

**July 21, 1999**

**OLYMPIA, WASHINGTON**

**ISSUE 99-14**

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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

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## 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 July 1999 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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# WASHINGTON STATE REGISTER

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# 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].

## DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue Number	Closing Dates <sup>1</sup>			Distribution Date	First Agency Hearing Date <sup>3</sup>	Expedited Adoption <sup>4</sup>
	Non-OTS and 30 p. or more	Non-OTS and 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS	Count 20 days from -	For hearing on or after	First Agency Adoption Date
For Inclusion in -	File no later than 12:00 noon -					
98 - 16	Jul 7, 98	Jul 21, 98	Aug 5, 98	Aug 18, 98	Sep 7, 98	Oct 2, 98
98 - 17	Jul 22, 98	Aug 5, 98	Aug 19, 98	Sep 2, 98	Sep 22, 98	Oct 17, 98
98 - 18	Aug 5, 98	Aug 19, 98	Sep 2, 98	Sep 16, 98	Oct 6, 98	Oct 31, 98
98 - 19	Aug 26, 98	Sep 9, 98	Sep 23, 98	Oct 7, 98	Oct 27, 98	Nov 21, 98
98 - 20	Sep 9, 98	Sep 23, 98	Oct 7, 98	Oct 21, 98	Nov 10, 98	Dec 5, 98
98 - 21	Sep 23, 98	Oct 7, 98	Oct 21, 98	Nov 4, 98	Nov 24, 98	Dec 19, 98
98 - 22	Oct 7, 98	Oct 21, 98	Nov 4, 98	Nov 18, 98	Dec 8, 98	Jan 2, 99
98 - 23	Oct 21, 98	Nov 4, 98	Nov 18, 98	Dec 2, 98	Dec 22, 98	Jan 16, 99
98 - 24	Nov 4, 98	Nov 18, 98	Dec 2, 98	Dec 16, 98	Jan 5, 99	Jan 30, 99
99 - 01	Nov 25, 98	Dec 9, 98	Dec 23, 98	Jan 6, 99	Jan 26, 99	Feb 20, 99
99 - 02	Dec 9, 98	Dec 23, 98	Jan 6, 99	Jan 20, 99	Feb 9, 99	Mar 6, 99
99 - 03	Dec 23, 98	Jan 6, 99	Jan 20, 99	Feb 3, 99	Feb 23, 99	Mar 20, 99
99 - 04	Jan 6, 99	Jan 20, 99	Feb 3, 99	Feb 17, 99	Mar 9, 99	Apr 3, 99
99 - 05	Jan 20, 99	Feb 3, 99	Feb 17, 99	Mar 3, 99	Mar 23, 99	Apr 17, 99
99 - 06	Feb 3, 99	Feb 17, 99	Mar 3, 99	Mar 17, 99	Apr 6, 99	May 1, 99
99 - 07	Feb 24, 99	Mar 10, 99	Mar 24, 99	Apr 7, 99	Apr 27, 99	May 22, 99
99 - 08	Mar 10, 99	Mar 24, 99	Apr 7, 99	Apr 21, 99	May 11, 99	Jun 5, 99
99 - 09	Mar 24, 99	Apr 7, 99	Apr 21, 99	May 5, 99	May 25, 99	Jun 19, 99
99 - 10	Apr 7, 99	Apr 21, 99	May 5, 99	May 19, 99	Jun 8, 99	Jul 3, 99
99 - 11	Apr 21, 99	May 5, 99	May 19, 99	Jun 2, 99	Jun 22, 99	Jul 17, 99
99 - 12	May 5, 99	May 19, 99	Jun 2, 99	Jun 16, 99	Jul 6, 99	Jul 31, 99
99 - 13	May 26, 99	Jun 9, 99	Jun 23, 99	Jul 7, 99	Jul 27, 99	Aug 21, 99
99 - 14	Jun 9, 99	Jun 23, 99	Jul 7, 99	Jul 21, 99	Aug 10, 99	Sep 4, 99
99 - 15	Jun 23, 99	Jul 7, 99	Jul 21, 99	Aug 4, 99	Aug 24, 99	Sep 18, 99
99 - 16	Jul 7, 99	Jul 21, 99	Aug 4, 99	Aug 18, 99	Sep 7, 99	Oct 2, 99
99 - 17	Jul 21, 99	Aug 4, 99	Aug 18, 99	Sep 1, 99	Sep 21, 99	Oct 16, 99
99 - 18	Aug 4, 99	Aug 18, 99	Sep 1, 99	Sep 15, 99	Oct 5, 99	Oct 30, 99
99 - 19	Aug 25, 99	Sep 8, 99	Sep 22, 99	Oct 6, 99	Oct 26, 99	Nov 20, 99
99 - 20	Sep 8, 99	Sep 22, 99	Oct 6, 99	Oct 20, 99	Nov 9, 99	Dec 4, 99
99 - 21	Sep 22, 99	Oct 6, 99	Oct 20, 99	Nov 3, 99	Nov 23, 99	Dec 18, 99
99 - 22	Oct 6, 99	Oct 20, 99	Nov 3, 99	Nov 17, 99	Dec 7, 99	Jan 1, 00
99 - 23	Oct 20, 99	Nov 3, 99	Nov 17, 99	Dec 1, 99	Dec 21, 99	Jan 15, 00
99 - 24	Nov 3, 99	Nov 17, 99	Dec 1, 99	Dec 15, 99	Jan 4, 00	Jan 29, 00

<sup>1</sup>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.

<sup>2</sup>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.

<sup>3</sup>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.

<sup>4</sup>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, as amended by section 202, chapter 409, Laws of 1997.

## **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;

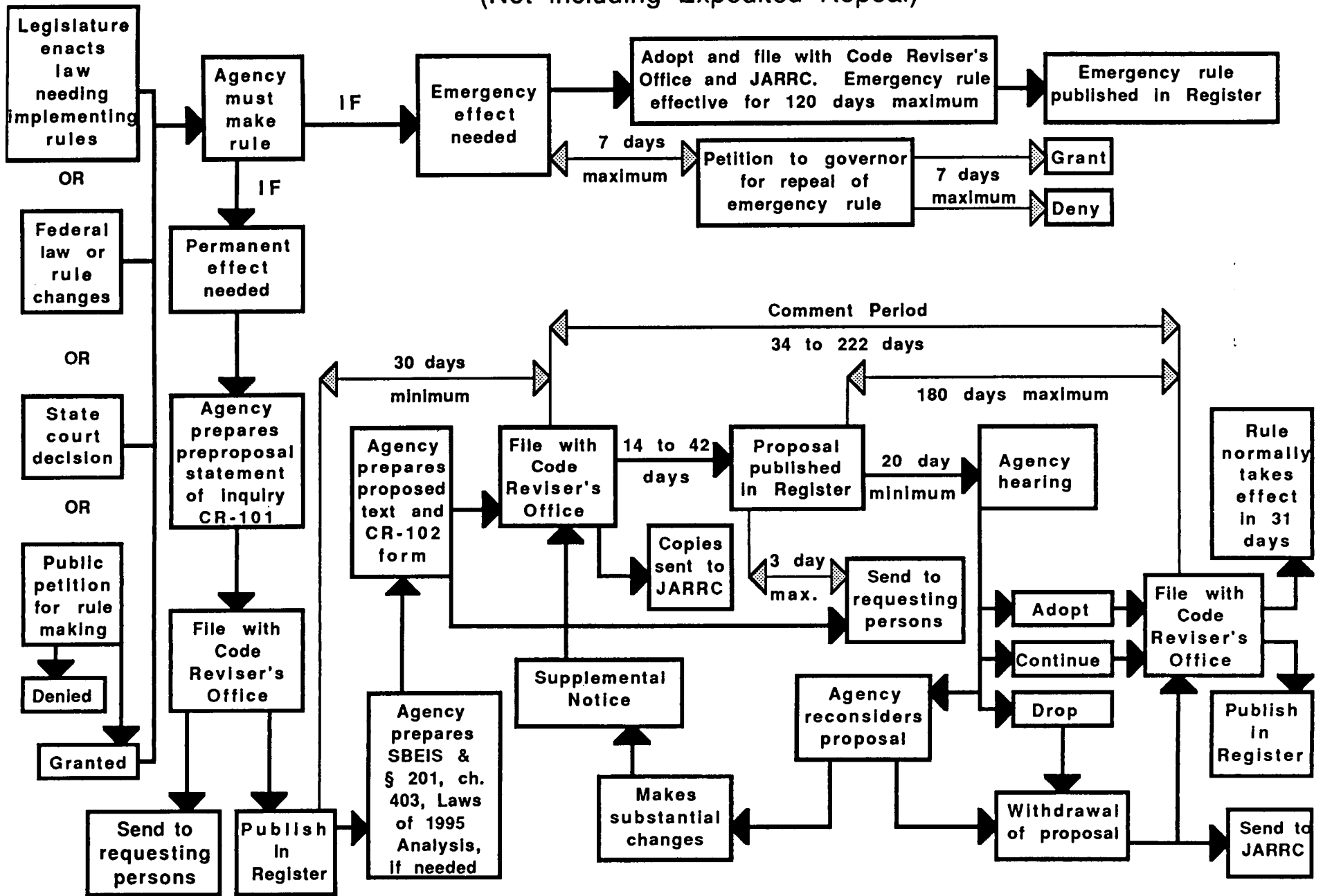
The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

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.

# RULE-MAKING PROCESS

(Not including Expedited Repeal)



**WSR 99-14-001****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH**

[Filed June 23, 1999, 1:35 p.m.]

Subject of Possible Rule Making: WAC 246-930-330 Standards for treatment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.155.040(12) Secretary—Authority, 18-130.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments to WAC 246-930-330 are needed to clarify minimal standards of treatment. The amendments would more clearly define treatment using individual and group therapy for SSOSA/SSODA providers.

Process for Developing New Rule: The advisory committee and the program will work closely with the program, DOC, DSHS and associations in developing rule changes. A public work group was held to provide an opportunity for public input. The program also requested written comment from all interested persons. From these efforts, draft language will be developed and shared for on-going direction from interested persons.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Holly Rawnsley, Program Manager, Sex Offender Treatment Provider Program, 1300 Quince Street S.E., P.O. Box 47869, Olympia, WA 98504-7869, phone (360) 236-4923, fax (360) 236-4918.

June 23, 1999

M. C. Selecky  
Secretary**WSR 99-14-002****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH**

(Nursing Care Quality Assurance Commission)

[Filed June 23, 1999, 1:37 p.m.]

Subject of Possible Rule Making: WAC 246-840-840 Nursing technician, 246-840-850 Use of nomenclature, 246-840-860 Nursing technician criteria, 246-840-870 Functions of the nursing technician, 246-840-880 Functions of the registered nurse supervising the nursing technician, 246-840-890 Responsibilities of the employing facility, and 246-840-900 Responsibilities of the nurse administrator.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.79.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Nursing students are acquiring experience during schooling by working as nursing technicians. The Nursing Commission is questioning the effectiveness, implementation and legitimacy of the existing nursing technician rules. The Nursing Commission will explore all of these issues and may amend or repeal the rules or consider requesting a statute change.

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

Process for Developing New Rule: Collaborate rule making and possible alternatives.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Terry J. West, Health Administrator, Department of Health, P.O. Box 47864, Olympia, WA 98504, phone (360) 236-4712, fax (360) 236-4738.

May 19, 1999

Paula R. Meyer, RN, MSN  
Executive Director**WSR 99-14-017****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF CORRECTIONS**

[Filed June 25, 1999, 10:48 a.m.]

Subject of Possible Rule Making: Rules are being drafted to amend provisions of the Department of Corrections public records regulations, chapter 137-08 WAC. These rules contain the process for obtaining or reviewing public records from correctional facilities within the Department of Corrections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.250, Public Records Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules are required by the Public Disclosure Act, chapter 42.17 RCW, as amended. Once adopted, these rules will apply on a state-wide basis, to all institutions and other correctional facilities within the Department of Corrections. Goal of amended rule: To bring the agency in full compliance with RCW 42.17.250.

Process for Developing New Rule: Negotiated rule making and agency study. Public comments and recommendation in the course of drafting amended rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kay Wilson-Kirby, (360) 753-2345, fax (360) 664-2009, Department of Corrections, Mailstop 41114, Olympia, Washington 98504-1114. The proposed WAC will be distributed to persons expressing interest. All comments will be considered before final adoption.

June 18, 1999

Joe Lehman  
Secretary

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

**WAC 137-08-010 Purpose.** The purpose of this chapter ((shall be)) is to ensure ((compliance by)) that the department of corrections complies with the provisions of the Public Records Disclosure Act, RCW 42.17.250 through ((42-17-340)) 42.17.348.

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

**WAC 137-08-020 Definitions.** (1) ~~("Public records" include any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by the department regardless of physical form or characteristics.~~

(2) ~~"Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof; and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.~~

(3) ~~"Department" means the department of corrections.~~

(4) ~~"Client" means any person or organization about whom the department has a record.~~

(5) ~~"Disclosure" means inspection and/or copying.~~

(6) ~~"Denial of disclosure" denotes any exempting from disclosure of any public record.))~~ "Offender" means any person is or was committed to the custody of the department, whether for purposes of a sentence of confinement in prison, community supervision, community placement, probation, or parole.

(2) "Unit" means an office or subdivision of the department, including a prison or work release facility.

(3) "Department" means the department of corrections.

(4) The terms "public record" and "writing" have the meanings given them by RCW 42.17.020.

(5) "Disclosure coordinator's designee" means records review officer, legal liaison, or other department staff specifically trained in public disclosure.

AMENDATORY SECTION (Amending Order 86-05, filed 4/29/86)

**WAC 137-08-060 Public records available.** (1) A written request((s)) for ((any identifiable)) public records may also be ((initiated)) made at any ((office)) unit of the department during normal business hours. The department shall not respond to telephonic requests for disclosure of public records, because of the likelihood of confusion. The department shall instruct the requestor to submit the request in writing or in person.

(2) ~~The department shall ((at all times take the most timely possible action on requests for disclosure, and shall be required to)) respond in writing within ((ten)) five working days of receipt of the request for disclosure. If the department((s failure)) fails to ((se)) respond ((shall entitle)) within five working days, the person seeking disclosure ((to)) may petition the public disclosure officer for relief pursuant to WAC 137-08-140.~~

(3) The department maintains different records in its several units. In particular, records relevant to the operation of a specific prison or other unit of the department may be kept only in that prison or unit. Similarly, records relevant to an offender may be maintained only at the prison or other unit where the offender is located. Thus, the department may

need to refer a request for records made at one unit to the unit where the records are kept.

(4) Incarcerated offenders must submit all requests for public records in writing, in the form required by their prison.

AMENDATORY SECTION (Amending Order 86-05, filed 4/29/86)

**WAC 137-08-070 Public disclosure officer.** The department shall designate a public disclosure officer, located in the ((state)) department's administrative office((; who)) in Olympia. The public disclosure officer shall be responsible for implementing the department's rules regarding disclosure of public records, ((coordination of staff in this regard, and generally insuring compliance by)) developing the department's state-wide training for records officers and other department personnel involving disclosures, ensuring that the department's staff comply with public records disclosure requirements, and acting as the department's final level of review for public disclosure appeals.

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

**WAC 137-08-080 Public disclosure coordinator.** Each departmental administrative unit((; for example, each institution,)) shall designate ((from among its employees at least)) one public disclosure coordinator((; who)). The public disclosure coordinator shall:

(1) ~~((Have responsibility to))~~ Respond to ((written)) requests for disclosure of ((the department's nonexempt)) public records physically located in that office; ((and))

(2) Refer the person requesting disclosure to any other office where the record is located, and assist further in the disclosure process; and

(3) Verify, if necessary, the identity of any person requesting information.

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

**WAC 137-08-090 Request for public records.** (1) Unless waived by a public disclosure coordinator, all requests for the disclosure of a public record must be in writing ((identifying the record sought with reasonable certainty)). The written request ((may)) must include:

(a) The name of the person requesting the record;

(b) The ((time of day and calendar)) date on which the request is made((;); and((;))

(c) The nature of the request, identifying with reasonable certainty the records sought.

(2) ~~((A))~~ An oral request for disclosure ((shall)) must be made during customary business hours.

(3) ~~((If the public record contains material exempt from disclosure pursuant to law, including those laws cited in WAC 137-08-150, the department must provide the person requesting disclosure with a written explanation for the non-disclosure, pursuant to WAC 137-08-130.~~

(4) Any person continuing to seek disclosure, after having received a written explanation for nondisclosure pursuant



to WAC 137-08-130, may request a review under the provisions of WAC 137-08-140.

(5)) When a person's identity is relevant to an exemption, the department may require that person ((may be required)) to provide personal identification.

((6) Nothing in this section or elsewhere in this chapter shall be construed to require the department to compile statistics or other information from material contained in public records, where doing so would unduly interfere with other essential functions of the department and is not required for litigation by rules of pretrial discovery.)

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

WAC 137-08-100 Disclosure ((to client's representative)) of confidential records of offenders. ((1) If a client requests disclosure to a representative, that request must be accompanied by a written release signed by the client, except that, as an accommodation to the client and if the legislator or attorney representing the client can provide assurance that the client has authorized disclosure, the client's record may be briefly discussed with that legislator or attorney so long as there is neither physical inspection nor copying of client records by that representative. A) The department will disclose confidential records of an offender to another person if the offender signs a written release authorizing disclosure. The written release must include:

((a)) (1) The identity of the person(s) or organization(s) to whom disclosure is to be made;

((b)) (2) An identification of the record, or portion thereof, to be disclosed; and

((c)) (3) A statement of when the authorization for disclosure expires.

((2) Disclosures of information to a representative shall be made to the same extent as to the client.

(3) The legal guardian of a client has any and all rights accorded to a client by this section.)

AMENDATORY SECTION (Amending Order 85-06, filed 6/10/85)

WAC 137-08-110 Fees—Inspection and copying. (1) ((No)) The department will not charge a fee ((shall be charged)) for the inspection of public records.

(2) ((The department shall collect a fee of twenty cents per page plus postage to reimburse itself for the cost of providing copies of public records.)) Cost shall be determined by the department in accordance with the following formula:

Pursuant to recent changes in chapter 42.17 RCW, the department will now charge the actual cost of providing copies of public records, including applicable postage.

Salary: \$2,918.33 median salary per month represents the categories of staff who are most commonly involved in processing public disclosure request throughout the department. \$2,718.33/divided by 174 average hours in a month =15.62 hourly rate/divided by 60 minutes = .26 cents per minute.

Benefits: \$706.76 per month/divided by monthly salary \$2,718.33 = 26% of salary is benefits. .2599 or .26 cents per minute x 26% for benefits = 7 cents per minute. Benefits can range from 26% to 40% of salary. We chose the lower percentage which more accurately reflects the percentage paid for benefits of this salary group.

Costs: .26 cents salary + .07 cents benefits per minute = .33 cents per minute salary and benefits.

Copier/Paper/Envelope Expenses

The following amounts reflect the actual cost the department is charged for purchasing these items: These costs are added together to come up with a total cost.

<u>Description</u>	<u>Cost</u>	<u>Total</u>
The number of pages of documents for either 8 1/2 x 11 or 8 1/2 x 14 paper.	at \$0.01 per page.	
	Add	
The number of minutes of salary time.	at \$0.33 per minute.	
	Add	
The number of minutes of photocopies	at \$0.01 per minute. = .35 cents per page cost.	
	Add	
10 x 13 Kraft envelope.	at \$0.08 per envelope one time cost only unless more than one envelope is needed	
	or	
Plain franked envelope.	At \$0.01 per envelope one time cost only same as above.	
	Add	
Postage	at . . . . .	
<u>Total costs for request</u>	. . . . .	

(3) ((Nothing contained in this section shall preclude)) The department ((from agreeing to)) may without charge exchange or provide copies of manuals or other public records with other state or federal agencies, whenever doing so is in the best interest of the department.

(4) The secretary of the department or his designee is authorized to waive any ((of the foregoing copying costs)) fee for copies or postage.

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

WAC 137-08-120 Protection of public records. A requestor may inspect the original public records ((shall be disclosed)) only in the presence of a public disclosure coordinator or his or her designee, who shall withdraw the records

if the ~~((person requesting disclosure))~~ requestor acts in a manner ~~((which))~~ that will damage or ~~((substantially))~~ disorganize the records, or interfere ~~((excessively))~~ with other essential functions of the department. ~~((This section shall not be construed to prevent the department from accommodating a client by use of the mails in the disclosure process.))~~

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

**WAC 137-08-130 Disclosure procedure.** ~~((1))~~ The public disclosure coordinator or designee shall review file materials prior to disclosure.

~~((2))~~ If the file does not contain materials exempt from disclosure, the public disclosure coordinator shall ensure full disclosure.

~~((3))~~ If the file ~~((does))~~ contains materials exempt from disclosure, the public disclosure coordinator or designee shall deny disclosure of those ~~((exempt portions of the file))~~ materials, and shall ~~((at the time of the denial, in writing, clearly))~~ specify ~~((the reasons for the denial of disclosure, including a statement of))~~ in writing the specific exemptions or reasons authorizing the withholding of the ~~((record))~~ materials and a brief explanation of how the exemption or reason applies. The remaining, nonexempt materials shall be fully disclosed.

The public disclosure coordinator shall also inform the requestor that he or she may seek review by the public disclosure officer, of any denial of disclosure.

AMENDATORY SECTION (Amending Order 86-05, filed 4/29/86)

**WAC 137-08-140 Review of denial of disclosure.** (1) If the person requesting disclosure disagrees with the decision of a public disclosure coordinator denying disclosure of a public record, ~~((such))~~ the person may petition the department's public disclosure officer for review of the decision denying disclosure. ~~((The form used by the public disclosure coordinator to deny disclosure of a public record shall clearly indicate this right of review.))~~

(2) Within ~~((ten))~~ two working days after receipt of a petition for review of a decision denying disclosure, the public disclosure officer shall review the decision denying disclosure, and advise the petitioner, in writing, of the public disclosure officer's decision on the petition. Such review shall ~~((be deemed completed at the end of the second business day following denial of disclosure, and shall))~~ constitute final agency action for the purposes of judicial review.

AMENDATORY SECTION (Amending Order 82-3, filed 1/26/82)

**WAC 137-08-170 Interagency disclosure.** ~~((1))~~ Unless prohibited by law, information may be disclosed by the department to outside agencies, including other state of Washington agencies, or agencies of other states.

~~((2))~~ Outside agencies receiving information pursuant to ~~((subsection (1) of))~~ this section shall be ~~((thereby))~~ subject to the same standards of disclosure as are required of the department.

## REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 137-08-105	Correction of erroneous information.
WAC 137-08-150	Exemptions to public records disclosure.
WAC 137-08-160	Qualifications on nondisclosure.

## WSR 99-14-024

### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Economic Services Administration) (WorkFirst Division)

[Filed June 28, 1999, 3:21 p.m.]

Subject of Possible Rule Making: The department will be writing new rules on the subject of WorkFirst services available to pregnant women and parents of infants under twelve months of age and amending WAC 388-310-200, 388-310-300 and other related rules in chapter 388-310 WAC that contain references to program eligibility and services for this population.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.04.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On July 1, 1999, the WorkFirst exemption for the parents of infants was reduced from twelve to three months to comply with legislative intent. As a response to this change, the department is working with partners and interested organizations to develop a program (tentatively called "Pregnancy to Employment") to provide services to eligible clients during pregnancy and the first twelve months of infancy. Services will include components that address, among other issues, the following: Safe and appropriate child care, a specialized assessment of needs, a customized individual responsibility plan, links to the first steps program, referral agencies and other appropriate resources, and frequent reassessments.

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 public and interested clients are invited to participate in the development of these rule changes. During the development process, the proposed changes will be presented to a variety of individuals and groups for discussion, posted on at least one ESA website, and mailed /e-mailed to all interested parties for review and comment. DSHS works in close collaboration with other Washington state agencies such as the Employment Security Department, the State Board for Community and Technical Colleges, and the Department of Community, Trade and Economic Development, to administer the WorkFirst program.

DSHS will coordinate with all interested agencies and advisory groups during the rule development and adoption process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rachel Langen, WorkFirst Division, 1009 College S.E., P.O. Box 45480, Olympia, WA 98504-5480, phone (360) 413-3209, fax (360) 413-3482, e-mail langera@dshs.wa.gov.

June 25, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

#### WSR 99-14-065

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Rehabilitative Services Administration)

(Mental Health Division)

[Filed July 2, 1999, 11:41 a.m.]

**Subject of Possible Rule Making:** Amend chapter 275-59 WAC, Criminally insane person committed to the care of the Department of Social and Health Services—Evaluation, placement, care and discharge. We will also renumber this chapter to go into Title 388 WAC with the rest of DSHS rules.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** Chapter 10.77 RCW, as amended by 2SSB 6214, 1998.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** To comply with changes in RCW 10.77.097 that requires the department, in consultation with the Department of Corrections, to define "relevant records and reports" that must accompany a defendant who is being transferred to a mental health facility or to a correctional institution or facility. We will also make technical changes so that terms used in the chapter are consistent with the terms used in the law.

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

**Process for Developing New Rule:** DSHS welcomes the public to take part in developing the rule. Anyone interested in participating should contact the staff person indicated below. After the rule is drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and send a copy to everyone currently on the mailing list and anyone who requests a copy. Those who responded to a less broad announcement a little over a year ago are still on the mailing list. As required in the legislation, the Department of Corrections will be consulted during the development.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting David Weston, Mental Health Program Administrator, P.O. Box 45320, Olympia, WA 98504-5320,

voice (360) 902-0782, fax (360) 902-7691, e-mail dweston@dshs.wa.gov.

July 1, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

#### WSR 99-14-073

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Chemical Dependency Professionals)

[Filed July 6, 1999, 2:48 p.m.]

**Subject of Possible Rule Making:** The regulation of chemical dependency professionals (CDP). This effort includes requirements for a retire active status for chemical dependency professionals.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 18.130.250.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The current rules for chemical dependency professionals restrict the use of the chemical dependency professional title to DASA facilities. If the person practices outside of a DASA setting, they would be required to be minimally registered as a counselor and would not be able to use their CDP credential outside of a DASA facility. The retired active status would allow CDPs to hold their CDP credential at a reduced rate.

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

**Process for Developing New Rule:** Collaborative rule making. Develop in consultation with stakeholders through public meetings, telephone, and correspondence.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kris Waidely, Department of Health, Chemical Dependency Professionals, P.O. Box 47869, Olympia, WA 98504-7869, phone (360) 236-4905, fax (360) 236-4909.

July 1, 1999

M. C. Selecky  
Secretary

#### WSR 99-14-083

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

(Business and Professions Division)

(Landscape Architects)

[Filed July 7, 1999, 11:26 a.m.]

**Subject of Possible Rule Making:** Amendment of WAC 308-13-150, landscape architect fees and charges. Amendment to WAC 308-13-045 and 308-13-160, landscape architect license renewal period.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 18.96.080 and 43.24.086.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Change in registration fees by going from a three-year to a two-year renewal period. Charges for examinations and exam reviews have been increased by the exam vendor, and fees are passed on to the applicant to defray the costs of administering the program.

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; and exam charges are set in accordance with exam vendor prices, which are passed through the Department of Licensing directly to vendor.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Margaret Epting, Administrator, Board of Registration for Landscape Architects, P.O. Box 9045, Olympia, WA 98507-9045, (360) 753-6967. Persons may comment by mail or phone as noted. Draft language on proposed changes will be distributed at the mailing of the CR-102 in approximately thirty days after the filing of this notice. Distribution of the rule filings is made to our rule-making mailing list.

July 7, 1999  
Margaret Epting, Administrator  
Landscape Architect Board

**WSR 99-14-084**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed July 7, 1999, 11:35 a.m.]

Subject of Possible Rule Making: Self insurance application, financial and administrative processes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.14.020(7), 51.14.150(4), 51.14.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules clarify department requirements regarding application for and financial and administrative processing of self insured workers' compensation programs.

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

Process for Developing New Rule: An advisory committee with employer representatives met to develop the existing self insurance application, financial and administrative processing rules under Executive Order 97-02 criteria. Drafts will be shared with all stakeholders, and comments will be taken through the normal rule development and 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 Joyce Walker, Program Manager, Self Insurance, Department of Labor and Industries; P.O. Box

44890, Olympia, WA 98504-4890, phone (360) 902-6907, fax (360) 902-6900.

June 30, 1999  
Gary Moore  
Director

**WSR 99-14-086**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE BOARD OF EDUCATION**  
[Filed July 7, 1999, 11:45 a.m.]

Subject of Possible Rule Making: Chapter 180-24 WAC, School district organization.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.315 RCW, RCW 28A.305.130(9), 28A.305.150, 28A.213.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the rules.

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

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, TDD (360) 664-3631. For telephone assistance contact Larry Davis at (360) 753-6715.

July 1, 1999  
Larry Davis  
Executive Director

**NO EXPEDITED REPEALS FILED IN THIS ISSUE**

**EXPEDITED REPEAL**



**WSR 99-14-011**  
**PROPOSED RULES**  
**STATE BOARD OF EDUCATION**

[Filed June 24, 1999, 2:53 p.m.]

Supplemental Notice to WSR 99-07-072.

Preproposal statement of inquiry was filed as WSR 98-10-090 [99-04-091].

Title of Rule: WAC 180-51-110 Equivalency credit for alternative learning experiences, nonhigh school courses, work experience, and challenges.

Purpose: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the rules.

Statutory Authority for Adoption: RCW 28A.05.00 [28A.05.060].

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Language change in WAC 180-51-110(5) replace vocational-technical institutes with technical colleges.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Kettle Falls School District, 437 Meyers Street, Kettle Falls, WA 99141, on August 20, 1999, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Carolyn Berger by July 20, 1999, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by July 20, 1999.

Date of Intended Adoption: August 20, 1999.

June 23, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending Order 12-85, filed 6/5/85)

**WAC 180-51-110 Equivalency credit for alternative learning experiences, nonhigh school courses, work experience, and challenges.** The board of directors of a district offering a high school diploma shall adopt rules providing for the granting of high school graduation credit for alternative learning experiences, nonhigh school courses, work experience, and challenges. High school credits may be given for, but not limited to, the following:

(1) Planned learning experiences conducted away from the school under the supervision or with the approval of the school;

(2) Work experience on the basis that four hundred five hours of work experience equals one credit;

(3) National guard high school career training;

(4) Postsecondary courses in accredited colleges and universities;

(5) Courses in accredited or approved (~~vocational-technical institutes~~) technical colleges;

(6) Correspondence courses from accredited colleges and universities or schools approved by the National University Extension Association or the National Home Study Council;

(7) Other courses offered by any school or institution if specifically approved for credit by the district; and

(8) Credit based on competency testing, in lieu of enrollment or taking specific courses, may be granted by the district.

**WSR 99-14-018**  
**PROPOSED RULES**  
**STATE BOARD FOR**  
**COMMUNITY AND TECHNICAL COLLEGES**

[Filed June 25, 1999, 1:06 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-08-057.

Purpose: The running start program, chapter 131-46 WAC.

Statutory Authority for Adoption: Chapter 28B.50 RCW.

Statute Being Implemented: Chapter 131-46 WAC.

Summary: Clarifying enrollment and tuition rates pertaining to the running start program.

Reasons Supporting Proposal: Response (partly) to legislative changes. Rules will be adopted jointly by the Superintendent of Public Instruction, the Higher Education Coordinating Board, and the State Board for Community and Technical Colleges.

Name of Agency Personnel Responsible for Drafting and Implementation: Ron Crossland, State Board for Community and Technical Colleges, 319 7th Avenue, Olympia, WA, (360) 753-2000; and Enforcement: Howard Fischer, Senior Assistant Attorney General, Education Division, (360) 586-2789.

Name of Proponent: State Board for Community and Technical Colleges, Higher Education Coordinating Board and Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule will clarify enrollment portions of the running start program as well as changes in tuition rates.

For more specific information, contact Ron Crossland at (360) 753-2000.

PROPOSED

Proposal Changes the Following Existing Rules: Rules are amended in order to make it clear that: (1) Running start students may not be charged tuition until a student's enrollment exceeds eighteen credits for a quarter or semester, and (2) the fifteen hour definition of "full-time equivalent enrollment" only applies to the allocation of state funding.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Does not affect small business.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Whatcom Community College, 237 West Kellogg Road, Bellingham, WA, on September 16, 1999, at 10 a.m.

Assistance for Persons with Disabilities: Contact C. Krueger, e-mail ckrueger@sbctc.ctc.edu, or fax (360) 586-6440, by August 30, 1999.

Submit Written Comments to: Ron Crossland, fax (360) 586-6440, by August 30, 1999.

Date of Intended Adoption: September 16, 1999.

June 24, 1999

Claire C. Krueger

Executive Assistant and

Agency Rules Coordinator

#### NEW SECTION

**WAC 131-46-140 Adoption by reference.** Adopting running start rule revisions by reference to amended sections WAC 392-169-025; 392-169-030; 392-169-055; 392-169-057; and 392-169-060, filed by the office of the superintendent of public instruction by WSR 99-13-124, filed 6/16/99.

#### **WSR 99-14-019**

#### **PROPOSED RULES**

#### **STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

[Filed June 25, 1999, 1:09 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-09-017.

Title of Rule: Retirement rule revisions, WAC 131-16-021.

Purpose: PLEASE NOTE: This filing supersedes WSR 99-13-043. Clarifies that part-time faculty and administrators employed at 50% or more within the community and technical college system are eligible for enrollment in the TIAA/CREF retirement plan. Deletes language that is no longer applicable.

Statutory Authority for Adoption: Chapter 28B.50 RCW.

Statute Being Implemented: WAC 131-16-021.

Summary: See Purpose above. At its June board meeting, there was discussion about clarifying language that would clarify eligibility.

Reasons Supporting Proposal: To make rules consistent throughout the community and technical college system.

Name of Agency Personnel Responsible for Drafting and Implementation: John Boesenberg, 319 7th Avenue, Olympia, WA, (360) 753-3661; and Enforcement: Howard Fischer, Senior Assistant Attorney General, Education Division, (360) 586-2789.

Name of Proponent: [State Board for Community and Technical Colleges], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above. Clarifies eligibility of participants as outlined in WAC 131-16-021(6).

Proposal Changes the Following Existing Rules: [No information supplied by agency.]

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Whatcom Community College, 237 West Kellogg Road, Bellingham, WA, on September 16, 1999, at 10:15 a.m.

Assistance for Persons with Disabilities: Contact C. Krueger, e-mail ckrueger@sbctc.ctc.edu, or fax (360) 586-6440, by September 7, 1999.

Submit Written Comments to: J. Boesenberg, State Board for Community and Technical Colleges, P.O. Box 42495, Olympia, WA 98504-2495, fax (360) 586-6440, by September 1, 1999.

Date of Intended Adoption: September 16, 1999.

June 24, 1999

Claire C. Krueger

Executive Assistant and Agency

Rules and Contracts Coordinator

AMENDATORY SECTION (Amending WSR 98-14-033, filed 6/23/98, effective 7/24/98)

**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 ~~((who))~~, effective July 1, 1999, are assigned a cumulative total of at least ~~((eighty))~~ 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 ~~((or whose employment meets the requirements for an "eligible position" as defined by the Washington state teachers retirement system))~~. (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 calculat-



ing 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 (~~by the same appointing authority. For the purpose of this section, spring and fall quarters shall be considered as consecutive periods of employment~~) within the community and technical college system. 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.

(7) As a condition of employment, all employees who become eligible on and after January 1, 1997, shall participate 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(1).

**WSR 99-14-038**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed June 30, 1999, 10:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-23-092.

Title of Rule: Repealing WAC 388-86-112 Physical medicine and rehabilitation evaluation and treatment and 388-550-2300 Payment—PM&R; new WAC 388-550-2501 Acute physical medicine and rehabilitation (acute PM&R) program—General, 388-550-2511 Acute PM&R definitions, 388-550-2521 Client eligibility requirements for acute PM&R services, 388-550-2531 Requirements for becoming

an MAA Level A or B acute PM&R provider, 388-550-2541 Quality of care for acute PM&R clients through audits and reviews, 388-550-2551 How MAA determines client placement in Level A or B acute PM&R, 388-550-2561 MAA's requirements for authorizing acute PM&R services, 388-550-3381 How MAA pays acute PM&R facilities for Level A services, and 388-550-3401 How MAA pays acute PM&R facilities for Level B services.

Purpose: The department originally intended to amend WAC 388-86-112 and 388-550-2300, but decided instead to put all WAC sections related to PM&R into chapter 388-550 WAC, Hospital services, under a subheading "Acute Physical Medicine and Rehabilitation (ACUTE PM&R)"; the department will repeal WAC 388-86-112 and 388-550-2300. Combining these WAC sections into one new subheading will make it easier for staff and other users to find the information they need. At the same time, the department is updating policy and payment methodology to reflect current practice.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520.

Statute Being Implemented: RCW 74.09.520 and 42 C.F.R. 482.56.

Summary: These rules specify what inpatient rehabilitation services are available from MAA for eligible clients, as well as levels of MAA-covered rehabilitation, program limitations, and benefit limits. The rules also state what qualifications providers need to meet to become contracted PM&R providers.

Reasons Supporting Proposal: To set in rule current department policy regarding clients, providers, and services. To add "Acute" to the program name. To change rehabilitation Level names to A and B to differentiate them from the DOH designation standards for the trauma rehabilitation program. To comply with the Governor's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sue White, DHSQS/QFFS, 805 Plum Street S.E., Olympia, WA 98501, (360) 586-5305.

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 rule specifies what inpatient rehabilitation services are available from MAA for eligible clients. It also states the qualifications providers need to meet to become contracted PM&R providers, describes what is included in each level of rehabilitation covered by MAA, and what the program and benefit limitations are. It adds "Acute" to the program name, and renames the rehabilitation Levels to A and B to distinguish them from the DOH designation standards for the trauma rehabilitation program.

The purpose of the rule is to inform clients and providers about current MAA policy, and to make that policy clearly understood.

Proposal Changes the Following Existing Rules: The department is repealing WAC 388-86-112 Physical medicine and rehabilitation evaluation and treatment and 388-550-2300

Payment—PM&R, in order to combine these rules in a new subsection of chapter 388-550 WAC, Hospitals.

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

RCW 34.05.328 does not apply to this rule adoption. The proposed amendments do not make "significant amendments to a policy or regulatory program." Therefore, the department concludes that the proposed amendments are not significant legislative rules.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 10, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by July 30, 1999, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by August 10, 1999.

Date of Intended Adoption: August 13, 1999.

June 29, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

### ACUTE PHYSICAL MEDICINE AND REHABILITATION (ACUTE PM&R)

#### NEW SECTION

**WAC 388-550-2501 Acute physical medicine and rehabilitation (acute PM&R) program—General.** Acute physical medicine and rehabilitation (acute PM&R) is a twenty-four-hour inpatient comprehensive program of integrated medical and rehabilitative services during the acute phase of rehabilitation. It requires prior authorization by medical assistance administration (MAA).

(1) A multidisciplinary team coordinates individualized client **acute PM&R** services at an MAA-approved rehabilitation facility to achieve the following for the client:

- (a) Improved health and welfare; and
- (b) Maximum physical, social, psychological and vocational potential.

(2) MAA determines the length of stay based on individual cases and community standards of care for **acute PM&R** services.

(3) When MAA's authorized acute period of rehabilitation ends, the provider transfers the client to a more appropriate level of care. Therapies may continue to help the client achieve maximum potential through other covered programs such as:

- (a) Home health services (see subchapter II of chapter 388-551 WAC);
- (b) Nursing facilities (see chapter 388-97 WAC); or
- (c) Outpatient hospital services (see chapter 388-550 WAC).

#### NEW SECTION

**WAC 388-550-2511 Acute PM&R definitions.** The following definitions and abbreviations and those found in WAC 388-500-0005 and 388-550-1050 apply to this subchapter. Defined words and phrases are bolded in the text. In case of any conflicts, this section prevails for this subchapter.

"**Accredit**" (or "**Accreditation**") is a term used by nationally recognized health organizations, such as CARF, to state a facility meets community standards of medical care.

"**Acute**" means an intense medical episode, not longer than two months.

"**Acute physical medicine and rehabilitation (acute PM&R)**" means a comprehensive inpatient 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 therapy for a diagnostic category for which the client shows significant potential functional improvement.

"**CARF.**" The official name for 'The Rehabilitation Accreditation Commission' of Tucson, Arizona. **CARF** is a national private agency that develops and maintains current, "field-driven" (community) standards through surveys and **accreditations** of rehabilitation facilities.

"**Level A services**" mean hospital-based **acute** rehabilitation services for medically stable clients with conditions that require complex nursing, medical and therapy needs as listed in WAC 388-550-2551(2). Such conditions include, but are not limited to, traumatic brain injuries, spinal cord injuries, and complicated bilateral amputations.

"**Level B services**" mean hospital- or nursing facility-based **acute** rehabilitation services for medically stable clients with new or exacerbated multiple sclerosis, mild head injuries, spinal cord injuries following the removal of the thoracic lumbar sacral orthosis (TLSO), and other medical conditions that require less complex nursing, medical and therapy needs as listed in WAC 388-550-2551(3).

#### NEW SECTION

**WAC 388-550-2521 Client eligibility requirements for acute PM&R services.** (1) Clients in any of the following medical programs are eligible to receive acute PM&R Level A and Level B services:

- (a) Children's health (V);
- (b) Categorically needy program (CNP);
- (c) Categorically needy program - qualified Medicare beneficiary (CNP-QMB);
- (d) General assistance - determination pending for disability (GAX);
- (e) Limited casualty program - medically needy program (LCP-MNP); and
- (f) Medically needy program - qualified Medicare beneficiary (MNP-QMB).

(2) Clients in any of the following programs may receive only **Level A** hospital-based services:

- (a) Medically indigent program (MIP) - emergency hospital-based and emergency transportation services. These clients may only receive services when:

- (i) They are transferred directly from an **acute** hospital stay; and
  - (ii) The client's **acute PM&R** needs are directly related to the emergency medical need for the hospital stay;
  - (b) General assistance unemployable (GAU - No out-of-state care);
  - (c) CNP - emergency medical only;
  - (d) LCP-MNP - emergency medical only; and
  - (e) Alcoholism and drug addiction treatment and support act (ADATSA) (GAW).
- (3) Clients in programs not listed in this section are not covered for **acute PM&R** services. See WAC 388-529-0100 and 388-529-0200 for scope of medical coverage.
- (4) If a client is enrolled in an MAA Healthy Options managed care plan at the time of acute care admission, that plan pays for and coordinates **acute PM&R** services as appropriate.

#### NEW SECTION

**WAC 388-550-2531 Requirements for becoming an MAA Level A or B acute PM&R provider.** (1) To provide **acute PM&R** services to medical assistance clients, a provider obtains MAA approval for the facility. To obtain MAA approval for the facility, the provider must:

- (a) Submit a letter of request;
  - (b) Include evidence that confirms the requirements listed in subsection (2) and (3) of this section are met; and
  - (c) Send the letter and documentation to:  
Acute PM&R Program Manager  
Division of Health Services Quality Support  
Medical Assistance Administration  
PO Box 45506  
Olympia WA 98504-5506
- (2) In order to be approved by MAA as a **Level A** provider, a hospital must be:
- (a) Medicare certified;
  - (b) **Accredited** by the joint commission on **accreditation** of hospital organizations (JCAHO);
  - (c) Licensed by department of health (DOH) as an acute care hospital (as defined by DOH in WAC 246-310-010, Definitions);
  - (d) **CARF accredited** for comprehensive integrated inpatient rehabilitation programs; and
  - (e) Operating per the standards set by DOH, excluding the certified rehabilitation registered nurse (CRRN) requirement, in either:
    - (i) WAC 246-976-830, Level I trauma rehabilitation designation; or
    - (ii) WAC 246-976-840, Level II trauma rehabilitation designation.
- (3) In order to be approved by and contracted with MAA as a **Level B** provider, a facility must be:
- (a) Medicare certified;
  - (b) Licensed by DOH as an acute care hospital (as defined by DOH in WAC 246-310-010, Definitions) or nursing facility;
  - (c) **CARF accredited** for comprehensive integrated inpatient rehabilitation programs;

(d) Contracted under MAA's selective contracting program, if in a selective contracting area, unless exempted from the requirement by MAA; and

(e) Operating per the standards set by DOH in WAC 246-976-840, Level II trauma rehabilitation designation, excluding the CRRN requirement.

(4) To obtain conditional contract approval, the applying facility must meet the criteria in subsections (1), (2) and/or (3) of this section, excluding the **CARF accreditation** requirement listed in section (2)(c) and (3)(c) of this section. The facility must:

- (a) Actively operate under **CARF** standards; and
  - (b) Have begun the process of obtaining full **CARF accreditation**.
- (5) MAA will revoke a conditional contract approval if the facility does not obtain full **CARF accreditation** within twelve months of the conditional approval date by MAA.

#### NEW SECTION

**WAC 388-550-2541 Quality of care for acute PM&R clients through audits and reviews.** (1) To ensure quality of care, MAA may conduct an on-site review of any MAA-approved **acute PM&R** facility. See WAC 388-501-0130, Administrative controls, for additional information on audits conducted by department staff.

(2) In addition, MAA-approved **Level B** nursing facilities are subject to regular on-site surveys conducted by the department's aging and adult services administration (AASA).

#### NEW SECTION

**WAC 388-550-2551 How MAA determines client placement in Level A or B acute PM&R.** (1) At the time of authorization, MAA determines the most appropriate client placement on a case-by-case basis:

- (a) In the level of care (level A or B);
  - (b) In the least restrictive environment; and
  - (c) At the lowest cost to MAA.
- (2) Examples of client conditions suitable for **Level A** placement include:
- (a) Cognitive and/or motor deficits;
  - (b) Brain damage from infectious brain diseases;
  - (c) Quadriplegia or paraplegia;
  - (d) Skin flap grafts for decubitus ulcers that need close observation by a surgeon, when the client is ready to mobilize or be upright in a chair;
  - (e) Extensive burns requiring complex medical care and debridement;
  - (f) Bilateral limb loss requiring close observation when the client has complex medical needs;
  - (g) Multiple trauma with complicated orthopedic conditions and neurological deficits; or
  - (h) Stroke with resulting hemiplegia or severe cognitive deficits, including speech and swallowing deficits requiring close observation with radiological examination.
- (3) Examples of client conditions suitable for **Level B** placement include:
- (a) New strokes when medically stable;

- (b) Newly diagnosed or recently exacerbated multiple sclerosis with new loss of function;
- (c) New mild head injury when medically stable; or
- (d) Spinal cord injuries following the removal of a thoracic lumbar sacral orthosis after the client's first phase of acute rehabilitation.

**Reviser's note:** The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

**WAC 388-550-2561 MAA's requirements for authorizing acute PM&R services.** (1) The patient care coordinator or the attending physician must call the MAA clinical consultation team before admitting an MAA client.

(2) The patient care coordinator or attending physician must provide to MAA objective information showing that:

(a) **Acute PM&R** treatment would effectively enable the client to obtain a greater degree of self-care, independence, or both;

(b) The client's medical condition requires that intensive twenty-four-hour inpatient comprehensive **acute PM&R** services be provided in an MAA-approved **acute PM&R** facility; and

(c) The client suffers from severe disabilities including, but not limited to, motor and/or cognitive deficits.

(3) Clients must be medically stable and show evidence that they are physically and cognitively ready to participate in the rehabilitation program. They must be willing and capable to participate at least three hours per day, seven days per week, in **acute PM&R** activities.

(4) For extension of authorization, the facility's rehabilitation staff must provide adequate medical justification, including significant observable improvement in the client's condition, to MAA prior to the expiration of the initial approved stay. If MAA denies the extension, the client must be transferred to an appropriate lower level of care as defined in WAC 388-550-2501(3).

(5) MAA may authorize administrative day reimbursement for clients who do not meet requirements described in this section, or who stay in the facility longer than the community standard's length of stay. The administrative day rate is the statewide Medicaid average daily nursing facility rate as determined by the department.

NEW SECTION

**WAC 388-550-3381 How MAA pays acute PM&R facilities for Level A services.** (1) A **Level A** rehabilitation facility is paid by MAA according to:

(a) The individual hospital's current ratio of costs-to-charges as described in WAC 388-550-4500, Payment method—RCC; and

(b) MAA's fee schedule as described in WAC 388-550-6000, Payment—Outpatient hospital services.

(2) **Level A** inpatient **acute PM&R** room and board includes, but is not limited to:

- (a) Facility use;
- (b) Medical social services;

- (c) Bed and standard room furnishings; and
- (d) Nursing services.

NEW SECTION

**WAC 388-550-3401 How MAA pays acute PM&R facilities for Level B services.** (1) MAA pays a contracted **Level B** facility for **acute PM&R** services at a fixed daily rate established by MAA.

(2) MAA may make cost inflation adjustments to the maximum daily rate by using the same inflation factor and schedule that MAA uses to pay independent hospitals. This diagnosis-related group (DRG) reimbursement method is described in WAC 388-550-3450 (5)(a).

(3) MAA pays the rate in effect at the time of a client's admission to a facility.

(4) Equipment and services identified in the **Level B** contract as excluded from the fixed daily rate are paid to the MAA provider that directly provides the equipment or services.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-550-2300                      Payment—PM&R.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-112                      Physical medicine rehabilitation evaluation and treatment.

**WSR 99-14-047**

**PROPOSED RULES**

**DEPARTMENT OF TRANSPORTATION**

[Filed June 30, 1999, 1:24 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-10-020.

Title of Rule: WAC 468-38-290 Farm implements.

Purpose: To provide economic relief to the farm community regarding permitting over-dimensional farm implements for movement on public roads, and regarding the use of escort/pilot vehicles.

Statutory Authority for Adoption: RCW 46.44.090.

Summary: The proposal changes the dimension requirements for acquiring an oversize permit, from 14' to 16' wide. Provides specific exemptions from escort/pilot vehicle operating rules for farmers operating their own equipment between their own fields.

Reasons Supporting Proposal: The agricultural community has some very unique needs and limited resources, especially regarding the use of escort/pilot vehicles, operating in rural areas. The proposal addresses these needs while main-

PROPOSED

taining a reasonable safety standard for the specific areas of operation.

Name of Agency Personnel Responsible for Drafting and Implementation: Barry Diseth, Washington State Department of Transportation, Olympia, (360) 664-9497; and Enforcement: Captain Colleen McIntyre, Washington State Patrol, Olympia, (360) 753-0350.

Name of Proponent: Washington State Department of Transportation, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule provides basic guidelines for the movement of over-dimensional farm implements; as defined in RCW 46.44.140 Farm implements—Special permits—Penalty, on public roads.

Proposal Changes the Following Existing Rules: It changes the dimension requirement for acquiring an oversize permit, from 14' wide to 16' wide. It also provides some specific exemptions regarding the use of escort/pilot vehicles by farmers operating their own equipment between their own fields, including: Size of vehicle(s), passengers in the vehicle, use of a height pole, and operator certification.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Did not meet the requirement.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Department of Transportation, Commission Board Room 1D2, Transportation Building, Olympia, Washington 98504, on August 20, 1999, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact TDD (360) 705-6980 by August 18, 1999.

Submit Written Comments to: Barry Diseth, Motor Carrier Services, P.O. Box 47367, Olympia, WA 98504-7367, fax (360) 664-9440, by August 18, 1999.

Date of Intended Adoption: August 20, 1999.

June 30, 1999

Gretchen P. White

for Gerald E. Smith

Deputy Secretary, Operations

**AMENDATORY SECTION** (Amending Order 46, Resolution No. 243, filed 5/20/85)

**WAC 468-38-290 Farm implements.** (1) A farm implement ((means)) includes any device that directly affects the production of agricultural products, including fertilizer and chemical applicator rigs and equipment auxiliary to them. For purposes of this section, it must weigh less than forty-five thousand pounds ~~((It must))~~, be less than twenty feet in width, and move on pneumatic tires, or solid rubber tracks having protuberances that will not hurt the highway, when on public highways ~~((and must be less than twenty feet wide))~~.

~~((Spray rigs including fertilizer or chemical applicator rigs or equipment auxiliary to any of these rigs are farm implements.~~

(2) Permits: Farm implements less than fourteen feet wide do not require a special permit for movement on state

~~highways other than fully controlled limited access highways:~~

~~A quarterly or annual permit to move farm implements may be purchased by a farmer or by a person engaged in the business of selling or maintaining farm implements. Such a permit or copy will allow the person or company identified on the permit to draw, drive, or haul any farm implement on state highways.~~

~~(3) Movements of oversize farm implements are subject to the following regulations:~~

~~(a) An unescorted farm implement shall travel at least five hundred feet behind other vehicles so as to allow other drivers to pass.~~

~~(b) If five or more vehicles line up behind a farm implement, the operator of the farm implement shall pull off the road at the first point wide enough to allow traffic to pass safely.~~

~~(c) Oversize farm implements may be moved only during daylight hours. Such movements are prohibited at the times and on those days listed in WAC 468-38-230.~~

~~The department may permit movements outside daylight hours during an emergent harvest season to a company or farmer who requests and receives permission in writing. Pilot cars are required for such movements as prescribed in subsection (4)(c) of this section.~~

~~(d) Convoying with pilot cars may be used to move farm implements. Two-way radio equipment shall be provided to the pilot cars.~~

~~(e) Lights: Requirements for hazard warning lights visible from one thousand feet, clearance lights, reflectors, and other lights shall be as prescribed in RCW 46.37.160.~~

~~(4) Flags, signs, and escorts are required for the movement of farm implements as follows:~~

~~(a) Flags: If the farm implement is over eight and one-half feet wide, it must display red flags at least twelve inches square so as to wave freely on all four corners of the vehicle and at the extreme ends of all protrusions, projections, or overhangs.~~

~~(b) Signs: If the farm implement is over eight and one-half feet wide, oversize load signs visible to oncoming and overtaking traffic must be displayed. These signs must meet the requirements of WAC 468-38-190. A farm implement preceded and followed by pilot cars is not required to display such signs.~~

~~(c) Escort cars: On two-lane state highways, escort cars must precede and follow if the farm implement is over twelve and one-half feet wide. Vehicles or loads whose width is between ten and twelve and one-half feet are exempt from having escort cars only when operating within fifty miles of the business owning the equipment.~~

~~On multiple-lane state highways, one escort car in the rear is required if vehicle or load is more than fourteen feet wide.~~

~~Other requirements for escort cars and their operation are prescribed by WAC 468-38-110.~~

~~When approval to use a flagperson instead of an escort vehicle is given, the permit shall specifically state that exemption.~~

~~(d) Posting a route may be used in lieu of escort cars if the route to be traveled is less than two miles. Signs reading~~

oversize vehicle moving ahead on a square at least three feet on each side shall be placed at points before the oversize farm implement enters or leaves the highway and at any entry points along the way. These signs must be removed immediately after the oversize movement has been completed.-) (2) Self-propelled farm implements, including a farm tractor pulling no more than two implements (no vehicle capable of carrying a load may pull more than one trailing implement, i.e., a truck of any kind) up to sixteen feet wide are exempt from acquiring a special motor vehicle permit for movement: Provided, That the movement of the implement(s) complies with the following safety requirements:

(a) Oversize signs: If the farm implement exceeds ten feet wide, it must display an "oversize load" sign(s) visible to both oncoming and overtaking traffic. Signs must comply with the requirements of WAC 468-38-190. If the implement is both preceded and followed by escort vehicles a sign will not be required on the implement itself.

(b) Curfew/commuter hours: Movement of a farm implement in excess of ten feet wide must also comply with any published curfew or commuter hour restrictions.

(c) Red flags: If the farm implement, moving during daylight hours, exceeds ten feet wide, the vehicle configuration must display clean, bright red flags at least twelve inches square, so as to waive freely at all four corners, or extremities, of the overwidth implement and at the extreme ends of all protrusions, projections or overhangs. If the transported implement exceeds the end of the trailer by more than four feet, one flag is required at the extreme rear, also, if the width of the protrusion exceeds two feet, there shall be required two flags at the rear of the protrusion to indicate the maximum width.

(d) Warning lights: Lamps, and other lighting must be in compliance with RCW 46.37.160 Hazard warning lights and reflectors on farm equipment—Slow moving vehicle emblem. The slow moving vehicle emblem is for equipment moving at a speed of twenty-five miles per hour or less.

(e) Convoys: Farm implement convoys shall maintain at least five hundred feet between vehicles to allow the traveling public room to pass safely. If five or more vehicles become lined up behind an implement, escorted or unescorted, the driver/operator of the transported implement, and escorts, if any, shall pull off the road at the first point wide enough to allow traffic to pass safely. Convoying of farm implements is permitted with properly equipped escort vehicles.

(f) Escort vehicles: In general, the use of escort vehicles must comply with WAC 468-38-110 Escort vehicle requirements and WAC 468-38-100, which covers when escort vehicles are required. The following specific exemptions are provided:

(i) A farmer operating his own equipment, or operated by his employee (to include farmers working in a cooperative effort with their neighbors, but not to include commercial for hire farming operations), in transport between his own fields, is exempt from WAC 468-38-110 (5)(a) and (b), (6), (11)(e), and (16)(a) and (b) when operating off of the interstate and on the following rural interstate segments:

I-90 between Exit 109 (Ellensburg) and Exit 270 (Tyler);

I-82 between junction with I-90 (Ellensburg) and Exit 31 (Yakima);

I-82 between Exit 37 (Union Gap) and Exit 102 (West Richland);

I-82 between Exit 114 and the Washington/Oregon border;

I-182 between junction with I-82 (West Richland) and junction with SR-395;

I-5 between Exit 208 (near Marysville) and Exit 250 (near Bellingham).

(ii) On two-lane highways, one escort vehicle must precede the implement(s) and one escort vehicle must follow the implement(s) when the width exceeds twelve and one-half feet wide; implements not exceeding twelve and one-half feet wide are exempt from using escort vehicles.

(iii) On multiple-lane highways, one escort in the rear is required if the vehicle exceeds fourteen feet wide.

(iv) A flagperson(s) may be used in lieu of an escort(s) for moves of less than five hundred yards. This allowance must be stated on any permit that may be required for the move.

(g) Road posting: Posting a route may be used in lieu of escort vehicles if the route to be traveled is less than two miles. Signs reading "oversize vehicle moving ahead" on a square at least three feet on each side (in diamond configuration), with black lettering on orange background, shall be placed at points before the oversize implement enters or leaves the highway and at any entry points along the way. The signs must be removed immediately after the move has been completed.

(3) Farm implements exceeding sixteen feet wide, but not more than twenty feet wide, are required to have a special motor vehicle permit for movement on state highways. A quarterly or annual permit may be purchased by a farmer, or any person engaged in the business of selling and/or maintaining farm implements, to move within a designated area, generally three to four counties. The permit is required to be physically present at the time of movement. In addition to the safety requirements listed in subsection (2) of this section, notification of a move must be made to all Washington state patrol detachment offices or Washington department of transportation maintenance areas affected by the move, to determine if the route is passable. Phone listings are provided with each permit.

## WSR 99-14-052

### PROPOSED RULES

### STATE BOARD FOR

### COMMUNITY AND TECHNICAL COLLEGES

[Filed June 30, 1999, 3:58 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-09-017.

Title of Rule: Retirement rule revisions, WAC 131-16-021.

Purpose: PLEASE NOTE: This filing supersedes WSR 99-14-019 and 99-13-043 respectively. Clarifies that part-time

faculty and administrators employed at 50% or more within the community and technical college system are eligible for the plan. Clarifies consecutive employment.

Statutory Authority for Adoption: Chapter 28B.50 RCW.

Statute Being Implemented: WAC 131-16-021.

Summary: See Purpose above. At its June state board meeting, there was discussion about language needed that would clarify eligibility and are to clarify what constitutes "consecutive" employment.

Reasons Supporting Proposal: To make rules consistent throughout the community and technical college system.

Name of Agency Personnel Responsible for Drafting and Implementation: John Boesenberg, 319 7th Avenue, Olympia, WA, (360) 753-3661; and Enforcement: Howard Fischer, Senior Assistant Attorney General, Education Division, (360) 586-2789.

Name of Proponent: State Board for Community and Technical Colleges, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above. Clarifies eligibility of participants in the TIAA/CREF retirement plan as outlined in WAC 131-16-021.

Proposal Changes the Following Existing Rules: [No information supplied by agency.]

No small business economic impact statement has been prepared under chapter 19.85 RCW. Nonapplicable.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Whatcom Community College, 237 West Kellogg Road, Bellingham, WA, on September 16, 1999, at 10:15 a.m.

Assistance for Persons with Disabilities: Contact e-mail [ckrueger@sbctc.ctc.edu](mailto:ckrueger@sbctc.ctc.edu), or (360) 586-6440, by September 7, 1999.

Submit Written Comments to: J. Boesenberg, State Board for Community and Technical Colleges, P.O. Box 42495, Olympia, WA 98504-2495, fax (360) 586-6440, by September 1, 1999.

Date of Intended Adoption: September 16, 1999.

June 29, 1999

Claire C. Krueger

Executive Assistant and Administrative

Rules Contracts Coordinator

**AMENDATORY SECTION** (Amending WSR 98-14-033, filed 6/23/98, effective 7/24/98)

**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 ~~((who))~~, effective July 1, 1999, are assigned a cumulative total of at least ~~((eighty))~~ 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 ~~((or whose employment meets the requirements for an "eligible position" as defined by the Washington state teachers retirement system))~~. (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 ~~((by the same appointing authority. For the purpose of this section, spring and fall quarters shall be considered as consecutive periods of employment))~~ within the community and technical college system. 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 participate 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(1).

PROPOSED

**WSR 99-14-066**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Aging and Adult Services)

[Filed July 2, 1999, 11:42 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-11-051.

Title of Rule: New rules for program of all-Inclusive care for the elderly (PACE), WAC 388-71-0800 What is PACE? WAC 388-71-0805 What services does PACE cover? WAC 388-71-0810 Who provides these services? WAC 388-71-0815 Where are these services provided? WAC 388-71-0820 How do I qualify for Medicaid-funded PACE services? WAC 388-71-0825 What are my appeal rights? WAC 388-71-0830 Who pays the PACE provider? WAC 388-71-0835 How do I enroll into the PACE program? WAC 388-71-0840 How do I disenroll from the PACE program? WAC 388-71-0845 What are my rights as a PACE participant?

Purpose: To adopt rules on a new long-term care option, PACE.

Statutory Authority for Adoption: RCW 74.04.057, 74.08.090, 74.09.520, and 74.39A.030.

Statute Being Implemented: RCW 74.09.520, 74.08.390.

Summary: Rules define the PACE program, the types of services covered, and who is eligible for services under this program.

Reasons Supporting Proposal: Necessary to notify the public their options and rights under this new long-term care program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Brooke Buckingham, 600 Woodland Square Loop, Lacey, WA, (360) 493-2544.

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: The rule is intended to formalize procedures and program criteria, so that: (1) Clients receiving services from program will be aware of their rights, and (2) persons authorizing services will be using standard protocols.

Proposal Changes the Following Existing Rules: [No information supplied by agency.]

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required because the rule does not impact small businesses.

RCW 34.05.328 applies to this rule adoption. The rules do meet the definition of "significant legislative rule," but DSHS is exempt from preparing a cost benefit analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 10, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by July 30, 1999.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by August 10, 1999.

Date of Intended Adoption: September 9, 1999.

June 29, 1999

Marie Myerchin-Redifer, Manager  
 Rules and Policies Assistance Unit

NEW SECTION

**WAC 388-71-0800 What is PACE?** (1) PACE, which stands for the program of all-inclusive care for the elderly, is a managed care program that provides:

(a) Comprehensive, coordinated acute medical and long-term care services for a frail elderly population; and

(b) A home and community-based alternative to nursing facility care.

(2) PACE is a Medicare/Medicaid program, authorized under section 1934 of the Social Security Act and administered by the department. The laws allow the department to expand home and community-based care options for the frail elderly population.

NEW SECTION

**WAC 388-71-0805 What services does PACE cover?** Under their contract with the department, the PACE provider develops a care plan that integrates necessary long-term care and acute medical services.

(1) The care plan includes, but is not limited to any of the following long-term care services:

(a) Case management, to access and monitor services;

(b) Home and community based services:

(i) Personal (in-home) care;

(ii) Residential care (e.g., boarding home, adult family home).

(c) And, if necessary, nursing facility care.

(2) The care plan may also include, but is not limited to the following medical services:

(a) Routine medical care;

(b) Vision care;

(c) Hospice care;

(d) Speech, occupational, and physical therapy;

(e) Oxygen therapy;

(f) Audiology (including hearing aids);

(g) Transportation;

(h) Podiatry;

(i) Durable medical equipment (e.g., wheelchair);

(j) Dental care;

(k) Pharmaceutical products;

(l) Shots.

NEW SECTION

**WAC 388-71-0810 Who provides these services?** (1) A PACE multidisciplinary team, with the help of the client, family, and caseworker, develops and delivers necessary



long-term care and acute medical services. Members of the team may include:

- (a) Primary care physicians and nurses;
  - (b) Therapists;
  - (c) Home care workers;
  - (d) Social workers;
  - (e) Transportation coordinators.
- (2) As needed, the PACE provider may subcontract with other qualified professionals to provide services.

#### NEW SECTION

**WAC 388-71-0815 Where are these services provided?** Most of the covered services are offered at the PACE site, which is a licensed adult day health center. The PACE team may also provide care in homes, hospitals, and nursing homes.

#### NEW SECTION

**WAC 388-71-0820 How do I qualify for Medicaid-funded PACE services?** To qualify for Medicaid-funded PACE services, you must apply for an assessment by contacting your local Home and Community Services office. A case worker will assess and determine whether you:

- (1) Are age:
  - (a) Fifty-five or older, and blind or disabled as defined in WAC 388-15-202, Long-term care services—Definitions; or
  - (b) Sixty-five or older.
- (2) Need nursing facility level of care as defined in WAC 388-97-235, titled Medical eligibility for nursing facility care. Note: If you are already enrolled, but no longer need nursing facility care, you might still be eligible for PACE services if the case manager reasonably expects you to need nursing facility care within the next six months;
- (3) Live within the designated service area of the PACE provider, currently the central Seattle area; and
- (4) Meet financial eligibility requirements. This means the department will assess your finances and determine if your income and resources fall within the limits set in WAC 388-513-1315, Eligibility determination—Institutional.

#### NEW SECTION

**WAC 388-71-0825 What are my appeal rights?** If the department determines you are ineligible, but you disagree, you may appeal the department's decision. For more information on your appeal rights, refer to chapter 388-08 WAC, Practice and procedures—Fair hearing.

#### NEW SECTION

**WAC 388-71-0830 Who pays the PACE provider?** Depending on your income and resources, you may be required to pay for part of the PACE services. The department's financial worker will determine what amount, if any, you must contribute if you decide to enroll. The department pays the PACE provider the remaining amount.

#### NEW SECTION

**WAC 388-71-0835 How do I enroll into the PACE program?** Once you qualify for PACE, enrollment into the program is voluntary. However, before you can join, you must:

- (1) Not be enrolled in any other medical coverage plan that purchases services on a prepaid basis (e.g., HMO); and
- (2) Agree to receive services exclusively from the PACE provider.

#### NEW SECTION

**WAC 388-71-0840 How do I disenroll from the PACE program?** (1) You may voluntarily choose to disenroll from the PACE program. To do so, you must give the provider written notice. If you give notice:

- (a) Before the fifteenth of the month, disenrollment is effective at the end of the month.
- (b) After the fifteenth, disenrollment is not effective until the end of the following month.
- (5) The PACE provider may also end services, if you:
  - (a) Move out of the designated service area;
  - (b) Exhibit violent or abusive behavior or fail to cooperate with the provider to the point where the provider cannot effectively or safely provide services;
  - (c) Refuse services and/or do not participate in your agreed-upon care plan;
  - (d) Fail to pay or make arrangements to pay your part of the costs after the thirty-day grace period;
  - (e) Become financially ineligible for Medicaid services, unless you choose to pay privately; or
  - (f) Are enrolled with a provider that loses its license and/or contract.
- (6) For any of the above reasons, the provider must give you written notice, explaining that they are terminating benefits. If the provider gives you notice:
  - (a) Before the fifteenth of the month, then you may be disenrolled at the end of the month.
  - (b) After the fifteenth, then you may be disenrolled at the end of the following month.
- (7) Before the provider can disenroll you from the PACE program, the department must review and approve all proposed involuntary disenrollments.

**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.

#### NEW SECTION

**WAC 388-71-0845 What are my rights as a PACE participant?** You have a right to:

- (1) Receive any information regarding your care under PACE;
- (2) Participate in creating or changing your treatment plan;
- (3) Receive confidential treatment;
- (4) Disenroll at any time; and
- (5) Voice grievances when a disagreement exists. For information on resolving a disagreement, refer to your contract with the PACE provider.

**WSR 99-14-072**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed July 6, 1999, 1:15 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-04-066.

Title of Rule: Farm milk storage tanks and bulk milk tanker—Requirements, chapter 16-125 WAC.

Purpose: To update requirements covering bulk milk tanks and bulk milk tankers to current standards and update references. It removes requirements that are no longer used by the department.

Statutory Authority for Adoption: RCW 15.36.020.

Statute Being Implemented: Chapter 15.36 RCW, Fluid milk.

Summary: Scheduled review of rule showed that references and some requirements concerning installation of tanks were outdated. The rule was reviewed also by industry, the departments' Food Safety Advisory Committee (FSAC) and the departments' Dairy Inspection Program Advisory Committee (DIPAC). Comments received were incorporated into the language of the rule whenever possible and references were updated.

Reasons Supporting Proposal: Rule had not been reviewed or updated since 1984, it contained outdated references and some provisions no longer necessary because of changed circumstances.

Name of Agency Personnel Responsible for Drafting: Verne E. Hedlund, P.O. Box 42560, Olympia, WA 98504, (360) 902-1860; Implementation and Enforcement: Mike Donovan, P.O. Box 42560, Olympia, WA 98504, (360) 902-1883.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule was reviewed for accuracy, clarity and application under current circumstances. It was amended in order to clarify the language and requirements. The references to standards and other requirements were updated as they were no longer current. The sections including requirements for tank installation were repealed, as the department no longer reviews them. This update will improve the rule as a source of current information on applicable standards and reference materials. It will be more clear, easier to use and requirements that are no longer used have been repealed.

Proposal Changes the Following Existing Rules: It updates the references in the rule, it repeals sections of rule that are no longer used and it clarifies the language of the rule.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule change has no economic impact on small businesses.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Washington State Department of Agriculture, Natural Resources Building, 1111 Washington Street, Room 259, Olympia, WA 98504, on August 11, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Julie Carlson by August 2, 1999, TDD (360) 902-1996, or (360) 902-1880.

Submit Written Comments to: Verne E. Hedlund, 1111 Washington Street, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2087, by August 11, 1999, 5:00 p.m.

Date of Intended Adoption: August 25, 1999.

July 6, 1999

Candace A. Jacobs, DVM

Assistant Director

### Chapter 16-125 WAC

#### FARM MILK STORAGE TANKS AND BULK MILK TANKER—REQUIREMENTS

AMENDATORY SECTION (Amending Order 1840, filed 9/5/84)

**WAC 16-125-010 Definitions.** (1) "Director" means the director of the department of agriculture (~~of the state of Washington~~), or his/her duly authorized representative.

(2) "Bulk milk hauler" means the (~~person~~) licensed dairy technician who has primary responsibility for the measuring, weighing, or grading of milk and the collection of samples at the farm (~~and is properly licensed by the director~~).

(3) "Bulk milk hauling" means the transportation of milk or milk products from the (~~place where it is produced~~) producer to a milk processing plant or between milk processing plants, (performed) by vehicles belonging to an individual or corporation operating under (~~permit from the director~~) a bulk milk hauler's license.

(4) "3A standards" means current sanitary standards for dairy equipment and accepted practices as published in the (~~Journal of Food Protection~~) Dairy Food and Environmental Sanitation magazine of the International Association of Milk, Food and Environmental Sanitarians (IAMFES).

AMENDATORY SECTION (Amending Order 1283, filed 1/29/73)

**WAC 16-125-020 Construction.** All new farm tanks must conform with the 3-A sanitary standards for farm milk cooling and holding tanks. Whenever a ladder or platform is needed for sampling, measuring or other purposes, it must be permanently attached to the tank or a wall. All calibrated rods (~~and~~) must be identified with the serial number of the tank. Sight glass tubes must be of one-piece construction and permanently attached to the farm tank. All sight glass tubes must be cleaned with a Clean-in-Place (C.I.P.) system.

AMENDATORY SECTION (Amending Order 1283, filed 1/29/73)

**WAC 16-125-030 Installation.** Before any person installs a new tank or relocates a used tank, he or she must file (~~with the director~~) drawings and detailed information about where and how the milk storage tank is to be (~~put on the farm~~) installed with the director. There (~~shall~~) must be a

minimum of two feet clearance between the sides of the tank and the walls of the milkhouse or other permanent equipment and a minimum of three feet on the working side of the tank and at the outlet valve ~~((and))~~. Adequate additional space necessary for normal milkhouse operations ~~((is to))~~ must be provided. There ~~((shall))~~ must be at least 30 inches clearance between the top of the pouring tank lip and the ceiling ~~((and))~~. Adequate space must be provided above the tank to accommodate ~~((the length of))~~ the measuring rod.

Provisions of the National Bureau of Standards' Handbook 44 Code on Farm Milk Tanks as adopted under chapter 19.94 RCW applicable to installation and use shall be applicable.

### NEW SECTION

**WAC 16-125-035 Farm tank pickup and washing requirements.** (1) All milk must be picked up at least every forty-eight hours from farm tanks.

(2) All farm tanks must be emptied, washed and sanitized at least once every forty-eight hours.

AMENDATORY SECTION (Amending Order 1840, filed 9/5/84)

**WAC 16-125-120 Bulk milk tanker requirements.** All bulk milk tankers operating in the state of Washington ~~((shall))~~ must comply with the provisions of 3A standard ~~((05-13))~~ 05-14. Additional requirements are:

(1) Trucks and trailers with remote pumps, mounted on tractor or front trailer, and a system of external hoses and/or piping may be used: Provided, That

(a) External flexible hoses meet the following requirements:

(i) Hoses are the thick walled rubber type and meet 3A standards ~~((18-00,))~~ 18-01, 62-01 and 63-01 except for pump box hoses.

(ii) Hoses are capped with a sanitary cap when not in use.

(b) Piping along the length of the trailer is of the fixed type and meets the following requirements:

(i) The pipe is stainless steel and meets the requirements of 3A standards ~~((09-07 and 33-00))~~ 63-02 and 33-01. Other materials may be used ~~((after approval has been received from))~~ if they are approved by the Milk Safety Branch of the Food and Drug Administration.

(ii) The sanitary piping is enclosed in an insulated holder and both the sanitary piping and the holder are capped with a dust tight cap when disconnected.

(c) Sanitary air ~~((which))~~ that meets the requirements of 3A standard ~~((604-03))~~ 64-04 may be used to remove residual milk from the external piping system.

(d) Any milk in the external piping system that exceeds forty-five degrees Fahrenheit is discarded.

(e) Adequate facilities ~~((shall))~~ must be provided at all receiving stations for the proper cleaning and ~~((sanitization))~~ sanitizing of tankers including the external lines and valves.

(2) All external valves on a tanker ~~((shall))~~ must be provided with a means of protection against dust, dirt, and road debris.

(a) Outlet valves ~~((shall))~~ must be protected by dust tight covers ~~((which))~~ that will comply with 3A standard ~~((05-13))~~ 05-14.

(b) Inlet valves and valves with attached hoses ~~((shall))~~ must be protected by a relatively dust tight cover. This cover may be:

(i) Stainless steel with an opening for the connection of hoses ~~((which))~~ that is sealed with a flexible material that will prevent the entrance of dust, dirt, or road debris.

(ii) A flexible mounting made of rubber or other approved material ~~((which))~~ that is close fitting, smooth, impervious, and easily removable for cleaning.

(iii) Any other ~~((type))~~ cover for which plans have been submitted to and approved by the director.

(c) All valves not connected to hoses ~~((shall))~~ must have a sanitary cap and an approved dust cover on them.

(3) Markings on each truck or trailer ~~((shall))~~ must be sufficient to ~~((allow inspection personnel to))~~ identify the owner of the truck or trailer.

(4) Cleaning and bactericidal treatment of all product contact surfaces including valves, hoses, covers, connections, appurtenances, pumps, and pump compartment of each tanker, when used, ~~((shall))~~ must be accomplished at least once every twenty-four hours ~~((by the receiving plant))~~ after first use. If the tanker is not used for hauling milk for seventy-two hours after cleaning and sanitizing it must be sanitized again before it may be used for hauling milk. After sanitization each tanker ~~((shall))~~ must be tagged to show the date washed, place washed, and initials or signature of the person who washed the tanker. This wash tag ~~((shall))~~ must not be removed until the tanker is rewashed. It shall be the responsibility of the bulk milk hauler to ensure that the wash tag is present and that the tank is in fact clean prior to commencing his route.

