

Washington State Register

December 1, 1999

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filed not later than November 17, 1999

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (360) 786-6697.

REPUBLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE (Computed and filed by the State Treasurer under RCW 19.52.025)

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

John G. Schultz
Chair, Statute Law Committee

Dennis W. Cooper
Code Reviser

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Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following nine sections:

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

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

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

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

4. EFFECTIVE DATE OF RULES

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

5. EDITORIAL CORRECTIONS

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

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue Number	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³	Expedited Adoption ⁴
	Non-OTS and 30 p. or more	Non-OTS and 11 to 29 p.	OTS ² or 10 p. max. Non-OTS			
<i>For Inclusion in -</i>	<i>File no later than 12:00 noon -</i>			<i>Count 20 days from -</i>	<i>For hearing on or after</i>	<i>First Agency Adoption Date</i>
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
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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
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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

¹All 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.

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

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

⁴A 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;

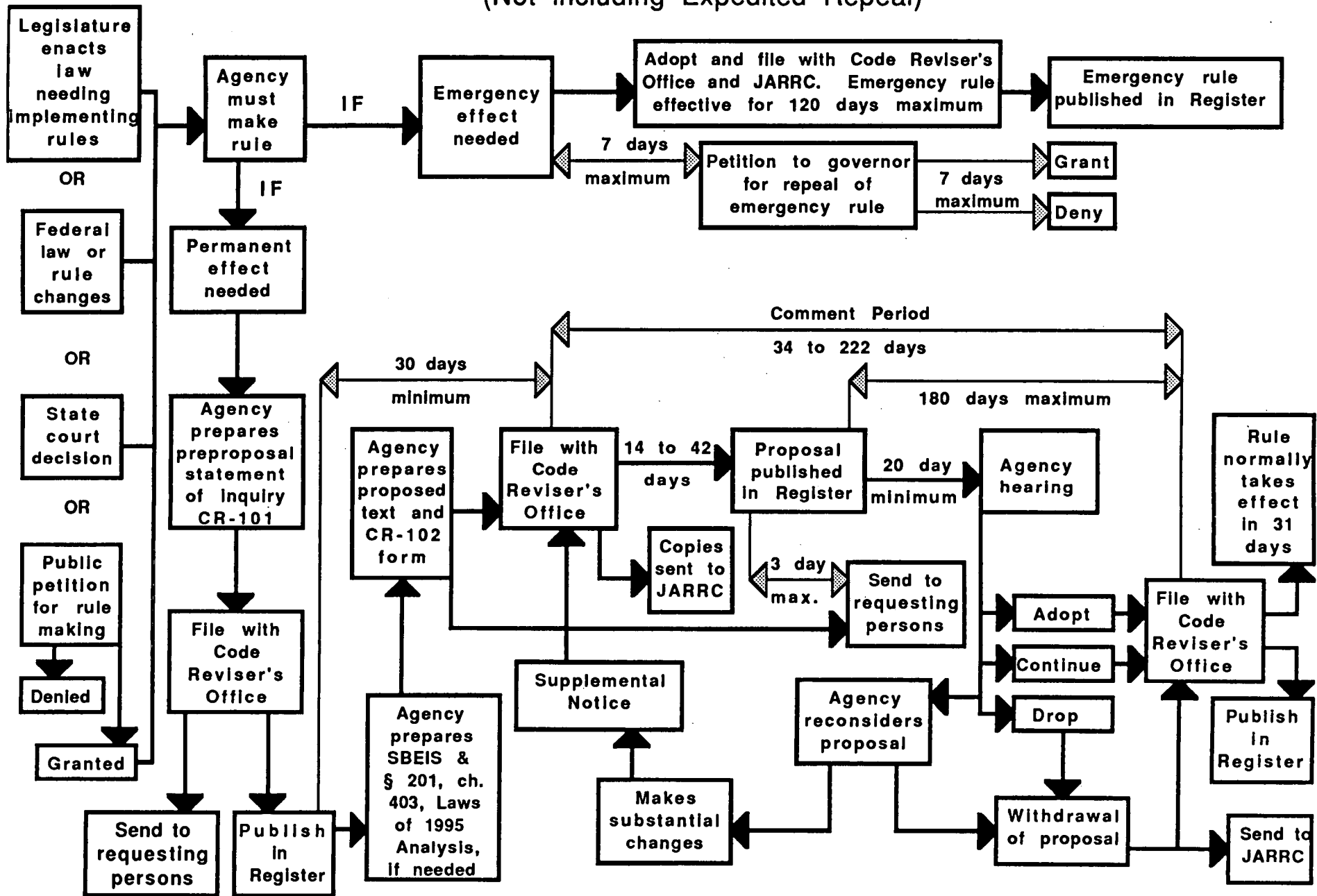
The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

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 99-23-004
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed November 4, 1999, 1:13 p.m.]

Subject of Possible Rule Making: Changes to commercial and recreational crab rules in Puget Sound and changes to commercial and recreational fishing rules for Puget Sound marine fish.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Recreational and commercial crab fisheries are still evolving as a result of implementing treaty fishing rights for shellfish and changes may be required to help provide for allocation and orderly fishery needs. Several Puget Sound marine fish are being considered for protection under the Endangered Species Act. Several regulatory actions may be required to manage marine fish stocks for purposes of conservation under a rebuilding plan.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Morris Barker, Marine Resource Program Manager, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2826, or fax (360) 902-2944. Contact by January 3, 2000.

November 4, 1999
Evan Jacoby
Rules Coordinator

WSR 99-23-017
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed November 5, 1999, 4:31 p.m.]

Subject of Possible Rule Making: Recreational fishing rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Each year the department participates in the North of Falcon subproceeding of the Pacific Fisheries Management Council. The rules will allow for the harvest of the available surplus salmon.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: National Marine Fisheries Service is a participant in the North of Falcon process.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lew Atkins, Fish Program Assistant

Director, 600 Capitol Way, Olympia, WA 98501-1091, phone (360) 902-2651. Contact by April 10, 2000.

October 4, 1999
Evan Jacoby
Rules Coordinator

WSR 99-23-019
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed November 8, 1999, 4:32 p.m.]

Subject of Possible Rule Making: Commercial fishing rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Gill net gear in the ocean has shown to have an adverse impact on sea turtles and marine mammals. Target species, such as swordfish and thresher shark, can be harvested with troll gear without by-catch mortalities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The National Marine Fisheries Service is reviewing the pelagic fisheries, and is expected to establish a management plan that includes thresher shark.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lew Atkins, Fish Division Manager, 600 Capitol Way, Olympia, WA 98501-1091, phone (360) 902-2651. Contact by January 4, 2000, expected proposal filing January 5, 2000.

November 8, 1999
Evan Jacoby
Rules Coordinator

WSR 99-23-022
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed November 9, 1999, 1:14 p.m.]

Subject of Possible Rule Making: Management and administration of Washington State Patrol retirement system (WSPRS).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.43 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.43.278 mandates that the Department of Retirement Systems adopt rules that allow a member to select, in lieu of benefits under RCW 43.43.270, an actuarially equivalent retirement option that pays the member a reduced retirement allowance and upon

death shall be continued throughout the life of the lawful surviving spouse.

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

Process for Developing New Rule: The department did not seek input on the preliminary draft prior to filing the CR-101. Copies of the draft rule will be circulated to interested parties for comment. Interested parties include those persons known to the department, such as state employees who are or will become members of the system, their employers and representatives. We will also make copies of the draft rules available to any other person who requests a copy and/or opportunity to comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Leah Wilson, WSPRS Plan Administrator, (360) 664-7049, Elyette M. Weinstein, Rules Coordinator, (360) 664-7307, Department of Retirement Systems, fax (360) 753-3166, Mailstop 48380, P.O. Box 48380, Olympia, WA 98504-8380.

November 9, 1999
Elyette M. Weinstein
Rules Coordinator

WSR 99-23-028

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed November 10, 1999, 9:43 a.m.]

Subject of Possible Rule Making: Sellers of Travel Registration Act rules update to chapter 308-129 WAC due to new legislative changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.138.170(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Legislative changes to chapter 19.139 RCW has deemed it essential to revise the rules for the seller of travel registration in order to provide effective protection to Washington state consumers.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michael W. Schneider, P.O. Box 9649, Olympia, WA 98507-9649, phone (360) 586-0396, fax (360) 664-2550.

November 10, 1999
Michael W. Schneider
Deputy Administrator

WSR 99-23-032

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Juvenile Rehabilitation Administration)**

[Filed November 10, 1999, 3:42 p.m.]

Subject of Possible Rule Making: This rule will establish a process for responding to situations of sexual misconduct with Juvenile Rehabilitation Administration (JRA) youth by employees of JRA, volunteers, JRA contractors or an employee or subcontractor of a JRA contractor.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 13.40.570.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule will change the current process for disciplinary action for sexual misconduct with JRA youth. Background check and reporting requirements will be impacted by this legislation, with additional crimes added to chapter 9A.44 RCW, Sex offenses.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington State Department of Corrections (DOC) has adopted their own rules regarding the process for responding to situations of sexual misconduct with offenders within the DOC system. JRA will share draft rules with DOC and ask for their input.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rule(s). Anyone interested in participating should contact the staff person indicated below. After the rule(s) 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 else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Candy Curl, Juvenile Rehabilitation Administrator, Juvenile Rehabilitation Administration, P.O. Box 45720, Olympia, WA 98504, (360) 902-0858, fax (360) 902-8108, TTY (360) 902-7862, e-mail curlcg@dshs.wa.gov.

November 10, 1999
Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 99-23-041

**PREPROPOSAL STATEMENT OF INQUIRY
SHORELINE COMMUNITY COLLEGE**

[Filed November 12, 1999, 3:50 p.m.]

Subject of Possible Rule Making: Chapter 132G-276 WAC, Public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 132G-276 WAC has not been revised since 1974. Substantial changes in law since 1974 need to be reflected in the chapter.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paulette Fleming, Vice-President for the Office of Human Resources and Employee Relations, Shoreline Community College, 16101 Greenwood Avenue North, Seattle, WA 98133, phone (206) 546-4694, fax (206) 546-5850, e-mail pflemin@ctc.edu.

November 10, 1999

Paulette Fleming, Vice-President
Human Resources and Employee Relations

WSR 99-23-051

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:48 a.m.]

Subject of Possible Rule Making: WAC 4-25-400 Preamble.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999

Dana M. McInturff, CPA
Executive Director

WSR 99-23-052

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:49 a.m.]

Subject of Possible Rule Making: WAC 4-25-521 Description of central and field organization of the board.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999

Dana M. McInturff, CPA
Executive Director

WSR 99-23-053

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:50 a.m.]

Subject of Possible Rule Making: WAC 4-25-522 Operations and procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999

Dana M. McInturff, CPA
Executive Director

WSR 99-23-054

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:51 a.m.]

Subject of Possible Rule Making: WAC 4-25-540 What are brief adjudicative proceedings?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055(1) and 34.05.482.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule requires a technical correction to include appeals of exam denials in the list of grievances handled via a brief adjudicative proceeding. A correction will align the rule with board policy/practice.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999
 Dana M. McInturff, CPA
 Executive Director

with this rule. The board will review the rule for effectiveness, clarity, cost, fairness, and need.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999
 Dana M. McInturff, CPA
 Executive Director

WSR 99-23-055

**PREPROPOSAL STATEMENT OF INQUIRY
 BOARD OF ACCOUNTANCY**

[Filed November 15, 1999, 9:52 a.m.]

Subject of Possible Rule Making: WAC 4-25-626 Can I accept commission, referral, or contingent fees?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board has received many questions, requests for interpretation, and comments concerning this rule. The board will review the rule for effectiveness, clarity, cost, fairness, and need.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999
 Dana M. McInturff, CPA
 Executive Director

WSR 99-23-057

**PREPROPOSAL STATEMENT OF INQUIRY
 BOARD OF ACCOUNTANCY**

[Filed November 15, 1999, 9:54 a.m.]

Subject of Possible Rule Making: WAC 4-25-660 Advertising and other forms of solicitation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need. The board will also consider expanding the rule to include a client notification requirement. Such notification would require a licensee in public practice to display his/her license on the licensee's web site and potentially on letter head, business cards, etc.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999
 Dana M. McInturff, CPA
 Executive Director

WSR 99-23-056

**PREPROPOSAL STATEMENT OF INQUIRY
 BOARD OF ACCOUNTANCY**

[Filed November 15, 1999, 9:53 a.m.]

Subject of Possible Rule Making: WAC 4-25-631 Compliance with standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055(6).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency's prosecuting assistant attorney general, the agency's legal counsel, board chair, and executive director have identified technical issues

WSR 99-23-058

**PREPROPOSAL STATEMENT OF INQUIRY
 BOARD OF ACCOUNTANCY**

[Filed November 15, 1999, 9:55 a.m.]

Subject of Possible Rule Making: WAC 4-25-661 Improper CPA firm names.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999

Dana M. McInturff, CPA
Executive Director

WSR 99-23-059

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:56 a.m.]

Subject of Possible Rule Making: WAC 4-25-730 Experience.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055, 18.04.215.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need. The effectiveness and fairness of the board's experience sponsor program was questioned in late 1997. The board wishes to review the experience rule to ensure all candidates for a CPA license obtain experience necessary for competence. The board will also consider its rule in conjunction with the model Uniform Accountancy Act to promote uniformity between the other state boards of accountancy.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999

Dana M. McInturff, CPA
Executive Director

WSR 99-23-060

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:57 a.m.]

Subject of Possible Rule Making: WAC 4-25-750 Firm license.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055(3), 18.04.195, and 18.04.205(3).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999

Dana M. McInturff, CPA
Executive Director

WSR 99-23-061

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:58 a.m.]

Subject of Possible Rule Making: WAC 4-25-780 Reciprocity for accountants from foreign countries.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055 and 18.04.183.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999

Dana M. McInturff, CPA
Executive Director

WSR 99-23-062
PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:59 a.m.]

Subject of Possible Rule Making: WAC 4-25-820 Quality assurance review (QAR) program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055(9).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need. This rule, program, policies, schedules, procedures, practices have not undergone a full review by the board since its inception in 1987. The board wishes to review the QAR rule to develop a formal program to approve and perform oversight on approved peer review programs. To promote uniformity between the other state boards of accountancy, the board will also consider the QAR rule in conjunction with the model Uniform Accountancy Act that requires CPA firms to participate in the AICPA's peer review.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999

Dana M. McInturff, CPA

Executive Director

WSR 99-23-063
PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 10:01 a.m.]

Subject of Possible Rule Making: WAC 4-25-910 Bases for imposing discipline.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055 and 18.04.295.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Part of the agency's fiscal year 2000 rules review, reviewing the rule for effectiveness, clarity, cost, fairness, and need.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Dana M. McInturff, Executive Director, Washington State Board of Accountancy, P.O. Box 9131,

Olympia, WA 98507-9131, (360) 664-9194, fax (360) 664-9190, e-mail cpaboard@compuserve.com.

November 9, 1999

Dana M. McInturff, CPA

Executive Director

WSR 99-23-085
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed November 16, 1999, 1:19 p.m.]

Subject of Possible Rule Making: Modifying the state deferred compensation recordkeeping system and miscellaneous changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 41.50.770 and 41.50.780 govern the deferred compensation plan. These rules are intended to improve the plan's recordkeeping process and to make technical corrections.

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

Process for Developing New Rule: Because the department already has existing rules on this subject in place and the changes are being made to improve plan recordkeeping and to make housekeeping changes, the department did not seek input on the preliminary draft prior to filing the CR-101. Copies of the draft rule will be circulated to interested parties for comment. Interested parties include those persons known to the department, such as state employees, and any other person who requests a copy and/or opportunity to comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Holdren, Deferred Compensation Plan, Department of Retirement Systems, Mailstop 48380, P.O. Box 48380, Olympia, WA 98504-8380, phone (360) 664-7009, fax (360) 753-3166.

November 16, 1999

Elyette M. Weinstein

Rules Coordinator

WSR 99-23-086
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed November 16, 1999, 3:36 p.m.]

The Department of Health would like to withdraw the following notices of inquiry (CR-101) because they are no longer valid.

WAC NUMBER	WSR NUMBER	WSR DATE	SUBJECT
246-802-030, 040, 050, 060	97-16-088	8/5/97	Acupuncture Courses, Credits
246-812-xxx	97-19-098	9/17/97	Defining Denturism
246-824-010, 020, 025	95-15-106	7/19/95	Dispensing Optician
246-824-220, 075, 990	94-22-003	10/19/94	Dispensing Optician
246-840-xxx	99-11-034	5/13/99	Nursing Conscious Sedation
246-840-125	99-03-066	1/18/99	Nursing Retired Active License
246-845-990	98-09-116	4/22/98	Nursing Pool Fees
246-850-xxx	98-18-070	8/31/98	Alternative Training Orthotists Prosthetists
246-865	97-11-038	5/15/97	Pharmacies in Extended Care
246-869	94-11-090	5/17/94	Pharmacy Hospital Standards
246-872	96-15-110	7/22/96	Pharmacy Drug Distribution
246-875	94-11-091	5/17/94	Pharmacy Patient Medication Records
246-879	96-15-109	7/22/96	Pharmacy Drug Destruction Firms
246-887-170	96-10-038	4/25/96	Cardisopordol schedule IV
246-901-065	95-20-073	10/4/95	Pharmacy Track Employees
246-922-xxx	98-17-101	8/19/98	Podiatry Retired Active Status
246-924-240, 500	96-16-009	7/25/96	Psychology license, education

246-924-990	96-15-071	7/18/96	Psychology Temporary Permits
246-933-990	97-06-018	2/25/97	Veterinarian Fees
246-935	96-18-093	9/4/96	Animal Techs

If you have any questions, please telephone Michelle Davis at (360) 236-4044.

Mary C. Selecky
Secretary

WSR 99-23-087

PREPROPOSAL STATEMENT OF INQUIRY STATE BOARD OF HEALTH

[Filed November 16, 1999, 3:37 p.m.]

Subject of Possible Rule Making: WAC 246-217-025 Issuance of food worker cards—Fees, the State Board of Health will consider whether the fee for food worker cards should be raised.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.06.020 Permit exclusive and valid throughout the state—Fee.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Food worker cards protect public health by ensuring that food handlers are trained and able to pass a test demonstrating knowledge of proper food handling techniques. RCW 69.06.020 directs that the fee for food worker cards should reflect the actual cost of food worker training, testing and administration of these programs. However, the fee for food worker cards has not been adjusted since 1992. The State Board of Health is considering whether current fees provide adequate funding to continue programs at present levels.

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 issue will be discussed and public comment will be taken at State Board of Health meetings. The Department of Health will also work to include interested parties through mailings and/or workshops.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michelle Davis, Rules Manager, Department of Health, State Board of Health, P.O. Box 47890, Olympia, WA 98504-7890, (360) 236-4044, fax (360) 236-7424.

November 15, 1999
Don Sloma
Executive Director

WSR 99-23-102

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 99-01—Filed November 17, 1999, 11:20 a.m.]

Subject of Possible Rule Making: Dangerous waste regulations, chapter 173-303 WAC, will be modified to incorporate ecology's process and criteria for reviewing waste-derived and micronutrient fertilizers. This amendment will be combined with the rule-making process that was announced as WSR 99-10-041.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 70.105 and 70.105D RCW, the Hazardous Waste Management Act and Hazardous Waste Cleanup-Model Toxics Control Act. Chapter 15.54 RCW, Fertilizers, minerals, and limes.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Ecology developed a process for reviewing waste-derived and micronutrient fertilizer applications in early 1999. That process will be clarified in the dangerous waste regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal Environmental Protections Agency (EPA) also implements hazardous waste regulations in Washington. Ecology coordinates with EPA on its rule making by providing drafts and meeting, as necessary. Ecology will also coordinate with the state Departments of Agriculture, Health, and Labor and Industries as it has done on other fertilizer issues.

Process for Developing New Rule: This rule will be based on the criteria published last year in WSR 98-15-156. The published criteria were used by ecology staff to review the first round of waste-derived fertilizer applications.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive information regarding the rule making (availability of proposed rule language, hearing announcements, and opportunities for public involvement), or for more detailed information about the rule-making content and process, contact Patricia Hervieux at pher461@ecy.wa.gov. For questions about the fertilizer review process, contact Dennis Bowhay at dbow461@ecy.wa.gov, (509) 454-7866; or, you may call Patricia at (360) 407-6756, write P.O. Box 47600, Olympia, WA 98504-7600, or fax (360) 407-6715 or visit <http://www.wa.gov/ecology/leg/activity/wac173303.html>.

November 12, 1999

K. Seiler
for Greg Sorlie
Acting Program Manager

WSR 99-23-103

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 95-17a—Filed November 17, 1999, 11:21 a.m.]

Subject of Possible Rule Making: Update and replacement of chapter 173-16 WAC, Shoreline Management Act (SMA) guidelines for development of master programs;

implementation of regulatory reform relating to integration of shorelines, growth management and related statutes; planning and regulatory measures addressing shoreline uses and development; protection and restoration of fish and wildlife habitat within shorelines of the state.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 90.58, 36.70A, 36.70B RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The shoreline guidelines rule has never been comprehensively updated since it was originally adopted over twenty-five years ago. The existing guidelines do not recognize new advancements in science relating to how shorelines should be managed, changes in the character of shoreline development and new innovations in shoreline management practice. In addition, the 1995 legislature directed ecology to periodically review and adopt guidelines consistent with the policy of the SMA and integrate shorelines and growth management plans and development regulations. For these reasons, the guidelines need a thorough reworking. Updated guidelines will provide needed direction to local governments and the state in implementing the SMA.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Department of Ecology is the principal state (agency lead) regulator in this subject area. However, state Departments of Community, Trade and Economic Development, Fish and Wildlife, Natural Resources, Agriculture and others are affected and will be consulted during development of the subject rule. The National Fish and Wildlife Service, Marine Fisheries Service, and Oceanic and Atmospheric Administration will also be consulted.

Process for Developing New Rule: Ecology will build upon the work of the Shorelines Policy Advisory Group, Land Use Study Commission and more recently the Shorelines Guidelines Commission in development of new rule language. These past efforts have included participation from cities, counties, tribes, ports, forestry, environmental and citizen organizations, business, agriculture, recreational interests, shoreline property owners and state agencies. Ecology will continue to work with these parties in the rule development process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Peter Skowlund, Shorelands and Environmental Assistance Program, Washington State Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, e-mail psko461@ecy.wa.gov, phone (360) 407-6522, fax (360) 407-6902, or visit <http://www.wa.gov/ecology/leg/activity/wac17326.html>.

Ecology plans to distribute a new informal "working draft" rule before the '2000 legislative session and continue working with local governments and other interested parties, including the state legislature, before a formal rule is published. Ecology will provide a schedule for rule adoption that will indicate opportunities for the public to ask questions,

provide information and comment throughout the rule development process.

November 16, 1999
Gordon White
Program Manager

WSR 99-23-110
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed November 17, 1999, 11:39 a.m.]

Subject of Possible Rule Making: Telecommunications company line extensions. The commission will explore matters relating to line extension policies and tariffs, including a review of existing WAC 480-120-071, under Docket No. UT-991737. The inquiry will include consideration of whether the present rule results in very high customer charges for some line extensions, and if so, what problems that causes; whether different rule provisions would alleviate problems; the effects of possible changes on the public and affected companies; and what rule provisions should be adopted or amended. The commission will also consider how the present line extension rule and any proposed changes relate to the Federal Telecommunications Act of 1996.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040, 80.04.160, and 80.36.300.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: At present, some Washington residents and businesses go without telephone service because line extension charges are prohibitively high. That imposes barriers for commercial and personal communications between the affected citizens and others, and prevents emergency communication. The Telecommunications Act of 1996, Public Law 104-104, 110 Stat. 154 provides that universally affordable telecommunications services that are comparable in quality and price between urban and rural areas should be available at rates that are "fair, just, reasonable and sufficient." Rule making may clarify the rules of customers and companies, and assist in finding a balance that meets the goals expressed in federal law.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The commission will review orders and rules of the Federal Communications Commission in its inquiry.

