting, fertilizing, weeding, harvesting, and maintaining or installing sprinkler or irrigation systems. Any subsequent grading, sorting, packing and shipping of farm products grown subject to this classification is included within the scope of this classification. This classification includes roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met. Typical crops include the following:

Alfalfa	Garlic	((Potatoes))
Barley	Grain	Rye
Beans, Dry	Grass Seed	Sugar Beets
Clover	Hay	Timothy
Corn	Peas, Dry	Wheat

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; cannery or freezer operations which are to be reported separately in classification 3902; establishments engaged exclusively in the sale of fresh vegetables who are not involved in the cultivation of plants which are to be reported separately in classification 6403; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: This classification differs from classification 4802 "vegetable farm operations" in that vegetable crops grown subject to classification 4808 generally have a long growing season and are harvested upon reaching maturity at the end of the season. Vegetable crops grown in classification 4802 are generally planted so that harvesting will occur continuously over the season and in smaller quantities. See classification 4802-12 for additional information. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of

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the type of farm they are providing service to or the type of crop involved.

4808-02 Farms: Alfalfa, clover and grass seed

Applies to establishments engaged exclusively in raising alfalfa, clover, and grass crops for seed. Work contemplated by this classification includes, but is not limited to, preparing soil for crops, planting, fertilizing, machine harvesting, maintaining or installing sprinkler or irrigation systems, and drying of seed. Any subsequent grading, sorting, packing and shipping of seeds is included within the scope of this classification. Also included is the incidental sale of farm products from roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale.

This classification excludes establishments engaged in grading, sorting, and packaging seeds; or selling baled alfalfa or clover who are not engaged in growing operations which are to be reported separately in classification 2101; establishments engaged exclusively in grain or seed storage who are not engaged in growing operations which are to be reported separately in classification 2007; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4808-04 Farms: Hay

Applies to establishments engaged exclusively in raising hay or straw grass for sale, and includes the raising of such crops for seed. Work contemplated by this classification includes, but is not limited to, preparing soil for crops, planting, fertilizing, machine harvesting, maintaining or installing sprinkler or irrigation systems, and drying of seed. Any subsequent grading, sorting, packing and shipping of seeds is included within the scope of this classification. Also included is the incidental sale of farm products from roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale.

This classification excludes establishments engaged in grading, sorting, and packaging seeds, or selling baled hay who are not engaged in growing operations which are to be reported separately in classification 2101 and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4808-06 Farms: Cereal grain

Applies to establishments engaged in growing cereal grain crops. Work contemplated by this classification includes, but is not limited to, preparing the soil for new crops, planting, fertilizing, weeding, harvesting, and maintaining or installing sprinkler or irrigation systems. Any subsequent grading, sorting, packing and shipping of farm products grown subject to this classification is included within the scope of this classification. Also included is the incidental sale of farm products from roadside stands or operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Typical cereal grain crops include the following:

Barley	Rye
Corn	Wheat

This classification excludes contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special notes: See classification 4802-12 for additional information relative to corn. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4808-07 Potato sorting and storage

Applies to establishments engaged in storing potatoes in storage warehouses or cellars. Work contemplated by this classification is limited to sorting the good potatoes from damaged ones or from debris such as vines or rocks, piling them into the storage area by size, and storing them until they are taken to processing or packing plants. Sorting may be done either in the field or at a storage warehouse. This classification also includes potato digging and piling when performed by employees of an employer engaged in storing potatoes but who is not engaged in growing potatoes.

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; cannery or freezer operations which are to be reported separately in classification 3902; potato chip manufacturing which is to be reported separately in classification 3906; establishments engaged exclusively in the sale of fresh vegetables who are not involved in the cultivation of plants which are to be reported separately in classification 6403; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The farm labor contractor provision is not applicable to this classification as such establishments are not engaged in a farming operation.

4808-08 Custom hay baling

Applies exclusively to a specialist farm labor contractor engaged in mowing, turning, and baling hay owned by others. This classification also includes the incidental loading of hay onto trucks and stacking of hay in a barn or warehouse when performed by employees of a specialist farm labor contractor engaged in mowing, turning, and baling hay for others.

Special note: The farm labor contractor provision is not applicable to this classification as such establishments are not engaged in a farming operation.

4808-10 Farms: Shellfish - mechanical harvesting

Applies to establishments engaged in the propagation of shellfish for sale and includes the subsequent harvest of shellfish by means of mechanical dredging operations. Work contemplated by this classification includes spawning of shellfish, seeding in controlled tanks, placement of shellfish into deep water growing beds, harvesting, and processing. Harvesting, processing, and packing of shellfish by a farm labor contractor is included in this classification provided that the shellfish being harvested were grown by an establishment subject to this classification. This classification includes the sale of shellfish at roadside stands operated at or near the business location and store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Businesses operating multiple retail locations may qualify to have those activities reported separately if all the conditions of the general reporting rule covering the operation of a secondary business have been met.

This classification excludes establishments engaged in the harvesting, processing or packaging of shellfish obtained from natural areas where the husbandry of the resource is not an integral part of the operation which are to be reported separately in classification 3304 and contractors hired by a shellfish grower to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The distinction between establishments assigned to classification 4808 and those which are to be reported separately in classification 4805 is in the harvesting process. Establishments subject to classification 4805 are engaged in hand harvesting activities which includes the use of hand held tools while those assigned to classification 4808

are engaged in mechanical harvesting activities by way of dredging operations. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as seeding of larvae to mother shells and planting shells to natural waters. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to.

4808-11 Custom farm services by contractor

Applies exclusively to contractors engaged in supplying and operating agricultural machinery and equipment at their customer's locations. Work contemplated by this classification involves preparing fields for crops, planting and cultivating crops, fertilizing, and harvesting operations using machinery and equipment such as, but not limited to, tractors, plows, fertilizer spreaders, combines, reapers, potato diggers, boom loaders and pickers. Contractors subject to this classification are generally not responsible for the overall care of the crops, but are merely hired to provide specified services, which involve the use of machinery and employee equipment operators. This classification also includes seasonal agricultural produce hauling from the field to a processing or storage plant when performed by employees of an employer not engaged in the related farming operations associated with the crop being hauled.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-66003 Classification 5005.

5005-00 Logging and/or tree thinning - mechanized operations

(to be assigned only by classification services staff)

Applies to establishments engaged in mechanized logging or tree thinning operations. For purposes of this classification, mechanized logging is defined as the entire process of felling, removal (skidding), yarding, processing, delimiting, bucking and loading of trees/logs by machine. This classification can (~~only~~) be used by a logging contractor only if the entire side is being logged using methods and equipment described in this rule. If any portion of the side is being logged by conventional methods the entire operation must be reported in classification 5001 - Logging, N.O.C. *For example*, an employer that subcontracts to fell trees with a feller/buncher or processor but is not involved in the removal (skidding) of the trees, the processing (delimiting and bucking) of the trees and the loading of trees is excluded from classification 5005 and is to be reported in classification 5001 - Logging, N.O.C. Any employer whose operation includes any manual felling, removal, processing, or loading of trees is excluded from classification 5005 and is to be reported in classification 5001 - Logging, N.O.C. Work contemplated by this classification includes the falling of trees with a

machine such as a feller buncher or processor; skidding logs to the landing with use of a grapple skidder or forwarder; delimiting logs with a mechanized delimeter such as a stroke delimeter, processor, CTR or harvester; and loading logs onto log trucks with a mechanical loader or shovel. Equipment used by employers subject to this classification will consist of the following:

Feller/buncher - used to fell trees and place felled trees into stacks (bunches) for removal to the log landing for further processing. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

Processor - used to fell trees, delimit them, buck tree to desired log length and stack the bunches for removal to the landing where they will be segregated by general grade and loaded onto log trucks. A processor is sometimes used at the landing to delimit trees and buck them to log length, especially when the trees are felled by a feller/buncher. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

Grapple skidder - is used to remove (ground skid) stacks (bunches) of felled trees from the woods to the landing. The industry refers to both the skidder and the bulldozers as a tractor. The two are distinguished from one another in that the skidder is a tire-driven tractor and the bulldozer is a track-driven tractor. A bulldozer equipped with a grapple is an acceptable piece of equipment to be used in the removal of trees. The operator of either the grapple skidder or bulldozer equipped with grapple does not leave the cab of the machine in the performance of duties in the logging operation.

Forwarder - is used to remove logs as cut by a processor from the woods to an awaiting log truck or to be stacked in piles for a future pick up by a log truck. This is a small specialized tractor equipped with a self-loader and a log bunk. The operator of this machine does not leave the machine in the performance of duties in the logging operation.

Harvester - is used at the landing of the logging side to delimit trees and buck trees to desired log length. This machine can also be used to load logs onto log trucks. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

Loader - is used at the landing to load logs onto log trucks. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

This classification excludes log hauling which is to be reported separately in classification 5003 and logging road construction which is to be reported separately in classification 6902.

Special notes: If any portion of the logging contract is performed manually or by hand, the establishment does not qualify for this classification. If any portion of the logging contract is subcontracted out to another business and is performed manually or by hand, then ((#)) none of the businesses involved in the logging contract will ((#)) qualify for this classification and are to be reported separately in classification 5001.

All equipment used by employers subject to this classification must meet WISHA guidelines for Roll Over Protection Standards (ROPS) and Falling Object Protection Standards (FOPS).

See classification 5206 (WAC 296-17-675) for permanent shop/yard operations.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-675 Classification 5206.

5206-78 Permanent yard or shop operations; logging or log hauling contractor

Applies to a permanent yard or shop of logging or log hauling contractors. This classification is limited to contractor yards and shops which are maintained exclusively for the storage of materials and maintenance of equipment used in their logging and/or log hauling business. This classification does not contemplate any manufacturing operations. Only employees of a logging or log hauling contractor who are assigned to the shop or yard are to be reported in this classification. This classification is further restricted in that employees reported in classification 5206-78 cannot have any other duties other than those related to the storage of materials and/or the maintenance of equipment during their work shift or work day. Any employee having any other duties during their assigned work shift or day are to be reported separately in the applicable logging or log hauling classification.

Special note: Under no circumstances can this be the only classification assigned to an employer.

5206-79 Permanent yard or shop operations; Construction or erection contractor

Applies to a permanent yard or shop of construction or erection contractors. This classification is limited to contractor yards and shops which are maintained exclusively for the storage of materials and maintenance of equipment used in their construction business. This classification does not contemplate any manufacturing operations. For example, a contractor engaged in cabinet manufacturing and installation is to report the shop and yard operation in classification 2907 and is not entitled to classification 5206. Only employees of a construction or erection contractor who are assigned to the shop or yard are to be reported in this classification. This classification is further restricted in that employees reported in classification 5206-79 cannot have any duties other than those related to the storage of materials and/or the maintenance of equipment during their work shift or work day. Any employee having any other duties during their assigned work shift or day are to be reported separately in the applicable construction classification.

Special note: Under no circumstances can this be the only classification assigned to an employer.

5206-80 Permanent yard or shop operations; interstate and/or intrastate trucking

Applies to a permanent yard or shop of interstate and/or intrastate trucking establishments. This classification is limited to yards and shops which are maintained exclusively for

the storage or maintenance of transportation equipment or related equipment used in their trucking operation. This classification does not contemplate any driving duties, or the handling or storage of freight. Only employees of a trucking operation who are assigned to the shop or yard are to be reported in this classification. This classification is further restricted in that employees reported in classification 5206-80 cannot have any other duties other than those related to the storage or maintenance of equipment during their work shift or work day. Any employee having any other duties during their assigned work shift or day are to be reported separately in the applicable trucking classification.

Special note: Under no circumstances can this be the only classification assigned to an employer. And, this classification is not to be assigned to any business assigned classification 1101 for delivery services.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-678 Classification 5305.

5305-06 Clerical office, administrative employees, and elected officials of cities and towns

Applies to clerical office, administrative employees, and elected officials of cities and towns. Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers ~~((and must be free from all operative hazards of the work environment))~~. Administrative duties may be conducted in or out of the city or town facilities, but are conducted in an atmosphere free from the operative hazards of the work environments ~~((associated with operations))~~ such as, but not limited to, jails, law enforcement and road works. In addition to management activities, this classification also includes field auditors, social workers or similar activities professionals would perform.

See classifications 0803, 1301, ~~((1404))~~ 1507, 6901, 6904, 6905 and 6906 for other city or town operations.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-679 Classification 5306.

5306-07 Clerical office, administrative employees, and elected officials of counties, public utility districts and taxing districts, N.O.C.

Applies to clerical office, administrative employees, and elected officials of counties, public utility districts and taxing districts, not otherwise classified (N.O.C.). Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers ~~((and must be free from all operative hazards of the work environment~~

~~associated with operations such as, but not limited to, jails, law enforcement and road works~~). Administrative duties may be conducted in or out of the county, public utility district or taxing district facilities, but are conducted in an atmosphere free from the operative hazards of ~~((the))~~ work environments ~~such as, but not limited to, jails, law enforcement and road works~~. In addition to management activities, this classification also includes field auditors, social workers, alcohol and drug abuse programs, senior health and nutrition programs, medical and dental clinics or similar activities professionals would perform.

See classifications 1301, ~~((1404,))~~ 1501, 1507, 4201, 6103, 6104, 6901, 6904, 6905, and 6906 for other county, public utility districts and taxing districts operations.

5306-25 Clerical office and administrative employees of Native American tribal councils

Applies to clerical office and administrative employees of Native American tribal councils. Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers ~~((and must be free from all operative hazards of the work environment))~~. Administrative duties may be conducted in or out of the tribal council facilities, but are conducted in an atmosphere free from the operative hazards of ~~((the))~~ work environments ~~((associated with operations))~~ such as, but not limited to, jails, law enforcement and road works. In addition to management activities, this classification also includes field auditors, social workers, alcohol and drug abuse programs, senior health and nutrition programs, youth services, counselors, courts, medical and dental clinics or similar activities professionals would perform.

See classifications 1501 and 6905 for other Native American tribal council operations.

Special note: Tribal operations unrelated to the business of governing such as liquor and tobacco stores, casinos, logging, fisheries and bingo parlors are to be reported separately in the classification applicable to the operation.

5306-26 Clerical office and administrative employees of local public housing authorities

Applies to clerical office and administrative employees of local public housing authorities. Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers ~~((and must be free from all operative hazards of the work environment))~~. Administrative duties may be conducted in or out of the housing authority facilities, but are conducted in an atmosphere free from the operative hazards of ~~((the))~~ work environments ~~((associated with operations))~~ such as, but not limited to, jails, law enforcement and road works. In addition to management activities, this classification also includes field auditors, social workers or similar activities professionals would perform.

This classification excludes all other employees including meter readers who are to be reported separately in classification 1501 and volunteers who are to be reported separately in classifications 6901 or 6906 as appropriate.

5306-27 Clerical office and administrative employees of military base maintenance contractors

Applies to clerical office and administrative employees of military base maintenance contractors. Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers (and must be free from all operative hazards of the work environment). Administrative duties may be conducted in or out of the military base facilities, but are conducted in an atmosphere free from the operative hazards of (the) work environments (associated with operations) such as, but not limited to, jails, law enforcement and road works. In addition to management activities, this classification also includes field auditors, social workers or similar activities professionals would perform.

See classification 1501 for other military base maintenance contractors' operations.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-686 Classification 6109.

6109-00 Physicians, surgeons, and medical clinics, N.O.C.

Applies to establishments of licensed practitioners such as physicians and surgeons, and to medical clinics not covered by another classification (N.O.C.) engaged in the practice of general or specialized medicine and surgery. Physicians diagnose and treat a variety of diseases and injuries, order or execute various tests, analyses, and diagnostic images to provide information on a patient's condition, analyze reports and findings of tests and of examination, diagnose conditions, and administer or prescribe treatments and drugs. Physicians may also inoculate and vaccinate patients to immunize them from communicable diseases, or refer patients to a medical specialist or other practitioners for specialized treatment. They may also make house and emergency calls to attend to patients unable to visit the office. Surgeons examine patients to verify necessity of surgery, review reports of patient's general physical condition and medical history, reactions to medications, estimate possible risk to patient, and determine best operational procedure. Surgeons may specialize in a particular type of surgery. This classification includes licensed ophthalmologists who specialize in the diagnosis and treatment of diseases and injuries of the eyes, and examine patients for symptoms indicative of organic or congenital ocular disorders. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the physician's or surgeon's office or in a medical clinic, such as laboratory or X-ray technicians, and nurses.

This classification excludes psychologists and psychiatrists who are to be reported separately in classification 6109-10; optometrists who are to be reported separately in classification 6109-09; radiology and MRI referral clinics which are to be reported separately in classification 6109-17; orthotic referral clinics which are to be reported separately in classification 6109-14; and nutrition, diet, or weight loss clinics which are to be reported separately in classification 6109-12.

6109-01 Dentists and dental clinics

Applies to establishments of licensed dental practitioners and dental clinics engaged in the practice of general or specialized dentistry. Services provided by dental offices or clinics include, but are not limited to, examination of teeth and gums to determine condition, diagnosis of disease, injuries, or malformation, extractions, fillings, root canals, oral surgery, tooth replacement, cleaning, instruction on oral and dental hygiene and preventative care. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the dentist's office such as hygienists, and dental assistants or technicians.

6109-02 Chiropractors, N.O.C.

Applies to establishments of licensed practitioners not covered by another classification (N.O.C.) who are engaged in the practice of chiropractic medicine. Chiropractors diagnose and treat musculoskeletal conditions of the spinal column and extremities to prevent disease and correct abnormalities of the body believed to be caused by interference with the nervous system. They manipulate the spinal column and other extremities to adjust, align, or correct abnormalities caused by neurologic and kinetic articular dysfunction. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the chiropractor's office.

6109-04 Naturopaths, N.O.C.

Applies to establishments of health practitioners not covered by another classification (N.O.C.) who diagnose, treat, and care for patients, using a system of practice that bases treatment of physiological functions and abnormal conditions on natural laws governing the human body, relying on natural remedies such as, but not limited to, acupuncture, sunlight supplemented with diet, and naturopathic corrections and manipulations to treat the sick. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the naturopath's office.

6109-08 Physical therapists, N.O.C.

Applies to establishments of health practitioners not covered by another classification (N.O.C.) who are engaged in the practice of physical therapy, occupational therapy, respiratory therapy, or speech therapy. Therapists treat and rehabilitate people with physical or mental disabilities or disorders, to develop or restore functions, prevent loss of physical capacities, and maintain optimum performance. Includes occupations utilizing means such as exercise, massage, heat, light, water, electricity, and specific therapeutic apparatus, usually as prescribed by a physician; or participation in medically oriented rehabilitative programs, including educational, occupational, and recreational activities. *Physical*

therapists plan and administer medically prescribed physical therapy treatment for patients suffering from injuries, or muscle, nerve, joint and bone diseases, to restore function, relieve pain, and prevent disability. *Occupational therapists* plan, organize, and conduct occupational therapy programs to facilitate development and rehabilitation of the mentally, physically, or emotionally handicapped. *Respiratory therapists* administer respiratory therapy care and life support to patients with deficiencies and abnormalities of the cardiopulmonary system, under the supervision of physicians and by prescription. *Speech therapists* specialize in diagnosis and treatment of speech and language problems, and engage in scientific study of human communication. This classification includes clerical office and sales personnel, as well as other employees engaged in therapy services and also includes travel to health facilities or other locations to administer therapy services.

6109-09 Optometrists, N.O.C.

Applies to establishments of optometrists not covered by another classification (N.O.C.). Optometrists are licensed practitioners, but do not hold a medical degree. An optometrist in general practice examines patients' eyes to determine the nature and degree of vision problems or eye diseases and prescribes corrective lenses or procedures, performs various tests to determine visual acuity and perception and to diagnose diseases and other abnormalities, such as glaucoma and color blindness. An optometrist may specialize in the type of services provided, such as contact lenses, low vision aids, or vision therapy, or in the treatment of specific groups such as children or elderly patients. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the optometrist's office.

This classification excludes optometrists employed by optical goods stores who are to be reported separately in classification 6308, and ophthalmologists who are to be reported separately in classification 6109-00.

6109-10 Psychologists and psychiatrists, N.O.C.

Applies to establishments of licensed practitioners not covered by another classification (N.O.C.) who are engaged in the diagnoses and treatment of patients with mental, emotional, or behavioral disorders. *Psychologists* are licensed practitioners who diagnose or evaluate mental and emotional disorders of individuals and administer programs of treatment. They interview patients in clinics, hospitals, prisons, and other institutions, and study medical and social case histories. *Psychiatrists* are licensed practitioners who diagnose and treat patients with mental, emotional, and behavioral disorders. They organize data obtained from the patient, relatives, and other sources, concerning the patient's family, medical history, and the onset of symptoms, and determine the nature and extent of mental disorder and formulate a treatment program utilizing a variety of psychotherapeutic methods and medications. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the doctor's office.

6109-12 Nutrition, diet, or weight loss clinics, N.O.C.

Applies to establishments engaged as nutrition, diet, or weight loss clinics not covered by another classification (N.O.C.) which provide programs whereby clients may achieve a healthy and permanent weight loss. The programs vary in approaches but most are based on the behavior modification theory, utilizing private counseling or group support meetings and seminars to educate individuals about their eating habits and proper eating patterns. Some programs may sell vitamin supplements or a line of food products to be used by their clients and may publish newsletters or other forms of literature for the benefit of their clients. This classification includes clerical office and sales personnel.

This classification excludes exercise programs which are to be reported separately in the appropriate classification.

6109-13 Childbirth classes

Applies to establishments providing childbirth education for expectant parents. Topics include, but are not limited to, expectations during pregnancy, breathing and relaxing techniques, and massage therapy. Literature and/or movies may be provided in addition to oral instruction. This classification includes clerical office and sales personnel.

6109-14 Orthotic referral clinics

Applies to establishments operating as clinics to provide care to patients with disabling conditions of the limbs and spine by fitting and preparing orthopedic braces under the direction of and in consultation with physicians. Orthotists examine and evaluate the patient's needs in relation to disease and functional loss, and assist in the design of an orthopedic brace. Orthotist select materials, makes cast measurements, model modifications and layouts. When the brace is finished, they evaluate it on the patient, make adjustments to ensure correct fit, and instruct the patient in the use of the orthopedic brace. This classification also includes clinics of prosthetists who provides care to patients with partial or total absence of a limb by planning fabrication of, writing specifications for, and fitting the prosthesis under the guidance of and in consultation with a physician. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the referral clinics.

This classification excludes the manufacture of orthopedic braces, splints or prostheses which is to be reported separately in the applicable classification.

6109-15 Midwife services

Applies to establishments engaged in the practice of midwifery. Midwives provide care for women undergoing medically uncomplicated pregnancy and low risk labor and delivery. The delivery may take place in a clinic setting or in the expectant mother's home. This classification includes clerical office and sales personnel.

6109-16 Licensed massage therapy services

Applies to establishments of licensed practitioners who are engaged in the practice of massage therapy. Some massage therapists work in conjunction with physicians or sports teams, or at hospitals, rehabilitation facilities or convalescent homes. If a client is referred by a physician, the therapist will review the medical report and in conjunction with the client,

will determine the nature of the massage (whether it is for relaxation or to correct or relieve a medical problem) and the modality to be used, such as deep-muscle work, trigger-point therapy, or joint rotation. This classification includes clerical office and sales personnel as well as other employees engaged in licensed massage therapy services.

This classification excludes massage therapists employed by a health club, gymnasium, ~~((and unlicensed massage therapists employed by a))~~ sauna, or bath house who are to be reported separately in classification 6204.

6109-17 Radiology and MRI referral clinics

Applies to establishments of licensed practitioners who are engaged in the practice of radiology and/or magnetic resonance imaging. Radiologists diagnose and treat diseases of the human body using X-ray and radioactive substances. They examine the internal structures and functions of the organ systems and make diagnoses after correlating the X-ray findings with other examinations and tests. They administer radiopaque substances by injection, orally, or as enemas, to render internal structures and organs visible on X-ray films or fluoroscopic screens. Radiologists may employ magnetic resonance imaging technologists to operate magnetic resonance imaging equipment which produces cross-sectional images (photographs) of a patient's body for diagnostic purposes. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the clinics, such as nurses or technologists.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-689 Classification 6203.

6203-00 YMCA/YWCA institutions

Applies to establishments engaged in the operation of a Young Men's or Young Women's Christian or Hebrew Associations. These are international community service organizations which generally respond to the needs of their communities. Typical operations include, but are not limited to, providing temporary residential facilities, swimming and exercise facilities, basketball courts, aerobic and fitness classes, child care, youth sports programs, social and educational programs, and day camp operations. Some facilities will provide a food and beverage service. This classification includes clerical office and sales personnel.

This classification excludes overnight camp operations which are to be reported separately in classification 6209.

6203-01 Boys or girls clubs

Applies to establishments engaged in operating boys or girls clubs. These clubs are nonprofit organizations which provide recreation, cultural enrichment, health and physical education, and personal adjustment services for boys and girls from 6 to 18 years of age. These facilities differ from location to location, but many offer gymnasiums, organized sports programs, day camp operations, game rooms, library or computer rooms, classes and various other supervised activities where young people can spend time. Some facilities also have swimming pools and offer meal programs. This classification includes ~~((Girl & Boy Scout councils that~~

~~provide counseling to local scout troops, and))~~ clerical office and sales personnel.

This classification excludes overnight camp operations which are to be reported separately in classification 6209.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-690 Classification 6204.

6204-00 Baths or saunas, N.O.C.

Applies to establishments engaged in operating baths or saunas not covered by another classification (N.O.C.). These facilities offer a variety of services such as, but not limited to, hot tubs, saunas, steam rooms, Jacuzzis, sun tan beds and body shampoos. Massage therapy services are included in this classification when performed by employees of employers subject to this classification. This classification excludes licensed massage therapists that qualify for classification 6109.

~~((Special note: The distinction between massage therapists covered in this classification and massage therapists covered in classification 6109 is professional licensing.))~~

6204-04 Exercise or health institutes, gymnasiums, health clubs

Applies to establishments engaged in operating exercise or health institutes, gymnasiums, or health clubs. These establishments accommodate a variety of exercise areas including, but not limited to, gymnasiums, swimming pools, racquetball, tennis, squash, and handball courts, jogging tracks, and weight rooms with nautilus equipment. Operations vary from location to location, but most offer facilities and services such as, but not limited to, locker rooms, showers, whirlpools, saunas, sun tanning booths, body toning equipment, aerobic, gymnastic, and martial arts classes, instruction or training in achieving physical fitness goals, nutrition counseling, towel service, child care, massages, pro shops and food and beverage services all of which are included when performed or conducted by employees of employers subject to this classification.

This classification excludes licensed massage therapists that qualify for classification 6109.

~~((Special note: The distinction between massage therapists covered in this classification and massage therapists covered in classification 6109 is professional licensing.))~~

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-694 Classification 6208.

6208-00 Amusement parks; exhibition caves or caverns

Applies to establishments engaged in providing amusement parks to the public or in the operation of cave or caverns for exhibition purposes. Establishments subject to this classification are located on a permanent site and usually offer a variety of activities such as, but not limited to, amusement rides, water slides, miniature golf, and games such as tossing rings, throwing balls, and shooting air rifles. There may be one or more separate arcade areas located within the park.

This classification includes rides, ticket sellers, gate attendants, food and beverage operations, care, custody and maintenance of the above facilities and operations similar to a traveling carnival.

This classification excludes set up, tear down and delivery of amusement park rides, games and food booths which are to be reported separately in classification 6207.

6208-01 Ranges: Archery, ball, dart, golf, firearms shooting

Applies to establishments engaged in operating indoor or outdoor archery, ball, dart, golf, and firearms shooting ranges. Golf driving ranges subject to this classification are operated separately from a golf course. If the driving range is operated in conjunction with a golf course, then the entire establishment is to be reported separately in classification 6206. Ball ranges (batting cages) are establishments set up to provide batting practice. Archery ranges are permanent establishments that provide targets for practice. If these operations are conducted in conjunction with an amusement park, then the entire operation is to be reported separately in classification 6208-00. This classification includes ticket sellers, food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes miniature golf courses which are to be reported separately in classification 6208-07, and ranges that use air rifles which are to be reported separately in classification 6208-10.

6208-03 Boat rental facilities

Applies to establishments engaged in renting row boats, paddle boats, rubber rafts or similar water craft for recreational purposes when the water is part of a park. This classification includes the operation of bumper boat amusement rides if that is the sole function of the establishment. If the bumper boats are operated as part of an amusement park, the entire establishment is to be reported separately in classification 6208-00. This classification includes ticket sellers, food and beverage operations and care, custody and maintenance of the above facilities.

6208-04 Fairs

Applies to establishments or community organizations engaged in managing, sponsoring and conducting fairs. These are usually annual events sponsored by a town or community. Many of the exhibitors and concessionaires are independent businesses that rent space at the fair site. This classification includes ticket sellers, food and beverage operations and care, custody and maintenance of the above facilities.

6208-05 Shows - animal

Applies to establishments engaged in managing, sponsoring and conducting animal shows such as pet or livestock exhibitions. Employments contemplated by this classification include, but are not limited to, ticket sellers, judges, security personnel, and the showing of the animals in the arena when performed by employees of employers subject to this classification. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes all raising or care of animals which are to be reported separately in the applicable classification.

6208-06 Shows - flower, art

Applies to establishments engaged in managing and conducting art or flower shows. The sponsors are usually responsible for the set up and tear down of the exhibition. The exhibitors and concessionaires are usually independent booth renters. Work contemplated by this classification includes, but is not limited to, coordinating exhibitors, arranging for a facility and utilities, permits or related needs, helping set up/tear down booths, judging, and security personnel. This classification includes ticket sellers, food and beverage operations and care, custody and maintenance of the above facilities.

6208-07 Miniature golf courses

Applies to establishments engaged in the operation of miniature golf courses. This classification includes ticket sellers, food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes miniature golf courses operated in conjunction with an amusement park which are to be reported separately in classification 6208-00.

6208-08 Kiddie rides at permanent locations

Applies to establishments engaged in operating kiddie rides at a permanent location. Ride attendants duties include, but are not limited to, selling tickets, directing patrons getting on and off the rides, keeping order among the patrons waiting to ride, and making sure all belts and safety devices are in the proper place and functioning. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

6208-09 Race tracks

Applies to establishments engaged in the operation of race tracks such as, but not limited to, stock car, go cart, motorcycle, horse, and drag racing tracks. Employments contemplated by this classification include, but are not limited to, selling tickets, booking events, coordinating participants, and security. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes parimutuel clerks at a horse racing track and cashiers with no other duties who may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met; and the handling of horses or vehicles which is to be reported separately in the classification applicable to the work being performed.

6208-10 Shooting galleries for air rifles only; Laser tag, war games, paint ball facilities

Applies to establishments engaged in operating shooting galleries for *air rifles only*. If the air rifle shooting gallery is operated in conjunction with an amusement park, the entire operation is to be reported separately in classification 6208-00. This classification also applies to laser tag, war games, and paint ball facilities. This classification includes ticket

sellers, food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes operations involving any firearms such as, but not limited to, pistol or rifle ranges, which are to be reported separately in classification 6208-01.

6208-11 Carnival operations, N.O.C.

Applies to those employees of an employer engaged in operating carnivals who are not covered by another classification (N.O.C.). These employees are generally employed as ride operators, game attendants, ticket sellers/takers, and traveling clerical workers. This classification includes operations care, custody and maintenance of the above facilities.

This classification excludes clerical office employees who are assigned to a permanent office location with no outside duties, who may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met; employees engaged in driving and/or set up and tear down of all mechanical and nonmechanical rides, concession booths or stands, mobile offices, aid rooms, ticket booths, and all other temporary structures associated with a traveling carnival who are to be reported separately in classification 6207; employees of carnival operations assigned to work in food booths who are to be reported separately in classification 3905; and employees of carnival operations assigned to work in souvenir or gift shops who may be reported separately in classification 6406 provided they have no other duties.

Special note: Permanent shop employees, and those employees assigned to the shop during the winter quartering period, may be reported separately in classification 5206 provided the conditions set forth in WAC 296-17-675 have been met.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-695 Classification 6209.

6209-03 Dude ranch resorts

Applies to establishments engaged in operating a dude ranch resort where vacationers experience the western style of life on a ranch. Activities include, but are not limited to, horseback riding, grooming the ranch animals, hay rides, swimming, ranch style meals, and nightly singing round the campfire. Operations include, but are not limited to, grooming and caring for animals, assisting with horseback riding, preparing ranch style meals and performing maintenance work on the ranch. This classification includes food and beverage operations and clerical office and sales personnel physically located at the resort.

This classification excludes cattle ranches which are to be reported separately in classification 7302.

6209-06 Swimming pools - public; Scuba diving instruction in pool

Applies to establishments engaged in the operation and maintenance of public swimming pools. Work contemplated by this classification includes, but is not limited to, testing and replenishing chemicals in the pool, cleaning the pool, providing lifeguards, providing swimming lessons to the

public, food and beverage operations, and clerical office and sales personnel physically located at the above facilities. This classification includes the rental or sale of pool accessories such as paddle boards, fins and swim wear when performed in connection with a swimming pool facility by employees of employers subject to this classification. This classification also applies to scuba diving instructors providing lessons in a swimming pool even though they may not be employed by the swimming pool establishment.

This classification excludes scuba diving not performed in a swimming pool environment which is to be reported separately in classification 0202 and swimming clubs which are to be reported separately in classification 6205.

6209-09 Campgrounds

Applies to establishments engaged in operating public or private campgrounds. Campgrounds offer a variety of facilities ~~((and activities for))~~ at which families, groups, and individuals ~~((to))~~ can camp overnight in recreational vehicles, cabins, or tents. Typical campgrounds ~~((have))~~ may include a main ~~((office))~~ building for registration and information ~~((Many have))~~, retail stores that sell groceries, souvenirs, camping equipment, fishing gear, and supplies, and/or snack bars, restaurants, game rooms, rental operations for recreational equipment, shower facilities, and laundries ~~((, which are all included in this classification))~~. Campground activities include, but are not limited to, swimming (in a pool or lake), fishing, boating, hiking, archery, arts and crafts, miniature golf, horseback riding, shuffleboard and other games. Typical occupations include, but are not limited to, counselors, cooks, ground and maintenance personnel, nurses, housekeepers, security guards, lifeguards, store clerks and game attendants. This classification includes clerical office and sales personnel physically located at the above facilities.

This classification excludes day camp operations that do not include overnight accommodations which are to be reported separately in the applicable classification and state park campgrounds which are to be reported separately in the applicable state agency classifications.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-712 Classification 6408.

6408-03 Dealers: Farm machinery/implement

Applies to establishments engaged in the sale, lease, and/or rental, of new or used farm machinery and implements. This classification also applies to the service, repair and/or demonstration of those items by the dealer either on their premises or at the customer's site. For purposes of this classification the term farm machinery refers to engine-powered machinery such as, but not limited to, tractors, combines, and swathers, riding mowers, sprayers, pumps, and generators. Implements include, but are not limited to, plows, discs, balers, or rakes which are attached to and/or powered by farm machinery. The variety of merchandise varies with the needs of the geographical area and may be displayed in inside showrooms and/or outside yards. In addition to parts for the machinery or implements, establishments

in this classification may carry some automobile parts, hardware items, and supplies such as oil, filters, and belts. This classification includes sales and lot personnel, service managers and employees, parts department employees who have exposure to the service/repair shop or duties related to the sale of farm machinery or implements, towing service for in-shop repairs, delivery of merchandise to the customer, and regional sales and/or service representatives who provide factory service or training to local dealers and other customers. Parts department employees who are not exposed to any hazards of the service/repair shop or have no duties related to the sale of farm machinery or implements may be reported separately in classification 6309.

This classification excludes establishments that repair and/or service farm type tractors, *but who are not involved in the sale of them*, which are to be reported separately in classification 6409; store operations of dairy equipment and supply dealers which are to be reported separately in classification 6407; the installation, service, or repair of dairy machinery or equipment which is to be reported separately in classification 0603; all field installation, service, or repair work of wind machine dealers which is to be reported separately in classification 0603; and the manufacture or structural repair of heavy machinery or equipment which is to be reported separately in classification 5109.

Special note: Care needs to be taken when considering the assignment of classification 6309 for the sale of parts. Most businesses assigned to classification 6408-03 have an inventory of parts or accessories which they use in the service or repair of farm machinery or implements, or maintain as a convenience to their customers. Only those businesses that maintain a complete line of replacement parts that is physically separated from the service/repair shop should be considered for classification 6309.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-713 Classification 6409.

6409-00 Dealers: Machinery/equipment, N.O.C.;

Service/repair garages: Machinery/equipment, N.O.C.

Applies to establishments engaged in the sale, lease, rental, service, and/or repair of new or used machinery and equipment not covered by another classification (N.O.C.). For purposes of this classification the terms machinery or equipment includes, but are not limited to, semi trucks, diesel tractors, buses, construction equipment, concrete barriers and other flagging equipment used in construction projects, logging equipment, transportation equipment, freight hauling equipment, well drilling equipment, power generators, and industrial or manufacturing machinery. Operations of dealers include, but are not limited to, the sale, lease, rental, demonstration, service, or repair of their equipment, either on their premises or at the customer's site, and delivery to customer. The variety of merchandise carried by a machinery and equipment dealer varies with the needs of the geographical area and may be displayed in inside showrooms and/or outside yards. Operations of service centers include diagnostic services, all phases of mechanical service such as, but not

limited to, tuning, overhauling and/or rebuilding engines, motors, or transmissions, resurfacing heads, repairing carburetors or fuel injection systems and grinding valves or brakes on equipment or machinery owned by others. In addition to parts for the machinery and equipment, establishments in this classification may carry some automobile parts, hardware items, and supplies such as oil, filters, and belts. This classification includes sales and lot personnel, service managers and employees, parts department employees who have exposure to the service/repair shop or duties related to the sale of machinery/equipment, towing service for in-shop repairs, and regional sales and/or service representatives who provide factory service or training to local dealers and other customers. Parts department employees who are not exposed to any hazards of the service/repair shop or have no duties related to the sale of machinery/equipment may be reported separately in classification 6309. This classification also includes the rental and installation of temporary fences.

This classification excludes farm machinery and equipment dealers who are to be reported separately in classification 6408; ~~((installation of industrial plant equipment which is to be reported separately in classification 0603;))~~ store operations of dairy equipment and supply dealers which is to be reported separately in classification 6407; the installation of industrial plant equipment which is to be reported separately in classification 0603; the installation, service, or repair of dairy machinery or equipment which is to be reported separately in classification 0603; all field installation, service, or repair work of wind machine dealers which is to be reported separately in classification 0603; and the manufacture or structural repair of heavy machinery or equipment which is to be reported separately in classification 5109.

Special note: Care needs to be taken when considering the assignment of classification 6309 for the sale of parts. Most businesses assigned to classification 6409-00 have an inventory of parts or accessories which they use in the service or repair of machinery or equipment, or maintain as a convenience to their customers. Only those businesses that maintain a complete line of replacement parts that is physically separated from the service/repair shop should be considered for classification 6309.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-729 Classification 6607.

6607-00 Card rooms; bingo parlors or casinos

Applies to establishments engaged in operating card rooms, bingo parlors, or casinos. To qualify for this classification, card rooms must be run as a separate operation when located in a tavern or ~~((Class H))~~ restaurant that has a license to sell spirits or hard liquor. If the food and beverage service is provided by the tavern or restaurant for the convenience of the card room operation, then the waiters/waitresses are to be reported separately in the appropriate tavern or restaurant classification. This classification includes employments such as, but not limited to, dealers, security floor managers, janitorial and maintenance staff, and food and beverage operations.

Bingo parlors and casinos are usually operated by Native American tribal organizations or by nonprofit organizations to raise funds for charity. This classification applies to any workers these organizations employ to operate bingo or casino games. Typical employments include, but are not limited to, game attendants and helpers, money collectors, callers, card dealers, janitorial and maintenance staff, and food and beverage operations.

Special note: Coverage for Native American tribes conducting a bingo operation is subject to jurisdictional policy.

6607-01 Billiard or pool halls

Applies to establishments engaged in operating billiard or pool halls. This classification *could* apply to the operation of a billiard or pool hall in connection with another enterprise, such as a bowling alley or skating rink, but *only* if it is conducted as a separate and distinct operation. This classification includes, but is not limited to, counter personnel who collect money for the rental of billiard and pool equipment, rackers, food and beverage operations, and janitorial and maintenance staff.

This classification excludes clerical office and outside sales personnel who may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met; billiard or pool tables that are provided as part of a bowling center, tavern, or restaurant operation which are to be reported separately in the applicable classification.

6607-02 Recreational, social or community centers, N.O.C.

Applies to establishments engaged in operating recreational, social or community centers not covered by another classification (N.O.C.) such as, but not limited to, senior centers, community centers for minors, and adult social establishments. These organizations may target a particular age or cultural group. Organizations may provide educational workshops, social interaction, drug prevention programs, crafts and limited physical recreational activities. This classification includes food or beverage operations provided by the center. Organizations in classification 6607 do not require membership fees as opposed to clubs in classification 6205 that charge a fee for membership.

This classification excludes YMCA's and boy/girls clubs which are to be reported separately in classification 6203; health clubs and gymnasiums which are to be reported separately in classification 6204; clubs, N.O.C. such as fraternal organizations which are to be reported separately in classification 6205, and municipal community centers which are to be reported separately in the applicable classification.

6607-03 Indoor playgrounds

Applies to establishments that provide indoor entertainment centers for children. Generally these operations include a playground area consisting of interconnecting tubes, ladders, slides, ball bins, roller slides, and water and/or air beds. The equipment is typically made of plastic, rubber, and/or plexi-glass. Video games may also be available on the premises but generally they are maintained by the game vendor. Typical duties of the employees include, but are not limited

to, selling tickets, supervising the playground area, facilitating parties, snack bar operations and light cleaning such as dusting the tubes, vacuuming and cleaning the snack area. The more involved janitorial duties are usually contracted out to a private janitorial firm. Included in this classification is child day care service whereby parents can leave children at the playground for a specific period of time. This service usually places limitations on the time a child may be left at the center.

This classification excludes child day care services not part of an indoor playground operations which are to be reported separately in classifications 6103 and 6104; amusement parks, permanently located kiddie rides, and establishments which provide adult or family sports entertainment, which may include batting cages and miniature golf, which are to be reported separately in classification 6208; and establishments engaged in providing gymnastic training to children which are to be reported separately in classification 6204.

Special note: Normally establishments in this classification do not employ workers who are engaged exclusively in clerical office or sales. However, separate classifications could be assigned provided all the conditions of the general reporting rules covering standard exception employees have been met.

6607-04 Indoor simulated golfing

Applies to establishments engaged in providing computer simulated indoor golf facilities to the public. The operation consists of separate cubicles which house a computer simulated screen and a play area. Customers select a particular course from a list of available courses which are generally exact replicas of famous courses throughout the world. The player hits a golf ball against a canvas screen inside the cubicle; a computer measures the speed and direction of the ball and simulates the shot so the player can view the results on the screen. Facilities may provide a small putting area, a snack area with limited seating, and/or the sale of golf shirts and memorabilia. Typical duties of the workers include monitoring facilities, setting up computers and collecting the admission price, selling memorabilia, food and beverage operations, and light janitorial work.

This classification excludes miniature golf courses and driving ranges which are reported separately in classification 6208.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-740 Classification 6709.

6709-00 Sheltered workshops

Applies to persons who are disabled, and to developmentally disabled persons who are enrolled as employees of sheltered workshops. Classification 6709-00 applies regardless of the type of work performed. This classification also applies to *all* staff who operate sheltered workshops, even if the sheltered workshop also operates a work activity center, and to *all* staff who operate work activity centers.

This classification excludes persons who are most severely disabled, and ((~~the~~)) developmentally disabled persons enrolled in work activity centers who are to be reported separately in classification 7309.

Special note: Sheltered workshops may also operate a work activity center at the same location or at a separate site.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-748 Classification 6903.

6903-((~~00~~))03 Aerial spraying, seeding, crop dusting, or fire fighting

Applies to the flying crew of establishments engaged in aerial spraying, seeding, crop dusting, and fire fighting, which involves the low altitude release of agricultural chemicals, seeds, water, or fire retardant compound.

This classification excludes aircraft ground crew operations which are to be reported separately in classification 6804.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-749 Classification 6904.

6904-00 Salaried fire fighters of cities or towns

Applies to salaried fire fighters of cities and towns. Fire fighters respond to fire alarms and other emergencies, control and extinguish fires, protect lives and property, and maintain fire fighting equipment, administer first aid and artificial respiration to injured persons and those overcome by fire and smoke. They may inspect buildings for fire hazards and compliance with fire prevention ordinances and may issue citations to building owners listing the fire regulation violations to be corrected. This classification includes paramedics employed by fire departments.

See classifications 0803, 1301, ((~~1404, 1501,~~)) 1507, 6901, 6905, and 6906 for other city or town operations.

Special note: State Fund workers' compensation is not provided to volunteer firemen covered by chapter 41.24 RCW and emergency services workers covered by chapter 38.52 RCW.

6904-01 Salaried fire fighters of counties and taxing districts

Applies to salaried fire fighters of counties and taxing districts. Fire fighters respond to fire alarms and other emergencies, control and extinguish fires, protect lives and property, and maintain fire fighting equipment, administer first aid and artificial respiration to injured persons and those overcome by fire and smoke. They may inspect buildings for fire hazards and compliance with fire prevention ordinances and may issue citations to building owners listing the fire regulation violations to be corrected. This classification includes paramedics employed by fire departments.

See classifications 1301, ((~~1404,~~)) 1501, 1507, 6901, 6905, and 6906 for other ((~~city or town~~)) county and taxing district operations.

Special note: State Fund workers' compensation is not provided to volunteer firemen covered by chapter 41.24 RCW and emergency services workers covered by chapter 38.52 RCW.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-751 Classification 6906.

6906-00 Volunteer law enforcement officers of cities and towns - medical aid only

Applies to medical aid coverage for volunteer law enforcement officers of cities and towns for whom the cities or towns have elected coverage. Duties of law enforcement officers include, but are not limited to, directing traffic, patrolling by motor vehicle, motorcycle, bicycle, or on foot or horseback, preventing crimes, investigating disturbances of the peace, arresting violators, conducting criminal investigations, giving first aid, and guarding persons detained at the police station.

This classification excludes salaried law enforcement officers and volunteer law enforcement officers for whom the cities or towns have elected full coverage who are to be reported separately in classification 6905.

See classifications 0803, 1301, ((~~1404~~)) 1507, 5305, 6901, 6904, and 6905 for other city or town operations.

Special note: This coverage is optional for volunteer law enforcement officers. To elect coverage for volunteer law enforcement officers, the city or town must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined on the application. If coverage is provided, all law enforcement officers must be included.

6906-01 Volunteer law enforcement officers of counties, taxing districts and Native American tribal councils - medical aid only

Applies to medical aid coverage for volunteer law enforcement officers of counties, taxing districts and Native American tribal councils for whom the counties, taxing districts or Native American tribal councils have elected coverage. Duties of law enforcement officers include, but are not limited to, directing traffic, patrolling by motor vehicle, motorcycle, bicycle, or on foot or horseback, preventing crimes, investigating disturbances of the peace, arresting violators, conducting criminal investigations, giving first aid, and guarding persons detained at the police station.

This classification excludes salaried law enforcement officers and volunteer law enforcement officers for whom the counties, taxing districts or Native American tribal councils have elected full coverage, who are to be reported separately in classification 6905. See classifications 1301, ((~~1404,~~)) 1501, 1507, 5306, 6901, 6904, and 6905 for other county or taxing district operations.

Special note: This coverage is optional for volunteer law enforcement officers. To elect coverage for volunteer law enforcement officers, the counties, taxing districts or Native American tribal councils must submit a completed Application for Optional Coverage to the department. Con-

ditions of coverage are outlined on the application. If coverage is provided, all law enforcement officers must be included.

6906-02 Volunteer law enforcement officers of state agencies - medical aid only

Applies to medical aid coverage for volunteer law enforcement officers of state agencies for whom the state agencies have elected coverage. Duties of law enforcement officers include, but are not limited to, directing traffic, patrolling by motor vehicle, motorcycle, bicycle, or on foot or horseback, preventing crimes, investigating disturbances of the peace, arresting violators, conducting criminal investigations, giving first aid, and guarding persons detained at the police station.

This classification excludes salaried law enforcement officers and volunteer law enforcement officers for whom the state agencies have elected full coverage who are to be reported separately in classification 7103.

See classifications 4902, 4906, 5307, 7103, and 7201 for other state government operations.

Special note: This coverage is optional for volunteer law enforcement officers. To elect coverage for volunteer law enforcement officers, the state agencies must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined on the application. If coverage is provided, all law enforcement officers must be included.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-779 Classification 7309.

7309-00 Work activity centers

Applies only to the most severely disabled persons, and to developmentally disabled persons whose handicaps are so severe as to make their productivity inconsequential, and who are included on the center's certificate for special minimum wage issued by the U.S. Department of Labor.

This classification excludes all staff who operate work activity centers and all staff who operate sheltered workshops, even if the sheltered workshop also operates a work activity center, who are to be reported separately in classification 6709, and ((\t\)) disabled persons((;)) and ((\t\)) developmentally disabled persons enrolled in sheltered workshops who are to be reported separately in classification 6709.

Special note: Work activity centers differ from sheltered workshops in the severity of the impairments of the participants.

While the workers' compensation rates for classifications 7309 and 6709 are identical, the premiums for classification 7309 are calculated on a piece rate basis to reflect the limited productivity of the workers covered by this classification.

AMENDATORY SECTION (Amending WSR 99-24-055, filed 11/29/99, effective 12/31/99)

WAC 296-17-855 Experience modification. The basis of the experience modification shall be a comparison of the

actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification shall be calculated from the formula:

$$\text{MODIFICATION} = \frac{A_p + W A_e + (1-W) E_e + B}{E + B}$$

The components A_p , $W A_e$, and $(1-W) E_e$ are values which shall be charged against an employer's experience record. The component, E , shall be the expected value of these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

" A_p " signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of ((~~\\$10,072~~)) \\$10,504 the primary actual loss shall be determined from the formula:

$$\text{PRIMARY LOSS} = \frac{26,260}{\text{Total loss} + 15,756} \times \text{total loss}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than \$10,504 the full value of the claim shall be considered a primary loss.

" A_e " signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss.

" W " signifies "W value." For each employer, the W value determines the portion of the actual excess losses which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol " $W A_e$ " in the experience modification formula. W values are set forth in Table II.

" E " signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

" E_e " signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses." Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual



losses. This charge is represented by "(1-W) Ee" in the experience modification formula. D-Ratios are set forth in Table III.

"B" signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

AMENDATORY SECTION (Amending WSR 99-24-055, filed 11/29/99, effective 12/31/99)

WAC 296-17-885 Table III.

**Expected Loss Rates and D-Ratios
for Indicated Fiscal Year**

Expected Loss Rates in Dollars Per Worker Hour

Class	1996	1997	1998	D-Ratio	Class	1996	1997	1998	D-Ratio
0101	1.1939	1.1467	0.9438	0.408	0514	1.0931	1.0603	0.9082	0.495
0103	1.5073	1.4525	1.2134	0.443	0515	2.8938	2.7752	2.2699	0.394
0104	0.8558	0.8231	0.6820	0.423	0516	1.2436	1.2000	1.0069	0.451
0105	1.0556	1.0246	0.8809	0.506	0517	1.4134	1.3687	1.1641	0.480
0106	1.1939	1.1467	0.9438	0.408	0518	1.3861	1.3306	1.0937	0.407
0107	0.9855	0.9500	0.7957	0.450	0519	1.5467	1.4937	1.2555	0.452
0108	0.8558	0.8231	0.6820	0.423	0520	1.3443	1.2905	1.0632	0.414
0112	0.5559	0.5373	0.4537	0.465	0521	1.0583	1.0176	0.8392	0.409
0201	2.3887	2.2871	1.8550	0.373	0601	0.4792	0.4653	0.4019	0.522
0202	2.3887	2.2871	1.8550	0.373	0602	0.3884	0.3782	0.3312	0.556
0210	0.8052	0.7756	0.6483	0.447	0603	0.7383	0.7097	0.5875	0.423
0212	0.7489	0.7197	0.5932	0.410	0604	0.9155	0.8881	0.7591	0.488
0214	0.9580	0.9248	0.7798	0.467	0606	0.2857	0.2797	0.2490	0.585
0217	0.9966	0.9621	0.8101	0.461	0607	0.3179	0.3085	0.2656	0.509
0219	0.9043	0.8716	0.7283	0.442	0608	0.2370	0.2306	0.1995	0.519
0301	0.5087	0.4954	0.4311	0.533	0701	1.6925	1.6123	1.2870	0.347
0302	1.6845	1.6105	1.3022	0.371	0803	0.3311	0.3227	0.2828	0.553
0303	1.6352	1.5683	1.2844	0.398	0901	1.3861	1.3306	1.0937	0.407
0306	0.8583	0.8259	0.6871	0.435	1002	0.7360	0.7151	0.6168	0.513
0307	0.6389	0.6189	0.5289	0.495	1003	0.7275	0.7070	0.6090	0.506
0308	0.4671	0.4563	0.4023	0.566	1004	0.4302	0.4160	0.3520	0.467
0403	1.3011	1.2588	1.0637	0.462	1005	5.3289	5.0987	4.1192	0.363
0502	1.2196	1.1728	0.9719	0.425	1007	0.2921	0.2832	0.2428	0.505
0504	1.2033	1.1569	0.9522	0.402	1101	0.4690	0.4578	0.4022	0.556
0506	3.5412	3.3986	2.7796	0.389	1102	1.0844	1.0456	0.8743	0.442
0507	2.7558	2.6539	2.2051	0.426	1103	0.6474	0.6271	0.5336	0.481
0508	2.5763	2.4610	1.9760	0.351	1104	0.3599	0.3529	0.3156	0.595
0509	1.5473	1.4834	1.2109	0.389	1105	0.7016	0.6806	0.5821	0.490
0510	1.2436	1.2000	1.0069	0.451	1106	0.2817	0.2752	0.2410	0.539
0511	1.1017	1.0649	0.9024	0.477	1108	0.4023	0.3927	0.3448	0.554
0512	1.1159	1.0777	0.9087	0.464	1109	0.7378	0.7190	0.6256	0.529
0513	0.6194	0.5992	0.5103	0.490	1301	0.3955	0.3849	0.3349	0.535
					1303	0.1462	0.1426	0.1255	0.562
					1304	0.0200	0.0195	0.0170	0.533
					1305	0.3291	0.3200	0.2756	0.503
					1401	0.4823	0.4692	0.4058	0.515
					1404	0.4292	0.4177	0.3635	0.535
					1405	0.3231	0.3142	0.2715	0.512
					1407	<u>0.4292</u>	<u>0.4177</u>	<u>0.3635</u>	<u>0.535</u>
					1501	0.3614	0.3519	0.3071	0.544
					1507	0.3683	0.3588	0.3135	0.547
					1701	0.6051	0.5872	0.5042	0.504
					1702	1.4905	1.4290	1.1665	0.388
					1703	0.3453	0.3297	0.2621	0.318
					1704	0.6051	0.5872	0.5042	0.504
					1801	0.6960	0.6701	0.5543	0.413

PERMANENT

Class	1996	1997	1998	D-Ratio	Class	1996	1997	1998	D-Ratio
1802	0.6108	0.5932	0.5106	0.508	3415	0.4924	0.4787	0.4131	0.513
2002	0.5359	0.5235	0.4607	0.557	3501	0.7484	0.7243	0.6132	0.466
2004	0.5662	0.5548	0.4956	0.596	3503	0.2360	0.2322	0.2095	0.609
2005	0.2808	0.2749	0.2435	0.568	3506	0.8404	0.8091	0.6771	0.454
2007	0.3961	0.3844	0.3297	0.498	3509	0.3243	0.3185	0.2872	0.620
2008	0.2345	0.2280	0.1973	0.518	3510	0.3273	0.3200	0.2831	0.571
2009	0.2808	0.2749	0.2435	0.568	3511	0.5048	0.4917	0.4277	0.530
2101	0.5838	0.5661	0.4825	0.481	3512	0.3206	0.3148	0.2831	0.609
2102	0.3754	0.3666	0.3223	0.554	3513	0.3679	0.3588	0.3136	0.539
2104	0.2307	0.2263	0.2022	0.589	3602	0.0966	0.0949	0.0853	0.609
2105	0.5375	0.5234	0.4574	0.547	3603	0.4154	0.4056	0.3565	0.554
2106	0.2889	0.2816	0.2453	0.529	3604	0.9761	0.9536	0.8408	0.564
2201	0.2091	0.2034	0.1761	0.520	3605	0.3937	0.3836	0.3352	0.545
2202	0.4541	0.4435	0.3916	0.570	3701	0.1970	0.1924	0.1697	0.565
2203	0.2977	0.2921	0.2620	0.604	3702	0.3398	0.3326	0.2959	0.588
2204	0.2091	0.2034	0.1761	0.520	3708	0.4023	0.3911	0.3370	0.508
2401	0.3217	0.3152	0.2805	0.583	3802	0.1240	0.1221	0.1108	0.628
2903	0.5305	0.5191	0.4608	0.579	3808	0.3326	0.3232	0.2790	0.513
2904	0.6295	0.6120	0.5271	0.504	3901	0.1368	0.1345	0.1213	0.609
2905	0.4022	0.3950	0.3561	0.619	3902	0.3080	0.3011	0.2654	0.561
2906	0.2930	0.2855	0.2496	0.547	3903	1.0013	0.9759	0.8466	0.516
2907	0.4327	0.4220	0.3693	0.544	3905	0.1368	0.1345	0.1213	0.609
2908	0.8003	0.7776	0.6709	0.514	3906	0.3495	0.3411	0.2999	0.556
2909	0.3354	0.3275	0.2880	0.555	3909	0.1498	0.1471	0.1319	0.601
3101	0.6005	0.5798	0.4867	0.449	4002	0.7897	0.7681	0.6696	0.548
3102	0.1970	0.1924	0.1697	0.565	4101	0.2092	0.2046	0.1810	0.574
3103	0.6360	0.6135	0.5107	0.423	4103	0.2325	0.2294	0.2103	0.659
3104	0.4637	0.4486	0.3800	0.473	4107	0.1134	0.1108	0.0976	0.560
3105	0.6444	0.6306	0.5618	0.592	4108	0.1358	0.1321	0.1143	0.516
3303	0.2307	0.2254	0.1985	0.559	4109	0.1949	0.1905	0.1680	0.563
3304	0.4602	0.4497	0.3957	0.555	4201	0.3979	0.3861	0.3339	0.530
3309	0.3272	0.3200	0.2833	0.570	4301	0.6281	0.6127	0.5344	0.533
3401	0.3449	0.3348	0.2875	0.502	4302	0.4574	0.4448	0.3861	0.532
3402	0.3492	0.3406	0.2988	0.553	4304	0.5898	0.5753	0.5029	0.542
3403	0.1657	0.1606	0.1367	0.478	4305	0.7930	0.7701	0.6665	0.527
3404	0.3659	0.3575	0.3156	0.567	4401	0.3548	0.3444	0.2935	0.474
3405	0.2018	0.1972	0.1746	0.576	4402	0.5804	0.5661	0.4957	0.546
3406	0.2045	0.1997	0.1757	0.556	4404	0.3185	0.3095	0.2660	0.496
3407	0.3332	0.3249	0.2855	0.563	4501	0.1260	0.1231	0.1089	0.567
3408	0.1031	0.1008	0.0891	0.572	4502	0.0383	0.0374	0.0328	0.548
3409	0.0914	0.0897	0.0805	0.606	4504	0.0807	0.0794	0.0719	0.623
3410	0.1808	0.1773	0.1580	0.582	4601	0.5307	0.5166	0.4478	0.520
3411	0.3449	0.3348	0.2875	0.502	4802	0.1816	0.1770	0.1539	0.527
3412	0.3695	0.3586	0.3077	0.501	4803	0.1700	0.1667	0.1485	0.584
3413	0.4159	0.4056	0.3555	0.552	4804	0.4457	0.4358	0.3852	0.567
3414	0.4155	0.4042	0.3501	0.523	4805	0.2406	0.2350	0.2062	0.547

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Class	1996	1997	1998	D-Ratio	Class	1996	1997	1998	D-Ratio
4806	0.0454	0.0442	0.0386	0.527	6201	0.2625	0.2543	0.2168	0.487
4808	0.3688	0.3581	0.3076	0.500	6202	0.5379	0.5227	0.4475	0.486
4809	0.2292	0.2245	0.2004	0.590	6203	0.0671	0.0664	0.0611	0.657
4810	0.1170	0.1144	0.1005	0.542	6204	0.1304	0.1279	0.1146	0.597
4811	0.1931	0.1893	0.1688	0.587	6205	0.1840	0.1802	0.1601	0.581
4812	0.2737	0.2672	0.2348	0.557	6206	0.1618	0.1588	0.1423	0.604
4813	0.1417	0.1382	0.1203	0.527	6207	1.1898	1.1689	1.0440	0.580
4900	0.3581	0.3467	0.2946	0.479	6208	0.2305	0.2258	0.1989	0.543
4901	0.0514	0.0500	0.0433	0.524	6209	0.2066	0.2027	0.1809	0.584
4902	0.0654	0.0639	0.0564	0.571	6301	0.1144	0.1104	0.0923	0.440
4903	0.0542	0.0529	0.0466	0.564	6302	0.1388	0.1354	0.1177	0.524
4904	0.0237	0.0232	0.0206	0.580	6303	0.0584	0.0569	0.0496	0.533
4905	0.2640	0.2592	0.2317	0.588	6304	0.1783	0.1918	0.0615	0.638
4906	0.0683	0.0668	0.0591	0.575	6305	0.0673	0.0684	0.1766	0.605
4907	0.0494	0.0481	0.0420	0.536	6306	0.2022	0.1981	0.1766	0.590
4908	0.1087	0.1081	0.1003	0.662	6308	0.0447	0.0438	0.1135	0.578
4909	0.0471	0.0466	0.0423	0.614	6309	0.1130	0.1278	0.1992	0.575
4910	0.3214	0.3137	0.2750	0.546	6402	0.2177	0.2216	0.1284	0.613
5001	3.9217	3.7561	3.0558	0.383	6403	0.1288	0.1441	0.1388	0.581
5002	0.4225	0.4118	0.3609	0.553	6404	0.1499	0.1545	0.3948	0.604
5003	1.2004	1.1526	0.9479	0.407	6405	0.4670	0.4545	0.3948	0.528
5004	1.0217	0.9900	0.8407	0.471	6406	0.0575	0.0604	0.1663	0.621
5005	0.7502	0.7217	0.5987	0.426	6407	0.1915	0.1875	0.1663	0.575
5006	1.2771	1.2277	1.0139	0.415	6408	0.2601	0.2549	0.2282	0.603
5101	0.7103	0.6964	0.6238	0.604	6409	0.4159	0.4056	0.3555	0.552
5103	0.6357	0.6236	0.5576	0.594	6410	0.1641	0.1597	0.1383	0.515
5106	0.6357	0.6236	0.5576	0.594	6501	0.0948	0.0934	0.0851	0.652
5108	0.5471	0.5353	0.4749	0.578	6502	0.0232	0.0226	0.0199	0.553
5109	0.5455	0.5284	0.4505	0.487	6503	0.0578	0.0562	0.0484	0.516
5201	0.2641	0.2570	0.2235	0.532	6504	0.3187	0.3141	0.2847	0.621
5204	0.6886	0.6681	0.5724	0.496	6505	0.0843	0.0825	0.0730	0.557
5206	0.3581	0.3467	0.2946	0.479	6506	0.0691	0.0715	0.2024	0.558
5207	0.1363	0.1344	0.1224	0.637	6508	0.2377	0.2324	0.2046	0.554
5208	0.6472	0.6300	0.5478	0.531	6509	0.2345	0.2294	0.2024	0.558
5209	0.5947	0.5785	0.5018	0.527	6510	0.2727	0.2653	0.2289	0.505
5301	0.0269	0.0262	0.0234	0.583	6511	0.2832	0.2768	0.2431	0.546
5305	0.0440	0.0433	0.0395	0.645	6601	0.1519	0.1491	0.1334	0.594
5306	0.0390	0.0382	0.0339	0.581	6602	0.3542	0.3462	0.3054	0.562
5307	0.3023	0.2945	0.2574	0.548	6603	0.2953	0.2883	0.2529	0.549
6103	0.0631	0.0622	0.0562	0.619	6604	0.0524	0.0511	0.0443	0.509
6104	0.2404	0.2359	0.2116	0.604	6605	0.2578	0.2556	0.2380	0.688
6105	0.1609	0.1568	0.1367	0.535	6607	0.1427	0.1398	0.1247	0.586
6107	0.0934	0.0916	0.0818	0.583	6608	0.3068	0.2964	0.2502	0.464
6108	0.3407	0.3349	0.3016	0.610	6620	1.6084	1.5726	1.4009	0.597
6109	0.0579	0.0565	0.0496	0.553	6704	0.0979	0.0960	0.0856	0.591
6110	0.3303	0.3223	0.2822	0.545	6705	0.6298	0.6207	0.5653	0.637

PERMANENT

Class	1996	1997	1998	D-Ratio
6706	0.3234	0.3173	0.2828	0.579
6707	1.3625	1.3380	1.2018	0.603
6708	5.8152	5.6516	4.7942	0.448
6709	0.1660	0.1637	0.1495	0.642
6801	0.2373	0.2317	0.2047	0.577
6802	0.3478	0.3415	0.3066	0.603
6803	0.6579	0.6298	0.5092	0.363
6804	0.1812	0.1775	0.1587	0.597
6809	4.3146	4.2483	3.8343	0.607
6901	0.0447	0.0453	0.0440	0.756
6902	0.6917	0.6640	0.5445	0.399
6903	4.5443	4.3263	3.4170	0.311
6904	0.2089	0.2046	0.1838	0.620
6905	0.2474	0.2419	0.2151	0.591
6906	0.1124	0.1130	0.1072	0.689
6907	0.8930	0.8704	0.7620	0.551
6908	0.4197	0.4100	0.3626	0.576
6909	0.0864	0.0847	0.0756	0.595
7100	0.0252	0.0245	0.0210	0.488
7101	0.0252	0.0245	0.0210	0.488
7102	3.3121	3.2662	2.9421	0.590
7103	0.2809	0.2729	0.2359	0.519
7104	0.0211	0.0208	0.0186	0.597
7105	0.0208	0.0205	0.0186	0.636
7106	0.1295	0.1268	0.1125	0.576
7107	0.2177	0.2137	0.1918	0.603
7108	0.1858	0.1831	0.1667	0.632
7109	0.1289	0.1268	0.1146	0.616
7110	0.2860	0.2772	0.2367	0.489
7111	0.3433	0.3352	0.2947	0.556
7112	0.4935	0.4824	0.4267	0.573
7113	0.4771	0.4662	0.4123	0.572
7114	0.5884	0.5814	0.5353	0.665
7115	0.4282	0.4201	0.3774	0.610
7116	0.4116	0.4020	0.3532	0.552
7117	0.8533	0.8384	0.7568	0.622
7118	1.1243	1.0992	0.9749	0.580
7119	1.5635	1.5281	1.3547	0.582
7120	4.2819	4.1663	3.6016	0.512
7121	4.2481	4.1311	3.5690	0.513
7201	0.8874	0.8617	0.7461	0.530
7202	0.0335	0.0325	0.0278	0.490
7203	0.1041	0.1021	0.0908	0.571
7204	0.0000	0.0000	0.0000	0.500
7301	0.4611	0.4466	0.3794	0.474
7302	0.5830	0.5687	0.4971	0.540

**Expected Loss Rates in Dollars Per Sq. Ft.
of Wallboard Installed**

Class	1996	1997	1998	D-Ratio
0522	0.0177	0.0170	0.0140	0.408
0523	0.0117	0.0113	0.0093	0.413
0524	0.0128	0.0122	0.0102	0.445
0525	0.0080	0.0077	0.0064	0.426
0526	0.0074	0.0071	0.0058	0.402
0527	0.0005	0.0005	0.0004	0.373
0528	0.0018	0.0018	0.0015	0.413
0529	0.0012	0.0011	0.0010	0.408
0530	0.0179	0.0172	0.0141	0.396
0531	0.0103	0.0099	0.0081	0.408
0532	0.0009	0.0009	0.0006	0.410
0533	0.0028	0.0027	0.0022	0.398
0534	0.0018	0.0018	0.0015	0.413
7900	0.0140	0.0133	0.0109	0.394
7901	0.0075	0.0071	0.0058	0.414

AMENDATORY SECTION (Amending WSR 99-24-055, filed 11/29/99, effective 12/31/99)

WAC 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry. Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

Base Rates Effective
January 1, 2000

Class	Accident Fund	Medical Aid Fund
0101	1.4810	0.4577
0103	1.8262	0.6143
0104	1.0473	0.3386
0105	1.1778	0.5060
0107	1.2067	0.3948
0108	1.0473	0.3386
0112	0.6448	0.2465
0201	2.9857	0.8855
0202	2.9857	0.8855
0210	0.9985	0.3136
0212	0.9109	0.2982
0214	1.1713	0.3871

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0217	1.1911	0.4198	1109	0.7450	0.4047
0219	1.0819	0.3771	1301	0.4355	0.1955
0301	0.5386	0.2638	1303	0.1571	0.0750
0302	2.2052	0.5609	1304	0.0201	0.0110
0303	2.0698	0.5970	1305	0.3350	0.1775
0306	1.0694	0.3290	1401	0.4982	0.2566
0307	0.7365	0.2889	1404	0.4682	0.2141
0308	0.4889	0.2486	1405	0.3274	0.1749
0403	1.4257	0.6283	<u>1407</u>	<u>0.4682</u>	<u>0.2141</u>
0502	1.5158	0.4691	1501	0.3981	0.1785
0504	1.4086	0.5132	1507	0.4046	0.1830
0506	4.2577	1.4303	1701	0.6762	0.2890
0507	3.2528	1.1692	1702	1.8518	0.5635
0508	3.2905	0.9007	1703	0.4091	0.1393
0509	1.9403	0.5744	1704	0.6762	0.2890
0510	1.4622	0.5360	1801	0.7950	0.3095
0511	1.3130	0.4677	1802	0.6686	0.3011
0512	1.3244	0.4755	2002	0.5340	0.3009
0513	0.7452	0.2605	2004	0.5687	0.3193
0514	1.1920	0.5367	2007	0.4276	0.1980
0516	1.4622	0.5360	2008	0.2457	0.1223
0517	1.5787	0.6686	2009	0.2635	0.1682
0518	1.7400	0.5167	2101	0.6212	0.2961
0519	1.7700	0.6973	2102	0.3743	0.2102
0521	1.2547	0.4422	2104	0.2116	0.1422
0601	0.5556	0.2174	2105	0.5992	0.2613
0602	0.4468	0.1808	2106	0.2858	0.1620
0603	0.9189	0.2823	2201	0.2216	0.1079
0604	0.9710	0.4662	2202	0.4816	0.2378
0606	0.2812	0.1638	2203	0.2920	0.1725
0607	0.3519	0.1535	2204	0.2216	0.1079
0608	0.2497	0.1231	2401	0.3079	0.1902
0701	2.3470	0.4721	2903	0.5289	0.2997
0803	0.3611	0.1662	2904	0.6471	0.3356
0901	1.7400	0.5167	2905	0.4016	0.2299
1002	0.8033	0.3641	2906	0.3143	0.1497
1003	0.7624	0.3790	2907	0.4442	0.2338
1004	0.4858	0.1988	2908	0.8738	0.3957
1005	6.6700	1.9655	2909	0.3347	0.1877
1007	0.3400	0.1308	3101	0.6838	0.2725
1101	0.4888	0.2500	3102	0.2030	0.1068
1102	1.2820	0.4622	3103	0.6897	0.3074
1103	0.7271	0.3044	3104	0.5334	0.2092
1104	0.3456	0.2127	3105	0.6753	0.3453
1105	0.7534	0.3523	3303	0.2316	0.1282
1106	0.2639	0.1679	3304	0.4488	0.2646
1108	0.4156	0.2164	3309	0.3224	0.1870

3402	0.3658	0.1845	4401	0.3513	0.1956
3403	0.1772	0.0830	4402	0.5945	0.3142
3404	0.3761	0.1989	4404	0.3177	0.1750
3405	0.2110	0.1076	4501	0.1220	0.0731
3406	0.2045	0.1140	4502	0.0382	0.0214
3407	0.3728	0.1622	4504	0.0735	0.0505
3408	0.1053	0.0566	4601	0.5386	0.2885
3409	0.0885	0.0537	4802	0.1821	0.1003
3410	0.1620	0.1136	4803	0.1588	0.1028
3411	0.3758	0.1700	4804	0.4376	0.2549
3412	0.4089	0.1784	4805	0.2333	0.1386
3414	0.4443	0.2116	4806	0.0433	0.0264
3415	0.5281	0.2497	4808	0.3935	0.1873
3501	0.8237	0.3608	4809	0.2231	0.1332
3503	0.2027	0.1552	4810	0.1017	0.0746
3506	1.0885	0.2990	4811	0.1813	0.1162
3509	0.3232	0.1857	4812	0.2852	0.1460
3510	0.3309	0.1816	4813	0.1369	0.0816
3511	0.5212	0.2697	4900	0.4065	0.1652
3512	0.3033	0.1928	4901	0.0554	0.0259
3513	0.3650	0.2059	4902	0.0695	0.0342
3602	0.0918	0.0579	4903	0.0575	0.0282
3603	0.4186	0.2302	4904	0.0228	0.0138
3604	0.9976	0.5332	4905	0.2364	0.1665
3605	0.4214	0.2020	4906	0.0708	0.0369
3701	0.2030	0.1068	4907	0.0493	0.0275
3702	0.3490	0.1860	4908	0.0625	0.0912
3708	0.4216	0.2095	4909	0.0291	0.0379
3802	0.1108	0.0793	4910	0.3193	0.1804
3808	0.3565	0.1684	5001	4.9973	1.4029
3901	0.1183	0.0891	5002	0.4594	0.2129
3902	0.3053	0.1743	5003	1.4897	0.4589
3903	0.9482	0.5856	5004	1.0828	0.5182
3905	0.1183	0.0891	5005	0.9198	0.2971
3906	0.3595	0.1892	5006	1.5668	0.5027
3909	0.1376	0.0924	5101	0.7194	0.3975
4002	0.9376	0.3490	5103	0.6000	0.3818
4101	0.2163	0.1133	5106	0.6000	0.3818
4103	0.2180	0.1434	5108	0.5495	0.3058
4107	0.1152	0.0622	5109	0.6137	0.2556
4108	0.1400	0.0722	5201	0.2842	0.1337
4109	0.1969	0.1081	5204	0.7497	0.3395
4201	0.4860	0.1659	5206	0.4065	0.1652
4301	0.6183	0.3550	5207	0.1185	0.0891
4302	0.5121	0.2198	5208	0.6897	0.3322
4304	0.6042	0.3201	5209	0.6450	0.2979
4305	0.9220	0.3592	5301	0.0265	0.0153

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5305	0.0423	0.0264	6603	0.2948	0.1646
5306	0.0385	0.0223	6604	0.0471	0.0321
5307	0.3314	0.1505	6605	0.2050	0.1830
6103	0.0547	0.0412	6607	0.1360	0.0847
6104	0.2342	0.1404	6608	0.3576	0.1349
6105	0.1654	0.0865	6614	702.0000*	637.0000*
6107	0.0797	0.0609	6615	256.0000*	233.0000*
6108	0.3101	0.2127	6616	217.0000*	197.0000*
6109	0.0596	0.0313	6617	78.0000*	71.0000*
6110	0.3336	0.1821	6618	78.0000*	71.0000*
6201	0.2958	0.1227	6620	1.7802	0.8015
6202	0.5296	0.2996	6704	0.0947	0.0572
6203	0.0543	0.0466	6705	0.5606	0.4042
6204	0.1214	0.0793	6706	0.2828	0.2070
6205	0.1820	0.1050	6707	1.2593	0.8374
6206	0.1589	0.0935	6708	4.7253	3.8209
6207	0.9702	0.8076	6709	0.1444	0.1087
6208	0.1820	0.1583	6801	0.2634	0.1169
6209	0.1844	0.1302	6802	0.3198	0.2141
6301	0.1303	0.0516	6803	0.7992	0.2560
6302	0.1337	0.0800	6804	0.1818	0.1020
6303	0.0584	0.0323	6809	3.4753	2.9677
6304	0.1693	0.1273	6901	0.0000	0.0509
6305	0.0623	0.0441	6902	0.8522	0.2676
6306	0.2000	0.1154	6903	5.7734	1.5612
6308	0.0443	0.0254	6904	0.2367	0.1021
6309	0.1223	0.0785	6905	0.2683	0.1267
6402	0.2307	0.1256	6906	0.0000	0.1267
6403	0.1312	0.0927	6907	0.9736	0.4491
6404	0.1445	0.0972	6908	0.4520	0.2161
6405	0.4945	0.2414	6909	0.0853	0.0495
6406	0.0558	0.0385	7100	0.0245	0.0142
6407	0.1836	0.1125	7101	0.0245	0.0142
6408	0.2677	0.1429	7102	2.1935	2.5663
6409	0.4427	0.2154	7103	0.3105	0.1370
6410	0.1609	0.0922	7104	0.0191	0.0133
6501	0.0962	0.0539	7105	0.0191	0.0129
6502	0.0227	0.0133	7106	0.1261	0.0748
6503	0.0660	0.0267	7107	0.2070	0.1303
6504	0.2662	0.2143	7108	0.1596	0.1226
6505	0.0719	0.0547	7109	0.1137	0.0828
6506	0.0676	0.0442	7110	0.3177	0.1368
6509	0.2173	0.1419	7111	0.3513	0.1871
6510	0.2701	0.1518	7112	0.5100	0.2670
6511	0.2628	0.1707	7113	0.4915	0.2584
6601	0.1411	0.0927	7114	0.5173	0.3846
6602	0.3517	0.2001	7115	0.4267	0.2441

7116	0.4110	0.2306
7117	0.8468	0.4927
7118	1.1730	0.6017
7119	1.6938	0.8014
7120	4.3145	2.3371
7121	4.4322	2.2277
7201	1.0542	0.3890
7202	0.0352	0.0173
7203	0.0871	0.0689
7204	0.0000	0.0000
7301	0.5007	0.2264
7302	0.5828	0.3244
7307	0.4416	0.2803
7308	0.1698	0.1426
7309	0.1444	0.1087

Effective Date of Rule: Thirty-one days after filing.
 June 30, 2000
 Gerald E. Smith
 Deputy Secretary, Operations

AMENDATORY SECTION (Amending Order 168, filed 4/15/97, effective 5/16/97)

WAC 468-16-080 Qualification procedures for projects under ~~((fifty))~~ eighty thousand dollars and effective July 1, 2005, one hundred thousand dollars. (1) Contractors may be qualified by region administrators for projects valued under ~~((fifty))~~ eighty thousand dollars and effective July 1, 2005, one hundred thousand dollars. Submission of a limited prequalification questionnaire (DOT form 272-063) to the region administrator or designee is required, except when the contractor is currently prequalified with the department of transportation under the provisions of chapter 468-16 WAC.

(2) Procedures for letting region level projects valued under ~~((fifty))~~ eighty thousand dollars and effective July 1, 2005, one hundred thousand dollars are published in Department Directives.