(5) ~~((For violations of WAC 16-125-120 a condemnation tag shall be affixed to the tanker outlet valve by the director. Any tanker so tagged may not be used to transport grade A milk until the violation(s) have been corrected and the condemnation tag removed by the director.~~

~~((In the event of serious or repeated violations of WAC 16-125-120 the contents of the tanker shall be lowered to Grade C.~~

~~((7) Any Grade A plant or receiving station unloading milk from a tanker bearing a condemnation tag or from a tanker that has not been properly cleaned may have that load lowered to Grade C. If the load has commingled with other milk the entire amount may be lowered to Grade C.~~

~~((8) All Grade A milk shall be picked up at least every forty-eight hours.~~

~~((9) All farm tanks shall be emptied and washed at least every forty-eight hours.~~

~~((10)) Plans and drawings relating to tankers submitted to the director ~~((shall))~~ will be treated with confidentiality except as required under Public Disclosure Act, chapter 42.17 RCW.~~

(6) Bulk milk tankers must meet the requirements under chapter 69.04 RCW and the rules adopted thereunder for transportation of food.

**AMENDATORY SECTION** (Amending Order 1902, filed 8/8/86)

**WAC 16-125-200 Recording thermometers—Installation.** (1) ~~((After January 1, 1987:))~~ All new farm bulk tank installations ~~((shall))~~ must include a recording thermometer and an automatic interval timer. Installation of a used milk tank ~~((shall))~~ will be ~~((constructed))~~ regarded as a new installation.

(2) The installation and operation of recording thermometers and interval timers shall be the responsibility of the holder of the Grade A producer permit.

(3) ~~((A))~~ Recording devices ~~((shall))~~ must not be ~~((installed on or))~~ attached to a farm tank. ~~((It))~~ Recording devices may be suspended on metal brackets from the ceiling, firmly attached to the inside wall of the milk room, or at any other location acceptable to the department. The recording device must be mounted no more than six feet from the floor or be otherwise accessible from the floor without the necessity of climbing.

(4) The sensor bulb or device ~~((shall))~~ must be ~~((so))~~ located so as to record the temperature of the milk in the tank before the milk reaches ~~((ten))~~ twenty percent of the tank volume. A capillary system containing toxic gas or liquids ~~((shall))~~ must not be used in a bare bulb sensor device.

(5) The recorder and chart ~~((shall))~~ must be capable at a minimum of recording from thirty-two degrees to one hundred eighty degrees ~~((Fahrenheit))~~ F, or above, and ~~((shall))~~ must be accurate within plus or minus two degrees F.

(6) The case of the recording device ~~((shall))~~ must be moisture-proof under operating conditions in the milk house or milk room.

~~((Means shall be provided for sealing the recording pen arm setting.~~

~~((8))~~ The recording chart ~~((shall))~~ must make at a minimum one revolution every seven days. A strip chart ~~((shall))~~ must not be used.

~~((9))~~ (8) The recording clock ~~((shall))~~ must be electrically operated. The recorder pen ~~((shall reflect))~~ must be set to the actual time.

~~((10))~~ (9) If at any time, the recording device becomes inoperable or out of tolerance, the inspection service and the pooling agent or hauler ~~((shall))~~ must be notified immediately by the producer. Repair or replacement of the device ~~((shall))~~ must be made as soon as possible.

~~((11))~~ (10) The producer ~~((shall))~~ must maintain an adequate supply of recording charts. The charts ~~((shall be of those recommended for))~~ must fit the specific instrument ~~((which is))~~ installed.

~~((12))~~ (11) To ~~((preclude))~~ prevent stratification~~((;))~~ of the milk in the tank the interval timer ~~((shall))~~ must be set ~~((and adjusted))~~ so the milk will be agitated ~~((for not less than a))~~ for at least five minutes ~~((period with a frequency of))~~ every hour.

**AMENDATORY SECTION** (Amending Order 1902, filed 8/8/86)

**WAC 16-125-210 Recording thermometer—Operation.** (1) Milk and milk products for consumption in the raw

state or for pasteurization ~~((shall))~~ must be cooled to forty degrees ~~((Fahrenheit))~~ F or lower within two hours ~~((of))~~ after completion of milking and maintained at that temperature until picked up~~((, as determined in accordance with RCW 15.36.110))~~: Provided, That the blend temperature after the first and subsequent milkings ~~((does))~~ may not exceed fifty degrees ~~((Fahrenheit))~~ F.

(2) In making a milk pick-up, the licensed grader and sampler ~~((shall))~~ must:

(a) Remove the chart from the recorder before the chart has lapsed;

(b) Mark the date and time of pick-up;

(c) Sign the chart;

(d) Date and install a new chart, ~~((as))~~ if necessary;

(e) File the completed charts under protected conditions, provided for by the producer, unless they are taken to the purchaser's premises for his review.

(f) If the charts are taken from the dairy farm, they ~~((shall))~~ must be returned within ten days from the date they were taken: Provided, That subject to the approval of its members and the department, a pooling agent, processing plant, receiving plant or regular place of business may file the recording thermometer charts at its place of business.

(g) The official milk temperature must be taken with an accurate, properly calibrated thermometer.

(3) The temperature recording charts may be used for more than one pick-up: Provided, That all the pick-ups occur within the maximum time interval of the chart. When the chart is used for more than one pick-up, the licensed grader and sampler ~~((shall))~~ must identify each lot of milk with the date, time of pick-up and his/her signature.

(4) Before removing milk from a farm bulk tank, the licensed grader and sampler ~~((shall))~~ must check the recording chart. If the licensed grader and sampler finds milk temperature variations extending beyond the legal limits, he/she ~~((shall))~~ must immediately notify the producer, or in the absence of the producer, an employee, and the producer's marketing agent. The licensed grader and sampler ~~((shall))~~ must sign the chart noting the date, time, stick reading and indicate that a temperature infraction has occurred. The producer's marketing agent ~~((shall))~~ must notify the department of agriculture of temperature standard violations detected through the official milk quality testing program. Temperature standard violations reported to the department will become part of the producer's official record.

~~((a))~~ Milk stored at temperatures beyond the legal limits shall be tested by a representative of the producer's marketing agent and determined to be of acceptable quality before the milk can be picked up as Grade A milk.

~~((b))~~ If milk stored at temperatures beyond the legal limits is determined to be of unacceptable quality by a representative of the producer's marketing agent, the milk in question is subsequently picked up as manufacturing milk or condemned.

(5) Except as otherwise provided in subsection (2) of this section, recorder charts ~~((shall))~~ must be held at the dairy farm for ninety days and ~~((shall))~~ be made available to the ~~((dairy sanitarian))~~ director.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 16-125-040 Tolerances.
- WAC 16-125-050 Authorized calibrators.
- WAC 16-125-060 Calibration charts.
- WAC 16-125-070 Calibration required.
- WAC 16-125-080 Calibration (gaging) procedure.
- WAC 16-125-090 Checking (testing) procedure.
- WAC 16-125-100 Sealing legs.

**WSR 99-14-077**

**WITHDRAWAL OF PROPOSED RULES**

**DEPARTMENT OF FINANCIAL INSTITUTIONS**

(By the Code Reviser's Office)

[Filed July 6, 1999, 3:34 p.m.]

WAC 460-21B-060 and 460-22B-090, proposed by the Department of Financial Institutions in WSR 99-01-155 appearing in issue 99-01 of the State Register, which was distributed on January 6, 1999, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 99-14-078**

**WITHDRAWAL OF PROPOSED RULES**

**DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

(By the Code Reviser's Office)

[Filed July 6, 1999, 3:34 p.m.]

WAC 388-444-0020, proposed by the Department of Social and Health Services in WSR 99-01-115 appearing in issue 99-01 of the State Register, which was distributed on January 6, 1999, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 99-14-081**

**PROPOSED RULES**

**HEALTH CARE AUTHORITY**

[Order 99-04—Filed July 7, 1999, 11:21 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-11-099.

Title of Rule: Chapter 182-12 WAC, Eligible and noneligible employees.

Purpose: WAC 182-12-111 condenses rules for different eligible groups (political subdivisions and school districts) into one standard for group participation requirements and eliminates duplication. WAC 182-12-119 clarifies the language regarding eligibility for "extended dependents" and the court order necessary to demonstrate legal custody.

Statutory Authority for Adoption: Chapter 41.05 RCW. Statute Being Implemented: RCW 41.05.160.

Summary: WAC 182-12-111 condenses rules for different eligible groups (political subdivisions and school districts) into one standard for group participation requirements and eliminates duplication. WAC 182-12-119 clarifies the language regarding eligibility for "extended dependents" and the court order necessary to demonstrate legal custody.

Name of Agency Personnel Responsible for Drafting: Mich'l Needham, Health Care Authority, 923-2735; Implementation and Enforcement: MaryAnne Lindeblad, Health Care Authority, 923-2640.

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: WAC 182-12-111, condenses two different sets of requirements and combines them into one set of criteria for groups interested in participating in the PEBB insurance program. This will streamline the rules and the administration of this program (i.e., one standard form, and one standard booklet).

WAC 182-12-119, inserts clarifying language into WAC and replaces confusing terminology (i.e. "foster children" for PEBB are not DSHS foster children so this uses a more neutral term "extended dependents."

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required. The Joint Administrative Rules Review Committee has not requested the filing of a small business economic impact statement, and costs to businesses will be negligible.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 does not apply to Health Care Authority rules unless requested by the Joint Administrative Rules Review Committee or applied voluntarily.

Hearing Location: Tyee Hotel, Skokomish Room, Tumwater, Washington, on August 10, 1999, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Nikki Johnson by August 4, 1999, TDD (888) 923-5622, or (360) 923-2805.

**PROPOSED**

Submit Written Comments to: Mich'l Needham, fax  
(360) 923-2602, by August 17, 1999.

Date of Intended Adoption: September 4, 1999.

July 7, 1999

Elin Meyer

Rules Coordinator

AMENDATORY SECTION (Amending WSR 97-21-127,  
filed 10/21/97, effective 11/21/97)

**WAC 182-12-111 Eligible entities and individuals.**

The following entities and individuals shall be eligible to participate in PEBB insurance plans subject to the terms and conditions set forth below:

(1) State agencies. Every department, division, or separate agency of state government, including all state higher education institutions, including the higher education coordinating board, and the state board for community and technical colleges is eligible and required to participate in all PEBB approved plans. Insurance and health care contributions for ferry employees shall be governed by RCW 47.64.270.

Employees of technical colleges previously enrolled in a benefits trust may terminate PEBB coverage by January 1, 1996, or the expiration of the current collective bargaining agreements, whichever is later. Employees electing to terminate PEBB coverage have a one-time re-enrollment option after a five year wait. Employees of a bargaining unit may terminate only as an entire bargaining unit. All administrative or managerial employees may terminate only as an entire unit.

Technical colleges with employees enrolled in a benefits trust shall remit to the HCA a retiree remittance as specified in the omnibus appropriations act, for each full-time employee equivalent. The remittance may be prorated for employees receiving a prorated portion of benefits.

(2) Employees of employee organizations representing state civil service employees, at the option of each employee organization, and, effective October 1, 1995, employees of employee organizations currently pooled with employees of school districts for the purpose of purchasing insurance benefits, at the option of such employee organization.

(3) Employees of a school district, educational service district, county, municipality, or other political subdivision of the state may participate in PEBB insurance programs provided:

(a) All eligible employees of the entity transfer to PEBB plan coverage as a unit. ~~((Bargaining units with other group coverage mandated by their collective bargaining agreement will be permitted to waive PEBB coverage as an entire unit, with the approval of the HCA.))~~ If the employer group meets the minimum size standards established by HCA, bargaining units may elect to participate separately from the whole group, and the nonrepresented employees may elect to participate separately from the whole group provided all nonrepresented employees join as a group.

(b) The legislative authority or the board of directors obligates itself to participate in all PEBB insurance plans. The PEBB medical ~~((and dental plans))~~ must be the only employer sponsored medical ~~((and dental))~~ plans available to all eligible employees.

(c) The legislative authority of the entity or the board of directors submits an application together with employee census data and, if available, prior claims experience of the entity to the HCA. The application to participate in the PEBB plans is subject to the approval of the HCA.

(d) The legislative authority or the board of directors agrees to maintain its PEBB plan participation for a minimum of one full year, and then through the end of the plan year.

(e) The terms and conditions for the payment of the insurance premiums shall be set forth in the provisions of the bargaining agreement or terms of employment and shall comply with the employer contribution requirements specified in the governing statute. These provisions, including eligibility, shall be subject to review and approval by the HCA at the time of application for participation. Any substantive changes will be submitted to HCA.

(f) The eligibility requirements for dependents shall be the same as the requirements for dependents of the state employees and retirees as defined in WAC 182-12-119.

(g) The legislative authority or the board of directors shall provide the HCA written notice of its intent to terminate PEBB plan participation no later than thirty days prior to the effective date of termination. If a county, municipality, or political subdivision, or employees of employee organizations as defined in WAC 182-12-111(2) terminates coverage in PEBB insurance plans, retired and disabled employees who began participating after September 15, 1991, will no longer be eligible to participate in PEBB insurance plans beyond the mandatory extension requirements specified in WAC 182-12-215.

~~((f) The HCA administrator approves the entity's application.~~

~~(4) School districts and educational service districts. Bargaining units and nonrepresented employees of school districts and educational service districts of the state may participate in PEBB insurance programs provided:~~

~~(a) The PEBB plans must be the only medical and dental plans made available to the members of the bargaining unit through their employment by the school district or educational service district.~~

~~(b) All eligible employees of the bargaining unit transfer as a unit and all nonrepresented employees transfer as a unit.~~

~~(c) The terms and conditions for the payment of insurance premiums shall be set forth in the provisions of the bargaining agreement and shall comply with the employer contribution requirements specified in RCW 28A.400.280. These provisions of the collective bargaining agreement, including eligibility, shall be subject to review and approval by the PEBB at the time of application for participation.~~

~~(d) The application to participate in the PEBB plans is subject to the approval of the HCA.~~

~~(e) The eligibility requirements for dependents of school district and educational service district employees shall be the same as the requirements for dependents of the state employees and retirees as defined in WAC 182-12-115(10).~~

~~(f) The bargaining unit or unit of nonrepresented employees must agree to maintain its PEBB plan participation for a minimum of one full year, and then through the end of the school year.~~

~~(5))~~ (4) Eligible nonemployees:

(a) Dislocated forest products workers enrolled in the employment and career orientation program pursuant to chapter 50.70 RCW shall be eligible for PEBB medical and dental plan coverage while enrolled in that program.

(b) School board members or students eligible to participate under RCW 28A.400.350.

**AMENDATORY SECTION** (Amending WSR 97-21-127, filed 10/21/97, effective 11/21/97)

**WAC 182-12-119 Eligible dependents.** "Eligible dependents." The following are eligible as dependents under the PEBB eligibility rules:

(1) Lawful spouse.

(2) Dependent children through age nineteen. The term "children" includes the subscriber's natural children, stepchildren, legally adopted children, children for whom the subscriber has assumed a legal obligation for total or partial support of a child in anticipation of adoption of the child, or children specified in a court order or divorce decree. Married children who qualify as dependents of the subscriber under the Internal Revenue Code, and (~~foster children~~) extended dependents approved by the HCA are included. To qualify for HCA approval, (~~a foster child must~~) the subscriber must demonstrate legal custody for the child with a court order, and:

(a) Be living with the subscriber in a parent-child relationship;

(b) Be dependent upon the subscriber for financial support;

(c) Not be eligible for coverage under Medicare, Medicaid, or similar government entitlement programs; and

(d) Not be a foster child for whom support payments are made to the subscriber through the state department of social and health services (DSHS) foster care program.

(3) Dependent children age twenty through age twenty-three who are dependent upon the employee/retiree for maintenance and support, and who are registered students in full-time attendance at an accredited secondary school, college, university, vocational school, or school of nursing. Dependent student eligibility continues year-round for those who attend three of the four school quarters or two semesters and for the quarter following graduation provided the employee/retiree is covered at the same time; the dependent limiting age has not been exceeded; and the dependent meets all other eligibility requirements.

(4) Dependent children of any age who are incapable of self-support due to developmental or physical disability, provided such condition occurs prior to age twenty or during the time the dependent was covered under a PEBB plan as a full-time student. Proof of such disability and dependency must be furnished prior to the dependent's attainment of age twenty or loss of eligibility for student coverage, and as periodically requested thereafter.

(5) Dependent parents. Dependent parents covered under a PEBB medical plan before July 1, 1990, may continue enrollment on a self-pay basis as long as:

(a) The parent maintains continuous coverage in a PEBB-sponsored medical plan;

(b) The parent continues to qualify under the Internal Revenue Code as a dependent of an eligible subscriber;

(c) The subscriber who claimed the parent as a dependent continues enrollment in a PEBB program; and

(d) The parent is not covered by any other group medical insurance. Dependent parents may be enrolled in a different PEBB plan than that selected by the eligible subscriber; however, dependent parents may not add additional family members to their coverage.

(6) Surviving dependents.

(a) The following surviving dependents may continue their medical and dental coverages on a self-pay basis:

(i) If a dependent loses eligibility under a PEBB plan due to the death of the employee, the dependent(s) may continue coverage under a retiree plan provided the dependent(s) will immediately begin receiving a monthly benefit from any state of Washington-sponsored retirement system (the Federal Civil Service Retirement System shall be considered a Washington sponsored retirement system for Washington State University cooperative extension service employees who held a federal civil service appointment and who were covered under the PEBB program at the time of death).

(ii) If a surviving dependent of a PEBB employee is not eligible for a monthly retirement income benefit, or lump-sum payment because the monthly pension payment would be less than \$50, the dependent may be eligible for continued coverage under COBRA.

(iii) Dependents of retirees covered under a PEBB plan at the time of the retiree's death are eligible to continue PEBB retiree coverage.

(iv) Surviving spouses and/or eligible dependent children of a deceased school district or educational service district employee who were not enrolled in a PEBB plan at the time of death may continue coverage provided the employee died on or after October 1, 1993 and the dependent(s) immediately began receiving a retirement benefit allowance under chapter 41.32 or 41.40 RCW.

(b) Application for surviving dependent(s) coverage must be made in writing on the enrollment form approved by the health care authority within sixty days from the date of death of the employee or retiree. Coverage is retroactive to the date the employee or retiree coverage terminated subject to the payment of the premium. The employee's or retiree's spouse may continue coverage indefinitely; other dependents may continue coverage until they lose eligibility under PEBB rules.

## WSR 99-14-082

### PROPOSED RULES

### HEALTH CARE AUTHORITY

[Order 99-03—Filed July 7, 1999, 11:23 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-11-100.

Title of Rule: Chapter 182-08 WAC, Procedures.

Purpose: Revise WAC 182-08-095 to condense rules into one standard for waiving medical coverage.

Statutory Authority for Adoption: Chapter 41.05 RCW.  
Statute Being Implemented: RCW 41.05.160.

Summary: Condensing rules for different eligible groups into one standard for waiving medical coverage.

Name of Agency Personnel Responsible for Drafting: Mich'l Needham, Health Care Authority, 923-2735; Implementation and Enforcement: MaryAnne Lindeblad, Health Care Authority, 923-2640.

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: Condensing rules for different eligible groups into one standard for waiving medical coverage to allow employees of political subdivisions enrolled in PEBB coverage the opportunity to waive medical coverage if they have other medical coverage, like state employees. This will streamline administration of the program with one standard applied to all employees and reduce paperwork to one standard form.

Proposal Changes the Following Existing Rules: The change will allow individual political subdivision employees to waive their PEBB medical coverage if they have other coverage, like state employees.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required. The Joint Administrative Rules Review Committee has not requested the filing of a small business economic impact statement, and costs to businesses will be negligible.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 does not apply to Health Care Authority rule unless requested by the Joint Administrative Rules Review Committee or applied voluntarily.

Hearing Location: Tye Hotel, Skokomish Room, Tumwater, Washington, on August 10, 1999, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Nikki Johnson by August 4, 1999, TDD (888) 923-5622, or (360) 923-2805.

Submit Written Comments to: Mich'l Needham, fax (360) 923-2602, by August 17, 1999.

Date of Intended Adoption: September 4, 1999.

July 7, 1999

Elin Meyer

Rules Coordinator

**AMENDATORY SECTION** (Amending WSR 97-21-126, filed 10/21/97, effective 11/21/97)

**WAC 182-08-095 Waiver of coverage.** ~~((1) State employees:))~~ Employees eligible for PEBB health care coverage have the option of waiving medical coverage for themselves and any or all dependents if they are covered by another medical plan. In order to waive medical coverage, the employee must complete an enrollment form that identifies the individuals for whom coverage is being waived. If an employee waives medical coverage for him/herself, coverage is automatically waived for all eligible dependents. An employee may choose to enroll only him/herself, and waive medical coverage for any or all dependents.

Employees and dependents whose medical coverage is waived will remain enrolled in a PEBB dental plan. Employees will also remain enrolled in PEBB life and long term disability coverage.

If PEBB medical coverage is waived, an otherwise eligible person may not enroll in a PEBB plan until the next open enrollment period, or within 31 days of loss of other medical coverage. Proof of other medical coverage is required to demonstrate that: 1) Coverage was continuous from the date PEBB coverage was waived; and 2) the period between loss of coverage and application for PEBB coverage is 31 days or less. The employee and dependents may have an additional opportunity to enroll in the event of acquisition of a new dependent as a result of marriage, birth, adoption, or placement for adoption, provided that enrollment is requested within 31 days of marriage or within 60 days of birth, adoption or placement for adoption.

~~((2) K-12 employees: Employees eligible for PEBB health care coverage have the option of waiving medical coverage for themselves and any or all dependents. In order to waive medical coverage, the employee must complete an enrollment form that identifies the individuals for whom coverage is being waived. If an employee waives medical coverage for him/herself, coverage is automatically waived for all eligible dependents. An employee may choose to enroll only him/herself, and waive medical coverage for any or all dependents.~~

Employees and dependents whose medical coverage is waived will remain enrolled in a PEBB dental plan if the district/unit participates in the dental plan. Employees will also remain enrolled in life and long term disability coverage if the district/unit participates in those plans.

~~If PEBB medical coverage is waived, an otherwise eligible person may not enroll in a PEBB plan until the next school district renegotiation period, or upon approval of the participating school district and the HCA. Approval of the HCA will require proof of other medical coverage to demonstrate that: 1) Coverage was continuous from the date PEBB coverage was waived; and 2) the period between loss of coverage and application for PEBB coverage is 31 days or less. The employee and dependents may have an additional opportunity to enroll in the event of acquisition of a new dependent as a result of marriage, birth, adoption, or placement for adoption, provided that enrollment is requested within 31 days of marriage or within 60 days of birth, adoption or placement for adoption.~~

~~(3) Political subdivision employees: Political subdivision employees may not waive PEBB medical coverage for themselves, but may waive medical coverage for their dependents if the dependents are covered by another medical plan. In order to waive medical coverage for dependents, the employee must complete an enrollment form that identifies the individuals for whom coverage is being waived.~~

~~Dependents whose medical coverage is waived will remain enrolled in their PEBB dental plan.~~

~~If PEBB medical coverage is waived, an otherwise eligible dependent may not enroll in a PEBB medical plan until the next open enrollment period, or within 31 days of loss of other medical coverage. Proof of other medical coverage is required to demonstrate that: 1) Coverage was continuous~~



~~from the date PEBB coverage was waived; and 2) the period between loss of coverage and application for PEBB coverage is 31 days or less. The employee and dependents may have an additional opportunity to enroll in the event of acquisition of a new dependent as a result of marriage, birth, adoption, or placement for adoption, provided that enrollment is requested within 31 days of marriage or within 60 days of birth, adoption or placement for adoption.)~~

### WSR 99-14-085

#### PROPOSED RULES

#### INSURANCE COMMISSIONER'S OFFICE

[Filed July 7, 1999, 11:45 a.m.]

##### Original Notice.

Preproposal statement of inquiry was filed as WSR 99-11-025.

Title of Rule: Washington state health insurance pool.

Purpose: The commissioner is considering amending rules governing the pool to require pool coverage in counties where no comprehensive individual health plans are commercially available.

Other Identifying Information: Insurance Commissioner Matter No. R 99-4.

Statutory Authority for Adoption: RCW 48.02.060, 48.41.040, 48.41.170.

Statute Being Implemented: RCW 48.41.040, 48.41.100.

Summary: The rules proposal would require pool coverage in Washington counties where no comprehensive individual health plans are commercially available.

Reasons Supporting Proposal: Many state residents are unable to purchase a comprehensive, commercial, individual plan from a health carrier. This proposal would ensure that Washington residents have access to comprehensive individual health insurance coverage.

Name of Agency Personnel Responsible for Drafting: John S. Conniff, P.O. Box 40255, Olympia, WA, (360) 664-3786; Implementation and Enforcement: Bethany Weidner, P.O. Box 40255, Olympia, WA, (360) 664-8137.

Name of Proponent: Deborah Senn, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules would require pool coverage in Washington counties where no comprehensive individual health plans are commercially available. The commissioner has requested that the Health Insurance Pool Board submit an amendment to its plan of operation to assure the availability of comprehensive health insurance to state residents. The commissioner may adopt rules governing pool operations consistent with this request to assure the fair, reasonable, and equitable administration of the pool.

Many state residents are unable to purchase a comprehensive, commercial, individual plan from a health carrier. The Washington State Health Insurance Pool was created in 1987 "to provide a mechanism to insure the availability of

comprehensive health insurance to persons unable to obtain such insurance coverage on either an individual or group basis directly under any health plan." (RCW 48.41.020) This statutory statement of purpose precisely describes the circumstances of state residents in many Washington counties. The commissioner intends to consider all rules necessary to assist the pool board in accomplishing this statutory purpose to assure that Washington residents have access to comprehensive individual health insurance coverage.

Proposal does not change existing rules. A new WAC section, WAC 284-91-060, is proposed.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

##### Small Business Economic Impact Statement

**Background:** Many state residents are unable to purchase a comprehensive, commercial, individual health plan from a health carrier. The Washington State Health Insurance Pool was created in 1987 "to provide a mechanism to insure the availability of comprehensive health insurance to persons unable to obtain such insurance coverage on either an individual or group basis directly under any health plan." (RCW 48.41.020) This statutory statement of purpose precisely describes the circumstances of state residents in many Washington counties. The commissioner is considering rules to assist the pool board in accomplishing this statutory purpose to ensure that Washington residents have access to comprehensive individual health insurance coverage.

The pool is financed by a combination of premium income from enrollees and assessments upon members of the pool. By statute, maximum premium rates for enrollees are 150% for the indemnity health plan and 125% for managed care plans of the rates established as applicable for group standard risks in groups comprised of up to fifty persons. Members of the pool are defined as all commercial insurers providing disability insurance, all health care service contractors, and all health maintenance organizations licensed under Title 48 RCW, with certain exceptions. The amount that each member contributes to the operation of the pool is proportional to its size: Each carrier is assessed according to the number of resident insured persons covered in the preceding calendar year.

The pool is administered by a third-party contractor. Individual health carriers do not undertake administration of the pool, other than to provide information as required by statute.

**Is the rule required by federal law or federal regulation?** This rule is not required by federal law or regulation.

**What industry is affected by the proposed rule?** The industry code that would be affected by the proposed rule includes hospital and medical service plans, industry code # 6324. In Washington, such plans are called health care service contractors (HCSCs) and health maintenance organizations (HMOs). It will also apply to group and blanket disability carriers, which fall under the classification of Accident and Health Insurance Companies, industry code # 6321.

**List the specific parts of the proposed rule, based on the underlying statutory authority (RCW section), which**

PROPOSED

**may impose a cost to business:** The following provisions may impose a cost to businesses:

Proposed WAC 284-91-060(1) states that evidence of rejection under RCW 48.41.100 shall be waived by the pool for any person who resides in a county of this state where no member offers to the public an individual health plan.

Proposed WAC 284-91-060(2) requires that every member shall provide a notice and application for pool coverage to every person who applies for and is denied for any reason, an individual health plan. Provision of this information and material is a requirement of RCW 48.41.180.

**What will be the compliance costs for the industries affected?** The costs of this rule, if any, will depend upon a number of factors that are unpredictable at this point in time. Chief among the factors will be the number of persons who choose to apply for coverage under the Washington State Health Insurance Pool, and the claims experience of any new people who join. Further information concerning compliance costs of the rule will be developed as the rule-making process continues.

However, for the current purpose of analyzing the impact of this proposed rule on small businesses, the salient fact is that any compliance costs to the industry are borne by the members of the pool on a strictly proportional basis, according to the size of the members. Thus, any costs resulting from this rule making will not be disproportionately borne by small businesses.

**What percentage of the industries in the four-digit standard industrial classification will be affected by the rule?** The proposed rule would affect all commercial insurers providing disability insurance, all health care service contractors, and all health maintenance organizations licensed under Title 48 RCW. However, exceptions include any insurer, health care service contractor or health maintenance organization whose products are exclusively dental products or those products excluded from coverage under RCW 48.41.030(9). Of the thirty-nine HCSCs and HMOs licensed in this state, nine (21%) fall under this exception.

**Will the rule impose a disproportionately higher economic burden on small businesses within the four-digit classification?** No. Due to the strictly proportional method of assessing pool members, the proposed rule will not impose a disproportionately higher economic burden on smaller carriers.

**Can mitigation be used to reduce the economic impact of the rule on small businesses and still meet the stated objective of the statutes that are the basis of the proposed rule?** The arrangements for financial participation of industry members in the Washington Health Insurance Pool is defined in RCW 48.41.090. As previously described, the statute mandates that a strictly proportional method be used for assessing the members; mitigation from the effects of the basic formula is not an option. However, it should be noted that RCW 48.41.090(3) allows the board of the pool to abate or defer the assessment of a member if payment of the assessment would endanger the ability of the member to fulfill its contractual obligations. In the unlikely event that a small carrier is unduly burdened by the effects of this rule, the

statute provides a remedy through the action of the pool board.

Since the insurance companies are not responsible for administering the pool, it is not relevant to discuss mitigation of administrative costs.

The rule drafter will continue to work with all parties, including carriers of all sizes, throughout the rule-making period. If mitigation techniques are proposed that do not transgress the statute, they will be considered.

**What steps will the commissioner take to reduce the costs of the rule on small businesses?** See above.

**Which mitigation techniques have been considered and incorporated into the proposed rule?** See above.

**Which mitigation techniques were considered for incorporation into the proposed rule but were rejected, and why?** No mitigation techniques were proposed that achieved the goals of this rule making. The rule drafter will continue to work with all parties, including carriers of all sizes. If mitigation techniques are proposed that do not undermine the goals of the rule, they will be considered.

**Briefly describe the reporting, recordkeeping, and other compliance requirements of the proposed rule:** There are no new reporting or record-keeping requirements.

**List the kinds of professional services that a small business is likely to need in order to comply with the reporting, recordkeeping, and other compliance requirements of the proposed rule:** There are no new reporting or record-keeping requirements in this proposed rule. It is not expected that any new professional services will be needed by smaller carriers.

*Cost of equipment:* There is no anticipated additional cost of equipment.

*Cost of supplies:* There is no anticipated additional cost of supplies.

*Cost of labor:* There should be no additional labor costs associated with the requirements of the rule.

*Cost of increased administration:* As noted before, the pool is administered by a third-party contractor.

**Compare the cost of compliance for small business with the cost of compliance for the largest business in the same four-digit classification:** As previously mentioned, the cost of compliance will be proportional for small businesses because of the proportional method used to assess members for the costs of the pool. There should be no proportional differences in costs of equipment, supplies, labor, or administration.

**Have businesses that will be affected been asked what the economic impact will be?** Since any compliance cost associated with this rule is proportional to the size of the carrier, businesses have not been asked about the economic impact for purposes of this Small Business Economic Impact Statement.

The commissioner filed a CR-101 "preproposal statement of inquiry" for this proposed rule in May of this year, and the issue also received attention in the news media. No comments regarding the economic impact of changes to the pool have been received from businesses.

**How did the commissioner involve small business in the development of the proposed rule?** See above.

**How and when were affected small businesses advised of the proposed rule?** The CR-101 was filed on May 13, 1999. The proposal was published in the Washington State Register and was posted on the Insurance Commissioner's website. The CR-101 gave agency contact numbers for parties interested in participating in the rule-making process.

A copy of the statement may be obtained by writing to Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, Internet e-mail KacyB@oic.wa.gov, phone (360) 664-3784, fax (360) 664-2782.

RCW 34.05.328 applies to this rule adoption.

Hearing Location: 14th and Water, Cherberg Building, Senate Hearing Room 4, Olympia, Washington, on Tuesday, August 10, 1999, at 10:00.

Assistance for Persons with Disabilities: Contact Lorie Villaflores by August 9, 1999, TDD (360) 407-0409.

Submit Written Comments to: Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, Internet e-mail KacyB@oic.wa.gov, fax (360) 664-2782, by August 9, 1999.

Date of Intended Adoption: August 25, 1999.

July 7, 1999

Bethany Weidner

Deputy Insurance Commissioner

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Add new section WAC 180-52-040 Approval of standardized test for use by home-schooled students.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Kettle Falls School District, 437 Meyers Street, Kettle Falls, WA 99141, on August 20, 1999, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Carolyn Berger by August 10, 1999, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by August 10, 1999.

Date of Intended Adoption: August 20, 1999.

June 4, 1999

Larry Davis

Executive Director

#### NEW SECTION

**WAC 284-91-060 Eligibility in counties without commercially available coverage equivalent to pool coverage.**

(1) Evidence of rejection under RCW 48.41.100 shall be waived by the pool for any person who resides in a county of this state where no member offers to the public an individual health plan.

(2) In accordance with RCW 48.41.180, every member shall provide a notice and application for pool coverage to every person who applies for and is denied for any reason, an individual health plan. This includes the reason that the member has decided to reject all new applicants for individual health plan coverage state-wide or within any county.

#### **WSR 99-14-087**

#### **PROPOSED RULES**

#### **STATE BOARD OF EDUCATION**

[Filed July 7, 1999, 11:48 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-10-090.

Title of Rule: Chapter 180-52 WAC, Parents' rights regarding pupil testing and recordkeeping.

Purpose: Add new section WAC 180-52-041 Approval of list of standardized tests for use by home-schooled students.

Statutory Authority for Adoption: RCW 28A.305.130, 28A.210.160.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

#### NEW SECTION

**WAC 180-52-041 Approval of list of standardized tests for use by students receiving home-based instruction.**

(1) Pursuant to RCW 28A.200.010(3), the state board of education shall approve periodically a list of standardized tests for use by students receiving home-based instruction.

(2) Students shall be tested in the subjects of reading, language arts, and mathematics. The same test does not need to be used for each subject area.

(3) The most current editions of the following tests are approved for use by home schooled students:

(a) ACT and PACT Assessment (American College Testing, Inc.);

(b) California Achievement Tests (CTB/McGraw-Hill);

(c) California Diagnostic Tests (CTB/McGraw-Hill);

(d) Comprehensive Tests of Basic Skills (CTB/McGraw-Hill);

(e) Degrees of Reading Power (Touchstone Applied Science Associate, Inc.);

(f) Iowa Tests of Basic Skills (Riverside Publishing Company);

(g) Iowa Tests of Educational Development (Riverside Publishing Company);

(h) Metropolitan Achievement Tests (Psychological Corporation);

(i) National Achievement Test (American College Testing);

(j) Scholastic Achievement Test - SAT I: Reasoning and Preliminary Scholastic Achievement Test - PSAT (the college board);

(k) Stanford Achievement Test (Psychological Corporation);  
 (l) Stanford Early School Achievement Test (Psychological Corporation);

(m) Tests of Achievement and Proficiency (Riverside Publishing Company); and

(n) Washington Assessment of Student Learning.

(4) The Washington assessment of student learning is not required to be used by students receiving home-based instruction. If the Washington assessment of student learning is selected for use by students receiving home-based instruction, the following conditions shall apply:

(a) The Washington assessment of student learning must be administered by a public school or state board of education approved private school; and

(b) The Washington assessment of student learning must be scored by the vendor contracted by the superintendent of public instruction to score such assessment.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by August 10, 1999.

Date of Intended Adoption: August 20, 1999.

July 7, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

**WAC 180-29-040 Educational specifications**~~((**Review and comment**))~~. Prior to the commencement of the design of the proposed school facility, the school district shall cause to be prepared the educational specifications pursuant to chapter 180-26 WAC. ~~((One copy of the completed educational specifications approved by the district board of directors shall be transmitted to the superintendent of public instruction for review and comment.))~~

NEW SECTION

**WAC 180-29-066 Constructability review contracts.** Consultants performing constructability reviews on approved school facilities shall utilize an independent multidiscipline team and shall have a minimum of five years of experience providing constructability reviews of equivalent size projects. Contracts between the school district and the consultant shall stipulate the amount of the fee and the consultant's duties to be performed as in chapter 180-27 WAC.

NEW SECTION

**WAC 180-29-067 Building commissioning contracts.** Consultants performing building commissioning on approved school facilities shall incorporate the attributes of the building commissioning association in their commissioning program. Contracts between the school district and the consultant shall stipulate the amount of the fee and the consultant's duties to be performed as in chapter 180-27 WAC.

AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

**WAC 180-29-075 Contracts—Filing.** The school district shall submit to the superintendent of public instruction one copy of the following contracts for projects approved by the state board of education for state assistance:

- (1) Educational specifications (WAC 180-29-050)
- (2) Architect-engineer (WAC 180-29-055)
- (3) Energy conservation report (WAC 180-29-060)
- (4) Value engineering (WAC 180-29-065)
- (5) Constructability review (WAC 180-29-066)
- (6) Building commissioning (WAC 180-29-067)
- (7) Construction management (WAC 180-29-068).

**WSR 99-14-088**

**PROPOSED RULES**

**STATE BOARD OF EDUCATION**

[Filed July 7, 1999, 11:51 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-06-078.

Title of Rule: Chapter 180-29 WAC, State assistance in providing school plant facilities—Procedural regulations.

Purpose: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, or implement new rules resulting from EHB 1831.

Statutory Authority for Adoption: RCW 28A.525.020.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, or implement new rules resulting from EHB 1831.

Proposal Changes the Following Existing Rules: Additional requirements—2; new sections—2.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Kettle Falls School District, Kettle Falls, Washington, on August 20, 1999, at 9 a.m.

Assistance for Persons with Disabilities: Contact Patty Martin by August 10, 1999, TDD (360) 664-3631, or (360) 753-6715.

PROPOSED

**AMENDATORY SECTION** (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

**WAC 180-29-085 Construction and other documents—Submittal.** (1) For the purpose of determining that the provisions set forth in chapters 180-25 through 180-29 WAC have been complied with prior to the opening of bids of any project to be financed with state moneys, the school district shall have on file with the superintendent of public instruction the following:

- (a) One microfilm copy of the construction documents;
- (b) Cost estimate of construction on a form approved by the superintendent of public instruction, completed and signed by the architect-engineer;
- (c) Signed copy or photocopy of letters of approval by other governmental agencies in accordance with WAC 180-29-090;
- (d) Area analysis on a form approved by the superintendent of public instruction in accordance with chapter 180-27 WAC;
- (e) Complete listing of construction special inspections and/or testing to be performed by independent sources that are included in the project pursuant to WAC 180-27-100;
- (f) One copy of the value engineering and constructability review reports as accepted by the school district board of directors. The reports shall include the following:
  - (i) A brief description of the original design;
  - (ii) A brief description of the value engineering or constructability review methodology used;
  - (iii) The areas analyzed;
  - (iv) The design alternatives proposed;
  - (v) The cost changes proposed;
  - (vi) The alternates accepted; and
  - (vii) A brief statement explaining why each alternate not accepted was rejected;
- (g) Completed Building Condition Evaluation Forms (BCEF) as required by WAC 180-27-535 for every school facility in the district.

(2) If the above documents reflect an increase in square foot size from the application approved by the state board of education as per WAC 180-29-030 which will result in an increase in state support, a new application must be submitted to the state board of education.

**AMENDATORY SECTION** (Amending WSR 92-24-027, filed 11/24/92, effective 12/25/92)

**WAC 180-29-160 Acceptance of project by school district.** Based upon satisfactory completion of building commissioning when required and an inspection of the project and the certificate(s) of completion signed by the architect/engineer, the school district board of directors shall accept the project as complete or reject the project as incomplete. Until the superintendent of public instruction receives a school district board resolution officially accepting the project as complete, no release of retainage shall be made in accordance with WAC 180-29-165.

**WSR 99-14-089**

**PROPOSED RULES**

**STATE BOARD OF EDUCATION**

[Filed July 7, 1999, 11:53 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-06-080.

Title of Rule: Chapter 180-26 WAC, State assistance in providing school plant facilities—Educational specifications and site selection.

Purpose: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, or implement new rules resulting from EHB 1831.

Statutory Authority for Adoption: RCW 28A.525.020.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, or implement new rules resulting from EHB 1831.

Proposal Changes the Following Existing Rules: Additional replacements—2; add positions to existing rules that provide matching funds for constructability reviews, building commissioning, and construction management.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Kettle Falls School District, Kettle Falls, Washington, on August 20, 1999, at 9 a.m.

Assistance for Persons with Disabilities: Contact Patty Martin by August 10, 1999, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by August 10, 1999.

Date of Intended Adoption: August 20, 1999.

July 7, 1999

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 98-19-140, filed 9/23/98, effective 10/24/98)

**WAC 180-26-040 District authority to proceed.** Upon completion of the educational specifications (~~(review and comment)~~) and the site review by the superintendent of public instruction as provided for in WAC 180-26-020, the school district is authorized to proceed as follows:

(1) Commence with the design of the school facility in accordance with the district's educational specifications.

(2) Complete the energy conservation report pursuant to WAC 180-27-075.

(3) Complete a value engineering study and constructability review pursuant to WAC 180-27-080.

(4) Contract for building commissioning pursuant to WAC 180-27-080.

(5) Contract for construction management pursuant to WAC 180-27-102.

### WSR 99-14-090

#### PROPOSED RULES

### STATE BOARD OF EDUCATION

[Filed July 7, 1999, 11:55 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-06-079.

Title of Rule: Chapter 180-27 WAC, State assistance in providing school plant facilities—Basic state support.

Purpose: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, or implement new rules resulting from EHB 1831.

Statutory Authority for Adoption: RCW 28A.525.020.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, or implement new rules resulting from EHB 1831.

Proposal Changes the Following Existing Rules: Technical correction—5; clarification—1; additional requirements—2; and new sections—1.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Kettle Falls School District, Kettle Falls, Washington, on August 20, 1999, at 9 a.m.

Assistance for Persons with Disabilities: Contact Patty Martin by August 10, 1999, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by August 10, 1999.

Date of Intended Adoption: August 20, 1999.

July 7, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 92-24-027, filed 11/24/92, effective 12/25/92)

**WAC 180-27-020 Related factors and formula for determining amount of state assistance.** (1) The amount of

state assistance to a school district to provide school facilities shall be determined on the basis of component factors, as hereinafter set forth in this chapter, relating to:

(a) The number of unhoused students;

(b) Space allocations;

(c) Reduction of the number of operating schools as per chapter 180-33 WAC;

(d) Area cost allowance;

(e) Allowances for furniture and equipment purchases;

(f) The amount of insurance, federal, or other nontax source local moneys applied to a school facilities project;

(g) Certain specified costs which must be financed directly by the school district; and

(h) The amount of fees for professional services.

(2) State assistance for an approved project shall be derived by multiplying the percentage of state assistance determined pursuant to RCW 28A.525.166 by the following:

(a) The eligible construction cost which shall be calculated by multiplying the approved square foot area of the project as set forth in WAC 180-27-035 by the area cost allowance as set forth in WAC 180-27-060;

(b) The cost of preparing educational specifications as set forth in WAC 180-27-065;

(c) The cost of basic architectural and engineering services as set forth in WAC 180-27-070;

(d) The cost of preparing and reviewing the energy conservation report as set forth in WAC 180-27-075;

(e) The cost of a value engineering study (during design), a constructability review, and building commissioning as set forth in WAC 180-27-080;

(f) The construction cost savings—sharing incentive as set forth in WAC 180-27-085;

(g) The cost of furniture and equipment as set forth in WAC 180-27-095; (and)

(h) The cost of special inspections and testing as set forth in WAC 180-27-100; and

(i) The cost of construction management as set forth in WAC 180-27-102.

Any cost in excess of the maximum allowable shall be financed entirely by the school district.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

**WAC 180-27-030 Applicable state matching percentage for project.** Pursuant to provisions of RCW (~~28A.525.166~~) 28A.525.168, the percentage of state assistance used for the allocation of state moneys shall be the highest amount prevailing at the time of:

(1) Passage of bonds and/or levies by the voters of the school district to meet the requirement for local funding;

(2) State board of education project approval; or

(3) Superintendent of public instruction approval to bid.

For the purpose of this section the term "prevailing at the time" shall mean the eighteen-month period immediately following January 1 of each calendar year for which new matching percentages become available.

In the event that a district is otherwise eligible to receive authorization to open bids for one or more projects but a lack of state matching funds precludes the issuance of such autho-

rization(s), the district shall retain the original percentage of state assistance as provided for in this section. This provision shall apply to all projects having received project approval by the state board of education after September 1, 1997.

**AMENDATORY SECTION** (Amending WSR 98-23-033, filed 11/10/98, effective 12/11/98)

**WAC 180-27-056 Funding during the period of a priority approval process order by state board of education.** During the period of a priority approval process imposed by order of the state board of education school construction projects shall receive final approval pursuant to WAC 180-29-107 as follows:

(1) On or after July 1 following the state board of education order for the implementation of a priority approval process the superintendent of public instruction shall rank all projects for which final approval has been requested pursuant to WAC 180-29-107 as per the ~~((applicable))~~ applicable priority list in WAC ~~((180-27-058 or))~~ 180-27-500. Only school construction projects with state board of education approval under WAC 180-25-045 and secured local capital funds by ~~((December-January))~~ January 31 of the previous state fiscal year and eligible for final approval pursuant to WAC 180-29-107 by June 30 of the previous state fiscal year shall be placed on ~~((that-the))~~ the priority list ~~((: Provided, That for the state fiscal year beginning July 1, 1992, the December 31, 1991, cutoff date is extended to March 27, 1992))~~.

(2) Each fiscal year the superintendent of public instruction shall give final approval to school construction projects on the priority list pursuant to WAC 180-29-107 based on the level and conditions of legislative appropriations. For the purpose of this subsection the term "estimated revenue available for the state fiscal year" shall mean the estimated revenue from the common school construction fund for the current state fiscal year and the subsequent state fiscal year, the result of which is divided by two.

(3) In the event the state board of education does not rescind the order for the implementation of a priority approval process by the close of the state fiscal year, school construction projects remaining on the priority list without final approval and, therefore, without secured funding status pursuant to WAC 180-29-107 shall be combined with new school construction projects that have secured local capital funds by ~~((December-January))~~ January 31 of the state fiscal year and that are eligible, pursuant to WAC 180-29-107, for final approval by the close of the state fiscal year, and a new priority list shall be established on or after July 1 of the next state fiscal year and such remaining and new school construction projects shall be eligible for final approval pursuant to the provisions of subsections (1) and (2) of this section.

**AMENDATORY SECTION** (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

**WAC 180-27-080 Value engineering ~~((study))~~ studies, constructability reviews, and building commissioning—Requirements and definition.** At the appropriate time in the design process for a school facility approved by the

state board of education, the district shall prepare a standard value engineering study, complete a constructability review, and perform building commissioning for all projects greater than fifty thousand square feet. ~~((Preparation of a))~~ Value engineering ~~((study is))~~ studies, constructability reviews, and building commissioning shall be optional for projects larger than fifteen thousand square feet but fifty thousand square feet or less. Any project which includes fifteen thousand square feet or less shall be exempt from this requirement. For the purpose of this section, a standard value engineering study is defined as a cost control technique which is based on the use of a systematic, creative analysis of the functions of the facility with the objective of identifying unnecessary high costs or functions and/or identifying cost savings that may result in high maintenance and operation costs. The study shall consist of a forty-hour workshop involving a minimum of a five-person team pursuant to WAC 180-29-065. ~~((The amount of state assistance for which))~~ A constructability review is defined as a cost control technique which is based on the review of project documents by mechanical, electrical, structural, construction, and design professionals prior to a request for bids. The purpose of a constructability review is to identify potential claim or problem areas and deficiencies that may occur as a result of errors, ambiguities, omissions, discrepancies, and conflicts in design documents. The study shall consist of a forty-hour workshop involving a minimum of a five-person team pursuant to WAC 180-29-066. Building commissioning is defined as the process of verifying that the installation and performance of selected building systems meet or exceed the specified design criteria and therefore satisfy the design intent. Building commissioning shall include a physical inspection, functional performance testing, listing of noted deficiencies, and a final commissioning report. Building commissioning shall be performed by a professional agent or authority not contractually or otherwise financially associated with the project design team or contractor. A district ~~((is))~~ shall be eligible for state assistance for a value engineering study, a constructability review, and building commissioning for each qualifying project. The amount of assistance shall be the state matching percentage multiplied by the greater of the following:

(1) One-quarter of one percent of the area cost allowance multiplied by the square foot area at time of bid; or

(2) Twenty thousand dollars.

#### NEW SECTION

**WAC 180-27-102 Construction management.** Prior to commencing with project design the district shall employ or contract personnel to perform professional construction management. Construction management shall be required for all projects greater than fifty thousand square feet and is optional for projects fifty thousand square feet or less. For the purpose of this section construction management is defined as the process of professional management applied to a construction program for the purpose of controlling time, cost, and quality. The construction manager shall have appropriate experience in the management of construction projects including procurement, contract administration, scheduling, budgets, quality assurance, information management, and health and

PROPOSED

safety. A construction manager certified by the Construction Management Association of America is desirable, but not mandatory. The amount of state assistance for which a district shall be eligible for construction management shall be the state matching percentage multiplied by two and one-half percent of the area cost allowance multiplied by the square foot area of the time of bid.

**AMENDATORY SECTION** (Amending WSR 95-20-088, filed 10/4/95, effective 11/4/95)

**WAC 180-27-600 Emergency repair grant applications—Definitions—"Emergency repair" ~~((and)), "imminent health and safety hazards", and "local funding."~~** As used in WAC 180-27-605 through 180-27-615:

(1) The term "emergency repair" means a repair to a school building necessitated by ~~((unforeseeable defects in the building due to error(s) in the design and/or construction of the building))~~ accidents, natural disasters, fire, floods, vandalism, or similar events.

(2) ~~(("Error in the design or construction of a building" means the failure of the architect(s), engineers(s) or contractor(s) to design and construct a building in accordance with generally accepted and applied standards at the time the building was constructed.~~

(3) The term "imminent health and safety hazard" means a threat of immediate physical injury to the occupants of a building.

(3) The term "local funding" means insurance settlements, litigation proceeds in excess of costs, any unreserved general fund balance in excess of \$200/FTE student for first class districts or \$500/FTE student for second class districts as reported in the most recently available annual fiscal report (F196), any unobligated, unreserved capital fund balance, any capital funds reserved for uninsured risk, and any unused voter-approved bond capacity. Districts shall not be required to pass bond or levy issues or incur nonvoted debt in order to qualify for these funds.

**AMENDATORY SECTION** (Amending WSR 95-20-088, filed 10/4/95, effective 11/4/95)

**WAC 180-27-605 Emergency repair grant applications—Contents of applications.** The state board of education may allocate ~~((an amount not to exceed five million dollars per fiscal year 1995-96 and 1996-97))~~ up to \$6,491,519 during the 1999-2001 biennium to school districts for emergency repair projects for school buildings which present imminent health and safety hazards for building occupants in accordance with the following process and eligibility criteria:

(1) A school district board of directors shall approve and present to the superintendent of public instruction a written application for emergency repair funding on a form provided by the superintendent of public instruction.

(2) The application and accompanying documentation shall include, but not be limited to:

(a) Certification of the unrestricted balance, if any, of the district's general fund and capital projects fund and that all avenues of local funding have been exhausted;

(b) A determination and description of available alternative housing options for occupants of the building;

(c) A detailed description of the nature of the emergency repair;

(d) A detailed description of the nature and extent of the imminent health and safety hazards that exist, and the extent they would be alleviated by the emergency repair;

(e) Evidence that the district is aggressively pursuing civil remedies against the responsible party~~((ies))~~ or parties as appropriate;

(f) Certification by a health official, fire official, building official, labor and industries official or other independent and competent authority that an imminent health and safety hazard to building occupants of a specified nature and extent exists unless the emergency repairs are made; and

(g) The estimated cost of the emergency repairs based upon an estimate made by two or more independent, qualified cost estimators.

(h) A plan for repayment of the grant.

**AMENDATORY SECTION** (Amending WSR 95-20-088, filed 10/4/95, effective 11/4/95)

**WAC 180-27-610 Emergency repair grant applications—~~((Review committee—))~~State board of education approval/disapproval.** ~~((A review committee appointed by))~~ The superintendent of public instruction shall ~~((periodically evaluate and rank applications for emergency repair funding submitted pursuant to WAC 180-27-605, and))~~ recommend to the state board of education whether or not an application shall be funded and, if so, the amount to be funded. The state board of education shall make the final decisions respecting emergency repair applications and grants.

**AMENDATORY SECTION** (Amending WSR 95-20-088, filed 10/4/95, effective 11/4/95)

**WAC 180-27-615 Emergency repair grant applications—Repayment conditions.** Grants of emergency repair moneys shall be conditioned upon the written commitment of the school district board of directors to repay the grant by waiving the school district's current or future eligibility for state building assistance under chapters 180-25 through 180-33 WAC, or with insurance payments, or with any judgment(s) that have been awarded, or with other means and sources of repayment. ~~((The state board of education may waive or qualify the requirements of this section in whole or part based upon credible evidence of long range extenuating financial circumstances:))~~



**WSR 99-14-006**  
**EXPEDITED ADOPTION**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**

[Filed June 24, 1999, 1:37 p.m.]

Title of Rule: Revision to chapter 208-620 WAC, the Consumer Loan Act.

Purpose: To correct incorrect internal references in chapter 208-620 WAC.

Statutory Authority for Adoption: RCW 31.04.165.

Statute Being Implemented: Chapter 31.04 RCW.

Summary: This revision will correct incorrect internal references in chapter 208-620 WAC that were created when chapter 50-20 WAC was moved into Title 208 WAC in 1996.

Reasons Supporting Proposal: Incorrect internal references mislead licensees and other users of the regulations and may unintentionally disrupt compliance or enforcement.

Name of Agency Personnel Responsible for Drafting: David Heifetz/Mark Thomson, General Administration Building, #330/#300, 902-8700; Implementation and Enforcement: Mark Thomson, General Administration Building, #300, 902-8787.

Name of Proponent: 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: The proposed changes will correct typographical errors in chapter 208-620 WAC that were created when chapter 50-20 WAC was consolidated into Title 208 WAC in 1996. The typographical errors to be fixed are mainly internal references to chapter 50-20 WAC. There will be no change to the meaning, interpretation, or effect of the rules.

Proposal Changes the Following Existing Rules: It corrects typographical errors. See 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 Mark Thomson, Department of Financial Institutions, General Administration Building, 3rd Floor West, P.O. Box 41200, Olympia, WA 98504-1200, AND RECEIVED BY September 8, 1999.**

June 21, 1999

John L. Bley  
Director

**AMENDATORY SECTION** (Amending WSR 96-04-013, filed 1/26/96, effective 2/26/96)

**WAC 208-620-020 License application.** (1) An applicant for a consumer loan company license under RCW

31.04.045 will complete the application form provided by the department.

(2) The completed application shall be accompanied by:

(a) The names, addresses, and occupation of all board directors and senior officers;

(b) A statement of the experience and qualifications of all directors and senior officers;

(c) A current financial statement as of the most recent quarter end, prepared in accordance with generally accepted accounting principles. The statement must include a statement of assets and liabilities and a profit and loss statement;

(d) A business plan which includes at least the following:

(i) The anticipated source of and method of obtaining customers;

(ii) The type of loans to be made at the proposed licensed location;

(iii) The type of loan, if any, that will be sold or transferred to affiliated or nonaffiliated business entities;

(iv) The type of insurance products to be marketed at the proposed licensed location;

(v) The type of incidental products, if any, the applicant intends to market with approval of the director from the proposed licensed location; and

(vi) The procedures the applicant intends to use to resolve consumer complaints;

(e) A certificate of existence/authorization obtained from the Washington secretary of state;

(f) A valid surety bond (or approved bond substitute as provided in WAC 208-620-040) in the amount specified in WAC 208-620-030;

(g) If the applicant will be an out-of-state licensee, the applicant must submit information regarding its registered agent as required of out-of-state licensees by WAC 208-620-060; and

(h) The appropriate fees as specified in WAC ((~~50-20-490~~) 208-620-190).

(3) A licensee must complete another application for each additional consumer loan company license under RCW 31.04.075. The director may require that all or some of the information provided in the original application be updated.

**AMENDATORY SECTION** (Amending WSR 96-04-013, filed 1/26/96, effective 2/26/96)

**WAC 208-620-180 Examinations.** (1) For the purpose of discovering violations of the act or this chapter or securing information lawfully required, the director or designee may investigate the loans and business of every licensee and of every person engaged in the business described in RCW 31.04.035. The director or designee may examine, wherever located, the records used in the business of every licensee and of every person who is engaged in the business described in RCW 31.04.035, whether the person acts or claims to act as principal or agent, or under or without the authority of this chapter. For that purpose the director or designee shall have access, at reasonable times during business hours, to the offices and places of business, records, safes, and vaults of all such persons. A licensee so examined shall pay to the director the cost of examining and supervising each licensed place of

business at the rate specified in WAC ((~~50-20-190~~)) 208-620-190(2).

(2) The director or designee shall examine the affairs, business, office, and records of each licensee at least once each twenty-four months.

**WSR 99-14-007**  
**EXPEDITED ADOPTION**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**

[Filed June 24, 1999, 1:40 p.m.]

Title of Rule: Revision to chapter 208-630 WAC, Check cashers and sellers—Regulation of.

Purpose: To correct incorrect internal references in chapter 208-630 WAC.

Statutory Authority for Adoption: RCW 31.04.165.

Statute Being Implemented: Chapter 31.04 RCW.

Summary: This revision will correct incorrect internal references in chapter 208-620 [208-630] WAC that were created when chapter 50-30 WAC was moved into Title 208 WAC in 1996.

Reasons Supporting Proposal: Incorrect internal references mislead licensees and other users of the regulations and may unintentionally disrupt compliance or enforcement.

Name of Agency Personnel Responsible for Drafting: David Heifetz/Mark Thomson, General Administration Building, #330/#300, 902-8700; Implementation and Enforcement: Mark Thomson, General Administration Building, #300, 902-8787.

Name of Proponent: 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: The proposed changes will correct typographical errors in chapter 208-630 WAC that were created when chapter 50-30 WAC was consolidated into Title 208 WAC in 1996. The typographical errors to be fixed are mainly internal references to chapter 50-30 WAC. There will be no change to the meaning, interpretation, or effect of the rules.

Proposal Changes the Following Existing Rules: It corrects typographical errors. See 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 Mark Thomson, Department of Financial Institutions, General Administration Build-

ing, 3rd Floor West, P.O. Box 41200, Olympia, WA 98504-1200, AND RECEIVED BY September 8, 1999.

June 21, 1999

John L. Bley

Director

AMENDATORY SECTION (Amending WSR 96-03-059, filed 1/12/96, effective 2/12/96)

**WAC 208-630-015 Examinations.** (1) The director or his or her designee shall examine the business and records of any licensee or licensee's agent at least every twenty-four months. Every licensee so examined shall pay to the director the actual cost of examining and supervising each licensed place of business at the examination hourly rate established in WAC ((~~50-30-020(2)~~)) 208-630-023. The director may accept an audit report prepared by an independent certified public accountant or an examination prepared by another state in lieu of, in whole or in part, an examination performed by the director.

(2) The director may examine the business and records of any agent or person who the director has reason to believe is engaging in business which requires a licensee under chapter 31.45 RCW.

AMENDATORY SECTION (Amending WSR 96-03-059, filed 1/12/96, effective 2/12/96)

**WAC 208-630-025 Application for small loan endorsement to a check casher or check seller license.** Each applicant for a small loan endorsement to a license must apply to the director by filing the following:

(1) An application in the form prescribed by the director including at least the following information:

(a) The legal name, residence, and business address of the applicant, and if the applicant is a partnership, corporation, or association, the name and address of every member, partner, officer, principal and board director;

(b) The trade name or name under which the applicant will do business under the act, the street and mailing address of each location in which the applicant will engage in business under the act;

(c) The location at which the applicant's records will be kept; and

(d) Financial statements and any other pertinent information the director may require with respect to the applicant and its board directors, officers, trustees, members, principals or employees, including information regarding any civil litigation against the applicant or any substantial investor in the applicant (a person or shareholder with an interest of ten percent or more);

(2) A surety bond and related power of attorney, or other security acceptable to the director in an amount equal to the penal sum of the required bond as set forth in WAC ((~~50-30-030(2)(b)~~)) 208-630-030(2). In lieu of the bond, the applicant may demonstrate to the director net worth in excess of three times the amount of the penal sum of the required bond in accordance with RCW 31.45.030 (5)(b) and (e) and WAC ((~~50-30-030~~)) 208-630-035;

EXPEDITED ADOPTION

(3) A current financial statement as of the most recent quarter end prepared in accordance with generally accepted accounting principles which includes a statement of assets and liabilities and a profit and loss statement;

(4) Information on the applicant's or any affiliate's current or previous small loan or related type business in this state or any other state, including but not limited to name, address, city, state, licensing authority, and whether any enforcement action is pending or has been taken against the applicant in any state;

(5) A copy of the applicant's proposed procedures for resolving borrowers' complaints; and

(6) An application fee.

**AMENDATORY SECTION** (Amending WSR 96-03-059, filed 1/12/96, effective 2/12/96)

**WAC 208-630-035 Alternatives to the surety bond.**

(1) **Type of alternative allowed.** In lieu of the surety bond required in WAC ((50-30-030)) 208-630-030, an applicant or licensee may substitute one of the following alternatives with the approval of the director. Any alternative to the surety bond shall secure the same obligations as would the surety bond. The amount of alternative substituted under (a), (b) and (c) of this subsection must be equal to or greater than the amount of the required surety bond.

(a) **Securities.** Substitute security assigned to the director. The value of the substitute security shall be based on the principal amount or market value, whichever is lower. The applicant or licensee must deposit the substitute security with a financial institution in this state approved by the director. The depositor is entitled to receive all interest and dividends on the substitute security, has the right, with the approval of the director, to substitute other qualified securities for those deposited, and shall be required to do so on written order of the director made for good cause shown.

(b) **Irrevocable letter of credit.** An irrevocable letter of credit issued in favor of the director. The irrevocable letter of credit must be issued by a financial institution in the state approved by the director and deposited with the director. An irrevocable letter of credit may only be substituted if it provides the same protection to consumers as would a surety bond.

(c) **Time deposit.** An assignment in favor of the director of a certificate of deposit. The certificate of deposit must be issued by a financial institution in the state. The depositor is entitled to receive all interest and dividends on the certificate of deposit.

(d) **Demonstration of net worth.** A licensee or applicant for a small loan endorsement may demonstrate net worth in excess of three times the amount of the required bond. The licensee shall notify the director within ten business days of any date upon which its net worth decreases below the required amount. A licensee that fails to maintain the required level of net worth and continues to operate under a small loan endorsement will be required to maintain a surety bond for five years after the date of noncompliance. During this five-year period, the director will not accept a demonstration of net worth in lieu of a surety bond.

(i) **Reports required.** A licensee that maintains net worth in lieu of a surety bond shall submit to the director within forty-five days after the close of each quarter year-to-date financial statements prepared in accordance with generally accepted accounting principles. The financial statements must include at a minimum a statement of assets and liabilities and a profit and loss statement. The director may continue to require other documents, agreements or information necessary to properly evaluate and ensure that the licensee remains in compliance with this section.

(ii) **Bad debts and judgments.** A licensee that maintains net worth in lieu of a surety bond may not consider bad debts and certain judgments as assets. The director may approve exceptions in writing. The licensee must charge off its books any debt upon which any payment is six months or more past due. The licensee may not count as an asset any judgment more than two years old which has not been paid. Time consumed by an appeal from a judgment is not counted in the two-year limit.

(2) **Noncompliance.** A licensee that does not comply with this section must obtain and file with the director a surety bond in the required amount in WAC ((50-30-030)) 208-630-030 by the date specified by the director.

**AMENDATORY SECTION** (Amending WSR 96-03-059, filed 1/12/96, effective 2/12/96)

**WAC 208-630-100 Trust accounts—Limitations and prohibitions.** (1) At least monthly a licensee in the business of selling checks shall withdraw from the trust account an amount equal to fees earned for the corresponding period from the sale of monetary instruments. The remaining balance of the trust account must be sufficient to cover all monetary instruments that remain outstanding and drawn against the trust account.

(2) A licensee is prohibited from allowing the bank of account to charge back checks or drafts deposited to the trust account and subsequently dishonored against said trust account.

(3) Withdrawals from the trust account by a licensee, whose license has been suspended, terminated, or not renewed, will not be allowed, without the director's consent, until a closing audit report has been received according to WAC ((50-30-090)) 208-630-090(2).

WSR 99-14-079

EXPEDITED ADOPTION

UTILITIES AND TRANSPORTATION  
COMMISSION

[Filed July 7, 1999, 9:43 a.m.]

Title of Rule: Expedited rule making, update Title 480 WAC adoption-by-reference dates.

Purpose: Update the dates in applicable adoption-by-reference rules in Title 480 WAC. Adoption by reference rules include those that adopt parts of Title 49 of the Code of Federal Regulations and/or the Commercial Vehicle Safety

Alliance's *North American Uniform Out-Of-Service Criteria*.

Other Identifying Information: Specific affected rules include WAC 480-14-060, 480-15-040, 480-30-015, 480-31-100, 480-31-120, 480-31-130, 480-31-140, 480-40-015, 480-70-055, 480-62-090, 480-75-005, and 480-93-010.

Statutory Authority for Adoption: RCW 80.01.040 General, 80.04.160 Utility, 81.04.160 Transportation, 34.05.310 Prenotice inquiry, and 34.05.356 Expedited adoption.

Summary: The commission adopts-by-reference several rules in Title 49 of the Code of Federal Regulations and the Commercial Vehicle Safety Alliance's *North American Uniform Out-Of-Service Criteria*. These rules are updated annually at a minimum and the commission needs to update its adoption-by-reference rules to reflect the most current date.

Reasons Supporting Proposal: The Utilities and Transportation Commission audits for compliance with and enforces federal regulations and the *North American Uniform Out-Of-Service Criteria*. Commission rules need to reflect the most current version of those regulations.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Carole J. Washburn, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1174.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Update commission adoption-by-reference rules to reflect the same version of rules in effect at the federal level and the *North American Uniform Out-Of-Service Criteria*.

Proposal Changes the Following Existing Rules: The proposed rules change the adoption-by-reference dates to reflect the most current version or rules in effect at the federal level and at the Commercial Vehicle Safety Alliance.

#### 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 Carole J. Washburn, Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, or e-mail to records@wutc.wa.gov. Please include Docket No. A-980247, AND RECEIVED BY September 7, 1999.

June 23, 1999

Carole J. Washburn  
Secretary

**AMENDATORY SECTION** (Amending Order R-435, Docket No. TV-941290, filed 11/22/95, effective 12/23/95)

**WAC 480-14-060 Adoption by reference defined.** Where referred to in this chapter, the following definitions shall apply:

(1) "*North American Uniform Out-of-Service Criteria*" published by Commercial Vehicle Safety Alliance (CVSA) refers to the version in effect on (~~May 1, 1995~~) April 1, 1999.

(2) "Title 49 Code of Federal Regulations," cited as 49 CFR, includes the regulations and all appendices and amendments in effect on (~~April 1, 1995~~) October 1, 1998.

(3) The documents are available for public inspection at the commission branch of the Washington state library, located with the headquarters office of the commission. A copy of either document may be obtained upon request from the commission secretary, subject to any pertinent charge. The Code of Federal Regulations is also available from the Government Printing Office, Seattle office.

**AMENDATORY SECTION** (Amending Order R-454, Docket No. TV-971477, filed 12/15/98, effective 1/15/99)

**WAC 480-15-040 Adoption by reference.** We have adopted by reference the following publications:

(1) "*North American Uniform Out-of-Service Criteria*" published by The Commercial Vehicle Safety Alliance, in effect on April 1, (~~1998~~) 1999.

(2) The sections of "Title 49 Code of Federal Regulations," cited as 49 CFR, listed below, including all regulations and appendices and amendments to those sections in effect on October 1, 1998:

(a) 49 CFR Part 382: Controlled Substance and Alcohol Use and Testing;

(b) 49 CFR Part 383: Commercial Driver's License Standards; Requirements and Penalties;

(c) 49 CFR Part 390: Safety Regulations, General;

(d) 49 CFR Part 391: Qualification of Drivers;

(e) 49 CFR Part 392: Driving of Motor Vehicles;

(f) 49 CFR Part 393: Parts and Accessories Necessary for Safe Operations;

(g) 49 CFR Part 395: Hours of Service of Drivers;

(h) 49 CFR Part 396: Inspection, Repair, and Maintenance; and

(i) 49 CFR Part 397: Transportation of Hazardous Materials; Driving and Parking.

**AMENDATORY SECTION** (Amending Order R-420, Docket No. T-940457, filed 6/23/94, effective 7/24/94)

**WAC 480-30-015 Adoption by reference defined.** Where referred to in this chapter, the following definitions shall apply:

(1) "*North American Uniform Out-of-Service Criteria*" published by Commercial Vehicle Safety Alliance (CVSA) refers to the version in effect on (~~May 16, 1994~~) April 1, 1999.

(2) "Title 49 Code of Federal Regulations", cited as 49 CFR, includes the regulations and all appendices and amendments in effect on (~~April 1, 1994~~) October 1, 1998.

(3) The documents are available for public inspection at the commission branch of the Washington state library, located with the headquarters offices of the commission. A copy of either document may be obtained upon request from the commission secretary, subject to any pertinent charge. The Code of Federal Regulations is also available from the Government Printing Office, Seattle office.

**AMENDATORY SECTION** (Amending Order R-440, Docket No. TC 961102, filed 3/27/97, effective 4/27/97)

**WAC 480-31-100 Equipment—Safety.** In addition to other laws and regulations of this state, all providers must comply with the following:

The rules and regulations governing motor carrier safety prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 392 (Driving of Motor Vehicles), part 393 (Parts and Accessories Necessary for Safe Operation), part 396 (Inspection, Repair and Maintenance), and part 397 (Transportation of Hazardous Materials; Driving and Parking rules).

The commission adopts by reference the provisions of federal rules (~~(cited in this section)~~) in effect on October 1, 1998. The material incorporated by reference in this section is available for public examination in the Washington utilities and transportation commission branch of the Washington state library associated with the commission's headquarters office in Olympia and is available for purchase at the Seattle office of the government printing office.

**AMENDATORY SECTION** (Amending Order R-440, Docket No. TC 961102, filed 3/27/97, effective 4/27/97)

**WAC 480-31-120 Equipment—Inspection—Ordered for repairs.** (1) All motor vehicles operated by providers must be maintained in a safe and sanitary condition. They must at all times be subject to inspection by the commission and its duly authorized representatives who will have power to order out-of-service any vehicle failing to meet the standards set forth in this section, or if not being operated in compliance with state laws in regard to equipment or method.

(2) Every provider must ensure that all its vehicles are regularly inspected, repaired and maintained, as required by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 396 (Inspection, Repair and Maintenance).

(3) All vehicle parts and accessories must be in safe and proper working condition at all times.

(4) Equipment standards. The purpose of this subsection is to identify critical vehicle inspection items and provide criteria for placing a vehicle(s) in an out-of-service category. The criteria for out-of-service condition are those defined in the current North American Uniform Out-Of-Service Criteria.

Out-of-service condition. When any motor vehicle(s) is in out-of-service condition, no provider will require nor will any person operate such motor vehicle until all required repairs have been satisfactorily completed. The commission adopts by reference the "North American Uniform Out-of-Service Criteria" published by the Commercial Vehicle

Safety Alliance in effect on April 1, 1999. These documents may be viewed at the Washington utilities and transportation commission branch of the Washington state library.

**AMENDATORY SECTION** (Amending Order R-440, Docket No. TC 961102, filed 3/27/97, effective 4/27/97)

**WAC 480-31-130 Operation of motor vehicles.** (1) All motor vehicles must be operated in accordance with the requirements of existing state laws and no driver or operator will operate the same in any other than a careful and prudent manner, nor at any greater speed than is reasonable or proper, having due regard to the traffic and use of the highways by others, or so as to endanger the life and limb of any person.

(2) Qualification of drivers. The rules and regulations governing qualifications of drivers prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 391 (Qualifications of Drivers), are adopted and prescribed by the commission to be observed by all providers. Vehicles meeting the definition of a commercial motor vehicle must also comply with part 382 (Controlled Substances and Alcohol Use and Testing), and part 383 (Commercial Driver's License Standards; Requirements and Penalties).

(3) The rules and regulations relating to drivers' logs and drivers' hours of service adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 39 (Hours of Service of Drivers), are adopted and prescribed by the commission.

(4) No driver or operator of a motor vehicle carrying passengers may smoke any cigar, cigarette, tobacco or other substance in such vehicle while driving the vehicle.

(5) No driver or operator of any motor vehicle will permit smoking on said vehicle by passengers or other persons.

Suitable signs, of sufficient size and number to adequately inform passengers, must be placed in buses to inform passengers that smoking is not permitted in the motor vehicle.

(6) No driver or operator of a motor vehicle will create any disturbance or unnecessary noise to attract persons to the vehicle.

(7) The driver or operator of any motor vehicle may refuse to carry any person who is in an intoxicated condition or conducting themselves in an unreasonably boisterous or disorderly manner or is using profane language, or whose condition is such as to be obnoxious to other passengers. A driver is responsible for the comfort and safety of passengers and should be constantly on the alert for and immediately correct any act of misconduct on the part of occupants of the vehicle.

(8) The commission adopts by reference the provisions of federal rules cited in this section in effect on October 1, 1998. The material incorporated by reference in this section is available for public examination in the Washington utilities and transportation commission branch of the Washington state library associated with the commission's headquarters office in Olympia and is available for purchase at the Seattle office of the government printing office.

**AMENDATORY SECTION** (Amending Order R-440, Docket No. TC 961102, filed 3/27/97, effective 4/27/97)

**WAC 480-31-140 Safety inspections.** All providers must keep on file in their main office, subject to inspection by an authorized representative of the commission, or subject to provision to the commission upon request:

(1) Description of each vehicle used, including make, serial number, and year. If the provider does not own the vehicle, the records must show the name of the person providing the vehicle;

(2) Driver's hours of service (duty status);

(3) Each driver's license number;

(4) Records of complaints, as required by WAC 480-31-090;

(5) Records of repair, inspection and maintenance, to include their date and type, as required by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 396;

(6) The commission adopts by reference the provisions of federal rules cited in this section in effect on October 1, 1998. The material incorporated by reference in this section is available for public examination in the Washington utilities and transportation commission branch of the Washington state library associated with the commission's headquarters office in Olympia and is available for purchase at the Seattle office of the government printing office.

**AMENDATORY SECTION** (Amending Order R-420, Docket No. T-940457, filed 6/23/94, effective 7/24/94)

**WAC 480-40-015 Adoption by reference defined.** Where referred to in this chapter, the following definitions shall apply:

(1) "North American Uniform Out-of-Service Criteria" published by Commercial Vehicle Safety Alliance (CVSA) refers to the version in effect on ~~((May 16, 1994))~~ April 1, 1999.

(2) "Rules and regulations adopted by the United States Department of Transportation in Title 49 Code of Federal Regulations", cited as 49 CFR, includes the regulations and all appendices and amendments in effect on ~~((April 1, 1994))~~ October 1, 1998.

(3) The documents are available for public inspection at the commission branch of the Washington state library, located with the headquarters offices of the commission. A copy of either document may be obtained upon request from the commission secretary, subject to any pertinent charge. The Code of Federal Regulations is also available from the Government Printing Office, Seattle office.

**AMENDATORY SECTION** (Amending Order R-413, Docket No. TR-940126, filed 5/4/94, effective 6/4/94)

**WAC 480-62-090 Hazardous materials regulations.**

(1) The rules and regulations governing hazardous materials prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, parts 171 through 174, and parts 178 and 179, as well as and including all appendices and amendments thereto, in effect on ~~((January 1, 1992))~~ October 1, 1998, are adopted and prescribed by the

commission to define hazardous materials for purposes of carriage by rail, and to state the precautions that must be observed in storage packaging, loading, and unloading such materials, and in maintaining, placarding, marking, and certifying railroad cars and equipment used in transporting such materials, and in the maintenance of shipping papers prepared in conjunction with transporting such materials. The rules and regulations adopted and prescribed by this rule shall be observed by all railroad companies operating in this state. A copy of the federal rules referenced in this chapter is available for inspection at the commission branch of the Washington state library, located in conjunction with the commission's headquarters office. A copy may be obtained from the secretary of the commission, upon payment of any required fee, or from the United States government printing office, which operates a retail sales facility in Seattle, Washington.

(2) In addition to any accident reporting requirement now or hereafter prescribed by the commission, every railroad company operating in this state who reports to the United States Department of Transportation any incidents occurring in this state involving hazardous materials, shall send a copy of any such report to the commission.