Process for Developing New Rule: Agency study; and the commission will ask for initial written comments, and will provide the opportunity for additional comments. The commission will schedule workshops with representatives of affected constituencies in a manner designed to seek consensus among affected interested regarding any rule proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting the Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, (360) 664-1174, fax (360) 586-1150. Such persons may submit comments, as specified below, or may ask

to be included in the commission's list of interested persons for the proceeding.

WRITTEN COMMENTS: Written comments in response to the CR-101 from persons interested in the subject matter of this proposed rule making may be filed with the commission secretary, referencing Docket No. UT-991737, not later than **December 10, 1999**. All commenters are asked, but not required, to file an original and ten copies of their written comments. The commission also requests, but does not require, that comments be provided on a 3 1/2 inch IBM formatted high-density disk, in WordPerfect version 5.1 or later, labeled with the docket number of this proceeding and the commenter's name and type of software used. The commission may offer additional opportunities to provide written comments. Interested persons may file additional written comments in response to any such invitation. Interested persons may also attend and participate in the workshop described below and in any other workshop that may be scheduled. The commission will provide written notice of any additional preproposal workshops to all commenters and to any other persons specifically asking to receive notice in this rule-making proceeding.

NOTICE OF WORKSHOPS: A workshop will be held on December 15, 1999, beginning at 1:30 p.m., in the Commission Meeting Room 108, First Floor, Chandler Plaza, 1300 South Evergreen Park Drive S.W., Olympia, WA. The commission's teleconference bridge line will be available for this workshop. A limited number of teleconference ports will be available and will be assigned one to an organization, first come first served. Persons wishing to attend via the teleconference bridge line must contact Nancy Moen at (360) 664-1140 no later than 5:00 p.m., December 13, 1999. Questions may be addressed to Bob Shirley at (360) 664-1292, or e-mail at bshirley@wutc.wa.gov, or by mail at the address above.

A second workshop will be held on January 13, 2000, from 6:30 to 9:00 p.m. in the Auditorium of the Okanogan Public Utility District, 1331 Second Avenue North, Okanogan, WA.

The commission also contemplates a later workshop for discussion of any

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING —The commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. **ANY PERSON WHO COMMENTS** will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making, please advise the records center by any one of the following methods: (1) Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket No. UT-991737, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket No. UT-991737, and the words "Please keep me on the mailing list" to records@wutc.wa.gov. Please note that all information in the mailings will be accessible through the commission's Internet web site at

<<http://www.wutc.wa.gov/>>. **THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

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.

November 17, 1999
Terrence Stapleton
for Carole J. Washburn
Secretary

WSR 99-23-104
EXPEDITED REPEAL
SOUTH PUGET SOUND
COMMUNITY COLLEGE

[Filed November 17, 1999, 11:31 a.m.]

The Following Sections are Proposed for Expedited Repeal: WAC 132X-20-010, 132X-20-020, 132X-20-030, 132X-20-040, 132X-20-050, 132X-20-060, 132X-20-070, 132X-20-080, 132X-20-090, 132X-20-100, 132X-20-110, 132X-20-120, and 132X-20-130.

Rules Proposed for Expedited Repeal Meet the Following Criteria: Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

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

Address Your Objection to: Kenneth J. Minnaert, President, South Puget Sound Community College, 2011 Mottman Road S.W., Olympia, WA 98512-6292.

Reason the Expedited Repeal of the Rule is Appropriate: The existing emergency procedures are duplicative of procedures established by the Department of Personnel applying to classified employees.

November 17, 1999
Kenneth J. Minnaert
President

EXPEDITED REPEAL



WSR 99-23-010
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed November 5, 1999, 10:26 a.m.]

Date of Intended Adoption: January 15, 2000.

November 5, 1999

D. McCurley

Administrator

Title and Registration Services

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-18-128.

Title of Rule: Chapter 308-96A WAC, Vehicle licenses procedures for reporting and collecting parking ticket violations.

Purpose: 1. To meet the criteria set forth in Governor Locke's Executive Order 97-02.

2. To clarify rules and help make them more comprehensible.

Reasons supporting proposal: Meet criteria supporting Governor Locke's Executive Order 97-02.

Statutory Authority for Adoption: RCW 46.01.110, 46.12.040, 46.16.216.

Summary: Amending WAC 308-96A-345 Definitions, 308-96A-350 Outstanding parking violations—Information to be supplied by issuing jurisdiction, 308-96A-355 Satisfaction of parking violations—Information to be supplied by issuing jurisdiction, 308-96A-365 Reinstatement of parking violation; and repealing WAC 308-96A-360 Return of unacceptable notification to jurisdiction, 308-96A-370 Removal of parking ticket information from active file, 308-96A-375 Parking violation list, and 308-96A-380 Effect of one hundred twenty-day notice on license renewal.

Name of Agency Personnel Responsible for Drafting and Implementation: Patrick J. Zlateff, 1125 Washington Street S.E., Olympia, 902-3718; and Enforcement: Deborah McCurley, 1125 Washington Street S.E., Olympia, 902-3754.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The anticipated effects will be a clarification of the above-mentioned requirements.

Proposal Changes the Following Existing Rules: Clarify sections needed and repeal those no longer required.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in an industry.

RCW 34.05.328 does not apply to this rule adoption. The contents of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room, 1125 Washington Street S.E., Olympia, WA 98507, on December 29, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Patrick J. Zlateff by December 28, 1999, TDD (360) 664-8885, or (360) 902-3718.

Submit Written Comments to: Patrick J. Zlateff, Rules Coordinator, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, fax (360) 664-0831, by December 28, 1999.

AMENDATORY SECTION (Amending WSR 91-04-024, filed 1/29/91, effective 3/1/91)

WAC 308-96A-345 Definitions. What are the common definitions needed to understand parking violations? For the purposes of this chapter ((46.16 RCW)) the following definitions apply:

(1) "Jurisdiction" shall mean any district, municipal, justice ~~((and/or))~~, superior court, or other authorized representative.

(2) "NCIC (ORI) number" means the numeric code assigned by the National Crime Information Center (originator) to identify a jurisdiction.

(3) "Department" shall mean the department of licensing.

(4) "Parking violation list" shall mean a computerized listing containing all outstanding parking violations which have been processed by the department and which must be satisfied prior to ~~((renewal of license))~~ renewing your vehicle registration.

(5) "Agent" shall mean any county auditor, or other individual or business entity appointed to carry out vehicle licensing and titling functions for the department.

(6) "Unprocessed" shall mean no update of the computer record has occurred.

(7) "Jurisdiction seal" shall mean method of verifying authenticity of court documents, which is provided by the jurisdiction that issued the citation. A jurisdiction seal is an embossed seal or stamp provided by the jurisdiction.

(8) "Municipality" means every court having jurisdiction over offenses committed under RCW 46.20.270.

(9) "Local agencies" shall include district, municipal, justice and/or superior courts, and other local reporting agencies.

(10) "One hundred twenty-day notice" shall mean a warning notice of those violations received by the department one hundred twenty days prior to the ~~((license))~~ registration renewal date. ((The notice will list the dates and jurisdictions in which the violations occurred, unpaid fines, penalties, and a fifteen dollar surcharge.))

(11) "Disposition shall mean the requested action as determined by the jurisdiction to add failure-to-pay parking violations, or to remove paid parking violations from a vehicle record.

(12) "Parking violation shall mean any standing, stopping, or parking violation per RCW 46.20.270(3).

AMENDATORY SECTION (Amending WSR 91-04-024, filed 1/29/91, effective 3/1/91)

WAC 308-96A-350 Outstanding parking ~~((tickets))~~ violations—Information to be supplied by issuing juris-

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diction. ~~((In order to submit notification of outstanding parking tickets, a jurisdiction must provide the following:~~

- ~~(1) Jurisdiction name,~~
- ~~(2) NCIC number (ORI),~~
- ~~(3) Parking ticket number,~~
- ~~(4) Date parking ticket was issued,~~
- ~~(5) Vehicle license plate number, and~~
- ~~(6) Fine and penalty amount,~~
- ~~(7) Jurisdiction seal,~~
- ~~(8) Signature and date when required on form.~~

~~Such information must be provided on a form issued by the department, or on a computer listing sheet, or magnetic tape generated in accordance with department instructions.~~

~~Provided that an original report against a vehicle record must contain a minimum of two outstanding violations from one jurisdiction. Subsequent reports against that vehicle by that same jurisdiction may be for a single violation unless such vehicle record indicates all existing tickets have been paid and no further tickets have been accrued in the thirteen months following said payment. If thirteen months have elapsed, the jurisdiction must submit an original report containing a minimum of two violations.)~~ **(1) How is the department notified of outstanding (unpaid) parking violations? The jurisdiction notifies the department of outstanding parking violations. The notice will include the following:**

- (a) Jurisdiction name.**
- (b) NCIC number (ORI).**
- (c) Parking violation number.**
- (d) Date parking violation was issued.**
- (e) Vehicle license plate number.**
- (f) Fine and penalty amount.**
- (g) Jurisdiction seal, except if filed electronically.**
- (h) Signature and date when required on form, except if filed electronically.**

(2) When will the department accept parking violations for a vehicle data base record by a jurisdiction? An original report against a vehicle record must contain a minimum of two outstanding violations from one jurisdiction. Subsequent reports against that vehicle by that same jurisdiction may be for a single violation unless such vehicle record indicates all existing violations have been paid and no further violations have been accrued in the thirteen months following said payment. If thirteen months have elapsed, the jurisdiction must submit an original report containing a minimum of two violations.

(3) What methods do jurisdictions use to notify the department of parking violations? Such information must be provided in accordance with department instructions by:

- (a) A form issued by the department;**
- (b) A computer listing sheet;**
- (c) Electronic format.**

AMENDATORY SECTION (Amending Order TL-RG 7, filed 8/15/84)

WAC 308-96A-355 Satisfaction of parking ((tickets)) violations—Information to be supplied by issuing jurisdiction. What happens when outstanding parking violations are satisfied? Upon satisfaction of ((fines and penal-

ties)) parking violations previously reported as outstanding against a vehicle, the ~~((collecting))~~ **issuing jurisdiction ((must)) shall:**

(1) Furnish the registered owner with a proof of payment form as ~~((provided))~~ **approved** by the department, and

(2) Within ten days of ~~((such payment))~~ **satisfaction**, supply the department with the following information:

- (a) Jurisdiction name,
- (b) NCIC number (ORI),
- (c) Parking ~~((ticket))~~ **violation** number,
- (d) Date parking ~~((ticket))~~ **violation** was issued,
- (e) Vehicle license plate number,
- (f) Date of satisfaction,
- (g) Jurisdiction seal, ~~((and))~~ **except if filed electronically,**
- (h) Signature ~~((and date when required on form))~~ **of court representative and date signed, except if filed electronically.**

Such information must be provided on a form ~~((issued))~~ **approved** by the department ~~((or))~~ on a computer listing sheet or ~~((magnetic tape generated))~~ **electronic format** in accordance with department instructions.

AMENDATORY SECTION (Amending Order TL-RG 7, filed 8/15/84)

WAC 308-96A-365 Reinstatement of parking ((ticket)) violation. (1) **Can a parking violation be reinstated on a vehicle record after it has been reported by the jurisdiction as satisfied?** A parking ~~((ticket))~~ **violation** previously reported as satisfied ~~((may))~~ **shall** be reinstated **on the vehicle record** for such reasons as ~~((, but not limited to))~~:

- (a) Jurisdiction reporting error;
- (b) Dishonored check for payment of fines and penalties;
- (c) Departmental error.**

(2) **How is a parking violation previously reported as satisfied, reinstated?** The jurisdiction seeking reinstatement of a parking ~~((ticket))~~ **violation** must supply the department with the following information:

- (a) Jurisdiction name,
- (b) NCIC number (ORI),
- (c) Parking ~~((ticket))~~ **violation** number,
- (d) Date parking ~~((ticket))~~ **violation** was issued,
- (e) Vehicle license plate number,
- (f) Fine and penalty amount,
- (g) Jurisdiction seal, **except if filed electronically,**
- (h) Signature ~~((and date when required on form))~~ **of court representative and date signed, except if filed electronically,**
- (i) Reason for reinstatement.

Such information must be on a form ~~((issued))~~ **approved** by the department ~~((or))~~ on a computer listing sheet or **electronic format** in accordance with department instructions.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-96A-360	Return of unacceptable notification to jurisdiction.
WAC 308-96A-370	Removal of parking ticket information from active file.
WAC 308-96A-375	Parking violation list.
WAC 308-96A-380	Effect of one hundred twenty-day notice on license renewal.

WSR 99-23-011**PROPOSED RULES****DEPARTMENT OF TRANSPORTATION**

[Filed November 5, 1999, 11:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-145.

Title of Rule: Motorist information signs, chapter 468-70 WAC.

Purpose: Implements provisions of HB 1322, chapter 201, Laws of 1999, establishing fees to recover costs for the erection and maintenance of motorist information signs and to clarify provisions of other existing rules.

Statutory Authority for Adoption: Chapter 47.42 RCW, RCW 47.42.060.

Statute Being Implemented: HB 1322.

Summary: Implements HB 1322, clarifies provisions of additional rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Toby D. Rickman, P.O. Box 47344, Olympia, WA 98504-7344, (360) 705-7280.

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: Implements provisions of HB 1322, chapter 201, Laws of 1999, establishing fees to recover costs for the erection and maintenance of motorist information signs and to clarify provisions of other existing rules.

Proposal Changes the Following Existing Rules: See explanation above.

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

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 December 21, 1999, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact TDD (360) 705-6980 by December 17, 1999.

Submit Written Comments to: Toby D. Rickman, State Traffic Engineer, Washington State Department of Transportation, P.O. Box 47344, Olympia, WA 98504-7344, fax (360) 705-6826, by December 17, 1999.

Date of Intended Adoption: December 21, 1999.

November 4, 1999

Gerald E. Smith

Deputy Secretary

Operations

AMENDATORY SECTION (Amending DOT Order 10 and Comm. Order 1, Resolution No. 13, filed 12/20/78)

WAC 468-70-010 General. (1) These rules and regulations implement, and are prescribed by, ~~((chapter 80, Laws of 1974 ex. sess. (43rd Leg., 3rd ex. sess.) and))~~ chapter ~~((47.42))~~ 47.36 RCW.

(2) The regulations provide for the installation of motorist information signs which will inform the motoring public of tourist services conveniently accessible from interstate ~~((primary))~~ and ~~((scenic))~~ noninterstate highways within the state.

AMENDATORY SECTION (Amending Order 103, filed 3/25/86)

WAC 468-70-020 Definitions. ~~((+))~~ When used in these regulations the term ~~((s))~~: ~~((Sign, business sign, commercial and industrial areas, commission, interstate system, primary system, scenic system, and specific information panel shall have the same meaning as set forth in the act.~~

~~((2))~~ When used in these regulations the term:

~~((a))~~ "Act" shall mean the Highway Advertising Control Act of 1961 as amended by chapter 80, Laws of 1974 ex. sess. (43rd Leg., 3rd ex. sess.) and chapter 47.42 RCW.

~~((b))~~ (1) "Conventional road" shall mean a ~~((primary or scenic))~~ noninterstate highway which is not an expressway or freeway.

~~((c))~~ (2) "Department" shall mean the Washington state department of transportation.

~~((d))~~ (3) "Expressway" shall mean a divided arterial highway for through traffic with partial control of access and grade separations at most major intersections.

~~((e))~~ (4) "Freeway" shall mean an expressway with full control of access, and grade separations over the entire length of the numbered highway route.

~~((f))~~ (5) "Motorist information signs" shall mean the same as specific service signs as set forth in the Manual on Uniform Traffic Control Devices adopted by the department as chapter 468-95 WAC.

~~((g))~~ (6) "Motorist service activity" shall mean a business furnishing gas, food, lodging, camping, recreation and ~~((or related))~~ tourist-oriented services.

~~((h))~~ (7) "Owner" shall mean a person who owns or operates a motorist service activity and who has authority to enter into and be bound by agreements relevant to matters covered by these regulations.

~~((i))~~ (8) "Supplemental directional panel" shall mean a motorist ~~((informational))~~ information sign panel located on, opposite, or at the terminus of an exit ramp bearing business

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sign for a qualified motorist service activity and directional information.

((+)) (9) "Trade name" shall mean any brand name, trade mark, distinctive symbol or other similar device or thing used to identify a particular motorist service.

((+)) (10) "Urban area" shall mean an area including and adjacent to a municipality or other place of five thousand or more population as shown by the latest available federal census.

((+)) (11) "Qualified tourist-oriented business" means any lawful cultural, historical, recreational, educational, or entertaining activity or a unique or unusual commercial or nonprofit activity, the major portion of whose income or visitors are derived during its normal business season from motorists not residing in the immediate area of the activity.

((+)) (12) "Tourist-oriented directional (TOD) sign" means a sign on a (specific) motorist information sign panel on the state highway system to provide directional information to a qualified tourist-oriented business, service, or activity.

AMENDATORY SECTION (Amending Order 129, filed 8/13/91, effective 9/13/91)

WAC 468-70-030 Location of panels and signs. (1) ((Specific)) A maximum of four motorist information sign panels ((with)), one per each type of motorist service activity, may be provided on interchange approaches and in advance of intersections. Where a qualified type of motorist service activity is not present, a panel will not be erected. Generally, these panels should be located near the right of way line and readable from the main traveled way. ((Normally,)) The panels will be erected as follows:

(a) For freeways and interchanges on expressways the panels shall be erected between the previous interchange and at least eight hundred feet in advance of the exit direction sign at the interchange from which the services are available. There shall be at least eight hundred feet spacing between the panels, and there will be one panel each for **gas, food, lodging, ((and)) camping/recreation, and TOD**, except as provided in (c) of this subsection.

(b) For conventional roads the panels shall be erected between the previous intersection and at least three hundred feet in advance of the intersection from which the services are available, signing should not be provided to any service visible at least three hundred feet along the mainline prior to the intersection or driveway approach serving the business. There will be one panel each for **gas, food, lodging, ((and)) camping/recreation, and TOD** except as provided in (c) of this subsection.

(c) ~~((At remote rural interchanges and on conventional road intersections, not more than two types of business activities may be combined on one panel. No more than two logos per activity may be displayed. Ramp panels to direct motorists to the right or to the left may display more than one type of business activity. No other mixed panels may be used.))~~ A combined panel may be installed where there is a limited number of qualifying motorist service activities, or insufficient space available to install the array of **gas, food, lodging,**

camping/recreation, and TOD's panels as set forth in WAC 468-70-040(2). Not more than two types of motorist service activities may be combined on one mainline back panel; however, supplemental directional panels located along interchange ramps to direct motorists to the right or to the left may display more than two types of motorist service activities. The permissible number of business signs that may be displayed per type of motorist service activity shall be as set forth in WAC 468-70-060 (3)(a).

(2) Information for ((specific)) motorist information sign panels on the mainline of expressways/freeways will be repeated on the supplemental directional panels located along the interchange ramp, or at the ramp terminal, where the services are not visible from the ramp. Supplemental directional panels may be used only to repeat messages installed on the mainline.

(3) ~~((One tourist-oriented directional (TOD) sign panel may be placed in advance of the gas, food, lodging, and camping/recreation specific information panels. Spacing shall be the same as for the specific information panels. For interchanges supplemental TOD sign assemblies will be repeated along the ramps or at ramp terminals where the activities are not visible from the ramp. TOD sign panels are not allowed in lieu of the gas, food, lodging, and camping/recreation specific information panels, or along interstate highways.~~

(4)) The spacing between motorist information sign panels, and between motorist information sign panels and other official traffic control signs shall be in accordance with the *Manual on Uniform Traffic Control Devices*. Where there is insufficient spacing for both other official traffic control signs and ((specific)) motorist information((TOD)) sign panels, the other official traffic control signs only shall be installed.

AMENDATORY SECTION (Amending Order 103, filed 3/25/86)

WAC 468-70-040 Interchange and intersection selection for ((specific)) motorist information sign panels. (1) On an interstate((primary)) or ((scenic)) noninterstate highway the interchange or intersection must:

(a) For interchanges, consist of both an exit and entrance ramp(~~Provided, That~~). However, where ((an)) there is no entrance ramp ((is not present an interchange will qualify if an)), the department may determine that another entrance ramp may qualify for motorist information sign panels, provided that it is ((reasonably and)) conveniently located, ((in the determination of the department, so as)) to permit a motorist to proceed without ((undue indirection or use of)) the use of indirect or poor connecting roads.

(b) For intersections, provide a reasonable and convenient route, in the determination of the department, ((so as)) to permit a motorist to proceed without ((undue indirection or use of)) the use of indirect or poor connecting roads.

(2) ((Specific)) Motorist information((and TOD (allowed on noninterstate highways only)) sign panels may be erected at locations outside the corporate limits of cities and towns and areas zoned for commercial and industrial

uses, and at locations within the corporate limits of cities and towns and areas zoned for commercial and industrial uses, where there is sufficient distance between interchanges or intersections to erect the signs in accordance with WAC 468-70-030 (1)(a) and (b). Where there is insufficient space available to install ~~((the))~~ an array of four of the gas, food, lodging, camping/recreation and TOD's panels, the number of panels allowable are normally provided in that order of priority, or as combined panels in accordance with WAC 468-70-030 (1)(c), except that ~~((district))~~ regional administrators may negotiate a revised priority at interchange/intersection locations with local officials. If there is no business interest in signing for any one activity at a location, and space allows, the next lower priority activity can be signed.

(3) Signing will be provided from the nearest interchange or intersection from the nearest freeway/expressway or ~~((from a))~~ conventional highway to the activity. Signing will not be provided from a freeway or expressway to another freeway or expressway.

AMENDATORY SECTION (Amending Order 129, filed 8/13/91, effective 9/13/91)

WAC 468-70-050 Business eligibility. (1) To be eligible for placement of a business sign on a ~~((specific))~~ motorist information sign panel a motorist service activity must conform to the following standards:

(a) Gas activity:

(i) Provide vehicle services including fuel, oil, tire repair and water; and

(ii) Be in continuous operation at least sixteen hours a day, seven days a week; and

(iii) Provide restroom facilities, drinking water and a telephone access;

(iv) ~~((Specific))~~ Motorist information sign panels may be installed and existing signing will not be removed when the motorist service ~~((facility))~~ activity is closed for a short period of time or when its hours of operation have been reduced as a result of a shortage of gasoline;

(v) ~~((Facilities))~~ Activities not meeting the tire repair requirement of (i) of this subsection but have gas, oil, and water may qualify for signing provided that the ~~((specific))~~ motorist information sign panel displays fewer than the full complement of business signs. A telephone must also be available at no cost for a person to use to acquire tire repair;

(vi) Business signs for card-lock gas activities may be installed, provided that the activities serve the general motoring public, without membership, and accept a variety of credit cards available to the general public. Card-lock gas activities must also meet the applicable requirements of (a)(i) through (v) of this subsection.

(b) Food activity:

(i) Be licensed or approved by the county health office; and

(ii) Be in continuous operation for a minimum of twelve hours a day to serve three meals a day, breakfast, lunch, and dinner ~~((seven))~~ six days a week; and

(iii) Have ~~((seats))~~ inside seating for a minimum of twenty patrons and parking facilities for a minimum of ten vehicles; and

(iv) Provide telephone and restroom facilities.