~~(((3) A limited prequalification questionnaire and other requirements are prescribed in WAC 468-14-040.))~~

AMENDATORY SECTION (Amending Order 168, filed 4/15/97, effective 5/16/97)

WAC 468-16-100 Conditional qualification. (1) A firm may be conditionally qualified when it has been given a below standard (less than 100) performance rating on a final performance report. A firm may also be qualified conditionally by the secretary when performance has become below standard in either "quality of work" or "progress of work" on an interim report for a current project. The region administrator or designated assistant may, under the foregoing condition, request in writing that a contractor be placed in conditional status. A conditionally qualified contractor will be denied bidding proposals while in that status but may receive, at the discretion of the secretary, a bidding proposal for one project.

(2) The assistant secretary for field operations support shall advise the contractor and the region administrator or designated assistant when a contractor has been placed in conditional status.

(3) Should the contractor be the low successful bidder and be awarded a contract subsequent to being placed in conditional status, the issuance of further bidding proposals will be considered only when an interim report is submitted in accordance with WAC 468-16-160 or when a final performance report is submitted in accordance with WAC 468-16-150(12) and the rating thereon is standard or better.

(4) Normally a contractor may have only one active prime contract for the department while qualified conditionally.

(5) Return to fully qualified status of a conditionally qualified contractor will be effected by:

* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

WSR 00-14-055

PERMANENT RULES

DEPARTMENT OF TRANSPORTATION

[Filed July 3, 2000, 9:09 a.m.]

Date of Adoption: June 30, 2000.

Purpose: To make revisions to chapter 468-16 WAC to bring language into sync with RCW 47.28.30 [47.28.030] as amended July 1999. Other minor revision to clarify language.

Citation of Existing Rules Affected by this Order: Amending chapter 468-16 WAC, Prequalification of contractors.

Statutory Authority for Adoption: RCW 47.01.101, 47.28.030, and 47.28.070.

Adopted under notice filed as WSR 00-11-134 on May 23, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 3, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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- (a) A performance rating of standard or above on contracts completed during the current prequalification year; or
 - (b) An interim rating of standard or above on all concurrent contracts; or
 - (c) A standard or above rating on the first interim report for a project awarded subsequent to conditional qualification.
- (6) Should the rating continue to be less than standard, the contractor's prequalification will be suspended in accordance with WAC 468-16-180.

AMENDATORY SECTION (Amending Order 168, filed 4/15/97, effective 5/16/97)

WAC 468-16-150 Prime contractor performance reports. (1) Performance reports described in this section, substantially in the format as that appearing at WAC 468-16-210, will be completed for prime contractors only for projects valued at one hundred thousand dollars or more. Each prime contractor's performance report will be classified as to the primary work class being rated. This shall be stated in Section I of the report by listing the major classes of work performed by the contractor e.g., clearing, grading, surfacing, etc.

(2) Performance will be rated under the following headings: Administration, management, and supervision; quality of work; progress of work; and equipment.

(3) The following adjectival ratings are established for performance reports:

(a) Superior	131-150
(b) Above standard	101-130
(c) Standard	100
(d) Below standard	70-99
(e) Inadequate	50-69

(4) The performance report shall be used in evaluating a contractor's prequalification status.

(5) The report shall contain a narrative section which verbally provides the details substantiating the numerical rating. The narrative section shall be based upon documentation prepared during the life of the project, such as the project engineer's diary, the inspector's daily report and other pertinent documents. This documentation shall constitute the major portion of the administrative record to be used for any hearings or litigation that may arise from the rating process.

(6) The performance report will be prepared and discussion held with the contractor by the project engineer. The report will include a numerical rating substantiated by a narrative report which describes the contractor's typical performance. The narrative will reference such documents as will substantiate the given numerical rating.

(7) The report will be endorsed by the region operations engineer or designated assistant who will provide a copy to the contractor.

(8) The contractor may appeal the rating to the region administrator in writing within twenty calendar days of the date the report is received by the contractor. If the report is not delivered to the contractor in person, it shall be forwarded by certified mail with a return receipt requested. The appeal must set forth the specific basis upon which it has been made.

(9) The region administrator or designated assistant will review all contractor performance reports after they have been endorsed and may modify the numerical or narrative rating if such is deemed appropriate. The contractor will be advised of any changes made. The region administrator will be required to make comments thereon only when the contractor's overall performance rating has been rated inadequate, below standard, or superior.

(10) Performance reports, when completed at region level, will be submitted to the secretary, Attn: Manager, contractor prequalification office, not later than forty-five calendar days following final completion of the project.

(11) The region administrator or designated assistant shall review the appeal and provide a written response to the contractor by certified mail (return receipt requested) within twenty calendar days of its receipt. A copy of the appeal and the response thereto will be forwarded to the secretary, Attn: Contractor prequalification office.

(12) The contractor may further appeal to the secretary in writing setting forth the specific basis for the appeal. The contractor's appeal shall be made within ten calendar days of the date of receipt of the region administrator's response. When making an appeal, the contractor may also present information in person. The secretary will consider the appeal and respond to it by certified mail within sixty calendar days of its receipt. This determination shall be the final administrative act of the department.

(13) All prime contractor performance reports shall be reviewed by the office of the secretary for completeness, objectivity, and substantiation of numerical ratings. The secretary may modify the report as deemed appropriate as a result of the review. The rated contractor and region administrator shall be given a copy of the modified report. The contractor may appeal the modified report in the manner and within the time allotted in subsection (12) of this section to which the secretary shall respond as cited therein.

(14) A prime contractor performance report shall be considered a preliminary paper until all reviews and appeals have been accomplished and it shall have been stamped and initialed as having been "filed in the office of the secretary."

(15) DOT Form 421-010 is authorized.

**WSR 00-14-058
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed July 3, 2000, 11:51 a.m., effective October 1, 2000]

Date of Adoption: July 3, 2000.

Purpose: Chapter 296-155 WAC, Safety standards for construction work, Parts C-1, J-1, K and O.

Topic: Fall protection.

November of 1996, state-initiated amendments were made to chapter 296-155 WAC, Part C-1, Fall Restraint and Fall Arrest, and Part K, Floor Openings, Wall Openings and Stairways. These amendments were sent to the Occupational Safety and Health Administration (OSHA) for federal approval on February 4, 1999. We received a letter dated

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July 27, 1999, from OSHA indicating to us that there were areas in our standard that did not meet the "at-least-as-effective-as" mandate, therefore, amendments must be made to bring the requirements into compliance with the federal requirements.

The following are the federal-initiated adopted changes:

WAC 296-155-24501 Scope and application.

- Added a clarifying note relating to nonmandatory Appendix B.

WAC 296-155-24503 Definitions.

- Corrected a reference in the definition of "unprotected sides and edges."

WAC 296-155-24505 Fall protection work plan.

- Added language requiring the retraining of employees when circumstances warrant it.
- Renumbered subsection.

WAC 296-155-24510 Fall restraint, fall arrest systems.

- Added language requiring that horizontal lifelines must be designed, installed and used under the supervision of a qualified person.
- Clarified requirements to stipulate that only locking-type snaphooks are permitted. This requirement currently resides in our positioning device system section and is added to the fall arrest section.
- Added criteria that must be used and followed when canopies are used as protection from falling objects.
- Renumbered section.

WAC 296-155-24515 Guarding of low pitched roof perimeters.

- Added a note referencing Appendix A.

WAC 296-155-24520 Leading edge control zone.

- Corrected a reference.

WAC 296-155-24521 Safety monitor system.

- Added language requiring that the safety monitor must warn employees of fall hazards and also warn them when they are working in an unsafe manner. Further, require employees to comply promptly when warned by the safety monitor.
- Renumbered section.

WAC 296-155-24525 Appendix B to Part C-1—Fall restraint and fall arrest (employer information only).

- Corrected a reference.

WAC 296-155-483 General requirements.

- Added language relating to horizontal lifelines used on suspended scaffolds or similar work platforms must be capable of locking in both directions on the lifeline.

WAC 296-155-505 Guardrails, handrails and covers.

- Added language addressing the strength and structural integrity for walking/working surfaces.
- Increased the guardrail height requirements from 36-42 inches to 39-45 inches.
- Clarified requirements for guardrail systems.
- Corrected references.
- Renumbered section.

WAC 296-155-680 General provisions.

- Added language to the "formwork" section that affects the trigger height at which fall protection is required.

Citation of Existing Rules Affected by this Order: Amending WAC 296-155-24501 Scope and application, 296-155-24503 Definitions, 296-155-24505 Fall protection work plan, 296-155-24510 Fall restraint, fall arrest systems, 296-155-24515 Guarding of low pitched roof perimeters, 296-155-24520 Leading edge control zone, 296-155-24521 Safety monitor system, 296-155-24525 Appendix B to Part C-1—Fall restraint and fall arrest (employer information only), 296-155-483 General requirements, 296-155-505 Guardrails, handrails and covers, and 296-155-680 General provisions.

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040, and [49.17].050.

Adopted under notice filed as WSR 00-08-079 on April 4, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 11, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 11, Repealed 0.

Effective Date of Rule: October 1, 2000.

July 3, 2000

Gary Moore

Director

AMENDATORY SECTION (Amending WSR 96-24-051, filed 11/27/96, effective 2/1/97)

WAC 296-155-24501 Scope and application. This section sets forth requirements for employers to provide and enforce the use of fall protection for employees in construction, alteration, repair, maintenance (including painting and decorating), demolition workplaces, and material handling covered under chapter 296-155 WAC.

Note: See Appendix B for additional standards that require the use of fall restraint and/or fall arrest protection.

AMENDATORY SECTION (Amending WSR 96-24-051, filed 11/27/96, effective 2/1/97)

WAC 296-155-24503 Definitions. Anchorage means a secure point of attachment for lifelines, lanyards, or deceleration devices which is capable of withstanding the forces specified in the applicable sections of chapter 296-155 WAC.

Approved means, for the purpose of this section; tested and certified by the manufacturer, or any recognized national testing laboratory, to possess the strength requirements specified in this section.

Body belt means a Type I safety belt used in conjunction with lanyard or lifeline for fall restraint only.

Full body harness means a configuration of connected straps to distribute a fall arresting force over at least the thighs, shoulders and pelvis, with provisions for attaching a lanyard, lifeline, or deceleration devices.

Full body harness system means a Class III full body harness and lanyard which is attached to an anchorage meeting the requirements of chapter 296-155 WAC, Part C-1; or attached to a horizontal or vertical lifeline which is properly secured to an anchorage(s) capable of withstanding the forces specified in the applicable sections of chapter 296-155 WAC.

Catenary line - see horizontal lifeline.

Competent person means an individual knowledgeable of fall protection equipment, including the manufacturers recommendations and instructions for the proper use, inspection, and maintenance; and who is capable of identifying existing and potential fall hazards; and who has the authority to take prompt corrective action to eliminate those hazards; and who is knowledgeable of the rules contained in this section regarding the erection, use, inspection, and maintenance of fall protection equipment and systems.

Connector means a device which is used to couple (connect) parts of the personal fall arrest system and positioning device systems together. It may be an independent component of the system, such as a carabiner, or it may be an integral component of part of the system (such as a buckle or dee ring sewn into a body belt or body harness, or a snap hook spliced or sewn to a lanyard or self-retracting lanyard).

Continuous fall protection means the design and use of a fall protection system such that no exposure to an elevated fall hazard occurs. This may require more than one fall protection system or a combination of prevention or protection measures.

Control zone means the area between the warning line and the unprotected sides and edges of the walking/working surface.

Deceleration device means any mechanism, such as a rope grab, ripstitch lanyard, specifically woven lanyard, tearing or deforming lanyards, automatic self-retracting lifelines/lanyards, etc., which serves to dissipate a substantial amount of energy during a fall arrest, or otherwise limit the energy imposed on an employee during fall arrest.

Deceleration distance means the additional vertical distance a falling employee travels, excluding lifeline elongation and free fall distance, before stopping, from the point at which the deceleration device begins to operate. It is measured as the distance between the location of an employee's body belt or body harness attachment point at the moment of activation (at the onset of fall arrest forces) of the deceleration device during a fall, and the location of that attachment point after the employee comes to a full stop.

Drop line means a vertical lifeline secured to an upper anchorage for the purpose of attaching a lanyard or device.

Failure means load refusal, breakage, or separation of component parts. Load refusal is the point where the ultimate strength is exceeded.

Fall arrest system means the use of multiple, approved safety equipment components such as; body harnesses, lanyards, deceleration devices, droplines, horizontal and/or vertical lifelines and anchorages, interconnected and rigged as to arrest a free fall. Compliance with anchorage strength requirements specified in the applicable sections of chapter 296-155 WAC, Part C-1 shall constitute approval of the anchorage.

Fall protection work plan means a written planning document in which the employer identifies all areas on the job site where a fall hazard of 10 feet or greater exists. The plan describes the method or methods of fall protection to be utilized to protect employees, and includes the procedures governing the installation use, inspection, and removal of the fall protection method or methods which are selected by the employer. (See WAC 296-155-24505.)

Fall restraint system means an approved device and any necessary components that function together to restrain an employee in such a manner as to prevent that employee from falling to a lower level. When standard guardrails are selected, compliance with applicable sections governing their construction and use shall constitute approval.

Fall distance means the actual distance from the worker's support to the level where a fall would stop.

Free fall means the act of falling before a personal fall arrest system begins to apply force to arrest the fall.

Free fall distance means the vertical displacement of the fall arrest attachment point on the employee's body belt or body harness between onset of the fall and just before the system begins to apply force to arrest the fall. This distance excludes deceleration distance, and lifeline/lanyard elongation, but includes any deceleration device slide distance or self-retracting lifeline/lanyard extension before they operate and fall arrest forces occur.

Hardware means snap hooks, D rings, bucklers, carabiners, adjusters, O rings, that are used to attach the components of a fall protection system together.

Horizontal lifeline means a rail, rope, wire, or synthetic cable that is installed in a horizontal plane between two anchorages and used for attachment of a worker's lanyard or lifeline device while moving horizontally; used to control dangerous pendulum like swing falls.

Lanyard means a flexible line of webbing, rope, or cable used to secure a body belt or harness to a lifeline or an anchorage point usually 2, 4, or 6 feet long.

Leading edge means the advancing edge of a floor, roof, or formwork which changes location as additional floor, roof, or formwork sections are placed, formed, or constructed. Leading edges not actively under construction are considered to be "unprotected sides and edges," and positive methods of fall arrest or fall restraint shall be required to protect exposed workers.

Lifeline means a vertical line from a fixed anchorage or between two horizontal anchorages, independent of walking or working surfaces, to which a lanyard or device is secured. Lifeline as referred to in this text is one which is part of a fall protection system used as back-up safety for an elevated worker.

Locking snap hook means a connecting snap hook that requires two separate forces to open the gate; one to deactivate the gatekeeper and a second to depress and open the gate which automatically closes when released; used to minimize roll out or accidental disengagement.

Low pitched roof means a roof having a slope equal to or less than 4 in 12.

Mechanical equipment means all motor or human propelled wheeled equipment except for wheelbarrows, mop-carts, robotic thermoplastic welders and robotic crimpers.

Positioning belt means a single or multiple strap that can be secured around the worker's body to hold the user in a work position; for example, a lineman's belt, a rebar belt, or saddle belt.

Positioning device system means a body belt or body harness system rigged to allow an employee to be supported on an elevated vertical surface, such as a wall, and work with both hands free while leaning.

Restraint line means a line from a fixed anchorage or between two anchorages to which an employee is secured in such a way as to prevent the worker from falling to a lower level.

Roll out means unintentional disengagement of a snap hook caused by the gate being depressed under torque or contact while twisting or turning; a particular concern with single action snap hooks that do not have a locking gatekeeper.

Roof means the exterior surface on the top of a building. This does not include floors or form work which, because a building has not been completed, temporarily become the top surface of a building.

Roofing work means the hoisting, storage, application, and removal of roofing materials and equipment, including related insulation, sheet metal, and vapor barrier work, but not including the construction of the roof deck.

Rope grab means a fall arrester that is designed to move up or down a lifeline suspended from a fixed overhead or horizontal anchorage point, or lifeline, to which the belt or harness is attached. In the event of a fall, the rope grab locks onto the lifeline rope through compression to arrest the fall. The use of a rope grab device is restricted for all restraint applications. (Refer to WAC 296-155-245 10 (1)(b)(iii)).

Safety line - see lifeline.

Safety monitor system means a system of fall restraint used in conjunction with a warning line system only, where a competent person as defined by this part, having no additional duties, monitors the proximity of workers to the fall hazard when working between the warning line and the unprotected sides and edges including, the leading edge of a low pitched roof or walking/working surface.

Self retracting lifeline means a deceleration device which contains a drum wound line which may be slowly extracted from, or retracted onto, the drum under slight tension during normal employee movement, and which after onset of a fall, automatically locks the drum and arrests the fall.

Shock absorbing lanyard means a flexible line of webbing, cable, or rope used to secure a body belt or harness to a

lifeline or anchorage point that has an integral shock absorber.

Single action snap hook means a connecting snap hook that requires a single force to open the gate which automatically closes when released.

Snap hook means a self-closing connecting device with a gatekeeper latch or similar arrangement that will remain closed until manually opened. This includes single action snap hooks that open when the gatekeeper is depressed and double action snap hooks that require a second action on a gatekeeper before the gate can be opened.

Static line - see horizontal lifeline.

Strength member means any component of a fall protection system that could be subject to loading in the event of a fall.

Steep roof means a roof having a slope greater than 4 in 12.

Unprotected sides and edges means any side or edge (except at entrances to points of access) of a floor, roof, ramp or runway where there is no wall or guardrail system as defined in WAC 296-155-505((5))(7).

Walking/working surface means for the purpose of this section, any area whose dimensions are 45 inches or greater in all directions, through which workers pass or conduct work.

Warning line system means a barrier erected on a walking and working surface or a low pitch roof (4 in 12 or less), to warn employees that they are approaching an unprotected fall hazard(s).

Work area means that portion of a walking/working surface where job duties are being performed.

AMENDATORY SECTION (Amending WSR 96-24-051, filed 11/27/96, effective 2/1/97)

WAC 296-155-24505 Fall protection work plan. (1)

The employer shall develop and implement a written fall protection work plan including each area of the work place where the employees are assigned and where fall hazards of 10 feet or more exist.

(2) The fall protection work plan shall:

(a) Identify all fall hazards in the work area.

(b) Describe the method of fall arrest or fall restraint to be provided.

(c) Describe the correct procedures for the assembly, maintenance, inspection, and disassembly of the fall protection system to be used.

(d) Describe the correct procedures for the handling, storage, and securing of tools and materials.

(e) Describe the method of providing overhead protection for workers who may be in, or pass through the area below the work site.

(f) Describe the method for prompt, safe removal of injured workers.

(g) Be available on the job site for inspection by the department.

(3) Prior to permitting employees into areas where fall hazards exist the employer shall:

(a) Ensure that employees are trained and instructed in the items described in subsection (2)(a) through (f) of this section.

(b) Inspect fall protection devices and systems to ensure compliance with WAC 296-155-24510.

(4) Training of employees ((as required by this section shall be documented and shall be available on the job site));

(a) The employer shall ensure that employees are trained as required by this section. Training shall be documented and shall be available on the job site.

(b) "Retraining." When the employer has reason to believe that any affected employee who has already been trained does not have the understanding and skill required by subsection (1) of this section, the employer shall retrain each such employee. Circumstances where retraining is required include, but are not limited to, situations where:

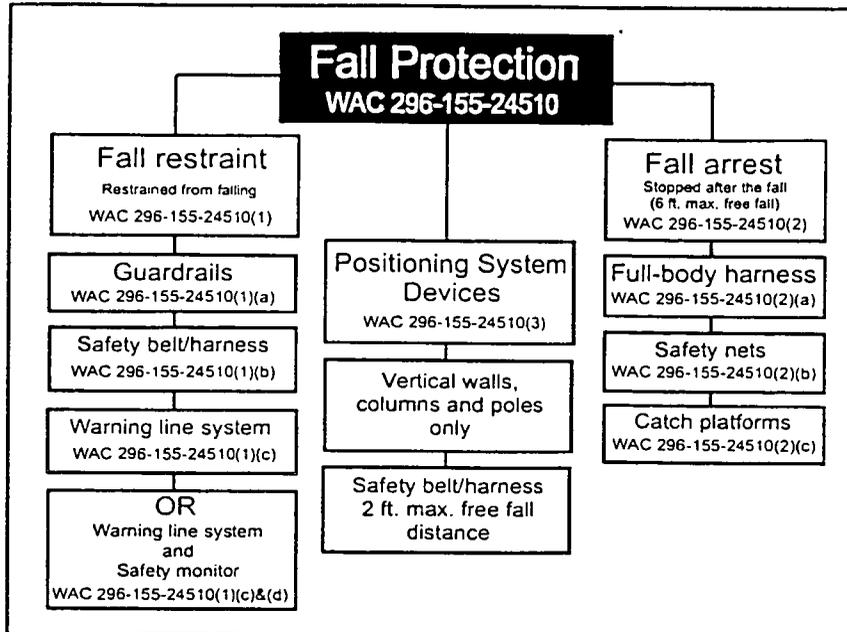
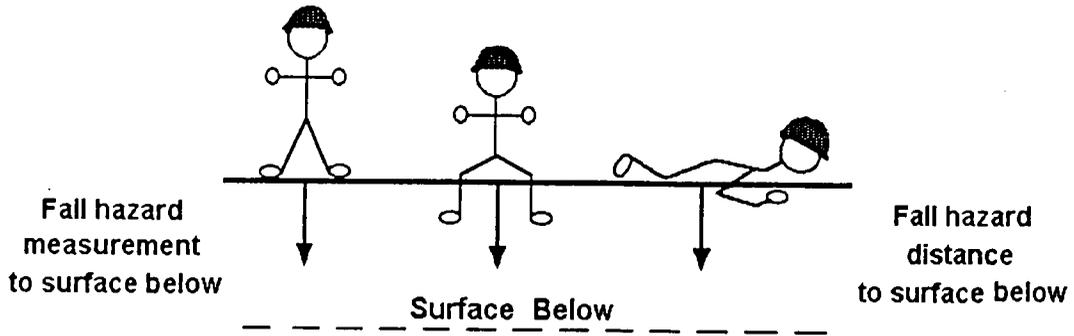
• Changes in the workplace render previous training obsolete; or

• Changes in the types of fall protection systems or equipment to be used render previous training obsolete; or
• Inadequacies in an affected employee's knowledge or use of fall protection systems or equipment indicate that the employee has not retained the requisite understanding or skill.

Note: The following appendices to Part C-1 of this chapter serve as nonmandatory guidelines to assist employers in complying with the appropriate requirements of Part C-1 of this chapter.

AMENDATORY SECTION (Amending WSR 96-24-051, filed 11/27/96, effective 2/1/97)

WAC 296-155-24510 Fall restraint, fall arrest systems. When employees are exposed to a hazard of falling from a location 10 feet or more in height, the employer shall ensure that fall restraint, fall arrest systems or positioning device systems are provided, installed, and implemented according to the following requirements.



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(1) Fall restraint protection shall consist of:

(a) Standard guardrails as described in chapter 296-155 WAC, Part K.

(b) Safety belts and/or harness attached to securely rigged restraint lines.

(i) Safety belts and/or harness shall conform to ANSI Standard:

Class I body belt

Class II chest harness

Class III full body harness

Class IV suspension/position belt

(ii) All safety belt and lanyard hardware assemblies shall be capable of withstanding a tensile loading of 4,000 pounds without cracking, breaking, or taking a permanent deformation.

(iii) Rope grab devices are prohibited for fall restraint applications unless they are part of a fall restraint system designed specifically for the purpose by the manufacturer, and used in strict accordance with the manufacturer's recommendations and instructions.

(iv) The employer shall ensure component compatibility.

(v) Components of fall restraint systems shall be inspected prior to each use for mildew, wear, damage, and other deterioration, and defective components shall be removed from service if their function or strength have been adversely affected.

(vi) Anchorage points used for fall restraint shall be capable of supporting 4 times the intended load.

(vii) Restraint protection shall be rigged to allow the movement of employees only as far as the sides and edges of the walking/working surface.

(c) A warning line system as prescribed in WAC 296-155-24515(3) and supplemented by the use of a safety monitor system as prescribed in WAC 296-155-24521 to protect workers engaged in duties between the forward edge of the warning line and the unprotected sides and edges, including the leading edge, of a low pitched roof or walking/working surface.

(d) Warning line and safety monitor systems as described in WAC 296-155-24515 (3) through (4)(f) and WAC 296-155-24520 respectively are prohibited on surfaces exceeding a 4 in 12 pitch, and on any surface whose dimensions are less than 45 inches in all directions.

(2) Fall arrest protection shall consist of:

(a) Full body harness system.

(i) An approved Class III full body harness shall be used.

(ii) Body harness systems or components subject to impact loading shall be immediately removed from service and shall not be used again for employee protection unless inspected and determined by a competent person to be undamaged and suitable for reuse.

(iii) All safety lines and lanyards shall be protected against being cut or abraded.

(iv) The attachment point of the body harness shall be located in the center of the wearer's back near shoulder level, or above the wearer's head.

(v) Body harness systems shall be rigged to minimize free fall distance with a maximum free fall distance allowed of 6 feet, and such that the employee will not contact any lower level.

(vi) Hardware shall be drop forged, pressed or formed steel, or made of materials equivalent in strength.

(vii) Hardware shall have a corrosion resistant finish, and all surfaces and edges shall be smooth to prevent damage to the attached body harness or lanyard.

(viii) When vertical lifelines (droplines) are used, not more than one employee shall be attached to any one lifeline.

Note: The system strength needs in the following items are based on a total combined weight of employee and tools of no more than 310 pounds. If combined weight is more than 310 pounds, appropriate allowances must be made or the system will not be deemed to be in compliance.

(ix) Full body harness systems shall be secured to anchorages capable of supporting 5,000 pounds per employee except: When self retracting lifelines or other deceleration devices are used which limit free fall to two feet, anchorages shall be capable of withstanding 3,000 pounds.

(x) Vertical lifelines (droplines) shall have a minimum tensile strength of 5,000 pounds (22.2 kN), except that self retracting lifelines and lanyards which automatically limit free fall distance to two feet (.61 m) or less shall have a minimum tensile strength of 3,000 pounds (13.3 kN).

(xi) Horizontal lifelines shall ~~((have a tensile strength capable of supporting a fall impact load of at least 5,000 pounds (22.2 kN) per employee using the lifeline, applied anywhere along the lifeline))~~ be designed, installed, and used, under the supervision of a qualified person, as part of a complete personal fall arrest system, which maintains a safety factor of at least two.

(xii) Lanyards shall have a minimum tensile strength of 5,000 pounds (22.2 kN).

(xiii) All components of body harness systems whose strength is not otherwise specified in this subsection shall be capable of supporting a minimum fall impact load of 5,000 pounds (22.2 kN) applied at the lanyard point of connection.

(xiv) ~~((Snap hooks shall not be connected to loops made in webbing type lanyards.~~

~~(xv) Snap hooks shall not be connected to each other.~~

~~(xvi) Not more than one snap hook shall be connected to any one D ring unless they are the double locking type.))~~ Dee-rings and snap-hooks shall be proof-tested to a minimum tensile load of 3,600 pounds (16 kN) without cracking, breaking, or taking permanent deformation.

(xv) Snap-hooks shall be a locking type snap-hook designed and used to prevent disengagement of the snap-hook by the contact of the snap-hook keeper by the connected member.

(xvi) Unless the snap-hook is designed for the following connections, snap-hooks shall not be engaged:

(A) Directly to webbing, rope or wire rope;

(B) To each other;

(C) To a dee-ring to which another snap-hook or other connector is attached;

(D) To a horizontal lifeline; or

(E) To any object which is incompatibly shaped or dimensioned in relation to the snap-hook such that unintentional disengagement could occur by the connected object being able to depress the snap-hook keeper and release itself.

(xvii) Full body harness systems shall be inspected prior to each use for mildew, wear, damage, and other deteriora-

tion, and defective components shall be removed from service if their function or strength have been adversely affected.

(b) Safety net systems. Safety net systems and their use shall comply with the following provisions:

(i) Safety nets shall be installed as close as practicable under the surface on which employees are working, but in no case more than 30 feet (9.1 m) below such level unless specifically approved in writing by the manufacturer. The potential fall area to the net shall be unobstructed.

(ii) Safety nets shall extend outward from the outermost projection of the work surface as follows:

Vertical distance from working level to horizontal plane of net	Minimum required horizontal distance of outer edge of net from the edge of the working surface
Up to 5 feet	8 feet
More than 5 feet up to 10 feet ..	10 feet
More than 10 feet	13 feet

(iii) Safety nets shall be installed with sufficient clearance under them to prevent contact with the surface or structures below when subjected to an impact force equal to the drop test specified in (b)(iv) of this subsection.

(iv) Safety nets and their installations shall be capable of absorbing an impact force equal to that produced by the drop test specified in (b)(iv)(A) and (B) of this subsection.

(A) Except as provided in (b)(iv)(B) of this subsection, safety nets and safety net installations shall be drop-tested at the job site after initial installation and before being used as a fall protection system, whenever relocated, after major repair, and at 6-month intervals if left in one place. The drop-test shall consist of a 400 pound (180 kg) bag of sand 30 ± 2 inches (76 ± 5 cm) in diameter dropped into the net from the highest walking/working surface at which employees are exposed to fall hazards, but not from less than 42 inches (1.1 m) above that level.

(B) When the employer can demonstrate that it is unreasonable to perform the drop-test required by (b)(iv)(A) of this subsection, the employer (or a designated competent person) shall certify that the net and net installation is in compliance with the provisions of (b)(iii) and (b)(iv)(A) of this subsection by preparing a certification record prior to the net being used as a fall protection system. The certification record must include an identification of the net and net installation for which the certification record is being prepared; the date that it was determined that the identified net and net installation were in compliance with (b)(iii) of this subsection and the signature of the person making the determination and certification. The most recent certification record for each net and net installation shall be available at the job site for inspection.

(v) Defective nets shall not be used. Safety nets shall be inspected at least once a week for wear, damage, and other deterioration. Defective components shall be removed from service. Safety nets shall also be inspected after any occurrence which could affect the integrity of the safety net system.

(vi) Materials, scrap pieces, equipment, and tools which have fallen into the safety net shall be removed as soon as possible from the net and at least before the next work shift.

(vii) The maximum size of each safety net mesh opening shall not exceed 36 square inches (230 cm²) nor be longer than 6 inches (15 cm) on any side, and the opening, measured center-to-center of mesh ropes or webbing, shall not be longer than 6 inches (15 cm). All mesh crossings shall be secured to prevent enlargement of the mesh opening.

(viii) Each safety net (or section of it) shall have a border rope for webbing with a minimum breaking strength of 5,000 pounds (22.2 kN).

(ix) Connections between safety net panels shall be as strong as integral net components and shall be spaced not more than 6 inches (15 cm) apart.

(c) Catch platforms.

(i) A catch platform shall be installed within 10 vertical feet of the work area.

(ii) The catch platforms width shall equal the distance of the fall but shall be a minimum of 45 inches wide and shall be equipped with standard guardrails on all open sides.

(3) Positioning device systems. Positioning device systems and their use shall conform to the following provisions:

(a) Positioning devices shall be rigged such that an employee cannot free fall more than 2 feet (.61 m).

(b) Positioning devices shall be secured to an anchorage capable of supporting at least twice the potential impact load of an employee's fall or 3,000 pounds (13.3 kN), whichever is greater.

(c) Connectors shall be drop forged, pressed or formed steel, or made of equivalent materials.

(d) Connectors shall have a corrosion-resistant finish, and all surfaces and edges shall be smooth to prevent damage to interfacing parts of this system.

(e) Connecting assemblies shall have a minimum tensile strength of 5,000 pounds (22.2 kN).

(f) Dee-rings and snap-hooks shall be proof-tested to a minimum tensile load of 3,600 pounds (16 kN) without cracking, breaking, or taking permanent deformation.

(g) Snap-hooks (~~shall be sized to be compatible with the member to which they are connected to prevent unintentional disengagement of the snap-hook by depression of the snap-hook keeper by the connected member, or~~) shall be a locking type snap-hook designed and used to prevent disengagement of the snap-hook by the contact of the snap-hook keeper by the connected member. ~~((As of January 1, 1998, only locking type snap-hooks shall be used.))~~

(h) Unless the snap-hook is ~~((a locking type and))~~ designed for the following connections, snap-hooks shall not be engaged:

(i) Directly to webbing, rope or wire rope;

(ii) To each other;

(iii) To a dee-ring to which another snap-hook or other connector is attached;

(iv) To a horizontal lifeline; or

(v) To any object which is incompatibly shaped or dimensioned in relation to the snap-hook such that unintentional disengagement could occur by the connected object being able to depress the snap-hook keeper and release itself.

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(i) Positioning device systems shall be inspected prior to each use for wear, damage, and other deterioration, and defective components shall be removed from service.

(j) Body belts, harnesses, and components shall be used only for employee protection (as part of a personal fall arrest system or positioning device system) and not to hoist materials.

(4) Droplines or lifelines used on rock scaling operations, or in areas where the lifeline may be subjected to cutting or abrasion, shall be a minimum of 7/8 inch wire core manila rope. For all other lifeline applications, a minimum of 3/4 inch manila or equivalent, with a minimum breaking strength of 5,000 pounds, shall be used.

(5) Safety harnesses, lanyards, lifelines or droplines, independently attached or attended, shall be used while performing the following types of work when other equivalent type protection is not provided:

(a) Work performed in permit required confined spaces and other confined spaces shall follow the procedures as described in chapter 296-62 WAC, Part M.

(b) Work on hazardous slopes, or dismantling safety nets, working on poles or from boatswains chairs at elevations greater than six feet (1.83 m), swinging scaffolds or other unguarded locations.

(c) Work on skips and platforms used in shafts by crews when the skip or cage does not occlude the opening to within one foot (30.5 cm) of the sides of the shaft, unless cages are provided.

(6) Canopies, when used as falling object protection, shall be strong enough to prevent collapse and to prevent penetration by any objects which may fall onto the canopy.

AMENDATORY SECTION (Amending WSR 96-24-051, filed 11/27/96, effective 2/1/97)

WAC 296-155-24515 Guarding of low pitched roof perimeters. (1) General provisions. During the performance of work on low pitched roofs with a potential fall hazard greater than 10 feet, the employer shall ensure that employees engaged in such work be protected from falling from all unprotected sides and edges of the roof as follows:

(a) By the use of a fall restraint or fall arrest systems, as defined in WAC 296-155-24510; or

(b) By the use of a warning line system erected and maintained as provided in subsection (3) of this section and supplemented for employees working between the warning line and the roof edge by the use of a safety monitor system as described in WAC 296-155-24521.

(c) Mechanical equipment shall be used or stored only in areas where employees are protected by a warning line system, or fall restraint, or fall arrest systems as described in WAC 296-155-24510. Mechanical equipment may not be used or stored where the only protection is provided by the use of a safety monitor.

(2) Exceptions.

(a) The provisions of subsection (1)(a) of this section do not apply at points of access such as stairways, ladders, and ramps, or when employees are on the roof only to inspect, investigate, or estimate roof level conditions. Roof edge

materials handling areas and materials storage areas shall be guarded as provided in subsection (4) of this section.

(b) Employees engaged in roofing on low-pitched roofs less than 50 feet wide, may elect to use a safety monitor system without warning lines.

Note: See Appendix A to Part C-1—Determining roof widths nonmandatory guidelines for complying with WAC 296-155-24515 (2)(b).

(3) Warning lines systems.

(a) Warning lines shall be erected around all sides of the work area.

(i) When mechanical equipment is not being used, the warning line shall be erected not less than six feet (1.8 meters) from the edge of the roof.

(ii) When mechanical equipment is being used, the warning line shall be erected not less than six feet (1.8 meters) from the roof edge which is parallel to the direction of mechanical equipment operation, and not less than 10 feet (3.1 meters) from the roof edge which is perpendicular to the direction of mechanical equipment operation.

(b) The warning line shall consist of a rope, wire, or chain and supporting stanchions erected as follows:

(i) The rope, wire, or chain shall be flagged at not more than six foot (1.8 meter) intervals with high visibility material.

(ii) The rope, wire, or chain shall be rigged and supported in such a way that its lowest point (including sag) is no less than 36 inches (91.4 cm) from the roof surface and its highest point is no more than 42 inches (106.7 cm) from the roof surface.

(iii) After being erected, with the rope, wire or chain attached, stanchions shall be capable of resisting, without tipping over, a force of at least 16 pounds (71 Newtons) applied horizontally against the stanchion, 30 inches (0.76 meters) above the roof surface, perpendicular to the warning line, and in the direction of the roof edge.

(iv) The rope, wire, or chain shall have a minimum tensile strength of 200 pounds (90 kilograms), and after being attached to the stanchions, shall be capable of supporting, without breaking, the loads applied to the stanchions.

(v) The line shall be attached at each stanchion in such a way that pulling on one section of the line between stanchions will not result in slack being taken up in adjacent sections before the stanchion tips over.

(c) Access paths shall be erected as follows:

(i) Points of access, materials handling areas, and storage areas shall be connected to the work area by a clear access path formed by two warning lines.

(ii) When the path to a point of access is not in use, a rope, wire, or chain, equal in strength and height to the warning line, shall be placed across the path at the point where the path intersects the warning line erected around the work area.

(4) Roof edge materials handling areas and materials storage. Employees working in a roof edge materials handling or materials storage area located on a low pitched roof with a ground to eave height greater than 10 feet shall be protected from falling along all unprotected roof sides and edges of the area.

(a) When guardrails are used at hoisting areas, a minimum of four feet of guardrail shall be erected on each side of the access point through which materials are hoisted.

(b) A chain or gate shall be placed across the opening between the guardrail sections when hoisting operations are not taking place.

(c) When guardrails are used at bitumen pipe outlet, a minimum of four feet of guardrail shall be erected on each side of the pipe.

(d) When safety belt/harness systems are used, they shall not be attached to the hoist.

(e) When fall restraint systems are used, they shall be rigged to allow the movement of employees only as far as the roof edge.

(f) Materials shall not be stored within six feet of the roof edge unless guardrails are erected at the roof edge.

AMENDATORY SECTION (Amending WSR 96-24-051, filed 11/27/96, effective 2/1/97)

WAC 296-155-24520 Leading edge control zone. (1) When performing leading edge work, the employer shall ensure that a control zone be established according to the following requirements:

(a) The control zone shall begin a minimum of 6 feet back from the leading edge to prevent exposure by employees who are not protected by fall restraint or fall arrest systems.

(b) The control zone shall be separated from other areas of the low pitched roof or walking/working surface by the erection of a warning line system.

(c) The warning line system shall consist of wire, rope, or chain supported on stanchions, or a method which provides equivalent protection.

(d) The spacing of the stanchions and support of the line shall be such that the lowest point of the line (including sag) is not less than 36 inches from the walking/working surface, and its highest point is not more than 42 inches (106.7 cm) from the walking/working surface.

(e) Each line shall have a minimum tensile strength of 200 pounds (90 kilograms).

(f) Each line shall be flagged or clearly marked with high visibility materials at intervals not to exceed 6 feet.

(g) After being erected with the rope, or chain attached, stanchions shall be capable of resisting without tipping over, a force of at least 16 pounds (71 Newtons) applied horizontally against the stanchions 30 inches (0.76 meters) above the roof surface, perpendicular to the warning line and in the direction of the roof edge.

(2) When positive means of fall restraint as described in WAC 296-155-24510 (1)(a) through (d), or fall arrest as described in WAC 296-155-24510 (2) through ~~((5)(e))~~ (6) are not utilized, a safety monitor system as described in WAC 296-155-24521 shall be implemented to protect employees working between the forward edge of the warning line and the leading edge.

AMENDATORY SECTION (Amending WSR 96-24-051, filed 11/27/96, effective 2/1/97)

WAC 296-155-24521 Safety monitor system. (1) A safety monitor system (SMS) may be used in conjunction with a warning line system as a method of guarding against falls during work on low pitched roofs and leading edge work only.

(2) When selected, the employer shall ensure that the safety monitor system shall be addressed in the fall protection work plan, include the name of the safety monitor(s) and the extent of their training in both the safety monitor and warning line systems, and shall ensure that the following requirements are met.

(3) The safety monitor system shall not be used when adverse weather conditions create additional hazards.

(4) A person acting in the capacity of safety monitor(s) shall be trained in the function of both the safety monitor and warning lines systems, and shall:

(a) Be a competent person as defined in WAC 296-155-24503.

(b) Have control authority over the work as it relates to fall protection.

(c) Be instantly distinguishable over members of the work crew.

(d) Engage in no other duties while acting as safety monitor.

(e) Be positioned in relation to the workers under their protection, so as to have a clear, unobstructed view and be able to maintain normal voice communication.

(f) Not supervise more than eight exposed workers at one time.

(g) Warn the employee when it appears that the employee is unaware of a fall hazard or is acting in an unsafe manner.

(5) Control zone:

(a) Workers shall be distinguished from other members of the crew by wearing highly visible, distinctive, and uniform apparel readily distinguishing them from other members of the crew only while in the control zone.

(b) The employer shall ensure that each employee working in a control zone promptly comply with fall hazard warnings from safety monitors.

AMENDATORY SECTION (Amending WSR 98-05-046, filed 2/13/98, effective 4/15/98)

WAC 296-155-24525 Appendix B to Part C-1—Fall restraint and fall arrest (employer information only). Additional standards that require the use of fall restraint and/or fall arrest protection for employees are listed below:

Ladders	WAC 296-155-480 (1)(r)
	WAC 296-155-480 (1)(s)
Scaffolds	WAC 296-155-483(7)
Boom Supported Elevating Work Platforms	WAC 296-155-489
Vehicle Mounted Elevated and Rotating Work Platforms	WAC 296-155-490 (2)(b)(v)
Crane and Derrick Supported	WAC 296-155-528 (6)(c)

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Work Platforms	WAC 296-155-528 (6)(d) WAC 296-155-528 (7)(i) WAC 296-155-528 (7)(j) WAC 296-155-528 (7)(k) WAC 296-155-528 (10)(h)
Open Sided Floors	WAC 296-155-505 ((4)) (6)(a) through (f)
Pile Driving	WAC 296-155-620 (1)(i)
Vertical Slip Forms	WAC 296-155-688(9)
Placing and Removal of Forms	WAC 296-155-689(4)
Steel Erection Temporary Floors	WAC 296-155-705 (2)(b)
Tunneling (Skips and Platforms)	WAC 296-155-730 (8)(e)

AMENDATORY SECTION (Amending WSR 98-05-046, filed 2/13/98, effective 4/15/98)

WAC 296-155-483 General requirements. This section does not apply to manually propelled elevating work platforms, the criteria for which are set out exclusively in WAC 296-155-487.

This section does not apply to self-propelled elevating work platforms, the criteria for which are set out exclusively in WAC 296-155-488.

This section does not apply to boom supported elevating work platforms, the criteria for which are set out exclusively in WAC 296-155-489.

This section does not apply to aerial lifts, the criteria for which are set out exclusively in WAC 296-155-490.

(1) "Capacity"

(a) Except as provided in (b), (c), (d), and (e) of this subsection and subsection (7) of this section, each scaffold and scaffold component shall be capable of supporting, without failure, its own weight and at least 4 times the maximum intended load applied or transmitted to it.

(b) Direct connections to roofs and floors, and counterweights used to balance adjustable suspension scaffolds, shall be capable of resisting at least 4 times the tipping moment imposed by the scaffold operating at the rated load of the hoist, or 1.5 (minimum) times the tipping moment imposed by the scaffold operating at the stall load of the hoist, whichever is greater.

(c) Each suspension rope, including connecting hardware, used on nonadjustable suspension scaffolds shall be capable of supporting, without failure, at least 6 times the maximum intended load applied or transmitted to that rope.

(d) Each suspension rope, including connecting hardware, used on adjustable suspension scaffolds shall be capable of supporting, without failure, at least 6 times the maximum intended load applied or transmitted to that rope with the scaffold operating at either the rated load of the hoist, or 2 (minimum) times the stall load of the hoist, whichever is greater.

(e) The stall load of any scaffold hoist shall not exceed 3 times its rated load.

(f) Scaffolds shall be designed by a qualified person and shall be constructed and loaded in accordance with that design. Nonmandatory Appendix A to this part contains

examples of criteria that will enable an employer to comply with subsection (1) of this section.

(2) "Scaffold platform construction."

(a) Each platform on all working levels of scaffolds shall be fully planked or decked between the front uprights and the guardrail supports as follows:

(i) Each platform unit (e.g., scaffold plank, fabricated plank, fabricated deck, or fabricated platform) shall be installed so that the space between adjacent units and the space between the platform and the uprights is no more than 1 inch (2.5 cm) wide, except where the employer can demonstrate that a wider space is necessary (for example, to fit around uprights when side brackets are used to extend the width of the platform).

(ii) Where the employer makes the demonstration provided for in subsection (2)(a)(i) of this section, the platform shall be planked or decked as fully as possible and the remaining open space between the platform and the uprights shall not exceed 9 1/2 inches (24.1 cm).

Exception to subsection (2)(a) of this section: The requirement in subsection (2)(a) of this section to provide full planking or decking does not apply to platforms used solely as walkways or solely by employees performing scaffold erection or dismantling. In these situations, only the planking necessary to provide safe working conditions is required. Employees on those platforms shall be protected from fall hazards in accordance with subsection (7) of this section.

(b) Except as provided in subsection (2)(b)(i) and (ii) of this section, each scaffold platform and walkway shall be at least 18 inches (46 cm) wide.

(i) Each ladder jack scaffold, top plate bracket scaffold, roof bracket scaffold, and pump jack scaffold shall be at least 12 inches (30 cm) wide. There is no minimum width requirement for boatswains' chairs.

(ii) Where scaffolds must be used in areas that the employer can demonstrate are so narrow that platforms and walkways cannot be at least 18 inches (46 cm) wide, such platforms and walkways shall be as wide as feasible, and employees on those platforms and walkways shall be protected from fall hazards by the use of guardrails and/or personal fall arrest systems.

(c) Except as provided in subsection (2)(c)(i) and (ii) of this section, the front edge of all platforms shall not be more than 14 inches (36 cm) from the face of the work, unless guardrail systems are erected along the front edge and/or personal fall arrest systems are used in accordance with subsection (7) of this section to protect employees from falling.

(i) The maximum distance from the face for outrigger scaffolds shall be 3 inches (8 cm);

(ii) The maximum distance from the face for plastering and lathing operations shall be 18 inches (46 cm).

(d) Each end of a platform, unless cleated or otherwise restrained by hooks or equivalent means, shall extend over the centerline of its support at least 6 inches (15 cm).

(e) Unless the platform is designed and installed so that the cantilevered portion of the platform is able to support employees and/or materials without tipping, or has guardrails which block employee access to the cantilevered end, the end of a platform shall not extend over its support more than:

(i) 12 inches (30 cm) for platforms 10 feet or less in length;

(ii) 18 inches (46 cm) for platforms greater than 10 feet in length.

(f) On scaffolds where scaffold planks are abutted to create a long platform, each abutted end shall rest on a separate support surface. This provision does not preclude the use of common support members, such as "T" sections, to support abutting planks, or hook on platforms designed to rest on common supports.

(g) On scaffolds where platforms are overlapped to create a long platform, the overlap shall occur only over supports, and shall not be less than 12 inches (30 cm) unless the platforms are nailed together or otherwise restrained to prevent movement.

(h) At all points of a scaffold where the platform changes direction, such as turning a corner, any platform that rests on a bearer at an angle other than a right angle shall be laid first, and platforms which rest at right angles over the same bearer shall be laid second, on top of the first platform.

(i) Wood platforms shall not be covered with opaque finishes, except that platform edges may be covered or marked for identification. Platforms may be coated periodically with wood preservatives, fire-retardant finishes, and slip-resistant finishes; however, the coating may not obscure the top or bottom wood surfaces.

(j) Scaffold components shall not be intermixed unless the components fit together without force and the scaffold's structural integrity is maintained by the user. Scaffold components shall not be modified in order to intermix them unless a qualified person determines the resulting scaffold is structurally sound.

(k) Scaffold components made of dissimilar metals shall not be used together unless a competent person has determined that galvanic action will not reduce the strength of any component to a level below that required by subsection (1)(a) of this section.

(3) "Criteria for supported scaffolds."

(a) Supported scaffolds with a height to base width (including outrigger supports, if used) ratio of more than four to one (4:1) shall be restrained from tipping by guying, tying, bracing, or equivalent means, as follows:

(i) Guys, ties, and braces shall be installed at locations where horizontal members support both inner and outer legs.

(ii) Guys, ties, and braces shall be installed according to the scaffold manufacturer's recommendations or at the closest horizontal member to the 4:1 height and be repeated vertically at locations of horizontal members every 20 feet (6.1 m) or less thereafter for scaffolds 3 feet (0.91 m) wide or less, and every 26 feet (7.9 m) or less thereafter for scaffolds greater than 3 feet (0.91 m) wide. The top guy, tie or brace of completed scaffolds shall be placed no further than the 4:1 height from the top. Such guys, ties and braces shall be installed at each end of the scaffold and at horizontal intervals not to exceed 30 feet (9.1 m) (measured from one end (not both) towards the other).

(b) Ties, guys, braces, or outriggers shall be used to prevent the tipping of supported scaffolds in all circumstances where an eccentric load, such as a cantilevered work platform, is applied or is transmitted to the scaffold.

(c) Supported scaffold poles, legs, posts, frames, and uprights shall bear on base plates resting on adequate firm foundation, such as dry compacted soil, mud sills or concrete slabs.

(i) Footings shall be level, sound, rigid, and capable of supporting the loaded scaffold without settling or displacement.

(ii) Unstable objects shall not be used to support scaffolds or platform units.

(iii) Unstable objects shall not be used as working platforms.

(iv) Front-end loaders and similar pieces of equipment shall not be used to support scaffold platforms unless they have been specifically designed by the manufacturer for such use.

(v) Fork-lifts shall not be used to support scaffold platforms unless the entire platform is attached to the fork and the fork-lift is not moved horizontally while the platform is occupied.

(d) Supported scaffold poles, legs, posts, frames, and uprights shall be plumb and braced to prevent swaying and displacement.

(4) "Criteria for suspension scaffolds."

(a) All suspension scaffold support devices, such as outrigger beams, cornice hooks, parapet clamps, and similar devices, shall rest on surfaces capable of supporting at least 4 times the load imposed on them by the scaffold operating at the rated load of the hoist (or at least 1.5 times the load imposed on them by the scaffold at the stall capacity of the hoist, whichever is greater).

(b) Suspension scaffold outrigger beams, when used, shall be made of structural metal or equivalent strength material, and shall be restrained to prevent movement.

(c) The inboard ends of suspension scaffold outrigger beams shall be stabilized by bolts or other direct connections to the floor or roof deck, or they shall have their inboard ends stabilized by counterweights, except masons' multi-point adjustable suspension scaffold outrigger beams shall not be stabilized by counterweights.

(i) Before the scaffold is used, direct connections shall be evaluated by a competent person who shall confirm, based on the evaluation, that the supporting surfaces are capable of supporting the loads to be imposed. In addition, masons' multi-point adjustable suspension scaffold connections shall be designed by an engineer experienced in such scaffold design.

(ii) Counterweights shall be made of nonflowable material. Sand, gravel and similar materials that can be easily dislocated shall not be used as counterweights.

(iii) Only those items specifically designed as counterweights shall be used to counterweight scaffold systems. Construction materials such as, but not limited to, masonry units and rolls of roofing felt, shall not be used as counterweights.

(iv) Counterweights shall be secured by mechanical means to the outrigger beams to prevent accidental displacement.

(v) Counterweights shall not be removed from an outrigger beam until the scaffold is disassembled.

(vi) Outrigger beams which are not stabilized by bolts or other direct connections to the floor or roof deck shall be secured by tiebacks.

(vii) Tiebacks shall be equivalent in strength to the suspension ropes.

(viii) Outrigger beams shall be placed perpendicular to its bearing support (usually the face of the building or structure). However, where the employer can demonstrate that it is not possible to place an outrigger beam perpendicular to the face of the building or structure because of obstructions that cannot be moved, the outrigger beam may be placed at some other angle, provided opposing angle tiebacks are used.

(ix) Tiebacks shall be secured to a structurally sound anchorage on the building or structure. Sound anchorages include structural members, but do not include standpipes, vents, other piping systems, or electrical conduit.

(x) Tiebacks shall be installed perpendicular to the face of the building or structure, or opposing angle tiebacks shall be installed. Single tiebacks installed at an angle are prohibited.

(d) Suspension scaffold outrigger beams shall be:

(i) Provided with stop bolts or shackles at both ends;

(ii) Securely fastened together with the flanges turned out when channel iron beams are used in place of I-beams;

(iii) Installed with all bearing supports perpendicular to the beam center line;

(iv) Set and maintained with the web in a vertical position; and

(v) When an outrigger beam is used, the shackle or clevis with which the rope is attached to the outrigger beam shall be placed directly over the center line of the stirrup.

(e) Suspension scaffold support devices such as cornice hooks, roof hooks, roof irons, parapet clamps, or similar devices shall be:

(i) Made of steel, wrought iron, or materials of equivalent strength;

(ii) Supported by bearing blocks; and

(iii) Secured against movement by tiebacks installed at right angles to the face of the building or structure, or opposing angle tiebacks shall be installed and secured to a structurally sound point of anchorage on the building or structure. Sound points of anchorage include structural members, but do not include standpipes, vents, other piping systems, or electrical conduit.

(iv) Tiebacks shall be equivalent in strength to the hoisting rope.

(f) When winding drum hoists are used on a suspension scaffold, they shall contain not less than four wraps of the suspension rope at the lowest point of scaffold travel. When other types of hoists are used, the suspension ropes shall be long enough to allow the scaffold to be lowered to the level below without the rope end passing through the hoist, or the rope end shall be configured or provided with means to prevent the end from passing through the hoist.

(g) The use of repaired wire rope as suspension rope is prohibited.

(h) Wire suspension ropes shall not be joined together except through the use of eye splice thimbles connected with shackles or coverplates and bolts.

(i) The load end of wire suspension ropes shall be equipped with proper size thimbles and secured by eyesplicing or equivalent means.

(j) Ropes shall be inspected for defects by a competent person prior to each workshift and after every occurrence which could affect a rope's integrity. Ropes shall be replaced if any of the following conditions exist:

(i) Any physical damage which impairs the function and strength of the rope.

(ii) Kinks that might impair the tracking or wrapping of rope around the drum(s) or sheave(s).

(iii) Six randomly distributed broken wires in one rope lay or three broken wires in one strand in one rope lay.

(iv) Abrasion, corrosion, scrubbing, flattening or peening causing loss of more than one-third of the original diameter of the outside wires.

(v) Heat damage caused by a torch or any damage caused by contact with electrical wires.

(vi) Evidence that the secondary brake has been activated during an overspeed condition and has engaged the suspension rope.

(k) Swaged attachments or spliced eyes on wire suspension ropes shall not be used unless they are made by the wire rope manufacturer or a qualified person.

(l) When wire rope clips are used on suspension scaffolds:

(i) There shall be a minimum of 3 wire rope clips installed, with the clips a minimum of 6 rope diameters apart;

(ii) Clips shall be installed according to the manufacturer's recommendations;

(iii) Clips shall be retightened to the manufacturer's recommendations after the initial loading;

(iv) Clips shall be inspected and retightened to the manufacturer's recommendations at the start of each workshift thereafter;

(v) U-bolt clips shall not be used at the point of suspension for any scaffold hoist;

(vi) When U-bolt clips are used, the U-bolt shall be placed over the dead end of the rope, and the saddle shall be placed over the live end of the rope.

(m) Suspension scaffold power-operated hoists and manual hoists shall be tested by a qualified testing laboratory.

(n) Gasoline-powered equipment and hoists shall not be used on suspension scaffolds.

(o) Gears and brakes of power-operated hoists used on suspension scaffolds shall be enclosed.

(p) In addition to the normal operating brake, suspension scaffold power-operated hoists and manually operated hoists shall have a braking device or locking pawl which engages automatically when a hoist makes either of the following uncontrolled movements: An instantaneous change in momentum or an accelerated overspeed.

(q) Manually operated hoists shall require a positive crank force to descend.

(r) Two-point and multi-point suspension scaffolds shall be tied or otherwise secured to prevent them from swaying, as determined to be necessary based on an evaluation by a competent person. Window cleaners' anchors shall not be used for this purpose.

(s) Devices whose sole function is to provide emergency escape and rescue shall not be used as working platforms. This provision does not preclude the use of systems which are designed to function both as suspension scaffolds and emergency systems.

(5) "Access." This paragraph applies to scaffold access for all employees. Access requirements for employees erecting or dismantling supported scaffolds are specifically addressed in (i) of this subsection.

(a) When scaffold platforms are more than 2 feet (0.6 m) above or below a point of access, portable ladders, hook-on ladders, attachable ladders, stair towers (scaffold stairways/towers), stairway-type ladders (such as ladder stands), ramps, walkways, integral prefabricated scaffold access, or direct access from another scaffold, structure, personnel hoist, or similar surface shall be used. Crossbraces shall not be used as a means of access.

(b) Portable, hook-on, and attachable ladders (additional requirements for the proper construction and use of portable ladders are contained in Part J of this chapter — Stairways and ladders):

(i) Portable, hook-on, and attachable ladders shall be positioned so as not to tip the scaffold;

(ii) Hook-on and attachable ladders shall be positioned so that their bottom rung is not more than 24 inches (61 cm) above the scaffold supporting level;

(iii) When hook-on and attachable ladders are used on a supported scaffold more than 24 feet (7.3 m) high, they shall have rest platforms at 20 foot (6.1 m) maximum vertical intervals except the first platform may be up to 24 feet above the ground;

(iv) Hook-on and attachable ladders shall be specifically designed for use with the type of scaffold used;

(v) Hook-on and attachable ladders shall have a minimum rung length of 11 1/2 inches (29 cm); and

(vi) Hook-on and attachable ladders shall have uniformly spaced rungs with a maximum spacing between rungs of 16 3/4 inches.

(c) Stairway-type ladders shall:

(i) Be positioned such that their bottom step is not more than 24 inches (61 cm) above the scaffold supporting level;

(ii) Be provided with rest platforms at 12-foot (3.7 m) maximum vertical intervals;

(iii) Have a minimum step width of 16 inches (41 cm), except that mobile scaffold stairway-type ladders shall have a minimum step width of 11 1/2 inches (30 cm); and

(iv) Have slip-resistant treads on all steps and landings.

(d) Stairtowers (scaffold stairway/towers) shall be positioned such that their bottom step is not more than 24 inches (61 cm) above the scaffold supporting level.

(i) A stairrail consisting of a toprail and a midrail shall be provided on each side of each scaffold stairway.

(ii) The toprail of each stairrail system shall also be capable of serving as a handrail, unless a separate handrail is provided.

(iii) Handrails, and toprails that serve as handrails, shall provide an adequate handhold for employees grasping them to avoid falling.

(iv) Stairrail systems and handrails shall be surfaced to prevent injury to employees from punctures or lacerations, and to prevent snagging of clothing.

(v) The ends of stairrail systems and handrails shall be constructed so that they do not constitute a projection hazard.

(vi) Handrails, and toprails that are used as handrails, shall be at least 3 inches (7.6 cm) from other objects.

(vii) Stairrails shall be not less than 28 inches (71 cm) nor more than 37 inches (94 cm) from the upper surface of the stairrail to the surface of the tread, in line with the face of the riser at the forward edge of the tread.

(viii) A landing platform at least 18 inches (45.7 cm) wide by at least 18 inches (45.7 cm) long shall be provided at each level.

(ix) Each scaffold stairway shall be at least 18 inches (45.7 cm) wide between stairrails.

(x) Treads and landings shall have slip-resistant surfaces.

(xi) Stairways shall be installed between 40 degrees and 60 degrees from the horizontal.

(xii) Guardrails meeting the requirements of subsection (7)(d) of this section shall be provided on the open sides and ends of each landing.

(xiii) Riser height shall be uniform, within 1/4 inch, (0.6 cm) for each flight of stairs. Greater variations in riser height are allowed for the top and bottom steps of the entire system, not for each flight of stairs.

(xiv) Tread depth shall be uniform, within 1/4 inch, for each flight of stairs.

(e) Ramps and walkways.

(i) Ramps and walkways 4 feet (1.2 m) or more above lower levels shall have guardrail systems which comply with Part K of this chapter—Floor openings, wall openings and stairways:

(ii) No ramp or walkway shall be inclined more than a slope of one vertical to three horizontal (20 degrees above the horizontal).

(iii) If the slope of a ramp or a walkway is steeper than one vertical in eight horizontal, the ramp or walkway shall have cleats not more than fourteen inches (35 cm) apart which are securely fastened to the planks to provide footing.

(f) Integral prefabricated scaffold access frames shall:

(i) Be specifically designed and constructed for use as ladder rungs;

(ii) Have a rung length of at least 8 inches (20 cm);

(iii) Not be used as work platforms when rungs are less than 11 1/2 inches in length, unless each affected employee uses fall protection, or a positioning device, which complies with WAC 296-155-24510;

(iv) Be uniformly spaced within each frame section;

(v) Be provided with rest platforms at 20-foot (6.1 m) maximum vertical intervals on all supported scaffolds more than 24 feet (7.3 m) high; and

(vi) Have a maximum spacing between rungs of 16 3/4 inches (43 cm). Nonuniform rung spacing caused by joining end frames together is allowed, provided the resulting spacing does not exceed 16 3/4 inches (43 cm).

(g) Steps and rungs of ladder and stairway type access shall line up vertically with each other between rest platforms.

(h) Direct access to or from another surface shall be used only when the scaffold is not more than 14 inches (36 cm) horizontally and not more than 24 inches (61 cm) vertically from the other surface.

(i) Access for employees erecting or dismantling supported scaffolds shall be in accordance with the following:

(i) The employer shall provide safe means of access for each employee erecting or dismantling a scaffold where the provision of safe access is feasible and does not create a greater hazard. The employer shall have a competent person determine whether it is feasible or would pose a greater hazard to provide, and have employees use a safe means of access. This determination shall be based on site conditions and the type of scaffold being erected or dismantled.

(ii) Hook-on or attachable ladders shall be installed as soon as scaffold erection has progressed to a point that permits safe installation and use.

(iii) When erecting or dismantling tubular welded frame scaffolds, (end) frames, with horizontal members that are parallel, level and are not more than 22 inches apart vertically may be used as climbing devices for access, provided they are erected in a manner that creates a usable ladder and provides good hand hold and foot space.

(iv) Cross braces on tubular welded frame scaffolds shall not be used as a means of access or egress.

(6) "Use."

(a) Scaffolds and scaffold components shall not be loaded in excess of their maximum intended loads or rated capacities, whichever is less.

(b) The use of shore or lean-to scaffolds is prohibited.

(c) Scaffolds and scaffold components shall be inspected for visible defects by a competent person before each work shift, and after any occurrence which could affect a scaffold's structural integrity.

(d) Any part of a scaffold damaged or weakened such that its strength is less than that required by subsection (1)(a) of this section shall be immediately repaired or replaced, braced to meet those provisions, or removed from service until repaired.

(e) Scaffolds shall not be moved horizontally while employees are on them, unless they have been designed by a registered professional engineer specifically for such movement or, for mobile scaffolds, where the provisions of WAC 296-155-484(23) are followed.

(f) The clearance between scaffolds and power lines shall be as follows: Scaffolds shall not be erected, used, dismantled, altered, or moved such that they or any conductive material handled on them might come closer to exposed and energized power lines than as follows:

*Insulated Lines Voltage	Minimum distance	Alternatives
Less than 300 volts.	3 feet (0.9 m)	
*300 volts to 50 kv.	10 feet (3.1 m)	
More than 50 kv.	10 feet (3.1 m) plus 0.4 inches (1.0 cm) for each 1 kv over 50 kv.	2 times the length of the line insulator, but never less than 10 feet (3.1 m).

*Uninsulated lines

Voltage	Minimum distance	Alternatives
Less than 50 kv.	10 feet (3.1 m).	2 times the length of the line insulator, but never less than 10 feet (3.1 m).
More than 50 kv.	10 feet (3.1 m) plus 0.4 inches (1.0 cm) for each 1 kv over 50 kv.	

Exception to subsection (6)(f): Scaffolds and materials may be closer to power lines than specified above where such clearance is necessary for performance of work, and only after the utility company, or electrical system operator, has been notified of the need to work closer and the utility company, or electrical system operator, has deenergized the lines, relocated the lines, or installed protective coverings to prevent accidental contact with the lines.

(g) Scaffolds shall be erected, moved, dismantled, or altered only under the supervision and direction of a competent person qualified in scaffold erection, moving, dismantling or alteration. Such activities shall be performed only by experienced and trained employees selected for such work by the competent person.

(h) Employees shall be prohibited from working on scaffolds covered with snow, ice, or other slippery material except as necessary for removal of such materials.

(i) Where swinging loads are being hoisted onto or near scaffolds such that the loads might contact the scaffold, tag lines or equivalent measures to control the loads shall be used.

(j) Suspension ropes supporting adjustable suspension scaffolds shall be of a diameter large enough to provide sufficient surface area for the functioning of brake and hoist mechanisms.

(k) Suspension ropes shall be shielded from heat-producing processes. When acids or other corrosive substances are used on a scaffold, the ropes shall be shielded, treated to protect against the corrosive substances, or shall be of a material that will not be damaged by the substance being used.

(l) Work on or from scaffolds is prohibited during storms or high winds unless a competent person has determined that it is safe for employees to be on the scaffold and those employees are protected by a personal fall arrest system or wind screens. Wind screens shall not be used unless the scaffold is secured against the anticipated wind forces imposed.

(m) Debris shall not be allowed to accumulate on platforms.

(n) Makeshift devices, such as but not limited to boxes and barrels, shall not be used on top of scaffold platforms to increase the working level height of employees.

(o) Ladders shall not be used on scaffolds to increase the working level height of employees, except on large area scaffolds where employers have satisfied the following criteria:

(i) When the ladder is placed against a structure which is not a part of the scaffold, the scaffold shall be secured against the sideways thrust exerted by the ladder;

(ii) The platform units shall be secured to the scaffold to prevent their movement;

(iii) The ladder legs shall be on the same platform or other means shall be provided to stabilize the ladder against unequal platform deflection; and

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(iv) The ladder legs shall be secured to prevent them from slipping or being pushed off the platform.

(p) Platforms shall not deflect more than 1/60 of the span when loaded.

(q) To reduce the possibility of welding current arcing through the suspension wire rope when performing welding from suspended scaffolds, the following precautions shall be taken, as applicable:

(i) An insulated thimble shall be used to attach each suspension wire rope to its hanging support (such as cornice hook or outrigger). Excess suspension wire rope and any additional independent lines from grounding shall be insulated;

(ii) The suspension wire rope shall be covered with insulating material extending at least 4 feet (1.2 m) above the hoist. If there is a tail line below the hoist, it shall be insulated to prevent contact with the platform. The portion of the tail line that hangs free below the scaffold shall be guided or retained, or both, so that it does not become grounded;

(iii) Each hoist shall be covered with insulated protective covers;

(iv) In addition to a work lead attachment required by the welding process, a grounding conductor shall be connected from the scaffold to the structure. The size of this conductor shall be at least the size of the welding process work lead, and this conductor shall not be in series with the welding process or the work piece;

(v) If the scaffold grounding lead is disconnected at any time, the welding machine shall be shut off; and

(vi) An active welding rod or uninsulated welding lead shall not be allowed to contact the scaffold or its suspension system.

(7) "Fall protection."

(a) Each employee on a scaffold more than 10 feet (3.1 m) above a lower level shall be protected from falling to that lower level. Subsection (7)(a)(i) through (vii) of this section establish the types of fall protection to be provided to the employees on each type of scaffold. Subsection (7)(b) of this section addresses fall protection for scaffold erectors and dismantlers.

Note to subsection (7)(a): The fall protection requirements for employees installing suspension scaffold support systems on floors, roofs, and other elevated surfaces are set forth in Parts C-1 and K of this chapter.

(i) Each employee on a boatswains' chair, catenary scaffold, float scaffold, needle beam scaffold, or ladder jack scaffold shall be protected by a personal fall arrest system;

(ii) Each employee on a single-point or two-point adjustable suspension scaffold shall be protected by both a personal fall arrest system and guardrail system;

(iii) Each employee on a crawling board (chicken ladder) shall be protected by a personal fall arrest system, a guardrail system (with minimum 200 pound toprail capacity), or by a three-fourth inch (1.9 cm) diameter grabline or equivalent handhold securely fastened beside each crawling board;

(iv) Each employee on a self-contained adjustable scaffold shall be protected by a guardrail system (with minimum 200 pound toprail capacity) when the platform is supported by the frame structure, and by both a personal fall arrest sys-

tem and a guardrail system (with minimum 200 pound toprail capacity) when the platform is supported by ropes;

(v) Each employee on a walkway located within a scaffold shall be protected by a guardrail system (with minimum 200 pound toprail capacity) installed within 9 1/2 inches (24.1 cm) of and along at least one side of the walkway;

(vi) Each employee performing overhand bricklaying operations from a supported scaffold shall be protected from falling from all open sides and ends of the scaffold (except at the side next to the wall being laid) by the use of a personal fall arrest system or guardrail system (with minimum 200 pound toprail capacity);

(vii) For all scaffolds not otherwise specified in (a)(i) through (vi) of this subsection, each employee shall be protected by the use of personal fall arrest systems or guardrail systems meeting the requirements of (d) of this subsection.

(b) The employer shall have a competent person determine the feasibility and safety of providing fall protection for employees erecting or dismantling supported scaffolds. Employers are required to provide fall protection for employees erecting or dismantling supported scaffolds where the installation and use of such protection is feasible and does not create a greater hazard. The maximum feasible fall protection shall be used.

(c) In addition to meeting the requirements of chapter 296-155 WAC, Part C-1, personal fall arrest systems used on scaffolds shall be attached by lanyard to a vertical lifeline, horizontal lifeline, or appropriate structural member. Vertical lifelines shall not be used when overhead components, such as overhead protection or additional platform levels, are part of a single-point or two-point adjustable suspension scaffold.

(i) When vertical lifelines are used, they shall be fastened to a fixed safe point of anchorage, shall be independent of the scaffold, and shall be protected from sharp edges and abrasion. Safe points of anchorage include structural members of buildings, but do not include standpipes, vents, other piping systems, electrical conduit, outrigger beams, or counterweights.

(ii) When horizontal lifelines are used, they shall be secured to two or more structural members of the scaffold, or they may be looped around both suspension and independent suspension lines (on scaffolds so equipped) above the hoist and brake attached to the end of the scaffold. Horizontal lifelines shall not be attached only to the suspension ropes.

(iii) On suspended scaffolds or similar work platforms with horizontal lifelines which may become vertical lifelines, the devices used to connect to a horizontal lifeline shall be capable of locking in both directions on the lifeline.

(vi) When lanyards are connected to horizontal lifelines or structural members on a single-point or two-point adjustable suspension scaffold, the scaffold shall be equipped with additional independent support lines and automatic locking devices capable of stopping the fall of the scaffold in the event one or both of the suspension ropes fail. The independent support lines shall be equal in number and strength to the suspension ropes.

~~((iv))~~ (v) Vertical lifelines, independent support lines, and suspension ropes shall not be attached to each other, nor shall they be attached to or use the same point of anchorage,

nor shall they be attached to the same point on the scaffold or personal fall arrest system.

(d) Guardrail systems installed to meet the requirements of this section shall comply with the following provisions (guardrail systems built in accordance with Appendix A to this part will be deemed to meet the requirements of (d)(vii), (viii), and (ix) of this subsection):

(i) Guardrail systems shall be installed along all open sides and ends of platforms. Guardrail systems shall be installed before the scaffold is released for use by employees other than erection/dismantling crews.

(ii) The top edge height of toprails or equivalent member on supported scaffolds manufactured or first placed in service after January 1, 2000, shall be installed between 38 inches (0.97 m) and 45 inches (1.2 m) above the platform surface. The top edge height on supported scaffolds manufactured and placed in service before January 1, 2000, and on all suspended scaffolds where both a guardrail and a personal fall arrest system are required shall be between 36 inches (0.9 m) and 45 inches (1.2 m). When conditions warrant, the height of the top edge may exceed the 45-inch height, provided the guardrail system meets all other criteria of (d) of this subsection.

(iii) When midrails, screens, mesh, intermediate vertical members, solid panels, or equivalent structural members are used, they shall be installed between the top edge of the guardrail system and the scaffold platform.

(iv) When midrails are used, they shall be installed at a height approximately midway between the top edge of the guardrail system and the platform surface.

(v) When screens and mesh are used, they shall extend from the top edge of the guardrail system to the scaffold platform, and along the entire opening between the supports.

(vi) When intermediate members (such as balusters or additional rails) are used, they shall not be more than 19 inches (48 cm) apart.

(vii) Each toprail or equivalent member of a guardrail system shall be capable of withstanding, without failure, a force applied in any downward or horizontal direction at any point along its top edge of at least 100 pounds (445 n) for guardrail systems installed on single-point adjustable suspension scaffolds or two-point adjustable suspension scaffolds, and at least 200 pounds (890 n) for guardrail systems installed on all other scaffolds.

(viii) When the loads specified in (d)(vii) of this subsection are applied in a downward direction, the top edge shall not drop below the height above the platform surface that is prescribed in (d)(ii) of this subsection.

(ix) Midrails, screens, mesh, intermediate vertical members, solid panels, and equivalent structural members of a guardrail system shall be capable of withstanding, without failure, a force applied in any downward or horizontal direction at any point along the midrail or other member of at least 75 pounds (333 n) for guardrail systems with a minimum 100 pound toprail capacity, and at least 150 pounds (666 n) for guardrail systems with a minimum 200 pound toprail capacity.

(x) Suspension scaffold hoists and nonwalk-through stirrups may be used as end guardrails, if the space between the

hoist or stirrup and the side guardrail or structure does not allow passage of an employee to the end of the scaffold.

(xi) Guardrails shall be surfaced to prevent injury to an employee from punctures or lacerations, and to prevent snagging of clothing.

(xii) The ends of all rails shall not overhang the terminal posts except when such overhang does not constitute a projection hazard to employees.

(xiii) Steel or plastic banding shall not be used as a toprail or midrail.

(xiv) Manila or plastic (or other synthetic) rope being used for top rails or midrails shall be inspected by a competent person as frequently as necessary to ensure that it continues to meet the strength requirements of subsection (7) of this section.

(xv) Crossbraces may be used in lieu of either the toprail or midrail providing the resulting guardrail system meets all the other criteria of (d) of this subsection and this does not result in openings in the guardrail system or between the guardrail system and the platform through which a nineteen-inch diameter sphere can pass.

(8) "Falling object protection."

(a) In addition to wearing hardhats each employee on a scaffold shall be provided with additional protection from falling hand tools, debris, and other small objects through the installation of toeboards, screens, or guardrail systems, or through the erection of debris nets, catch platforms, or canopy structures that contain or deflect the falling objects. When the falling objects are too large, heavy or massive to be contained or deflected by any of the above-listed measures, the employer shall place such potential falling objects away from the edge of the surface from which they could fall and shall secure those materials as necessary to prevent their falling.

(b) Where there is a danger of tools, materials, or equipment falling from a scaffold and striking employees below, the following provisions apply:

(i) The area below the scaffold to which objects can fall shall be barricaded, and employees shall not be permitted to enter the hazard area; or

(ii) A toeboard shall be erected along the edge of platforms above lower levels for a distance sufficient to protect employees below, except on float (ship) scaffolds where an edging of 3/4 x 1 1/2 inch (2 x 4 cm) wood or equivalent may be used in lieu of toeboards; or

(iii) Where tools, materials, or equipment are piled to a height higher than the top edge of the toeboard, paneling or screening extending from the toeboard or platform to the top of the guardrail shall be erected for a distance sufficient to protect employees below; or

(iv) A guardrail system shall be installed with openings small enough to prevent passage of potential falling objects; or

(v) A canopy structure, debris net, or catch platform strong enough to withstand the impact forces of the potential falling objects shall be erected over the employees below.

(c) Canopies, when used for falling object protection, shall comply with the following criteria:

(i) Canopies shall be installed between the falling object hazard and the employees.

(ii) When canopies are used on suspension scaffolds for falling object protection, the scaffold shall be equipped with additional independent support lines equal in number to the number of points supported, and equivalent in strength to the strength of the suspension ropes.

(iii) Independent support lines and suspension ropes shall not be attached to the same points of anchorage.

(d) Where used, toeboards shall be:

(i) Capable of withstanding, without failure, a force of at least 50 pounds (222 n) applied in any downward or horizontal direction at any point along the toeboard (toeboards built in accordance with Appendix A to this part will be deemed to meet this requirement); and

(ii) At least three and one-half inches (9 cm) high from the top edge of the toeboard to the level of the walking/working surface. Toeboards shall be securely fastened in place at the outermost edge of the platform and have not more than 1/4 inch (0.7 cm) clearance above the walking/working surface. Toeboards shall be solid or with openings not over one inch (2.5 cm) in the greatest dimension.

AMENDATORY SECTION (Amending WSR 96-24-051, filed 11/27/96, effective 2/1/97)

WAC 296-155-505 Guardrails, handrails and covers.

(1) General provisions. This part applies to temporary or emergency conditions where there is danger of employees or materials falling through floor, roof, or wall openings, or from stairways, runways, ramps, open sided floors, open sides of structures, bridges, or other open sided walking or working surfaces.

(2) The employer shall determine if the walking/working surfaces on which its employees are to work have the strength and structural integrity to support employees safely. Employees shall be allowed to work on those surfaces only when the surfaces have the requisite strength and structural integrity.

(3) When guardrails or covers required by this section must be temporarily removed to perform a specific task, the area shall be constantly attended by a monitor to warn others of the hazard or shall be protected by a movable barrier.

~~((2))~~ (4) Guarding of floor openings and floor holes.

(a) Floor openings shall be guarded by a standard railing and toe boards or cover, as specified in subsections ~~((2))~~ (4)(g) and ~~((5))~~ (7) of this section. In general, the railing shall be provided on all exposed sides, except at entrances to stairways. All vehicle service pits shall have a cover or removable type standard guardrail. When not in use, pits shall be covered or guarded. Where vehicle service pits are to be used again immediately, and the service person is within a 50 foot distance of the unguarded pit and also within line of sight of the unguarded pit, the cover or guardrail need not be replaced between uses. Where vehicle service pits are used frequently, the perimeters of the pits shall be delineated by high visibility, luminescent, skid resistant paint. Such painted delineation shall be kept clean and free of extraneous materials.

(b) Ladderway floor openings or platforms shall be guarded by standard railings with standard toe boards on all exposed sides, except at entrance to opening, with the pas-

sage through the railing either provided with a swinging gate or so offset that a person cannot walk directly into the opening.

(c) Hatchways and chute floor openings shall be guarded by one of the following:

(i) Hinged covers of standard strength and construction and a standard railing with only one exposed side. When the opening is not in use, the cover shall be closed or the exposed side shall be guarded at both top and intermediate positions by removable standard railings;

(ii) A removable standard railing with toe board on not more than two sides of the opening and fixed standard railings with toe boards on all other exposed sides. The removable railing shall be kept in place when the opening is not in use and shall be hinged or otherwise mounted so as to be conveniently replaceable.

(d) Wherever there is danger of falling through a skylight opening, and the skylight itself is not capable of sustaining the weight of a two hundred pound person with a safety factor of four, standard guardrails shall be provided on all exposed sides or the skylight shall be covered in accordance with (g) of this subsection.

(e) Pits and trap door floor openings shall be guarded by floor opening covers of standard strength and construction. While the cover is not in place, the pit or trap openings shall be protected on all exposed sides by removable standard railings.

(f) Manhole floor openings shall be guarded by standard covers which need not be hinged in place. While the cover is not in place, the manhole opening shall be protected by standard railings.