**AMENDATORY SECTION** (Amending Order R-419, Docket No. TG-940456, filed 6/23/94, effective 7/24/94)

**WAC 480-70-055 Adoption by reference defined.** Where referred to in this chapter, the following definitions shall apply:

(1) "North American Uniform Out-of-Service Criteria" published by Commercial Vehicle Safety Alliance (CVSA) refers to the version in effect on ~~((May 16, 1994))~~ April 1, 1999.

(2) "Title 49 Code of Federal Regulations", cited as 49 CFR, includes the regulations and all appendices and amendments in effect on ~~((April 1, 1994))~~ October 1, 1998.

(3) The documents are available for public inspection at the commission branch of the Washington state library, located with the headquarters offices of the commission. A copy of either document may be obtained upon request from the commission secretary, subject to any pertinent charge. The Code of Federal Regulations is also available from the Government Printing Office, Seattle office.

**AMENDATORY SECTION** (Amending Order R-456, Docket No. TO-980905, filed 12/30/98, effective 1/30/99)

**WAC 480-75-005 Compliance with federal standards.** Hazardous liquid pipeline companies transporting gasoline, oil, petroleum, or hazardous liquids in this state shall design, construct, maintain, and operate pipeline facilities in compliance with the provisions of 49 CFR, Parts 195 and 199, in effect on ~~((the effective date of this rule))~~ September 7, 1999. The provision in this chapter shall govern to the extent that the standards in the state regulations are compatible with the federal standards. The incorporation of 49 CFR, Part 195, Subpart B, Reporting Accidents and Safety-Related Conditions, is revised as follows:

1. Include "Washington Utilities and Transportation Commission" where "Administrator, Office of Pipe-

line Safety, Research and Special Programs Administration, or Department of Transportation" appear.

2. Include "Washington Utilities and Transportation Commission Pipeline Safety Section, at its office at 1300 S. Evergreen Park Drive SW, P.O. Box 47250, Olympia, Washington, 98504-7250," where telephone or addresses appear for the "Information Officer, Information Resources Manager, or Office of Pipeline Safety."

Copies of the above referenced regulations can be viewed at the commission branch of the Washington state library or are available from the Government Printing Office Bookstore, Seattle, Washington.

**AMENDATORY SECTION** (Amending Order 457, Docket No. UG-980962, filed 12/30/98, effective 1/30/99)

**WAC 480-93-010 Compliance with federal standards.** Gas companies' gathering, storage, distribution, and transmission facilities must be designed, constructed, maintained, and operated in compliance with the provisions of Title 49 Code of Federal Regulations (CFR), Parts 191, 192, 193 and 199 in effect on ~~((the effective date of this rule))~~ September 7, 1999. The provisions of this chapter shall govern to the extent that the standards in the state regulations are compatible with the federal standards. Copies of the above referenced regulations can be viewed at the commission branch of the Washington state library or are available from the Government Printing Office Bookstore, Seattle, Washington.

EXPEDITED ADOPTION





**WSR 99-14-008**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**

[Filed June 24, 1999, 2:19 p.m.]

Date of Adoption: June 24, 1999.

Purpose: To amend the department's rules implementing the law codified in chapters 41.40, 41.32, and 41.50 RCW in order to make those rules consistent with amendments.

Citation of Existing Rules Affected by this Order: Amending WAC 415-108-324, 415-108-326, 415-108-475, 415-108-485, 415-108-510, 415-108-520, 415-112-100, 415-112-270, 415-112-290, 415-112-400, 415-112-41301, 415-112-515, 415-112-520, 415-112-600, 415-112-700, 415-112-710, 415-112-725, 415-112-727, and 415-112-800.

Statutory Authority for Adoption: RCW 41.50.050.

Adopted under notice filed as WSR 99-11-006 on May 7, 1999.

Changes Other than Editing from Proposed to Adopted Version: After the proposed version was filed, the IRS issued proposed revenue procedure 98-41 which contained model deferred compensation plan language drafted to conform to the 1997 IRC amendments. The model language is added to the adopted version.

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 10, 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 9, 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.

June 24, 1999

John Charles

Director

**AMENDATORY SECTION** (Amending WSR 96-01-047, filed 12/14/95, effective 1/14/96)

**WAC 415-108-324 Married member's benefit selection—Spousal consent required.** (1) The member, if married, must provide the spouse's written consent to the option selected under WAC 415-108-326. If a married member does not provide spousal consent, the department will pay the retired member a joint and one-half survivor benefit allowance and record the member's spouse as the survivor in compliance with chapter 41.40 RCW and RCW 41.40.660(2).

(2) Spousal consent is not needed to enforce a marital dissolution order requiring the department to pay an ex-spouse under RCW 41.50.790.

(3) "Spousal consent" means that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on a completed retirement application constitutes spousal consent.

**AMENDATORY SECTION** (Amending WSR 96-01-047, filed 12/14/95, effective 1/14/96)

**WAC 415-108-326 Retirement benefit options.** RCW 41.40.188 (Plan 1) and RCW 41.40.660 (Plan 2) enable the department to provide retiring members with four retirement benefit options. In addition, retiring Plan ((~~1~~)) 1 members may select the COLA (cost-of-living adjustment) option. The retiring member must choose an option(s) when applying for service or disability retirement:

(1) **Option One (standard allowance).** The department will pay a monthly retirement allowance based solely on the single life of the member, as provided by RCW 41.40.185, 41.40.190, 41.40.230, 41.40.235, 41.40.250, 41.40.660, or 41.40.670. When the retiree dies all benefits cease. Any remaining balance of the retiree's accumulated contributions will be paid to:

- (a) The retiree's designated beneficiary; or if none, to
- (b) The retiree's surviving spouse; or if none, to
- (c) The retiree's legal representative.

The member must designate a beneficiary at the time of retirement by filing a completed and notarized form provided by the department.

(2) **Benefit options with a survivor feature.** A retiring member is allowed to select from several retirement options which create an actuarially equivalent benefit that includes a survivor feature. The survivor feature entitles the survivor to receive a monthly allowance after the retiree dies. If the member chooses one of the survivor options, the monthly benefit the member will receive is actuarially reduced to offset the cost of the survivor feature. After the retiree dies, the department pays the survivor an allowance for the duration of his or her life. If the retiree and the survivor both die before the retiree's accumulated contributions are exhausted, the remaining balance is retained in the retirement fund.

(a) **Option Two (joint and whole allowance).** When the retiree dies, the department pays the survivor an allowance equal to the gross monthly allowance received by the retiree.

(b) **Option Three (joint and one-half allowance).** When the retiree dies, the department pays the survivor an allowance equal to one-half of the retiree's gross monthly retirement allowance.

(c) **Option Four (joint and two-thirds allowance).**

(i) This subsection applies to members retiring on or after January 1, 1996.

(ii) When the retiree dies, the department pays the survivor an allowance equal to two-thirds (66.667%) of the retiree's gross monthly retirement allowance.

(3) If a member retires on or after June 6, 1996, the department is required to pay an ex-spouse survivor benefits pursuant to a marital dissolution order that complies with RCW 41.50.790.

(4) **Supplemental COLA option for Plan ((~~1~~)) 1 members.** Retiring Plan ((~~1~~)) 1 members may select an annual cost-of-living adjustment (COLA) option, in addition to their

choice of retirement benefit options listed in subsections (1) and (2) of this section. Retiring members who choose this supplemental option will have their monthly retirement allowance actuarially reduced to offset the cost of annual adjustment.

**((4)) (5) Benefit increases when survivor predeceases retiree (pop-up provision).**

(a) This section applies to members retiring on or after January 1, 1996, who select Option Two, Three, or Four.

(b) If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen Option One; plus

(ii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(c) Pop-up recalculation examples.

**Plan One:**

Lucinda retires from PERS Plan ((I)) 1 in 1996 (Year 0). She would like Garth, her husband, to receive a monthly allowance when she dies. Therefore, Lucinda chooses one of the benefit options with a survivor feature. As a result, her monthly allowance is actuarially reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Garth dies in January 2001 (Year 5). Under the "pop-up" provision, Lucinda's monthly benefit will increase to \$2,000, the amount she would have received had she chosen the Option One (standard allowance) plus any COLA's Lucinda had received based on her prior benefit allowance:

Original Option 1 Benefit Amount	+	Total COLA's	=	New Benefit Amt.
\$2,000.00	+	0 (None accrued)	=	\$2,000.00*

**Plan Two:**

Agnes retires from PERS Plan ((H)) 2 in 1996 (Year 0). Agnes would like Beatrice, her daughter, to receive a monthly allowance after Agnes dies. Therefore, Agnes selects a retirement benefit option with a survivor feature. As a result, her monthly allowance is reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Beatrice dies in 2001 (Year 5). Under the "pop-up" provision, Agnes' monthly benefit will increase to \$2,191.05, the amount she would have received had she chosen Option One (standard allowance) plus her accumulated COLA's:

Year	Option One (Standard Allow.)	Survivor Option (2,3,4) plus COLAs	COLA incr. (3% max)	\$ Increase
0 (1996)	2,000.00	1,750.00	(ineligible)	0.00
1 (1997)		1,750.00	.02	35.00
2 (1998)		1,785.00	.03	53.55
3 (1999)		1,838.55	.025	45.96
4 (2000)		1,884.51	.03	56.54
5 (2001)	2,000.00	1,941.05	—	—
			<b>Total COLA's</b>	<b>191.05</b>

Original Option One Benefit Amount	+	Total COLA's	=	New Benefit Amount
\$2000	+	+\$191.05	=	\$2,191.05*

\*In the future (i.e. Year 4), COLAs will be based on the increased benefit amount.

(d) If the survivor dies and the retiree's benefit increases under this section, and thereafter the retiree also dies before all contributions are exhausted, the remaining balance is retained by the retirement fund.

((5)) (6) Any retiree who retired before January 1, 1996, and who elected to receive a reduced retirement allowance under subsection (2) of this section is entitled to receive a retirement allowance adjustment if the retiree meets the following conditions:

(a) The retiree's designated beneficiary predeceases or has predeceased the retiree; and

(b) The retiree provides to the department proper proof of the designated beneficiary's death. The retiree is not

required to apply for the increased benefit provided by this subsection.

The adjusted retirement allowance will be effective on July 1, 1998, or the first of the month following the date of death of the designated beneficiary, whichever comes last. The adjustment is computed as described in RCW 41.40.188 (3)(c) for Plan 1 retirees or RCW 41.40.660 (3)(c) for Plan 2 retirees.

**(7) Survivor.** For the purposes of this provision, "survivor" means a person nominated by the member to receive a monthly benefit allowance after the member dies. A member nominates the survivor at the time of retirement by filing a completed and notarized form provided by the department.

PERMANENT

**AMENDATORY SECTION** (Amending WSR 98-09-059, filed 4/17/98, effective 5/18/98)

**WAC 415-108-475 Fringe benefits.** Payments made by an employer to a third party to provide benefits for an employee are not part of the employee's salary or wage. Those payments are not reportable compensation. Examples of these types of payments are insurance premiums (other than those made under bona fide cafeteria plans, see WAC 415-108-455) and matching and nonmatching employer ((retirement)) contributions to a benefit plan.

Note: Mandatory salary deferrals are salary, not benefits. Such payments are reportable see WAC 415-108-459.

Example: An employer makes matching payments to employees who participate in a deferred compensation plan. This is not a mandatory salary deferral for purposes of PERS reportable compensation. Since the employer matching payment (employer match) is made contingent upon employee plan participation, it is not payment for services rendered. Therefore, it is a fringe benefit that is not reportable compensation under PERS.

**AMENDATORY SECTION** (Amending WSR 94-11-009, filed 5/5/94, effective 6/5/94)

**WAC 415-108-510 Treatment of cash payments made in lieu of unused leave—First-in-first-out accounting method for determining when leave earned—Forms of leave deemed excess compensation—Conversions.** (1) Cash compensation in lieu of unused annual or sick leave may be considered compensation earnable for Plan ((~~1~~) 1) members subject to the provisions of RCW 41.40.010 (8)(a) and WAC ((~~415-108-450~~) 415-108-456). Employers may not limit the inclusion of cash compensation paid in lieu of unused annual or sick leave as compensation earnable in conflict with RCW 41.40.010 (8)(a). Provisions of collective bargaining agreements, employment and administrative policies or other rules applied by an employer that conflict with RCW 41.40.010 (8)(a) and rules adopted thereunder are without legal effect.

(2) When an employer provides cash compensation in lieu of unused annual or sick leave, the department applies a first-in-first-out accounting method to determine when the compensated leave was earned, and when or whether the leave was used or cashed out, with the following exceptions:

(a) As otherwise provided in ((~~WAC 415-108-530 and~~) Bowles v. Department of Retirement Systems, 121 Wn.2d 52 (1993)); and

(b) The employer has in place a regulation, charter provision, ordinance, collective bargaining agreement, or other comparable written policy statement which clearly delineates when the cashed out leave was accrued, or a different method of accounting for the accrual and use of leave, and, if applicable, compensation for unused leave and the same such method is consistently applied in each instance and for all purposes.

Any employer's policy which is not consistent for all purposes which is contained in a regularly negotiated labor agreement in effect on the effective date of this section will be honored until the expiration date of the agreement not including any extensions at which time it will be brought into compliance with this section. Any employer's policy which is not consistent for all purposes which is established by the employer shall be brought into compliance within sixty days of the effective date of this section. In the event an employer fails to come into full compliance with this section by the dates established herein, the department will treat cashed out leave on the same basis as the employer has established for using leave.

(3) A cash out of leave which is not annual leave as defined under WAC 415-108-010, shall be treated by the department as "any other form of leave" under RCW 41.50.150(2). The department shall bill the employer for any such leave cash out as excess compensation under RCW 41.50.150.

(4) For purposes of determining average final compensation and excess compensation, hours of leave earned by a member shall be considered for all purposes in the form in which it was earned. The department shall disregard any conversion of leave by an employer from one form to another and bill the employer for the amount converted as excess compensation pursuant to RCW 41.50.150.

**AMENDATORY SECTION** (Amending WSR 91-21-083, filed 10/18/91, effective 12/31/91)

**WAC 415-108-520 Membership exceptions—Student and spouse of student.** (1) A person employed by a Washington state institution of higher education or community college (employer), who is employed at such institution or college primarily for the purpose of furthering her/his education or the education of the person's spouse, is excepted from membership in PERS when:

(a) The person is a full-time student or the spouse of a full-time student; and

(b) The person is employed at the same institution where she/he is a full-time student or where the person's spouse is a full-time student; and

(c) The person determines her/his employment is primarily an incident to and in furtherance of her/his education or training, or the education or training of the person's spouse.

(2) For purposes of this section, RCW ((~~41.40.120~~) 41.40.023(7)) shall be administered as follows:

(a) When a person begins employment in a PERS eligible position, a determination shall be made by the person as to whether the provisions of this section apply. If this section applies to the person, she/he shall determine her/his membership status as either being excepted from membership in PERS, or being a member of PERS, based upon whether employment at the institution of higher education or community college is primarily as an incident to and in furtherance of her/his education or training, or the education or training of the person's spouse. The person shall notify the employer in writing of her/his determination of membership status no later than two months after commencing employment in a PERS eligible position. Based upon the provisions herein and

the written notification of status, the person shall either be excepted from membership in PERS or become a member of PERS. In the event that no written notification of status is provided to the employer, based upon the provisions of this section, the employer shall make the presumption:

(i) That the person shall remain a member of PERS where the person is employed in a PERS eligible position and is a member of PERS at the time the person, or his or her spouse, becomes a full-time student;

(ii) That the person shall be excepted from PERS membership where the person or the person's spouse is a full-time student at the time of becoming employed in a PERS eligible position.

(b) A person employed in a PERS eligible position at the time of becoming a full-time student or becoming the spouse of a full-time student, shall remain a member of PERS; except, at the time of becoming a full-time student or becoming the spouse of a full-time student, the person may elect to waive her/his membership in PERS, based upon the provisions of this section excepting membership. The person must provide written notification of the waiver to the employer. If the person elects to waive membership in PERS, she/he cannot later elect membership in PERS unless there is a change of status of the person or of the person's spouse, as set forth below, and the employer has received written notification from the person of the change of status.

(c) A person who is a full-time student or who is the spouse of a full-time student at the time of becoming employed in a PERS eligible position, shall not be eligible for membership in PERS; except, at the time of becoming employed in a PERS eligible position, the person may elect to become a member of PERS, based upon the person's determination that the provisions of this section excepting membership do not apply. The person must provide written notification of the election to be a member of PERS to the employer. If the person elects to become a member of PERS, she/he cannot later waive PERS membership unless there is a change of status of the person or of the person's spouse, as set forth below, and the employer has received written notification from the person of the change of status.

(d) For purposes of this section, status is defined as:

(i) Student status - is full-time student, part-time student or nonstudent. Part-time student and nonstudent status do not meet the threshold for exception from PERS; only full-time student status meets the threshold:

(ii) Employment status - is employment in a PERS eligible position, employment in a PERS ineligible position, or unemployment. Unemployment refers to termination of employment from a Washington state institution of higher education or community college employer;

(iii) Marital status - is single, married, widowed or divorced.

(3) The department shall rely upon the institutions of higher education and community college employers to:

(a) Notify each person, at the time of hire, of the provisions of this section;

(b) Request all written notifications from persons electing membership or waiving membership under this section;

(c) Retain and make available to the department upon request, all written notifications electing membership or

waiving membership on a sixty-four year record retention schedule.

(4) It is recommended, but not required, that no less than annually employers provide notice that employees are required to notify the employer of any change in status as set forth in this section.

AMENDATORY SECTION (Amending WSR 95-22-006, filed 10/18/95, effective 11/18/95)

**WAC 415-108-485 Vehicle allowances—Are vehicle allowances earnable compensation?** (1) **If your employer provides you any payment or allowance in lieu of a reimbursement for expenses you incur or expect to incur in performing services for your employer, the payment or allowance is not compensation earnable.** Your vehicle allowance does not qualify as compensation earnable if you receive the allowance in lieu of reimbursement for expenses that you incur or expect to incur in using your own vehicle for business purposes. ((See WAC 415-108-450 (3)(e) and 415-108-460 (3)(g).))

(2) **The department presumes that any vehicle allowance provided to you by your employer is a payment in lieu of reimbursement for expenses and is not compensation earnable.** If the contract authorizing your vehicle allowance states that it is provided solely in lieu of reimbursement for expenses that you incur or expect to incur in using your own vehicle for business purposes, the department's presumption is not rebuttable.

(3) **Your vehicle allowance may qualify as compensation earnable to the extent that it exceeds your actual expenses.** If your employer documents that your vehicle allowance exceeds the actual expenses you incur in driving your own vehicle for business purposes, the excess amount is compensation earnable. Your employer must maintain monthly contemporaneous records documenting the following:

(a) The dates, if any, on which you used a privately owned vehicle in performing services for your employer;

(b) The miles you drove the vehicle on each of these trips; and

(c) Your itinerary for each of these trips.

(4) **How to determine what amount of your vehicle allowance, if any, is reportable as compensation earnable.** If your employer documents that your vehicle allowance exceeds the actual expenses you incur in using your own vehicle for business purposes, your employer must report to the department as compensation earnable:

Your Vehicle Allowance LESS (Miles X IRS Rate)

(a) "Miles" above means the number of miles you drove a privately owned vehicle for business purposes during the month.

(b) "IRS rate" above means the Internal Revenue Service mileage rate for use by taxpayers computing the value of the use of a vehicle.

(5) **Your vehicle allowance qualifies as compensation earnable if you also receive a separate reimbursement for each occasion you use your own vehicle for business pur-**

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poses. If, in addition to your vehicle allowance, you receive a separate reimbursement for vehicle expenses for each occasion that you use a privately owned vehicle for business purposes, your vehicle allowance is compensation earnable.

(6) **Any part of your vehicle allowance that qualifies as earnable compensation is excess compensation.** If any part of your vehicle allowance is included in the calculation of your retirement allowance, your employer will be billed for excess compensation under RCW 41.50.150. Your employer's bill will equal the total estimated cost of the portion of your retirement allowance payment attributable to your vehicle allowance.

AMENDATORY SECTION (Amending Order IV, filed 2/15/78)

**WAC 415-112-100 Minimum requirement for membership.** With respect to members of TRS Plan 1 only, ninety calendar days of employment within a fiscal year as a full-time teacher, or the equivalent of ninety days of service within a fiscal year as a teacher employed on a part-time, occasional, hourly, or daily basis, shall be required, together with necessary contributions, before membership in the teachers' retirement system is established and before the director may approve an application for cancellation of exemption, for the granting of additional credit for previous service, or for the payment of any benefit.

AMENDATORY SECTION (Amending Order IV, filed 2/15/78)

**WAC 415-112-270 Evaluating credit for professional preparation.** If a TRS Plan 1 member is otherwise eligible, professional preparation credit may be allowed for additional study at an institution of higher learning, or at a commercial or technical school where the courses supplement the member's professional preparation. Thirty-six quarter hours of credit, or the equivalent, shall be considered a year's work. Any less credits shall be evaluated as a fractional part of a year.

AMENDATORY SECTION (Amending Order IV, filed 2/15/78)

**WAC 415-112-290 Credit for out-of-state service.** (1) A TRS Plan 1 member who leaves Washington public school service and terminates his membership in the teachers' retirement system by lapsation or withdrawal and who subsequently returns to service and membership may establish or reestablish only such credit for out-of-state service as may be credited under the laws in effect at the time when he reestablishes membership.

(2) Effective July 1, 1964, a new ~~((member))~~ or ~~((a))~~ former TRS Plan 1 member who returns to membership after his former membership was cancelled by lapsation or withdrawal may not establish or reestablish out-of-state prior service credit of any kind, including out-of-state prior service credit for teaching, professional preparation, or military service.

(3) Out-of-state membership service credit, regardless of when the service was rendered, may be established or reestablished after July 1, 1964, within the limitations of existing law, only if the out-of-state service was rendered while the member was on official leave of absence granted by a state of Washington employer.

AMENDATORY SECTION (Amending Order 79-02, filed 9/10/79)

**WAC 415-112-400 Salary deductions required by employer.** ~~((1) Plan I.~~

~~(a) Salary deductions for retirement shall be made from the beginning of the employment of every teacher employed full time (four-fifths or more) when the employment contract of such teacher calls for ninety or more days of employment in a school year. Salary deductions for retirement shall be required for every member employed full time when his employment contract calls for twenty or more days of employment in a school year.~~

~~(b)) When does the employer deduct salary for retirement contributions?~~

~~If the teacher or member is entitled to have salary deducted for retirement contributions, the employer must make the deductions when the teacher or member starts work.~~

~~(1) Plan 1.~~

~~(a) The employer must deduct salary for retirement contributions for a teacher who has not been a member if:~~

~~(i) They are employed full time (at least four-fifths of a school day or full time assignment); and~~

~~(ii) Their employment contract calls for at least ninety days of employment in a school year.~~

~~(b) The employer must also deduct the salary of each teacher who is a member employed full time if their employment contract calls for at least twenty days of employment in a school year.~~

~~(c) If a teacher who is not a member is employed for less than ninety days in a school year, ~~((and thus))~~ they will fail~~((s))~~ to establish membership~~((-any))~~. The employer must refund their salary deductions for retirement ~~((shall be refunded in full upon termination of his))~~ when they terminate employment as a teacher ~~((and upon filing))~~. The non-member must file a refund application with the department before they can receive the refund.~~

~~(d) If a member is employed by an employer for less than twenty days in a school year, ~~((any))~~ the employer must refund all salary deductions for retirement based on service during that year ~~((shall be refunded in full upon termination of his employment for that year and the filing of))~~ at the time the member terminates for the year. The nonmember must file a refund application with the department before they can receive the refund.~~

~~(2) Plan ~~((H))~~ 2.~~

~~(a) Salary deductions for retirement shall be made from the beginning of the employment of every teacher employed full time (four-fifths or more) when the employment contract of such teacher calls for ninety or more days of employment in a school year.) The employer must deduct salary for retirement contributions for a teacher if:~~

(i) They work at least eight hundred ten hours for nine or more months between September and August of the following year; and

(ii) Their employment contract calls for at least ninety days of employment in a school year.

(b) If a teacher who is not a member is employed for less than ninety days in a school year, ~~((and thus)) they will fail((s)) to establish membership((, any)). The employer must refund their salary deductions for retirement ((shall be refunded in full upon termination of his)) when they terminate employment as a teacher ((and upon filing)). The non-member must file a refund application with the department before they can receive the refund.~~

AMENDATORY SECTION (Amending WSR 91-21-084, filed 10/18/91, effective 11/18/91)

**WAC 415-112-515** **When a member of the teacher's retirement system Plan ((~~§~~) 1 enters retirement status.** A member of the teacher's retirement system Plan ((~~§~~) 1 enters retirement status when he or she:

(1) Has terminated all public school employment in the state of Washington;

(2) Has no written agreement to return to public school employment; and

(3) Has ~~((received his or her first monthly retirement payment)) made application, the accrual date has been determined, and the benefit begins to accrue.~~

Example: A member who is eligible for retirement on July 1st submits an application on June 1st with a July 1st retirement date. They terminate all employment on June 30th and do not have an agreement to return to work. Their benefit will begin to accrue on July 1st and they will receive their first retirement allowance payment at the end of July. The member is a "retiree" beginning July 1st because that is when the benefit begins to accrue.

AMENDATORY SECTION (Amending Order IV, filed 2/15/78)

**WAC 415-112-520** **Date from which service retirement allowance accrues.** ~~((1) Upon approval by the board of trustees of an application for service retirement, the teachers' retirement allowance shall accrue from the first of the month following that in which a member terminated public school service, unless a full year of Washington service credit is established for the school year in which a member retires, in which case the date of accrual of his retirement allowance shall be July 1st following the member's final year of service. In no case shall the accrual date be prior to the first of the month following that in which proof and payment are received to establish membership or additional service credit.~~

~~((2) If a member terminates public school employment prior to eligibility for a service retirement allowance and at some future date qualifies for a deferred retirement allowance on the basis of age, the accrual date of such member's retirement allowance shall be the date on which the member~~

~~reaches the minimum age required for such an allowance, provided the member is not employed in public education at the time. (Cross reference: WAC 415-112-620))~~ **When does my retirement allowance become payable?**

(1) The department must receive proof and payment to establish membership or additional service credit before your retirement allowance will be payable. After the department receives the necessary proof and payment and approves your application for service retirement, your retirement allowance is payable on:

(a) July 1 following your final year of service if you established a full year of Washington service credit for the year in which you retired; or

(b) The first of the month following the month that you terminated public school service.

(2) If you terminate public school employment before you are eligible for a service retirement allowance, you may later qualify for a deferred retirement allowance based on your age if you are not employed in public education. If you qualify, your retirement allowance is payable on the date you reach the minimum age required to start receiving payments.

AMENDATORY SECTION (Amending Order IV, filed 2/15/78)

**WAC 415-112-600** **Eligibility for temporary disability benefits.** A member of the teachers' retirement system shall be covered for benefits under the temporary disability program only while employed on a full-time basis. ~~((The disability premium paid by a member during one school year shall afford disability protection until the beginning of the regular school term the following school year.))~~ Full-time employment during one school year shall afford disability protection until the beginning of the regular school term of the following school year.

AMENDATORY SECTION (Amending Order IV, filed 2/15/78)

**WAC 415-112-700** **Determining dependency under RCW 41.32.520.** ~~((In order for a beneficiary under RCW 41.32.520 to qualify as the dependent of a deceased member, the following conditions shall prevail:~~

~~((1) The deceased member shall have provided financial support for the beneficiary to the extent of one-half or more of reasonable living expense. Such financial support shall have been in effect at the time of the member's death and shall have been reasonably continuous prior to that time;))~~ To qualify as a dependent of a deceased member under the authority of RCW 41.32.520 the individual must provide proof of the following conditions:

(1) The beneficiary must receive one-half or more of their financial support from the deceased member. Such support must have been continuous prior to death and in effect at the time of the member's death.

(2) The term "financial support" shall include the cost of food, clothing, shelter, education, medical and dental expenses, and other similar expenses.

AMENDATORY SECTION (Amending Order IV, filed 2/15/78)

WAC 415-112-710 ((Accrual date of survivor benefits under RCW 41.32.520.)) **When are survivor benefits payable?** (1) ((The accrual date of a monthly survivor benefit under RCW 41.32.520(1) shall be the date following the date of the member's death or the fiftieth birthday of the beneficiary if the latter follows the date of the member's death.

(2) The accrual date of a survivor retirement allowance under RCW 41.32.520(2) shall be the day following the date of death of the member who was eligible for retirement, unless the deceased member had established a full year of service credit for his final year of service, in which case the effective date of the survivor retirement allowance shall be July 1st of the ensuing fiscal year. In all cases the rate of the annuity benefit shall be computed as of the date following the date of) If there is a named beneficiary, monthly survivor benefits under RCW 41.32.520(1) are payable on the later of the following two dates:

- (a) The day after the member's death; or
- (b) The beneficiary's fiftieth birthday.

(2) If there is no named beneficiary, the survivor retirement allowance under RCW 41.32.520(2) is payable on:

- (a) July 1st of the first fiscal year after the member's death if the deceased established a full year of service credit for their final year of service; or
- (b) The day after the death of a member eligible for retirement.

In all cases the rate of the annuity benefit will be computed as of the day after the member's death.

AMENDATORY SECTION (Amending WSR 96-01-047, filed 12/14/95, effective 1/14/96)

WAC 415-112-725 **Married member's benefit selection—Spousal consent required.** (1) A member, if married, must provide the spouse's written consent to the option selected under WAC 415-112-727. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance and record the member's spouse as the survivor, in compliance with RCW 41.32.530(2) and 41.32.785(2).

(2) Spousal consent is not needed to enforce a marital dissolution order requiring the department to pay an ex-spouse under RCW 41.50.790.

(3) "Spousal consent" means that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on a completed retirement application constitutes spousal consent.

AMENDATORY SECTION (Amending WSR 96-01-047, filed 12/14/95, effective 1/14/96)

WAC 415-112-727 **Retirement benefit options.** RCW 41.32.530 (Plan ((F)) 1) and RCW 41.32.785 (Plan ((H)) 2) enable the department to provide retiring members with four retirement benefit options. In addition, retiring Plan ((F)) 1 members may select the COLA (cost-of-living adjustment)

option. The retiring member must choose an option(s) when applying for service or disability retirement.

**(1) Benefit options without survivor feature.**

(a) Maximum benefit allowance. Plan ((F)) 1 retirees may elect to receive the maximum benefit possible which is based on a single life annuity. The maximum benefit allowance does not include a survivor allowance or beneficiary payment. When the retiree dies, all benefits cease. Any remaining balance in employee contributions is retained by the retirement system.

(b) Option One (standard allowance). The department pays a monthly retirement allowance based on a reduced single life annuity of the member, as provided in RCW 41.32.480 (Plan ((F)) 1 -Service), RCW 41.32.550 (Plan ((F)) 1 - Disability), RCW 41.32.765 (Plan ((H)) 2 - Service), or RCW 41.32.790 (Plan ((H)) 2 -Disability). When the retiree dies, all benefits cease. Any remaining balance of the member's accumulated contributions will be paid to:

- (i) The retiree's designated beneficiary; or if none, to
- (ii) The retiree's surviving spouse; or if none, to
- (iii) The retiree's legal representative.

A member selecting Option One must designate a beneficiary at the time of retirement by filing a completed and notarized form provided by the department.

**(2) Benefit options with a survivor feature.** A retiring member is allowed to select from several retirement options which create an actuarially equivalent benefit that includes a survivor feature. The survivor feature entitles the survivor to receive a monthly allowance after the retiree dies. If the member chooses one of the survivor options, the monthly benefit the member will receive is actuarially reduced to offset the cost of the survivor feature. After the retiree dies, the department pays the survivor an allowance for the duration of his or her life. If the retiree and the survivor both die before the retiree's accumulated contributions are exhausted, the remaining balance is retained in the retirement fund.

(a) Option Two (joint and whole allowance). When the retiree dies, the department pays the survivor a retirement allowance equal to the gross monthly allowance received by the retiree.

(b) Option Three (joint and one-half allowance). When the retiree dies, the department pays the survivor an allowance equal to one-half of the retiree's gross monthly retirement allowance.

(c) Option Four (joint and two-thirds allowance).

(i) This subsection applies to members retiring on or after January 1, 1996.

(ii) When the retiree dies, the department pays the survivor an allowance equal to two-thirds (66.667%) of the retiree's gross monthly retirement benefit allowance.

(3) If a member retires on or after June 6, 1996, the department is required to pay an ex-spouse survivor benefits pursuant to a marital dissolution order that complies with RCW 41.50.790.

**(4) Supplemental COLA option for Plan ((F)) 1 members.** Retiring Plan ((F)) 1 members may select an annual cost-of-living adjustment (COLA) option in addition to their choice of retirement benefit options listed above in subsections (1) and (2) of this section. Retiring members who choose this supplemental option will have their monthly

retirement allowance actuarially reduced to offset the cost of annual adjustment.

~~((4))~~ **(5) Benefit increases when survivor predeceases retiree (pop-up provision).**

(a) This section applies to members retiring on or after January 1, 1996, who select Option Two, Three, or Four.

(b) Plan ~~((F))~~ **1** members. If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen the maximum benefit, minus;

(ii) Any reduction in the maximum allowance resulting from a withdrawal of contributions, plus;

(iii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(c) Plan ~~((H))~~ **2** members. If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen the standard allowance; plus

(ii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(d) Pop-up recalculation example.

**Plan One:**

Lucinda retires from TRS Plan ~~((F))~~ **1** in 1996 (Year 0) with \$55,000 in accumulated contributions. As a TRS ~~((F))~~ **1** member she is allowed to withdraw some or all of her contributions when she retires. She decides to withdraw \$5,000 so she and Garth, her husband, can take a cruise. This will actuarially reduce Lucinda's maximum benefit from \$2,000 per month to \$1,963.86. Lucinda would also like Garth to receive a monthly allowance after she dies. Therefore, Lucinda chooses one of the benefit options with a survivor feature. As a result, her monthly allowance is further actuarially reduced from \$1,963.86 to \$1,846.03. Unfortunately, Garth dies in January 2001 (Year 5). Under the "pop-up" provision, Lucinda's monthly benefit will increase to \$1,963.86, the amount she would have received had she chosen the maximum benefit (after reduction for her withdrawals). If Lucinda selected the COLA option or if she has otherwise become eligible for a COLA, the accumulated COLAs (based on the prior benefit allowance) will be added to the \$1,963.86\*.

**Plan Two:**

Agnes retires from TRS Plan ~~((H))~~ **2** in 1996 (Year 0). She would like Beatrice, her daughter, to receive a monthly allowance after Agnes dies. Therefore, Agnes selects a retirement benefit option with a survivor feature. As a result her monthly allowance is reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Beatrice dies in January 2001 (Year 5). Under the "pop-up" provision, Agnes' monthly benefit will increase to the amount she would have received had she chosen Option One (standard allowance) plus her accumulated COLA's:

Year	Option One (Standard Allowance)	Survivor Option (2,3,4) plus COLAs	COLA incr. (3% max)	\$ Increase
0 (1996)	2,000.00	1,750.00	(inelig.)	0.00
1 (1997)		1,750.00	.02	35.00
2 (1998)		1,785.00	.03	53.55
3 (1999)		1,838.55	.025	45.96
4 (2000)		1,884.51	.03	56.54
5 (2001)	2,000.00	1,941.05	—	—
			<b>Total COLA's</b>	<b>191.05</b>
Original Option One Benefit Amount \$2000		+Total COLA's +\$191.05	=New Benefit Amount =\$2,191.05*	

\*In the future (i.e., 2001 or Year 5), COLAs will be based on the increased benefit amount.

(e) If the survivor dies and the retiree's benefit increases under this section, and thereafter the retiree also dies before all contributions are exhausted, the remaining balance is retained by the retirement fund.

~~((5))~~ **(6) Any retiree who retired before January 1, 1996, and who elected to receive a reduced retirement allowance under subsection (2) of this section is entitled to receive a retirement allowance adjustment if the retiree meets the following conditions:**

(a) The retiree's designated beneficiary predeceases or has predeceased the retiree; and

(b) The retiree provides the department proper proof of the designated beneficiary's death. The retiree is not required to apply for the increased benefit provided in this subsection.

The adjusted retirement allowance will be effective on July 1, 1998, or the first day of the month following the date of death of the designated beneficiary, whichever comes last. The adjustment is computed as described in RCW 41.32.530

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(3)(c) for Plan 1 retirees or RCW 41.32.785 (3)(c) for Plan 2 retirees.

**(7) Survivor.** For the purposes of this provision, "survivor" means a person nominated by the member to receive a monthly benefit allowance after the member dies. A member nominates the survivor at the time of retirement by filing a completed and notarized form provided by the department.

AMENDATORY SECTION (Amending Order 87-09, filed 10/7/87)

**WAC 415-112-800 Scope.** WAC 415-112-800 through 415-112-820 govern the application of RCW 41.32.010 ~~((H))~~ **(10)(a)(ii)**, as amended by section 1, chapter 265, Laws of 1987 and by section 2, chapter 265, Laws of 1987, and shall apply only to persons who became members prior to October 1, 1977.

AMENDATORY SECTION (Amending WSR 95-22-006, filed 10/18/95, effective 11/18/95)

**WAC 415-112-41301 Vehicle allowances—Are vehicle allowances earnable compensation?** **(1) If your employer provides you any payment or allowance in lieu of a reimbursement for expenses you incur or expect to incur in performing services for your employer, the payment or allowance is not earnable compensation.** Your vehicle allowance does not qualify as earnable compensation if you receive the allowance in lieu of reimbursement for expenses that you incur or expect to incur in using your own vehicle for business purposes. ~~((See WAC 415-112-410 (3)(c) and 415-112-411 (3)(g).))~~

**(2) The department presumes that any vehicle allowance provided to you by your employer is a payment in lieu of reimbursement for expenses and is not earnable compensation.** If the contract authorizing your vehicle allowance states that it is provided solely in lieu of reimbursement for expenses that you incur or expect to incur in using your own vehicle for business purposes, the department's presumption is not rebuttable.

**(3) Your vehicle allowance may qualify as earnable compensation to the extent that it exceeds your actual expenses.** If your employer documents that your vehicle allowance exceeds the actual expenses you incur in driving your own vehicle for business purposes, the excess amount is earnable compensation. Your employer must maintain monthly contemporaneous records documenting the following:

- (a) The dates, if any, on which you used a privately owned vehicle in performing services for your employer;
- (b) The miles you drove the vehicle on each of these trips; and
- (c) Your itinerary for each of these trips.

**(4) How to determine what amount of your vehicle allowance, if any, is reportable as earnable compensation.** If your employer documents that your vehicle allowance exceeds the actual expenses you incur in using your own vehicle for business purposes, your employer must report to the department as earnable compensation:

Your Vehicle Allowance LESS (Miles X IRS Rate)

(a) "Miles" above means the number of miles you drove a privately owned vehicle for business purposes during the month.

(b) "IRS rate" above means the Internal Revenue Service mileage rate for use by taxpayers computing the value of the use of a vehicle.

**(5) Your vehicle allowance qualifies as earnable compensation if you also receive a separate reimbursement for each occasion you use your own vehicle for business purposes.** If, in addition to your vehicle allowance, you receive a separate reimbursement for vehicle expenses for each occasion that you use a privately owned vehicle for business purposes, your vehicle allowance is earnable compensation.

**(6) Any part of your vehicle allowance that qualifies as earnable compensation is excess compensation.** If any part of your vehicle allowance is included in the calculation of your retirement allowance, your employer will be billed for excess compensation under RCW 41.50.150. Your employer's bill will equal the total estimated cost of the portion of your retirement allowance payment attributable to your vehicle allowance.

## WSR 99-14-010

### PERMANENT RULES

### STATE BOARD OF EDUCATION

[Filed June 24, 1999, 2:50 p.m.]

Date of Adoption: June 10, 1999.

Purpose: Clarification of the period of time allowed in which to complete the one hundred fifty clock hours required for maintenance of the continuing certificate.

Citation of Existing Rules Affected by this Order: Amending WAC 180-85-075.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 99-10-002 on April 21, 1999.

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, 1999

Larry Davis  
Executive Director

**AMENDATORY SECTION** (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

**WAC 180-85-075 Continuing education requirement.** Continuing education requirements are as follows:

(1) Each holder of a continuing or a standard certificate affected by this chapter shall be required to complete during a five-year period one hundred fifty ~~((credit hours of))~~ continuing education credit hours, as defined in WAC 180-85-030, prior to his or her first lapse date and during each five-year period between subsequent lapse dates as calculated in WAC 180-85-100.

(2) Each holder of a valid professional certificate shall be required to complete one hundred fifty continuing education credit hours, as defined in WAC 180-85-030, since the certificate was issued in order to renew. All continuing education credit hours shall relate to either (a) or (b) of this subsection: Provided, That both categories (a) and (b) must be represented in the one hundred fifty ~~((total))~~ continuing education credit hours required for renewal:

(a) One or more of the following three standards outlined in WAC 180-78A-540:

- (i) Effective instruction.
- (ii) Leadership.
- (iii) Professional development.

(b) One of the salary criteria specified in RCW 28A.415.023.

(i) Is consistent with a school-based plan for mastery of student learning goals as referenced in RCW 28A.320.205, the annual school performance report, for the school in which the individual is assigned;

(ii) Pertains to the individual's current assignment or expected assignment for the subsequent school year;

(iii) Is necessary to obtain an endorsement as prescribed by the state board of education;

(iv) Is specifically required to obtain advanced levels of certification; or

(v) Is included in a college or university degree program that pertains to the individual's current assignment, or potential future assignment, as a certified instructional staff.

### WSR 99-14-012

#### PERMANENT RULES

#### STATE BOARD OF EDUCATION

[Filed June 24, 1999, 2:55 p.m.]

Date of Adoption: June 10, 1999.

Purpose: The amendment identifies a second accrediting agency for institutions offering baccalaureate degrees in nursing required for certification.

Citation of Existing Rules Affected by this Order: Amending WAC 180-79A-223.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 99-10-003 on April 21, 1999.

Changes Other than Editing from Proposed to Adopted Version: Changes from proposed version are wholly for 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 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, 1999

Larry Davis  
Executive Director

**AMENDATORY SECTION** (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

**WAC 180-79A-223 Academic and experience requirements for certification—School nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist.** Candidates for school nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist certification shall apply directly to the professional education and certification office. Such candidates shall complete the following requirements, in addition to those set forth in WAC 180-79A-150, except state approved college/university professional preparation program:

(1) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree in nursing from a ~~((National League of Nursing accredited))~~ program accredited by the National League for Nursing Accrediting Commission or the Commission on Collegiate Nursing Education.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting including the state learning goals and essential academic learning requirements: Provided, That an individual who meets all other requirements but who has not completed the required course work shall be issued a tempo-

rary permit valid for one hundred eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school nurse and have completed forty-five quarter hours (thirty semester hours) of post-baccalaureate course work in education, nursing, or other health sciences.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(2) School occupational therapist.

(a) Initial.

(i) The candidate shall hold a valid license as an occupational therapist in Washington state.

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Occupational Therapy Association approved program in occupational therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting including the state learning goals and essential academic learning requirements: Provided, That an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one hundred eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school occupational therapist and have completed at least fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in occupational therapy, other health sciences or education.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(3) School physical therapist.

(a) Initial.

(i) The candidate shall hold a valid license as a physical therapist in Washington state.

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Physical Therapy Association accredited program in physical therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of

course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting including the state learning goals and essential academic learning requirements: Provided, That an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one hundred eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school physical therapist and have completed fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in physical therapy, other health sciences or education.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(4) School speech-language pathologist or audiologist.

(a) Initial.

(i) The candidate shall have completed all course work (except special project or thesis) for a master's degree from a college or university program accredited by the American Speech and Hearing Association (ASHA) with a major in speech pathology or audiology. Such program shall include satisfactory completion of a written comprehensive examination: Provided, That if any candidate has not completed a written comprehensive examination, the candidate may present verification from ASHA of a passing score on the National Teacher's Examination in speech pathology or audiology as a condition for certification.

(ii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting including the state learning goals and essential academic learning requirements: Provided, That an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one hundred eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall hold a master's degree with a major in speech pathology or audiology.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school sys-

tem—and at least thirty days of such employment with the same employer.

**WSR 99-14-022**  
**PERMANENT RULES**  
**WASHINGTON STATE EMPLOYEES**  
**COMBINED FUND DRIVE**

[Filed June 28, 1999, 2:31 p.m.]

Date of Adoption: May 18, 1999.

Purpose: To allow charities that deliver services in the performing, visual, literary, and media arts in the Combined Fund Drive.

Citation of Existing Rules Affected by this Order: Amending WAC 240-10-030.

Statutory Authority for Adoption: Executive Order 84-13.

Other Authority: WAC 240-10-010.

Adopted under notice filed as WSR 99-08-109 on April 7, 1999.

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 0, Repealed 0.

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

June 24, 1999

Enrique Cantu

CFD Committee Member

**AMENDATORY SECTION** (Amending WSR 95-09-025, filed 4/12/95, effective 5/13/95)

**WAC 240-10-030 Definitions.** (1) Committee - The Washington state employee combined fund drive committee described in WAC 240-10-010.

(2) State employee combined fund drive campaign - An arrangement by which the committee provides one or more other participating organizations with the opportunity to receive funds contributed to them in the annual campaign, based on their compliance with the regulations herein.

(3) Participating organization - A health and welfare agency whose application has been accepted by the committee.

(4) Annual campaign - The once-a-year period of organized solicitation of state employees conducted annually to obtain voluntary contributions from state employees for char-

itable commitments to be allocated during the ensuing year of contributions.

(5) Year of contributions - The annual calendar year for collection of the voluntary payroll deductions for charitable contributions authorized by state employees pursuant to these regulations. The normal, full annual calendar year shall begin with January and end with the ensuing December.

(6) Health and welfare agency - The terms "voluntary agency," "voluntary health and welfare agency," "voluntary charitable agency," and "voluntary charitable health and welfare agency" mean an organization that is organized and operated for the purpose of rendering, or of materially or financially supporting the rendering of, one or more of the following services for the benefit of human beings:

- (a) Delivery of health care to ill or infirm individuals;
- (b) Education and training of personnel for the delivery of health care to ill or infirm individuals;
- (c) Health research for the benefit of ill or infirm individuals;

(d) Delivery of education, training, and care to physically and mentally handicapped individuals;

(e) Treatment, care, rehabilitation, and counseling of juvenile delinquents, criminals, released convicts, persons who abuse drugs or alcohol, persons who are victims of intra-family violence or abuse, persons who are otherwise in need of social adjustment and rehabilitation, and the families of such persons;

(f) Relief of victims of crime, war, casualty, famine, natural disasters, and other catastrophes and emergencies;

(g) Neighborhood and community-wide social services that directly assist needy, poor, and indigent individuals, including provision of emergency relief and shelter, recreation, transportation, the preparation and delivery of meals, educational opportunities, and job training;

(h) Protection of families that, on account of economic or other need, poverty, indigence, or emergency, are in long-term or short-term need of family, child-care, and maternity services, child and marriage counseling, foster care, and guidance or assistance in the management and maintenance of the home and household;

(i) Relief of needy, poor, and indigent infants and children, and of orphans, including the provision of adoption services;

(j) Relief of needy, poor, and indigent adults and of the elderly;

(k) Delivery of services or assistance that conserve, protect, or restore the environment;

(l) Delivery of services or assistance to threatened or endangered species;

(m) Delivery of services in the performing, visual, literary and media arts.

(7) Local presence - Demonstration of direct and substantial presence in the local campaign community:

(a) The availability of services, such as examinations, treatments, inoculations, preventive care, counseling, training, scholarship assistance, transportation, feeding, institutionalization, shelter, and clothing to persons working or residing in the local campaign community.

(b) The presence within the local campaign community, or within reasonable commuting distance thereof, of a facility

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at which services may be obtained, such as an office, clinic, mobile unit, field agency, or direct provider, or specific demonstrable effects of research, such as personnel or facilities engaged therein or specific local applications thereof.

(c) The availability to persons working or residing in the local campaign community of communication with the voluntary charitable agency by means of home visits, transportation, or telephone calls, provided by the voluntary agency at no charge to the recipient or beneficiary of the service.

(8) Overseas - Areas outside of the District of Columbia and the fifty states of the United States.

**WSR 99-14-023**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)

[Filed June 28, 1999, 3:18 p.m., effective July 1, 1999]

Date of Adoption: June 28, 1999.

Purpose: To revise the rules for the working connections child care (WCCC) program in compliance with Governor's Executive Order 97-02, with the goal of making them easier for clients to understand, and for field staff to apply consistently.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-290-020, 388-290-025, 388-290-030, 388-290-035, 388-290-050, 388-290-055, 388-290-060, 388-290-070, 388-290-080, 388-290-090, and 388-290-105; and amending WAC 388-290-010.

Statutory Authority for Adoption: RCW 74.04.050, 74.13.0903, and Public Law 104-193, Sections 407 and 605.

Other Authority: 45 C.F.R. Parts 98 and 99 (Child Care and Development Fund rule).

Adopted under notice filed as WSR 99-08-121 on April 7, 1999.

Changes Other than Editing from Proposed to Adopted Version: There are two changes. The first expands the time a parent has to notify their child care provider of a change in circumstance from five days to ten days. The second increases the minimum amount for an overpayment from \$100 to \$300.

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 33, Amended 1, Repealed 11.

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 33, Amended 1, Repealed 11.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Chapter 388-290 WAC is written in a manner that will make these rules simpler for clients to follow and easier for field staff to implement. There are several policy changes that are client-friendly: In particular, allowing workers to keep a client's copayment stable even if that client's income increases.

Effective Date of Rule: July 1, 1999.

June 28, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**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 99-15 issue of the Register.

**WSR 99-14-025**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed June 28, 1999, 3:24 p.m., effective July 1, 1999]

Date of Adoption: June 28, 1999.

Purpose: To codify payment methodology for hospitals that receive medically indigent disproportionate share payments. Also to comply with the Governor's Executive Order 97-03. **Note:** WAC 388-550-4900 and 388-550-5000 filed under WSR 99-09-087 will be filed at a later date. WAC 388-550-5110 and 388-550-5120 also filed under WSR 99-09-087 as new sections have been withdrawn because the legislature did not pass supporting legislation as had been anticipated.

Citation of Existing Rules Affected by this Order: Amending WAC 388-550-5100, 388-550-5150, 388-550-5200, 388-550-5250, 388-550-5300, 388-550-5350, and 388-550-5400.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.730, chapter 74.46 RCW, 42 U.S.C. 1396r-4.

Adopted under notice filed as WSR 99-09-087 on April 21, 1999.

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 7, 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 7, 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 7, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW

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34.05.80(3) [34.05.380(3)], the rule must become effective July 1, 1999, because SHB 5968 funds this program and mandates this effective date.

Effective Date of Rule: July 1, 1999.

June 28, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-5100 Payment method—MIDSH.** (1) ~~((The department shall deem))~~ MAA considers a hospital eligible for the medically indigent disproportionate share hospital (MIDSH) payment if the hospital:

- (2) ~~((e))~~ (b) and (4);
- (a) Meets the criteria in WAC 388-550-4900
- (b) Is an in-state or border area hospital;
- (c) Provides services to clients under the medically indigent program; and
- (d) Has a low-income utilization rate of one percent or more.

(2) ~~((The department shall determine))~~ MAA determines the MIDSH payment for each eligible hospital in accordance with WAC 388-550-4800.

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-5150 Payment method—GAUDSH.**

(1) ~~((The department shall deem))~~ MAA considers a hospital eligible for the general assistance-unemployable disproportionate share hospital (GAUDSH) payment if the hospital:

- (2) ~~((e))~~ (b) and (4);
- (a) Meets the criteria in WAC 388-550-4900
- (b) Is an in-state or border area hospital;
- (c) Provides services to clients under the medical care services program; and
- (d) Has a low-income utilization rate (LIUR) of one percent or more.

(2) ~~((The department shall determine))~~ MAA determines the GAUDSH payment for each eligible hospital in accordance with WAC 388-550-4800, except that the payment ~~((shall))~~ is not ~~((be))~~ reduced by the additional three percent specified in WAC 388-550-4800(4).

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-5200 Payment method—SRHAPDSH.** (1) ~~((The department shall deem))~~ MAA considers a hospital eligible for the small rural hospital assistance program disproportionate share hospital (SRHAPDSH) payment if the hospital:

- (2) ~~((e))~~ (b) and (4);
- (a) Meets the criteria in WAC 388-550-4900
- (b) Is an in-state hospital;
- (c) Is a small, rural hospital, defined as a hospital with fewer than seventy-five licensed beds and located in a city or

town with a nonstudent population of thirteen thousand or less; and

(d) Provides at least one percent of its services to low-income patients in rural areas of the state.

(2)(a) ~~((The department shall pay))~~ MAA pays hospitals qualifying for SRHAPDSH payments from a legislatively appropriated pool.

(b) ~~((The department shall determine))~~ MAA determines each individual hospital's SRHAPDSH payment as follows: The total dollars in the pool will be multiplied by the percentage derived from dividing the Medicaid payments to the individual hospital during the fiscal year that is two years previous to the state fiscal year immediately preceded by the total Medicaid payments to all SRHAPDSH hospitals during the same hospital fiscal year.

(3) ~~((The department's))~~ MAA's SRHAPDSH payments to a hospital may not exceed one hundred percent of the projected cost of care for Medicaid clients and uninsured indigent patients. ~~((The department shall reallocate dollars not allocated because a hospital would otherwise exceed this ceiling to the remaining hospitals in the SRHAPDSH pool))~~ MAA reallocates dollars as defined in the state plan.

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-5250 Payment method—THAPDSH.**

(1) ~~((The department shall deem))~~ MAA considers a hospital eligible for the teaching hospital assistance program disproportionate share hospital (THAPDSH) program if the hospital:

- (2) ~~((e))~~ (b) and (4);
- (a) Meets the criteria in WAC 388-550-4900
- (b) Is a Washington State University hospital; and
- (c) Has a Medicaid inpatient utilization rate (MIPUR) of twenty percent or more.

(2) ~~((The department shall fund))~~ MAA funds THAPDSH payments with legislatively appropriated monies. ~~((The department shall divide))~~ MAA divides the legislatively appropriated THAPDSH amount equally between qualifying hospitals.

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-5300 Payment method—STHFPDSH.**

(1) ~~((The department shall deem))~~ MAA considers a hospital eligible for the state teaching hospital financing program disproportionate share hospital (STHFPDSH) program if the hospital:

- (2) ~~((e))~~ (b) and (4);
- (a) Meets the criteria in WAC 388-550-4900
- (b) Is a state-owned university or public corporation hospital (border area hospitals are excluded);
- (c) Provides a major medical teaching program, defined as a program in a hospital with more than one hundred residents and/or interns; and
- (d) Has a Medicaid inpatient utilization rate (MIPUR) of at least twenty percent.

(2) MAA:

(a) (~~The department shall pay~~) Pays hospitals deemed eligible under the criteria in subsection (1) of this section a STHFPDSH payment from the legislatively appropriated pool specifically designated for DSH payments to state and county teaching hospitals.

(b) (~~The department shall limit~~) Limits STHFPDSH payments to eligible hospitals to seventy percent of the legislatively appropriated pool for DSH payments to state and county teaching hospitals.

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-5350 Payment method—CTHFPDSH.** (1) (~~The department shall deem~~) MAA considers a hospital eligible for the county teaching hospital financing program disproportionate share hospital (CTHFPDSH) payment if the hospital:

(a) Meets the criteria in WAC 388-550-4900 (2)(~~(e)~~)(b) and (4);

(b) Is a county hospital in Washington state (border area hospitals are excluded), so designated by the county in which located;

(c) Provides a major medical teaching program, defined as a program in a hospital with more than one hundred residents and/or interns; and

(d) Has a low-income utilization rate (LIUR) of at least twenty-five percent.

(2) MAA:

(a) (~~The department shall pay~~) Pays hospitals (~~deemed~~) considered eligible under the criteria in subsection (1) of this section a CTHFPDSH payment from the legislatively appropriated pool specifically designated for DSH payments to state and county teaching hospitals.

(b) (~~The department shall limit~~) Limits CTHFPDSH payments to eligible hospitals to thirty percent of the legislatively appropriated pool for DSH payments to state and county teaching hospitals.

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-5400 Payment method—PHDDSH.** (1) (~~The department shall deem~~) MAA considers a hospital eligible for the public hospital district disproportionate share hospital (PHDDSH) payment if the hospital:

(a) Meets the criteria in WAC 388-550-4900 (2)(~~(e)~~)(b) and (4);

(b) Is a public district hospital in Washington state or a border area hospital owned by a public corporation; and

(c) Provides at least one percent of its services to low-income patients.

(2) (~~The department shall pay~~) MAA pays hospitals (~~deemed~~) considered eligible under the criteria in subsection (1) of this section a PHDDSH payment amount from the legislatively appropriated PHDDSH pool.

**WSR 99-14-026**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed June 28, 1999, 3:25 p.m., effective July 1, 1999]

Date of Adoption: June 28, 1999.

Purpose: To update rule to reflect current department policy. To comply with the Governor's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Amending WAC 388-550-4800 Hospital payment method—State only programs.

Statutory Authority for Adoption: RCW 74.09.080, 74.09.730, 42 U.S.C. 1395x(v) and 1396r-4, 42 C.F.R. 447.271, 2652.

Adopted under notice filed as WSR 99-09-090 on April 21, 1999.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-550-4800(3) changed from "MAA may adjust all cost-based conversion factors (CBCF) by an inflation factor determined by the legislature" to "MAA updates each hospital's ratable annually on August 1."

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.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Per RCW 34.05.380(3), the rule must become effective July 1, 1999, because the senate budget bill (ESSB 5180) and the budget notes defining the budget bill mandate this effective date.

Effective Date of Rule: July 1, 1999.

June 28, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 99-06-046, filed 2/26/99, effective 3/29/99)

**WAC 388-550-4800 Hospital payment method—State-only programs.** (1) The medical assistance administration (MAA):

(a) (~~(MAA)~~) Calculates payments to hospitals for state-only MI/medical care services to clients according to the:

(i) Diagnosis-related group (DRG); or

(ii) Ratio of costs-to-charges (RCC) methodologies; and

(b) ~~((MAA))~~ Reduces hospitals' Title XIX rates by their ratable and/or equivalency ~~((EQ))~~ factors (EQ), as applicable.

(2) MAA calculates ratables ~~((as follows))~~ by:

(a) Adding together a hospital's Medicare and Medicaid revenues ~~((are added together))~~, along with the value of the hospital's charity care and bad debts. MAA deducts the hospital's low-income disproportionate share (LIDSH) revenue ~~((is deducted))~~ from this total to arrive at the hospital's community care dollars~~((-)); then~~

(b) Subtracting revenue generated by hospital-based physicians~~((, as reported in the hospital's HCFA 2552 report, is subtracted))~~ from total hospital revenue~~((, also))~~. Both revenues are as reported in the hospital's HCFA 2552 cost report~~((-)); then~~

(c) Divides the amount derived in step (2)(a) ~~((is divided))~~ by the amount derived in step (2)(b) to obtain the ratio of community care dollars to total revenue~~((-)); then~~

(d) Subtracts the result of step (2)(c) ~~((is subtracted))~~ from 1.000 to ~~((derive))~~ obtain the hospital's ratable. The hospital's Title XIX cost-based conversion factor (CBCF) or RCC rate is multiplied by (1-ratable) for ~~((an))~~ a MI or medical care services client.

(e) The ~~((reimbursements))~~ payments for MI/medical care services clients are mathematically represented as follows:

MI/medical care services RCC = Title XIX RCC x (1-Ratable)

MI/medical care services CBCF = Title XIX Conversion Factor x (1-Ratable) x EQ

(3) MAA updates each hospital's ratable annually on August 1.

(4) MAA:

(a) ~~((MAA))~~ Uses the ~~((equivalency factor(-)EQ((-)))~~ to hold the DRG reimbursement rates for the MI/medical care services programs at their current level prior to any rebasing. MAA applies the EQ only to the Title XIX DRG CBCFs. MAA does not apply the EQ when the DRG rate change is due to the application of ~~((the annual))~~ an inflation factor ~~((from the PPS-type hospital market basket index from the most recent McGraw-Hill Data Resources, Inc., (DRI) forecast))~~.

(b) ~~((MAA))~~ Calculates a hospital's equivalency factor as follows:

EQ = (Current MI/medical care services conversion factor)/(Title XIX DRG rate x (1-ratable))

(5) Effective for hospital admissions on or after December 1, 1991, MAA reduces its payment for MI (but not medical care services) clients further by multiplying ~~((it))~~ the payment by ninety-seven percent. MAA applies this payment reduction adjustment to the MIDSH methodology in accordance with section 3(b) of the "Medicaid Voluntary Contributions and Provider-Specific Tax Amendment of 1991."

(6) When the MI/medical care services client has a trauma that qualifies under the trauma program, MAA pays the full Medicaid Title XIX amount when care has been provided in a nongovernmental hospital designated by the department of health (DOH) as a trauma services center. MAA ~~((applies the reduction in MI cases which do not qualify under the trauma program. MAA))~~ gives an annual grant

for trauma services to governmental hospitals certified by DOH.

## WSR 99-14-027

### PERMANENT RULES

### DEPARTMENT OF

### SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed June 28, 1999, 3:28 p.m., effective July 1, 1999]

Date of Adoption: June 28, 1999.

Purpose: To eliminate duplication by consolidating certain information into a single section and update rule content to reflect current department policy. To comply with the Governor's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Amending WAC 388-550-2800, 388-550-2900, 388-550-3450, 388-550-3500, 388-550-3900, and 388-550-4100.

Statutory Authority for Adoption: RCW 74.09.090, 42 U.S.C. 1395x(v) and 1396r-4, 42 C.F.R. 447.271, 11303, and 2652.

Adopted under notice filed as WSR 99-09-091 on April 21, 1999.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-550-3500 added "...as determined by the legislature and as addressed in subsequent budget notes. MAA does not...." This was necessary because of legislative budget notes which define the senate budget bill clarify which inflation adjustment should be used.

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 6, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 6, 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 6, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Per RCW 34.05.380(3), the rule must become effective July 1, 1999, because the senate budget bill (ESSB 5180) and the budget notes defining the budget bill mandate this effective date.

Effective Date of Rule: July 1, 1999.

June 28, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit



**AMENDATORY SECTION** (Amending WSR 99-06-046, filed 2/26/99, effective 3/29/99)

**WAC 388-550-2800** (~~Establishing~~) **Inpatient payment** (~~rates~~) **methods and limits.** (1) MAA pays hospitals for inpatient hospital services using the rate setting methods identified in the department's approved state plan that includes:

Method	Used ((by)) for
Negotiated conversion factor	Hospitals participating in the ( <del>federally waived</del> ) Medicaid hospital selective contracting program ( <del>(DRG method)</del> ) <u>under waiver from the federal government</u>
Cost-based conversion factor	Hospitals not participating in or exempt from the Medicaid hospital selective contracting program (DRG method)
Ratio of costs-to-charges	Hospitals ( <del>and</del> ) or services exempt from DRG payment methods
Fixed per diem rate	<u>Acute Physical Medicine and Rehabilitation (Acute PM&amp;R) Level B contracted facilities</u>

(2) MAA's (~~total~~) annual aggregate Medicaid payments to each hospital for inpatient hospital services provided to Medicaid clients must not exceed the hospital's customary charges to the general public for the services (42 CFR § 447.271). MAA will recoup amounts in excess of (~~total~~) annual aggregate Medicaid payments (~~in excess of such charges~~) to hospitals.

(3) MAA's annual aggregate payments for inpatient hospital services, including (~~annual aggregate payments to~~) state-operated hospitals, must not exceed estimated amounts that MAA would have (~~been~~) paid (~~under the~~) using Medicare payment principles.

(4) When hospital ownership changes, MAA's payment to the hospital must not exceed the amount allowed under 42 U.S.C. Section (~~1385x~~) 1395x (v)(1)(O).

(5) Hospitals participating in the medical assistance program must annually submit to the department:

(a) A copy of the hospital's HCFA 2552 (~~uniform~~) Medicare Cost Report; and

(b) A disproportionate share hospital application.

(6) Reports referred to in subsection (5) of this section must be completed according to:

(a) Medicare's cost reporting requirements;

(b) The provisions of this chapter; and

(c) Instructions issued by MAA.

(7) (~~Unless federally or state regulated, providers must~~) MAA requires hospitals to follow generally accepted accounting principles unless federally or state-regulated.

(8) Participating (~~providers~~) hospitals must permit MAA to conduct periodic audits of their financial and statistical records.

(9) Payments for trauma services may be enhanced per WAC (~~248-976-935~~) 246-976-935.

**AMENDATORY SECTION** (Amending WSR 99-06-046, filed 2/26/99, effective 3/29/99)

**WAC 388-550-2900** **Payment limits—Inpatient hospital services.** (1) The department pays covered inpatient hospital services only to:

(a) General hospitals that meet the definition in RCW 70.41.020;

(b) Inpatient psychiatric facilities and alcohol or drug treatment centers:

(i) Approved by the department; and

(ii) Not paid directly through the (~~regional support networks~~) RSNs.

(c) Out-of-state (~~hospital providers~~) hospitals, subject to conditions specified in WAC 388-550-6700.

(2) MAA does not pay for hospital care and/or services provided to (~~a~~) an MAA client enrolled with a (~~MAA contracted~~) managed care (~~carrier. An exception is when MAA specifically authorized the provision of and payment for a service not covered by the health carrier's capitation contract, but covered under the client's medical assistance program~~) plan, when the plan covers those services. Plans have the authority to determine the treatment regimen of coverage as long as they cover all the Medicaid services that MAA reimburses them to cover. Plans may also provide coverage of services beyond that for which Medicaid reimburses them.

(3) MAA does not pay a hospital for care or services provided to a client enrolled in the hospice program, except as provided under chapter 388-551 WAC (~~(388-550-2500(3))~~), subchapter I, Hospice services.

(4) MAA does not pay hospitals for inpatient ancillary services in addition to the (~~diagnosis-related group~~) (~~DRG~~) (~~payment~~). The DRG payment includes ancillary services (~~which~~) that include, but are not limited to, the following:

(a) Laboratory services;

(b) Diagnostic X-ray and other imaging services, including, but not limited to, magnetic resonance imaging, magnetic resonance angiography, computerized axial tomography, and ultrasound;

(c) Drugs and pharmacy services;

(d) Respiratory therapy and related services;

(e) Physical therapy and related services;

(f) Occupational therapy;

(g) Speech therapy and related services;

(h) Durable medical equipment and medical supplies, including infusion equipment and supplies;

(i) Prosthetic devices used during the client's hospital stay or permanently implanted during the hospital stay, such as artificial heart or replacement hip joints; and

(j) Service charges for handling and processing blood or blood derivatives.

(5) Neither MAA nor the client is responsible for payment for additional days of hospitalization when:

(a) A client exceeds the professional activities study (PAS) length of stay (LOS) limitations; and

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(b) The provider has not obtained MAA approval for the LOS extension, as specified in WAC 388-550-1700(4).

(6) The LOS limit for a hospitalization is the seventy-fifth percentile of the PAS length of stay for that diagnosis code or combination of codes, published in the *PAS Length of Stay-Western Region edition*, as periodically updated.

(7) Neither MAA nor the client is responsible for payment of elective or nonemergent inpatient services which are included in MAA's selective contracting program and ((received)) which a client receives in a nonparticipating hospital in a selective contracting area (SCA) unless the provider received prior approval from MAA as required by WAC 388-550-1700 (2)(a). The client, however, may be held responsible for payment of such services if ((he or she)) the client contracts in writing with the hospital at least seventy-two hours in advance of the hospital admission to be responsible for payment. See WAC 388-550-4600, Selective contracting program.

(8) MAA may consider hospital stays of twenty-four hours or less short stays, and does not pay such stays under the DRG methodology ((,-except that)). The exception for stays of twenty-four hours or less involving the following situations are paid under the DRG system:

- (a) Death of a client;
- (b) Obstetrical delivery;
- (c) Initial care of a newborn; or
- (d) Transfer of a client to another acute care hospital.

(9)(a) Under the ratio of costs-to-charges (RCC) method, MAA does not pay for inpatient hospital services provided more than one day prior to the date of a scheduled or elective surgery. These services must not be charged to the client.

(b) Under the DRG method, MAA ((deems)) considers all services provided ((prior to)) the day before a scheduled or elective surgery to be included in the hospital's DRG payment for the case.

(c) MAA does not count toward the threshold for hospital outlier status:

- (i) Any charges for extra days of inpatient stay prior to a scheduled or elective surgery; and
- (ii) The associated services provided during those extra days.

(10) MAA applies the following rules to RCC cases and high-cost DRG outlier cases for costs ((over)) that exceed the high-cost outlier threshold:

(a) MAA covers hospital stat charges only for specific laboratory procedures determined and published by MAA as qualified stat procedures. ((MAA does not automatically treat)) Tests generated in the emergency room ((as justifying)) do not automatically justify a stat order.

(b) MAA pays hospitals for special care charges only when:

- (i) The hospital has a department of health (DOH) or Medicare-((qualified))certified special care unit;
- (ii) The special care service being billed, such as intensive care, coronary care, burn unit, psychiatric intensive care, or other special care, was provided in the special care unit;
- (iii) The special care service provided is the kind of service for which the special care unit has been DOH- or Medicare-((qualified))certified; and

(iv) The client's medical condition required the care be provided in the special care unit.

(11) MAA determines its actual payment for a hospital admission by deducting from the basic hospital ((payment)) reimbursement amount those charges which are the client's responsibility ((;-)) (referred to as spend-down ((;-or-a))) and any third party((;-s)) liability.

(12) MAA reduces reimbursement rates to hospitals for services provided to MI ((medical care services))GAU clients according to the ((individual)) hospital((;-s)) specific rate and/or equivalency factors, as provided in WAC 388-550-4800.

(13) MAA pays for the hospitalization of a client who is eligible for Medicare and Medicaid only when the client has exhausted ((his or her)) the Medicare part A benefits, including the nonrenewable lifetime hospitalization reserve of sixty days.

(14) MAA pays in-state and border area hospital((;-s)) accommodation charges ((are paid)) by multiplying the hospital's RCC rate to the lesser of the room rate submitted by the hospital to MAA or the accommodation charges billed on the claim.

(15) MAA pays out-of-state accommodation charges at the in-state average RCC rate times the hospital's billed charge.

(16) With regard to room rate submittals to MAA:

(a) A hospital must submit ((to MAA)) changes on the room rate change form, DSHS 13-687;

(b) Charges must not exceed the hospital's usual and customary charges to the public as required by 42 CFR § 447.271;

(c) New room rates take effect on the effective date stated on the room rate change form, or fourteen calendar days after MAA receives the form, whichever is later;

(d) MAA ((with)) does not make retroactive room rate changes; and

(e) MAA pays private rooms ((are paid)) at the semi-private room rate.

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-3450 Payment method((;-)) for calculating CBCF ((rate calculation)) rates.** (1) For Medicaid accommodation costs, MAA:

(a) ((The department shall)) Uses each hospital's base period cost data to calculate the hospital's total operating, capital, and direct medical education costs for each of the nine accommodation categories described in WAC 388-550-3150(5) ((;-)); then

(b) ((The department shall divide operating, capital, and direct medical education)) Divides those costs per category by total hospital days per category to arrive at a per day accommodation cost ((;-)); then

(c) ((The department shall multiply)) Multiplies the per day accommodation cost for each category by the total Medicaid days to arrive at total Medicaid accommodation costs per category for the three components.

(2) For ancillary costs MAA:

~~(a) ((The department shall also)) Uses the base period cost data to calculate total operating, capital, and direct medical education costs for each of the hospital's twenty-nine ancillary categories(-); then~~

~~(b) ((The department shall)) Divides these costs by total charges per category to arrive at a ((cost-to-charge ratio)) ratio of costs-to-charges (RCC) per ancillary category(-); then~~

~~(c) ((The department shall multiply these cost-to-charge ratios)) Multiplies these RCCs by Medicaid charges per category, as tracked by the Medicaid Management Information System (MMIS), to arrive at total Medicaid ancillary costs per category for the three components (operating, capital, and medical education).~~

~~(3) ((The department shall combine)) MAA:~~

~~(a) Combines Medicaid accommodation and ancillary costs to derive the hospital's total costs for operating, capital, and direct medical education components for the base year(-. The department shall divide these components' combined total will be divided by the number of Medicaid cases during the base year to arrive at an average cost per DRG admission for the hospital); then~~

~~(b) Divides the hospital's combined total cost by the number of Medicaid cases during the base year to arrive at an average Medicaid cost per DRG admission; then~~

~~(c) Adjusts, for hospitals with a fiscal year ending different than the common fiscal year end, the Medicaid average cost by a factor determined by MAA to standardize hospital costs to the common fiscal year end. MAA adjust the hospital's Medicaid average cost by the hospital's specific case mix index.~~

~~(4) MAA caps the ((department shall adjust the)) Medicaid average cost per ((admission for each component to a common fiscal year end using the appropriate McGraw-Hill Data Resources, Inc., (DRI) Prospective Payment System (PPS) Type Hospital Market Basket update. The department shall standardize these three admission cost components by dividing the average cost by the hospital's case mix index.~~

~~(5)(a) For hospitals with medical education programs, the department shall remove the indirect medical education costs from operating and capital costs before the peer group cost cap is set.~~

~~(b) The department shall also remove the cost of outlier cases in accordance with WAC 388-550-3350(1).~~

~~(e)) case for peer groups B and C at seventy percent of the peer group average. In calculation of the peer group cap, MAA removes the indirect medical education and outlier costs from the Medicaid average cost per admission.~~

~~(a) For hospitals in MAA peer groups B ((and)) or C, ((the department shall set)) MAA determines aggregate costs for the operating, capital, and direct medical education components at the lesser of hospital-specific aggregate cost or the peer group cost cap(-~~

~~(6) The department shall add to the lesser of); then~~

~~(b) To whichever is less, the hospital-specific aggregate cost or the peer group cost cap determined in subsection ((5)) (4) of this section, MAA adds:~~

~~((a)) (i) The individual hospital's indirect medical education costs, as determined in WAC 388-550-3250(2); and~~

~~((b)) (ii) An outlier cost adjustment in accordance with WAC 388-550-3350(2).~~

~~((7)(a) The department shall))~~

~~(5) For an inflation adjustment MAA may:~~

~~(a) Multiply the sum obtained in subsection ((6)) (4) of this section by ((the DRI PPS type hospital market basket update)) an inflation factor as determined by the legislature for the period January 1 of the year after the base year through ((September 30)) October 31 of the rebase year(-); then~~

~~(b) ((The department shall then)) Reduce the product obtained in (a) of this subsection by the outlier set-aside percentage determined in accordance with WAC 388-550-3350(3) to arrive at the hospital's adjusted ((cost-based conversion factor for July 1 of the rebase year-)) CBCF; then~~

~~((8) The department shall))~~

~~(c) Multiply the hospital's adjusted ((cost-based conversion factor determined in subsection (7) of this section)) CBCF by the applicable DRG relative weight to calculate the DRG payment for each admission.~~

AMENDATORY SECTION (Amending WSR 99-06-046, filed 2/26/99, effective 3/29/99)

**WAC 388-550-3500 Hospital inflation adjustment((s) determinations.** ~~((1))~~ Effective on November 1 of each year, MAA may adjust((s)) all cost-based conversion factors (CBCF) ~~((for))~~ by an inflation ~~((for the following twelve months-~~

~~(2) MAA makes CBCF adjustments using the annual inflation factor from the PPS-type hospital market basket index factor from the most recent McGraw-Hill Data Resources, Inc., (DRI) forecast.~~

~~(3) MAA considers adjustments to negotiated conversion factors according to the terms of the individual hospital's contract)) factor, as determined by the legislature and as addressed in subsequent budget notes. MAA does not automatically give an inflation increase to negotiated conversion factors for contracted hospitals participating in the hospital selective contracting program.~~

AMENDATORY SECTION (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-3900 Payment method-Border area hospitals ((payment method)).** (1) Under the diagnosis-related group (DRG) payment method, ~~((the department shall calculate)):~~

~~(a) MAA calculates the cost-based conversion factor (CBCF) of a border area hospital as defined in WAC 388-550-1050, in accordance with WAC 388-550-3450.~~

~~((a)) (b) For a border area hospital with ((insufficient Medicare cost report (HCFA Form 2552) data, the department shall assign a CBCF based on the peer group average final conversion factor for its Washington hospital peer group.~~

~~(b) The department shall include in this average final conversion factor all adjustments to the CBCF, including the outlier set-aside factor described in WAC 388-550-3350(3)) no HCFA 2552 for the rebasing year, MAA assigns the MAA~~

peer group average conversion factor. This is the average of all final conversion factors of hospitals in that group.

(2) ~~((Under))~~ MAA calculates:

(a) The ratio of costs-to-charges (RCC) ((payment method, the department shall calculate a border area hospital's RCC)) in accordance with WAC 388-550-4500.

(b) For a border area hospital with ((insufficient Medicare cost report (-)) no HCFA ((Form)) 2552((-) data, the department shall assign an RCC based on the weighted average of the RCC ratios for in-state Washington hospitals)) Medicare cost report, its RCC on the Washington in-state average RCC ratios.