(c) Lodging activity:

(i) Be licensed or approved by the Washington department of ~~((social and))~~ health ~~((services))~~; and

(ii) Provide adequate sleeping and bathroom accommodations available without reservations for rental on a daily basis; and

(iii) Provide public telephone facilities.

(d) Camping activity (applicable only for activities ~~((on fully controlled limited access))~~ available from interstate highways):

(i) ~~((Be licensed or approved by the Washington department of social and health services or county health office;))~~ Have a valid business license;

(ii) Consist of at least twenty camping spaces, at least fifty percent of which will accommodate tents, and have adequate parking, modern sanitary and drinking water facilities for such spaces; and

(iii) Have an attendant on duty to manage and maintain the facility twenty-four hours a day while in operation.

(e) Recreation activity (applicable only for ~~((activity on scenic system or primary system))~~ activities available from noninterstate highways ~~((with partial access control or no access control))~~):

(i) Consist of activities and sports of interest to family groups and the public generally in which people participate for purposes of active physical exercise, collective amusement or enjoyment of nature; e.g., hiking, golfing, skiing, boating, swimming, picnicking, camping, fishing, tennis, horseback riding, ice skating and gun clubs; and

(ii) Be licensed or approved by the state or local agency regulating the particular type of business; and

(iii) When the recreational activity is a campground, it must meet the criteria specified in WAC 468-70-050 (1)(d)(i) thru (iii).

(f) Tourist-oriented business activity ~~((not applicable for activities on interstate highways))~~:

(i) A natural, recreational, historical, cultural, educational, or entertainment activity, or a unique or unusual commercial or nonprofit activity, the major portion of whose income or visitors are derived during its normal business seasons from motorists not residing in the immediate area of the activity.

(ii) Activities must be open to the motoring public without appointment, at least eight hours a day, five days a week including Saturday and/or Sunday.

(2) Distances prescribed herein will be measured from the center of the interchange or intersection along the centerline of the most direct public road to the facility access.

(3) The maximum distance that gas, food, lodging, camping ~~((or))~~ recreational, or tourist-oriented activities can be located on either side of an interchange or intersection to qualify for a business sign shall be as follows:

(a) From an ~~((interchange on a fully controlled limited access))~~ interstate highway, gas, food and lodging activities shall be located within three miles in either direction. **Camp-**

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ing or **tourist-oriented** activities shall be located within five miles in either direction;

(b) From ~~((an interchange or intersection on))~~ a **noninterstate** highway ~~((with partial access control or no access control))~~, **gas, food, lodging, ~~((or camping)) recreation, or tourist-oriented~~** activities shall be located within five miles in either direction.

(c) Where there are fewer than the maximum number, as specified in WAC 468-70-060 (3)(a), of eligible services within the distance limits prescribed in subsection (3)(a) and (b) of this section, the distance limits may be increased ~~((in three-mile increments))~~ up to a maximum of fifteen miles to complete the balance of allowable signs.

~~((d)) From an interchange or intersection on a highway with partial access control or no access control, recreational activities shall be located within ten miles in either direction. If within such ten mile limit there are fewer than the maximum number, as specified in WAC 468-70-060, of recreational activities available, then activities of such type located within a fifteen mile limit shall qualify.~~

~~(e) Qualified tourist oriented business must be located within fifteen miles of the state highway.~~

~~(f) Specific information panels or tourist oriented directional panels will not be provided until the required supplemental panels, if needed, are installed by local agencies.~~

~~(g)) (i) In reference to WAC 468-70-040(3), the department may erect and maintain signs on an alternate route that is longer than fifteen miles if it is safer and still provides reasonable and convenient travel to an eligible activity.~~

~~(ii) The department may erect and maintain signs on a route up to a maximum of twenty miles if an activity qualifies as eligible and is located within a distressed area under the criteria set forth in chapter 43.165 RCW.~~

(4) Within cities and towns having a population greater than ~~((fifteen thousand))~~ **twenty-two thousand five hundred**, the department ~~((of transportation))~~ shall obtain concurrence from the municipality of locations for installing panels, and may ~~((have))~~ **request that** the municipality install the panels.

~~((4)) (5) A gas, food, lodging, camping/recreational, or tourist-oriented activity visible from the mainline at least three hundred feet prior to an intersection shall not qualify for a business sign on such highway. The activity's on-premise sign is considered part of that activity in determining the three hundred foot visibility.~~

~~((5) To be eligible for business sign placement on supplemental directional panel the activity must be eligible for specific information panel placement.)~~

(6) When a multiple business activity qualifies for business sign placement on more than one type of ~~((specific))~~ **motorist information sign** panel, placement will be made on that type of panel which, as determined by the department, best describes the main product or service. Additional business signs for a qualifying multiple business activity may only be placed on more than one type of ~~((specific))~~ **motorist information sign** panel where the applicable panels display fewer than a full complement of business signs. Where these additional business signs complete the full complement of business signs on a ~~((specific))~~ **motorist information sign** panel, the most recently installed of such additional business

signs shall be substituted for in the event that a qualifying single business activity applies to receive business signs.

(7) ~~((Specific))~~ **Motorist information sign** panels will not be erected and maintained by the department until adequate follow-through signing, as specified by the department, is erected on local roads and/or streets. Written assurance that the follow-through signs will be maintained is required.

(8) Where operations are seasonal, business signs for each specific location shall be removed or covered during the appropriate period as determined by the department.

AMENDATORY SECTION (Amending Order 129, filed 8/13/91, effective 9/13/91)

WAC 468-70-060 Signing details. (1) Specifications. All ~~((specific))~~ **motorist information sign** panels, supplemental directional panels, and business signs shall be constructed in accordance with the Washington state standard specifications, standard plans and amendments thereto. All business signs shall be constructed of a single piece of 0.063 inch thick aluminum. All panels and business signs shall be fully reflectorized to show the same shape and color both by day and night.

(2) Color of panels and signs:

(a) The background color for **gas, food, lodging, camping and TOD** ~~((specific))~~ **motorist information sign** panels and supplemental directional panels shall be blue. The background color for **recreation** ~~((specific))~~ **motorist information sign** panels and supplemental directional panels shall be brown. The border and lettering on all such signs shall be white.

(b) The background color and letter color for business signs manufactured by the department shall be standard highway sign sheeting and inks which are available in white (silver), blue, black, yellow, red, orange, green, and brown. A description of business signs which the department will manufacture is provided in WAC 468-70-070 (8)(b).

(3) Composition of ~~((specific))~~ **motorist information sign** panels:

(a) For interchanges, the maximum number of business signs which may be displayed on a ~~((specific))~~ **motorist information sign** panel are six for each **gas, food, lodging, camping/recreation, and TOD's** panel. For intersections, each panel is limited to four business signs. **For combined motorist information sign panels on the mainline, the minimum number of business signs which may be displayed is two for each type of motorist service activity. For supplemental directional panels located along interchange ramps, there is no minimum number of business signs which may be displayed for each type of motorist service activity.**

(b) Sign panel fabrication layouts, and business sign sizes, are provided in the Appendices of the ~~((Scenic Vistas Act))~~ **Motorist Information Signs** Booklet published by the Washington state department of transportation.

(i) The panel size shall be sufficient to accommodate the various sizes of business signs and directional information.

(ii) For qualifying businesses located more than one mile from an intersection the business sign shall show the mileage to the business to the nearest mile. For interchanges the mile-

age will be shown on the supplemental directional panel business signs installed along the interchange ramp or at the ramp terminal.

AMENDATORY SECTION (Amending Order 153, filed 11/21/95, effective 1/1/96)

WAC 468-70-070 Permits and procedure. (1) No business signs will be installed on motorist information sign s prior to issuance of a permit by the department. Permits will be issued by the department in accordance with this chapter.

(2) Permit applications will be accepted at the appropriate department of transportation (~~(district)~~) regional office in care of the (~~(district)~~) regional administrator. Applications transmitted by mail shall be effective from date of receipt rather than of mailing.

(3) One permit application will be for all the signing that the applicant will qualify for at a single interchange or intersection.

(4) Application(~~(s)~~) forms (~~(for)~~), which may be obtained from the department, shall contain the following information:

(a) Name and address of the owner of the business to be advertised.

(b) The highway for which the applicant seeks signing.

(c) A description of the interchange or intersection for which the business sign is to be installed.

(d) A statement of the business location including exact travel distance from the interchange or intersection and precise roads used for access.

(e) An agreement to limit the height of any on-premise sign to no greater than fifteen feet higher than the roof of the main building, measured to the bottom of the sign for businesses located within one mile of an interchange or intersection. (Not applicable along interstate highways if the sign is not visible to the highway.)

Pursuant to RCW (~~(47.42.046)~~) 47.36.310, for on-premise signs visible along rural interstate highways the department may waive the fifteen-foot height requirement, on a case-by-case basis, where granting the waiver will not preclude another business having an on-premise sign which complies with the fifteen-foot height requirement from receiving business signs.

(f) Such other information as may be required by the department.

(5) Each permit application will include a sketch, drawing or picture of the message to be placed on the business signs. Business signs may not display messages advertising products or services incidental to the qualifying motorist service activity. The department shall have final approval of the design of the business sign and may modify such submissions to achieve uniformity.

(6) A (~~(standard)~~) nonrefundable application processing fee (~~(of one hundred dollars)~~) as prescribed in WAC 468-70-080 (1)(a) will accompany each application. Such fee (~~(will)~~) may only be (returned if an application is denied or) refunded if, after approval, the activity is not signed for reasons caused by the department.

(7) Any party aggrieved by an application determination of the department shall be accorded hearing rights before the

secretary of transportation or his designee pursuant to chapter 34.05 RCW.

(8) Fabrication and installation of business signs:

(a) Once an application is approved, the department will request the business to provide the signs for installation. Such signs shall be built to the department's specifications prescribed by WAC 468-70-060. Prior to installation the business shall be billed and pay for the installation cost prescribed in WAC 468-70-080 (1)(b).

(b) When requested by a business, the department will manufacture business signs composed of standard solid color background with standard die cut or silk screened highway sign letters used for messages. The department does not manufacture business signs having nonstandard colors, nonstandard letters, or pictorial business symbols or trademarks. The manufacturing and installation fees for business signs manufactured by the department are prescribed in WAC 468-70-080 (2)(a) or (b), and shall be prepaid prior to manufacture and installation.

(9) Business sign (~~(annual permit)~~) and motorist information sign panel maintenance(~~(s)~~) and replacement:

(a) For a business which provides its own business signs to the department, an annual permit fee of fifty dollars shall be charged. (Effective January 1, 2001, this annual permit fee will no longer be charged by the department.)

Maintenance replacement business signs shall be provided by the business, when requested by the department to replace weather worn business signs. (~~(After installation the business will be billed)~~) The department will install the replacement business sign after prepayment for the installation (~~(cost)~~) fees as prescribed in WAC 468-70-080 (1)(b).

(b) For business signs manufactured (~~(and maintained)~~) by the department, (~~(an annual maintenance fee shall be paid, as prescribed in WAC 468-70-080, for each business sign)~~) the department will notify businesses when business signs need replacement because of weather wear and will manufacture and install such replacement business signs after prepayment for the manufacturing and installation fees prescribed in WAC 468-70-080 (2)(a) or (b).

(c) The annual maintenance replacement fee charged to each business for motorist information sign panels is prescribed in WAC 468-70-080(3).

(d) Annual (~~(permit renewal and)~~) maintenance fees shall be paid within thirty calendar days after the anniversary of the permit issue. These fees will not be prorated for fractions of the year in the event of business sign removal or coverage. Failure to pay the annual maintenance fees within thirty calendar days after the anniversary of the permit issue will cause the permit to expire and the business signs to be removed from the (~~(specific)~~) motorist information sign panels.

(10) In the event of change of ownership or operation, assignment of permits in good standing shall be effective only upon receipt of assignment by the department. The department will not reassign permits in the event of change of both ownership and operation.

(11) Revocation and expiration:

(a) After hearing before the secretary of transportation or his designee, as required by chapter 34.05 RCW (Administrative Procedure Act) and the rules and regulations of the

PROPOSED

department adopted pursuant thereto, any permit may be revoked by the secretary or the secretary's designee who has conducted the hearing for any of the following reasons:

(i) For the making of any false or misleading statements in the application for any permit, whether or not the same is material to or relied upon by the department in the issuance of such permit when such false or misleading statement or information shall remain uncorrected after the expiration of thirty days following written notification thereof.

(ii) For allowing or suffering any on-premise sign to remain that ((does)) exceeds the height requirements set forth in ((the act or)) this chapter.

(iii) For failure to provide the services and/or facilities required by WAC 468-70-050 and this section.

(b) If a permit is revoked or is allowed to expire, a new application may be accepted by the department and the ((application)) motorist service activity must meet the requirements of any other ((new application)) applying motorist service activity.

AMENDATORY SECTION (Amending Order 106, filed 12/16/86)

WAC 468-70-080 Fee schedule. (1) The application processing fee, and installation ((charge)) fee for each business sign provided by the business to the department ((is eighty dollars)) for new installations((;)) and replacement installations because of weather ((worn signs.)) wear are:

- (((2)) Manufacturing and installation charge for department manufactured signs:
- (a) Interstate, primary, and scenic freeways and expressways:
- (i) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" lettered business sign to be installed on a specific information panel \$320.00
- (ii) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" lettered business sign to be installed on a supplemental directional panel \$100.00
- (b) Primary or scenic highways that are conventional roads. "GAS, FOOD, LODGING, RECREATION, or TOD" lettered business sign to be installed on a specific information panel \$145.00
- (3) The following schedule is the annual maintenance charge for department manufactured signs:
- (a) Interstate, primary, and scenic freeways and expressways:
- (i) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" lettered sign on a specific information panel \$ 80.00
- (ii) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" lettered sign on a supplemental directional panel \$ 25.00

- (b) Primary or scenic highways that are conventional roads. "GAS, FOOD, LODGING, RECREATION, or TOD" lettered business sign on a specific information panel \$ 40.00))
- (a) Application processing fee \$150.00
- (b) Installation fee for each business sign \$115.00
- (2) Manufacturing and installation charge for department manufactured business signs:
- (a) Interstate and noninterstate freeways and expressways:
- (i) GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD-lettered business sign to be installed on a motorist information sign panel \$230.00
- (ii) GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD-lettered business sign, without mileage message, to be installed on a supplemental directional panel \$130.00
- (iii) GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD-lettered business sign, with mileage message, to be installed on a supplemental directional panel ... \$135.00
- (b) Noninterstate highways that are conventional roads:
- (i) GAS, FOOD, LODGING, RECREATION, or TOD-lettered business sign, without mileage message, to be installed on a motorist information sign panel \$150.00
- (ii) GAS, FOOD, LODGING, RECREATION, or TOD-lettered business sign, with mileage message, to be installed on a motorist information sign panel \$160.00
- (3) The annual maintenance fee charged to each business for motorist information sign panels is:
- (a) Businesses signed at interchanges \$100.00
- (b) Businesses signed at intersections \$ 35.00

(4) The implementation date of WAC 468-70-080(3) is January 1, 2001.

AMENDATORY SECTION (Amending Order 106, filed 12/16/86)

WAC 468-70-085 Maintenance replacement of pictorial business signs manufactured by the department prior to January 1, 1987. (1) For business signs composed of non-standard colors, nonstandard letters, or pictorial symbols or trademarks which were manufactured by the department prior to January 1, 1987, the department will manufacture

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and install only the first maintenance replacement of these signs that is required after January 1, 1987. Up to the time of replacement, the annual maintenance fee charged for each business sign shall be:

- (a) Interstate(~~(primary, and scenic)~~) and noninterstate freeways and expressways.
- (i) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" pictorial business sign on a (~~(specific)~~) motorist information sign panel \$95.00
- (ii) "GAS, FOOD, LODGING, CAMPING/RECREATION, or TOD" pictorial business sign on a supplemental direction panel \$30.00
- (b) (~~(Primary or scenic)~~) Noninterstate highways that are conventional roads(~~(-)~~): "GAS, FOOD, LODGING, RECREATION, or TOD" pictorial business sign on a (~~(specific)~~) motorist information sign panel \$50.00

After this one maintenance replacement by the department, the business owner will be responsible for subsequent business sign maintenance replacement and the annual (~~(permit renewal fees and)~~) motorist information sign panel fees maintenance (~~(and replacement procedures for business supplied signs;)~~) as prescribed in WAC 468-70-070(9)(~~(will be followed)~~).

(2) Businesses utilizing business signs composed of non-standard colors, nonstandard letters, or pictorial symbols or trademarks which were manufactured by the department prior to January 1, 1987, may choose to provide their own maintenance replacement business signs in accordance with the procedures in WAC 468-70-070(9) in lieu of the procedures described in subsection (1) of this section. The department shall notify each business of this choice by certified mail. The businesses shall be provided thirty days to respond. If no response is received, the annual maintenance fee procedure will continue; however, the business may choose, in writing at a later date, to stop paying the maintenance fee and provide their own replacement business signs. The department will not refund previously paid maintenance fees to businesses choosing the option of providing their own replacement business signs.

WSR 99-23-013
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed November 5, 1999, 2:11 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-127.

Title of Rule: Changes to PERS and TRS chapters 415-108 and 415-112 WAC, to clarify and comply with amendments to chapters 41.32, 41.40 and 41.50 RCW.

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 1997 and 1999 statutory amendments.

Statutory Authority for Adoption: RCW 41.50.050.

Statute Being Implemented: Chapters 41.32, 41.40, and 41.50 RCW.

Summary: The proposed rules amend the department's teacher retirement system and public retirement system rules so that they clarify and conform to RCW 41.32.010, 41.32.570, 41.32.800, 41.32.802, 41.32.860, 41.32.862, 41.40.010, 41.40.023 (4)(12), 41.40.037, 41.40.150(4), 41.40.690.

Reasons Supporting Proposal: To bring the department's rules into conformity with chapters 41.32 and 41.40 RCW as amended.

Name of Agency Personnel Responsible for Drafting: Elyette Weinstein, 6835 Capitol Boulevard, Tumwater, (360) 664-7307; Implementation: Margaret Wimmer, 6835 Capitol Boulevard, Tumwater, (360) 664-7044; and Enforcement: Jack Bryant, 6835 Capitol Boulevard, Tumwater, (360) 664-7193.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule is an amendment to provisions of chapters 415-108 and 415-112 WAC governing the department's implementation of the teachers and public employee retirement systems codified in chapters 41.32, 41.40 and 41.50 RCW. The amendments are necessary to reflect the changes to these chapters enacted after the WACs went into effect. The purpose of the rules is to bring them into conformity with the statutes as amended to ensure that there are no conflicts between the rules and the authorizing statutes.

Proposal Changes the Following Existing Rules: WAC 415-108-710 and 415-108-720 are changed to conform to the requirements of RCW 41.40.023(12), 41.40.037, 41.40.150(4), 41.40.690 passed in 1997 and 1998; and WAC 415-112-540 and 415-112-545 are changed to conform to the requirements of RCW 41.32.570 passed in 1999.

New sections in chapter 415-112 WAC have been drafted to conform to the requirements of RCW 41.32.800, 41.32.802, 41.32.860, 41.32.862 which were passed in 1997 and 1998.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rules apply to public employers and employees participating in the retirement systems administered by DRS. No private business is affected by the rules, therefore, no small business impact statement is required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Department of Retirement Systems (DRS) is not one of the agencies that RCW 34.05.328 applies to. DRS does not opt to voluntarily bring itself within the coverage of that statute.

Hearing Location: Boardroom, 3rd Floor, 6835 Capitol Boulevard, Tumwater, WA, on December 22, 1999, at 1:00 p.m.

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Assistance for Persons with Disabilities: Contact Elyette Weinstein by December 22, 1999, 11:00 a.m., TDD (360) 586-5450, or (360) 664-7298.

Submit Written Comments to: Elyette Weinstein, P.O. Box 48380, Olympia, WA 98504-8380, fax (360) 664-3618, by June [December] 22, 1999.

Date of Intended Adoption: December 22, 1999.

November 5, 1999
Elyette M. Weinstein
Rules Coordinator

AMENDATORY SECTION (Amending WSR 97-01-015, filed 12/6/96, effective 1/6/97)

WAC 415-112-540 How will returning to work affect my TRS ((F)) Plan 1 monthly pension? This section implements RCW 41.32.570((+)) which limits employment for TRS ((F)) Plan 1 retirees with public educational institutions to five hundred twenty-five hours regardless of the nature of service. In certain circumstances RCW 41.32.570 ((2) and) (3), (4) and (5) allow additional service without suspension of your TRS ((F)) Plan 1 pension. Those limitations are discussed in WAC 415-112-545.

(1) **You may return to any type of service with a public educational institution for up to five hundred twenty-five hours per school year without affecting your TRS ((F)) Plan 1 monthly pension((+)) under RCW 41.32.570((+)).**

(a) **Your employer must notify the department when you return to work.** Your employer must notify the department if you work more than five hundred twenty-five hours for a public educational institution during a school year, unless you qualify for additional service under RCW 41.32.570 ((2) or) (3), (4) or (5), see WAC 415-112-545.

(b) If you are a TRS Plan ((F)) 1 retiree, you may elect to return to membership if you are employed by a public school. If you ((select)) **return to membership**, the department will suspend your monthly pension effective from the first of the month during which you return to employment.

(c) If you are a TRS Plan ((F)) 1 retiree working for a public educational institution as a bona fide independent contractor as determined under WAC 415-02-110, you are not considered an employee of the institution and are not subject to the work limitations of RCW 41.32.570.

(2) **If you work for more than five hundred twenty-five hours during a school year the department will suspend your monthly pension.** In some cases you may be able to work an additional ((one hundred five)) **three hundred fifteen** hours, see WAC 415-112-545.

(a) If you return to any type of service with a public educational institution ((pursuant to)) **under** a written contract or ((other)) continuing employment relationship, and you work for more than five hundred twenty-five hours during a school year, the department will suspend your monthly pension beginning with the five hundred twenty-sixth hour of employment.

(b) If you serve as ((a)) **an on-call** substitute teacher for more than five hundred twenty-five hours during a school year, the department will reduce your monthly pension by

five percent for each day you work beyond the five hundred twenty-five hour limit until your monthly pension is reduced to zero.

(3) **You must repay any monthly pension payment that you receive in excess of the amounts allowed under this section or WAC 415-112-545.**

(4) **The department will reinstate your pension at the end of the school year or after you terminate your employment.** If the department suspends or reduces your monthly pension due to your reemployment, the department will reinstate the original amount of your pension, less deductions to ((recapture)) **recover** any overpayment, effective the day following your termination of employment, or at the end of the school year, whichever comes first.

(5) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

(a) ((“Day”; “five hundred twenty-five hours” — WAC 415-112-0152.

(b)) “Public educational institution” - WAC 415-112-0157.

((e)) (b) “School year” - WAC 415-112-0161.

((d)) (c) “Substitute teacher” - RCW 41.32.010(36).

AMENDATORY SECTION (Amending WSR 97-01-015, filed 12/6/96, effective 1/6/97)

WAC 415-112-545 How can I qualify for an additional ((one hundred five)) three hundred fifteen hours of service without having my TRS ((F)) Plan 1 monthly pension reduced? In addition to the five hundred twenty-five hours of service permitted for TRS ((F)) Plan 1 retirees under RCW 41.32.570((+)) (2), you are eligible to also serve for up to ((one hundred five)) **three hundred fifteen** more hours as ((a)) **an on-call** substitute teacher or substitute ((administrator)) **principal** without affecting your pension if you meet each of the following criteria. See RCW 41.32.570 ((2) and) (3) and (5).