(g) All floor opening or hole covers shall be capable of supporting the maximum potential load but never less than two hundred pounds (with a safety factor of four).

(i) All covers shall be secured when installed so as to prevent accidental displacement by the wind, equipment, or employees.

(ii) All covers shall be color coded or they shall be marked with the word "hole" or "cover" to provide warning of the hazard.

(iii) If it becomes necessary to remove the cover, a monitor shall remain at the opening until the cover is replaced. The monitor shall advise persons entering the area of the hazard, shall prevent exposure to the fall hazard and shall perform no other duties.

(h) Floor holes, into which persons can accidentally walk, shall be guarded by either a standard railing with standard toe board on all exposed sides, or a floor hole cover of standard strength and construction that is secured against accidental displacement. While the cover is not in place, the floor hole shall be protected by a standard railing.

~~((3))~~ (5) Guarding of wall openings.

(a) Wall openings, from which there is a drop of more than 4 feet, and the bottom of the opening is less than 3 feet above the working surface, shall be guarded as follows:

(i) When the height and placement of the opening in relation to the working surface is such that either a standard rail or intermediate rail will effectively reduce the danger of falling, one or both shall be provided;

(ii) The bottom of a wall opening, which is less than 4 inches above the working surface, regardless of width, shall be protected by a standard toe board or an enclosing screen either of solid construction or as specified in subsection ~~((5)(e))~~ (7)(f)(ii) of this section.

(b) An extension platform, outside a wall opening, onto which materials can be hoisted for handling shall have standard guardrails on all exposed sides or equivalent. One side of an extension platform may have removable railings in order to facilitate handling materials.

(c) When a chute is attached to an opening, the provisions of (a) of this subsection shall apply, except that a toe board is not required.

~~((4))~~ (6) Guarding of open sided surfaces.

(a) Every open sided floor, platform or surface four feet or more above adjacent floor or ground level shall be guarded by a standard railing, or the equivalent, as specified in subsection ~~((5))~~ (7)(a) of this section, on all open sides, except where there is entrance to a ramp, stairway, or fixed ladder. The railing shall be provided with a standard toe board wherever, beneath the open sides, persons can pass, or there is moving machinery, or there is equipment with which falling materials could create a hazard.

(b) Runways shall be guarded by a standard railing, or the equivalent, as specified in subsection ~~((5))~~ (7) of this section, on all open sides, 4 feet or more above the floor or ground level. Wherever tools, machine parts, or materials are likely to be used on the runway, a toe board shall also be provided on each exposed side.

(c) Runways used exclusively for special purposes may have the railing on one side omitted where operating conditions necessitate such omission, providing the falling hazard is minimized by using a runway not less than 18 inches wide.

(d) Where employees entering upon runways become thereby exposed to machinery, electrical equipment, or other danger not a falling hazard, additional guarding shall be provided.

(e) Regardless of height, open sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards, shall be guarded with a standard railing and toe board.

(f) Open sides of gardens, patios, recreation areas and similar areas located on roofs of buildings or structures shall be guarded by permanent standard railings or the equivalent. Where a planting area has been constructed adjacent to the open sides of the roof and the planting area is raised above the normal walking surface of the roof area, the open side of the planting area shall also be protected with standard railings or the equivalent.

~~((5))~~ (7) Standard specifications.

(a) A standard railing shall consist of top rail, intermediate rail, toe board, and posts, and shall have a vertical height of ~~((36 inches to))~~ 42 inches (1.1m) plus or minus 3 inches (8cm) (39-45 inches) from upper surface of top rail to floor, platform, runway, or ramp level. ~~((Each length of lumber shall be smooth surfaced throughout the length of the railing.))~~ When conditions warrant, the height of the top edge may exceed the 45-inch height, provided the guardrail system meets all other criteria of this subsection. The intermediate

rail shall be halfway between the top rail and the floor, platform, runway, or ramp. The ends of the rails shall not overhang the terminal posts except where such overhang does not constitute a projection hazard.

Note: When employees are using stilts, the top edge height of the top rail, or equivalent member, shall be increased an amount equal to the height of the stilts.

(b) Minimum requirements for standard railings under various types of construction are specified in the following items:

(i) For wood railings, the posts shall be of at least 2 inch by 4 inch stock spaced not to exceed 8 feet; the top rail shall be of at least 2 inch by 4 inch stock ~~((;))~~ and each length of lumber shall be smooth surfaced throughout the length of the railing. The intermediate rail shall be of at least 1 inch by 6 inch stock.

(ii) For pipe railings, posts and top and intermediate railings shall be at least 1 1/2 inches nominal OD diameter with posts spaced not more than 8 feet on centers.

(iii) For structural steel railings, posts and top and intermediate rails shall be of 2 inch by 2 inch by 3/8 inch angles or other metal shapes of equivalent bending strength, with posts spaced not more than 8 feet on centers.

(iv) For wire rope railings, the top and intermediate railings shall be at least 1/2 inch fibre core rope, or the equivalent to meet strength factor and deflection of ~~((;))~~ (b)(v) of this subsection. Posts shall be spaced not more than 8 feet on centers. The rope shall be stretched taut, so as to present a minimum deflection.

(v) The anchoring of posts and framing of members for railings of all types shall be of such construction that the completed structure shall be capable of withstanding a load of at least 200 pounds applied in any direction at any point on the top rail, with a minimum of deflection.

(vi) Railings receiving heavy stresses from employees trucking or handling materials shall be provided additional strength by the use of heavier stock, closer spacing of posts, bracing, or by other means.

(vii) Other types, sizes, and arrangements of railing construction are acceptable, provided they meet the following conditions:

(A) A smooth surfaced top rail at a height above floor, platform, runway, or ramp level of between ~~((36))~~ 39 inches and ((42)) 45 inches;

(B) ~~((A strength to withstand at least the minimum requirement of 200 pounds top rail pressure with a minimum of deflection.))~~ When the 200-pound (890N) test load specified in subsection (6)(b)(v) of this section is applied in a downward direction, the top edge of the guardrail shall not deflect to a height less than 39 inches (1.0m) above the walking/working level. Guardrail system components selected and constructed in accordance with this part will be deemed to meet this requirement;

(C) Protection between top rail and floor, platform, runway, ramp, or stair treads, equivalent at least to that afforded by a standard intermediate rail;

(D) Elimination of overhang of rail ends unless such overhang does not constitute a hazard.

~~((b))~~ (c)(i) A standard toe board shall be 4 inches minimum in vertical height from its top edge to the level of the floor, platform, runway, or ramp. It shall be securely fastened in place and have not more than 1/4 inch clearance above floor level. It may be made of any substantial material, either solid, or with openings not over 1 inch in greatest dimension.

(ii) Where material is piled to such height that a standard toe board does not provide protection, paneling, or screening from floor to intermediate rail or to top rail shall be provided.

~~((e))~~ (d) Floor opening covers shall be of any material that meets the following strength requirements:

(i) Conduits, trenches, and manhole covers and their supports, when located in roadways, and vehicular aisles shall be designed to carry a truck rear axle load of at least 2 times the maximum intended load;

(ii) All floor opening covers shall be capable of supporting the maximum potential load but never less than two hundred pounds (with a safety factor of four).

(A) All covers shall be secured when installed so as to prevent accidental displacement by the wind, equipment, or employees.

(B) All covers shall be color coded or they shall be marked with the word "hole" or "cover" to provide warning of the hazard.

(C) If it becomes necessary to remove the cover, a monitor shall remain at the opening until the cover is replaced. The monitor shall advise persons entering the area of the hazard, shall prevent exposure to the fall hazard and shall perform no other duties.

~~((d))~~ (e) Skylight openings that create a falling hazard shall be guarded with a standard railing, or covered in accordance with ~~((e))~~ (d)(ii) of this subsection.

~~((e))~~ (f) Wall opening protection shall meet the following requirements:

(i) Barriers shall be of such construction and mounting that, when in place at the opening, the barrier is capable of withstanding a load of at least 200 pounds applied in any direction (except upward), with a minimum of deflection at any point on the top rail or corresponding member.

(ii) Screens shall be of such construction and mounting that they are capable of withstanding a load of at least 200 pounds applied horizontally at any point on the near side of the screen. They may be of solid construction of grill work with openings not more than 8 inches long, or of slat work with openings not more than 4 inches wide with length unrestricted.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-155-680 General provisions. (1) General. All equipment, material and construction techniques used in concrete construction and masonry work shall meet the applicable requirements for design, construction, inspection, testing, maintenance and operations as prescribed in ANSI A10.9-1970, Safety Requirements for Concrete Construction and Masonry Work.

(2) Construction loads. No construction loads shall be placed on a concrete structure or portion of a concrete structure unless the employer determines, based on information received from a person who is qualified in structural design, that the structure or portion of the structure is capable of supporting the loads.

(3) Vertical loads. Vertical loads consist of a dead load plus an allowance for live load. The weight of formwork together with the weight of freshly placed concrete is dead load. The live load consists of the weight of workers, equipment, runways and impact, and shall be computed in pounds per square foot (psf) of horizontal projection.

(4) Lateral loads. Braces and shores shall be designed to resist all foreseeable lateral loads such as wind, cable tensions, inclined supports, impact of placement, and starting and stopping of equipment. The assumed value of load due to wind, impact of concrete, and equipment acting in any direction at each floor line shall not be less than one hundred pounds per lineal foot of floor edge or two percent of total dead load of the floor, whichever is greater. Wall forms shall be designed for a minimum wind load of ten psf, and bracing for wall forms should be designed for a lateral load of at least one hundred pounds per lineal foot of wall, applied at the top. Walls of unusual height require special consideration.

(5) Special loads. Formwork shall be designed for all special conditions of construction likely to occur, such as unsymmetrical placement of concrete, impact of machine-delivered concrete, uplift, and concentrated loads.

(6) Form supports and wedges shall be checked during concrete placement to prevent distortion or failure.

(7) Reinforcing steel.

(a) All protruding reinforcing steel, onto and into which employees could fall, shall be guarded to eliminate the hazard of impalement.

(b) Wire mesh rolls: Wire mesh rolls shall be secured at each end to prevent dangerous recoiling action.

(c) Guying: Reinforcing steel for walls, piers, columns, and similar vertical structures shall be guyed and supported to prevent overturning and to prevent collapse.

(8) Post-tensioning operations.

(a) No employee (except those essential to the post-tensioning operations) shall be permitted to be behind the jack during tensioning operations.

(b) Signs and barriers shall be erected to limit employee access to the post-tensioning area during tensioning operations.

(9) Working under loads.

(a) No employee shall be permitted to work under concrete buckets while buckets are being elevated or lowered into position.

(b) To the extent practical, elevated concrete buckets shall be routed so that no employee, or the fewest number of employees, are exposed to the hazards associated with falling concrete buckets.

(10) Personal protective equipment.

(a) No employee shall be permitted to apply a cement, sand, and water mixture through a pneumatic hose unless the employee is wearing protective head and face equipment.

(b) No employee shall be permitted to place or tie reinforcing steel more than six feet (1.8 m) above any adjacent

working surface unless the employee is protected by ~~((the use of a safety belt or equivalent fall protection))~~ personal fall arrest systems, safety net systems, or positioning device systems meeting the criteria of chapter 296-155 WAC, Part C-1.

(c) Each employee on the face of formwork or reinforcing steel shall be protected from falling 6 feet (1.8m) or more to lower levels by personal fall arrest systems, safety net systems, or positioning device systems meeting the criteria of chapter 296-155 WAC, Part C-1.

WSR 00-14-059

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed July 3, 2000, 11:55 a.m.]

Date of Adoption: July 3, 2000.

Purpose: Chapter 16-71 WAC, Equine infectious anemia, protects animal and public health by establishing rules for control of equine infectious anemia (EIA), an important equine disease. EIA is an infection with the equine infectious anemia lentivirus, which affects both sexes, all ages and all breeds and species of equines. Infected animals remain carriers for life, constituting a potential source for spread of the infection. There is no known cure or treatment of the disease. Minor technical changes: WAC 16-71-010, add "s" to "definition," WAC 16-71-010(5), insert "health" between "plant" and "inspection," WAC 16-71-022(1), change "must" to "will" and "must be" to "are," and WAC 16-71-035, insert "form" between "VS" and "1-27."

Citation of Existing Rules Affected by this Order: Repealing WAC 16-71-001, 16-71-003, 16-71-040 and 16-71-050; and amending WAC 16-71-010, 16-71-022, and 16-71-030.

Statutory Authority for Adoption: RCW 16.36.040.

Adopted under notice filed as WSR 00-11-145 on May 24, 2000.

Changes Other than Editing from Proposed to Adopted Version: See Purpose above.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 3, Repealed 4.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

July 3, 2000

Jim Jesernig

Director

AMENDATORY SECTION (Amending Order 1330, filed 12/21/73)

WAC 16-71-010 Definitions. ((For the purpose of this order equine infectious anemia (swamp fever) means a disease of equine, the causative agent of which is a virus infecting both sexes, all age groups, and all breeds and species of equines. Infected animals remain a carrier of the disease for their entire lifetime, constituting a potential source for the spread of the disease, there being no known cure or treatment.)) (1) "Department" means the Washington state department of agriculture.

(2) "Director" means the director of the department or his or her duly authorized representative.

(3) "Equines" means horses, donkeys, mules, ponies and others in the Equidae family.

(4) "Equine Infectious Anemia (EIA)" means infection with the equine infectious anemia lentivirus, affecting both sexes, all ages, all breeds and all species of equines. Infected equines remain carriers for life, constituting a potential source for spread of the infection. There is no known cure or treatment.

(5) "Official health certificate" means a legible certificate of veterinary inspection executed on an official form published by the state of origin or by the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS). This certificate must be issued by a licensed, accredited veterinarian or a veterinarian approved by USDA APHIS.

(6) "Official test" means blood samples tested by USDA-approved laboratories or by people authorized by the state of origin's animal health officials to conduct tests.

(7) "Reactor" means an equine found positive on an official EIA test.

AMENDATORY SECTION (Amending Order 1431, filed 2/10/76)

WAC 16-71-022 Procedure. ((~~(1) Positive diagnosis is made by the agar gel immunodiffusion test (Coggins test) or other approved tests, to be conducted at laboratories approved and recognized as official laboratories for the diagnosis of the equine disease, equine infectious anemia. Blood samples collected for the purpose of testing for EIA will be done by practicing veterinarians at the owner's request and expense. A complete positive identification of the horse will be made by the veterinarian at the time of blood sample collection and may include an animal identification seal. Owners of horses on which the approved test is to be conducted will be advised as to agreed procedure that is to follow in the event the animal/s are positive to the official test and an agreement will be signed by the owner of the animals in which the owner will agree to the disposition of the horse or horses as outlined in this order.~~

(2) All equines over six months of age entering the state of Washington, will be accompanied by an official health certificate, and a record of a negative test for the diagnosis of equine infectious anemia made within six months prior to entry. The exception being those consigned for immediate slaughter, or those consigned to a veterinary clinic, under the

PERMANENT

supervision of an accredited veterinarian, for the purpose of treatment or surgery, and are to return to the state of origin following treatment or surgery: Provided, That any equine consigned to a clinic as set forth above, shall not be commingled, loose housed or common corralled with any other equine.

(3) The management, board of governors, individuals or individuals responsible at race track, rodeos, shows, fairs or similar assembly points, may require that all horses consigned to or participating at race tracks, rodeo, show, fair or similar assembly points, be negative to an official test for equine infectious anemia within six months prior to participation.

(4) ~~Being that the state of Oregon's equine infectious anemia program is now equal to that of the state of Washington's, the test requirements of Order No. 1330 as amended by Order No. 1354 shall not apply to Oregon or Washington horses.)~~ (1) Positive diagnosis of EIA is made with the agar gel immunodiffusion test (AGID or Coggins test), competitive enzyme-linked immunosorbent assay (cELISA test) or other official test. A supplementary AGID will be conducted to confirm positives detected with other official tests. Blood samples for EIA testing will be collected by licensed, accredited veterinarians at the owners' request and expense. At sample collection, the veterinarian will make an accurate, detailed identification of the equine on an official test request form. Positive test results are to be reported to state and federal animal health authorities. Owners will be advised of the procedure if equines are found positive on the official test. The owner must sign an agreement regarding disposition of a reactor. The agreement should follow a herd plan as defined in chapter 16.36 RCW.

(2) All equines over six months of age entering the state must be accompanied by an official health certificate and a record of a negative EIA test conducted within six months prior to importation. Exceptions to the EIA test requirement:

(a) Equines consigned for immediate slaughter;

(b) Equines consigned to a veterinary clinic for the purpose of treatment or surgery, under the supervision of a veterinarian. These equines must return to the state of origin following treatment or surgery and must not be commingled, housed or corralled in common with any other equine;

(c) Equines under six months old;

(d) Oregon-origin equines under a reciprocal arrangement; and

(e) Idaho-origin equines may be excluded when a reciprocal arrangement exists for Washington-origin equines moving into Idaho.

(3) The management or board of governors at race tracks, rodeos, shows, fairs or other assembly points may require negative, official EIA tests within six months prior to consignment or participation for all equines consigned to these assembly points or participating in events.

AMENDATORY SECTION (Amending Order 1330, filed 12/21/73)

WAC 16-71-030 Quarantine. ~~((Horses and other equine found positive to the approved test will be quarantined to the premises of origin as provided by law. If reactor is dis-~~

~~closed while horse is on a premise other than the owner's, permission may be granted to move the animal to the owner's premise. Reactor animal will be kept separate and apart from all other horses in an approved isolation facility. All horses on a premise where reactors are or have been located will be quarantined and movement allowed only after a negative test of animals so exposed. Quarantine will be released only upon the death of the reactor, when it is moved with permit to slaughter, or if legally removed from the state, the receiving state agreeing and accepting the movement of the reactor animal to said state, and all other horses on the premise are negative to an approved test.))~~ (1) Within twenty-four hours after positive test results are known, reactors will be quarantined to the premises of origin as provided in chapter 16.36 RCW. The quarantine will remain in effect until confirmation of reactor status and the reactor's disposition. The quarantine will be released only upon the reactor's death or when it is legally moved from the premises by permit on a VS form 1-27. If reactor status is disclosed while the equine is on a premises other than the owner's, permission may be granted to move the animal to the owner's premises. Reactors can only move by permit on a VS form 1-27. State and federal animal health authorities will conduct an epidemiological investigation to identify other equines exposed to EIA by contact with the reactor. All equines having contact with the reactor must be quarantined. The quarantine will be removed on these contact equines and movement allowed only after a negative, official EIA test at least 60 days after removal of the reactor.

(2) Confirmed reactors must be euthanized, placed in a quarantine facility for life, donated to a diagnostic or research facility, legally moved to slaughter or legally removed from the state. A state or federal animal health authority or a licensed, accredited veterinarian will conduct euthanasia. For lifelong quarantine, a state or federal animal health authority must approve the isolation facility. The isolation facility must keep the reactor separate from all other equines. It must be screened to prevent transmission of EIA by insects. With consultation of an entomologist, an insect control program must be developed, approved by the director and must be followed routinely. The isolation facility must be located at least 200 yards from any other equines. The department will pay for and hold a lifetime brand inspection on those equines held in lifetime quarantine. If the reactor is donated, moved to slaughter or removed from the state, it can only move by permit on a VS form 1-27. For removal from the state, the receiving state must agree in advance to accept the reactor.

NEW SECTION

WAC 16-71-035 Identification of reactors. Confirmed reactors will be permanently identified by lip tattooing or branding with a hot iron, chemical brand or freeze brand. A lip tattoo is applied to the inside surface of the upper lip and consists of the numbers 91 followed by the letter A, with each character being at least one inch high and three-fourths of an inch wide. A brand is applied on the left side of the neck or left shoulder and consists of the numbers 91 followed by the letter A, with each character being at least two inches high. Permanent identification will be applied by state or federal

animal health authorities or by licensed, accredited veterinarians. Permanent identification is not necessary if the reactor is moved directly to slaughter under permit with a VS form 1-27 and the vehicle is officially sealed.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-71-001	Promulgation.
WAC 16-71-003	Promulgation.
WAC 16-71-040	Branding.
WAC 16-71-050	Penalty.

WSR 00-14-066
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed July 5, 2000, 9:18 a.m.]

Date of Adoption: July 5, 2000.

Purpose: The department has established a new chapter for family planning services, chapter 388-532 WAC. The policies in the existing rule (WAC 388-86-035) have been incorporated into the new chapter, and have been written to meet the mandates in the Governor's Executive Order 97-02 on regulatory reform. WAC 388-86-035 is being repealed in order to avoid duplication.

Citation of Existing Rules Affected by this Order:
Repealing WAC 388-86-035.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520, 74.09.800.

Adopted under notice filed as WSR 00-11-093 on May 16, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 0, Repealed 1.

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

July 5, 2000

Edith M. Rice, Chief
Office of Legal Affairs

Chapter 388-532 WAC

FAMILY PLANNING SERVICES

NEW SECTION

WAC 388-532-050 Family planning definitions. "Family planning services" means services, including the use of contraceptive techniques, that a client uses to plan the number and spacing of the client's children.

NEW SECTION

WAC 388-532-100 Family planning services. (1) The department informs eligible clients about available family planning services. This service includes, but is not limited to, information about the synthetic progestin capsule implant form of contraception.

(2) For eligible clients, the department provides the following services when needed in conjunction with family planning:

- (a) Physicians' services;
- (b) Advanced registered nurse practitioners' (ARNP) services;
- (c) Clinic or hospital services;
- (d) Laboratory services; and
- (e) Contraceptive supplies and/or prescription drugs.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-035 Family planning.

WSR 00-14-067
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed July 5, 2000, 9:19 a.m.]

Date of Adoption: July 5, 2000.

Purpose: The department incorporated the policy in WAC 388-87-015 Billing limitations, into new WAC 388-502-0150 Time limits for providers to bill MAA, in order to consolidate all provider-related rules in one area of Title 388 WAC. The rule is written to comply with the Governor's Executive Order 97-02 on regulatory reform and ensures that all long-standing operational policy is reflected in the rule.

Citation of Existing Rules Affected by this Order:
Repealing WAC 388-87-015.

Statutory Authority for Adoption: RCW 74.08.090 and 42 C.F.R. 447.45.

Adopted under notice filed as WSR 00-09-042 on April 14, 2000.

Changes Other than Editing from Proposed to Adopted Version: Changes that have been incorporated were the

result of oral comments received after the filing of the CR-102 and the result of written testimony received in connection with the public hearing. The concise explanatory statement contains all of the detail.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 1.

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

July 5, 2000

Edith M. Rice, Chief
Office of Legal Affairs

NEW SECTION

WAC 388-502-0150 Time limits for providers to bill MAA. Providers may bill the medical assistance administration (MAA) for covered services provided to eligible clients.

(1) MAA requires providers to submit initial claims and adjust prior claims in a timely manner. MAA has three timeliness standards:

(a) For initial claims, see subsections (3), (4), (5), and (6) of this section;

(b) For resubmitted claims other than prescription drug claims, see subsections (7) and (8) of this section; and

(c) For resubmitted prescription drug claims, see subsections (9) and (10) of this section.

(2) The provider must submit claims to MAA as described in MAA's billing instructions.

(3) Providers must submit their claim to MAA and have an internal control number (ICN) assigned by MAA within three hundred sixty-five days from any of the following:

(a) The date the provider furnishes the service to the eligible client;

(b) The date a final fair hearing decision is entered that impacts the particular claim;

(c) The date a court orders MAA to cover the service; or

(d) The date the department certifies a client eligible under delayed certification criteria.

(4) MAA may grant exceptions to the three hundred sixty-five-day time limit for initial claims when billing delays are caused by either of the following:

(a) The department's certification of a client for a retroactive period; or

(b) The provider proves to MAA's satisfaction that there are other extenuating circumstances.

(5) MAA requires providers to bill known third parties for services. See WAC 388-501-0200 for exceptions. Providers must meet the timely billing standards of the liable third parties in addition to MAA's billing limits.

(6) When a client is covered by both Medicare and MAA, the provider must bill Medicare for the service before billing Medicaid. If Medicare:

(a) Pays the claim the provider must bill MAA within six months of the date Medicare processes the claim; or

(b) Denies payment of the claim, MAA requires the provider to meet the three hundred sixty-five-day requirement for timely initial claims as described in subsection (3) of this section.

(7) MAA allows providers to resubmit, modify, or adjust any claim, other than a prescription drug claim, with a timely ICN within thirty-six months of the date the service was provided to the client. This applies to any claim, other than a prescription drug claim, that met the time limits for an initial claim, whether paid or denied. MAA does not accept any claim for resubmission, modification, or adjustment after the thirty-six-month period ends.

(8) The thirty-six-month period described in subsection (7) of this section does not apply to overpayments that a provider must refund to the department. After thirty-six months, MAA does not allow a provider to refund overpayments by claim adjustment; a provider must refund overpayments by a negotiable financial instrument, such as a bank check.

(9) MAA allows providers to resubmit, modify, or adjust any prescription drug claim with a timely ICN within fifteen months of the date the service was provided to the client. After fifteen months, MAA does not accept any prescription drug claim for resubmission, modification or adjustment.

(10) The fifteen-month period described in subsection (9) of this section does not apply to overpayments that a prescription drug provider must refund to the department. After fifteen months a provider must refund overpayments by a negotiable financial instrument, such as a bank check.

(11) MAA does not allow a provider or any provider's agent to bill a client or a client's estate when the provider fails to meet the requirements of this section, resulting in the claim not being paid by MAA.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-87-015 Billing limitations.

WSR 00-14-068
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)

[Filed July 5, 2000, 9:21 a.m.]

Date of Adoption: July 5, 2000.

PERMANENT

Purpose: The department incorporated the policy in WAC 388-86-024 Enhanced benefits for pregnant women, into new WAC 388-533-0300 Enhanced benefits for pregnant women, so that all maternity-related benefits program rules are in one area of Title 388 WAC. The rule is written to comply with the Governor's Executive Order 97-02 on regulatory reform and ensures that all long-standing operational policy is reflected in the rule.

Citation of Existing Rules Affected by this Order:
Repealing WAC 388-86-024.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.770, and 74.09.800.

Adopted under notice filed as WSR 00-09-041 on April 14, 2000.

Changes Other than Editing from Proposed to Adopted Version: Changes that have been incorporated were the result of oral comments received after the filing of the CR-102 and the result of written testimony received in connection with the public hearing.

WAC 388-533-0300:

(2) MAA requires providers to have specific MAA approval ~~to provide prior to becoming an approved~~ maternity support services (MAA) ~~to eligible clients~~ provider.

(5) In addition to the client's standard scope of care, MAA covers the following enhanced benefits (MSS) for eligible women before and after their pregnancy.

(5)(b) ~~Chemical dependency assessment and treatment when appropriate. A client may choose to be referred to either inpatient or outpatient drug and alcohol treatment services; and Assessment, counseling, education, and interventions by those qualified professionals described in subsections (2) and (3) of this section; and~~

(5)(c) ~~MSS services, which include all of the following: Child care for the client's children (see subsection (7) of this section).~~

(6) ~~MAA requires the MAA provider to document all of the following for child care:~~

(a) ~~That the MSS provider arranged and authorized the child care;~~

(b) ~~That the child care arrangement is safe and appropriate; and;~~

(c) ~~That child care is necessary in order to assist the eligible client in obtaining necessary services. The MSS provider may authorize child care for any of the following reasons:~~

(i) ~~Health care appointments for the client;~~

(ii) ~~The maternity services medical provider ordered bed rest for the client; or~~

(iii) ~~Other circumstances that the MSS provider considers necessary and are specifically approved by MAA.~~

(6) MSS providers refer a client who may need chemical dependency assessment to a provider who is contracted with the division of alcohol and substance abuse (DASA)(see chapter 444-22 WAC). Enhanced benefits for eligible pregnant women through DASA include:

(a) Assessment for alcohol/drug use;

(b) Parenting education; and

(c) Treatment for alcohol/drug use.

~~(7) MAA covers up to ten MSS visits. If it is determined that a client is at high risk for a poor birth outcome, MAA may cover up to twenty MSS visits. The MSS provider must maintain documentation of the high risk circumstance in the client's file.~~

(7) MAA requires the MSS provider to do the following for child care under this section:

(a) Screen for the eligible woman's need for child care;

(b) Discuss and encourage a safe and healthy child care plan; and

(c) Authorize the child care. The MSS provider may authorize child care for any of the following reasons:

(i) Health care appointments for the client;

(ii) The maternity services medical provider ordered bed rest for the client; or

(iii) Other circumstances that the MSS provider considers necessary and are specifically approved by MAA.

~~(8) MAA allows a provider to bill only once per client per pregnancy for childbirth education. The provider must document that the client attended at least one childbirth education session in order for MAA to cover the service.~~

(8) MAA covers up to ten MSS visits. If it is determined that a client is at high-risk for a poor birth outcome (see the maternity case management program), MAA may cover up to twenty visits. The MSS provider must maintain documentation of the high-risk circumstances in the client's file.

(9) MAA allows a provider to bill only once per client per pregnancy for childbirth education. The provider must document that the client attended at least one childbirth education session in order for MAA to reimburse for the service.

(10) MAA published MSS program billing instructions that contain specific process requirements for the MSS program.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 1.

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

July 5, 2000

Edith M. Rice, Chief
Office of Legal Affairs

NEW SECTION

WAC 388-533-0300 Enhanced benefits for pregnant women. The medical assistance administration (MAA)

provides enhanced services to eligible women during and after their pregnancy.

(1) Refer to WAC 388-462-0015 for client eligibility requirements.

(2) MAA requires **providers** to have specific MAA approval prior to becoming an approved maternity support services (MSS) provider. MSS services must be provided by professionals from all of the following fields:

- (a) Community health nursing;
- (b) Nutrition; and
- (c) Social work.

(3) MAA allows paraprofessional community health workers to provide MSS services to eligible clients when both of the following are met:

(a) The services are provided under the supervision of one of the qualified professionals described in subsection (2) of this section; and

(b) The services provided are limited to basic health education.

(4) A client may choose to receive MSS services from any MAA-approved MSS provider.

(5) In addition to the client's standard scope of care, MAA covers the following enhanced benefits (MSS) for eligible women during and after their pregnancy:

(a) One childbirth education course per pregnancy (see subsection (9) in this section);

(b) Assessment, counseling, education, and interventions by those qualified professionals described in subsections (2) and (3) of this section; and

(c) Child care for the client's children (see subsection (7) of this section).

(6) MSS providers refer a client who may need chemical dependency assessment to a provider who is contracted with the division of alcohol and substance abuse (DASA) (see chapter 440-22 WAC). Enhanced benefits for eligible pregnant women through DASA include:

- (a) Assessment for alcohol/drug use;
- (b) Parenting education; and
- (c) Treatment for alcohol/drug use.

(7) MAA requires the MSS provider to do the following for child care under this section:

- (a) Screen for the eligible woman's need for child care;
- (b) Discuss and encourage a safe and healthy child care plan; and

(c) Authorize the child care. The MSS provider may authorize child care for any of the following reasons:

- (i) Health care appointments for the client;
- (ii) The maternity services medical provider ordered bed rest for the client; or
- (iii) Other circumstances that the MSS provider considers necessary and are specifically approved by MAA.

(8) MAA covers up to ten MSS visits. If it is determined that a client is at high-risk for a poor birth outcome (see the maternity case management program), MAA may cover up to twenty visits. The MSS provider must maintain documentation of the high-risk circumstances in the client's file.

(9) MAA allows a provider to bill only once per client per pregnancy for childbirth education. The provider must

document that the client attended at least one childbirth education session in order for MAA to reimburse for the service.

(10) MAA publishes MSS program billing instructions that contain specific process requirements for the MSS program.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-024

Enhanced benefits for pregnant women.

WSR 00-14-069 PERMANENT RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed July 5, 2000, 9:23 a.m.]

Date of Adoption: July 5, 2000.

Purpose: Establish WAC 388-502-0160 Billing a client, which describes the circumstances under which a contracted provider may or may not bill a medical assistance client.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.520.

Adopted under notice filed as WSR 00-09-075 on April 18, 2000.

Changes Other than Editing from Proposed to Adopted Version:

- Changed "services not included in the scope of benefits" to "covered services." This will be consistent with other MAA rules, and will not change policy.
- Struck the word "directly" from subsections (1), (4), and (5).
- Clarified that the client was not responsible if MAA did not pay for the service because the provider did not satisfy the conditions of payment in billing instructions or WAC.
- Added that the provider also must not "demand" or "collect" payment from a client (except as provided in this rule).
- Changed phrase "the client's representative" to "anyone on the client's behalf."
- Changed to require a statement in the agreement described in subsection (3)(b) that the client is not obligated to pay for a service if it is later found that the service was covered by MAA at the time it was provided, even if MAA did not pay the provider for the service because the provider did not satisfy MAA's billing requirements.
- Added (in (3)(c)) that the client must date the documentation, and that the provider must give a copy of it to the client.
- Struck the example of CHIP in subsection (3)(f), so this subsection is consistent with the current rule.
- Struck "or the client's representative" from subsection (3)(c).

- Added "promptly" to subsection (4)(a)(ii).
- Changed structure in subsection (4) to clarify that providers needed to return the clients payment before billing MAA.
- Changed the term "MAA client" to "receiving medical assistance" for clarity in subsection (3)(d).
- Added "except for spenddown" to subsection (5) as a clarification.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

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

July 5, 2000

Edith M. Rice, Chief
Office of the Legal Affairs

NEW SECTION

WAC 388-502-0160 Billing a client. (1) A provider may not bill, demand, collect, or accept payment from a client or anyone on the client's behalf for a covered service. The client is not responsible to pay for a covered service even if MAA does not pay for the service because the provider failed to satisfy the conditions of payment in MAA billing instructions, this chapter, and other chapters regulating the specific type of service provided.

(2) The provider is responsible to verify whether the client has medical coverage for the date of service and to check the limitations of the client's medical program.

(3) A provider may bill a client only if one of the following situations apply:

(a) The client is enrolled in a managed care plan and the client and provider comply with the requirements in WAC 388-538-095;

(b) The client is enrolled in a program other than managed care, and the client and provider sign an agreement. It must be translated or interpreted into the client's primary language and signed before the service is rendered. The provider must give the client a copy and maintain the original in the client's file for department review upon request. The agreement must include each of the following elements to be valid:

- (i) The specific service to be provided;
- (ii) The service is not covered;
- (iii) The client chooses to receive and pay for the specific service; and

(iv) The client is not obligated to pay for the service if it is later found that the service was covered by MAA at the time it was provided, even if MAA did not pay the provider for the service because the provider did not satisfy MAA's billing requirements;

(c) The client or the client's legal guardian was reimbursed for the service directly by a third party;

(d) The provider has documentation that the client represented himself/herself as a private pay patient and not receiving medical assistance. The documentation must be signed and dated by the client or the client's representative. The provider must give a copy to the client and maintain the original documentation in the patient's file for department review upon request. If the patient later becomes eligible for the service due to delayed or retroactive eligibility, the provider must comply with subsection (4) of this section;

(e) The client refuses to complete and sign insurance forms, billing documents, or other forms necessary for the provider to bill insurance for the service. Medical Assistance is not insurance; or

(f) The bill counts toward a spenddown liability, emergency medical expense requirement, deductible, or copayment required by MAA.

(4) If a client becomes eligible for a service that has already been provided due to:

(a) Delayed eligibility, the provider must:

(i) Not bill, demand, collect, or accept payment from the client or anyone on the client's behalf for the service; and

(ii) Promptly refund the total payment received from the client or anyone on the client's behalf, and then bill MAA for the service.

(b) Retroactive eligibility, the provider:

(i) Must not bill, demand, collect, or accept payment from the client or anyone on the client's behalf for any unpaid charges for the service; and

(ii) May refund any payment received from the client or anyone on the client's behalf, and then bill MAA for the service.

(5) Hospitals may not bill, demand, collect, or accept payment from a medically indigent, GA-U, or ADATSA client, or anyone on the client's behalf, for inpatient or outpatient hospital services during a period of eligibility, except for spenddown.

(6) A provider may not bill, demand, collect, or accept payment from a client, anyone on the client's behalf, or MAA for copying or otherwise transferring health care information, as that term is defined in chapter 70.02 RCW, to another health care provider. This includes, but is not limited to:

- (a) Medical charts;
- (b) Radiological or imaging films; and
- (c) Laboratory or other diagnostic test results.

WSR 00-14-070
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)

[Filed July 5, 2000, 9:24 a.m.]

Date of Adoption: July 5, 2000.

Purpose: The department has replaced several sections of rule with a single section, written to comply with the Governor's Executive Order 97-02 on regulatory reform.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-539-001, 388-539-050, 388-539-100, and 388-539-150.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.757.

Adopted under notice filed as WSR 00-11-062 on May 15, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 4.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 4.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 4.

Effective Date of Rule: Thirty-one days after filing. July 5, 2000

Edith M. Rice, Chief
Office of Legal Affairs

Chapter 388-539 WAC

PERMANENT
((ACQUIRED HUMAN IMMUNODEFICIENCY SYNDROME INSURANCE PROGRAM)) HIV/AIDS RELATED SERVICES

NEW SECTION

WAC 388-539-0200 AIDS—Health insurance premium payment program (1) The purpose of the AIDS health insurance premium payment program is to help individuals who are not eligible for MAA's medical programs and who are diagnosed with AIDS, pay their health insurance premiums.

(2) To be eligible for the AIDS health insurance premium payment program, individuals must:

(a) Be diagnosed with AIDS as defined in WAC 246-100-011;

(b) Be a resident of the state of Washington;

(c) Be responsible for all, or part of, the health insurance premium payment (without MAA's help);

(d) Not be eligible for one of MAA's other medical programs;

(e) Not have personal income that exceeds three hundred seventy percent of the federal poverty level; and

(f) Not have personal assets, after exemptions, exceeding fifteen thousand dollars. The following personal assets are exempt from the personal assets calculation:

(i) A home used as the person's primary residence; and
(ii) A vehicle used as personal transportation.

(3) MAA may contract with a not-for-profit community agency to administer the Aids health insurance premium payment program. MAA or its contractor determines an individual's initial eligibility and redetermines eligibility on a periodic basis. To be eligible, individuals must:

(a) Cooperate with MAA's contractor;
(b) Cooperate with eligibility determination and redetermination process; and

(c) Initially meet and continue to meet the eligibility criteria in subsection (2) of this section.

(4) Individuals, diagnosed with AIDS, who are eligible for one of MAA's medical programs may ask MAA to pay their health insurance premiums under a separate process. The client's community services office (CSO) is able to assist the client with this process.

(5) Once an individual is eligible to participate in the AIDS health insurance premium payment program, eligibility would cease only when one of the following occurs. The individual:

(a) Is deceased;
(b) Voluntarily quits the program;
(c) No longer meets the requirements of subsection (2) of this section; or
(d) Has benefits terminated due to the legislature's termination of the funding for this program.

(6) MAA sets a reasonable payment limit for health insurance premiums. MAA sets its limit by tracking the charges billed to MAA for MAA clients who have AIDS. MAA does not pay health insurance premiums that exceed fifty percent of the average of charges billed to MAA for its clients with AIDS.

REPEALER

The following sections of the Washington Administrative Code are repealed:

Table with 2 columns: WAC Number and Purpose. Rows include WAC 388-539-001 (Purpose), WAC 388-539-050 (Definitions), WAC 388-539-100 (Eligibility), and WAC 388-539-150 (Premium payment).

WSR 00-14-071
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)

[Filed July 5, 2000, 9:25 a.m.]

Date of Adoption: July 5, 2000.

Purpose: Updates and clarifies the process of reimbursing pharmacy providers for drugs or pharmaceutical supplies supplied to Medical Assistance Administration clients who have third-party insurance coverage, including clients who are eligible for both Medicare and medical assistance. Also to comply with the Governor's Executive Order 97-02 which mandates that all rules be reviewed for clarity, necessity, fairness, etc.

Citation of Existing Rules Affected by this Order: Amending WAC 388-530-1750.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.035.

Adopted under notice filed as WSR 00-11-106 on May 18, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

July 5, 2000

Edith M. Rice, Chief
Office of Legal Affairs

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

WAC 388-530-1750 Drugs and pharmaceutical supplies for clients with any third-party coverage. (1) Except as specified under contract, ~~((MAA shall))~~ the medical assistance administration (MAA) does not reimburse providers for any drugs~~((supplies))~~ or pharmaceutical supplies provided to clients who have pharmacy benefits under MAA-contracted managed care plans. The managed care plan~~((shall be))~~ is responsible for payment.

(2) ~~((For the purposes of the section,))~~ The following definitions apply to this section:

(a) "Closed pharmacy network" means an arrangement made by an insurer which restricts prescription coverage to an exclusive list of pharmacies. This arrangement prohibits

the coverage and/or payment of prescriptions provided by a pharmacy that is not included on the exclusive list.

(b) "Private point-of-sale (POS) authorization system" means an insurer's system, other than the MAA POS system, which requires that coverage be verified by or submitted ~~((for authorization by))~~ to the insurer's agent for authorization at the time of service and at the time the prescription is filled.

(3) ~~((MAA clients who have a third-party resource which is a managed care entity or other insurance requiring the use of "closed pharmacy networks" or "private point-of-sale authorization systems" shall not have prescription provider claims paid until the prescription provider submits an explanation of benefits from the private insurance which demonstrates that the prescription provider has complied with the terms of coverage. If the private insurer has paid:))~~ This subsection applies to MAA clients who have a third-party resource that is a managed care entity other than an MAA-contracted plan, or have other insurance that requires the use of "closed pharmacy networks" or "private point-of-sale authorization." MAA will not pay pharmacies for prescription drug claims until the pharmacy provider submits an explanation of benefits from the private insurance that demonstrates that the pharmacy provider has complied with the terms of coverage.

(a) If the private insurer pays a fee based on the incident of care, the~~((prescription))~~ pharmacy provider~~((shall))~~ must file a claim with~~((the department))~~ MAA consistent with~~((the department's))~~ MAA's billing requirements~~((; or)).~~

(b) If the~~((prescription))~~ private insurer pays the pharmacy provider a monthly capitation fee for all prescription costs related to the client, the~~((prescription))~~ pharmacy provider~~((may))~~ must submit a claim to~~((the department))~~ MAA for the amount of the client co~~((-))~~ payment, co~~((-))~~ insurance, and/or deductible.~~((The department shall))~~ MAA pays the provider the lesser of:

(i) The~~((lesser of the))~~ billed amount; or

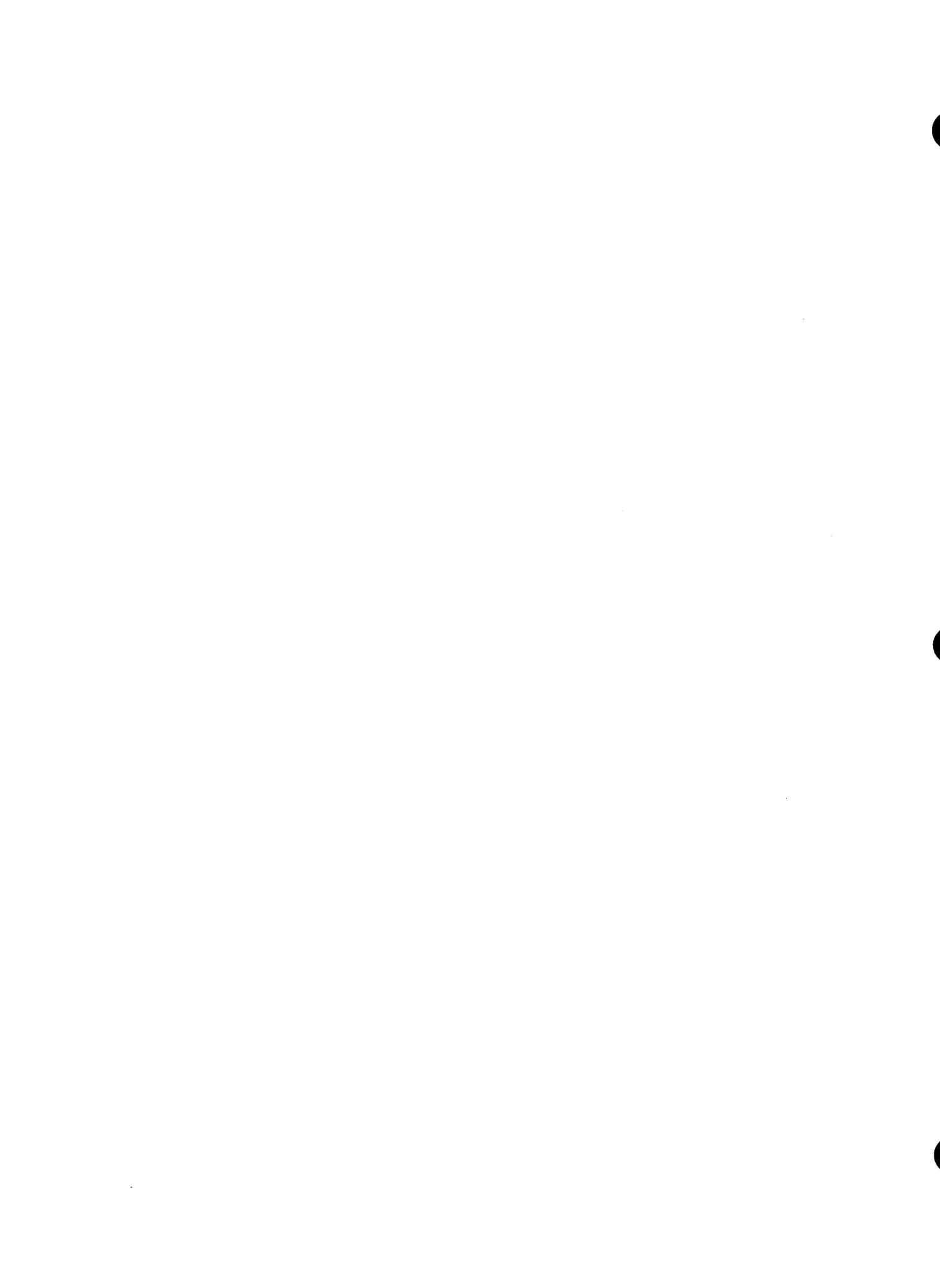
(ii) ~~((The department's))~~ MAA's maximum allowable fee for the prescription.

(4) For clients eligible for both Medicare and ~~((Medicaid, providers shall))~~ medical assistance, MAA reimburses providers for:

(a) ~~((Be reimbursed for drugs not covered by Medicare, but covered by MAA;))~~ An amount up to MAA's maximum allowable fee for drugs Medicare does not cover, but MAA does cover; or

(b) ~~((Not be reimbursed for drugs covered by Medicare))~~ Deductible and/or coinsurance amounts up to Medicare's or MAA's maximum allowable fee, whichever is less, for drugs Medicare and MAA cover; or

(c) Deductible and/or coinsurance amounts for clients under the qualified Medicare beneficiary (QMB) program for drugs Medicare does cover but MAA does not cover.



WSR 00-14-002
EMERGENCY RULES
BELLEVUE COMMUNITY COLLEGE

[Filed June 22, 2000, 11:31 a.m.]

Date of Adoption: June 28 [21], 2000.

Purpose: Amend the smoking policy governing smoking on the Bellevue Community College (BCC) main campus.

Citation of Existing Rules Affected by this Order: Amending WAC 132H-121-010.

Statutory Authority for Adoption: RCW 28B.15.605.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Changes to the existing policy were widely advertised and input gathered during the last several months. In order to officially notify people on the BCC main campus of the changes to the smoking policy that will be effective in September, it is necessary to approve the amendment now so that the change can be published in fall quarter schedules and other documents that are being printed now.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: June 28, 2000.

June 21, 2000

Elise J. Erickson
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 92-19-05 [92-19-051], filed 9/10/92)

WAC 132H-121-010 Smoking. It shall be the policy of Bellevue Community College, consistent with its efforts to promote wellness, fitness, and a campus environment conducive to work, study, and activities for staff, students, and the public, to maintain a smoke/tobacco free indoor campus environment. Smoking and tobacco use is permitted only in designated locations. Use of tobacco products is permitted on campus outside of the buildings; smoking in covered walkways surrounding main and upper campuses shall be restricted to designated smoking areas. Receptacles for

smoking materials are provided and are required to be used to maintain litter free campus grounds.

~~The college recognizes the rights of those who choose to use tobacco and as such does not prohibit the use of tobacco products; it does, however, restrict the use of these materials to areas outside college facilities and vehicles.~~ Information regarding the Bellevue Community College smoking policy is available in Campus Operations, located in K100.

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

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

WSR 00-14-004
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-103—Filed June 22, 2000, 3:37 p.m.]

Date of Adoption: June 22, 2000.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-25500R; and amending WAC 220-56-255.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The halibut quota for Marine Areas 3 and 4 increases by 7,000 pounds on July 1, 2000. Consultation with industry, federal officials and the International Pacific Halibut Commission indicates that sufficient quota exists to allow two days of halibut fishing. This action is necessary to conform with similar actions taken by the National Marine Fisheries Service and is in accordance with the provision of the Halibut Catch Sharing Plan. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

EMERGENCY

Effective Date of Rule: Immediately.

June 22, 2000
J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-56-25500S Halibut—Seasons—Daily limits. Notwithstanding the provisions of WAC 220-56-255, effective immediately until further notice, it is unlawful to fish for or possess halibut taken for personal use except as provided for in this section:

(1) Marine Area 1: Open immediately until further notice. Minimum size 32 inches in length. The daily limit is the first halibut 32 inches in length or greater brought aboard the vessel.

(2) Marine Area 2: Closed until further notice.

(3) Marine Areas 3 and 4: Open 12:01 a.m. through 11:59 p.m. on July 1 and 4, 2000.

Except closed in those waters of a rectangle defined by the following four corners: 48°18'N, 125°11'W; 48°18'N, 124°59'W; 48°04'N, 125°11'W; 48°04'N, 124°59'W. The daily bag limit is one halibut with no length restrictions.

(4) Marine Areas 5 through 13: Open immediately through July 27, 2000, except closed 12:01 a.m. each Tuesday through 11:59 p.m. each Wednesday. The daily bag limit is one halibut with no length restrictions.

(5) Any halibut landed in a Washington port must meet the regulations in effect for the port of landing, regardless of area of catch. This provision does not apply to halibut lawfully caught in Canadian waters and landed at a port in Washington.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-25500R Halibut—Seasons—Daily limits. (00-97)

**WSR 00-14-012
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-100—Filed June 27, 2000, 2:44 p.m., effective July 1, 2000, 12:01 a.m.]

Date of Adoption: June 21, 2000.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-285.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or

general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation is intended to allow the recreational harvest of sturgeon from John Day Reservoir and its tributaries to continue within the established harvest guidelines. The harvest quota for 2000 has not been reached. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 2000, 12:01 a.m.

June 21, 2000

Sara J. LaBorde

for Jeff P. Koenings

Director

NEW SECTION

WAC 220-56-28500W Sturgeon—Areas and seasons. Notwithstanding the provisions of WAC 220-56-285, effective 12:01 a.m. July 1, 2000 until further notice it is lawful to retain sturgeon from the Columbia River and its tributaries from John Day Dam to McNary Dam.

**WSR 00-14-013
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-105—Filed June 27, 2000, 3:28 p.m., effective July 1, 2000, 12:01 a.m.]

Date of Adoption: June 27, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-48-015.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

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Reasons for this Finding: This regulation is necessary because the harvest guideline level of Pacific Cod in these areas has not been attained. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 2000, 12:01 a.m.

June 27, 2000

Evan Jacoby

for Jeff P. Koenings
Director

NEW SECTION

WAC 220-48-01500L Bottom trawl—Seasons. Notwithstanding the provisions of WAC 220-48-015, effective 12:01 a.m. July 1, 2000 until further notice, it is lawful to fish for and possess bottomfish taken for commercial purposes with bottom trawl gear in Marine Fish/Shellfish Management Catch Reporting Areas 20A, 20B, and 22A in waters deeper than 40 fathoms.

**WSR 00-14-014
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-106—Filed June 27, 2000, 3:30 p.m.]

Date of Adoption: June 27, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000E, 220-33-03000P and 220-33-03000Q; and amending WAC 220-33-010 and 220-33-030.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Opens non-Indian commercial sockeye fishery. Harvestable numbers of sockeye are avail-

able. This regulation allows the sale of nonadipose fin-clipped sockeye and chinook jacks during the time frame of the commercial sockeye fishery that is ongoing at the same time and in the same area. Harvestable numbers of shad and sockeye are available. This rule is consistent with actions of the Columbia River Compact hearing of June 26, 2000, and is consistent with requirements of the ESA. There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

June 27, 2000

Evan Jacoby

for Jeff P. Koenings
Director

NEW SECTION

WAC 220-33-01000E Columbia River seasons below Bonneville. Notwithstanding the provisions of WAC 220-33-010, 220-33-020 and 220-33-030, it is unlawful for a person to take or possess salmon or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E, except as provided in the following subsections:

1) AREA: Shad Area 2S as defined in WAC 220-33-030
2) SEASON: 6:00 p.m. June 28, 2000 to 6:00 a.m. June 29, 2000

6:00 p.m. June 29, 2000 to 6:00 a.m. June 30, 2000

6:00 p.m. June 30, 2000 to 6:00 a.m. July 1, 2000

3) GEAR: 4 1/2 inch maximum mesh size. Single wall unslackened floater gill net.

4) ALLOWABLE SALE: sockeye salmon with an adipose fin (unmarked), chinook less than 24 inches, shad, and sturgeon. All other salmonids and walleye must be immediately returned to the water and those alive must be released unharmed.

5) OTHER: White sturgeon less than 48 inches or greater than 60 inches, or green sturgeon less than 48 inches or greater than 66 inches may not be retained for commercial purposes and shall be immediately returned to the water. It is unlawful to gaff sturgeon. It is unlawful to sell unprocessed eggs from lower Columbia River sturgeon.

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REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 a.m. July 1, 2000:

WAC 220-33-01000E Columbia River seasons below Bonneville.

NEW SECTION

WAC 220-33-03000Q Commercial shad—Columbia River. Notwithstanding the provisions of WAC 220-33-030, 220-33-010 and 220-33-020, it is unlawful to take, fish for or possess shad taken for commercial purposes except as provided for in this section:

FISHING PERIODS

- 1) Shad Area 2S is open daily, 3:00 p.m. to 10:00 p.m. from: Immediately to June 30, 2000
- 2) The Camas-Washougal Reef Area is open weekly, 4:00 a.m. Mondays to midnight Fridays from: Immediately to June 30, 2000

Gear: Gill net gear may be used to fish for shad as provided in WAC 220-33-030(1), except that in Area 2S the net may not exceed 150 fathoms in length nor 40 meshes in depth and that in the Camas-Washougal Reef Area the webbing of the gear may be constructed of mesh having a breaking strength of less than 30 pounds.

Allowable Sale: On June 27, only shad may be kept and sold. All salmonids, walleye and sturgeon must be immediately returned to the water and those alive must be released unharmed.

During June 28, June 29, and June 30, allowable sale includes shad, sockeye with an adipose fin (unmarked), chinook less than 24 inches in length, and sturgeon. All other salmonids and walleye must be immediately returned to the water and those alive must be released unharmed.

Other: White sturgeon less than 48 inches or greater than 60 inches, or green sturgeon less than 48 inches or greater than 66 inches may not be retained for commercial purposes and shall be immediately returned to the water.

It is unlawful to gaff sturgeon.
It is unlawful to sell unprocessed eggs from lower Columbia River sturgeon.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-03000P Commercial shad—Columbia River. (00-68)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. July 1, 2000:

WAC 220-33-03000Q Commercial shad—Columbia River

**WSR 00-14-015
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-107—Filed June 27, 2000, 3:33 p.m., effective June 28, 2000, 12:01 a.m.]

Date of Adoption: June 27, 2000.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-16000V and 220-57-16000Y; and amending WAC 220-57-160.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation allows retention of sockeye salmon and jack chinook during ongoing steelhead sport fishery. Harvestable sockeye salmon are available. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: June 28, 2000, 12:01 a.m.

June 27, 2000

Evan Jacoby

for Jeff P. Koenings

Director

NEW SECTION

WAC 220-57-16000Y Columbia River. Notwithstanding the provisions of WAC 220-57-160, effective 12:01 a.m. June 28, 2000 through July 31, 2000 it is unlawful to take,

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fish for, or possess salmon in the Columbia River from the Highway 395 Bridge downstream to the Rocky Point/Tongue Point line, except lawful to retain chinook salmon greater than 12 inches and less than 24 inches in length and sockeye salmon greater than 12 inches in length. Daily limit is six salmon of which no more than two can be adults.

Effective Date of Rule: July 1, 2000.

June 27, 2000

Claire C. Krueger

Agency Rules Coordinator

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-57-16000V Columbia River. (00-30)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. August 1, 2000:

WAC 220-57-16000Y Columbia River.

**WSR 00-14-016
EMERGENCY RULES
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

[Filed June 28, 2000, 8:56 a.m., effective July 1, 2000]

Date of Adoption: June 22, 2000.

Purpose: Exceptional faculty awards program.

Citation of Existing Rules Affected by this Order: Amending WAC 131-16-450.

Statutory Authority for Adoption: Chapter 28B.50 RCW.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: To bring into sync with a 2000 legislative session law that passed, effective July 1, that expands use of funds generated by program (SB 6770). Permanent rules were [to] be adopted in September 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

AMENDATORY SECTION (Amending WSR 99-13-013, filed 6/4/99, effective 7/5/99)

WAC 131-16-450 Exceptional faculty awards trust fund. (1) Pursuant to chapter 29, Laws of 1990, the community and technical college exceptional faculty award program shall be subject to the following limitations:

(a) All funds generated by and through this program shall be credited to the college (~~district's~~) or its foundation exceptional faculty local endowment trust fund, from which only the earnings of such funds may be expended for the purpose of this program.

(b) Authorization to transfer funds from the exceptional faculty award trust fund in the state treasury to a college (~~district~~) or its foundation endowment fund shall be contingent upon certification by the college (~~district~~) that no less than twenty-five thousand dollars of matching cash donations from private sources has been deposited in the (~~district~~) college endowment fund.

(c) Grants to an individual college(s) or its foundation shall not exceed: Four grants to each college, in any single biennium.

(d) Award of requested grants to a college(s) or its foundation shall be contingent upon determination by the state board for community and technical college that the request is consistent with and meets the requirements of (~~these guidelines~~) the rules of the state board for community and technical colleges and RCW 28B.50.835 through 28B.50.844. Further, if grant requests exceed available funds, the state board for community and technical college shall select the recipients.

(e) Funds granted for the purposes of the faculty awards program shall be held in trust by (~~the district for~~) the college to which such funds were specifically awarded.

(f) Each college (~~district~~) shall establish procedures by which awards may be named in honor of a donor, benefactor, or honoree; may designate the use of funds to individuals, groups, or for the improvement of the faculty as a whole; and may renew or redesignate the award annually.

(g) (~~By September 1 of each year beginning in 1991, each district shall report to the state board for community and technical college~~) At the end of each fiscal year, the state board for community and technical colleges will request an accounting from each of the participating colleges to include the amount of contributed endowment funds, their earnings, type of investments, and uses made during the previous fiscal year.

(h) The process for determining awards shall be subject to collective bargaining, except that the amount of individual awards and the recipient(s) shall be determined by the district board of trustees.

(i) Only (~~persons holding~~) individuals, groups, or the faculty as a whole, who hold faculty assignments as defined

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by RCW 28B.52.020(2) shall be eligible to receive awards under this section.

(2) The award of exceptional faculty grants from the ((district)) college endowment fund shall be subject to the following limitations:

((a)) The proceeds from the endowment fund shall be used to pay expenses for faculty awards, which may include faculty development activities, in-service training, temporary substitute or replacement costs directly associated with faculty development programs, conferences, travel, publication and dissemination of exemplary projects; to make a one time supplement to the salary of the holder or holders of a faculty award, for the duration of the award; or to pay expenses associated with the holder's program area.

((b)) (3) Funds from this program shall not be used to supplant existing faculty development funds.

**WSR 00-14-023
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-108—Filed June 28, 2000, 4:31 p.m.]

Date of Adoption: June 28, 2000.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-32500E; and amending WAC 220-56-325.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation is needed to ensure an orderly fishery, manage within court-ordered sharing requirements, and to ensure conservation. The state recreational share of spot shrimp has been exceeded in the areas closed under this rule. Depth restrictions will provide opportunity to harvest available nonspot shrimp without impacting the spot shrimp resources. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making:

New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

June 28, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-56-32500I Shrimp—Areas and seasons. Notwithstanding the provisions of WAC 220-56-325 and WAC 220-56-310:

(1) Effective immediately until further notice, it is lawful to harvest or possess all shrimp species except spot shrimp taken for personal use in Marine Areas 8-1, 8-2, 9 and 10 except that:

(a) It is unlawful to set or pull shrimp gear in waters greater than 150 feet.

(b) Spot shrimp must be returned immediately to the water unharmed.

(2) Effective immediately until further notice, it is unlawful to harvest or possess spot shrimp in Shrimp District 1.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-32500E Shrimp—Areas and seasons.
(00-78)

**WSR 00-14-030
EMERGENCY RULES
PUBLIC DISCLOSURE COMMISSION**

[Filed June 29, 2000, 1:18 p.m.]

Date of Adoption: June 29, 2000.

Purpose: To implement the statutory requirements of SB 6775 and to reflect change of address.

Citation of Existing Rules Affected by this Order: WAC 390-16-011 Forms—Registration statement for political committees.

Statutory Authority for Adoption: RCW 42.17.370(1).

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: To implement provisions of SB 6775, effective June 8, 2000, requiring campaign books of account to be open for public inspection eight days prior to the election.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

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Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Immediately.

June 29, 2000

Vicki Rippie

Executive Director

AMENDATORY SECTION (Amending WSR 99-22-083, filed 11/2/99)

WAC 390-16-011 Forms—Registration statement for political committees. The official form for providing the statement of organization by political committees for designating a campaign treasurer and depository and for reporting information required to qualify for abbreviated campaign finance reporting is designated "C-1pc", revised ((12/99)) 6/2000. Copies of this form are available at the Commission Office, 711 Capitol Way, Room ((403)) 206, P.O. Box 40908, Olympia, Washington 98504-0908. Any attachments shall be on 8-1/2" x 11" white paper.

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Political Committee Registration

C1PC (12/99)	PDC OFFICE USE

Committee Name (Show entire official name.)		Acronym:
Mailing Address		Telephone: ()
City	County	Fax: ()
Zip + 4		E-mail:

NEW OR AMENDED REGISTRATION? <input type="checkbox"/> NEW: Complete entire form. <input type="checkbox"/> AMENDS previous report. Complete entire form.	COMMITTEE STATUS <input type="checkbox"/> Continuing (On-going; not established in anticipation of any particular campaign election.) <input type="checkbox"/> election year only. Date of general or special election:
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1. What is the purpose or description of the committee?

Bona Fide Political Party Committee - official state or county central committee or legislative district committee. If you are not supporting the entire party ticket, attach a list or specify here the names of the candidates you support.

Ballot Committee - Initiative, Bond, Levy, Recall, etc. Ballot Number FOR AGAINST
 Name or description of ballot measure:

Other Political Committee - PAC, caucus committee, political club, etc. If committee is related or affiliated with a business, association, union or similar entity, specify name:

For single election-year only committees (not continuing committees): Is the committee supporting or opposing
 (a) one or more candidates? Yes No If yes, attach a list of each candidate's name, office sought and political party affiliation.
 (b) the entire ticket of a political party? Yes No If yes, identify the party

2. Related or affiliated committees. List name, address and relationship.

Continued on attached sheet

3. How much do you plan to spend during this entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. (If your committee status is continuing, estimate spending on a calendar year basis.)
 If no box is checked you are obligated to use Full Reporting. See instruction manuals for information about reports required and changing reporting options.

ABBREVIATED REPORTING
 Abbreviated Reporting is selected. No more than \$2,000 will be raised or spent and no more than \$200 in the aggregate will be accepted from any one contributor.

FULL REPORTING
 Full Reporting is selected. The frequent, detailed campaign reports mandated by law will be filed as required.

4. Campaign Manager's or Media Contact's Name and Address Telephone Number:
 ()

5. Treasurer's Name and Address (List deputy treasurers on attached sheet.) Daytime Telephone Number:
 ()

Continued on attached sheet

6. Committee Officers. List name, title, and address. Continue on attached sheet if necessary. See reverse for definition of "officer." Continued on attached sheet

7. Campaign Bank or Depository Branch City

8. Campaign books must be open to the public during the eight days before the election. Single Election-year Committees: (a) on the eighth day, even if a legal holiday, for two consecutive hours between 8:00 am and 8:00 pm; (b) on the other weekdays, except a legal holiday, by appointment between 8:00 am and 8:00 pm. Continuing Political Committees: Two consecutive hours each weekday, excluding legal holidays, between 8:00 am and 8:00 pm.

Street Address, Room Number, City Hours

Single Election-year Committees: Persons wanting to make an appointment with our committee should contact the committee at (telephone, fax, e-mail):

9. Eligibility to Give to State Office Candidates: During the 180 days prior to making a contribution to a state office candidate, your committee must have received contributions of \$10 or more from at least ten persons registered to vote in Washington State.

A check here indicates your awareness of and pledge to comply with this provision. Absence of a check mark means your committee does not qualify to give to state office candidates (legislative and statewide executive candidates).

10. Signature and Certification. I certify that this statement is true, complete and correct to the best of my knowledge.

Committee Treasurer's Signature Date

Need campaign finance forms and instructions?
 Please check one of the following boxes.

I already have forms and instructions. I want the Public Disclosure Commission to mail me the proper forms and instructions.

I will get forms and instructions from my county elections office.

Distribution of This Report:
 ORIGINAL - Public Disclosure Commission
 COPY - County Elections Office (Auditor)
 COPY - Your own records

CONTINUE ON NEXT PAGE

EMERGENCY

For information only. Do not file as part of report.



Please consult PDC instruction manuals when completing this report.
Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.

Who Must File

Persons, committees, organizations or groups that receive contributions or make expenditures in support of or opposition to: candidates in jurisdictions of 5,000 or more registered voters as of the last general election; statewide ballot issues; or local ballot issues in jurisdictions with 1,000 or more registered voters as of the last general election.

When To File

Within 2 weeks of organizing a committee or first expecting to receive contributions or make expenditures, whichever occurs first. **(Committees that organize within three weeks of an election must file within three business days of forming or of expecting to receive contributions or make expenditures.)**

File an amended C-1pc form within 10 calendar days of any material change to the registration information furnished previously. For single election-year only committees, a material change includes providing or modifying the list of candidates the committee is supporting or opposing.

Continuing political committees using Abbreviated Reporting must also file a C-1pc annually in January. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

Where To File

Send the **original** to PDC at the above address. Send a **copy** to **County Auditor** (county elections office) of the county in which the committee headquarters is located. If there is no headquarters, send to the County Auditor of the county in which the treasurer resides. Keep a copy as part of the committee's records.

"Officer" of a Political Committee – Definition

Officer of a political committee includes the following persons:

- the treasurer,
- any person designated as an officer on the C-1pc registration statement, and
- any person who alone or in conjunction with other persons makes contribution, expenditure, strategic or policy decisions on behalf of the committee. (WAC 390-05-245)

Contact PDC or County Elections Office for Instruction Manuals and Reporting Forms or look under the "Filer Assistance" menu category on PDC's Web Site: www.pdc.wa.gov

EMERGENCY



Political Committee Registration

C1PC (000)

Committee Name (Show entire official name.)
Mailing Address
City County Zip + 4
Acronym:
Telephone: ()
Fax: ()
E-mail:

NEW OR AMENDED REGISTRATION?
NEW. Complete entire form.
AMENDS previous report. Complete entire form.
COMMITTEE STATUS
Continuing (On-going; not established in anticipation of any particular campaign election.)
election year only. Date of general or special election: (Year)

1. What is the purpose or description of the committee?
Bona Fide Political Party Committee - official state or county central committee or legislative district committee.
Ballot Committee - Initiative, Bond, Levy, Recall, etc. Name or description of ballot measure: Ballot Number FOR AGAINST
Other Political Committee - PAC, caucus committee, political club, etc.
For single election-year only committees (not continuing committees): Is the committee supporting or opposing
(a) one or more candidates? Yes No
(b) the entire ticket of a political party? Yes No

2. Related or affiliated committees. List name, address and relationship.
Continued on attached sheet

3. How much do you plan to spend during this entire election campaign, including the primary and general elections?
ABBREVIATED REPORTING
FULL REPORTING

4. Campaign Manager's or Media Contact's Name and Address
Telephone Number: ()

5. Treasurer's Name and Address (List deputy treasurers on attached sheet.)
Continued on attached sheet
Daytime Telephone Number: ()

6. Committee Officers. List name, title, and address. Continue on attached sheet if necessary. See reverse for definition of "officer."
Continued on attached sheet

7. Campaign Bank or Depository
Branch
City

8. Campaign books must be open to the public, except on a weekend or legal holiday, during the eight days before the election.
Street Address, Room Number, City
Hours [Two consecutive hours; see 8(a)]

In order to make an appointment, contact the campaign at (telephone, fax, e-mail): ()
9. Eligibility to Give to State Office Candidates: During the 180 days prior to making a contribution to a state office candidate, your committee must have received contributions of \$10 or more from at least ten persons registered to vote in Washington State.
10. Signature and Certification. I certify that this statement is true, complete and correct to the best of my knowledge.
Committee Treasurer's Signature Date

Need campaign finance forms and instructions?
Please check one of the following boxes.
I already have forms and instructions.
I will get forms and instructions from my county elections office.
I want the Public Disclosure Commission to mail me the proper forms and instructions.

Distribution of This Report:
ORIGINAL - Public Disclosure Commission
COPY - County Elections Office (Auditor)
COPY - Your own records
SEE INSTRUCTIONS ON REVERSE

EMERGENCY



Please consult PDC instruction manuals when completing this report.
Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.

Who Must File Persons, committees, organizations or groups that receive contributions or make expenditures in support of or opposition to: candidates in jurisdictions of 5,000 or more registered voters as of the last general election; statewide ballot issues; or local ballot issues in jurisdictions with 1,000 or more registered voters as of the last general election.

When to File Within 2 weeks of organizing a committee or first expecting to receive contributions or make expenditures, whichever occurs first. **(Committees that organize within three weeks of an election must file within three business days of forming or of expecting to receive contributions or make expenditures.)**

File an amended C-1pc form within 10 calendar days of any material change to the registration information furnished previously. For single election-year only committees, a material change includes providing or modifying the list of candidates the committee is supporting or opposing.

Continuing political committees using Abbreviated Reporting must also file a C-1pc annually in January. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

Where To File Send the **original to PDC** at the above address. Send a **copy to County Auditor** (county elections office) of the county in which the committee headquarters is located. If there is no headquarters, send to the County Auditor of the county in which the treasurer resides. Keep a copy as part of the committee's records.

“Officer” of a Political Committee – Definition

Officer of a political committee includes the following persons:

- the treasurer,
- any person designated as an officer on the C-1pc registration statement, and
- any person who alone or in conjunction with other persons makes contribution, expenditure, strategic or policy decisions on behalf of the committee. (WAC 390-05-245)

**Contact PDC or County Elections Office for Instruction Manuals
and Reporting Forms or look under the “Filer Assistance” menu category on PDC’s
Web Site: www.pdc.wa.gov**

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 00-14-031
EMERGENCY RULES
PUBLIC DISCLOSURE COMMISSION

[Filed June 29, 2000, 1:20 p.m.]

Date of Adoption: June 29, 2000.

Purpose: To implement the statutory requirements of SB 6775 and to reflect change of address.

Citation of Existing Rules Affected by this Order: WAC 390-16-012 Forms—Registration statement for candidates.

Statutory Authority for Adoption: RCW 42.17.370(1).

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: To implement provisions of SB 6775, effective June 8, 2000, requiring campaign books of account to be open for public inspection eight days prior to the election.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Immediately.

June 29, 2000

Vicki Rippie

Executive Director

AMENDATORY SECTION (Amending WSR 99-22-084, filed 11/2/99)

WAC 390-16-012 Forms—Registration statement for candidates. The official form for providing the statement of organization by candidates and candidate's committees, for designating a campaign treasurer and depository and for reporting information required to qualify for mini campaign finance reporting or abbreviated campaign finance reporting is designated "C-1", revised ((12/99)) 6/2000. Copies of this form are available at the Commission Office, 711 Capitol Way, Room ((403)) 206, P.O. Box 40908, Olympia, Washington, 98504-0908. Any attachments shall be on 8-1/2" x 11" white paper.



711 CAPITOL WAY RM 403
PO BOX 40908
OLYMPIA WA 98504-0908
(360) 753-1111

Candidate Registration

C1
(12/99)

Candidate Name (Give candidate's full name.) Telephone Numbers
()

Candidate's Committee Name (Do not abbreviate.)
()

Mailing Address Fax Number
()

City County Zip + 4 E-mail address

1. What office are you running for? Legislative District, County or City Position No. Do you now hold this office?
Yes No

2. Political party (if partisan office) 3. Date of general or special election

4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. If no box is checked you are obligated to use Option III, Full Reporting. See instruction manuals for information about reports required and changing reporting options.

Option I MINI REPORTING
In addition to my filing fee of \$ _____, I will raise and spend no more than \$500, including any charges for the voters pamphlet. I will not accept more than \$200 in the aggregate from any contributor except myself.

Option II ABBREVIATED REPORTING
I will raise and spend no more than \$2,000, including my filing fee and any charges for the voters pamphlet. I will not accept more than \$200 in the aggregate from any contributor except myself.

Option III FULL REPORTING
I will use the Full Reporting System. I will file the frequent detailed campaign reports required by law.

5. Treasurer's Name and Address. Candidate may be treasurer. List deputy treasurers on attached sheet. Continued on attached sheet Daytime Telephone Number
() -

6. Committee Officers. List name, title and address. Continue on attached sheet if necessary. See reverse for definition of "officer." Continued on attached sheet

7. Campaign Bank or Depository Branch City

8. Related or Affiliated Political Committees. List name, address and relationship. Continued on attached sheet

9. Campaign books must be open to the public during the eight days before the election: (a) on the eighth day, even on a legal holiday, for two consecutive hours between 8:00 am and 8:00 pm; (b) on the other weekdays, except a legal holiday, by appointment between 8:00 am and 8:00 pm. Specify location and hours below. It is not acceptable to provide a post office box or an out-of-area address.
Street Address, Room Number, City Hours (Two consecutive hours on 8th day)

In order to make an appointment, contact the campaign at (telephone, fax, e-mail): ()

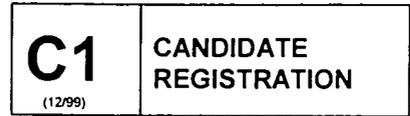
10. CERTIFICATION:
I certify that this report is true, complete and correct to the best of my knowledge.
Candidate's Signature Date

Please advise us about which forms and instructions you need. Remember, candidates must file a Financial Affairs Statement (F-1) unless a current one is already on file with PDC. Check all boxes that apply.
 I already have financial affairs and campaign disclosure forms and instructions.
 I am using Mini Reporting and, therefore, do not need the other campaign disclosure forms. In addition, I have already filed my Financial Affairs Statement and need no additional F-1 forms.
 I will obtain all forms and instructions from my county elections office.
 I want PDC to mail me: the F-1 instruction booklet (which includes forms) the appropriate campaign disclosure forms and instructions.

Distribution of This Report
ORIGINAL - Public Disclosure Commission
COPY - County Elections Office (Auditor)
COPY - Your own records
(Note: City candidates contact City Clerk to see if local filing is required.)

SEE INSTRUCTIONS ON REVERSE

EMERGENCY



For information only. Do not file as part of report.

Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.

WHO MUST FILE

- Candidates who seek
- state office (legislative or statewide executive),
 - a state supreme court or state court of appeals position,
 - local office in jurisdictions having 5,000 or more registered voters as of the last general election or in jurisdictions covering an entire county.

WHEN TO FILE

Within 2 weeks of becoming a candidate. A person becomes a candidate for PDC purposes when he or she **first** does any of the following:

- receives contributions, makes expenditures, or reserves space or facilities with intent to promote his or her candidacy;
- purchases commercial advertising space or broadcast time to promote his or her candidacy;
- authorizes another person to take one of these above actions on his or her behalf;
- announces publicly that he or she is seeking office; or
- files a declaration of candidacy with the appropriate elections official.

File an amended registration within 10 days of a material change to information provided on previously filed C-1. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

WHERE TO FILE

Send the **original to PDC** at the above address. Send a **copy to County Auditor** (county elections office) of the county in which the candidate resides. Candidates for city offices are advised to contact their City Clerk to learn if local filing is required by local ordinance. Keep a copy as part of the campaign's records.

"Officer" of a Candidate's Committee – Definition

- Officer of a candidate's authorized committee or officer of a candidate's committee includes the following persons:
- the treasurer,
 - any person designated as an officer on the C-1 registration statement, and
 - any person who alone or in conjunction with other persons makes contribution, expenditure, strategic or policy decisions on behalf of the committee. (WAC 390-05-245)

Contact PDC or County Elections Office for Instruction Manuals and Reporting Forms or look under the "Filer Assistance" menu category on PDC's Web Site: www.pdc.wa.gov

EMERGENCY



Candidate Registration

C1
(500)

Candidate's Name (Give candidate's full name.)			Telephone Numbers ()
Candidate's Committee Name (Do not abbreviate.)			()
Mailing Address			Fax Number ()
City	County	Zip + 4	E-Mail Address

1. What office are you running for? Legislative District, County or City Position No. Do you now hold this office?
Yes No

2. Political party (if partisan office) 3. Date of general or special election

4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. If no box is checked you are obligated to use Option III, Full Reporting. See instruction manuals for information about reports required and changing reporting options.

Option I MINI REPORTING
 In addition to my filing fee of \$_____, I will raise and spend no more than \$500, including any charges for the voters pamphlet. I will not accept more than \$200 in the aggregate from any contributor except myself.

Option II ABBREVIATED REPORTING
 I will raise and spend no more than \$2,000, including my filing fee and any charges for the voters pamphlet. I will not accept more than \$200 in the aggregate from any contributor except myself.

Option III FULL REPORTING
 I will use the Full Reporting System. I will file the frequent, detailed campaign reports required by law.

5. Treasurer's Name and Address. Candidate may be treasurer. List deputy treasurers on attached sheet. Continued on attached sheet Daytime Telephone Number
()

6. Committee Officers. List name, title and address. Continue on attached sheet if necessary. See reverse for definition of "officer." Continued on attached sheet

7. Campaign Bank or Depository Branch City

8. Related or Affiliated Political Committees. List name, address and relationship. Continued on attached sheet

9. Campaign books must be open to the public, except on a weekend or legal holiday, during the eight days before the election: (a) on the eighth day for two consecutive hours between 8 a.m. and 8 p.m.; if the eighth day is a legal holiday – two consecutive hours on the seventh day between 8 a.m. and 8 p.m.; and (b) on the other weekdays, by appointment between 8 a.m. and 8 p.m. Specify location and hours below. It is not acceptable to provide a post office box or an out-of-area address.

Street Address, Room Number, City Hours [Two consecutive hours; see 9(a)]

In order to make an appointment, contact the campaign at (telephone, fax, e-mail): ()

10. **CERTIFICATION:**
 I certify that this report is true, complete and correct to the best of my knowledge.
 Candidate's Signature Date

Please advise us about which forms and instructions you need. Remember, candidates must file a Financial Affairs Statement (F-1) unless a current one is already on file with PDC. Check all boxes that apply.

I already have financial affairs and campaign disclosure forms and instructions.