AMENDATORY SECTION (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-4100 ~~Payment method—New hospitals ((payment method)).~~** (1) For rate-setting purposes, ~~((the department shall consider))~~ MAA considers as ~~((a))~~ new:

(a) A hospital ((an entity)) which began services after the most recent ((base period used for calculating)) rebased cost-based conversion factors (CBCFs), or

(b) A hospital that has not been in operation for a complete fiscal year.

(2) ~~((The department shall base))~~ MAA determines a new hospital's ~~((cost-based rates on the peer group average final conversion factor for its Washington hospital peer group. The department shall include in this average final conversion factor all adjustments to the CBCF, including the outlier set aside factor described in WAC 388-550-3350(3)))~~ CBCF as the average of the CBCF of all hospitals within the same MAA peer group.

(3) ~~((The department shall base))~~ MAA determines a new hospital's ratio of costs-to-charges (RCC) ~~((rates on the statewide weighted average RCC rate))~~ by calculating and using the average RCC rate for all current Washington in-state hospitals.

(4) ~~((The department shall not consider))~~ MAA considers that a change in hospital ownership ((as constituting creation of)) does not constitute a new hospital.

### WSR 99-14-028

#### PERMANENT RULES

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed June 28, 1999, 3:29 p.m., effective July 1, 1999]

Date of Adoption: June 28, 1999.

Purpose: To clarify department policy without changing policy. To comply with the Governor's Executive Order 97-02 which mandates that rules be reviewed for clarity, foundation in law, etc.

Citation of Existing Rules Affected by this Order: Amending WAC 388-550-6000 Payment—Outpatient hospital services.

Statutory Authority for Adoption: RCW 74.09.090, 42 U.S.C. 1395x(v), 42 C.F.R. 447.271, 42 C.F.R. 11303.

Adopted under notice filed as WSR 99-09-089 on April 21, 1999.

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.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Per RCW 34.05.380(3), the rule must become effective July 1, 1999, because the senate budget bill (ESSB 5180) and the budget notes defining the budget bill mandate this effective date.

Effective Date of Rule: July 1, 1999.

June 28, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-06-046, filed 12/18/97 [2/26/99], effective 1/18/98 [3/29/99])

**WAC 388-550-6000 ~~Payment—Outpatient hospital services.~~** (1)(a) Excluding nonallowable revenue codes and the services specified in subsection (2) below MAA determines allowable costs for hospital outpatient services ~~((excluding nonallowable revenue codes;))~~ by the application of the hospital-specific outpatient ratio of costs to charges (RCC) ~~((except as specified in subsection (2) below)).~~

(b) MAA does not pay separately for ancillary hospital services which are included in the hospital's RCC reimbursement rate.

(2) MAA pays the lesser of billed charges or MAA's published maximum allowable fees for the following outpatient services:

(a) Laboratory/pathology;

(b) Radiology, diagnostic and therapeutic;

(c) Nuclear medicine;

(d) Computerized tomography scans, magnetic resonance imaging, and other imaging services;

(e) Physical therapy;

(f) Occupational therapy;

(g) Speech/language therapy; and

(h) Other hospital services as identified and published by the department.

(3) MAA is not responsible for payment of hospital care and/or services provided to a client enrolled in a MAA-contracted, prepaid medical plan when the client fails to use:

(a) For a nonemergent condition, a hospital provider under contract with the plan;

(b) In a bona fide emergent situation, a hospital provider under contract with the plan; or

(c) The provider whom MAA has authorized to provide and receive payment for a service not covered by the prepaid plan, but covered under the client's medical assistance program.

(4) Providers or managed care entities that charge Medicare beneficiaries excess amounts are subject to sanctions as listed in 42 U.S.C. 1320A-7b(d)(1). These sanctions include a fine of up to twenty-five thousand dollars or imprisonment of up to five years, or both.

(5) MAA considers a hospital stay of twenty-four hours or less as an outpatient short stay. MAA does not pay an outpatient short stay under the ~~((diagnosis-related group))~~ DRG system except when it involves one of the following situations:

- (a) Death of a client;
- (b) Obstetrical delivery;
- (c) Initial care of a newborn; or
- (d) Transfer of a client to another acute care hospital.

~~((5))~~ (6) MAA does not pay for patient room and ancillary services charges beyond the twenty-four period for outpatient stays.

~~((6))~~ (7) MAA does not cover short stay unit, emergency room facility ~~((charges))~~, and labor room charges in combination when ~~((the billed))~~ these billing periods overlap.

~~((7))~~ (8) MAA requires that the hospital's bill to the department shows the admitting, principal, and secondary diagnoses ~~((, and))~~. Include the attending physician's name and MAA provider number.

~~((8))~~ (9) Payments for trauma services may be enhanced per WAC 246-976-935.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 99-14-031**

**PERMANENT RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed June 29, 1999, 9:38 a.m.]

Date of Adoption: June 25, 1999.

Purpose: Repealing this rule would not have an effect on animal health in this state. There is no longer a viable cervid industry since the Department of Wildlife rules declared exotic deer as deleterious exotic species and made the commercial raising of native cervids illegal.

Citation of Existing Rules Affected by this Order: Repealing chapter 16-88 WAC, Control of tuberculosis in cervidae, WAC 16-88-010, 16-88-020, 16-88-030, and 16-88-040.

Statutory Authority for Adoption: RCW 16.36.040.

Adopted under preproposal statement of inquiry filed as WSR 99-07-114 on March 24, 1999.

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 0, Repealed 0.

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

June 28, 1999

Jim Jesernig

Director

**WSR 99-14-032**

**PERMANENT RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed June 29, 1999, 9:41 a.m.]

Date of Adoption: June 25, 1999.

Purpose: To allow an exemption to certain feedlots from the state requirement that all female cattle sold in or imported into the state must be official Brucellosis vaccinates and to change the title of the chapter from registered to restricted.

Citation of Existing Rules Affected by this Order: Chapter 16-30 WAC, Registered feedlots, repealing WAC 16-30-001 and 16-30-100; and amending WAC 16-30-010.

Statutory Authority for Adoption: Chapter 16.36 RCW.

Adopted under notice filed as WSR 99-07-115 on March 24, 1999.

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 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, 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: Thirty-one days after filing.

June 28, 1999

Jim Jesernig

Director

PERMANENT

## Chapter 16-30 WAC

Effective Date of Rule: July 1, 1999.

~~((REGISTERED))~~ **RESTRICTED FEEDLOTS**

June 25, 1999  
 Alan E. Rathbun  
 Assistant Director

AMENDATORY SECTION (Amending Order 1995, filed 2/23/89)

**WAC 16-30-010 Definition.** ((A)) ~~Restricted feedlot~~ means a dry feed yard where cattle not known to be exposed to brucellosis and not vaccinated against brucellosis are restricted to prevent their use for breeding purposes.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-30-001	Promulgation.
WAC 16-30-100	Criminal penalty—Civil injunction.

**WSR 99-14-035**  
**PERMANENT RULES**  
**DEPARTMENT OF LICENSING**

[Filed June 29, 1999, 11:31 a.m.]

Date of Adoption: June 25, 1999.

Purpose: To repeal rules associated with chapter 18.175 RCW pertaining to the athlete agent registration program which was abolished by chapter 151, Laws of 1999, effective July 1, 1999.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-21-010, 308-21-100, 308-21-200, 308-21-300, 308-21-400, 308-21-500, and 308-21-600.

Statutory Authority for Adoption: Chapter 18.175 RCW.

Adopted under preproposal statement of inquiry filed as WSR 99-10-026 on April 28, 1999.

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 7.

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 7.

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.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Adopting the effective date of the rule (July 1, 1999) because the effective date of the law is July 1, 1999.

**WSR 99-14-036**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed June 29, 1999, 2:14 p.m.]

Date of Adoption: June 29, 1999.

Purpose: Improve the taste and the firmness of the Red Delicious and Delicious varieties of apples by extending the soluble solids testing until October 1 of each year. In addition, all Red Delicious and Delicious varieties of apples will be inspected and certified for quality and condition on a year around basis. Apples of the Red Delicious and Delicious varieties not allowed to enter channels of commerce within twenty-one days following the original date of inspections, as determined by a state lot stamp, will be required to be recertified for meeting the minimum firmness requirement.

Citation of Existing Rules Affected by this Order: Amending chapters 16-403 and 16-461 WAC.

Statutory Authority for Adoption: Chapter 15.17 RCW, Standards of grades and packs.

Adopted under notice filed as WSR 99-11-096 on May 19, 1999.

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 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 2, 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 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 29, 1999

William E. Brookreson  
 Deputy Director  
 for Jim Jesernig

AMENDATORY SECTION (Amending WSR 95-13-038, filed 6/14/95, effective 7/15/95)

**WAC 16-461-010 Inspection certificate and/or permit required.** (1) No person shall ship, transport, accept for shipment, or accept delivery of, any commercial lot of the following agricultural products without an inspection and the issuance of a certificate and/or a permit by the plant services

division of the department of agriculture allowing such shipment, movement or delivery:

- (a) Apricots - in closed or open containers for fresh market.
- (b) Italian prunes - in closed or open containers for fresh market.
- (c) Peaches - in closed or open containers for fresh market.
- (d) Cherries - in closed or open containers for fresh market: Provided, That no permit shall be issued on cherries infested with live cherry fruit fly larvae.
- (e) Apples - in closed or open containers for fresh market: Provided, That apples may be shipped or transported if accompanied by a certificate of compliance issued by the shipper or packer of apples having the approval of the director to issue the certificates of compliance.

Apples of the Red Delicious and Delicious varieties must be certified as to quality and condition and must meet all the requirements of chapter 16-403 WAC, Standards for Apples Marketed Within Washington. Apples of the Red Delicious and Delicious varieties not allowed to enter channels of commerce within twenty-one days following the original date of inspection as indicated by a state lot stamp, will require recertification for meeting the minimum firmness requirement as stated in WAC 16-403-142.

(f) Pears - in closed or open containers for fresh market: Provided, That pears may be shipped or transported if accompanied by a certificate of compliance issued by the shipper or packer of pears having the approval of the director to issue the certificates of compliance.

(g) Asparagus - in closed or open containers for fresh market: Provided, That asparagus may be shipped or transported if accompanied by certificates of compliance issued by the shipper or packer of the asparagus, having the approval of the director to issue the certificates of compliance.

(h) Apples in containers or bulk, for processing: Provided, That apples for processing may be shipped or transported if accompanied by a certificate of compliance issued by the shipper of apples having the approval of the director to issue the certificates of compliance: Provided further, That apples for processing entering intrastate commerce shall not require a permit.

(i) Pears in containers or bulk, for processing: Provided, That pears for processing may be shipped or transported if accompanied by a certificate of compliance issued by the shipper of pears having the approval of the director to issue the certificates of compliance: Provided further, That pears for processing entering intrastate commerce shall not require a permit.

(2) Exemptions - Fruits and vegetables listed in WAC 16-461-010 shall be exempted from requirements for inspection and issuance of a certificate or permit:

(a) When the product is being transported from the premises where grown or produced to a horticultural facility other than wholesale or retail for the purpose of storing, grading, packing, packaging, labelling, or processing; prior to entering commercial channels for resale;

(b) When transportation is between horticultural facilities other than those facilities which sell at wholesale or retail level, for the purposes set forth in (a) of this subsection;

(c) When sold or transported to a fruit/produce stand within the zone of production, not to exceed daily quantities of two thousand pounds net weight of a single commodity nor six thousand pounds net weight of any combination of commodities other than cherries, listed in subsection (1) of this section, when on a single conveyance, provided that such exempt sales by the producer within a farmer's market shall not be restricted to the zone of production;

(d) When daily quantities do not exceed one hundred pounds net weight of dark varieties of sweet cherries which are sold for home use and not for resale, and the containers are marked "not for resale" in letters at least one-half inch in height.

(3)(a) Any shipper or packer of apples, apricots, cherries, pears, peaches, prunes, or asparagus may petition the director for authority to issue certificates of compliance for each season. The director may issue certificate of compliance agreements, granting such authority, on such terms and conditions as he may deem appropriate. The authority shall be limited to the issuance of certificates of compliance for apples, apricots, cherries, pears, peaches, prunes, and asparagus under the applicant's direct control or being handled at the shipper's or packer's facilities.

(b) The certificate of compliance shall be issued at time of shipment by the shipper or packer authorized to do so: Provided, That the apples, pears, cherries, and asparagus about to be shipped or transported are in full compliance with the requirements of chapter 15.17 RCW, regulations adopted thereunder and administrative directives of the director: Provided further, That apricots, cherries, peaches, prunes, or pears about to be shipped or transported are in full compliance with an existing federal marketing order requiring quality and condition certification and Washington state lot identification or federal-state lot identification;

Cherries of the dark sweet varieties shall be certified as to quality, condition, and size and shall meet all of the requirements of chapter 16-414 WAC, Cherries.

(c) The director's approval to issue certificates of compliance may be suspended, revoked, or denied for cause, subject to RCW 34.05.422(3) and that cause shall be the shipper's or packer's failure to comply with the requirements of subsection (3)(b) of this section, or for the shipper's or packer's actions which impede the department's abilities to ascertain full compliance with requirements of chapter 15.17 RCW or rules adopted thereunder, or for violation of the terms of the certificate of compliance agreement. The period of any suspension shall be determined by the director and shall be commensurate with the seriousness of the violation.

(d) Any shipper or packer whose authority to issue certificates of compliance has been suspended, revoked, or denied by the director shall be subject to those provisions of chapter 15.17 RCW and the regulations requiring the issuance of a shipping permit by the director before apples, apricots, cherries, pears, peaches, prunes, and asparagus may be shipped or transported.

(e) Certificates of compliance shall be on forms approved and issued by the director of agriculture.

(f) Any shipper or packer authorized to issue certificates of compliance shall deposit with the director of agriculture at the regular base fee equivalent to that charged by the director for a shipping permit, for each certificate of compliance issued by the authorized shipper or packer. The base fees shall be deposited with the director of agriculture in the same manner as fees for shipping permits.

AMENDATORY SECTION (Amending Order 1892, filed 6/25/86)

**WAC 16-403-141 Red Delicious, Delicious, Golden Delicious—Minimum soluble solids.** (~~Prior to the general release date~~) For harvest of the crop of the current growing season, apples of the Red Delicious and Delicious varieties cannot be shipped prior to October 1, unless they have at least ten percent soluble solids as determined by refractometer. Apples of the Golden Delicious varieties, cannot be shipped prior to the general release as established by the Delicious maturity committee of the Washington state horticultural association(~~(, shipment shall not be allowed of apples of the Red Delicious and Delicious varieties having less than)~~ unless they have at least ten and one-half percent soluble solids (~~(and apples of the Golden Delicious variety having less than ten and one-half percent soluble solids)~~) as determined by refractometer.

~~lished in the DRI/McGraw Hill Report. See also "hospital market basket index.")~~ adjustment. This adjustment is determined by using the inflation factor method and guidance indicated by the legislature in the budget notes to the biennium appropriations bill."

2) Definition for "Profitability factor" changed from: "...means a factor used to calculate a hospital's low income disproportionate share (LIDSH) payment. The methods used to determine the profitability factor are:

(1) Determine the net revenue of each LIDSH qualified hospital. The net revenue will be the "net revenue" figure identified on the MAA hospital disproportionate share application submitted by the hospital;..."

To: "...means a factor used to calculate a hospital's low income disproportionate share (LIDSH) payment. The methods used to determine the profitability factor are:

(1) Determine the net revenue of each LIDSH qualified hospital. The net revenue will be the "net revenue" figure identified on the MAA hospital disproportionate share application submitted by the hospital. (Net revenue may be calculated using a three year average net revenue using "net revenue" figures from the most recent three years' MAA hospital disproportionate share applications."

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 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.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Per RCW 34.05.380(3), the rule must become effective July 1, 1999, because SHB 5968 and the budget notes clarifying the senate budget bill (ESSB 5180) contain hospital definitions and mandate this effective date.

Effective Date of Rule: July 1, 1999.

June 30, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

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 99-15 issue of the Register.

PERMANENT

**WSR 99-14-039**

**PERMANENT RULES  
DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed June 30, 1999, 10:32 a.m., effective July 1, 1999]

Date of Adoption: June 30, 1999.

Purpose: To clarify terms and add previously undefined terms.

Citation of Existing Rules Affected by this Order: Amending WAC 388-550-1050 Hospital definitions.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.730, 42 U.S.C. 1395x(v), 42 C.F.R. 447.271, .11303 and .2652.

Adopted under notice filed as WSR 99-09-088 on April 21, 1999.

Changes Other than Editing from Proposed to Adopted Version: 1) Definition for "Inflation adjustment" changed from: "...means, for cost inflation, the hospital inflation ((factor determined by Data Resources, Inc., (DRI) and published in the DRI/McGraw Hill Report. See also "hospital market basket index.") adjustment. This adjustment is the vendor rate increase identified by the legislature as the adjustment to be applied to payment rates used to reimburse vendors, including health care providers, that provide services to the state. If the legislature does not identify an inflation adjustment for the vendor rates for a given period, then there is no inflation adjustment for that period."

To: "...means, for cost inflation, the hospital inflation ((factor determined by Data Resources, Inc., (DRI) and pub-



**WSR 99-14-040**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed June 30, 1999, 10:35 a.m.]

Date of Adoption: June 30, 1999.

Purpose: To codify and update calculation and payment methodology for hospitals that receive medically indigent disproportionate share payments. Also to comply with the Governor's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Amending WAC 388-550-4900 Disproportionate share payments and 388-550-5000 Payment method—LIDSH.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.730, 42 U.S.C. 1396r-4.

Adopted under notice filed as WSR 99-09-087 on April 21, 1999.

Changes Other than Editing from Proposed to Adopted Version: In WAC 388-550-4900 Disproportionate share payments, subsections (5)(b) and (c) and (8)(g) and (h) were deleted. The sections following those were renumbered.

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.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Per RCW 34.05.80(3) [34.05.380(3)], the rule must become effective July 1, 1999, because SHB 5968 funds this program and mandates this effective date.

Effective Date of Rule: July 1, 1999.

June 30, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-4900 Disproportionate share payments.** (1) As required by section 1902 (a)(13)(A) of the Social Security Act, the ~~((department shall give))~~ medical assistance administration (MAA) gives consideration to hospitals which serve a disproportionate number of low-income ~~((patients))~~ clients with special needs by making a payment adjustment to eligible hospitals. ~~((The department shall~~

~~deem))~~ MAA considers this adjustment a disproportionate share payment. ~~---~~

(2) ~~((The department shall deem))~~ MAA considers a hospital a disproportionate share hospital if both the following apply:

(a) The hospital's Medicaid inpatient utilization rate (MIPUR) ~~((as defined in WAC 388-550-1050,))~~ is at least one standard deviation above the mean Medicaid inpatient utilization rate for hospitals receiving Medicaid payments in the state, or its low-income utilization rate (LIUR) ~~((as defined in WAC 388-550-1050,))~~ exceeds twenty-five percent; and

(b) The hospital has at least two obstetricians who have staff privileges at the hospital and who have agreed to provide obstetric services to eligible individuals ~~((except that)),~~ This requirement ~~((shall))~~ does not apply to a hospital:

(i) The inpatients of which are predominantly individuals under eighteen years of age; or

(ii) Which did not offer nonemergency obstetric services to the general public as of December 22, 1987, when section 1923 of the Social Security Act was enacted.

(3) For hospitals located in rural areas, "obstetrician" ~~((shall))~~ means any physician with staff privileges at the hospital to perform nonemergency obstetric procedures.

(4) ~~((The department))~~ MAA may ~~((define or deem))~~ consider a hospital a disproportionate share hospital if both of the following apply:

(a) The hospital has a ~~((Medicaid inpatient utilization rate--))~~ MIPUR ~~((--))~~ of not less than one percent; and

(2) ~~((e))~~ (b) of this section.

(5) ~~((The department shall administer the following disproportionate share programs:~~

~~((a))~~ MAA administers the low-income disproportionate share ~~((hospital;))~~ (LIDSH) program and may administer any of the:

~~((b))~~ (a) Medically ~~((--))~~ indigent disproportionate share ~~((hospital))~~ (MIDSH);

~~((e))~~ (b) General assistance-unemployable disproportionate share ~~((hospital))~~ (GAUDSH);

~~((d))~~ (c) Small rural hospital assistance program disproportionate share ~~((hospital))~~ (SRHAPDSH);

~~((e))~~ (d) Teaching hospital assistance program disproportionate share ~~((hospital))~~ (THAPDSH);

~~((f))~~ (e) State teaching hospital financing program disproportionate share ~~((hospital))~~ (STHFPDSH);

~~((g))~~ (f) County teaching hospital financing program disproportionate share ~~((hospital))~~ (CTHFPDSH); and

~~((h))~~ (g) Public hospital district disproportionate share ~~((hospital))~~ (PHDDSH).

(6) ~~((The department shall allow))~~ MAA allows a hospital to receive any one or all of the disproportionate share hospital (DSH) payment adjustments discussed in subsection (5) of this section ~~((if))~~ when the hospital:

(a) ~~((The hospital))~~ Applies to ~~((the department))~~ MAA; and

(b) Meets the eligibility requirements for the particular DSH payment program, as discussed in WAC 388-550-5000 through 388-550-5400.

(7) ~~((The department shall ensure))~~ MAA ensures each hospital's total DSH payments do not exceed the individual hospital's DSH limit, defined as:

(a) ~~The cost to the hospital of providing services to Medicaid ((patients)) clients, including ((patients)) clients served under Medicaid managed care programs(;;);~~

(b) ~~Less the amount paid by the state under the non-DSH payment provision of the state plan(;;);~~

(c) ~~Plus the cost to the hospital of providing services to uninsured patients(;;); and~~

(d) ~~Less any cash payments made by uninsured ((patients)) clients.~~

(8) ~~((a) The department's)~~ MAA's total annual DSH payments ~~((shall))~~ must not exceed the state's DSH allotment for the federal fiscal year.

~~((b))~~ If the DSH statewide allotment is exceeded, ~~((the department shall recoup))~~ MAA recoups overpayments from hospitals in the following program order:

~~((i) Public hospital district disproportionate share hospital))~~

(a) PHDDSH;

~~((ii) Teaching hospital assistance program disproportionate share hospital))~~

(b) THAPDSH;

~~((iii) County teaching hospital financing program disproportionate share hospital))~~

(c) CTHFPDSH;

~~((iv) State teaching hospital financing program disproportionate share hospital))~~

(d) STHFPDSH;

~~((v) Small rural hospital assistance program disproportionate share hospital))~~

(e) SRHAPDSH;

~~((vi) Medically indigent disproportionate share hospital))~~

(f) MIDSH;

~~((vii) General assistance unemployable disproportionate share hospital; and~~

~~((viii) Low income disproportionate share hospital.~~

~~(9) The department shall make periodic DSH payments to eligible hospitals. The department shall have sole discretion regarding the timing of DSH payments))~~

(g) GAUDSH; and

(h) LIDSH.

AMENDATORY SECTION (Amending WSR 98-01-124, filed 12/18/97, effective 1/18/98)

**WAC 388-550-5000 Payment method—LIDSH.** (1) ~~((The department shall deem))~~ A hospital serving the department's clients is eligible for a low-income disproportionate share hospital (LIDSH) payment adjustment if the hospital meets the requirements of WAC 388-550-4900(2).

(2) ~~((The department shall pay))~~ MAA pays hospitals ~~((deemed))~~ considered eligible under the criteria in subsection (1) of this section ~~((DSH payment amounts which in)),~~ The total LIDSH payment amounts equal the funding set by the state's appropriations act for LIDSH. The amount ~~((appropriated))~~ that the state appropriates for LIDSH may vary from year to year.

(3) ~~((The department shall apportion))~~ MAA distributes LIDSH payments to individual hospitals as follows by:

(a) For each LIDSH-eligible hospital, ~~((the department shall determine))~~ determining the standardized Medicaid inpatient utilization rate (MIPUR). The MIPUR is standardized by dividing the hospital's MIPUR by the average MIPUR of all LIDSH-eligible hospitals~~((;))~~; then

(b) Multiplies the hospital's standardized MIPUR ~~((is multiplied))~~ by the hospital's most recent ~~((fiscal year))~~ case mix index, and then by the hospital's most recent fiscal year Title XIX admissions, and lastly by the hospital's profitability factor. MAA then multiplies the product ~~((is then multiplied))~~ by an initial random base amount~~((;))~~; then

(c) Compares the sum of all annual LIDSH ~~((payment so calculated for individual hospitals shall be added and compared))~~ payments to the appropriated amount. If the amounts differ, MAA progressively selects a new base amount ~~((shall be selected progressively))~~ by trial and error until the sum of the LIDSH payments to hospitals equals the appropriated amount.

#### WSR 99-14-043

#### PERMANENT RULES

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(WorkFirst Division)

[Filed June 30, 1999, 10:43 a.m.]

Date of Adoption: June 30, 1999.

Purpose: New language developed in negotiation with the Employment Security Department sets guidelines for the amount of support services that eligible clients can receive, and shortens and simplifies the rule language to bring it into compliance with Governor Locke's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Amending WAC 388-310-0800.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.

Adopted under notice filed as WSR 99-10-028 on April 28, 1999.

Changes Other than Editing from Proposed to Adopted Version: The department added "including, but not limited to" to the text in subsection (2) and language describing advance notice rights in subsection (5) in response to comments from Columbia Legal Services.

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.

PERMANENT

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 30, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 97-20-129, filed 10/1/97, effective 11/1/97)

**WAC 388-310-0800 WorkFirst—Support (~~service and direct component cost funding~~) services.** (1) ~~((The purpose of support service and direct component cost funding is to provide participants access to necessary goods or services which cannot be paid for by another funding source.~~

(2) ~~The department or its agent will fund support services when:~~

- (a) ~~Determined necessary by the department or its agent;~~
- (b) ~~Denial would prevent participation in the required component; and~~

(c) ~~It is within available funds.~~

(3) ~~Support services which may be funded include:~~

(a) ~~Employment related needs such as work clothing or uniforms, tools, equipment, relocation expenses, or fees;~~

(b) ~~Transportation costs such as mileage reimbursement, public transportation vouchers, and car repair;~~

(c) ~~Professional services such as certification or diagnostic testing, counseling or medical examinations or services;~~

(d) ~~Personal needs such as clothing appropriate for job search or other component activities; and~~

(e) ~~Special needs such as accommodations for employment.~~

(4) ~~The department will provide support services and direct component cost funding to support components approved prior to the effective date of this chapter until June 30, 1998 if the participant is making satisfactory progress toward completion of the activity.~~

(5) ~~WorkFirst participants are eligible for child care subsidy payments under chapter 388-290 WAC.~~

(6) ~~No funds available to carry out the WorkFirst program may be used to assist, promote, or deter religious activity.~~

(7) ~~The department may establish maximum funding limits for support services.~~

(8) ~~The department may provide funding for direct component costs for vocational education activities when the participant:~~

(a) ~~Is in an approved component as stated on the individual responsibility plan; and~~

(b) ~~Does not qualify for sufficient student financial aid to meet the cost.~~

(9) ~~Support services may be identified and provided in order to address specific needs American Indians may have due to location or employment needs.~~

(10) ~~If the person is not participating as required they will lose eligibility for direct component costs and support services~~) **Why do I receive support services?**

Support services help you participate in work and Work-First activities that lead to financial independence. You can also get help in paying your child care expenses through the working connections child care assistance program. (Chapter 388-290 WAC describes the rules for this child care assistance program.)

**(2) What support services may I receive?**

You may receive support services, including but not limited to any of the following:

(a) Employment related needs such as work clothing or uniforms, tools, equipment, relocation expenses, or fees;

(b) Transportation costs such as mileage reimbursement, public transportation vouchers, and car repair;

(c) Professional services;

(d) Personal needs such as clothing appropriate for job search or other work activities;

(e) Special needs such as accommodations for employment;

(f) Identified specific needs due to location or employment if you are an American Indian;

(g) Job skills training, vocational education and/or basic education if:

(i) It is an approved activity in your individual responsibility plan; and

(ii) You do not qualify for sufficient student financial aid to meet the cost.

**(3) When will I get support services?**

The department or its agents will decide what support services you will receive, as follows:

(a) You need the support services to do the activities in your individual responsibility plan;

(b) It is within available funds; and

(c) It does not assist, promote, or deter religious activity.

**(4) How much support services can I get?**

The chart below shows the guidelines for the amount and type of support services you can get. There is a suggested limit of fifteen hundred dollars per person per calendar year for the amount of support services you can receive from the department and/or employment security.

Type of Support Service	Suggested Limit
Accommodation (reasonable)	\$1,000 per request
Books/supplies (school)	No limit
Car repair	\$500 per calendar year
Clothing-General	Participant-\$250 per request Each child-\$100 per request
Clothing/uniforms-Employment	Participant-\$200 per year
Clothing/uniforms-Training	No limit
Diapers	\$50 per child per month
Employer reimbursement	No limit
GED	No limit
Haircut	\$40 per request
License/fees	\$300 per each license or fee
Lunch	\$15 per event
Medical exams (not covered by Medicaid)	\$150 per exam
Mileage	\$0.315 per mile (not to exceed \$100 per week)
Personal hygiene	\$50 per request (up to three times per calendar year)

PERMANENT

Type of Support Service	Suggested Limit
Professional, trade, association, union and bonds	\$300 per each due or fee
Public transportation	\$150 per month
Relocation	\$1,000 per calendar year
Rent, housing, deposits	\$500 per calendar year
Short-term lodging and meals	\$300 per request
Testing—Certification	\$100 each
Testing—Diagnostic	\$200 each
Tools (training)	No limit
Tools/equipment	\$300 per request
Tutoring	\$200 per month
Tuition and fees	No limit

**(5) What if I request more support services than the guidelines allow?**

If you request support services from your case manager, you can:

- (a) Ask to see a copy of these guidelines;
- (b) Ask for an exception, if you are requesting more than the guidelines allow or asking for services or goods not mentioned in the guidelines; and/or
- (c) Request a fair hearing, if your request for support services is denied.

**(6) What happens to my support services if I do not participate as required?**

The department will give you ten days notice, following the rules in WAC 388-418-0030, then discontinue your support services until you participate as required.

decision of the employment security department regional office."

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.

June 30, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

NEW SECTION

**WAC 388-310-1850 Re-employ Washington workers (RWW). (1) What is the re-employ Washington workers (RWW) program?**

Re-employ Washington workers (RWW) is an eight-week job search program administered by the employment security department to help low-income parents connect with jobs as rapidly as possible. RWW participation satisfies unemployment insurance work search requirements while providing additional services and activities.

**(2) Who can participate in RWW?**

You can participate in RWW if:

- (a) You worked and earned enough to establish an unemployment insurance benefit claim (see RCW 50.04.030), regardless of why your job ended; and
- (b) Your family's income was not more than one hundred seventy-five percent of the federal poverty level during the time period on which your unemployment insurance claim is based; and
- (c) You do not currently receive TANF or SFA cash assistance; and
- (d) You have a dependent child under eighteen years of age living in your household.

**(3) How do I get into RWW?**

To get into RWW, you must apply for unemployment insurance and establish an unemployment insurance benefit claim. A job service specialist who has been trained to do the RWW program will screen your claim and contact you if it appears that you qualify. The RWW job service specialist will then determine your eligibility based on additional income and family information you provide.

**(4) What happens when I participate in RWW?**

- (a) In addition to any unemployment insurance benefits you receive during your claim period, you also get:

**WSR 99-14-044**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(WorkFirst Division)  
[Filed June 30, 1999, 10:46 a.m.]

Date of Adoption: June 30, 1999.

Purpose: The idea for the reemploy Washington workers (RWW) program came from the governor's office. The program will be part of WorkFirst and be administered by Employment Security Department (ESD) in the field. RWW provides rapid reemployment services to low-wage unemployment insurance claimants. This rule was cowritten by DSHS and ESD to comply with Governor Locke's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Amending WAC 388-310-1850 WorkFirst - Reemploy Washington workers.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.

Adopted under notice filed as WSR 99-11-072 on May 18, 1999.

Changes Other than Editing from Proposed to Adopted Version: Add subsection (9)(d), "You may request a fair hearing under chapter 388-08 WAC if you want to appeal the

PERMANENT

(i) Intensive job referral services (including a thirty-hour, job search workshop within the first four weeks of participation, and access to the resource room);

(ii) Help with paying your child care costs under the working connections child care program (see chapter 388-290 WAC for program rules);

(iii) Support services to help you participate in work and RWW activities, following the guidelines in WAC 388-310-0800.

(b) You may also qualify for cash incentives if you meet the following requirements:

(i) You participate in the RWW program; and

(ii) Go to work within six weeks; and

(iii) Are still working twelve weeks later in a job that takes you off unemployment insurance.

**(5) How much of a cash incentive can I receive?**

If you return to work with earnings high enough to make you ineligible for unemployment insurance benefits, you can receive a RWW cash incentive once during the time period your unemployment insurance claim is based on. Earnings are calculated in accordance with the unemployment insurance laws in RCW 50.04.320. The cash incentives are as follows:

CASH INCENTIVES			
Average gross weekly earnings	Employed within four weeks	Employed in week five or six	Employed in week seven or eight
At or above earnings from your last job*	\$300	\$100	N/A**
Below the earnings from your last job*	\$200	\$100	N/A**

\*"Last job" means your most recent job that meets the definition of work in WAC 388-310-0400 (2)(a).

\*\*Although you do not qualify for a cash incentive, you would continue to receive support services and child care assistance provided you continue to participate.

**(6) What are the requirements to participate in RWW?**

To be eligible for RWW program benefits, you must participate in RWW program activities, including:

(a) Attend a thirty-hour job search workshop as soon as possible (during your first four weeks in the program);

(b) Report to the RWW program site daily during the first four weeks and sign-in to get job leads;

(c) Meet with fellow job seekers to support and encourage each members' job search efforts (sometimes called the RWW job club);

(d) Report to the RWW program site at least twice a week during weeks five to eight and sign-in to receive job leads.

**(7) Can I continue to participate in RWW if I don't find a job in eight weeks?**

Your participation in RWW may be extended for an additional eight weeks if:

(a) You meet the participation requirements and

(b) RWW staff determine that an additional eight weeks of participation is likely to help you find a job.

**(8) Can my RWW services be stopped once I enter the program?**

If you do not follow RWW program requirements, RWW services will be stopped.

**(9) What can I do if I disagree with a decision about my services or benefits?**

If you disagree with the decision about your RWW services or benefits:

(a) Ask an RWW job service specialist to take a statement from you explaining the reason you disagree.

(b) To determine if the decision was correct, the employment security department local job service center management will review your statement.

(c) If you disagree with the local management decision, you may request a final review by the employment security department regional office.

(d) You may request a fair hearing under chapter 388-08 WAC if you want to appeal the decision of the employment security department regional office.

**(10) Can I go back into the RWW program if there were interruptions in my participation?**

RWW job search is designed to last for eight consecutive weeks. If you stopped participating but you are now able and willing to participate, you may complete the balance of your eight-week job search activities and receive the related RWW services and benefits.

**WSR 99-14-045  
PERMANENT RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Economic Services Administration)**

[Filed June 30, 1999, 10:48 a.m., effective August 1, 1999]

Date of Adoption: June 30, 1999.

Purpose: The purpose in amending, adding and repealing these rules is to make federal TANF funds available to pregnant women and to phase out the general assistance for pregnant women (GA-S) program. Under RCW 74.04.055 and 74.04.057 the state must make available any federal funds for assistance programs. With the passage of Public Law 104-193 there is no longer a requirement under federal law for a pregnant woman with no other eligible child to be in her third trimester to qualify for temporary aid to needy families (TANF).

Citation of Existing Rules Affected by this Order: Repealing WAC 388-462-0005; and amending WAC 388-408-0010, 388-408-0015 and 388-462-0010; and new section WAC 388-462-0011.

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, and 74.08.090.

Adopted under notice filed as WSR 99-10-105 on May 5, 1999.

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 4, 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 4, Repealed 1.

Effective Date of Rule: August 1, 1999.

June 30, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-408-0010 Assistance units for general assistance programs.** (1) ~~((A GA-S assistance unit includes only the pregnant woman.~~

(2)) A GA-U assistance unit includes:

(a) An incapacitated adult; or

(b) A married couple if both persons are incapacitated and living together.

~~((3) A married couple living together must be included in a single assistance unit when:~~

~~(a) The husband is incapacitated; and~~

~~(b) The wife is pregnant and not eligible for TANF.~~

(4)) (2) A GA-H assistance unit includes only the child or children eligible for GA-H (see WAC 388-400-0015).

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-408-0015** ~~((Mandatory TANF and SFA))~~ Assistance ((unit members)) units for temporary assistance for needy families (TANF) or state family assistance (SFA). ~~((1) A TANF assistance unit includes only a woman in her third trimester of pregnancy if there is no other eligible child in the home.~~

~~((2)) The department must include in a TANF((,-SFA)) or ((combined TANF))SFA assistance ((unit must include the following)) unit certain persons((,-if)) who are living together, unless ((the)) those person(s) must be excluded under WAC 388-408-0020 or ((is)) are excluded at the option of the family under WAC 388-408-0025. An assistance unit for TANF or SFA benefits or combination of TANF and SFA benefits must include the following:~~

~~((a)) (1) The child for whom assistance is requested and;~~

(a) That child's full, half or adoptive sibling(s);

~~(b) ((Any)) The natural or adoptive parent(s) or stepparent ((of any child who is included in the assistance unit))(s); and~~

~~(c) ((Any)) The parent(s) of a pregnant ((minor)) or parenting minor ((parent)) who claims to be ((the needy caretaker relative of)) in need and is providing the primary care for the:~~

~~(i) ((The)) Pregnant minor ((or minor parent));~~

~~(ii) ((The)) Minor parent;~~

~~(iii) Minor parent's child; or~~

~~((iii) The pregnant minor or minor parent's)~~

~~(iv) Full, half or adoptive sibling(s) of a pregnant or parenting minor.~~

~~(2) A pregnant woman if there is no TANF or SFA eligible child in the home.~~

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-462-0010** ~~((Pregnancy requirement for TANF and))~~ Temporary assistance for needy families (TANF) or state family assistance (SFA) eligibility for pregnant women. ~~((A woman who is not a caretaker relative of a TANF or SFA eligible child may be eligible for TANF or SFA if:))~~

~~(1) ((She is in the third trimester of pregnancy (the three calendar months preceding the expected month of birth) as medically verified; and)) If you are already receiving TANF or SFA benefits, your pregnancy will not change your eligibility or benefit level.~~

~~(2) ((The unborn, if born and living with the woman in the month of payment, would be deprived of parental support and care as defined in chapter 388-430 WAC)) If you are not currently receiving TANF or SFA benefits, you may be eligible for these benefits if your pregnancy and expected date of delivery has been verified by a licensed medical practitioner.~~

NEW SECTION

**WAC 388-462-0011 Post adoption cash benefit.** (1) Under RCW 74.04.005 (6)(g) recipients of TANF or SFA who lose their eligibility solely because of the birth and relinquishment of the qualifying child may receive general assistance through the end of the month in which the period of six weeks following the birth of the child falls.

(2) The department will consider income and resources when determining eligibility and benefit amount for post adoption cash benefit in the same manner as TANF. Refer to chapters 388-450, 388-470, and 388-488 WAC.

(3) To receive the post adoption cash benefit, a client must have been receiving TANF or SFA in Washington state.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-462-0005 Pregnancy requirement for GA-S.

PERMANENT

**WSR 99-14-046**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Division of Assistance Programs)

[Filed June 30, 1999, 10:51 a.m., effective August 1, 1999]

Date of Adoption: June 30, 1999.

Purpose: New section WAC 388-436-0002 is adopted to provide increased benefits to families who need emergency funds to prevent eviction or secure affordable housing. This rule modifies the requirements families must meet to be eligible for emergency funds by eliminating several technical requirements and eliminates the limit on the amount of funds families can receive to cover short term emergency needs that threaten the families health and safety.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-436-0001 and 388-436-0005.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, and 74.08.090.

Adopted under notice filed as WSR 99-11-073 on May 18, 1999.

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 1, Amended 0, Repealed 2.

Effective Date of Rule: August 1, 1999.

June 30, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

### NEW SECTION

**WAC 388-436-0002 DSHS provides a cash benefit called additional requirements for emergent needs (AREN) to help families pay for short-term expenses caused by an emergency. (1) Who can receive additional requirements for emergent needs (AREN) benefits?**

A family may request AREN benefits if they have applied for or already get cash assistance from the temporary assistance for needy families (TANF), state family assistance (SFA) or refugee cash assistance (RCA) program. The family must meet the eligibility conditions for TANF, SFA or RCA to receive AREN benefits.

**(2) Will AREN change the amount of our assistance?**

When the department approves AREN benefits, the amount used to figure how much assistance the family can

receive is increased for one month. This is called an 'increased payment standard.' The department uses the increased standard to:

(a) Determine initial eligibility and calculate the payment amount for families who are new applicants; or

(b) Calculate the monthly payment amount for families already receiving assistance.

**(3) What kinds of things are considered AREN emergencies?**

(a) The family experienced a disaster such as a theft, house fire, flood, severe weather, accident or medical emergency.

(b) The family has extra short-term expenses caused by homelessness, domestic violence, or situations that jeopardize the family's health and safety.

(c) The family's funds were used to pay for necessary expenses such as:

(i) Basic health and safety needs for shelter, food and clothing;

(ii) Medical care;

(iii) Dental care need to obtain employment or because of pain;

(iv) Emergency child care;

(v) Other reasonable and necessary expenses.

(d) The family's cash grant has been reduced or terminated in anticipation of income that will not be available to pay for the need when the payment is due.

**(4) Do I need to provide proof that I have an emergency?**

Families must show proof that there is a good reason they do not have sufficient funds to meet their short-term need. The proof must show:

(a) Why funds are insufficient to pay for the need; and

(b) The amount of money necessary to meet the need; and

(c) How the family will pay for the need in the future; and

(d) The expense is for a need listed in subsection (5) of this rule.

**(5) What kind of expenses does the AREN benefit cover?**

The department may approve AREN benefits to pay for the following kinds of expenses:

(a) Rent, security deposits, mortgage payments, taxes or fees:

(i) To prevent an eviction or foreclosure from causing the loss of housing that the family will be able to afford in the future.

(ii) To obtain housing subsidies or permanent housing the family will be able to afford in the future when:

(A) Eviction or foreclosure is not preventable.

(B) The family has no housing or has only temporary housing.

(C) The current housing puts the family's health or safety in danger due to a condition the property owner is unable or unwilling to fix.

(D) Moving is necessary to escape a domestic violence situation.

(b) Repairs, deposits, fees and services to assure the household has electricity, water, sewer or fuel for heating and cooking.

(c) Bedding, clothing, cooking utensils, and personal hygiene items when the family has lost these items due to a disaster, domestic violence, or homelessness.

(d) Food when the family has no other way to get food.

(e) Other goods and services necessary to protect the health and safety of the family.

**(6) Are there any limits on the amount of AREN benefits I can get?**

(a) When AREN benefits are approved, the department pays the least amount necessary to get the family through the emergency. Funds from other sources affect the amount of AREN the department pays. A representative from the department will work with your family to figure out the amount.

(b) There is no limit on how frequently a family may request or receive AREN benefits. The department makes the eligibility decision based on whether or not there is a reasonable cause for the emergent need and the lack of funds available to the family.

**(7) How does the department pay the AREN benefit?**

(a) The department pays the approved AREN benefit as part of the family's TANF, SFA or RCA cash grant using the income rules found in chapter 388-450 WAC.

(b) When possible, the department pays AREN benefits directly to a third party under the provisions in WAC 388-460-0001.

Statutory Authority for Adoption: RCW 82.45.150.

Other Authority: RCW 82.32.300.

Adopted under notice filed as WSR 99-10-033 on April 29, 1999.

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 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 30, 1999

Claire Hesselholt

Rules Manager

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 94-04-088, filed 2/1/94, effective 3/4/94)

**WAC 458-61-090** (~~(Interest and penalties—)~~)**Date of sale—Interest and penalty.** (1) **Introduction.** The tax imposed under chapter 82.45 RCW (Excise tax on real estate sales) is due and payable to the county treasurer as of the date of sale(~~(, whether or not the contract of sale or instrument of conveyance is recorded at that time)~~). This rule explains how to determine the date of sale. It also explains the application of interest and penalties when the tax liability is not paid within one month of the date of sale.

(2) **Date of sale.** The tax imposed under chapter 82.45 RCW is due and payable to the county treasurer as of the date of sale, whether or not the contract of sale or instrument of conveyance is recorded at that time.

(a) When a contract of sale or instrument of conveyance is signed and delivered by the grantor to an escrow agent licensed under chapter 18.44 RCW (Escrow Agent Registration Act), a title company, a title insurance company, or an attorney at law acting as an escrow agent, with instructions to deliver the instrument to the grantee upon the fulfillment of one or more conditions, the date of sale will be presumed to be the date that the instrument is presented for recording, subject to the following:

(i) A statement, as provided by WAC 458-61-150, signed by the escrow agent, the title company agent, the title insurance company agent, or attorney, is attached to the affidavit indicating that the instrument was delivered to such person in the capacity of an escrow agent; and

(ii) The date shown on the instrument is not more than ninety days prior to the date the affidavit is presented to the county treasurer for filing.

PERMANENT

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-436-0001 Additional requirement for emergent needs (AREN).
- WAC 388-436-0005 AREN good cause.

**WSR 99-14-053**  
**PERMANENT RULES**  
**DEPARTMENT OF REVENUE**  
[Filed June 30, 1999, 4:03 p.m.]

Date of Adoption: June 30, 1999.

Purpose: This rule explains how to determine the date of sale for purposes of the real estate excise tax. It also explains the application of interest and penalties when the tax is not paid within thirty days of the date of sale. It is being revised to incorporate provisions of chapter 149, Laws of 1996, and chapter 157, Laws of 1997, which affect the computation/imposition of interest and penalties. The revised rule also explains that the penalty imposed on the delinquent payment of taxes applies to both the state and local tax components.

Citation of Existing Rules Affected by this Order: Amending WAC 458-61-090 Date of sale—Interest and penalty.



(b) In all other cases the date of sale will be presumed to be the date shown on the instrument. A taxpayer alleging a date of sale other than the instrument date has the burden of proving that delivery of title or ownership of the property in exchange for consideration occurred on the date alleged.

(3) Interest. If the tax is paid within ~~((thirty days following))~~ one month of the date of sale, interest will not be ~~((applied))~~ imposed. If the tax is not paid within ~~((thirty days following))~~ one month of the date of sale, ~~((the amount of unpaid tax shall bear interest in the amount of one percent per each thirty day period, or part thereof, beginning with))~~ interest will be imposed on the total amount of the unpaid tax (both the state and local components) from the date of sale to the date of full payment. RCW 82.45.100(1) and 82.46.010(5). This interest is calculated on a monthly basis with a full month's interest accruing at the beginning of each month. Even if the full payment is not made at the end of a month, any portion of a month existing at the time of full payment will accrue a full month of interest. (See subsection (2)(b)(i) and (ii) and (c)(i) of this rule for examples of how interest is calculated and what day of each month interest accrues.)

(a) Interest imposed before January 1, 1999, is computed at the rate of one percent per month or portion of a month.

(b) Effective January 1, 1999, as a result of interest rate changes introduced in chapter 157, Laws of 1997, interest is computed per month or portion of a month at an annual variable interest rate determined as per RCW 82.32.050(2). This interest rate is adjusted on the first day of each January. The rate applied to any given month or portion of a month is the annual variable interest rate in effect at the beginning of that month, divided by twelve. Any interest imposed for a month or portion of a month that starts in December will be imposed at the interest rate effective in December, even though the interest rate may change on January 1st. The department of revenue will provide written notification to the county treasurers of the variable rate on or before December 1st of the year preceding the calendar year in which the variable interest rate applies. Other persons interested in the annual variable interest rate may contact the department of revenue special programs division directly.

(i) For example, assume a taxable real estate transaction with a November 20, 1998, date of sale. The original tax due is one thousand dollars and full payment is received on March 15, 1999. Interest begins on November 21st (the day after the date of sale). Prior to January 1, 1999, the interest rate for real estate excise tax is one percent per month. For this example only, assume that an annual variable interest rate of nine percent is effective on January 1, 1999, which is a monthly rate of seventy-five hundredths of a percent (nine percent annual variable interest rate divided by twelve months). Four months of interest is due and is computed as follows:

<u>Nov 21 to Dec 20, 1998</u>	<u>\$1,000 tax at 1% per month</u>	<u>\$10.00</u>
<u>Dec 21 to Jan 20, 1999</u>	<u>\$1,000 tax at 1% per month</u>	<u>\$10.00</u>
<u>Jan 21 to Feb 20, 1999</u>	<u>\$1,000 tax at .75% per month</u>	<u>\$ 7.50</u>
<u>Feb 21 to Mar 15, 1999</u>	<u>\$1,000 tax at .75% per month</u>	<u>\$ 7.50</u>
<u>Total additional interest due with March 15, 1999, payment</u>		<u>\$35.00</u>

In this example, note that a full month's interest applies effective February 21st even though the period of February 21st through March 15th is only a partial month.

(ii) As an additional example, assume a taxable real estate transaction with a February 1, 1999, date of sale. The original tax due is one thousand dollars and full payment is received on April 15, 1999. Interest begins on February 2nd (the day after the date of sale). For this example, assume that an annual variable interest rate of nine percent is effective on January 1, 1999. Three months of interest is due and is computed as follows:

<u>Feb 2 to Mar 1, 1999</u>	<u>\$1,000 tax at .75% per month</u>	<u>\$ 7.50</u>
<u>Mar 2 to Apr 1, 1999</u>	<u>\$1,000 tax at .75% per month</u>	<u>\$ 7.50</u>
<u>Apr 2 to Apr 15, 1999</u>	<u>\$1,000 tax at .75% per month</u>	<u>\$ 7.50</u>
<u>Total additional interest due with April 15, 1999, payment</u>		<u>\$22.50</u>

(c) When interest must be calculated in a shorter month that does not have a day corresponding to the original date of sale, interest is computed on the first day of the following calendar month.

For example, assume a real estate transaction with a January 30th date of sale and a payment date of May 10th. Since February has only twenty-eight days (assuming it is not a leap year), the 28th of February most closely corresponds to the January 30th date of sale. If the tax liability is not paid on or before the last day of February (within one month of the date of sale), the liability is delinquent and the first two months of interest will be added on March 1st (the first day of the following calendar month). Interest begins on January 31st (the day after the date of sale). By the time the May 10th payment is made, four months of additional interest are due. For this example, assume that the original tax due is one thousand dollars and the annual variable interest rate is nine percent. The interest is computed as follows:

<u>Jan 31 to Feb 28, 1999</u>	<u>\$1,000 tax at .75% per month</u>	<u>\$7.50</u>
<u>Mar 1 to Mar 30, 1999</u>	<u>\$1,000 tax at .75% per month</u>	<u>\$7.50</u>
<u>Mar 31 to Apr 30, 1999</u>	<u>\$1,000 tax at .75% per month</u>	<u>\$7.50</u>
<u>May 1 to May 10, 1999</u>	<u>\$1,000 tax at .75% per month</u>	<u>\$7.50</u>
<u>Total additional interest due with May 10, 1999, payment</u>		<u>\$30.00</u>

~~((3))~~ (4) Penalty. In addition to the interest described in subsection ~~((2))~~ (3) of this section, if the payment of any tax is not received by the county treasurer within one month of the date of sale a delinquent penalty applies. This penalty is imposed on the total amount of the unpaid tax (both state and local components). RCW 82.45.100(2) and 82.46.010(5).

(a) If tax is not paid:

~~((a))~~ (i) Within ~~((thirty days))~~ one month of the date of sale, a penalty of five percent of the amount of the tax will be added to the tax due;

~~((b))~~ (ii) Within ~~((sixty days))~~ two months of the date of sale, a total penalty of ten percent shall be added to the tax due; and

~~((c))~~ (iii) Within ~~((ninety days))~~ three months of the date of sale, a total penalty of twenty percent will be added to the tax due.

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~~((4)) (b) Penalties ((shall)) will be assessed only against the grantor and ((shall)) will not be included in the lien arising under RCW 82.45.070. ((See RCW 82.45.100.~~

~~(5) When an instrument of sale or conveyance is signed and delivered by the grantor to an escrow agent licensed under chapter 18.44 RCW, a title company, a title insurance company, or an attorney at law acting as an escrow agent, with instructions to deliver the instrument to the grantee upon the fulfillment of one or more conditions, the date of sale will be presumed to be the date that the instrument is presented for recording, subject to the following:~~

~~(a) A statement, as provided by WAC 458-61-150, signed by the escrow agent, the title company agent, the title insurance company agent, or attorney, is attached to the affidavit indicating that the instrument was delivered to such person in the capacity of an escrow agent; and~~

~~(b) The date shown on the instrument is not more than ninety days prior to the date the affidavit is presented to the county treasurer for filing.~~

~~(6) In all other cases the date of sale will be presumed to be the date shown on the instrument. A taxpayer alleging a date of sale other than the instrument date has the burden of proving that delivery of title or ownership of the property in exchange for consideration occurred on the date alleged.)~~

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, 1999.

Effective Date of Rule: July 1, 1999.

June 30, 1999  
 Claire Hesselholt  
 Rules Manager  
 Legislation and Policy Division

**AMENDATORY SECTION** (Amending WSR 99-02-032, filed 12/30/98, effective 1/1/99)

**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, 1999:

((TABLE 1—Stumpage Value Table  
 Stumpage Value Area 1  
 January 1 through June 30, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance-Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$595	\$588	\$581	\$574	\$567
		2	484	477	470	463	456
		3	430	423	416	409	402
		4	288	281	274	267	260
Western Redcedar <sup>2</sup>	RC	1	1155	1148	1141	1134	1127
		2	861	854	847	840	833
		3	809	802	795	788	781
		4	797	790	783	776	769
Western Hemlock <sup>3</sup>	WH	1	331	324	317	310	303
		2	322	315	308	301	294
		3	317	310	303	296	289
		4	278	271	264	257	250
Other Conifer	OC	1	331	324	317	310	303
		2	322	315	308	301	294
		3	317	310	303	296	289
		4	278	271	264	257	250
Red Alder	RA	1	199	192	185	178	171
		2	161	154	147	140	133
		3	135	128	121	114	107
Black Cottonwood	BC	1	55	48	41	34	27
		2	46	9	2	+	+

**WSR 99-14-055**

**PERMANENT RULES**

**DEPARTMENT OF REVENUE**

[Filed June 30, 1999, 4:05 p.m., effective July 1, 1999]

Date of Adoption: June 30, 1999.

Purpose: WAC 458-40-660 contains the stumpage values for the second half of 1999. 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 99-10-039 on April 30, 1999.

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.

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**(TABLE 1—Stumpage Value Table  
Stumpage Value Area 1  
January 1 through June 30, 1999**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance-Zone Number				
			1	2	3	4	5
		3	13	6	†	†	†
Other Hardwood	OH	1	127	120	113	106	99
		2	99	92	85	78	71
		3	74	67	60	53	46
Douglas fir Poles	DFL	†	1038	1031	1024	1017	1010
Western Redcedar Poles	RCL	†	1038	1031	1024	1017	1010
Chipwood	CHW	†	3	2	†	†	†
RC Shake Blocks	RCS	†	303	296	289	282	275
RC Shingle Blocks	RCF	†	121	114	107	100	93
RC & Other Posts <sup>4</sup>	RCP	†	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>5</sup>	DFX	†	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>5</sup>	TFX	†	0.50	0.50	0.50	0.50	0.50

<sup>†</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Alaska Cedar.

<sup>3</sup> 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.

<sup>4</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>5</sup> Stumpage value per lineal foot.

**TABLE 2—Stumpage Value Table  
Stumpage Value Area 2  
January 1 through June 30, 1999**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance-Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$595	\$588	\$581	\$574	\$567
		2	509	502	495	488	481
		3	460	453	446	439	432
		4	279	272	265	258	251
Western Redcedar <sup>2</sup>	RC	1	1155	1148	1141	1134	1127
		2	861	854	847	840	833
		3	809	802	795	788	781

**TABLE 2—Stumpage Value Table  
Stumpage Value Area 2  
January 1 through June 30, 1999**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance-Zone Number				
			1	2	3	4	5
		4	797	790	783	776	769
Western Hemlock <sup>3</sup>	WH	1	350	343	336	329	322
		2	350	343	336	329	322
		3	310	303	296	289	282
		4	305	298	291	284	277
Other Conifer	OC	1	350	343	336	329	322
		2	350	343	336	329	322
		3	310	303	296	289	282
		4	305	298	291	284	277
Red Alder	RA	1	199	192	185	178	171
		2	161	154	147	140	133
		3	135	128	121	114	107
Black Cottonwood	BC	1	55	48	41	34	27
		2	16	9	2	†	†
		3	13	6	†	†	†
Other Hardwood	OH	1	127	120	113	106	99
		2	99	92	85	78	71
		3	74	67	60	53	46
Douglas fir Poles	DFL	†	1038	1031	1024	1017	1010
Western Redcedar Poles	RCL	†	1038	1031	1024	1017	1010
Chipwood	CHW	†	3	2	†	†	†
RC Shake Blocks	RCS	†	303	296	289	282	275
RC Shingle Blocks	RCF	†	121	114	107	100	93
RC & Other Posts <sup>4</sup>	RCP	†	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>5</sup>	DFX	†	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>5</sup>	TFX	†	0.50	0.50	0.50	0.50	0.50

<sup>†</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Alaska Cedar.

<sup>3</sup> 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.

<sup>4</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>5</sup> Stumpage value per lineal foot.

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† Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

‡ Includes Alaska Cedar.  
 § Includes Western Larch.  
 ¶ 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.  
 ⁶ Stumpage value per lineal foot.

**TABLE 3—Stumpage Value Table**  
 Stumpage Value Area 3  
 January 1 through June 30, 1999

Species Name	Species Code	Stumpage Values per Thousand Board Feet Net Scribner Log Scale†				
		Timber	Quality	Distance-Zone Number	Hauling	Species Code
Douglas-Fir²	DF	1	2	3	4	5
Western Hemlock⁴	WH	1	2	3	4	5
Western Redcedar³	RC	1	2	3	4	5
Red Alder	RA	1	2	3	4	5
Black Cottonwood	BC	1	2	3	4	5
Other Hardwood	OH	1	2	3	4	5
Other Christmas Trees⁵	DFX	1	2	3	4	5
Other Christmas Trees⁶	FFX	1	2	3	4	5

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**TABLE 4—Stumpage Value Table**  
 Stumpage Value Area 4  
 January 1 through June 30, 1999

Species Name	Species Code	Stumpage Values per Thousand Board Feet Net Scribner Log Scale†				
		Timber	Quality	Distance-Zone Number	Hauling	Species Code
Douglas-Fir²	DF	1	2	3	4	5
Western Hemlock⁴	WH	1	2	3	4	5
Western Redcedar³	RC	1	2	3	4	5
Ponderosa Pine	PP	1	2	3	4	5
Lodgepole Pine	LP	1	2	3	4	5
Other Conifer	OC	1	2	3	4	5
Black Cottonwood	BC	1	2	3	4	5
Other Hardwood	OH	1	2	3	4	5
Other Christmas Trees⁵	DFX	1	2	3	4	5
Other Christmas Trees⁶	FFX	1	2	3	4	5

Douglas-Fir-Poles	DFL	1	2	3	4	5
Other Hardwood	OH	1	2	3	4	5
Black Cottonwood	BC	1	2	3	4	5
Red Alder	RA	1	2	3	4	5
Other Conifer	OC	1	2	3	4	5
Western Hemlock⁴	WH	1	2	3	4	5
Western Redcedar³	RC	1	2	3	4	5
Ponderosa Pine	PP	1	2	3	4	5
Lodgepole Pine	LP	1	2	3	4	5
Other Conifer	OC	1	2	3	4	5
Black Cottonwood	BC	1	2	3	4	5
Other Hardwood	OH	1	2	3	4	5
Other Christmas Trees⁵	DFX	1	2	3	4	5
Other Christmas Trees⁶	FFX	1	2	3	4	5

**TABLE 4—Stumpage Value Table**  
**Stumpage Value Area 4**  
 January 1 through June 30, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Poles	RCL	1	1038	1031	1024	1017	1010
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 <sup>5</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>6</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>6</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>†</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska Cedar.

<sup>4</sup> 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.

<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>6</sup> Stumpage value per lineal foot.

**TABLE 5—Stumpage Value Table**  
**Stumpage Value Area 5**  
 January 1 through June 30, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir <sup>2</sup>	DF	1	\$531	\$524	\$517	\$510	\$503
		2	489	482	475	468	461
		3	435	428	421	414	407
		4	283	276	269	262	255
Lodgepole Pine	LP	1	203	196	189	182	175
Ponderosa Pine	PP	1	364	357	350	343	336
		2	219	212	205	198	191
Western Redcedar <sup>3</sup>	RC	1	1155	1148	1141	1134	1127
		2	861	854	847	840	833
		3	809	802	795	788	781
		4	797	790	783	776	769

**TABLE 5—Stumpage Value Table**  
**Stumpage Value Area 5**  
 January 1 through June 30, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock <sup>4</sup>	WH	1	352	345	338	331	324
		2	352	345	338	331	324
		3	277	270	263	256	249
		4	277	270	263	256	249
Other Conifer	OC	1	352	345	338	331	324
		2	352	345	338	331	324
		3	277	270	263	256	249
		4	277	270	263	256	249
Red Alder	RA	1	199	192	185	178	171
		2	161	154	147	140	133
		3	135	128	121	114	107
Black Cottonwood	BC	1	55	48	41	34	27
		2	16	9	2	1	1
		3	13	6	1	1	1
Other Hardwood	OH	1	127	120	113	106	99
		2	99	92	85	78	71
		3	74	67	60	53	46
Douglas fir Poles	DFL	1	1038	1031	1024	1017	1010
Western Redcedar Poles	RCL	1	1038	1031	1024	1017	1010
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 <sup>5</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>6</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>6</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>†</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska Cedar.

<sup>4</sup> 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.

<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>6</sup> Stumpage value per lineal foot.

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**TABLE 6—Stumpage Value Table**  
**Stumpage Value Area 6**  
 January 1 through June 30, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir <sup>2</sup>	DF	1	\$239	\$232	\$225	\$218	\$211
Engelmann Spruce	ES	1	200	193	186	179	172
Lodgepole Pine	LP	1	203	196	189	182	175
Ponderosa Pine	PP	1	364	357	350	343	336
		2	219	212	205	198	191
Western Redcedar <sup>3</sup>	RC	1	427	420	413	406	399
True Firs <sup>4</sup>	WH	1	214	207	200	193	186
Western White Pine	WP	1	423	416	409	402	395
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	516	509	502	495	488
Small Logs	SML	1	24	23	22	21	20
Chipwood	CHW	1	2	1	1	1	1
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts <sup>5</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>6</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>7</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>†</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Alaska Cedar.  
<sup>4</sup> 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.  
<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>6</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>7</sup> Stumpage value per lineal foot.

**TABLE 7—Stumpage Value Table**  
**Stumpage Value Area 7**  
 January 1 through June 30, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir <sup>2</sup>	DF	1	\$239	\$232	\$225	\$218	\$211
Engelmann Spruce	ES	1	200	193	186	179	172
Lodgepole Pine	LP	1	203	196	189	182	175
Ponderosa Pine	PP	1	364	357	350	343	336
		2	219	212	205	198	191
Western Redcedar <sup>3</sup>	RC	1	427	420	413	406	399
True Firs <sup>4</sup>	WH	1	214	207	200	193	186
Western White Pine	WP	1	423	416	409	402	395
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	516	509	502	495	488
Small Logs	SML	1	23	22	21	20	19
Chipwood	CHW	1	2	1	1	1	1
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts <sup>5</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>6</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>7</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>†</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Alaska Cedar.  
<sup>4</sup> 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.  
<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>6</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>7</sup> Stumpage value per lineal foot.

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**TABLE 8—Stumpage Value Table**  
**Stumpage Value Area 10**  
 January 1 through June 30, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir <sup>2</sup>	DF	1	\$719	\$712	\$705	\$698	\$691
		2	472	465	458	451	444
		3	448	441	434	427	420
		4	369	362	355	348	341
Lodgepole Pine	LP	1	203	196	189	182	175
Ponderosa Pine	PP	1	364	357	350	343	336
		2	219	212	205	198	191
Western Redcedar <sup>3</sup>	RC	1	1141	1134	1127	1120	1113
		2	847	840	833	826	819
		3	795	788	781	774	767
		4	783	776	769	762	755
Western Hemlock <sup>4</sup>	WH	1	338	331	324	317	310
		2	315	308	301	294	287
		3	303	296	289	282	275
		4	294	287	280	273	266
Other Conifer	OC	1	338	331	324	317	310
		2	315	308	301	294	287
		3	303	296	289	282	275
		4	294	287	280	273	266
Red Alder	RA	1	185	178	171	164	157
		2	147	140	133	126	119
		3	121	114	107	100	93
Black Cottonwood	BC	1	41	34	27	20	13
		2	2	+	+	+	+
		3	+	+	+	+	+
Other Hardwood	OH	1	113	106	99	92	85
		2	85	78	71	64	57
		3	60	53	46	39	32
Douglas fir Poles	DFL	1	1024	1017	1010	1003	996
Western Redcedar Poles	RCL	1	1024	1017	1010	1003	996
Chipwood	CHW	+	+	+	+	+	+
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts <sup>5</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45

**TABLE 8—Stumpage Value Table**  
**Stumpage Value Area 10**  
 January 1 through June 30, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>†</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
DF Christmas Trees <sup>6</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>6</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>†</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska Cedar.

<sup>4</sup> 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.

<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>6</sup> Stumpage value per lineal foot.)

**TABLE 1—Stumpage Value Table**  
**Stumpage Value Area 1**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$535	\$528	\$521	\$514	\$507
		2	421	414	407	400	393
		3	384	377	370	363	356
		4	380	373	366	359	352
Western Redcedar <sup>2</sup>	RC	1	715	708	701	694	687
		2	715	708	701	694	687
		3	715	708	701	694	687
		4	715	708	701	694	687
Western Hemlock <sup>2</sup>	WH	1	345	338	331	324	317
		2	324	317	310	303	296
		3	310	303	296	289	282
		4	299	292	285	278	271
Other Conifer	OC	1	345	338	331	324	317
		2	324	317	310	303	296
		3	310	303	296	289	282
		4	299	292	285	278	271
Red Alder	RA	1	213	206	199	192	185
		2	175	168	161	154	147
		3	122	115	108	101	94

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**TABLE 1—Stumpage Value Table**  
**Stumpage Value Area 1**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Black Cottonwood	BC	1	77	70	63	56	49
		2	77	70	63	56	49
		3	15	8	1	1	1
Other Hardwood	OH	1	122	115	108	101	94
		2	112	105	98	91	84
		3	95	88	81	74	67
Douglas-fir Poles	DFL	1	958	951	944	937	930
Western Redcedar Poles	RCL	1	958	951	944	937	930
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 <sup>4</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>5</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>5</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Alaska-Cedar.

<sup>3</sup> 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.

<sup>4</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>5</sup> Stumpage value per lineal foot.

**TABLE 2—Stumpage Value Table**  
**Stumpage Value Area 2**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$535	\$528	\$521	\$514	\$507
		2	475	468	461	454	447
		3	421	414	407	400	393
		4	350	343	336	329	322

**TABLE 2—Stumpage Value Table**  
**Stumpage Value Area 2**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar <sup>2</sup>	RC	1	715	708	701	694	687
		2	715	708	701	694	687
		3	715	708	701	694	687
		4	715	708	701	694	687
Western Hemlock <sup>3</sup>	WH	1	350	343	336	329	322
		2	345	338	331	324	317
		3	303	296	289	282	275
		4	303	296	289	282	275
Other Conifer	OC	1	350	343	336	329	322
		2	345	338	331	324	317
		3	303	296	289	282	275
		4	303	296	289	282	275
Red Alder	RA	1	213	206	199	192	185
		2	175	168	161	154	147
		3	122	115	108	101	94
Black Cottonwood	BC	1	77	70	63	56	49
		2	77	70	63	56	49
		3	15	8	1	1	1
Other Hardwood	OH	1	122	115	108	101	94
		2	112	105	98	91	84
		3	95	88	81	74	67
Douglas-fir Poles	DFL	1	958	951	944	937	930
Western Redcedar Poles	RCL	1	958	951	944	937	930
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 <sup>4</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>5</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>5</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Alaska-Cedar.

<sup>3</sup> 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.

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<sup>4</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>5</sup> Stumpage value per lineal foot.

**TABLE 3—Stumpage Value Table**  
**Stumpage Value Area 3**  
July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$535	\$528	\$521	\$514	\$507
		2	399	392	385	378	371
		3	353	346	339	332	325
		4	353	346	339	332	325
Western Redcedar <sup>2</sup>	RC	1	715	708	701	694	687
		2	715	708	701	694	687
		3	715	708	701	694	687
		4	715	708	701	694	687
Western Hemlock <sup>4</sup>	WH	1	345	338	331	324	317
		2	315	308	301	294	287
		3	291	284	277	270	263
		4	267	260	253	246	239
Other Conifer	OC	1	345	338	331	324	317
		2	315	308	301	294	287
		3	291	284	277	270	263
		4	267	260	253	246	239
Red Alder	RA	1	213	206	199	192	185
		2	175	168	161	154	147
		3	122	115	108	101	94
Black Cottonwood	BC	1	77	70	63	56	49
		2	77	70	63	56	49
		3	15	8	1	1	1
Other Hardwood	OH	1	122	115	108	101	94
		2	112	105	98	91	84
		3	95	88	81	74	67
Douglas-fir Poles	DFL	1	958	951	944	937	930
Western Redcedar Poles	RCL	1	958	951	944	937	930
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 <sup>5</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>6</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

**TABLE 3—Stumpage Value Table**  
**Stumpage Value Area 3**  
July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Other Christmas Trees <sup>6</sup>	TEF	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> 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.

<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>6</sup> Stumpage value per lineal foot.

**TABLE 4—Stumpage Value Table**  
**Stumpage Value Area 4**  
July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$595	\$588	\$581	\$574	\$567
		2	426	419	412	405	398
		3	414	407	400	393	386
		4	380	373	366	359	352
Lodgepole Pine	LP	1	202	195	188	181	174
Ponderosa Pine	PP	1	358	351	344	337	330
		2	227	220	213	206	199
Western Redcedar <sup>3</sup>	RC	1	715	708	701	694	687
		2	715	708	701	694	687
		3	715	708	701	694	687
		4	715	708	701	694	687
Western Hemlock <sup>4</sup>	WH	1	345	338	331	324	317
		2	299	292	285	278	271
		3	297	290	283	276	269
		4	295	288	281	274	267
Other Conifer	OC	1	345	338	331	324	317
		2	299	292	285	278	271
		3	297	290	283	276	269
		4	295	288	281	274	267
Red Alder	RA	1	213	206	199	192	185

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**TABLE 4—Stumpage Value Table**  
**Stumpage Value Area 4**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		2	175	168	161	154	147
		3	122	115	108	101	94
Black Cottonwood	BC	1	77	70	63	56	49
		2	77	70	63	56	49
		3	15	8	1	1	1
Other Hardwood	OH	1	122	115	108	101	94
		2	112	105	98	91	84
		3	95	88	81	74	67
Douglas-fir Poles	DFL	1	958	951	944	937	930
Western Redcedar Poles	RCL	1	958	951	944	937	930
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 <sup>2</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>6</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>6</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> 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.

<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>6</sup> Stumpage value per lineal foot.

**TABLE 5—Stumpage Value Table**  
**Stumpage Value Area 5**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$545	\$538	\$531	\$524	\$517
		2	424	417	410	403	396

**TABLE 5—Stumpage Value Table**  
**Stumpage Value Area 5**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		3	413	406	399	392	385
		4	307	300	293	286	279
Lodgepole Pine	LP	1	202	195	188	181	174
Ponderosa Pine	PP	1	358	351	344	337	330
		2	227	220	213	206	199
Western Redcedar <sup>3</sup>	RC	1	715	708	701	694	687
		2	715	708	701	694	687
		3	715	708	701	694	687
		4	715	708	701	694	687
Western Hemlock <sup>4</sup>	WH	1	368	361	354	347	340
		2	317	310	303	296	289
		3	266	259	252	245	238
		4	266	259	252	245	238
Other Conifer	OC	1	368	361	354	347	340
		2	317	310	303	296	289
		3	266	259	252	245	238
		4	266	259	252	245	238
Red Alder	RA	1	213	206	199	192	185
		2	175	168	161	154	147
		3	122	115	108	101	94
Black Cottonwood	BC	1	77	70	63	56	49
		2	77	70	63	56	49
		3	15	8	1	1	1
Other Hardwood	OH	1	122	115	108	101	94
		2	112	105	98	91	84
		3	95	88	81	74	67
Douglas-fir Poles	DFL	1	958	951	944	937	930
Western Redcedar Poles	RCL	1	958	951	944	937	930
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 <sup>2</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>6</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

**TABLE 5—Stumpage Value Table**  
**Stumpage Value Area 5**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Other Christmas Trees <sup>4</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> 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.

<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>6</sup> Stumpage value per lineal foot.

**TABLE 6—Stumpage Value Table**  
**Stumpage Value Area 6**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$237	\$230	\$223	\$216	\$209
Engelmann Spruce	ES	1	207	200	193	186	179
Lodgepole Pine	LP	1	202	195	188	181	174
Ponderosa Pine	PP	1	358	351	344	337	330
		2	227	220	213	206	199
Western Redcedar <sup>3</sup>	RC	1	404	397	390	383	376
True Firs <sup>4</sup>	WH	1	227	220	213	206	199
Western White Pine	WP	1	423	416	409	402	395
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	516	509	502	495	488
Small Logs	SML	1	20	19	18	17	16
Chipwood	CHW	1	2	1	1	1	1
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts <sup>5</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35

**TABLE 6—Stumpage Value Table**  
**Stumpage Value Area 6**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Pine Christmas Trees <sup>6</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>2</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> 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.

<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>6</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

<sup>7</sup> Stumpage value per lineal foot.

**TABLE 7—Stumpage Value Table**  
**Stumpage Value Area 7**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$237	\$230	\$223	\$216	\$209
Engelmann Spruce	ES	1	207	200	193	186	179
Lodgepole Pine	LP	1	202	195	188	181	174
Ponderosa Pine	PP	1	358	351	344	337	330
		2	227	220	213	206	199
Western Redcedar <sup>3</sup>	RC	1	404	397	390	383	376
True Firs <sup>4</sup>	WH	1	227	220	213	206	199
Western White Pine	WP	1	423	416	409	402	395
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	516	509	502	495	488
Small Logs	SML	1	26	25	24	23	22
Chipwood	CHW	1	2	1	1	1	1

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**TABLE 7—Stumpage Value Table**  
**Stumpage Value Area 7**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

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 <sup>5</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>6</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>7</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Alaska-Cedar.  
<sup>4</sup> 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.  
<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>6</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>7</sup> Stumpage value per lineal foot.

**TABLE 8—Stumpage Value Table**  
**Stumpage Value Area 10**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$581	\$574	\$567	\$560	\$553
		2	412	405	398	391	384
		3	400	393	386	379	372
		4	366	359	352	345	338
Lodgepole Pine	LP	1	202	195	188	181	174
Ponderosa Pine	PP	1	358	351	344	337	330
		2	227	220	213	206	199
Western Redcedar <sup>3</sup>	RC	1	701	694	687	680	673
		2	701	694	687	680	673
		3	701	694	687	680	673
		4	701	694	687	680	673
Western Hemlock <sup>4</sup>	WH	1	331	324	317	310	303
		2	285	278	271	264	257
		3	283	276	269	262	255

**TABLE 8—Stumpage Value Table**  
**Stumpage Value Area 10**  
 July 1 through December 31, 1999

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		4	281	274	267	260	253
Other Conifer	OC	1	331	324	317	310	303
		2	285	278	271	264	257
		3	283	276	269	262	255
		4	281	274	267	260	253
Red Alder	RA	1	199	192	185	178	171
		2	161	154	147	140	133
		3	108	101	94	87	80
Black Cottonwood	BC	1	63	56	49	42	35
		2	63	56	49	42	35
		3	1	1	1	1	1
Other Hardwood	OH	1	108	101	94	87	80
		2	98	91	84	77	70
		3	81	74	67	60	53
Douglas-fir Poles	DFL	1	944	937	930	923	916
Western Redcedar Poles	RCL	1	944	937	930	923	916
Chipwood	CHW	1	1	1	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 <sup>5</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>6</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>6</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Alaska-Cedar.  
<sup>4</sup> 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.  
<sup>5</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>6</sup> 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

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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, 1999:

**TABLE 9—Harvest Adjustment Table**  
**Stumpage Value Areas 1, 2, 3, 4, 5, and 10**  
~~((January))~~ July 1 through ~~((June 30))~~ December 31, 1999

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>I. Volume per acre</b>		
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
<b>II. Logging conditions</b>		
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.		
<b>III. Remote island adjustment:</b>		
	For timber harvested from a remote island	- \$50.00
<b>IV. Thinning (see WAC 458-40-610(21))</b>		
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, 1999

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>I. Volume per acre</b>		
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
<b>II. Logging conditions</b>		
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.		
<b>III. Remote island adjustment:</b>		
	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

PERMANENT

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 99-14-056**  
**PERMANENT RULES**  
**DEPARTMENT OF REVENUE**

[Filed June 30, 1999, 4:06 p.m.]