(1) **You must be employed by a school district.** The option for TRS ((F)) Plan 1 retirees to work an additional ((one hundred five)) **three hundred fifteen** hours during a school year without affecting their pension is only available to school district employees. An employee of a school district participating in a multidistrict substitute cooperative is also covered. An employee of an educational service district, the State Schools For the Deaf or Blind, or an institution of higher education is not covered.

(2) **You must be employed as a substitute teacher or substitute ((administrator)) principal.**

((a)) The term “substitute teacher” as used in RCW 41.32.570((2)) (3) is limited to classroom teachers serving on an on-call basis. A person working under a contract with a guaranteed number of hours or days does not qualify as a substitute teacher, see RCW 41.32.010(36).

Example:

A school district employs a retiree as a substitute teacher under a contract for ninety days. Because the retiree is employed under a contract and not on an on-call basis, she may not serve for more than five hundred twenty-five hours as a substitute teacher without having her monthly pension suspended.

PROPOSED

(3)(a) You may be employed as a substitute administrator other than a principal for an additional one hundred five hours of service in addition to the five hundred twenty-five hours. see RCW 41.32.570(4).

(b) A substitute administrator is a person who fills in for an absent administrator on a temporary basis. A substitute administrator can be employed under a contract with a guaranteed number of hours. Substitute administrator positions include but are not limited to:

- (i) Principal and assistant principal;
- (ii) Superintendent and assistant superintendent;
- (iii) Personnel manager;
- (iv) Business manager; and
- (v) School librarian.

((3)) (4) Your school district employer must adopt a resolution. Before a school district can employ a TRS Plan ((F)) 1 retiree for ~~((an))~~ additional ~~((one hundred five))~~ hours in a fiscal year without affecting ~~((his or her))~~ the retiree's TRS ((F)) Plan 1 pension, the district must adopt a resolution establishing the need for the additional employment. Each resolution is valid only for the school year in which it is adopted. The resolution authorizes additional employment only on or after the date it has been adopted and cannot be applied retroactively.

(a) Authorizing additional hours for substitute teachers: To authorize a TRS Plan ((F)) 1 retiree to work an additional ~~((one hundred five))~~ three hundred fifteen hours in a fiscal year as a substitute teacher, a school district must adopt a resolution stating that it has exhausted or can reasonably anticipate exhausting its list of qualified and available substitutes, and therefore, the services of retired teachers or administrators are necessary to address that shortage.

(i) If a school district is a member of a multidistrict cooperative, the board of each school district in the cooperative must adopt such a resolution.

(ii) After a resolution has been adopted, a school district may employ a TRS Plan ((F)) 1 retiree as a substitute teacher for up to an additional ~~((one hundred five))~~ three hundred fifteen hours once its list of other qualified and available substitutes has been exhausted.

(b) Authorizing additional hours for substitute administrators: To authorize a TRS Plan ((F)) 1 retiree to work an additional one hundred five hours in a fiscal year as a substitute administrator, a school district must adopt a resolution stating that an emergency exists and the services of a retired administrator or retired teacher are required because the school district cannot find a replacement administrator to fill a vacancy.

((4)) (c) Authorizing additional hours for substitute principals: To authorize a TRS Plan 1 retiree to work an additional two hundred ten hours above the additional one hundred five hours in a fiscal year as a substitute principal, a school district must adopt a resolution stating that an emergency exists and the services of a retired principal or retired teacher are required because the school district cannot find a replacement principal to fill the vacancy.

(5) Your school district must provide information to the department. If your school district employer is not a

member of a multidistrict substitute cooperative, the district must:

(a) Within thirty days after a resolution is adopted:

- (i) Send a copy of the resolution; and
- (ii) If the resolution is for substitute teaching, send a list of all TRS Plan ((F)) 1 retirees working for the school district as substitute teachers.

(b) During the fiscal year:

- (i) Send a copy of any amendments to the resolution or to the list of TRS Plan ((F)) 1 retirees working as substitutes;
- (ii) Send written notice immediately if any TRS Plan ((F)) 1 retiree works beyond ~~((six hundred thirty))~~ eight hundred forty hours.

(c) At the end of the fiscal year: Send a letter indicating the total number of hours worked by each TRS Plan ((F)) 1 retiree that exceeded the ~~((six hundred thirty))~~ eight hundred forty hours.

((5)) (6) If your employer is a member of a multidistrict substitute cooperative, the cooperative must provide the information.

If you are employed by a school district which is a member of a multidistrict substitute cooperative, the cooperative must provide the information specified in subsection ~~((4))~~ (5) of this section on behalf of each participating school district.

((6)) (7) If you serve as a substitute teacher or substitute administrator for the additional ~~((one hundred five))~~ hours but you are not eligible to do so, the department will reduce your monthly pension.

(a) If you and your school district employer do not meet each of the criteria under this section, you are not eligible to serve as a substitute teacher for the additional ~~((one hundred five))~~ three hundred fifteen hours under RCW 41.32.570 ~~((3))~~ (3).

(b) If you or your school district employer do not meet each of the criteria under this section, you are not eligible to serve as a substitute administrator for an additional one hundred five hours under RCW 41.32.570(4) or as a substitute principal for an additional two hundred ten hours for a total of three hundred fifteen hours under RCW 41.32.570(5).

(c) If you serve for more than five hundred twenty-five hours during a school year, the department will reduce your monthly pension as provided under WAC 415-112-540 ~~((3))~~.

((7)) (8) Defined terms used. Definitions for the following terms used in this section may be found in the sections listed.

(a) ~~((“Day”;~~ “one hundred five hours”; ~~“five hundred twenty-five hours”~~ - WAC 415-112-0152.

(b) “School year” - WAC 415-112-0161.

~~((e))~~ (b) “Substitute teacher” - RCW 41.32.010(36).

NEW SECTION

WAC 415-112-025 Report—Definition. “Report” means an employer’s reporting of an employee’s hours of service, compensation and contributions to the department on the monthly transmittal report.

PROPOSED

NEW SECTION

WAC 415-112-548 If I work for an employer after I retire, will it affect my TRS Plan 2 retirement allowance or TRS Plan 3 defined benefit retirement allowance? (Effective until September 1, 2000.) (1) You may work for an employer after retirement without having your retirement benefit suspended if:

- (a) You are employed in an ineligible position; or
- (b) You are an active member of TIAA-CREF; or
- (c) You reenter employment:
 - (i) **No sooner than** one calendar month after your retirement benefit accrues; and

- (ii) You are employed in an eligible position no more than the greater of eight hundred sixty-seven hours or five calendar months (work limit) in a calendar year.

(2) What happens if I work over the work limit in a calendar year?

- (a) If you work for more than the greater of eight hundred sixty-seven hours or five calendar months (work limit) in a calendar year, your TRS retirement allowance will be suspended if:

- (i) You work in an eligible position as defined by TRS or PERS; or

- (ii) You work as a law enforcement officer or fire fighter as defined by LEOFF.

- (b) If you work in a position referred to in (a) of this subsection over the work limit, your employer will report that you have worked over the limit to the department. Effective as of the eight hundred sixty-eighth hour or sixth month of your employment, whichever is greater, you will not be entitled to the retirement allowance, even if the hours or months worked are nonconsecutive or your employment is with one or more employers.

- (c) If you exceed the work limit, the department will:

- (i) Suspend your retirement allowance until the next calendar year, unless you separate from service. If you separate from service, your benefit will resume effective the first day immediately following the date of separation;

- (ii) Pro rate your retirement allowance for the month during which you exceeded the eight hundred sixty-seven hour limit.

- (iii) Collect any overpayments made to you for the month(s) in which you exceeded the work limit, as required by RCW 41.50.130.

(2) Can I become a TRS member?

- (a) Yes, but not automatically. You must elect in writing to become a member and file your notice of election with either your employer or the department.

- (b) By working in a TRS eligible position after retirement you may elect at any time to reestablish membership prospectively under RCW 41.32.044. Membership is not retroactive.

Your membership will become effective the first day of the month immediately following the date your employer or the department receives written notification of your election to become a member.

If you work over the work limit in a given month, the soonest your membership can be effective is the first day of

the following month, if your employer or the department receives written notification of your election before that date.

(c) If you reenter membership in TRS and later elect to retire again, the department will recalculate your retirement benefits under the applicable statutes and regulations.

Example 1:

Hunter is a TRS Plan 2 retiree. He separates from service on October 31st. He retires, effective November 1st. He returns to work in a TRS eligible position on January 2nd of the following year. On June 1st he realizes that on or about July 8th, he is going to exceed his eight hundred sixty-seven-hour limit for the year. On July 3rd he elects in writing to reenter TRS membership, effective July 8th. He files the election with his employer on July 5th.

On July 12th, Hunter works his eight hundred sixty-eighth hour. He will no longer be eligible for a TRS Plan 2 retirement allowance as of July 12th. He will become a member of TRS Plan 2 effective August 1st.

Example 2:

Jeremy is a TRS Plan 2 retiree. He separated from service June 30, 1999. He begins working in a TRS eligible position on July 1, 2001. By October 31, 2001, he has worked eight hundred eighty total hours. Jeremy may work as many hours as he wants for another calendar month. If he works after November 30, 2001, he will exceed the five-month work limit until the next calendar year.

Example 3:

Holly Mae is a TRS Plan 2 retiree. She separated from service on June 30, 1999. She begins working in a TRS eligible position on March 1, 2001. By August 31, 2001, she has worked four hundred total hours. She has not exceeded the hour work limit. She may continue to work during the calendar year until she exceeds the eight hundred sixty-seven-hour work limit.

(4) Defined terms used. Definitions for the following terms used in this section may be found in the sections listed.

(a) "Eligible position" - RCW 41.32.010, 41.40.010.

(b) "Employer" - RCW 41.32.010.

(c) "Membership" - RCW 41.32.044, 41.32.780, 41.32.835.

(d) "Ineligible position" - WAC 415-112-015.

(e) "Report" - WAC 415-112-025.

(f) "Accrue" - RCW 41.32.795, 41.32.855.

(g) "Law enforcement officer" - RCW 41.26.030.

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

NEW SECTION

WAC 415-112-548 If I work for an employer after I retire, will it affect my TRS Plan 2 retirement allowance or TRS Plan 3 defined benefit retirement allowance? (Effective September 1, 2000.) (1) You may work for an

employer after retirement without having your retirement benefit suspended if:

- (a) You are employed in an ineligible position; or
- (b) You are an active member of TIAA-CREF; or
- (c) You reenter employment:
 - (i) No sooner than one calendar month after your retirement benefit accrues; and
 - (ii) You are employed in an eligible position no more than the greater of eight hundred sixty-seven hours or five calendar months (work limit) in a calendar year.

(2) What happens if I work over the work limit in a calendar year?

(a) If you work for more than the greater of eight hundred sixty-seven hours or five calendar months (work limit) in a calendar year, your TRS retirement allowance will be suspended if:

- (i) You work in an eligible position as defined by TRS, SERS or PERS; or
- (ii) You work as a law enforcement officer or fire fighter as defined by LEOFF.

(b) If you work in a position referred to in (a) of this subsection over the work limit, your employer will report that you have worked over the limit to the department. Effective as of the eight hundred sixty-eighth hour or sixth month of your employment, whichever is greater, you will not be entitled to the retirement allowance, even if the hours or months worked are nonconsecutive or your employment is with one or more employers.

(c) If you exceed the work limit, the department will:

(i) Suspend your retirement allowance until the next calendar year, unless you separate from service. If you separate from service, your benefit will resume effective the first day immediately following the date of separation;

(ii) Pro rate your retirement allowance for the month during which you exceeded the eight hundred sixty-seven-hour limit.

(iii) Collect any overpayments made to you for the month(s) in which you exceeded the work limit, as required by RCW 41.50.130.

(3) Can I become a TRS member?

(a) Yes, but not automatically. You must elect in writing to become a member and file your notice of election with either your employer or the department.

(b) By working in a TRS eligible position after retirement you may elect at any time to reestablish membership prospectively under RCW 41.32.044. Membership is not retroactive.

Your membership will become effective the first day of the month immediately following the date your employer or the department receives written notification of your election to become a member.

If you work over the work limit in a given month, the soonest your membership can be effective is the first day of the following month, if your employer or the department receives written notification of your election before that date.

(c) If you reenter membership in TRS and later elect to retire again, the department will recalculate your retirement benefits under the applicable statutes and regulations.

Example 1:

Hunter is a TRS Plan 2 retiree. He separates from service on October 31st. He retires, effective November 1st. He returns to work in a TRS eligible position on January 2nd of the following year. On June 1st he realizes that on or about July 8th, he is going to exceed his eight hundred sixty-seven-hour limit for the year. On July 3rd he elects in writing to reenter TRS membership, effective July 8th. He files the election with his employer on July 5th.

On July 12th, Hunter works his eight hundred sixty-eighth hour. He will no longer be eligible for a TRS Plan 2 retirement allowance as of July 12th. He will become a member of TRS Plan 2 effective August 1st.

Example 2:

Jeremy is a TRS Plan 2 retiree. He separated from service June 30, 1999. He begins working in a TRS eligible position on July 1, 2001. By October 31, 2001, he has worked eight hundred eighty total hours. Jeremy may work as many hours as he wants for another calendar month. If he works after November 30, 2001, he will exceed the five-month work limit until the next calendar year.

Example 3:

Holly Mae is a TRS Plan 2 retiree. She separated from service on June 30, 1999. She begins working in a TRS eligible position on March 1, 2001. By August 31, 2001, she has worked four hundred total hours. She has not exceeded the hour work limit. She may continue to work during the calendar year until she exceeds the eight hundred sixty-seven-hour work limit.

(4) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

(a) "Eligible position" - RCW 41.32.010, 41.35.010, 41.40.010.

(b) "Employer" - RCW 41.32.010.

(c) "Membership" - RCW 41.32.044, 41.32.780, 41.32.835.

(d) "Ineligible position" - WAC 415-112-015.

(e) "Report" - WAC 415-112-025.

(f) "Accrue" - RCW 41.32.795, 41.32.855.

(g) "Law enforcement officer" - RCW 41.26.030.

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-108-710 If I work for an employer after I retire, will my retirement benefit be affected? (Effective until September 1, 2000.) (1) ~~(If you reenter membership after retiring, the department will suspend payment of your benefit.~~

~~(2) You may work for an employer in some circumstances without reentering membership. You may enter employment with an employer after retirement without having to reenter membership if:~~

~~(a) You are employed in an ineligible position; or~~

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(b) You are employed in an eligible position on a temporary basis for five months or less in a calendar year.

(i) If you enter compensated employment in an eligible position during a month, that month is counted as a month of employment in the calendar year regardless of the number of hours you worked in the month.

(ii) If you are employed in an eligible position for any five months during a calendar year, the department will count your employment as five months of employment, regardless of whether or not the months are consecutive or your employment is with one or more employers.

~~(3) You are required to reenter membership if you become reemployed in an eligible position on a temporary basis for more than five months in a calendar year.~~ If you become reemployed in an eligible position on a temporary basis for more than five months in a calendar year you will reenter membership in the retirement system beginning with the sixth month of your employment. Effective at the beginning of the sixth month of your employment:

(a) Your employer will report you to the department; and

(b) The department will suspend your retirement allowance.

~~(4) You are required to reenter membership if you become permanently reemployed in an eligible position.~~ If you become reemployed in an eligible position on a permanent basis you will immediately become a member. Effective from the date of your reemployment in a permanent eligible position:

(a) Your employer will report you to the department; and

(b) The department will suspend your retirement allowance.

~~(5) Meaning of employment on a temporary or permanent basis:~~

(a) "Employed on a temporary basis" under subsection (2) of this section means your employer expects your employment to last for five months or less and not be on a recurring basis.

(b) "Employed on a permanent basis" under subsection (3) of this section means either:

(i) Your employer expects you to continue in your position for more than five months in any calendar year; or

(ii) Your employer expects you to continue in the same position for more than one year on a recurring basis and your employment is for five months or less during each year.

~~(6) Defined terms used.~~ Definitions for the following terms used in this section may be found in the sections listed:

(a) "Eligible position" — RCW 41.40.010.

(b) "Employer" — RCW 41.40.010.

(c) "Ineligible position" — RCW 41.40.010.

(d) "Membership" — RCW 41.40.023.

(e) "Report" — WAC 415-108-0104.) **You may work**

for an employer after retirement without having your retirement benefit suspended if:

(a) You are employed in an ineligible position; or

(b) You are an active member of TIAA-CREF; or

(c) You are employed as an elected or appointed official directly by the governor under RCW 41.40.150(4) and do not reenter membership; or

(d) Your only employment is as an elected official of a city or town and you end your PERS membership under RCW 41.40.023 (3)(b) and 41.40.690. Your benefit will be discontinued if you receive more than fifteen thousand dollars in compensation per year for your services, adjusted annually for inflation by the director; or

(e) You reenter employment:

(i) No sooner than one calendar month after your retirement benefit accrues; and

(ii) You are employed in an eligible position no more than the greater of eight hundred sixty-seven hours or five calendar months (work limit) in a calendar year.

(2) What happens if I work more than the work limit in a calendar year?

(a) If you work for more than the greater of eight hundred sixty-seven hours or five calendar months (work limit) in a calendar year, your PERS retirement allowance will be suspended if:

(i) You work in an eligible position as defined by TRS, or PERS; or

(ii) You work as a law enforcement officer or fire fighter as defined by LEOFF.

(b) If you work in a position referred to in (a) of this subsection over the work limit, your employer will report that you have worked over the limit to the department. Effective as of the eight hundred sixty-eighth hour or sixth month of your employment, whichever is greater, you will not be entitled to the retirement allowance, even if the hours or months worked are nonconsecutive or your employment is with one or more employers.

(c) If you exceed the work limit, the department will:

(i) Suspend your retirement allowance until the next calendar year, unless you separate from service. If you separate from service, your benefit will resume effective the first day immediately following the date of separation.

(ii) Pro rate your retirement allowance for the month during which you exceeded the eight hundred sixty-seven-hour limit.

(iii) Collect any overpayments made to you for the month(s) in which you exceeded the work limit, as required by RCW 41.50.130.

(3) Can I become a PERS member?

(a) Yes, but not automatically. You must elect in writing to become a member and file your notice of election with either your employer or the department.

(b) By working in a PERS eligible position after retirement you may elect at any time to reestablish membership prospectively under RCW 41.40.023(12). Membership is not retroactive.

Your membership will become effective the first day of the month immediately following the date your employer or the department receives written notification of your election to become a member.

If you work more than the work limit in a given month, the soonest your membership can be effective is the first day of the following month, if your employer or the department receives written notification of your election before that date.

(c) If you reenter membership in PERS and later elect to retire again, the department will recalculate your retirement benefits under applicable statutes and regulations.

Example 1:

Phil is a PERS Plan 1 retiree. He separates from service on October 31st. He retires, effective November 1st. He returns to work in a PERS Plan 1 eligible position on January 2nd of the following year. On June 1 he realizes that on or about July 8th, he is going to exceed his eight hundred sixty-seven-hour limit for the year. On July 3rd he elects in writing to reenter TRS membership, effective July 8th. He files the election with his employer on July 5th.

On July 12th, Phil works his eight hundred sixty-eighth hour. He will no longer be eligible for a PERS Plan 1 retirement allowance as of July 12th. He will become a member of PERS Plan 1 effective August 1st.

Example 2:

Sara is a PERS Plan 2 retiree. She separated from service June 30, 1999. She begins working in a PERS eligible position on February 1, 2000. By May 31, 2000, she has worked eight hundred eighty total hours. Sara may work as many hours as she wants for another calendar month. If she works after June 30, 2000, she will exceed the five-month work limit.

Example 3:

Dixie is a PERS Plan 2 retiree. She separated from service on June 30, 1999. She begins working in a PERS eligible position on February 1, 2000. By September 30, 2000, she has worked four hundred total hours. She has not exceeded the hour work limit. She may continue to work during the calendar year until she exceeds the eight hundred sixty-seven-hour work limit.

(4) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed:

- (a) "Eligible position" - RCW 41.40.010, 41.32.010.
- (b) "Employer" - RCW 41.40.010.
- (c) "Ineligible position" - RCW 41.40.010.
- (d) "Membership" - RCW 41.40.023.
- (e) "Report" - WAC 415-108-0104.
- (f) "Accrue" - RCW 41.40.193, 41.40.680.
- (g) "Law enforcement officer" - RCW 41.26.030.

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-108-710 If I work for an employer after I retire, will my retirement benefit be affected? (Effective September 1, 2000.) (1) (If you reenter membership after retiring, the department will suspend payment of your benefit.

(2) ~~You may work for an employer in some circumstances without reentering membership.~~ You may enter employment with an employer after retirement without having to reenter membership if:

- (a) You are employed in an ineligible position; or

(b) You are employed in an eligible position on a temporary basis for five months or less in a calendar year.

(i) If you enter compensated employment in an eligible position during a month, that month is counted as a month of employment in the calendar year regardless of the number of hours you worked in the month:

(ii) If you are employed in an eligible position for any five months during a calendar year, the department will count your employment as five months of employment, regardless of whether or not the months are consecutive or your employment is with one or more employers:

~~(3) You are required to reenter membership if you become reemployed in an eligible position on a temporary basis for more than five months in a calendar year.~~ If you become reemployed in an eligible position on a temporary basis for more than five months in a calendar year you will reenter membership in the retirement system beginning with the sixth month of your employment. Effective at the beginning of the sixth month of your employment:

(a) Your employer will report you to the department; and

(b) The department will suspend your retirement allowance:

~~(4) You are required to reenter membership if you become permanently reemployed in an eligible position.~~ If you become reemployed in an eligible position on a permanent basis you will immediately become a member. Effective from the date of your reemployment in a permanent eligible position:

(a) Your employer will report you to the department; and

(b) The department will suspend your retirement allowance:

~~(5) Meaning of employment on a temporary or permanent basis:~~

(a) "Employed on a temporary basis" under subsection (2) of this section means your employer expects your employment to last for five months or less and not be on a recurring basis:

(b) "Employed on a permanent basis" under subsection (3) of this section means either:

(i) Your employer expects you to continue in your position for more than five months in any calendar year; or

(ii) Your employer expects you to continue in the same position for more than one year on a recurring basis and your employment is for five months or less during each year.

~~(6) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.~~

(a) "Eligible position" - RCW 41.40.010.

(b) "Employer" - RCW 41.40.010.

(c) "Ineligible position" - RCW 41.40.010.

(d) "Membership" - RCW 41.40.023.

(e) "Report" - WAC 415-108-0104.) You may work

for an employer after retirement without having your retirement benefit suspended if:

(a) You are employed in an ineligible position; or

(b) You are an active member of TIAA-CREF; or

(c) You are employed as an elected or appointed official directly by the governor under RCW 41.40.150(4) and do not reenter membership; or

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(d) Your only employment is as an elected official of a city or town and you end your PERS membership under RCW 41.40.023 (3)(b) and 41.40.690. Your benefit will be discontinued if you receive more than fifteen thousand dollars in compensation per year for your services, adjusted annually for inflation by the director; or

(e) You reenter employment:

(i) No sooner than one calendar month after your retirement benefit accrues; and

(ii) You are employed in an eligible position no more than the greater of eight hundred sixty-seven hours or five calendar months (work limit) in a calendar year.

(2) What happens if I work more than the work limit in a calendar year?

(a) If you work for more than the greater of eight hundred sixty-seven hours or five calendar months (work limit) in a calendar year, your PERS retirement allowance will be suspended if:

(i) You work in an eligible position as defined by TRS, SERS or PERS; or

(ii) You work as a law enforcement officer or fire fighter as defined by LEOFF.

(b) If you work in a position referred to in (a) of this subsection over the work limit, your employer will report that you have worked over the limit to the department. Effective as of the eight hundred sixty-eighth hour or sixth month of your employment, whichever is greater, you will not be entitled to the retirement allowance, even if the hours or months worked are nonconsecutive or your employment is with one or more employers.