I am using Mini Reporting and, therefore, do not need the other campaign disclosure forms. In addition, I have already filed my Financial Affairs Statement and need no additional F-1 forms.

I will obtain all forms and instructions from my county elections office.

I want PDC to mail me: the F-1 instruction booklet (which includes forms)
 the appropriate campaign disclosure forms and instructions.

Distribution of This Report:
 ORIGINAL – Public Disclosure Commission
 COPY – County Elections Office (Auditor)
 COPY – Your own records
 (Note: City candidates contact City Clerk to see if local filing is required.)

SEE INSTRUCTIONS ON REVERSE

EMERGENCY



Please consult PDC instruction manuals when completing this report.
Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.

- Who Must File** Candidates who seek
- state office (legislative or statewide executive),
 - a state supreme court or state court of appeals position,
 - local office in jurisdictions having 5,000 or more registered voters as of the last general election or in jurisdictions covering an entire county.
- When To File** Within 2 weeks of becoming a candidate. A person becomes a candidate for PDC purposes when he or she **first** does any of the following:
- receives contributions, makes expenditures, or reserves space or facilities with intent to promote his or her candidacy;
 - purchases commercial advertising space or broadcast time to promote his or her candidacy;
 - authorizes another person to take one of these above actions on his or her behalf;
 - announces publicly that he or she is seeking office; or
 - files a declaration of candidacy with the appropriate elections official.
- File an amended registration within 10 days of a material change to information provided on previously filed C-1. Reports are considered filed as of the postmark date or date hand-delivered to PDC.
- Where To File** Send the **original to PDC** at the above address. Send a **copy to County Auditor** (county elections office) of the county in which the candidate resides. Candidates for city offices are advised to contact their City Clerk to learn if local filing is required by local ordinance. Keep a copy as part of the campaign's records.
- “Officer” of a Candidate's Committee – Definition** Officer of a candidate's authorized committee or officer of a candidate's committee includes the following persons:
- the treasurer,
 - any person designated as an officer on the C-1 registration statement, and
 - any person who alone or in conjunction with other persons makes contribution, expenditure, strategic or policy decisions on behalf of the committee. (WAC 390-05-245)

**Contact PDC or County Elections Office for Instruction Manuals
and Reporting Forms or look under the “Filer Assistance” menu category on PDC’s
Web Site: www.pdc.wa.gov**

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 00-14-034
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-109—Filed June 30, 2000, 8:45 a.m.]

Date of Adoption: June 29, 2000.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-56-33000C; and amending WAC 220-56-330.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Crab hard shell condition meeting the criteria needed for harvest in Holmes Harbor portion of Marine Area 8-1. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

June 29, 2000
J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-56-33000D Crab—Areas and seasons.

Notwithstanding the provisions of WAC 220-56-330, effective immediately until further notice it is lawful to fish for crab for personal use with crab pot gear in the following areas:

- (1) Marine Area 8-1
- (2) Marine Area 8-2

(3) Marine Area 9, except contiguous waters south of a line from Foulweather Bluff to Olele Point.

(4) Marine Area 10.

(5) That portion of Marine Area 7 south and west of a line projected from Village Point, Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island, running along the northern shoreline of Patos Island and from the westernmost point of Patos Island due west to the international boundary; and westerly of a straight line from the northernmost tip of Sinclair Island through Lummi Rocks to Lummi Island; and west of a line projected from the southeast point of Sinclair Island to the ferry dock at Shannon Point.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-33000C Personal use crab fishery—
Areas and seasons (00-99)

**WSR 00-14-035
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-104—Filed June 30, 2000, 8:47 a.m., effective July 3, 2000, 12:01 a.m.]

Date of Adoption: June 29, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-56-19000D; and amending WAC 220-56-190.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation implements recommendations of the North of Falcon subgroup of the Pacific Fisheries Management Council. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

EMERGENCY

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 3, 2000, 12:01 a.m.

June 29, 2000
J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-56-19000D Coastal salmon—Saltwater seasons. Notwithstanding the provisions of WAC 220-56-190, effective 12:01 a.m. July 3, 2000 through 11:59 p.m. September 30, 2000 in those waters of Catch Record Card Area 4 east of the Bonilla-Tatoosh line all chinook salmon must be released immediately.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 30, 2000:

WAC 220-56-19000D Coastal salmon—Saltwater seasons.

notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Effective June 30, 2000, the WorkFirst RWW program will end. The WorkFirst job success coach initiative (JSCI), however, will be implemented shortly thereafter. JSCI is an evolutionary model in the delivery of WorkFirst postemployment services, and blends the key concepts from the RWW program into a more comprehensive, proactive service delivery model. The newly evolved program, JSCI, is designed to increase the success of WorkFirst participants in the workplace.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

Effective Date of Rule: July 1, 2000.

June 30, 2000
Edith M. Rice, Chief
Office of Legal Affairs

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-310-1850 Re-employ Washington Workers (RWW).

**WSR 00-14-050
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-110—Filed June 30, 2000, 4:18 p.m.]

Date of Adoption: June 29, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57A-17500F and 232-28-61900N; and amending WAC 220-57A-175 and 232-28-619.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of

**WSR 00-14-046
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(WorkFirst Division)**

[Filed June 30, 2000, 2:44 p.m., effective July 1, 2000]

Date of Adoption: June 30, 2000.

Purpose: To repeal WAC 388-310-1850. The Re-employ Washington Workers (RWW) program, effective July 31, 1999, was implemented to provide rapid reemployment services to low-wage unemployment insurance claimants under the WorkFirst post-employment services umbrella. Effective June 30, 2000, the WorkFirst RWW program will end, with the key concepts from the program blended into a more comprehensive, proactive service delivery model - the newly evolved job success coach initiative.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-310-1850 WorkFirst—Re-employ Washington Workers.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of

EMERGENCY

notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The sockeye salmon return to Lake Washington is adequate for a recreational fishery. The daily closures provided for in this rule allow for an allocation between the treaty and nontreaty share. Night closures are instituted to prevent poaching. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

June 29, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-57A-17500F Lake Washington sockeye fishery. Notwithstanding the provisions of WAC 220-57A-175, effective immediately until further notice it is unlawful to fish for or possess salmon taken from Lake Washington except as provided for in this section:

(1) Open one hour before sunrise to one hour after sunset July 4 through August 15, 2000, south of the Evergreen Point Floating Bridge (Highway 520), except closed:

(a) 12:00 noon July 10 through 12:00 noon July 11;

12:00 noon July 12 through 12:00 noon July 13;

12:00 noon July 17 through 12:00 noon July 18;

12:00 noon July 19 through 12:00 noon July 20;

(b) Within 100 yards of the Evergreen Point Floating Bridge;

(c) Within 100 yards of the Interstate 90 Bridge;

(d) Within 1000 yards of the mouth of the Cedar River;

(2) Daily limit is two sockeye salmon. Sockeye salmon are defined as *Oncorhynchus nerka* fifteen inches or greater in length. *Oncorhynchus nerka* less than 15 inches in length are kokanee.

NEW SECTION

WAC 232-28-61900N Lake Washington sockeye fishery—Game fish restrictions. Notwithstanding the provisions of WAC 232-28-610, effective one hour after sunset July 4 through one hour before sunrise August 15, 2000, it is

unlawful to fish for or possess game fish from those waters south of the Evergreen Point Floating Bridge between one hour after sunset to one hour before sunrise.

REPEALER

The following sections of the Washington Administrative Code are repealed effective one hour after official sunset August 15, 2000:

WAC 220-57A-17500F Lake Washington sockeye fishery.

WAC 232-28-61900N Lake Washington sockeye fishery—Game fish restrictions.

WSR 00-14-051

EMERGENCY RULES

DEPARTMENT OF FISH AND WILDLIFE

[Order 00-111—Filed June 30, 2000, 4:21 p.m.]

Date of Adoption: June 30, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05100S; and amending WAC 220-32-051.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Allows commercial sale of sockeye caught from platforms and using hook and line. Harvestable numbers of sockeye are available. Impacts to sockeye are projected to remain within ESA guidelines. Rule is consistent with actions of the Columbia River Compact on June 30, 2000. Conforms state rules with tribal rules. There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

EMERGENCY

Effective Date of Rule: Immediately.

June 30, 2000
 J. P. Koenings
 Director
 by Larry Peck

NEW SECTION

WAC 220-32-05100S Columbia River salmon seasons above Bonneville Dam. Notwithstanding the provisions of WAC 220-32-050, WAC 220-32-051, WAC 220-32-052, effective immediately until further notice, it is unlawful for a person to take or possess salmon, shad, carp, or sturgeon taken for commercial purposes in Columbia River Salmon Management Catch Reporting Areas 1F, 1G, and 1H, except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for salmon, shad, carp, or sturgeon under the following provisions:

- 1) Open Periods: 6:00 a.m. July 1, 2000 to 6:00 p.m. July 10, 2000
- 2) Open Areas: SMCRA 1F, 1G, 1H
- 3) Gear: Hoop nets, dip bag nets, or hook and line
- 4) Allowable sale includes: sockeye salmon, chinook salmon less than or equal to 24 inches.
- 5) Only fish taken from platforms or with hook and line may be sold.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. July 10, 2000:

WAC 220-32-05100S Columbia River salmon seasons above Bonneville.

**WSR 00-14-060
 EMERGENCY RULES
 DEPARTMENT OF
 FISH AND WILDLIFE**

[Order 00-112—Filed July 3, 2000, 2:04 p.m.]

Date of Adoption: July 3, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57A-17500F and 220-57A-17500G; and amending WAC 220-57A-175.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The sockeye salmon return to Lake Washington is adequate for a recreational fishery. The daily closures provided for in this rule allow for an allocation

between the treaty and nontreaty share. Night closures are instituted to prevent poaching. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

July 3, 2000
 J. P. Koenings
 Director
 by Larry Peck

NEW SECTION

WAC 220-57A-17500G Lake Washington sockeye fishery. Notwithstanding the provisions of WAC 220-57A-175, effective immediately until further notice it is unlawful to fish for or possess salmon taken from Lake Washington except as provided for in this section:

(1) Open one hour before sunrise to one hour after sunset July 4 through August 15, 2000, south of the Evergreen Point Floating Bridge (Highway 520), except closed:

- (a) 12:00 noon July 10 through 12:00 noon July 11;
- 12:00 noon July 12 through 12:00 noon July 13;
- 12:00 noon July 17 through 12:00 noon July 18;
- 12:00 noon July 19 through 12:00 noon July 20;

(b) Within 100 yards of the Evergreen Point Floating Bridge;

- (c) Within 100 yards of the Interstate 90 Bridge;
- (d) Within 1000 feet of the mouth of the Cedar River;

(2) Daily limit is two sockeye salmon. Sockeye salmon are defined as *Oncorhynchus nerka* fifteen inches or greater in length. *Oncorhynchus nerka* less than 15 inches in length are kokanee.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-57A-17500F Lake Washington sockeye fishery. (00-110)

EMERGENCY

The following section of the Washington Administrative Code is repealed effective one hour after official sunset August 15, 2000:

WAC 220-57A-17500G Lake Washington sockeye fishery.

EMERGENCY



WSR 00-14-003
NOTICE OF PUBLIC MEETINGS
PUBLIC EMPLOYEES
BENEFITS BOARD
[Memorandum—June 22, 2000]

Public Employees Benefits Board
Lacey Community Center
Lacey, Washington
1:00 p.m., June 27, 2000

If you are a person with a disability and need a special accommodation, please contact Judy Lamm at (360) 923-2828.

WSR 00-14-006
NOTICE OF PUBLIC MEETINGS
WALLA WALLA
COMMUNITY COLLEGE
[Memorandum—June 23, 2000]

This is to advise you that Walla Walla Community College's board of trustees will hold its regular meeting on June 28 at 9:30 a.m. as originally scheduled. Please disregard the letter of June 12 indicating there would be a change on the starting time.

If you have any questions on this information, please call (509) 527-4274.

WSR 00-13-009
NOTICE OF PUBLIC MEETINGS
BOARD FOR
VOLUNTEER FIRE FIGHTERS
[Memorandum—June 23, 2000]

The October 20, 2000, meeting of the State Board for Volunteer Fire Fighters has been rescheduled. The meeting will take place at 9:00 a.m. on **October 6, 2000**, in Suite 112 of the Olympia Forum Building, 601 11th Avenue S.E.

WSR 00-14-018
OFFICE OF THE
INSURANCE COMMISSIONER
[Filed June 28, 2000, 11:09 a.m.]

In the Matter of the) No. G 2000-27
Acquisition of NORTH-)
ERN LIFE INSURANCE) AMENDED
COMPANY.) NOTICE OF HEARING

TO: William D. Torchiana
Sullivan & Cromwell
125 Broad Street
New York, New York 10004-2498

B. Scott Burton
Sr. Vice President & Chief Counsel
ING Americas
5780 Powers Ferry Road, N.W.
Atlanta, Georgia 30327-4390

Richard Crowl, Sr. Vice President
ReliaStar Financial Corporation
20 Washington Avenue South
Minneapolis, Minnesota 55401

William D. Fritts, Jr., Vice President
ReliaStar Financial Corporation
20 Washington Avenue South
Minneapolis, Minnesota 55401

Northern Life Insurance Company (Northern) is a domestic Washington insurance company. It is a subsidiary of ReliaStar Life Insurance Company. The ultimate controlling person of Northern is ReliaStar Financial Corporation.

ING Groep N.V. has announced its intention to acquire ReliaStar Financial Corporation, including Northern. The applicant is headquartered in Amsterdam, The Netherlands. The United States based operations of the applicant are under the direction of ING America Insurance Holdings, Inc. A number of insurance companies whose ultimate controlling person is ING Groep N.V. have been issued Washington certificates of authority.

The acquisition of a domestic Washington insurance company is controlled by Chapter 48.31B RCW. Pursuant to RCW 48.31B.015 and WAC 284-18-910, a Form "A" submission was made by the applicant on May 25, 2000. A determination that a Form "A" is complete begins the 60 day period within which the Insurance Commissioner must hold a hearing and decide whether to approve the change of control of the company.

YOU ARE HEREBY NOTIFIED that a hearing is scheduled to be held commencing at 1:00 p.m. on Monday, July 24, 2000, in the Conference Room of the Insurance Commissioner's Offices at 420 Golf Club Road, Suite 102, Lacey, Washington 98503, to consider the proposed acquisition of Northern.

The hearing will be held under the authority granted the Commissioner by Chapter 48.04 RCW and RCW 48.31B.015. RCW 48.31B.015 lists the findings which must be made before approval can be given to any proposed acquisition of control over a Washington domestic insurer.

The basic facts relied upon are those set forth in the Form "A" filed with the Commissioner. The complete Form "A" will be made part of the record of the hearing.

The Commissioner has not taken, and will not take, any position on this matter prior to entry of the hearing order.

All parties may be represented at the hearing. They may examine witnesses and fully respond and present evidence and argument on all issues involved, as required by the Administrative Procedure Act. The hearing will be governed by the Administrative Procedure Act, Chapter 34.05 RCW,

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and the model rules of procedure contained in Chapter 10-08 WAC. A party who fails to attend or participate in any stage of the proceeding may be held in default in accordance with Chapter 34.05 RCW.

The Commissioner will be represented by James E. Tompkins, Assistant Deputy Commissioner, Dennis Julnes, Chief Financial Analyst, and Chase Davis, Financial Analyst.

Assistant Deputy Commissioner John B. Woodall has been designated to hear and determine this matter. His address is Office of the Insurance Commissioner, Post Office Box 40259, Olympia, Washington 98504-0259. His telephone number is (360) 407-0535.

ENTERED AT OLYMPIA, WASHINGTON, this 21st day of June, 2000.

DEBORAH SENN
Insurance Commissioner

By:
JOHN B. WOODALL
Assistant Deputy Commissioner
for Company Supervision

WSR 00-14-024
COLUMBIA BASIN COLLEGE
[Filed June 29, 2000, 9:11 a.m.]

NOTICE OF PUBLIC HEARING

In accordance with RCW 28B.19.030, notice is hereby given that the board of trustees of Columbia Basin College District Nineteen will hold an open hearing on the amending of chapter 132S-40 WAC, Student policies and addition of WAC 132S-40-160 Student rights and responsibilities.

The hearing is scheduled for Tuesday, July 18, 2000, 5-6:30 p.m. at the Richland Library, 955 Northgate, Richland, WA.

Interested persons may submit data, views, or arguments to this agency in writing by July 14, 2000, and/or they may appear in person to present testimony or arguments orally at the meeting.

Send written comments to Louise Meyers, Rules Coordinator, Columbia Basin College, 2600 North 20th Avenue, Pasco, WA 99301.

WSR 00-14-025
PROCLAMATION
OFFICE OF THE GOVERNOR
[June 28, 2000]

WHEREAS, a wild fire on the Hanford Site spread off the site resulting in a Benton County Emergency Declaration occurring on June 28, 2000, threatening citizens and property of Washington State;

WHEREAS, winds and weather in area change often;

WHEREAS, the wild fire has already caused the destruction of some homes and has the potential to cause injuries to the citizens and additional property in Benton County and the City of Richland;

WHEREAS, Benton County requested National Guard support to provide security and crowd control, additional fire fighting resources and other additional resources as needed;

WHEREAS, the Washington State Military Department has activated the state Emergency Operations Center, implemented response procedures, and is coordinating resources to support local officials in alleviating the immediate social and economic impacts to people, and property, and is assessing the magnitude of the event;

WHEREAS, the Adjutant General has authorized mobilization of fire service resources under chapter 38.54 RCW and the Washington State Military Department has activated the state Emergency Operations Center, and implemented response procedures, and the Washington State Patrol Fire Protection Bureau is coordinating resources to support local officials in alleviating the immediate social and economic impacts to people, and property, and is assessing the magnitude of the event;

WHEREAS, under the provisions of RCW 43.06.220, I do hereby authorize Washington Emergency Management to establish Food Control Areas around the areas likely to have been contaminated above protective action guidelines. The Washington State Departments of Health and Agriculture are authorized to issue food embargoes for the Food Control Area to reduce the possibility of adulterated food from leaving the Food Control Area. Law enforcement agencies are authorized to stop and inspect vehicles departing an identified Food Control Area and to direct the vehicle operators to return food produced or grown to its point of origin within the Food Control Area; and

NOW, THEREFORE, I, Gary Locke, Governor of the state of Washington, as a result of the aforementioned situation and under chapters 38.08, 38.24, 38.52, 38.54, and 43.06, do hereby proclaim that a State of Emergency exists in Benton County and direct the supporting plans and procedures to the *Washington State Comprehensive Emergency Management Plan* be implemented. This Proclamation supercedes Fire Mobilization Mission Number 001530-Hanford Fire, declared by the Adjutant General on June 28, 2000 at 7:40 p.m. Funding and resourcing authority reverts to the Comprehensive Emergency Management Plan. State agencies and departments are directed to utilize state resources and to do everything reasonably possible to assist affected political subdivisions in an effort to respond to and recover from the event. I also hereby order into active state service the Washington National Guard, or such part thereof as may be necessary in the opinion of the Adjutant General, to perform such duties as directed by competent authority. Additionally, the Washington State Military Department, Emergency Management Division is instructed to coordinate all event-related assistance to the affected areas.

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this 28th day of June, A.D., Two Thousand.

Gary Locke

Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting

Assistant Secretary of State

WSR 00-14-026

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF CORRECTIONS

(Correctional Industries)

[Memorandum—June 23, 2000]

The Correctional Industries board of directors' meeting scheduled for June 24, 2000, in Forks, Washington. A quorum was not established for this meeting.

A special meeting has been called and is scheduled for Monday, June 26, 2000, in Olympia, Washington, Department of Corrections headquarters. This special meeting will be telephonic and quorum established. The only business to be conducted is the board's review of two Class I partnership proposals.

WSR 00-14-027

ATTORNEY GENERAL OPINION

Cite as: AGO 2000 No. 3

[June 13, 2000]

PUBLIC DISCLOSURE LAW - PUBLIC RECORDS - CONSERVATION DISTRICTS - Public disclosure status of farm plan prepared and held by state conservation district when similar record held by parallel federal agency is exempt from public disclosure.

1. A farm plan prepared wholly or in part by the staff of a conservation district, and held in the district offices as a document relating to district business, is a "public record" for purposes of the Public Disclosure Law.

2. Farm plans held by conservation districts are not generally subject to any exemption from public disclosure, although individual information within a document might be exempt in some cases.

3. The disclosability of farm plans held by conservation districts is entirely a matter of state law; federal law governing similar documents held by federal agencies does not cover conservation districts, nor does it preempt the state's Public Disclosure Act as to records held by state or local agencies.

The Honorable Vim Wright, Chair
Washington Conservation Commission
P.O. Box 47721
Olympia, Washington 98504-7721

WSR 00-14-029

NOTICE OF PUBLIC MEETINGS

LOTTERY COMMISSION

[Memorandum—June 28, 2000]

Please note and publish as necessary the following amended Year 2000 meeting dates and locations for the Washington State Lottery Commission:

September 14-15	Everett
November 17, 2000	Vancouver

WSR 00-14-039

NOTICE OF PUBLIC MEETINGS

BATES TECHNICAL COLLEGE

[Memorandum—June 29, 2000]

Four members of the board of trustees of Bates Technical College will come together at a special signing ceremony on June 30, 2000 (12-1:30 p.m.) at Bates' Downtown Campus, 1101 South Yakima Avenue. President Mohler and WSU President Dr. Sam Smith will be signing a cooperative agreement regarding communication media/instruction.

Four of the trustees will also meet at the college's graduation ceremony at 7 p.m. on June 29th at the Sheraton Convention Center.

Neither of these meetings is for the purpose of discussing board business nor will decisions of any kind be made.

WSR 00-14-040

NOTICE OF PUBLIC MEETINGS

EASTERN WASHINGTON UNIVERSITY

[Memorandum—June 30, 2000]

Eastern Washington University

BOARD OF TRUSTEES

June 27, 2000

A special board of trustees meeting scheduled for Monday, July 3, 2000, at 8:00 a.m. will be held as a conference call. The meeting will last approximately five minutes and will deal with personnel actions for the new dean for the College of Education and Human Development and the new dean for the College of Arts and Letters. Anyone wishing to participate in the conference call is invited to come to 214 Showalter Hall, on the EWU Cheney campus, where a conference telephone will be available.

WSR 00-14-042
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed June 30, 2000, 2:40 p.m.]

(360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315,
 e-mail mailto:MYERSEA@dshs.wa.gov.

June 28, 2000

Leslie Saeger, Manager
 Regulatory Improvement Project

Document Title: 00-54 MAA Numbered Memorandum.
 Subject: Changes in pharmacist billing crossover claims.

Effective Date: August 1, 2000.

Effective August 1, 2000, the Medical Assistance Administration (MAA) will require pharmacists to use the appropriate HCPCS* code when billing MAA for drugs dispensed to dual-eligible clients, instead of MAA's state-unique code 0101E. Instructions for completing field 24d on the HCFA-1500 claim form have been updated to reflect this change. Attached [no information supplied by agency] are replacement pages for Section I of your Prescription Drug Program Billing Instructions, dated December 1998.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone

WSR 00-14-054
NOTICE OF PUBLIC MEETINGS
CLARK COLLEGE

[Memorandum—June 28, 2000]

At its meeting held yesterday, the Clark College board of trustees took action to change the day of their regular monthly business meetings. The board will meet on the fourth Monday of the month, except in the months of March, November and December.

The meeting dates for the remainder of this year are August 28, September 25, October 23, November 13, and December 11.

WSR 00-14-056
AGENDA
DEPARTMENT OF TRANSPORTATION

[Filed July 3, 2000, 9:10 a.m.]

Department of Transportation
Semi-Annual Rule Agenda
July 1, 2000 - December 31, 2000

WAC Chapter	Chapter Title	Sections	Purpose of Rule	Agency Contact	Approx. CR-101 Filing Date
468-12	Transportation Commission and Transportation Department State Environmental Policy Act Rules	All	Integrates the policies and procedures of the State Environmental Policy Act (SEPA), chapter 43.21C RCW, into the programs, activities and actions of the Department of Transportation	Darryl Tinnerstet	10/1/00

WSR 00-14-084
AGENDA
DEPARTMENT OF REVENUE

[Filed July 5, 2000, 11:55 a.m.]

The Department of Revenue's rule development agenda shows those rules for which we anticipate some formal rule-making action, either a public meeting, hearing, or adoption, by January 1, 2001. Rules may be added or deleted from the work schedule as a result of legislative action, industry, taxpayer or agency request, or court decisions.

We have a website that includes this list: <http://dor.wa.gov/rulesadmin/admin/agenda.htm>.

If you would like to receive future copies of this list, please send a request to Roseanna Hodson, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504.

Any person currently on the excise tax rules maintenance list or property tax rules list will automatically receive a copy of the rule development agenda.

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RULES DEVELOPMENT AGENDA
Activity planned by January 31, 2001
Last revised July 5, 2000

Rule Number	Last Revised	Subject	Explanation	Assigned To	Status
458-12-090 458-12-270 458-12-275 458-12-280 458-16-115	1968 1968 1968 1968 1989	Listing of personal property	Updating per rule review.	TBA	CR-101 public meeting anticipated. Anticipate combining info into one rule.
458-16-010 458-16-011 458-16-012 458-16-013 458-16-020 458-16-022 458-16-030 458-16-040 458-16-060 458-16-070 458-16-079	1983 1981 1981 1992 1992 1976 1988 1974 1981 1981 1981	Senior citizens	Updating per rule review.	Kim Qually	CR-101 public meeting anticipated.
458-16-110 458-16-120 458-16-130 458-16-150 458-16-165	1998 1981 1994 1994 1998	Nonprofit rules	1999 legislative changes.	Kim Qually	CR-101 public meeting anticipated.
458-18-220	1999	Refunds—Rates of interest	Annual updating.	Kim Qually	Must be completed by January 1, 2001.
458-19-005 458-19-015 458-19-020 458-19-030 458-19-035 458-19-040 458-19-045 458-19-055 458-19-060 458-19-065 458-19-080 458-19-550	1994 1994 1994 1994 1994 1994 1994 1994 1994 1994 1994 1982	Property tax levies	Need revision due to Referendum 47.	Jim Winterstein	CR-101 public meeting anticipated.
458-20-13501	New	Timber harvest operations	To consolidate information now found in a number of different documents (e.g., WACs and ETAs).	Alan Lynn	CR-102 public hearing and adoption anticipated.
458-20-151	1991	Dental labs	Updating per rule review.	Nicole Stewart	CR-101 public meeting anticipated.
458-20-153	1970	Funeral directors	Updating per rule review.	Sally Giza	CR-101 public meeting anticipated.
458-20-154	1970	Cemeteries			
458-20-155	1985	Information and computer services	Updating per rule review.	Jim Carroll	CR-101 public meeting possible.
458-20-169	1991	Nonprofits	Updating per rule review.	Ed Ratcliffe	CR-101 public meeting anticipated.
458-20-170 458-20-17001 458-20-171	1987 1986 1971	Construction Federal contracting Public road construction	99 legislation (HB 2261) and general updating.	Winnie Savitch	CR-101 public meeting possible.
458-20-172	1983	Moving of earth			
458-20-178 458-20-17801	1986 NEW	Use tax	Updating per rule review.	Alan Lynn	CR-101 public meeting anticipated.
458-20-183	1995	Amusement, recreation and physical fitness services	Petition and legislative changes	Greg Potegal	CR-101 public meeting anticipated.
458-20-18801	1992	Prescription drugs	Updating per rule review.	Ralph Blankenship	CR-102 public hearing anticipated.

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Rule Number	Last Revised	Subject	Explanation	Assigned To	Status
458-20-190	1983	Sales to and by the federal government	Updating per rule review.	Cindy Evans/ Chris Barnes	CR-101 public meeting scheduled for July 26th.
458-20-191	1983	Federal reservations	Information to be incorporated into Rule 190 and then repeal.		CR-102 public hearing anticipated.
458-20-99999		Appendix—The Buck Act	Citation to the Buck Act to be incorporated into Rule 190 and then repeal.		
458-20-192	1980	Indians	Updating per rule review.	Leslie Cushman	CR-102 public hearing and adoption anticipated.
458-20-193	1991	Inbound and outbound interstate sales of tangible personal property	Updating per rule review.	Claire Hesselholt	CR-101 public meeting possible.
458-20-193C	1986	Imports and exports	Updating per rule review.	Margaret Partlow	CR-101 public meeting anticipated.
458-20-195	1999	Taxes, deductibility	To correct statutory citations and provide additional examples of taxes that are or are not deductible.	Doug Titus	CR-102 public hearing scheduled for July 11th. Adoption anticipated.
458-20-217	1987	Lien for taxes	Updating per rule review.	Anne Gernhardt	CR-102 public hearing scheduled for July 12th. Adoption anticipated.
458-20-228	2000	Returns, remittances, penalties, extensions, interest, stay of collection	To incorporate chapter 229, Laws of 2000.	Pat Moses	Candidate for expedited adoption process. Adoption anticipated
458-20-22802	1991	Electronic funds transfer	Updating per rule review.	Leilani Hesser/ Pat Moses	CR-101 public meeting anticipated.
458-20-229	1992	Refunds	Updating per rule review.	Pat Moses	CR-101 public meeting anticipated.
458-20-238	1995	Sales to nonresidents of watercraft	Updating per rule review.	Doug Titus	CR-102 public hearing and adoption anticipated.
458-20-24001	1988	Distressed area deferrals	Needs revision because of legislation.	Cindy Evans	CR-101 public meeting anticipated.
458-20-243	1983	Litter tax	Updating per rule review.	Gayle Carlson/ Pat Moses	CR-101 public meeting anticipated.
458-20-244	1988	Food products	Updating per rule review.	Nettie VanHorn	CR-101 public meeting anticipated.
458-20-247	1985	Trade-ins, selling price, sellers' tax measures	Clarify how the trade-in exclusion applies to consignment sales transactions.	Alan Lynn	CR-102 public hearing anticipated.
458-20-255	1998	Carbonated beverage and syrup tax	Remove all references to the carbonated beverage tax, which was repealed effective July 1, 1995.	Doug Titus	Candidate for expedited rule-making process.
458-20-260	1992	Oil spill response and administration tax	Updating per rule review.	Anne Solwick	CR-101 public meeting anticipated.
458-20-264	NEW	National uniform tobacco settlement	To satisfy RCW 70.157.010 requirement that DOR promulgate regulations in this area.	Anne Solwick	CR-101 public meeting scheduled for July 27th.
458-20-265	NEW	Processing/selling perishable meat products	To clarify the application of the special "perishable meat" tax rate.	Tim Sekerak	CR-101 public meeting anticipated.
458-30-262	1999	Agricultural land valuation—Interest rate—Property tax component	Annual updating.	Kim Qually	Must be completed by January 1, 2001.
458-30-590	1999	Rates of inflation	Annual updating.	Kim Qually	Must be completed by January 1, 2001.

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Rule Number	Last Revised	Subject	Explanation	Assigned To	Status
458-30-700 458-30-710	NEW	Classified forest land— Removal—Change in status—Compensating tax Designated forest land— Removal—Change in status—Compensating tax	Rules needed to describe the procedure to follow when forest land is removed from classification or designation and to outline how compensating property taxes are calculated.	Kim Qually	CR-102 public hearing and adoption anticipated.
Chapter 458-40 WAC, except: WAC 458-40-540, 458-40-650, and 458-40-660	Various	Taxation of forest land and timber	General rewrite of chapter 458-40 WAC to update, reorganize, and consolidate the information and to eliminate rules that are no longer needed.	Robert Smith	CR-101 public meeting scheduled for August 15, 2000. CR-102 public hearing and adoption anticipated.
458-40-540	1999	Forest land values	Annual updating.	Ed Ratcliffe	Must be completed by January 1, 2001.
458-40-650	1995	Timber excise tax—Timber quality codes defined	Redefining the quality codes for timber.	Ed Ratcliffe	CR-102 public hearing scheduled for August 15, 2000. Adoption anticipated.
458-40-660	2000	Timber/forest tax stumpage values	Required semi-annually.	Ed Ratcliffe	Must be done before July 1 and January 1 each year.
458-57-035 458-57-045	1999 1999	Washington estate tax return to be filed—Penalty for late filing—Interest on late payments—Waiver or cancellation of penalty—Application of payment Administration of the tax—Releases, amended returns, refunds, heirs of escheat estates	To incorporate chapter 1999 legislation. To remove the restriction that a refund claim must be filed 1 year from the time the tax is first paid.	Alan Lynn/ Phoebe Hein	CR-102XA (expedited rule-making process) filed June 29th. Adoption anticipated.
Chapter 458-276 WAC	1978	Access to public records	Updating per rule review.	Margaret Partlow	CR-101 public meeting anticipated. Existing rules to be repealed and new rules adopted.

Claire Hesselholt
Policy Counsel
Rules Manager

WSR 00-14-085
INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE
[Filed July 5, 2000, 11:55 a.m.]

REPEAL OF INTERPRETIVE STATEMENTS

This announcement of the repeal of these interpretive statements is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has repealed the following audit directives effective June 30, 2000.

AD 8113.1 Carbon Electrodes, this document was issued in 1986 to explain that the department had decided to not appeal a BTA decision ruling that carbon electrodes used in the production of steel were an ingredient and not subject

to either the retail sales or use tax. The information provided in this document no longer serves a useful purpose, and can be misleading. As explained in WAC 458-20-113 Ingredients or components, chemicals used in processing new articles for sale, to be considered an ingredient or component part material must become an essential and intended ingredient or component of the finished product.

AD 8126.1 Diesel delivered in Washington to motor carriers for use outside Washington, this document is no longer needed. It was issued to explain that the department considered the 1983 revision to RCW 82.08.0255 was merely a clarification, and should be applied retroactively.

AD 8126.2 Motor Vehicle Fuel Tax Rates (Per Gallon), this document was last revised in 1991 and provides out-of-date and incorrect federal fuel tax rates. There is no

longer a need for the department to provide this information via an interpretive or policy statement.

AD 8132.1 Service trucks used by car dealers and

AD 8132.2 Use tax on loaned vehicles, WAC 458-20-132 (Automobile dealers/demonstrator and executive vehicles) currently explains the tax-reporting requirements for service trucks and loaned vehicles used by car dealers.

AD 8146.4 Interest Income on Municipal Securities, this directive provides incorrect information. It explains that the B&O tax deduction allowed by RCW 82.04.4293 does not apply to interest received on obligations issued by entities such as school districts, preservation and development authorities, and similar entities because they are not municipal corporations. These instructions have been superseded by Determination No. 89-370, 8 WTD 111 (1989), which held that the term "municipal corporation" in RCW 82.04.4293 refers to a broader range of entities than just cities.

AD 8155.1 Software license agreements prior to August 7, 1995, WAC 458-20-155 currently addresses this issue, and the instructions as they apply to periods prior to August 7, 1985, are no longer needed.

AD 8164.1 Special business tax classification for insurance agents, this document explains that automobile dealers selling insurance are eligible for the special tax rate for insurance agents, brokers, and solicitors because they are required to be licensed under chapter 48.17 RCW. This document is no longer needed. As explained in WAC 458-20-164 Insurance agents, brokers and solicitors, every insurance agent, broker, or solicitor licensed under chapter 48.17 RCW is subject to the special insurance agent and broker B&O tax rate.

AD 8167.1 Tax liability of nursery schools, day care and preschools, this information is currently provided in WAC 458-20-167 Educational institutions, school districts, student organizations, and private schools.

AD 8170.1 Proper tax classification for concrete pumping, this document is out of date and no longer serves a useful purpose. It explains that the Thurston County Superior Court in *Sunnen Crane Service, Inc. v. Department of Revenue*, Cause No. 85-2-01075-0 found that crane-lifting operations directly related to construction are wholesale or retail activities. It then states that concrete pumping is to be similarly treated. The Sunnen Crane decision is an inappropriate basis upon which to determine the taxability of either crane lifting or concrete pumping. Chapter 25, Laws of 1993 sp. sess., amended RCW 82.04.050(4) to specifically include the "rental of equipment with operator" to the definition of retail sale. This document also fails to recognize the 1996 amendment of WAC 458-20-211 Leases or rentals of tangible personal property, bailments.

AD 8174.1 Use tax—Trucks and trailers used in interstate commerce, this document is no longer needed. WAC 458-20-17401 Use tax liability for motor vehicles, trailers, and parts used by motor carriers operating in interstate or foreign commerce, currently explains that in the absence of a readily available fair market value, the department will accept a value based on depreciation schedules

used by the Department of Licensing. In addition, the depreciation schedules provided in AD 8174.1 are out of date.

AD 8182.1 Warehouse Income prior to July 1, 1986, this document is no longer needed because the information not currently included in WAC 458-20-182 applies to periods beyond the statutory claim period.

AD 8187.1 Factoring tax from food vending machines, this information is currently provided in WAC 458-20-243 Food products.

AD 8211.2 Finance leases, this document explains the differences between "finance" and "true" leases, and provides a list of elements that generally exist in a finance lease. This issue is addressed in WAC 458-20-211 Leases or rentals of tangible personal property, bailments.

AD 8211.4 Lease or sale of irrigation circles, this document explains that the Washington Court of Appeals held that center pivot irrigation systems and appurtenances are realty when sold with the land. It also explains that the 1983 legislature provided a retail sales tax exemption under certain circumstances for the lease of irrigation equipment. There is no longer any need for this document. The court's decision in *Western Ag. vs. Department of Revenue*, 43 Wn. App. 167, 716 P.2d 310, regarding the taxation of center pivot irrigation systems is uniformly understood and applied by the department and agricultural industry. WAC 458-20-122 Sales of feed, seed, fertilizer, spray materials, and other tangible personal property for farm use currently addresses the retail sales tax exemption provided to leased irrigation equipment.

AD 8214.1 Boxes and packing materials, this information is provided in WAC 458-20-214 Cooperative marketing associations and independent dealers acting as agents of others with respect to the sale of fruit and produce and 458-20-115 Sales of packing materials and containers.

AD 8224.1 Proper classification of the mere cleaning of fish, this document provides incorrect tax-reporting information. It explains that the service and other activities B&O tax applies to the cleaning of fish. RCW 82.04.2403 provides that the cleaning of fish is a manufacturing activity, though exempt of B&O tax.

AD 8224.2 Tour operators, the information contained in this directive is incorrect. It explains that tour operators are generally taxable under the service classification. RCW 82.04.260 was amended in 1996 to impose the travel agency tax classification to tour operators.

AD 8227.1 Advertising income—Cable television producers, this information is provided in WAC 458-20-227 Subscriber television services.

AD 8243.1 Litter tax reporting by fast food restaurants, this document explains that the provisions of ETB (now ETA) 445 applies to fast food establishments. It further states that in the absence of specific records, auditors should consult with the taxpayer to determine a reasonable percentage of food products that are subject to the litter tax. This document is no longer needed. The described application of ETA 445 and the practice of consulting with fast food retailers to determine the percentage of food and beverage sales subject to the litter tax are standard procedures for the department.

AD 8257.1 Extended Warranty, this document was issued to explain how the department would administer the change in tax-reporting responsibilities for extended warranties to implement the Thurston County Superior Court's decision in *Sound Hyundai, Inc. v. State of Washington*. WAC 458-20-257 currently provides accurate and complete tax-reporting instructions and AD 8257.1 is no longer needed.

Questions regarding the repeal of these directives may be directed to Alan R. Lynn, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6125, fax (360) 664-0693, Internet alanl@dor.wa.gov.

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WSR 00-14-086
INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE

[Filed July 5, 2000, 11:56 a.m.]

REPEAL OF INTERPRETIVE STATEMENTS

This announcement of the repeal of these interpretive statements is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has repealed the following Property Tax Bulletins effective June 30, 2000.

PTB 68-1 Assessment of fertilizers and insecticides held by farmers, the information predates the enactment of the property tax exemption for business inventories and is no longer needed.

PTB 71-2 Destruction of personal property detail listing, the information regarding record retention is sufficiently covered by Preservation and Destruction of Public Records Act, chapter 40.14 RCW. The retention schedules can be obtained from the Property Tax Division of the Department of Revenue.

PTB 71-12 Senate Bill 37: Segregation of property - delinquent taxes, this document explains the effect of 1971 legislation on the segregation of property when delinquent taxes are outstanding. WAC 458-07-035 sufficiently addresses this issue.

PTB 71-17 Chapter 35, Laws of 1971, 1st ex. sess., this document explains the effect of 1971 legislation on the receipting requirements of RCW 84.56.060. This information is no longer needed.

PTB 74-7 Classification of bank personalty, this document provides guidance regarding the classification of bank equipment for assessment purposes. This information is included in the current definition of "personal property" found in WAC 458-12-005 and has been incorporated into the personal property valuation schedules, which can be obtained from the Property Tax Division of the Department of Revenue.

PTB 78-2 Revaluation of property out of cycle, this document explains the procedure county assessors are to follow when properties are revalued outside the county's normal revaluation cycle. This information is currently provided in

chapter 458-07 WAC, Valuation and revaluation of real property.

PTB 81-2 New construction—Valuation, this document explains that a previous PTB (79-1) was rescinded. This subject matter is currently addressed in WAC 458-12-342.

PTB 83-7 Timber excise tax credit for personal property tax, this document explains how to compute the personal property tax credit provided in RCW 84.33.077, and the information a harvester must provide to claim the credit. This information is now provided in WAC 458-40-690.

PTB 85-1 Taxation of Christmas trees, this bulletin identifies criteria for determining the property and forest tax liabilities for different types of Christmas tree operations. It contains out-of-date information as a result of 1995 legislation.

PTB 86-2 Determining fair market value of forest land not classified or designated under chapter 84.33 or 84.34 RCW, this bulleting [bulletin] was issued to establish a uniform policy in determining the fair market value of forest land not classified or designated under chapter 84.33 or 84.34 RCW. This information is no longer necessary as all land not classified or designated as "current use" is valued at true and fair value (RCW 84.40.030).

PTB 86-3 Additional tax calculations, current use lands (open space), this information is superceded by PTB 95-2.

PTB 89-3 Treatment of "manifest errors" on the part of taxpayers, this document identifies the remedy a taxpayer has regarding an overpayment resulting from a "manifest error" by the taxpayer in a personal property listing. This information is included in WAC 458-14-005.

PTB 91-1 Five year average grain price,

PTB 91-17 1992 Five year average grain price,

PTB 93-1 1993 Five-year average grain price,

PTB 94-1 1994 Five-year average grain price,

PTB 95-1 1995 Five-year average grain price, the information provided in these documents is out-of-date and no longer needed.

PTB 91-12 Record of Board of Equalization hearings, this document explains that Board of Equalization hearings are to be recorded, but the recordings do not have to be transcribed. This information is unnecessary; it is provided in either WAC 458-14-095 or incorporated in the Board of Equalization Manual, which can be obtained from the Property Tax Division of the Department of Revenue.

PTB 95-2 Additional tax calculations - current use lands (open space), the information is currently provided in WAC 458-30-300. The attached form is also incorrect.

PTB 97-1 Procedures for assessment of state timber sales, this information is provided in WAC 458-12-320 as adopted on April 5, 2000.

Questions regarding the repeal of these bulletins may be directed to Alan R. Lynn, Legislation and Policy, P.O. Box

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WSR 00-14-087
INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE

[Filed July 5, 2000, 11:57 a.m.]

REPEAL OF INTERPRETIVE STATEMENTS

This announcement of the repeal of these interpretive statements is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has repealed the following Excise Tax Advisories effective June 30, 2000.

ETA 085.08.107 Engineering services in connection with design of machinery for sale, the tax result provided in this document is correct given the circumstances. However, the document incorrectly explains that the basis for the result is that "a mixed transaction containing elements which might bear different rates of tax if separately bargained for should be taxed at the highest rate for the various elements involved."

ETA 087.04.136 Labor costs paid by another corporation, this document is no longer needed. It explains that in the described situation labor costs paid by the owner of a cannery and cold storage plant to the operator was subject to the processing for hire B&O tax. The document notes that cannery workmen were not employees of the cannery owner, despite the fact that the amounts received by the operator were the exact amount of all payroll expenses. WAC 458-20-105 Employees distinguished from persons engaged in business, provides a more detailed and helpful description of the factors one needs to consider when determining employer/employee status. In addition, WAC 458-20-136 as adopted in May 2000, explains that persons operating a manufacturing facility owned by another is considered a processor for hire.

ETA 192.03.189 Agricultural organizations working with governmental units subject to tax, this document explains that nonprofit agricultural organizations composed of farmers working closely with governmental units are not entitled to the B&O tax exemption provided to state and federal entities. While this result is generally correct, this document fails to recognize chapter 200, Laws of 1998 (codified as RCW 82.04.338). This legislation provides a B&O tax exemption under certain circumstances to nonprofit organizations working with a Hop Commodity Commission or Hop Commodity Board. WAC 458-20-189 and 458-20-190 explain the taxability of entities engaging in business with the state of Washington and the United States, respectively, without making a distinction for the type of entity.

ETA 185.04.200 Lease based on a percentage of gross proceeds, this document explains that an operator of an amusement concession may not deduct rent payments (calcu-

lated as a percentage of gross receipts) when computing his or her tax liability. It is no longer needed. RCW 82.04.070 and 82.04.080 clearly provide that costs of doing business are not to be deducted from the measure of tax. WAC 458-20-187 Coin operated amusement devices and service machines, also explains that persons operating such machines are subject to tax upon their gross proceeds. It also explains that if the machines are placed at a location owned by another person, that person is subject to tax upon any compensation received from the operator of the machine.

ETA 218.08.113 Chemicals used in processing to remove gases from steel furnaces, this document explains that oxygen used to remove unwanted gases from furnaces is subject to tax because none of the products of the oxygen's reaction with carbon are present in the end ingredients of the final product. The requirement that a chemical react with ingredients or components of the product being processed is sufficiently addressed in WAC 458-20-113.

ETA 245.04.162 Investment Income of a Brokerage Business, this document explains that gains realized on securities purchased and sold by a brokerage firm are subject to tax. The document is no longer needed as WAC 458-20-162 currently explains that income from all sources is subject to tax.

ETA 249.04.159 Interstate sales and consignor as agent of seller, this document is no longer needed. It simply explains that under a specific set of circumstances, a taxpayer substantiated its claim as the seller by obtaining affidavits of agency and "other evidence" that consignors on bills of lading were in fact agents for the taxpayer.

ETA 257.16.182 Insurance charges by public grain warehouses, the ETA explains that charges to customers for a pro rata share of expenses incurred by a public grain warehouse operator (in this case insurance expenses) are a part of the gross income subject to the public utility tax, even if separately billed. Warehouses are no longer subject to the public utility tax as of July 1, 1986.

ETA 275.08.170 Deeding of land to contractor building house for landowner, this document explains that the charge for building a house is a retail sale even if the landowner first deeds the land to a contractor, who after construction then sells or deeds the property back to the original landowner. This issue is specifically addressed in RCW 82.04.050 (2)(c) and WAC 458-20-170 Constructing and repairing of new or existing buildings or other structures upon real property.

ETA 366.04.171 Road construction under federal timber purchase agreements, this document provides incorrect tax-reporting information. It states that a subcontractor performing logging road construction under the terms of a federal timber purchase agreement is considered a public road contractor. This is incorrect. Logging road construction, whether performed by the timber buyer or a subcontractor, is considered a part of the logging activity. (See also *Lyle Wood Products vs. Dept. of Revenue*, 91 Wn.2d 193, 588 P.2d 215.) ETA 366 also incorrectly notes that a timber buyer is not a consumer of road materials provided by the federal government if the timber purchase agreement does

not contain a separately stated allowance for road construction. This is also incorrect.

ETA 436.04.170 Construction on land owned by contractor's principal stockholder, this document explains that construction by a corporation on land owned by a stockholder of the corporation is taxable as a retail sale. This issue is specifically addressed in WAC 458-20-170 Constructing and repairing of new or existing buildings or other structures upon real property.

ETA 449.12.170 Turnkey projects sold to housing authorities, this document includes incorrect information. Referring to turnkey contracts to build for housing authorities, this document explains that the landowner/contractor is taxed as a speculative builder if the right of possession does not transfer at the time the parties enter into the construction contract. These persons are generally subject to the government contracting tax classification.

ETA 451.04.99.1 Corporate Distribution of Stock Dividends, this document explains that in the taxpayers in question were engaging in business per RCW 82.04.150 and taxable as a financial business despite the fact that they did not "hold themselves out to the public." This document does not recognize the specific tax-reporting instructions for financial businesses provided in ETA 571.04.169 (Taxability of investment income). In addition, ETA 019.04.194 (Engaging in business within the state) also explains that a person is not required to hold itself out to the public as a prerequisite to be considered "engaging in business."

ETA 474.04.136 Taxability of the manufacture of "refinery gas," WAC 458-20-121 Sales of heat or steam—Including production by cogeneration, while not specifically identifying refinery gas, does explain that persons who produce their own fuel to generate heat, steam, etc. are subject to B&O tax, even if the fuel is a byproduct of a manufacturing process.

ETA 499.12.170/178 Tax liability on materials purchased by contractors in Idaho for use in Washington, this document explains that Idaho vendors are not permitted to accept resale certificates from Washington contractors because under Idaho law all construction contractors are defined as consumers of construction materials. The document further provides that the construction contractor can avoid the Idaho tax only by taking delivery of the materials outside Idaho. This information is incorrect as Idaho law now provides a tax exemption under certain circumstances for materials sold to contractors who subsequently incorporate those materials into real property.

ETA 537.04.19301 Effective date for claiming MATC credits, this document explains that the State Supreme Court held that the effective date for claiming all MATC credits is June 1, 1987. This information is no longer needed.

ETA 564.12.113 Retail sales/use tax—Oak barrels used by wineries and winemakers, this document explains that the retail sales or use tax applies only to that portion of the cost of oak barrels used to flavor wine representing the storage value of the "spent" barrel. This explanation is now incorrect. Under the manufacturing and equipment exemptions provided by RCW 82.08.02565 and 82.12.02565, wine

barrels used by wineries and winemakers are exempt from the retail sales and use taxes.

Questions regarding the repeal of these advisories may be directed to Alan R. Lynn, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6125, fax (360) 664-0693, Internet alanl@dor.wa.gov.

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Table of WAC Sections Affected

KEY TO TABLE

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJECT = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind of existing section
- REVIEW = Review of previously adopted rule
- SUSP = Suspending an existing section

Suffixes:

- C = Continuance of previous proposal
- E = Emergency action
- P = Proposed action
- S = Supplemental notice
- W = Withdrawal of proposed action
- XA = Expedited adoption
- XR = Expedited repeal
- No suffix means permanent action

WAC # Shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # Shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

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16-154-080	AMD-S	00-13-012	16-228-1400	PREP	00-03-078	16-350	AMD-XA	00-14-078
16-154-090	AMD-S	00-13-012	16-228-1500	PREP	00-03-079	16-350-001	REP-XA	00-14-078
16-154-100	AMD-S	00-13-012	16-228-1520	PREP	00-03-079	16-350-003	REP-XA	00-14-078
16-154-110	AMD-S	00-13-012	16-228-1540	PREP	00-03-080	16-350-010	AMD-XA	00-14-078
16-154-120	AMD-W	00-13-026	16-228-1545	PREP	00-03-079	16-350-015	AMD-XA	00-14-078
16-154-180	NEW-S	00-13-012	16-228-1580	PREP	00-03-080	16-350-020	AMD-XA	00-14-078
16-200-512	REP-XR	00-07-068	16-228-2000	PREP	00-03-077	16-350-025	AMD-XA	00-14-078
16-200-695	PREP	00-03-076	16-230	PREP	00-04-020	16-350-030	AMD-XA	00-14-078
16-202-1000	PREP	00-03-076	16-230	PREP	00-04-021	16-350-032	AMD-XA	00-14-078
16-202-2000	PREP	00-03-076	16-230	PREP	00-04-022	16-350-035	AMD-XA	00-14-078
16-212	PREP	00-10-104	16-230-600	PREP	00-13-030	16-350-040	AMD-XA	00-14-078
16-213-010	REP-P	00-05-048	16-230-605	PREP	00-13-030	16-350-045	AMD-XA	00-14-078
16-213-010	REP	00-08-041	16-230-610	PREP	00-13-030	16-350-050	AMD-XA	00-14-078
16-213-100	REP-P	00-05-048	16-230-615	PREP	00-13-030	16-350-060	REP-XA	00-14-078
16-213-100	REP	00-08-041	16-230-620	PREP	00-13-030	16-350-065	REP-XA	00-14-078
16-213-110	REP-P	00-05-048	16-230-625	PREP	00-13-030	16-350-070	REP-XA	00-14-078
16-213-110	REP	00-08-041	16-230-630	PREP	00-13-030	16-350-075	REP-XA	00-14-078
16-213-120	REP-P	00-05-048	16-230-635	PREP	00-13-030	16-404	PREP	00-03-083
16-213-120	REP	00-08-041	16-230-640	PREP	00-13-030	16-409	PREP	00-03-085
16-213-130	REP-P	00-05-048	16-230-645	PREP	00-13-030	16-414	PREP	00-07-132
16-213-130	REP	00-08-041	16-230-650	PREP	00-13-030	16-439	PREP	00-07-134
16-213-200	AMD-P	00-05-048	16-230-655	PREP	00-13-030	16-442	PREP	00-07-133
16-213-200	AMD	00-08-041	16-230-660	PREP	00-13-030	16-445	PREP	00-03-084
16-213-220	REP-P	00-05-048	16-230-665	PREP	00-13-030	16-463	PREP	00-07-135
16-213-220	REP	00-08-041	16-230-670	PREP	00-13-030	16-483	AMD-C	00-04-066

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-483-001	AMD	00-05-105	50-12-070	AMD-XA	00-13-101	50-14-080	AMD-XA	00-13-101
16-483-005	AMD	00-05-105	50-12-070	DECOD-X	00-13-101	50-14-080	DECOD-X	00-13-101
16-483-010	AMD	00-05-105	50-12-080	DECOD-X	00-13-101	50-14-090	AMD-XA	00-13-101
16-483-020	AMD	00-05-105	50-12-090	DECOD-X	00-13-101	50-14-090	DECOD-X	00-13-101
16-483-030	AMD	00-05-105	50-12-100	DECOD-X	00-13-101	50-14-100	AMD-XA	00-13-101
16-483-040	AMD	00-05-105	50-12-110	DECOD-X	00-13-101	50-14-100	DECOD-X	00-13-101
16-483-050	AMD	00-05-105	50-12-115	DECOD-X	00-13-101	50-14-110	DECOD-X	00-13-101
16-483-060	REP	00-05-105	50-12-116	DECOD-X	00-13-101	50-14-120	AMD-XA	00-13-101
16-516-010	AMD-XA	00-07-079	50-12-117	AMD-XA	00-13-101	50-14-120	DECOD-X	00-13-101
16-516-010	AMD	00-11-180	50-12-117	DECOD-X	00-13-101	50-14-130	AMD-XA	00-13-101
16-516-020	AMD-XA	00-07-079	50-12-120	AMD-XA	00-13-101	50-14-130	DECOD-X	00-13-101
16-516-020	AMD	00-11-180	50-12-120	DECOD-X	00-13-101	50-14-140	DECOD-X	00-13-101
16-536-040	AMD-P	00-05-089	50-12-130	DECOD-X	00-13-101	50-28-010	DECOD-X	00-13-101
16-550-020	AMD-XA	00-05-090	50-12-140	AMD-XA	00-13-101	50-28-020	AMD-XA	00-13-101
16-550-020	AMD	00-10-022	50-12-140	DECOD-X	00-13-101	50-28-020	DECOD-X	00-13-101
16-555-020	AMD-XA	00-05-091	50-12-150	AMD-XA	00-13-101	50-28-030	AMD-XA	00-13-101
16-555-020	AMD	00-10-024	50-12-150	DECOD-X	00-13-101	50-28-030	DECOD-X	00-13-101
16-557	REP-C	00-08-066	50-12-160	AMD-XA	00-13-101	50-28-040	DECOD-X	00-13-101
16-557	REP-C	00-09-026	50-12-160	DECOD-X	00-13-101	50-28-050	AMD-XA	00-13-101
16-557-010	REP-C	00-07-136	50-12-170	DECOD-X	00-13-101	50-28-050	DECOD-X	00-13-101
16-557-010	REP-W	00-10-066	50-12-180	DECOD-X	00-13-101	50-28-060	AMD-XA	00-13-101
16-557-020	REP-C	00-07-136	50-12-190	DECOD-X	00-13-101	50-28-060	DECOD-X	00-13-101
16-557-020	REP-W	00-10-066	50-12-200	AMD-XA	00-13-101	50-28-070	AMD-XA	00-13-101
16-557-025	REP-C	00-07-136	50-12-200	DECOD-X	00-13-101	50-28-070	DECOD-X	00-13-101
16-557-025	REP-W	00-10-066	50-12-210	AMD-XA	00-13-101	50-28-990	AMD-XA	00-13-101
16-557-030	REP-C	00-07-136	50-12-210	DECOD-X	00-13-101	50-28-990	DECOD-X	00-13-101
16-557-030	REP-W	00-10-066	50-12-220	DECOD-X	00-13-101	50-32-010	DECOD-X	00-14-053
16-557-040	REP-C	00-07-136	50-12-230	PREP	00-13-099	50-32-020	AMD-XA	00-14-053
16-557-040	REP-W	00-10-066	50-12-230	AMD-XA	00-13-101	50-32-020	DECOD-X	00-14-053
16-557-041	REP-C	00-07-136	50-12-230	DECOD-X	00-13-101	50-32-030	AMD-XA	00-14-053
16-557-041	REP-W	00-10-066	50-12-240	DECOD-X	00-13-101	50-32-030	DECOD-X	00-14-053
16-557-050	REP-C	00-07-136	50-12-250	AMD-XA	00-13-101	50-32-040	AMD-XA	00-14-053
16-557-050	REP-W	00-10-066	50-12-250	DECOD-X	00-13-101	50-32-040	DECOD-X	00-14-053
16-557-060	REP-C	00-07-136	50-12-260	DECOD-X	00-13-101	50-32-050	DECOD-X	00-14-053
16-557-060	REP-W	00-10-066	50-12-270	DECOD-X	00-13-101	50-32-060	DECOD-X	00-14-053
16-557-070	REP-C	00-07-136	50-12-280	DECOD-X	00-13-101	50-32-070	DECOD-X	00-14-053
16-557-070	REP-W	00-10-066	50-12-290	DECOD-X	00-13-101	50-32-080	DECOD-X	00-14-053
16-557-080	REP-C	00-07-136	50-12-300	DECOD-X	00-13-101	50-32-090	AMD-XA	00-14-053
16-557-080	REP-W	00-10-066	50-12-310	AMD-XA	00-13-101	50-32-090	DECOD-X	00-14-053
16-565-020	AMD-XA	00-05-092	50-12-310	DECOD-X	00-13-101	50-32-100	DECOD-X	00-14-053
16-565-020	AMD	00-10-023	50-12-320	DECOD-X	00-13-101	50-32-99001	AMD-XA	00-14-053
16-570	PREP	00-10-109	50-12-330	DECOD-X	00-13-101	50-32-99001	DECOD-X	00-14-053
16-573	PREP	00-10-108	50-12-340	DECOD-X	00-13-101	50-32-99002	AMD-XA	00-14-053
16-622	PREP	00-12-007	50-12-350	AMD-XA	00-13-101	50-32-99002	DECOD-X	00-14-053
16-662-105	AMD-P	00-09-090	50-12-350	DECOD-X	00-13-101	50-32-99003	AMD-XA	00-14-053
16-662-105	AMD	00-14-005	50-12-360	DECOD-X	00-13-101	50-32-99003	DECOD-X	00-14-053
16-663	PREP	00-13-078	50-12-370	AMD-XA	00-13-101	50-36-010	DECOD-X	00-13-101
16-664	PREP	00-13-080	50-12-370	DECOD-X	00-13-101	50-36-020	AMD-XA	00-13-101
16-674	PREP	00-13-079	50-14-010	AMD-XA	00-13-101	50-36-020	DECOD-X	00-13-101
16-750	PREP	00-13-002	50-14-010	DECOD-X	00-13-101	50-36-030	DECOD-X	00-13-101
25-48	PREP	00-11-170	50-14-020	AMD-XA	00-13-101	50-36-040	DECOD-X	00-13-101
44-10-010	AMD	00-08-068	50-14-020	DECOD-X	00-13-101	50-36-050	AMD-XA	00-13-101
44-10-170	AMD	00-08-068	50-14-030	AMD-XA	00-13-101	50-36-050	DECOD-X	00-13-101
44-10-200	AMD	00-08-068	50-14-030	DECOD-X	00-13-101	50-36-060	DECOD-X	00-13-101
50-12-020	DECOD-X	00-13-101	50-14-040	AMD-XA	00-13-101	50-36-070	DECOD-X	00-13-101
50-12-030	AMD-XA	00-13-101	50-14-040	DECOD-X	00-13-101	50-36-080	AMD-XA	00-13-101
50-12-030	DECOD-X	00-13-101	50-14-050	AMD-XA	00-13-101	50-36-080	DECOD-X	00-13-101
50-12-045	AMD-XA	00-13-101	50-14-050	DECOD-X	00-13-101	50-36-090	AMD-XA	00-13-101
50-12-045	DECOD-X	00-13-101	50-14-060	AMD-XA	00-13-101	50-36-090	DECOD-X	00-13-101
50-12-050	DECOD-X	00-13-101	50-14-060	DECOD-X	00-13-101	50-36-100	DECOD-X	00-13-101
50-12-060	AMD-XA	00-13-101	50-14-070	AMD-XA	00-13-101	50-36-110	DECOD-X	00-13-101
50-12-060	DECOD-X	00-13-101	50-14-070	DECOD-X	00-13-101	50-36-120	DECOD-X	00-13-101

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
50- 44-005	AMD-XA	00-13-101	118- 06-040	REP	00-05-011	132E-120-370	NEW-P	00-06-063
50- 44-005	DECOD-X	00-13-101	118- 06-050	REP	00-05-011	132E-120-380	NEW-P	00-06-063
50- 44-010	AMD-XA	00-13-101	118- 06-060	REP	00-05-011	132E-120-390	NEW-P	00-06-063
50- 44-010	DECOD-X	00-13-101	118- 06-070	REP	00-05-011	132E-120-400	NEW-P	00-06-063
50- 44-020	AMD-XA	00-13-101	118- 06-080	REP	00-05-011	132E-120-410	NEW-P	00-06-063
50- 44-020	DECOD-X	00-13-101	118- 07-010	REP	00-05-011	132E-121-010	AMD-P	00-06-063
50- 44-025	DECOD-X	00-13-101	118- 07-020	REP	00-05-011	132E-121-010	DECOD-P	00-06-063
50- 44-030	AMD-XA	00-13-101	118- 07-030	REP	00-05-011	132E-124-020	AMD-P	00-06-063
50- 44-030	DECOD-X	00-13-101	118- 07-040	REP	00-05-011	132E-124-020	DECOD-P	00-06-063
50- 44-037	DECOD-X	00-13-101	118- 07-050	REP	00-05-011	132G-276-010	AMD-P	00-02-074
50- 44-039	DECOD-X	00-13-101	118- 07-060	REP	00-05-011	132G-276-010	AMD-S	00-06-074
50- 44-050	AMD-XA	00-13-101	118- 08-010	REP	00-05-011	132G-276-010	AMD	00-10-048
50- 44-050	DECOD-X	00-13-101	118- 08-020	REP	00-05-011	132G-276-020	AMD-P	00-02-074
50- 44-060	AMD-XA	00-13-101	118- 08-030	REP	00-05-011	132G-276-020	AMD-S	00-06-074
50- 44-060	DECOD-X	00-13-101	118- 08-040	REP	00-05-011	132G-276-020	AMD	00-10-048
50- 48-010	AMD-XA	00-13-101	118- 08-050	REP	00-05-011	132G-276-030	REP-P	00-02-074
50- 48-010	DECOD-X	00-13-101	118- 08-060	REP	00-05-011	132G-276-030	REP-S	00-06-074
50- 48-020	AMD-XA	00-13-101	118- 08-070	REP	00-05-011	132G-276-030	REP	00-10-048
50- 48-020	DECOD-X	00-13-101	131- 16	PREP	00-08-029	132G-276-040	REP-P	00-02-074
50- 48-030	AMD-XA	00-13-101	131- 16-021	AMD-E	00-09-050	132G-276-040	REP-S	00-06-074
50- 48-030	DECOD-X	00-13-101	131- 16-021	AMD-P	00-10-099	132G-276-040	REP	00-10-048
50- 48-040	DECOD-X	00-13-101	131- 16-021	AMD	00-14-017	132G-276-050	AMD-P	00-02-074
50- 48-050	DECOD-X	00-13-101	131- 16-031	AMD-E	00-09-050	132G-276-050	AMD-S	00-06-074
50- 48-060	AMD-XA	00-13-101	131- 16-031	AMD-P	00-10-099	132G-276-050	AMD	00-10-048
50- 48-060	DECOD-X	00-13-101	131- 16-031	AMD	00-14-017	132G-276-060	AMD-P	00-02-074
50- 48-070	AMD-XA	00-13-101	131- 16-450	PREP	00-07-128	132G-276-060	AMD-S	00-06-074
50- 48-070	DECOD-X	00-13-101	131- 16-450	AMD-E	00-14-016	132G-276-060	AMD	00-10-048
50- 48-080	DECOD-X	00-13-101	132E-120	PREP	00-02-082	132G-276-080	AMD-P	00-02-074
50- 48-090	AMD-XA	00-13-101	132E-120	AMD-P	00-06-063	132G-276-080	AMD-S	00-06-074
50- 48-090	DECOD-X	00-13-101	132E-120-010	DECOD-P	00-06-063	132G-276-080	AMD	00-10-048
50- 48-100	AMD-XA	00-13-101	132E-120-020	AMD-P	00-06-063	132G-276-090	AMD-P	00-02-074
50- 48-100	DECOD-X	00-13-101	132E-120-020	DECOD-P	00-06-063	132G-276-090	AMD-S	00-06-074
50- 56-010	AMD-XA	00-13-101	132E-120-030	AMD-P	00-06-063	132G-276-090	AMD	00-10-048
50- 56-010	DECOD-X	00-13-101	132E-120-030	DECOD-P	00-06-063	132G-276-100	AMD-P	00-02-074
50- 56-020	AMD-XA	00-13-101	132E-120-040	AMD-P	00-06-063	132G-276-100	AMD-S	00-06-074
50- 56-020	DECOD-X	00-13-101	132E-120-040	DECOD-P	00-06-063	132G-276-100	AMD	00-10-048
50- 56-030	AMD-XA	00-13-101	132E-120-110	NEW-P	00-06-063	132G-276-110	AMD-P	00-02-074
50- 56-030	DECOD-X	00-13-101	132E-120-120	NEW-P	00-06-063	132G-276-110	AMD-S	00-06-074
50- 56-040	AMD-XA	00-13-101	132E-120-130	NEW-P	00-06-063	132G-276-110	AMD	00-10-048
50- 56-040	DECOD-X	00-13-101	132E-120-140	NEW-P	00-06-063	132G-276-120	AMD-P	00-02-074
50- 56-050	AMD-XA	00-13-101	132E-120-150	NEW-P	00-06-063	132G-276-120	AMD-S	00-06-074
50- 56-050	DECOD-X	00-13-101	132E-120-160	RECOD-P	00-06-063	132G-276-120	AMD	00-10-048
50- 56-060	AMD-XA	00-13-101	132E-120-170	RECOD-P	00-06-063	132G-276-130	AMD-P	00-02-074
50- 56-060	DECOD-X	00-13-101	132E-120-180	RECOD-P	00-06-063	132G-276-130	AMD-S	00-06-074
50- 56-070	AMD-XA	00-13-101	132E-120-190	RECOD-P	00-06-063	132G-276-130	AMD	00-10-048
50- 56-070	DECOD-X	00-13-101	132E-120-200	NEW-P	00-06-063	132G-276-900	AMD-P	00-02-074
50- 56-080	AMD-XA	00-13-101	132E-120-210	NEW-P	00-06-063	132G-276-900	AMD-S	00-06-074
50- 56-080	DECOD-X	00-13-101	132E-120-220	RECOD-P	00-06-063	132G-276-900	AMD	00-10-048
82- 50-021	AMD-XA	00-05-016	132E-120-230	RECOD-P	00-06-063	132H-121-010	AMD-E	00-14-002
82- 50-021	AMD	00-09-088	132E-120-240	NEW-P	00-06-063	132H-160-182	AMD	00-11-102
112- 10-010	AMD	00-05-036	132E-120-250	NEW-P	00-06-063	132L- 20-010	REP	00-07-113
112- 10-020	AMD	00-05-036	132E-120-260	NEW-P	00-06-063	132L- 20-030	REP	00-07-113
112- 10-030	AMD	00-05-036	132E-120-270	NEW-P	00-06-063	132L- 20-050	REP	00-07-113
112- 10-040	AMD	00-05-036	132E-120-280	NEW-P	00-06-063	132L- 20-070	REP	00-07-113
112- 10-050	AMD	00-05-036	132E-120-290	NEW-P	00-06-063	132L- 20-080	REP	00-07-113
112- 10-060	AMD	00-05-036	132E-120-300	NEW-P	00-06-063	132L- 20-130	REP	00-07-113
112- 10-070	NEW	00-05-036	132E-120-310	NEW-P	00-06-063	132L- 20-135	REP	00-07-113
112- 10-080	NEW	00-05-036	132E-120-320	NEW-P	00-06-063	132L- 20-140	REP	00-07-113
118- 03-330	REP	00-05-012	132E-120-330	NEW-P	00-06-063	132L- 22-020	REP	00-07-113
118- 06-010	REP	00-05-011	132E-120-340	NEW-P	00-06-063	132L- 22-060	REP	00-07-113
118- 06-020	REP	00-05-011	132E-120-350	NEW-P	00-06-063	132L- 22-070	REP	00-07-113
118- 06-030	REP	00-05-011	132E-120-360	NEW-P	00-06-063	132L- 22-080	REP	00-07-113

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132L-24-010	REP	00-07-113	132Q-04-085	REP	00-14-007	132Q-20-010	AMD	00-14-007
132L-24-020	REP	00-07-113	132Q-04-090	REP-P	00-08-075	132Q-20-020	AMD-P	00-08-075
132L-24-030	REP	00-07-113	132Q-04-090	REP	00-14-007	132Q-20-020	AMD	00-14-007
132L-24-090	REP	00-07-113	132Q-04-094	REP-P	00-08-075	132Q-20-040	AMD-P	00-08-075
132L-25-010	REP	00-07-113	132Q-04-094	REP	00-14-007	132Q-20-040	AMD	00-14-007
132L-120-010	AMD	00-07-113	132Q-04-095	REP-P	00-08-075	132Q-20-060	AMD-P	00-08-075
132L-120-015	NEW	00-07-113	132Q-04-095	REP	00-14-007	132Q-20-060	AMD	00-14-007
132L-120-020	AMD	00-07-113	132Q-04-096	REP-P	00-08-075	132Q-20-080	AMD-P	00-08-075
132L-120-030	NEW	00-07-113	132Q-04-096	REP	00-14-007	132Q-20-080	AMD	00-14-007
132L-120-040	NEW	00-07-113	132Q-04-100	AMD-P	00-08-075	132Q-20-090	AMD-P	00-08-075
132L-120-070	NEW	00-07-113	132Q-04-100	AMD	00-14-007	132Q-20-090	AMD	00-14-007
132L-120-080	NEW	00-07-113	132Q-04-110	AMD-P	00-08-075	132Q-20-110	AMD-P	00-08-075
132L-120-090	NEW	00-07-113	132Q-04-110	AMD	00-14-007	132Q-20-110	AMD	00-14-007
132L-120-100	NEW	00-07-113	132Q-04-120	AMD-P	00-08-075	132Q-20-130	AMD-P	00-08-075
132L-120-110	NEW	00-07-113	132Q-04-120	AMD	00-14-007	132Q-20-130	AMD	00-14-007
132L-120-120	NEW	00-07-113	132Q-04-130	AMD-P	00-08-075	132Q-20-150	AMD-P	00-08-075
132L-120-130	NEW	00-07-113	132Q-04-130	AMD	00-14-007	132Q-20-150	AMD	00-14-007
132L-120-140	NEW	00-07-113	132Q-04-140	AMD-P	00-08-075	132Q-20-160	AMD-P	00-08-075
132L-120-150	NEW	00-07-113	132Q-04-140	AMD	00-14-007	132Q-20-160	AMD	00-14-007
132L-120-160	NEW	00-07-113	132Q-04-150	AMD-P	00-08-075	132Q-20-170	AMD-P	00-08-075
132L-120-170	NEW	00-07-113	132Q-04-150	AMD	00-14-007	132Q-20-170	AMD	00-14-007
132L-120-180	NEW	00-07-113	132Q-04-170	AMD-P	00-08-075	132Q-20-180	AMD-P	00-08-075
132L-120-190	NEW	00-07-113	132Q-04-170	AMD	00-14-007	132Q-20-180	AMD	00-14-007
132L-120-200	NEW	00-07-113	132Q-04-180	AMD-P	00-08-075	132Q-20-200	AMD-P	00-08-075
132L-120-210	NEW	00-07-113	132Q-04-180	AMD	00-14-007	132Q-20-200	AMD	00-14-007
132L-120-220	NEW	00-07-113	132Q-04-190	AMD-P	00-08-075	132Q-20-210	AMD-P	00-08-075
132N-156	PREP	00-10-043	132Q-04-190	AMD	00-14-007	132Q-20-210	AMD	00-14-007
132Q-04-010	AMD-P	00-08-075	132Q-04-200	AMD-P	00-08-075	132Q-20-220	AMD-P	00-08-075
132Q-04-010	AMD	00-14-007	132Q-04-200	AMD	00-14-007	132Q-20-220	AMD	00-14-007
132Q-04-020	AMD-P	00-08-075	132Q-04-210	AMD-P	00-08-075	132Q-20-240	AMD-P	00-08-075
132Q-04-020	AMD	00-14-007	132Q-04-210	AMD	00-14-007	132Q-20-240	AMD	00-14-007
132Q-04-031	NEW-P	00-08-075	132Q-04-240	AMD-P	00-08-075	132Q-20-250	AMD-P	00-08-075
132Q-04-031	NEW	00-14-007	132Q-04-240	AMD	00-14-007	132Q-20-250	AMD	00-14-007
132Q-04-035	REP-P	00-08-075	132Q-04-250	AMD-P	00-08-075	132Q-20-260	AMD-P	00-08-075
132Q-04-035	REP	00-14-007	132Q-04-250	AMD	00-14-007	132Q-20-260	AMD	00-14-007
132Q-04-040	REP-P	00-08-075	132Q-04-260	AMD-P	00-08-075	132Q-20-270	AMD-P	00-08-075
132Q-04-040	REP	00-14-007	132Q-04-260	AMD	00-14-007	132Q-20-270	AMD	00-14-007
132Q-04-050	REP-P	00-08-075	132Q-04-280	AMD-P	00-08-075	132Q-94-010	AMD-P	00-08-075
132Q-04-050	REP	00-14-007	132Q-04-280	AMD	00-14-007	132Q-94-010	AMD	00-14-007
132Q-04-060	REP-P	00-08-075	132Q-05-010	AMD-P	00-08-075	132Q-94-020	AMD-P	00-08-075
132Q-04-060	REP	00-14-007	132Q-05-010	AMD	00-14-007	132Q-94-020	AMD	00-14-007
132Q-04-061	REP-P	00-08-075	132Q-05-020	AMD-P	00-08-075	132Q-94-030	AMD-P	00-08-075
132Q-04-061	REP	00-14-007	132Q-05-020	AMD	00-14-007	132Q-94-030	AMD	00-14-007
132Q-04-067	REP-P	00-08-075	132Q-05-033	AMD-P	00-08-075	132Q-94-125	AMD-P	00-08-075
132Q-04-067	REP	00-14-007	132Q-05-033	AMD	00-14-007	132Q-94-125	AMD	00-14-007
132Q-04-068	REP-P	00-08-075	132Q-05-036	AMD-P	00-08-075	132Q-94-150	AMD-P	00-08-075
132Q-04-068	REP	00-14-007	132Q-05-036	AMD	00-14-007	132Q-94-150	AMD	00-14-007
132Q-04-070	REP-P	00-08-075	132Q-05-040	AMD-P	00-08-075	132S-40-005	AMD-P	00-12-010
132Q-04-070	REP	00-14-007	132Q-05-040	AMD	00-14-007	132S-40-010	REP-P	00-12-010
132Q-04-075	REP-P	00-08-075	132Q-05-050	AMD-P	00-08-075	132S-40-015	REP-P	00-12-010
132Q-04-075	REP	00-14-007	132Q-05-050	AMD	00-14-007	132S-40-020	REP-P	00-12-010
132Q-04-076	AMD-P	00-08-075	132Q-05-060	AMD-P	00-08-075	132S-40-025	REP-P	00-12-010
132Q-04-076	AMD	00-14-007	132Q-05-060	AMD	00-14-007	132S-40-030	REP-P	00-12-010
132Q-04-080	REP-P	00-08-075	132Q-05-070	AMD-P	00-08-075	132S-40-035	REP-P	00-12-010
132Q-04-080	REP	00-14-007	132Q-05-070	AMD	00-14-007	132S-40-040	REP-P	00-12-010
132Q-04-081	REP-P	00-08-075	132Q-05-080	AMD-P	00-08-075	132S-40-045	REP-P	00-12-010
132Q-04-081	REP	00-14-007	132Q-05-080	AMD	00-14-007	132S-40-046	REP-P	00-12-010
132Q-04-082	REP-P	00-08-075	132Q-05-090	AMD-P	00-08-075	132S-40-055	REP-P	00-12-010
132Q-04-082	REP	00-14-007	132Q-05-090	AMD	00-14-007	132S-40-060	REP-P	00-12-010
132Q-04-083	REP-P	00-08-075	132Q-05-100	AMD-P	00-08-075	132S-40-065	REP-P	00-12-010
132Q-04-083	REP	00-14-007	132Q-05-100	AMD	00-14-007	132S-40-070	REP-P	00-12-010
132Q-04-085	REP-P	00-08-075	132Q-20-010	AMD-P	00-08-075	132S-40-075	REP-P	00-12-010