Date of Adoption: June 30, 1999.

Purpose: This rule explains that the expiration of any time period specified by statute or court order will not prevent property from being presumed abandoned under chapter 63.28 RCW nor affect any responsibility to file reports or deliver abandoned property to the Department of Revenue. It is being repealed because the provisions were declared invalid in *Pacific Northwest Bell Telephone Company v. The Department of Revenue*, 78 Wn. 2d 961 (1971). A rule-making order repealing the balance of the rules in chapter 458-65 WAC was filed with the code reviser on March 25, 1999 (WSR 99-08-007).

Citation of Existing Rules Affected by this Order: Repealing WAC 458-65-010 Time limitations.

Statutory Authority for Adoption: RCW 63.29.370.

Adopted under preproposal statement of inquiry filed as WSR 99-10-032 on April 29, 1999.

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 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 1.

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

June 30, 1999

Claire Hesselholt  
Rules Manager  
Legislation and Policy Division

**WSR 99-14-060**

**PERMANENT RULES**

**PUBLIC EMPLOYMENT  
RELATIONS COMMISSION**

[Filed July 1, 1999, 10:53 a.m.]

Date of Adoption: June 8, 1999.

Purpose: To improve interest arbitration rules by requiring parties to submit to mediator a list of issues they believe should be advanced to hearing, allow waiver of partisan arbitrators and certain voluntary procedures if parties fail to act in timely manner, and codify agency procedure where a related unfair labor practice complaint is filed.

Citation of Existing Rules Affected by this Order: Amending WAC 391-08-310, 391-08-810, 391-55-001, 391-55-002, 391-55-010, 391-55-030, 391-55-032, 391-55-050, 391-55-070, 391-55-071, 391-55-090, 391-55-110, 391-55-130, 391-55-150, 391-55-200, 391-55-205, 391-55-210, 391-55-215, 391-55-220, 391-55-225, 391-55-230, 391-55-235, 391-55-240, 391-55-245, 391-55-255, 391-55-310, 391-55-315, 391-55-320, 391-55-330, 391-55-335, 391-55-340, 391-55-350, 391-65-001, 391-65-002, 391-65-010, 391-65-030, 391-65-050, 391-65-070, 391-65-090, 391-65-110, 391-65-130, and 391-65-150.

Statutory Authority for Adoption: RCW 28B.52.080, 41.56.090, 41.59.110, 41.58.050.

Other Authority: WAC 391-08-310 is RCW 2.40.010, 5.56.010 and 34.05.446; WAC 391-08-810 is RCW 28B.52.060, 41.56.070, 41.56.100, 41.56.440, 41.58.020, 41.59.120 and 49.08.010; WAC 391-55-010 is RCW 28B.52.060 and 41.56.100; WAC 391-10-090 is RCW 5.60.072; WAC 391-10-200 is RCW 41.56.450, 41.56.475 and 41.56.492; WAC 391-10-205, 391-10-210, 391-10-215, 391-10-220, 391-10-225, 391-10-230, 391-10-235, 391-10-240, 391-10-245, 391-10-255 and 391-10-265 is RCW 41.56.450; WAC 391-55-310, 391-55-315, 391-55-320, 391-55-330, 391-55-335, 391-55-340, and 391-55-350 is RCW 41.59.120; and WAC 391-65-010, 391-65-030, 391-65-050, 391-65-070, 391-65-090, 391-65-110, 391-65-130, and 391-65-150 is RCW 41.56.125.

Adopted under notice filed as WSR 99-10-107 on May 5, 1999.

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 3, Amended 42, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 3, Amended 42, 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 1, 1999  
 Marvin L. Schurke  
 Executive Director

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

**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.

(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).

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

**WAC 391-08-810 Agency records—Confidentiality.** The agency ~~((in))~~ shall preserve the confidentiality of certain records, as follows:

(1) ~~In order to protect the privacy of individual employees ((and in order to respect the confidential nature of the mediation process)), the agency shall not permit the disclosure to any person of ((++)) evidence furnished as a showing of interest in support of a representation petition or motion for intervention((--)).~~

(2) ~~In order to respect the confidential nature of mediation, the agency shall not permit the disclosure of notes and memoranda made by any member of the commission or its staff as a recording of communication made or received while acting in the capacity of a mediator between the parties to a labor dispute.~~

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-001 Scope—Contents—Other rules.**

This chapter governs proceedings before the public employment relations commission relating to the resolution of impasses occurring in collective bargaining. The provisions of this chapter should be read in conjunction with the provisions of:

(1) Chapter 391-08 WAC, which contains rules of practice and procedure applicable to all types of proceedings before the public employment relations commission.

(2) Chapter 391-25 WAC, which ~~((contains rules relating to))~~ regulates representation proceedings ~~((on petitions for investigation of questions concerning representation of employees)).~~

(3) Chapter 391-35 WAC, which ~~((contains rules relating to))~~ regulates unit clarification proceedings ~~((on petitions for clarification of an existing bargaining unit)).~~

(4) Chapter 391-45 WAC, which ~~((contains rules relating to))~~ regulates unfair labor practice proceedings ~~((on complaints charging unfair labor practices)).~~

(5) 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))~~ proceedings.

(6) 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 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-002 Sequence and numbering of rules—Special provisions.** This chapter of the Washington Administrative Code is designed to regulate proceedings

under a number of different chapters of the Revised Code of Washington. ~~((Special provisions))~~ 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 ((are)), that special provision is set forth in a separate rule((s)) 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 (Employment relations—Collective bargaining and arbitration), are set forth in WAC sections numbered one digit greater than the general rule on that subject matter.

Special provisions relating to interest arbitration for bargaining units under chapter 41.56 RCW are set forth beginning with WAC 391-55-200.

(2) Special provisions relating to chapter 41.59 RCW (Educational Employment Relations Act) are set forth in WAC sections numbered two digits greater than the general rule on that subject matter ~~((and in a subchapter of rules))~~. Special provisions relating to fact finding are set forth beginning with WAC 391-55-300.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-010** ~~((Resolution of impasses))~~ **Impasses in contract negotiations—Request for mediation—Service.** A request for mediation may be made in writing, by electronic telefacsimile transmission, or by telephone, but shall be confirmed in writing if made by telephone. The original request shall be submitted to the commission's Olympia office, as required by WAC 391-08-120(2). If the request is not submitted jointly, the party submitting the request shall serve a copy, as required by WAC 391-08-120 (3) and (4), on the other party to the dispute. The party or parties requesting mediation shall provide the following information to the agency:

(1) The name ~~((and))~~, address and telephone number of the employer and the name, address and telephone number of ~~((the employer's))~~ its principal representative ~~((in the negotiations))~~.

(2) The name ~~((and))~~, address and telephone number of the employee organization and the name, address and telephone number of ~~((the employee organization's))~~ its principal representative ~~((in the negotiations))~~.

(3) ~~((Identification of the))~~ The employer's principal business.

(4) The parties' contractual relationship, indicating that:

(a) The parties' have never had a contract; or

(b) A copy of the current or most recent applicable collective bargaining agreement is attached.

(5) A description of the bargaining unit involved, specifying inclusions and exclusions.

(6) The number of employees in the bargaining unit.

(7) The history of the bargaining unit, including at least the approximate date of its creation.

(8) The history of the current negotiations, including at least the number of meetings held, the date of the first meeting and whether both parties concur in the request for mediation.

(9) Identification of the issues in dispute and the parties' positions on those issues.

(10) The name(s), signature(s) and, ~~((and capacity of each officer, attorney, or other individual acting for the filing))~~ if any, title(s) of the representative(s) of the requesting party ((or)) (parties), and the date(s) of the signature(s).

#### NEW SECTION

**WAC 391-55-020** **Grievance mediation—Request for grievance mediation—Service.** A request for appointment of a grievance mediator may be made in writing or by electronic telefacsimile transmission. The original request shall be submitted to the commission's Olympia office, as required by WAC 391-08-120(2). If the request is not submitted jointly, the party submitting the request shall serve a copy, as required by WAC 391-08-120 (3) and (4), on the other party to the collective bargaining agreement under which the dispute arises. The party or parties requesting grievance mediation shall provide the following information to the agency:

(1) Information identifying the parties to the dispute, including:

(a) The name, address and telephone number of the employer and the name, address and telephone number of its principal representative;

(b) The name, address and telephone number of the employee organization and the name, address and telephone number of its principal representative;

(c) The employer's principal business;

(d) A copy of the current or most recent applicable collective bargaining agreement;

(e) A description of the bargaining unit involved, specifying inclusions and exclusions;

(f) The number of employees in the bargaining unit;

(g) The agreement of the party or parties making the request that any unresolved issues shall be submitted to an arbitrator for a final and binding decision; and

(h) The agreement of the party or parties making the request that there shall be no strike or lockout on the matters submitted to grievance mediation.

(2) Identification of the grievance to be resolved in grievance mediation.

(3) Designation of the request as:

(a) A request for appointment of a member of the agency staff as grievance mediator; or

(b) A request for the submission of a list containing a specified number of names from the dispute resolution panel created by WAC 391-55-110.

(4) The name(s), signature(s) and, if any, title(s) of the representative(s) of the requesting party (parties), and the date(s) of the signature(s).

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-030** ~~((Impasse resolution—))~~ **Assignment of mediator.** (1) Upon ~~((filing))~~ submission of a request for ~~((mediation))~~ a mediator under WAC 391-55-010 or 391-55-020 (3)(a), the executive director shall appoint a



~~((mediator from the list of qualified persons maintained by the commission for that purpose))~~ member of the agency staff. 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 ~~((desires))~~ request.

(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 Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-032 Special provision—Educational employees.** Upon ~~((filing))~~ submission of a unilateral request for mediation, the executive director shall ~~((determine))~~ consider the position of the party other than the party making the request, and shall ~~((determine whether the assistance of the agency is needed. In making such determination the executive director shall determine))~~ evaluate whether the parties have exchanged and considered the proposals of one another and whether the intervention of the agency will have a beneficial impact on the negotiating process. Prior to making ~~((such))~~ this determination, the executive director or a member of the agency staff may make an on-site investigation and may engage in conciliation under the general authority ~~((of the))~~ conferred on the commission ~~((under))~~ by RCW 41.58.020(1). If it appears that the assistance of the agency is needed, the executive director shall appoint a mediator ~~((from the list of qualified persons maintained by the commission for that purpose. If the parties have stipulated the names of one or more persons who are acceptable to both parties as mediator, then the executive director shall consider their desires)).~~

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-050 ((Impasse resolution—)) Submission of written proposals.** Parties requesting the mediation services of the agency are encouraged to ~~((file with))~~ submit to the assigned mediator, in advance of scheduled meetings, copies of their latest written proposals on each issue in dispute.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-070 ((Impasse resolution—)) Function of mediator.** The mediator shall meet with the parties or their representatives, or both, either jointly or separately, and shall take ~~((such))~~ any steps ~~((as))~~ that the mediator deems appropriate ~~((in order))~~ to ~~((aid))~~ assist the parties in voluntarily resolving their differences and effecting an agreement.

AMENDATORY SECTION (Amending Order 88-08, filed 5/31/88)

**WAC 391-55-071 Special provision—State patrol personnel.** In the case of mediation involving officers of the

Washington state patrol ~~((personnel as defined in RCW 41.56.020))~~ appointed under RCW 43.43.020, the mediator shall not consider rates of pay or wage ~~((or wage-related matters))~~ levels and any matters relating to retirement benefits or health care benefits or other employee insurance benefits.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-090 ((Impasse resolution—)) Confidential nature of ((function)) mediation.** ~~((All communications between the mediator and the parties, and all materials submitted to or by the mediator, are privileged and confidential and shall not be divulged by the mediator outside of the mediation process.))~~ Mediation meetings shall ~~((be of an executive, private or nonpublic nature))~~ not be open to the public. Confidential information acquired by a mediator shall not be disclosed to others outside of the mediation process for any purpose, and a mediator shall not give testimony about the mediation in any legal or administrative proceeding.

AMENDATORY SECTION (Amending Order 83-05, filed 12/1/83, effective 1/1/84)

**WAC 391-55-110 ((Impasse resolution—)) Dispute resolution panel—Membership.** The commission shall establish and maintain a panel of individuals qualified to serve in an impartial capacity in the resolution of labor disputes.

(1) Applicants for membership on the dispute resolution panel ~~((must))~~ shall demonstrate minimum background and experience equal to the minimum qualifications for the working level positions on the professional staff of the commission:

(a) A master's degree in labor relations, personnel management or industrial relations or closely allied field, or a law degree; and

(b) At least three years of experience ~~((equivalent to two years of full-time work))~~ in collective bargaining with major work assignments in ~~((collective bargaining))~~ negotiations, contract administration or related work as a union ~~((;))~~ or management ~~((or government official))~~ representative, mediator, arbitrator or educator in the above areas ~~((A law degree may be substituted for the master's degree.))~~; and

(c) Additional qualifying experience ~~((may be substituted))~~ shall substitute, year for year, for education.

(2) Applicants for membership on the dispute resolution panel ~~((must))~~ shall furnish letters of recommendation supporting their acceptability as an impartial from:

(a) At least one ~~((attorney, consultant or labor relations director representing))~~ management representative; and

(b) At least one ~~((attorney, union officer or business agent representing labor))~~ union representative; and

(c) At least one impartial arbitrator, mediator or labor relations administrative agency official. ~~((Such letters of recommendation must support the acceptability of the applicant as an impartial in the resolution of labor disputes.))~~

(3) Applicants who desire to be referred for interest arbitration proceedings shall demonstrate their experience as an impartial in at least five grievance arbitration, fact finding or

interest arbitration cases, by submitting copies of arbitration awards which can be provided, upon request, to parties selecting an interest arbitrator.

(4) Applicants for membership on the dispute resolution panel (~~((must file))~~) shall submit, in the form specified by the executive director, information on their background, qualifications, professional certifications and affiliations. All information submitted shall be subject to administrative verification.

~~((4))~~ (5) Applications of persons appearing to be qualified for membership on the panel shall be forwarded to the commission for consideration and action. The commission shall review each application submitted to it, together with the supporting letters of recommendation, and shall notify the applicant of the determination made. ~~((Upon initial application or at any subsequent time as it may appear))~~

(6) Whenever it appears to the commission that ~~((the))~~ an applicant or member of the dispute resolution panel has failed or refused to comply with applicable statutes, rules and ethical standards, the application shall be rejected or the member shall be removed from the dispute resolution panel. A member shall also be removed from the panel if he or she has:

(a) Ceased accepting appointments as an impartial in the resolution of labor disputes; or

(b) Failed to keep the agency informed of their current address and telephone number.

~~((5))~~ (7) Persons referred from the dispute resolution panel (~~((must))~~) shall be impartial. No active member of the dispute resolution panel may serve in any capacity as an advocate or representative for either labor or management in labor relations matters. Any member of the panel who intends to engage in advocacy work shall ~~((so))~~ notify the executive director and shall be placed on inactive status ~~((on the panel))~~ while ~~((such))~~ their advocacy work continues.

~~((6))~~ Upon request of the parties, the executive director shall make a list of members of the dispute resolution panel available to parties for their use in selecting a neutral chairman for an interest arbitration panel, a grievance arbitrator, a fact finder or an ad hoc interest arbitrator. The parties may use any method agreed upon for selecting an impartial from the list provided by the executive director. In the absence of agreement on any other method, they shall alternately strike names from the list, with the order of striking determined by lot.

~~((7))~~ (8) Upon appointment to the dispute resolution panel by the commission, the panel member may be placed under contract pursuant to chapter 39.29 RCW ~~((39.29.010))~~. Only persons listed on the panel ~~((will))~~ shall be compensated by the agency under a personal service contract ~~((for services))~~.

#### NEW SECTION

**WAC 391-55-120 Dispute resolution panel—Referral and selection procedures.** (1) All referrals from the dispute resolution panel shall be by random selection among the panel members eligible for the type of proceeding involved, subject to the following:

(a) If the parties do not specify the number of names requested, the agency shall supply seven names.

(b) Where the parties request a specific number of names, the agency shall supply the number requested plus two additional names for use as alternates to reduce the potential need for second lists, or for use as agreed by the parties.

(c) The agency shall furnish biographical information, including background, qualifications and experience, on each of the arbitrators on the list supplied to the parties.

(d) The agency shall supply the parties with a second list, upon submission of their joint written request.

(2) The parties may use any method agreed upon for selecting an impartial from the list provided by the agency. In the absence of agreement on any other method, they shall alternately strike names from the list, with the order of striking determined by lot.

(3) All contacts and arrangements between the parties and a selected dispute resolution panel member are the responsibility of the parties. The fees and travel expenses of the dispute resolution panel member shall be paid by the parties under applicable rules or as agreed by the parties.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-130** ~~((Impasse resolution—))~~ **Disclosure.** Prior to accepting the appointment, or as soon ~~((thereafter))~~ as information giving rise to a problem of appearance of fairness becomes known, a person serving in an impartial capacity in a dispute resolution proceeding under the jurisdiction of the commission shall disclose to the parties and to the executive director any circumstances likely to create an appearance of bias or which might disqualify him or her from serving in the impartial capacity. Employment of the person or any member of his or her immediate family by any party shall be disqualifying. Each party to the proceeding shall immediately notify the executive director and the appointee or selectee whether it is willing to waive disqualification. If either party declines to waive the disqualification, the appointment shall be vacated.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-150** ~~((Impasse resolution—))~~ **Vacancies.** If any person serving in an impartial capacity in dispute resolution proceedings under the jurisdiction of the commission should resign, die, withdraw, refuse or be unable to serve, or should be or become disqualified to perform the duties of the office, the executive director shall declare the office vacant. The vacancy shall be filled in the same manner as ~~((provided in these rules))~~ an original appointment.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-200 Interest arbitration—**~~((Onset of proceedings))~~ **Certification of issues.** (1) If a dispute involving a bargaining unit eligible for interest arbitration under RCW 41.56.030(7), 41.56.475 or 41.56.492 has not been settled after a reasonable period of mediation, and the

mediator is of the opinion that his or her further efforts will not result in an agreement, the following procedure shall be implemented:

(a) The mediator shall notify the parties of his or her ~~((recommendation))~~ intention to recommend that the remaining issues in dispute be submitted to interest arbitration.

(b) Within seven days after being notified by the mediator, each party shall submit to the mediator and serve on the other party a written list (including article and section references to parties' latest collective bargaining agreement, if any) of the issues that the party believes should be advanced to interest arbitration.

(2) The mediator shall review the lists of issues submitted by the parties.

(a) The mediator shall exclude from certification any issues that have not been mediated.

(b) The mediator shall exclude from certification any issues resolved by the parties in bilateral negotiations or mediation, and the parties may present those agreements as "stipulations" in interest arbitration under RCW 41.56.465 (1)(b), 41.56.475 (2)(b), or 41.56.492 (2)(b).

(c) The mediator may convene further mediation sessions and take other steps to resolve the dispute.

~~((+))~~ (3) If ~~((a))~~ the dispute ~~((for))~~ remains unresolved after the completion of the procedures in subsections (1) and (2) of this section, interest arbitration shall be initiated, as follows:

(a) For a bargaining unit covered by RCW 41.56.030(7) or 41.56.475 ~~((remains unresolved))~~, the mediator shall forward his or her recommendation and a list of unresolved issues to the executive director, who shall consider the recommendation of the mediator ~~((and any statements of position filed by the parties as to the existence of an impasse warranting arbitration))~~. The executive director may remand the matter for further mediation. If the executive director finds that the parties remain at impasse, the executive director shall ~~((issue a written notice to the parties certifying))~~ certify the unresolved issues for interest arbitration.

~~((2))~~ ~~((If a dispute for))~~ (b) For a bargaining unit covered by RCW 41.56.492 ~~((remains unresolved))~~, the mediator shall ~~((forward a list of unresolved issues to the parties and shall consider any statements of position filed by the parties as to the existence of an impasse warranting arbitration. If the mediator finds that the parties remain at impasse, the mediator shall issue a written notice to the parties certifying))~~ certify the unresolved issues for interest arbitration.

**AMENDATORY SECTION** (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-205 Interest arbitration—Appointment of partisan arbitrators.** Within seven days following the issuance of a certification of issues for interest arbitration under WAC 391-55-200, each party shall name one person who is available and willing to serve as its member of the arbitration panel, and shall notify the opposite party and the executive director of the name, address and telephone number of the ~~((person so designated))~~ partisan arbitrator. The ~~((members so appointed shall proceed as provided in RCW 41.56.450))~~ partisan arbitrators shall meet within seven days

following the appointment of the later appointed member to attempt to choose a third member to act as the neutral chairperson of the arbitration panel.

(1) The use of partisan arbitrators shall be deemed waived if neither party has notified the executive director of its appointee within fourteen days following the issuance of a certification of issues for interest arbitration, and the parties' principal representatives shall then select the neutral chairperson.

(2) A party which has designated a partisan arbitrator may substitute another person as its partisan arbitrator, upon notice to the other party and the executive director.

**AMENDATORY SECTION** (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-210 Interest arbitration—Selection of ~~((impartial arbitrator))~~ neutral chairperson.** (1) If the ~~((appointed members))~~ parties agree on the selection of a neutral ~~((chairman))~~ chairperson, they shall obtain a commitment from that person to serve, and shall notify the executive director of the identity of the ~~((neutral chairman so selected))~~ chairperson.

(2) If the ~~((appointed members))~~ parties agree to have the commission appoint a staff member as the neutral ~~((chairman))~~ chairperson, they shall ~~((file with))~~ submit a written joint request to the executive director ~~((a written joint request))~~. The parties ~~((and the appointed members))~~ are not entitled to influence the designation of ~~((an arbitrator))~~ a neutral chairperson under this subsection and shall not, either in writing or by other communication, attempt to indicate any preference for or against any person as the neutral ~~((chairman))~~ chairperson to be appointed by the commission. Upon the ~~((filing))~~ submission of a request in compliance with this subsection, the executive director shall appoint a neutral ~~((chairman))~~ chairperson from the commission staff ~~((or the dispute resolution panel))~~.

(3) If the ~~((appointed members))~~ parties desire to select a neutral ~~((chairman))~~ chairperson from a panel of arbitrators, they shall attempt to agree as to ~~((which of the agencies designated in RCW 41.56.450))~~ whether the commission, the Federal Mediation and Conciliation Service or the American Arbitration Association will supply the list of arbitrators. If the choice of agency is agreed, either party or the parties jointly shall proceed forthwith to request a panel of at least five arbitrators ~~((If the appointed members are unable to agree within seven days following their first meeting as to which agency is to supply the list of arbitrators, either of them may apply to the executive director for a list of five available neutral chairmen other than agency staff members and the neutral chairman shall be selected from the commission's dispute resolution panel. All requests for panels under this subsection shall specify))~~ specifying: "For interest arbitration proceedings under RCW 41.56.450." ~~((The))~~ Referrals and selection from the commission's dispute resolution panel shall be as provided in WAC 391-55-120. Referrals and selection ~~((of the impartial arbitrator))~~ from other panels shall be made ~~((pursuant to))~~ under the rules of the agency supplying the list of arbitrators ~~((and the))~~. The parties shall notify

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the executive director of the identity of the ~~((arbitrator so selected))~~ neutral chairperson.

(4) If the parties have not notified the executive director of their selection of a neutral chairperson within twenty-eight days after certification of issues under WAC 391-55-200, the parties shall be deemed to have waived the procedures in subsections (1) through (3) of this section. The executive director shall issue a list of dispute resolution panel members and the neutral chairperson shall be selected as provided in WAC 391-55-120.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-215 Interest arbitration—Conduct of proceedings—Waiver of objections.** Proceedings shall be conducted as provided in WAC 391-55-200 through 391-55-255. The neutral ~~((chairman))~~ chairperson shall interpret and apply ~~((these))~~ all rules ~~((insofar as they relate))~~ relating to the powers and duties of the neutral ~~((chairman))~~ chairperson. Any party who proceeds with arbitration after knowledge that any provision or requirement of these rules has not been complied with and who fails to state its objection ~~((thereto))~~ in writing, shall be deemed to have waived its right to object.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-220 Interest arbitration—Submission of proposals for arbitration.** At least ~~((seven))~~ fourteen days before the date of the hearing, each party shall submit to the members of the panel and to the other party written proposals on all of the issues it intends to submit to arbitration. Parties shall not be entitled to submit issues which were not among the issues certified under WAC 391-55-200.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-225 Interest arbitration—Prehearing conference—Hearing.** (1) The neutral chairperson may, upon his or her own motion or upon request of a party, convene a prehearing conference or conferences.

(a) The purpose or purposes of a prehearing conference include to consider:

(i) Simplification of issues;

(ii) The possibility of obtaining stipulations, admissions of fact and admissions of the genuineness of documents which will avoid unnecessary proof;

(iii) Limitations on the number and consolidation of the examination of witnesses;

(iv) Procedural matters;

(v) Distribution of written testimony and exhibits to the parties prior to the hearing; and

(vi) Such other matters as may aid in the disposition or settlement of the case.

(b) Prehearing conferences may be held by telephone conference call or at a time and place specified by the neutral chairperson.

(c) Following a prehearing conference, the neutral chairperson shall issue an order reciting the action taken at the conference, and the agreements made by the parties concerning all of the matters considered. If no objection is filed within ten days after the date that the order is mailed, it shall control the subsequent course of the case unless modified for good cause by subsequent order.

(2) The arbitration panel shall promptly establish a date, time, and place for a hearing and shall provide reasonable notice ~~((thereof))~~ to the parties. For good cause shown, the neutral ~~((chairman))~~ chairperson may adjourn the hearing upon the request of a party or upon his or her own initiative. The parties may waive oral hearing by written agreement.

(a) A tape recording of the hearing shall be taken and shall be the official record of the hearing, unless the parties agree to take a transcript. If the parties do not agree to take a transcript and share in its cost, a party may take a transcript at its own expense. If a copy of the transcript is provided to the neutral chairperson, all parties shall have access to a copy.

(b) The statutory prohibition against a partisan arbitrator presenting the case for a party shall not preclude another member of the same organization or firm from presenting the case at the hearing.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-230 Interest arbitration—Order of proceedings and evidence.** The order of presentation at the hearing shall be as agreed by the parties or as determined by the neutral ~~((chairman))~~ chairperson. The neutral ~~((chairman))~~ chairperson shall be the judge of the relevancy of the evidence. All evidence shall be taken in the presence of all parties, unless a party is absent in default or has waived its right to be present. Each documentary exhibit shall be ~~((filed with))~~ submitted to the neutral ~~((chairman))~~ chairperson and copies shall be provided to the ~~((appointed members))~~ partisan arbitrators and to the other parties. The exhibits shall be retained by the neutral ~~((chairman))~~ chairperson until an agreement has been signed or until any judicial review proceedings have been concluded, after which they may be disposed of as agreed by the parties or as ordered by the neutral ~~((chairman))~~ chairperson. The neutral chairperson has authority to administer oaths, to require the attendance of witnesses, and to require the production of documents that he or she may deem to be material.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-235 Interest arbitration—Arbitration in the absence of a party.** The neutral ~~((chairman))~~ chairperson may proceed in the absence of any party who, after due notice, fails to be present or fails to obtain an adjournment. Findings of fact and the determination of the issues in dispute shall not be made solely on the default of a party, and the neutral ~~((chairman))~~ chairperson shall require the participating party to submit ~~((such))~~ evidence as may be required for making of the findings of fact and determining the issues.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-240 Interest arbitration—Closing of arbitration hearings.** The neutral (~~(chairman)~~) chairperson shall declare the hearing closed after the parties have completed presenting their testimony and/or exhibits and (~~(filing)~~) submission of briefs within agreed time limits.

AMENDATORY SECTION (Amending WSR 98-14-112, filed 7/1/98, effective 8/1/98)

**WAC 391-55-245 Interest arbitration—Award.** The rulings and determination of the neutral (~~(chairman)~~) chairperson shall be controlling, and shall not require concurrence, but may be accompanied by the concurring and/or dissenting opinions of the (~~(appointed members)~~) partisan arbitrators. (~~(Such)~~) The rulings and determinations shall not be subject to appeal to the commission, but the neutral (~~(chairman)~~) chairperson shall submit a copy of the award to the executive director.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-255 Interest arbitration—Expenses of arbitration.** Each party shall pay the expenses of presenting its own case and the expenses and fees of its member of the arbitration panel. The expenses of witnesses shall be paid by the party producing them. The fees and traveling expense of a neutral (~~(chairman)~~) chairperson appointed pursuant to WAC 391-55-210 (1) or (3), along with any costs for lists of arbitrators and for a tape recording of the proceedings, shall be shared equally between the parties. The fees and traveling expense of a neutral (~~(chairman)~~) chairperson appointed by the commission pursuant to WAC 391-55-210(2), along with the costs of tapes for a tape recording of the proceedings but not a transcription (~~(thereof)~~) or the services of a court reporter, shall be paid by the commission.

#### NEW SECTION

**WAC 391-55-265 Interest arbitration—Suspension of arbitration pending outcome of unfair labor practice proceedings.** (1) The executive director shall suspend the certification of some or all issues under WAC 391-55-200, as follows:

(a) A party which claims that a proposal being advanced to interest arbitration is not a mandatory subject of collective bargaining must communicate its concerns to the other party during bilateral negotiations and/or mediation. If the party advancing the proposal does not withdraw the proposal or modify it to eliminate the claimed illegality, the objecting party must file and process a complaint charging unfair labor practices under chapter 391-45 WAC prior to the conclusion of the interest arbitration proceedings.

(b) A party which claims that the other party to negotiations subject to interest arbitration has violated the "collective bargaining" obligations imposed by RCW 41.56.030(4) must file and process a complaint charging unfair labor practices

under chapter 391-45 WAC prior to the conclusion of the interest arbitration proceedings.

(c) If a preliminary ruling is issued under WAC 391-45-110 that an unfair practice violation could be found on a complaint filed under (a) or (b) of this subsection, a final ruling on the unfair labor practice complaint shall be made before any determination is made in interest arbitration on the disputed issue or issues.

(2) Issues suspended under subsection (1) of this section shall be acted upon after the conclusion of the unfair labor practice proceedings, as follows:

(a) If it is concluded that the suspended issue or issues was/were unlawfully advanced or affected by unlawful conduct, the issue or issues shall be stricken from the certification under WAC 391-55-200, and the party advancing the proposal shall only be permitted to advance such modified proposals as are in compliance with the remedial order in the unfair labor practice proceedings.

(b) If it is concluded that the suspended issue or issues was/were lawfully advanced, the suspension under this section shall be terminated and the issue or issues shall be remanded to the interest arbitration panel for ruling on the merits.

AMENDATORY SECTION (Amending Order 83-05, filed 12/1/83, effective 1/1/84)

**WAC 391-55-310 Educational employees—Selection of fact finder.** (1) Upon the (~~(filing)~~) submission of a timely request for fact finding, the executive director shall (~~(furnish)~~) invite the parties (~~(a list of five members of the dispute resolution panel from which the parties will be invited)~~) to exercise their right under RCW 41.59.120(5). (~~(Within)~~)

(a) The executive director shall furnish a list of members of the dispute resolution panel and the parties shall meet within seven days following receipt of the list, (~~(the parties shall meet)~~) to attempt to select a fact finder. Names shall be referred and any fact finder shall be selected under WAC 391-55-120. The parties may agree to designate the mediator as fact finder.

(b) If the parties agree on a fact finder, they shall obtain a commitment to serve and shall notify the executive director of the identity of the fact finder (~~(so selected)~~).

(c) If the parties are unable to agree on a fact finder under RCW 41.59.120(5), they shall notify the executive director.

(2) In the absence of an agreement of the parties under subsection (1) of this section, (~~(who)~~) the executive director shall designate a fact finder from the commission staff (~~(or the dispute resolution panel)~~) other than the person who was the mediator in the dispute. The parties are not entitled to influence the designation of a fact finder and shall not, either in writing or by other communication, attempt to indicate any preference for or against any person as the fact finder to be appointed by the commission.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-55-315 Educational employees—Conduct of fact finding proceedings—Waiver of objections.** Pro-

ceedings shall be conducted as provided in WAC 391-55-300 through 391-55-355. The fact finder shall interpret and apply ~~((these))~~ all rules ~~((insofar as they relate))~~ relating to the powers and duties of the fact finder. Any party who proceeds with fact finding after knowledge that any provision or requirement of these rules has not been complied with and who fails to state its objection ~~((thereto))~~ in writing, shall be deemed to have waived its right to object.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-320 Educational employees—Submission of proposals for fact finding.** At least seven days before the date of the hearing, each party shall submit to the fact finder and to the other party written proposals on all of the issues it intends to submit to fact finding. Parties shall not be entitled to submit issues which were not among the issues mediated under WAC 391-55-070.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-330 Educational employees—Order of proceedings and evidence.** The order of presentation at the hearing shall be as agreed by the parties or as determined by the fact finder. The fact finder shall be the judge of the relevancy of the evidence. All evidence shall be taken in the presence of all parties, unless a party is absent in default or has waived its right to be present. Each documentary exhibit shall be ~~((filed with))~~ submitted to the fact finder and copies shall be provided to the other parties. The exhibits shall be retained by the fact finder until an agreement has been signed, after which they may be disposed of as agreed by the parties or as ordered by the fact finder.

AMENDATORY SECTION (Amending Order 81-01, filed 1/6/81)

**WAC 391-55-335 Educational employees—Fact finding in the absence of a party.** The fact finder may proceed in the absence of any party who, after due notice, fails to be present or fails to obtain an adjournment. Fact finders shall treat any subject on which one party has taken a position that it is not a mandatory subject for bargaining in accordance with this rule. Findings of fact and recommendations shall not be made solely on the default of a party, and the fact finder shall require the participating party to submit ~~((such))~~ evidence as may be required for making of the findings of fact and recommendations.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-340 Educational employees—Closing of fact finding hearings.** The fact finder shall declare the hearing closed after the parties have completed presenting their testimony and/or exhibits and ~~((filing))~~ submission of briefs within agreed time limits.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

**WAC 391-55-350 Educational employees—Responsibility of parties after fact finding.** ~~((Not more than))~~ 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 shall assign a mediator.

AMENDATORY SECTION (Amending Order 80-9, filed 9/30/80, effective 11/1/80)

**WAC 391-65-001 Scope—Contents—Other rules.** This chapter governs proceedings before the public employment relations commission relating to arbitration of grievance disputes arising out of the interpretation or application of a collective bargaining agreement. The provisions of this chapter should be read in conjunction with the provisions of:

(1) Chapter 391-08 WAC, which contains rules of practice and procedure applicable to all types of proceedings before the public employment relations commission.

(2) Chapter 391-25 WAC, which ~~((contains rules relating to))~~ regulates representation proceedings ~~((on petitions for investigation of questions concerning representation of employees)).~~

(3) Chapter 391-35 WAC, which ~~((contains rules relating to))~~ regulates unit clarification proceedings ~~((on petitions for clarification of an existing bargaining unit)).~~

(4) Chapter 391-45 WAC, which ~~((contains rules relating to))~~ regulates unfair labor practice proceedings ~~((on complaints charging unfair labor practices)).~~

(5) Chapter 391-55 WAC, which ~~((contains rules relating to))~~ regulates the resolution of impasses ~~((occurring))~~ in collective bargaining.

(6) 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 Order 83-06, filed 12/1/83, effective 1/1/84)

**WAC 391-65-002 Sequence and numbering of rules—Special provisions.** This chapter of the Washington Administrative Code is designed to regulate proceedings under a number of different chapters of the Revised Code of Washington. General rules are set forth in sections with numbers divisible by ten. Where a deviation from the general rule is required for conformity with a particular statute, that special provision is set forth in a separate rule ~~((;))~~ numbered as follows:

(1) Special provisions relating to chapter 41.56 RCW (Public Employees' Collective Bargaining Act) and to chapter 53.18 RCW (port employees) are set forth in WAC sec-

tions numbered one digit greater than the general rule on that subject matter.

(2) Special provisions relating to chapter 41.59 RCW (Educational Employment Relations Act) are set forth in WAC sections numbered two digits greater than the general rule on that subject matter.

(3) Special provisions relating to chapter 28B.52 RCW (professional negotiations—academic faculties of community college districts) are set forth in WAC sections numbered three digits greater than the general rule on that subject matter.

~~((4) Special provisions relating to chapter 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 Order 80-9, filed 9/30/80, effective 11/1/80)

**WAC 391-65-010 Grievance arbitration—Who may ~~((file))~~ submit.** Where there is an agreement to arbitrate, a request for appointment of an arbitrator to hear and determine issues arising out of the interpretation or application of a collective bargaining agreement may be ~~((filed))~~ submitted by the employer, the exclusive representative or their agents or by the parties jointly.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-65-030 Grievance arbitration—~~((Filing))~~ Request for grievance arbitration—Service.** A request for appointment of a grievance arbitrator may be made in writing or by electronic telefacsimile transmission. The request shall be on a form furnished by the commission or prepared by the party or parties ~~((filing))~~ submitting the request in conformance with WAC 391-65-050. The original request shall be ~~((filed with))~~ submitted to the ~~((agency at its))~~ commission's Olympia office, as required by WAC 391-08-120(2). If the request is not ~~((filed))~~ submitted jointly(;) the party ~~((filing))~~ submitting the request shall serve a copy, as required by WAC 391-08-120(3) and (4), on the other party to the collective bargaining agreement under which the dispute arises.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-65-050 Grievance arbitration—Contents of request.** Each request for appointment of a grievance arbitrator shall contain:

(1) Information identifying the parties to the dispute, including:

(a) The name, address and telephone number of the employer and the name, address and telephone number of ~~((the employer's))~~ its principal representative ~~((for the purposes of collective bargaining))~~;

(b) The name, address and telephone number of the ~~((exclusive representative))~~ employee organization and the name, address and telephone number of its principal representative;

(c) The employer's principal business;

(d) A copy of the current or most recent applicable collective bargaining agreement;

(e) ~~((The))~~ A description of the bargaining unit involved, specifying inclusions and exclusions;

(f) The number of employees in the bargaining unit;

(g) The agreement of the party or parties making the request to accept the decision of the arbitrator as final and binding; and

(h) The agreement of the party or parties making the request that there ~~((with))~~ shall be no strike or lockout on the matters submitted to arbitration.

(2) Identification of the grievance to be resolved in arbitration.

(3) Designation of the request as:

(a) A request for appointment of a member of the agency staff as arbitrator; or

(b) A request for the submission of a list containing a specified number of names from the dispute resolution panel created by WAC 391-55-110.

(4) The name(s), signature(s) and, if any, title(s) of the representative(s) of the requesting party (parties), and the date(s) of the signature(s).

AMENDATORY SECTION (Amending Order 80-9, filed 9/30/80, effective 11/1/80)

**WAC 391-65-070 Grievance arbitration—Appointment of staff 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; but may jointly express a preference for appointment of ~~((a particular))~~ one or more staff members as their arbitrator, and the executive director shall consider their ~~((desires))~~ request. Upon the ~~((filing))~~ submission of a request by one party for the appointment of a member of the agency staff as grievance arbitrator, the executive director shall determine whether the other party to the collective bargaining agreement concurs in the appointment of a staff arbitrator. Upon concurrence or upon the ~~((filing))~~ 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 shall notify the requesting party of the lack of concurrence and shall ~~((take no further action))~~ close the case if concurrence is not provided within a reasonable time.

AMENDATORY SECTION (Amending Order 80-9, filed 9/30/80, effective 11/1/80)

**WAC 391-65-090 Grievance arbitration—Designation of panel of arbitrators.** Upon the ~~((filing of a))~~ request ~~((for a panel of arbitrators))~~ of a party, the ~~((executive director))~~ agency shall furnish ~~((the parties))~~ a list of ~~((names selected from))~~ members of the dispute resolution panel. ~~((The list shall contain five names unless a different number is specifically requested by the parties or is specified in their collective bargaining agreement. The executive director shall furnish, whenever available, biographical information, including background, qualifications and experience, on each~~

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~~of the arbitrators on the list supplied to the parties. If one or more of those named is unavailable to accept appointment as arbitrator or must be disqualified, a substitute name will be provided upon the joint request of the parties. If all of those named are rejected by the parties, a second list will be provided upon the joint request of the parties. All contacts and arrangements between the parties and an arbitrator selected under this rule will be the responsibility of the parties.)~~ Names shall be referred and an arbitrator shall be selected under WAC 391-55-120.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-65-110 Grievance arbitration—Conduct of proceedings.** The arbitrator assigned or selected shall conduct the arbitration proceedings in the manner provided in the collective bargaining agreement under which the dispute arises(~~All such arbitrators shall maintain compliance with the "Code of Professional Responsibility for Arbitrators of Labor-Management Disputes" adopted by the National Academy of Arbitrators, the American Arbitration Association and the Federal Mediation and Conciliation Service on May 29, 1985. Provided, however, That arbitration matters~~), subject to the following:

(1) Arbitration cases handled by members of the agency staff shall be (~~filed~~) kept in the public files of the agency (~~and shall not be accorded the privacy required by such code~~).

(2) The services of a member of the commission staff as arbitrator shall be subject to interruption for reassignment of (~~such~~) the staff member to other functions of the agency having a higher priority.

(3) Except as provided in subsections (1) and (2) of this section, all arbitrators shall maintain compliance with the "Code of Professional Responsibility for Arbitrators of Labor-Management Disputes" adopted by the National Academy of Arbitrators, the American Arbitration Association and the Federal Mediation and Conciliation Service on May 29, 1985.

AMENDATORY SECTION (Amending WSR 96-07-105, filed 3/20/96, effective 4/20/96)

**WAC 391-65-130 Grievance arbitration—Award.** Any arbitrator assigned or selected under this chapter for a dispute involving public employees shall, after (~~submission of~~) sending the arbitration award to the parties, (~~file~~) submit a copy (~~with~~) to the executive director.

AMENDATORY SECTION (Amending Order 80-9, filed 9/30/80, effective 11/1/80)

**WAC 391-65-150 Grievance arbitration—Expenses.** Each party shall pay the expenses of presenting its own case and the expenses and fees of its member, if any, of an arbitration panel. The expenses of witnesses shall be paid by the party producing them. The (~~fees and traveling expenses of an arbitrator selected by the parties from a panel designated by the commission and any~~) costs for recording and/or tran-

scription of proceedings shall be paid by the parties under the terms of their collective bargaining agreement or (~~such other arrangements as they may agree upon~~) as agreed by the parties. The commission shall pay the salary and traveling expenses of a staff member assigned (~~as a grievance arbitrator~~) under WAC 391-65-070, but no other expenses of the proceedings. The parties shall pay the fees and expenses of a dispute resolution panel member selected under WAC 391-65-090, as provided in WAC 391-55-120.

## WSR 99-14-062

### PERMANENT RULES

### DEPARTMENT OF LICENSING

[Filed July 2, 1999, 8:57 a.m., effective July 1, 1999]

Date of Adoption: June 25, 1999.

Purpose: To repeal rules associated with chapter 18.28 RCW pertaining to the debt adjuster licensing program which was abolished by chapter 151, Laws of 1999, effective July 1, 1999.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-32-015, 308-32-020, 308-32-030, 308-32-040, 308-32-050, 308-32-060, 308-32-070, 308-32-080, and 308-32-090.

Adopted under preproposal statement of inquiry filed as WSR 99-09-056 on April 19, 1999.

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 9.

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 9.

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.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Adopting the effective date of the rule (July 2, 1999) because the effective date of the law is July 1, 1999.

Effective Date of Rule: July 2, 1999.

June 25, 1999

Alan E. Rathbun  
Assistant Director



**WSR 99-14-070**  
**PERMANENT RULES**  
**SPOKANE COUNTY AIR**  
**POLLUTION CONTROL AUTHORITY**

[Filed July 6, 1999, 9:05 a.m.]

**WSR 99-14-074**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**

(Podiatric Medical Board)

[Filed July 6, 1999, 2:52 p.m.]

Date of Adoption: July 1, 1999.

Purpose: SCAPCA Regulation I, Section 10.11 establishes fees for blenders of oxygenated gasoline for sale in the Spokane County Control Area. Fees are being lowered to more accurately reflect SCAPCA's costs of implementing the oxygenated gasoline program.

Citation of Existing Rules Affected by this Order: Amending SCAPCA Regulation I, Section 10.11, Oxygenated Gasoline.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 99-11-046 on May 17, 1999.

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 0, Repealed 0.

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

July 1, 1999

Kelle R. Vigeland

Air Quality Engineer I

AMENDATORY SECTION (Amending WSR 93-19-043, filed 9/8/93)

**SCAPCA Regulation I, Section 10.11 Oxygenated gasoline** Pursuant to Chapter 173-492 WAC, the following annual fees shall be paid by blenders of oxygenated gasoline for sale in the Spokane Control Area.

Small Volume (<100,000 Gallons/Month)	<del>(\$500)</del> <u>\$170</u>
Medium Volume(100,000 to <1,000,000 Gallons/Month)	<del>(\$1,000)</del> <u>\$335</u>
Large Volume (1,000,000 to <15,000,000 Gallons/Month)	<del>(\$6,200)</del> <u>\$2,070</u>
Very Large Volume (>=15,000,000 Gallons/Month)	<del>(\$15,500)</del> <u>\$5,170</u>

**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.

Date of Adoption: May 14, 1999.

Purpose: The rules identify and clarify the types of services being provided to consumers. These changes will give the board a mechanism to take action against practitioners who misrepresent their products.

The delegation of acts to unlicensed personnel is clarified so that it is clear they may not perform procedures that require a license.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-922-090 Delegation of acts to unlicensed persons; and amending WAC 246-922-010 Definitions and 246-922-100 Acts that may be delegated to an unlicensed person.

Statutory Authority for Adoption: RCW 18.22.015, 18.130.050.

Adopted under notice filed as WSR 99-08-100 on April 6, 1999.

Changes Other than Editing from Proposed to Adopted Version: WAC 246-922-100 was clarified that delegation involves the extent of delegation.

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 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 2, Repealed 1; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 1.

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

May 14, 1999

William Ith, Chair

Podiatric Medical Board

AMENDATORY SECTION (Amending Order 158B, filed 4/25/91, effective 5/26/91)

**WAC 246-922-010 Definitions.** (1) Chiropractic, podiatry, and podiatric medicine and surgery shall be synonymous.

(2) "Board" shall mean the Washington state podiatric medical board.

(3) "Secretary" shall mean the secretary of the department of health.

(4) "Supervision" shall mean that a licensed podiatric physician and surgeon whose patient is being treated has personally diagnosed the condition to be treated and has personally authorized and directed the procedures to be performed.

PERMANENT

A podiatric physician and surgeon shall be physically present in the treatment facility while the procedures are performed.

(5) "Treatment facility" means a podiatric medical office or connecting suite of offices, podiatric medical clinic, room or area with equipment to provide podiatric medical treatment, or the immediately adjacent rooms or areas. A treatment facility does not extend to any other area of a building in which the treatment facility is located.

(6) "Unlicensed person" means a person who is not a podiatric physician and surgeon duly licensed pursuant to the provisions of chapter 18.22 RCW.

(7) Orthotic devices defined:

(a) Prefabricated or off-the-shelf orthotics, are devices that are manufactured as commercially available stock items for no specific patient. It is appropriate to dispense prefabricated orthotic devices for some conditions.

(b) Direct-formed orthotics are devices formed or shaped during the molding process directly on the patient's foot.

(c) Custom-fabricated orthotics, also known as custom-made orthotics, are devices designed and fabricated, in turn, from raw materials for a specific patient, and require the generation of an image, form, or mold that replicates the patient's foot, and, in turn, involves the rectification of dimensions, contours, and volumes to achieve proper fit, comfort, and function for that specific patient.

Prefabricated orthotic devices that have been adjusted or modified may not be dispensed and sold to consumers as custom fabricated or custom-made orthotics. All orthotic devices must be correctly represented and charged to the patient.

AMENDATORY SECTION (Amending WSR 94-05-051, filed 2/10/94, effective 3/13/94)

**WAC 246-922-100 Acts that may be delegated to an unlicensed person.** A podiatric physician and surgeon may authorize the delegation of certain duties to nonpodiatric personnel and prohibit the delegation of certain other duties. The licensed podiatric physician and surgeon is ultimately responsible for all treatments performed at his or her direction. Duties that may be delegated to a person not licensed to practice podiatric medicine and surgery may be performed only under the supervision of a licensed podiatric physician and surgeon. The extent of delegation and the degree of supervision required to assure that the treatment is appropriate and does not jeopardize the systemic or pedal health of the patient varies with, among other considerations, the nature of the procedure and the qualifications of the person to whom the duty is delegated. A podiatric physician and surgeon may allow an unlicensed person to perform the following acts under the podiatric physician and surgeon's supervision limited to the following:

- (1) Patient education in foot hygiene.
- (2) Deliver a sedative drug in an oral dosage form to patient.
- (3) Give preoperative and postoperative instructions.
- (4) Assist in administration of nitrous oxide analgesia or sedation, but the unlicensed person shall not start the administration of the gases and shall not adjust the flow of the gases unless instructed to do so by the podiatric physician and sur-

geon. Patients must never be left unattended while nitrous oxide analgesia or sedation is administered to them. This regulation shall not be construed to prevent any person from taking appropriate action in the event of a medical emergency.

- (5) Take health histories.
- (6) Determine rate and quality of patient's radial pulses.
- (7) Measure the patient's blood pressure.
- (8) Perform a plethysmographic or doppler study.
- (9) Observe the nature of the patient's shoes and hose.
- (10) Observe and report wearing patterns on the patient's shoes.
- (11) Assist in obtaining material for a culture-sensitivity test.
- (12) Take scrapings from the skin or nails of the feet, prepare them for microscopic and culture examination.
- (13) Perform weightbearing and nonweightbearing x-rays.
- (14) Photograph patient's foot disorder.
- (15) Debride hyperkeratotic (~~lesions~~) tissues of the foot.
- (16) Remove and apply dressing and/or padding.
- (17) Make necessary adjustments to the biomechanical device.
- (18) Produce impression casting of the foot.
- (19) Produce the following:
  - (a) Removable impression insoles and modifications.
  - (b) Protective devices for alleviating or dispersing pressure on certain deformities or skin lesions such as ulcers, corns, calluses, digital amputation stumps (e.g., latex shields).
- (20) Apply strap and/or pad to the foot and/or leg.
- (21) Prepare the foot for anesthesia as needed.
- (22) Know the indications for and application of cardiopulmonary resuscitation (CPR).
- (23) Prepare and maintain a surgically sterile field.
- (24) Apply flexible cast (e.g., Unna Boot).
- (25) Apply cast material for immobilization of the foot and leg.
- (26) Remove sutures.
- (27) Debride nails.
- (28) Administer (~~(physical therapy)~~) mechanical, manipulative and electrical treatment as directed by the podiatric physician and surgeon.
- (29) Counsel and instruct patients in the basics of:
  - (a) Their examination, treatment regimen and prophylaxis for a problem.
  - (b) Patient and family foot health promotion practices.
  - (c) Patient and family care of specific diseases affecting the foot (e.g., diabetes, cerebrovascular accident, arthritis).
  - (d) Performing certain exercises and their importance.
- (30) Give patient or family supplementary health education materials.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 246-922-090

Delegation of acts to unlicensed persons.

**WSR 99-14-075**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**

[Filed July 6, 1999, 2:56 p.m.]

Date of Adoption: June 11, 1999.

Purpose: Amend the continuing education rules for psychologists.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-924-340 Continuing education—Program or course approval; and amending WAC 246-924-180 Continuing education—Purpose and scope, 246-924-230 Continuing education requirements, 246-924-240 Definitions of categories of creditable CPE, 246-924-250 Continuing education—Special considerations, 246-924-300 Definition of acceptable documentation and proof of CPE, and 246-924-330 Continuing education—Exemptions.

Statutory Authority for Adoption: RCW 18.83.090.

Adopted under notice filed as WSR 99-09-101 on April 21, 1999.

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 6, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, 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 6, Repealed 1.

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

June 23, 1999

Janice K. Boden  
 Program Manager

AMENDATORY SECTION (Amending Order 129B, filed 1/28/91, effective 2/28/91)

**WAC 246-924-180 Continuing education—Purpose and scope.** The ultimate aim of continuing education is to ensure the highest quality of professional work. Continuing ~~((psychology))~~ education consists of educational activities designed to review existing concepts and techniques and to convey information and knowledge about advances in psychology as applied to the work settings. The objectives are to improve and increase the ability of the psychologist to deliver the highest possible quality of psychological work and to keep the professional psychologist abreast of current developments in a rapidly changing field. All psychologists, licensed pursuant to chapter 18.83 RCW, and holders of certificates of qualification issued pursuant to RCW 18.83.105, will be required to meet the continuing education requirements set forth in these rules as a prerequisite to license renewal.

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

**WAC 246-924-230 Continuing education requirements.** (1) The Washington state board of psychology (hereafter referred to as the board) requires a minimum of sixty hours of continuing ~~((psychological))~~ education (hereafter referred to as ~~((CPE))~~ CE) every three years.

(2) A minimum of four hours credit in ethics must be included in the sixty hours required. Areas to be covered, depending on the licensee's primary area(s) of function are practice, consultation, research, teaching, and/or supervision.

(3) Faculty providing ~~((CPE))~~ CE offerings shall meet the training and the full qualifications of their respective professions. All faculty shall have demonstrated an expertise in the areas in which they are instructing.

(4) The board reserves the right to require any licensee to submit evidence, e.g., course or program certificate of training, transcript, course or workshop brochure description, evidence of attendance, etc., in addition to the affidavit form in order to demonstrate compliance with the sixty hours ~~((CPE))~~ CE requirement.

AMENDATORY SECTION (Amending WSR 94-12-039, filed 5/25/94, effective 6/25/94)

**WAC 246-924-240 Definitions of categories of creditable ~~((CPE))~~ CE.** All ~~((CPE))~~ CE activities shall be directly relevant to maintaining or increasing professional or scientific competence in psychology. Courses or workshops primarily designed to increase practice income or office efficiency, while valuable to the licensee, are specifically noneligible for ~~((CPE))~~ CE credit. Program sponsors or institutes should not apply for, nor expect to receive, prior or current board approval for CE status or category. Recognized activities shall include:

(1) Courses, seminars, workshops and post-doctoral institutes offered by educational institutions chartered by a state and recognized (accredited) by a regional association of schools, colleges and universities as providing graduate level course offerings. Such educational activities shall be recorded on an official transcript or certificate of completion ~~((see WAC 246-924-180))~~.

(2) Courses (including correspondence courses), seminars, workshops and post-doctoral institutes sponsored by the American Psychological Association, ~~((the National Academy of Professional Psychologists,))~~ regional or state psychological associations or their subchapters, psychology internship training centers ~~((and)),~~ other professionally or scientifically recognized behavioral science organizations ~~((such as, but not limited to, National Training Laboratories, National Association of Social Workers, Department of Veterans' Affairs, Regional Medical Education Centers, Western Psychological Association, Northwest Family Training Institute, Seattle Institute for Psychoanalytic Training)), and the board.~~

(3) Credit toward the CE requirement may be earned through teaching an approved CE program. Credit earned through teaching shall not exceed thirty hours every three

years. Credit for teaching an approved CE program may be earned on the following basis:

(a) One credit hour for each sixty minutes actually spent teaching the program for the first event. Credit may be conferred for teaching similar subject matter only if the psychologist has actually spent an equal or greater amount of preparation time updating the subject matter to be taught on a later occasion.

(b) One credit hour for each sixty minutes actually spent participating in a panel presentation.

AMENDATORY SECTION (Amending WSR 96-08-007, filed 3/22/96, effective 4/22/96)

**WAC 246-924-250 Continuing education—Special considerations.** In lieu (total or partial) of sixty hours of ((CPE)) CE the board may consider credit hour approval and acceptance of other programs as they are developed and implemented, such as:

(1) Compliance with a ((CPE)) CE program developed by the American Psychological Association which provides either a recognition award or certificate, may be evaluated and considered for partial or total fulfillment of the ((CPE)) CE credit hour requirements of the board.

(2) Psychologists licensed in the state of Washington but practicing in a different state or country which has a mandatory or voluntary ((CPE)) CE program may submit to the board evidence of completion of that other state's or country's ((CPE)) CE requirements for evaluation and partial or total credit hour approval.

(3) Psychologists licensed in the state of Washington but practicing in a state, U.S. territory or foreign country without ((CPE)) CE requirements, or who are not legally required to meet those ((CPE)) CE requirements, may submit evidence of their ((CPE)) CE activities pursued outside of Washington state directly to the board for evaluation and approval based on conformity to the board's ((CPE)) CE requirements.

(4) The board may also accept evidence of diplomate award by the American Board of Professional Psychology (ABPP) and American Board of Psychological Hypnosis (ABPH) in lieu of sixty hours of ((CPE)) CE for that three year period in which the diplomate was awarded.

(5) Credit hours may be earned for other specialty board or diploma certifications if and when such are established.

(6) ~~((All board members appointed after December 31, 1985 shall receive, for each year of service on the board, ten continuing education credits, to be applied in any category the board member chooses.))~~ In accordance with WAC 246-12-040 (2)(c)(ix), psychologists who have allowed their credential to expire for three years or more must document completion of forty hours of CE, of which four hours must be in ethics. This CE must have been obtained within the two most recent years immediately prior to reinstatement.

AMENDATORY SECTION (Amending WSR 94-12-039, filed 5/25/94, effective 6/25/94)

**WAC 246-924-300 Definition of acceptable documentation and proof of ((CPE)) CE.** Licensees are respon-

sible for acquiring and maintaining all acceptable documentation of their ((CPE)) CE activities.

Acceptable documentation shall include transcripts, letters from course instructors, or certificate of completion or other formal certification. In all cases other than transcripts, the documentation must show the participant's name, the activity title, number of ((CPE)) CE credit hours, date(s) of activity, faculty's name(s) and degree and the signature of verifying individual (program sponsor).

AMENDATORY SECTION (Amending Order 129B, filed 1/28/91, effective 2/28/91)

**WAC 246-924-330 Continuing education—Exemptions.** In the event a licensee fails to meet requirements, because of illness, retirement (with no further provision of psychological services to consumers), failure to renew, or other extenuating circumstances, each case will be considered by the board on an individual basis. When circumstances justify it, the board may grant a time extension. The board may, in its discretion, limit in part or in whole the provision of psychological services to the consumers until the ((CPE)) CE requirements are met. In the case of retirement or illness, the board may grant indefinite waiver of ((CPE)) CE as a requirement for relicensure, provided an affidavit is received indicating the psychologist is not providing psychological services to consumers. If such illness or retirement status is changed or consumer psychological services are resumed, it is incumbent upon the licensee to immediately notify the board and to resume meeting ((CPE)) CE requirements for relicensure. ((CPE)) CE credit hours will be prorated for the portion of that three year period involving resumption of such services.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-924-340	Continuing education—Program or course approval.
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**WSR 99-14-076**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**

[Filed July 6, 1999, 2:59 p.m.]

Date of Adoption: June 1, 1999.

Purpose: To eliminate redundant rule.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 246-935-140.

Statutory Authority for Adoption: RCW 18.92.030.

Adopted under preproposal statement of inquiry filed as WSR 99-02-080 on January 6, 1999.

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 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 21, 1999

Gail L. Zimmerman  
Executive Director

PERMANENT



**WSR 99-14-014**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 99-87—Filed June 24, 1999, 4:36 p.m., effective June 27, 1999, 5:00 p.m.]

Effective Date of Rule: June 27, 1999, 5:00 p.m.

June 24, 1999

J. P. Koenings

Director

Date of Adoption: June 24, 1999.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-88A-07000S; and amending WAC 220-88A-070.

Statutory Authority for Adoption: RCW 75.08.080.

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 provisions of this emergency rule are necessitated by federal court order. The state may not authorize commercial shellfish harvests absent agreed planning or compliance with a process. Agreed plans with applicable tribes have been entered as required by the court order. Such plans have the effect of a federal court order. 898 F. Supp. 1453, 1466, 3.1. Pursuant to RCW 34.04.350 [34.05.350], the need to comply with such federal court orders in the form of allocative management plans constitutes an emergency that requires bypassing the time periods inherent in permanent rule making. Failure to comply with the conservation and/or allocation requirements of such plans may result in contempt of federal court or failure of all commercial shrimp fishing in a given region addressed by a plan. The state's quota share of spot shrimp in Shrimp Management Harvest Area 1A is projected to be taken by this section date. There is insufficient time to promulgate permanent rules. These rules are necessary to implement the 1999 state/tribal Puget Sound shrimp harvest management plan and meet all allocation requirements under Subproceeding 89-3 in *United States v. Washington*. These rules will allow for a sharing of catch between treaty and nontreaty shrimp fishers. 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.

NEW SECTION

**WAC 220-88A-07000T Puget Sound shrimp—Weekly trip limits and open areas—Closes 1A to spot shrimp and opens 1B for spot and coonstripe shrimp** Notwithstanding the provisions of WAC 220-88A-070, effective immediately until further notice it is unlawful to fish for shrimp for commercial purposes in Puget Sound using shellfish pot gear except as provided for in this section:

(1) All waters of Crustacean Management Regions 1A, 1B, 1C, 2, 3, 4, and 6 are open to harvest of all shrimp immediately until further notice, with the following exceptions:

(a) Effective 5:00 p.m. June 27, 1999 until further notice, all waters of Crustacean Management Region 1A are closed to the harvest of spot shrimp.

(b) All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 26B and 26C, and all waters of Crustacean Management Region 2 are closed to the harvest of spot shrimp.

(2) It is unlawful to set or pull shellfish pot gear from one hour after official sunset until one hour before official sunrise.

(3) It is unlawful for the combined total harvest of spot shrimp by a fisher and/or the fisher's alternate operator to exceed 800 pounds per week or to exceed 300 pounds per week from Crustacean Management Regions 4 or 6. The spot shrimp trip limit accounting week is Monday through Sunday.

(4) It is unlawful to fish for shrimp for commercial purposes in Puget Sound using shellfish pot gear in more than one Marine Fish-Shellfish Management and Catch Reporting Area per day.

(5) It is unlawful to set or pull shellfish pots in one Marine Fish-Shellfish Catch Reporting Area while in possession of shrimp harvested from another Marine Fish-Shellfish Catch Reporting Area.

(6) All shrimp taken under this section must be sold to licensed Washington wholesale fish dealers. No fisher may land shrimp without immediate delivery to a licensed wholesale dealer or, if transferred at sea, without transfer to a licensed wholesale dealer.

REPEALER

The following section of the Washington Administrative Code is repealed effective 5:00 p.m. July 27, 1999:

WAC 220-88A-07000S Emerging commercial fishery—Puget Sound shrimp pot (99-80)

EMERGENCY

**WSR 99-14-015**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 99-85—Filed June 24, 1999, 4:37 p.m., effective June 28, 1999, 3:00 p.m.]

Date of Adoption: June 24, 1999.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-03000N; and amending WAC 220-33-030.

Statutory Authority for Adoption: RCW 75.08.080.

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: This regulation sets one additional week of the standard shad commercial fishery in the lower Columbia River. Harvestable numbers of shad are available and impacts to listed salmonids are within guidelines set forth in the biological assessment and biological opinion. This rule is consistent with actions of the Columbia River Compact hearing of January 24, 1999, and is consistent with requirements of the ESA. 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: June 28, 1999, 3:00 p.m.

June 24, 1999

J. P. Koenings

Director

**NEW SECTION**

**WAC 220-33-03000N Commercial shad—Columbia River.** Notwithstanding the provisions of WAC 220-33-030, 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: June 28 through July 2, 1999.

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: During the fishing periods provided in this section, 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.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 10:01 p.m. July 2, 1999:

WAC 220-33-03000N Commercial shad—Columbia River.

**WSR 99-14-016**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 99-86—Filed June 24, 1999, 4:36 p.m., effective June 24, 1999, 7:00 p.m.]

Date of Adoption: June 24, 1999.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000R; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 75.08.080.

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: These select areas (terminal areas) are part of an on-going BPA funded study to design fisheries in areas outside of the mainstem Columbia River. Several stocks of salmon have been released from net pens in these select areas to provide for fisheries. All salmon returning to these net pens are harvestable. This rule is consistent with actions of the Columbia River Compact hearing of June 24, 1999, and is consistent with requirements of the Endangered Species Act. 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: June 24, 1999, 7:00 p.m.

June 24, 1999

J. P. Koenings  
Director

**WSR 99-14-020**

**EMERGENCY RULES**

**STATE BOARD FOR  
COMMUNITY AND TECHNICAL COLLEGES**

[Filed June 25, 1999, 1:12 p.m.]

Date of Adoption: June 17, 1999.

Purpose: The running start program, WAC 131-46-140. Adopting emergency rules by reference to the Office of Superintendent of Public Instruction's amendments pertaining to the running start program.

Citation of Existing Rules Affected by this Order: New section WAC 131-46-140.

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 facilitate the current running start enrollment process throughout the state by precluding the assessment of tuition for the 16th, 17th and 18th credit hours of enrollment and clarifying tuition assessment practices.

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 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 1, 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: Immediately.

June 24, 1999

Claire C. Krueger

Executive Assistant and Agency  
Rules and Contracts Coordinator

NEW SECTION

**WAC 220-33-01000R Columbia River gillnet seasons below Bonneville—Select area commercial fisheries.** Notwithstanding the provisions of WAC 220-33-010 and WAC 220-33-020, it is unlawful for a person to take or possess salmon, shad, and sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E except during the times and conditions listed:

1) Blind Slough/Knappa Slough Select Area

Area: Open waters of Blind Slough extend from markers at the mouth of Gnat Creek located approximately 1/2 mile upstream of the county road bridge downstream to markers at the mouth of Blind Slough. Concurrent Washington/Oregon waters extend downstream of the railroad bridge. In addition, Knappa Slough is open to fishing in all waters bounded by a line from the northerly most marker at the mouth of Blind Slough westerly to a marker on Karlson Island downstream to a north-south line defined by a marker on the eastern end of Minaker Island to markers on Karlson Island and the Oregon shore.

Dates: 7:00 p.m. Thursday June 24 to 7:00 a.m. Friday June 25, 1999

7:00 p.m. Wednesday June 30 to 7:00 a.m. Thursday July 1, 1999

7:00 p.m. Thursday July 1 to 7:00 a.m. Friday July 2, 1999

Gear: 8 inch maximum mesh

100 fathoms maximum length

Allowable Sale: salmon, sturgeon, shad

Miscellaneous Rules: Transportation or possession of fish outside of the fishing area when the mainstem Columbia is closed is unlawful unless by a licensed buyer. An exception to the rule would allow fishers to transport their catch out of the fishing area with a permit issued by an authorized agency employee after examining the catch.

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.

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is repealed effective 7:01 a.m. July 2, 1999:

WAC 220-33-01000R Columbia River gillnet seasons below Bonneville select area commercial fisheries

NEW SECTION

**WAC 131-46-140 Adoption by reference.** Adopting running start rule revisions by reference to amended sections WAC 392-169-025; 392-169-030; 392-169-055; 392-169-057; and 392-169-060, filed by the office of the superintendent of public instruction by WSR 99-13-124, filed 6/16/99.

**WSR 99-14-029**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Adult Services)  
(Office of Rates Management)

[Filed June 28, 1999, 3:30 p.m., effective July 1, 1999]

Date of Adoption: June 28, 1999.

Purpose: To implement the changes required by E2SHB 1484, chapter 353, Laws of 1999, Medicaid payment—Nursing facilities and ESSB 5967, section 3, chapter 376, Laws of 1999, Nursing home bed ratio and funds.

Citation of Existing Rules Affected by this Order: Amending WAC 388-96-010, 388-96-218, 388-96-559, 388-96-565, 388-96-709, 388-96-710, 388-96-723, 388-96-724, 388-96-725, 388-96-726, 388-96-767, and 388-96-771.

Statutory Authority for Adoption: RCW 74.46.431 as amended by E2SHB 1484.

Other Authority: ESSB 5967, section 3, chapter 376, Laws of 1999, amending 1999.c ... (ESSB 5180) s 207 (uncodified).

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: E2SHB 1484, section 18, chapter 353, Laws of 1999, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions. Section 11 of this act takes effect immediately, and sections 1 through 10 and 12 through 17 take effect July 1, 1999. ESSB 5967, section 4, chapter 376, Laws of 1999, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 1999.

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 4, Amended 12, 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 4, Amended 12, Repealed 0.

Effective Date of Rule: July 1, 1999.

June 28, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**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 99-15 issue of the Register.

**WSR 99-14-034**  
**EMERGENCY RULES**  
**HIGHER EDUCATION**  
**COORDINATING BOARD**

[Filed June 29, 1999, 11:04 a.m.]

Date of Adoption: June 21, 1999.

Purpose: The running start program, WAC 250-79-030, adopting emergency rules by reference to the Office of the Superintendent of Public Instruction's amendments pertaining to the running start program.

Citation of Existing Rules Affected by this Order: New section WAC 250-79-030.

Statutory Authority for Adoption: RCW 28A.600.390.

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 facilitate the current running start enrollment process throughout the state by precluding the assessment of tuition for the 16th, 17th, and 18th credit hours of enrollment and clarifying tuition assessment practices.

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 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 1, 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: Immediately.

June 29, 1999

Belma Villa

Executive Assistant  
and Rules Coordinator

**NEW SECTION**

**WAC 250-79-030 Adoption by reference.** Adopting running start rule revisions by reference to amended sections WAC 392-169-025; 392-169-030; 392-169-055; 392-169-057; and 392-169-060, filed by the office of the superintendent of public instruction by WSR 99-13-124, filed 6/16/99.

**WSR 99-14-041**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(WorkFirst Division)

[Filed June 30, 1999, 10:38 a.m., effective July 1, 1999]

Date of Adoption: June 30, 1999.

Purpose: Effective July 1, 1999, the WorkFirst exemption for the parents of infants moves from twelve months to three months. To implement this mandated change by July 1, 1999, two existing WorkFirst rules are being changed to reflect the shortened exemption period.

Citation of Existing Rules Affected by this Order: Amending WAC 388-310-0200 and 388-310-0300.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.

Other Authority: 45 C.F.R. 303.11.

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: Legislation that would provide the needed statutory mandate to support a twelve-month exemption period failed to pass in the 98/99 legislative session. Existing WAC 388-310-0200 and 388-310-0300 must be amended immediately to correctly reflect legislative intent.

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 2, 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 0, Repealed 0.

Effective Date of Rule: July 1, 1999.

June 30, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 99-08-051, filed 4/1/99, effective 5/2/99)

**WAC 388-310-0200 WorkFirst—Activities.** (1) **Who is required to participate in WorkFirst activities?**

(a) You are required to participate in WorkFirst activities, and become what is called a "mandatory participant," if you:

- (i) Receive TANF, GA-S or SFA cash assistance; and
- (ii) Are a custodial parent or age sixteen or older; and

(iii) Are not exempt. (You can only get this exemption if you are caring for a child under ((~~twelve~~)) three months of age. See WAC 388-310-0300 for more details).

(b) Participation is voluntary for all other WorkFirst participants (those who no longer receive or have never received TANF, GA-S or SFA cash assistance).

**(2) What activities do I participate in when I enter the WorkFirst program?**

When you enter the WorkFirst program, you will participate in one or more of the following activities (which are described in more detail in other sections of this chapter):

(a) Paid employment (see WAC 388-310-400 (1)(a) and 388-310-1500);

(b) Self employment (see WAC 388-310-1700);

(c) Job search (see WAC 388-310-0600);

(d) Community jobs (see WAC 388-310-1300)

(e) Work experience (see WAC 388-310-1100);

(f) On-the-job training (see WAC 388-310-1200);

(g) Vocational educational training (see WAC 388-310-1000);

(h) Basic education activities (see WAC 388-310-0900);

(i) Job skills training (see WAC 388-310-1050);

(j) Community service (see WAC 388-310-1400); and/or

(k) Activities provided by tribal governments for tribal members and other American Indians (see WAC 388-310-1400(1) and 388-310-1900).

**(3) If I am a mandatory participant, how much time must I spend doing WorkFirst activities?**

If you are a mandatory participant, you will be required to spend up to forty hours a week working, looking for work or preparing for work. You will have an individual responsibility plan (described in WAC 388-310-500) that includes the number of hours a week that you are required to participate.

**(4) What activities do I participate in after I get a job?**

You may participate other activities, which are called "post employment services" (described in WAC 388-310-1800) once you are working twenty hours or more a week. Work can include a paid, unsubsidized job, self-employment, college work study or a community jobs placement. Services include:

(a) Activities that help you keep a job (called an "employment retention" service); and/or

(b) Activities that help you get a better job (called a "wage and skill progression" service).

**AMENDATORY SECTION** (Amending WSR 99-10-027, filed 4/28/99, effective 5/29/99)

**WAC 388-310-0300 WorkFirst—Exemptions for mandatory participants.** (1) **If I am a mandatory participant, when can I be exempted from participating in WorkFirst activities?**

You can claim an exemption from participating in WorkFirst activities during months that you are needed in the home to personally provide care for a child under ((~~twelve~~)) three months of age. ((~~You can only claim this exemption for up to twelve months in your lifetime.~~))

**(2) Can I participate in WorkFirst while I am exempt?**

You can participate in WorkFirst while you are exempt, and the time you participate does not count against your twelve-month limit. If you decide later to stop participating, and you still qualify for an exemption, you will be put back into exempt status with no financial penalty.

**(3) Does an exemption from participation affect my sixty-month time limit for receiving TANF or SFA benefits?**

An exemption from participation does not affect your sixty-month time limit for receiving TANF or SFA benefits (described in WAC 388-484-0005). Even if exempt from participation, you will use up one of your sixty months of TANF/SFA benefits.

**WSR 99-14-042**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 (Division of Assistance Programs)

[Filed June 30, 1999, 10:41 a.m., effective July 1, 1999]

Date of Adoption: June 30, 1999.

Purpose: To establish that eligibility for other funding sources must be determined before benefits are authorized from the consolidated emergency assistance program (CEAP) and all other funding sources for housing assistance must be used in lieu of CEAP benefits.

Citation of Existing Rules Affected by this Order:  
Amending WAC 388-436-0030.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.055.

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: The Washington legislature made significant changes in the funding level of this program in the 1999 State Budget. This rule must be amended immediately to keep the program within allotted funds.

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 0, Repealed 0.

Effective Date of Rule: July 1, 1999.

June 30, 1999

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-436-0030 Eligibility conditions for CEAP—Other possible resources.** (1) ~~((As a condition of eligibility for CEAP, applicants must take all necessary steps to establish eligibility for the following programs))~~ To receive CEAP, all household members must be ineligible to receive:

- (a) Temporary assistance for needy families (TANF);
- (b) State family assistance (SFA);
- (c) Refugee cash assistance (RCA);
- (d) Diversion cash assistance (DCA).

(2) To receive CEAP, the applicant must take all necessary steps to establish eligibility for the following programs:

(a) TANF, SFA, and RCA;

(b) Supplemental security income (SSI);

~~((e))~~ (c) Medical assistance for those applicants ((requesting emergency)) declaring a medical ((eare)) need;

~~((f))~~ (d) Food assistance for those applicants declaring ((an emergency)) a food need; ((and

~~(g))~~ (e) Housing assistance from any available source for those applicants declaring a housing need;

(f) Unemployment compensation, ((#f)) veteran's benefits, industrial insurance benefits, Social Security benefits, pension benefits, or any other source of financial benefits the applicant is potentially eligible to receive.

~~((2))~~ CEAP applicants under a grant penalty for failure to comply with program requirements of TANF/SFA, WorkFirst under chapter 388-310 WAC, refugee cash assistance, general assistance or SSI are treated as follows:

(a) All members are ineligible and the CEAP application is denied if compliance could have prevented the need for emergency assistance.

(b) Only the member responsible for the grant penalty is ineligible for CEAP if the compliance could not have prevented the need for emergency assistance))

(3) CEAP benefits may not be authorized to any household until the eligibility for TANF, SFA, or RCA has been determined for each household member.

(4) CEAP benefits may not be authorized to any household containing a member who is under a grant penalty for failure to comply with program requirements of TANF/SFA, RCA, or WorkFirst under chapter 388-310 WAC.

**WSR 99-14-048**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 99-88—Filed June 30, 1999, 3:20 p.m., effective July 1, 1999, 12:01 a.m.]

Date of Adoption: June 29, 1999.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-11500A, 220-56-11500B and 220-56-19500C; and amending WAC 220-56-115 and 220-56-195.

Statutory Authority for Adoption: RCW 75.08.080.

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: Recommendations of the North of Falcon subgroup of the Pacific Fisheries Management Council stipulated time and area protection for chinook salmon, but certain exceptions were identified where chinook retention was permitted. Exceptions where chinook retention is allowed include the Edmonds Public Fishing Pier in Area 9, two Elliott Bay fishing piers at Seacrest and Terminal 86, Sinclair Inlet, and Elliott Bay in Area 10. Permanent rules, due to become effective shortly, and existing emergency rules specify a two ounce weight restriction on fishing gear during July in Area 10, and during August in Areas 9, 10, and part of Area 12. The two ounce weight restriction recommended by the North of Falcon subgroup is intended to reduce the likelihood anglers will encounter chinook which are typically distributed deeper in the water than coho salmon. Existing rules fail to incorporate exceptions from the two ounce gear rule for the locations where chinook retention is allowed. There is insufficient time to promulgate permanent rules to correct this oversight.