(c) If you exceed the work limit, the department will:

(i) Suspend your retirement allowance until the next calendar year, unless you separate from service. If you separate from service, your benefit will resume effective the first day immediately following the date of separation.

(ii) Pro rate your retirement allowance for the month during which you exceeded the eight hundred sixty-seven-hour limit.

(iii) Collect any overpayments made to you for the month(s) in which you exceeded the work limit, as required by RCW 41.50.130.

(3) Can I become a PERS member?

(a) Yes, but not automatically. You must elect in writing to become a member and file your notice of election with either your employer or the department.

(b) By working in a PERS eligible position after retirement you may elect at any time to reestablish membership prospectively under RCW 41.40.023(12). Membership is not retroactive.

Your membership will become effective the first day of the month immediately following the date your employer or the department receives written notification of your election to become a member.

If you work more than the work limit in a given month, the soonest your membership can be effective is the first day of the following month, if your employer or the department receives written notification of your election before that date.

(c) If you reenter membership in PERS and later elect to retire again, the department will recalculate your retirement benefits under applicable statutes and regulations.

Example 1:

Phil is a PERS Plan 1 retiree. He separates from service on October 31st. He retires, effective November 1st. He returns to work in a PERS Plan 1 eligible position on January 2nd of the following year. On June 1 he realizes that on or about July 8th, he is going to exceed his eight hundred sixty-seven-hour limit for the year. On July 3rd he elects in writing to reenter TRS membership, effective July 8th. He files the election with his employer on July 5th.

On July 12th, Phil works his eight hundred sixty-eighth hour. He will no longer be eligible for a PERS Plan 1 retirement allowance as of July 12th. He will become a member of PERS Plan 1 effective August 1st.

Example 2:

Sara is a PERS Plan 2 retiree. She separated from service June 30, 1999. She begins working in a PERS eligible position on February 1, 2000. By May 31, 2000, she has worked eight hundred eighty total hours. Sara may work as many hours as she wants for another calendar month. If she works after June 30, 2000, she will exceed the five-month work limit.

Example 3:

Dixie is a PERS Plan 2 retiree. She separated from service on June 30, 1999. She begins working in a PERS eligible position on February 1, 2000. By September 30, 2000, she has worked four hundred total hours. She has not exceeded the hour work limit. She may continue to work during the calendar year until she exceeds the eight hundred sixty-seven-hour work limit.

(4) Defined terms used. Definitions for the following terms used in this section may be found in the sections listed:

(a) "Eligible position" - RCW 41.40.010, 41.32.010, 41.35.010.

(b) "Employer" - RCW 41.40.010.

(c) "Ineligible position" - RCW 41.40.010.

(d) "Membership" - RCW 41.40.023.

(e) "Report" - WAC 415-108-0104.

(f) "Accrue" - RCW 41.40.193, 41.40.680.

(g) "Law enforcement officer" - RCW 41.26.030.

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-108-720 Participation—Can I be excluded from participating in membership even if I am employed in an eligible position? (1) You may be exempt from participating in membership even if you meet eligibility criteria. Even if you are employed in an eligible position you are exempt from participating in PERS if your individual circumstances qualify you for one of the exceptions to membership under RCW 41.40.023.

(2) ~~((If you work for a PERS employer after you retire, you are subject to post-retirement employment restrictions even if you are excluded from participating in membership. If you become employed in an eligible position after you retire, you are subject to the post-retirement employment restrictions under RCW 41.40.150 and 41.40.690 even if you are excluded from membership.~~

(3)) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Eligible position" - RCW 41.40.010.
- (b) "Employer" - RCW 41.40.010.
- (c) "Ineligible position" - RCW 41.40.010.
- (d) "Membership" - RCW 41.40.023.

WSR 99-23-033
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed November 10, 1999, 3:44 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-22-056.

Title of Rule: WAC 388-430-0001 Establishing deprivation, 388-430-0005 Deprivation due to absence, 388-430-0010 Definitions of maintenance, physical care, 388-430-0015 Deprivation due to incapacity, 388-430-0020 Deprivation due to unemployment, 388-430-0025 Work quarters, 388-235-9000 Benefits from other programs, 388-400-0005 Temporary assistance for needy families, 388-400-0010 State family assistance—Summary of eligibility requirements, 388-404-0005 Age of child eligible for TANF, SFA, and GA-H, 388-408-0020 Persons excluded from TANF and SFA assistance units, 388-442-0010 Felons, and 388-480-0001 Strikers.

Purpose: ESB 5798 became effective on July 25, 1999. This bill amended RCW 74.12.010 to eliminate the requirement for a child to be deprived of parental support in order to be eligible for temporary assistance for needy families (TANF) or state family assistance (SFA). The bill also eliminated the exclusion of persons on strike from receiving TANF/SFA benefits, and expanded eligibility for TANF/SFA to some 18-21 year old children. Changes regarding felons are required as the department does not have the authority to deny SFA to certain pregnant felons.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.510.

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.510.

Summary: Repeal WAC 388-430-0001, 388-430-0005, 388-430-0010, 388-430-0015, 388-430-0020, and 388-430-0025, which currently conflict with state statute. This repeal will eliminate the deprivation requirement for TANF/SFA. Amend WAC 388-235-9000, 388-400-0005, 388-400-0010, 388-404-0005, 388-408-0020, 388-442-0010, and 388-480-0001 that are currently in conflict with state statute. Amend-

ments will remove striker restrictions for TANF/SFA, expand TANF/SFA eligibility for some 18-21 year old children, and expand SFA eligibility for certain pregnant felons.

Reasons Supporting Proposal: These rules are currently in conflict with state law, ESB 5798.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Todd Feiring, Division of Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, (360) 413-3084.

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: Revise department rules related to deprivation, age requirements for temporary assistance for needy families/state family assistance, and striker rules that currently conflict with state statute. Revise department rules to expand eligibility for SFA to eligible 19 and 20 year old students.

WAC 388-430-0001 Establishing deprivation, 388-430-0005 Deprivation due to absence, 388-430-0010 Definitions of maintenance, physical care, 388-430-0015 Deprivation due to incapacity, 388-430-0020 Deprivation due to unemployment, 388-430-0025 Work quarters, 388-235-9000 Benefits from other programs, 388-400-0005 Temporary assistance for needy families, 388-400-0010 State family assistance—Summary of eligibility requirements, 388-404-0005 Age of child eligible for TANF, SFA, and GA-H, 388-408-0020 Persons excluded from TANF and SFA assistance units, 388-442-0010 Felons, and 388-480-0001 Strikers.

Proposal Changes the Following Existing Rules: WAC 388-430-0001, 388-430-0005, 388-430-0010, 388-430-0015, 388-430-0020, and 388-430-0025, all WACs being repealed.

WAC 388-235-9000, changing AFDC to TANF and including state family assistance (SFA) in list of programs making one ineligible for GA-U. Also removed reference to repealed WAC.

WAC 388-400-0005, removed references to striker rules, monthly reporting rules, and include reference to expanded eligibility for SFA.

WAC 388-400-0010, expanded eligibility for SFA to children under twenty-one years of age that are attending a secondary education program or its equivalent full-time.

WAC 388-404-0005, expanded eligibility for SFA to children under twenty-one years of age that are attending a secondary education program or its equivalent full-time.

WAC 388-408-0020, expand on definition of who is excluded from TANF and SFA assistance units.

WAC 388-442-0010, expand eligibility for SFA to pregnant women ineligible for TANF due to a drug related conviction.

WAC 388-480-0001, eliminated exclusion of person on strike from receiving TANF/SFA benefits.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The changes as a result of this rule do not affect small businesses.

RCW 34.05.328 does not apply to this rule adoption. This rule does not meet the definition of significant legislative change.

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Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on December 21, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 10, 1999, phone (360) 664-60924[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 December 21, 1999.

Date of Intended Adoption: December 27, 1999.

November 1, 1999

Marie Myerchin-Redifer, Manager

Rules and Policies Assistance Unit

PROPOSED

AMENDATORY SECTION (Amending Order 3824, filed 1/11/95, effective 2/11/95)

WAC 388-235-9000 How benefits from other programs affect your eligibility for general assistance-unemployable. You cannot get general assistance unemployable (GA-U) benefits if:

(1) ~~((The department shall deny a request for, or terminate, general assistance unemployable (GAU) to a person:~~

~~(a) Eligible for or receiving aid to families with dependent children (AFDC);~~

~~(b) Eligible for or whose needs are met by SSI, except as provided under WAC 388-235-9300;~~

~~(c) Under sanction for failure to comply with AFDC or supplemental security income (SSI) requirements;~~

~~(d) Failing or refusing to cooperate without good cause in obtaining AFDC or SSI;~~

~~(e) Unemployable due to alcohol or drug addiction. The department shall refer such person to the alcoholism and drug addiction treatment and support program.~~

~~(2) If otherwise eligible, the department shall not deny requests for GAU to a person found ineligible for AFDC, as described under WAC 388-215-1820)) You are eligible for temporary aid for needy families (TANF) benefits;~~

~~(2) You are eligible for state family assistance (SFA) benefits unless you meet the exception allowed under WAC 388-400-0010;~~

~~(3) You have the ability to, but refuse to meet a TANF or SFA eligibility rule;~~

~~(4) You are eligible for Supplemental Security Income (SSI) benefits;~~

~~(5) You are eligible to have your needs met by SSI;~~

~~(6) You were denied benefits or your benefits were terminated by SSI for failing to follow a SSI program rule or application requirement; or~~

~~(7) We find you cannot work primarily due to alcohol or drug addiction. We will refer you to the alcoholism and drug treatment and support program.~~

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-400-0005 Who is eligible for temporary assistance for needy families~~((General eligibility requirements))~~ (1) ~~((To be eligible for temporary assistance for needy families (TANF), a child must:~~

~~(a) Meet the age requirements under WAC 388-404-0005;~~

~~(b) Live in the home of a relative as required under chapter 388-454 WAC;~~

~~(c) Be deprived of parental support and care as required under chapter 388-430 WAC; and~~

~~(d) Live with a parent who is not ineligible for TANF due to the time limit requirements of WAC 388-484-0005.~~

~~(2) To be eligible for TANF, a person must:~~

~~(a)) You can get temporary assistance for needy families (TANF), if you:~~

~~(a) Can be included in a TANF/SFA assistance unit as defined in WAC 388-408-0015 through 388-408-0030;~~

~~(b) Meet the citizenship/alien status requirements of WAC 388-424-0005;~~

~~((b)) (c) Reside in the state of Washington, or, if you are a child, live with a ((parent or other)) caretaker relative who meets the state residency requirements of WAC 388-468-0005;~~

~~((e) Be) (d) Are in financial need as specified under chapters 388-450, 388-470 and 388-488 WAC;~~

~~((d)) (e) Assign ((any)) your rights to child support and cooperate in establishing paternity and collecting child support as required under ((chapter 388-422)) WAC 388-422-0005 through 388-422-0030;~~

~~((e)) (f) Provide ((a)) your Social Security number as required under WAC 388-476-0005;~~

~~((f)) (g) Cooperate in a review of your eligibility as required under WAC 388-434-0005;~~

~~((g)) (h) Cooperate in a quality assurance review as required under WAC ((388-464-0005)) 388-464-0001;~~

~~((h)) (i) Participate in the WorkFirst program as required under chapter 388-310 WAC;~~

~~((i) Not be participating in a strike as defined under WAC 388-480-0005;))~~

~~(j) ((Report circumstances monthly as required under chapter 388-456 WAC;~~

~~(k)) Report changes of circumstances as required under ((chapter 388-418)) WAC 388-418-0005; ((and~~

~~(l) If a pregnant woman who is not otherwise eligible for TANF, meet the requirements of WAC 388-462-0010.~~

~~(3) TANF assistance units for children and caretaker relatives are established according to chapter 388-408 WAC.~~

~~(4) The following persons are not eligible for TANF:~~

~~(a) Persons)) (k) Meet the requirements of WAC 388-462-0010, if you are pregnant; and~~

~~(l) Meet the living arrangement and school attendance requirements of WAC 388-486-0005 and 388-486-0010, if you are an unmarried pregnant and parenting teen.~~

~~(2) In addition to rules listed in subsection (1) of this section, a child must meet the following rules to get TANF:~~

~~(a) Meet the age requirements under WAC 388-404-0005; and~~

(b) Live in the home of a relative as required under WAC 388-454-0005; or

(c) If living with a parent, that parent cannot have exhausted their sixty-month lifetime limit of TANF or SFA cash benefits as defined in WAC 388-484-0005.

(3) You cannot get TANF if you have been:

(a) Convicted of certain felonies and other crimes as specified in ~~((chapter 388-442))~~ WAC 388-442-0010; and

(b) ~~((Persons))~~ Convicted of unlawful practices in obtaining public assistance as specified in ~~((chapter 388-446))~~ WAC 388-446-0005 and 388-446-0010.

~~((5) Unmarried pregnant and parenting teens must meet the living arrangement and school attendance requirements of chapter 388-486-WAC.))~~

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-400-0010 ~~Who is eligible for state family assistance~~~~((—Summary of eligibility requirements.))~~ (1) To be eligible for state family assistance (SFA), ~~((a person must:~~

(a) Meet all temporary assistance for needy families (TANF) eligibility requirements except those for citizenship and alien status; and

(b) Meet the citizenship/residence requirements as specified in WAC 388-424-0015.

(2) An assistance unit is not eligible for SFA if it includes an adult who has received SFA, TANF, or a combination of SFA and TANF for a total of sixty months since August 1, 1997. Months are disregarded as specified under WAC 388-484-0005 when calculating the number of months an adult family member has received SFA or TANF.

(3) Assistance units for families with members who meet SFA and TANF citizenship/alien status requirements will be established under the TANF assistance unit rules in chapter 388-408 WAC)) certain aliens must meet Washington state residency requirements as listed in WAC 388-424-0015.

(2) You are eligible for SFA if you are not eligible for temporary assistance for needy families for the following reasons:

(a) You are a qualified alien and have been in the United States for less than five years as described in WAC 388-424-0010;

(b) You are an alien who is permanently residing in the United States under color of law (PRUCOL) as defined in WAC 388-424-0005;

(c) You are a nineteen or twenty-year-old student that meets the education requirements of WAC 388-404-0005;

(d) You are a caretaker relative of a nineteen or twenty-year-old student that meets the education requirements of WAC 388-404-0005; or

(e) You are a pregnant woman who has been convicted of:

(i) Misrepresenting their residence in order to receive benefits from two or more states at the same time; or

(ii) A drug-related felony as described in WAC 388-442-0010.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-404-0005 ~~((Age of child eligible))~~ How does a child's age affect their eligibility for TANF, SFA ~~((and))~~ or GA-H~~((?))~~ (1) To be eligible for temporary assistance for needy families (TANF), state family assistance (SFA) or general assistance for children (GA-H), a child must be:

~~((+))~~ (a) Under age eighteen; or

~~((2))~~ (b) Under age nineteen~~((;))~~, and~~((:~~

(a) Participating full-time in a secondary school program or the equivalent level of vocational or technical training; and
(b) Reasonably expected to complete the program by the end of the month in which the child reaches age nineteen))
participating full-time in a secondary education program or the equivalent level of vocational or technical training.

(i) "Participating" means the educational or training institution has determined:

(A) The child's school attendance is satisfactory; and

(B) The child is making acceptable progress toward completing the program.

(ii) "Full-time" attendance and course load requirements are defined by the educational or training institution.

(2) A child who does not qualify for assistance under subsection (1) of this section may qualify for SFA if the child is under age twenty-one, and:

(a) Receiving a special education due to their disability as specified in RCW 28A.155.020; or

(b) Participating full-time in a secondary education program or the equivalent level of vocational training as defined in (1)(b) above.

(3) Children who receive SFA under WAC 388-404-0005 and who are nineteen years of age or older are not eligible for TANF/SFA-related categorically needy medical benefits.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-408-0020 ~~((Persons))~~ Who is excluded from TANF and SFA assistance units~~((?))~~ ~~((The following persons may not be included in a TANF or SFA assistance unit:~~

(1) Persons who are ineligible for reasons other than income and resources, except for adult family members who would make the family ineligible due to the TANF/SFA time limit as specified in chapter 388-484 WAC. Examples of persons who are ineligible for reasons other than income and resources are:

(a) Children who are not deprived of parental support and care as specified in chapter 388-430 WAC;

(b) Aliens who do not meet citizenship or alien status requirements for TANF or SFA as specified in chapter 388-424 WAC; and

(c) Children who do not live with relatives as specified in chapter 388-454 WAC.

(2) An adopted child if:

(a) The child) (1) For the purpose of this section, "excluded" means that you will not be included when the

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department counts the number of people in the assistance unit to determine the payment standard for that assistance unit.

(2) This section describes the reasons why the department may exclude you from the TANF or SFA assistance unit.

(a) The department cannot exclude you from TANF or SFA assistance unit if the only reason you want to be excluded is that your income or resources make the assistance unit ineligible or reduces the amount of assistance it can receive.

(b) If the department excludes you from the TANF or SFA assistance unit, we will not count your income unless you are financially responsible for a member of the assistance unit. The rules for determining who is financially responsible and how the department counts their income and resources are WAC 388-450-0095 through 388-450-0130.

(3) The department will exclude you from an assistance unit if you are:

(a) An adopted child who:

(i) Receives federal, state or local adoption assistance; and

((b)) (ii) Including ((the child)) you in the assistance unit would reduce the assistance unit's grant due to budgeting the adoption assistance income.

((3) Minor parents or children who have)

(b) A minor parent or child who has been placed in Title IV-E, state, or locally funded foster care except for temporary absences allowed for under WAC 388-454-0015;

((4)) (c) An adult parent in a two-parent household when:

((a)) (i) The other parent is unmarried and under the age of eighteen; and

((b)) (ii) The department determines the living arrangement is not appropriate under WAC 388-486-0005.

((5)) (d) A recipient of SSI benefits(-);

(e) Not included in the assistance unit at the option of your family as allowed under WAC 388-450-0025; or

(f) Ineligible for TANF or SFA because you do not meet an eligibility requirement that is not related to your ownership of income or resources:

(i) Eligibility requirements for TANF are listed in WAC 388-400-0005.

(ii) Eligibility requirements for SFA are listed in WAC 388-400-0010.

AMENDATORY SECTION (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

WAC 388-442-0010 ((Felons)) How being a felon impacts your eligibility for benefits. (1) ((A person is)) You are not eligible for TANF/SFA, GA and/or food assistance if ((the person is)) you are:

(a) Fleeing to avoid prosecution, custody, or confinement after conviction of a crime, or an attempt to commit a crime which is considered a felony in the place from which ((they were)) you are fleeing; or

(b) Violating a condition of probation or parole as determined by an administrative body or court that has the authority to make this decision.

(2) ((A person is)) You are not eligible for TANF/SFA and/or food assistance if you were convicted of a felony committed after August 21, 1996 involving an element of possession, use, or distribution of an illegal drug, unless ((the person)) you:

(a) ((Was)) Were convicted only of possession or use of an illegal drug; and

(b) ((Was)) Were not convicted of a felony for illegal drugs within three years of the latest conviction; and

(c) ((Was)) Were assessed as chemically dependent by a program certified by the division of alcohol and substance abuse (DASA); and

(d) ((Is)) Are taking part in or ((has)) have completed a rehabilitation plan consisting of chemical dependency treatment and job services.

(3) If you are pregnant, but cannot get TANF/SFA because you were convicted of a drug-related felony, you can get SFA while you are pregnant if you meet all other TANF/SFA eligibility criteria under WAC 388-400-0005 or 388-400-0010.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-480-0001 ((Strikers)) How being on strike effects food assistance benefits. (1) A strike is ((defined as a concerted)) a work stoppage, slowdown or other interruption of work ((initiated)) caused by employees. ((2) An individual is)) You are not considered ((a striker)) to be on strike if you are:

(a) Locked out by ((the)) your employer;

(b) Unable to work ((as a result of)) because work is not available as a result of striking employees;

(c) Not ((part of the bargaining unit)) a member of the bargaining unit on strike and ((fearful of personal injury from crossing)) you fear someone may physically hurt you if you cross a picket line((s)); or

(d) Exempt from work registration the day before the strike ((e)) for any reason((s)) other than ((employment)) being employed over thirty hours per week((3)).

((3) TANF/SFA, GA-H or RCA recipients are not eligible for any month in which a parent or the only eligible child is participating in a strike on the last day of the month.

(4) In TANF/SFA, GA-H or RCA assistance units, if a member other than the parent or only eligible child is on strike on the last day of the month, only that person is ineligible.

(5) Applicants))

(2) If you apply for food assistance ((are ineligible if participating in a)), you will not be eligible if you are on strike unless:

(a) ((The)) Your household met all income and resource eligibility standards the day ((prior to)) before the strike; and

(b) ((Is)) You are otherwise eligible at the time ((of application)) you apply.

((6) Food assistance households are not eligible for))

(3) You will not receive an increase in your food assistance benefits solely due to ((a decrease in)) receiving less income as a direct result of ((participation in a)) being on strike.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-430-0001	Establishing deprivation.
WAC 388-430-0005	Deprivation due to absence.
WAC 388-430-0010	Definition of maintenance, physical care and guidance.
WAC 388-430-0015	Deprivation due to incapacity.
WAC 388-430-0020	Deprivation due to unemployment.
WAC 388-430-0025	Work quarters.

WSR 99-23-035
PROPOSED RULES
SOUTH PUGET SOUND
COMMUNITY COLLEGE
 [Filed November 10, 1999, 4:49 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-102.

Title of Rule: WAC 132X-10-010 through 132X-10-110 Public records, 132X-30-040 Scheduling, 132X-40-020 Responsible officer, 132X-50-020 through 132X-50-280 Parking and traffic regulations, and 132X-60-010 through 132X-60-178 Code of student rights and responsibilities.

Purpose: Designates enforcement and authority of campus security; broadens description of parking penalties. Clarifies, broadens and adds details to definitions; updates title changes; and general housekeeping changes and corrections.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Summary: Proposed changes are to bring clarity to existing rules, update recent title changes, broaden and clarify definitions, and designate authority to security officer.

Reasons Supporting Proposal: To clarify rules intent and make corrections of a general housekeeping nature.

Name of Agency Personnel Responsible for Drafting: Kenneth J. Minnaert, Building 25, South Puget Sound Community College, (360) 754-7711; Implementation: John Hurley, Bob Bell, Roberta Jones, Building 25, South Puget Sound Community College, (360) 754-7711; and Enforcement: John Hurley, Bob Bell, Roberta Jones, Tony Simone, Building 25, South Puget Sound Community College, (360) 754-7711.

Name of Proponent: South Puget Sound Community College, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: All changes bring clarity to rules. Public records defines purpose, college geographic location, availability of records, designation of officer, guidelines for requests,

exemptions of certain records, review of denial procedures, no substantive changes.

Scheduling facilities, title change.

Responsible officer, title change.

Parking and traffic regulations clarifies and broadens definitions and procedures; title change; broadens authority of security; defines enforcement period and reasons for issuing citations; clarifies fines and penalties and grievance procedures; strengthens parking designation to meet ADA requirements; clarifies speed limit to exclude emergency vehicles broadens permit purchase to include motorcycles and includes bicycles and motorcycles in fines and penalties regulation; clarifies accident reporting; reduces number of hours a disabled vehicle can remain on campus.

Student rights and responsibilities broadens and clarifies the student as a member of the campus community, defines expectations and conduct; clarifies jurisdiction to cover all students and appropriate disciplinary action; clarifies student publications operations and expectations of students; clarifies grievance and discrimination procedures; and title changes.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Under chapter 19.85 RCW none required.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: South Puget Sound Community College, Building 25, Boardroom, 2011 Mottman Road, Olympia, WA, on January 13, 2000, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Pynch by January 5, 2000, TDD (360) 754-6477, or (360) 754-7711 ext. 202.