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132S- 40-080	REP-P	00-12-010	132X- 60-037	NEW	00-05-023	137- 28-220	AMD-P	00-07-048
132S- 40-140	REP-P	00-12-010	132X- 60-040	AMD	00-05-023	137- 28-220	AMD	00-10-079
132S- 40-145	REP-P	00-12-010	132X- 60-045	NEW	00-05-023	137- 28-230	AMD-P	00-07-048
132S- 40-150	REP-P	00-12-010	132X- 60-046	NEW	00-05-023	137- 28-230	AMD	00-10-079
132S- 40-155	REP-P	00-12-010	132X- 60-050	AMD	00-05-023	137- 28-260	AMD-P	00-07-048
132S- 40-160	NEW-P	00-12-010	132X- 60-060	AMD	00-05-023	137- 28-260	AMD	00-10-079
132S- 40-165	NEW-P	00-12-010	132X- 60-065	NEW	00-05-023	137- 28-270	AMD-P	00-07-048
132S- 40-170	NEW-P	00-12-010	132X- 60-075	NEW	00-05-023	137- 28-270	AMD	00-10-079
132S- 40-175	NEW-P	00-12-010	132X- 60-080	AMD	00-05-023	137- 28-290	AMD-P	00-07-048
132S- 40-180	NEW-P	00-12-010	132X- 60-090	AMD	00-05-023	137- 28-290	AMD	00-10-079
132S- 40-185	NEW-P	00-12-010	132X- 60-100	AMD	00-05-023	137- 28-300	AMD-P	00-07-048
132S- 40-190	NEW-P	00-12-010	132X- 60-110	AMD	00-05-023	137- 28-300	AMD	00-10-079
132S- 40-195	NEW-P	00-12-010	132X- 60-120	AMD	00-05-023	137- 28-310	AMD-P	00-07-048
132S- 40-200	NEW-P	00-12-010	132X- 60-130	AMD	00-05-023	137- 28-310	AMD	00-10-079
132S- 40-210	NEW-P	00-12-010	132X- 60-140	AMD	00-05-023	137- 28-320	REP-P	00-07-048
132X- 10-010	AMD	00-05-023	132X- 60-150	AMD	00-05-023	137- 28-320	REP	00-10-079
132X- 10-030	AMD	00-05-023	132X- 60-160	AMD	00-05-023	137- 28-350	AMD-P	00-07-048
132X- 10-050	AMD	00-05-023	132X- 60-170	AMD	00-05-023	137- 28-350	AMD	00-10-079
132X- 10-060	AMD	00-05-023	132X- 60-178	NEW	00-05-023	137- 28-380	AMD-P	00-07-048
132X- 10-080	AMD	00-05-023	132X- 60-180	AMD	00-05-023	137- 28-380	AMD	00-10-079
132X- 10-100	AMD	00-05-023	132Z-104-010	REP-XR	00-11-018	137- 28-420	AMD-P	00-07-048
132X- 10-110	AMD	00-05-023	132Z-112-010	NEW-P	00-07-121	137- 28-420	AMD	00-10-079
132X- 20-010	REP	00-05-022	132Z-112-020	NEW-P	00-07-121	137- 32-002	AMD	00-09-063
132X- 20-020	REP	00-05-022	132Z-112-030	NEW-P	00-07-121	137- 32-005	AMD	00-09-063
132X- 20-030	REP	00-05-022	132Z-112-040	NEW-P	00-07-121	137- 32-010	AMD	00-09-063
132X- 20-040	REP	00-05-022	132Z-112-050	NEW-P	00-07-121	137- 32-015	AMD	00-09-063
132X- 20-050	REP	00-05-022	132Z-115-010	NEW-P	00-07-121	137- 32-020	AMD	00-09-063
132X- 20-060	REP	00-05-022	132Z-115-020	NEW-P	00-07-121	137- 32-025	AMD	00-09-063
132X- 20-070	REP	00-05-022	132Z-115-030	NEW-P	00-07-121	137- 32-030	AMD	00-09-063
132X- 20-080	REP	00-05-022	132Z-115-040	NEW-P	00-07-121	137- 32-035	AMD	00-09-063
132X- 20-090	REP	00-05-022	132Z-115-050	NEW-P	00-07-121	137- 32-045	AMD	00-09-063
132X- 20-100	REP	00-05-022	132Z-115-060	NEW-P	00-07-121	137-125-005	NEW-E	00-05-044
132X- 20-110	REP	00-05-022	132Z-115-070	NEW-P	00-07-121	137-125-010	NEW-E	00-05-044
132X- 20-120	REP	00-05-022	132Z-115-080	NEW-P	00-07-121	137-125-015	NEW-E	00-05-044
132X- 20-130	REP	00-05-022	132Z-115-090	NEW-P	00-07-121	137-125-040	NEW-E	00-05-044
132X- 30-040	AMD	00-05-023	132Z-115-100	NEW-P	00-07-121	137-125-042	NEW-E	00-05-044
132X- 40-020	AMD	00-05-023	132Z-115-110	NEW-P	00-07-121	137-125-044	NEW-E	00-05-044
132X- 50-020	AMD	00-05-023	132Z-115-120	NEW-P	00-07-121	137-125-046	NEW-E	00-05-044
132X- 50-030	AMD	00-05-023	132Z-115-130	NEW-P	00-07-121	137-125-048	NEW-E	00-05-044
132X- 50-040	AMD	00-05-023	132Z-115-140	NEW-P	00-07-121	137-125-052	NEW-E	00-05-044
132X- 50-050	AMD	00-05-023	132Z-115-150	NEW-P	00-07-121	137-125-054	NEW-E	00-05-044
132X- 50-060	AMD	00-05-023	132Z-115-160	NEW-P	00-07-121	137-125-060	NEW-E	00-05-044
132X- 50-080	AMD	00-05-023	132Z-115-170	NEW-P	00-07-121	137-125-070	NEW-E	00-05-044
132X- 50-110	AMD	00-05-023	132Z-115-180	NEW-P	00-07-121	137-125-072	NEW-E	00-05-044
132X- 50-120	AMD	00-05-023	132Z-115-190	NEW-P	00-07-121	137-125-076	NEW-E	00-05-044
132X- 50-130	AMD	00-05-023	132Z-115-200	NEW-P	00-07-121	137-125-078	NEW-E	00-05-044
132X- 50-140	AMD	00-05-023	132Z-115-210	NEW-P	00-07-121	137-125-090	NEW-E	00-05-044
132X- 50-150	AMD	00-05-023	132Z-115-220	NEW-P	00-07-121	137-125-095	NEW-E	00-05-044
132X- 50-160	AMD	00-05-023	132Z-115-230	NEW-P	00-07-121	137-125-100	NEW-E	00-05-044
132X- 50-170	AMD	00-05-023	136- 10-035	NEW-P	00-12-003	137-125-105	NEW-E	00-05-044
132X- 50-180	AMD	00-05-023	136-150-022	AMD-P	00-12-004	137-125-110	NEW-E	00-05-044
132X- 50-190	AMD	00-05-023	136-167-020	AMD	00-05-043	137-125-115	NEW-E	00-05-044
132X- 50-210	AMD	00-05-023	136-167-030	AMD	00-05-043	137-125-120	NEW-E	00-05-044
132X- 50-230	AMD	00-05-023	137- 28	PREP	00-02-070	137-125-125	NEW-E	00-05-044
132X- 50-240	AMD	00-05-023	137- 28-140	AMD-P	00-07-048	137-125-130	NEW-E	00-05-044
132X- 50-260	AMD	00-05-023	137- 28-140	AMD	00-10-079	137-125-135	NEW-E	00-05-044
132X- 50-270	AMD	00-05-023	137- 28-160	AMD-P	00-07-048	137-125-140	NEW-E	00-05-044
132X- 50-280	AMD	00-05-023	137- 28-160	AMD	00-10-079	137-125-195	NEW-E	00-05-044
132X- 60-010	AMD	00-05-023	137- 28-170	AMD-P	00-07-048	137-130-005	NEW-E	00-05-045
132X- 60-015	NEW	00-05-023	137- 28-170	AMD	00-10-079	137-130-010	NEW-E	00-05-045
132X- 60-020	AMD	00-05-023	137- 28-185	NEW-P	00-07-048	137-130-020	NEW-E	00-05-045
132X- 60-035	NEW	00-05-023	137- 28-185	NEW	00-10-079	137-130-030	NEW-E	00-05-045

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137-130-040	NEW-E	00-05-045	139- 02-050	NEW-P	00-07-097	173- 24-050	AMD-XA	00-14-032
137-130-050	NEW-E	00-05-045	139- 02-060	NEW-P	00-07-097	173- 24-060	AMD-XA	00-14-032
137-130-060	NEW-E	00-05-045	139- 02-070	NEW-P	00-07-097	173- 24-070	AMD-XA	00-14-032
137-130-070	NEW-E	00-05-045	139- 02-080	NEW-P	00-07-097	173- 24-080	AMD-XA	00-14-032
137-130-080	NEW-E	00-05-045	139- 02-090	NEW-P	00-07-097	173- 24-090	AMD-XA	00-14-032
137-130-090	NEW-E	00-05-045	139- 02-100	NEW-P	00-07-097	173- 24-100	AMD-XA	00-14-032
137-130-100	NEW-E	00-05-045	139- 02-110	NEW-P	00-07-097	173- 24-110	AMD-XA	00-14-032
137-130-110	NEW-E	00-05-045	139- 03-010	NEW-P	00-07-097	173- 24-120	AMD-XA	00-14-032
137-130-120	NEW-E	00-05-045	139- 03-020	NEW-P	00-07-097	173- 24-125	AMD-XA	00-14-032
137-130-130	NEW-E	00-05-045	139- 03-030	NEW-P	00-07-097	173- 24-130	AMD-XA	00-14-032
137-130-140	NEW-E	00-05-045	139- 03-040	NEW-P	00-07-097	173- 24-140	AMD-XA	00-14-032
137-130-150	NEW-E	00-05-045	139- 03-050	NEW-P	00-07-097	173- 24-150	AMD-XA	00-14-032
139- 01	PREP	00-04-048	139- 03-060	NEW-P	00-07-097	173- 26-010	AMD-P	00-11-175
139- 01-100	AMD-P	00-07-097	139- 03-070	NEW-P	00-07-097	173- 26-020	AMD-P	00-11-175
139- 01-110	REP-P	00-07-097	139- 03-080	NEW-P	00-07-097	173- 26-105	NEW-P	00-11-175
139- 01-320	REP-P	00-07-097	139- 05	PREP	00-04-048	173- 26-170	NEW-P	00-11-175
139- 01-330	REP-P	00-07-097	139- 05-200	AMD-P	00-07-097	173- 26-180	NEW-P	00-11-175
139- 01-410	REP-P	00-07-097	139- 05-210	AMD-P	00-07-097	173- 26-190	NEW-P	00-11-175
139- 01-415	REP-P	00-07-097	139- 05-220	AMD-P	00-07-097	173- 26-200	NEW-P	00-11-175
139- 01-420	REP-P	00-07-097	139- 05-230	AMD-P	00-07-097	173- 26-210	NEW-P	00-11-175
139- 01-425	REP-P	00-07-097	139- 05-240	AMD-P	00-07-097	173- 26-220	NEW-P	00-11-175
139- 01-430	REP-P	00-07-097	139- 05-242	AMD-P	00-07-097	173- 26-230	NEW-P	00-11-175
139- 01-435	REP-P	00-07-097	139- 05-250	AMD-P	00-07-097	173- 26-240	NEW-P	00-11-175
139- 01-440	REP-P	00-07-097	139- 05-810	AMD-P	00-07-097	173- 26-250	NEW-P	00-11-175
139- 01-445	REP-P	00-07-097	139- 05-912	AMD-P	00-07-097	173- 26-270	NEW-P	00-11-175
139- 01-450	REP-P	00-07-097	139- 05-915	AMD-P	00-07-097	173- 26-280	NEW-P	00-11-175
139- 01-455	REP-P	00-07-097	139- 10	PREP	00-04-048	173- 26-290	NEW-P	00-11-175
139- 01-460	REP-P	00-07-097	139- 10-210	AMD-P	00-07-097	173- 26-300	NEW-P	00-11-175
139- 01-465	REP-P	00-07-097	139- 10-212	AMD-P	00-07-097	173- 26-310	NEW-P	00-11-175
139- 01-470	REP-P	00-07-097	139- 10-215	AMD-P	00-07-097	173- 26-320	NEW-P	00-11-175
139- 01-475	REP-P	00-07-097	139- 10-220	AMD-P	00-07-097	173- 26-330	NEW-P	00-11-175
139- 01-510	REP-P	00-07-097	139- 10-221	NEW-P	00-07-097	173- 26-340	NEW-P	00-11-175
139- 01-515	REP-P	00-07-097	139- 10-222	AMD-P	00-07-097	173- 26-350	NEW-P	00-11-175
139- 01-520	REP-P	00-07-097	139- 10-230	AMD-P	00-07-097	173- 26-360	NEW-P	00-11-175
139- 01-525	REP-P	00-07-097	139- 10-235	AMD-P	00-07-097	173- 95A	PREP	00-11-031
139- 01-530	REP-P	00-07-097	139- 10-236	NEW-P	00-07-097	173- 98	PREP	00-11-032
139- 01-535	REP-P	00-07-097	139- 10-237	AMD-P	00-07-097	173- 98-030	AMD-XA	00-04-085
139- 01-540	REP-P	00-07-097	139- 10-240	AMD-P	00-07-097	173- 98-030	AMD	00-09-010
139- 01-545	REP-P	00-07-097	139- 10-310	AMD-P	00-07-097	173-145-010	AMD-XA	00-11-065
139- 01-550	REP-P	00-07-097	139- 10-320	AMD-P	00-07-097	173-145-020	AMD-XA	00-11-065
139- 01-555	REP-P	00-07-097	139- 10-410	AMD-P	00-07-097	173-145-030	AMD-XA	00-11-065
139- 01-560	REP-P	00-07-097	139- 10-420	AMD-P	00-07-097	173-145-040	AMD-XA	00-11-065
139- 01-565	REP-P	00-07-097	139- 10-510	AMD-P	00-07-097	173-145-050	AMD-XA	00-11-065
139- 01-570	REP-P	00-07-097	139- 10-520	AMD-P	00-07-097	173-145-060	AMD-XA	00-11-065
139- 01-575	REP-P	00-07-097	139- 25	PREP	00-04-048	173-145-070	AMD-XA	00-11-065
139- 01-610	REP-P	00-07-097	139- 25-110	AMD-P	00-07-097	173-145-080	AMD-XA	00-11-065
139- 01-615	REP-P	00-07-097	173- 15-010	AMD-XA	00-11-066	173-145-090	AMD-XA	00-11-065
139- 01-620	REP-P	00-07-097	173- 15-020	AMD-XA	00-11-066	173-145-100	AMD-XA	00-11-065
139- 01-625	REP-P	00-07-097	173- 15-030	AMD-XA	00-11-066	173-145-110	AMD-XA	00-11-065
139- 01-630	REP-P	00-07-097	173- 16-010	REP-P	00-11-175	173-145-120	AMD-XA	00-11-065
139- 01-710	REP-P	00-07-097	173- 16-020	REP-P	00-11-175	173-145-130	AMD-XA	00-11-065
139- 01-715	REP-P	00-07-097	173- 16-030	REP-P	00-11-175	173-145-155	AMD-XA	00-11-065
139- 01-720	REP-P	00-07-097	173- 16-040	REP-P	00-11-175	173-181	PREP	00-05-096
139- 01-725	REP-P	00-07-097	173- 16-050	REP-P	00-11-175	173-202-010	REP-XR	00-06-038
139- 01-730	REP-P	00-07-097	173- 16-060	REP-P	00-11-175	173-202-010	REP	00-11-005
139- 01-735	REP-P	00-07-097	173- 16-064	REP-P	00-11-175	173-202-020	REP-XR	00-06-038
139- 01-810	REP-P	00-07-097	173- 16-070	REP-P	00-11-175	173-202-020	REP	00-11-005
139- 01-820	REP-P	00-07-097	173- 16-200	REP-P	00-11-175	173-224-040	AMD-XA	00-07-112
139- 02-010	NEW-P	00-07-097	173- 24-010	AMD-XA	00-14-032	173-224-040	AMD	00-13-010
139- 02-020	NEW-P	00-07-097	173- 24-020	AMD-XA	00-14-032	173-240-020	AMD-XA	00-10-054
139- 02-030	NEW-P	00-07-097	173- 24-030	AMD-XA	00-14-032	173-240-030	AMD-XA	00-10-054
139- 02-040	NEW-P	00-07-097	173- 24-040	AMD-XA	00-14-032	173-240-035	AMD-XA	00-10-054

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173-240-040	AMD-XA	00-10-054	173-303-071	AMD	00-11-040	173-303-620	AMD	00-11-040
173-240-050	AMD-XA	00-10-054	173-303-073	AMD-P	00-02-081	173-303-630	AMD-P	00-02-081
173-240-060	AMD-XA	00-10-054	173-303-073	AMD	00-11-040	173-303-630	AMD	00-11-040
173-240-070	AMD-XA	00-10-054	173-303-077	AMD-P	00-02-081	173-303-640	AMD-P	00-02-081
173-240-075	AMD-XA	00-10-054	173-303-077	AMD	00-11-040	173-303-640	AMD	00-11-040
173-240-080	AMD-XA	00-10-054	173-303-100	AMD-P	00-02-081	173-303-645	AMD-P	00-02-081
173-240-090	AMD-XA	00-10-054	173-303-100	AMD	00-11-040	173-303-645	AMD	00-11-040
173-240-095	AMD-XA	00-10-054	173-303-110	AMD-P	00-02-081	173-303-646	AMD-P	00-02-081
173-240-100	AMD-XA	00-10-054	173-303-110	AMD	00-11-040	173-303-646	AMD	00-11-040
173-240-104	AMD-XA	00-10-054	173-303-120	AMD-P	00-02-081	173-303-650	AMD-P	00-02-081
173-240-110	AMD-XA	00-10-054	173-303-120	AMD	00-11-040	173-303-650	AMD	00-11-040
173-240-120	AMD-XA	00-10-054	173-303-160	AMD-P	00-02-081	173-303-680	AMD-P	00-02-081
173-240-130	AMD-XA	00-10-054	173-303-160	AMD	00-11-040	173-303-680	AMD	00-11-040
173-240-140	AMD-XA	00-10-054	173-303-170	AMD-P	00-02-081	173-303-690	AMD-P	00-02-081
173-240-150	AMD-XA	00-10-054	173-303-170	AMD	00-11-040	173-303-690	AMD	00-11-040
173-240-160	AMD-XA	00-10-054	173-303-180	AMD-P	00-02-081	173-303-691	AMD-P	00-02-081
173-240-170	AMD-XA	00-10-054	173-303-180	AMD	00-11-040	173-303-691	AMD	00-11-040
173-240-180	AMD-XA	00-10-054	173-303-190	AMD-P	00-02-081	173-303-692	NEW-P	00-02-081
173-245-010	AMD-XA	00-09-025	173-303-190	AMD	00-11-040	173-303-692	NEW	00-11-040
173-245-015	AMD-XA	00-09-025	173-303-200	AMD-P	00-02-081	173-303-693	NEW-P	00-02-081
173-245-020	AMD-XA	00-09-025	173-303-200	AMD	00-11-040	173-303-693	NEW	00-11-040
173-245-030	AMD-XA	00-09-025	173-303-201	AMD-P	00-02-081	173-303-800	AMD-P	00-02-081
173-245-040	AMD-XA	00-09-025	173-303-201	AMD	00-11-040	173-303-800	AMD	00-11-040
173-245-050	AMD-XA	00-09-025	173-303-240	AMD-P	00-02-081	173-303-803	NEW-P	00-02-081
173-245-055	AMD-XA	00-09-025	173-303-240	AMD	00-11-040	173-303-803	NEW	00-11-040
173-245-060	AMD-XA	00-09-025	173-303-280	AMD-P	00-02-081	173-303-804	AMD-P	00-02-081
173-245-070	AMD-XA	00-09-025	173-303-280	AMD	00-11-040	173-303-804	AMD	00-11-040
173-245-075	AMD-XA	00-09-025	173-303-281	AMD-P	00-02-081	173-303-805	AMD-P	00-02-081
173-245-080	AMD-XA	00-09-025	173-303-281	AMD	00-11-040	173-303-805	AMD	00-11-040
173-245-084	AMD-XA	00-09-025	173-303-300	AMD-P	00-02-081	173-303-806	AMD-P	00-02-081
173-245-090	AMD-XA	00-09-025	173-303-300	AMD	00-11-040	173-303-806	AMD	00-11-040
173-300-010	AMD-XA	00-13-021	173-303-320	AMD-P	00-02-081	173-303-807	AMD-P	00-02-081
173-300-020	AMD-XA	00-13-021	173-303-320	AMD	00-11-040	173-303-807	AMD	00-11-040
173-300-030	AMD-XA	00-13-021	173-303-360	AMD-P	00-02-081	173-303-810	AMD-P	00-02-081
173-300-050	AMD-XA	00-13-021	173-303-360	AMD	00-11-040	173-303-810	AMD	00-11-040
173-300-060	AMD-XA	00-13-021	173-303-370	AMD-P	00-02-081	173-303-830	AMD-P	00-02-081
173-300-070	AMD-XA	00-13-021	173-303-370	AMD	00-11-040	173-303-830	AMD	00-11-040
173-300-080	AMD-XA	00-13-021	173-303-380	AMD-P	00-02-081	173-303-840	AMD-P	00-02-081
173-300-090	AMD-XA	00-13-021	173-303-380	AMD	00-11-040	173-303-840	AMD	00-11-040
173-300-100	AMD-XA	00-13-021	173-303-390	AMD-P	00-02-081	173-303-9904	AMD-P	00-02-081
173-300-110	AMD-XA	00-13-021	173-303-390	AMD	00-11-040	173-303-9904	AMD	00-11-040
173-300-120	AMD-XA	00-13-021	173-303-400	AMD-P	00-02-081	173-303-9907	AMD-P	00-02-081
173-300-130	AMD-XA	00-13-021	173-303-400	AMD	00-11-040	173-303-9907	AMD	00-11-040
173-300-140	AMD-XA	00-13-021	173-303-505	AMD-P	00-02-081	173-305-010	AMD-XA	00-10-053
173-300-150	AMD-XA	00-13-021	173-303-505	AMD	00-11-040	173-305-015	AMD-XA	00-10-053
173-300-160	AMD-XA	00-13-021	173-303-510	AMD-P	00-02-081	173-305-020	AMD-XA	00-10-053
173-300-170	AMD-XA	00-13-021	173-303-510	AMD	00-11-040	173-305-040	AMD-XA	00-10-053
173-300-180	AMD-XA	00-13-021	173-303-515	AMD-P	00-02-081	173-305-050	AMD-XA	00-10-053
173-303	AMD-C	00-11-039	173-303-515	AMD	00-11-040	173-305-110	AMD-XA	00-10-053
173-303-010	AMD-P	00-02-081	173-303-520	AMD-P	00-02-081	173-305-120	AMD-XA	00-10-053
173-303-010	AMD	00-11-040	173-303-520	AMD	00-11-040	173-305-210	AMD-XA	00-10-053
173-303-016	AMD-P	00-02-081	173-303-522	AMD-P	00-02-081	173-305-220	AMD-XA	00-10-053
173-303-016	AMD	00-11-040	173-303-522	AMD	00-11-040	173-305-230	AMD-XA	00-10-053
173-303-040	AMD-P	00-02-081	173-303-573	AMD-P	00-02-081	173-306-010	AMD-XA	00-13-022
173-303-040	AMD	00-11-040	173-303-573	AMD	00-11-040	173-306-050	AMD-XA	00-13-022
173-303-045	AMD-P	00-02-081	173-303-578	NEW-P	00-02-081	173-306-100	AMD-XA	00-13-022
173-303-045	AMD	00-11-040	173-303-578	NEW	00-11-040	173-306-150	AMD-XA	00-13-022
173-303-060	AMD-P	00-02-081	173-303-600	AMD-P	00-02-081	173-306-200	AMD-XA	00-13-022
173-303-060	AMD	00-11-040	173-303-600	AMD	00-11-040	173-306-300	AMD-XA	00-13-022
173-303-070	AMD-P	00-02-081	173-303-610	AMD-P	00-02-081	173-306-310	AMD-XA	00-13-022
173-303-070	AMD	00-11-040	173-303-610	AMD	00-11-040	173-306-320	AMD-XA	00-13-022
173-303-071	AMD-P	00-02-081	173-303-620	AMD-P	00-02-081			

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
173-306-330	AMD-XA	00-13-022	173-322-090	AMD-W	00-09-083	173-425-010	AMD	00-07-066
173-306-340	AMD-XA	00-13-022	173-322-100	AMD-W	00-09-083	173-425-020	AMD	00-07-066
173-306-345	AMD-XA	00-13-022	173-322-110	AMD-W	00-09-083	173-425-030	AMD	00-07-066
173-306-350	AMD-XA	00-13-022	173-322-120	AMD-W	00-09-083	173-425-040	AMD	00-07-066
173-306-400	AMD-XA	00-13-022	173-340-100	AMD-W	00-09-083	173-425-050	AMD	00-07-066
173-306-405	AMD-XA	00-13-022	173-340-120	AMD-W	00-09-083	173-425-060	AMD	00-07-066
173-306-410	AMD-XA	00-13-022	173-340-130	AMD-W	00-09-083	173-425-070	AMD	00-07-066
173-306-440	AMD-XA	00-13-022	173-340-140	AMD-W	00-09-083	173-425-080	AMD	00-07-066
173-306-450	AMD-XA	00-13-022	173-340-200	AMD-W	00-09-083	173-425-090	REP	00-07-066
173-306-470	AMD-XA	00-13-022	173-340-210	AMD-W	00-09-083	173-425-100	REP	00-07-066
173-306-480	AMD-XA	00-13-022	173-340-300	AMD-W	00-09-083	173-425-110	REP	00-07-066
173-306-490	AMD-XA	00-13-022	173-340-310	AMD-W	00-09-083	180-27-032	AMD	00-04-007
173-306-495	AMD-XA	00-13-022	173-340-320	AMD-W	00-09-083	180-27-102	AMD-P	00-05-104
173-306-500	AMD-XA	00-13-022	173-340-330	AMD-W	00-09-083	180-27-102	AMD	00-09-045
173-306-900	AMD-XA	00-13-022	173-340-340	AMD-W	00-09-083	180-29-068	NEW	00-04-008
173-306-9901	AMD-XA	00-13-022	173-340-340	AMD-W	00-09-083	180-29-085	AMD-P	00-10-060
173-307-010	AMD-XA	00-10-052	173-340-350	AMD-W	00-09-083	180-40-270	AMD	00-07-018
173-307-015	AMD-XA	00-10-052	173-340-360	AMD-W	00-09-083	180-40-285	AMD	00-07-018
173-307-020	AMD-XA	00-10-052	173-340-370	NEW-W	00-09-083	180-40-305	AMD	00-07-018
173-307-030	AMD-XA	00-10-052	173-340-380	NEW-W	00-09-083	180-40-315	AMD	00-07-018
173-307-040	AMD-XA	00-10-052	173-340-390	NEW-W	00-09-083	180-50	PREP	00-12-017
173-307-050	AMD-XA	00-10-052	173-340-400	AMD-W	00-09-083	180-51	PREP	00-11-171
173-307-060	AMD-XA	00-10-052	173-340-410	AMD-W	00-09-083	180-51-063	NEW	00-04-047
173-307-070	AMD-XA	00-10-052	173-340-420	AMD-W	00-09-083	180-51-063	PREP	00-07-017
173-307-080	AMD-XA	00-10-052	173-340-430	AMD-W	00-09-083	180-51-063	AMD-P	00-10-018
173-307-090	AMD-XA	00-10-052	173-340-440	AMD-W	00-09-083	180-51-063	AMD	00-13-039
173-307-100	AMD-XA	00-10-052	173-340-450	AMD-W	00-09-083	180-51-064	NEW	00-04-047
173-307-110	AMD-XA	00-10-052	173-340-510	AMD-W	00-09-083	180-51-075	AMD	00-05-010
173-307-130	AMD-XA	00-10-052	173-340-515	NEW-W	00-09-083	180-51-075	PREP	00-06-054
173-307-140	AMD-XA	00-10-052	173-340-520	AMD-W	00-09-083	180-51-075	AMD-P	00-10-081
173-310-010	AMD-XA	00-13-023	173-340-530	AMD-W	00-09-083	180-52-041	NEW	00-03-046
173-310-020	AMD-XA	00-13-023	173-340-545	NEW-W	00-09-083	180-56-230	PREP	00-07-046
173-310-030	AMD-XA	00-13-023	173-340-550	AMD-W	00-09-083	180-56-230	AMD-P	00-10-020
173-310-040	AMD-XA	00-13-023	173-340-600	AMD-W	00-09-083	180-56-230	AMD	00-13-038
173-310-050	AMD-XA	00-13-023	173-340-610	AMD-W	00-09-083	180-57	PREP	00-12-016
173-310-060	AMD-XA	00-13-023	173-340-700	AMD-W	00-09-083	180-57-070	PREP	00-07-016
173-310-070	AMD-XA	00-13-023	173-340-702	AMD-W	00-09-083	180-57-070	AMD-P	00-10-019
173-310-080	AMD-XA	00-13-023	173-340-704	AMD-W	00-09-083	180-77	PREP	00-11-082
173-310-080	AMD-XA	00-13-023	173-340-705	AMD-W	00-09-083	180-77A	PREP	00-11-082
173-310-090	AMD-XA	00-13-023	173-340-706	AMD-W	00-09-083	180-78A-010	AMD	00-03-049
173-310-100	AMD-XA	00-13-023	173-340-708	AMD-W	00-09-083	180-78A-100	AMD-P	00-05-082
173-312-010	AMD-XA	00-13-024	173-340-709	NEW-W	00-09-083	180-78A-100	AMD	00-09-049
173-312-020	AMD-XA	00-13-024	173-340-710	AMD-W	00-09-083	180-78A-209	AMD-P	00-05-079
173-312-030	AMD-XA	00-13-024	173-340-720	AMD-W	00-09-083	180-78A-209	AMD	00-09-046
173-312-040	AMD-XA	00-13-024	173-340-730	AMD-W	00-09-083	180-78A-500	PREP	00-05-078
173-312-050	AMD-XA	00-13-024	173-340-740	AMD-W	00-09-083	180-78A-500	AMD-P	00-10-083
173-312-060	AMD-XA	00-13-024	173-340-745	AMD-W	00-09-083	180-78A-500	AMD	00-13-064
173-312-080	AMD-XA	00-13-024	173-340-747	NEW-W	00-09-083	180-78A-505	AMD	00-03-049
173-312-090	AMD-XA	00-13-024	173-340-7490	NEW-W	00-09-083	180-78A-510	AMD	00-03-049
173-312-100	AMD-XA	00-13-024	173-340-7491	NEW-W	00-09-083	180-78A-515	AMD	00-03-049
173-321-010	AMD-W	00-09-083	173-340-7492	NEW-W	00-09-083	180-78A-520	AMD	00-03-049
173-321-020	AMD-W	00-09-083	173-340-7493	NEW-W	00-09-083	180-78A-525	AMD	00-03-049
173-321-040	AMD-W	00-09-083	173-340-7494	NEW-W	00-09-083	180-78A-530	AMD	00-03-049
173-321-050	AMD-W	00-09-083	173-340-750	AMD-W	00-09-083	180-78A-535	AMD	00-03-049
173-321-060	AMD-W	00-09-083	173-340-760	AMD-W	00-09-083	180-78A-535	PREP	00-11-080
173-321-080	AMD-W	00-09-083	173-340-800	AMD-W	00-09-083	180-78A-540	AMD	00-03-049
173-322	AMD-W	00-09-083	173-340-810	AMD-W	00-09-083	180-79A	PREP	00-11-082
173-322-020	AMD-W	00-09-083	173-340-820	AMD-W	00-09-083	180-79A-006	AMD	00-03-048
173-322-030	AMD-W	00-09-083	173-340-830	AMD-W	00-09-083	180-79A-007	AMD	00-03-048
173-322-040	AMD-W	00-09-083	173-340-840	AMD-W	00-09-083	180-79A-123	AMD-P	00-05-080
173-322-050	AMD-W	00-09-083	173-340-850	AMD-W	00-09-083	180-79A-123	AMD	00-09-048
173-322-060	AMD-W	00-09-083	173-340-990	NEW-W	00-09-083	180-79A-130	AMD	00-03-048
173-322-070	AMD-W	00-09-083	173-425	AMD	00-07-066			

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180- 79A-140	AMD-P	00-10-084	192-270-020	NEW-E	00-13-057	204- 38-050	AMD	00-03-023
180- 79A-140	AMD	00-13-063	192-270-025	NEW-E	00-05-063	204- 96-010	AMD-E	00-10-059
180- 79A-145	AMD	00-03-048	192-270-025	NEW-E	00-13-057	204- 96-010	PREP	00-11-174
180- 79A-206	AMD	00-03-048	192-270-030	NEW-E	00-05-063	204- 97-010	NEW-W	00-12-028
180- 79A-231	PREP	00-05-076	192-270-030	NEW-E	00-13-057	204- 97-020	NEW-W	00-12-028
180- 79A-231	AMD-P	00-10-084	192-270-035	NEW-E	00-05-063	204- 97-030	NEW-W	00-12-028
180- 79A-231	AMD	00-13-063	192-270-035	NEW-E	00-13-057	204- 97-040	NEW-W	00-12-028
180- 79A-250	AMD	00-03-048	192-270-040	NEW-E	00-05-063	208-440	PREP	00-04-074
180- 79A-257	AMD	00-03-048	192-270-040	NEW-E	00-13-057	208-440	AMD-P	00-13-041
180- 79A-260	AMD	00-03-050	192-270-045	NEW-E	00-05-063	208-440-010	PREP	00-04-074
180- 82	PREP	00-11-081	192-270-045	NEW-E	00-13-057	208-440-010	AMD-P	00-13-041
180- 82	PREP	00-11-082	192-270-050	NEW-E	00-05-063	208-440-020	PREP	00-04-074
180- 82-110	PREP	00-11-083	192-270-050	NEW-E	00-13-057	208-440-020	REP-P	00-13-041
180- 82-204	AMD-P	00-05-083	192-270-055	NEW-E	00-05-063	208-440-040	PREP	00-04-074
180- 82-204	AMD	00-09-047	192-270-055	NEW-E	00-13-057	208-440-040	REP-P	00-13-041
180- 82-311	NEW-P	00-05-083	192-270-060	NEW-E	00-05-063	208-440-050	PREP	00-04-074
180- 82-311	NEW	00-09-047	192-270-060	NEW-E	00-13-057	208-440-050	REP-P	00-13-041
180- 82-313	NEW-P	00-05-083	192-270-065	NEW-E	00-05-063	208-512-020	RECOD-X	00-13-101
180- 82-313	NEW	00-09-047	192-270-065	NEW-E	00-13-057	208-512-030	RECOD-X	00-13-101
180- 82-335	NEW-P	00-05-083	192-270-070	NEW-E	00-05-063	208-512-045	RECOD-X	00-13-101
180- 82-335	NEW	00-09-047	192-270-070	NEW-E	00-13-057	208-512-050	RECOD-X	00-13-101
180- 82-340	NEW-P	00-05-083	192-300-050	NEW	00-05-068	208-512-060	RECOD-X	00-13-101
180- 82-340	NEW	00-09-047	192-300-170	NEW	00-05-064	208-512-070	RECOD-X	00-13-101
180- 82-341	NEW-P	00-05-083	192-300-190	NEW	00-05-067	208-512-080	RECOD-X	00-13-101
180- 82-341	NEW	00-09-047	192-320-050	NEW	00-05-068	208-512-090	RECOD-X	00-13-101
180- 82-342	AMD-P	00-05-083	192-320-070	NEW	00-05-069	208-512-100	RECOD-X	00-13-101
180- 82-342	AMD	00-09-047	192-330-100	NEW	00-05-066	208-512-110	RECOD-X	00-13-101
180- 82-343	AMD-P	00-05-083	192-340-010	NEW	00-05-065	208-512-115	RECOD-X	00-13-101
180- 82-343	AMD	00-09-047	194- 20-010	AMD	00-08-039	208-512-116	RECOD-X	00-13-101
180- 85-030	PREP	00-05-077	194- 20-010	DECOD	00-08-039	208-512-117	RECOD-X	00-13-101
180- 85-030	AMD-P	00-10-082	194- 20-020	AMD	00-08-039	208-512-120	RECOD-X	00-13-101
180- 85-030	AMD	00-13-065	194- 20-020	DECOD	00-08-039	208-512-130	RECOD-X	00-13-101
182- 12-119	PREP	00-12-045	194- 20-030	AMD	00-08-039	208-512-140	RECOD-X	00-13-101
182- 12-132	PREP	00-12-045	194- 20-030	DECOD	00-08-039	208-512-150	RECOD-X	00-13-101
182- 16	PREP	00-10-101	194- 20-040	AMD	00-08-039	208-512-160	RECOD-X	00-13-101
182- 25-010	AMD-XA	00-14-075	194- 20-040	DECOD	00-08-039	208-512-170	RECOD-X	00-13-101
182- 25-030	AMD-XA	00-14-075	194- 20-050	AMD	00-08-039	208-512-180	RECOD-X	00-13-101
182- 25-100	PREP	00-10-101	194- 20-050	DECOD	00-08-039	208-512-190	RECOD-X	00-13-101
182- 25-105	PREP	00-10-101	194- 20-060	REP	00-08-039	208-512-200	RECOD-X	00-13-101
182- 25-110	PREP	00-10-101	194- 20-070	REP	00-08-039	208-512-210	RECOD-X	00-13-101
192- 12-025	REP	00-05-064	194- 20-080	AMD	00-08-039	208-512-220	RECOD-X	00-13-101
192- 12-072	REP	00-05-068	194- 20-080	DECOD	00-08-039	208-512-230	RECOD-X	00-13-101
192- 12-405	REP	00-05-069	196- 31-010	NEW-P	00-04-059	208-512-240	RECOD-X	00-13-101
192- 16-011	REP-E	00-13-057	196- 31-010	NEW	00-08-042	208-512-250	RECOD-X	00-13-101
192- 16-017	REP-E	00-05-063	196- 31-020	NEW-P	00-04-059	208-512-260	RECOD-X	00-13-101
192- 16-017	REP-E	00-13-057	196- 31-020	NEW	00-08-042	208-512-270	RECOD-X	00-13-101
192- 16-021	REP-W	00-08-076	196- 31-030	NEW-P	00-04-059	208-512-280	RECOD-X	00-13-101
192-150-005	NEW-E	00-05-063	196- 31-030	NEW	00-08-042	208-512-290	RECOD-X	00-13-101
192-150-005	NEW-E	00-13-057	196- 31-040	NEW-P	00-04-059	208-512-300	RECOD-X	00-13-101
192-150-050	NEW-E	00-13-057	196- 31-040	NEW	00-08-042	208-512-310	RECOD-X	00-13-101
192-150-065	NEW-E	00-13-057	196- 31-050	NEW-P	00-04-059	208-512-320	RECOD-X	00-13-101
192-150-085	NEW-E	00-05-063	196- 31-050	NEW	00-08-042	208-512-330	RECOD-X	00-13-101
192-150-085	NEW-E	00-13-057	196- 31-060	NEW-P	00-04-059	208-512-340	RECOD-X	00-13-101
192-170-050	NEW-W	00-08-076	196- 31-060	NEW	00-08-042	208-512-350	RECOD-X	00-13-101
192-170-060	NEW-W	00-08-076	196- 31-070	NEW-P	00-04-059	208-512-360	RECOD-X	00-13-101
192-270-005	NEW-E	00-05-063	196- 31-070	NEW	00-08-042	208-512-370	RECOD-X	00-13-101
192-270-005	NEW-E	00-13-057	197- 11	PREP	00-07-051	208-514-010	RECOD-X	00-13-101
192-270-010	NEW-E	00-05-063	204- 24-030	PREP	00-08-111	208-514-020	RECOD-X	00-13-101
192-270-010	NEW-E	00-13-057	204- 24-030	AMD-P	00-11-173	208-514-030	RECOD-X	00-13-101
192-270-015	NEW-E	00-05-063	204- 24-050	AMD	00-03-081	208-514-040	RECOD-X	00-13-101
192-270-015	NEW-E	00-13-057	204- 38-030	AMD	00-03-023	208-514-050	RECOD-X	00-13-101

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
208-514-060	RECOD-X	00-13-101	208-556-020	RECOD-X	00-13-101	210-02-120	NEW-P	00-08-069
208-514-070	RECOD-X	00-13-101	208-556-030	RECOD-X	00-13-101	210-02-120	NEW	00-11-023
208-514-080	RECOD-X	00-13-101	208-556-040	RECOD-X	00-13-101	210-02-130	NEW-P	00-08-069
208-514-090	RECOD-X	00-13-101	208-556-050	RECOD-X	00-13-101	210-02-130	NEW	00-11-023
208-514-100	RECOD-X	00-13-101	208-556-060	RECOD-X	00-13-101	210-02-140	NEW-P	00-08-069
208-514-110	RECOD-X	00-13-101	208-556-070	RECOD-X	00-13-101	210-02-140	NEW	00-11-023
208-514-120	RECOD-X	00-13-101	208-556-080	RECOD-X	00-13-101	210-02-150	NEW-P	00-08-069
208-514-130	RECOD-X	00-13-101	208-586-020	RECOD-X	00-13-100	210-02-150	NEW	00-11-023
208-514-140	RECOD-X	00-13-101	208-586-030	RECOD-X	00-13-100	210-02-160	NEW-P	00-08-069
208-528-010	RECOD-X	00-13-101	208-586-040	RECOD-X	00-13-100	210-02-160	NEW	00-11-023
208-528-020	RECOD-X	00-13-101	208-586-050	RECOD-X	00-13-100	210-02-170	NEW-P	00-08-069
208-528-030	RECOD-X	00-13-101	208-586-060	RECOD-X	00-13-100	210-02-170	NEW	00-11-023
208-528-040	RECOD-X	00-13-101	208-586-070	RECOD-X	00-13-100	210-02-180	NEW-P	00-08-069
208-528-050	RECOD-X	00-13-101	208-586-075	RECOD-X	00-13-100	210-02-180	NEW	00-11-023
208-528-060	RECOD-X	00-13-101	208-586-080	RECOD-X	00-13-100	210-02-190	NEW-P	00-08-069
208-528-070	RECOD-X	00-13-101	208-586-085	RECOD-X	00-13-100	210-02-190	NEW	00-11-023
208-528-990	RECOD-X	00-13-101	208-586-090	RECOD-X	00-13-100	210-02-200	NEW-P	00-08-069
208-532-010	RECOD-X	00-14-053	208-586-100	RECOD-X	00-13-100	210-02-200	NEW	00-11-023
208-532-020	RECOD-X	00-14-053	208-586-110	RECOD-X	00-13-100	220-16-257	AMD	00-08-038
208-532-030	RECOD-X	00-14-053	208-586-120	RECOD-X	00-13-100	220-16-345	AMD	00-08-038
208-532-040	RECOD-X	00-14-053	208-586-135	RECOD-X	00-13-100	220-16-480	AMD-W	00-11-087
208-532-050	RECOD-X	00-14-053	208-586-140	RECOD-X	00-13-100	220-16-590	AMD-P	00-06-083
208-532-060	RECOD-X	00-14-053	208-590-010	RECOD-X	00-13-100	220-16-590	AMD-W	00-07-019
208-532-070	RECOD-X	00-14-053	208-590-020	RECOD-X	00-13-100	220-16-590	AMD	00-08-038
208-532-080	RECOD-X	00-14-053	208-590-030	RECOD-X	00-13-100	220-16-590	AMD-P	00-14-022
208-532-090	RECOD-X	00-14-053	208-594-010	RECOD-X	00-13-100	220-16-730	NEW	00-08-038
208-532-100	RECOD-X	00-14-053	208-594-020	RECOD-X	00-13-100	220-16-740	NEW-P	00-06-083
208-532-99001	RECOD-X	00-14-053	208-594-030	RECOD-X	00-13-100	220-16-740	NEW-W	00-07-019
208-532-99002	RECOD-X	00-14-053	208-594-040	RECOD-X	00-13-100	220-16-740	NEW	00-08-038
208-532-99003	RECOD-X	00-14-053	208-594-050	RECOD-X	00-13-100	220-16-740	AMD-P	00-14-022
208-536-010	RECOD-X	00-13-101	208-594-060	RECOD-X	00-13-100	220-16-74000A	NEW-E	00-10-069
208-536-020	RECOD-X	00-13-101	208-594-070	RECOD-X	00-13-100	220-16-750	NEW-P	00-06-083
208-536-030	RECOD-X	00-13-101	208-594-080	RECOD-X	00-13-100	220-16-750	NEW-W	00-07-019
208-536-040	RECOD-X	00-13-101	208-594-090	RECOD-X	00-13-100	220-16-750	NEW	00-08-038
208-536-050	RECOD-X	00-13-101	208-598-010	RECOD-X	00-13-100	220-16-750	AMD-P	00-14-022
208-536-060	RECOD-X	00-13-101	208-598-020	RECOD-X	00-13-100	220-16-7500A	NEW-E	00-10-069
208-536-070	RECOD-X	00-13-101	208-598-030	RECOD-X	00-13-100	220-20-010	AMD	00-08-038
208-536-080	RECOD-X	00-13-101	208-680	PREP	00-10-102	220-20-015	AMD-P	00-06-083
208-536-090	RECOD-X	00-13-101	210-01-120	AMD-P	00-03-040	220-20-015	AMD-W	00-07-019
208-536-100	RECOD-X	00-13-101	210-01-120	AMD	00-07-003	220-20-015	AMD-P	00-14-022
208-536-110	RECOD-X	00-13-101	210-02-010	NEW-P	00-08-069	220-20-01500A	NEW-E	00-10-069
208-536-120	RECOD-X	00-13-101	210-02-010	NEW	00-11-023	220-20-020	AMD-P	00-06-083
208-544-005	RECOD-X	00-13-101	210-02-020	NEW-P	00-08-069	220-20-020	AMD-W	00-07-019
208-544-010	RECOD-X	00-13-101	210-02-020	NEW	00-11-023	220-20-020	AMD-P	00-14-022
208-544-020	RECOD-X	00-13-101	210-02-030	NEW-P	00-08-069	220-20-02000A	NEW-E	00-10-069
208-544-025	RECOD-X	00-13-101	210-02-030	NEW	00-11-023	220-20-025	AMD-P	00-06-083
208-544-030	RECOD-X	00-13-101	210-02-040	NEW-P	00-08-069	220-20-025	AMD-W	00-07-019
208-544-037	RECOD-X	00-13-101	210-02-040	NEW	00-11-023	220-20-025	AMD-P	00-14-022
208-544-039	RECOD-X	00-13-101	210-02-050	NEW-P	00-08-069	220-20-02500A	NEW-E	00-10-069
208-544-050	RECOD-X	00-13-101	210-02-050	NEW	00-11-023	220-24-02000L	NEW-E	00-10-067
208-544-060	RECOD-X	00-13-101	210-02-060	NEW-P	00-08-069	220-24-02000L	REP-E	00-10-067
208-548-010	RECOD-X	00-13-101	210-02-060	NEW	00-11-023	220-32-01500S	REP-E	00-14-051
208-548-020	RECOD-X	00-13-101	210-02-070	NEW-P	00-08-069	220-32-05100R	NEW-E	00-04-071
208-548-030	RECOD-X	00-13-101	210-02-070	NEW	00-11-023	220-32-05100R	REP-E	00-04-071
208-548-040	RECOD-X	00-13-101	210-02-080	NEW-P	00-08-069	220-32-05100R	REP-E	00-07-099
208-548-050	RECOD-X	00-13-101	210-02-080	NEW	00-11-023	220-32-05100S	NEW-E	00-14-051
208-548-060	RECOD-X	00-13-101	210-02-090	NEW-P	00-08-069	220-32-05500A	NEW-E	00-10-097
208-548-070	RECOD-X	00-13-101	210-02-090	NEW	00-11-023	220-32-05500A	REP-E	00-10-097
208-548-080	RECOD-X	00-13-101	210-02-100	NEW-P	00-08-069	220-32-05500A	REP-E	00-11-030
208-548-090	RECOD-X	00-13-101	210-02-100	NEW	00-11-023	220-32-05500B	NEW-E	00-11-030
208-548-100	RECOD-X	00-13-101	210-02-110	NEW-P	00-08-069	220-32-05500B	REP-E	00-11-030
208-556-010	RECOD-X	00-13-101	210-02-110	NEW	00-11-023	220-32-05500B	REP-E	00-12-026

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220- 32-05500C	NEW-E	00-12-026	220- 52-03000L	REP-E	00-13-006	220- 55-010	AMD	00-11-178
220- 32-05500C	REP-E	00-12-026	220- 52-03000	NEW-E	00-13-068	220- 55-015	AMD-P	00-06-084
220- 32-05500Z	NEW-E	00-09-024	220- 52-03000	REP-E	00-13-068	220- 55-015	AMD	00-11-178
220- 32-05500Z	REP-E	00-09-024	220- 52-040	AMD-W	00-08-077	220- 55-070	AMD-P	00-06-084
220- 32-05500Z	REP-E	00-10-097	220- 52-040	AMD-P	00-14-037	220- 55-070	AMD	00-11-178
220- 32-057	AMD-XA	00-12-052	220- 52-04000Q	REP-E	00-04-084	220- 55-105	AMD-P	00-06-084
220- 32-05700E	NEW-E	00-07-109	220- 52-04000R	NEW-E	00-04-084	220- 55-105	AMD	00-11-178
220- 32-05700E	REP-E	00-13-015	220- 52-04000R	REP-E	00-11-001	220- 55-110	AMD-P	00-06-084
220- 32-05700F	NEW-E	00-13-015	220- 52-04000S	NEW-E	00-11-001	220- 55-110	AMD	00-11-178
220- 33-010	AMD-XA	00-12-052	220- 52-04000S	REP-E	00-11-001	220- 55-115	AMD-P	00-06-084
220- 33-01000B	NEW-E	00-05-047	220- 52-04000T	NEW-E	00-12-025	220- 55-115	AMD	00-11-178
220- 33-01000B	REP-E	00-05-047	220- 52-04000T	REP-E	00-12-025	220- 55-132	NEW-P	00-06-084
220- 33-01000B	REP-E	00-06-011	220- 52-043	AMD-W	00-08-077	220- 55-132	NEW	00-11-178
220- 33-01000C	NEW-E	00-06-011	220- 52-043	AMD-P	00-14-037	220- 55-170	AMD-P	00-06-042
220- 33-01000C	REP-E	00-06-036	220- 52-04600A	NEW-E	00-11-001	220- 55-170	AMD	00-11-177
220- 33-01000D	NEW-E	00-06-036	220- 52-04600A	REP-E	00-11-001	220- 55-17000B	NEW-E	00-11-058
220- 33-01000E	NEW-E	00-14-014	220- 52-04600B	NEW-E	00-12-025	220- 55-180	AMD-P	00-06-043
220- 33-01000E	REP-E	00-14-014	220- 52-04600B	REP-E	00-12-025	220- 55-180	AMD	00-11-176
220- 33-020	AMD-XA	00-12-052	220- 52-04600U	NEW-E	00-04-084	220- 56-08500U	REP-E	00-08-046
220- 33-03000P	NEW-E	00-11-046	220- 52-04600U	REP-E	00-06-009	220- 56-100	AMD-XA	00-11-179
220- 33-03000P	REP-E	00-11-046	220- 52-04600V	REP-E	00-04-084	220- 56-103	AMD	00-08-038
220- 33-03000P	REP-E	00-14-014	220- 52-04600X	NEW-E	00-06-009	220- 56-103	REP-XA	00-11-179
220- 33-03000Q	NEW-E	00-14-014	220- 52-04600X	REP-E	00-08-037	220- 56-105	AMD	00-08-038
220- 33-03000Q	REP-E	00-14-014	220- 52-04600Y	NEW-E	00-08-037	220- 56-115	AMD-XA	00-11-179
220- 33-040	AMD-XA	00-12-052	220- 52-04600Y	REP-E	00-08-037	220- 56-11500D	NEW-E	00-10-068
220- 33-040	AMD-P	00-14-036	220- 52-04600Y	REP-E	00-08-044	220- 56-116	AMD-XA	00-11-179
220- 33-04000I	REP-E	00-06-017	220- 52-04600Z	NEW-E	00-08-044	220- 56-123	AMD-XA	00-11-179
220- 33-04000J	NEW-E	00-06-017	220- 52-04600Z	REP-E	00-08-044	220- 56-12300A	NEW-E	00-10-068
220- 33-04000J	REP-E	00-06-017	220- 52-050	AMD-P	00-14-020	220- 56-128	AMD-XA	00-11-179
220- 33-060	AMD-P	00-14-038	220- 52-05100A	NEW-E	00-09-055	220- 56-12800D	NEW-E	00-08-001
220- 33-06000A	NEW-E	00-11-056	220- 52-05100A	REP-E	00-10-051	220- 56-12800D	REP-E	00-08-001
220- 44-020	AMD-P	00-14-038	220- 52-05100B	NEW-E	00-10-051	220- 56-12800E	NEW-E	00-10-068
220- 44-02000A	NEW-E	00-11-056	220- 52-05100B	REP-E	00-12-015	220- 56-130	AMD	00-08-038
220- 44-030	AMD-P	00-14-020	220- 52-05100C	NEW-E	00-12-015	220- 56-145	AMD	00-08-038
220- 44-050	AMD-XA	00-10-038	220- 52-068	AMD-P	00-14-020	220- 56-175	AMD-P	00-06-084
220- 44-05000A	NEW-E	00-04-041	220- 52-069	AMD-P	00-11-045	220- 56-175	AMD	00-08-038
220- 44-05000Z	REP-E	00-04-041	220- 52-06900A	NEW-E	00-04-015	220- 56-175	AMD	00-11-178
220- 44-080	AMD-XA	00-10-038	220- 52-06900A	REP-E	00-11-116	220- 56-180	AMD-XA	00-11-179
220- 47-304	AMD-XA	00-13-095	220- 52-06900B	NEW-E	00-11-116	220- 56-185	AMD	00-08-038
220- 47-311	AMD-XA	00-13-095	220- 52-071	AMD	00-03-042	220- 56-190	AMD-XA	00-11-179
220- 47-401	AMD-XA	00-13-095	220- 52-07100N	NEW-E	00-13-054	220- 56-190	DECOD-X	00-11-179
220- 47-411	AMD-XA	00-13-095	220- 52-073	AMD	00-03-042	220- 56-19000C	NEW-E	00-10-068
220- 47-427	AMD-XA	00-13-095	220- 52-07300Q	REP-E	00-03-006	220- 56-19000D	NEW-E	00-14-035
220- 47-428	AMD-XA	00-13-095	220- 52-07300R	NEW-E	00-03-006	220- 56-19000D	REP-E	00-14-035
220- 48-005	AMD-W	00-11-086	220- 52-07300R	REP-E	00-03-006	220- 56-191	AMD-XA	00-11-179
220- 48-011	AMD-P	00-14-020	220- 52-07300R	REP-E	00-03-044	220- 56-191	DECOD-P	00-11-179
220- 48-015	AMD-W	00-11-086	220- 52-07300S	NEW-E	00-03-044	220- 56-19100L	NEW-E	00-10-068
220- 48-015	AMD-P	00-14-020	220- 52-07300S	REP-E	00-03-044	220- 56-195	AMD-XA	00-11-179
220- 48-01500K	NEW-E	00-08-037	220- 52-07300S	REP-E	00-04-013	220- 56-19500F	NEW-E	00-10-068
220- 48-01500L	NEW-E	00-14-013	220- 52-07300T	NEW-E	00-04-013	220- 56-199	AMD-XA	00-11-179
220- 48-016	AMD-W	00-11-086	220- 52-07300T	REP-E	00-05-041	220- 56-19900A	NEW-E	00-10-068
220- 48-017	AMD-W	00-11-086	220- 52-07300U	NEW-E	00-05-041	220- 56-205	AMD	00-08-038
220- 48-019	AMD-W	00-11-086	220- 52-07300U	REP-E	00-06-044	220- 56-205	REP-XA	00-11-179
220- 48-019	AMD-P	00-14-020	220- 52-07300V	NEW-E	00-06-044	220- 56-235	AMD	00-08-038
220- 48-028	AMD-W	00-11-086	220- 52-07300V	REP-E	00-06-044	220- 56-235	AMD-XA	00-10-038
220- 48-029	AMD-W	00-11-086	220- 52-07300	NEW-E	00-07-064	220- 56-23500E	NEW-E	00-08-084
220- 48-031	AMD-W	00-11-086	220- 52-07300	REP-E	00-07-114	220- 56-23500E	REP-E	00-10-012
220- 48-032	AMD-W	00-11-086	220- 52-075	AMD	00-05-054	220- 56-23500F	NEW-E	00-10-012
220- 48-061	AMD-W	00-11-086	220- 52-07500A	NEW-E	00-10-051	220- 56-240	AMD	00-08-038
220- 48-071	AMD-W	00-11-086	220- 55-005	AMD-P	00-06-084	220- 56-24000C	NEW-E	00-10-050
220- 52-03000L	NEW-E	00-11-057	220- 55-005	AMD	00-11-178	220- 56-24000C	REP-E	00-10-050
220- 52-03000L	REP-E	00-11-057	220- 55-010	AMD-P	00-06-084	220- 56-24000D	NEW-E	00-11-059

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-56-250	AMD	00-08-038	220-56-36000B	REP-E	00-06-010	220-57-270	REP-XA	00-11-179
220-56-250	AMD-XA	00-10-038	220-56-36000C	NEW-E	00-09-001	220-57-275	REP-XA	00-11-179
220-56-25000A	REP-E	00-08-084	220-56-36000C	REP-E	00-09-001	220-57-280	REP-XA	00-11-179
220-56-25000B	NEW-E	00-08-084	220-56-36000D	NEW-E	00-09-054	220-57-285	REP-XA	00-11-179
220-56-25500	NEW-E	00-10-070	220-56-36000D	REP-E	00-09-054	220-57-290	REP-XA	00-11-179
220-56-25500	REP-E	00-11-008	220-56-36000E	NEW-E	00-10-049	220-57-29000X	NEW-E	00-11-029
220-56-25500N	NEW-E	00-11-008	220-56-36000E	REP-E	00-10-049	220-57-29000X	REP-E	00-11-029
220-56-25500N	REP-E	00-12-014	220-56-372	AMD	00-08-038	220-57-295	REP-XA	00-11-179
220-56-25500P	NEW-E	00-12-014	220-56-380	AMD	00-08-038	220-57-300	REP-XA	00-11-179
220-56-25500P	REP-E	00-12-048	220-56-380	AMD-XA	00-11-179	220-57-305	REP-XA	00-11-179
220-56-25500Q	NEW-E	00-12-048	220-56-38000X	NEW-E	00-08-045	220-57-310	REP-XA	00-11-179
220-56-25500Q	REP-E	00-13-059	220-56-38000Y	NEW-E	00-10-068	220-57-313	REP-XA	00-11-179
220-56-25500R	NEW-E	00-13-059	220-57-001	REP-XA	00-11-179	220-57-315	REP-XA	00-11-179
220-56-25500R	REP-E	00-14-004	220-57-120	REP-XA	00-11-179	220-57-31500J	NEW-E	00-08-022
220-56-25500S	NEW-E	00-14-004	220-57-125	REP-XA	00-11-179	220-57-31500J	REP-E	00-08-022
220-56-27000G	NEW-E	00-06-017	220-57-130	REP-XA	00-11-179	220-57-31500K	NEW-E	00-12-041
220-56-27000G	REP-E	00-06-017	220-57-135	REP-XA	00-11-179	220-57-31500K	REP-E	00-12-041
220-56-280	AMD	00-08-038	220-57-137	REP-XA	00-11-179	220-57-319	REP-XA	00-11-179
220-56-28500U	NEW-E	00-08-031	220-57-13701	REP-XA	00-11-179	220-57-31900A	NEW-E	00-12-013
220-56-28500U	REP-E	00-08-031	220-57-138	REP-XA	00-11-179	220-57-31900A	REP-E	00-12-013
220-56-28500V	NEW-E	00-08-046	220-57-140	REP-XA	00-11-179	220-57-31900Z	NEW-E	00-07-002
220-56-28500V	REP-E	00-13-058	220-57-145	REP-XA	00-11-179	220-57-31900Z	REP-E	00-12-013
220-56-28500W	NEW-E	00-14-012	220-57-150	REP-XA	00-11-179	220-57-321	REP-XA	00-11-179
220-56-295	AMD	00-08-038	220-57-155	REP-XA	00-11-179	220-57-32100D	NEW-E	00-08-022
220-56-30500G	NEW-E	00-13-058	220-57-160	AMD	00-08-038	220-57-32100D	REP-E	00-08-022
220-56-310	AMD	00-08-038	220-57-160	REP-XA	00-11-179	220-57-325	REP-XA	00-11-179
220-56-315	AMD	00-08-038	220-57-16000V	NEW-E	00-07-073	220-57-326	REP-XA	00-11-179
220-56-32500D	NEW-E	00-10-011	220-57-16000V	REP-E	00-14-015	220-57-327	REP-XA	00-11-179
220-56-32500D	REP-E	00-10-011	220-57-16000	NEW-E	00-08-006	220-57-330	REP-XA	00-11-179
220-56-32500E	NEW-E	00-11-144	220-57-16000	REP-E	00-11-007	220-57-335	REP-XA	00-11-179
220-56-32500E	REP-E	00-14-023	220-57-16000X	NEW-E	00-11-007	220-57-340	REP-XA	00-11-179
220-56-32500F	NEW-E	00-12-047	220-57-16000X	REP-E	00-11-007	220-57-341	REP-XA	00-11-179
220-56-32500F	REP-E	00-12-047	220-57-16000Y	NEW-E	00-14-015	220-57-342	REP-XA	00-11-179
220-56-32500G	NEW-E	00-12-069	220-57-16000Y	REP-E	00-14-015	220-57-345	REP-XA	00-11-179
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220-56-330	AMD	00-08-038	220-57-175	REP-XA	00-11-179	220-57-365	REP-XA	00-11-179
220-56-33000A	NEW-E	00-11-055	220-57-17500V	NEW-E	00-11-118	220-57-370	REP-XA	00-11-179
220-56-33000A	REP-E	00-11-143	220-57-17500V	REP-E	00-11-118	220-57-375	REP-XA	00-11-179
220-56-33000B	NEW-E	00-11-143	220-57-180	REP-XA	00-11-179	220-57-380	REP-XA	00-11-179
220-56-33000B	REP-E	00-13-069	220-57-181	REP-XA	00-11-179	220-57-385	REP-XA	00-11-179
220-56-33000C	NEW-E	00-13-069	220-57-185	REP-XA	00-11-179	220-57-390	REP-XA	00-11-179
220-56-33000C	REP-E	00-14-034	220-57-187	REP-XA	00-11-179	220-57-395	REP-XA	00-11-179
220-56-33000D	NEW-E	00-14-034	220-57-18700D	NEW-E	00-07-002	220-57-400	REP-XA	00-11-179
220-56-33000V	REP-E	00-08-037	220-57-190	REP-XA	00-11-179	220-57-405	REP-XA	00-11-179
220-56-33000	NEW-E	00-06-009	220-57-195	REP-XA	00-11-179	220-57-410	REP-XA	00-11-179
220-56-33000	REP-E	00-08-037	220-57-200	REP-XA	00-11-179	220-57-415	REP-XA	00-11-179
220-56-33000X	NEW-E	00-07-098	220-57-205	REP-XA	00-11-179	220-57-420	REP-XA	00-11-179
220-56-33000X	REP-E	00-11-055	220-57-210	REP-XA	00-11-179	220-57-425	REP-XA	00-11-179
220-56-33000Y	NEW-E	00-08-037	220-57-215	REP-XA	00-11-179	220-57-427	REP-XA	00-11-179
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220-56-36000B	NEW-E	00-06-010	220-57-265	REP-XA	00-11-179	220-57-465	REP-XA	00-11-179

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220- 57-473	REP-XA	00-11-179	220- 57A-160	REP-XA	00-11-179	222- 16-050	AMD-C	00-08-103
220- 57-475	REP-XA	00-11-179	220- 57A-165	REP-XA	00-11-179	222- 16-080	AMD-E	00-06-026
220- 57-480	REP-XA	00-11-179	220- 57A-170	REP-XA	00-11-179	222- 20-010	AMD-E	00-06-026
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220- 57-490	REP-XA	00-11-179	220- 57A-17500	NEW-E	00-14-050	222- 20-015	NEW-E	00-06-026
220- 57-493	REP-XA	00-11-179	220- 57A-17500	REP-E	00-14-050	222- 20-015	NEW-C	00-08-103
220- 57-495	REP-XA	00-11-179	220- 57A-17500	REP-E	00-14-060	222- 20-020	AMD-E	00-06-026
220- 57-497	REP-XA	00-11-179	220- 57A-17500	NEW-E	00-14-060	222- 20-020	AMD-C	00-08-103
220- 57-500	REP-XA	00-11-179	220- 57A-17500	REP-E	00-14-060	222- 20-055	NEW-E	00-06-026
220- 57-502	REP-XA	00-11-179	220- 57A-180	REP-XA	00-11-179	222- 20-070	AMD-C	00-08-103
220- 57-505	REP-XA	00-11-179	220- 57A-183	REP-XA	00-11-179	222- 20-080	AMD-E	00-06-026
220- 57-50500G	NEW-E	00-08-022	220- 57A-185	REP-XA	00-11-179	222- 21-005	NEW-P	00-08-104
220- 57-50500G	REP-E	00-12-041	220- 57A-190	REP-XA	00-11-179	222- 21-005	NEW-E	00-12-093
220- 57-50500H	NEW-E	00-12-041	220- 69-236	AMD-P	00-06-084	222- 21-010	NEW-P	00-08-104
220- 57-50500H	REP-E	00-12-041	220- 69-236	AMD	00-11-178	222- 21-010	NEW-E	00-12-093
220- 57-510	REP-XA	00-11-179	220- 69-24000P	NEW-E	00-10-051	222- 21-020	NEW-P	00-08-104
220- 57-515	REP-XA	00-11-179	220- 69-24000P	REP-E	00-12-015	222- 21-020	NEW-E	00-12-093
220- 57-51500S	NEW-E	00-08-022	220- 69-24000Q	NEW-E	00-12-015	222- 21-030	NEW-P	00-08-104
220- 57-51500S	REP-E	00-08-022	220- 69-24000R	NEW-E	00-13-054	222- 21-030	NEW-E	00-12-093
220- 57-51500S	REP-E	00-11-117	220- 77-090	NEW-P	00-14-008	222- 21-035	NEW-P	00-08-104
220- 57-51500T	NEW-E	00-11-117	220- 88B-030	AMD-P	00-13-082	222- 21-035	NEW-E	00-12-093
220- 57-520	REP-XA	00-11-179	220- 88B-040	AMD-P	00-13-082	222- 21-040	NEW-P	00-08-104
220- 57-525	REP-XA	00-11-179	220- 88B-04000	NEW-E	00-10-071	222- 21-040	NEW-E	00-12-093
220- 57-53000C	NEW-E	00-13-016	220- 88B-050	AMD-P	00-13-082	222- 21-045	NEW-P	00-08-104
220- 57-53000C	REP-E	00-13-016	220- 88B-05000	NEW-E	00-10-071	222- 21-045	NEW-E	00-12-093
220- 57A-001	REP-XA	00-11-179	220- 88B-05000	REP-E	00-10-071	222- 21-050	NEW-P	00-08-104
220- 57A-005	REP-XA	00-11-179	220- 88C-010	NEW-P	00-14-038	222- 21-050	NEW-E	00-12-093
220- 57A-010	REP-XA	00-11-179	220- 88C-01000	NEW-E	00-11-056	222- 21-060	NEW-P	00-08-104
220- 57A-012	REP-XA	00-11-179	220- 88C-020	NEW-P	00-14-038	222- 21-060	NEW-E	00-12-093
220- 57A-015	REP-XA	00-11-179	220- 88C-02000	NEW-E	00-11-056	222- 21-065	NEW-P	00-08-104
220- 57A-017	REP-XA	00-11-179	220- 88C-030	NEW-P	00-14-038	222- 21-065	NEW-E	00-12-093
220- 57A-020	REP-XA	00-11-179	220- 88C-03000	NEW-E	00-11-056	222- 21-070	NEW-P	00-08-104
220- 57A-025	REP-XA	00-11-179	220- 95-013	AMD-P	00-14-021	222- 21-070	NEW-E	00-12-093
220- 57A-030	REP-XA	00-11-179	220- 95-018	AMD-P	00-14-021	222- 21-080	NEW-P	00-08-104
220- 57A-035	REP-XA	00-11-179	220- 95-022	AMD-P	00-14-021	222- 21-080	NEW-E	00-12-093
220- 57A-037	REP-XA	00-11-179	220- 95-032	AMD-P	00-14-021	222- 21-090	NEW-P	00-08-104
220- 57A-040	REP-XA	00-11-179	222- 08-035	AMD-E	00-06-026	222- 21-090	NEW-E	00-12-093
220- 57A-045	REP-XA	00-11-179	222- 08-035	AMD-C	00-08-103	222- 22-010	AMD-C	00-08-103
220- 57A-050	REP-XA	00-11-179	222- 10-010	AMD-E	00-06-026	222- 22-030	AMD-C	00-08-103
220- 57A-055	REP-XA	00-11-179	222- 10-020	NEW-C	00-08-103	222- 22-035	NEW-C	00-08-103
220- 57A-065	REP-XA	00-11-179	222- 10-030	NEW-E	00-06-026	222- 22-040	AMD-C	00-08-103
220- 57A-070	REP-XA	00-11-179	222- 10-030	NEW-C	00-08-103	222- 22-050	AMD-C	00-08-103
220- 57A-075	REP-XA	00-11-179	222- 10-035	NEW-E	00-06-026	222- 22-060	AMD-C	00-08-103
220- 57A-080	REP-XA	00-11-179	222- 12-010	AMD-E	00-06-026	222- 22-065	NEW-C	00-08-103
220- 57A-082	REP-XA	00-11-179	222- 12-020	AMD-P	00-08-104	222- 22-070	AMD-E	00-06-026
220- 57A-085	REP-XA	00-11-179	222- 12-020	AMD-E	00-12-093	222- 22-070	AMD-C	00-08-103
220- 57A-090	REP-XA	00-11-179	222- 12-041	NEW-E	00-06-026	222- 22-075	NEW-E	00-06-026
220- 57A-095	REP-XA	00-11-179	222- 12-044	NEW-E	00-06-026	222- 22-075	NEW-C	00-08-103
220- 57A-100	REP-XA	00-11-179	222- 12-044	NEW-C	00-08-103	222- 22-076	NEW-E	00-06-026
220- 57A-105	REP-XA	00-11-179	222- 12-045	AMD-E	00-06-026	222- 22-076	NEW-C	00-08-103
220- 57A-110	REP-XA	00-11-179	222- 12-045	AMD-C	00-08-103	222- 22-080	AMD-E	00-06-026
220- 57A-112	REP-XA	00-11-179	222- 12-090	AMD-E	00-06-026	222- 22-090	AMD-E	00-06-026
220- 57A-115	REP-XA	00-11-179	222- 12-090	AMD-C	00-08-103	222- 22-090	AMD-C	00-08-103
220- 57A-120	REP-XA	00-11-179	222- 12-090	AMD-P	00-08-104	222- 24-010	AMD-E	00-06-026
220- 57A-125	REP-XA	00-11-179	222- 12-090	AMD-E	00-12-093	222- 24-010	AMD-C	00-08-103
220- 57A-130	REP-XA	00-11-179	222- 16-010	AMD-E	00-06-026	222- 24-015	NEW-E	00-06-026
220- 57A-135	REP-XA	00-11-179	222- 16-010	AMD-C	00-08-103	222- 24-020	AMD-E	00-06-026
220- 57A-140	REP-XA	00-11-179	222- 16-030	AMD-E	00-06-026	222- 24-020	AMD-C	00-08-103
220- 57A-145	REP-XA	00-11-179	222- 16-030	AMD-C	00-08-103	222- 24-025	REP-E	00-06-026
220- 57A-150	REP-XA	00-11-179	222- 16-035	AMD-E	00-06-026	222- 24-026	NEW-E	00-06-026
220- 57A-152	REP-XA	00-11-179	222- 16-036	NEW-E	00-06-026	222- 24-030	AMD-E	00-06-026

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222- 24-035	AMD-E	00-06-026	230- 04-119	AMD	00-05-102	230- 25-310	AMD-P	00-12-097
222- 24-035	AMD-C	00-08-103	230- 04-120	AMD-P	00-11-114	230- 25-315	AMD-P	00-12-097
222- 24-040	AMD-E	00-06-026	230- 04-124	AMD-P	00-11-114	230- 25-325	NEW-P	00-12-097
222- 24-040	AMD-C	00-08-103	230- 04-140	AMD-P	00-05-101	230- 30-212	REP-P	00-11-114
222- 24-050	AMD-E	00-06-026	230- 04-140	AMD	00-09-052	230- 30-213	REP-P	00-11-114
222- 24-050	AMD-C	00-08-103	230- 04-142	REP-P	00-05-101	230- 40-010	AMD-P	00-05-101
222- 24-051	NEW-E	00-06-026	230- 04-203	AMD-P	00-05-101	230- 40-010	AMD	00-09-052
222- 24-052	NEW-E	00-06-026	230- 04-203	AMD-P	00-11-114	230- 40-015	REP-P	00-05-101
222- 24-060	AMD-E	00-06-026	230- 04-204	AMD-P	00-05-101	230- 40-015	REP	00-09-052
222- 24-060	AMD-C	00-08-103	230- 04-207	NEW-P	00-05-101	230- 40-030	AMD-P	00-05-101
222- 30-010	AMD-E	00-06-026	230- 04-207	NEW	00-09-052	230- 40-030	AMD	00-09-052
222- 30-010	AMD-C	00-08-103	230- 04-255	AMD-P	00-05-101	230- 40-040	NEW-P	00-05-101
222- 30-020	AMD-E	00-06-026	230- 04-255	AMD	00-09-052	230- 40-040	NEW	00-09-052
222- 30-020	AMD-C	00-08-103	230- 04-450	AMD-P	00-05-101	230- 40-050	AMD-P	00-05-101
222- 30-021	NEW-E	00-06-026	230- 04-450	AMD	00-09-052	230- 40-050	AMD	00-09-052
222- 30-022	NEW-E	00-06-026	230- 08-027	NEW-P	00-05-101	230- 40-055	AMD-P	00-07-139
222- 30-023	NEW-E	00-06-026	230- 08-027	NEW	00-09-052	230- 40-055	AMD	00-11-054
222- 30-040	AMD-E	00-06-026	230- 08-040	AMD-P	00-05-101	230- 40-060	REP-P	00-05-101
222- 30-045	NEW-E	00-06-026	230- 08-040	AMD	00-09-052	230- 40-060	REP	00-09-052
222- 30-060	AMD-E	00-06-026	230- 08-080	AMD-P	00-04-099	230- 40-070	AMD-P	00-05-101
222- 30-070	AMD-E	00-06-026	230- 08-080	AMD	00-07-140	230- 40-070	AMD	00-09-052
222- 30-070	AMD-C	00-08-103	230- 08-090	AMD-P	00-05-101	230- 40-120	AMD-P	00-05-101
222- 30-070	AMD-E	00-12-093	230- 08-090	AMD	00-09-052	230- 40-120	AMD	00-09-052
222- 30-070	AMD-W	00-13-025	230- 08-100	REP-P	00-04-099	230- 40-125	REP-P	00-05-101
222- 38-010	AMD-E	00-06-026	230- 08-100	REP	00-07-140	230- 40-125	AMD	00-09-052
222- 38-020	AMD-E	00-06-026	230- 08-105	AMD-P	00-04-099	230- 40-125	AMD	00-09-087
222- 38-020	AMD-C	00-08-103	230- 08-105	AMD	00-07-140	230- 40-130	AMD-P	00-05-101
222- 38-030	AMD-E	00-06-026	230- 08-160	AMD-P	00-05-101	230- 40-130	AMD	00-09-052
222- 38-030	AMD-C	00-08-103	230- 08-160	AMD	00-09-052	230- 40-150	REP-P	00-05-101
222- 38-040	AMD-E	00-06-026	230- 12-050	AMD-P	00-04-099	230- 40-150	REP	00-09-052
222- 46-012	NEW-E	00-06-026	230- 12-050	AMD-P	00-05-101	230- 40-160	REP-P	00-05-101
222- 46-055	NEW-C	00-08-103	230- 12-050	AMD	00-07-140	230- 40-160	REP	00-09-052
222- 46-060	AMD-E	00-06-026	230- 12-050	AMD	00-09-052	230- 40-200	AMD-P	00-05-101
222- 46-060	AMD-C	00-08-103	230- 12-072	NEW-P	00-05-101	230- 40-200	AMD	00-09-052
222- 46-065	AMD-C	00-08-103	230- 12-072	NEW	00-09-052	230- 40-225	AMD-P	00-05-101
222- 46-070	AMD-E	00-06-026	230- 12-073	NEW-P	00-05-101	230- 40-225	AMD	00-09-052
224- 12	PREP	00-11-181	230- 12-073	NEW	00-09-052	230- 40-400	AMD-P	00-05-101
230- 02-108	AMD-P	00-04-099	230- 12-074	NEW-P	00-11-113	230- 40-400	AMD	00-09-052
230- 02-108	AMD	00-07-140	230- 12-078	AMD-P	00-04-099	230- 40-550	NEW-P	00-05-101
230- 02-109	NEW-P	00-05-101	230- 12-078	AMD	00-07-140	230- 40-550	NEW	00-09-052
230- 02-109	NEW	00-09-052	230- 12-310	AMD-P	00-05-103	230- 40-552	NEW-P	00-05-101
230- 02-110	AMD-P	00-05-101	230- 12-310	AMD	00-09-051	230- 40-552	NEW	00-09-052
230- 02-110	AMD	00-09-052	230- 12-335	NEW-P	00-11-114	230- 40-554	NEW-P	00-05-101
230- 02-123	AMD-P	00-04-099	230- 20-110	REP-P	00-04-099	230- 40-554	NEW	00-09-052
230- 02-123	AMD	00-07-140	230- 20-110	REP	00-07-140	230- 40-556	NEW-P	00-05-101
230- 02-183	AMD-P	00-04-099	230- 20-120	REP-P	00-04-099	230- 40-556	NEW	00-09-052
230- 02-183	AMD	00-07-140	230- 20-120	REP	00-07-140	230- 40-558	NEW-P	00-05-101
230- 02-205	AMD	00-05-102	230- 20-220	AMD-P	00-04-099	230- 40-558	NEW	00-09-052
230- 02-206	AMD	00-05-102	230- 20-220	AMD	00-07-140	230- 40-560	NEW-P	00-05-101
230- 02-380	AMD-W	00-02-067	230- 20-243	AMD-P	00-04-099	230- 40-560	NEW	00-09-052
230- 02-400	REP-P	00-05-101	230- 20-243	AMD	00-07-140	230- 40-562	NEW-P	00-05-101
230- 02-400	REP	00-09-052	230- 20-244	AMD-P	00-04-099	230- 40-562	NEW	00-09-052
230- 02-412	NEW-P	00-11-114	230- 20-244	AMD	00-07-140	230- 40-600	NEW-P	00-05-101
230- 02-415	AMD-P	00-05-101	230- 25-030	AMD-P	00-12-097	230- 40-600	NEW	00-09-052
230- 02-415	AMD	00-09-052	230- 25-040	AMD-P	00-12-097	230- 40-610	NEW-P	00-05-101
230- 02-425	REP-P	00-05-101	230- 25-070	AMD-P	00-12-097	230- 40-610	NEW	00-09-052
230- 02-425	REP	00-09-052	230- 25-100	AMD-P	00-12-097	230- 40-615	NEW-P	00-05-101
230- 02-504	NEW-P	00-12-097	230- 25-110	AMD-P	00-12-097	230- 40-615	NEW	00-09-052
230- 04-022	AMD-P	00-05-101	230- 25-120	AMD-P	00-12-097	230- 40-800	NEW-P	00-05-101
230- 04-022	AMD	00-09-052	230- 25-150	AMD-P	00-12-097	230- 40-800	NEW	00-09-052
230- 04-110	AMD-P	00-11-114	230- 25-200	AMD-P	00-12-097	230- 40-803	NEW-P	00-05-101