These rules are necessary to keep impacts on Puget Sound chinook, listed under the federal Endangered Species Act, within limits agreed to at the 1998 North of Falcon meetings. This rule is necessary until permanent rules take effect.

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: July 1, 1999, 12:01 a.m.

June 29, 1999

J. P. Koenings

Director

#### NEW SECTION

**WAC 220-56-11500B Angling gear.** Notwithstanding the provision of WAC 220-56-115, in the following Catch Record Card Areas or designated portions during the following periods it is unlawful to use a downrigger, to use more

than two ounces of weight attached to a line, or to use a lure or diver weighing more than two ounces:

Area 9 - August 1 through August 31, except this does not apply when angling from the Edmonds Public Fishing Pier.

Area 10 - July 1 through August 31, except this does not apply while angling from the Seacrest Pier nor the Elliott Bay Fishing Pier at Terminal 86.

#### NEW SECTION

**WAC 220-56-19500C Closed areas—Saltwater salmon angling.** Notwithstanding the provisions of WAC 220-56-195, effective 12:01 a.m. July 1 through July 31 the following waters of Catch Record Card (CRC) Area 7 are closed to salmon angling: Those waters of Rosario Strait and the eastern portion of the Strait of Juan de Fuca lying westerly of that portion of Bellingham and Padilla bays bounded by Lummi Island and a line running from Carter Point on Lummi Island to the most northerly tip of Vendovi Island, then to Clark Point on Guemes Island and following the shore of Guemes Island to Yellow Bluff on the southwest corner of Guemes Island, then to the Yellow Bluff Reef range marker, and then to the ferry terminal dock east of Shannon Point; and, waters southerly of a line running from Lawrence Point on Orcas Island through Lummi Rocks Buoy to Lummi Island, then along the southeasterly shore of Orcas Island from Lawrence Point to Deer Point, then true south to Blakely Island, then south along the Blakely Island shore to the southernmost point on Blakely Island, then across Thatcher Pass to Fauntleroy Point, then along the eastern shore of Decatur Island to the southernmost point on Decatur Island, then across Lopez Pass to Lopez Island and following the shore of Lopez Island southerly and westerly to Iceberg Point, then from Iceberg Point to Cattle Point, then south southwest to the Salmon Bank Buoy, and then true west from Salmon Bank Buoy to the CRC Area 7 boundary.

**Reviser's note:** The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. June 30, 1999:

WAC 220-56-11500A Angling gear (99-58)

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 31, 1999:

WAC 220-56-11500B Angling gear

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. July 31, 1999:

WAC 220-56-19500C Closed areas—Saltwater salmon angling

**WSR 99-14-049**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 99-89—Filed June 30, 1999, 3:22 p.m., effective July 1, 1999, 12:01 a.m.]

Date of Adoption: June 30, 1999.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
 Repealing WAC 220-48-01500I; and amending WAC 220-48-015.

Statutory Authority for Adoption: RCW 75.08.080.

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: This rule is necessary to open trawl areas that had been closed for softshell crab. The rule is also necessary to extend closed areas which have softshell crab. The most recent test indicates the crab have hardened and this closure is no longer necessary. The quota of cod is 55,000 pounds (represents 10% of current stock abundance estimate) in 1999 and through June 22 less than 13,000 pounds have been caught. Therefore, a harvestable amount of cod exists to allow reopening the waters deeper than 40 fathoms. 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: July 1, 1999, 12:01 a.m.

June 30, 1999

Larry W. Peck  
for Jeff P. Koenings  
Director

**NEW SECTION**

**WAC 220-48-01500J Puget Sound bottom trawl seasons.** Notwithstanding the provisions of WAC 220-48-015:

(1) Effective 12:01 a.m. July 1, 1999, until further notice it is unlawful to fish for bottomfish for commercial purposes using beam trawl or bottom trawl gear in those waters of Marine Fish-Shellfish Management and Catch Reporting 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.

(2) Effective 12:01 a.m. July 1, 1999, until further notice it is lawful to fish for bottomfish for commercial purposes using beam trawl or bottom trawl gear in those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 22A and 22B.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. June 30, 1999:

WAC 220-48-01500I	Puget Sound bottom trawl restriction in softshell crab areas. (99-22)
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**WSR 99-14-050**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 99-90—Filed June 30, 1999, 3:25 p.m., effective July 1, 1999, 12:01 a.m.]

Date of Adoption: June 30, 1999.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
 Repealing WAC 220-44-05000W; and amending WAC 220-44-050.

Statutory Authority for Adoption: RCW 75.08.080.

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: This regulation is necessary to achieve conservation goals and to maintain consistency between state and federal regulations. 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: July 1, 1999, 12:01 a.m.

June 30, 1999

Larry W. Peck  
for Jeff P. Koenings  
Director

## NEW SECTION

**WAC 220-44-05000X Coastal bottomfish catch limits.** Notwithstanding the provisions of WAC 220-44-050, effective 12:01 a.m. July 1, 1999 until further notice, it is unlawful to possess, transport through the waters of the state or land in any Washington State port bottomfish taken from Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A-1, 59A-2, 59B, 60A-1, 60A-2, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the following species:

1. The following definitions apply to this section:

a. **Cumulative limit** - A cumulative limit is the maximum amount of fish that may be taken and retained, possessed or landed per vessel per calendar month or cumulative period, without a limit on the number of landings or trips. The cumulative limit includes all fish harvested by a vessel during the cumulative period, whether taken in limited entry or open access fisheries. Once a cumulative limit has been achieved, an operator may begin fishing on the next cumulative limit so long as the fish are not landed until after the beginning of the next cumulative period. For B-platoon vessels a calendar month shall be the 16th of the month through the 15th of the following month.

b. **Cumulative period** - Period 3 - June through July, Period 4 - August through September.

c. **Daily trip limit** - The maximum amount of fish that may be taken and retained, possessed or landed per vessel from a single fishing trip in 24 consecutive hours, starting at 0001 hours.

d. **Groundfish limited entry fishery** - Fishing activity by a trawl, setline or bottomfish pot equipped vessel that has received a federal limited entry permit issued by the National Marine Fisheries Service endorsed for the qualifying gear type.

e. **Groundfish open access fishery** - Fishing activity by a vessel equipped with setline or bottomfish pot gear that has not received a federal limited entry permit, or a vessel using gear other than trawl, setline or bottomfish pot gear.

f. **Shrimp trawl fishery** - Fishing activity by a vessel equipped with shrimp trawl gear when ocean pink shrimp comprise more than one half the volume of shrimp aboard.

g. **Spot prawn trawl fishery** - Fishing activity by a vessel equipped with shrimp trawl gear when ocean spot prawns comprise more than half the volume of shrimp aboard.

h. **Vessel trip** - A vessel trip is defined as having occurred upon the initiation of transfer of catch from a fishing vessel.

i. **Vessel trip limit** - The amount of fish that may not be exceeded per vessel trip. All fish aboard a fishing vessel upon the initiation of transfer of catch are to be counted towards the vessel trip limit.

j. **Dressed length** - The dressed length of a fish is the distance from the anterior insertion of the first dorsal fin to the tip of the tail.

2. **Groundfish limited entry fishery limits.** The following limits apply to the groundfish limited entry fishery in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A-1, 59A-2, 59B, 60A-1, 60A-2, 61, 62, and 63 (notwithstanding the provisions of WAC 220-44-030):

a. **Pacific ocean perch** - One-month cumulative limit of 4,000 pounds. No minimum size.

b. **Widow rockfish** - Cumulative period limits as follows: Periods 3 and 4 - 11,000 pounds per period. No minimum size.

c. **Shortbelly rockfish** - No minimum size. No maximum poundage.

d. **Black rockfish** - The vessel trip limit for black rockfish for commercial fishing vessels using hook-and-line gear between the U.S. Canada border and Cape Alava (48°09'30" N. latitude) and between Destruction Island (47°40'00" N. latitude) and Leadbetter Point (46°38'10" N. latitude), is 100 pounds (round weight) or 30 percent by weight of all fish on board including salmon, whichever is greater, per vessel trip.

e. **Sebastes complex** - All species of rockfish except Pacific ocean perch, widow, shortbelly, and thornyhead (*Sebastes* spp.) Cumulative period limits as follows: Period 3 - 30,000 pounds of which no more than 16,000 pounds may be yellowtail rockfish and 14,000 pounds may be canary rockfish. Period 4 - 35,000 pounds of which no more than 20,000 pounds may be yellowtail rockfish, 14,000 pounds may be canary rockfish, and 10,000 pounds may be *Sebastes* complex species other than yellowtail and canary rockfish.

f. **DTS Complex - (Dover sole, Thornyhead rockfish, and Sablefish)** -

(1) **Dover sole**, cumulative period limits as follows: Periods 3 and 4 - 20,000 pounds per period.

(2) **Longspine thornyheads**, cumulative period limits as follows: Periods 3 and 4 - 8,000 pounds per period.

(3) **Shortspine thornyheads**, cumulative period limits as follows: Periods 3 and 4 - 2,000 pounds per period.

(4) **Sablefish** -

(a) **Trawl vessels** - Cumulative period limits as follows: Periods 3 and 4 - 10,000 pounds per period. Not more than 500 pounds (round weight) of sablefish per trip may be smaller than 22 inches. Sablefish total length of 22 inches is equivalent to dressed length of 15.5 inches. To convert sablefish from dressed weight to round weight, multiply the dressed weight by 1.6.

(b) **Non-trawl vessels** - Daily trip limit of 300 pounds (round weight). Cumulative limit of 4,200 pounds per two-month period. Two month periods are July 1 through August 31, not including the August 16-25, 1999 regular season. Effective September 1, monthly cumulative limit of 2,100 pounds. No minimum size. Effective noon August 14 until noon August 16, illegal to take, possess, transport or land sablefish. All non-trawl groundfish gear must be out of the water. Effective noon August 16 through noon August 25, the following cumulative limits will be in effect for non-trawl vessels possessing a federal sablefish endorsement:

Vessels with a tier 1 endorsement - 84,800 pounds (round weight)

Vessels with a tier 2 endorsement - 38,300 pounds (round weight)

Vessels with a tier 3 endorsement - 22,000 pounds (round weight)

Not more than 1,500 pounds (round weight) may be sablefish less than 22 inches (15.5 inches dressed, head off). These limits may be taken in any number of landings during the 9-day period. During this period, the non-trawl sablefish fishery remains closed to limited entry vessels with no sablefish endorsement. Once a vessel has landed its cumulative limit, no more sablefish may be landed by that vessel until the daily trip limit resumes on August 26 at 1800 hours. Effective noon August 25 through August 26 at 1800 hours, fishers may not set or pull from the water fixed gear used to take and retain groundfish.

g. **Pacific Whiting** - No trip limit. No minimum size.

h. **Lingcod** - Cumulative period limits as follows: Periods 3 and 4 - 1,000 pounds per period. Total length minimum size limit of 24 inches. Lingcod total length of 24 inches is equivalent to dressed length of 19.5 inches. To convert lingcod from dressed weight to round weight, multiply the dressed weight by 1.5. To convert lingcod from dressed, head on (gutted only), weight, multiply the dressed weight by 1.1.

(1) It shall be lawful to land up to 100 pounds of lingcod under 24 inches taken in the trawl fishery only.

3. Groundfish open access fishery limits. The following limits apply to the groundfish open access fishery in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A-1, 59A-2, 59B, 60A-1, 60A-2, 61, 62, and 63 (notwithstanding the provisions of WAC 220-44-030). Notwithstanding the provisions of this subsection, no groundfish open access fishery limit may exceed a groundfish limited entry fishery daily, vessel or cumulative limit or more than 50% of any period 2 or 3 cumulative limit.

(a) **Sablefish** - Daily trip limit of 300 pounds (round weight) not to exceed two-month cumulative limit of 3,000 pounds. Two-month periods are July 1 through August 31. No minimum size. Effective noon August 14 until noon August 16, illegal to take, possess, transport or land sablefish. All non-trawl groundfish gear must be out of the water. Effective September 1, one-month cumulative limit of 1,500 pounds.

(b) **Pacific ocean perch** - Cumulative limit of 100 pounds per calendar month.

(c) **Widow rockfish** - Cumulative limit of 8,000 pounds per calendar month.

(d) **Sebastes complex** - All species of rockfish except Pacific ocean perch, widow, shortbelly, and thornyhead (*Sebastes* spp.) Cumulative limit of 12,000 pounds per calendar month of which no more than 6,500 pounds may be yellowtail rockfish, 3,500 pounds may be black and blue rockfish combined, and 2,000 pounds may be canary rockfish. Cumulative limit of 2,000 pounds per calendar month on *Sebastes* complex other than black, blue, canary and yellowtail rockfish.

(e) **Lingcod** - Cumulative limit of 250 pounds per calendar month.

(f) **Pacific whiting** - Cumulative limit of 100 pounds per calendar month.

(g) **Dover sole** - Cumulative limit of 100 pounds per calendar month.

(h) **Shortspine thornyheads** - Illegal to take, possess, transport or land shortspine thornyheads.

(i) **Longspine thornyheads** - Illegal to take, possess, transport or land longspine thornyheads.

4. Shrimp trawl fishery limits: Limit of 500 pounds of groundfish per day fished not to exceed trip limit of 2,000 pounds of groundfish. Groundfish landings may not exceed 50% of the total weight of species landed from any shrimp trawl trip. Landings may not exceed any single open access species limit with the following exceptions:

(a) **Dover sole** - Trip limit of 2,000 pounds.

(b) **Pacific whiting** - Trip limit of 2,000 pounds.

(c) **Sablefish** - Two-month cumulative limit of 1,800 pounds. Two-month periods are July 1 through August 31. No daily or trip limit.

5. Spot prawn trawl fishery limits: Trip limit of 300 pounds of groundfish, not to exceed any single open access species limit. Groundfish landings (excluding spiny dogfish) may not exceed 50% of the total weight of species landed from any spot prawn trawl trip.

6. Vessels engaged in chartered research for National Marine Fisheries Service (NMFS) may land and sell bottomfish caught during that research without the catch being counted toward any trip or cumulative limit for the participating vessel. Vessels that have been compensated for research work by NMFS with an Exempted Fishing Permit (EFP) to land fish as payment for such research may land and sell fish authorized under the EFP without the catch being counted toward any trip or cumulative limit for the participating vessel. Any bottomfish landed during authorized NMFS research or under the authority of a compensating EFP for past chartered research work must be reported on a separate fish receiving ticket and not be included on any fish receiving ticket reporting bottomfish landed as part of any trip or cumulative limit. Bottomfish landed under the authority of NMFS research work or an EFP compensating research with fish must be clearly marked "NMFS Compensation Trip" on the fish receiving ticket in the space reserved for dealer's use. The NMFS scientist in charge must sign the fish receiving ticket in the area reserved for dealer's use if any bottomfish are landed during authorized NMFS research. If the fish are landed under the authority of an EFP as payment for research work, the EFP number must be listed in the dealer's use space.

7. It is unlawful during the unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species or category of bottomfish having a cumulative limit, vessel trip limit or daily trip limit.

8. The fisher's copy of all fish receiving tickets showing landings of species provided for in this section shall be retained aboard the landing vessel for 90 days after landing.

**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 section of the Washington Administrative Code is repealed effective 11:59 p.m. June 30, 1999:

WAC 220-44-05000W Coastal bottomfish catch limits. (99-39)

**WSR 99-14-051  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 99-91—Filed June 30, 1999, 3:27 p.m., effective July 1, 1999, 12:01 a.m.]

Date of Adoption: June 30, 1999.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-56-305.

Statutory Authority for Adoption: RCW 75.08.080.

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: 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 for 1999 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 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: July 1, 1999, 12:01 a.m.

June 30, 1999

Larry W. Peck  
for Jeff P. Koenings  
Director

**NEW SECTION**

**WAC 220-56-30500F Sturgeon—Areas and seasons.** Notwithstanding the provisions of WAC 220-56-305, effective 12:01 a.m. July 1, 1999 until further notice, it is lawful to retain sturgeon from the Columbia River and its tributaries from John Day Dam to McNary Dam.

**WSR 99-14-061  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 99-92—Filed July 1, 1999, 3:49 p.m.]

Date of Adoption: July 1, 1999.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-56-33000S; and amending WAC 220-56-330.

Statutory Authority for Adoption: RCW 75.08.080.

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: Crab test fishing results indicate there is a harvestable surplus of hardshell crab in the area to be opened. 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 1, 1999

J. P. Koenings  
Director

**NEW SECTION**

**WAC 220-56-33000T Personal use crab pot fishery—Exceptions to permanent rules** Notwithstanding the provisions of WAC 220-56-330:

(1) Effective immediately until further notice it is lawful to fish for and possess crab taken for personal use using shellfish pot gear from the following areas:

(a) Those waters of Catch Record Card Area 7 within San Juan County.

(b) Those waters of Catch Record Card Areas 8-1 and 8-2.

(c) Those waters of Catch Record Card Area 9, south of a line from Point Partridge to Point Wilson and north of a line from Olele Point to Foulweather Bluff and from Foulweather Bluff to Double Bluff.

(2) Effective 8:00 a.m. July 3, 1999 until further notice it is lawful to fish for and possess crab taken for personal use using shellfish pot gear in the following areas:

- (a) Those waters of Catch Record Card Area 7 within Skagit County.
- (b) Those waters of Catch Record Card Area 7 within Whatcom County south and east of a line from Point Francis to the north end of Inati Bay on Lummi Island, including all waters of Bellingham Bay.
- (c) All waters of Catch Record Card Areas 9 and 10.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 8:00 a.m. July 3, 1999:

WAC 220-56-33000S      Personal use crab fishery—  
Allocation/softshell clo-  
sures. (99-76)

OFFICE OF THE CODE REVISER  
 Quarterly Rule-Making Report  
 Covering Registers 99-07 through 99-12

Type of Activity	New	Amended	Repealed
<b>AGRICULTURE, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	41	60	32
Number of Rules Proposed for Permanent Adoption	41	45	143
Number of Sections Adopted at Request of a Nongovernmental Entity	17	14	2
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	19	40	9
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	3	0
Number of Sections Adopted on the Agency's own Initiative	22	42	30
Number of Sections Adopted using Negotiated Rule Making	0	3	0
Number of Sections Adopted using Other Alternative Rule Making	24	30	16
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>BELLEVUE COMMUNITY COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	13	0	13
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	0	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	0	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	0	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>CLARK COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	9	0	0
<b>COMBINED FUND DRIVE, WASHINGTON STATE EMPLOYEES</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
<b>COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
<b>COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	5	0
<b>COUNTY ROAD ADMINISTRATION BOARD</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
<b>ECOLOGY, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	9
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Rules Proposed for Permanent Adoption	45	40	14
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>EDUCATION, STATE BOARD OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	20	20	30
Number of Rules Proposed for Permanent Adoption	2	34	0
Number of Rules Withdrawn	10	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	8	9
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	8	10	15
Number of Sections Adopted using Negotiated Rule Making	3	8	9
Number of Sections Adopted using Other Alternative Rule Making	5	2	6
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>EMPLOYMENT SECURITY DEPARTMENT</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	17	4	10
Number of Rules Proposed for Permanent Adoption	11	0	10
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	17	4	10
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	17	4	10
Number of Sections Adopted on the Agency's own Initiative	17	4	10
Number of Sections Adopted using Negotiated Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**EVERGREEN STATE COLLEGE, THE**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	2	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	2	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**FINANCIAL INSTITUTIONS, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	2	18
Number of Rules Proposed for Permanent Adoption	4	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**FINANCIAL MANAGEMENT, OFFICE OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**FISH AND WILDLIFE, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	42	7
Number of Rules Adopted as Emergency Rules	113	0	108
Number of Rules Proposed for Permanent Adoption	2	88	5

MISC.

Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	1	13	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	113	43	106
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**FOREST PRACTICES BOARD**

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	6	16	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	6	12	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**GAMBLING COMMISSION**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	4	0
Number of Rules Proposed for Permanent Adoption	37	26	6
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	4	0
Number of Sections Adopted using Negotiated Rule Making	2	4	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**GENERAL ADMINISTRATION, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	42	24

**HEALTH CARE AUTHORITY**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	4	0
Number of Rules Proposed for Permanent Adoption	1	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	1	0
Number of Sections Adopted on the Agency's own Initiative	0	4	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	4	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**HEALTH, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	25	79	26
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	47	47	11
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	14	56	25
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	3	9	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	3	1	0
Number of Sections Adopted on the Agency's own Initiative	13	26	18
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	18	18
Number of Sections Adopted using Pilot Rule Making	0	0	0

**HIGHER EDUCATION COORDINATING BOARD**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	5	0

**INDETERMINATE SENTENCE REVIEW BOARD**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0

**INSURANCE COMMISSIONER'S OFFICE**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	6	4	1

**LABOR AND INDUSTRIES, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	242	152	29
Number of Rules Proposed for Permanent Adoption	123	196	33
Number of Rules Withdrawn	3	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	1
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	122	182	4
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	67	62	19
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	38	0	0
Number of Sections Adopted on the Agency's own Initiative	55	173	8
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	122	214	28
Number of Sections Adopted using Pilot Rule Making	0	0	0

**LICENSING, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	20	11
Number of Rules Proposed for Permanent Adoption	11	38	26

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	21	9
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	8	6
Number of Sections Adopted using Negotiated Rule Making	0	17	9
Number of Sections Adopted using Other Alternative Rule Making	0	4	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**LIQUOR CONTROL BOARD**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	6	0
Number of Rules Proposed for Permanent Adoption	2	2	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	5	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	7	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**LOTTERY, WASHINGTON STATE**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	20

**NATURAL RESOURCES, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**OUTDOOR RECREATION, INTERAGENCY COMMITTEE FOR**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0

**PARKS AND RECREATION COMMISSION**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	1
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Rules Withdrawn	0	2	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	1
Number of Sections Adopted using Pilot Rule Making	0	0	0

**PENINSULA COLLEGE**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	85	1	0

**PIERCE COLLEGE**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	43	0	45
Number of Rules Proposed for Permanent Adoption	43	0	45
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	43	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	10
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**PILOTAGE COMMISSIONERS, BOARD OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**PUBLIC DISCLOSURE COMMISSION**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	15	5
Number of Rules Proposed for Permanent Adoption	0	15	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	12	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	14	5
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	15	5
Number of Sections Adopted using Pilot Rule Making	0	0	0

**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	3	42	0

**PUBLIC INSTRUCTION, SUPERINTENDENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	6	3
Number of Rules Adopted as Emergency Rules	10	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	10	9	3
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**PUBLIC WORKS BOARD**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	3	0	0
Number of Sections Adopted on the Agency's own Initiative	3	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**RETIREMENT SYSTEMS, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	3
Number of Rules Proposed for Permanent Adoption	0	19	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	3
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

Type of Activity	New	Amended	Repealed
<b>REVENUE, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	6	8
Number of Rules Adopted as Emergency Rules	1	2	0
Number of Rules Proposed for Permanent Adoption	5	7	17
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	5	0
Number of Sections Adopted on the Agency's own Initiative	2	6	8
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	1	5	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>SECRETARY OF STATE</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	17	43	11
Number of Rules Proposed for Permanent Adoption	4	29	9
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	18	37	11
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	14	18	1
Number of Sections Adopted on the Agency's own Initiative	4	31	10
Number of Sections Adopted using Negotiated Rule Making	18	39	11
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>SOCIAL AND HEALTH SERVICES, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	43	50	5
Number of Rules Adopted as Emergency Rules	0	6	0
Number of Rules Proposed for Permanent Adoption	333	91	108
Number of Rules Withdrawn	21	3	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	42	48	5
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	2	13	0
Number of Sections Adopted in Order to Comply with Federal Statute	4	9	3
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	39	31	2
Number of Sections Adopted using Negotiated Rule Making	13	0	0
Number of Sections Adopted using Other Alternative Rule Making	30	54	5
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>SPOKANE, COMMUNITY COLLEGES OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**TAX APPEALS, BOARD OF**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	11	0	14

**TOXICOLOGIST, STATE**

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**TRANSPORTATION IMPROVEMENT BOARD**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	9	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	7	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	2	2	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	7	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**TRANSPORTATION, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	8	3
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Withdrawn	0	6	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted on the Agency's own Initiative	0	4	3
Number of Sections Adopted using Negotiated Rule Making	0	4	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**UNIVERSITY OF WASHINGTON**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	8	1
Number of Rules Proposed for Permanent Adoption	2	8	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	7	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	2	7	1
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	7	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	7	1
Number of Sections Adopted using Pilot Rule Making	0	0	0

**UTILITIES AND TRANSPORTATION COMMISSION**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	29	1	25
Number of Rules Proposed for Permanent Adoption	5	6	1
Number of Rules Withdrawn	30	0	39
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**WASHINGTON STATE PATROL**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	5	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	5	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**WESTERN WASHINGTON UNIVERSITY**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**YAKIMA VALLEY COMMUNITY COLLEGE**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	3	14	0

**TOTALS FOR THE QUARTER:**

Number of Permanent Rules Adopted	511	554	296
Number of Rules Adopted as Emergency Rules	130	33	108
Number of Rules Proposed for Permanent Adoption	835	824	497
Number of Rules Withdrawn	65	24	41
Number of Sections Adopted at Request of a Nongovernmental Entity	17	22	3
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	286	448	96
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	69	77	19
Number of Sections Adopted in Order to Comply with Federal Statute	11	29	4
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	89	47	14
Number of Sections Adopted on the Agency's own Initiative	291	444	241
Number of Sections Adopted using Negotiated Rule Making	36	76	29
Number of Sections Adopted using Other Alternative Rule Making	192	370	81
Number of Sections Adopted using Pilot Rule Making	0	0	0

**WSR 99-14-003  
ATTORNEY GENERAL OPINION**

Cite as: AGO 1999 No. 3  
[May 10, 1999]

STATE - LANDS, FOREST LAND - LEGISLATURE - ENABLING ACT - TRUSTS - SCHOOLS - EDUCATION - STATE INVESTMENT BOARD - Authority to invest principal of permanent common school fund.

The Legislature may by law authorize the investment of moneys in the Permanent Common School Fund, and may define by statute the manner in which such funds may be invested.

The Honorable Brian Thomas  
State Representative, 5th Legislative District  
P.O. Box 40600  
Olympia, WA 98504-0600

**WSR 99-14-004  
ATTORNEY GENERAL OPINION**

Cite as: AGO 1999 No. 4  
[May 10, 1999]

CONSTITUTION - JUDGES - COMMISSION ON JUDICIAL CONDUCT - Authority of Commission of Judicial Conduct to separate investigative and adjudicatory functions.

1. The Commission on Judicial Conduct lacks authority to divide its members into separate investigatory and adjudicative panels.
2. It is not a "temporary disability, disqualification, or inability to serve" for a member of the Commission on Judicial Conduct to have participated in the investigative phase of a complaint or case; this fact would not justify empaneling the member's alternative to serve in his/her place during the adjudicative phase of the same proceeding.
3. The Commission on Judicial Conduct may not use its alternative members to serve as "permanent" members as part of a scheme to divide the Commission into

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investigatory and adjudicative panels; the constitution evidences and intent that the same body exercise both functions.

Mr. Gregory R. Dallaire, Chair  
Commission on Judicial Conduct  
PO Box 1817  
Olympia, WA 98507-1817

**WSR 99-14-005**

**NOTICE OF PUBLIC MEETINGS**

**BELLINGHAM TECHNICAL COLLEGE**

[Memorandum—June 24, 1999]

The board of trustees of Bellingham Technical College will hold a study session to discuss board goals and long range capital planning on Thursday, July 1, 1999, 9 a.m. to 3 p.m., Anderson Creek Lodge, 5602 Mission Road, Bellingham, WA. Call 738-3105 ext. 334 for information.

**WSR 99-14-013**

**AGENDA**

**DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed June 24, 1999, 4:35 p.m.]

**WASHINGTON DEPARTMENT OF FISH AND WILDLIFE**

**RULE DEVELOPMENT AGENDA**

July 1, 1999 through December 31, 1999

July 18, 1999

Adoption of 1999 sport rules developed from North of Falcon process

CR 102XA filed 5/19/99, WSR 99-11-098

August 6-7, 1999

(1) Adoption of license dealer handling fee amounts

CR 101 filed 5/3/99, WSR 99-10-060

CR 102 filed 6/16/99, WSR 99-13-117

(2) Adoption of enhancement program funding mechanisms

CR 101 filed 4/16/99, WSR 99-09-040

CR 102 filed 6/10/99, WSR 99-13-054

(3) Adoption of herring bag net fishery restrictions

CR 101 filed 5/3/99, WSR 99-10-059

CR 102 filed 6/16/99, WSR 99-13-120

(4) Adoption of sea cucumber season setting by emergency rule

CR 101 filed 12/2/98, WSR 98-24-130

CR 102 filed 6/16/99, WSR 99-13-118

(5) Adoption of hunting rules regarding use of decoys, baiting waterfowl, nontoxic shot requirements, official hunting hours, waterfowl seasons, game reserves, trapping, electronic tree switches, pelt sealing, and 1999-2000 Elk seasons and permit hunts.

CR 101 filed 5/5/99, WSR 99-10-103 (taxidermy, trapping, decoys, baiting)

CR 101 filed 5/5/99, WSR 99-10-115 (elk seasons)

CR 101 filed 5/5/99, WSR 99-10-104 (waterfowl seasons, game reserves, hunting hours, nontoxic shot, pelt sealing, tree switches)

CR 102 filed 6/23/99, WSR 99-13-194

(6) Adoption of Dungeness crab catch record card requirement

CR 101 filed 4/6/99, WSR 99-08-079

CR 102 filed 6/16/99, WSR 99-13-119

August 24, 1999

Adoption of 1999 Puget Sound salmon net rules developed from North of Falcon process.

CR 102XA filed 6/3/99, WSR 99-13-008

December 10-11, 1999

Adoption of 00-01 permit quotas for PLWMA's, bear and cougar seasons, and permit auctions and raffles for moose, sheep and elk.

CR 101 expected filing 9/1/99

CR 102 expected filing 11/3/99

Adoption of unclassified marine invertebrate rules

CR 101 expected filing 9/1/99

CR 102 expected filing 11/3/99

Evan Jacoby

Rules Coordinator

**WSR 99-14-021**

**DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed June 25, 1999, 1:23 p.m.]

**NOTICE**

Under the current material supplier regulations, WAC 296-127-018, the department takes the position that prevailing wages do not apply to the delivery of wet concrete to public works sites, unless the drivers do something more than just deliver the concrete. Drivers delivering concrete into a crane and bucket, hopper of a pump truck, or forms or footings, are not entitled to prevailing wages unless they operate machinery or use tools that screed, float, or put a finish on the concrete.

This position applies only to the delivery of wet concrete. It does not extend to the delivery of asphalt, sand, gravel, crushed rock, or other similar materials covered under WAC 296-127-018. The department's position applies only to this regulation.

If you need additional information regarding this matter, please contact Greg Mowat, Program Manager, Employment Standards, at P.O. Box 44510, Olympia, WA 98504-4510, or call (360) 902-5310.

**WSR 99-14-030**  
**NOTICE OF PUBLIC MEETINGS**  
**WALLA WALLA**  
**COMMUNITY COLLEGE**  
 [Memorandum—June 24, 1999]

This is to advise you of the following change made to Walla Walla Community College's board of trustees meeting schedule:

**Changed from:** June 30, 1999, 9:30 a.m., WWCC Main Campus.

**Changed to:** June 30, 1999, 11:45 a.m., WWCC Main Campus.

If you have any questions on this information, please call (509) 527-4274.

**WSR 99-14-033**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LIBRARY**  
 (Library Commission)  
 [Memorandum—June 28, 1999]

The Washington State Library Commission will be holding a special conference call on July 14, 1999, at 10:00 to discuss the satellite grant program.

Please contact 753-2914 if there are questions.

**WSR 99-14-037**  
**AGENDA**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed June 30, 1999, 9:35 a.m.]

Utilities and Transportation Commission  
 RULE-MAKING AGENDA  
 June 30, 1999

Docket #	Subject	Staff	WAC Affected (If known)	Anticipated Status, June 30	CR-101 Filed	CR-102 Filed	Rule-making Hearing	Adoption
A-980247	Updating adoptions by reference of federal codes and industry standards.	K. Dobyns	480-14-060, 480-15-040, 480-30-015, 480-31-100, 480-31-120, 480-31-130, 480-31-140, 480-40-015, 480-70-055, 480-62-090, 480-75-005, and 480-93-010	Expedited rule making (no hearing needed unless requested)	N/A	Expected 07/07/99	No hearing required unless requested	September, 1999
UT-970723	Attachments to Transmission Facilities — "Pole attachment" rule - rule-making petition	R. Beaton	Section(s) in chapter 480-120 WAC	Delayed with consent of petitioner pending FCC action	09/19/97	Not scheduled	Not scheduled	Not scheduled
UT-980311(R)	Universal Service (Developing a USF program to comply with 1998 legislation)	B. Shirley	New chapter	Deferred pending legislation	05/04/98	12/2/98 (Expired)	Not scheduled	Not scheduled
UT-980675	Slamming & Cramming Issues (Exploring need for new or updated consumer protections)	V. Elliott	WAC 480-120-139	Deferred; reporting requirements imposed by order as interim step.	07/22/98	9/15/99	November, 1999	December, 1999
UT-990261	CLEC to ILEC connections, Operating Support Systems/OSS impact.	R. Beaton	Section(s) in chapter 480-271 WAC	Preproposal comment period	05/19/99	9/15/99	11/15/99	December, 1999

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Docket #	Subject	Staff	WAC Affected (If known)	Anticipated Status, June 30	CR-101 Filed	CR-102 Filed	Rule-making Hearing	Adoption
UT-990582	Physical Collocation of Central Office Telecommunication Facilities	R. Beaton	New section(s) in chapter 480-120 WAC	Preproposal comment period	05/19/99	9/15/99	11/15/99	December, 1999
UT-990873	Fees for Commission Action relating to the 1996 federal Telecommunications Act	B. Wallis	Section(s) in chapter 480-09 or 480-120 WAC	CR-101 approved for filing with code reviser	7/7/99	9/15/99	12/1/99	January, 2000
(None assigned)	Correcting typographical error relating to armored car service	C. Anderson	Section in chapter 480-14 WAC	Petition for rule making is anticipated	Not scheduled	Not scheduled	Not scheduled	Not scheduled
(None assigned)	Electric reliability issues	M. Anderson	New chapter or sections in chapter 480-90 WAC	To be brought forward before Dec. 31 as staff time becomes available	Not scheduled	Not scheduled	Not scheduled	Not scheduled
(None assigned)	Commission procedural rules (regular update; may address topics omitted from prior review)	B. Wallis	Chapter 480-09 WAC; potentially other procedural provisions	Likely to file CR-101 during last quarter, 1999	Not scheduled	Not scheduled	Not scheduled	Not scheduled
<b>Rule-making Review Proceedings under Executive Order 97-02</b>								
A-990298	Commission Budgets - General	F. Ottavelli	Chapter 480-140 WAC	Preproposal comment period	4/21/99	8/18/99	10/13/99	November, 1999
TG-990161	Solid Waste, including Medical Waste	C. Anderson	Chapter 480-70 WAC	Preproposal comment period	3/26/99	12/8/99	2/15/00	March, 2000
TR-981101	Railroad Clearance and sanitation issues	M. Rowswell	Chapter 480-60 WAC Chapter 480-66 WAC	Post-proposal comment period	10/07/98	07/21/99	September, 1999	October, 1999
TR-981102	Railroad Operations (Examines all Railroad topics except those related to weighing, clearances, and sanitation)	K. Dobyns	Chapter 480-62 WAC	Preproposal comment period	04/01/99	9/22/99	11/15/99	November, 1999
UE-990473	Electric Companies	G. Etchart	Chapter 480-100 WAC	Preproposal comment period	04/07/99	December, 1999	February, 2000	March, 2000
UG-990294	Gas companies - Operations	J. Russell	Chapter 480-90 WAC	Preproposal comment period	3/31/99	December, 1999	February, 2000	March, 2000
UW-980082	Water Companies	D. Kermode	Chapter 480-110 WAC	Postproposal comment period	02/13/98	06/02/99	07/28/99	August, 1999
UT-980083	Registration of Telecom Companies (Implement 1998 legislation, plus reg. Review)	S. Walsh	Chapter 480-121 WAC	Preparing for adoption hearing	06/17/98 Amended 08/05/98	03/24/99	04/28/99	July, 1999
UT-990146	Telephone Companies	S. Walsh	Chapter 480-120 WAC	Preproposal comment period	04/21/99	March, 2000	August, 2000	September, 2000

**NOTE:** All future dates are tentative projections and are subject to change. The commission posts a current rule-making calendar on its web site. For more recent information, please visit the commission's web site at <<http://www.wutc.wa.gov>>.

**WSR 99-14-054****INTERPRETIVE STATEMENT  
DEPARTMENT OF REVENUE**

[Filed June 30, 1999, 4:05 p.m.]

**ADOPTION OF INTERPRETIVE STATEMENT****Excise Tax Advisory 2002.16.179—Low-density light and  
power utility deduction**

This announcement of the adoption of this interpretive statement is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has adopted a revision to Excise Tax Advisory 2002 (Low-density light and power utility deduction). This advisory explains the public utility tax deduction provided by RCW 82.16.053 to qualifying power and light businesses.

RCW 82.16.053 requires that the department determine the state average electric power rate each year and inform taxpayers of this rate. This rate is used by the power and light business to compute the amount of the deduction. This document updates the information to provide the rate to be used during the period of July 1999 through June 2000.

Requests for copies of this advisory may be directed to Roseanna Hodson, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 586-4281, fax (360) 664-0693.

Claire Hesselholt  
Policy Counsel/Rules Manager

**WSR 99-14-057****NOTICE OF PUBLIC MEETINGS  
EDMONDS COMMUNITY COLLEGE**

[Memorandum—July 1, 1999]

EDMONDS COMMUNITY COLLEGE

BOARD OF TRUSTEES

NOTICE OF SPECIAL MEETINGS  
TO MEDIA/OTHER

July 16, 1999\* Edmonds Community College Foundation Golf Tournament: Lynnwood Municipal Golf Course, Edmonds Community College Campus, 20000 68th Avenue West, Lynnwood, WA.

Please note: The regular meeting of the EdCC board of trustees for July 15, 1999, has been canceled.

\* This event is being scheduled as a special meeting, which is a study session where no action will be taken.

**WSR 99-14-058****NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF CORRECTIONS**

[Memorandum—July 1, 1999]

**Special Meeting Notice**

The Correctional Industries board of directors will hold a special meeting to review issues concerning the Class I Free Venture Industries (private partnership) program. The meeting is at 10:00 a.m., Conference Rooms S118 and 119, Labor and Industries Building, Linderson Way, Olympia, Washington.

Contact: Sheila Pearson, (360) 753-5861.

**WSR 99-14-059****AGENDA  
PUBLIC EMPLOYMENT  
RELATIONS COMMISSION**

[Filed July 1, 1999, 10:48 a.m.]

**RULES DEVELOPMENT AGENDA  
JULY 1, 1999**

This agenda is prepared pursuant to RCW 34.05.314. The commission adopted changes to its rules on June 8, 1999, as part of the second-year phase of the four-year rules review process mandated by Executive Order 97-02. The changes affect the following sections of chapter 391-08 WAC:

- 1) 391-08-310 Subpoenas—Form—Issuance to parties.
- 2) 391-08-810 Agency records—Confidentiality.

The changes affect the following sections of chapter 391-55 WAC:

- 1) 391-55-001 Scope—Contents—Other rules.
- 2) 391-55-002 Sequence and numbering of rules—Special provisions.
- 3) 391-55-010 Impasses in contract negotiations—Request for mediation—Service.
- 4) 391-55-020 Grievance mediation—Request for grievance mediation—Service.
- 5) 391-55-030 Assignment of mediator.
- 6) 391-55-032 Special provision—Educational employees.
- 7) 391-55-050 Submission of written proposals.
- 8) 391-55-070 Function of mediator.
- 9) 391-55-071 Special provision—State patrol personnel.
- 10) 391-55-090 Confidential nature of mediation.
- 11) 391-55-110 Dispute resolution panel—Membership.
- 12) 391-55-120 Dispute resolution panel—Referral and selection procedures.
- 13) 391-55-130 Disclosure.
- 14) 391-55-150 Vacancies.
- 15) 391-55-200 Interest arbitration—Certification of issues.
- 16) 391-55-205 Interest arbitration—Appointment of partisan arbitrators.

17) 391-55-210 Interest arbitration—Selection of neutral chairperson.

18) 391-55-215 Interest arbitration—Conduct of proceedings—Waiver of objections.

19) 391-55-220 Interest arbitration—Submission of proposals for arbitration.

20) 391-55-225 Interest arbitration—Prehearing conference—Hearing.

21) 391-55-230 Interest arbitration—Order of proceedings and evidence.

22) 391-55-235 Interest arbitration—Arbitration in the absence of a party.

23) 391-55-240 Interest arbitration—Closing of arbitration hearings.

24) 391-55-245 Interest arbitration—Award.

25) 391-55-255 Interest arbitration—Expenses of arbitration.

26) 391-55-265 Interest arbitration—Suspension of arbitration pending outcome of unfair labor practice proceedings.

27) 391-55-310 Educational employees—Selection of fact finder.

28) 391-55-315 Educational employees—Conduct of fact finding proceedings—Waiver of objections.

29) 391-55-320 Educational employees—Submission of proposals for fact finding.

30) 391-55-330 Educational employees—Order of proceedings and evidence.

31) 391-55-335 Educational employees—Fact finding in the absence of a party.

32) 391-55-340 Educational employees—Closing of fact finding hearings.

33) 391-55-350 Educational employees—Responsibility of parties after fact finding.

The changes affect the following sections of chapter 391-65 WAC:

1) 391-65-001 Scope—Contents—Other rules.

2) 391-65-002 Sequence and numbering of rules—Special provisions.

3) 391-65-010 Grievance arbitration—Who may submit.

4) 391-65-030 Grievance arbitration—Request for grievance arbitration—Service.

5) 391-65-050 Grievance arbitration—Contents of request.

6) 391-65-070 Grievance arbitration—Appointment of staff arbitrator.

7) 391-65-090 Grievance arbitration—Designation of panel of arbitrators.

8) 391-65-110 Grievance arbitration—Conduct of proceedings.

9) 391-65-130 Grievance arbitration—Award.

10) 391-65-150 Grievance arbitration—Expenses.

Please contact Mark S. Downing, Rules Coordinator, at (360) 753-2955 if you have any questions concerning this matter.

## WSR 99-14-063

### AGENDA

## UNIVERSITY OF WASHINGTON

[Filed July 2, 1999, 9:01 a.m.]

The University of Washington's  
Semiannual Agenda for Rules Under Development  
(Per RCW 34.05.314)  
July 1999

1. Chapter 478-324 WAC, Rules and regulations for the University of Washington implementation of the State Environmental Policy Act. This chapter is scheduled for rule making beginning the second half of 1999.

2. Chapter 478-132 WAC, Academic calendar for the University of Washington. Rule review per Executive Order 97-02 was completed in 1998. This chapter is scheduled for rule making beginning the second half of 1999.

3. Chapter 478-124 WAC, General conduct code for the University of Washington. Rule review per Executive Order 97-02 continues during the second half of 1999.

4. Chapter 478-108 WAC, Practice and procedure. Rule review per Executive Order 97-02 is rescheduled for the second half of 1999.

5. Chapter 478-04 WAC, Organization. Rule review per Executive Order 97-02 is scheduled for the second half of 1999.

For more information concerning the above rules under review or development contact: Rebecca Goodwin Dearnorff, Administrative Procedures Officer, University of Washington, 4014 University Way N.E., Seattle, WA 98105-6302; campus mail Box 355509; phone (206) 543-9199; or e-mail adminpro@u.washington.edu.

## WSR 99-14-064

### AGENDA

## DEPARTMENT OF FINANCIAL INSTITUTIONS

[Filed July 2, 1999, 10:24 a.m.]

Department of Financial Institutions  
Semi-Annual Agenda for Rules Under Development  
July 1, 1999 - December 31, 1999

### DIVISION OF BANKS

1. Recodifying Title 50 WAC (banking regulations) into Title 208 WAC and housekeeping measures including amending certain outdated internal references.

### DIVISION OF CONSUMER SERVICES

1. Amendments to chapter 208-620 WAC, Consumer Loan Act, to correct errors in internal references.

2. Amendments to chapter 208-630 WAC, Check cashers and sellers, to correct errors in internal references.

3. Amendments to chapter 208-660 WAC, Mortgage brokers, to implement statutory changes and make technical amendments to trust accounting and disclosure provisions.

4. Amendments to chapter 208-680 WAC, Escrow, to implement statutory changes.

## DIVISION OF SECURITIES

1. Amend WAC 460-80-110 Franchise registration application, to correct outdated reference to "Director of Licensing" with a reference to "Director of Financial Institutions."

2. Amend WAC 460-80-125 Franchise registration application instructions, to eliminate duplicative requirements that are currently contained in the Uniform Franchise Offering Circular (UFOC), a disclosure format adopted by WAC 460-80-315.

3. Amend WAC 460-80-140 Financial statements, to eliminate an outdated reference to a repealed provision (WAC 460-60A-100) and to eliminate requirements currently contained in the UFOC.

4. Amend WAC 460-80-440 Depository, to allow any financial institution, trust company, or any other person acceptable to the administrator, to hold funds subject to a franchise registration impound condition. The current rule only allows national banks located in Washington to hold such funds.

5. Convert franchise interpretive and policy statements into rules. RCW 34.05.230 of the Administrative Procedure Act encourages agencies to convert long-standing interpretive and policy statements into rules.

6. Amend WAC 460-44A-504 Uniform limited offering exemption, to increase limitation on aggregate offering price from \$500,000 to \$1,000,000.

7. Amend WAC 460-24A-150 Performance compensation arrangements, to recognize updated federal Securities and Exchange Commission release on permitted investment adviser performance compensation arrangements.

8. Housekeeping amendments to chapter 460-24A WAC, Investment advisers, are needed to reflect statutory renumbering that occurred in the 1998 amendments to the Securities Act, chapter 21.20 RCW. WAC 460-24A-050 needs to be amended to allow for the changes to the Series 65 examination which will occur on January 1, 2000; WAC 460-24A-150 needs to be amended to reflect the adoption by the SEC of Release IA-1731, which amended its rule regarding performance-based compensation. In addition, the division is considering whether to amend WAC 460-24A-170 by adopting the North American Securities Administrators Association (NASAA) model rules on net worth and bonding, and WAC 460-24A-200 by adopting the NASAA model rule on recordkeeping standards for investment advisers.

9. Adopt a new rule governing securities sales on financial institution premises, similar to standards recently adopted by the National Association of Securities Dealers Regulation, Inc. (NASDR).

## WSR 99-14-067

INTERPRETIVE STATEMENT  
DEPARTMENT OF REVENUE

[Filed July 2, 1999, 2:54 p.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, 1999.

**ETA 013.08.113 (Sales tax liability on dual purpose chemicals in the production process)**

This document discusses tax-reporting instructions that no longer exist in WAC 458-20-113 (Ingredients or components, chemicals used in processing new articles for sale).

**ETA 022.04.193 (Service charges on goods purchased for export)**

The information in this document is correct, but WAC 458-20-193D (Transportation, communication, public utility activities, or other services in interstate or foreign commerce) currently explains that compensation received for services rendered in Washington is taxable.

**ETA 093.04.193 (Interstate commerce, buyer's trucks as carriers)**

WAC 458-20-193 (Inbound and outbound interstate sales of tangible personal property) currently provides a more complete explanation of the delivery requirements with respect to interstate commerce.

**ETA 155.04.136 (The manufacturing tax exemption for products sold at wholesale within the state)**

The information is incorrect as it does not recognize subsequent legislation regarding the multiple activities tax credit.

**ETA 174.04.136 (Splitting of peas as manufacturing)**

The document fails to recognize the special manufacturing B&O tax rate provided specifically for these activities.

**ETA 225.08.113 (Dual purpose use of chemical becoming an ingredient)**

This document discusses tax-reporting instructions that no longer exist in WAC 458-20-113 (Ingredients or components, chemicals used in processing new articles for sale).

**ETA 231.08.177 (Sales of vehicles to nonresident servicemen stationed in this state)**

This document does not provide any information that is not currently included in WAC 458-20-177 (Sales of motor vehicles, campers, and trailers to nonresidents).

**ETA 248.04.159.190 (Rentals to federal government employees receiving reimbursement and sales tax exemption)**

The issues discussed in this document are already addressed in WAC 458-20-190 (Sales to and by the United States, its departments, institutions and instrumentalities—Sales to foreign governments).

**ETA 250.16.179.193 (Where interstate commerce ends and intrastate commerce begins)**

WAC 458-20-193 (Inbound and outbound interstate sales of tangible personal property) currently addresses this issue.

**ETA 251.08.190 (Nonprofit corporation purchasing equipment with federal funds)**

The issues discussed in this document are already addressed in WAC 458-20-190 (Sales to and by the United States, its departments, institutions and instrumentalities—Sales to foreign governments).

**ETA 317.08.187 (Little league baseball concession sales)**

The reporting instructions in this document are incorrect because they do not recognize the provisions of RCW 82.04.3651 and 82.08.02573 (chapter 336, Laws of 1998).

**ETA 395.04.136 (In-state sales of manufactured raw seafood products)**

The document provides incorrect tax rates and fails to recognize the tax-reporting requirements of the multiple activities tax credit provisions of RCW 82.04.440.

**ETA 479.12.178.136 (Use tax applied to manufacturer's use of government-owned tooling)**

The information in this document is incorrect due to subsequent legislation.

**ETA 526.04.172 (Taxability of core drilling)**

WAC 458-20-172 (Clearing of land, moving earth, etc.) currently addresses the taxation of core drilling.

**ETA 527.04.08.193A (Local sales to Washington consumers who "pickup" goods outside this state)**

The information is not a correct interpretation of the statutes. It cites a repealed rule (193A), and refers to a nonresident permit that is no longer in existence.

**ETA 538.22.252 (Hazardous substance tax—Exclude substances already possessed)****ETA 539.22.262 (Hazardous substance tax—Line itemizing customer billings—Tax measure)**

These documents were issued shortly after the effective date of the prior hazardous substance tax program (chapter 82.22 RCW). Many of the provisions are no longer relevant because the documents fail to recognize provisions of the current law (chapter 82.21 RCW). They provide incorrect statutory citations, incorrect tax rates, and/or refer to specific subsections of WAC 458-20-252 (Hazardous substance tax and petroleum product tax) that no longer exist.

**ETA 557.04.224 (Taxability of income from daycare monitoring)**

This information was incorporated into the 1999 revision of WAC 458-20-167 (Educational institutions, school districts, student organizations, and private schools).

**ETA 900 (New series of excise tax bulletins)****ETA 901 (Rules being revised as a result of 1993 and 1994 legislation)****ETA 902 (Excise tax rules being revised as a result of 1995 legislation)**

The ETA 900 series has been discontinued. These documents have not been updated since January 31, 1996, and are no longer accurate because of subsequent changes to statutes and administrative rules.

Questions regarding the repeal of these bulletins may be directed to Alan R. Lynn, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 586-9040, fax (360) 664-0693, Internet alanl@dor.wa.gov.

Claire Hesselholt

Policy Counsel/Rules Manager

**WSR 99-14-068****INTERPRETIVE STATEMENT  
DEPARTMENT OF REVENUE**

[Filed July 2, 1999, 2:56 p.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, 1999.

**AD 8102.1 (Equitable recoupment—Tax paid at source)**

The reporting instructions provided in this directive are incorrect. (See Det. 90-175, 9 WTD 286.69.)

**AD 8106.1A (Sales by a taxpayer who is discontinuing business)**

The reporting instructions provided in this directive are incorrect. (See Det. 93-303, 14 WTD 054.)

**AD 8119.1 (Promotional meals)**

The reporting instructions provided in this directive are incorrect. WAC 458-20-119 (Sales of meals) currently explains the taxability of promotional meals.

**AD 8193D.1 (Public utility tax on air transportation income)**

The information provided in this directive is currently provided in WAC 458-20-179.

**AD 8211.1 (Leased equipment purchased beyond the statute of limitations)**

The reporting instructions provided in this directive are incorrect. (See Det. 90-175, 9 WTD 286.69.)

**AD 8252.1 (Audit procedures for hazardous substances)**

The instructions provided in this directive are directed to Department of Revenue staff, and are unnecessary for a tax program that has now been in existence for over ten years.

**AD 8252.2 (Hazardous substance tax)**

The information provided in this directive is currently provided in WAC 458-20-252 (Hazardous substance tax and petroleum product tax).

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Questions regarding the repeal of this directive may be directed to Alan R. Lynn, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 586-9040, fax (360) 664-0693, Internet alanl@dor.wa.gov.

Claire Hesselholt  
Policy Counsel/Rules Manager

**WSR 99-14-069**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION IMPROVEMENT BOARD**

[Memorandum—July 2, 1999]

MEETING NOTICE FOR JULY 1999  
TRANSPORTATION IMPROVEMENT BOARD  
ELLENSBURG, WASHINGTON

**Sidewalk Committee, 1:00 p.m. - 2:00 p.m., Thursday, July 22, 1999**, at the Best Western Ellensburg Inn, 1700 Canyon Road, Ellensburg.

**Increase Committee, 2:00 p.m. - 4:00 p.m., Thursday, July 22, 1999**, at the Best Western Ellensburg Inn.

**Kemper Freeman Presentation, Part 2, 4:00 p.m. - 5:00 p.m., Thursday, July 22, 1999**, at the Best Western Ellensburg Inn.

**Work Session, 7:00 p.m., Thursday, July 22, 1999**, at the Best Western Ellensburg Inn.

**Board Meeting, 9:00 a.m., Friday, July 23, 1999**, at the Best Western Ellensburg Inn.

**SPECIAL NEEDS:** For special accommodations or to request an auxiliary aid, please contact the TIB office at (360) 705-7300 by July 16, 1999.

There are no regular TIB meetings scheduled in August or September. The next scheduled meeting is October 7-8, 1999, in Spokane. A notice with further detail of the October meeting will be mailed September 17, 1999.

**WSR 99-14-071**  
**RULES OF COURT**  
**STATE SUPREME COURT**

[July 1, 1999]

IN THE MATTER OF THE ADOPTION ) ORDER  
OF THE AMENDMENTS TO NEW CrRLJ ) NO. 25700-A-661  
4.2(i); CrR 4.2(g); CrRLJ 4.2(g) AND JuCR )  
7.7 )

The Washington Pattern Forms Committee having recommended the adoption of the proposed amendments to New CrRLJ 4.2(i); CrR 4.2(g); CrRLJ 4.2(g) and JuCR 7.7, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted.

(b) That the amendments will be published in the Washington Reports and will become effective September 1, 1999.

DATED at Olympia, Washington this 1st day of July, 1999.

Guy, C. J.

B. Durham

Alexander, J.

Madsen, J.

Smith, J.

Johnson, J.

Sanders, J.

Talmadge, J.

Ireland, J.

**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 99-15 issue of the Register.

**WSR 99-14-080**  
**INTERPRETIVE STATEMENT**  
**PUBLIC DISCLOSURE COMMISSION**

[Filed July 7, 1999, 11:02 a.m.]

Public Disclosure Commission Interpretation

Approval Date: June 29, 1999

Number: 99-01

References: RCW 42.17.080(4) as amended by Chapter 401, Laws of 1999

**The Eight-Day Period for Inspection of Campaign Books**

**Explanation of Issue.** On July 25, 1999, RCW 42.17.080(4), the provision requiring candidates and political committees to make their books of account available for public inspection, will be sufficiently changed by Chapter 401, Laws of 1999, so that the items on the C-1 and C-1pc forms relating to this requirement are no longer entirely accurate. (The information called for on the forms will not change, but the brief explanation of the law's requirement will be outdated.)

Since the C-1 and the C-1pc are adopted by rule, it takes a rule amendment to modify them and, according to RCW 42.17.370(1)', if a rule amendment is not in effect on or before June 30, it will not take effect until after that year's general election. No exception is made for rules needed to implement new or amended statutes.

Typically, the Commission would have considered adopting an emergency rule to take effect on June 30. However, in this case, an emergency rule was not the best approach. First, an emergency rule is only effective for 120 days and, therefore, would expire on October 28, 1999. As such, the rule would expire during the eight days before the general election, precisely at a time when it would be needed. Second, amending the C-1 form would mean that the 2,500 candidate declaration packets (which PDC has assembled and supplied to counties for distribution to candidates who will declare for office in July) would include an obsolete form. Replacing

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those packets is cost-prohibitive, and asking counties to open each envelope and substitute forms is not a viable option.

Under these circumstances, the Commission determined that so long as candidates, treasurers and the public are notified of the change in law, the existing C-1 and C-1pc forms may be used for the 1999 elections.

**Implementation of Chapter 401, Section 13.** The Commission voted to:

- suspend enforcement of that portion of the language of Item 10 on the C-1 and Item 8 on the C-1pc that is no longer consistent with the statute: *(Two hours daily between 8 AM - 8 PM, Monday - Friday.);*
- adopt a formal interpretation of Section 13 giving guidance to persons subject to the law concerning what this new statutory language requires;
- direct staff to notify candidates, political committees and the public of this interpretation by sending information directly to candidates and treasurers, placing a notice on PDC's web site and having the interpretation published in the State Register; and
- during the fall of 1999, adopt rules revising the C-1 and C-1pc forms effective December 1, 1999.

**Interpretation of Chapter 401, Section 13.** *RCW 42.17.080(4), as amended by Chapter 401, Laws of 1999, requires that campaign books of account be open for public inspection during the eight days immediately before an election regarding which a candidate or political committee is receiving contributions or making expenditures. Specifically, on the eighth day immediately before such an election, the books must be available for two consecutive hours between 8:00 a.m. and 8:00 p.m. at the location and time designated on the candidate's or political committee's properly filed registration statement, even if this eighth day is a legal holiday.<sup>2</sup>*

*On the other days — except Saturday, Sunday or a legal holiday — the books must be available for inspection between the hours of 8:00 a.m. and 8:00 p.m. by appointment. Appointments must occur within 24 hours of the appointment time requested. On the day before the election, if a request for an appointment is made between the hours of 8:00 a.m. and 8:00 p.m. to inspect books on that day before 8:00 p.m., the appointment must be allowed.*

*During the eight days before an election, each candidate committee and political committee receiving contributions or*

*making expenditures in that election must take reasonable steps to ensure that persons who attempt to contact the committee to make inspection appointments are able to do so. In addition to personal contacts with committee representatives, appointments may be received by voice mail, facsimile or electronic mail so long as the requested inspection occurs as required by law and clarified by this interpretation.*

<sup>1</sup> RCW 42.17.370(1) says, in part: "Any rule relating to campaign finance, political advertising, or related forms that would otherwise take effect after June 30th of a general election year shall take effect no earlier than the day following the general election in that year."

<sup>2</sup> Chapter 401, Laws of 1999 (E2SSB 5931), requires candidates and political committees that receive contributions or make expenditures with respect to the September 14, 1999, primary election to make their campaign books available on Labor Day, September 6, during the hours and at the location designated on their C-1 or C-1pc registration statement.

## WSR 99-14-091

### AGENDA

### DEPARTMENT OF REVENUE

[Filed July 7, 1999, 11:57 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 31, 1999. Rules may be added or deleted from the work schedule as a result of legislative action, industry, taxpayer or agency request, or court decisions.

The department also has a top level rules priority list that includes rule actions planned for the fiscal year ending June 30, 2000 in addition to the rule development agenda. We have one website that includes both lists and can be found at: <http://www.wa.gov/dor/rules/admin/agenda.htm>.

If you would like to receive future copies of either list in the mail, please send a request to Roseanna Hodson, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-4767.

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.

MISC.

**RULES DEVELOPMENT AGENDA**  
Activity planned by January 31, 2000  
Last revised June 25, 1999

Rule Number	Last Revised	Subject	Explanation	Assigned To	Status
458-12-040 458-12-300 458-12-301 458-12-305 458-12-326 458-12-327 458-12-330 458-12-335 458-12-336 458-12-337 458-12-338 458-12-339	1968 1968 1972 1968 1983 1983 1968 1983 1983 1983 1973 1983	Property tax rules for assessors	Legislative changes	Jim Winterstein	Drafting. Public hearing (CR102) anticipated 3rd Quarter 1999. Anticipate adopting new rules and repealing these existing rules.
458-12-090 458-12-270 458-12-275 458-12-280 458-16-115		Listing of personal property		TBA	Drafting anticipated 4th Quarter 1999. Anticipate combining info into one rule.
458-12-315  458-12-320		Timber and forest products - Valuation  Timber and forest products - Ownership - roads		Kim Qually	Drafting. Combine w/PTB 97-1 into one rule. Public meeting (CR101) anticipated 3rd Quarter 1999.
458-16-NEW	NEW	"Very low" Income Housing Exemption	99 Legislation (SHB 1154)	Kim Qually	Drafting anticipated 3rd Quarter 1999.
458-16-280 458-16-282	1994 1994	Art, scientific and historic collections Musical, dance and literary associations	Updating/1995 legislative changes	Kim Qually	Public hearing (CR102) scheduled for 7/28/99.
458-16A-010	1999	Homes for the aging	1999 Legislation (SHB 1969)	Kim Qually	Candidate for expedited adoption process. CR102XA filing anticipated 3rd Quarter 1999.
458-18-010	1992	Deferral of special assessments	97 Legislation	Kim Qually	Public meeting (CR101) held 7/7/99. Public hearing (CR102) anticipated 3rd Quarter 1999.

MISC.



Rule Number	Last Revised	Subject	Explanation	Assigned To	Status
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	Drafting anticipated 3rd Quarter 1999
458-20-NEW	NEW	Slaughtering and breaking		Tim Sekerak	Drafting. Public meeting (CR101) anticipated 3rd Quarter 1999.
458-20-101		Tax registration	99 Legislation (HB 1741)	Doug Titus	Candidate for expedited adoption process. CR102XA filing anticipated 3rd Quarter 1999.
458-20-135	1986	Extracting natural products	99 (ESHB 1887) Legislation and general updating	Alan Lynn	Emergency rule filed May 28, 1999. CR101 meeting scheduled for July 14, 1999.
458-20-136		Manufacturing	99 Legislation (ESHB 1887) and general updating	Alan Lynn	Emergency rule filed May 28, 1999. CR101 meeting scheduled for July 14, 1999.
458-20-13601	NEW	Manufacturing machinery and equipment exemption	99 Legislation (ESHB 1887) and prior legislation.	Leslie Cushman	Emergency rule filed May 28, 1999. CR101 meeting scheduled for July 14, 1999.
457-20-145	1983	Local sales and use tax	General updating	Leilani Hesser	Drafting
458-20-151		Dental labs	98 Legislation	Nicole Stewart	Drafting anticipated 3rd Quarter 1999.
458-20-153	1970	Funeral directors	Updating as a result of rule review	Sally Giza	Drafting
458-20-154	1970	Cemeteries	Updating as a result of rule review	Sally Giza	Drafting
458-20-155	1985	Information and computer services	98 Legislation (SB 6449 and ESSB 6470a) and updating	Jim Carroll	Drafting anticipated 4th Quarter 1999.

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Rule Number	Last Revised	Subject	Explanation	Assigned To	Status
458-20-166	1994	Hotels, motels, apartments	Updating for new federal government charge card program, clarify when rentals are not retail sales.	Doug Titus	CR101 public meeting anticipated 3rd Quarter 1999.
458-20-168	1994	Hospitals, medical, car facilities, adult family homes	Updating	Doug Titus	Drafting anticipated 4th Quarter 1999.
458-20-169	1991	Nonprofits	Recent legislation and general updating	Ed Ratcliffe	Drafting... Working with stakeholders.
458-20-170 458-20-17001 458-20-171 458-20-172	1987 1986 1971 1983	Construction Federal contracting Public road construction Moving of earth	99 Legislation (HB 2261) and general updating	Winnie Savitch	Drafting anticipated 3rd Quarter 1999.
458-20-178 458-20-17801	1986 NEW	Use tax	Recent legislation and general updating	Alan Lynn	Drafting
458-20-183	1995	Amusement, recreation and physical fitness services	Petition and legislative changes	Greg Potegal	Drafting anticipated 4th Quarter 1999.
458-20-18801	1992	Prescription drugs	General updating	Ralph Blankenship	Drafting
458-20-190	1983	Sales to and by the federal government	Need updating per rule review	Chris Barnes	Drafting
458-20-192	1980	Indians	Needs updating	Leslie Cushman	Reviewing comments from June 1999 Public meetings.
458-20-193	1991	Inbound and outbound interstate sales of tangible personal property.	Updating	TBA	Research issues. Drafting anticipated 4th Quarter 1999.
458-20-193C	1986	Imports and exports	Updating	Margaret Partlow	Drafting anticipated 3rd Quarter 1999.
458-20-198	1983	Conditional and installment sales	Needs updating per rule review	Doug Titus	Drafting anticipated 3rd Quarter 1999.
458-20-211	1996	Renting/leasing	Needs updating per rule review	Greg Potegal	Drafting anticipated 3rd Quarter 1999.
458-20-217	1987	Lien for taxes	Needs updating per rule review	Anne Gernhardt	Drafting
458-20-229	1992	Refunds	97 Legislation and general updating	Pat Moses	Drafting. Public hearing (CR102) anticipated 4th Quarter 1999.

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Rule Number	Last Revised	Subject	Explanation	Assigned To	Status
458-20-238	1995	Sales to nonresidents of watercraft	97 Legislation	Doug Titus	Reviewing comments. Public hearing (CR102) anticipated 3rd Quarter 1999.
458-20-239	1983	Sales of farm machinery to nonresidents	98 Legislation expanding the exemption (HB 2476)	Doug Titus	Drafting
458-20-240 458-20-24001	1988 1988	S&U tax deferral Distressed area deferrals	Needs revision because of legislation	Leslie Cushman	Drafting anticipated 3rd Quarter 1999.
458-20-24003 458-20-24003A	NEW NEW	High tech sales and use tax deferral B&O tax credit	New rule - 1994 legislation	Ed Ratcliffe	Redrafting
458-20-243	1983	Litter tax	98 Legislation (2SHB 3058) and general updating	Pat Moses	Drafting anticipated 4th Quarter 1999.
458-20-244	1988	Food products	Need updating per rule review	Nettie VanHorn	Drafting anticipated 3rd Quarter 1999.
458-20-246	1984	Sales to or through a direct seller	Updating per rule review.	Leslie Cushman	Reviewing comments from June 1999 public meeting. Public hearing (CR102) anticipated 3rd Quarter 1999.
458-20-260	1992	Oil spill response and administration tax	Updating per rule review.	Anne Solwick	Drafting anticipated 3rd quarter 1999.
458-20-261	1999	Vanpool vehicles and ride share credit	99 Legislation	Greg Potegal	Candidate for expedited adoption process (CR102XA).
458-29A-NEW		Leasehold excise tax	Rules for the leasehold excise tax program	Margaret Partlow	Public hearing (CR102) anticipated 3rd Quarter 1999.
458-30-275 458-30-295 458-30-300	1995 1995 1995	Withdrawal or removal from land classification	99 Legislation	Kim Qually	Drafting anticipated 4th Quarter 1999.
458-40-660	1999	Timber/forest tax stumpage values	Required semi-annually	Ed Ratcliffe	Must be done before July 1 and January 1 each year.
458-61-230	1994	Bankruptcy	Needs updating per rule review	Ed Ratcliffe	Drafting anticipated 3rd Quarter 1999.
458-276 WAC	1978	Access to public records	Needs updating per rule review	Anne Solwick	Drafting. Anticipate repealing existing rules and adopting new rules.