Submit Written Comments to: Patty Pynch, Administrative Assistant, President's Office, South Puget Sound Community College, fax (360) 664-9407, by January 7, 2000.

Date of Intended Adoption: January 13, 2000.

November 9, 1999

Kenneth J. Minnaert

President

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-10-010 Purpose. The purpose of this chapter shall be to ensure compliance by the South Puget Sound Community College District 24 with the provisions of chapter 42.17 RCW, Disclosure—Campaign finances—Lobbying—Records; and in particular with RCW 42.17.250 through ((42.17.320)) 42.17.340, dealing with public records.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-10-030 Description of central and field organization of South Puget Sound Community College District 24. South Puget Sound is a community college district organized under RCW 28B.50.040. The district administrative office and its staff are located at South Puget Sound Community College, 2011 Mottman Road, S.W., Olympia, Washington ((98502)) 98512.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-10-050 Public records available. All public records of the college, as defined in WAC 132X-10-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by ~~((section 31, chapter 1, Laws of 1973))~~ RCW 42.17.310, 42.17.315, 42.17.260(1) and WAC 132X-10-100.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-10-060 Public records officer. The college's public records shall be in the charge of the public records officer designated by the president. The person so designated at the college is the vice-president for human resources. The public records officer shall be responsible for the following: The implementation of the college's rules and regulations regarding release of public records, coordinating the staff of the college in this regard, and generally ensuring compliance by the staff with the public records disclosure requirements of ~~((chapter 1, Laws of 1973))~~ RCW 42.17.250 through 42.17.340.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-10-080 Requests for public records. In accordance with requirements of ~~((chapter 1, Laws of 1973))~~ RCW 42.17.250 through 42.17.340 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the college which shall be available at its administrative office. The form shall be presented to the public records officer and/or his/her designees, at the administrative office during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the college's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer and/or his/her designees, to assist the member of the public in appropriately identifying the public record requested.

(3) The public records officer and/or his/her designee to whom the request is presented shall, by the close of three business days:

- (a) Make the requested document available; or
- (b) State that such a document does not exist; or
- (c) Ask for clarification of the document requested; or
- (d) Deny access because the document is exempt from public inspection under WAC 132X-10-050.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-10-100 Exemptions. (1) The college reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132X-10-080 is exempt under the provisions of ~~((section 31, chapter 1, Laws of 1973))~~ RCW 42.17.310, 42.17.315 and 42.17.260.

(2) In addition, pursuant to ~~((section 26, chapter 1, Laws of 1973))~~ RCW 42.17.260, the college reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of 1973. The public records officer and/or his/her designee will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

(4) The release or disclosure of student educational records is governed by federal regulation (FERPA). Separate and different procedures are established by the college for student educational records.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-10-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer and/or his/her designees which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer and/or his/her designee denying the request shall refer it to the president. The president or his/her designee shall ~~((immediately consider the matter and either affirm or reverse such denial or consult with the attorney general to review the denial))~~ consider the college's obligation to comply with the intent of chapter 42.17 RCW, the exemptions provided in RCW 42.17.310 or other pertinent statutes, and the statutory provisions which require the college to protect public records from damage or disorganization, prevent excessive interference with essential college functions, and prevent any unreasonable invasion of personal privacy by deleting identifying details. In any case, the request shall be

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returned with a final decision, within ~~((three))~~ five business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the college has returned the petition with a decision or until the close of the third business day following denial of inspection, whichever occurs first.

(4) Whenever the college concludes that a public record is exempt from disclosure and denies inspection and copying, the requestor may request a review of the matter by the office of the attorney general. A written request for review by the attorney general's office, along with a copy of the request and the college's written denial should be sent directly to the office of attorney general in Olympia, Washington. The office of the attorney general will conduct a prompt and independent review of the request and the college's denial and provide a written opinion as to whether the record requested is exempt from disclosure. This review is not binding upon the college or the requestor.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-30-040 Scheduling. The administrative regulations and procedures, schedule of fees, and application forms for use may be obtained at the office of the ~~((dean of))~~ vice-president for administrative services or the college facilities rental coordinator. The scheduling of facilities by groups or organizations will be through these offices.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-40-020 Responsible officer. In compliance with WAC 197-10-820, the ~~((dean of))~~ vice-president for administrative services is designated to be the "responsible official" for carrying out this policy.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-020 Applicable parking and traffic regulations. (1) All regulations in this chapter and all motor vehicle and other traffic laws of the state of Washington shall apply on the campus.

(2) The traffic code of the city of Olympia shall apply upon all lands located within the city of Olympia. The traffic codes of the city of Tumwater shall apply upon all lands located within the city of Tumwater.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-030 Definitions. As used in this chapter, the following words and phrases shall mean:

~~((1)) "Board": The board of trustees of South Puget Sound Community College, District 24.~~

~~(2) "Campus": All lands and buildings devoted to, operated by, or maintained by South Puget Sound Community College, District 24.~~

~~(3) "Campus security officer": Employee of the college who is responsible to the dean of administrative services for campus traffic control, parking, security, and safety.~~

~~(4) "College": South Puget Sound Community College, District 24.~~

~~(5) "Dean of administrative services": The dean of administrative services for South Puget Sound Community College, District 24.~~

~~(6) "Safety and security supervisor": The college's safety and security supervisor.~~

~~(7) "Employee": Any individual appointed to the faculty, staff, or administration of the college.~~

~~(8) "Guests/visitors": Person or persons who come upon the campus as guests and person or persons who lawfully visit the campus.~~

~~(9) "Annual permits": Permits which are valid from the date of issue until the first day of the following fall quarter. Annual permits are sold during fall quarter.~~

~~(10) "Temporary permits": Permits which are valid for a specific period designated on the permit.~~

~~(11) "Vehicle": Automobile, truck, motor-driven cycle, scooter or any vehicle otherwise powered.~~

~~(12) "Full-time student": Any person who is enrolled on campus for ten credit hours or more at the college.~~

~~(13) "Part-time student": Any person who is enrolled on campus for nine credit hours or less at the college.~~

~~(14) "Full-time employee": An employee of the college employed twenty hours or more per week on a permanent regular basis.~~

~~(15) "Part-time employee": An employee of the college employed less than twenty hours per week.~~

~~(16) "Security office": The college's campus security office.)~~ (1) "Annual permits": Permits which are valid from the date of issue until the first day of the following fall quarter. Annual permits are sold during fall quarter.

(2) "Board": The board of trustees of South Puget Sound Community College, District 24.

(3) "Campus": All lands and buildings devoted to, operated by, or maintained by South Puget Sound Community College, District 24.

(4) "Campus security officer": An employee of the college who is responsible for campus traffic control, parking, security, and safety.

(5) "College": South Puget Sound Community College, District 24.

(6) "Employee": Any individual appointed to the faculty, staff, or administration of the college. Student employment positions or college work study positions are not considered employees of the college in these definitions.

(7) "Full-time employee": An employee of the college employed twenty hours or more per week on a permanent regular basis.

(8) "Full-time student": Any person who is enrolled at this college and is taking ten credit hours or more on the main campus.

(9) "Guests/visitors": A person or persons who come upon the campus as guests and person or persons who lawfully visit the campus.

(10) "Main campus": All lands and buildings located at 2011 Mottman Road S.W., Olympia, WA.

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(11) "Part-time employee": An employee of the college employed less than twenty hours per week. Student employees or college work study employees are not classified as part-time employees under these definitions.

(12) "Part-time student": Any person who is enrolled at this college and is taking nine credit hours or less on the main campus.

(13) "Safety and security supervisor": The college's safety and security supervisor.

(14) "Security office": The college's campus security office.

(15) "Temporary permits": Permits which are valid for a specific period designated on the permit.

(16) "Vehicle": Automobile, truck, motor-driven cycle, scooter or any vehicle otherwise powered.

(17) "Vice-president for administrative services": The vice-president for administrative services for South Puget Sound Community College, District 24.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-040 Authorization for issuance of permits. The safety and security supervisor, or designee, is authorized to issue parking permits to students, administrators, ~~((faculty)) exempt employees, faculty,~~ staff, guests and visitors to the college, pursuant to the following regulations:

(1) A person may be issued a parking permit upon the proper registration of his/her vehicle with the college.

(2) The safety and security supervisor, or a designee, may issue temporary, permanent or special parking permits when such permits are necessary to enhance the business or operation of the college.

(3) Additional permits are available at the current fee schedule to individuals who ~~((may be registered to drive any one of several))~~ have registered other vehicles. Only one vehicle registered to an individual under one permit fee shall be permitted to park on campus at any one time.

(4) Persons who pay the current fee for parking permits and who later request a refund shall receive refunds according to the refund policy published in the college catalogues and bulletins. The person must first turn in the current quarter/annual permit to the cashier's office, before a refund will be issued.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-050 Parking fees for vehicle permits. ~~((All part time and full time employees and students of the college shall obtain and display a currently valid parking permit on all vehicles parked or left standing unattended upon the college campus for both day and night classes, in accordance with WAC 132X-50-040.~~

All persons parking on the campus shall secure and display a currently valid parking permit within five academic days from date of registration or from the first day of employment.) All students and employees of the college wanting to park on campus shall obtain and properly display a valid parking permit as issued by the college on all vehicles parked

or left standing unattended upon the college campus for both day and night classes, in accordance with WAC 132X-50-040. A valid temporary, daily, quarterly, or annual parking permit must be visibly displayed on the vehicle by the first day of the quarter. Day permits can be purchased at the pay station.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-060 Parking fee exceptions. ~~((All guests/visitors (including salespersons, maintenance or service personnel) will park in appropriate parking areas without paying a fee after obtaining a temporary permit from the security office.)) All guests/visitors (including salespersons, contractors or service personnel) will park in appropriate parking areas without paying a fee after obtaining a temporary permit from the security office or they may park in metered parking (all users must pay) or purchase a daily permit at the pay station(s). These exceptions include, but are not limited to:~~

(1) Federal, state, county, city, school district and similar governmental personnel on official business in vehicles with tax exempt licenses.

(2) Vehicles owned by contractors and their employees working on campus construction may be parked within available construction sites or areas.

(3) Members of the press, television, radio and wire services, on official business.

(4) Taxis and commercial delivery vehicles for the pick up and delivery of passengers, supplies and equipment.

(5) Persons attending special college events.

~~((Guests/visitors invited to the campus for the purpose of rendering services to the college.~~

~~(7) Persons holding emeritus or similar appointments shall park in designated areas.~~

~~(8) Students and faculty participating in Friday evening (after 4:30 p.m.) and/or weekend classes only. Friday evening and weekend classes are not required to obtain temporary permits.)~~ Guests/visitors invited to the campus for the purpose of rendering services to the college. Visitors parking spaces are reserved for visitors/guests. These spaces are time restricted and vehicles with a valid permit are not permitted to park in these spaces.

(7) Students and faculty participating in Friday evening (after 4:30 p.m.) and/or weekend classes only. Friday evening and weekend classes are not required to obtain temporary permits.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-080 Display of permits. The parking permit issued by the college shall be visibly ~~((affixed on the outside of the rear window of the vehicle, for which the permit is issued, on the lower left hand corner of the window as viewed from the rear of the vehicle. If the vehicle is a convertible or has no rear window, the permit shall be affixed to the driver side rear bumper or driver side windshield lower corner))~~ displayed according to the instructions on the permit

on or before the first day of the quarter. Motorcycle permits must be affixed in a conspicuous place.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-110 Right to refuse permit. The ~~((college dean of))~~ vice-president for administrative services, or designee, reserves the right to refuse the issuance of a parking permit to anyone who has had a previous permit revoked, or whose driving or parking record indicates a disregard for the ~~((rights or))~~ parking regulations or the safety of others.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-120 Right to appeal permit revocation/refusal. When a parking permit has been recalled pursuant to WAC 132X-50-100 or has been refused in accordance with WAC 132X-50-110 or when a fine or penalty has been levied against a violator of the rules and regulations set forth in this chapter, such action by the ~~((dean of))~~ vice-president for administrative services, or designee, may be appealed in accordance with WAC 132X-50-180.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-130 Delegation of authority. The authority and powers conferred upon the ~~((dean of))~~ vice-president for administrative services by these regulations shall be subject to delegation to that individual's subordinates.

Campus security or their designees have the authority to demand and receive identification from any person on owned or rented college property.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-140 Enforcement. (1) Parking and traffic regulations will be enforced ~~((at all times))~~ twenty-four hours a day, seven days a week, with the exception of those sections that limit enforcement (WAC 132X-50-060(7)).

(2) The ~~((dean of))~~ vice-president for administrative services, or designee shall be responsible for the enforcement of the regulations contained in this chapter.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-150 Violation of parking and traffic regulations. (1) Operators of illegally operated or parked vehicles shall be warned or cited through an appropriate means that they are in violation of these regulations. All fines are payable at the cashier's office.

(2) In instances where violations are repeated ~~((, and in the judgment of the safety and security supervisor, with appropriate documented evidence, said vehicle(s) may be impounded))~~ (five or more unpaid/outstanding citations); or,

vehicle is parked in such a manner as to endanger the college community; or, vehicle is parked in a fire lane or other posted tow-away, said vehicle(s) may be impounded and or immobilized.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-160 Issuance of traffic tickets or summons. (1) Upon probable cause to believe that a violation of these regulations has occurred, the safety and security supervisor or designee(s), may issue a warning or citation ~~((setting forth the date, the approximate time, permit number, license information and nature of violation)).~~

(2) Such warning or citation may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the operator/owner or by mailing the citation.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-170 Fines and penalties. The safety and security supervisor, or designees, is authorized to impose the following fines and penalties for violation of the regulations contained in this chapter:

(1) Fines may be levied for all violations of the regulations contained in this chapter.

(2) Vehicles parking in a manner so as to obstruct traffic, including access to and from parking spaces and areas, may be subject to a fine ~~((and)),~~ immobilized or may be impounded and taken to such place for storage as the safety and security supervisor, or designee, selects. The expenses of such impounding and storage shall be the responsibility of the registered owner or driver of the vehicle.

(3) ~~((Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule.~~

(4) ~~The college shall not be liable for loss or damage of any kind resulting from impounding and storage of vehicles.~~

(5) ~~At the discretion of the dean of administrative services, or designee, an accumulation of citations by a staff, administrator, or faculty member may be turned over to a private collection agency for the collection of past due fines. Other appropriate collection procedures may be initiated as deemed necessary.~~

(6) ~~Vehicles involved in violations of these regulations may be impounded as provided for in these regulations.~~

(7) ~~A schedule of fines shall be set by the board of trustees. The schedule shall be published by the college in the parking and traffic regulations and on the traffic parking citation form.~~

(8) ~~In the event a person fails or refuses to pay an uncontested fine which has been outstanding in excess of five days, the dean of administrative services or designee, may initiate the following actions:~~

(a) ~~Student may not be able to obtain transcript of credits until all fines are paid.~~

(b) ~~Student may not receive a degree/diploma until all fines are paid.~~

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~~(e) Students will not be able to register for subsequent quarters until all fines are paid.~~

~~(9) The following violations will be assessed in accordance with the fees and fines schedules as established by the board of trustees:~~

- ~~(a) No valid permit displayed~~
- ~~(b) Visitor parking violations~~
- ~~(c) Occupying more than one parking space~~
- ~~(d) Occupying space/area not designated for parking~~
- ~~(e) Handicapped parking violation~~
- ~~(f) Parking in area not authorized by permit~~
- ~~(g) Parking in reserved staff~~
- ~~(h) Blocking or obstructing traffic (may be towed if creating a safety hazard)~~
- ~~(i) Parking adjacent to fire hydrant (may be towed if creating a safety hazard)~~
- ~~(j) Parking in fire lane (may be towed if creating a safety hazard)~~
- ~~(k) Parking in zone or area marked no parking~~
- ~~(l) Driving wrong way on a one-way roadway~~
- ~~(m) Failure to yield right of way~~
- ~~(n) Exceeding the posted speed limit or a condition warrant~~
- ~~(o) Failure to stop at sign or signal~~
- ~~(p) Improper lane change~~
- ~~(q) Reckless or negligent driving~~
- ~~(r) Other violations of college parking/traffic regulations and its objectives.))~~ The college shall not be liable for loss or damage of any kind resulting from immobilizing or impounding and storage of vehicles.

(4) Vehicles involved in violations of these regulations may be impounded or immobilized with a wheel lock as provided for in these regulations.

(5) A schedule of fines shall be set by the board of trustees.

(6) In the event a person fails or refuses to pay an uncontested fine which has been outstanding, the vice-president for administrative services or designee, shall initiate the following actions:

(a) Students will not be able to obtain a transcript of credits until all fines are paid.

(b) Students will not receive a degree/diploma or grades until all fines are paid.

(c) Students will not be able to register for subsequent quarters until all fines are paid.

(d) Staff, administrator or faculty members with outstanding fines may be turned over to a private collection agency for the collection of past due fines. Other appropriate collection procedures, such as garnishing wages may be used.

(7) The following violations will be assessed in accordance with the fees and fine schedules as established by the board of trustees:

- (a) No valid permit displayed.
- (b) Metered parking violation.
- (c) No parking zone/area (not designated for parking).
- (d) Carpool violation.
- (e) Blocking vehicles/roadway.
- (f) Parked in a fire lane.
- (g) Disabled parking violation.
- (h) Visitor parking violation.

(i) Occupying more than one space.

(j) Other parking violations of the college's parking regulations and its objectives.

(k) Driving wrong way on a one-way roadway.

(l) Failure to yield right of way.

(m) Exceeding the posted speed limit or as conditions warrant.

(n) Failure to stop at sign or signal.

(o) Improper lane change.

(p) Reckless driving.

(q) Other violations of the college's traffic regulations and its objectives.

(r) Wheel lock removal fee.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-180 ((Grievance)) Appeals proceedings—Appeal of fines and penalties. (1) The alleged violator must submit the grievance in writing, giving full particulars, listing witnesses, evidence, etc.

(2) ((Grievance must be submitted to the dean of students within five days from date of citation.

(3) If grievance is not resolved to the satisfaction of the alleged violator, he/she shall have five additional days from receipt of decision by the dean of students to appeal to the parking advisory committee.)) The appeal must be submitted to the security office within five days from date of citation.

(3) If the appeal is not resolved to the satisfaction of the alleged violator, he or she shall have five additional days from receipt of the decision by the security office to appeal to the vice-president for administrative services.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-190 Parking advisory committee. The parking advisory committee shall be structured and responsible for the following purposes:

((4)) To review and recommend necessary changes to the college parking and traffic regulations annually.

((2) To receive and hear appeals related to parking grievances. All decisions made by the parking advisory committee relative to parking/traffic appeals shall be final.

(3) Membership shall consist of:

Four student representatives (two in student senate) appointed by the president of the associated students of South Puget Sound Community College

Two faculty representatives—appointed by faculty president of the college

One classified representative—elected by simple majority of voting classified staff

Dean of administrative services—ex officio.)) Membership shall consist of:

Four student representatives appointed by the president of the associated students of South Puget Sound Community College.

Two faculty representatives - appointed by faculty president of the college.

One classified representative - elected by simple majority of voting classified staff.

Vice-president for administrative services - ex officio.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-210 Designation of parking. The parking spaces available on campus may be allocated and designated by the ~~((dean of))~~ vice-president for administrative services in such a manner as will best achieve the objectives of these rules and regulations.

(1) ~~((Special))~~ Provisions ~~((shall))~~ will be made for ~~((physically))~~ disabled employees, visitors, and students~~((or their designee))~~. ~~((Physically))~~ The college will meet or exceed the ADA requirement as to the number of disabled spaces available. Disabled individuals utilizing ~~((handicapped))~~ disabled parking spaces must display in that vehicle a valid state issued disabled parking permit or license plate. ~~((Temporarily handicapped permits will be issued by the safety and security supervisor.))~~ In addition to the disabled permit, a valid college parking permit~~((s))~~ must be purchased and displayed on the vehicle.

(2) Visitors parking shall be limited to spaces so designated.

(3) Parking spaces may be designated for special purposes as deemed necessary.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-230 Regulatory signs, markings, barricades, etc. The ~~((dean of))~~ vice-president for administrative services, or designee, is authorized to make and erect signs, barricades, and other structures and to paint marks and other directions upon the streets, entry/exits, and roadways for the regulation of traffic and parking upon the various public lands devoted to, operated by, or maintained by the college. Drivers ~~((or))~~ of vehicles shall observe and obey all the signs, barricades, structures, markings and directions given them by the campus security officer in the control and regulation of traffic and parking.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-240 Speed limit. No vehicle, except for emergency vehicles, shall be operated on the campus at a speed in excess of twenty miles per hour, or such slower speed as is reasonable and prudent to the circumstances. No vehicle of any type shall at any time use the campus parking lots for testing, racing, or other unauthorized activities. Exception~~((s))~~ may be granted by the ~~((dean of))~~ vice-president for administrative services.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-260 Two-wheeled motorbikes or bicycles. (1) All two-wheeled vehicles powered by an engine

shall park in areas designated for motorcycles only and will not use spaces assigned to automobiles or bicycles. All motorcycles parked on campus must purchase a parking permit.

(2) Bicycles and other nonengine powered cycles are to be parked in bicycle racks where provided. No person shall park a bicycle inside a building, by a doorway, on a path, sidewalk, walkway, or in such a manner as to block or obstruct the normal flow of pedestrian traffic. Bicycles and motorcycles may be cited, immobilized or impounded if in violation of this section.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-270 Report of accidents. (1) The operator of any vehicle involved in an accident on campus resulting in injury or death of any person or claimed damage to either or both vehicles exceeding five hundred dollars shall immediately report such accident to the security office. The operator shall within twenty-four hours after such ~~((accident file a state of Washington motor vehicle report.~~

~~((2) Other minor accidents may be reported to the security office for insurance record purposes))~~ an accident file all required state of Washington vehicle collision reports.

(2) Other minor accidents may be reported to the security office.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-50-280 Disabled and inoperative vehicles—Impounding. ~~((1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding seventy-two hours, without authorization from the dean of administrative services, or designee.~~

~~((2) Vehicles parked over seventy-two hours without authorization may be impounded and stored at the expense of either or both the owner and operator thereof.~~

~~((3) Notice of intent to impound will be posted on the vehicle and sent by registered mail to the legal owner forty-eight hours prior to impound.))~~ (1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding twenty-four hours, without authorization from the vice-president for administrative services, or designee.

(2) Vehicles parked more than forty-eight hours without authorization may be impounded and stored at the expense of either or both the owner and operator thereof.

(3) The security office will attempt to contact the owners and/or operator and advise that vehicle will be impounded, if not removed.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-010 Preamble. ~~((Unless otherwise limited by this chapter, students have the same fundamental rights as all citizens. These rules shall be liberally construed to eliminate procedural impediments to discipline.))~~ South Puget Sound Community College is dedicated not only to

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learning and the advancement of knowledge but also the development of ethically sensitive and responsible persons. It seeks to achieve these goals through a sound educational program and policies concerning conduct that encourage independence and maturity while strengthening the spirit of mutual cooperation and responsibility shared by all members of the college community. Sharing goals held in common, the students, faculty, and staff of South Puget Sound Community College are joined in voluntary association in an educational community.

The student is, first of all, a member of the community at large, and as such, is entitled to the rights and responsibilities of any citizen of comparable age and maturity. In addition, students, as members of the college, are in the unique position of being citizens of two communities, subject to the regulations imposed by both and accountable to both. South Puget Sound Community College expects that students will respect the laws of the greater society. As an agency of the state of Washington, the college must respect and adhere to the regulations established by local, state, and federal authorities. As an educational institution, it has the added responsibility for assisting students in gaining an understanding of the law and its function, and the responsibilities imposed upon each individual in a democratic society to respect and support the legal structure which protects the individual and the society. As a functioning organization, it also has the responsibility to develop a set of regulations to assure the orderly conduct of the affairs of the college.