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
230- 40-803	NEW	00-09-052	232- 12-047	AMD	00-11-137	232- 28-515	AMD-P	00-14-081
230- 40-805	NEW-P	00-05-101	232- 12-051	AMD-P	00-06-089	232- 28-619	AMD	00-08-038
230- 40-805	NEW	00-09-052	232- 12-051	AMD	00-11-137	232- 28-619	AMD-XA	00-11-179
230- 40-810	NEW-P	00-05-101	232- 12-054	AMD-P	00-06-090	232- 28-61900D	NEW-E	00-03-041
230- 40-810	NEW	00-09-052	232- 12-054	AMD	00-11-137	232- 28-61900D	REP-E	00-03-041
230- 40-815	NEW-P	00-05-101	232- 12-068	AMD-P	00-06-091	232- 28-61900D	REP-E	00-03-055
230- 40-815	NEW	00-09-052	232- 12-068	AMD	00-11-137	232- 28-61900E	NEW-E	00-03-055
230- 40-820	NEW-P	00-05-101	232- 12-106	NEW-P	00-14-083	232- 28-61900E	REP-E	00-03-055
230- 40-820	NEW	00-09-052	232- 12-141	AMD-P	00-14-081	232- 28-61900E	REP-E	00-05-085
230- 40-823	NEW-P	00-05-101	232- 12-161	REP-XR	00-08-027	232- 28-61900F	NEW-E	00-05-085
230- 40-823	NEW	00-09-052	232- 12-161	REP	00-13-090	232- 28-61900F	REP-E	00-05-085
230- 40-825	NEW-P	00-05-101	232- 12-168	AMD	00-08-038	232- 28-61900G	NEW-E	00-06-008
230- 40-825	NEW	00-09-052	232- 12-257	AMD-W	00-02-066	232- 28-61900H	NEW-E	00-07-001
230- 40-830	NEW-P	00-05-101	232- 12-257	AMD-P	00-06-094	232- 28-61900I	NEW-E	00-07-073
230- 40-830	NEW	00-09-052	232- 12-257	AMD	00-11-137	232- 28-61900I	REP-E	00-07-073
230- 40-833	NEW-P	00-05-101	232- 12-31500G	NEW-E	00-04-014	232- 28-61900J	NEW-E	00-08-006
230- 40-833	NEW	00-09-052	232- 12-619	AMD	00-08-038	232- 28-61900J	REP-E	00-11-007
230- 40-835	NEW-P	00-05-101	232- 12-619	AMD-XA	00-11-179	232- 28-61900K	NEW-E	00-08-001
230- 40-835	NEW	00-09-052	232- 12-61900L	NEW-E	00-10-068	232- 28-61900K	REP-E	00-08-001
230- 40-840	NEW-P	00-05-101	232- 12-61900	NEW-E	00-11-002	232- 28-61900L	NEW-E	00-12-041
230- 40-840	NEW	00-09-052	232- 12-61900	REP-E	00-11-002	232- 28-61900L	REP-E	00-12-041
230- 40-845	NEW-P	00-05-101	232- 16-700	AMD-P	00-06-093	232- 28-61900	NEW-E	00-13-089
230- 40-845	NEW	00-09-052	232- 16-700	AMD	00-11-137	232- 28-61900	REP-E	00-13-089
230- 40-850	NEW-P	00-05-101	232- 28-02201	AMD	00-04-017	232- 28-61900N	NEW-E	00-14-050
230- 40-850	NEW	00-09-052	232- 28-02202	AMD	00-04-017	232- 28-61900N	REP-E	00-14-050
230- 40-855	NEW-P	00-05-101	232- 28-02202	AMD-P	00-06-097	232- 28-620	RECOD-X	00-11-179
230- 40-855	NEW	00-09-052	232- 28-02202	AMD	00-11-137	232- 28-621	RECOD-X	00-11-179
230- 40-860	NEW-P	00-05-101	232- 28-02203	AMD	00-04-017	236- 18-040	AMD	00-06-052
230- 40-860	NEW	00-09-052	232- 28-02204	AMD	00-04-017	236- 18-070	AMD	00-06-052
230- 40-865	NEW-P	00-05-101	232- 28-02205	AMD	00-04-017	236- 18-080	AMD	00-06-052
230- 40-865	NEW	00-09-052	232- 28-02206	AMD	00-04-017	236- 70-040	AMD	00-08-040
230- 40-870	NEW-P	00-05-101	232- 28-02220	AMD	00-04-017	236- 70-050	AMD	00-08-040
230- 40-870	NEW	00-09-052	232- 28-02240	AMD	00-04-017	236- 70-060	AMD	00-08-040
230- 40-875	NEW-P	00-05-101	232- 28-24102	REP	00-04-017	236- 70-080	AMD	00-08-040
230- 40-875	NEW	00-09-052	232- 28-248	AMD-P	00-06-095	236-200-010	RECOD	00-08-039
230- 40-880	NEW-P	00-05-101	232- 28-248	AMD	00-11-137	236-200-020	RECOD	00-08-039
230- 40-880	NEW	00-09-052	232- 28-255	REP	00-04-017	236-200-030	RECOD	00-08-039
230- 40-885	NEW-P	00-05-101	232- 28-26000A	NEW-E	00-03-025	236-200-040	RECOD	00-08-039
230- 40-885	NEW	00-09-052	232- 28-261	REP	00-04-017	236-200-050	RECOD	00-08-039
230- 40-890	NEW-P	00-05-101	232- 28-262	REP	00-04-017	236-200-060	RECOD	00-08-039
230- 40-890	NEW	00-09-052	232- 28-263	REP	00-04-017	242- 02-052	AMD-P	00-05-021
230- 40-895	NEW-P	00-05-101	232- 28-264	REP-P	00-14-080	242- 02-052	AMD	00-09-094
230- 40-895	NEW	00-09-052	232- 28-266	AMD-P	00-06-096	242- 02-255	NEW-P	00-05-021
230- 40-897	NEW-P	00-05-101	232- 28-266	AMD	00-11-137	242- 02-255	NEW	00-09-094
230- 40-897	NEW	00-09-052	232- 28-269	REP	00-04-017	242- 02-522	AMD-P	00-05-021
230- 40-900	REP-P	00-05-101	232- 28-270	REP	00-04-017	242- 02-522	AMD	00-09-094
230- 40-900	REP	00-09-052	232- 28-271	AMD	00-04-017	242- 02-832	AMD-P	00-05-021
230- 46-020	AMD-W	00-07-070	232- 28-272	AMD-P	00-06-099	242- 02-832	AMD	00-09-094
230- 46-035	NEW-W	00-07-070	232- 28-272	AMD	00-11-137	242- 02-834	AMD-P	00-05-021
230- 50-010	AMD-P	00-05-101	232- 28-273	AMD-P	00-06-092	242- 02-834	AMD	00-09-094
230- 50-010	AMD	00-09-052	232- 28-273	AMD	00-11-137	242- 04-030	AMD-P	00-05-021
232- 12-001	AMD-XA	00-11-179	232- 28-274	REP-P	00-14-080	242- 04-030	AMD	00-09-094
232- 12-011	AMD	00-04-017	232- 28-275	AMD	00-04-017	242- 04-050	AMD-P	00-05-021
232- 12-011	AMD-P	00-06-083	232- 28-276	NEW-P	00-06-086	242- 04-050	AMD	00-09-094
232- 12-011	AMD-P	00-06-100	232- 28-276	NEW	00-11-137	246- 14-010	NEW	00-10-114
232- 12-011	AMD-W	00-07-019	232- 28-277	NEW	00-04-017	246- 14-020	NEW	00-10-114
232- 12-011	AMD	00-10-001	232- 28-278	NEW-P	00-06-087	246- 14-030	NEW	00-10-114
232- 12-011	AMD-P	00-14-022	232- 28-278	NEW	00-11-137	246- 14-040	NEW	00-10-114
232- 12-01100A	NEW-E	00-10-069	232- 28-279	NEW-P	00-06-085	246- 14-050	NEW	00-10-114
232- 12-014	AMD	00-04-017	232- 28-279	NEW	00-11-137	246- 14-060	NEW	00-10-114
232- 12-018	REP	00-08-038	232- 28-423	REP-P	00-14-082	246- 14-070	NEW	00-10-114
232- 12-047	AMD-P	00-06-088	232- 28-424	NEW-P	00-14-082	246- 14-080	NEW	00-10-114

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-14-090	NEW	00-10-114	246-101-525	NEW-P	00-12-101	246-243-100	AMD-P	00-04-088
246-14-100	NEW	00-10-114	246-101-601	NEW-P	00-12-101	246-243-100	AMD	00-08-013
246-14-110	NEW	00-10-114	246-101-605	NEW-P	00-12-101	246-243-110	AMD-P	00-04-088
246-14-120	NEW	00-10-114	246-101-610	NEW-P	00-12-101	246-243-110	AMD	00-08-013
246-100-011	AMD-P	00-12-101	246-101-615	NEW-P	00-12-101	246-243-120	AMD-P	00-04-088
246-100-016	REP-P	00-12-101	246-101-620	NEW-P	00-12-101	246-243-120	AMD	00-08-013
246-100-021	AMD-P	00-12-101	246-101-625	NEW-P	00-12-101	246-243-130	AMD-P	00-04-088
246-100-026	REP-P	00-12-101	246-101-630	NEW-P	00-12-101	246-243-130	AMD	00-08-013
246-100-031	REP-P	00-12-101	246-101-635	NEW-P	00-12-101	246-243-140	AMD-P	00-04-088
246-100-036	AMD-P	00-12-101	246-101-640	NEW-P	00-12-101	246-243-140	AMD	00-08-013
246-100-041	REP-P	00-12-101	246-101-701	NEW-P	00-12-101	246-243-141	NEW-P	00-04-088
246-100-042	REP-P	00-12-101	246-101-705	NEW-P	00-12-101	246-243-141	NEW	00-08-013
246-100-043	REP-P	00-12-101	246-101-710	NEW-P	00-12-101	246-243-150	AMD-P	00-04-088
246-100-046	REP-P	00-12-101	246-101-715	NEW-P	00-12-101	246-243-150	AMD	00-08-013
246-100-071	REP-P	00-12-101	246-101-720	NEW-P	00-12-101	246-243-160	AMD-P	00-04-088
246-100-076	REP-P	00-12-101	246-101-725	NEW-P	00-12-101	246-243-160	AMD	00-08-013
246-100-081	REP-P	00-12-101	246-101-730	NEW-P	00-12-101	246-243-170	AMD-P	00-04-088
246-100-086	REP-P	00-12-101	246-130-001	AMD-P	00-14-063	246-243-170	AMD	00-08-013
246-100-091	REP-P	00-12-101	246-130-010	AMD-P	00-14-063	246-243-180	AMD-P	00-04-088
246-100-171	REP-P	00-12-101	246-130-020	AMD-P	00-14-063	246-243-180	AMD	00-08-013
246-100-176	REP-P	00-12-101	246-130-028	NEW-P	00-14-063	246-243-190	AMD-P	00-04-088
246-100-181	REP-P	00-12-101	246-130-030	AMD-P	00-14-063	246-243-190	AMD	00-08-013
246-100-196	REP-P	00-12-101	246-130-040	AMD-P	00-14-063	246-243-195	AMD-P	00-04-088
246-100-201	AMD-P	00-12-101	246-130-060	AMD-P	00-14-063	246-243-195	AMD	00-08-013
246-100-216	REP-P	00-12-101	246-130-070	REP-P	00-14-063	246-243-200	AMD-P	00-04-088
246-100-217	REP-P	00-12-101	246-130-080	NEW-P	00-14-063	246-243-200	AMD	00-08-013
246-100-218	REP-P	00-12-101	246-130-090	NEW-P	00-14-063	246-243-203	NEW-P	00-04-088
246-100-231	REP-P	00-12-101	246-220-007	AMD-P	00-04-088	246-243-203	NEW	00-08-013
246-100-236	REP-P	00-12-101	246-220-007	AMD	00-08-013	246-243-210	REP-P	00-04-088
246-100-241	REP-P	00-12-101	246-220-010	AMD-P	00-04-088	246-243-210	REP	00-08-013
246-101-001	NEW-P	00-12-101	246-220-010	AMD	00-08-013	246-243-220	AMD-P	00-04-088
246-101-005	NEW-P	00-12-101	246-221-020	AMD-P	00-04-088	246-243-220	AMD	00-08-013
246-101-010	NEW-P	00-12-101	246-221-020	AMD	00-08-013	246-243-230	AMD-P	00-04-088
246-101-015	NEW-P	00-12-101	246-221-270	AMD	00-07-085	246-243-230	AMD	00-08-013
246-101-101	NEW-P	00-12-101	246-232-060	AMD	00-07-085	246-243-250	NEW-P	00-04-088
246-101-105	NEW-P	00-12-101	246-235-075	AMD	00-07-085	246-243-250	NEW	00-08-013
246-101-110	NEW-P	00-12-101	246-235-080	AMD-P	00-04-088	246-246-001	NEW	00-07-085
246-101-115	NEW-P	00-12-101	246-235-080	AMD	00-08-013	246-246-010	NEW	00-07-085
246-101-120	NEW-P	00-12-101	246-235-084	NEW-P	00-04-088	246-246-020	NEW	00-07-085
246-101-201	NEW-P	00-12-101	246-235-084	NEW	00-08-013	246-246-030	NEW	00-07-085
246-101-205	NEW-P	00-12-101	246-235-086	NEW-P	00-04-088	246-246-040	NEW	00-07-085
246-101-210	NEW-P	00-12-101	246-235-086	NEW	00-08-013	246-246-050	NEW	00-07-085
246-101-215	NEW-P	00-12-101	246-235-090	AMD-P	00-04-088	246-246-060	NEW	00-07-085
246-101-220	NEW-P	00-12-101	246-235-090	AMD	00-08-013	246-252-001	AMD-P	00-04-088
246-101-225	NEW-P	00-12-101	246-243-020	AMD-P	00-04-088	246-252-001	AMD	00-08-013
246-101-230	NEW-P	00-12-101	246-243-020	AMD	00-08-013	246-252-030	AMD-P	00-04-088
246-101-301	NEW-P	00-12-101	246-243-030	AMD-P	00-04-088	246-252-030	AMD	00-08-013
246-101-305	NEW-P	00-12-101	246-243-030	AMD	00-08-013	246-254-150	AMD-P	00-04-088
246-101-310	NEW-P	00-12-101	246-243-042	NEW-P	00-04-088	246-254-150	AMD	00-08-013
246-101-315	NEW-P	00-12-101	246-243-042	NEW	00-08-013	246-290-72001	NEW-P	00-11-164
246-101-320	NEW-P	00-12-101	246-243-044	NEW-P	00-04-088	246-290-72002	NEW-P	00-11-164
246-101-401	NEW-P	00-12-101	246-243-044	NEW	00-08-013	246-290-72003	NEW-P	00-11-164
246-101-405	NEW-P	00-12-101	246-243-047	NEW-P	00-04-088	246-290-72004	NEW-P	00-11-164
246-101-410	NEW-P	00-12-101	246-243-047	NEW	00-08-013	246-290-72005	NEW-P	00-11-164
246-101-415	NEW-P	00-12-101	246-243-050	AMD-P	00-04-088	246-290-72006	NEW-P	00-11-164
246-101-420	NEW-P	00-12-101	246-243-050	AMD	00-08-013	246-290-72007	NEW-P	00-11-164
246-101-425	NEW-P	00-12-101	246-243-060	AMD-P	00-04-088	246-290-72008	NEW-P	00-11-164
246-101-501	NEW-P	00-12-101	246-243-060	AMD	00-08-013	246-290-72009	NEW-P	00-11-164
246-101-505	NEW-P	00-12-101	246-243-080	AMD-P	00-04-088	246-290-72010	NEW-P	00-11-164
246-101-510	NEW-P	00-12-101	246-243-080	AMD	00-08-013	246-290-72011	NEW-P	00-11-164
246-101-515	NEW-P	00-12-101	246-243-090	AMD-P	00-04-088	246-290-72012	NEW-P	00-11-164
246-101-520	NEW-P	00-12-101	246-243-090	AMD	00-08-013	246-292	PREP	00-10-112

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-323	PREP	00-05-097	246-358-640	REP	00-06-082	246-780-022	NEW	00-07-129
246-325	PREP	00-05-097	246-358-650	REP	00-06-082	246-780-025	NEW-P	00-03-074
246-326	PREP	00-05-097	246-358-660	REP	00-06-082	246-780-025	NEW	00-07-129
246-338-001	AMD-P	00-03-073	246-358-670	REP	00-06-082	246-780-028	NEW-P	00-03-074
246-338-001	AMD	00-06-079	246-358-680	REP	00-06-082	246-780-028	NEW	00-07-129
246-338-010	AMD-P	00-03-073	246-361-001	NEW	00-06-082	246-780-030	AMD-P	00-03-074
246-338-010	AMD	00-06-079	246-361-010	NEW	00-06-082	246-780-030	AMD	00-07-129
246-338-020	AMD-P	00-03-073	246-361-020	NEW	00-06-082	246-780-040	AMD-P	00-03-074
246-338-020	AMD	00-06-079	246-361-025	NEW	00-06-082	246-780-040	AMD	00-07-129
246-338-022	NEW-P	00-03-073	246-361-030	NEW	00-06-082	246-780-050	REP-P	00-03-074
246-338-022	NEW	00-06-079	246-361-035	NEW	00-06-082	246-780-050	REP	00-07-129
246-338-024	NEW-P	00-03-073	246-361-045	NEW	00-06-082	246-780-060	AMD-P	00-03-074
246-338-024	NEW	00-06-079	246-361-055	NEW	00-06-082	246-780-060	AMD	00-07-129
246-338-026	NEW-P	00-03-073	246-361-065	NEW	00-06-082	246-780-070	REP-P	00-03-074
246-338-026	NEW	00-06-079	246-361-070	NEW	00-06-082	246-780-070	REP	00-07-129
246-338-028	NEW-P	00-03-073	246-361-075	NEW	00-06-082	246-790	AMD-P	00-07-084
246-338-028	NEW	00-06-079	246-361-080	NEW	00-06-082	246-790	AMD	00-13-009
246-338-030	REP-P	00-03-073	246-361-090	NEW	00-06-082	246-790-010	AMD-P	00-07-084
246-338-030	REP	00-06-079	246-361-095	NEW	00-06-082	246-790-010	AMD	00-13-009
246-338-040	AMD-P	00-03-073	246-361-100	NEW	00-06-082	246-790-050	AMD-P	00-07-084
246-338-040	AMD	00-06-079	246-361-125	NEW	00-06-082	246-790-050	AMD	00-13-009
246-338-050	AMD-P	00-03-073	246-361-135	NEW	00-06-082	246-790-060	AMD-P	00-07-084
246-338-050	AMD	00-06-079	246-361-145	NEW	00-06-082	246-790-060	AMD	00-13-009
246-338-060	AMD-P	00-03-073	246-361-155	NEW	00-06-082	246-790-065	NEW-P	00-07-084
246-338-060	AMD	00-06-079	246-361-165	NEW	00-06-082	246-790-065	NEW	00-13-009
246-338-070	AMD-P	00-03-073	246-361-175	NEW	00-06-082	246-790-070	AMD-P	00-07-084
246-338-070	AMD	00-06-079	246-361-190	NEW	00-06-082	246-790-070	AMD	00-13-009
246-338-080	AMD-P	00-03-073	246-420-001	REP-P	00-12-101	246-790-080	AMD-P	00-07-084
246-338-080	AMD	00-06-079	246-420-010	REP-P	00-12-101	246-790-080	AMD	00-13-009
246-338-090	AMD-P	00-03-073	246-420-020	REP-P	00-12-101	246-790-085	AMD-P	00-07-084
246-338-090	AMD	00-06-079	246-420-030	REP-P	00-12-101	246-790-085	AMD	00-13-009
246-338-100	AMD-P	00-03-073	246-420-040	REP-P	00-12-101	246-790-090	AMD-P	00-07-084
246-338-100	AMD	00-06-079	246-420-050	REP-P	00-12-101	246-790-090	AMD	00-13-009
246-338-110	AMD-P	00-03-073	246-420-060	REP-P	00-12-101	246-790-100	AMD-P	00-07-084
246-338-110	AMD	00-06-079	246-490-010	NEW-P	00-05-098	246-790-100	AMD	00-13-009
246-358-001	AMD	00-06-082	246-490-010	NEW	00-11-169	246-790-120	AMD-P	00-07-084
246-358-010	AMD	00-06-082	246-490-020	NEW-P	00-05-098	246-790-120	AMD	00-13-009
246-358-020	REP	00-06-082	246-490-020	NEW	00-11-169	246-790-130	AMD-P	00-07-084
246-358-025	AMD	00-06-082	246-490-030	NEW-P	00-05-098	246-790-130	AMD	00-13-009
246-358-027	NEW	00-06-082	246-490-030	NEW	00-11-169	246-808-105	PREP	00-10-110
246-358-029	NEW	00-06-082	246-490-055	NEW-P	00-05-098	246-808-105	AMD-P	00-13-094
246-358-030	REP	00-06-082	246-490-055	NEW	00-11-169	246-808-115	PREP	00-10-110
246-358-040	NEW	00-06-082	246-490-065	NEW-P	00-05-098	246-808-115	AMD-P	00-13-094
246-358-045	AMD	00-06-082	246-490-065	NEW	00-11-169	246-808-120	PREP	00-10-110
246-358-055	AMD	00-06-082	246-490-070	NEW-P	00-05-098	246-808-120	REP-P	00-13-094
246-358-065	AMD	00-06-082	246-490-070	NEW	00-11-169	246-808-135	PREP	00-10-110
246-358-070	NEW	00-06-082	246-562-010	AMD-P	00-11-165	246-808-135	AMD-P	00-13-094
246-358-075	AMD	00-06-082	246-562-020	AMD-P	00-11-165	246-808-700	REP-XR	00-04-087
246-358-090	AMD	00-06-082	246-562-060	AMD-P	00-11-165	246-810-600	NEW	00-03-075A
246-358-095	AMD	00-06-082	246-562-080	AMD-P	00-11-165	246-810-610	NEW	00-03-075A
246-358-100	AMD	00-06-082	246-562-110	AMD-P	00-11-165	246-810-620	NEW	00-03-075A
246-358-125	AMD	00-06-082	246-562-120	AMD-P	00-11-165	246-810-630	NEW	00-03-075A
246-358-135	AMD	00-06-082	246-562-140	AMD-P	00-11-165	246-810-640	NEW	00-03-075A
246-358-140	REP	00-06-082	246-562-150	AMD-P	00-11-165	246-810-650	NEW	00-03-075A
246-358-145	AMD	00-06-082	246-562-160	NEW-P	00-11-165	246-810-660	NEW	00-03-075A
246-358-155	AMD	00-06-082	246-780-001	AMD-P	00-03-074	246-811-090	NEW-P	00-08-100
246-358-165	AMD	00-06-082	246-780-001	AMD	00-07-129	246-811-090	NEW	00-12-102
246-358-175	AMD	00-06-082	246-780-010	AMD-P	00-03-074	246-811-100	NEW-P	00-08-100
246-358-600	REP	00-06-082	246-780-010	AMD	00-07-129	246-811-100	NEW	00-12-102
246-358-610	REP	00-06-082	246-780-020	AMD-P	00-03-074	246-811-110	NEW-P	00-08-100
246-358-620	REP	00-06-082	246-780-020	AMD	00-07-129	246-811-110	NEW	00-12-102
246-358-630	REP	00-06-082	246-780-022	NEW-P	00-03-074	246-812-990	AMD	00-07-050

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-830-485	NEW	00-07-086	246-901-100	AMD-P	00-08-101	246-976-141	NEW-P	00-03-075
246-840-500	PREP	00-11-163	246-901-110	REP-P	00-08-101	246-976-141	NEW	00-08-102
246-840-505	PREP	00-11-163	246-901-120	AMD-P	00-08-101	246-976-150	REP-P	00-03-075
246-840-510	PREP	00-11-163	246-901-130	AMD-P	00-08-101	246-976-150	REP	00-08-102
246-840-520	PREP	00-11-163	246-901-140	NEW-P	00-08-101	246-976-151	NEW-P	00-03-075
246-840-525	PREP	00-11-163	246-930-010	PREP	00-08-099	246-976-151	NEW	00-08-102
246-840-530	PREP	00-11-163	246-930-030	PREP	00-08-099	246-976-160	REP-P	00-03-075
246-840-535	PREP	00-11-163	246-930-040	PREP	00-08-099	246-976-160	REP	00-08-102
246-840-540	PREP	00-11-163	246-930-200	PREP	00-08-099	246-976-161	NEW-P	00-03-075
246-840-545	PREP	00-11-163	246-930-410	PREP	00-08-099	246-976-161	NEW	00-08-102
246-840-550	PREP	00-11-163	246-939	PREP	00-11-159	246-976-165	REP-P	00-03-075
246-840-555	PREP	00-11-163	246-939-010	NEW-P	00-11-167	246-976-165	REP	00-08-102
246-840-560	PREP	00-11-163	246-939-030	NEW-P	00-11-167	246-976-170	REP-P	00-03-075
246-840-565	PREP	00-11-163	246-939-050	NEW-P	00-11-167	246-976-170	REP	00-08-102
246-840-570	PREP	00-11-163	246-976-001	AMD-P	00-03-075	246-976-171	NEW-P	00-03-075
246-840-575	PREP	00-11-163	246-976-001	AMD	00-08-102	246-976-171	NEW	00-08-102
246-840-700	AMD-P	00-14-062	246-976-010	AMD-P	00-03-075	246-976-180	REP-P	00-03-075
246-840-705	AMD-P	00-14-062	246-976-010	AMD	00-08-102	246-976-180	REP	00-08-102
246-840-710	AMD-P	00-14-062	246-976-020	REP-P	00-03-075	246-976-181	REP-P	00-03-075
246-840-715	REP-P	00-14-062	246-976-020	REP	00-08-102	246-976-181	REP	00-08-102
246-840-830	AMD-P	00-11-166	246-976-021	NEW-P	00-03-075	246-976-182	NEW-P	00-03-075
246-840-910	PREP	00-11-158	246-976-021	NEW	00-08-102	246-976-182	NEW	00-08-102
246-840-920	PREP	00-11-158	246-976-025	REP-P	00-03-075	246-976-190	REP-P	00-03-075
246-840-930	PREP	00-11-158	246-976-025	REP	00-08-102	246-976-190	REP	00-08-102
246-840-940	PREP	00-11-158	246-976-030	REP-P	00-03-075	246-976-191	NEW-P	00-03-075
246-840-950	PREP	00-11-158	246-976-030	REP	00-08-102	246-976-191	NEW	00-08-102
246-840-960	PREP	00-11-158	246-976-031	NEW-P	00-03-075	246-976-200	REP-P	00-03-075
246-840-970	PREP	00-11-158	246-976-031	NEW	00-08-102	246-976-200	REP	00-08-102
246-840-980	PREP	00-11-158	246-976-035	REP-P	00-03-075	246-976-210	REP-P	00-03-075
246-840-990	PREP-W	00-11-153	246-976-035	REP	00-08-102	246-976-210	REP	00-08-102
246-841-400	PREP	00-03-072	246-976-040	REP-P	00-03-075	246-976-220	REP-P	00-03-075
246-841-405	PREP	00-11-158	246-976-040	REP	00-08-102	246-976-220	REP	00-08-102
246-841-410	PREP	00-03-072	246-976-041	NEW-P	00-03-075	246-976-230	REP-P	00-03-075
246-841-420	PREP	00-03-072	246-976-041	NEW	00-08-102	246-976-230	REP	00-08-102
246-841-430	PREP	00-03-072	246-976-045	REP-P	00-03-075	246-976-240	REP-P	00-03-075
246-841-440	PREP	00-03-072	246-976-045	REP	00-08-102	246-976-240	REP	00-08-102
246-841-450	PREP	00-03-072	246-976-050	REP-P	00-03-075	246-976-260	AMD-P	00-03-075
246-841-460	PREP	00-03-072	246-976-050	REP	00-08-102	246-976-260	AMD	00-08-102
246-841-470	PREP	00-03-072	246-976-055	REP-P	00-03-075	246-976-270	AMD-P	00-03-075
246-841-480	PREP	00-03-072	246-976-055	REP	00-08-102	246-976-270	AMD	00-08-102
246-841-490	PREP	00-03-072	246-976-060	REP-P	00-03-075	246-976-280	REP-P	00-03-075
246-841-500	PREP	00-03-072	246-976-060	REP	00-08-102	246-976-280	REP	00-08-102
246-841-510	PREP	00-03-072	246-976-065	REP-P	00-03-075	246-976-290	AMD-P	00-03-075
246-843-150	PREP	00-13-093	246-976-065	REP	00-08-102	246-976-290	AMD	00-08-102
246-843-180	PREP	00-13-093	246-976-070	REP-P	00-03-075	246-976-300	AMD-P	00-03-075
246-843-330	PREP	00-13-093	246-976-070	REP	00-08-102	246-976-300	AMD	00-08-102
246-883-020	AMD	00-06-078	246-976-075	REP-P	00-03-075	246-976-310	AMD-P	00-03-075
246-886-025	NEW-E	00-11-168	246-976-075	REP	00-08-102	246-976-310	AMD	00-08-102
246-887-160	AMD-P	00-06-080	246-976-076	REP-P	00-03-075	246-976-320	AMD-P	00-03-075
246-887-160	AMD	00-10-113	246-976-076	REP	00-08-102	246-976-320	AMD	00-08-102
246-901	AMD-P	00-08-101	246-976-077	REP-P	00-03-075	246-976-320	PREP	00-10-111
246-901-010	AMD-P	00-08-101	246-976-077	REP	00-08-102	246-976-330	AMD-P	00-03-075
246-901-020	AMD-P	00-08-101	246-976-080	REP-P	00-03-075	246-976-330	AMD	00-08-102
246-901-030	AMD-P	00-08-101	246-976-080	REP	00-08-102	246-976-340	AMD-P	00-03-075
246-901-035	AMD-P	00-08-101	246-976-085	REP-P	00-03-075	246-976-340	AMD	00-08-102
246-901-040	AMD-P	00-08-101	246-976-085	REP	00-08-102	246-976-350	REP-P	00-03-075
246-901-050	AMD-P	00-08-101	246-976-110	REP-P	00-03-075	246-976-350	REP	00-08-102
246-901-060	AMD-P	00-08-101	246-976-110	REP	00-08-102	246-976-370	REP-P	00-03-075
246-901-065	AMD-P	00-08-101	246-976-120	REP-P	00-03-075	246-976-370	REP	00-08-102
246-901-070	AMD-P	00-08-101	246-976-120	REP	00-08-102	246-976-390	AMD-P	00-03-075
246-901-080	AMD-P	00-08-101	246-976-140	REP-P	00-03-075	246-976-390	AMD	00-08-102
246-901-090	AMD-P	00-08-101	246-976-140	REP	00-08-102	246-976-390	PREP	00-10-111

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246-976-400	AMD-P	00-03-075	250- 81-050	NEW	00-08-080	260- 75-030	NEW	00-07-040
246-976-400	AMD	00-08-102	250- 81-060	NEW-P	00-05-084	260- 88-010	AMD-P	00-03-093
246-976-420	AMD-P	00-03-075	250- 81-060	NEW	00-08-080	260- 88-010	AMD	00-07-043
246-976-420	AMD	00-08-102	251- 01-175	AMD-P	00-12-072	262- 01-140	NEW	00-06-030
246-976-430	AMD-P	00-03-075	251- 01-345	AMD-P	00-04-053	263- 12-016	PREP	00-12-053
246-976-430	AMD	00-08-102	251- 01-345	AMD-W	00-05-060	263- 12-020	PREP	00-12-054
246-976-440	REP-P	00-03-075	251- 01-345	AMD-C	00-06-051	263- 12-045	PREP	00-12-055
246-976-440	REP	00-08-102	251- 01-345	AMD	00-10-027	263- 12-050	PREP	00-12-056
246-976-450	REP-P	00-03-075	251- 08-075	NEW-P	00-12-074	263- 12-051	PREP	00-12-056
246-976-450	REP	00-08-102	251- 08-115	AMD-P	00-04-052	263- 12-056	PREP	00-12-056
246-976-890	AMD-P	00-03-075	251- 08-115	AMD-C	00-06-050	263- 12-057	PREP	00-12-056
246-976-890	AMD	00-08-102	251- 08-115	AMD	00-10-026	263- 12-058	PREP	00-12-056
246-976-910	AMD-P	00-03-075	251- 09-080	AMD-P	00-04-052	263- 12-059	PREP	00-12-056
246-976-910	AMD	00-08-102	251- 09-080	AMD-C	00-06-050	263- 12-060	PREP	00-12-057
246-976-920	AMD-P	00-03-075	251- 09-080	AMD	00-10-026	263- 12-060	PREP	00-12-057
246-976-920	AMD	00-08-102	251- 17-150	AMD-P	00-12-072	263- 12-090	PREP	00-12-058
246-976-930	AMD-P	00-03-075	251- 19-085	NEW-P	00-06-048	263- 12-093	PREP	00-12-059
246-976-930	AMD	00-08-102	251- 19-085	NEW	00-11-121	263- 12-095	PREP	00-12-060
246-976-940	AMD-P	00-03-075	251- 20-020	AMD-P	00-04-053	263- 12-097	PREP	00-12-061
246-976-940	AMD	00-08-102	251- 20-020	AMD-W	00-05-060	263- 12-100	PREP	00-12-062
246-976-950	AMD-P	00-03-075	251- 20-020	AMD-C	00-06-051	263- 12-115	PREP	00-12-063
246-976-950	AMD	00-08-102	251- 20-020	AMD	00-10-027	263- 12-120	PREP	00-12-064
246-976-960	AMD-P	00-03-075	251- 20-030	AMD-P	00-04-053	263- 12-130	PREP	00-12-065
246-976-960	AMD	00-08-102	251- 20-030	AMD-W	00-05-060	263- 12-135	PREP	00-12-066
246-976-970	AMD-P	00-03-075	251- 20-030	AMD-C	00-06-051	263- 12-140	PREP	00-12-067
246-976-970	AMD	00-08-102	251- 20-030	AMD	00-10-027	263- 12-145	PREP	00-12-068
246-976-990	AMD-P	00-03-075	251- 23-040	AMD-P	00-04-052	275- 30-010	AMD-E	00-10-065
246-976-990	AMD	00-08-102	251- 23-040	AMD-C	00-06-050	275- 30-010	AMD-P	00-13-074
250- 66-020	AMD	00-08-081	251- 23-040	AMD	00-10-026	275- 30-010	DECOD-P	00-13-074
250- 66-030	AMD	00-08-081	260- 12-180	AMD-P	00-13-004	275- 30-030	DECOD-P	00-13-074
250- 66-040	AMD	00-08-081	260- 24-650	AMD-P	00-13-004	275- 30-040	DECOD-P	00-13-074
250- 66-045	NEW	00-08-081	260- 28-230	AMD	00-06-072	275- 30-060	DECOD-P	00-13-074
250- 66-050	AMD	00-08-081	260- 34-030	AMD-P	00-03-088	275- 30-070	DECOD-P	00-13-074
250- 80-010	NEW	00-08-082	260- 34-030	AMD	00-07-038	275- 35	PREP	00-03-028
250- 80-010	NEW-E	00-08-083	260- 34-080	AMD-P	00-03-088	275- 35-010	REP-P	00-12-103
250- 80-020	NEW	00-08-082	260- 34-080	AMD	00-07-038	275- 35-020	REP-P	00-12-103
250- 80-020	NEW-E	00-08-083	260- 34-080	AMD	00-07-038	275- 35-030	REP-P	00-12-103
250- 80-030	NEW	00-08-082	260- 34-090	AMD-P	00-03-088	275- 35-040	REP-P	00-12-103
250- 80-030	NEW-E	00-08-083	260- 34-090	AMD	00-07-038	275- 35-050	REP-P	00-12-103
250- 80-040	NEW	00-08-082	260- 34-100	AMD-P	00-03-088	275- 35-060	REP-P	00-12-103
250- 80-040	NEW-E	00-08-083	260- 34-100	AMD	00-07-038	275- 35-070	REP-P	00-12-103
250- 80-050	NEW	00-08-082	260- 34-140	AMD-P	00-03-088	275- 35-080	REP-P	00-12-103
250- 80-050	NEW-E	00-08-083	260- 34-140	AMD-W	00-07-037	275- 35-100	REP-P	00-12-103
250- 80-060	NEW	00-08-082	260- 34-150	AMD-P	00-03-088	275- 37-010	REP-P	00-11-139
250- 80-060	NEW-E	00-08-083	260- 34-150	AMD-W	00-07-037	275- 37-020	REP-P	00-11-139
250- 80-070	NEW	00-08-082	260- 40-100	AMD-P	00-03-089	275- 37-030	REP-P	00-11-139
250- 80-070	NEW-E	00-08-083	260- 40-100	AMD	00-07-039	275- 54	PREP	00-08-048
250- 80-080	NEW	00-08-082	260- 44-070	AMD	00-06-071	275- 55	PREP	00-08-048
250- 80-080	NEW-E	00-08-083	260- 48-600	AMD	00-06-070	275- 57	PREP	00-08-048
250- 80-090	NEW	00-08-082	260- 48-620	AMD	00-06-070	275-110	PREP	00-12-034
250- 80-090	NEW-E	00-08-083	260- 52-010	AMD	00-06-069	284- 02-070	AMD-E	00-08-011
250- 80-090	NEW-E	00-08-083	260- 52-020	AMD-P	00-13-004	284- 30-600	AMD-P	00-13-113
250- 80-100	NEW	00-08-082	260- 52-030	AMD	00-06-069	284- 30-610	AMD-P	00-13-113
250- 80-100	NEW-E	00-08-083	260- 52-040	AMD	00-06-069	284- 43-120	AMD	00-04-034
250- 81-010	NEW-P	00-05-084	260- 52-060	AMD-P	00-03-091	284- 43-125	NEW	00-04-034
250- 81-010	NEW	00-08-080	260- 52-060	AMD	00-07-041	284- 43-200	AMD	00-04-034
250- 81-020	NEW-P	00-05-084	260- 52-080	AMD-P	00-13-003	284- 43-210	AMD	00-04-034
250- 81-020	NEW	00-08-080	260- 70-700	AMD-P	00-03-092	284- 43-220	AMD	00-04-034
250- 81-030	NEW-P	00-05-084	260- 70-700	AMD	00-07-042	284- 43-250	AMD	00-04-034
250- 81-030	NEW	00-08-080	260- 72-020	AMD-P	00-13-005	284- 43-710	AMD	00-04-034
250- 81-040	NEW-P	00-05-084	260- 75-020	NEW-P	00-03-090	284- 43-710	AMD-E	00-08-011
250- 81-040	NEW	00-08-080	260- 75-020	NEW	00-07-040	284- 43-720	AMD	00-04-034
250- 81-050	NEW-P	00-05-084	260- 75-030	NEW-P	00-03-090	284- 43-720	AMD-E	00-08-011

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
284- 43-730	AMD-E	00-08-011	296- 17-54403	NEW	00-14-052	296- 17-895	AMD	00-14-052
284- 43-915	AMD-E	00-08-011	296- 17-545	AMD-P	00-07-138	296- 17-90401	NEW	00-11-060
284- 43-930	AMD-E	00-08-011	296- 17-545	AMD	00-14-052	296- 17-90402	NEW	00-11-060
284- 43-945	AMD-E	00-08-011	296- 17-546	AMD-P	00-07-138	296- 17-90403	NEW	00-11-060
284- 74-300	NEW-P	00-04-090	296- 17-546	AMD	00-14-052	296- 17-90406	NEW	00-11-060
284- 74-300	NEW	00-07-069	296- 17-562	AMD-P	00-07-138	296- 17-90408	NEW	00-11-060
284- 74-310	NEW-P	00-04-090	296- 17-562	AMD	00-14-052	296- 17-90409	NEW	00-11-060
284- 74-310	NEW	00-07-069	296- 17-57001	AMD-P	00-07-138	296- 17-90412	NEW	00-11-060
284- 74-320	NEW-P	00-04-090	296- 17-57001	AMD	00-14-052	296- 17-90415	NEW	00-11-060
284- 74-320	NEW	00-07-069	296- 17-583	AMD-P	00-07-138	296- 17-90418	NEW	00-11-060
284- 74-330	NEW-P	00-04-090	296- 17-583	AMD	00-14-052	296- 17-90421	NEW	00-11-060
284- 74-330	NEW	00-07-069	296- 17-58503	AMD-P	00-07-138	296- 17-90424	NEW	00-11-060
284- 74-340	NEW-P	00-04-090	296- 17-58503	AMD	00-14-052	296- 17-90427	NEW	00-11-060
284- 74-340	NEW	00-07-069	296- 17-597	AMD-P	00-07-138	296- 17-90430	NEW	00-11-060
284- 74-350	NEW-P	00-04-090	296- 17-597	AMD	00-14-052	296- 17-90433	NEW	00-11-060
284- 74-350	NEW	00-07-069	296- 17-615	AMD-P	00-07-138	296- 17-90434	NEW	00-11-060
284- 74-360	NEW-P	00-04-090	296- 17-615	AMD	00-14-052	296- 17-90436	NEW	00-11-060
284- 74-360	NEW	00-07-069	296- 17-618	AMD-P	00-07-138	296- 17-90439	NEW	00-11-060
284- 74-370	NEW-P	00-04-090	296- 17-618	AMD	00-14-052	296- 17-90442	NEW	00-11-060
284- 74-370	NEW	00-07-069	296- 17-643	AMD-P	00-07-138	296- 17-90445	NEW	00-11-060
284- 74-380	NEW-P	00-04-090	296- 17-643	AMD	00-14-052	296- 17-90448	NEW	00-11-060
284- 74-380	NEW	00-07-069	296- 17-649	AMD-P	00-07-138	296- 17-90451	NEW	00-11-060
286- 40-020	AMD	00-05-008	296- 17-649	AMD	00-14-052	296- 17-90463	NEW	00-11-060
296- 15-500	NEW-P	00-10-106	296- 17-66003	AMD-P	00-07-138	296- 17-90466	NEW	00-11-060
296- 15-500	NEW-C	00-14-074	296- 17-66003	AMD	00-14-052	296- 17-90469	NEW	00-11-060
296- 15-510	NEW-P	00-10-106	296- 17-675	AMD-P	00-07-138	296- 17-90472	NEW	00-11-060
296- 15-510	NEW-C	00-14-074	296- 17-675	AMD	00-14-052	296- 17-90475	NEW	00-11-060
296- 17	PREP	00-02-090	296- 17-678	AMD-P	00-07-138	296- 17-90478	NEW	00-11-060
296- 17	PREP	00-11-135	296- 17-678	AMD	00-14-052	296- 17-90481	NEW	00-11-060
296- 17-31011	AMD-P	00-07-138	296- 17-679	AMD-P	00-07-138	296- 17-90484	NEW	00-11-060
296- 17-31011	AMD	00-14-052	296- 17-679	AMD	00-14-052	296- 17-90490	NEW	00-11-060
296- 17-31012	AMD-P	00-07-138	296- 17-686	AMD-P	00-07-138	296- 17-90491	NEW	00-11-060
296- 17-31012	AMD	00-14-052	296- 17-686	AMD	00-14-052	296- 17-90492	NEW	00-11-060
296- 17-31021	AMD-P	00-07-138	296- 17-689	AMD-P	00-07-138	296- 17-90493	NEW	00-11-060
296- 17-31021	AMD	00-14-052	296- 17-689	AMD	00-14-052	296- 17-90494	NEW	00-11-060
296- 17-501	AMD-P	00-07-138	296- 17-690	AMD-P	00-07-138	296- 17-90495	NEW	00-11-060
296- 17-501	AMD	00-14-052	296- 17-690	AMD	00-14-052	296- 17-90496	NEW	00-11-060
296- 17-50601	AMD-P	00-07-138	296- 17-694	AMD-P	00-07-138	296- 17-90497	NEW	00-11-060
296- 17-50601	AMD	00-14-052	296- 17-694	AMD	00-14-052	296- 17-91201	REP	00-11-060
296- 17-510	AMD-P	00-07-138	296- 17-695	AMD-P	00-07-138	296- 17-91202	REP	00-11-060
296- 17-510	AMD	00-14-052	296- 17-695	AMD	00-14-052	296- 17-91203	REP	00-11-060
296- 17-521	AMD-P	00-07-138	296- 17-712	AMD-P	00-07-138	296- 17-91204	REP	00-11-060
296- 17-521	AMD	00-14-052	296- 17-712	AMD	00-14-052	296- 17-91205	REP	00-11-060
296- 17-52102	AMD-P	00-07-138	296- 17-713	AMD-P	00-07-138	296- 17-91206	REP	00-11-060
296- 17-52102	AMD	00-14-052	296- 17-713	AMD	00-14-052	296- 17-91207	REP	00-11-060
296- 17-52106	AMD-P	00-07-138	296- 17-729	AMD-P	00-07-138	296- 17-91208	REP	00-11-060
296- 17-52106	AMD	00-14-052	296- 17-729	AMD	00-14-052	296- 17-91209	REP	00-11-060
296- 17-527	AMD-P	00-07-138	296- 17-740	AMD-P	00-07-138	296- 17-91210	REP	00-11-060
296- 17-527	AMD	00-14-052	296- 17-740	AMD	00-14-052	296- 17-91211	REP	00-11-060
296- 17-529	AMD-P	00-07-138	296- 17-748	AMD-P	00-07-138	296- 17-91212	REP	00-11-060
296- 17-529	AMD	00-14-052	296- 17-748	AMD	00-14-052	296- 17-91213	REP	00-11-060
296- 17-537	AMD-P	00-07-138	296- 17-749	AMD-P	00-07-138	296- 17-91214	REP	00-11-060
296- 17-537	AMD	00-14-052	296- 17-749	AMD	00-14-052	296- 17-91215	REP	00-11-060
296- 17-53803	AMD-P	00-07-138	296- 17-751	AMD-P	00-07-138	296- 17-91216	REP	00-11-060
296- 17-53803	AMD	00-14-052	296- 17-751	AMD	00-14-052	296- 17-91219	REP	00-11-060
296- 17-542	AMD-P	00-07-138	296- 17-779	AMD-P	00-07-138	296- 17-91220	REP	00-11-060
296- 17-542	AMD	00-14-052	296- 17-779	AMD	00-14-052	296- 17-91221	REP	00-11-060
296- 17-544	AMD-P	00-07-138	296- 17-855	AMD-P	00-07-138	296- 17-91222	REP	00-11-060
296- 17-544	AMD	00-14-052	296- 17-855	AMD	00-14-052	296- 17-91223	REP	00-11-060
296- 17-54401	AMD-P	00-07-138	296- 17-885	AMD-P	00-07-138	296- 17-91224	REP	00-11-060
296- 17-54401	AMD	00-14-052	296- 17-885	AMD	00-14-052	296- 17-91225	REP	00-11-060
296- 17-54403	NEW-P	00-07-138	296- 17-895	AMD-P	00-07-138	296- 17-91250	REP	00-11-060

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-17-914	REP	00-11-060	296-19A-440	NEW-P	00-10-106	296-24-86005	NEW	00-08-078
296-17-91402	REP	00-11-060	296-19A-450	NEW-P	00-10-106	296-24-86010	NEW	00-08-078
296-17-91403	REP	00-11-060	296-19A-460	NEW-P	00-10-106	296-24-86015	NEW	00-08-078
296-17-91404	REP	00-11-060	296-19A-470	NEW-P	00-10-106	296-24-86020	NEW	00-08-078
296-17-91405	REP	00-11-060	296-19A-480	NEW-P	00-10-106	296-24-861	NEW	00-08-078
296-17-91406	REP	00-11-060	296-20-022	AMD-P	00-05-111	296-24-86105	NEW	00-08-078
296-17-919	REP	00-11-060	296-20-022	AMD	00-09-078	296-24-86110	NEW	00-08-078
296-18A	PREP	00-05-002	296-20-12401	NEW-P	00-05-111	296-24-86115	NEW	00-08-078
296-18A-420	REP-P	00-10-106	296-20-12401	NEW	00-09-078	296-24-86120	NEW	00-08-078
296-18A-440	REP-P	00-10-106	296-20-135	AMD-P	00-05-112	296-24-86125	NEW	00-08-078
296-18A-445	REP-P	00-10-106	296-20-135	AMD	00-09-077	296-24-86130	NEW	00-08-078
296-18A-450	REP-P	00-10-106	296-21-290	AMD-P	00-05-111	296-24-862	NEW	00-08-078
296-18A-460	REP-P	00-10-106	296-21-290	AMD	00-09-078	296-24-870	REP	00-08-078
296-18A-470	REP-P	00-10-106	296-23-220	AMD-P	00-05-112	296-24-87001	REP	00-08-078
296-18A-480	REP-P	00-10-106	296-23-220	AMD	00-09-077	296-24-87009	REP	00-08-078
296-18A-490	REP-P	00-10-106	296-23-230	AMD-P	00-05-112	296-24-87011	REP	00-08-078
296-18A-500	REP-P	00-10-106	296-23-230	AMD	00-09-077	296-24-87013	REP	00-08-078
296-18A-510	REP-P	00-10-106	296-23A-0200	AMD	00-06-027	296-24-87015	REP	00-08-078
296-18A-515	REP-P	00-10-106	296-23A-0210	AMD	00-06-027	296-24-87017	REP	00-08-078
296-18A-520	REP-P	00-10-106	296-23A-0220	AMD	00-06-027	296-24-87019	REP	00-08-078
296-19A	NEW-C	00-14-074	296-23A-0230	AMD-P	00-05-111	296-24-87031	REP	00-08-078
296-19A-010	NEW-P	00-10-106	296-23A-0230	AMD	00-09-078	296-24-87033	REP	00-08-078
296-19A-020	NEW-P	00-10-106	296-23A-0240	AMD	00-06-027	296-24-87035	REP	00-08-078
296-19A-030	NEW-P	00-10-106	296-23B	PREP	00-14-072	296-24-87037	REP	00-08-078
296-19A-040	NEW-P	00-10-106	296-24	PREP	00-05-057	296-24-875	NEW	00-08-078
296-19A-050	NEW-P	00-10-106	296-24	PREP	00-10-046	296-24-87505	NEW	00-08-078
296-19A-060	NEW-P	00-10-106	296-24	PREP	00-12-099	296-24-87510	NEW	00-08-078
296-19A-070	NEW-P	00-10-106	296-24-14519	AMD	00-08-078	296-24-87515	NEW	00-08-078
296-19A-080	NEW-P	00-10-106	296-24-23027	AMD	00-08-078	296-24-880	NEW	00-08-078
296-19A-090	NEW-P	00-10-106	296-24-23533	AMD	00-08-078	296-24-88005	NEW	00-08-078
296-19A-100	NEW-P	00-10-106	296-24-825	REP	00-08-078	296-24-88010	NEW	00-08-078
296-19A-110	NEW-P	00-10-106	296-24-82501	REP	00-08-078	296-24-88015	NEW	00-08-078
296-19A-120	NEW-P	00-10-106	296-24-82503	REP	00-08-078	296-24-88020	NEW	00-08-078
296-19A-130	NEW-P	00-10-106	296-24-82505	REP	00-08-078	296-24-88025	NEW	00-08-078
296-19A-140	NEW-P	00-10-106	296-24-82507	REP	00-08-078	296-24-88030	NEW	00-08-078
296-19A-170	NEW-P	00-10-106	296-24-82509	REP	00-08-078	296-24-88035	NEW	00-08-078
296-19A-180	NEW-P	00-10-106	296-24-82511	REP	00-08-078	296-24-88040	NEW	00-08-078
296-19A-190	NEW-P	00-10-106	296-24-82513	REP	00-08-078	296-24-88045	NEW	00-08-078
296-19A-200	NEW-P	00-10-106	296-24-82515	REP	00-08-078	296-24-88050	NEW	00-08-078
296-19A-210	NEW-P	00-10-106	296-24-82517	REP	00-08-078	296-24-88055	NEW	00-08-078
296-19A-220	NEW-P	00-10-106	296-24-82519	REP	00-08-078	296-24-885	REP	00-08-078
296-19A-230	NEW-P	00-10-106	296-24-82521	REP	00-08-078	296-24-88501	REP	00-08-078
296-19A-240	NEW-P	00-10-106	296-24-82523	REP	00-08-078	296-24-88503	REP	00-08-078
296-19A-250	NEW-P	00-10-106	296-24-82525	REP	00-08-078	296-24-88505	REP	00-08-078
296-19A-260	NEW-P	00-10-106	296-24-82527	REP	00-08-078	296-24-90001	AMD	00-08-078
296-19A-270	NEW-P	00-10-106	296-24-82529	REP	00-08-078	296-24-90003	AMD	00-08-078
296-19A-280	NEW-P	00-10-106	296-24-82531	REP	00-08-078	296-24-90005	AMD	00-08-078
296-19A-290	NEW-P	00-10-106	296-24-82533	REP	00-08-078	296-24-90007	AMD	00-08-078
296-19A-300	NEW-P	00-10-106	296-24-82535	REP	00-08-078	296-24-90009	AMD	00-08-078
296-19A-310	NEW-P	00-10-106	296-24-82537	REP	00-08-078	296-27-150	REP-P	00-05-058
296-19A-320	NEW-P	00-10-106	296-24-82539	REP	00-08-078	296-27-150	REP	00-11-098
296-19A-330	NEW-P	00-10-106	296-24-82541	REP	00-08-078	296-27-160	REP-P	00-05-058
296-19A-340	NEW-P	00-10-106	296-24-82543	REP	00-08-078	296-27-160	REP	00-11-098
296-19A-350	NEW-P	00-10-106	296-24-82545	REP	00-08-078	296-27-16001	REP-P	00-05-058
296-19A-360	NEW-P	00-10-106	296-24-84001	REP	00-08-078	296-27-16001	REP	00-11-098
296-19A-370	NEW-P	00-10-106	296-24-84003	REP	00-08-078	296-27-16002	REP-P	00-05-058
296-19A-380	NEW-P	00-10-106	296-24-84005	REP	00-08-078	296-27-16002	REP	00-11-098
296-19A-390	NEW-P	00-10-106	296-24-84007	REP	00-08-078	296-27-16003	REP-P	00-05-058
296-19A-400	NEW-P	00-10-106	296-24-84009	REP	00-08-078	296-27-16003	REP	00-11-098
296-19A-410	NEW-P	00-10-106	296-24-84011	REP	00-08-078	296-27-16004	REP-P	00-05-058
296-19A-420	NEW-P	00-10-106	296-24-84013	REP	00-08-078	296-27-16004	REP	00-11-098
296-19A-430	NEW-P	00-10-106	296-24-860	NEW	00-08-078	296-27-16007	REP-P	00-05-058

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-27-16007	REP	00-11-098	296-62-05122	NEW	00-12-024	296-82-037	REP-P	00-14-041
296-27-16011	REP-P	00-05-058	296-62-05130	NEW-C	00-04-075	296-82-040	REP-P	00-14-041
296-27-16011	REP	00-11-098	296-62-05130	NEW	00-12-024	296-82-045	REP-P	00-14-041
296-27-16018	REP-P	00-05-058	296-62-05140	NEW-C	00-04-075	296-82-048	REP-P	00-14-041
296-27-16018	REP	00-11-098	296-62-05140	NEW	00-12-024	296-82-051	REP-P	00-14-041
296-27-16020	REP-P	00-05-058	296-62-05150	NEW-C	00-04-075	296-82-054	REP-P	00-14-041
296-27-16020	REP	00-11-098	296-62-05150	NEW	00-12-024	296-82-057	REP-P	00-14-041
296-27-16022	REP-P	00-05-058	296-62-05160	NEW-C	00-04-075	296-82-060	REP-P	00-14-041
296-27-16022	REP	00-11-098	296-62-05160	NEW	00-12-024	296-82-066	REP-P	00-14-041
296-27-16026	REP-P	00-05-058	296-62-05170	NEW-C	00-04-075	296-82-070	REP-P	00-14-041
296-27-16026	REP	00-11-098	296-62-05170	NEW-W	00-12-029	296-82-078	REP-P	00-14-041
296-30-010	AMD-P	00-02-091	296-62-05172	NEW-C	00-04-075	296-84-010	REP-P	00-14-041
296-30-010	AMD	00-10-003	296-62-05172	NEW	00-12-024	296-84-015	REP-P	00-14-041
296-30-080	AMD	00-03-056	296-62-05174	NEW-C	00-04-075	296-84-020	REP-P	00-14-041
296-30-081	AMD	00-03-056	296-62-05174	NEW	00-12-024	296-84-025	REP-P	00-14-041
296-30-085	NEW	00-03-056	296-62-05176	NEW-C	00-04-075	296-84-030	REP-P	00-14-041
296-30-090	NEW	00-03-056	296-62-05176	NEW	00-12-024	296-84-035	REP-P	00-14-041
296-30-095	NEW	00-03-056	296-62-07515	AMD	00-06-075	296-84-040	REP-P	00-14-041
296-30-100	NEW	00-03-056	296-62-07709	AMD	00-06-075	296-84-045	REP-P	00-14-041
296-30-105	NEW	00-03-056	296-62-07713	AMD	00-06-075	296-84-050	REP-P	00-14-041
296-30-120	AMD	00-03-056	296-62-07722	AMD	00-06-075	296-84-055	REP-P	00-14-041
296-30-130	AMD-P	00-02-091	296-62-07727	AMD	00-06-075	296-84-060	REP-P	00-14-041
296-30-130	AMD	00-10-003	296-62-07745	AMD	00-06-075	296-84-065	REP-P	00-14-041
296-30-170	AMD	00-03-056	296-65-003	AMD	00-06-075	296-84-070	REP-P	00-14-041
296-30-180	AMD	00-03-056	296-67	PREP	00-10-045	296-84-075	REP-P	00-14-041
296-31-012	AMD-P	00-02-091	296-79	PREP	00-10-045	296-84-080	REP-P	00-14-041
296-31-012	AMD	00-10-003	296-81-005	REP-P	00-14-041	296-85-005	REP-P	00-14-041
296-31-020	REP-P	00-02-091	296-81-006	REP-P	00-14-041	296-87-001	REP-P	00-14-041
296-31-020	REP	00-10-003	296-81-007	REP-P	00-14-041	296-87-010	REP-P	00-14-041
296-31-030	AMD	00-03-056	296-81-008	REP-P	00-14-041	296-87-020	REP-P	00-14-041
296-31-035	NEW	00-03-056	296-81-009	REP-P	00-14-041	296-87-030	REP-P	00-14-041
296-31-045	NEW	00-03-056	296-81-200	REP-P	00-14-041	296-87-040	REP-P	00-14-041
296-31-050	REP	00-03-056	296-81-240	REP-P	00-14-041	296-87-050	REP-P	00-14-041
296-31-055	NEW	00-03-056	296-81-275	REP-P	00-14-041	296-87-060	REP-P	00-14-041
296-31-056	NEW	00-03-056	296-81-277	REP-P	00-14-041	296-87-070	REP-P	00-14-041
296-31-057	NEW	00-03-056	296-81-280	REP-P	00-14-041	296-87-080	REP-P	00-14-041
296-31-058	NEW	00-03-056	296-81-290	REP-P	00-14-041	296-87-090	REP-P	00-14-041
296-31-070	AMD	00-03-056	296-81-300	REP-P	00-14-041	296-87-100	REP-P	00-14-041
296-31-074	NEW	00-03-056	296-81-306	REP-P	00-14-041	296-87-110	REP-P	00-14-041
296-31-090	REP	00-03-056	296-81-310	REP-P	00-14-041	296-87-120	REP-P	00-14-041
296-32-240	PREP	00-14-073	296-81-315	REP-P	00-14-041	296-87-130	REP-P	00-14-041
296-45-52530	PREP	00-14-073	296-81-320	REP-P	00-14-041	296-89-010	REP-P	00-14-041
296-46	PREP	00-10-116	296-81-325	REP-P	00-14-041	296-89-020	REP-P	00-14-041
296-46-930	AMD-E	00-06-076	296-81-330	REP-P	00-14-041	296-89-030	REP-P	00-14-041
296-46-930	AMD-E	00-13-102	296-81-335	REP-P	00-14-041	296-89-040	REP-P	00-14-041
296-62	PREP	00-10-045	296-81-340	REP-P	00-14-041	296-89-050	REP-P	00-14-041
296-62	PREP	00-10-046	296-81-345	REP-P	00-14-041	296-89-060	REP-P	00-14-041
296-62	PREP	00-13-091	296-81-350	REP-P	00-14-041	296-89-070	REP-P	00-14-041
296-62	PREP	00-13-092	296-81-355	REP-P	00-14-041	296-89-080	REP-P	00-14-041
296-62-051	NEW-C	00-04-075	296-81-360	REP-P	00-14-041	296-91-010	REP-P	00-14-041
296-62-051	NEW	00-12-024	296-81-365	REP-P	00-14-041	296-91-020	REP-P	00-14-041
296-62-05101	NEW-C	00-04-075	296-81-370	REP-P	00-14-041	296-91-030	REP-P	00-14-041
296-62-05101	NEW	00-12-024	296-81-990	REP-P	00-14-041	296-91-040	REP-P	00-14-041
296-62-05103	NEW-C	00-04-075	296-81-991	REP-P	00-14-041	296-91-050	REP-P	00-14-041
296-62-05103	NEW	00-12-024	296-82-010	REP-P	00-14-041	296-91-060	REP-P	00-14-041
296-62-05105	NEW-C	00-04-075	296-82-016	REP-P	00-14-041	296-91-070	REP-P	00-14-041
296-62-05105	NEW	00-12-024	296-82-019	REP-P	00-14-041	296-91-080	REP-P	00-14-041
296-62-05110	NEW-C	00-04-075	296-82-022	REP-P	00-14-041	296-91-090	REP-P	00-14-041
296-62-05110	NEW	00-12-024	296-82-025	REP-P	00-14-041	296-91-100	REP-P	00-14-041
296-62-05120	NEW-C	00-04-075	296-82-028	REP-P	00-14-041	296-91-110	REP-P	00-14-041
296-62-05120	NEW	00-12-024	296-82-031	REP-P	00-14-041	296-91-120	REP-P	00-14-041
296-62-05122	NEW-C	00-04-075	296-82-034	REP-P	00-14-041	296-91-130	REP-P	00-14-041

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-115-040	AMD-XA	00-12-100	296-127-01344	NEW-P	00-11-136	296-150C-1346	NEW-P	00-13-103
296-115-050	AMD-XA	00-12-100	296-127-01346	NEW-E	00-07-123	296-150F	PREP	00-06-077
296-115-060	AMD-XA	00-12-100	296-127-01346	NEW-P	00-11-136	296-150F-0140	AMD-P	00-13-103
296-115-070	AMD-XA	00-12-100	296-127-01347	NEW-E	00-07-123	296-150F-0500	AMD-P	00-13-103
296-115-100	AMD-XA	00-12-100	296-127-01347	NEW-P	00-11-136	296-150F-0630	NEW-P	00-13-103
296-127	PREP	00-07-122	296-127-01349	NEW-E	00-07-123	296-150M	PREP	00-06-077
296-127-013	AMD-E	00-07-123	296-127-01349	NEW-P	00-11-136	296-150M-0020	AMD-P	00-13-103
296-127-013	AMD-P	00-11-136	296-127-01351	NEW-E	00-07-123	296-150M-0140	AMD-P	00-13-103
296-127-01301	NEW-E	00-07-123	296-127-01351	NEW-P	00-11-136	296-150M-0306	AMD-P	00-13-103
296-127-01301	NEW-P	00-11-136	296-127-01352	NEW-E	00-07-123	296-150M-3000	AMD-P	00-13-103
296-127-01303	NEW-E	00-07-123	296-127-01352	NEW-P	00-11-136	296-150P	PREP	00-06-077
296-127-01303	NEW-P	00-11-136	296-127-01354	NEW-E	00-07-123	296-150P-0140	AMD-P	00-13-103
296-127-01305	NEW-E	00-07-123	296-127-01354	NEW-P	00-11-136	296-150P-3000	AMD-P	00-13-103
296-127-01305	NEW-P	00-11-136	296-127-01356	NEW-E	00-07-123	296-150R	PREP	00-06-077
296-127-01306	NEW-E	00-07-123	296-127-01356	NEW-P	00-11-136	296-150R-0140	AMD-P	00-13-103
296-127-01306	NEW-P	00-11-136	296-127-01358	NEW-E	00-07-123	296-150R-3000	AMD-P	00-13-103
296-127-01308	NEW-E	00-07-123	296-127-01358	NEW-P	00-11-136	296-150V	PREP	00-06-077
296-127-01308	NEW-P	00-11-136	296-127-01360	NEW-E	00-07-123	296-150V-0140	AMD-P	00-13-103
296-127-01309	NEW-E	00-07-123	296-127-01360	NEW-P	00-11-136	296-150V-0530	AMD-P	00-13-103
296-127-01309	NEW-P	00-11-136	296-127-01362	NEW-E	00-07-123	296-150V-1180	AMD-P	00-13-103
296-127-01310	NEW-E	00-07-123	296-127-01362	NEW-P	00-11-136	296-150V-1220	AMD-P	00-13-103
296-127-01310	NEW-P	00-11-136	296-127-01364	NEW-E	00-07-123	296-155	PREP	00-04-002
296-127-01312	NEW-E	00-07-123	296-127-01364	NEW-P	00-11-136	296-155	PREP	00-05-057
296-127-01312	NEW-P	00-11-136	296-127-01367	NEW-E	00-07-123	296-155	PREP	00-12-099
296-127-01313	NEW-P	00-11-136	296-127-01367	NEW-P	00-11-136	296-155	PREP	00-13-091
296-127-01315	NEW-E	00-07-123	296-127-01369	NEW-E	00-07-123	296-155-110	AMD	00-08-078
296-127-01315	NEW-P	00-11-136	296-127-01369	NEW-P	00-11-136	296-155-205	PREP	00-14-073
296-127-01317	NEW-E	00-07-123	296-127-01370	NEW-E	00-07-123	296-155-24501	AMD-XA	00-08-079
296-127-01317	NEW-P	00-11-136	296-127-01370	NEW-P	00-11-136	296-155-24501	AMD	00-14-058
296-127-01318	NEW-E	00-07-123	296-127-01372	NEW-E	00-07-123	296-155-24503	AMD-XA	00-08-079
296-127-01318	NEW-P	00-11-136	296-127-01372	NEW-P	00-11-136	296-155-24503	AMD	00-14-058
296-127-01320	NEW-E	00-07-123	296-127-01374	NEW-E	00-07-123	296-155-24505	AMD-XA	00-08-079
296-127-01320	NEW-P	00-11-136	296-127-01374	NEW-P	00-11-136	296-155-24505	AMD	00-14-058
296-127-01322	NEW-E	00-07-123	296-127-01375	NEW-E	00-07-123	296-155-24510	AMD-XA	00-08-079
296-127-01322	NEW-P	00-11-136	296-127-01375	NEW-P	00-11-136	296-155-24510	AMD	00-14-058
296-127-01323	NEW-E	00-07-123	296-127-01376	NEW-E	00-07-123	296-155-24515	AMD-XA	00-08-079
296-127-01323	NEW-P	00-11-136	296-127-01376	NEW-P	00-11-136	296-155-24515	AMD	00-14-058
296-127-01325	NEW-E	00-07-123	296-127-01377	NEW-E	00-07-123	296-155-24520	AMD-XA	00-08-079
296-127-01325	NEW-P	00-11-136	296-127-01377	NEW-P	00-11-136	296-155-24520	AMD	00-14-058
296-127-01327	NEW-E	00-07-123	296-127-01378	NEW-E	00-07-123	296-155-24521	AMD-XA	00-08-079
296-127-01327	NEW-P	00-11-136	296-127-01378	NEW-P	00-11-136	296-155-24521	AMD	00-14-058
296-127-01328	NEW-E	00-07-123	296-127-01378	NEW-E	00-07-123	296-155-24525	AMD-XA	00-08-079
296-127-01328	NEW-P	00-11-136	296-127-01379	NEW-E	00-07-123	296-155-24525	AMD	00-14-058
296-127-01329	NEW-E	00-07-123	296-127-01379	NEW-P	00-11-136	296-155-305	AMD-E	00-12-018
296-127-01329	NEW-P	00-11-136	296-127-01382	NEW-E	00-07-123	296-155-305	PREP	00-14-073
296-127-01331	NEW-E	00-07-123	296-127-01382	NEW-P	00-11-136	296-155-483	AMD-XA	00-08-079
296-127-01331	NEW-P	00-11-136	296-127-01384	NEW-E	00-07-123	296-155-483	AMD	00-14-058
296-127-01332	NEW-E	00-07-123	296-127-01384	NEW-P	00-11-136	296-155-505	AMD-XA	00-08-079
296-127-01332	NEW-P	00-11-136	296-127-01386	NEW-E	00-07-123	296-155-505	AMD	00-14-058
296-127-01333	NEW-E	00-07-123	296-127-01386	NEW-P	00-11-136	296-155-526	NEW-P	00-06-056
296-127-01333	NEW-P	00-11-136	296-127-01387	NEW-E	00-07-123	296-155-625	PREP	00-14-073
296-127-01335	NEW-E	00-07-123	296-127-01387	NEW-P	00-11-136	296-155-680	AMD-XA	00-08-079
296-127-01335	NEW-P	00-11-136	296-127-01389	NEW-E	00-07-123	296-155-680	AMD	00-14-058
296-127-01337	NEW-E	00-07-123	296-127-01389	NEW-P	00-11-136	296-305	PREP	00-10-045
296-127-01337	NEW-P	00-11-136	296-127-01391	NEW-E	00-07-123	296-307	PREP	00-10-046
296-127-01339	NEW-E	00-07-123	296-127-01391	NEW-P	00-11-136	296-307-160	REP	00-06-081
296-127-01339	NEW-P	00-11-136	296-150C	PREP	00-06-077	296-307-16001	REP	00-06-081
296-127-01340	NEW-E	00-07-123	296-150C-0140	AMD-P	00-13-103	296-307-16003	REP	00-06-081
296-127-01340	NEW-P	00-11-136	296-150C-0200	AMD-P	00-13-103	296-307-16004	REP	00-06-081
296-127-01342	NEW-E	00-07-123	296-150C-0910	AMD-P	00-13-103	296-307-16005	REP	00-06-081
296-127-01342	NEW-P	00-11-136	296-150C-0970	AMD-P	00-13-103	296-307-16007	REP	00-06-081
296-127-01344	NEW-E	00-07-123	296-150C-1070	AMD-P	00-13-103	296-307-16009	REP	00-06-081
			296-150C-1175	NEW-P	00-13-103			

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-307-16011	REP	00-06-081	296-350-060	REP-P	00-05-058	296-350-460	REP-P	00-05-058
296-307-16013	REP	00-06-081	296-350-060	REP	00-11-098	296-350-460	REP	00-11-098
296-307-16015	REP	00-06-081	296-350-070	REP-P	00-05-058	296-350-470	REP-P	00-05-058
296-307-16017	REP	00-06-081	296-350-070	REP	00-11-098	296-350-470	REP	00-11-098
296-307-16019	REP	00-06-081	296-350-080	REP-P	00-05-058	296-350-600	NEW-P	00-05-058
296-307-16021	REP	00-06-081	296-350-080	REP	00-11-098	296-350-600	NEW	00-11-098
296-307-16023	REP	00-06-081	296-350-090	REP-P	00-05-058	296-350-60010	NEW-P	00-05-058
296-307-161	NEW	00-06-081	296-350-090	REP	00-11-098	296-350-60010	NEW	00-11-098
296-307-16101	NEW	00-06-081	296-350-095	REP-P	00-05-058	296-350-60015	NEW-P	00-05-058
296-307-16103	NEW	00-06-081	296-350-095	REP	00-11-098	296-350-60015	NEW	00-11-098
296-307-16105	NEW	00-06-081	296-350-100	NEW-P	00-05-058	296-350-60020	NEW-P	00-05-058
296-307-16110	NEW	00-06-081	296-350-100	NEW	00-11-098	296-350-60020	NEW	00-11-098
296-307-16115	NEW	00-06-081	296-350-10010	NEW-P	00-05-058	296-350-60025	NEW-P	00-05-058
296-307-16120	NEW	00-06-081	296-350-10010	NEW	00-11-098	296-350-60025	NEW	00-11-098
296-307-16125	NEW	00-06-081	296-350-10020	NEW-P	00-05-058	296-350-60030	NEW-P	00-05-058
296-307-16130	NEW	00-06-081	296-350-10020	NEW	00-11-098	296-350-60030	NEW	00-11-098
296-307-16135	NEW	00-06-081	296-350-10030	NEW-P	00-05-058	296-350-60035	NEW-P	00-05-058
296-307-16140	NEW	00-06-081	296-350-10030	NEW	00-11-098	296-350-60035	NEW	00-11-098
296-307-16145	NEW	00-06-081	296-350-10040	NEW-P	00-05-058	296-350-60040	NEW-P	00-05-058
296-307-16150	NEW	00-06-081	296-350-10040	NEW	00-11-098	296-350-60040	NEW	00-11-098
296-307-16155	NEW	00-06-081	296-350-10050	NEW-P	00-05-058	296-350-60045	NEW-P	00-05-058
296-307-16160	NEW	00-06-081	296-350-10050	NEW	00-11-098	296-350-60045	NEW	00-11-098
296-307-16165	NEW	00-06-081	296-350-150	NEW-P	00-05-058	296-350-700	NEW-P	00-05-058
296-307-16170	NEW	00-06-081	296-350-150	NEW	00-11-098	296-350-700	NEW	00-11-098
296-307-16175	NEW	00-06-081	296-350-15010	NEW-P	00-05-058	296-350-70010	NEW-P	00-05-058
296-307-16180	NEW	00-06-081	296-350-15010	NEW	00-11-098	296-350-70010	NEW	00-11-098
296-307-16185	NEW	00-06-081	296-350-15015	NEW-P	00-05-058	296-350-70015	NEW-P	00-05-058
296-307-16190	NEW	00-06-081	296-350-15015	NEW	00-11-098	296-350-70015	NEW	00-11-098
296-307-163	NEW	00-06-081	296-350-15020	NEW-P	00-05-058	296-350-70020	NEW-P	00-05-058
296-307-16301	NEW	00-06-081	296-350-15020	NEW	00-11-098	296-350-70020	NEW	00-11-098
296-307-16303	NEW	00-06-081	296-350-15025	NEW-P	00-05-058	296-350-70025	NEW-P	00-05-058
296-307-16305	NEW	00-06-081	296-350-15025	NEW	00-11-098	296-350-70025	NEW	00-11-098
296-307-16310	NEW	00-06-081	296-350-15030	NEW-P	00-05-058	296-350-70030	NEW-P	00-05-058
296-307-16315	NEW	00-06-081	296-350-15030	NEW	00-11-098	296-350-70030	NEW	00-11-098
296-307-16320	NEW	00-06-081	296-350-15035	NEW-P	00-05-058	296-350-70035	NEW-P	00-05-058
296-307-16325	NEW	00-06-081	296-350-15035	NEW	00-11-098	296-350-70035	NEW	00-11-098
296-307-16330	NEW	00-06-081	296-350-15040	NEW-P	00-05-058	296-350-70040	NEW-P	00-05-058
296-307-16335	NEW	00-06-081	296-350-15040	NEW	00-11-098	296-350-70040	NEW	00-11-098
296-307-16340	NEW	00-06-081	296-350-15045	NEW-P	00-05-058	296-350-70045	NEW-P	00-05-058
296-307-16345	NEW	00-06-081	296-350-15045	NEW	00-11-098	296-350-70045	NEW	00-11-098
296-307-16350	NEW	00-06-081	296-350-200	REP-P	00-05-058	296-350-70050	NEW-P	00-05-058
296-307-16355	NEW	00-06-081	296-350-200	REP	00-11-098	296-350-70050	NEW	00-11-098
296-307-16360	NEW	00-06-081	296-350-210	REP-P	00-05-058	296-350-70055	NEW-P	00-05-058
296-307-16365	NEW	00-06-081	296-350-210	REP	00-11-098	296-350-70055	NEW	00-11-098
296-307-16370	NEW	00-06-081	296-350-230	REP-P	00-05-058	296-350-70060	NEW-P	00-05-058
296-307-16375	NEW	00-06-081	296-350-230	REP	00-11-098	296-350-70060	NEW	00-11-098
296-307-16380	NEW	00-06-081	296-350-240	REP-P	00-05-058	296-350-70065	NEW-P	00-05-058
296-307-16385	NEW	00-06-081	296-350-240	REP	00-11-098	296-350-70065	NEW	00-11-098
296-307-16390	NEW	00-06-081	296-350-250	REP-P	00-05-058	296-350-70070	NEW-P	00-05-058
296-307-16395	NEW	00-06-081	296-350-250	REP	00-11-098	296-350-70070	NEW	00-11-098
296-350	AMD-P	00-05-058	296-350-255	REP-P	00-05-058	296-401A	PREP	00-10-116
296-350	AMD	00-11-098	296-350-255	REP	00-11-098	296-401A-140	AMD-E	00-06-076
296-350-010	AMD-P	00-05-058	296-350-260	REP-P	00-05-058	296-401A-140	AMD-E	00-13-102
296-350-010	AMD	00-11-098	296-350-260	REP	00-11-098	296-402-010	REP-P	00-07-137
296-350-020	REP-P	00-05-058	296-350-270	REP-P	00-05-058	296-402-010	REP	00-11-115
296-350-020	REP	00-11-098	296-350-270	REP	00-11-098	296-402-020	REP-P	00-07-137
296-350-030	REP-P	00-05-058	296-350-280	REP-P	00-05-058	296-402-020	REP	00-11-115
296-350-030	REP	00-11-098	296-350-280	REP	00-11-098	296-402-030	REP-P	00-07-137
296-350-040	REP-P	00-05-058	296-350-400	REP-P	00-05-058	296-402-030	REP	00-11-115
296-350-040	REP	00-11-098	296-350-400	REP	00-11-098	296-402-040	REP-P	00-07-137
296-350-050	REP-P	00-05-058	296-350-450	REP-P	00-05-058	296-402-040	REP	00-11-115
296-350-050	REP	00-11-098	296-350-450	REP	00-11-098	296-402-050	REP-P	00-07-137