Claire Hesselholt  
Policy Counsel/Rules Manager



**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.

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
4- 25-510	AMD-P	99-13-060	16- 05-045	REP-P	99-05-022	16- 20-100	REP-XR	99-12-122
4- 25-530	PREP	99-05-025	16- 05-045	REP	99-08-039	16- 20-110	REP-XR	99-12-122
4- 25-530	AMD-P	99-13-061	16- 10	PREP	99-11-056	16- 20-120	REP-XR	99-12-122
4- 25-730	AMD-P	99-13-062	16- 19-010	NEW-P	99-07-116	16- 20-130	REP-XR	99-12-122
4- 25-740	REP-P	99-13-075	16- 19-010	NEW	99-12-021	16- 20-140	REP-XR	99-12-122
4- 25-745	NEW-P	99-13-063	16- 19-015	NEW-P	99-07-116	16- 21-001	REP-XR	99-12-122
4- 25-746	NEW-P	99-13-064	16- 19-015	NEW	99-12-021	16- 21-010	REP-XR	99-12-122
4- 25-750	PREP	99-05-026	16- 19-020	NEW-P	99-07-116	16- 21-020	REP-XR	99-12-122
4- 25-750	AMD-P	99-13-065	16- 19-020	NEW	99-12-021	16- 21-025	REP-XR	99-12-122
4- 25-760	REP-P	99-13-076	16- 19-030	NEW-P	99-07-116	16- 21-030	REP-XR	99-12-122
4- 25-780	PREP	99-05-027	16- 19-030	NEW	99-12-021	16- 21-035	REP-XR	99-12-122
4- 25-780	AMD-P	99-13-066	16- 19-100	NEW-P	99-07-116	16- 21-040	REP-XR	99-12-122
4- 25-790	NEW-P	99-13-067	16- 19-100	NEW	99-12-021	16- 21-045	REP-XR	99-12-122
4- 25-791	NEW-P	99-13-068	16- 19-110	NEW-P	99-07-116	16- 21-050	REP-XR	99-12-122
4- 25-792	NEW-P	99-13-069	16- 19-110	NEW	99-12-021	16- 21-055	REP-XR	99-12-122
4- 25-795	NEW-P	99-13-070	16- 19-120	NEW-P	99-07-116	16- 21-060	REP-XR	99-12-122
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4- 25-811	REP-P	99-13-077	16- 19-130	NEW-P	99-07-116	16- 21-070	REP-XR	99-12-122
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4- 25-813	REP-P	99-13-078	16- 19-140	NEW-P	99-07-116	16- 21-080	REP-XR	99-12-122
4- 25-830	NEW-P	99-13-071	16- 19-140	NEW	99-12-021	16- 21-085	REP-XR	99-12-122
4- 25-831	NEW-P	99-13-072	16- 19-200	NEW-P	99-07-116	16- 21-090	REP-XR	99-12-122
4- 25-832	NEW-P	99-13-073	16- 19-200	NEW	99-12-021	16- 21-095	REP-XR	99-12-122
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16- 05-005	REP	99-08-039	16- 19-310	NEW	99-12-021	16- 21-125	REP-XR	99-12-122
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16- 05-010	AMD	99-08-039	16- 19-320	NEW	99-12-021	16- 21-135	REP-XR	99-12-122
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16- 05-040	AMD	99-08-039	16- 20-090	REP-XR	99-12-122	16- 22-001	REP-XR	99-12-122

**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-22-010	REP-XR	99-12-122	16-54-135	AMD-P	99-03-084	16-89-040	NEW-P	99-03-086
16-22-011	REP-XR	99-12-122	16-54-135	AMD	99-09-023	16-89-040	NEW	99-09-026
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16-23-010	REP-XR	99-12-122	16-59-020	AMD	99-09-024	16-89-090	NEW	99-09-026
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16-23-120	REP-XR	99-12-122	16-86-055	AMD-P	99-03-087	16-124-090	REP-XR	99-13-175
16-23-125	REP-XR	99-12-122	16-86-055	AMD	99-09-025	16-124-100	REP-XR	99-13-175
16-23-150	REP-XR	99-12-122	16-86-060	AMD-P	99-03-087	16-124-110	REP-XR	99-13-175
16-23-160	REP-XR	99-12-122	16-86-060	AMD	99-09-025	16-124-120	REP-XR	99-13-175
16-23-165	REP-XR	99-12-122	16-86-070	AMD-P	99-03-087	16-124-130	REP-XR	99-13-175
16-23-170	REP-XR	99-12-122	16-86-070	AMD	99-09-025	16-124-140	REP-XR	99-13-175
16-23-175	REP-XR	99-12-122	16-86-080	AMD-P	99-03-087	16-124-150	REP-XR	99-13-175
16-23-180	REP-XR	99-12-122	16-86-080	AMD	99-09-025	16-124-160	REP-XR	99-13-175
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16-54-016	AMD-P	99-03-084	16-88-010	REP	99-14-031	16-125-060	REP-P	99-14-072
16-54-016	REP	99-09-023	16-88-020	REP-XR	99-07-114	16-125-070	REP-P	99-14-072
16-54-018	NEW	99-09-023	16-88-020	REP	99-14-031	16-125-080	REP-P	99-14-072
16-54-020	AMD-P	99-03-084	16-88-030	REP-XR	99-07-114	16-125-090	REP-P	99-14-072
16-54-020	AMD	99-09-023	16-88-030	REP	99-14-031	16-125-100	REP-P	99-14-072
16-54-030	AMD-P	99-03-084	16-88-040	REP-XR	99-07-114	16-125-120	AMD-P	99-14-072
16-54-030	AMD	99-09-023	16-88-040	REP	99-14-031	16-125-200	AMD-P	99-14-072
16-54-040	AMD-P	99-03-084	16-89-005	NEW-P	99-03-086	16-125-210	AMD-P	99-14-072
16-54-040	AMD	99-09-023	16-89-005	NEW	99-09-026	16-129-050	PREP	99-13-177
16-54-071	AMD-P	99-03-084	16-89-010	NEW-P	99-03-086	16-142	PREP	99-04-067
16-54-071	AMD	99-09-023	16-89-010	NEW	99-09-026	16-142-001	REP-P	99-09-095
16-54-082	AMD-P	99-03-084	16-89-015	NEW-P	99-03-086	16-142-001	REP	99-13-048
16-54-082	AMD	99-09-023	16-89-015	NEW	99-09-026	16-142-010	REP-P	99-09-095
16-54-101	AMD-P	99-03-084	16-89-020	NEW-P	99-03-086	16-142-010	REP	99-13-048
16-54-101	AMD	99-09-023	16-89-020	NEW	99-09-026	16-142-020	REP-P	99-09-095
16-54-120	AMD-P	99-03-084	16-89-030	NEW-P	99-03-086	16-142-020	REP	99-13-048
16-54-120	AMD	99-09-023	16-89-030	NEW	99-09-026	16-142-030	REP-P	99-09-095

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<b>WAC #</b>	<b>ACTION</b>	<b>WSR #</b>	<b>WAC #</b>	<b>ACTION</b>	<b>WSR #</b>	<b>WAC #</b>	<b>ACTION</b>	<b>WSR #</b>
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16-142-040	REP-P	99-09-095	16-200-7061	AMD-P	99-04-093	16-231-515	PREP	99-13-162
16-142-040	REP	99-13-048	16-200-7061	AMD	99-08-037	16-231-520	PREP	99-13-162
16-142-050	REP-P	99-09-095	16-200-750	AMD-P	99-13-164	16-231-525	PREP	99-13-162
16-142-050	REP	99-13-048	16-200-755	AMD-P	99-13-164	16-231-530	PREP	99-13-162
16-142-060	REP-P	99-09-095	16-200-760	AMD-P	99-13-164	16-231-600	PREP	99-13-162
16-142-060	REP	99-13-048	16-200-790	AMD-P	99-13-164	16-231-605	PREP	99-13-162
16-142-100	NEW-P	99-09-095	16-200-795	AMD-P	99-13-164	16-231-610	PREP	99-13-162
16-142-100	NEW	99-13-048	16-200-815	AMD-P	99-13-164	16-231-613	PREP	99-13-162
16-142-110	NEW-P	99-09-095	16-200-830	AMD-P	99-13-164	16-231-615	PREP	99-13-162
16-142-110	NEW	99-13-048	16-212	PREP	99-07-132	16-231-620	PREP	99-13-162
16-142-120	NEW-P	99-09-095	16-212-010	AMD-P	99-11-095	16-231-700	PREP	99-13-162
16-142-120	NEW	99-13-048	16-212-030	AMD-P	99-11-095	16-231-705	PREP	99-13-162
16-142-130	NEW-P	99-09-095	16-212-060	AMD-P	99-11-095	16-231-710	PREP	99-13-162
16-142-130	NEW	99-13-048	16-212-070	AMD-P	99-11-095	16-231-715	PREP	99-13-162
16-142-140	NEW-P	99-09-095	16-212-080	AMD-P	99-11-095	16-231-720	PREP	99-13-162
16-142-140	NEW	99-13-048	16-212-082	AMD-P	99-11-095	16-231-800	PREP	99-13-162
16-142-150	NEW-P	99-09-095	16-219-010	PREP	99-07-088	16-231-805	PREP	99-13-162
16-142-150	NEW	99-13-048	16-219-016	PREP	99-07-086	16-231-810	PREP	99-13-162
16-142-160	NEW-P	99-09-095	16-219-100	PREP	99-07-111	16-231-815	PREP	99-13-162
16-142-160	NEW	99-13-048	16-219-105	PREP	99-07-111	16-231-820	PREP	99-13-162
16-142-170	NEW-P	99-09-095	16-228-320	REP-XR	99-04-006	16-231-825	PREP	99-13-162
16-142-170	NEW	99-13-048	16-228-320	REP	99-07-113	16-231-830	PREP	99-13-162
16-144	PREP	99-12-123	16-228-330	REP-XR	99-04-006	16-231-835	PREP	99-13-162
16-145	PREP	99-13-179	16-228-330	REP	99-07-113	16-231-840	PREP	99-13-162
16-146	PREP	99-13-182	16-228-340	REP-XR	99-04-007	16-231-900	PREP	99-13-162
16-147	PREP	99-12-124	16-228-340	REP	99-07-112	16-231-905	PREP	99-13-162
16-160-010	AMD-P	99-13-195	16-230	PREP	99-07-087	16-231-910	PREP	99-13-162
16-160-020	AMD-P	99-13-195	16-230-150	PREP	99-13-163	16-231-912	PREP	99-13-162
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16-160-035	NEW-P	99-13-195	16-230-180	PREP	99-13-163	16-231-925	PREP	99-13-162
16-160-040	AMD-P	99-13-195	16-230-190	PREP	99-13-163	16-231-930	PREP	99-13-162
16-160-060	AMD-P	99-13-195	16-230-400	PREP	99-13-162	16-231-935	PREP	99-13-162
16-160-070	AMD-P	99-13-195	16-230-410	PREP	99-13-162	16-232-001	PREP	99-13-162
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16-160-100	AMD-P	99-13-195	16-230-430	PREP	99-13-162	16-232-010	PREP	99-13-162
16-160-110	NEW-P	99-13-195	16-230-440	PREP	99-13-162	16-232-015	PREP	99-13-162
16-165-100	NEW-P	99-08-088	16-230-450	PREP	99-13-162	16-232-020	PREP	99-13-162
16-165-100	NEW	99-13-001	16-230-460	PREP	99-13-162	16-232-025	PREP	99-13-162
16-165-110	NEW-P	99-08-088	16-230-470	PREP	99-13-162	16-232-027	PREP	99-13-162
16-165-110	NEW	99-13-001	16-231-200	PREP	99-13-162	16-232-030	PREP	99-13-162
16-165-120	NEW-P	99-08-088	16-231-205	PREP	99-13-162	16-232-035	PREP	99-13-162
16-165-120	NEW	99-13-001	16-231-210	PREP	99-13-162	16-232-038	PREP	99-13-162
16-165-130	NEW-P	99-08-088	16-231-215	PREP	99-13-162	16-232-100	PREP	99-13-162
16-165-130	NEW	99-13-001	16-231-220	PREP	99-13-162	16-232-105	PREP	99-13-162
16-165-140	NEW-P	99-08-088	16-231-225	PREP	99-13-162	16-232-110	PREP	99-13-162
16-165-140	NEW	99-13-001	16-231-230	PREP	99-13-162	16-232-115	PREP	99-13-162
16-165-150	NEW-P	99-08-088	16-231-235	PREP	99-13-162	16-232-120	PREP	99-13-162
16-165-150	NEW	99-13-001	16-231-300	PREP	99-13-162	16-232-200	PREP	99-13-162
16-165-160	NEW-P	99-08-088	16-231-305	PREP	99-13-162	16-232-205	PREP	99-13-162
16-165-160	NEW	99-13-001	16-231-310	PREP	99-13-162	16-232-210	PREP	99-13-162
16-167-010	AMD-P	99-07-117	16-231-315	PREP	99-13-162	16-232-215	PREP	99-13-162
16-167-010	AMD	99-12-020	16-231-320	PREP	99-13-162	16-232-220	PREP	99-13-162
16-167-020	AMD-P	99-07-117	16-231-325	PREP	99-13-162	16-232-225	PREP	99-13-162
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16-167-040	AMD	99-12-020	16-231-405	PREP	99-13-162	16-316-474	PREP	99-04-096
16-167-050	AMD-P	99-07-117	16-231-410	PREP	99-13-162	16-316-474	AMD-P	99-13-184
16-167-050	AMD	99-12-020	16-231-413	PREP	99-13-162	16-316-717	PREP	99-04-096
16-168	PREP	99-13-181	16-231-415	PREP	99-13-162	16-316-717	AMD-P	99-13-184
16-200	PREP	99-12-101	16-231-420	PREP	99-13-162	16-316-727	PREP	99-04-096
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16-200-705	AMD-P	99-04-093	16-231-505	PREP	99-13-162	16-319-041	AMD-P	99-13-185

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16-401-019	AMD-P	99-07-126	16-462-010	AMD	99-12-025	16-604-010	REP	99-04-069
16-401-019	AMD	99-12-034	16-462-015	AMD-XA	99-07-127	16-645-005	NEW-P	99-02-066
16-401-020	AMD-P	99-07-126	16-462-015	AMD	99-12-025	16-645-005	NEW	99-06-072
16-401-020	AMD	99-12-034	16-462-020	AMD-XA	99-07-127	16-645-010	NEW-P	99-02-066
16-401-021	NEW-P	99-07-126	16-462-020	AMD	99-12-025	16-645-010	NEW	99-06-072
16-401-021	NEW	99-12-034	16-462-021	NEW-XA	99-07-127	16-662-105	AMD-P	99-04-111
16-401-023	AMD-P	99-07-126	16-462-021	NEW	99-12-025	16-662-105	AMD	99-07-056
16-401-023	AMD	99-12-034	16-462-022	NEW-XA	99-07-127	16-662-110	AMD-P	99-04-111
16-401-025	AMD-P	99-07-126	16-462-022	NEW	99-12-025	16-662-110	AMD	99-07-056
16-401-025	AMD	99-12-034	16-462-025	AMD-XA	99-07-127	16-720	PREP	99-13-178
16-401-026	NEW-P	99-07-126	16-462-025	AMD	99-12-025	16-750	PREP	99-13-039
16-401-026	NEW	99-12-034	16-462-030	AMD-XA	99-07-127	16-752	PREP	99-07-123
16-401-030	AMD-P	99-07-126	16-462-030	AMD	99-12-025	16-752-115	REP-XR	99-07-124
16-401-030	AMD	99-12-034	16-462-035	AMD-XA	99-07-127	16-752-115	REP	99-11-087
16-401-031	NEW-P	99-07-126	16-462-035	AMD	99-12-025	16-752-120	REP-XR	99-07-124
16-401-031	NEW	99-12-034	16-462-045	REP-XA	99-07-127	16-752-120	REP	99-11-087
16-401-040	AMD-P	99-07-126	16-462-045	REP	99-12-025	16-752-125	REP-XR	99-07-124
16-401-040	AMD	99-12-034	16-462-050	AMD-XA	99-07-127	16-752-125	REP	99-11-087
16-401-041	NEW-P	99-07-126	16-462-050	AMD	99-12-025	16-752-130	REP-XR	99-07-124
16-401-041	NEW	99-12-034	16-462-055	AMD-XA	99-07-127	16-752-130	REP	99-11-087
16-401-050	AMD-P	99-07-126	16-462-055	AMD	99-12-025	16-752-135	REP-XR	99-07-124
16-401-050	AMD	99-12-034	16-462-060	REP-XA	99-07-127	16-752-135	REP	99-11-087
16-403	PREP	99-03-108	16-462-060	REP	99-12-025	16-752-140	REP-XR	99-07-124
16-403-141	AMD-P	99-11-096	16-470	PREP	99-03-092	16-752-140	REP	99-11-087
16-403-141	AMD	99-14-036	16-470-900	PREP	99-03-096	16-752-145	REP-XR	99-07-124
16-406-001	PREP	99-04-094	16-470-900	AMD-P	99-07-125	16-752-145	REP	99-11-087
16-406-020	PREP	99-04-094	16-470-900	AMD	99-12-035	16-752-146	REP-XR	99-07-124
16-406-020	AMD-P	99-08-108	16-470-905	PREP	99-03-096	16-752-146	REP	99-11-087
16-406-025	NEW-P	99-08-108	16-470-905	AMD-P	99-07-125	16-752-147	REP-XR	99-07-124
16-406-030	PREP	99-04-094	16-470-905	AMD	99-12-035	16-752-147	REP	99-11-087
16-406-030	AMD-P	99-08-108	16-470-910	PREP	99-03-096	16-752-150	REP-XR	99-07-124
16-406-050	PREP	99-04-094	16-470-910	AMD-P	99-07-125	16-752-150	REP	99-11-087
16-406-050	AMD-P	99-08-108	16-470-910	AMD	99-12-035	16-752-155	REP-XR	99-07-124
16-412-010	REP-XR	99-08-112	16-470-911	NEW-P	99-07-125	16-752-155	REP	99-11-087
16-412-020	REP-XR	99-08-112	16-470-911	NEW	99-12-035	16-752-160	REP-XR	99-07-124
16-412-030	REP-XR	99-08-112	16-470-915	PREP	99-03-096	16-752-160	REP	99-11-087
16-412-040	REP-XR	99-08-112	16-470-915	AMD-P	99-07-125	16-752-165	REP-XR	99-07-124
16-412-050	REP-XR	99-08-112	16-470-915	AMD	99-12-035	16-752-165	REP	99-11-087
16-412-060	REP-XR	99-08-112	16-470-916	NEW-P	99-07-125	16-752-170	REP-XR	99-07-124
16-424-010	REP-XR	99-08-112	16-470-916	NEW	99-12-035	16-752-170	REP	99-11-087
16-424-020	REP-XR	99-08-112	16-470-920	PREP	99-03-096	25-12-010	REP-P	99-03-098
16-424-030	REP-XR	99-08-112	16-470-920	AMD-P	99-07-125	25-12-020	REP-P	99-03-098
16-436	PREP	99-08-111	16-470-920	AMD	99-12-035	25-12-030	REP-P	99-03-098
16-448	PREP	99-08-110	16-470-921	NEW-P	99-07-125	25-12-040	REP-P	99-03-098
16-451-010	REP-XR	99-08-112	16-470-921	NEW	99-12-035	25-12-050	REP-P	99-03-098
16-451-020	REP-XR	99-08-112	16-481	PREP	99-03-090	25-12-060	REP-P	99-03-098
16-451-030	REP-XR	99-08-112	16-483	PREP	99-03-091	25-12-070	REP-P	99-03-098
16-451-040	REP-XR	99-08-112	16-532-020	AMD-P	99-02-063	25-12-110	NEW-P	99-03-098
16-451-050	REP-XR	99-08-112	16-532-020	AMD	99-10-095	25-12-120	NEW-P	99-03-098
16-451-060	REP-XR	99-08-112	16-545-010	NEW	99-02-064	25-12-130	NEW-P	99-03-098
16-451-070	REP-XR	99-08-112	16-545-015	NEW	99-02-064	25-12-140	NEW-P	99-03-098
16-458	AMD-XA	99-08-113	16-545-020	NEW	99-02-064	25-12-150	NEW-P	99-03-098
16-458-004	REP-XA	99-08-113	16-545-030	NEW	99-02-064	25-12-160	NEW-P	99-03-098
16-458-075	AMD-XA	99-08-113	16-545-040	NEW	99-02-064	25-12-170	NEW-P	99-03-098
16-458-080	AMD-XA	99-08-113	16-545-041	NEW	99-02-064	25-12-180	NEW-P	99-03-098
16-458-085	AMD-XA	99-08-113	16-545-050	NEW	99-02-064	36-12	PREP	99-12-103
16-460-005	REP-XR	99-08-112	16-545-080	NEW	99-02-064	36-12-364	NEW-P	99-13-127
16-460-008	REP-XR	99-08-112	16-561-010	AMD-P	99-07-108	36-14-100	NEW-P	99-13-127
16-460-040	REP-XR	99-08-112	16-561-010	AMD-C	99-11-024	50-16-020	REP-XR	99-04-073
16-460-080	REP-XR	99-08-112	16-561-010	AMD-C	99-12-013	50-16-020	REP	99-08-123
16-460-100	REP-XR	99-08-112	16-561-010	AMD-W	99-13-142	50-16-025	REP-XR	99-04-073
16-461	PREP	99-03-108	16-561-130	NEW-P	99-07-108	50-16-025	REP	99-08-123
16-461-010	AMD-P	99-11-096	16-561-130	NEW-C	99-11-024	50-16-030	REP-XR	99-04-073
16-461-010	AMD	99-14-036	16-561-130	NEW-C	99-12-013	50-16-030	REP	99-08-123
16-462	PREP	99-03-094	16-561-130	NEW-W	99-13-142	50-16-035	REP-XR	99-04-073

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50-16-040	REP-XR	99-04-073	132A-108-040	NEW-P	99-10-100	132A-280-070	NEW-P	99-10-100
50-16-040	REP	99-08-123	132A-108-050	NEW-P	99-10-100	132A-280-075	NEW-P	99-10-100
50-16-045	REP-XR	99-04-073	132A-108-060	NEW-P	99-10-100	132A-280-080	NEW-P	99-10-100
50-16-045	REP	99-08-123	132A-108-070	NEW-P	99-10-100	132A-280-085	NEW-P	99-10-100
50-16-050	REP-XR	99-04-073	132A-108-080	NEW-P	99-10-100	132A-320-010	NEW-P	99-10-100
50-16-050	REP	99-08-123	132A-108-090	NEW-P	99-10-100	132A-320-020	NEW-P	99-10-100
50-16-055	REP-XR	99-04-073	132A-116-001	NEW-P	99-10-100	132A-320-030	NEW-P	99-10-100
50-16-055	REP	99-08-123	132A-116-006	NEW-P	99-10-100	132A-350-015	NEW-P	99-10-100
50-16-060	REP-XR	99-04-073	132A-116-011	NEW-P	99-10-100	132A-350-020	NEW-P	99-10-100
50-16-060	REP	99-08-123	132A-116-016	NEW-P	99-10-100	132A-350-030	NEW-P	99-10-100
50-16-065	REP-XR	99-04-073	132A-116-021	NEW-P	99-10-100	132A-350-040	NEW-P	99-10-100
50-16-065	REP	99-08-123	132A-116-026	NEW-P	99-10-100	132A-350-045	NEW-P	99-10-100
50-16-070	REP-XR	99-04-073	132A-116-030	NEW-P	99-10-100	132A-350-050	NEW-P	99-10-100
50-16-070	REP	99-08-123	132A-120-006	NEW-P	99-10-100	132H-168-010	REP-P	99-05-018
50-16-075	REP-XR	99-04-073	132A-120-011	NEW-P	99-10-100	132H-168-010	REP	99-10-045
50-16-075	REP	99-08-123	132A-120-016	NEW-P	99-10-100	132H-168-020	REP-P	99-05-018
50-16-080	REP-XR	99-04-073	132A-120-021	NEW-P	99-10-100	132H-168-020	REP	99-10-045
50-16-080	REP	99-08-123	132A-120-026	NEW-P	99-10-100	132H-168-030	REP-P	99-05-018
50-16-085	REP-XR	99-04-073	132A-120-031	NEW-P	99-10-100	132H-168-030	REP	99-10-045
50-16-085	REP	99-08-123	132A-120-036	NEW-P	99-10-100	132H-168-040	REP-P	99-05-018
50-16-090	REP-XR	99-04-073	132A-120-041	NEW-P	99-10-100	132H-168-040	REP	99-10-045
50-16-090	REP	99-08-123	132A-120-046	NEW-P	99-10-100	132H-168-050	REP-P	99-05-018
50-16-095	REP-XR	99-04-073	132A-120-051	NEW-P	99-10-100	132H-168-050	REP	99-10-045
50-16-095	REP	99-08-123	132A-120-056	NEW-P	99-10-100	132H-168-060	REP-P	99-05-018
50-16-100	REP-XR	99-04-073	132A-120-061	NEW-P	99-10-100	132H-168-060	REP	99-10-045
50-16-100	REP	99-08-123	132A-122-011	NEW-P	99-10-100	132H-168-070	REP-P	99-05-018
50-16-105	REP-XR	99-04-073	132A-122-021	NEW-P	99-10-100	132H-168-070	REP	99-10-045
50-16-105	REP	99-08-123	132A-130-010	NEW-P	99-10-100	132H-168-080	REP-P	99-05-018
50-44-037	NEW-P	99-07-131	132A-130-020	NEW-P	99-10-100	132H-168-080	REP	99-10-045
50-44-037	NEW	99-10-024	132A-130-030	NEW-P	99-10-100	132H-168-090	REP-P	99-05-018
50-44-039	NEW-P	99-07-131	132A-131-010	NEW-P	99-10-100	132H-168-090	REP	99-10-045
50-44-039	NEW	99-10-024	132A-131-020	NEW-P	99-10-100	132H-168-990	REP-P	99-05-018
51-40-23110	REP-E	99-05-030	132A-133-020	NEW-P	99-10-100	132H-168-990	REP	99-10-045
67-55-040	AMD	99-05-005	132A-140-001	NEW-P	99-10-100	132H-168-9901	REP-P	99-05-018
67-55-060	AMD	99-05-005	132A-140-006	NEW-P	99-10-100	132H-168-9901	REP	99-10-045
67-75-010	AMD	99-05-005	132A-140-011	NEW-P	99-10-100	132H-168-9902	REP-P	99-05-018
67-75-020	AMD	99-05-005	132A-140-016	NEW-P	99-10-100	132H-168-9902	REP	99-10-045
67-75-030	AMD	99-05-005	132A-140-021	NEW-P	99-10-100	132H-168-9903	REP-P	99-05-018
67-75-040	AMD	99-05-005	132A-140-026	NEW-P	99-10-100	132H-168-9903	REP	99-10-045
67-75-042	AMD	99-05-005	132A-140-030	NEW-P	99-10-100	132H-169-010	NEW-P	99-05-018
67-75-044	AMD	99-05-005	132A-150-010	NEW-P	99-10-100	132H-169-010	NEW	99-10-045
67-75-050	AMD	99-05-005	132A-150-020	NEW-P	99-10-100	132H-169-020	NEW-P	99-05-018
82-50-021	AMD-XA	99-07-128	132A-156-006	NEW-P	99-10-100	132H-169-020	NEW	99-10-045
82-50-021	AMD	99-12-081	132A-156-011	NEW-P	99-10-100	132H-169-030	NEW-P	99-05-018
98-70-010	PREP	99-10-017	132A-156-016	NEW-P	99-10-100	132H-169-030	NEW	99-10-045
98-70-010	AMD-P	99-13-137	132A-160-006	NEW-P	99-10-100	132H-169-040	NEW-P	99-05-018
130-16	PREP	99-08-060	132A-168-006	NEW-P	99-10-100	132H-169-040	NEW	99-10-045
131-16-021	PREP	99-09-017	132A-168-011	NEW-P	99-10-100	132H-169-050	NEW-P	99-05-018
131-16-021	AMD-P	99-13-043	132A-168-016	NEW-P	99-10-100	132H-169-050	NEW	99-10-045
131-16-021	AMD-E	99-13-186	132A-168-021	NEW-P	99-10-100	132H-169-060	NEW-P	99-05-018
131-16-021	AMD-P	99-14-019	132A-168-026	NEW-P	99-10-100	132H-169-060	NEW	99-10-045
131-16-021	AMD-P	99-14-052	132A-176-006	NEW-P	99-10-100	132H-169-070	NEW-P	99-05-018
131-16-450	PREP	99-04-029	132A-276-031	NEW-P	99-10-100	132H-169-070	NEW	99-10-045
131-16-450	AMD-E	99-07-057	132A-276-045	AMD-P	99-10-100	132H-169-080	NEW-P	99-05-018
131-16-450	AMD-P	99-08-013	132A-280-006	NEW-P	99-10-100	132H-169-080	NEW	99-10-045
131-16-450	AMD	99-13-013	132A-280-011	NEW-P	99-10-100	132H-169-090	NEW-P	99-05-018
131-28	PREP	99-10-015	132A-280-016	NEW-P	99-10-100	132H-169-090	NEW	99-10-045
131-46	PREP	99-08-057	132A-280-021	NEW-P	99-10-100	132H-169-100	NEW-P	99-05-018
131-46-140	NEW-P	99-14-018	132A-280-026	NEW-P	99-10-100	132H-169-100	NEW	99-10-045
131-46-140	NEW-E	99-14-020	132A-280-031	NEW-P	99-10-100	132H-169-110	NEW-P	99-05-018
132A	PREP	99-07-060	132A-280-035	NEW-P	99-10-100	132H-169-110	NEW	99-10-045
132A-104-011	NEW-P	99-10-100	132A-280-040	NEW-P	99-10-100	132H-169-120	NEW-P	99-05-018
132A-104-016	NEW-P	99-10-100	132A-280-045	NEW-P	99-10-100	132H-169-120	NEW	99-10-045
132A-104-021	NEW-P	99-10-100	132A-280-050	NEW-P	99-10-100	132H-169-130	NEW-P	99-05-018
132A-108-010	NEW-P	99-10-100	132A-280-055	NEW-P	99-10-100	132H-169-130	NEW	99-10-045
132A-108-020	NEW-P	99-10-100	132A-280-060	NEW-P	99-10-100	132K-16	PREP	99-04-028

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132K-16-010	REP-P	99-07-109	132K-16-370	REP	99-10-046	132K-125-230	NEW-P	99-07-109
132K-16-010	REP	99-10-046	132K-16-380	REP-P	99-07-109	132K-125-230	NEW	99-10-046
132K-16-020	REP-P	99-07-109	132K-16-380	REP	99-10-046	132K-125-240	NEW-P	99-07-109
132K-16-020	REP	99-10-046	132K-16-390	REP-P	99-07-109	132K-125-240	NEW	99-10-046
132K-16-030	REP-P	99-07-109	132K-16-390	REP	99-10-046	132K-125-250	NEW-P	99-07-109
132K-16-030	REP	99-10-046	132K-16-400	REP-P	99-07-109	132K-125-250	NEW	99-10-046
132K-16-040	REP-P	99-07-109	132K-16-400	REP	99-10-046	132K-125-260	NEW-P	99-07-109
132K-16-040	REP	99-10-046	132K-16-410	REP-P	99-07-109	132K-125-260	NEW	99-10-046
132K-16-050	REP-P	99-07-109	132K-16-410	REP	99-10-046	132K-125-270	NEW-P	99-07-109
132K-16-050	REP	99-10-046	132K-16-420	REP-P	99-07-109	132K-125-270	NEW	99-10-046
132K-16-060	REP-P	99-07-109	132K-16-420	REP	99-10-046	132K-125-280	NEW-P	99-07-109
132K-16-060	REP	99-10-046	132K-16-430	REP-P	99-07-109	132K-125-280	NEW	99-10-046
132K-16-070	REP-P	99-07-109	132K-16-430	REP	99-10-046	132K-125-290	NEW-P	99-07-109
132K-16-070	REP	99-10-046	132K-16-440	REP-P	99-07-109	132K-125-290	NEW	99-10-046
132K-16-110	REP-P	99-07-109	132K-16-440	REP	99-10-046	132K-125-300	NEW-P	99-07-109
132K-16-110	REP	99-10-046	132K-16-450	REP-P	99-07-109	132K-125-300	NEW	99-10-046
132K-16-120	REP-P	99-07-109	132K-16-450	REP	99-10-046	132K-125-310	NEW-P	99-07-109
132K-16-120	REP	99-10-046	132K-16-460	REP-P	99-07-109	132K-125-310	NEW	99-10-046
132K-16-130	REP-P	99-07-109	132K-16-460	REP	99-10-046	132K-125-320	NEW-P	99-07-109
132K-16-130	REP	99-10-046	132K-16-470	REP-P	99-07-109	132K-125-320	NEW	99-10-046
132K-16-140	REP-P	99-07-109	132K-16-470	REP	99-10-046	132K-125-330	NEW-P	99-07-109
132K-16-140	REP	99-10-046	132K-16-480	REP-P	99-07-109	132K-125-330	NEW	99-10-046
132K-16-150	REP-P	99-07-109	132K-16-480	REP	99-10-046	132K-125-340	NEW-P	99-07-109
132K-16-150	REP	99-10-046	132K-16-810	REP	99-10-046	132K-125-340	NEW	99-10-046
132K-16-160	REP-P	99-07-109	132K-125-010	NEW-P	99-07-109	132K-125-350	NEW-P	99-07-109
132K-16-160	REP	99-10-046	132K-125-010	NEW	99-10-046	132K-125-350	NEW	99-10-046
132K-16-170	REP-P	99-07-109	132K-125-020	NEW-P	99-07-109	132K-125-360	NEW-P	99-07-109
132K-16-170	REP	99-10-046	132K-125-020	NEW	99-10-046	132K-125-360	NEW	99-10-046
132K-16-180	REP-P	99-07-109	132K-125-030	NEW-P	99-07-109	132K-125-370	NEW-P	99-07-109
132K-16-180	REP	99-10-046	132K-125-030	NEW	99-10-046	132K-125-370	NEW	99-10-046
132K-16-190	REP-P	99-07-109	132K-125-040	NEW-P	99-07-109	132K-125-380	NEW-P	99-07-109
132K-16-190	REP	99-10-046	132K-125-040	NEW	99-10-046	132K-125-380	NEW	99-10-046
132K-16-200	REP-P	99-07-109	132K-125-050	NEW-P	99-07-109	132K-125-390	NEW-P	99-07-109
132K-16-200	REP	99-10-046	132K-125-050	NEW	99-10-046	132K-125-390	NEW	99-10-046
132K-16-210	REP-P	99-07-109	132K-125-060	NEW-P	99-07-109	132K-125-400	NEW-P	99-07-109
132K-16-210	REP	99-10-046	132K-125-060	NEW	99-10-046	132K-125-400	NEW	99-10-046
132K-16-220	REP-P	99-07-109	132K-125-070	NEW-P	99-07-109	132K-125-410	NEW-P	99-07-109
132K-16-220	REP	99-10-046	132K-125-070	NEW	99-10-046	132K-125-410	NEW	99-10-046
132K-16-230	REP-P	99-07-109	132K-125-080	NEW-P	99-07-109	132K-125-420	NEW-P	99-07-109
132K-16-230	REP	99-10-046	132K-125-080	NEW	99-10-046	132K-125-420	NEW	99-10-046
132K-16-240	REP-P	99-07-109	132K-125-090	NEW-P	99-07-109	132K-125-430	NEW-P	99-07-109
132K-16-240	REP	99-10-046	132K-125-090	NEW	99-10-046	132K-125-430	NEW	99-10-046
132K-16-250	REP-P	99-07-109	132K-125-100	NEW-P	99-07-109	132N-160	PREP	99-06-011
132K-16-250	REP	99-10-046	132K-125-100	NEW	99-10-046	132N-160-010	NEW-P	99-10-044
132K-16-260	REP-P	99-07-109	132K-125-110	NEW-P	99-07-109	132N-160-020	NEW-P	99-10-044
132K-16-260	REP	99-10-046	132K-125-110	NEW	99-10-046	132N-160-030	NEW-P	99-10-044
132K-16-270	REP-P	99-07-109	132K-125-120	NEW-P	99-07-109	132N-160-040	NEW-P	99-10-044
132K-16-270	REP	99-10-046	132K-125-120	NEW	99-10-046	132N-160-050	NEW-P	99-10-044
132K-16-280	REP-P	99-07-109	132K-125-130	NEW-P	99-07-109	132N-160-060	NEW-P	99-10-044
132K-16-280	REP	99-10-046	132K-125-130	NEW	99-10-046	132N-160-070	NEW-P	99-10-044
132K-16-290	REP-P	99-07-109	132K-125-140	NEW-P	99-07-109	132N-160-080	NEW-P	99-10-044
132K-16-290	REP	99-10-046	132K-125-140	NEW	99-10-046	132N-160-090	NEW-P	99-10-044
132K-16-300	REP-P	99-07-109	132K-125-150	NEW-P	99-07-109	132P-33-010	AMD-P	99-08-019
132K-16-300	REP	99-10-046	132K-125-150	NEW	99-10-046	132P-33-010	AMD	99-13-140
132K-16-310	REP-P	99-07-109	132K-125-160	NEW-P	99-07-109	132P-33-020	AMD-P	99-08-019
132K-16-310	REP	99-10-046	132K-125-160	NEW	99-10-046	132P-33-020	AMD	99-13-140
132K-16-320	REP-P	99-07-109	132K-125-170	NEW-P	99-07-109	132P-33-080	AMD-P	99-08-019
132K-16-320	REP	99-10-046	132K-125-170	NEW	99-10-046	132P-33-080	AMD	99-13-140
132K-16-330	REP-P	99-07-109	132K-125-180	NEW-P	99-07-109	132P-33-100	AMD-P	99-08-019
132K-16-330	REP	99-10-046	132K-125-180	NEW	99-10-046	132P-33-100	AMD	99-13-140
132K-16-340	REP-P	99-07-109	132K-125-190	NEW-P	99-07-109	132P-33-120	AMD-P	99-08-019
132K-16-340	REP	99-10-046	132K-125-190	NEW	99-10-046	132P-33-120	AMD	99-13-140
132K-16-350	REP-P	99-07-109	132K-125-200	NEW-P	99-07-109	132P-33-123	NEW-P	99-08-019
132K-16-350	REP	99-10-046	132K-125-200	NEW	99-10-046	132P-33-123	NEW	99-13-140
132K-16-360	REP-P	99-07-109	132K-125-210	NEW-P	99-07-109	132P-33-125	NEW-P	99-08-019
132K-16-360	REP	99-10-046	132K-125-210	NEW	99-10-046	132P-33-125	NEW	99-13-140
132K-16-370	REP-P	99-07-109	132K-125-220	NEW-P	99-07-109	132P-33-130	AMD-P	99-08-019
			132K-125-220	NEW	99-10-046			

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132P-33-130	AMD	99-13-140	162-16-250	NEW-P	99-04-108	173-26-180	NEW-P	99-08-124
132P-33-150	AMD-P	99-08-019	162-16-260	NEW-P	99-04-108	173-26-190	NEW-P	99-08-124
132P-33-150	AMD	99-13-140	162-16-270	NEW-P	99-04-108	173-26-200	NEW-P	99-08-124
132P-33-155	NEW-P	99-08-019	162-16-280	NEW-P	99-04-108	173-26-210	NEW-P	99-08-124
132P-33-155	NEW	99-13-140	162-16-290	NEW-P	99-04-108	173-26-220	NEW-P	99-08-124
132P-33-160	AMD-P	99-08-019	162-18	PREP	99-12-098	173-26-230	NEW-P	99-08-124
132P-33-160	AMD	99-13-140	162-20	PREP	99-12-098	173-26-240	NEW-P	99-08-124
132P-33-170	AMD-P	99-08-019	162-22	PREP	99-12-100	173-26-250	NEW-P	99-08-124
132P-33-170	AMD	99-13-140	162-22-010	AMD-P	99-04-108	173-26-260	NEW-P	99-08-124
132P-33-210	AMD-P	99-08-019	162-22-020	AMD-P	99-04-108	173-153-010	NEW-P	99-12-109
132P-33-210	AMD	99-13-140	162-22-025	NEW-P	99-04-108	173-153-020	NEW-P	99-12-109
132P-33-220	AMD-P	99-08-019	162-22-030	REP-P	99-04-108	173-153-030	NEW-P	99-12-109
132P-33-220	AMD	99-13-140	162-22-035	NEW-P	99-04-108	173-153-040	NEW-P	99-12-109
132P-33-230	AMD-P	99-08-019	162-22-040	REP-P	99-04-108	173-153-050	NEW-P	99-12-109
132P-33-230	AMD	99-13-140	162-22-045	NEW-P	99-04-108	173-153-060	NEW-P	99-12-109
132P-33-260	AMD-P	99-08-019	162-22-050	REP-P	99-04-108	173-153-070	NEW-P	99-12-109
132P-33-260	AMD	99-13-140	162-22-060	REP-P	99-04-108	173-153-080	NEW-P	99-12-109
132P-33-270	AMD-P	99-08-019	162-22-065	NEW-P	99-04-108	173-153-090	NEW-P	99-12-109
132P-33-270	AMD	99-13-140	162-22-070	REP-P	99-04-108	173-153-100	NEW-P	99-12-109
132P-276	PREP	99-05-041	162-22-075	NEW-P	99-04-108	173-153-110	NEW-P	99-12-109
132Q-12-010	REP-C	99-05-040	162-22-080	REP-P	99-04-108	173-153-120	NEW-P	99-12-109
132Q-12-010	REP	99-10-012	162-22-090	AMD-P	99-04-108	173-153-130	NEW-P	99-12-109
132X-10	PREP	99-06-032	162-22-100	AMD-P	99-04-108	173-153-140	NEW-P	99-12-109
132X-20	PREP	99-06-032	162-26	PREP	99-12-100	173-153-150	NEW-P	99-12-109
132X-30	PREP	99-06-032	162-26	PREP	99-13-121	173-153-160	NEW-P	99-12-109
132X-40	PREP	99-06-032	162-26-010	AMD-P	99-04-108	173-153-170	NEW-P	99-12-109
132X-50	PREP	99-06-032	162-26-020	REP-P	99-04-108	173-153-180	NEW-P	99-12-109
132X-60	PREP	99-06-032	162-26-030	REP-P	99-04-108	173-153-190	NEW-P	99-12-109
136-130-050	AMD-P	99-09-084	162-26-035	REP-P	99-04-108	173-153-200	NEW-P	99-12-109
137-08-010	PREP	99-14-017	162-26-040	AMD-P	99-04-108	173-201A	PREP	99-05-060
137-08-020	PREP	99-14-017	162-26-050	REP-P	99-04-108	173-202-020	AMD-E	99-07-077
137-08-060	PREP	99-14-017	162-26-060	AMD-P	99-04-108	173-202-020	AMD-E	99-09-001
137-08-070	PREP	99-14-017	162-26-070	AMD-P	99-04-108	173-202-020	AMD-C	99-09-094
137-08-080	PREP	99-14-017	162-26-080	AMD-P	99-04-108	173-224	PREP	99-11-055
137-08-090	PREP	99-14-017	162-26-090	REP-P	99-04-108	173-230	AMD-C	99-13-101
137-08-100	PREP	99-14-017	162-26-100	AMD-P	99-04-108	173-230-010	AMD-P	99-12-038
137-08-105	PREP	99-14-017	162-26-110	AMD-P	99-04-108	173-230-020	AMD-P	99-12-038
137-08-110	PREP	99-14-017	162-26-120	AMD-P	99-04-108	173-230-030	REP-P	99-12-038
137-08-120	PREP	99-14-017	162-26-135	NEW-P	99-04-108	173-230-040	AMD-P	99-12-038
137-08-130	PREP	99-14-017	162-26-140	AMD-P	99-04-108	173-230-050	REP-P	99-12-038
137-08-140	PREP	99-14-017	162-28	PREP	99-12-098	173-230-061	AMD-P	99-12-038
137-08-150	PREP	99-14-017	162-30	PREP	99-12-099	173-230-065	NEW-P	99-12-038
137-08-160	PREP	99-14-017	162-30-010	AMD-P	99-04-108	173-230-070	AMD-P	99-12-038
137-08-170	PREP	99-14-017	162-30-020	AMD-P	99-04-108	173-230-080	AMD-P	99-12-038
162-04	PREP	99-12-100	162-38	PREP	99-12-100	173-230-090	AMD-P	99-12-038
162-12	PREP	99-12-098	162-38-040	AMD-P	99-04-108	173-230-100	AMD-P	99-12-038
162-16-020	REP-P	99-04-108	162-38-100	AMD-P	99-04-108	173-230-110	AMD-P	99-12-038
162-16-030	REP-P	99-04-108	162-38-105	NEW-P	99-04-108	173-230-120	AMD-P	99-12-038
162-16-040	REP-P	99-04-108	162-38-110	AMD-P	99-04-108	173-230-130	AMD-P	99-12-038
162-16-050	REP-P	99-04-108	162-38-130	REP-P	99-04-108	173-230-140	AMD-P	99-12-038
162-16-060	REP-P	99-04-108	162-40	PREP	99-12-098	173-303	PREP	99-10-041
162-16-070	REP-P	99-04-108	173-16-010	REP-P	99-08-124	173-400	PREP	99-07-093
162-16-080	REP-P	99-04-108	173-16-020	REP-P	99-08-124	173-400	PREP	99-09-093
162-16-090	REP-P	99-04-108	173-16-030	REP-P	99-08-124	173-400	PREP	99-10-042
162-16-100	REP-P	99-04-108	173-16-040	REP-P	99-08-124	173-400-030	AMD-XA	99-04-097
162-16-110	REP-P	99-04-108	173-16-050	REP-P	99-08-124	173-400-030	AMD-P	99-12-096
162-16-120	REP-P	99-04-108	173-16-060	REP-P	99-08-124	173-400-040	AMD-XA	99-04-097
162-16-130	REP-P	99-04-108	173-16-064	REP-P	99-08-124	173-400-040	AMD-P	99-12-096
162-16-140	REP-P	99-04-108	173-16-070	REP-P	99-08-124	173-400-060	AMD-XA	99-04-097
162-16-150	REP-P	99-04-108	173-16-200	REP-P	99-08-124	173-400-060	AMD-P	99-12-096
162-16-160	REP-P	99-04-108	173-26	AMD-C	99-12-094	173-400-070	AMD-XA	99-04-097
162-16-170	REP-P	99-04-108	173-26-020	AMD-P	99-08-124	173-400-070	AMD-P	99-12-096
162-16-200	NEW-P	99-04-108	173-26-095	NEW-P	99-08-124	173-400-075	AMD-XA	99-04-097
162-16-210	NEW-P	99-04-108	173-26-100	AMD-P	99-08-124	173-400-075	AMD-P	99-12-096
162-16-220	NEW-P	99-04-108	173-26-110	AMD-P	99-08-124	173-400-104	AMD-XA	99-04-097
162-16-230	NEW-P	99-04-108	173-26-120	AMD-P	99-08-124	173-400-104	AMD-P	99-12-096
162-16-240	NEW-P	99-04-108	173-26-170	NEW-P	99-08-124	173-400-115	AMD-XA	99-04-097

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173-406	PREP	99-13-173	180- 16-222	REP	99-07-054	180- 51-050	AMD	99-10-093
173-409	PREP	99-12-093	180- 16-226	REP-XR	99-03-001	180- 51-107	NEW-P	99-04-082
173-410	PREP	99-07-093	180- 16-226	REP	99-07-054	180- 51-107	NEW-P	99-06-089
173-415	PREP	99-10-042	180- 16-231	REP-XR	99-03-001	180- 51-107	NEW	99-10-094
173-425	AMD-P	99-07-110	180- 16-231	REP	99-07-054	180- 51-110	PREP	99-04-091
173-425-010	AMD-P	99-07-110	180- 16-236	REP-XR	99-03-001	180- 51-110	AMD-P	99-07-072
173-425-020	AMD-P	99-07-110	180- 16-236	REP	99-07-054	180- 51-110	AMD-S	99-14-011
173-425-030	AMD-P	99-07-110	180- 16-238	REP-XR	99-03-001	180- 52	PREP	99-10-090
173-425-040	AMD-P	99-07-110	180- 16-238	REP	99-07-054	180- 52-041	NEW-P	99-14-087
173-425-050	AMD-P	99-07-110	180- 16-240	REP-P	99-04-080	180- 55-085	PREP	99-04-089
173-425-060	AMD-P	99-07-110	180- 16-240	REP	99-10-091	180- 55-085	AMD-P	99-07-068
173-425-070	AMD-P	99-07-110	180- 18-055	NEW-P	99-04-082	180- 56-245	PREP	99-04-092
173-425-080	AMD-P	99-07-110	180- 18-055	NEW-P	99-06-089	180- 56-245	AMD-P	99-07-071
173-425-090	REP-P	99-07-110	180- 18-055	NEW	99-10-094	180- 77A	PREP	99-04-046
173-425-100	REP-P	99-07-110	180- 20-011	NEW	99-08-004	180- 77A-028	AMD-P	99-07-049
173-425-110	REP-P	99-07-110	180- 20-034	AMD	99-08-004	180- 77A-028	AMD	99-12-014
173-433	PREP	99-07-093	180- 20-035	REP	99-08-004	180- 77A-029	AMD-P	99-07-049
173-434	PREP	99-07-093	180- 20-040	REP	99-08-004	180- 77A-029	AMD	99-12-014
173-481	PREP	99-10-042	180- 20-055	REP	99-08-004	180- 77A-080	NEW-P	99-07-049
173-495-010	AMD-XA	99-13-174	180- 20-060	REP	99-08-004	180- 77A-080	NEW	99-12-014
173-495-020	AMD-XA	99-13-174	180- 20-070	REP	99-08-004	180- 78-155	PREP	99-04-087
173-495-040	AMD-XA	99-13-174	180- 20-075	REP	99-08-004	180- 78-155	AMD-P	99-07-070
173-495-045	AMD-XA	99-13-174	180- 20-080	REP	99-08-004	180- 78-207	PREP	99-04-087
173-495-060	AMD-XA	99-13-174	180- 20-101	AMD	99-08-004	180- 78-207	AMD-P	99-07-070
173-495-065	AMD-XA	99-13-174	180- 20-111	AMD	99-08-004	180- 78-210	PREP	99-04-087
173-495-070	AMD-XA	99-13-174	180- 20-115	AMD	99-08-004	180- 78-210	AMD-P	99-07-070
173-495-080	AMD-XA	99-13-174	180- 20-120	AMD	99-08-004	180- 79A-223	PREP	99-06-038
173-495-100	AMD-XA	99-13-174	180- 20-150	REP	99-08-004	180- 79A-223	AMD-P	99-10-003
173-495-120	AMD-XA	99-13-174	180- 22-150	PREP	99-04-083	180- 79A-223	AMD	99-14-012
173-532-085	NEW-S	99-08-125	180- 22-150	AMD-P	99-07-065	180- 79A-300	AMD	99-06-006
173-532-085	NEW	99-13-093	180- 24	PREP	99-14-086	180- 79A-380	PREP	99-04-085
173-548	AMD-P	99-09-092	180- 25	PREP	99-06-074	180- 79A-380	AMD-P	99-07-066
173-548-001	NEW-P	99-09-092	180- 26	PREP	99-06-080	180- 82	PREP	99-04-109
173-548-002	NEW-P	99-09-092	180- 26-040	AMD-P	99-14-089	180- 82	PREP	99-12-040
173-548-005	NEW-P	99-09-092	180- 27	PREP	99-06-079	180- 82-002	NEW	99-04-008
173-548-010	AMD-P	99-09-092	180- 27-020	AMD-P	99-14-090	180- 82-004	NEW	99-04-008
173-548-015	NEW-P	99-09-092	180- 27-030	AMD-P	99-14-090	180- 82-105	NEW	99-04-008
173-548-020	AMD-P	99-09-092	180- 27-056	AMD-P	99-14-090	180- 82-110	NEW	99-04-008
173-548-030	AMD-P	99-09-092	180- 27-080	AMD-P	99-14-090	180- 82-115	NEW	99-04-008
173-548-031	NEW-P	99-09-092	180- 27-082	NEW-W	99-03-026	180- 82-120	NEW	99-04-008
173-548-032	NEW-P	99-09-092	180- 27-083	NEW-W	99-03-026	180- 82-125	NEW	99-04-008
173-548-033	NEW-P	99-09-092	180- 27-102	NEW-P	99-14-090	180- 82-130	NEW	99-04-008
173-548-034	NEW-P	99-09-092	180- 27-600	AMD-P	99-14-090	180- 82-200	NEW	99-04-008
173-548-035	NEW-P	99-09-092	180- 27-605	AMD-P	99-14-090	180- 82-201	NEW	99-04-008
173-548-036	NEW-P	99-09-092	180- 27-610	AMD-P	99-14-090	180- 82-202	NEW	99-04-008
173-548-037	NEW-P	99-09-092	180- 27-615	AMD-P	99-14-090	180- 82-204	NEW	99-04-008
173-548-040	AMD-P	99-09-092	180- 29	PREP	99-06-078	180- 82-210	NEW	99-04-008
173-548-050	AMD-P	99-09-092	180- 29-040	AMD-P	99-10-001	180- 82-215	NEW	99-04-008
173-548-060	AMD-P	99-09-092	180- 29-040	AMD-P	99-14-088	180- 82-300	NEW	99-04-008
173-548-070	AMD-P	99-09-092	180- 29-066	NEW-P	99-14-088	180- 82-302	NEW-W	99-08-081
173-548-075	NEW-P	99-09-092	180- 29-067	NEW-P	99-14-088	180- 82-304	NEW	99-04-008
173-548-076	NEW-P	99-09-092	180- 29-075	AMD-P	99-14-088	180- 82-306	NEW-W	99-08-081
174-280-015	AMD-P	99-08-030	180- 29-085	AMD-P	99-14-088	180- 82-308	NEW	99-04-008
174-280-015	AMD	99-12-024	180- 29-095	PREP	99-04-086	180- 82-310	NEW	99-04-008
174-280-030	AMD-P	99-08-030	180- 29-095	AMD-P	99-07-067	180- 82-312	NEW	99-04-008
174-280-030	AMD	99-12-024	180- 29-160	AMD-P	99-14-088	180- 82-314	NEW	99-04-008
180- 08-015	NEW-P	99-04-079	180- 31	PREP	99-06-077	180- 82-315	NEW-P	99-04-110
180- 08-015	NEW	99-10-092	180- 32	PREP	99-06-076	180- 82-315	NEW	99-07-102
180- 16-195	AMD-P	99-04-080	180- 33	PREP	99-06-075	180- 82-316	NEW	99-04-008
180- 16-195	AMD	99-10-091	180- 40	PREP	99-12-015	180- 82-317	NEW-P	99-04-110
180- 16-215	PREP	99-04-088	180- 40-215	PREP	99-04-084	180- 82-317	NEW	99-07-102
180- 16-215	AMD-P	99-07-069	180- 40-215	AMD-P	99-07-064	180- 82-318	NEW	99-04-008
180- 16-220	AMD-P	99-04-080	180- 40-305	PREP	99-12-016	180- 82-319	NEW-P	99-04-110
180- 16-220	AMD	99-10-091	180- 41-035	PREP	99-04-090	180- 82-319	NEW	99-07-102
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180-82-321	NEW	99-07-102	192-12-115	REP-XR	99-10-008	192-210-015	NEW-E	99-13-003
180-82-322	NEW	99-04-008	192-12-141	REP	99-08-073	192-210-015	NEW-P	99-13-183
180-82-324	NEW	99-04-008	192-12-150	REP	99-08-073	192-300-050	NEW-P	99-05-068
180-82-326	NEW	99-04-008	192-12-182	REP	99-08-073	192-300-100	NEW-XA	99-13-111
180-82-328	NEW	99-04-008	192-12-330	AMD	99-08-073	192-300-150	NEW-XA	99-11-094
180-82-330	NEW	99-04-008	192-12-350	REP-XR	99-13-107	192-300-180	NEW-XA	99-13-112
180-82-331	NEW	99-06-005	192-12-355	REP-XR	99-13-108	192-310-035	NEW-XA	99-11-092
180-82-332	NEW	99-04-008	192-12-360	REP-XA	99-13-111	192-310-040	NEW-XA	99-11-093
180-82-334	NEW	99-04-008	192-12-380	REP-XR	99-13-109	192-310-050	PREP	99-11-088
180-82-336	NEW	99-04-008	192-15-150	AMD	99-08-073	192-310-055	PREP	99-11-089
180-82-338	NEW-W	99-08-081	192-16-001	REP-XA	99-11-092	192-310-060	NEW-XA	99-13-114
180-82-339	NEW	99-04-008	192-16-002	REP-XR	99-12-108	192-310-070	NEW-XA	99-13-115
180-82-340	NEW-W	99-08-081	192-16-051	REP-E	99-05-003	192-310-100	NEW-XA	99-13-116
180-82-342	NEW	99-04-008	192-16-051	REP-E	99-13-003	192-320-050	NEW-P	99-05-068
180-82-343	NEW	99-04-008	192-16-051	REP-P	99-13-183	192-320-055	NEW-XA	99-11-091
180-82-344	NEW	99-04-008	192-16-052	REP-E	99-05-003	192-320-060	NEW-XA	99-11-090
180-82-346	NEW	99-04-008	192-16-052	REP-E	99-13-003	194-22	PREP	99-07-005
180-82-348	NEW	99-04-008	192-16-052	REP-P	99-13-183	196-23	PREP	99-07-135
180-82-349	NEW-P	99-04-110	192-16-057	REP-E	99-05-003	196-23	PREP	99-07-136
180-82-349	NEW	99-07-102	192-16-057	REP-E	99-13-003	196-23-010	NEW-P	99-10-084
180-82-350	NEW	99-04-008	192-16-057	REP-P	99-13-183	196-23-020	NEW-P	99-10-085
180-82-352	NEW	99-04-008	192-23-002	REP	99-08-073	196-23-030	NEW-P	99-10-086
180-82-354	NEW	99-04-008	192-23-013	REP	99-08-073	196-23-050	NEW-P	99-10-087
180-82-355	NEW	99-04-008	192-23-018	REP	99-08-073	196-24-058	PREP	99-07-134
180-82-356	NEW	99-04-008	192-24-001	REP	99-08-073	196-24-058	REP-P	99-10-081
180-82-360	NEW	99-04-008	192-24-010	REP	99-08-073	196-24-060	PREP	99-02-073
180-82-362	NEW-W	99-08-081	192-24-020	REP	99-08-073	196-24-060	REP-P	99-10-088
180-85-075	AMD-E	99-05-002	192-24-030	REP-P	99-09-097	196-24-085	PREP	99-02-071
180-85-075	PREP	99-06-039	192-24-030	REP	99-13-002	196-24-090	PREP	99-02-075
180-85-075	AMD-P	99-10-002	192-100-500	NEW-XA	99-13-110	196-24-090	REP-P	99-10-082
180-85-075	AMD	99-14-010	192-100-510	NEW-XA	99-13-113	196-24-092	PREP	99-02-076
182-08-095	PREP	99-11-100	192-110-005	NEW	99-08-073	196-24-092	REP-P	99-10-083
182-08-095	AMD-P	99-14-082	192-110-015	NEW	99-08-073	196-24-095	PREP	99-02-077
182-12-111	PREP	99-11-099	192-110-020	NEW	99-08-073	196-24-095	REP-P	99-10-084
182-12-111	AMD-P	99-14-081	192-110-050	NEW	99-08-073	196-24-097	PREP	99-02-078
182-12-119	PREP	99-11-099	192-120-001	NEW	99-08-073	196-24-097	REP-P	99-10-085
182-12-119	AMD-P	99-14-081	192-120-010	NEW	99-08-073	196-24-098	PREP	99-02-079
182-25-030	PREP	99-08-107	192-120-020	NEW	99-08-073	196-24-098	REP-P	99-10-087
182-25-030	AMD-P	99-12-032	192-120-030	NEW	99-08-073	196-24-100	PREP	99-02-072
182-25-040	PREP	99-05-077	192-120-035	NEW	99-08-073	196-24-100	AMD-P	99-10-088
182-25-040	AMD-P	99-12-032	192-120-040	NEW	99-08-073	196-25-040	PREP	99-02-074
182-25-085	PREP	99-05-077	192-140-005	NEW	99-08-073	196-25-040	AMD-P	99-10-080
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182-25-085	NEW	99-12-033	192-140-020	NEW	99-08-073	196-25-060	NEW-P	99-10-083
182-25-090	PREP	99-05-077	192-140-025	NEW	99-08-073	196-25-100	NEW-P	99-10-081
182-25-090	AMD-P	99-08-106	192-140-030	NEW	99-08-073	196-26-020	PREP	99-02-070
182-25-090	AMD	99-12-033	192-150-090	NEW	99-08-073	196-26-020	AMD-P	99-08-132
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182-25-105	AMD	99-07-078	192-180-005	NEW	99-13-002	204-10-020	PREP	99-09-049
182-25-110	AMD	99-07-078	192-180-010	NEW-P	99-09-097	204-10-020	AMD-P	99-13-135
192-04-170	AMD	99-08-073	192-180-010	NEW	99-13-002	204-24-050	AMD	99-06-023
192-04-190	AMD	99-08-073	192-180-015	NEW-P	99-09-097	204-32-020	PREP	99-09-021
192-12-005	REP	99-08-073	192-180-015	NEW	99-13-002	204-32-020	AMD-P	99-13-133
192-12-010	REP-XA	99-13-110	192-180-020	NEW-P	99-09-097	204-32-040	PREP	99-09-021
192-12-015	REP-XA	99-13-113	192-180-020	NEW	99-13-002	204-32-040	AMD-P	99-13-133
192-12-035	REP-XR	99-10-005	192-180-025	NEW-P	99-09-097	204-32-060	PREP	99-09-021
192-12-050	PREP	99-11-088	192-180-025	NEW	99-13-002	204-32-060	AMD-P	99-13-133
192-12-060	REP-XA	99-13-112	192-180-030	NEW-P	99-09-097	204-80-020	AMD	99-02-045
192-12-066	REP-XA	99-13-114	192-180-030	NEW	99-13-002	204-90-140	PREP	99-09-049
192-12-070	REP-XA	99-13-115	192-200-020	NEW	99-08-073	204-90-140	AMD-P	99-13-135
192-12-072	REP-P	99-05-068	192-210-005	NEW-E	99-05-003	204-96-010	PREP	99-09-048
192-12-074	REP-XA	99-11-091	192-210-005	NEW-E	99-13-003	204-96-010	NEW-P	99-13-134
192-12-076	REP-XA	99-11-090	192-210-005	NEW-P	99-13-183	208-464-010	REP	99-03-009
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192-12-100	REP-XA	99-13-116	192-210-010	NEW-P	99-13-183	208-464-040	REP	99-03-009

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208-464-060	REP	99-03-009	220- 47-302	AMD-W	99-13-007	220- 52-04000M	REP-E	99-11-042
208-464-070	REP	99-03-009	220- 47-302	AMD-XA	99-13-008	220- 52-04000M	NEW-E	99-11-042
208-464-080	REP	99-03-009	220- 47-304	AMD-XA	99-11-097	220- 52-046	AMD	99-10-062
208-464-090	REP	99-03-009	220- 47-304	AMD-W	99-12-086	220- 52-04600J	REP-E	99-08-048
208-480-010	REP	99-03-009	220- 47-304	AMD-XA	99-12-097	220- 52-04600K	REP-E	99-08-011
208-480-020	REP	99-03-009	220- 47-304	AMD-W	99-13-007	220- 52-04600L	NEW-E	99-08-011
208-480-030	REP	99-03-009	220- 47-304	AMD-XA	99-13-008	220- 52-04600L	REP-E	99-09-035
208-480-040	REP	99-03-009	220- 47-307	AMD-XA	99-11-097	220- 52-04600M	NEW-E	99-09-035
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220-57-51500Q	NEW-E	99-12-046	222-16-010	AMD-E	99-08-078	226-02-040	NEW-E	99-13-157
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236- 48-079	AMD-XA	99-10-069	245- 02-020	DECOD	99-04-049	246-100-209	AMD-P	99-12-083
236- 48-081	REP-XR	99-10-068	245- 02-025	DECOD	99-04-049	246-100-236	AMD-P	99-12-083
236- 48-081	REP	99-13-138	245- 02-030	DECOD	99-04-049	246-205-990	AMD-P	99-07-120
236- 48-082	REP-XR	99-10-068	245- 02-035	DECOD	99-04-049	246-205-990	AMD	99-12-022
236- 48-082	REP	99-13-138	245- 02-040	DECOD	99-04-049	246-217	AMD	99-13-019
236- 48-083	AMD-XA	99-10-069	245- 02-045	DECOD	99-04-049	246-217-001	REP-P	99-08-097
236- 48-084	REP-XR	99-10-068	245- 02-050	DECOD	99-04-049	246-217-001	REP	99-13-019
236- 48-084	REP	99-13-138	245- 02-100	DECOD	99-04-049	246-217-002	REP-P	99-08-097
236- 48-085	AMD-XA	99-10-069	245- 02-110	DECOD	99-04-049	246-217-002	REP	99-13-019

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246-217-005	NEW-P	99-08-097	246-254-090	AMD-P	99-07-120	246-290-666	AMD	99-07-021
246-217-005	NEW	99-13-019	246-254-090	AMD	99-12-022	246-290-668	AMD	99-07-021
246-217-010	AMD-P	99-08-097	246-254-100	AMD-P	99-07-120	246-290-670	AMD	99-07-021
246-217-010	AMD	99-13-019	246-254-100	AMD	99-12-022	246-290-672	AMD	99-07-021
246-217-011	REP-P	99-08-097	246-282-990	AMD-P	99-07-120	246-290-674	AMD	99-07-021
246-217-011	REP	99-13-019	246-282-990	AMD	99-12-022	246-290-676	AMD	99-07-021
246-217-015	NEW-P	99-08-097	246-290-001	AMD	99-07-021	246-290-678	AMD	99-07-021
246-217-015	NEW	99-13-019	246-290-002	NEW	99-07-021	246-290-686	AMD	99-07-021
246-217-020	REP-P	99-08-097	246-290-010	AMD	99-07-021	246-290-690	AMD	99-07-021
246-217-020	REP	99-13-019	246-290-020	AMD	99-07-021	246-290-691	NEW	99-07-021
246-217-025	NEW-P	99-08-097	246-290-025	AMD	99-07-021	246-290-692	AMD	99-07-021
246-217-025	NEW	99-13-019	246-290-030	AMD	99-07-021	246-290-694	AMD	99-07-021
246-217-030	REP-P	99-08-097	246-290-035	NEW	99-07-021	246-290-696	AMD	99-07-021
246-217-030	REP	99-13-019	246-290-040	AMD	99-07-021	246-290-990	AMD-P	99-07-120
246-217-035	NEW-P	99-08-097	246-290-050	AMD	99-07-021	246-290-990	AMD	99-12-022
246-217-035	NEW	99-13-019	246-290-060	AMD	99-07-021	246-292-160	AMD-P	99-07-120
246-217-040	REP-P	99-08-097	246-290-100	AMD	99-07-021	246-292-160	AMD	99-12-022
246-217-040	REP	99-13-019	246-290-105	NEW	99-07-021	246-310-990	PREP	99-05-011
246-217-045	NEW-P	99-08-097	246-290-110	AMD	99-07-021	246-316-990	PREP-W	99-04-048
246-217-045	NEW	99-13-019	246-290-115	REP	99-07-021	246-318-010	REP	99-04-052
246-217-050	REP-P	99-08-097	246-290-120	AMD	99-07-021	246-318-013	REP	99-04-052
246-217-050	REP	99-13-019	246-290-125	NEW	99-07-021	246-318-015	REP	99-04-052
246-217-060	AMD-P	99-08-097	246-290-130	AMD	99-07-021	246-318-017	REP	99-04-052
246-217-060	AMD	99-13-019	246-290-132	NEW	99-07-021	246-318-020	REP	99-04-052
246-217-070	AMD-P	99-08-097	246-290-135	AMD	99-07-021	246-318-025	REP	99-04-052
246-217-070	AMD	99-13-019	246-290-140	AMD	99-07-021	246-318-030	REP	99-04-052
246-220-010	AMD-P	99-12-130	246-290-200	AMD	99-07-021	246-318-033	REP	99-04-052
246-220-110	REP-P	99-12-130	246-290-220	AMD	99-07-021	246-318-035	REP	99-04-052
246-220-120	REP-P	99-12-130	246-290-221	NEW	99-07-021	246-318-040	REP	99-04-052
246-221-005	AMD-P	99-12-130	246-290-222	NEW	99-07-021	246-318-042	REP	99-04-052
246-221-160	AMD-P	99-12-130	246-290-230	AMD	99-07-021	246-318-150	REP	99-04-052
246-221-170	AMD-P	99-12-130	246-290-235	NEW	99-07-021	246-318-155	REP	99-04-052
246-221-260	AMD-P	99-12-130	246-290-240	REP	99-07-021	246-318-160	REP	99-04-052
246-221-265	AMD	99-05-013	246-290-250	AMD	99-07-021	246-318-170	REP	99-04-052
246-221-280	AMD	99-05-012	246-290-300	AMD	99-07-021	246-318-180	REP	99-04-052
246-222-030	AMD	99-05-012	246-290-310	AMD	99-07-021	246-318-190	REP	99-04-052
246-231-001	NEW-P	99-12-130	246-290-320	AMD	99-07-021	246-318-200	REP	99-04-052
246-231-005	NEW-P	99-12-130	246-290-330	REP	99-07-021	246-318-210	REP	99-04-052
246-231-010	NEW-P	99-12-130	246-290-410	REP	99-07-021	246-318-220	REP	99-04-052
246-231-030	NEW-P	99-12-130	246-290-415	NEW	99-07-021	246-318-230	REP	99-04-052
246-231-040	NEW-P	99-12-130	246-290-416	NEW	99-07-021	246-318-240	REP	99-04-052
246-231-050	NEW-P	99-12-130	246-290-420	AMD	99-07-021	246-318-250	REP	99-04-052
246-231-060	NEW-P	99-12-130	246-290-430	REP	99-07-021	246-318-260	REP	99-04-052
246-231-070	NEW-P	99-12-130	246-290-440	REP	99-07-021	246-318-270	REP	99-04-052
246-231-080	NEW-P	99-12-130	246-290-451	NEW	99-07-021	246-318-280	REP	99-04-052
246-231-090	NEW-P	99-12-130	246-290-455	NEW	99-07-021	246-318-290	REP	99-04-052
246-231-100	NEW-P	99-12-130	246-290-460	AMD	99-07-021	246-318-300	REP	99-04-052
246-231-110	NEW-P	99-12-130	246-290-470	AMD	99-07-021	246-318-310	REP	99-04-052
246-231-120	NEW-P	99-12-130	246-290-480	AMD	99-07-021	246-318-320	REP	99-04-052
246-231-130	NEW-P	99-12-130	246-290-490	AMD	99-07-021	246-318-330	REP	99-04-052
246-231-140	NEW-P	99-12-130	246-290-495	NEW	99-07-021	246-318-350	REP	99-04-052
246-231-200	NEW-P	99-12-130	246-290-601	AMD	99-07-021	246-318-370	REP	99-04-052
246-232-001	AMD-P	99-12-130	246-290-610	REP	99-07-021	246-318-380	REP	99-04-052
246-232-040	AMD-P	99-12-130	246-290-620	AMD	99-07-021	246-318-390	REP	99-04-052
246-232-060	AMD-P	99-12-130	246-290-630	AMD	99-07-021	246-318-400	REP	99-04-052
246-232-090	AMD-P	99-12-130	246-290-630	AMD	99-10-076	246-318-420	REP	99-04-052
246-235-075	AMD-P	99-12-130	246-290-632	AMD	99-07-021	246-318-440	REP	99-04-052
246-243-040	AMD	99-05-012	246-290-634	AMD	99-07-021	246-318-450	REP	99-04-052
246-243-090	AMD	99-05-012	246-290-636	AMD	99-07-021	246-318-500	REP	99-04-052
246-244-040	AMD-P	99-12-130	246-290-638	AMD	99-07-021	246-318-510	REP	99-04-052
246-244-060	AMD-P	99-12-130	246-290-640	AMD	99-07-021	246-318-520	REP	99-04-052
246-254-053	AMD-P	99-09-099	246-290-650	AMD	99-07-021	246-318-530	REP	99-04-052
246-254-053	AMD	99-13-085	246-290-652	AMD	99-07-021	246-318-540	REP	99-04-052
246-254-070	AMD-P	99-07-120	246-290-654	AMD	99-07-021	246-318-550	REP	99-04-052
246-254-070	AMD	99-12-022	246-290-660	AMD	99-07-021	246-318-560	REP	99-04-052
246-254-080	AMD-P	99-07-120	246-290-662	AMD	99-07-021	246-318-570	REP	99-04-052
246-254-080	AMD	99-12-022	246-290-664	AMD	99-07-021	246-318-580	REP	99-04-052

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246-318-590	REP	99-04-052	246-320-625	NEW	99-04-052	246-359-300	NEW	99-03-065
246-318-600	REP	99-04-052	246-320-635	NEW	99-04-052	246-359-310	NEW	99-03-065
246-318-610	REP	99-04-052	246-320-645	NEW	99-04-052	246-359-320	NEW	99-03-065
246-318-620	REP	99-04-052	246-320-655	NEW	99-04-052	246-359-330	NEW	99-03-065
246-318-630	REP	99-04-052	246-320-665	NEW	99-04-052	246-359-340	NEW	99-03-065
246-318-640	REP	99-04-052	246-320-675	NEW	99-04-052	246-359-350	NEW	99-03-065
246-318-650	REP	99-04-052	246-320-685	NEW	99-04-052	246-359-400	NEW	99-03-065
246-318-660	REP	99-04-052	246-320-695	NEW	99-04-052	246-359-405	NEW	99-03-065
246-318-670	REP	99-04-052	246-320-705	NEW	99-04-052	246-359-410	NEW	99-03-065
246-318-680	REP	99-04-052	246-320-715	NEW	99-04-052	246-359-420	NEW	99-03-065
246-318-690	REP	99-04-052	246-320-725	NEW	99-04-052	246-359-430	NEW	99-03-065
246-318-700	REP	99-04-052	246-320-735	NEW	99-04-052	246-359-440	NEW	99-03-065
246-318-710	REP	99-04-052	246-320-745	NEW	99-04-052	246-359-500	NEW	99-03-065
246-318-720	REP	99-04-052	246-320-755	NEW	99-04-052	246-359-510	NEW	99-03-065
246-318-730	REP	99-04-052	246-320-765	NEW	99-04-052	246-359-520	NEW	99-03-065
246-318-740	REP	99-04-052	246-320-775	NEW	99-04-052	246-359-530	NEW	99-03-065
246-318-750	REP	99-04-052	246-320-785	NEW	99-04-052	246-359-540	NEW	99-03-065
246-318-760	REP	99-04-052	246-320-795	NEW	99-04-052	246-359-550	NEW	99-03-065
246-318-770	REP	99-04-052	246-320-805	NEW	99-04-052	246-359-560	NEW	99-03-065
246-318-780	REP	99-04-052	246-320-815	NEW	99-04-052	246-359-565	NEW	99-03-065
246-318-790	REP	99-04-052	246-320-990	NEW	99-04-052	246-359-570	NEW	99-03-065
246-318-800	REP	99-04-052	246-320-99902	NEW	99-04-052	246-359-575	NEW	99-03-065
246-318-810	REP	99-04-052	246-358-025	AMD-E	99-10-096	246-359-580	NEW	99-03-065
246-318-820	REP	99-04-052	246-358-600	NEW-P	99-08-098	246-359-590	NEW	99-03-065
246-318-830	REP	99-04-052	246-358-600	NEW	99-12-006	246-359-600	NEW	99-03-065
246-318-840	REP	99-04-052	246-358-610	NEW-P	99-08-098	246-359-700	NEW	99-03-065
246-318-850	REP	99-04-052	246-358-610	NEW	99-12-006	246-359-710	NEW	99-03-065
246-318-860	REP	99-04-052	246-358-620	NEW-P	99-08-098	246-359-720	NEW	99-03-065
246-318-870	REP	99-04-052	246-358-620	NEW	99-12-006	246-359-730	NEW	99-03-065
246-318-990	REP	99-04-052	246-358-630	NEW-P	99-08-098	246-359-740	NEW	99-03-065
246-318-99902	REP	99-04-052	246-358-630	NEW	99-12-006	246-359-750	NEW	99-03-065
246-318-99910	REP	99-04-052	246-358-640	NEW-P	99-08-098	246-359-760	NEW	99-03-065
246-320-001	NEW	99-04-052	246-358-640	NEW	99-12-006	246-359-800	NEW	99-03-065
246-320-010	NEW	99-04-052	246-358-650	NEW-P	99-08-098	246-359-990	NEW	99-03-065
246-320-025	NEW	99-04-052	246-358-650	NEW	99-12-006	246-360-990	PREP	99-10-077
246-320-045	NEW	99-04-052	246-358-660	NEW-P	99-08-098	246-560-001	AMD	99-03-043
246-320-065	NEW	99-04-052	246-358-660	NEW	99-12-006	246-560-002	NEW	99-03-043
246-320-085	NEW	99-04-052	246-358-670	NEW-P	99-08-098	246-560-010	AMD	99-03-043
246-320-105	NEW	99-04-052	246-358-670	NEW	99-12-006	246-560-011	NEW	99-03-043
246-320-125	NEW	99-04-052	246-358-680	NEW-P	99-08-098	246-560-025	NEW	99-03-043
246-320-145	NEW	99-04-052	246-358-680	NEW	99-12-006	246-560-035	NEW	99-03-043
246-320-165	NEW	99-04-052	246-359-001	NEW	99-03-065	246-560-040	AMD	99-03-043
246-320-185	NEW	99-04-052	246-359-005	NEW	99-03-065	246-560-045	NEW	99-03-043
246-320-205	NEW	99-04-052	246-359-010	NEW	99-03-065	246-560-050	AMD	99-03-043
246-320-225	NEW	99-04-052	246-359-020	NEW	99-03-065	246-560-060	AMD	99-03-043
246-320-245	NEW	99-04-052	246-359-030	NEW	99-03-065	246-560-065	NEW	99-03-043
246-320-265	NEW	99-04-052	246-359-040	NEW	99-03-065	246-560-070	REP	99-03-043
246-320-285	NEW	99-04-052	246-359-050	NEW	99-03-065	246-560-075	NEW	99-03-043
246-320-305	NEW	99-04-052	246-359-060	NEW	99-03-065	246-560-077	NEW	99-03-043
246-320-325	NEW	99-04-052	246-359-070	NEW	99-03-065	246-560-085	NEW	99-03-043
246-320-345	NEW	99-04-052	246-359-080	NEW	99-03-065	246-760	PREP	99-11-030
246-320-365	NEW	99-04-052	246-359-090	NEW	99-03-065	246-762	PREP	99-11-031
246-320-385	NEW	99-04-052	246-359-100	NEW	99-03-065	246-790	PREP	99-13-082
246-320-405	NEW	99-04-052	246-359-110	NEW	99-03-065	246-802-990	AMD-P	99-02-057
246-320-500	NEW	99-04-052	246-359-120	NEW	99-03-065	246-802-990	AMD	99-08-101
246-320-505	NEW	99-04-052	246-359-130	NEW	99-03-065	246-808-101	REP-XR	99-03-061
246-320-515	NEW	99-04-052	246-359-140	NEW	99-03-065	246-808-301	REP-XR	99-03-061
246-320-525	NEW	99-04-052	246-359-150	NEW	99-03-065	246-808-320	REP-XR	99-03-061
246-320-535	NEW	99-04-052	246-359-160	NEW	99-03-065	246-808-330	REP-XR	99-03-061
246-320-545	NEW	99-04-052	246-359-170	NEW	99-03-065	246-808-340	REP-XR	99-03-061
246-320-555	NEW	99-04-052	246-359-180	NEW	99-03-065	246-808-350	REP-XR	99-03-061
246-320-565	NEW	99-04-052	246-359-200	NEW	99-03-065	246-808-360	REP-XR	99-03-061
246-320-575	NEW	99-04-052	246-359-210	NEW	99-03-065	246-808-370	REP-XR	99-03-061
246-320-585	NEW	99-04-052	246-359-220	NEW	99-03-065	246-808-380	REP-XR	99-03-061
246-320-595	NEW	99-04-052	246-359-230	NEW	99-03-065	246-808-390	REP-XR	99-03-061
246-320-605	NEW	99-04-052	246-359-240	NEW	99-03-065	246-808-640	REP-XR	99-03-061
246-320-615	NEW	99-04-052	246-359-250	NEW	99-03-065	246-808-990	AMD-P	99-02-057

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246-810-990	AMD-P	99-02-057	246-840-090	AMD	99-13-086	250-20-001	AMD-P	99-10-074
246-810-990	AMD	99-08-101	246-840-125	PREP	99-03-066	250-20-011	AMD-P	99-10-074
246-811-010	NEW-P	99-09-100	246-840-565	PREP	99-11-032	250-20-021	AMD-P	99-10-074
246-811-010	NEW	99-13-084	246-840-740	NEW	99-04-051	250-20-031	AMD-P	99-10-074
246-811-030	NEW-P	99-09-100	246-840-760	PREP	99-11-032	250-20-041	AMD-P	99-10-074
246-811-030	NEW	99-13-084	246-840-840	PREP	99-14-002	250-61-060	AMD	99-06-022
246-811-045	NEW-P	99-09-100	246-840-850	PREP	99-14-002	250-61-090	AMD	99-06-021
246-811-045	NEW	99-13-084	246-840-860	PREP	99-14-002	250-79	PREP	99-10-070
246-811-046	NEW-P	99-09-100	246-840-870	PREP	99-14-002	250-79-030	NEW-E	99-14-034
246-811-046	NEW	99-13-084	246-840-880	PREP	99-14-002	251-01-014	NEW-P	99-02-054
246-811-047	NEW-P	99-09-100	246-840-890	PREP	99-14-002	251-01-014	NEW	99-05-042
246-811-047	NEW	99-13-084	246-840-900	PREP	99-14-002	251-01-015	AMD-P	99-02-054
246-811-048	NEW-P	99-09-100	246-840-920	PREP	99-11-032	251-01-015	AMD	99-05-042
246-811-048	NEW	99-13-084	246-843-060	REP	99-03-069	251-01-040	AMD-P	99-02-054
246-811-049	NEW-P	99-09-100	246-843-200	REP	99-03-068	251-01-040	AMD	99-05-042
246-811-049	NEW	99-13-084	246-843-220	REP	99-03-067	251-01-190	AMD-P	99-02-054
246-811-070	NEW-P	99-09-100	246-843-225	REP	99-03-067	251-01-190	AMD	99-05-042
246-811-070	NEW	99-13-084	246-845-990	AMD-P	99-02-057	251-01-330	REP-P	99-02-054
246-811-075	NEW-P	99-09-100	246-845-990	AMD	99-08-101	251-01-330	REP	99-05-042
246-811-075	NEW	99-13-084	246-847-990	AMD-P	99-02-057	251-01-400	AMD-P	99-02-054
246-811-080	NEW-P	99-09-100	246-847-990	AMD	99-08-101	251-01-400	AMD	99-05-042
246-811-080	NEW	99-13-084	246-849-990	AMD-P	99-02-057	251-01-420	REP-P	99-02-054
246-811-990	NEW-P	99-09-100	246-849-990	AMD	99-08-101	251-01-420	REP	99-05-042
246-811-990	NEW	99-13-084	246-850-060	NEW-P	99-03-083	251-01-435	AMD-P	99-13-106
246-817-990	AMD-P	99-02-057	246-850-060	NEW	99-07-122	251-01-440	AMD-P	99-02-054
246-817-990	AMD	99-08-101	246-851-990	AMD-P	99-02-057	251-01-440	AMD	99-05-042
246-822-990	AMD-P	99-02-057	246-851-990	AMD	99-08-101	251-11-130	AMD-P	99-13-106
246-822-990	AMD	99-08-101	246-915-990	AMD-P	99-02-057	251-17-090	AMD-P	99-02-054
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296-45-325	AMD-XA	99-04-078	296-54-51160	NEW-P	99-08-072	296-54-58130	NEW-P	99-08-072
296-45-325	AMD	99-09-080	296-54-51170	NEW-P	99-08-072	296-54-583	AMD-P	99-08-072
296-45-455	AMD-XA	99-04-078	296-54-51180	NEW-P	99-08-072	296-54-585	AMD-P	99-08-072