Admission to the college carries with it the expectation that students will conduct themselves as responsible members of the college community, that they will comply with the rules and regulations of the college, maintain high standards of integrity and honesty, respect the rights, privileges and property of other members of the college community and will not interfere with legitimate college affairs.

An atmosphere of learning and self-development is created by appropriate conditions in the college community. The rights and responsibilities in this document are critical ingredients in the free, creative, and spirited educational environment to which the students, faculty and staff at South Puget Sound Community College are committed.

NEW SECTION

WAC 132X-60-015 Definitions. As used in this *Code of Student Rights and Responsibilities* the following words and phrases shall mean:

(1) **SPSCC senate** means the representative governing body for students at South Puget Sound Community College recognized by the board of trustees.

(2) **Assembly** means any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminated information to any person, persons or group of persons.

(3) **Board** means the board of trustees of Community College District 24, state of Washington.

(4) **College** means South Puget Sound Community College located within Community College District 24, state of Washington.

(5) **College facilities** means and includes any or all real and personal property owned or operated by the college and shall include all buildings and appurtenances affixed thereon or attached thereto.

(6) **College personnel** refers to any person employed by Community College District 24 on a full-time or part-time basis, except those who are faculty members.

(7) **Disciplinary action** means and includes suspension or any lesser sanction of any student by the vice-president for student services, the student hearing committee, college president, or the board of trustees for the violation of any of the provisions of the code of student rights and responsibilities for which such sanctions may be imposed.

(a) The college president or designee shall have the authority to take any disciplinary action including the authority to suspend any student of the college for a period not to exceed ten academic calendar days.

(b) The college president or designee shall have the authority to take any disciplinary action including the authority to suspend any student of the college.

(8) **District** means Community College District 24, state of Washington.

(9) **Faculty member(s)** means any employee of South Puget Sound Community College who is employed on a full-time or part-time basis as a teacher, counselor, librarian or other position for which the training, experience and responsibilities are comparable as determined by the appointing authority, except administrative appointments.

(10) **President** means the duly appointed chief executive officer of South Puget Sound Community College, District 24, state of Washington, or in his/her absence, the designee.

(11) **Recognized student organization** means and includes any group or organization composed of students which is recognized formally by the student government of the college.

(12) **A sponsored event or activity** means any activity that is scheduled by the college and is supervised and controlled by the college's faculty members or college personnel. Such sponsorship shall continue only as long as the event is supervised and controlled by the college faculty member or college personnel. When the sponsored event or activity is of a prolonged nature, and free time periods are permitted to the students participating in the event, any activity taking place during such a free time period outside of the supervision and control of the college's faculty member or college personnel responsible for the event or activity shall be deemed to be a nonsponsored activity.

(13) **Student**, unless otherwise qualified, means and includes any person who is enrolled for classes or formally in the process of applying for admission to the college.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-020 Jurisdiction. ~~((These rules apply to students engaged in or present at any on-campus or off-campus college-related activity. A student's off-campus conduct may be considered in determining discipline.))~~ All rules herein adopted shall apply to every student whenever said

student is present upon or in any college facility and whenever said student is present at or engaged in any college sponsored activity or function which is held on or in noncollege facilities not open to attendance by the general public.

Persons aiding or abetting a student's breach of this code shall be subject to having their privilege removed as to remaining on college property or engaging in college-sponsored activities, and/or appropriate disciplinary action pursuant to HEPB rules or faculty and administrative rules and regulations of conduct. If the privilege to remain on campus is revoked, trespassers shall be subject to possible arrest and prosecution under the state criminal trespass law.

NEW SECTION

WAC 132X-60-035 Authority to prohibit trespass.

(1) The college president is authorized in the instance of any event that the college president deems impedes the movement of persons or vehicles or which the college president deems to disrupt or threatens to disrupt the ingress and/or egress of persons from college facilities, and the college president acting through the vice-president for student services, or such other designated person, shall have the authority and power to:

(a) Prohibit the entry of, withdraw the license or privilege of a person or persons or any group of persons to enter onto or remain upon any portion of a college facility; or

(b) Give notice against trespass to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from entering onto or remaining upon all or any portion of a college facility; or

(c) Order any person, persons or group of persons to leave or vacate all or any portion of a college facility.

(2) Any student who shall disobey a lawful order given by the campus president or designee pursuant to the requirements of subsection (1) of this section shall be subject to disciplinary action.

NEW SECTION

WAC 132X-60-037 Freedom of access to higher education. Students are free to pursue their educational goals; appropriate opportunities for learning in the classroom and on the campus shall be provided by the district. The college shall maintain an open-door-policy, to the end that no student will be denied admission because of the location of the student's residence, or because of the student's educational background or ability; that, insofar as is practical in the judgment of the board, curriculum offerings shall be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body: Provided, That the administrative officers of the college may deny admission to a prospective student or attendance to an enrolled student, if, in their judgment, the student would not be competent to profit from the curriculum offerings of the community college, or would, by the student's presence or

conduct, create a disruptive atmosphere within the community college inconsistent with the purposes of the institution.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-040 Freedom of association and organization. Students are free to organize and join associations to promote any legal purpose. Student organizations must be granted a charter by the associated students of South Puget Sound Community College senate before they may be officially recognized. Prior to becoming chartered, a student organization must submit to the associated students of South Puget Sound Community College senate a statement of purpose, criteria for membership, a statement of operating rules or procedure, and the names of college personnel who have agreed to serve as an advisor. All chartered student organizations must also submit to the associated students of South Puget Sound Community College senate a list of officers and keep that list updated when changes occur. In order to qualify for issuance of a charter, a student organization must be open to all students without respect to race, (~~sex, creed, or national origin~~) gender, religion, age, nationality, or sexual orientation. Affiliation with a noncampus organization shall not be grounds for denial of charter provided that other conditions for charter issuance have been met.

NEW SECTION

WAC 132X-60-045 Freedom of expression. Fundamental to the democratic process are the rights of free speech and peaceful assembly. Students and other members of the college community shall always be free to express their views or support causes by orderly means which do not disrupt the regular and essential operations of the college.

Concomitantly, while supporting the rights of students and other members of the college community, the college recognizes the responsibility to maintain an atmosphere on campus conducive to a sound educational endeavor.

Persons expressing their opinion may not interfere with vehicular or pedestrian traffic or interfere with or disrupt the processes of the college.

NEW SECTION

WAC 132X-60-046 Student participation in college governance. As members of the college community, students will be free, individually and collectively, to express their views on college policy, and on matters of general interest to the student body. The ASB-SPSCC constitution and the college's administrative procedures provide clear channels for student participation in the formulation and application of institutional policies regarding academic and student affairs. Individuals affected by a policy shall have a representative voice in the formulation of that policy.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-050 Student records. In compliance with the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g and its implementing regulations, 45 CFR § 99, this policy has been created to insure confidentiality of student records at the college and govern the release of personally identifiable information contained within.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(g) To persons in compliance with a judicial order or a lawfully issued subpoena, provided that the college first makes a reasonable effort to notify the student.

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

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

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

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

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

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

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

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

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

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

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-060 Student publications. The college will establish a student publications policy relating to officially sponsored publications and create a student publications board charged with the enforcement of the policy. The publications board shall be composed of an administrator and three faculty appointed by the college president, (~~two faculty~~) and three students appointed by the associated student body president. These students shall not, while serving on the board, hold any student publications position appointed by the student publications board and shall not serve on any superior budgetary body.

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

~~((At the same time, the student publications policy shall charge the student editors and managers with corollary responsibilities to be governed by the canons of responsible journalism.))~~ The student editors and managers must practice responsible journalism and have freedom of expression as outlined in the "South Puget Sound Community College Student Publications Code" June 1999, Article I, A and B.

The operational responsibilities of the publication board are outlined in the "South Puget Sound Community College Student Publications Code" June 1999, Article IX:

- (1) Appointment of each publication's editor.
- (2) Reviewing budget requests of each student publication, prior to the submittal of those requests, recommending action on funding.
- (3) Review any complaints pertaining to student publications.
- (4) Resolve complaints about student editors and managers.

NEW SECTION

WAC 132X-60-065 Distribution and posting of materials. Permission for posting of literature on college property shall be obtained from the following officials:

(1) The associate dean of students-programs and activities for posting on restricted posting areas in the student center, hallways, within buildings and those areas located on the campus outside of college buildings.

(2) Posting on campus will be approved on campus by student programs. Exceptions to this are instruction announcements, cancellations, class changes, grade posting, etc., registration information, or construction posting by administrative services.

Permission for the dissemination or distribution of materials in other areas of the college campus, buildings, or facilities shall be obtained from the appropriate vice-president.

No posting will be allowed on railings unless paint protection devices are used.

Only nonprofit, nonreligious organizations will be allowed to advertise on campus. An exception is career days or hiring firms on campus.

No posting of commercial, secular, or obscene materials.

No notes on trees or tacked to the gazebo at Percival Creek.

Any item posted must have the identity of the local sponsor on its face. Posting on windows with the exception of instruction and administrative notices put up with nonadhesive tape is not to be allowed.

NEW SECTION

WAC 132X-60-075 Commercial and promotional activities. Commercial solicitations, advertising or promotional activities may operate only with provisional approval as granted under the guidelines below.

(1) Informal sales between employees are acceptable as long as care is taken to not interfere with college operations or employee work schedules.

(2) Vendor sales to students in classrooms as a part of a class are acceptable upon approval of the vice-president - instruction.

(3) Vendor sales to students as a part of a student activity or club function are acceptable upon approval of the vice-president - student services.

(4) Vendor sales other than the above may be approved by the vice-president - administrative services.

Remember, no college employee should ever, on his/her own behalf sell anything to a student that relates to any college activity.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-080 Student complaints and grievances. The purpose of these procedures is to establish a process where a student may express and resolve misunderstandings, complaints or grievances with any college employee in a fair and equitable manner. This procedure emphasizes an informal resolution.

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

(1) Initiating a nonacademic complaint:

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

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

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

(2) Proceeding with a formal complaint:

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

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

(c) The ~~((dean))~~ vice-president shall also inform the student that the student may ask the ~~((dean-of))~~ vice-president for student~~((s))~~ services or another person the student chooses to act as an advocate in assisting the student in the completion of the complaint process.

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

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

(f) Action taken by the ~~((dean))~~ vice-president, if any, may be appealed to the president, and must be done in writing within ten instructional days. The decision of the president is final.

(3) Discrimination grievances:

Students who believe they have been discriminated against as defined in Title VII and Title IX of the Higher Education Act or Section 504 of the Handicapped Assistance Act may file a grievance through the personnel office.

(4) Academic grievances:

Students with an academic grievance should first contact the instructor and attempt to resolve the issue(s). If unable to resolve the issue(s), the student should contact the appropriate division chair. If still unable to resolve the issue(s), the student should contact the vice-president for instruction. The decision of the vice-president shall be final.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-090 Violations. Any student shall be subject to disciplinary action who, either as a principal actor or aider or abettor commits any of the following which are hereby prohibited:

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

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

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

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

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

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

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

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

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

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

(11) Sexual harassment: It is the policy of the college that employees and students must be allowed to work and

learn in an environment free from sexual harassment. Sexual harassment is expressly prohibited and will not be tolerated.

Sexual harassment is unwelcome sexual advances, requests for sexual favors, other verbal or physical conduct of sexual favors, or other verbal or physical conduct of the sexual nature of employees toward students, supervisors toward supervisees, students toward students, or students toward employees.

Complaints of sexual harassment should be made orally or in writing to the vice-president for human resources (cases involving staff) or the vice-president for student services (cases involving students). Complaints should be reported promptly (within thirty days) in order to help ensure effective investigation and resolution. Complaints will be promptly investigated in a full and fair manner. The vice-president for human resources, serving as the college's affirmative action officer, is ultimately responsible for ensuring resolution of any sexual harassment complaints.

Anyone who is found to have violated this policy is subject to the normal and applicable disciplinary procedures of the college.

(12) Weapons: Carrying, exhibiting, displaying or drawing any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.

~~((+2))~~ (13) Computers - misuse of technology: Use of college computers and/or computer programs for any purpose other than legitimate college business.

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

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-100 Initial disciplinary proceedings.

(1) Initiation of disciplinary action. Anyone may report, orally or in writing, violations to the ~~((dean of students))~~ vice-president for student services, or designee, who may initiate disciplinary action.

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

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

(b) Set forth those provisions allegedly violated; and

(c) Specify the exact time and date the student is required to meet with the ~~((dean of students))~~ vice-president for student services; and

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

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

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

(3) Meeting with the ~~((dean of students))~~ vice-president for student services.

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

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

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

(ii) Impose disciplinary sanctions as provided for in WAC 132X-60-120; or

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

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

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

(4) Student judicial board.

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

(b) Hearing procedures.

PROPOSED

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

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

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

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

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

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

(vii) The burden of proof shall be on the ~~((dean of students))~~ vice-president for student services who must establish the guilt of the student by a preponderance of the evidence.

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

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

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

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

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

(B) Impose disciplinary sanctions as provided in WAC 132X-60-120.

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

mail to the student's last known address and a copy filed with the office of the ~~((dean of students))~~ vice-president for student services.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-110 Appeals of disciplinary action.

(1) Appeals of disciplinary action(s) shall be taken in the following order:

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

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

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

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-120 Disciplinary sanctions. (1) Warning. Notice to a student, either verbally or in writing, that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

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

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

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

(5) Disciplinary probation. Formal action placing conditions upon the student's continued attendance for violations of college rules or regulations or other failure to meet the college standards of conduct. Written notice of disciplinary probation will specify the period of probation and any condition, such as limiting the student's participation in extracurricular activities or access to specific areas of the college's facilities. Copies of the notice shall be kept on file in the office of the ~~((dean of students))~~ vice-president for student services and in the student's official educational records. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

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

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

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

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-130 Readmission after suspension. If the student has been suspended for an indefinite period, or feels that circumstances warrant reconsideration of the temporary suspension prior to its expiration, the student may be readmitted following approval of a written petition submitted to the ~~((dean of students))~~ vice-president for student services. Such petitions must state reasons which support a reconsideration of the matter.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-140 Summary suspension procedures. (1) Initiation of summary suspension procedures. The ~~((dean of students))~~ vice-president for student services, or designee, may suspend any student of the college for not more than ten academic calendar days pending investigation, action or prosecution on charges of alleged violation or violations of college policy, if the ~~((dean of students))~~ vice-president for student services has reason to believe the student's physical or emotional safety and well-being, or the safety and well-being of other college community members, or the safety and well-being of the college property requires such suspension.

(2) Permission to enter or remain on campus. During the period of summary suspension, the suspended student shall not enter the campus of the college or any facility under the operation of the college other than to meet with the ~~((dean of students))~~ vice-president for student services or to attend the

hearing. However, the ~~((dean of students))~~ vice-president for student services may grant the student special permission to enter a campus for the express purpose of meeting with faculty, staff, or students in preparation for the hearing.

(3) Notice of summary suspension proceedings.

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

(b) Appeal and hearing. If oral notice is given, it shall be followed by written notice within forty-eight hours or two working days. The hearing shall be accomplished according to the procedures set forth in WAC 132X-60-100. Failure by the student to appear at the hearing with the student judicial board shall result in the ~~((dean of students))~~ vice-president for student services or designee suspending the student from the college.

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

Such summary action in the form of removal from the classroom shall be effective for a period not to exceed two scheduled classroom days. Any summary action may be appealed to the ~~((dean of students))~~ vice-president for student services for an informal hearing.

AMENDATORY SECTION (Amending Order 88-1, filed 10/18/88)

WAC 132X-60-150 Emergency procedures. In the event of activities which interfere with the orderly operation of the college, the ~~((dean of students))~~ vice-president for student services or the president, or their designees shall determine the course of action which appears to offer the best possibility for resolution of the problem. The emergency procedures outlined below will be followed if deemed essential:

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

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

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

AMENDATORY SECTION (Amending WSR 90-13-064, filed 6/18/90, effective 7/19/90)

WAC 132X-60-160 Grounds for ineligibility. Any student found to have violated chapter 69.41 RCW, which prohibits the unlawful sale, delivery or possession of prescription drugs, shall, after hearing, be disqualified from participation in any ~~((school))~~ college-sponsored athletic events or activities.

AMENDATORY SECTION (Amending WSR 90-13-064, filed 6/18/90, effective 7/19/90)

WAC 132X-60-170 Initiation of ineligibility proceedings. The ~~((dean of students))~~ vice-president for student services or his or her designee shall have the authority to request commencement of athletic ineligibility proceedings whenever he or she has reasonable cause to believe that the student has violated chapter 69.41 RCW or has been advised that the student has been convicted of a crime involving the violation of chapter 69.41 RCW. The notice of the alleged violations and proposed suspension and the opportunity for a hearing shall be given the student at least ten days before the hearing. A student convicted of violating chapter 69.41 RCW in a separate criminal proceeding may be given by the ~~((dean of students))~~ vice-president for student services or his or her designee an interim suspension pending final determination of any administrative proceeding held under these rules. Should the student desire not to go forward with the hearing, the disqualification for participation in athletic events or activities shall be imposed as set forth in the notice of hearing to the student.

AMENDATORY SECTION (Amending WSR 90-13-064, filed 6/18/90, effective 7/19/90)

WAC 132X-60-180 Ineligibility proceedings. The president of the college or his or her designee shall select a presiding officer who shall be a college officer, who is not involved with the athletic program, to conduct the brief adjudicative hearing. The presiding officer shall promptly conduct the hearing and permit the affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482((-)) through 34.05.494. A written decision shall be issued within ten calendar days of the conclusion of the brief adjudicative hearing.

NEW SECTION

WAC 132X-60-178 Noncollege speaker policy. The trustees, the administration, and the faculty of the college subscribe to the proposition that an important aspect of the education of college students is the opportunity to listen to speakers representing a wide variety of opinions and beliefs on important public issues. In conformity with the American tradition of free speech and free inquiry, the following policies are established governing the appearance on campus of speakers not themselves members of the college community:

(1) Any recognized ASB-SPSCC student organization with the written sanction of its advisor, may ask individuals to speak on the campus subject to normal restraints imposed by considerations of common decency and the state law.

(2) The appearance of a speaker on the campus does not involve an endorsement, either implicit or explicit, of the speaker's views by the college, its students, its faculty, its administration, or its board of trustees.

(3) The scheduling of facilities for hearing invited speakers shall be made through the office of the associate dean of students - programs and activities.

(4) The associate dean of students - programs and activities or designee will be notified at least three academic calendar days prior to the appearance of an invited speaker, at which time a form (available in the student programs office) must be completed with such particulars as name of speaker, speech or discussion topic, time of appearance(s) and sponsoring organization. The form must bear the signature of the sponsoring organization's advisor. Exceptions to the three-day ruling may be made by the associate dean of students - programs and activities with the approval of the vice-president for student services.

(5) The vice-president for student services may require views other than those of the invited speaker to be presented at the meeting, or at a subsequent meeting. The campus president may assign a faculty member to preside over any meeting where a speaker has been invited.

WSR 99-23-036

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed November 12, 1999, 10:17 p.m.]

Continuance of WSR 99-20-065.

Preproposal statement of inquiry was filed as WSR 99-17-079.

Title of Rule: Highway Advertising Control Act, chapter 468-66 WAC.

Hearing Location: Department of Transportation, Commission Board Room 1D2, Transportation Building, Olympia, Washington 98504, on November 29, 1999, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact TDD (360) 705-6980, by November 26, 1999.

Submit Written Comments to: Toby D. Rickman, State Traffic Engineer, Washington State Department of Transportation, P.O. Box 47344, Olympia, WA 98504-7344, fax (360) 705-7280, by November 26, 1999.

Date of Intended Adoption: November 29, 1999.

Sid Morrison
for Gerald E. Smith
Deputy Secretary, Operations

PROPOSED

WSR 99-23-064
PROPOSED RULES
WASHINGTON STATE PATROL

[Filed November 15, 1999, 11:33 a.m.]

Date of Intended Adoption: January 5, 2000.

November 9, 1999

R. M. Leichner

for Annette M. Sandberg

Chief

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-20-138.

Title of Rule: Civil license fraud.

Purpose: The legislature decriminalized license fraud violations and imposed civil penalties. The decriminalization requires a process be established to contest and mitigate penalties incurred. This WAC establishes the procedures for the civil hearings.

Statutory Authority for Adoption: RCW 46.16.010, 46.68.240, 46.68.255, 46.68.230, 46.68.220, 82.48.020, 82.49.010, 82.50.400, 82.32.090.

Summary: The legislature decriminalized license fraud violations and imposed civil penalties. The decriminalization requires a process be established to contest and mitigate penalties incurred. This WAC establishes the procedures for the civil hearings.

Reasons Supporting Proposal: To comply with state law.

Name of Agency Personnel Responsible for Drafting: Lt. Dave Combs, P.O. Box 42600, Olympia, WA 98504, (360) 753-0208; Implementation: Lt. Grant Hulteen, P.O. Box 42600, Olympia, WA 98504, (360) 753-0223; and Enforcement: Lt. Fred Fakkema, P.O. Box 42637, Olympia, WA 98504, (360) 753-1118.

Name of Proponent: Washington State Patrol, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This WAC establishes the procedures for civil hearings for license fraud violations and establishes a penalty schedule. The WAC is intended to ensure that hearing procedures are the same across the state and the public will know the steps involved in adjudicating an imposed penalty.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The new law changes how and where fines and funds originated and are deposited but under the old law there were fines and penalties, therefore the financial impact should be similar. It is hoped under the new law compliance will be higher.

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

Hearing Location: Commercial Vehicle Conference Room G-21, General Administration Building, Ground Floor, 210 11th S.W., Olympia, WA 98504, on January 4, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Lt. Grant Hulteen by December 31, 1999, (360) 753-0223.

Submit Written Comments to: Lt. Grant Hulteen, P.O. Box 42600, Olympia, WA 98504.

Chapter 204-97 WAC

CIVIL LICENSE FRAUD

NEW SECTION

WAC 204-97-010 Purpose. The purpose of this regulation is to provide standards and procedures for administrative reviews conducted by the Washington state patrol of alleged civil violations of RCW 46.16.010, 82.48.020, 82.49.010, 82.50.400 and/or 88.02.118 relating to illegal licensing of motor vehicles, trailers, campers, vessels, and aircraft.

NEW SECTION

WAC 204-97-020 Definitions. (1) The term "notice of penalty due" or "NPD" is defined as a written notice issued by a commissioned law enforcement officer when the officer determines a violation of RCW 46.16.010, 82.48.020, 82.49.010, 82.50.400 and/or 88.02.118 has occurred.

(2) The term "notice of violation and penalty due" letter or "NVPD" is defined as a written notice issued by a commissioned law enforcement officer of the Washington state patrol when the officer determines a violation of RCW 46.16.010, 82.48.020, 82.49.010, 82.50.400 and/or 88.02.118 has occurred.

(3) The "district mitigation officer" is the person designated by the chief of the Washington state patrol to adjudicate alleged civil violations of RCW 46.16.010, 82.48.020, 82.49.010, 82.50.400 and/or 88.02.118.

(4) The "administrative review officer" is the person designated by the chief of the Washington state patrol to review decisions made by the district mitigation officers regarding violations of RCW 46.16.010, 82.48.020, 82.49.010, 82.50.400 and/or 88.02.118.