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-402-050	REP	00-11-115	296-402A-170	NEW	00-11-115	296-402A-490	NEW	00-11-115
296-402-060	REP-P	00-07-137	296-402A-180	NEW-P	00-07-137	296-402A-500	NEW-P	00-07-137
296-402-060	REP	00-11-115	296-402A-180	NEW	00-11-115	296-402A-500	NEW	00-11-115
296-402-070	REP-P	00-07-137	296-402A-190	NEW-P	00-07-137	296-402A-510	NEW-P	00-07-137
296-402-070	REP	00-11-115	296-402A-190	NEW	00-11-115	296-402A-510	NEW	00-11-115
296-402-080	REP-P	00-07-137	296-402A-200	NEW-P	00-07-137	296-402A-520	NEW-P	00-07-137
296-402-080	REP	00-11-115	296-402A-200	NEW	00-11-115	296-402A-520	NEW	00-11-115
296-402-090	REP-P	00-07-137	296-402A-210	NEW-P	00-07-137	296-402A-530	NEW-P	00-07-137
296-402-090	REP	00-11-115	296-402A-210	NEW	00-11-115	296-402A-530	NEW	00-11-115
296-402-100	REP-P	00-07-137	296-402A-220	NEW-P	00-07-137	296-402A-540	NEW-P	00-07-137
296-402-100	REP	00-11-115	296-402A-220	NEW	00-11-115	296-402A-540	NEW	00-11-115
296-402-110	REP-P	00-07-137	296-402A-230	NEW-P	00-07-137	296-402A-550	NEW-P	00-07-137
296-402-110	REP	00-11-115	296-402A-230	NEW	00-11-115	296-402A-550	NEW	00-11-115
296-402-120	REP-P	00-07-137	296-402A-240	NEW-P	00-07-137	296-402A-560	NEW-P	00-07-137
296-402-120	REP	00-11-115	296-402A-240	NEW	00-11-115	296-402A-560	NEW	00-11-115
296-402-130	REP-P	00-07-137	296-402A-250	NEW-P	00-07-137	296-402A-570	NEW-P	00-07-137
296-402-130	REP	00-11-115	296-402A-250	NEW	00-11-115	296-402A-570	NEW	00-11-115
296-402-140	REP-P	00-07-137	296-402A-260	NEW-P	00-07-137	296-402A-580	NEW-P	00-07-137
296-402-140	REP	00-11-115	296-402A-260	NEW	00-11-115	296-402A-580	NEW	00-11-115
296-402-150	REP-P	00-07-137	296-402A-270	NEW-P	00-07-137	296-402A-590	NEW-P	00-07-137
296-402-150	REP	00-11-115	296-402A-270	NEW	00-11-115	296-402A-590	NEW	00-11-115
296-402-160	REP-P	00-07-137	296-402A-290	NEW-P	00-07-137	296-402A-600	NEW-P	00-07-137
296-402-160	REP	00-11-115	296-402A-290	NEW	00-11-115	296-402A-600	NEW	00-11-115
296-402-170	REP-P	00-07-137	296-402A-300	NEW-P	00-07-137	296-402A-610	NEW-P	00-07-137
296-402-170	REP	00-11-115	296-402A-300	NEW	00-11-115	296-402A-610	NEW	00-11-115
296-402-180	REP-P	00-07-137	296-402A-310	NEW-P	00-07-137	296-402A-620	NEW-P	00-07-137
296-402-180	REP	00-11-115	296-402A-310	NEW	00-11-115	296-402A-620	NEW	00-11-115
296-402-190	REP-P	00-07-137	296-402A-320	NEW-P	00-07-137	296-402A-630	NEW-P	00-07-137
296-402-190	REP	00-11-115	296-402A-320	NEW	00-11-115	296-402A-630	NEW	00-11-115
296-402-200	REP-P	00-07-137	296-402A-330	NEW-P	00-07-137	296-402A-640	NEW-P	00-07-137
296-402-200	REP	00-11-115	296-402A-330	NEW	00-11-115	296-402A-640	NEW	00-11-115
296-402A-010	NEW-P	00-07-137	296-402A-340	NEW-P	00-07-137	296-402A-650	NEW-P	00-07-137
296-402A-010	NEW	00-11-115	296-402A-340	NEW	00-11-115	296-402A-650	NEW	00-11-115
296-402A-020	NEW-P	00-07-137	296-402A-350	NEW-P	00-07-137	296-402A-660	NEW-P	00-07-137
296-402A-020	NEW	00-11-115	296-402A-350	NEW	00-11-115	296-402A-660	NEW	00-11-115
296-402A-030	NEW-P	00-07-137	296-402A-360	NEW-P	00-07-137	296-402A-670	NEW-P	00-07-137
296-402A-030	NEW	00-11-115	296-402A-360	NEW	00-11-115	296-402A-670	NEW	00-11-115
296-402A-040	NEW-P	00-07-137	296-402A-370	NEW-P	00-07-137	296-402A-675	NEW	00-11-115
296-402A-040	NEW	00-11-115	296-402A-370	NEW	00-11-115	296-402A-680	NEW-P	00-07-137
296-402A-050	NEW-P	00-07-137	296-402A-380	NEW-P	00-07-137	296-402A-680	NEW	00-11-115
296-402A-050	NEW	00-11-115	296-402A-380	NEW	00-11-115	296-402A-690	NEW-P	00-07-137
296-402A-060	NEW-P	00-07-137	296-402A-390	NEW-P	00-07-137	296-402A-690	NEW	00-11-115
296-402A-060	NEW	00-11-115	296-402A-390	NEW	00-11-115	296-403	PREP	00-10-116
296-402A-070	NEW-P	00-07-137	296-402A-400	NEW-P	00-07-137	304- 12-030	AMD	00-11-028
296-402A-070	NEW	00-11-115	296-402A-400	NEW	00-11-115	304- 12-035	REP	00-11-028
296-402A-080	NEW-P	00-07-137	296-402A-410	NEW-P	00-07-137	304- 12-040	REP	00-11-028
296-402A-080	NEW	00-11-115	296-402A-410	NEW	00-11-115	304- 12-047	NEW	00-11-028
296-402A-090	NEW-P	00-07-137	296-402A-420	NEW-P	00-07-137	304- 12-050	REP	00-11-028
296-402A-090	NEW	00-11-115	296-402A-425	NEW-P	00-07-137	304- 12-070	REP	00-11-028
296-402A-100	NEW-P	00-07-137	296-402A-430	NEW-P	00-07-137	304- 12-125	AMD	00-11-028
296-402A-100	NEW	00-11-115	296-402A-430	NEW	00-11-115	304- 12-140	REP	00-11-028
296-402A-110	NEW-P	00-07-137	296-402A-440	NEW-P	00-07-137	304- 12-145	REP	00-11-028
296-402A-110	NEW	00-11-115	296-402A-440	NEW	00-11-115 -	304- 12-275	REP	00-11-028
296-402A-130	NEW-P	00-07-137	296-402A-450	NEW-P	00-07-137	304- 12-290	REP	00-11-028
296-402A-130	NEW	00-11-115	296-402A-450	NEW	00-11-115	304- 12-360	REP	00-11-028
296-402A-140	NEW-P	00-07-137	296-402A-460	NEW-P	00-07-137	304- 12-370	REP	00-11-028
296-402A-140	NEW	00-11-115	296-402A-460	NEW	00-11-115	304- 12-380	REP	00-11-028
296-402A-150	NEW-P	00-07-137	296-402A-470	NEW-P	00-07-137	304- 20	AMD	00-11-028
296-402A-150	NEW	00-11-115	296-402A-470	NEW	00-11-115	304- 20-005	NEW	00-11-028
296-402A-160	NEW-P	00-07-137	296-402A-480	NEW-P	00-07-137	304- 20-010	AMD	00-11-028
296-402A-160	NEW	00-11-115	296-402A-480	NEW	00-11-115	304- 20-020	REP	00-11-028
296-402A-170	NEW-P	00-07-137	296-402A-490	NEW-P	00-07-137	304- 20-030	REP	00-11-028

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
304- 20-040	REP	00-11-028	308- 57-010	REP-W	00-11-041	308- 63-130	AMD-P	00-09-069
304- 20-050	AMD	00-11-028	308- 57-020	PREP	00-06-001	308- 63-130	AMD	00-13-019
304- 20-060	AMD	00-11-028	308- 57-020	REP-P	00-09-019	308- 63-140	AMD-P	00-09-069
304- 20-065	NEW	00-11-028	308- 57-020	REP-W	00-11-041	308- 63-140	AMD	00-13-019
304- 20-070	AMD	00-11-028	308- 57-030	PREP	00-06-001	308- 63-150	REP-P	00-09-069
304- 20-090	REP	00-11-028	308- 57-030	REP-P	00-09-019	308- 63-150	REP	00-13-019
304- 20-100	REP	00-11-028	308- 57-030	REP-W	00-11-041	308- 63-160	AMD-P	00-09-069
304- 20-990	REP	00-11-028	308- 57-110	PREP	00-06-001	308- 63-160	AMD	00-13-019
308- 04-020	AMD-P	00-05-014	308- 57-110	REP-P	00-09-019	308- 65	PREP	00-06-031
308- 04-020	AMD	00-08-032	308- 57-110	REP-W	00-11-041	308- 65-020	AMD-P	00-09-071
308- 12-321	PREP	00-11-172	308- 57-120	PREP	00-06-001	308- 65-020	AMD	00-13-020
308- 12-322	PREP	00-11-172	308- 57-120	REP-P	00-09-019	308- 65-030	AMD-P	00-09-071
308- 12-323	PREP	00-11-172	308- 57-120	REP-W	00-11-041	308- 65-030	AMD	00-13-020
308- 12-324	PREP	00-11-172	308- 57-130	PREP	00-06-001	308- 65-040	AMD-P	00-09-071
308- 12-325	PREP	00-11-172	308- 57-130	REP-P	00-09-019	308- 65-040	AMD	00-13-020
308- 29-010	PREP	00-12-002	308- 57-130	REP-W	00-11-041	308- 65-050	AMD-P	00-09-071
308- 29-020	PREP	00-12-002	308- 57-135	PREP	00-06-001	308- 65-050	AMD	00-13-020
308- 29-025	PREP	00-12-002	308- 57-135	REP-P	00-09-019	308- 65-060	AMD-P	00-09-071
308- 29-030	PREP	00-12-002	308- 57-135	REP-W	00-11-041	308- 65-060	AMD	00-13-020
308- 29-050	PREP	00-12-002	308- 57-140	PREP	00-06-001	308- 65-080	AMD-P	00-09-071
308- 29-060	PREP	00-12-002	308- 57-140	REP-P	00-09-019	308- 65-080	AMD	00-13-020
308- 29-070	PREP	00-12-002	308- 57-140	REP-W	00-11-041	308- 65-090	AMD-P	00-09-071
308- 29-080	PREP	00-12-002	308- 57-210	PREP	00-06-001	308- 65-090	AMD	00-13-020
308- 29-090	PREP	00-12-002	308- 57-210	REP-P	00-09-019	308- 65-100	AMD-P	00-09-071
308- 29-100	PREP	00-12-002	308- 57-210	REP-W	00-11-041	308- 65-100	AMD	00-13-020
308- 29-110	PREP	00-12-002	308- 57-230	PREP	00-06-001	308- 65-110	AMD-P	00-09-071
308- 29-120	PREP	00-12-002	308- 57-230	REP-P	00-09-019	308- 65-110	AMD	00-13-020
308- 56A	PREP	00-07-092	308- 57-230	REP-W	00-11-041	308- 65-130	AMD-P	00-09-071
308- 56A-020	PREP	00-07-092	308- 57-240	PREP	00-06-001	308- 65-130	AMD	00-13-020
308- 56A-021	PREP	00-07-092	308- 57-240	REP-P	00-09-019	308- 65-140	AMD-P	00-09-071
308- 56A-022	PREP	00-07-092	308- 57-240	REP-W	00-11-041	308- 65-140	AMD	00-13-020
308- 56A-023	PREP	00-07-092	308- 57-500	PREP	00-06-001	308- 65-150	AMD-P	00-09-071
308- 56A-090	PREP	00-07-092	308- 57-500	REP-P	00-09-019	308- 65-150	AMD	00-13-020
308- 56A-335	PREP	00-09-018	308- 57-500	REP-W	00-11-041	308- 65-170	AMD-P	00-09-071
308- 56A-355	PREP	00-09-018	308- 58-010	REP	00-06-025	308- 65-170	AMD	00-13-020
308- 56A-450	AMD	00-04-046	308- 58-020	REP	00-06-025	308- 65-180	REP-P	00-09-071
308- 56A-455	AMD	00-04-046	308- 58-030	REP	00-06-025	308- 65-180	REP	00-13-020
308- 56A-460	AMD	00-06-025	308- 58-040	REP	00-06-025	308- 65-190	AMD-P	00-09-071
308- 56A-465	REP	00-04-046	308- 58-050	REP	00-06-025	308- 65-190	AMD	00-13-020
308- 56A-470	REP	00-04-046	308- 63	PREP	00-06-007	308- 72-500	PREP	00-08-063
308- 56A-500	AMD	00-06-004	308- 63-020	AMD-P	00-09-069	308- 72-665	PREP	00-08-063
308- 56A-500	AMD-P	00-09-007	308- 63-020	AMD	00-13-019	308- 72-690	PREP	00-08-063
308- 56A-500	AMD	00-13-083	308- 63-030	AMD-P	00-09-069	308- 72-700	PREP	00-08-063
308- 56A-505	AMD	00-06-004	308- 63-030	AMD	00-13-019	308- 72-710	PREP	00-08-063
308- 56A-510	REP	00-06-004	308- 63-040	AMD-P	00-09-069	308- 72-720	NEW-P	00-05-014
308- 56A-515	REP	00-06-004	308- 63-040	AMD	00-13-019	308- 72-720	NEW	00-08-032
308- 56A-520	REP	00-06-004	308- 63-050	AMD-P	00-09-069	308- 77	PREP	00-03-037
308- 56A-610	REP	00-06-020	308- 63-050	AMD	00-13-019	308- 77-045	PREP	00-03-037
308- 56A-620	AMD	00-06-020	308- 63-060	AMD-P	00-09-069	308- 77-045	REP-P	00-11-037
308- 56A-620	REP-P	00-09-007	308- 63-060	AMD	00-13-019	308- 77-155	PREP	00-03-037
308- 56A-620	REP	00-13-083	308- 63-070	AMD-P	00-09-069	308- 77-155	AMD-P	00-11-037
308- 56A-640	AMD	00-06-020	308- 63-070	AMD	00-13-019	308- 77-165	PREP	00-03-037
308- 56A-650	REP	00-06-020	308- 63-080	AMD-P	00-09-069	308- 77-165	AMD-P	00-11-037
308- 56A-660	REP	00-06-020	308- 63-080	AMD	00-13-019	308- 77-170	PREP	00-03-037
308- 56A-670	REP	00-06-020	308- 63-090	AMD-P	00-09-069	308- 77-170	AMD-P	00-11-037
308- 56A-680	REP	00-06-020	308- 63-090	AMD	00-13-019	308- 77-180	PREP	00-03-037
308- 56A-690	REP	00-06-020	308- 63-100	AMD-P	00-09-069	308- 77-180	AMD-P	00-11-037
308- 57-005	PREP	00-06-001	308- 63-100	AMD	00-13-019	308- 77-215	PREP	00-08-062
308- 57-005	REP-P	00-09-019	308- 63-110	AMD-P	00-09-069	308- 77-240	PREP	00-03-037
308- 57-005	REP-W	00-11-041	308- 63-110	AMD	00-13-019	308- 77-240	AMD-P	00-11-037
308- 57-010	PREP	00-06-001	308- 63-120	AMD-P	00-09-069	308- 77-265	PREP	00-03-037
308- 57-010	REP-P	00-09-019	308- 63-120	AMD	00-13-019	308- 77-265	AMD-P	00-11-037

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308- 77-270	PREP	00-03-037	308- 93-460	PREP	00-07-093	308- 96A-345	AMD	00-03-057
308- 77-270	REP-P	00-11-037	308- 93-460	AMD-P	00-12-084	308- 96A-350	AMD	00-03-057
308- 77-280	PREP	00-03-037	308- 93-460	AMD-W	00-14-019	308- 96A-355	AMD	00-03-057
308- 77-280	AMD-P	00-11-037	308- 93-470	PREP	00-07-093	308- 96A-360	REP	00-03-057
308- 77-290	NEW-P	00-05-014	308- 93-470	AMD-P	00-12-084	308- 96A-365	AMD	00-03-057
308- 77-290	NEW	00-08-032	308- 93-470	AMD-W	00-14-019	308- 96A-370	REP	00-03-057
308- 78-010	PREP	00-08-064	308- 93-640	PREP	00-07-105	308- 96A-375	REP	00-03-057
308- 78-100	NEW-P	00-05-014	308- 93-650	AMD-P	00-05-049	308- 96A-380	REP	00-03-057
308- 78-100	NEW	00-08-032	308- 93-650	AMD	00-09-065	308- 96A-400	PREP	00-06-001
308- 80	PREP	00-06-032	308- 94	PREP	00-06-034	308- 96A-400	REP-P	00-09-019
308- 80-015	AMD-P	00-09-070	308- 94-010	REP-P	00-05-050	308- 96A-400	REP-W	00-11-041
308- 80-015	AMD	00-13-018	308- 94-010	REP	00-09-066	308- 96A-410	PREP	00-06-001
308- 80-020	AMD-P	00-09-070	308- 94-030	PREP	00-07-094	308- 96A-410	REP-P	00-09-019
308- 80-020	AMD	00-13-018	308- 94-050	PREP	00-07-094	308- 96A-410	REP-W	00-11-041
308- 88-010	REP	00-06-024	308- 94-080	PREP	00-07-094	308- 96A-550	PREP	00-07-108
308- 88-020	AMD	00-06-024	308- 94-100	PREP	00-07-094	308- 96A-560	PREP	00-07-108
308- 88-030	REP	00-06-024	308- 94-160	REP-P	00-05-050	308- 97-011	NEW	00-07-053
308- 88-040	REP	00-06-024	308- 94-160	REP	00-09-066	308- 97-230	PREP	00-06-001
308- 88-050	REP	00-06-024	308- 96A-005	AMD-P	00-03-094	308- 97-230	AMD-P	00-09-019
308- 88-170	REP	00-06-024	308- 96A-005	AMD	00-09-008	308- 97-230	AMD-W	00-11-041
308- 90	PREP	00-06-033	308- 96A-065	PREP	00-07-108	308- 99-010	REP-P	00-07-126
308- 91-090	PREP	00-03-038	308- 96A-066	PREP	00-07-108	308- 99-010	REP-W	00-09-009
308- 91-090	AMD-P	00-11-037	308- 96A-067	PREP	00-07-108	308- 99-020	AMD-P	00-07-126
308- 91-150	AMD-P	00-05-014	308- 96A-068	PREP	00-07-108	308- 99-020	AMD-W	00-09-009
308- 91-150	AMD	00-08-032	308- 96A-070	PREP	00-07-108	308- 99-021	REP-P	00-07-126
308- 93-010	AMD-P	00-07-065	308- 96A-071	PREP	00-07-108	308- 99-021	REP-W	00-09-009
308- 93-010	PREP	00-07-107	308- 96A-072	PREP	00-07-108	308- 99-025	REP-P	00-07-126
308- 93-010	AMD	00-11-131	308- 96A-073	PREP	00-07-108	308- 99-025	REP-W	00-09-009
308- 93-030	PREP	00-07-107	308- 96A-074	PREP	00-07-108	308- 99-030	REP-P	00-07-126
308- 93-050	PREP	00-07-107	308- 96A-099	PREP	00-06-001	308- 99-030	REP-W	00-09-009
308- 93-055	PREP	00-07-107	308- 96A-099	AMD-P	00-09-019	308- 99-040	AMD-P	00-07-126
308- 93-056	PREP	00-07-107	308- 96A-099	AMD-W	00-11-041	308- 99-040	AMD-W	00-09-009
308- 93-060	PREP	00-07-105	308- 96A-135	PREP	00-06-001	308- 99-050	REP-P	00-07-126
308- 93-069	PREP	00-07-105	308- 96A-135	REP-P	00-09-019	308- 99-050	REP-W	00-09-009
308- 93-070	PREP	00-07-105	308- 96A-135	REP-W	00-11-041	308- 99-060	NEW-P	00-07-126
308- 93-071	PREP	00-07-105	308- 96A-145	PREP	00-06-001	308- 99-060	NEW-W	00-09-009
308- 93-073	PREP	00-07-105	308- 96A-145	AMD-P	00-09-019	308-124-021	AMD-P	00-03-063
308- 93-078	PREP	00-07-105	308- 96A-145	AMD-W	00-11-041	308-124-021	AMD	00-08-035
308- 93-079	PREP	00-07-107	308- 96A-175	PREP	00-06-001	308-124E-013	AMD-P	00-03-063
308- 93-090	PREP	00-07-107	308- 96A-175	PREP	00-07-108	308-124E-013	AMD	00-08-035
308- 93-145	AMD-P	00-05-056	308- 96A-175	AMD-P	00-09-019	308-124H-011	AMD-P	00-03-063
308- 93-145	AMD	00-09-065	308- 96A-175	AMD-W	00-11-041	308-124H-011	AMD	00-08-035
308- 93-165	REP-P	00-05-049	308- 96A-176	PREP	00-06-001	308-124H-012	NEW-P	00-03-063
308- 93-165	REP	00-09-065	308- 96A-176	PREP	00-07-108	308-124H-012	NEW	00-08-035
308- 93-200	PREP	00-07-106	308- 96A-176	AMD-P	00-09-019	308-124H-013	NEW-P	00-03-063
308- 93-220	PREP	00-07-106	308- 96A-176	AMD-W	00-11-041	308-124H-013	NEW	00-08-035
308- 93-230	PREP	00-07-106	308- 96A-180	PREP	00-06-001	308-124H-021	REP-P	00-03-063
308- 93-241	PREP	00-07-104	308- 96A-180	AMD-P	00-09-019	308-124H-021	REP	00-08-035
308- 93-242	PREP	00-07-104	308- 96A-180	AMD-W	00-11-041	308-124H-025	AMD-P	00-03-063
308- 93-243	PREP	00-07-104	308- 96A-202	PREP	00-06-001	308-124H-025	AMD	00-08-035
308- 93-244	PREP	00-07-104	308- 96A-202	AMD-P	00-09-019	308-124H-026	NEW-P	00-03-063
308- 93-245	PREP	00-07-104	308- 96A-202	AMD-W	00-11-041	308-124H-026	NEW	00-08-035
308- 93-285	PREP	00-07-105	308- 96A-203	PREP	00-06-001	308-124H-027	NEW-P	00-03-063
308- 93-295	PREP	00-07-106	308- 96A-203	AMD-P	00-09-019	308-124H-027	NEW	00-08-035
308- 93-350	PREP	00-07-105	308- 96A-203	AMD-W	00-11-041	308-124H-028	NEW-P	00-03-063
308- 93-360	PREP	00-07-105	308- 96A-306	PREP	00-08-043	308-124H-028	NEW	00-08-035
308- 93-440	PREP	00-07-093	308- 96A-306	AMD-P	00-11-120	308-124H-029	NEW-P	00-03-063
308- 93-440	AMD-P	00-12-084	308- 96A-311	PREP	00-08-043	308-124H-029	NEW	00-08-035
308- 93-440	AMD-W	00-14-019	308- 96A-312	PREP	00-08-043	308-124H-031	NEW-P	00-03-063
308- 93-450	PREP	00-07-093	308- 96A-313	PREP	00-08-043	308-124H-031	NEW	00-08-035
308- 93-450	AMD-P	00-12-084	308- 96A-314	PREP	00-08-043	308-124H-034	NEW-P	00-03-063
308- 93-450	AMD-W	00-14-019	308- 96A-316	PREP	00-08-043	308-124H-034	NEW	00-08-035

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308-124H-039	NEW-P	00-03-063	308-300-050	PREP	00-08-067	314- 16-130	REP-P	00-09-095
308-124H-039	NEW	00-08-035	308-300-060	PREP	00-08-067	314- 16-130	REP-W	00-12-030
308-124H-041	AMD-P	00-03-063	308-300-070	PREP	00-08-067	314- 16-140	REP	00-07-117
308-124H-041	AMD	00-08-035	308-300-075	PREP	00-08-067	314- 16-180	REP	00-07-117
308-124H-042	NEW-P	00-03-063	308-300-080	PREP	00-08-067	314- 16-190	AMD-XA	00-07-116
308-124H-042	NEW	00-08-035	308-300-090	PREP	00-08-067	314- 16-190	REP-W	00-12-030
308-124H-051	AMD-P	00-03-063	308-300-100	PREP	00-08-067	314- 16-190	AMD	00-12-051
308-124H-051	AMD	00-08-035	308-300-110	PREP	00-08-067	314- 16-196	AMD-XA	00-07-116
308-124H-061	AMD-P	00-03-063	308-300-120	PREP	00-08-067	314- 16-196	REP-W	00-12-030
308-124H-061	AMD	00-08-035	308-300-130	PREP	00-08-067	314- 16-196	AMD	00-12-051
308-124H-062	AMD-P	00-03-063	308-300-140	PREP	00-08-067	314- 16-197	REP	00-07-117
308-124H-062	AMD	00-08-035	308-300-150	PREP	00-08-067	314- 16-199	REP	00-07-117
308-124H-210	AMD-P	00-03-063	308-300-160	PREP	00-08-067	314- 16-200	REP	00-07-117
308-124H-210	AMD	00-08-035	308-300-170	PREP	00-08-067	314- 16-205	REP	00-07-117
308-124H-220	REP-P	00-03-063	308-300-180	PREP	00-08-067	314- 16-210	REP	00-07-117
308-124H-220	REP	00-08-035	308-300-190	PREP	00-08-067	314- 16-240	REP	00-07-117
308-124H-221	NEW-P	00-03-063	308-300-200	PREP	00-08-067	314- 16-250	REP	00-12-011
308-124H-221	NEW	00-08-035	308-320	PREP	00-10-029	314- 19-005	NEW-P	00-09-095
308-124H-230	AMD-P	00-03-063	308-320-010	PREP	00-10-029	314- 19-010	NEW-P	00-09-095
308-124H-230	AMD	00-08-035	308-320-020	PREP	00-10-029	314- 19-015	NEW-P	00-09-095
308-124H-240	REP-P	00-03-063	308-320-030	PREP	00-10-029	314- 19-020	NEW-P	00-09-095
308-124H-240	REP	00-08-035	308-320-040	PREP	00-10-029	314- 19-025	NEW-P	00-09-095
308-124H-245	NEW-P	00-03-063	308-320-050	PREP	00-10-029	314- 19-030	NEW-P	00-09-095
308-124H-245	NEW	00-08-035	308-320-060	PREP	00-10-029	314- 19-035	NEW-P	00-09-095
308-124H-246	NEW-P	00-03-063	308-320-070	PREP	00-10-029	314- 19-040	NEW-P	00-09-095
308-124H-246	NEW	00-08-035	308-320-080	PREP	00-10-029	314- 20-010	REP-P	00-09-095
308-124H-260	AMD-P	00-03-063	308-320-090	PREP	00-10-029	314- 20-015	AMD-P	00-09-095
308-124H-260	AMD	00-08-035	314- 02-005	NEW	00-07-091	314- 20-040	REP-P	00-09-095
308-124H-270	AMD-P	00-03-063	314- 02-010	NEW	00-07-091	314- 20-060	REP-P	00-09-095
308-124H-270	AMD	00-08-035	314- 02-015	NEW	00-07-091	314- 20-150	REP-P	00-09-095
308-124H-290	AMD-P	00-03-063	314- 02-020	NEW	00-07-091	314- 20-160	AMD-P	00-09-095
308-124H-290	AMD	00-08-035	314- 02-025	NEW	00-07-091	314- 20-170	AMD-P	00-09-095
308-124H-300	AMD-P	00-03-063	314- 02-030	NEW	00-07-091	314- 20-180	REP-P	00-09-095
308-124H-300	AMD	00-08-035	314- 02-035	NEW	00-07-091	314- 24-095	REP-P	00-09-095
308-124H-310	AMD-P	00-03-063	314- 02-040	NEW	00-07-091	314- 24-110	REP-P	00-09-095
308-124H-310	AMD	00-08-035	314- 02-045	NEW	00-07-091	314- 24-120	AMD-P	00-09-095
308-124H-320	AMD-P	00-03-063	314- 02-050	NEW	00-07-091	314- 24-160	AMD-P	00-09-095
308-124H-320	AMD	00-08-035	314- 02-055	NEW	00-07-091	314- 26-010	REP-P	00-09-095
308-124H-510	AMD-P	00-03-063	314- 02-060	NEW	00-07-091	314 37	PREP	00-02-087
308-124H-510	AMD	00-08-035	314- 02-065	NEW	00-07-091	314- 42-010	NEW-P	00-02-089
308-124H-520	REP-P	00-03-063	314- 02-070	NEW	00-07-091	314- 42-010	NEW	00-06-016
308-124H-520	REP	00-08-035	314- 02-075	NEW	00-07-091	314- 48-010	PREP	00-02-087
308-124H-525	NEW-P	00-03-063	314- 02-080	NEW	00-07-091	314- 56-010	REP-XR	00-02-086
308-124H-525	NEW	00-08-035	314- 02-085	NEW	00-07-091	314- 56-010	REP	00-12-012
308-124H-530	AMD-P	00-03-063	314- 02-090	NEW	00-07-091	314- 56-020	REP-XR	00-02-086
308-124H-530	AMD	00-08-035	314- 02-095	NEW	00-07-091	314- 56-020	REP	00-12-012
308-124H-551	NEW-P	00-03-063	314- 02-100	NEW	00-07-091	314- 60	PREP	00-02-088
308-124H-551	NEW	00-08-035	314- 02-105	NEW	00-07-091	314- 62	PREP	00-02-088
308-124H-580	AMD-P	00-03-063	314- 02-110	NEW	00-07-091	314- 64	PREP	00-02-087
308-124H-580	AMD	00-08-035	314- 02-115	NEW	00-07-091	314- 76-010	PREP	00-02-087
308-124H-800	AMD-P	00-03-063	314- 02-120	NEW	00-07-091	314- 78-010	REP-XR	00-02-086
308-124H-800	AMD	00-08-035	314- 02-125	NEW	00-07-091	314- 78-010	REP	00-12-012
308-125-120	PREP	00-13-072	314- 02-130	NEW	00-07-091	315- 04-020	PREP	00-11-016
308-125-200	AMD	00-04-057	314- 15-010	REP	00-07-117	315- 04-120	PREP	00-14-049
308-129-100	AMD-P	00-08-005	314- 15-020	REP	00-07-117	315- 06-120	PREP	00-05-059
308-129-100	AMD	00-11-047	314- 15-030	REP	00-07-117	315- 06-120	AMD-P	00-07-130
308-129-230	REP-P	00-08-005	314- 15-040	REP	00-07-117	315- 06-120	AMD	00-12-032
308-129-230	REP	00-11-047	314- 15-050	REP	00-07-117	315- 11A-165	REP-XR	00-02-055
308-300-010	PREP	00-08-067	314- 16-040	AMD-XA	00-07-116	315- 11A-165	REP	00-07-131
308-300-020	PREP	00-08-067	314- 16-040	AMD	00-12-051	315- 11A-187	REP-XR	00-02-055
308-300-030	PREP	00-08-067	314- 16-055	REP	00-07-117	315- 11A-187	REP	00-07-131
308-300-040	PREP	00-08-067	314- 16-115	REP	00-07-117	315- 11A-188	REP-XR	00-02-055

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
315-11A-188	REP	00-07-131	317-21-220	REP-XR	00-12-091	352-32-195	AMD-P	00-10-117
315-11A-189	REP-XR	00-02-055	317-21-225	REP-XR	00-12-091	352-32-195	AMD	00-13-070
315-11A-189	REP	00-07-131	317-21-230	REP-XR	00-12-091	352-32-200	AMD-P	00-10-117
315-11A-190	REP-XR	00-02-055	317-21-235	REP-XR	00-12-091	352-32-200	AMD	00-13-070
315-11A-190	REP	00-07-131	317-21-240	REP-XR	00-12-091	352-32-210	AMD-P	00-10-117
315-11A-191	REP-XR	00-02-055	317-21-245	REP-XR	00-12-091	352-32-210	AMD	00-13-070
315-11A-191	REP	00-07-131	317-21-250	REP-XR	00-12-091	352-32-215	AMD-P	00-10-117
315-11A-192	REP-XR	00-02-055	317-21-255	REP-XR	00-12-091	352-32-215	AMD	00-13-070
315-11A-192	REP	00-07-131	317-21-260	REP-XR	00-12-091	352-32-230	AMD-P	00-10-117
315-11A-193	REP-XR	00-02-055	317-21-265	REP-XR	00-12-091	352-32-230	AMD	00-13-070
315-11A-193	REP	00-07-131	317-21-540	REP-XR	00-12-091	352-32-235	AMD-P	00-10-117
315-11A-194	REP-XR	00-02-055	326-30-041	PREP	00-10-105	352-32-235	AMD	00-13-070
315-11A-194	REP	00-07-131	326-30-041	AMD-P	00-13-112	352-32-250	AMD-P	00-10-117
315-11A-195	REP-XR	00-02-055	332-130-050	AMD-P	00-08-034	352-32-250	AMD	00-13-070
315-11A-195	REP	00-07-131	352-04	PREP	00-12-096	352-32-251	AMD-P	00-10-117
315-11A-196	REP-XR	00-02-055	352-32	PREP	00-04-081	352-32-251	AMD	00-13-070
315-11A-196	REP	00-07-131	352-32-010	AMD-P	00-10-117	352-32-255	AMD-P	00-10-117
315-11A-197	REP-XR	00-02-055	352-32-010	AMD	00-13-070	352-32-255	AMD	00-13-070
315-11A-197	REP	00-07-131	352-32-011	AMD-P	00-10-117	352-32-280	AMD-P	00-10-117
315-11A-198	REP-XR	00-02-055	352-32-011	AMD	00-13-070	352-32-280	AMD	00-13-070
315-11A-198	REP	00-07-131	352-32-030	AMD-P	00-10-117	352-32-285	PREP	00-04-081
315-11A-199	REP-XR	00-02-055	352-32-030	AMD	00-13-070	352-32-285	AMD-P	00-10-117
315-11A-199	REP	00-07-131	352-32-040	AMD-P	00-10-117	352-32-285	AMD	00-13-070
315-11A-200	REP-XR	00-02-055	352-32-040	AMD	00-13-070	352-32-290	AMD-P	00-10-117
315-11A-200	REP	00-07-131	352-32-045	AMD-P	00-10-117	352-32-290	AMD	00-13-070
315-11A-201	REP-XR	00-02-055	352-32-045	AMD	00-13-070	352-32-330	AMD-P	00-10-117
315-11A-201	REP	00-07-131	352-32-050	AMD-P	00-10-117	352-32-330	AMD	00-13-070
315-11A-202	REP-XR	00-02-055	352-32-050	AMD	00-13-070	352-64	PREP	00-12-095
315-11A-202	REP	00-07-131	352-32-053	AMD-P	00-10-117	352-65	PREP	00-12-095
315-11A-203	REP-XR	00-02-055	352-32-053	AMD	00-13-070	352-70	PREP	00-12-094
315-11A-203	REP	00-07-131	352-32-056	AMD-P	00-10-117	352-76	PREP	00-12-095
315-11A-204	REP-XR	00-02-055	352-32-056	AMD	00-13-070	356-14-045	AMD-P	00-04-052
315-11A-204	REP	00-07-131	352-32-060	AMD-P	00-10-117	356-14-045	AMD-C	00-06-050
315-11A-205	REP-XR	00-02-055	352-32-060	AMD	00-13-070	356-14-045	AMD	00-10-026
315-11A-205	REP	00-07-131	352-32-070	AMD-P	00-10-117	356-14-070	AMD-P	00-12-074
315-11A-206	REP-XR	00-02-055	352-32-070	AMD	00-13-070	356-14-140	AMD-P	00-12-073
315-11A-206	REP	00-07-131	352-32-075	AMD-P	00-10-117	356-15-100	AMD-W	00-10-025
315-11A-207	REP-XR	00-02-055	352-32-075	AMD	00-13-070	356-15-110	AMD-W	00-10-025
315-11A-207	REP	00-07-131	352-32-080	AMD-P	00-10-117	356-22-220	AMD-P	00-12-072
315-11A-208	REP-XR	00-02-055	352-32-080	AMD	00-13-070	356-26-040	AMD-P	00-04-052
315-11A-208	REP	00-07-131	352-32-085	AMD-P	00-10-117	356-26-040	AMD-C	00-06-050
315-11A-209	REP-XR	00-02-055	352-32-085	AMD	00-13-070	356-26-040	AMD	00-10-026
315-11A-209	REP	00-07-131	352-32-090	AMD-P	00-10-117	356-30-075	AMD-P	00-04-052
315-11A-210	REP-XR	00-02-055	352-32-090	AMD	00-13-070	356-30-075	AMD-C	00-06-050
315-11A-210	REP	00-07-131	352-32-100	AMD-P	00-10-117	356-30-075	AMD	00-10-026
315-11A-211	REP-XR	00-02-055	352-32-100	AMD	00-13-070	356-30-331	AMD-P	00-06-047
315-11A-211	REP	00-07-131	352-32-110	AMD-P	00-10-117	356-30-331	AMD	00-11-122
315-11A-212	REP-XR	00-02-055	352-32-110	AMD	00-13-070	359-14-010	NEW-P	00-04-054
315-11A-212	REP	00-07-131	352-32-120	AMD-P	00-10-117	359-14-010	NEW-C	00-06-049
315-11A-213	REP-XR	00-02-055	352-32-120	AMD	00-13-070	359-14-010	NEW	00-10-028
315-11A-213	REP	00-07-131	352-32-130	AMD-P	00-10-117	359-14-020	NEW-P	00-04-054
315-11A-214	REP-XR	00-02-055	352-32-130	AMD	00-13-070	359-14-020	NEW-C	00-06-049
315-11A-214	REP	00-07-131	352-32-150	AMD-P	00-10-117	359-14-020	NEW	00-10-028
315-11A-215	REP-XR	00-14-057	352-32-150	AMD	00-13-070	359-14-030	NEW-P	00-04-054
315-11A-216	REP-XR	00-14-057	352-32-15001	AMD-P	00-10-117	359-14-030	NEW-C	00-06-049
315-11A-217	REP-XR	00-14-057	352-32-15001	AMD	00-13-070	359-14-030	NEW	00-10-028
317-10	PREP	00-05-096	352-32-155	AMD-P	00-10-117	359-14-050	NEW-P	00-04-054
317-21-130	REP-XR	00-12-091	352-32-155	AMD	00-13-070	359-14-050	NEW-C	00-06-049
317-21-200	REP-XR	00-12-091	352-32-157	AMD-P	00-10-117	359-14-050	NEW	00-10-028
317-21-205	REP-XR	00-12-091	352-32-157	AMD	00-13-070	359-14-070	NEW-P	00-04-054
317-21-210	REP-XR	00-12-091	352-32-165	AMD-P	00-10-117	359-14-070	NEW-C	00-06-049
317-21-215	REP-XR	00-12-091	352-32-165	AMD	00-13-070	359-14-070	NEW	00-10-028

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
359- 14-080	NEW-P	00-04-054	365-197-070	NEW-P	00-03-067	388- 02-0305	NEW-P	00-10-034
359- 14-080	NEW-C	00-06-049	365-197-080	NEW-P	00-03-067	388- 02-0310	NEW-P	00-10-034
359- 14-080	NEW	00-10-028	388- 02-0005	NEW-P	00-10-034	388- 02-0315	NEW-P	00-10-034
359- 14-100	NEW-P	00-04-054	388- 02-0010	NEW-P	00-10-034	388- 02-0320	NEW-P	00-10-034
359- 14-100	NEW-C	00-06-049	388- 02-0015	NEW-P	00-10-034	388- 02-0325	NEW-P	00-10-034
359- 14-100	NEW	00-10-028	388- 02-0020	NEW-P	00-10-034	388- 02-0330	NEW-P	00-10-034
359- 14-130	NEW-P	00-04-054	388- 02-0025	NEW-P	00-10-034	388- 02-0335	NEW-P	00-10-034
359- 14-130	NEW-C	00-06-049	388- 02-0030	NEW-P	00-10-034	388- 02-0340	NEW-P	00-10-034
359- 14-130	NEW	00-10-028	388- 02-0035	NEW-P	00-10-034	388- 02-0345	NEW-P	00-10-034
359- 40-010	NEW-P	00-04-054	388- 02-0040	NEW-P	00-10-034	388- 02-0350	NEW-P	00-10-034
359- 40-010	NEW-C	00-06-049	388- 02-0045	NEW-P	00-10-034	388- 02-0355	NEW-P	00-10-034
359- 40-010	NEW	00-10-028	388- 02-0050	NEW-P	00-10-034	388- 02-0360	NEW-P	00-10-034
359- 40-020	NEW-P	00-04-054	388- 02-0055	NEW-P	00-10-034	388- 02-0365	NEW-P	00-10-034
359- 40-020	NEW-C	00-06-049	388- 02-0060	NEW-P	00-10-034	388- 02-0370	NEW-P	00-10-034
359- 40-020	NEW	00-10-028	388- 02-0065	NEW-P	00-10-034	388- 02-0375	NEW-P	00-10-034
359- 40-050	NEW-P	00-04-054	388- 02-0070	NEW-P	00-10-034	388- 02-0380	NEW-P	00-10-034
359- 40-050	NEW-C	00-06-049	388- 02-0075	NEW-P	00-10-034	388- 02-0385	NEW-P	00-10-034
359- 40-050	NEW	00-10-028	388- 02-0080	NEW-P	00-10-034	388- 02-0390	NEW-P	00-10-034
359- 40-060	NEW-P	00-04-054	388- 02-0085	NEW-P	00-10-034	388- 02-0395	NEW-P	00-10-034
359- 40-060	NEW-C	00-06-049	388- 02-0090	NEW-P	00-10-034	388- 02-0400	NEW-P	00-10-034
359- 40-060	NEW	00-10-028	388- 02-0095	NEW-P	00-10-034	388- 02-0405	NEW-P	00-10-034
363-116-080	PREP	00-13-098	388- 02-0100	NEW-P	00-10-034	388- 02-0410	NEW-P	00-10-034
363-116-082	PREP	00-13-098	388- 02-0105	NEW-P	00-10-034	388- 02-0415	NEW-P	00-10-034
363-116-185	AMD-P	00-10-074	388- 02-0110	NEW-P	00-10-034	388- 02-0420	NEW-P	00-10-034
363-116-185	AMD	00-13-097	388- 02-0115	NEW-P	00-10-034	388- 02-0425	NEW-P	00-10-034
363-116-300	AMD-P	00-08-106	388- 02-0120	NEW-P	00-10-034	388- 02-0430	NEW-P	00-10-034
363-116-300	AMD	00-11-119	388- 02-0125	NEW-P	00-10-034	388- 02-0435	NEW-P	00-10-034
365- 18-010	NEW	00-09-060	388- 02-0130	NEW-P	00-10-034	388- 02-0440	NEW-P	00-10-034
365- 18-020	NEW	00-09-060	388- 02-0135	NEW-P	00-10-034	388- 02-0445	NEW-P	00-10-034
365- 18-030	NEW	00-09-060	388- 02-0140	NEW-P	00-10-034	388- 02-0450	NEW-P	00-10-034
365- 18-040	NEW	00-09-060	388- 02-0145	NEW-P	00-10-034	388- 02-0455	NEW-P	00-10-034
365- 18-050	NEW	00-09-060	388- 02-0150	NEW-P	00-10-034	388- 02-0460	NEW-P	00-10-034
365- 18-060	NEW	00-09-060	388- 02-0155	NEW-P	00-10-034	388- 02-0465	NEW-P	00-10-034
365- 18-070	NEW	00-09-060	388- 02-0160	NEW-P	00-10-034	388- 02-0470	NEW-P	00-10-034
365- 18-080	NEW	00-09-060	388- 02-0165	NEW-P	00-10-034	388- 02-0475	NEW-P	00-10-034
365- 18-090	NEW	00-09-060	388- 02-0170	NEW-P	00-10-034	388- 02-0480	NEW-P	00-10-034
365- 18-100	NEW	00-09-060	388- 02-0175	NEW-P	00-10-034	388- 02-0485	NEW-P	00-10-034
365- 18-110	NEW	00-09-060	388- 02-0180	NEW-P	00-10-034	388- 02-0490	NEW-P	00-10-034
365- 18-120	NEW	00-09-060	388- 02-0185	NEW-P	00-10-034	388- 02-0495	NEW-P	00-10-034
365-120	AMD	00-05-020	388- 02-0190	NEW-P	00-10-034	388- 02-0500	NEW-P	00-10-034
365-120-010	AMD	00-05-020	388- 02-0195	NEW-P	00-10-034	388- 02-0505	NEW-P	00-10-034
365-120-020	AMD	00-05-020	388- 02-0200	NEW-P	00-10-034	388- 02-0510	NEW-P	00-10-034
365-120-030	AMD	00-05-020	388- 02-0205	NEW-P	00-10-034	388- 02-0515	NEW-P	00-10-034
365-120-040	AMD	00-05-020	388- 02-0210	NEW-P	00-10-034	388- 02-0520	NEW-P	00-10-034
365-120-050	AMD	00-05-020	388- 02-0215	NEW-P	00-10-034	388- 02-0525	NEW-P	00-10-034
365-120-060	AMD	00-05-020	388- 02-0220	NEW-P	00-10-034	388- 02-0530	NEW-P	00-10-034
365-120-070	NEW	00-05-020	388- 02-0225	NEW-P	00-10-034	388- 02-0535	NEW-P	00-10-034
365-120-080	NEW	00-05-020	388- 02-0230	NEW-P	00-10-034	388- 02-0540	NEW-P	00-10-034
365-120-090	NEW	00-05-020	388- 02-0235	NEW-P	00-10-034	388- 02-0545	NEW-P	00-10-034
365-135-020	AMD	00-02-061	388- 02-0240	NEW-P	00-10-034	388- 02-0550	NEW-P	00-10-034
365-195-900	NEW-P	00-03-066	388- 02-0245	NEW-P	00-10-034	388- 02-0555	NEW-P	00-10-034
365-195-905	NEW-P	00-03-066	388- 02-0250	NEW-P	00-10-034	388- 02-0560	NEW-P	00-10-034
365-195-910	NEW-P	00-03-066	388- 02-0255	NEW-P	00-10-034	388- 02-0565	NEW-P	00-10-034
365-195-915	NEW-P	00-03-066	388- 02-0260	NEW-P	00-10-034	388- 02-0570	NEW-P	00-10-034
365-195-920	NEW-P	00-03-066	388- 02-0265	NEW-P	00-10-034	388- 02-0575	NEW-P	00-10-034
365-195-925	NEW-P	00-03-066	388- 02-0270	NEW-P	00-10-034	388- 02-0580	NEW-P	00-10-034
365-197-010	NEW-P	00-03-067	388- 02-0275	NEW-P	00-10-034	388- 02-0585	NEW-P	00-10-034
365-197-020	NEW-P	00-03-067	388- 02-0280	NEW-P	00-10-034	388- 02-0590	NEW-P	00-10-034
365-197-030	NEW-P	00-03-067	388- 02-0285	NEW-P	00-10-034	388- 02-0595	NEW-P	00-10-034
365-197-040	NEW-P	00-03-067	388- 02-0290	NEW-P	00-10-034	388- 02-0600	NEW-P	00-10-034
365-197-050	NEW-P	00-03-067	388- 02-0295	NEW-P	00-10-034	388- 02-0605	NEW-P	00-10-034
365-197-060	NEW-P	00-03-067	388- 02-0300	NEW-P	00-10-034	388- 02-0610	NEW-P	00-10-034

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-02-0615	NEW-P	00-10-034	388-08-575	REP-P	00-10-094	388-14-040	PREP	00-06-039
388-02-0620	NEW-P	00-10-034	388-08-585	REP-P	00-10-094	388-14-045	PREP	00-06-039
388-02-0625	NEW-P	00-10-034	388-11-011	PREP	00-06-039	388-14-050	PREP	00-06-039
388-02-0630	NEW-P	00-10-034	388-11-011	AMD-P	00-10-096	388-14-100	PREP	00-06-039
388-02-0635	NEW-P	00-10-034	388-11-015	PREP	00-06-039	388-14-200	PREP	00-06-039
388-02-0640	NEW-P	00-10-034	388-11-045	PREP	00-06-039	388-14-201	PREP	00-06-039
388-02-0645	NEW-P	00-10-034	388-11-048	PREP	00-06-039	388-14-202	PREP	00-06-039
388-02-0650	NEW-P	00-10-034	388-11-065	PREP	00-06-039	388-14-203	PREP	00-06-039
388-03-010	NEW	00-06-014	388-11-067	PREP	00-06-039	388-14-205	PREP	00-06-039
388-03-020	NEW	00-06-014	388-11-100	PREP	00-06-039	388-14-210	PREP	00-06-039
388-03-030	NEW	00-06-014	388-11-100	AMD-P	00-10-096	388-14-220	PREP	00-06-039
388-03-050	NEW	00-06-014	388-11-120	PREP	00-06-039	388-14-250	PREP	00-06-039
388-03-060	NEW	00-06-014	388-11-120	AMD-P	00-10-096	388-14-260	PREP	00-06-039
388-03-110	NEW	00-06-014	388-11-135	PREP	00-06-039	388-14-270	PREP	00-06-039
388-03-112	NEW	00-06-014	388-11-140	PREP	00-06-039	388-14-271	PREP	00-06-039
388-03-114	NEW	00-06-014	388-11-145	PREP	00-06-039	388-14-272	PREP	00-06-039
388-03-115	NEW	00-06-014	388-11-150	PREP	00-06-039	388-14-273	PREP	00-06-039
388-03-116	NEW	00-06-014	388-11-150	AMD-P	00-10-096	388-14-274	PREP	00-06-039
388-03-117	NEW	00-06-014	388-11-155	PREP	00-06-039	388-14-276	PREP	00-06-039
388-03-118	NEW	00-06-014	388-11-170	PREP	00-06-039	388-14-300	PREP	00-06-039
388-03-120	NEW	00-06-014	388-11-180	PREP	00-06-039	388-14-310	PREP	00-06-039
388-03-122	NEW	00-06-014	388-11-205	PREP	00-06-039	388-14-350	PREP	00-06-039
388-03-123	NEW	00-06-014	388-11-210	PREP	00-06-039	388-14-360	PREP	00-06-039
388-03-124	NEW	00-06-014	388-11-215	PREP	00-06-039	388-14-365	PREP	00-06-039
388-03-125	NEW	00-06-014	388-11-220	PREP	00-06-039	388-14-370	PREP	00-06-039
388-03-126	NEW	00-06-014	388-11-280	PREP	00-06-039	388-14-376	PREP	00-06-039
388-03-130	NEW	00-06-014	388-11-285	PREP	00-06-039	388-14-385	PREP	00-06-039
388-03-132	NEW	00-06-014	388-11-285	REP-P	00-10-096	388-14-386	PREP	00-06-039
388-03-133	NEW	00-06-014	388-11-290	PREP	00-06-039	388-14-387	PREP	00-06-039
388-03-135	NEW	00-06-014	388-11-290	REP-P	00-10-096	388-14-388	PREP	00-06-039
388-03-138	NEW	00-06-014	388-11-295	PREP	00-06-039	388-14-390	PREP	00-06-039
388-03-140	NEW	00-06-014	388-11-295	REP-P	00-10-096	388-14-395	PREP	00-06-039
388-03-150	NEW	00-06-014	388-11-300	PREP	00-06-039	388-14-410	PREP	00-06-039
388-03-152	NEW	00-06-014	388-11-305	PREP	00-06-039	388-14-415	PREP	00-06-039
388-03-154	NEW	00-06-014	388-11-305	AMD-P	00-10-096	388-14-420	PREP	00-06-039
388-03-156	NEW	00-06-014	388-11-310	PREP	00-06-039	388-14-421	PREP	00-06-039
388-03-170	NEW	00-06-014	388-11-310	AMD-P	00-10-096	388-14-422	PREP	00-06-039
388-03-172	NEW	00-06-014	388-11-315	PREP	00-06-039	388-14-423	PREP	00-06-039
388-03-174	NEW	00-06-014	388-11-315	REP-P	00-06-068	388-14-424	PREP	00-06-039
388-03-176	NEW	00-06-014	388-11-315	REP	00-09-076	388-14-427	PREP	00-06-039
388-08-410	REP-P	00-10-094	388-11-320	PREP	00-06-039	388-14-435	PREP	00-06-039
388-08-413	REP-P	00-10-094	388-11-325	PREP	00-06-039	388-14-440	PREP	00-06-039
388-08-425	REP-P	00-10-094	388-11-330	PREP	00-06-039	388-14-445	PREP	00-06-039
388-08-428	REP-P	00-10-094	388-11-335	PREP	00-06-039	388-14-445	REP-P	00-10-096
388-08-431	REP-P	00-10-094	388-11-340	PREP	00-06-039	388-14-450	PREP	00-06-039
388-08-434	REP-P	00-10-094	388-11-400	PREP	00-06-039	388-14-460	PREP	00-06-039
388-08-437	REP-P	00-10-094	388-11-400	REP-P	00-10-096	388-14-480	PREP	00-06-039
388-08-440	REP-P	00-10-094	388-11-410	PREP	00-06-039	388-14-490	PREP	00-06-039
388-08-446	REP-P	00-10-094	388-11-410	REP-P	00-10-096	388-14-495	PREP	00-06-039
388-08-449	REP-P	00-10-094	388-11-415	PREP	00-06-039	388-14-500	PREP	00-06-039
388-08-452	REP-P	00-10-094	388-11-415	REP-P	00-10-096	388-14-510	PREP	00-06-039
388-08-461	REP-P	00-10-094	388-11-420	PREP	00-06-039	388-14-520	PREP	00-06-039
388-08-462	REP-P	00-10-094	388-11-420	REP-P	00-10-096	388-14-530	PREP	00-06-039
388-08-464	REP-P	00-10-094	388-11-425	PREP	00-06-039	388-14-540	PREP	00-06-039
388-08-466	REP-P	00-10-094	388-11-425	REP-P	00-10-096	388-14-550	PREP	00-06-039
388-08-470	REP-P	00-10-094	388-11-430	PREP	00-06-039	388-14-560	PREP	00-06-039
388-08-515	REP-P	00-10-094	388-11-430	REP-P	00-10-096	388-14-570	PREP	00-06-039
388-08-525	REP-P	00-10-094	388-13	PREP	00-06-039	388-14A-3100	NEW-P	00-10-096
388-08-535	REP-P	00-10-094	388-14-010	PREP	00-06-039	388-14A-3102	NEW-P	00-10-096
388-08-545	REP-P	00-10-094	388-14-020	PREP	00-06-039	388-14A-3105	NEW-P	00-10-096
388-08-555	REP-P	00-10-094	388-14-030	PREP	00-06-039	388-14A-3110	NEW-P	00-10-096
388-08-565	REP-P	00-10-094	388-14-035	PREP	00-06-039	388-14A-3115	NEW-P	00-10-096

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 14A-3120	NEW-P	00-10-096	388- 15-610	REP-P	00-10-033	388- 31-035	REP-P	00-12-083
388- 14A-3125	NEW-P	00-10-096	388- 15-610	REP	00-13-077	388- 46-010	PREP	00-13-061
388- 14A-3130	NEW-P	00-10-096	388- 15-620	REP	00-04-056	388- 46-100	PREP	00-13-061
388- 14A-3131	NEW-P	00-10-096	388- 15-630	REP	00-04-056	388- 46-110	PREP	00-13-061
388- 14A-3132	NEW-P	00-10-096	388- 15-650	PREP	00-08-049	388- 46-120	PREP	00-13-061
388- 14A-3133	NEW-P	00-10-096	388- 15-651	PREP	00-08-049	388- 71-0100	NEW	00-03-029
388- 14A-3135	NEW-P	00-10-096	388- 15-652	PREP	00-08-049	388- 71-0105	NEW	00-03-029
388- 14A-3140	NEW-P	00-10-096	388- 15-653	PREP	00-08-049	388- 71-0110	NEW	00-03-029
388- 14A-3200	NEW-P	00-10-096	388- 15-654	PREP	00-08-049	388- 71-0115	NEW	00-03-029
388- 14A-3205	NEW-P	00-10-096	388- 15-655	PREP	00-08-049	388- 71-0120	NEW	00-03-029
388- 14A-3850	NEW-P	00-06-068	388- 15-656	PREP	00-08-049	388- 71-0150	NEW	00-03-029
388- 14A-3850	NEW	00-09-076	388- 15-657	PREP	00-08-049	388- 71-0155	NEW	00-03-029
388- 14A-3855	NEW-P	00-06-068	388- 15-658	PREP	00-08-049	388- 71-0400	NEW	00-04-056
388- 14A-3855	NEW	00-09-076	388- 15-659	PREP	00-08-049	388- 71-0405	NEW	00-04-056
388- 14A-3860	NEW-P	00-06-068	388- 15-660	PREP	00-08-049	388- 71-0410	NEW	00-04-056
388- 14A-3860	NEW	00-09-076	388- 15-661	PREP	00-08-049	388- 71-0410	PREP	00-11-092
388- 14A-3865	NEW-P	00-06-068	388- 15-662	PREP	00-08-049	388- 71-0415	NEW	00-04-056
388- 14A-3865	NEW	00-09-076	388- 15-690	REP	00-04-056	388- 71-0420	NEW	00-04-056
388- 14A-3870	NEW-P	00-06-068	388- 15-695	REP	00-04-056	388- 71-0425	NEW	00-04-056
388- 14A-3870	NEW	00-09-076	388- 15-700	REP	00-04-056	388- 71-0430	NEW	00-04-056
388- 14A-3875	NEW-P	00-06-068	388- 15-705	REP	00-04-056	388- 71-0430	AMD-P	00-10-033
388- 14A-3875	NEW	00-09-076	388- 15-710	REP	00-04-056	388- 71-0430	AMD	00-13-077
388- 15-120	REP	00-03-029	388- 15-715	REP	00-04-056	388- 71-0435	NEW-P	00-10-033
388- 15-145	REP	00-04-056	388- 15-810	REP	00-04-056	388- 71-0435	NEW	00-13-077
388- 15-194	PREP	00-11-092	388- 15-830	REP	00-04-056	388- 71-0440	NEW	00-04-056
388- 15-196	REP	00-03-043	388- 15-880	REP	00-04-056	388- 71-0440	PREP	00-11-092
388- 15-19600	REP	00-03-043	388- 15-890	REP	00-04-056	388- 71-0445	NEW	00-04-056
388- 15-19610	REP	00-03-043	388- 15-895	REP	00-04-056	388- 71-0445	PREP	00-07-100
388- 15-19620	REP	00-03-043	388- 17-010	REP	00-04-056	388- 71-0445	PREP	00-11-092
388- 15-19630	REP	00-03-043	388- 17-020	REP	00-04-056	388- 71-0445	AMD-P	00-12-035
388- 15-19640	REP	00-03-043	388- 17-100	REP	00-04-056	388- 71-0450	NEW	00-04-056
388- 15-19650	REP	00-03-043	388- 17-120	REP	00-04-056	388- 71-0455	NEW	00-04-056
388- 15-19660	REP	00-03-043	388- 17-160	REP	00-04-056	388- 71-0460	NEW	00-04-056
388- 15-19670	REP	00-03-043	388- 17-180	REP	00-04-056	388- 71-0465	NEW	00-04-056
388- 15-19680	REP	00-03-043	388- 17-500	REP	00-04-056	388- 71-0470	NEW	00-04-056
388- 15-198	REP	00-03-043	388- 17-510	REP	00-04-056	388- 71-0470	PREP	00-07-100
388- 15-200	REP	00-04-056	388- 18-010	REP-XR	00-11-061	388- 71-0470	AMD-P	00-12-035
388- 15-201	REP	00-04-056	388- 18-020	REP-XR	00-11-061	388- 71-0475	NEW	00-04-056
388- 15-202	PREP	00-11-092	388- 18-030	REP-XR	00-11-061	388- 71-0480	NEW	00-04-056
388- 15-203	PREP	00-11-092	388- 18-040	REP-XR	00-11-061	388- 71-0480	PREP	00-07-100
388- 15-204	PREP	00-11-092	388- 18-050	REP-XR	00-11-061	388- 71-0480	AMD-P	00-12-035
388- 15-205	PREP	00-11-092	388- 18-060	REP-XR	00-11-061	388- 71-0500	NEW	00-03-043
388- 15-206	REP	00-04-056	388- 18-070	REP-XR	00-11-061	388- 71-0505	NEW	00-03-043
388- 15-207	REP	00-04-056	388- 18-080	REP-XR	00-11-061	388- 71-0510	NEW	00-03-043
388- 15-209	REP	00-04-056	388- 18-090	REP-XR	00-11-061	388- 71-0515	NEW	00-03-043
388- 15-214	REP	00-04-056	388- 18-100	REP-XR	00-11-061	388- 71-0520	NEW	00-03-043
388- 15-215	REP	00-04-056	388- 18-110	REP-XR	00-11-061	388- 71-0525	NEW	00-03-043
388- 15-219	REP	00-04-056	388- 18-120	REP-XR	00-11-061	388- 71-0530	NEW	00-03-043
388- 15-222	REP	00-04-056	388- 18-130	REP-XR	00-11-061	388- 71-0535	NEW	00-03-043
388- 15-548	REP	00-04-056	388- 24-2070	REP	00-03-012	388- 71-0540	NEW	00-03-043
388- 15-551	REP	00-04-056	388- 24-2100	REP	00-03-012	388- 71-0545	NEW	00-03-043
388- 15-552	REP	00-04-056	388- 24-2150	REP	00-03-012	388- 71-0550	NEW	00-03-043
388- 15-553	REP	00-04-056	388- 24-2200	REP	00-03-012	388- 71-0555	NEW	00-03-043
388- 15-554	REP	00-04-056	388- 24-2250	REP	00-03-012	388- 71-0560	NEW	00-03-043
388- 15-555	REP	00-04-056	388- 24-2350	REP	00-03-012	388- 71-0580	NEW	00-03-043
388- 15-560	REP	00-04-056	388- 24-2430	REP	00-03-012	388- 71-0600	NEW	00-04-056
388- 15-562	REP	00-04-056	388- 31	PREP	00-09-034	388- 71-0605	NEW	00-04-056
388- 15-563	REP	00-04-056	388- 31-010	REP-P	00-12-083	388- 71-0610	NEW	00-04-056
388- 15-564	REP	00-04-056	388- 31-015	REP-P	00-12-083	388- 71-0615	NEW	00-04-056
388- 15-566	REP	00-04-056	388- 31-020	REP-P	00-12-083	388- 71-0620	NEW	00-04-056
388- 15-568	REP	00-04-056	388- 31-025	REP-P	00-12-083	388- 71-1000	NEW	00-04-056
388- 15-600	REP	00-04-056	388- 31-030	REP-P	00-12-083	388- 71-1005	NEW	00-04-056

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 71-1010	NEW	00-04-056	388- 87-015	REP	00-14-067	388- 97-07015	NEW	00-06-028
388- 71-1015	NEW	00-04-056	388- 87-019	REP-P	00-11-138	388- 97-07020	NEW	00-06-028
388- 71-1020	NEW	00-04-056	388- 87-027	PREP	00-03-011	388- 97-07025	NEW	00-06-028
388- 71-1025	NEW	00-04-056	388- 87-045	REP-XR	00-09-040	388- 97-07030	NEW	00-06-028
388- 71-1030	NEW	00-04-056	388- 87-045	REP	00-13-013	388- 97-07035	NEW	00-06-028
388- 71-1035	NEW	00-04-056	388- 87-048	DECOD	00-11-183	388- 97-07040	NEW	00-06-028
388- 71-1065	NEW	00-04-056	388- 87-067	REP	00-05-039	388- 97-07045	NEW	00-06-028
388- 71-1070	NEW	00-04-056	388- 87-075	REP-P	00-12-080	388- 97-07050	NEW	00-06-028
388- 71-1075	NEW	00-04-056	388- 87-077	REP	00-05-039	388- 97-07055	NEW	00-06-028
388- 71-1080	NEW	00-04-056	388- 87-079	REP-P	00-14-064	388- 97-07060	NEW	00-06-028
388- 71-1085	NEW	00-04-056	388- 87-090	REP	00-04-019	388- 97-07065	NEW	00-06-028
388- 71-1090	NEW	00-04-056	388- 87-095	REP-P	00-12-080	388- 97-07070	NEW	00-06-028
388- 71-1095	NEW	00-04-056	388- 87-110	REP-P	00-13-008	388- 97-075	AMD	00-06-028
388- 71-1100	NEW	00-04-056	388- 87-200	PREP	00-07-056	388- 97-076	NEW	00-06-028
388- 71-1105	NEW	00-04-056	388- 87-200	REP-P	00-09-043	388- 97-077	NEW	00-06-028
388- 71-1110	NEW	00-04-056	388- 90-010	REP	00-07-045	388- 97-080	REP	00-06-028
388- 76-61510	PREP	00-07-057	388- 96	PREP	00-12-077	388- 97-08010	NEW	00-06-028
388- 76-640	PREP	00-07-057	388- 96-779	NEW-P	00-09-080	388- 97-08020	NEW	00-06-028
388- 81	PREP	00-07-055	388- 96-779	NEW-E	00-10-035	388- 97-08030	NEW	00-06-028
388- 86	PREP	00-03-011	388- 96-779	NEW	00-12-098	388- 97-08040	NEW	00-06-028
388- 86-005	DECOD	00-11-183	388- 96-780	NEW-P	00-09-080	388- 97-08050	NEW	00-06-028
388- 86-011	REP-P	00-12-080	388- 96-780	NEW-E	00-10-035	388- 97-08060	NEW	00-06-028
388- 86-012	PREP	00-03-011	388- 96-780	NEW	00-12-098	388- 97-08070	NEW	00-06-028
388- 86-012	REP-XR	00-08-057	388- 96-781	NEW-P	00-09-080	388- 97-085	AMD	00-06-028
388- 86-012	REP	00-11-142	388- 96-781	NEW-E	00-10-035	388- 97-090	AMD	00-06-028
388- 86-017	PREP	00-05-108	388- 96-781	NEW	00-12-098	388- 97-095	REP	00-06-028
388- 86-018	DECOD	00-11-183	388- 96-782	NEW-P	00-09-080	388- 97-097	NEW	00-06-028
388- 86-019	PREP	00-03-011	388- 96-782	NEW-E	00-10-035	388- 97-100	REP	00-06-028
388- 86-019	REP-P	00-11-138	388- 96-782	NEW	00-12-098	388- 97-105	REP	00-06-028
388- 86-024	REP-P	00-09-041	388- 96-901	AMD-P	00-09-080	388- 97-110	AMD	00-06-028
388- 86-024	REP	00-14-068	388- 96-901	AMD-E	00-10-035	388- 97-115	AMD	00-06-028
388- 86-027	DECOD	00-11-183	388- 96-901	AMD	00-12-098	388- 97-120	AMD	00-06-028
388- 86-035	PREP	00-07-056	388- 97-005	AMD	00-06-028	388- 97-12010	NEW	00-06-028
388- 86-035	REP-P	00-11-093	388- 97-010	REP	00-06-028	388- 97-12020	NEW	00-06-028
388- 86-035	REP	00-14-066	388- 97-012	NEW	00-06-028	388- 97-12030	NEW	00-06-028
388- 86-055	REP-P	00-12-080	388- 97-015	REP	00-06-028	388- 97-12040	NEW	00-06-028
388- 86-059	REP-P	00-14-064	388- 97-017	NEW	00-06-028	388- 97-12050	NEW	00-06-028
388- 86-067	REP	00-05-039	388- 97-020	REP	00-06-028	388- 97-12060	NEW	00-06-028
388- 86-071	PREP	00-09-033	388- 97-022	NEW	00-06-028	388- 97-12070	NEW	00-06-028
388- 86-087	PREP	00-07-056	388- 97-022	PREP	00-11-105	388- 97-125	AMD	00-06-028
388- 86-087	REP-P	00-13-104	388- 97-025	REP	00-06-028	388- 97-130	AMD	00-06-028
388- 86-090	REP	00-04-019	388- 97-027	NEW	00-06-028	388- 97-135	AMD	00-06-028
388- 86-095	REP-P	00-12-080	388- 97-027	PREP	00-11-105	388- 97-140	AMD	00-06-028
388- 86-09601	REP-P	00-12-080	388- 97-030	REP	00-06-028	388- 97-145	REP	00-06-028
388- 86-100	REP-P	00-13-008	388- 97-032	NEW	00-06-028	388- 97-147	NEW	00-06-028
388- 86-105	REP-XR	00-09-039	388- 97-035	REP	00-06-028	388- 97-150	REP	00-06-028
388- 86-105	REP	00-13-014	388- 97-037	NEW	00-06-028	388- 97-155	AMD	00-06-028
388- 86-110	PREP	00-03-011	388- 97-040	REP	00-06-028	388- 97-160	AMD	00-06-028
388- 86-110	REP-P	00-12-080	388- 97-042	NEW	00-06-028	388- 97-162	NEW	00-06-028
388- 86-115	PREP	00-03-011	388- 97-043	NEW	00-06-028	388- 97-165	AMD	00-06-028
388- 86-120	PREP	00-03-011	388- 97-045	REP	00-06-028	388- 97-170	AMD	00-06-028
388- 86-200	AMD-P	00-14-064	388- 97-047	NEW	00-06-028	388- 97-175	AMD	00-06-028
388- 86-300	PREP	00-03-011	388- 97-050	REP	00-06-028	388- 97-180	AMD	00-06-028
388- 86-300	REP-P	00-14-045	388- 97-051	NEW	00-06-028	388- 97-185	AMD	00-06-028
388- 87	PREP	00-03-011	388- 97-052	NEW	00-06-028	388- 97-190	AMD	00-06-028
388- 87-005	REP-P	00-09-043	388- 97-053	NEW	00-06-028	388- 97-195	AMD	00-06-028
388- 87-007	REP-P	00-09-043	388- 97-055	AMD	00-06-028	388- 97-200	REP	00-06-028
388- 87-008	REP-P	00-09-043	388- 97-060	AMD	00-06-028	388- 97-202	NEW	00-06-028
388- 87-010	REP-P	00-09-043	388- 97-065	AMD	00-06-028	388- 97-205	AMD	00-06-028
388- 87-011	REP-P	00-09-043	388- 97-070	REP	00-06-028	388- 97-210	REP	00-06-028
388- 87-012	REP-P	00-09-043	388- 97-07005	NEW	00-06-028	388- 97-212	NEW	00-06-028
388- 87-015	REP-P	00-09-042	388- 97-07010	NEW	00-06-028	388- 97-215	REP	00-06-028

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-97-220	AMD	00-06-028	388-97-35030	NEW	00-06-028	388-97-46580	NEW	00-06-028
388-97-225	REP	00-06-028	388-97-35040	NEW	00-06-028	388-97-46590	NEW	00-06-028
388-97-230	REP	00-06-028	388-97-35050	NEW	00-06-028	388-97-470	AMD	00-06-028
388-97-235	REP	00-06-028	388-97-35060	NEW	00-06-028	388-97-47010	NEW	00-06-028
388-97-240	REP	00-06-028	388-97-352	NEW	00-06-028	388-97-47020	NEW	00-06-028
388-97-245	REP	00-06-028	388-97-353	NEW	00-06-028	388-97-475	REP	00-06-028
388-97-247	NEW	00-06-028	388-97-355	AMD	00-06-028	388-97-480	AMD	00-06-028
388-97-249	NEW	00-06-028	388-97-357	NEW	00-06-028	388-97-48010	NEW	00-06-028
388-97-250	REP	00-06-028	388-97-35710	NEW	00-06-028	388-97-48020	NEW	00-06-028
388-97-251	NEW	00-06-028	388-97-35720	NEW	00-06-028	388-97-48030	NEW	00-06-028
388-97-253	NEW	00-06-028	388-97-360	AMD	00-06-028	388-97-48040	NEW	00-06-028
388-97-255	REP	00-06-028	388-97-36010	NEW	00-06-028	388-97-550	NEW	00-06-028
388-97-260	AMD	00-06-028	388-97-36020	NEW	00-06-028	388-97-555	NEW	00-06-028
388-97-265	REP	00-06-028	388-97-36030	NEW	00-06-028	388-97-560	NEW	00-06-028
388-97-270	REP	00-06-028	388-97-36040	NEW	00-06-028	388-97-565	NEW	00-06-028
388-97-275	REP	00-06-028	388-97-36050	NEW	00-06-028	388-97-570	NEW	00-06-028
388-97-280	REP	00-06-028	388-97-36060	NEW	00-06-028	388-97-575	NEW	00-06-028
388-97-285	NEW	00-06-028	388-97-36070	NEW	00-06-028	388-97-580	NEW	00-06-028
388-97-295	AMD	00-06-028	388-97-365	AMD	00-06-028	388-97-585	NEW	00-06-028
388-97-29510	NEW	00-06-028	388-97-36510	NEW	00-06-028	388-97-590	NEW	00-06-028
388-97-29520	NEW	00-06-028	388-97-36520	NEW	00-06-028	388-97-595	NEW	00-06-028
388-97-29530	NEW	00-06-028	388-97-36530	NEW	00-06-028	388-97-600	NEW	00-06-028
388-97-29540	NEW	00-06-028	388-97-370	AMD	00-06-028	388-155-010	AMD	00-06-040
388-97-29550	NEW	00-06-028	388-97-37010	NEW	00-06-028	388-155-020	AMD	00-06-040
388-97-29560	NEW	00-06-028	388-97-37020	NEW	00-06-028	388-155-040	AMD-XA	00-09-089
388-97-300	REP	00-06-028	388-97-375	AMD	00-06-028	388-155-050	AMD-XA	00-09-089
388-97-305	REP	00-06-028	388-97-380	REP	00-06-028	388-155-060	AMD-XA	00-09-089
388-97-310	AMD	00-06-028	388-97-385	AMD	00-06-028	388-155-070	AMD	00-06-040
388-97-315	AMD	00-06-028	388-97-390	REP	00-06-028	388-155-085	AMD-XA	00-09-089
388-97-320	REP	00-06-028	388-97-395	REP	00-06-028	388-155-090	AMD-XA	00-09-089
388-97-325	AMD	00-06-028	388-97-400	AMD	00-06-028	388-155-092	AMD-XA	00-09-089
388-97-32510	NEW	00-06-028	388-97-40010	NEW	00-06-028	388-155-093	AMD-XA	00-09-089
388-97-32520	NEW	00-06-028	388-97-401	NEW	00-06-028	388-155-094	AMD-XA	00-09-089
388-97-32530	NEW	00-06-028	388-97-402	NEW	00-06-028	388-155-095	AMD-XA	00-09-089
388-97-32540	NEW	00-06-028	388-97-403	NEW	00-06-028	388-155-098	AMD	00-06-040
388-97-32550	NEW	00-06-028	388-97-405	AMD	00-06-028	388-155-100	AMD	00-06-040
388-97-32560	NEW	00-06-028	388-97-410	AMD	00-06-028	388-155-110	AMD	00-06-040
388-97-32570	NEW	00-06-028	388-97-415	AMD	00-06-028	388-155-120	AMD	00-06-040
388-97-32580	NEW	00-06-028	388-97-420	AMD	00-06-028	388-155-130	AMD	00-06-040
388-97-330	AMD	00-06-028	388-97-425	AMD	00-06-028	388-155-140	AMD	00-06-040
388-97-33010	NEW	00-06-028	388-97-430	AMD	00-06-028	388-155-150	AMD	00-06-040
388-97-33020	NEW	00-06-028	388-97-43010	NEW	00-06-028	388-155-160	AMD-XA	00-09-089
388-97-33030	NEW	00-06-028	388-97-43020	NEW	00-06-028	388-155-165	AMD	00-06-040
388-97-33040	NEW	00-06-028	388-97-43030	NEW	00-06-028	388-155-170	AMD	00-06-040
388-97-33050	NEW	00-06-028	388-97-43040	NEW	00-06-028	388-155-180	AMD	00-06-040
388-97-335	AMD	00-06-028	388-97-43050	NEW	00-06-028	388-155-190	AMD-XA	00-09-089
388-97-33510	NEW	00-06-028	388-97-435	REP	00-06-028	388-155-200	AMD	00-06-040
388-97-33520	NEW	00-06-028	388-97-440	REP	00-06-028	388-155-210	REP	00-06-040
388-97-33530	NEW	00-06-028	388-97-445	REP	00-06-028	388-155-220	AMD	00-06-040
388-97-33540	NEW	00-06-028	388-97-450	REP	00-06-028	388-155-230	AMD	00-06-040
388-97-33550	NEW	00-06-028	388-97-455	AMD	00-06-028	388-155-240	AMD	00-06-040
388-97-33560	NEW	00-06-028	388-97-45510	NEW	00-06-028	388-155-250	AMD	00-06-040
388-97-33570	NEW	00-06-028	388-97-460	AMD	00-06-028	388-155-260	REP	00-06-040
388-97-33580	NEW	00-06-028	388-97-46010	NEW	00-06-028	388-155-270	AMD	00-06-040
388-97-340	AMD	00-06-028	388-97-465	AMD	00-06-028	388-155-270	AMD-XA	00-09-089
388-97-34010	NEW	00-06-028	388-97-46510	NEW	00-06-028	388-155-280	AMD	00-06-040
388-97-34020	NEW	00-06-028	388-97-46520	NEW	00-06-028	388-155-290	AMD	00-06-040
388-97-345	AMD	00-06-028	388-97-46530	NEW	00-06-028	388-155-295	AMD	00-06-040
388-97-347	NEW	00-06-028	388-97-46540	NEW	00-06-028	388-155-310	AMD	00-06-040
388-97-350	AMD	00-06-028	388-97-46550	NEW	00-06-028	388-155-320	AMD	00-06-040
388-97-35010	NEW	00-06-028	388-97-46560	NEW	00-06-028	388-155-330	AMD-XA	00-09-089
388-97-35020	NEW	00-06-028	388-97-46570	NEW	00-06-028	388-155-340	AMD	00-06-040