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296- 54-587	AMD-P	99-08-072	296- 62-07131	NEW	99-10-071	296- 62-07263	NEW	99-10-071
296- 54-589	AMD-P	99-08-072	296- 62-07132	NEW	99-10-071	296- 62-07265	NEW	99-10-071
296- 54-58910	NEW-P	99-08-072	296- 62-07133	NEW	99-10-071	296- 62-07267	NEW	99-10-071
296- 54-58920	NEW-P	99-08-072	296- 62-07150	NEW	99-10-071	296- 62-07269	NEW	99-10-071
296- 54-58930	NEW-P	99-08-072	296- 62-07151	NEW	99-10-071	296- 62-07271	NEW	99-10-071
296- 54-58940	NEW-P	99-08-072	296- 62-07152	NEW	99-10-071	296- 62-07273	NEW	99-10-071
296- 54-58950	NEW-P	99-08-072	296- 62-07153	NEW	99-10-071	296- 62-07275	NEW	99-10-071
296- 54-58960	NEW-P	99-08-072	296- 62-07154	NEW	99-10-071	296- 62-07277	NEW	99-10-071
296- 54-58970	NEW-P	99-08-072	296- 62-07155	NEW	99-10-071	296- 62-07279	NEW	99-10-071
296- 54-591	AMD-P	99-08-072	296- 62-07156	NEW	99-10-071	296- 62-07281	NEW	99-10-071
296- 54-593	AMD-P	99-08-072	296- 62-07160	NEW	99-10-071	296- 62-07283	NEW	99-10-071
296- 54-59310	NEW-P	99-08-072	296- 62-07161	NEW	99-10-071	296- 62-07285	NEW	99-10-071
296- 54-59320	NEW-P	99-08-072	296- 62-07162	NEW	99-10-071	296- 62-07287	NEW	99-10-071
296- 54-59330	NEW-P	99-08-072	296- 62-07170	NEW	99-10-071	296- 62-07289	NEW	99-10-071
296- 54-59340	NEW-P	99-08-072	296- 62-07171	NEW	99-10-071	296- 62-07291	NEW	99-10-071
296- 54-595	AMD-P	99-08-072	296- 62-07172	NEW	99-10-071	296- 62-07293	NEW	99-10-071
296- 54-59510	NEW-P	99-08-072	296- 62-07175	NEW	99-10-071	296- 62-07295	NEW	99-10-071
296- 54-59520	NEW-P	99-08-072	296- 62-07176	NEW	99-10-071	296- 62-07306	AMD	99-10-071
296- 54-597	AMD-P	99-08-072	296- 62-07177	NEW	99-10-071	296- 62-07308	AMD	99-10-071
296- 54-59710	NEW-P	99-08-072	296- 62-07178	NEW	99-10-071	296- 62-07329	AMD	99-10-071
296- 54-59720	NEW-P	99-08-072	296- 62-07179	NEW	99-10-071	296- 62-07336	AMD	99-10-071
296- 54-59730	NEW-P	99-08-072	296- 62-07182	NEW	99-10-071	296- 62-07337	AMD	99-10-071
296- 54-599	REP-P	99-08-072	296- 62-07184	NEW	99-10-071	296- 62-07342	AMD	99-10-071
296- 54-601	AMD-P	99-08-072	296- 62-07186	NEW	99-10-071	296- 62-07343	AMD	99-10-071
296- 54-603	AMD-P	99-08-072	296- 62-07188	NEW	99-10-071	296- 62-07347	AMD	99-10-071
296- 54-604	NEW-P	99-08-072	296- 62-07190	NEW	99-10-071	296- 62-07347	AMD-XA	99-12-089
296- 54-605	AMD-P	99-08-072	296- 62-07192	NEW	99-10-071	296- 62-07354	AMD-XA	99-12-089
296- 54-607	AMD-P	99-08-072	296- 62-07194	NEW	99-10-071	296- 62-07367	AMD	99-10-071
296- 54-701	NEW-P	99-08-072	296- 62-07201	NEW	99-10-071	296- 62-07369	AMD	99-10-071
296- 54-70110	NEW-P	99-08-072	296- 62-07202	NEW	99-10-071	296- 62-07379	REP	99-10-071
296- 54-70120	NEW-P	99-08-072	296- 62-07203	NEW	99-10-071	296- 62-07383	AMD	99-10-071
296- 54-70130	NEW-P	99-08-072	296- 62-07205	NEW	99-10-071	296- 62-07413	AMD	99-10-071
296- 54-703	NEW-P	99-08-072	296- 62-07206	NEW	99-10-071	296- 62-07425	AMD	99-10-071
296- 54-705	NEW-P	99-08-072	296- 62-07208	NEW	99-10-071	296- 62-07431	REP	99-10-071
296- 54-707	NEW-P	99-08-072	296- 62-07209	NEW	99-10-071	296- 62-07433	AMD-XA	99-12-089
296- 54-99002	AMD-P	99-08-072	296- 62-07210	NEW	99-10-071	296- 62-07441	AMD	99-10-071
296- 54-99003	AMD-P	99-08-072	296- 62-07212	NEW	99-10-071	296- 62-07445	REP	99-10-071
296- 54-99004	AMD-P	99-08-072	296- 62-07213	NEW	99-10-071	296- 62-07460	AMD	99-10-071
296- 54-99007	REP-P	99-08-072	296- 62-07214	NEW	99-10-071	296- 62-07470	AMD	99-10-071
296- 54-99008	REP-P	99-08-072	296- 62-07217	NEW	99-10-071	296- 62-07521	AMD	99-10-071
296- 54-99009	REP-P	99-08-072	296- 62-07218	NEW	99-10-071	296- 62-07523	AMD	99-10-071
296- 54-99010	REP-P	99-08-072	296- 62-07219	NEW	99-10-071	296- 62-07533	REP	99-10-071
296- 54-99013	NEW-P	99-08-072	296- 62-07222	NEW	99-10-071	296- 62-07540	AMD	99-10-071
296- 54-99014	NEW-P	99-08-072	296- 62-07223	NEW	99-10-071	296- 62-07542	AMD-XA	99-12-089
296- 56	PREP	99-02-083	296- 62-07224	NEW	99-10-071	296- 62-07550	REP	99-10-071
296- 56	PREP	99-12-037	296- 62-07225	NEW	99-10-071	296- 62-07615	AMD	99-10-071
296- 56-60053	AMD	99-10-071	296- 62-07230	NEW	99-10-071	296- 62-07635	REP	99-10-071
296- 56-60235	AMD	99-10-071	296- 62-07231	NEW	99-10-071	296- 62-07639	REP	99-10-071
296- 59	PREP	99-02-083	296- 62-07233	NEW	99-10-071	296- 62-07662	REP	99-10-071
296- 59	PREP	99-06-040	296- 62-07234	NEW	99-10-071	296- 62-07664	REP	99-10-071
296- 62	PREP	99-02-083	296- 62-07235	NEW	99-10-071	296- 62-07666	REP	99-10-071
296- 62	PREP	99-04-057	296- 62-07236	NEW	99-10-071	296- 62-07668	REP	99-10-071
296- 62	PREP	99-07-014	296- 62-07238	NEW	99-10-071	296- 62-07670	REP	99-10-071
296- 62-071	AMD	99-10-071	296- 62-07239	NEW	99-10-071	296- 62-07672	REP	99-10-071
296- 62-07101	AMD	99-10-071	296- 62-07240	NEW	99-10-071	296- 62-07701	AMD-P	99-08-071
296- 62-07102	NEW	99-10-071	296- 62-07242	NEW	99-10-071	296- 62-07703	AMD-P	99-08-071
296- 62-07103	AMD	99-10-071	296- 62-07243	NEW	99-10-071	296- 62-07709	AMD-P	99-08-071
296- 62-07105	AMD	99-10-071	296- 62-07245	NEW	99-10-071	296- 62-07712	AMD-P	99-08-071
296- 62-07107	AMD	99-10-071	296- 62-07246	NEW	99-10-071	296- 62-07713	AMD-P	99-08-071
296- 62-07109	AMD	99-10-071	296- 62-07247	NEW	99-10-071	296- 62-07715	AMD	99-10-071
296- 62-07111	AMD	99-10-071	296- 62-07248	NEW	99-10-071	296- 62-07721	AMD-P	99-08-071
296- 62-07113	AMD	99-10-071	296- 62-07251	NEW	99-10-071	296- 62-07722	AMD-P	99-08-071
296- 62-07115	AMD	99-10-071	296- 62-07253	NEW	99-10-071	296- 62-07722	AMD	99-10-071
296- 62-07117	AMD	99-10-071	296- 62-07255	NEW	99-10-071	296- 62-07728	AMD-P	99-08-071
296- 62-07119	REP	99-10-071	296- 62-07257	NEW	99-10-071	296- 62-07733	AMD	99-10-071
296- 62-07121	REP	99-10-071	296- 62-07260	NEW	99-10-071	296- 62-07735	AMD-P	99-08-071
296- 62-07130	NEW	99-10-071	296- 62-07261	NEW	99-10-071	296- 62-07737	AMD-P	99-08-071

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WAC#	ACTION	WSR #	WAC#	ACTION	WSR #	WAC#	ACTION	WSR #
296-62-07739	REP	99-10-071	296-62-30235	NEW	99-07-097	296-62-31415	NEW	99-07-097
296-62-11019	AMD	99-10-071	296-62-3030	AMD	99-07-097	296-62-31420	NEW	99-07-097
296-62-11021	AMD	99-10-071	296-62-30305	NEW	99-07-097	296-62-31425	NEW	99-07-097
296-62-130	AMD	99-07-063	296-62-30310	NEW	99-07-097	296-62-31430	NEW	99-07-097
296-62-14100	NEW-P	99-13-144	296-62-30315	NEW	99-07-097	296-62-31435	NEW	99-07-097
296-62-14105	NEW-P	99-13-144	296-62-3040	AMD	99-07-097	296-62-31440	NEW	99-07-097
296-62-14110	NEW-P	99-13-144	296-62-30405	NEW	99-07-097	296-62-31445	NEW	99-07-097
296-62-14115	NEW-P	99-13-144	296-62-30410	NEW	99-07-097	296-62-31450	NEW	99-07-097
296-62-14120	NEW-P	99-13-144	296-62-30415	NEW	99-07-097	296-62-31455	NEW	99-07-097
296-62-14125	NEW-P	99-13-144	296-62-30420	NEW	99-07-097	296-62-31460	NEW	99-07-097
296-62-14130	NEW-P	99-13-144	296-62-30425	NEW	99-07-097	296-62-31465	NEW	99-07-097
296-62-14135	NEW-P	99-13-144	296-62-30430	NEW	99-07-097	296-62-31470	NEW	99-07-097
296-62-14140	NEW-P	99-13-144	296-62-30435	NEW	99-07-097	296-62-3152	AMD	99-07-097
296-62-14145	NEW-P	99-13-144	296-62-30440	NEW	99-07-097	296-62-3160	AMD	99-07-097
296-62-14150	NEW-P	99-13-144	296-62-30445	NEW	99-07-097	296-62-3180	AMD	99-07-097
296-62-14155	NEW-P	99-13-144	296-62-30450	NEW	99-07-097	296-62-3190	AMD	99-07-097
296-62-14170	NEW-P	99-13-144	296-62-30455	NEW	99-07-097	296-62-3195	AMD	99-07-097
296-62-14171	NEW-P	99-13-144	296-62-30460	NEW	99-07-097	296-62-410	NEW	99-07-097
296-62-14172	NEW-P	99-13-144	296-62-30465	NEW	99-07-097	296-62-41001	NEW	99-07-097
296-62-14173	NEW-P	99-13-144	296-62-3050	AMD	99-07-097	296-62-41003	NEW	99-07-097
296-62-14174	NEW-P	99-13-144	296-62-30505	NEW	99-07-097	296-62-41010	NEW	99-07-097
296-62-14175	NEW-P	99-13-144	296-62-30510	NEW	99-07-097	296-62-41011	NEW	99-07-097
296-62-14176	NEW-P	99-13-144	296-62-30515	NEW	99-07-097	296-62-41013	NEW	99-07-097
296-62-14500	REP-P	99-13-144	296-62-30520	NEW	99-07-097	296-62-41015	NEW	99-07-097
296-62-14501	REP-P	99-13-144	296-62-30525	NEW	99-07-097	296-62-41017	NEW	99-07-097
296-62-14503	REP-P	99-13-144	296-62-30530	NEW	99-07-097	296-62-41019	NEW	99-07-097
296-62-14505	REP-P	99-13-144	296-62-30535	NEW	99-07-097	296-62-41020	NEW	99-07-097
296-62-14507	REP-P	99-13-144	296-62-3060	AMD	99-07-097	296-62-41021	NEW	99-07-097
296-62-14509	REP-P	99-13-144	296-62-30605	NEW	99-07-097	296-62-41023	NEW	99-07-097
296-62-14511	REP-P	99-13-144	296-62-30610	NEW	99-07-097	296-62-41025	NEW	99-07-097
296-62-14513	REP-P	99-13-144	296-62-30615	NEW	99-07-097	296-62-41025	AMD-XA	99-12-089
296-62-14515	REP-P	99-13-144	296-62-3070	AMD	99-07-097	296-62-41030	NEW	99-07-097
296-62-14517	REP-P	99-13-144	296-62-30705	NEW	99-07-097	296-62-41031	NEW	99-07-097
296-62-14519	REP-P	99-13-144	296-62-30710	NEW	99-07-097	296-62-41033	NEW	99-07-097
296-62-14520	REP-P	99-13-144	296-62-30715	NEW	99-07-097	296-62-41035	NEW	99-07-097
296-62-14521	REP-P	99-13-144	296-62-3080	AMD	99-07-097	296-62-41040	NEW	99-07-097
296-62-14523	REP-P	99-13-144	296-62-3090	AMD	99-07-097	296-62-41041	NEW	99-07-097
296-62-14525	REP-P	99-13-144	296-62-30905	NEW	99-07-097	296-62-41042	NEW	99-07-097
296-62-14527	REP-P	99-13-144	296-62-30910	NEW	99-07-097	296-62-41043	NEW	99-07-097
296-62-14529	REP-P	99-13-144	296-62-30915	NEW	99-07-097	296-62-41044	NEW	99-07-097
296-62-14533	AMD	99-10-071	296-62-30920	NEW	99-07-097	296-62-41045	NEW	99-07-097
296-62-20011	AMD	99-10-071	296-62-30925	NEW	99-07-097	296-62-41046	NEW	99-07-097
296-62-20017	AMD-XA	99-12-089	296-62-30930	NEW	99-07-097	296-62-41047	NEW	99-07-097
296-62-20019	AMD	99-10-071	296-62-30935	NEW	99-07-097	296-62-41060	NEW	99-07-097
296-62-20027	AMD	99-10-071	296-62-30940	NEW	99-07-097	296-62-41061	NEW	99-07-097
296-62-20027	AMD-XA	99-12-089	296-62-3100	AMD	99-07-097	296-62-41063	NEW	99-07-097
296-62-20029	AMD-XA	99-12-089	296-62-31005	NEW	99-07-097	296-62-41080	NEW	99-07-097
296-62-300	AMD	99-07-097	296-62-31010	NEW	99-07-097	296-62-41081	NEW	99-07-097
296-62-30001	NEW	99-07-097	296-62-31015	NEW	99-07-097	296-62-41082	NEW	99-07-097
296-62-30003	NEW	99-07-097	296-62-31020	NEW	99-07-097	296-62-41084	NEW	99-07-097
296-62-3010	AMD	99-07-097	296-62-3110	AMD	99-07-097	296-62-41085	NEW	99-07-097
296-62-30105	NEW	99-07-097	296-62-31105	NEW	99-07-097	296-62-41086	NEW	99-07-097
296-62-30110	NEW	99-07-097	296-62-31110	NEW	99-07-097	296-63	PREP	99-02-083
296-62-30115	NEW	99-07-097	296-62-3112	REP	99-07-097	296-65	PREP	99-02-083
296-62-30120	NEW	99-07-097	296-62-3120	AMD	99-07-097	296-65-003	AMD-P	99-08-071
296-62-30125	NEW	99-07-097	296-62-3130	AMD	99-07-097	296-65-010	AMD-P	99-08-071
296-62-30130	NEW	99-07-097	296-62-31305	NEW	99-07-097	296-65-012	AMD-P	99-08-071
296-62-30135	NEW	99-07-097	296-62-31310	NEW	99-07-097	296-65-020	AMD-P	99-08-071
296-62-30140	NEW	99-07-097	296-62-31315	NEW	99-07-097	296-65-025	AMD-P	99-08-071
296-62-30145	NEW	99-07-097	296-62-31320	NEW	99-07-097	296-65-030	AMD-P	99-08-071
296-62-3020	AMD	99-07-097	296-62-31325	NEW	99-07-097	296-67	PREP	99-02-083
296-62-30205	NEW	99-07-097	296-62-31330	NEW	99-07-097	296-78	PREP	99-02-083
296-62-30210	NEW	99-07-097	296-62-31335	NEW	99-07-097	296-78	PREP	99-06-040
296-62-30215	NEW	99-07-097	296-62-3138	AMD	99-07-097	296-78	PREP	99-12-037
296-62-30220	NEW	99-07-097	296-62-3140	AMD	99-07-097	296-78-665	AMD	99-10-071
296-62-30225	NEW	99-07-097	296-62-31405	NEW	99-07-097	296-78-71019	AMD	99-10-071
296-62-30230	NEW	99-07-097	296-62-31410	NEW	99-07-097	296-79	PREP	99-02-083

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-79-010	AMD-P	99-06-071	296-79-320	AMD-P	99-06-071	296-150C	PREP	99-05-078
296-79-011	NEW-P	99-06-071	296-86A-020	AMD-P	99-08-128	296-150C-0140	NEW-P	99-08-129
296-79-020	AMD-P	99-06-071	296-86A-020	AMD	99-12-080	296-150C-0140	NEW	99-13-010
296-79-030	AMD-P	99-06-071	296-86A-025	AMD-P	99-08-128	296-150C-0320	AMD-P	99-08-129
296-79-040	AMD-P	99-06-071	296-86A-025	AMD	99-12-080	296-150C-0320	AMD	99-13-010
296-79-050	AMD-P	99-06-071	296-86A-028	AMD-P	99-08-128	296-150C-0805	NEW-P	99-08-129
296-79-060	REP-P	99-06-071	296-86A-028	AMD	99-12-080	296-150C-0805	NEW	99-13-010
296-79-070	AMD-P	99-06-071	296-86A-030	AMD-P	99-08-128	296-150C-0810	AMD-P	99-08-129
296-79-080	AMD-P	99-06-071	296-86A-030	AMD	99-12-080	296-150C-0810	AMD	99-13-010
296-79-090	AMD-P	99-06-071	296-86A-040	AMD-P	99-08-128	296-150C-0960	AMD-P	99-08-129
296-79-100	AMD-P	99-06-071	296-86A-040	AMD	99-12-080	296-150C-0960	AMD	99-13-010
296-79-110	AMD-P	99-06-071	296-86A-060	AMD-P	99-08-128	296-150C-1080	AMD-P	99-08-129
296-79-120	AMD-P	99-06-071	296-86A-060	AMD	99-12-080	296-150C-1080	AMD	99-13-010
296-79-130	AMD-P	99-06-071	296-86A-070	AMD-P	99-08-128	296-150C-1345	NEW-P	99-08-129
296-79-140	AMD-P	99-06-071	296-86A-070	AMD	99-12-080	296-150C-1345	NEW	99-13-010
296-79-150	AMD-P	99-06-071	296-86A-073	AMD-P	99-08-128	296-150C-1545	NEW-P	99-08-129
296-79-160	AMD-P	99-06-071	296-86A-073	AMD	99-12-080	296-150C-1545	NEW	99-13-010
296-79-170	AMD-P	99-06-071	296-86A-074	AMD-P	99-08-128	296-150C-1580	AMD-P	99-08-129
296-79-180	AMD-P	99-06-071	296-86A-074	AMD	99-12-080	296-150C-1580	AMD-W	99-13-011
296-79-190	AMD-P	99-06-071	296-86A-075	AMD-P	99-08-128	296-150C-3000	AMD-P	99-08-128
296-79-200	AMD-P	99-06-071	296-86A-075	AMD	99-12-080	296-150C-3000	AMD	99-12-080
296-79-210	AMD-P	99-06-071	296-86A-080	AMD-P	99-08-128	296-150F	PREP	99-05-078
296-79-220	AMD-P	99-06-071	296-86A-080	AMD	99-12-080	296-150F-0050	NEW-P	99-08-129
296-79-230	AMD-P	99-06-071	296-99	PREP	99-02-083	296-150F-0050	NEW	99-13-010
296-79-240	AMD-P	99-06-071	296-104-001	PREP	99-05-021	296-150F-0140	NEW-P	99-08-129
296-79-250	AMD-P	99-06-071	296-104-002	PREP	99-05-021	296-150F-0140	NEW	99-13-010
296-79-255	REP-P	99-06-071	296-104-010	PREP	99-05-021	296-150F-0320	AMD-P	99-08-129
296-79-260	AMD-P	99-06-071	296-104-015	PREP	99-05-021	296-150F-0320	AMD	99-13-010
296-79-270	AMD-P	99-06-071	296-104-017	PREP	99-05-021	296-150F-0605	NEW-P	99-08-129
296-79-27001	REP-P	99-06-071	296-104-018	PREP	99-05-021	296-150F-0605	NEW	99-13-010
296-79-27003	AMD-P	99-06-071	296-104-020	PREP	99-05-021	296-150F-0610	NEW-P	99-08-129
296-79-27005	AMD-P	99-06-071	296-104-025	PREP	99-05-021	296-150F-0610	NEW	99-13-010
296-79-27007	AMD-P	99-06-071	296-104-030	PREP	99-05-021	296-150F-0615	NEW-P	99-08-129
296-79-27009	AMD-P	99-06-071	296-104-035	PREP	99-05-021	296-150F-0615	NEW	99-13-010
296-79-27011	AMD-P	99-06-071	296-104-040	PREP	99-05-021	296-150F-0620	NEW-P	99-08-129
296-79-27013	AMD-P	99-06-071	296-104-045	PREP	99-05-021	296-150F-0620	NEW	99-13-010
296-79-27015	AMD-P	99-06-071	296-104-050	PREP	99-05-021	296-150F-0625	NEW-P	99-08-129
296-79-280	AMD-P	99-06-071	296-104-055	PREP	99-05-021	296-150F-0625	NEW	99-13-010
296-79-290	AMD-P	99-06-071	296-104-060	PREP	99-05-021	296-150F-3000	AMD-P	99-08-128
296-79-29001	AMD-P	99-06-071	296-104-065	PREP	99-05-021	296-150F-3000	AMD	99-12-080
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296-79-29005	AMD-P	99-06-071	296-104-102	PREP	99-05-021	296-150M-0020	AMD-P	99-08-129
296-79-29007	AMD-P	99-06-071	296-104-105	PREP	99-05-021	296-150M-0020	AMD	99-13-010
296-79-29009	AMD-P	99-06-071	296-104-107	PREP	99-05-021	296-150M-0120	NEW-P	99-08-129
296-79-29011	AMD-P	99-06-071	296-104-110	PREP	99-05-021	296-150M-0120	NEW	99-13-010
296-79-29013	AMD-P	99-06-071	296-104-115	PREP	99-05-021	296-150M-0140	NEW-P	99-08-129
296-79-29015	AMD-P	99-06-071	296-104-125	PREP	99-05-021	296-150M-0140	NEW	99-13-010
296-79-29017	AMD-P	99-06-071	296-104-130	PREP	99-05-021	296-150M-0306	AMD-P	99-08-129
296-79-29019	REP-P	99-06-071	296-104-135	PREP	99-05-021	296-150M-0306	AMD	99-13-010
296-79-29021	AMD-P	99-06-071	296-104-140	PREP	99-05-021	296-150M-0309	NEW-P	99-08-129
296-79-29023	AMD-P	99-06-071	296-104-145	PREP	99-05-021	296-150M-0309	NEW	99-13-010
296-79-29025	REP-P	99-06-071	296-104-150	PREP	99-05-021	296-150M-0400	REP-P	99-08-129
296-79-29027	AMD-P	99-06-071	296-104-151	PREP	99-05-021	296-150M-0400	REP	99-13-010
296-79-29029	AMD-P	99-06-071	296-104-155	PREP	99-05-021	296-150M-0600	AMD-P	99-08-129
296-79-29031	AMD-P	99-06-071	296-104-160	PREP	99-05-021	296-150M-0600	AMD	99-13-010
296-79-29033	AMD-P	99-06-071	296-104-165	PREP	99-05-021	296-150M-0610	AMD-P	99-08-129
296-79-29035	AMD-P	99-06-071	296-104-170	PREP	99-05-021	296-150M-0610	AMD	99-13-010
296-79-29037	AMD-P	99-06-071	296-104-285	REP-P	99-04-036	296-150M-0614	NEW-P	99-08-129
296-79-300	AMD-P	99-06-071	296-104-285	REP	99-08-049	296-150M-0614	NEW	99-13-010
296-79-310	AMD-P	99-06-071	296-104-502	PREP	99-05-021	296-150M-0615	NEW-P	99-08-129
296-79-31001	AMD-P	99-06-071	296-104-700	AMD-P	99-04-036	296-150M-0615	NEW	99-13-010
296-79-31003	AMD-P	99-06-071	296-104-700	AMD	99-08-049	296-150M-0640	AMD-P	99-08-129
296-79-31005	REP-P	99-06-071	296-115	PREP	99-02-083	296-150M-0640	AMD	99-13-010
296-79-31007	REP-P	99-06-071	296-125-019	REP-XR	99-12-113	296-150M-0655	NEW-P	99-08-129
296-79-31009	AMD-P	99-06-071	296-125-0212	NEW-W	99-09-081	296-150M-0655	NEW	99-13-010
296-79-31011	REP-P	99-06-071	296-125-0630	NEW-W	99-09-081	296-150M-3000	AMD-P	99-08-128
296-79-31013	REP-P	99-06-071	296-125-0725	NEW-W	99-09-081	296-150M-3000	AMD	99-12-080

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
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296-150P-0020	AMD-P	99-08-129	296-150T-0500	NEW-P	99-08-130	296-150V-0930	NEW-P	99-13-200
296-150P-0020	AMD	99-13-010	296-150T-0500	NEW	99-12-079	296-150V-0950	NEW-P	99-13-200
296-150P-0050	NEW-P	99-08-129	296-150T-0510	NEW-P	99-08-130	296-150V-1040	NEW-P	99-13-200
296-150P-0050	NEW	99-13-010	296-150T-0510	NEW	99-12-079	296-150V-1070	NEW-P	99-13-200
296-150P-0140	NEW-P	99-08-129	296-150T-0520	NEW-P	99-08-130	296-150V-1090	NEW-P	99-13-200
296-150P-0140	NEW	99-13-010	296-150T-0520	NEW	99-12-079	296-150V-1100	NEW-P	99-13-200
296-150P-3000	AMD-P	99-08-128	296-150T-0530	NEW-P	99-08-130	296-150V-1110	NEW-P	99-13-200
296-150P-3000	AMD	99-12-080	296-150T-0530	NEW	99-12-079	296-150V-1120	NEW-P	99-13-200
296-150R	PREP	99-05-078	296-150T-0540	NEW-P	99-08-130	296-150V-1170	NEW-P	99-13-200
296-150R-0020	AMD-P	99-08-129	296-150T-0540	NEW	99-12-079	296-150V-1180	NEW-P	99-13-200
296-150R-0020	AMD	99-13-010	296-150T-0550	NEW-P	99-08-130	296-150V-1185	NEW-P	99-13-200
296-150R-0050	NEW-P	99-08-129	296-150T-0550	NEW	99-12-079	296-150V-1190	NEW-P	99-13-200
296-150R-0050	NEW	99-13-010	296-150T-0580	NEW-P	99-08-130	296-150V-1220	NEW-P	99-13-200
296-150R-0140	NEW-P	99-08-129	296-150T-0580	NEW	99-12-079	296-150V-1303	NEW-P	99-13-200
296-150R-0140	NEW	99-13-010	296-150T-0590	NEW-P	99-08-130	296-150V-1330	NEW-P	99-13-200
296-150R-3000	AMD-P	99-08-128	296-150T-0590	NEW	99-12-079	296-150V-1350	NEW-P	99-13-200
296-150R-3000	AMD	99-12-080	296-150T-0600	NEW-P	99-08-130	296-150V-1360	NEW-P	99-13-200
296-150T-0010	NEW-P	99-08-130	296-150T-0600	NEW	99-12-079	296-150V-1380	NEW-P	99-13-200
296-150T-0010	NEW	99-12-079	296-150T-0700	NEW-P	99-08-130	296-150V-1390	NEW-P	99-13-200
296-150T-0020	NEW-P	99-08-130	296-150T-0700	NEW	99-12-079	296-150V-1400	NEW-P	99-13-200
296-150T-0020	NEW	99-12-079	296-150T-0710	NEW-P	99-08-130	296-150V-1410	NEW-P	99-13-200
296-150T-0030	NEW-P	99-08-130	296-150T-0710	NEW	99-12-079	296-150V-1420	NEW-P	99-13-200
296-150T-0030	NEW	99-12-079	296-150T-0720	NEW-P	99-08-130	296-150V-1430	NEW-P	99-13-200
296-150T-0040	NEW-P	99-08-130	296-150T-0720	NEW	99-12-079	296-150V-1440	NEW-P	99-13-200
296-150T-0040	NEW	99-12-079	296-150T-3000	NEW-P	99-08-130	296-150V-1450	NEW-P	99-13-200
296-150T-0050	NEW-P	99-08-130	296-150T-3000	NEW	99-12-079	296-150V-1460	NEW-P	99-13-200
296-150T-0050	NEW	99-12-079	296-150V-0010	NEW-P	99-13-200	296-150V-1470	NEW-P	99-13-200
296-150T-0070	NEW-P	99-08-130	296-150V-0020	NEW-P	99-13-200	296-150V-1530	NEW-P	99-13-200
296-150T-0070	NEW	99-12-079	296-150V-0030	NEW-P	99-13-200	296-150V-1540	NEW-P	99-13-200
296-150T-0080	NEW-P	99-08-130	296-150V-0040	NEW-P	99-13-200	296-150V-1550	NEW-P	99-13-200
296-150T-0080	NEW	99-12-079	296-150V-0050	NEW-P	99-13-200	296-150V-1560	NEW-P	99-13-200
296-150T-0100	NEW-P	99-08-130	296-150V-0060	NEW-P	99-13-200	296-150V-1570	NEW-P	99-13-200
296-150T-0100	NEW	99-12-079	296-150V-0070	NEW-P	99-13-200	296-150V-1580	NEW-P	99-13-200
296-150T-0110	NEW-P	99-08-130	296-150V-0080	NEW-P	99-13-200	296-150V-1590	NEW-P	99-13-200
296-150T-0110	NEW	99-12-079	296-150V-0100	NEW-P	99-13-200	296-150V-3000	NEW-P	99-13-200
296-150T-0120	NEW-P	99-08-130	296-150V-0110	NEW-P	99-13-200	296-155	PREP	99-02-083
296-150T-0120	NEW	99-12-079	296-150V-0120	NEW-P	99-13-200	296-155	PREP	99-04-057
296-150T-0130	NEW-P	99-08-130	296-150V-0140	NEW-P	99-13-200	296-155	PREP	99-06-040
296-150T-0130	NEW	99-12-079	296-150V-0200	NEW-P	99-13-200	296-155	PREP	99-07-015
296-150T-0140	NEW-P	99-08-130	296-150V-0210	NEW-P	99-13-200	296-155	PREP	99-08-070
296-150T-0140	NEW	99-12-079	296-150V-0220	NEW-P	99-13-200	296-155	PREP	99-12-037
296-150T-0200	NEW-P	99-08-130	296-150V-0230	NEW-P	99-13-200	296-155-17317	AMD	99-10-071
296-150T-0200	NEW	99-12-079	296-150V-0240	NEW-P	99-13-200	296-155-17335	REP	99-10-071
296-150T-0210	NEW-P	99-08-130	296-150V-0250	NEW-P	99-13-200	296-155-17337	AMD	99-10-071
296-150T-0210	NEW	99-12-079	296-150V-0300	NEW-P	99-13-200	296-155-17341	AMD	99-10-071
296-150T-0220	NEW-P	99-08-130	296-150V-0310	NEW-P	99-13-200	296-155-17349	REP	99-10-071
296-150T-0220	NEW	99-12-079	296-150V-0320	NEW-P	99-13-200	296-155-17351	REP	99-10-071
296-150T-0230	NEW-P	99-08-130	296-150V-0340	NEW-P	99-13-200	296-155-17353	REP	99-10-071
296-150T-0230	NEW	99-12-079	296-150V-0350	NEW-P	99-13-200	296-155-17355	REP	99-10-071
296-150T-0250	NEW-P	99-08-130	296-150V-0380	NEW-P	99-13-200	296-155-17357	REP	99-10-071
296-150T-0250	NEW	99-12-079	296-150V-0390	NEW-P	99-13-200	296-155-17359	REP	99-10-071
296-150T-0300	NEW-P	99-08-130	296-150V-0400	NEW-P	99-13-200	296-155-174	AMD	99-10-071
296-150T-0300	NEW	99-12-079	296-150V-0410	NEW-P	99-13-200	296-155-17613	AMD	99-10-071
296-150T-0320	NEW-P	99-08-130	296-150V-0415	NEW-P	99-13-200	296-155-17625	AMD	99-10-071
296-150T-0320	NEW	99-12-079	296-150V-0500	NEW-P	99-13-200	296-155-17635	REP	99-10-071
296-150T-0340	NEW-P	99-08-130	296-150V-0510	NEW-P	99-13-200	296-155-17652	AMD	99-10-071
296-150T-0340	NEW	99-12-079	296-150V-0520	NEW-P	99-13-200	296-155-17656	REP	99-10-071
296-150T-0350	NEW-P	99-08-130	296-150V-0530	NEW-P	99-13-200	296-155-220	AMD	99-10-071
296-150T-0350	NEW	99-12-079	296-150V-0540	NEW-P	99-13-200	296-155-270	AMD-XA	99-12-089
296-150T-0380	NEW-P	99-08-130	296-150V-0550	NEW-P	99-13-200	296-155-367	AMD	99-10-071
296-150T-0380	NEW	99-12-079	296-150V-0560	NEW-P	99-13-200	296-155-655	AMD	99-10-071
296-150T-0390	NEW-P	99-08-130	296-150V-0580	NEW-P	99-13-200	296-155-655	AMD-XA	99-12-089
296-150T-0390	NEW	99-12-079	296-150V-0590	NEW-P	99-13-200	296-155-66403	AMD-XA	99-12-089
296-150T-0400	NEW-P	99-08-130	296-150V-0700	NEW-P	99-13-200	296-155-730	AMD	99-10-071
296-150T-0400	NEW	99-12-079	296-150V-0710	NEW-P	99-13-200	296-200A-900	AMD-P	99-08-128
296-150T-0410	NEW-P	99-08-130	296-150V-0720	NEW-P	99-13-200	296-200A-900	AMD	99-12-080

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296-301-020	AMD-XA	99-12-089	308- 19-410	AMD-P	99-08-087	308- 56A-275	AMD-P	99-04-038
296-301-020	AMD	99-12-091	308- 19-420	AMD-P	99-08-087	308- 56A-275	AMD	99-08-065
296-301-170	AMD-XA	99-12-089	308- 19-430	NEW-P	99-08-087	308- 56A-280	REP-P	99-04-038
296-301-195	AMD-XA	99-12-089	308- 19-440	NEW-P	99-08-087	308- 56A-280	REP	99-08-065
296-301-220	AMD-XA	99-12-089	308- 21-010	REP-XR	99-10-026	308- 56A-285	REP-P	99-04-038
296-302	PREP	99-02-083	308- 21-010	REP	99-14-035	308- 56A-285	REP	99-08-065
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296-304	PREP	99-12-037	308- 21-200	REP-XR	99-10-026	308- 56A-305	AMD-P	99-09-043
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296-305	PREP	99-02-083	308- 21-300	REP-XR	99-10-026	308- 56A-310	AMD-P	99-09-043
296-305-01003	AMD	99-05-080	308- 21-300	REP	99-14-035	308- 56A-310	AMD	99-13-150
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296-305-05009	AMD	99-05-080	308- 32-040	REP	99-14-062	308- 56A-360	REP	99-06-037
296-305-06005	AMD	99-05-080	308- 32-050	REP-XR	99-09-056	308- 56A-365	REP	99-06-037
296-305-06007	AMD	99-05-080	308- 32-050	REP	99-14-062	308- 56A-420	AMD	99-02-049
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296-350	PREP	99-08-069	308- 32-070	REP	99-14-062	308- 58-010	PREP	99-10-054
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308- 12-320	AMD-P	99-05-050	308- 56A-070	AMD	99-08-064	308- 78-050	PREP	99-08-127
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388-96-730	NEW-E	99-14-029	388-290-500	NEW-P	99-08-121	388-310-1600	AMD	99-10-027
388-96-731	NEW-E	99-14-029	388-290-500	NEW	99-14-023	388-310-1700	AMD-P	99-05-071
388-96-748	NEW-E	99-14-029	388-290-525	NEW-P	99-08-121	388-310-1700	AMD	99-10-027
388-96-767	AMD-E	99-14-029	388-290-525	NEW	99-14-023	388-310-1800	AMD-P	99-05-071
388-96-771	AMD-E	99-14-029	388-290-550	NEW-P	99-08-121	388-310-1800	AMD	99-10-027
388-96-776	AMD-E	99-14-029	388-290-550	NEW	99-14-023	388-310-1850	NEW-P	99-11-072
388-200-1160	PREP	99-08-040	388-290-600	NEW-P	99-08-121	388-310-1850	NEW	99-14-044
388-290-010	AMD-P	99-08-121	388-290-600	NEW	99-14-023	388-310-1900	AMD-P	99-05-071
388-290-010	AMD	99-14-023	388-290-650	NEW-P	99-08-121	388-310-1900	AMD	99-10-027
388-290-015	NEW-P	99-08-121	388-290-650	NEW	99-14-023	388-320	PREP	99-07-104
388-290-015	NEW	99-14-023	388-290-700	NEW-P	99-08-121	388-320-010	REP-P	99-11-085
388-290-020	REP-P	99-08-121	388-290-700	NEW	99-14-023	388-320-030	REP-P	99-11-085
388-290-020	REP	99-14-023	388-290-750	NEW-P	99-08-121	388-320-100	REP-P	99-11-085
388-290-025	REP-P	99-08-121	388-290-750	NEW	99-14-023	388-320-110	REP-P	99-11-085
388-290-025	REP	99-14-023	388-290-800	NEW-P	99-08-121	388-320-115	REP-P	99-11-085
388-290-030	REP-P	99-08-121	388-290-800	NEW	99-14-023	388-320-130	REP-P	99-11-085
388-290-030	REP	99-14-023	388-290-850	NEW-P	99-08-121	388-320-132	REP-P	99-11-085
388-290-035	REP-P	99-08-121	388-290-850	NEW	99-14-023	388-320-133	REP-P	99-11-085
388-290-035	REP	99-14-023	388-290-900	NEW-P	99-08-121	388-320-135	REP-P	99-11-085
388-290-050	REP-P	99-08-121	388-290-900	NEW	99-14-023	388-320-140	REP-P	99-11-085
388-290-050	REP	99-14-023	388-290-905	NEW	99-14-023	388-320-170	REP-P	99-11-085
388-290-055	REP-P	99-08-121	388-290-910	NEW	99-14-023	388-320-205	REP-P	99-11-085
388-290-055	REP	99-14-023	388-290-915	NEW	99-14-023	388-320-210	REP-P	99-11-085
388-290-060	REP-P	99-08-121	388-290-920	NEW	99-14-023	388-320-220	REP-P	99-11-085
388-290-060	REP	99-14-023	388-290-925	NEW	99-14-023	388-320-225	REP-P	99-11-085
388-290-070	REP-P	99-08-121	388-290-930	NEW	99-14-023	388-320-235	REP-P	99-11-085
388-290-070	REP	99-14-023	388-290-935	NEW	99-14-023	388-320-240	REP-P	99-11-085
388-290-075	NEW-P	99-08-121	388-290-940	NEW	99-14-023	388-320-350	REP-P	99-03-076
388-290-075	NEW	99-14-023	388-290-945	NEW	99-14-023	388-320-350	REP	99-06-044
388-290-080	REP-P	99-08-121	388-290-950	NEW	99-14-023	388-320-360	REP-P	99-03-076
388-290-080	REP	99-14-023	388-310	PREP	99-14-024	388-320-360	REP	99-06-044
388-290-090	REP-P	99-08-121	388-310-0100	AMD-P	99-05-072	388-320-370	REP-P	99-03-076
388-290-090	REP	99-14-023	388-310-0100	AMD	99-08-051	388-320-370	REP	99-06-044
388-290-1000	NEW-P	99-08-121	388-310-0200	AMD-P	99-05-072	388-320-375	NEW-P	99-03-076
388-290-105	REP-P	99-08-121	388-310-0200	AMD	99-08-051	388-320-375	NEW	99-06-044
388-290-105	REP	99-14-023	388-310-0200	AMD-E	99-14-041	388-320-375	REP-P	99-11-085
388-290-1050	NEW-P	99-08-121	388-310-0300	AMD-P	99-05-071	388-320-450	REP-P	99-11-085
388-290-1100	NEW-P	99-08-121	388-310-0300	AMD	99-10-027	388-320-460	REP-P	99-11-085
388-290-1150	NEW-P	99-08-121	388-310-0300	AMD-E	99-14-041	388-330-010	PREP	99-07-039
388-290-1200	NEW-P	99-08-121	388-310-0400	AMD-P	99-05-071	388-330-020	PREP	99-07-039
388-290-125	NEW-P	99-08-121	388-310-0400	AMD	99-10-027	388-330-030	PREP	99-07-039
388-290-125	NEW	99-14-023	388-310-0500	AMD-P	99-05-071	388-330-035	PREP	99-07-039
388-290-1250	NEW-P	99-08-121	388-310-0500	AMD	99-10-027	388-330-040	PREP	99-07-039
388-290-1300	NEW-P	99-08-121	388-310-0600	AMD-P	99-05-071	388-330-050	PREP	99-07-039
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388-400-0020	AMD	99-08-050	388-450-0225	AMD-P	99-12-118	388-513-1380	AMD-E	99-08-016
388-406-0015	AMD-P	99-12-121	388-450-0235	AMD-P	99-12-118	388-513-1380	AMD	99-11-017
388-406-0035	AMD-P	99-12-121	388-450-0250	AMD-P	99-12-118	388-513-1395	AMD	99-06-045
388-406-0040	AMD-P	99-12-121	388-452-0005	AMD-P	99-08-015	388-515-1505	AMD-W	99-13-096
388-406-0050	AMD-P	99-12-121	388-452-0005	AMD	99-11-075	388-515-1510	AMD	99-06-045
388-408-0010	AMD-P	99-10-105	388-462-0005	REP-P	99-10-105	388-515-1530	AMD	99-06-045
388-408-0010	AMD	99-14-045	388-462-0005	REP	99-14-045	388-526-2610	PREP	99-05-044
388-408-0015	AMD-P	99-10-105	388-462-0010	AMD-P	99-10-105	388-527	AMD-P	99-07-025
388-408-0015	AMD	99-14-045	388-462-0010	AMD	99-14-045	388-527	AMD	99-11-076
388-408-0035	AMD-P	99-12-120	388-462-0011	NEW	99-14-045	388-527-2700	NEW-P	99-07-025
388-412-0005	AMD-P	99-12-117	388-462-0020	NEW-P	99-10-105	388-527-2700	NEW	99-11-076
388-412-0015	AMD-P	99-12-117	388-470-0005	PREP	99-03-040	388-527-2730	AMD-P	99-07-025
388-416-0005	AMD-P	99-12-117	388-470-0010	PREP	99-03-040	388-527-2730	AMD	99-11-076
388-418-0012	NEW-P	99-12-121	388-470-0012	NEW-P	99-06-099	388-527-2733	NEW-P	99-07-025
388-418-0025	AMD-P	99-07-137	388-470-0012	NEW	99-09-053	388-527-2733	NEW	99-11-076
388-418-0025	AMD	99-10-064	388-470-0015	PREP	99-03-040	388-527-2735	REP-P	99-07-025
388-418-0030	AMD-P	99-12-121	388-470-0020	PREP	99-03-040	388-527-2735	REP	99-11-076
388-424-0005	AMD-P	99-13-126	388-470-0025	PREP	99-03-040	388-527-2737	NEW-P	99-07-025
388-424-0010	AMD-P	99-13-126	388-470-0025	REP-P	99-12-117	388-527-2737	NEW	99-11-076
388-426	PREP	99-08-120	388-470-0035	AMD-P	99-12-117	388-527-2740	AMD-P	99-07-025
388-426-0005	AMD-P	99-13-192	388-470-0045	AMD-P	99-12-117	388-527-2740	AMD	99-11-076
388-434-0005	PREP	99-04-054	388-470-0050	PREP	99-03-040	388-527-2742	AMD-P	99-07-025
388-436-0001	REP-P	99-11-073	388-470-0055	AMD-P	99-12-117	388-527-2742	AMD	99-11-076
388-436-0001	REP	99-14-046	388-470-0070	PREP	99-03-040	388-527-2750	AMD-P	99-07-025
388-436-0002	NEW-P	99-11-073	388-470-0075	AMD-P	99-12-117	388-527-2750	AMD	99-11-076
388-436-0002	NEW	99-14-046	388-472-0005	AMD-P	99-13-192	388-527-2752	REP-P	99-07-025
388-436-0005	REP-P	99-11-073	388-476-0005	AMD-P	99-13-192	388-527-2752	REP	99-11-076
388-436-0005	REP	99-14-046	388-478-0010	AMD-P	99-12-120	388-527-2753	REP-P	99-07-025
388-436-0030	AMD-E	99-14-042	388-478-0015	AMD	99-04-056	388-527-2753	REP	99-11-076
388-438-0110	PREP	99-10-047	388-478-0055	AMD	99-04-103	388-527-2754	AMD-P	99-07-025
388-440	PREP	99-08-120	388-478-0055	PREP	99-05-045	388-527-2754	AMD	99-11-076
388-442-0010	AMD-P	99-12-120	388-478-0060	AMD	99-05-074	388-527-2790	AMD-P	99-07-025
388-444-0020	AMD-W	99-14-078	388-478-0060	AMD-P	99-12-120	388-527-2790	AMD	99-11-076
388-444-0035	AMD	99-07-024	388-478-0070	AMD-P	99-08-118	388-527-2795	NEW-P	99-07-025
388-444-0040	AMD	99-07-024	388-478-0070	AMD-E	99-08-119	388-527-2795	NEW	99-11-076
388-444-0045	AMD	99-07-024	388-478-0070	AMD	99-11-054	388-530-1800	PREP	99-05-044
388-444-0075	AMD	99-07-024	388-478-0075	PREP	99-07-103	388-530-2050	PREP	99-05-044
388-448-0001	PREP	99-04-055	388-478-0075	AMD-E	99-08-001	388-533	PREP	99-06-043
388-450-0005	AMD-P	99-12-118	388-478-0080	AMD-P	99-08-118	388-535-1000	REP	99-07-023
388-450-0015	AMD-P	99-13-192	388-478-0080	AMD-E	99-08-119	388-535-1010	NEW	99-07-023
388-450-0025	REP-P	99-12-116	388-478-0080	AMD	99-11-054	388-535-1050	AMD	99-07-023
388-450-0025	AMD-P	99-13-192	388-478-0085	PREP	99-07-103	388-535-1060	NEW	99-07-023
388-450-0030	AMD-P	99-13-192	388-478-0085	AMD-E	99-08-001	388-535-1080	NEW	99-07-023
388-450-0035	AMD-P	99-12-119	388-482-0005	AMD-P	99-12-117	388-535-1100	AMD	99-07-023
388-450-0045	AMD-P	99-12-119	388-484-0005	AMD-P	99-04-102	388-535-1150	AMD	99-07-023
388-450-0050	PREP	99-03-040	388-484-0005	AMD	99-08-050	388-535-1200	AMD	99-07-023
388-450-0050	AMD-P	99-06-098	388-501-0130	PREP	99-05-044	388-535-1220	NEW	99-07-023
388-450-0050	AMD	99-09-054	388-501-0160	PREP	99-08-040	388-535-1230	NEW	99-07-023
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388-450-0065	AMD-P	99-12-119	388-501-0175	PREP	99-05-044	388-535-1250	AMD	99-07-023
388-450-0080	AMD-P	99-12-119	388-502-0220	PREP	99-06-085	388-535-1260	NEW	99-07-023
388-450-0085	AMD-P	99-12-119	388-502-0220	AMD-P	99-11-052	388-535-1300	AMD	99-07-023
388-450-0100	AMD-P	99-12-116	388-502-0250	PREP	99-05-044	388-535-1350	AMD	99-07-023
388-450-0106	PREP	99-03-040	388-505-0210	AMD-P	99-13-126	388-535-1400	AMD	99-07-023
388-450-0106	AMD-P	99-12-116	388-505-0540	PREP	99-05-044	388-535-1450	AMD	99-07-023
388-450-0116	PREP	99-03-040	388-505-0595	PREP	99-05-044	388-535-1500	AMD	99-07-023
388-450-0116	AMD-P	99-12-116	388-511-1130	PREP	99-05-044	388-535-1550	AMD	99-07-023
388-450-0140	AMD-P	99-12-116	388-513-1305	AMD	99-06-045	388-539-0500	PREP	99-13-190
388-450-0160	AMD-P	99-12-116	388-513-1315	AMD	99-06-045	388-540-001	PREP	99-05-044
388-450-0185	AMD-P	99-12-116	388-513-1320	AMD	99-06-045	388-540-010	PREP	99-05-044
388-450-0190	AMD-P	99-12-116	388-513-1330	AMD	99-06-045	388-540-020	PREP	99-05-044
388-450-0195	AMD-E	99-05-046	388-513-1340	AMD-W	99-13-096	388-540-040	PREP	99-05-044
388-450-0195	AMD-P	99-06-088	388-513-1345	AMD-W	99-13-096	388-540-050	PREP	99-05-044
388-450-0195	AMD	99-09-055	388-513-1350	AMD	99-06-045	388-543-1000	NEW-W	99-08-080
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388-543-1300	NEW-W	99-08-080	388-550-4700	AMD	99-06-046	388-551-1360	NEW	99-09-007
388-543-1400	NEW-W	99-08-080	388-550-4800	AMD	99-06-046	388-551-1400	NEW-P	99-05-073
388-543-1500	NEW-W	99-08-080	388-550-4800	AMD-P	99-09-090	388-551-1400	NEW	99-09-007
388-543-1600	NEW-W	99-08-080	388-550-4800	AMD	99-14-026	388-551-1410	NEW-P	99-05-073
388-543-1700	NEW-W	99-08-080	388-550-4900	PREP	99-06-083	388-551-1410	NEW	99-09-007
388-543-1800	NEW-W	99-08-080	388-550-4900	AMD-P	99-09-087	388-551-1500	NEW-P	99-05-073
388-543-1900	NEW-W	99-08-080	388-550-4900	AMD	99-14-040	388-551-1500	NEW	99-09-007
388-543-2000	NEW-W	99-08-080	388-550-5000	PREP	99-06-083	388-551-1510	NEW-P	99-05-073
388-543-2100	NEW-W	99-08-080	388-550-5000	AMD-P	99-09-087	388-551-1510	NEW	99-09-007
388-543-2200	NEW-W	99-08-080	388-550-5000	AMD	99-14-040	388-551-1520	NEW-P	99-05-073
388-543-2300	NEW-W	99-08-080	388-550-5100	PREP	99-06-083	388-551-1520	NEW	99-09-007
388-543-2400	NEW-W	99-08-080	388-550-5100	AMD-P	99-09-087	388-551-1530	NEW-P	99-05-073
388-543-2500	NEW-W	99-08-080	388-550-5100	AMD	99-14-025	388-551-1530	NEW	99-09-007
388-543-2600	NEW-W	99-08-080	388-550-5110	PREP	99-06-083	388-551-2000	NEW-P	99-11-053
388-543-2700	NEW-W	99-08-080	388-550-5110	NEW-P	99-09-087	388-551-2010	NEW-P	99-11-053
388-543-2800	NEW-W	99-08-080	388-550-5110	NEW-W	99-13-125	388-551-2020	NEW-P	99-11-053
388-543-2900	NEW-W	99-08-080	388-550-5120	PREP	99-06-083	388-551-2100	NEW-P	99-11-053
388-543-3000	NEW-W	99-08-080	388-550-5120	NEW-P	99-09-087	388-551-2110	NEW-P	99-11-053
388-545-0500	PREP	99-11-084	388-550-5120	NEW-W	99-13-125	388-551-2120	NEW-P	99-11-053
388-545-300	NEW-P	99-11-071	388-550-5150	PREP	99-06-083	388-551-2130	NEW-P	99-11-053
388-545-700	NEW-P	99-11-074	388-550-5150	AMD-P	99-09-087	388-551-2200	NEW-P	99-11-053
388-546	PREP	99-13-191	388-550-5150	AMD	99-14-025	388-551-2210	NEW-P	99-11-053
388-550-1050	AMD	99-06-046	388-550-5200	PREP	99-06-083	388-551-2220	NEW-P	99-11-053
388-550-1050	PREP	99-06-087	388-550-5200	AMD-P	99-09-087	388-552-001	NEW-P	99-08-122
388-550-1050	AMD-P	99-09-088	388-550-5200	AMD	99-14-025	388-552-001	NEW	99-13-049
388-550-1050	AMD	99-14-039	388-550-5250	PREP	99-06-083	388-552-005	NEW-P	99-08-122
388-550-1200	AMD	99-06-046	388-550-5250	AMD-P	99-09-087	388-552-005	NEW	99-13-049
388-550-2300	REP-P	99-14-038	388-550-5250	AMD	99-14-025	388-552-100	NEW-P	99-08-122
388-550-2431	NEW	99-06-046	388-550-5300	PREP	99-06-083	388-552-100	NEW	99-13-049
388-550-2501	NEW-P	99-14-038	388-550-5300	AMD-P	99-09-087	388-552-200	NEW-P	99-08-122
388-550-2511	NEW-P	99-14-038	388-550-5300	AMD	99-14-025	388-552-200	NEW	99-13-049
388-550-2521	NEW-P	99-14-038	388-550-5350	PREP	99-06-083	388-552-210	NEW-P	99-08-122
388-550-2531	NEW-P	99-14-038	388-550-5350	AMD-P	99-09-087	388-552-210	NEW	99-13-049
388-550-2541	NEW-P	99-14-038	388-550-5350	AMD	99-14-025	388-552-220	NEW-P	99-08-122
388-550-2551	NEW-P	99-14-038	388-550-5400	PREP	99-06-083	388-552-220	NEW	99-13-049
388-550-2561	NEW-P	99-14-038	388-550-5400	AMD-P	99-09-087	388-552-230	NEW-P	99-08-122
388-550-2800	AMD	99-06-046	388-550-5400	AMD	99-14-025	388-552-230	NEW	99-13-049
388-550-2800	PREP	99-06-084	388-550-5600	PREP	99-06-085	388-552-240	NEW-P	99-08-122
388-550-2800	AMD-P	99-09-091	388-550-5600	AMD-P	99-11-052	388-552-240	NEW	99-13-049
388-550-2800	AMD	99-14-027	388-550-6000	AMD	99-06-046	388-552-300	NEW-P	99-08-122
388-550-2900	AMD	99-06-046	388-550-6000	PREP	99-06-086	388-552-300	NEW	99-13-049
388-550-2900	PREP	99-06-084	388-550-6000	AMD-P	99-09-089	388-552-310	NEW-P	99-08-122
388-550-2900	AMD-P	99-09-091	388-550-6000	PREP	99-12-071	388-552-310	NEW	99-13-049
388-550-2900	AMD	99-14-027	388-550-6000	AMD	99-14-028	388-552-320	NEW-P	99-08-122
388-550-3000	AMD	99-06-046	388-551-1000	NEW-P	99-05-073	388-552-320	NEW	99-13-049
388-550-3100	AMD	99-06-046	388-551-1000	NEW	99-09-007	388-552-330	NEW-P	99-08-122
388-550-3381	NEW-P	99-14-038	388-551-1010	NEW-P	99-05-073	388-552-330	NEW	99-13-049
388-550-3401	NEW-P	99-14-038	388-551-1010	NEW	99-09-007	388-552-340	NEW-P	99-08-122
388-550-3450	PREP	99-06-084	388-551-1200	NEW-P	99-05-073	388-552-340	NEW	99-13-049
388-550-3450	AMD-P	99-09-091	388-551-1200	NEW	99-09-007	388-552-350	NEW-P	99-08-122
388-550-3450	AMD	99-14-027	388-551-1210	NEW-P	99-05-073	388-552-350	NEW	99-13-049
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388-550-3500	PREP	99-06-084	388-551-1300	NEW-P	99-05-073	388-552-360	NEW	99-13-049
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434-334-082	NEW	99-08-115	448- 15-050	NEW	99-06-047	458- 16-280	PREP	99-09-085
434-334-085	AMD-P	99-05-034	448- 15-060	NEW	99-06-047	458- 16-280	AMD-P	99-13-017
434-334-085	AMD	99-08-115	456- 12-010	REP-P	99-08-091	458- 16-282	PREP	99-09-085
434-334-090	AMD-P	99-05-034	456- 12-010	REP	99-13-098	458- 16-282	AMD-P	99-13-017
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434-334-095	AMD-P	99-05-034	456- 12-015	NEW	99-13-098	458- 16-320	AMD	99-13-018
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458-65-040	REP-XR	99-04-018	468-310-050	AMD	99-03-025	480-09-115	AMD	99-05-031
458-65-040	REP	99-08-007	468-310-060	AMD	99-03-025	480-09-120	AMD	99-05-031
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480-09-705	AMD	99-05-031	480-110-032	REP-S	99-12-112	480-110-305	NEW-S	99-12-112
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480-110-011	REP-W	99-07-053	480-110-161	REP-S	99-12-112	480-120	PREP	99-09-027
480-110-011	REP-S	99-12-112	480-110-166	REP-W	99-07-053	480-120-052	NEW	99-10-013
480-110-016	REP-W	99-07-053	480-110-166	REP-S	99-12-112	480-120-058	NEW	99-10-013
480-110-016	REP-S	99-12-112	480-110-171	REP-W	99-07-053	480-120-139	AMD-P	99-07-107
480-110-018	REP-W	99-07-053	480-110-171	REP-S	99-12-112	480-120-139	AMD	99-11-070
480-110-018	REP-S	99-12-112	480-110-176	REP-W	99-07-053	480-120-144	NEW	99-05-015
480-110-021	REP-W	99-07-053	480-110-176	REP-S	99-12-112	480-120-151	NEW	99-05-015
480-110-021	REP-S	99-12-112	480-110-205	NEW-S	99-12-112	480-120-152	NEW	99-05-015
480-110-023	REP-W	99-07-053	480-110-215	NEW-S	99-12-112	480-120-153	NEW	99-05-015
480-110-023	REP-S	99-12-112	480-110-225	NEW-S	99-12-112	480-120-154	NEW	99-05-015
480-110-026	REP-W	99-07-053	480-110-235	NEW-S	99-12-112	480-121	AMD-P	99-07-106

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480-121-010	AMD-P	99-07-106	480-123-470	NEW-W	99-13-095	480-146-070	REP	99-08-054
480-121-010	AMD	99-13-097	480-123-480	NEW-W	99-13-095	480-146-080	REP-P	99-03-073
480-121-015	NEW	99-13-097	480-123-490	NEW-W	99-13-095	480-146-080	REP	99-08-054
480-121-020	AMD-P	99-07-106	480-123-500	NEW-W	99-13-095	480-146-090	REP-P	99-03-073
480-121-020	AMD	99-13-097	480-123-510	NEW-W	99-13-095	480-146-090	REP	99-08-054
480-121-023	NEW	99-13-097	480-123-520	NEW-W	99-13-095	480-146-091	REP-P	99-03-073
480-121-026	NEW	99-13-097	480-123-530	NEW-W	99-13-095	480-146-091	REP	99-08-054
480-121-030	AMD-P	99-07-106	480-123-540	NEW-W	99-13-095	480-146-095	REP-P	99-03-073
480-121-030	AMD	99-13-097	480-123-550	NEW-W	99-13-095	480-146-095	REP	99-08-054
480-121-040	AMD-P	99-07-106	480-123-560	NEW-W	99-13-095	480-146-200	REP-P	99-03-073
480-121-040	AMD	99-13-097	480-123-570	NEW-W	99-13-095	480-146-200	REP	99-08-054
480-121-050	REP-P	99-07-106	480-140	PREP	99-09-028	480-146-210	REP-P	99-03-073
480-121-050	AMD	99-13-097	480-143-010	REP-P	99-03-074	480-146-210	REP	99-08-054
480-121-060	NEW-P	99-07-106	480-143-010	REP	99-08-055	480-146-220	REP-P	99-03-073
480-121-060	NEW	99-13-097	480-143-020	REP-P	99-03-074	480-146-220	REP	99-08-054
480-121-070	NEW-P	99-07-106	480-143-020	REP	99-08-055	480-146-230	REP-P	99-03-073
480-121-070	NEW	99-13-097	480-143-030	REP-P	99-03-074	480-146-230	REP	99-08-054
480-121-080	NEW-P	99-07-106	480-143-030	REP	99-08-055	480-146-240	NEW-P	99-03-073
480-121-090	NEW-P	99-07-106	480-143-040	REP-P	99-03-074	480-146-240	NEW	99-08-054
480-121-100	NEW-P	99-07-106	480-143-040	REP	99-08-055	480-146-250	NEW-P	99-03-073
480-123-015	NEW-W	99-13-095	480-143-050	REP-P	99-03-074	480-146-250	NEW	99-08-054
480-123-020	NEW-W	99-13-095	480-143-050	REP	99-08-055	480-146-260	NEW-P	99-03-073
480-123-030	NEW-W	99-13-095	480-143-060	REP-P	99-03-074	480-146-260	NEW	99-08-054
480-123-040	NEW-W	99-13-095	480-143-060	REP	99-08-055	480-146-270	NEW-P	99-03-073
480-123-050	NEW-W	99-13-095	480-143-070	REP-P	99-03-074	480-146-270	NEW	99-08-054
480-123-060	NEW-W	99-13-095	480-143-070	REP	99-08-055	480-146-280	NEW-P	99-03-073
480-123-070	NEW-W	99-13-095	480-143-080	REP-P	99-03-074	480-146-280	NEW	99-08-054
480-123-080	NEW-W	99-13-095	480-143-080	REP	99-08-055	480-146-290	NEW-P	99-03-073
480-123-085	NEW-W	99-13-095	480-143-100	NEW-P	99-03-074	480-146-290	NEW	99-08-054
480-123-090	NEW-W	99-13-095	480-143-100	NEW	99-08-055	480-146-300	NEW-P	99-03-073
480-123-100	NEW-W	99-13-095	480-143-110	NEW-P	99-03-074	480-146-300	NEW	99-08-054
480-123-110	NEW-W	99-13-095	480-143-110	NEW	99-08-055	480-146-310	NEW-P	99-03-073
480-123-120	NEW-W	99-13-095	480-143-120	NEW-P	99-03-074	480-146-310	NEW	99-08-054
480-123-130	NEW-W	99-13-095	480-143-120	NEW	99-08-055	480-146-320	NEW-P	99-03-073
480-123-140	NEW-W	99-13-095	480-143-130	NEW-P	99-03-074	480-146-320	NEW	99-08-054
480-123-150	NEW-W	99-13-095	480-143-130	NEW	99-08-055	480-146-330	NEW-P	99-03-073
480-123-160	NEW-W	99-13-095	480-143-140	NEW-P	99-03-074	480-146-330	NEW	99-08-054
480-123-170	NEW-W	99-13-095	480-143-140	NEW	99-08-055	480-146-340	NEW-P	99-03-073
480-123-180	NEW-W	99-13-095	480-143-150	NEW-P	99-03-074	480-146-340	NEW	99-08-054
480-123-190	NEW-W	99-13-095	480-143-150	NEW	99-08-055	480-146-350	NEW-P	99-03-073
480-123-200	NEW-W	99-13-095	480-143-160	NEW-P	99-03-074	480-146-350	NEW	99-08-054
480-123-210	NEW-W	99-13-095	480-143-160	NEW	99-08-055	480-146-360	NEW-P	99-03-073
480-123-220	NEW-W	99-13-095	480-143-170	NEW-P	99-03-074	480-146-360	NEW	99-08-054
480-123-230	NEW-W	99-13-095	480-143-170	NEW	99-08-055	480-146-370	NEW-P	99-03-073
480-123-240	NEW-W	99-13-095	480-143-180	NEW-P	99-03-074	480-146-370	NEW	99-08-054
480-123-250	NEW-W	99-13-095	480-143-180	NEW	99-08-055	480-146-380	NEW-P	99-03-073
480-123-260	NEW-W	99-13-095	480-143-190	NEW-P	99-03-074	480-146-380	NEW	99-08-054
480-123-270	NEW-W	99-13-095	480-143-190	NEW	99-08-055	490-500-005	PREP	99-06-081
480-123-280	NEW-W	99-13-095	480-143-200	NEW-P	99-03-074	490-500-005	REP-P	99-12-030
480-123-290	NEW-W	99-13-095	480-143-200	NEW	99-08-055	490-500-010	PREP	99-06-081
480-123-300	NEW-W	99-13-095	480-143-210	NEW-P	99-03-074	490-500-010	REP-P	99-12-030
480-123-310	NEW-W	99-13-095	480-143-210	NEW	99-08-055	490-500-015	PREP	99-06-081
480-123-320	NEW-W	99-13-095	480-143-990	REP-P	99-03-074	490-500-015	REP-P	99-12-030
480-123-330	NEW-W	99-13-095	480-143-990	REP	99-08-055	490-500-022	PREP	99-06-081
480-123-340	NEW-W	99-13-095	480-146-010	REP-P	99-03-073	490-500-022	REP-P	99-12-030
480-123-350	NEW-W	99-13-095	480-146-010	REP	99-08-054	490-500-025	PREP	99-06-081
480-123-360	NEW-W	99-13-095	480-146-020	REP-P	99-03-073	490-500-025	REP-P	99-12-030
480-123-370	NEW-W	99-13-095	480-146-020	REP	99-08-054	490-500-030	PREP	99-06-081
480-123-380	NEW-W	99-13-095	480-146-030	REP-P	99-03-073	490-500-030	REP-P	99-12-030
480-123-390	NEW-W	99-13-095	480-146-030	REP	99-08-054	490-500-050	PREP	99-06-081
480-123-400	NEW-W	99-13-095	480-146-040	REP-P	99-03-073	490-500-050	REP-P	99-12-030
480-123-410	NEW-W	99-13-095	480-146-040	REP	99-08-054	490-500-055	PREP	99-06-081
480-123-420	NEW-W	99-13-095	480-146-050	REP-P	99-03-073	490-500-055	REP-P	99-12-030
480-123-430	NEW-W	99-13-095	480-146-050	REP	99-08-054	490-500-065	PREP	99-06-081
480-123-440	NEW-W	99-13-095	480-146-060	REP-P	99-03-073	490-500-065	REP-P	99-12-030
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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
490-500-070	REP-P	99-12-030	490-500-500	PREP	99-06-081			
490-500-080	PREP	99-06-081	490-500-500	REP-P	99-12-030			
490-500-080	REP-P	99-12-030	490-500-505	PREP	99-06-081			
490-500-170	PREP	99-06-081	490-500-505	REP-P	99-12-030			
490-500-170	REP-P	99-12-030	490-500-510	PREP	99-06-081			
490-500-180	PREP	99-06-081	490-500-510	REP-P	99-12-030			
490-500-180	REP-P	99-12-030	490-500-525	PREP	99-06-081			
490-500-185	PREP	99-06-081	490-500-525	REP-P	99-12-030			
490-500-185	REP-P	99-12-030	490-500-530	PREP	99-06-081			
490-500-190	PREP	99-06-081	490-500-530	REP-P	99-12-030			
490-500-190	REP-P	99-12-030	490-500-542	PREP	99-06-081			
490-500-200	PREP	99-06-081	490-500-542	REP-P	99-12-030			
490-500-200	REP-P	99-12-030	490-500-545	PREP	99-06-081			
490-500-205	PREP	99-06-081	490-500-545	REP-P	99-12-030			
490-500-205	REP-P	99-12-030	490-500-555	PREP	99-06-081			
490-500-257	PREP	99-06-081	490-500-555	REP-P	99-12-030			
490-500-257	REP-P	99-12-030	490-500-560	PREP	99-06-081			
490-500-260	PREP	99-06-081	490-500-560	REP-P	99-12-030			
490-500-260	REP-P	99-12-030	490-500-580	PREP	99-06-081			
490-500-270	PREP	99-06-081	490-500-580	REP-P	99-12-030			
490-500-270	REP-P	99-12-030	490-500-590	PREP	99-06-081			
490-500-275	PREP	99-06-081	490-500-590	REP-P	99-12-030			
490-500-275	REP-P	99-12-030	490-500-600	PREP	99-06-081			
490-500-300	PREP	99-06-081	490-500-600	REP-P	99-12-030			
490-500-300	REP-P	99-12-030	490-500-605	PREP	99-06-081			
490-500-325	PREP	99-06-081	490-500-605	REP-P	99-12-030			
490-500-325	REP-P	99-12-030	490-500-615	PREP	99-06-081			
490-500-350	PREP	99-06-081	490-500-615	REP-P	99-12-030			
490-500-350	REP-P	99-12-030	490-500-620	PREP	99-06-081			
490-500-380	PREP	99-06-081	490-500-620	REP-P	99-12-030			
490-500-380	REP-P	99-12-030	490-500-622	PREP	99-06-081			
490-500-385	PREP	99-06-081	490-500-622	REP-P	99-12-030			
490-500-385	REP-P	99-12-030	490-500-625	PREP	99-06-081			
490-500-389	PREP	99-06-081	490-500-625	REP-P	99-12-030			
490-500-389	REP-P	99-12-030	490-500-627	PREP	99-06-081			
490-500-390	PREP	99-06-081	490-500-627	REP-P	99-12-030			
490-500-390	REP-P	99-12-030	490-500-630	PREP	99-06-081			
490-500-418	PREP	99-06-081	490-500-630	REP-P	99-12-030			
490-500-418	REP-P	99-12-030	490-500-635	PREP	99-06-081			
490-500-420	PREP	99-06-081	490-500-635	REP-P	99-12-030			
490-500-420	REP-P	99-12-030	491-02	PREP	99-13-170			
490-500-430	PREP	99-06-081	516-13-090	AMD-P	99-03-011			
490-500-430	REP-P	99-12-030	516-13-090	AMD-E	99-03-012			
490-500-435	PREP	99-06-081	516-13-090	AMD	99-07-089			
490-500-435	REP-P	99-12-030	516-15-050	AMD-P	99-03-011			
490-500-437	PREP	99-06-081	516-15-050	AMD-E	99-03-012			
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490-500-445	PREP	99-06-081	516-133	PREP	99-08-044			
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490-500-450	PREP	99-06-081						
490-500-450	REP-P	99-12-030						
490-500-455	PREP	99-06-081						
490-500-455	REP-P	99-12-030						
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490-500-460	REP-P	99-12-030						
490-500-465	PREP	99-06-081						
490-500-465	REP-P	99-12-030						
490-500-470	PREP	99-06-081						
490-500-470	REP-P	99-12-030						
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490-500-475	REP-P	99-12-030						
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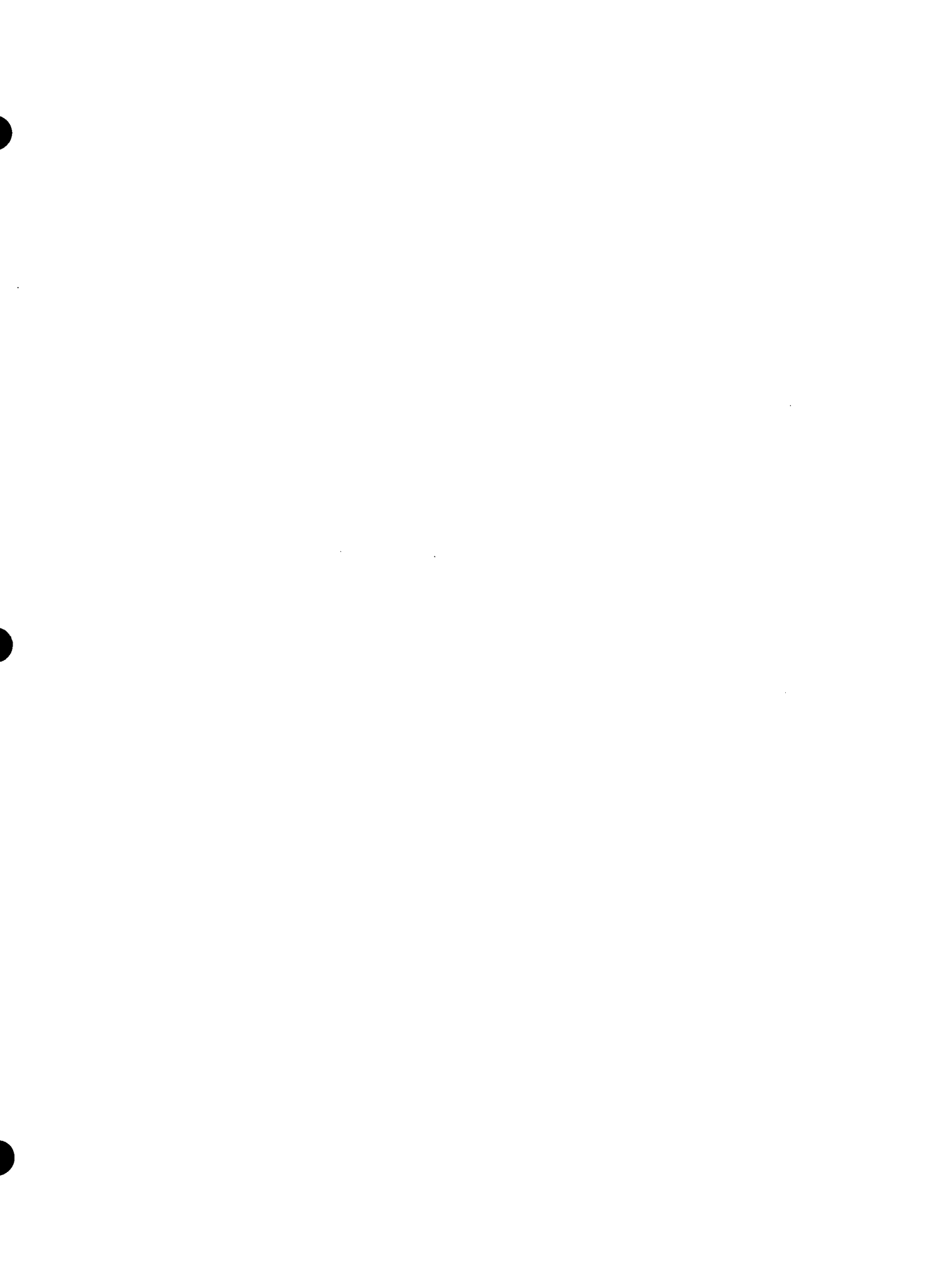
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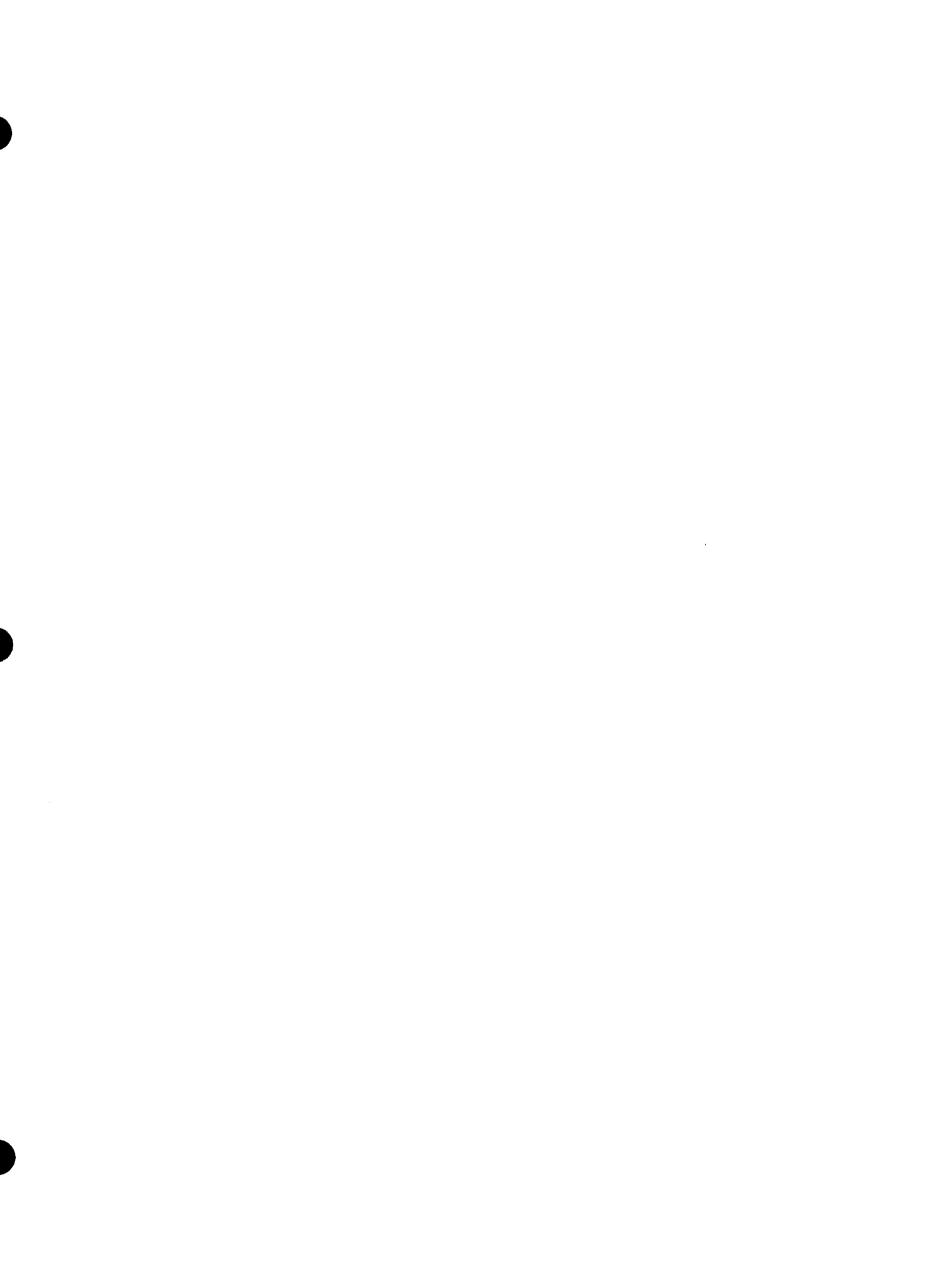
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