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-155-350	AMD	00-06-040	388-235-9100	REP-P	00-11-129	388-290-866	NEW-P	00-13-105
388-155-360	AMD	00-06-040	388-235-9200	REP-P	00-11-129	388-290-870	NEW-E	00-08-061
388-155-370	AMD-XA	00-09-089	388-235-9300	REP-P	00-11-129	388-290-870	NEW-P	00-13-105
388-155-380	AMD-XA	00-09-089	388-240-0010	REP-P	00-11-107	388-290-874	NEW-E	00-08-061
388-155-390	AMD	00-06-040	388-240-0020	REP-P	00-11-107	388-290-874	NEW-P	00-13-105
388-155-400	AMD	00-06-040	388-240-1100	REP-P	00-11-107	388-290-878	NEW-E	00-08-061
388-155-410	AMD	00-06-040	388-240-1200	REP-P	00-11-107	388-290-878	NEW-P	00-13-105
388-155-420	AMD-XA	00-09-089	388-240-2100	REP-P	00-11-107	388-290-882	NEW-E	00-08-061
388-155-430	AMD	00-06-040	388-240-2300	REP-P	00-11-107	388-290-882	NEW-P	00-13-105
388-155-440	AMD	00-06-040	388-240-2400	REP-P	00-11-107	388-290-886	NEW-E	00-08-061
388-155-450	AMD	00-06-040	388-240-2450	REP-P	00-11-107	388-290-886	NEW-P	00-13-105
388-155-460	AMD	00-06-040	388-240-2500	REP-P	00-11-107	388-290-888	NEW-E	00-08-061
388-155-470	AMD	00-06-040	388-240-2550	REP-P	00-11-107	388-290-888	NEW-P	00-13-105
388-155-480	AMD-XA	00-09-089	388-240-2570	REP-P	00-11-107	388-290-905	AMD-E	00-08-061
388-155-490	AMD	00-06-040	388-240-2600	REP-P	00-11-107	388-290-905	AMD-P	00-13-105
388-155-500	AMD	00-06-040	388-240-3100	REP-P	00-11-107	388-290-910	AMD-E	00-08-061
388-155-600	AMD	00-06-040	388-240-4100	REP-P	00-11-107	388-290-910	AMD-P	00-13-105
388-155-605	AMD-XA	00-09-089	388-240-4200	REP-P	00-11-107	388-290-920	AMD-P	00-10-089
388-155-610	AMD-XA	00-09-089	388-240-4400	REP-P	00-11-107	388-290-920	AMD-E	00-10-090
388-155-620	AMD-XA	00-09-089	388-240-4600	REP-P	00-11-107	388-290-925	AMD-E	00-08-061
388-155-630	AMD-XA	00-09-089	388-240-5100	REP-P	00-11-107	388-290-925	AMD-P	00-13-105
388-155-640	AMD-XA	00-09-089	388-240-6100	REP-P	00-11-107	388-290-940	AMD-E	00-08-061
388-155-650	AMD-XA	00-09-089	388-255	PREP	00-08-054	388-290-940	AMD-P	00-13-105
388-155-660	AMD-XA	00-09-089	388-255-1020	REP-P	00-12-081	388-290-945	AMD-E	00-08-061
388-155-670	AMD-XA	00-09-089	388-255-1050	REP-P	00-12-081	388-290-945	AMD-P	00-13-105
388-155-680	AMD-XA	00-09-089	388-255-1100	REP-P	00-12-081	388-290-950	AMD-P	00-10-089
388-200-1160	REP	00-03-035	388-255-1150	REP-P	00-12-081	388-290-950	AMD-E	00-10-090
388-200-1300	PREP	00-04-036	388-255-1200	REP-P	00-12-081	388-310-0200	AMD-P	00-03-051
388-200-1350	PREP	00-04-036	388-255-1250	REP-P	00-12-081	388-310-0200	AMD	00-06-062
388-235	PREP	00-08-051	388-255-1300	REP-P	00-12-081	388-310-0200	PREP	00-07-102
388-235-1500	REP-P	00-11-129	388-265-1650	PREP	00-07-101	388-310-0200	AMD-P	00-11-140
388-235-5000	REP-P	00-11-129	388-265-1750	PREP	00-07-101	388-310-0300	AMD-P	00-03-051
388-235-5050	REP-P	00-11-129	388-273-0010	NEW-P	00-12-083	388-310-0300	AMD	00-06-062
388-235-5060	REP-P	00-11-129	388-273-0020	NEW-P	00-12-083	388-310-0400	AMD-P	00-03-051
388-235-5070	REP-P	00-11-129	388-273-0025	NEW-P	00-12-083	388-310-0400	AMD	00-06-062
388-235-5080	REP-P	00-11-129	388-273-0030	NEW-P	00-12-083	388-310-0400	PREP	00-07-102
388-235-5090	REP-P	00-11-129	388-273-0035	NEW-P	00-12-083	388-310-0500	PREP	00-07-102
388-235-5100	REP-P	00-11-129	388-290-015	AMD-P	00-10-089	388-310-0600	PREP	00-07-102
388-235-5200	REP-P	00-11-129	388-290-015	AMD-E	00-10-090	388-310-0600	AMD-P	00-11-140
388-235-5300	REP-P	00-11-129	388-290-280	AMD-P	00-10-089	388-310-0700	AMD-P	00-03-051
388-235-5400	REP-P	00-11-129	388-290-280	AMD-E	00-10-090	388-310-0700	AMD	00-06-062
388-235-5500	REP-P	00-11-129	388-290-350	AMD-P	00-10-089	388-310-0800	PREP	00-05-109
388-235-5600	REP-P	00-11-129	388-290-350	AMD-E	00-10-090	388-310-0800	AMD-E	00-06-061
388-235-5700	REP-P	00-11-129	388-290-450	AMD-P	00-10-089	388-310-0800	AMD-P	00-08-089
388-235-5800	REP-P	00-11-129	388-290-450	AMD-E	00-10-090	388-310-0800	AMD-S	00-10-091
388-235-5900	REP-P	00-11-129	388-290-475	AMD-P	00-10-089	388-310-0800	AMD	00-13-106
388-235-6000	REP-P	00-11-129	388-290-475	AMD-E	00-10-090	388-310-1400	AMD-P	00-03-051
388-235-7000	REP-P	00-11-129	388-290-550	REP-P	00-10-089	388-310-1400	AMD	00-06-062
388-235-7100	REP-P	00-11-129	388-290-550	REP-E	00-10-090	388-310-1450	NEW-P	00-03-051
388-235-7200	REP-P	00-11-129	388-290-600	AMD-P	00-10-089	388-310-1450	NEW	00-06-062
388-235-7300	REP-P	00-11-129	388-290-600	AMD-E	00-10-090	388-310-1800	PREP	00-07-102
388-235-7400	REP-P	00-11-129	388-290-650	AMD-P	00-10-089	388-310-1800	AMD-P	00-11-140
388-235-7500	REP-P	00-11-129	388-290-650	AMD-E	00-10-090	388-310-1850	AMD-E	00-03-013
388-235-7600	REP-P	00-11-129	388-290-850	AMD-E	00-08-061	388-310-1850	AMD-P	00-04-091
388-235-8000	REP-P	00-11-129	388-290-850	AMD-P	00-13-105	388-310-1850	AMD	00-08-021
388-235-8100	REP-P	00-11-129	388-290-854	NEW-E	00-08-061	388-310-1850	REP-E	00-14-046
388-235-8130	REP-P	00-11-129	388-290-854	NEW-P	00-13-105	388-400	PREP	00-11-182
388-235-8140	REP-P	00-11-129	388-290-858	NEW-E	00-08-061	388-400-0005	AMD	00-05-007
388-235-8150	REP-P	00-11-129	388-290-858	NEW-P	00-13-105	388-400-0010	AMD	00-05-007
388-235-8200	REP-P	00-11-129	388-290-862	NEW-E	00-08-061	388-400-0015	AMD-E	00-13-075
388-235-9000	AMD	00-05-007	388-290-862	NEW-P	00-13-105	388-400-0025	PREP	00-08-056
388-235-9000	REP-P	00-11-129	388-290-866	NEW-E	00-08-061	388-400-0025	AMD-P	00-11-128

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-404	PREP	00-11-182	388-448-0120	NEW-P	00-11-129	388-501-0165	AMD	00-03-035
388-404-0005	AMD	00-05-007	388-448-0130	NEW-P	00-11-129	388-501-0200	AMD-XA	00-07-044
388-406-0015	AMD	00-06-015	388-448-0140	NEW-P	00-11-129	388-501-0200	AMD	00-11-141
388-406-0060	PREP	00-06-060	388-448-0150	NEW-P	00-11-129	388-502-0010	NEW-P	00-09-043
388-406-0060	AMD-P	00-10-093	388-448-0160	NEW-P	00-11-129	388-502-0020	NEW-P	00-09-043
388-406-0060	AMD	00-13-076	388-448-0170	NEW-P	00-11-129	388-502-0030	NEW-P	00-09-043
388-408	PREP	00-11-182	388-448-0180	NEW-P	00-11-129	388-502-0100	NEW-P	00-09-043
388-408-0020	AMD	00-05-007	388-448-0190	NEW-P	00-11-129	388-502-0110	NEW-P	00-09-043
388-408-0025	PREP	00-08-050	388-448-0200	NEW-P	00-11-129	388-502-0150	NEW-P	00-09-042
388-408-0035	PREP	00-08-052	388-448-0210	NEW-P	00-11-129	388-502-0150	NEW	00-14-067
388-412-0025	PREP	00-13-060	388-450	PREP	00-10-031	388-502-0160	NEW-P	00-09-075
388-412-0040	PREP	00-13-060	388-450	PREP	00-11-182	388-502-0160	NEW	00-14-069
388-414-0001	AMD-P	00-07-076	388-450-0005	PREP	00-12-079	388-502-0205	PREP	00-06-022
388-414-0001	AMD	00-11-035	388-450-0015	PREP	00-03-060	388-502-0205	REP-P	00-09-043
388-416-0015	AMD-P	00-04-045	388-450-0015	AMD-E	00-06-023	388-502-0210	AMD-P	00-10-064
388-416-0015	AMD	00-08-002	388-450-0015	AMD-P	00-09-081	388-502-0230	PREP	00-09-037
388-418-0012	REP-P	00-03-062	388-450-0015	AMD-E	00-13-062	388-505-0110	PREP	00-12-079
388-418-0012	REP	00-07-077	388-450-0020	PREP	00-12-079	388-505-0595	PREP	00-12-078
388-418-0025	AMD-P	00-04-045	388-450-0035	AMD-E	00-02-062	388-506-0620	PREP	00-12-079
388-418-0025	AMD	00-08-002	388-450-0035	AMD-P	00-10-087	388-511-1105	PREP	00-12-079
388-422	PREP	00-11-182	388-450-0035	AMD-E	00-10-088	388-511-1130	PREP	00-12-079
388-424	PREP	00-11-182	388-450-0150	PREP	00-12-079	388-513-1380	AMD-E	00-08-003
388-424-0015	AMD-P	00-05-110	388-450-0210	PREP	00-12-079	388-513-1380	AMD-P	00-13-107
388-424-0015	AMD	00-08-060	388-454	PREP	00-11-182	388-519-0100	PREP	00-12-079
388-424-0025	AMD-E	00-08-004	388-470	PREP	00-12-078	388-529-2940	REP	00-05-039
388-424-0025	AMD-P	00-09-082	388-470-0005	PREP	00-12-079	388-529-2950	REP	00-05-039
388-424-0025	AMD	00-13-036	388-470-0020	PREP	00-12-079	388-530-1000	PREP	00-07-087
388-426	PREP	00-09-032	388-470-0040	PREP	00-12-079	388-530-1050	PREP	00-07-087
388-430-0001	REP	00-05-007	388-473-0010	NEW-P	00-12-081	388-530-1100	PREP	00-07-087
388-430-0005	REP	00-05-007	388-473-0020	NEW-P	00-12-081	388-530-1150	PREP	00-07-087
388-430-0010	REP	00-05-007	388-473-0030	NEW-P	00-12-081	388-530-1200	PREP	00-07-087
388-430-0015	REP	00-05-007	388-473-0040	NEW-P	00-12-081	388-530-1250	PREP	00-07-087
388-430-0020	REP	00-05-007	388-473-0050	NEW-P	00-12-081	388-530-1300	PREP	00-07-087
388-430-0025	REP	00-05-007	388-473-0060	NEW-P	00-12-081	388-530-1350	PREP	00-07-087
388-436-0010	REP-P	00-06-067	388-478	PREP	00-11-182	388-530-1400	PREP	00-07-087
388-436-0010	REP	00-10-036	388-478-0026	PREP	00-10-030	388-530-1450	PREP	00-07-087
388-438-0110	PREP	00-14-043	388-478-0050	PREP	00-08-053	388-530-1500	PREP	00-07-087
388-440	PREP	00-09-032	388-478-0050	AMD-P	00-12-082	388-530-1550	PREP	00-07-087
388-440-0001	AMD	00-03-034	388-478-0055	AMD-P	00-08-058	388-530-1650	PREP	00-07-087
388-440-0005	AMD	00-03-034	388-478-0055	AMD-E	00-08-059	388-530-1700	PREP	00-07-087
388-442-0010	AMD	00-05-007	388-478-0055	AMD	00-11-130	388-530-1750	PREP	00-07-088
388-444-0015	AMD	00-04-006	388-478-0055	PREP	00-13-035	388-530-1750	AMD-P	00-11-106
388-444-0035	AMD	00-04-006	388-478-0070	AMD-P	00-07-075	388-530-1750	AMD	00-14-071
388-444-0055	AMD	00-04-006	388-478-0070	AMD	00-10-095	388-530-1850	PREP	00-07-087
388-444-0065	AMD	00-04-006	388-478-0075	PREP	00-07-054	388-530-1900	PREP	00-07-087
388-444-0075	AMD	00-04-006	388-478-0075	AMD-E	00-07-089	388-530-1950	PREP	00-07-087
388-448-0001	PREP	00-08-055	388-478-0075	AMD-P	00-14-044	388-531-0050	NEW-P	00-12-080
388-448-0001	AMD-P	00-11-127	388-478-0080	AMD-P	00-07-075	388-531-0100	NEW-P	00-12-080
388-448-0005	PREP	00-08-055	388-478-0080	AMD	00-10-095	388-531-0150	NEW-P	00-12-080
388-448-0005	REP-P	00-12-040	388-478-0085	PREP	00-07-054	388-531-0200	NEW-P	00-12-080
388-448-0010	NEW-P	00-11-129	388-478-0085	AMD-E	00-07-089	388-531-0250	NEW-P	00-12-080
388-448-0020	NEW-P	00-11-129	388-478-0085	AMD-P	00-14-044	388-531-0300	NEW-P	00-12-080
388-448-0030	NEW-P	00-11-129	388-480-0001	AMD	00-05-007	388-531-0350	NEW-P	00-12-080
388-448-0035	NEW-P	00-11-129	388-490-0005	AMD-P	00-04-092	388-531-0400	NEW-P	00-12-080
388-448-0040	NEW-P	00-11-129	388-490-0005	AMD	00-08-091	388-531-0450	NEW-P	00-12-080
388-448-0050	NEW-P	00-11-129	388-492	PREP	00-08-088	388-531-0500	NEW-P	00-12-080
388-448-0060	NEW-P	00-11-129	388-501-0050	PREP	00-10-032	388-531-0550	NEW-P	00-12-080
388-448-0070	NEW-P	00-11-129	388-501-0125	PREP	00-03-011	388-531-0600	NEW-P	00-12-080
388-448-0080	NEW-P	00-11-129	388-501-0125	AMD-P	00-14-065	388-531-0650	NEW-P	00-12-080
388-448-0090	NEW-P	00-11-129	388-501-0150	REP-XR	00-09-038	388-531-0700	NEW-P	00-12-080
388-448-0100	NEW-P	00-11-129	388-501-0150	REP	00-14-047	388-531-0750	NEW-P	00-12-080
388-448-0110	NEW-P	00-11-129	388-501-0160	AMD	00-03-035	388-531-0800	NEW-P	00-12-080

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388-531-0850	NEW-P	00-12-080	388-539-150	REP	00-14-070	388-710-0010	NEW-P	00-12-103
388-531-0900	NEW-P	00-12-080	388-542-0050	NEW-P	00-03-061	388-710-0015	NEW-P	00-12-103
388-531-0950	NEW-P	00-12-080	388-542-0050	NEW	00-07-103	388-710-0020	NEW-P	00-12-103
388-531-1000	NEW-P	00-12-080	388-542-0100	NEW-P	00-03-061	388-710-0025	NEW-P	00-12-103
388-531-1050	NEW-P	00-12-080	388-542-0100	NEW	00-07-103	388-710-0030	NEW-P	00-12-103
388-531-1100	NEW-P	00-12-080	388-542-0125	NEW-P	00-03-061	388-710-0035	NEW-P	00-12-103
388-531-1150	NEW-P	00-12-080	388-542-0125	NEW	00-07-103	388-710-0040	NEW-P	00-12-103
388-531-1200	NEW-P	00-12-080	388-542-0150	NEW-P	00-03-061	388-740-0010	RECOD-P	00-13-074
388-531-1250	NEW-P	00-12-080	388-542-0150	NEW	00-07-103	388-740-0030	RECOD-P	00-13-074
388-531-1300	NEW-P	00-12-080	388-542-0200	NEW-P	00-03-061	388-740-0040	RECOD-P	00-13-074
388-531-1350	NEW-P	00-12-080	388-542-0200	NEW	00-07-103	388-740-0060	RECOD-P	00-13-074
388-531-1400	NEW-P	00-12-080	388-542-0250	NEW-P	00-03-061	388-740-0070	RECOD-P	00-13-074
388-531-1450	NEW-P	00-12-080	388-542-0250	NEW	00-07-103	388-800-0005	NEW-P	00-11-107
388-531-1500	NEW-P	00-12-080	388-542-0275	NEW-P	00-03-061	388-800-0020	NEW-P	00-11-107
388-531-1550	NEW-P	00-12-080	388-542-0275	NEW	00-07-103	388-800-0025	NEW-P	00-11-107
388-531-1600	NEW-P	00-12-080	388-542-0300	NEW-P	00-03-061	388-800-0030	NEW-P	00-11-107
388-531-1650	NEW-P	00-12-080	388-542-0300	NEW	00-07-103	388-800-0035	NEW-P	00-11-107
388-531-1700	NEW-P	00-12-080	388-543-1000	NEW-P	00-13-008	388-800-0040	NEW-P	00-11-107
388-531-1750	NEW-P	00-12-080	388-543-1100	NEW-P	00-13-008	388-800-0045	NEW-P	00-11-107
388-531-1800	NEW-P	00-12-080	388-543-1200	NEW-P	00-13-008	388-800-0048	NEW-P	00-11-107
388-531-1850	NEW-P	00-12-080	388-543-1300	NEW-P	00-13-008	388-800-0050	NEW-P	00-11-107
388-531-1900	NEW-P	00-12-080	388-543-1400	NEW-P	00-13-008	388-800-0055	NEW-P	00-11-107
388-532	PREP	00-07-056	388-543-1500	NEW-P	00-13-008	388-800-0057	NEW-P	00-11-107
388-532-050	NEW-P	00-11-093	388-543-1600	NEW-P	00-13-008	388-800-0060	NEW-P	00-11-107
388-532-050	NEW	00-14-066	388-543-1700	NEW-P	00-13-008	388-800-0065	NEW-P	00-11-107
388-532-100	NEW-P	00-11-093	388-543-1800	NEW-P	00-13-008	388-800-0070	NEW-P	00-11-107
388-532-100	NEW	00-14-066	388-543-1900	NEW-P	00-13-008	388-800-0075	NEW-P	00-11-107
388-533-0300	NEW-P	00-09-041	388-543-2000	NEW-P	00-13-008	388-800-0080	NEW-P	00-11-107
388-533-0300	NEW	00-14-068	388-543-2100	NEW-P	00-13-008	388-800-0085	NEW-P	00-11-107
388-533-0400	NEW-P	00-14-064	388-543-2200	NEW-P	00-13-008	388-800-0090	NEW-P	00-11-107
388-533-0500	NEW-P	00-14-064	388-543-2300	NEW-P	00-13-008	388-800-0100	NEW-P	00-11-107
388-533-0600	NEW-P	00-14-064	388-543-2400	NEW-P	00-13-008	388-800-0110	NEW-P	00-11-107
388-534-0100	RECOD	00-11-183	388-543-2500	NEW-P	00-13-008	388-800-0115	NEW-P	00-11-107
388-538-001	REP	00-04-080	388-543-2600	NEW-P	00-13-008	388-800-0120	NEW-P	00-11-107
388-538-050	AMD	00-04-080	388-543-2700	NEW-P	00-13-008	388-800-0130	NEW-P	00-11-107
388-538-060	AMD	00-04-080	388-543-2800	NEW-P	00-13-008	388-800-0135	NEW-P	00-11-107
388-538-065	NEW	00-04-080	388-543-2900	NEW-P	00-13-008	388-800-0140	NEW-P	00-11-107
388-538-066	NEW	00-04-080	388-543-3000	NEW-P	00-13-008	388-800-0145	NEW-P	00-11-107
388-538-070	AMD	00-04-080	388-545-0500	PREP	00-08-020	388-800-0150	NEW-P	00-11-107
388-538-080	AMD	00-04-080	388-545-500	NEW	00-04-019	388-800-0155	NEW-P	00-11-107
388-538-090	REP	00-04-080	388-545-500	AMD-P	00-12-039	388-800-0160	NEW-P	00-11-107
388-538-095	AMD	00-04-080	388-547	PREP	00-03-010	388-800-0165	NEW-P	00-11-107
388-538-100	AMD	00-04-080	388-548-0100	PREP	00-11-034	388-805-001	NEW-P	00-13-073
388-538-110	AMD	00-04-080	388-548-0500	PREP	00-11-034	388-805-005	NEW-P	00-13-073
388-538-120	AMD	00-04-080	388-548-0500	NEW-E	00-11-036	388-805-010	NEW-P	00-13-073
388-538-130	AMD	00-04-080	388-550-4500	AMD-W	00-06-046	388-805-015	NEW-P	00-13-073
388-538-140	AMD	00-04-080	388-556-0100	NEW-P	00-14-045	388-805-020	NEW-P	00-13-073
388-538-150	REP	00-04-080	388-556-0200	NEW-P	00-11-138	388-805-030	NEW-P	00-13-073
388-539	PREP	00-05-038	388-556-0300	NEW-P	00-13-104	388-805-060	NEW-P	00-13-073
388-539	AMD-P	00-11-062	388-556-0400	RECOD	00-11-183	388-805-065	NEW-P	00-13-073
388-539	AMD	00-14-070	388-557-0100	NEW-W	00-10-078	388-805-070	NEW-P	00-13-073
388-539-001	REP-P	00-11-062	388-700-0005	NEW-P	00-11-139	388-805-075	NEW-P	00-13-073
388-539-001	REP	00-14-070	388-700-0010	NEW-P	00-11-139	388-805-080	NEW-P	00-13-073
388-539-0200	NEW-P	00-11-062	388-700-0015	NEW-P	00-11-139	388-805-085	NEW-P	00-13-073
388-539-0200	NEW	00-14-070	388-700-0020	NEW-P	00-11-139	388-805-090	NEW-P	00-13-073
388-539-050	REP-P	00-11-062	388-700-0025	NEW-P	00-11-139	388-805-095	NEW-P	00-13-073
388-539-050	REP	00-14-070	388-700-0030	NEW-P	00-11-139	388-805-100	NEW-P	00-13-073
388-539-0500	RECOD	00-11-183	388-700-0035	NEW-P	00-11-139	388-805-105	NEW-P	00-13-073
388-539-0550	RECOD	00-11-183	388-700-0040	NEW-P	00-11-139	388-805-110	NEW-P	00-13-073
388-539-100	REP-P	00-11-062	388-700-0045	NEW-P	00-11-139	388-805-115	NEW-P	00-13-073
388-539-100	REP	00-14-070	388-700-0050	NEW-P	00-11-139	388-805-120	NEW-P	00-13-073
388-539-150	REP-P	00-11-062	388-710-0005	NEW-P	00-12-103	388-805-125	NEW-P	00-13-073

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388-805-130	NEW-P	00-13-073	388-825-254	AMD	00-08-090	391- 45-070	AMD	00-14-048
388-805-135	NEW-P	00-13-073	388-890-0735	NEW-W	00-02-065	391- 45-090	AMD-P	00-10-107
388-805-140	NEW-P	00-13-073	388-890-0740	NEW-W	00-02-065	391- 45-090	AMD	00-14-048
388-805-145	NEW-P	00-13-073	388-890-0865	NEW-W	00-02-065	391- 45-110	AMD-E	00-03-053
388-805-150	NEW-P	00-13-073	390- 05-400	AMD	00-04-058	391- 45-110	AMD-P	00-10-107
388-805-155	NEW-P	00-13-073	390- 16-011	AMD-E	00-14-030	391- 45-110	AMD-E	00-11-024
388-805-200	NEW-P	00-13-073	390- 16-012	AMD-E	00-14-031	391- 45-110	AMD	00-14-048
388-805-205	NEW-P	00-13-073	391- 08	PREP	00-04-070	391- 45-130	AMD-E	00-03-053
388-805-210	NEW-P	00-13-073	391- 08-001	AMD-P	00-10-107	391- 45-130	AMD-P	00-10-107
388-805-220	NEW-P	00-13-073	391- 08-001	AMD	00-14-048	391- 45-130	AMD-E	00-11-024
388-805-225	NEW-P	00-13-073	391- 08-010	AMD-P	00-10-107	391- 45-130	AMD	00-14-048
388-805-230	NEW-P	00-13-073	391- 08-010	AMD	00-14-048	391- 45-170	AMD-P	00-10-107
388-805-240	NEW-P	00-13-073	391- 08-120	AMD-P	00-10-107	391- 45-170	AMD	00-14-048
388-805-250	NEW-P	00-13-073	391- 08-120	AMD	00-14-048	391- 45-190	AMD-P	00-10-107
388-805-260	NEW-P	00-13-073	391- 08-180	AMD-P	00-10-107	391- 45-190	AMD	00-14-048
388-805-300	NEW-P	00-13-073	391- 08-180	AMD	00-14-048	391- 45-210	AMD-P	00-10-107
388-805-305	NEW-P	00-13-073	391- 08-230	REP-P	00-10-107	391- 45-210	AMD	00-14-048
388-805-310	NEW-P	00-13-073	391- 08-230	REP	00-14-048	391- 45-230	REP-P	00-10-107
388-805-315	NEW-P	00-13-073	391- 08-310	AMD-P	00-10-107	391- 45-230	REP	00-14-048
388-805-320	NEW-P	00-13-073	391- 08-310	AMD	00-14-048	391- 45-250	AMD-P	00-10-107
388-805-325	NEW-P	00-13-073	391- 25-050	AMD-P	00-10-107	391- 45-250	AMD	00-14-048
388-805-330	NEW-P	00-13-073	391- 25-050	AMD	00-14-048	391- 45-260	AMD-P	00-10-107
388-805-350	NEW-P	00-13-073	391- 25-090	AMD-P	00-10-107	391- 45-260	AMD	00-14-048
388-805-400	NEW-P	00-13-073	391- 25-090	AMD	00-14-048	391- 45-270	AMD-P	00-10-107
388-805-410	NEW-P	00-13-073	391- 25-230	AMD-P	00-10-107	391- 45-270	AMD	00-14-048
388-805-500	NEW-P	00-13-073	391- 25-230	AMD	00-14-048	391- 45-290	AMD-P	00-10-107
388-805-510	NEW-P	00-13-073	391- 25-250	AMD-P	00-10-107	391- 45-290	AMD	00-14-048
388-805-520	NEW-P	00-13-073	391- 25-250	AMD	00-14-048	391- 45-310	AMD-P	00-10-107
388-805-530	NEW-P	00-13-073	391- 25-270	AMD-P	00-10-107	391- 45-310	AMD	00-14-048
388-805-540	NEW-P	00-13-073	391- 25-270	AMD	00-14-048	391- 45-330	AMD-P	00-10-107
388-805-550	NEW-P	00-13-073	391- 25-350	AMD-P	00-10-107	391- 45-330	AMD	00-14-048
388-805-600	NEW-P	00-13-073	391- 25-350	AMD	00-14-048	391- 45-350	AMD-P	00-10-107
388-805-610	NEW-P	00-13-073	391- 25-590	AMD-P	00-10-107	391- 45-350	AMD	00-14-048
388-805-620	NEW-P	00-13-073	391- 25-590	AMD	00-14-048	391- 45-390	AMD-P	00-10-107
388-805-630	NEW-P	00-13-073	391- 25-650	AMD-P	00-10-107	391- 45-390	AMD	00-14-048
388-805-640	NEW-P	00-13-073	391- 25-650	AMD	00-14-048	391- 45-410	AMD-P	00-10-107
388-805-700	NEW-P	00-13-073	391- 25-660	AMD-P	00-10-107	391- 45-410	AMD	00-14-048
388-805-710	NEW-P	00-13-073	391- 25-660	AMD	00-14-048	391- 45-430	AMD-P	00-10-107
388-805-720	NEW-P	00-13-073	391- 25-670	AMD-P	00-10-107	391- 45-430	AMD	00-14-048
388-805-730	NEW-P	00-13-073	391- 25-670	AMD	00-14-048	391- 45-550	AMD-P	00-10-107
388-805-740	NEW-P	00-13-073	391- 35-030	AMD-P	00-10-107	391- 45-550	AMD	00-14-048
388-805-750	NEW-P	00-13-073	391- 35-030	AMD	00-14-048	391- 45-552	AMD-P	00-10-107
388-805-800	NEW-P	00-13-073	391- 35-170	AMD-P	00-10-107	391- 45-552	AMD	00-14-048
388-805-810	NEW-P	00-13-073	391- 35-170	AMD	00-14-048	391- 55-030	AMD-P	00-10-107
388-805-815	NEW-P	00-13-073	391- 35-210	AMD-P	00-10-107	391- 55-030	AMD	00-14-048
388-805-820	NEW-P	00-13-073	391- 35-210	AMD	00-14-048	391- 55-350	AMD-P	00-10-107
388-805-830	NEW-P	00-13-073	391- 35-250	AMD-P	00-10-107	391- 55-350	AMD	00-14-048
388-805-840	NEW-P	00-13-073	391- 35-250	AMD	00-14-048	391- 65-070	AMD-P	00-10-107
388-805-850	NEW-P	00-13-073	391- 45	PREP	00-04-070	391- 65-070	AMD	00-14-048
388-805-900	NEW-P	00-13-073	391- 45-001	AMD-P	00-10-107	391- 95	PREP	00-04-070
388-805-905	NEW-P	00-13-073	391- 45-001	AMD	00-14-048	391- 95-001	AMD-P	00-10-107
388-805-910	NEW-P	00-13-073	391- 45-002	AMD-P	00-10-107	391- 95-001	AMD	00-14-048
388-805-915	NEW-P	00-13-073	391- 45-002	AMD	00-14-048	391- 95-010	AMD-P	00-10-107
388-805-920	NEW-P	00-13-073	391- 45-010	AMD-P	00-10-107	391- 95-010	AMD	00-14-048
388-805-925	NEW-P	00-13-073	391- 45-010	AMD	00-14-048	391- 95-030	AMD-P	00-10-107
388-805-930	NEW-P	00-13-073	391- 45-030	AMD-P	00-10-107	391- 95-030	AMD	00-14-048
388-805-935	NEW-P	00-13-073	391- 45-030	AMD	00-14-048	391- 95-050	AMD-P	00-10-107
388-825-226	AMD-P	00-05-107	391- 45-050	AMD-P	00-10-107	391- 95-050	AMD	00-14-048
388-825-226	AMD	00-08-090	391- 45-050	AMD	00-14-048	391- 95-070	AMD-P	00-10-107
388-825-228	AMD-P	00-05-107	391- 45-070	AMD-E	00-03-053	391- 95-070	AMD	00-14-048
388-825-228	AMD	00-08-090	391- 45-070	AMD-P	00-10-107	391- 95-090	AMD-P	00-10-107
388-825-254	AMD-P	00-05-107	391- 45-070	AMD-E	00-11-024	391- 95-090	AMD	00-14-048

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
391-95-110	AMD-P	00-10-107	392-139-622	REP	00-09-017	392-140-906	NEW	00-02-063
391-95-110	AMD	00-14-048	392-139-623	REP-P	00-05-061	392-140-907	NEW	00-02-063
391-95-130	AMD-P	00-10-107	392-139-623	REP	00-09-017	392-140-908	NEW	00-02-063
391-95-130	AMD	00-14-048	392-139-625	AMD-P	00-05-061	392-140-910	NEW	00-02-063
391-95-150	AMD-P	00-10-107	392-139-625	AMD	00-09-017	392-140-911	NEW	00-02-063
391-95-150	AMD	00-14-048	392-139-660	AMD-P	00-05-061	392-140-912	NEW	00-02-063
391-95-170	AMD-P	00-10-107	392-139-660	AMD	00-09-017	392-140-913	NEW	00-02-063
391-95-170	AMD	00-14-048	392-139-661	REP-P	00-05-061	392-140-920	NEW-E	00-13-007
391-95-190	AMD-P	00-10-107	392-139-661	REP	00-09-017	392-140-922	NEW-E	00-13-007
391-95-190	AMD	00-14-048	392-139-670	AMD-P	00-05-061	392-140-924	NEW-E	00-13-007
391-95-230	AMD-P	00-10-107	392-139-670	AMD	00-09-017	392-140-925	NEW-E	00-13-007
391-95-230	AMD	00-14-048	392-139-676	AMD-P	00-05-061	392-140-926	NEW-E	00-13-007
391-95-250	AMD-P	00-10-107	392-139-676	AMD	00-09-017	392-140-927	NEW-E	00-13-007
391-95-250	AMD	00-14-048	392-140-600	AMD	00-03-015	392-140-928	NEW-E	00-13-007
391-95-260	AMD-P	00-10-107	392-140-601	AMD	00-03-015	392-140-929	NEW-E	00-13-007
391-95-260	AMD	00-14-048	392-140-605	AMD	00-03-015	392-140-930	NEW-E	00-13-007
391-95-270	AMD-P	00-10-107	392-140-613	AMD	00-03-015	392-140-935	NEW-E	00-13-007
391-95-270	AMD	00-14-048	392-140-625	AMD	00-03-015	392-140-937	NEW-E	00-13-007
391-95-290	AMD-P	00-10-107	392-140-626	NEW	00-03-015	392-140-938	NEW-E	00-13-007
391-95-290	AMD	00-14-048	392-140-630	AMD	00-03-015	392-172-107	NEW-W	00-06-045
391-95-310	AMD-P	00-10-107	392-140-660	AMD	00-03-015	392-172-109	NEW-W	00-06-045
391-95-310	AMD	00-14-048	392-140-665	REP	00-03-015	392-172-161	NEW-W	00-06-045
392-117-045	AMD-P	00-09-072	392-140-675	AMD	00-03-015	392-300-070	NEW-E	00-05-099
392-117-045	AMD	00-12-037	392-140-680	AMD	00-03-015	392-300-070	PREP	00-09-023
392-127-011	AMD	00-02-064	392-140-700	REP	00-02-063	399-30-030	PREP	00-04-096
392-127-015	AMD	00-02-064	392-140-701	REP	00-02-063	399-30-030	AMD-E	00-04-097
392-127-030	REP	00-02-064	392-140-702	REP	00-02-063	399-30-030	AMD-P	00-08-010
392-127-035	REP	00-02-064	392-140-710	REP	00-02-063	399-50-010	NEW-C	00-04-100
392-127-040	REP	00-02-064	392-140-711	REP	00-02-063	399-50-010	NEW	00-11-021
392-127-050	REP	00-02-064	392-140-712	REP	00-02-063	399-50-020	NEW-C	00-04-100
392-127-055	REP	00-02-064	392-140-713	REP	00-02-063	399-50-020	NEW	00-11-021
392-127-060	REP	00-02-064	392-140-714	REP	00-02-063	399-50-030	NEW-C	00-04-100
392-127-065	AMD	00-02-064	392-140-715	REP	00-02-063	399-50-030	NEW	00-11-021
392-127-070	AMD	00-02-064	392-140-716	REP	00-02-063	399-50-040	NEW-C	00-04-100
392-127-085	AMD	00-02-064	392-140-720	REP	00-02-063	399-50-040	NEW	00-11-021
392-127-095	REP	00-02-064	392-140-721	REP	00-02-063	415-02-010	AMD-P	00-04-025
392-127-101	REP	00-02-064	392-140-722	REP	00-02-063	415-02-010	AMD	00-10-016
392-127-106	REP	00-02-064	392-140-723	REP	00-02-063	415-02-020	AMD-P	00-04-025
392-127-111	AMD	00-02-064	392-140-724	REP	00-02-063	415-02-020	AMD	00-10-016
392-127-112	NEW	00-02-064	392-140-725	REP	00-02-063	415-02-030	AMD-P	00-04-025
392-127-810	REP	00-02-064	392-140-726	REP	00-02-063	415-02-030	AMD	00-10-016
392-139-001	AMD-P	00-05-061	392-140-727	REP	00-02-063	415-02-040	REP-P	00-04-025
392-139-001	AMD	00-09-017	392-140-728	REP	00-02-063	415-02-040	REP	00-10-016
392-139-005	AMD-P	00-05-061	392-140-730	REP	00-02-063	415-02-050	AMD-P	00-04-025
392-139-005	AMD	00-09-017	392-140-731	REP	00-02-063	415-02-050	AMD	00-10-016
392-139-007	AMD-P	00-05-061	392-140-732	REP	00-02-063	415-02-060	AMD-P	00-04-025
392-139-007	AMD	00-09-017	392-140-733	REP	00-02-063	415-02-060	AMD	00-10-016
392-139-008	NEW-P	00-05-061	392-140-735	REP	00-02-063	415-02-070	REP-P	00-04-025
392-139-008	NEW	00-09-017	392-140-736	REP	00-02-063	415-02-070	REP	00-10-016
392-139-310	AMD-P	00-05-061	392-140-740	REP	00-02-063	415-02-080	AMD-P	00-04-025
392-139-310	AMD	00-09-017	392-140-741	REP	00-02-063	415-02-080	AMD	00-10-016
392-139-320	AMD-P	00-05-061	392-140-742	REP	00-02-063	415-02-100	AMD-P	00-04-025
392-139-320	AMD	00-09-017	392-140-743	REP	00-02-063	415-02-100	AMD	00-10-016
392-139-605	REP-P	00-05-061	392-140-744	REP	00-02-063	415-02-120	NEW-P	00-04-025
392-139-605	REP	00-09-017	392-140-745	REP	00-02-063	415-02-120	NEW	00-10-016
392-139-610	AMD-P	00-05-061	392-140-746	REP	00-02-063	415-02-130	NEW-P	00-04-025
392-139-610	AMD	00-09-017	392-140-747	REP	00-02-063	415-02-130	NEW	00-10-016
392-139-615	AMD-P	00-05-061	392-140-900	NEW	00-02-063	415-04	PREP	00-04-061
392-139-615	AMD	00-09-017	392-140-901	NEW	00-02-063	415-08	PREP	00-04-061
392-139-620	AMD-P	00-05-061	392-140-902	NEW	00-02-063	415-10	PREP	00-04-062
392-139-620	AMD	00-09-017	392-140-903	NEW	00-02-063	415-103-215	NEW-P	00-08-085
392-139-622	REP-P	00-05-061	392-140-905	NEW	00-02-063	415-103-215	NEW	00-11-103

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
415-104-450	NEW-P	00-04-023	415-501-180	RECOD-P	00-08-092	415-501-510	RECOD-P	00-08-092
415-104-450	NEW	00-10-017	415-501-180	RECOD	00-11-104	415-501-510	RECOD	00-11-104
415-108-315	NEW-P	00-04-024	415-501-190	RECOD-P	00-08-092	415-501-520	RECOD-P	00-08-092
415-108-315	NEW	00-10-015	415-501-190	RECOD	00-11-104	415-501-520	RECOD	00-11-104
415-108-710	AMD-W	00-12-027	415-501-200	RECOD-P	00-08-092	415-501-530	RECOD-P	00-08-092
415-108-720	AMD-W	00-12-027	415-501-200	RECOD	00-11-104	415-501-530	RECOD	00-11-104
415-112-025	NEW-W	00-12-027	415-501-210	RECOD-P	00-08-092	415-501-540	RECOD-P	00-08-092
415-112-125	AMD-P	00-04-024	415-501-210	RECOD	00-11-104	415-501-540	RECOD	00-11-104
415-112-125	AMD	00-10-015	415-501-300	RECOD-P	00-08-092	415-501-550	RECOD-P	00-08-092
415-112-140	AMD-P	00-04-024	415-501-300	RECOD	00-11-104	415-501-550	RECOD	00-11-104
415-112-140	AMD	00-10-015	415-501-305	RECOD-P	00-08-092	415-501-560	RECOD-P	00-08-092
415-112-145	AMD-P	00-04-024	415-501-305	RECOD	00-11-104	415-501-560	RECOD	00-11-104
415-112-145	AMD	00-10-015	415-501-310	RECOD-P	00-08-092	415-501-570	RECOD-P	00-08-092
415-112-155	AMD-P	00-04-024	415-501-310	RECOD	00-11-104	415-501-570	RECOD	00-11-104
415-112-155	AMD	00-10-015	415-501-315	NEW-P	00-08-092	415-501-580	RECOD-P	00-08-092
415-112-330	AMD-P	00-04-024	415-501-315	NEW	00-11-104	415-501-580	RECOD	00-11-104
415-112-330	AMD	00-10-015	415-501-320	RECOD-P	00-08-092	415-501-590	RECOD-P	00-08-092
415-112-415	AMD-XA	00-08-030	415-501-320	RECOD	00-11-104	415-501-590	RECOD	00-11-104
415-112-415	AMD	00-13-001	415-501-330	RECOD-P	00-08-092	415-501-600	RECOD-P	00-08-092
415-112-460	AMD-P	00-04-024	415-501-330	RECOD	00-11-104	415-501-600	RECOD	00-11-104
415-112-460	AMD	00-10-015	415-501-340	RECOD-P	00-08-092	415-501-610	RECOD-P	00-08-092
415-112-4605	AMD-P	00-04-024	415-501-340	RECOD	00-11-104	415-501-610	RECOD	00-11-104
415-112-4605	AMD	00-10-015	415-501-350	RECOD-P	00-08-092	415-501-710	RECOD-P	00-08-092
415-112-4608	AMD-P	00-04-024	415-501-350	RECOD	00-11-104	415-501-710	RECOD	00-11-104
415-112-4608	AMD	00-10-015	415-501-360	RECOD-P	00-08-092	415-501-720	RECOD-P	00-08-092
415-112-471	AMD-P	00-04-024	415-501-360	RECOD	00-11-104	415-501-720	RECOD	00-11-104
415-112-471	AMD	00-10-015	415-501-370	RECOD-P	00-08-092	415-504-010	AMD-P	00-08-092
415-112-473	AMD-P	00-04-024	415-501-370	RECOD	00-11-104	415-504-010	DECOD-P	00-08-092
415-112-473	AMD	00-10-015	415-501-380	RECOD-P	00-08-092	415-504-010	AMD	00-11-104
415-112-475	AMD-P	00-04-024	415-501-380	RECOD	00-11-104	415-504-010	DECOD	00-11-104
415-112-475	AMD	00-10-015	415-501-390	RECOD-P	00-08-092	415-504-020	DECOD-P	00-08-092
415-112-477	AMD-P	00-04-024	415-501-390	RECOD	00-11-104	415-504-020	DECOD	00-11-104
415-112-477	AMD	00-10-015	415-501-410	RECOD-P	00-08-092	415-504-030	DECOD-P	00-08-092
415-112-510	REP-P	00-04-024	415-501-410	RECOD	00-11-104	415-504-030	DECOD	00-11-104
415-112-510	REP	00-10-015	415-501-415	RECOD-P	00-08-092	415-504-040	DECOD-P	00-08-092
415-112-540	AMD	00-11-053	415-501-415	RECOD	00-11-104	415-504-040	DECOD	00-11-104
415-112-545	AMD	00-11-053	415-501-420	RECOD-P	00-08-092	415-504-050	DECOD-P	00-08-092
415-112-548	NEW-W	00-12-027	415-501-420	RECOD	00-11-104	415-504-050	DECOD	00-11-104
415-112-705	NEW-P	00-04-024	415-501-430	RECOD-P	00-08-092	415-504-060	DECOD-P	00-08-092
415-112-705	NEW	00-10-015	415-501-430	RECOD	00-11-104	415-504-060	DECOD	00-11-104
415-112-920	NEW-P	00-04-024	415-501-440	RECOD-P	00-08-092	415-504-070	DECOD-P	00-08-092
415-112-920	NEW	00-10-015	415-501-440	RECOD	00-11-104	415-504-070	DECOD	00-11-104
415-112-950	NEW-P	00-04-024	415-501-450	RECOD-P	00-08-092	415-504-080	DECOD-P	00-08-092
415-112-950	NEW	00-10-015	415-501-450	RECOD	00-11-104	415-504-080	DECOD	00-11-104
415-501-010	AMD-P	00-08-092	415-501-470	RECOD-P	00-08-092	415-504-090	AMD-P	00-08-092
415-501-010	AMD	00-11-104	415-501-470	RECOD	00-11-104	415-504-090	DECOD-P	00-08-092
415-501-020	AMD-P	00-08-092	415-501-475	RECOD-P	00-08-092	415-504-090	AMD	00-11-104
415-501-020	AMD	00-11-104	415-501-475	RECOD	00-11-104	415-504-090	DECOD	00-11-104
415-501-110	RECOD-P	00-08-092	415-501-480	RECOD-P	00-08-092	415-504-100	AMD-P	00-08-092
415-501-110	RECOD	00-11-104	415-501-480	RECOD	00-11-104	415-504-100	DECOD-P	00-08-092
415-501-120	RECOD-P	00-08-092	415-501-485	RECOD-P	00-08-092	415-504-100	AMD	00-11-104
415-501-120	RECOD	00-11-104	415-501-485	RECOD	00-11-104	415-504-100	DECOD	00-11-104
415-501-130	RECOD-P	00-08-092	415-501-486	RECOD-P	00-08-092	415-504-110	AMD-P	00-08-092
415-501-130	RECOD	00-11-104	415-501-486	RECOD	00-11-104	415-504-110	DECOD-P	00-08-092
415-501-140	RECOD-P	00-08-092	415-501-487	RECOD-P	00-08-092	415-504-110	AMD	00-11-104
415-501-140	RECOD	00-11-104	415-501-487	RECOD	00-11-104	415-504-110	DECOD	00-11-104
415-501-150	RECOD-P	00-08-092	415-501-490	RECOD-P	00-08-092	415-508-010	AMD-P	00-08-092
415-501-150	RECOD	00-11-104	415-501-490	RECOD	00-11-104	415-508-010	DECOD-P	00-08-092
415-501-160	RECOD-P	00-08-092	415-501-495	RECOD-P	00-08-092	415-508-010	AMD	00-11-104
415-501-160	RECOD	00-11-104	415-501-495	RECOD	00-11-104	415-508-010	DECOD	00-11-104
415-501-170	RECOD-P	00-08-092	415-501-500	RECOD-P	00-08-092	415-508-020	DECOD-P	00-08-092
415-501-170	RECOD	00-11-104	415-501-500	RECOD	00-11-104	415-508-020	DECOD	00-11-104

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
415-508-030	DECOD-P	00-08-092	415-512-095	AMD	00-11-104	415-564-060	DECOD-P	00-08-092
415-508-030	DECOD	00-11-104	415-512-095	DECOD	00-11-104	415-564-060	DECOD	00-11-104
415-508-040	DECOD-P	00-08-092	415-512-110	AMD-P	00-08-092	415-568-010	DECOD-P	00-08-092
415-508-040	DECOD	00-11-104	415-512-110	DECOD-P	00-08-092	415-568-010	DECOD	00-11-104
415-508-050	AMD-P	00-08-092	415-512-110	AMD	00-11-104	415-568-020	DECOD-P	00-08-092
415-508-050	DECOD-P	00-08-092	415-512-110	DECOD	00-11-104	415-568-020	DECOD	00-11-104
415-508-050	AMD	00-11-104	415-524-010	AMD-P	00-08-092	419- 14-020	AMD-XA	00-13-100
415-508-050	DECOD	00-11-104	415-524-010	DECOD-P	00-08-092	419- 14-020	DECOD-X	00-13-100
415-512-010	AMD-P	00-08-092	415-524-010	AMD	00-11-104	419- 14-030	AMD-XA	00-13-100
415-512-010	DECOD-P	00-08-092	415-524-010	DECOD	00-11-104	419- 14-030	DECOD-X	00-13-100
415-512-010	AMD	00-11-104	415-528-010	DECOD-P	00-08-092	419- 14-040	DECOD-X	00-13-100
415-512-010	DECOD	00-11-104	415-528-010	DECOD	00-11-104	419- 14-050	DECOD-X	00-13-100
415-512-015	AMD-P	00-08-092	415-532-010	AMD-P	00-08-092	419- 14-060	DECOD-X	00-13-100
415-512-015	DECOD-P	00-08-092	415-532-010	DECOD-P	00-08-092	419- 14-070	AMD-XA	00-13-100
415-512-015	AMD	00-11-104	415-532-010	AMD	00-11-104	419- 14-070	DECOD-X	00-13-100
415-512-015	DECOD	00-11-104	415-532-010	DECOD	00-11-104	419- 14-075	DECOD-X	00-13-100
415-512-020	AMD-P	00-08-092	415-532-020	AMD-P	00-08-092	419- 14-080	DECOD-X	00-13-100
415-512-020	DECOD-P	00-08-092	415-532-020	DECOD-P	00-08-092	419- 14-085	AMD-XA	00-13-100
415-512-020	AMD	00-11-104	415-532-020	AMD	00-11-104	419- 14-085	DECOD-X	00-13-100
415-512-020	DECOD	00-11-104	415-532-020	DECOD	00-11-104	419- 14-090	DECOD-X	00-13-100
415-512-030	AMD-P	00-08-092	415-536-010	AMD-P	00-08-092	419- 14-100	AMD-XA	00-13-100
415-512-030	DECOD-P	00-08-092	415-536-010	DECOD-P	00-08-092	419- 14-100	DECOD-X	00-13-100
415-512-030	AMD	00-11-104	415-536-010	AMD	00-11-104	419- 14-110	DECOD-X	00-13-100
415-512-030	DECOD	00-11-104	415-536-010	DECOD	00-11-104	419- 14-120	AMD-XA	00-13-100
415-512-040	AMD-P	00-08-092	415-540-010	AMD-P	00-08-092	419- 14-120	DECOD-X	00-13-100
415-512-040	DECOD-P	00-08-092	415-540-010	DECOD-P	00-08-092	419- 14-135	DECOD-X	00-13-100
415-512-040	AMD	00-11-104	415-540-010	AMD	00-11-104	419- 14-140	DECOD-X	00-13-100
415-512-040	DECOD	00-11-104	415-540-010	DECOD	00-11-104	419- 52-010	AMD-XA	00-13-100
415-512-050	AMD-P	00-08-092	415-544-010	AMD-P	00-08-092	419- 52-010	DECOD-X	00-13-100
415-512-050	DECOD-P	00-08-092	415-544-010	DECOD-P	00-08-092	419- 52-020	AMD-XA	00-13-100
415-512-050	AMD	00-11-104	415-544-010	AMD	00-11-104	419- 52-020	DECOD-X	00-13-100
415-512-050	DECOD	00-11-104	415-544-010	DECOD	00-11-104	419- 52-030	AMD-XA	00-13-100
415-512-070	AMD-P	00-08-092	415-548-010	DECOD-P	00-08-092	419- 52-030	DECOD-X	00-13-100
415-512-070	DECOD-P	00-08-092	415-548-010	DECOD	00-11-104	419- 56-010	AMD-XA	00-13-100
415-512-070	AMD	00-11-104	415-548-010	DECOD	00-11-104	419- 56-010	DECOD-X	00-13-100
415-512-070	DECOD	00-11-104	415-552-010	AMD-P	00-08-092	419- 56-020	DECOD-X	00-13-100
415-512-075	AMD-P	00-08-092	415-552-010	DECOD-P	00-08-092	419- 56-020	AMD-XA	00-13-100
415-512-075	DECOD-P	00-08-092	415-552-010	AMD	00-11-104	419- 56-020	DECOD-X	00-13-100
415-512-075	AMD	00-11-104	415-552-010	DECOD	00-11-104	419- 56-030	AMD-XA	00-13-100
415-512-075	DECOD	00-11-104	415-556-010	AMD-P	00-08-092	419- 56-030	DECOD-X	00-13-100
415-512-080	AMD-P	00-08-092	415-556-010	DECOD-P	00-08-092	419- 56-040	AMD-XA	00-13-100
415-512-080	DECOD-P	00-08-092	415-556-010	AMD	00-11-104	419- 56-040	DECOD-X	00-13-100
415-512-080	AMD	00-11-104	415-556-010	DECOD	00-11-104	419- 56-050	AMD-XA	00-13-100
415-512-080	DECOD	00-11-104	415-560-010	DECOD-P	00-08-092	419- 56-050	DECOD-X	00-13-100
415-512-085	AMD-P	00-08-092	415-560-010	DECOD	00-11-104	419- 56-060	AMD-XA	00-13-100
415-512-085	DECOD-P	00-08-092	415-564-010	AMD-P	00-08-092	419- 56-060	DECOD-X	00-13-100
415-512-085	AMD	00-11-104	415-564-010	DECOD-P	00-08-092	419- 56-070	AMD-XA	00-13-100
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415-512-086	AMD-P	00-08-092	415-564-010	DECOD	00-11-104	419- 56-080	DECOD-X	00-13-100
415-512-086	DECOD-P	00-08-092	415-564-020	AMD-P	00-08-092	419- 56-090	AMD-XA	00-13-100
415-512-086	AMD	00-11-104	415-564-020	DECOD-P	00-08-092	419- 56-090	DECOD-X	00-13-100
415-512-086	DECOD	00-11-104	415-564-020	AMD	00-11-104	419- 60-010	AMD-XA	00-13-100
415-512-087	AMD-P	00-08-092	415-564-020	DECOD	00-11-104	419- 60-010	DECOD-X	00-13-100
415-512-087	DECOD-P	00-08-092	415-564-030	DECOD-P	00-08-092	419- 60-020	AMD-XA	00-13-100
415-512-087	AMD	00-11-104	415-564-030	DECOD	00-11-104	419- 60-020	DECOD-X	00-13-100
415-512-087	DECOD	00-11-104	415-564-040	AMD-P	00-08-092	419- 60-030	AMD-XA	00-13-100
415-512-090	AMD-P	00-08-092	415-564-040	DECOD-P	00-08-092	419- 60-030	DECOD-X	00-13-100
415-512-090	DECOD-P	00-08-092	415-564-040	AMD	00-11-104	434-219-020	AMD	00-03-003
415-512-090	AMD	00-11-104	415-564-050	DECOD	00-11-104	434-219-120	AMD	00-03-003
415-512-090	DECOD	00-11-104	415-564-050	AMD-P	00-08-092	434-219-160	AMD	00-03-003
415-512-095	AMD-P	00-08-092	415-564-050	DECOD-P	00-08-092	434-219-160	AMD-E	00-03-036
415-512-095	DECOD-P	00-08-092	415-564-050	AMD	00-11-104	434-219-165	NEW	00-03-003
			415-564-050	DECOD	00-11-104	434-219-170	NEW	00-03-003

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
434-219-180	AMD	00-03-003	434-381-080	REP-E	00-09-028	434-663-530	AMD-S	00-13-108
434-219-185	NEW	00-03-003	434-381-090	REP-E	00-09-028	434-663-600	AMD-P	00-04-083
434-219-210	AMD	00-03-003	434-381-100	REP-E	00-09-028	434-663-600	AMD-S	00-13-108
434-219-220	AMD	00-03-003	434-381-110	NEW-E	00-09-028	434-663-610	AMD-P	00-04-083
434-219-230	AMD	00-03-003	434-381-120	NEW-E	00-09-028	434-663-610	REP-S	00-13-108
434-219-240	AMD	00-03-003	434-381-130	NEW-E	00-09-028	434-663-615	NEW-S	00-13-108
434-219-250	AMD	00-03-003	434-381-140	NEW-E	00-09-028	434-663-620	AMD-P	00-04-083
434-219-255	NEW	00-03-003	434-381-150	NEW-E	00-09-028	434-663-620	REP-S	00-13-108
434-219-260	AMD	00-03-003	434-381-160	NEW-E	00-09-028	434-663-640	NEW-P	00-04-083
434-219-270	AMD	00-03-003	434-381-170	NEW-E	00-09-028	434-663-640	NEW-S	00-13-108
434-219-280	AMD	00-03-003	434-381-180	NEW-E	00-09-028	434-663-700	RECOD-P	00-04-083
434-219-280	AMD-E	00-05-093	434-663-100	AMD-P	00-04-083	434-663-700	RECOD-S	00-13-108
434-219-285	NEW	00-03-003	434-663-100	AMD-S	00-13-108	434-663-705	NEW-S	00-13-108
434-219-290	AMD	00-03-003	434-663-100	RECOD-S	00-13-108	434-663-710	RECOD-P	00-04-083
434-219-300	NEW	00-03-003	434-663-270	NEW-P	00-04-083	434-663-710	RECOD-S	00-13-108
434-219-310	AMD	00-03-003	434-663-270	NEW-S	00-13-108	434-663-720	RECOD-P	00-04-083
434-219-320	AMD	00-03-003	434-663-280	NEW-P	00-04-083	434-663-720	RECOD-S	00-13-108
434-230-170	AMD-S	00-07-052	434-663-300	AMD-P	00-04-083	434-663-730	RECOD-P	00-04-083
434-230-170	AMD	00-11-042	434-663-300	AMD-S	00-13-108	434-663-730	NEW-S	00-13-108
434-230-210	AMD-S	00-07-052	434-663-305	NEW-P	00-04-083	434-663-740	RECOD-P	00-04-083
434-230-210	AMD	00-11-042	434-663-305	NEW-S	00-13-108	434-663-740	NEW-S	00-13-108
434-230-220	NEW-S	00-07-052	434-663-310	AMD-P	00-04-083	434-663-750	RECOD-P	00-04-083
434-230-220	NEW	00-11-042	434-663-310	REP-S	00-13-108	434-663-750	RECOD-S	00-13-108
434-240-202	NEW-E	00-03-036	434-663-315	NEW-S	00-13-108	434-663-760	RECOD-P	00-04-083
434-257	AMD-E	00-04-010	434-663-320	AMD-P	00-04-083	434-663-760	NEW-S	00-13-108
434-257-010	AMD-E	00-04-010	434-663-320	REP-S	00-13-108	434-663-770	NEW-P	00-04-083
434-257-020	AMD-E	00-04-010	434-663-325	NEW-S	00-13-108	434-663-770	NEW-S	00-13-108
434-257-030	AMD-E	00-04-010	434-663-400	AMD-P	00-04-083	434-663-780	NEW-P	00-04-083
434-257-050	REP-E	00-04-010	434-663-400	DECOD-P	00-04-083	434-663-780	NEW-S	00-13-108
434-257-070	AMD-E	00-04-010	434-663-400	AMD-S	00-13-108	437- 20-010	NEW-C	00-07-124
434-257-080	REP-E	00-04-010	434-663-400	DECOD-S	00-13-108	437- 20-010	NEW-W	00-11-050
434-257-090	AMD-E	00-04-010	434-663-405	NEW-P	00-04-083	437- 20-010	NEW-C	00-11-051
434-257-100	AMD-E	00-04-010	434-663-410	AMD-P	00-04-083	437- 20-010	NEW	00-11-052
434-257-120	REP-E	00-04-010	434-663-410	DECOD-P	00-04-083	440- 22-001	REP-P	00-13-073
434-257-130	AMD-E	00-04-010	434-663-410	AMD-S	00-13-108	440- 22-005	REP-P	00-13-073
434-257-150	AMD-E	00-04-010	434-663-410	DECOD-S	00-13-108	440- 22-010	REP-P	00-13-073
434-262-080	AMD-P	00-05-095	434-663-420	AMD-P	00-04-083	440- 22-015	REP-P	00-13-073
434-262-080	AMD	00-10-010	434-663-420	DECOD-P	00-04-083	440- 22-020	REP-P	00-13-073
434-262-110	AMD-P	00-05-095	434-663-420	AMD-S	00-13-108	440- 22-025	REP-P	00-13-073
434-262-110	AMD	00-10-010	434-663-420	DECOD-S	00-13-108	440- 22-030	REP-P	00-13-073
434-262-120	AMD-P	00-05-095	434-663-430	AMD-P	00-04-083	440- 22-035	REP-P	00-13-073
434-262-120	AMD	00-10-010	434-663-430	DECOD-P	00-04-083	440- 22-040	REP-P	00-13-073
434-334-090	AMD-P	00-05-094	434-663-430	REP-S	00-13-108	440- 22-045	REP-P	00-13-073
434-334-090	AMD	00-10-009	434-663-440	AMD-P	00-04-083	440- 22-050	REP-P	00-13-073
434-334-110	AMD-P	00-05-094	434-663-440	DECOD-P	00-04-083	440- 22-055	REP-P	00-13-073
434-334-110	AMD	00-10-009	434-663-440	REP-S	00-13-108	440- 22-060	REP-P	00-13-073
434-334-127	NEW-P	00-05-094	434-663-450	DECOD-P	00-04-083	440- 22-065	REP-P	00-13-073
434-334-127	NEW	00-10-009	434-663-450	DECOD-S	00-13-108	440- 22-070	REP-P	00-13-073
434-334-140	AMD-P	00-05-094	434-663-460	REP-P	00-04-083	440- 22-075	REP-P	00-13-073
434-334-140	AMD	00-10-009	434-663-460	REP-S	00-13-108	440- 22-080	REP-P	00-13-073
434-334-160	AMD-P	00-05-094	434-663-470	REP-P	00-04-083	440- 22-085	REP-P	00-13-073
434-334-160	AMD	00-10-009	434-663-470	REP-S	00-13-108	440- 22-090	REP-P	00-13-073
434-334-165	AMD-P	00-05-094	434-663-480	REP-P	00-04-083	440- 22-100	REP-P	00-13-073
434-334-165	AMD	00-10-009	434-663-480	REP-S	00-13-108	440- 22-105	REP-P	00-13-073
434-381	PREP	00-09-027	434-663-490	AMD-P	00-04-083	440- 22-110	REP-P	00-13-073
434-381-010	REP-E	00-09-028	434-663-490	DECOD-P	00-04-083	440- 22-115	REP-P	00-13-073
434-381-020	REP-E	00-09-028	434-663-490	REP-S	00-13-108	440- 22-120	REP-P	00-13-073
434-381-030	REP-E	00-09-028	434-663-510	REP-P	00-04-083	440- 22-125	REP-P	00-13-073
434-381-040	REP-E	00-09-028	434-663-510	REP-S	00-13-108	440- 22-150	REP-P	00-13-073
434-381-050	REP-E	00-09-028	434-663-520	REP-P	00-04-083	440- 22-155	REP-P	00-13-073
434-381-060	REP-E	00-09-028	434-663-520	REP-S	00-13-108	440- 22-160	REP-P	00-13-073
434-381-070	REP-E	00-09-028	434-663-530	AMD-P	00-04-083	440- 22-165	REP-P	00-13-073

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440-22-175	REP-P	00-13-073	446-85-010	NEW	00-10-092	458-40-600	PREP	00-13-116
440-22-180	REP-P	00-13-073	458-12-315	REP-P	00-05-033	458-40-610	PREP	00-13-116
440-22-200	REP-P	00-13-073	458-12-315	REP	00-09-003	458-40-615	PREP	00-13-116
440-22-210	REP-P	00-13-073	458-12-320	AMD-P	00-05-033	458-40-620	PREP	00-13-116
440-22-220	REP-P	00-13-073	458-12-320	AMD	00-09-003	458-40-622	PREP	00-13-116
440-22-225	REP-P	00-13-073	458-16-080	AMD-P	00-05-032	458-40-624	PREP	00-13-116
440-22-230	REP-P	00-13-073	458-16-080	AMD	00-09-004	458-40-626	PREP	00-13-116
440-22-240	REP-P	00-13-073	458-16-081	REP-P	00-05-032	458-40-628	PREP	00-13-116
440-22-250	REP-P	00-13-073	458-16-081	REP	00-09-004	458-40-630	PREP	00-13-116
440-22-253	REP-P	00-13-073	458-16A-010	AMD-P	00-06-073	458-40-632	PREP	00-13-116
440-22-255	REP-P	00-13-073	458-16A-010	AMD	00-09-086	458-40-634	PREP	00-13-116
440-22-257	REP-P	00-13-073	458-16A-020	AMD-P	00-06-073	458-40-636	PREP	00-13-116
440-22-260	REP-P	00-13-073	458-16A-020	AMD	00-09-086	458-40-640	PREP	00-13-116
440-22-270	REP-P	00-13-073	458-20-135	AMD-E	00-04-026	458-40-650	PREP	00-08-108
440-22-280	REP-P	00-13-073	458-20-135	AMD-P	00-04-029	458-40-650	AMD-P	00-13-115
440-22-300	REP-P	00-13-073	458-20-135	AMD	00-11-096	458-40-660	PREP	00-06-053
440-22-310	REP-P	00-13-073	458-20-13501	PREP	00-04-027	458-40-660	PREP	00-08-109
440-22-320	REP-P	00-13-073	458-20-136	AMD-E	00-04-026	458-40-660	AMD-P	00-10-055
440-22-325	REP-P	00-13-073	458-20-136	AMD-P	00-04-029	458-40-660	AMD-P	00-13-119
440-22-330	REP-P	00-13-073	458-20-136	AMD	00-11-096	458-40-660	AMD	00-14-011
440-22-335	REP-P	00-13-073	458-20-13601	NEW-E	00-04-026	458-40-670	PREP	00-13-116
440-22-350	REP-P	00-13-073	458-20-13601	NEW-P	00-04-029	458-40-680	PREP	00-13-116
440-22-355	REP-P	00-13-073	458-20-13601	NEW	00-11-096	458-40-682	PREP	00-13-116
440-22-400	REP-P	00-13-073	458-20-18801	PREP	00-08-072	458-40-684	PREP	00-13-116
440-22-405	REP-P	00-13-073	458-20-190	PREP	00-13-040	458-40-686	PREP	00-13-116
440-22-406	REP-P	00-13-073	458-20-191	PREP	00-13-040	458-40-690	PREP	00-13-116
440-22-410	REP-P	00-13-073	458-20-195	PREP	00-08-110	458-57-035	AMD-XA	00-14-028
440-22-420	REP-P	00-13-073	458-20-195	AMD-P	00-12-075	458-57-045	AMD-XA	00-14-028
440-22-430	REP-P	00-13-073	458-20-217	PREP	00-05-073	458-61-230	AMD-P	00-04-055
440-22-450	REP-P	00-13-073	458-20-217	AMD-P	00-12-038	458-61-230	AMD	00-09-002
440-22-455	REP-P	00-13-073	458-20-228	AMD	00-04-028	460-21C-005	NEW-P	00-02-068
440-22-460	REP-P	00-13-073	458-20-238	PREP	00-10-115	460-21C-005	NEW	00-05-055
440-22-465	REP-P	00-13-073	458-20-239	AMD-XA	00-05-015	460-21C-010	NEW-P	00-02-068
440-22-500	REP-P	00-13-073	458-20-239	AMD	00-09-092	460-21C-010	NEW	00-05-055
440-22-505	REP-P	00-13-073	458-20-261	AMD-XA	00-03-001	460-21C-020	NEW-P	00-02-068
440-22-510	REP-P	00-13-073	458-20-261	AMD	00-11-097	460-21C-020	NEW	00-05-055
440-22-515	REP-P	00-13-073	458-20-264	PREP	00-13-027	460-21C-030	NEW-P	00-02-068
440-22-520	REP-P	00-13-073	458-30-200	PREP	00-05-074	460-21C-030	NEW	00-05-055
440-22-525	REP-P	00-13-073	458-30-200	AMD-P	00-11-026	460-21C-040	NEW-P	00-02-068
440-22-530	REP-P	00-13-073	458-30-275	PREP	00-05-074	460-21C-040	NEW	00-05-055
440-22-550	REP-P	00-13-073	458-30-275	AMD-P	00-11-026	460-44A-500	AMD	00-04-094
440-22-560	REP-P	00-13-073	458-30-285	PREP	00-05-074	460-44A-504	AMD	00-04-094
440-22-565	REP-P	00-13-073	458-30-285	AMD-P	00-11-026	460-46A-010	REP	00-04-095
440-22-600	REP-P	00-13-073	458-30-295	PREP	00-05-074	460-46A-020	REP	00-04-095
440-22-610	REP-P	00-13-073	458-30-295	AMD-P	00-11-026	460-46A-025	REP	00-04-095
440-22-620	REP-P	00-13-073	458-30-300	PREP	00-05-074	460-46A-030	REP	00-04-095
440-22-900	REP-P	00-13-073	458-30-300	AMD-P	00-11-026	460-46A-040	REP	00-04-095
440-22-905	REP-P	00-13-073	458-30-305	PREP	00-05-074	460-46A-050	REP	00-04-095
440-22-910	REP-P	00-13-073	458-30-305	AMD-P	00-11-026	460-46A-055	REP	00-04-095
440-22-915	REP-P	00-13-073	458-30-310	PREP	00-05-074	460-46A-061	REP	00-04-095
440-22-920	REP-P	00-13-073	458-30-310	AMD-P	00-11-026	460-46A-065	REP	00-04-095
440-22-925	REP-P	00-13-073	458-30-315	PREP	00-05-074	460-46A-071	REP	00-04-095
440-22-930	REP-P	00-13-073	458-30-325	PREP	00-05-074	460-46A-072	REP	00-04-095
440-22-935	REP-P	00-13-073	458-30-325	AMD-P	00-11-026	460-46A-090	REP	00-04-095
440-44-020	REP-P	00-13-073	458-30-350	PREP	00-05-074	460-46A-091	REP	00-04-095
440-44-025	PREP	00-10-062	458-30-700	PREP	00-09-085	460-46A-092	REP	00-04-095
440-44-026	PREP	00-10-061	458-30-710	PREP	00-09-085	460-46A-095	REP	00-04-095
440-44-028	REP	00-07-045	458-40-500	PREP	00-13-116	460-46A-100	REP	00-04-095
446-30-010	AMD	00-02-069	458-40-510	PREP	00-13-116	460-46A-105	REP	00-04-095
446-85-005	NEW-P	00-06-037	458-40-520	PREP	00-13-116	460-46A-110	REP	00-04-095
446-85-005	NEW	00-10-092	458-40-530	PREP	00-13-116	460-46A-115	REP	00-04-095
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460-46A-155	REP	00-04-095	479-14-200	NEW-E	00-13-067	480-66-330	NEW	00-04-011
460-46A-160	REP	00-04-095	479-14-200	NEW-P	00-13-081	480-66-400	NEW	00-04-011
460-46A-165	REP	00-04-095	480-15-010	AMD-P	00-09-079	480-66-410	NEW	00-04-011
468-14-010	REP-XR	00-07-027	480-15-010	AMD	00-14-010	480-66-420	NEW	00-04-011
468-14-010	REP	00-11-133	480-15-020	AMD-P	00-09-079	480-66-430	NEW	00-04-011
468-14-020	REP-XR	00-07-027	480-15-020	AMD	00-14-010	480-66-440	NEW	00-04-011
468-14-020	REP	00-11-133	480-15-030	REP-P	00-09-079	480-66-450	NEW	00-04-011
468-14-030	REP-XR	00-07-027	480-15-030	REP	00-14-010	480-66-460	NEW	00-04-011
468-14-030	REP	00-11-133	480-15-035	NEW-P	00-09-079	480-66-470	NEW	00-04-011
468-14-040	REP-XR	00-07-027	480-15-035	NEW	00-14-010	480-66-480	NEW	00-04-011
468-14-040	REP	00-11-133	480-15-260	AMD-P	00-09-079	480-66-490	NEW	00-04-011
468-14-050	REP-XR	00-07-027	480-15-260	AMD	00-14-010	480-66-500	NEW	00-04-011
468-14-050	REP	00-11-133	480-15-260	AMD-P	00-09-079	480-66-510	NEW	00-04-011
468-16-080	PREP	00-07-026	480-15-490	AMD-P	00-09-079	480-66-520	NEW	00-04-011
468-16-080	AMD-P	00-11-134	480-15-490	AMD	00-14-010	480-66-600	NEW	00-04-011
468-16-080	AMD	00-14-055	480-15-560	AMD-P	00-09-079	480-66-620	NEW	00-04-011
468-16-100	PREP	00-07-026	480-15-560	AMD	00-14-010	480-80-335	AMD-P	00-11-044
468-16-100	AMD-P	00-11-134	480-15-570	AMD-P	00-09-079	480-110-255	AMD-S	00-11-043
468-16-100	AMD	00-14-055	480-15-570	AMD	00-14-010	480-120-071	AMD-P	00-10-086
468-16-150	PREP	00-07-026	480-15-620	AMD-P	00-09-079	480-120-139	AMD	00-03-047
468-16-150	AMD-P	00-11-134	480-15-620	AMD	00-14-010	480-120-990	NEW-S	00-07-047
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468-38-110	AMD-S	00-07-071	480-60-012	NEW	00-04-011	495A-120-045	REP	00-11-148
468-38-110	AMD	00-11-020	480-60-014	NEW	00-04-011	495A-120-050	REP	00-11-148
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468-38-290	PREP	00-05-088	480-60-030	AMD	00-04-011	495A-120-070	REP	00-11-148
468-38-290	AMD-P	00-08-047	480-60-035	NEW	00-04-011	495A-120-080	REP	00-11-148
468-38-290	AMD	00-11-038	480-60-040	AMD	00-04-011	495A-120-080	REP	00-11-148
468-38-290	AMD-E	00-12-022	480-60-050	AMD	00-04-011	495A-120-090	REP	00-11-148
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474-02-020	AMD	00-11-084	480-62-235	NEW-E	00-12-009	495A-120-150	REP	00-11-148
478-132-010	AMD	00-04-038	480-66-010	REP	00-04-011	495A-120-160	REP	00-11-148
478-132-030	AMD	00-04-038	480-66-020	REP	00-04-011	495A-120-170	REP	00-11-148
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478-324-040	AMD	00-04-039	480-66-050	REP	00-04-011	495A-120-200	REP	00-11-148
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478-324-060	AMD	00-04-039	480-66-100	NEW	00-04-011	495A-121-011	NEW-P	00-05-017
478-324-070	AMD	00-04-039	480-66-110	NEW	00-04-011	495A-121-011	NEW	00-11-147
478-324-090	AMD	00-04-039	480-66-120	NEW	00-04-011	495A-121-012	NEW-P	00-05-017
478-324-110	AMD	00-04-039	480-66-140	NEW	00-04-011	495A-121-012	NEW	00-11-147
478-324-120	AMD	00-04-039	480-66-150	NEW	00-04-011	495A-121-020	NEW-P	00-05-017
478-324-130	AMD	00-04-039	480-66-160	NEW	00-04-011	495A-121-020	NEW	00-11-147
478-324-140	AMD	00-04-039	480-66-170	NEW	00-04-011	495A-121-021	NEW-P	00-05-017
478-324-150	AMD	00-04-039	480-66-200	NEW	00-04-011	495A-121-021	NEW	00-11-147
478-324-170	AMD	00-04-039	480-66-210	NEW	00-04-011	495A-121-022	NEW-P	00-05-017
478-324-180	AMD	00-04-039	480-66-220	NEW	00-04-011	495A-121-022	NEW	00-11-147
478-324-190	AMD	00-04-039	480-66-230	NEW	00-04-011	495A-121-023	NEW-P	00-05-017
478-324-200	AMD	00-04-039	480-66-300	NEW	00-04-011	495A-121-023	NEW	00-11-147
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495A-121-025	NEW	00-11-147	495C-116-110	AMD	00-12-019	495C-276-030	AMD	00-12-019
495A-121-026	NEW-P	00-05-017	495C-116-130	AMD-P	00-08-105	495C-276-040	AMD-P	00-08-105
495A-121-026	NEW	00-11-147	495C-116-130	AMD	00-12-019	495C-276-040	AMD	00-12-019
495A-121-027	NEW-P	00-05-017	495C-116-160	AMD-P	00-08-105	495C-276-060	AMD-P	00-08-105
495A-121-027	NEW	00-11-147	495C-116-160	AMD	00-12-019	495C-276-060	AMD	00-12-019
495A-121-028	NEW-P	00-05-017	495C-116-170	AMD-P	00-08-105	495C-276-080	AMD-P	00-08-105
495A-121-028	NEW	00-11-147	495C-116-170	AMD	00-12-019	495C-276-080	AMD	00-12-019
495A-121-029	NEW-P	00-05-017	495C-116-190	AMD-P	00-08-105	495C-276-100	AMD-P	00-08-105
495A-121-029	NEW	00-11-147	495C-116-190	AMD	00-12-019	495C-276-100	AMD	00-12-019
495A-121-040	NEW-P	00-05-017	495C-116-210	AMD-P	00-08-105	495C-276-120	AMD-P	00-08-105
495A-121-040	NEW	00-11-147	495C-116-210	AMD	00-12-019	495C-276-120	AMD	00-12-019
495A-121-041	NEW-P	00-05-017	495C-116-260	AMD-P	00-08-105	495C-276-140	REP-P	00-08-105
495A-121-041	NEW	00-11-147	495C-116-260	AMD	00-12-019	495C-276-140	REP	00-12-019
495A-121-042	NEW-P	00-05-017	495C-120-010	AMD-P	00-08-105	495C-280-010	REP-P	00-08-105
495A-121-042	NEW	00-11-147	495C-120-010	AMD	00-12-019	495C-280-010	REP	00-12-019
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495A-121-043	NEW	00-11-147	495C-120-020	AMD	00-12-019	495C-280-015	REP	00-12-019
495A-121-044	NEW-P	00-05-017	495C-120-040	AMD-P	00-08-105	495C-280-020	REP-P	00-08-105
495A-121-044	NEW	00-11-147	495C-120-040	AMD	00-12-019	495C-280-020	REP	00-12-019
495A-121-045	NEW-P	00-05-017	495C-120-041	NEW-P	00-08-105	495C-280-030	REP-P	00-08-105
495A-121-045	NEW	00-11-147	495C-120-041	NEW	00-12-019	495C-280-030	REP	00-12-019
495A-121-046	NEW-P	00-05-017	495C-120-045	AMD-P	00-08-105	495C-280-040	REP-P	00-08-105
495A-121-046	NEW	00-11-147	495C-120-045	AMD	00-12-019	495C-280-040	REP	00-12-019
495A-121-047	NEW-P	00-05-017	495C-120-050	AMD-P	00-08-105	495C-280-050	REP-P	00-08-105
495A-121-047	NEW	00-11-147	495C-120-050	AMD	00-12-019	495C-280-050	REP	00-12-019
495A-121-048	NEW-P	00-05-017	495C-120-080	AMD-P	00-08-105	495C-280-060	REP-P	00-08-105
495A-121-048	NEW	00-11-147	495C-120-080	AMD	00-12-019	495C-280-060	REP	00-12-019
495A-121-049	NEW-P	00-05-017	495C-120-090	AMD-P	00-08-105	495C-280-070	REP-P	00-08-105
495A-121-049	NEW	00-11-147	495C-120-090	AMD	00-12-019	495C-280-070	REP	00-12-019
495A-121-060	NEW-P	00-05-017	495C-120-100	AMD-P	00-08-105	495C-280-080	REP-P	00-08-105
495A-121-060	NEW	00-11-147	495C-120-100	AMD	00-12-019	495C-280-080	REP	00-12-019
495A-121-061	NEW-P	00-05-017	495C-120-120	AMD-P	00-08-105	495C-280-090	REP-P	00-08-105
495A-121-061	NEW	00-11-147	495C-120-120	AMD	00-12-019	495C-280-090	REP	00-12-019
495A-121-062	NEW-P	00-05-017	495C-120-125	NEW-P	00-08-105	495C-280-100	REP-P	00-08-105
495A-121-062	NEW	00-11-147	495C-120-125	NEW	00-12-019	495C-280-100	REP	00-12-019
495A-121-063	NEW-P	00-05-017	495C-120-130	AMD-P	00-08-105	495C-280-110	REP-P	00-08-105
495A-121-063	NEW	00-11-147	495C-120-130	AMD	00-12-019	495C-280-110	REP	00-12-019
495A-121-064	NEW-P	00-05-017	495C-120-140	AMD-P	00-08-105	495C-280-120	REP-P	00-08-105
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495A-121-066	NEW	00-11-147	495C-120-160	AMD	00-12-019	495D-122-030	REP-XR	00-09-006
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495A-121-091	NEW	00-11-147	495C-132-010	AMD	00-12-019	516-52-010	AMD-P	00-08-065
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		PREP 00-03-017 MISC 00-03-016
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		EXRE 00-11-018 PREP 00-07-031 PREP 00-02-007 MISC 00-04-030 MISC 00-04-064 MISC 00-10-013 MISC 00-11-063
		Students code of conduct and disciplinary procedures rights and responsibilities
		PROP 00-07-121 PROP 00-07-121
		CENTRALIA COLLEGE Student rights and responsibilities
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		MISC 00-03-026
		CLARK COLLEGE Meetings Parking and traffic
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		CLOVER PARK TECHNICAL COLLEGE Student code
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		CODE REVISER'S OFFICE Quarterly reports 99-19 - 99-24 See Issue 00-01 00-01 - 00-06 See Issue 00-07 00-07 - 00-12 See Issue 00-13 Technical corrections
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		COLUMBIA RIVER GORGE COMMISSION Klickitat County Emergency response plan guidelines
		PREP 00-07-049 PROP 00-10-004 PROP 00-10-006 PROP 00-10-008 PROP 00-10-007 PROP 00-10-005
		land use ordinance open space residential land
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Public works board	MISC	00-09-084		Centennial clean water fund		PREP	00-11-031
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	PERM	00-11-021		Forest practices to protect water quality		EXRE	00-06-038
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Retirement plan	EMER	00-09-050	Litter receptacles		EXAD	00-13-023	
	PROP	00-10-099	Oil and natural gas exploration	permits, basic requirements	EXAD	00-11-066	
	PERM	00-14-017	Oil spill prevention		PREP	00-05-096	
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Meetings	MISC	00-14-026	pollution control revolving fund		PREP	00-11-032	
	MISC	00-04-067	Water conservancy boards	procedures	PROP	00-01-080	
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			Meetings	MISC	00-01-014		
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	PROP	00-10-082	FAMILY AND CHILDREN'S OMBUDSMAN, OFFICE OF		
	PERM	00-13-065	Administrative procedures	PROP	00-01-099
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	PROP	00-05-079	FINANCIAL INSTITUTIONS, DEPARTMENT OF		
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	PERM	00-04-047	commercial business activities	PREP	00-04-074
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	PERM	00-13-039	meetings	MISC	00-02-027
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