NEW SECTION

WAC 204-97-030 Procedure for civil review and payment of penalty due. (1) Any person incurring a penalty pursuant to RCW 46.16.010, 47.68.240, 82.48.020, 82.49.010 and/or 88.02.118, shall have fifteen days from receipt of the notice of penalty due (NPD) or notice of violation and penalty due (NVPD) to pay the penalty or request a review. Any person requesting a review shall mail a written request to the administrative review officer within fifteen days. The Washington state patrol shall, within fifteen days of the request, mail the person requesting the review a copy of the state's case. After receiving the state's case, the person requesting review shall have fifteen days within which, if they so choose, to mail a rebuttal statement and any relevant evidence to the district mitigation officer.

PROPOSED

(2) The Washington state patrol shall assemble and forward the original case report and any statements or evidence submitted by the person requesting review to the district mitigation officer. The district mitigation officer will review all submitted facts and determine by a preponderance of the evidence if the civil violation occurred. If the facts demonstrate a civil violation occurred, a monetary penalty will also be determined. To determine the amount of the penalty, district mitigation officers will:

(a) Consider any factors submitted by the interested parties relating to mitigation. Such factors may include, but are not limited to:

- (i) The length of the period of noncompliance;
- (ii) The number of previous warnings, violations, and/or notices of payment due issued to the violator;
- (iii) The total number of vehicles, vessels, or aircraft improperly licensed by the violator;
- (iv) The violator's total economic benefit from noncompliance;
- (v) The existence and/or sophistication of the violator's effort to avoid detection of the improper licensing;
- (vi) The length of time the violator has resided in Washington.

(b) Determine the fair market value of the improperly licensed vehicle, vessel, or aircraft.

(c) Apply the penalty determination criteria of WAC 206-97-040.

The district mitigation officer will mail a written explanation of the decision and any applicable monetary penalties within ten days of the decision. The explanation will also advise the recipient of the procedures available for further review of the penalty.

(3) When a person receives the district mitigation officer's decision upholding a civil violation and penalty, within twenty-one days of receipt the person shall pay the penalty or request an additional review (via certified mail) by the administrative review officer. If further review is not requested within twenty-one days, the district mitigation officer's decision becomes the final agency order.

(4) If the additional administrative review is requested, only the facts and evidence previously submitted to the district mitigation officer will be considered by the administrative review officer, who will:

- (a) Review the determination that a violation occurred;
- (b) Ensure the monetary penalty is appropriate;
- (c) Ensure that the review process outlined in chapter 204-97 WAC was followed.

(5) The administrative review officer's decision must be issued within twenty days of the administrative division's receipt of a request for review. If the administrative review officer's decision is not mailed within twenty days, the penalty will be dismissed. All decisions of the administrative review officer will be explained in writing. The person receiving the decision shall pay the penalty or appeal the decision within thirty days of receipt of the administrative review officer's decision.

Any further appeal shall be to the Thurston County superior court or the superior court of the county in which the penalized person resides or does business. Notice of the right to seek superior court review of the administrative review

officer's decision will be included with the administrative review officer's written explanation of the decision.

NEW SECTION

WAC 206-97-040 Penalties. (1) The monetary penalty for a violation of RCW 46.16.010 (1)(a), regarding failure to initially register a motor vehicle before operation on the highways of the state is three hundred fifty dollars for each violation in addition to all other penalties provided by law.

(2) The monetary penalty for a violation of RCW 46.16.010 (2)(a), regarding the registration of a vehicle in another state by a resident of this state to avoid the payment of any tax or license fee imposed in connection with registration, is ten percent of the value of the vehicle or one thousand dollars, whichever is greater, but shall not exceed ten thousand dollars.

(3) The monetary penalty for a violation of RCW 47.68.255(1) and 82.48.020 (2)(a), regarding the registration of an aircraft in another state or foreign country, by a person who is required to register the aircraft in Washington, to avoid the payment of aircraft taxes, is ten percent of the value of the aircraft or one thousand dollars, whichever is greater, but shall not exceed ten thousand dollars.

(4) The monetary penalty for a violation of RCW 82.49.010 (2)(a), regarding the registration of a vessel in another state or foreign country, by a person who is required to register the vessel in Washington, to avoid the payment of Washington watercraft taxes is ten percent of the value of the vessel or one thousand dollars, whichever is greater, but shall not exceed ten thousand dollars.

(5) The value of the vehicle, vessel, or aircraft is its fair market value. It may be established by the actual purchase price of the vehicle/vessel/aircraft as shown by official purchase documents. The reviewing officer may also consider the manufacturers suggested retail price (MSRP) of the vehicle/vessel/aircraft, the average *Kelly Blue Book* value for vehicles or other similar publications for vessels and aircraft.

WSR 99-23-066

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed November 15, 1999, 11:56 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Commercial driver's license and motorcycle endorsement fees.

Purpose: Adjust the commercial driver's license and motorcycle endorsement fees as authorized by the legislature in chapter 308, Laws of 1999.

Statutory Authority for Adoption: RCW 46.01.110, 46.20.470, 46.20.505.

Statute Being Implemented: Chapter 308, Laws of 1999.

Summary: Amends WAC 308-100-050 to adjust the fee for a commercial driver's license as authorized by the legislature in section 4, chapter 308, Laws of 1999. Adds a new sec-

tion, WAC 308-104-016, to adopt the motorcycle endorsement fee authorized by the legislature in section 5, chapter 308, Laws of 1999.

Reasons Supporting Proposal: Necessary to implement the fee level authorized by the legislature.

Name of Agency Personnel Responsible for Drafting: Clark J. Holloway, Highways-Licenses Building, Olympia, Washington, (360) 902-3846; Implementation and Enforcement: Denise Movius, Highways-Licenses Building, Olympia, Washington, (360) 902-3847.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-100-050 adjusts the fee charged for a commercial driver's license to twenty dollars for a five-year renewal cycle, and allows for prorated fees for commercial driver's licenses renewed or extended for periods other than five years, as authorized by the legislature in section 4, chapter 308, Laws of 1999.

WAC 308-104-016 adopts a ten dollar fee for an initial motorcycle endorsement, and a twenty-five dollar fee for subsequent five-year renewal endorsements, and allows prorated fees for motorcycle endorsements renewed or extended for periods other than five years, as authorized by section 5, chapter 308, Laws of 1999.

Proposal Changes the Following Existing Rules: WAC 308-100-050 is amended to adopt the commercial driver's license fee level authorized by the legislature in the 1999 legislative session.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules are exempt under RCW 19.85.025(3). The proposed rules are adopting provisions of Washington state statute without material change, and have no impact on businesses.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The proposed rules are adopting provisions of Washington state statute without material change and are adjusting fees pursuant to legislative standards.

Hearing Location: Department of Licensing, Highways-Licenses Building, Room 413, Olympia, Washington 98504, on December 23, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Licensing by December 22, 1999, TDD (369)[(360)] 664-0116.

Submit Written Comments to: Department of Licensing, P.O. Box 9030, Olympia, WA 98507-3030, Attn: Clark Holloway, fax (360) 586-8351, by December 22, 1999.

Date of Intended Adoption: December 27, 1999.

November 15, 1999

Denise M. Movius

Assistant Director

[AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89)]

WAC 308-100-050 Fees. The basic fee for obtaining or renewing any class of commercial driver's license shall be ~~((twelve))~~ twenty dollars, unless the commercial driver's license is renewed or extended for a period other than five

years, in which case the fee for each class shall not exceed four dollars for each year that the commercial driver's license is renewed or extended. The examination fee for each classified knowledge examination, classified endorsement knowledge examination, or any combination of classified license and endorsement knowledge examinations, shall be ten dollars. The applicant may take the same knowledge examination(s) up to three times without paying an additional fee. The examination fee for each classified skill examination or combination of skill examinations conducted by the department shall be fifty dollars. These fees are in addition to the regular drivers' licensing fees. If the department is conducting the written examination in a group setting, the payment of the basic fee and knowledge examination fee may be deferred until the applicant completes his or her application for a commercial driver's license.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

NEW SECTION

WAC 308-104-016 Motorcycle endorsement fees.

The endorsement fee for the initial motorcycle endorsement shall be ten dollars, and the subsequent renewal endorsement fee shall be twenty-five dollars, unless the endorsement is renewed or extended for a period other than five years, in which case the subsequent renewal endorsement fee shall be five dollars for each year that the endorsement is renewed or extended.

WSR 99-23-067

PROPOSED RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed November 15, 1999, 1:39 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-24-093.

Title of Rule: Ergonomics.

Purpose: **BACKGROUND:** Work-related musculoskeletal disorders (WMSDs) are among the most common and costly occupational injuries and illnesses in the United States and Washington state. Nontraumatic soft tissue WMSDs such as tendinitis, carpal tunnel syndrome and low back disorders (but not including injuries from slips, trips, falls, motor-vehicle accidents or being struck by or caught in objects) alone account for 32% of all workers' compensation claims accepted by L&I and 46% of all claim costs. There are over 50,000 such claims per year.

There is strong scientific evidence that workers doing jobs and tasks with known risk factors are exposed to preventable hazards for WMSDs. For example, the National Institute for Occupational Safety and Health has recently evaluated more than 2000 scientific publications and reviewed 600 epidemiological studies in detail, concluding "a substantial body of credible epidemiologic research provides strong evidence of an association between musculoskeletal

disorders and certain work-related physical factors when there are high levels of exposure and especially in combination with exposure to more than one physical factor (e.g. repetitive lifting of heavy objects in extreme or awkward postures)." There is also evidence that applying the principles and tools of ergonomics to these hazards can effectively reduce these risks and thereby prevent many WMSDs. For example, the Government Accounting Office recently concluded that "Our work has demonstrated that employers can reduce these costs and injuries and thereby improve employee health and morale, as well as productivity and product quality...We found that these effects do not necessarily have to involve costly or complicated processes or reduction measures, because employers were able to achieve results through a variety of simple, flexible approaches."

WISHA's previous enforcement efforts to reduce WMSD hazards have relied upon WAC 296-24-040 Accident prevention programs and WAC 296-24-073 Safe place standards. This has not been sufficient. In the 1980s, L&I recognized the need to provide information and technical assistance to employers to help reduce WMSD hazards. L&I efforts to assist with voluntary reduction of these WMSD hazards have included publication of guidelines and other informational material, free on-site consultation, workshops, research and other forms of technical assistance. After ten years of such efforts L&I surveyed more than 5000 employers and determined that 60% of employers still report no efforts to reduce WMSD hazards. Even among those employers who recognize WMSD hazards in their workplaces, 40% report no efforts to reduce them. L&I has concluded that a specific ergonomics regulation is necessary to supplement these other activities.

The proposal will add requirements to reduce hazards for WMSDs in chapter 296-62 WAC, through the creation of a new part A-1.

RULE DEVELOPMENT: Rule development conferences were held throughout the state with feedback being received from more than 500 participants. An advisory committee was formed to seek guidance on content of the rule. The committee consisted of 30 members who were representatives from large and small businesses, labor, safety and health professionals, and the medical community. The advisory committee held full day meetings seven times from February 1999 through June 1999. Following these meetings, a "toolbox" committee was formed to assist L&I and the employer community in creating resource and guidance materials with regard to reducing hazards for WMSDs. A second advisory committee was created as a subcommittee of the Construction Advisory Committee to provide additional assistance in this process. The focus of this subcommittee was on how to reduce hazards for WMSDs within construction industries. In addition, minutes from advisory committee meetings and periodic updates were placed on L&I's website as well as mailed to a list of over 700 who had indicated interest in this process.

SUMMARY OF PROPOSED NEW REQUIREMENTS: For WAC 296-62-051 Part A-1, Ergonomics, WISHA's proposal includes the following:

- The rule is written in a user-friendly question and answer format.
- Most employers will only have to do a quick review to determine if they are covered by the rule.
- To determine if the rule applies, easy to understand criteria are provided to identify tasks in the caution zone. "Caution zone jobs" will require further analysis, awareness education, and a determination if there are hazards that must be reduced.
- Offers employers a choice between a general performance approach or specific performance approach to reduce hazards to be in compliance with the rule. Employers may either establish methods and criteria for the identification and reduction of hazards or use specific criteria identified in the rule.
- Allows for existing alternative ergonomics' programs to comply with the proposed requirements if employers can demonstrate their method is as effective as the requirements of the rule in reducing hazards for WMSDs, and providing for employee education, training and participation.
- Includes an implementation schedule, which allows employers ample time to prepare for compliance, especially small businesses.
- Sets modest education requirements for employees and their supervisors in jobs that have clearly identified potential hazards for WMSDs.
- Identifies four basic elements the awareness education must contain.
- Encourages employee participation in the analysis of "caution zone jobs" and measures to reduce them.
- Provides an appendix with hazard reduction criteria for the employers choosing the specific performance approach. Also provides information outlining a plan for what L&I will do to assist employers.

DESCRIPTION OF NEW SECTIONS WITHIN chapter 296-62 WAC, Part A-1 WAC 296-62-051 Ergonomics. The proposal adds WAC 296-62-051 through 296-62-05176 as a new Part A-1 to the General Occupational Health Standards.

Part 1

WAC 296-62-05101 What is the purpose of this rule?

The proposed rule contains three parts. Part 1 provides a quick way for employers to know if they are covered by the rule. Employers covered by the rule are only those with jobs that may have hazards for WMSDs. Part 2 requires that employers with covered jobs analyze them to determine whether WMSD hazards are present. It includes education requirements for employees and their supervisors. Employers are provided a choice of a general performance approach or a specific performance approach for reducing WMSD hazards. Part 3 provides a schedule for when employers must be in compliance and a plan for what L&I will do to assist employers. It also contains an appendix for reducing hazards using specified criteria for employers choosing the specific performance approach.

The proposal creates new requirements for the reduction of employee exposure to identified hazards that may cause or

aggravate WMSDs. Employers will be required to find and fix these hazards. The rule is designed to prevent soft tissue WMSDs, not including those injuries from slips, trips, falls, motor vehicle accidents or being struck by objects. There are no requirements for medical management and employers will not be considered in violation solely from an employee developing a WMSD.

WAC 296-62-05103 Which employers are covered by this rule? The proposed rule only applies to employers having one or more "caution zone jobs." These are defined as any job or task where an employee's typical work includes any of a set of physical risk factors listed in the rule.

WAC 296-62-05105 What is a "caution zone job?" Employers having "caution zone jobs" must analyze them to see if they have WMSD hazards and must comply with provisions in the rule for employee education, employee involvement, and hazard reduction. "Caution zone jobs" can be identified using the list of physical risk factors to make a reasonable determination if they exist. "Caution zone jobs" are not prohibited.

Part 2

WAC 296-62-05110 When do employers' existing ergonomics activities comply with this rule? The proposal allows for existing alternative ergonomics' programs to comply with the proposed requirements if employers can demonstrate their method is as effective as the requirements of the rule in reducing hazards for WMSDs, and providing for employee education, training and participation.

WAC 296-62-05120 Which employees must receive ergonomics awareness education and when? The proposal requires basic awareness education be provided to employees and their supervisors in "caution zone jobs" at least every three years. It also requires that employees assigned to work or supervise a "caution zone job" receive the initial education within 30 days of assignment if it has not occurred previously within the 3-year period.

WAC 296-62-05122 What must be included in ergonomics awareness education? The proposal identifies the content of subjects to be included in the ergonomics awareness education. It is anticipated this required training for identified employees and their supervisors will be a modest time commitment. The subjects to be included are: Work-related causes of musculoskeletal disorders, types, symptoms and consequences of WMSDs with the focus on early reporting, information on identifying hazards for WMSDs and common measures to reduce them, and the requirements of the rule.

WAC 296-62-05130 What options do employers have for analyzing and reducing WMSD hazards? The proposal requires that covered employers determine if "caution zone jobs" have hazards for WMSDs and to reduce those hazards identified. Employers may choose either a general performance approach or a specific performance approach. Both approaches require that "caution zone jobs" be analyzed using a systematic method to include identified factors. Individuals responsible for the analysis must know how to use the method effectively and be informed of requirements of the

rule. In choosing measures to reduce hazards for WMSDs, engineering or administrative methods are preferred over individual work practice or personal protective equipment. Measures to reduce WMSDs that include job or work practice changes must be accompanied by job specific training.

- The general performance approach requires that employers reduce all hazards for WMSDs below criteria chosen by the employer or reduce them to the degree feasible. The general performance approach does not require a written program. Under this approach employers must be able to demonstrate how they analyzed "caution zone jobs," identified hazards, what jobs are affected and how hazards were reduced.
- The specific performance approach requires that "caution zone jobs" be analyzed to determine if any physical risk factors exceed the criteria in Appendix B. If so, the employer must reduce those hazards below the criteria identified or to the degree feasible. There is no written program requirement. Instead the employer must be able to demonstrate that the hazards identified have been reduced below the criteria provided in Appendix B.

WAC 296-62-05140 How must employees be kept involved and informed? The proposal requires employers provide for and encourage employee involvement in the analysis of "caution zone jobs" and measures to reduce identified hazards. The proposal also requires that employers with 11 or more employees who are required to have a safety committee (WAC 296-24-045), involve the committee in choosing the methods used for the employee participation. In addition, the proposal requires employers share with safety committees (WAC 296-24-045) or during safety meetings, the requirements of the rule, what jobs were identified with "caution zone tasks," the results of any hazard analysis, and measures used to reduce those hazards. The proposal also requires that employers review their ergonomics activities at least annually for effectiveness with the safety committees where one is required or ensure an equal means of employee involvement.

WAC 296-62-05150 How are terms and phrases used in this rule? The proposal defines the following key terms used in this rule for ease of understanding.

- ANSI S3.34-1986 (R1997) Hand Arm Vibration Standards
- "Caution Zone Jobs"
- Department of Energy ErgoEASER
- Ergonomics
- Intensive Keying
- Jobs Strain Index
- Liberty Mutual Manual Handling Tables
- NIOSH Lifting Equation, 1991
- Recovery Cycles
- Typical Work
- UAW-GM Risk Factor Checklists
- Work-Related Musculoskeletal Disorders (WMSDs)

Part 3

WAC 296-62-05160 When must employers comply with this rule? The proposal includes a table for employers to determine effective and completion dates for rule require-

PROPOSED

ments. The proposed rule is phased in by industry groups, employer size, and major requirements of the rule.

Note: Help for employers in implementing the rule.

The proposal identifies activities L&I will undertake to assist employers with compliance of the rule. These efforts are intended to be part of an overall implementation plan which will encourage employer and employee organizations to assist L&I in providing guides and models, industry best practices, testing of this information and be a clearinghouse for information regarding ergonomics assistance. After rule adoption, L&I will also identify voluntary Demonstration Employers who will work with L&I to test and improve guidelines, best practices and inspection policies and procedures as they are developed.

WAC 296-62-05170 Appendices.

WAC 296-62-05172 Appendix A: Illustrations of physical risk factors. The proposal includes illustrations showing common examples of postures and positions (including pinching, grasping, and using your hand or knee as a hammer). These examples are intended to help employers identify "caution zone jobs" quickly.

WAC 296-62-05174 Appendix B: Criteria for analyzing and reducing WMSD hazards for employers who choose the Specific Performance Approach. The proposal includes an analysis tool when using the specific performance approach to determine if a WMSD hazard exists. It includes illustrations so employers can easily identify if a hazard exists. In addition, the proposal includes steps an employer needs to follow when jobs with "caution zone jobs" that include heavy or frequent lifting are identified. This includes two charts. The proposal also includes a chart showing how to know when vibration hazards need to be reduced.

WAC 296-62-05176 Appendix C: Standard Industry Classification (SIC) Codes. The proposal includes a table which identifies what industries are included in the SIC codes noted in the implementation schedule.

Ergonomics Rule: Economic Summary

BACKGROUND: Work-related musculoskeletal disorders (WMSDs) are a major contributor to workers' compensation claims, lost workdays and pain and suffering. Musculoskeletal (muscle, bone and connecting tissues) injuries and illness are often referred to as cumulative trauma disorders, repetitive motion disorders, or occupational overuse syndromes. Many employers and employees are unaware of either the risks, or the solutions for WMSDs.

The proposed rule focuses only on risk factors for the largest category of WMSDs, called nontraumatic soft tissue disorders, excluding those injuries from slips, trips, falls, motor vehicle accidents or being struck by or caught in objects, (referred to as WMSDs in the remainder of this document). These disorders are often caused or aggravated by awkward postures; high hand force; highly repetitive motion; repeated impact; heavy, frequent or awkward lifting, and moderate to high vibration. They are often found in jobs characterized by repetitious work or manual materials handling. The State of Washington Industrial Insurance Fund (hereafter referred to as the state fund) pays approximately \$288

million in WMSD claims every year. In addition, a low estimate of the cost of compensable WMSD claims among self-insured employers is approximately \$52 million every year. In other words total direct costs from WMSD generated insurance claims is at least \$340 million per year. The total cost of WMSD injuries to the residents of Washington state is actually much higher than the above figure, as insurance payments from the state fund and self-insurers do not fully compensate workers for lost time and income. In addition there is evidence that workers make sizable out of pocket payments to treat WMSDs (Morse, et al, 1998). Finally, there are sizable indirect costs associated with WMSDs. The indirect costs, that are the consequence of WMSDs, are borne by the employer in the form of higher absenteeism, turnover and replacement training costs as well as lower overall productivity. Indirect costs are also borne by the employee afflicted with a serious WMSD in the form of reduced long term earning potential and family stability. Indirect cost estimates range from 0.5 to 20 times direct costs, depending on the investigator and the type of injury being studied, with a median value of 4.1 times direct costs (Andreoni, 1986).

Presently, the state of Washington has no specific regulations requiring active identification and control of WMSD risk factors. General regulations requiring an effective accident prevention program and the maintenance of a safe workplace apply to the prevention of WMSD hazards, but they have proven insufficient. An ergonomics rule would provide greater incentives for the identification and control of musculoskeletal hazards in the workplace.

The proposed rule will apply only to employers with jobs having certain risk factors for WMSDs. In the proposed rule these jobs are designated "caution zone jobs." The employer is expected to make a reasonable determination whether this rule applies. Only employers with "caution zone jobs" must comply with Part 2 of the rule. Employers with "caution zone jobs" must provide ergonomics awareness education for workers in those jobs, analyze the "caution zone jobs" for WMSD hazards and reduce exposure to identified hazards. Employers may avoid the job analysis step by directly fixing their "caution zone jobs." The rule is to be phased in over a six-year period, beginning first with employers classified in selected Standard Industrial Classification codes (152, 174, 175, 176, 177, 242, 411, 421, 451, 541, 734 and 805) and having fifty or more employees.

The Regulatory Fairness Act (RFA), chapter 19.85 RCW, requires that the economic impact of proposed regulations on small businesses must be examined relative to their impact on large businesses. The term small business is defined as a business entity that has the purpose of making a profit and has fifty or fewer employees. If a rule results in a disproportionately large impact on small business the RFA requires that mitigation efforts be undertaken. The department anticipates that the average business compliance cost for the rule will exceed the SBEIS minor cost threshold(s).

The small business economic impact statement does **not** address the current burden of WMSDs, or the anticipated burden under the proposed rule, and is not a cost-benefit analysis. Occupational injury and illness due to WMSDs account for 32% of all state fund accepted claims and 20 million lost

workdays from 1990-1997. Prior research shows that WMSDs addressed by the proposed rule are spread throughout Washington industries. Risk factors for these WMSDs are pervasive across all types and sizes of Washington's industries. The proposed ergonomics rule is designed to reduce WMSD hazards, WMSD claims and the associated direct and indirect costs of WMSDs. The direct cost of WMSDs is over \$340 million per year. The department anticipates that benefits, in the form of a reduction in WMSDs, will significantly exceed the compliance costs presented in this analysis.

METHODS: A survey undertaken by the safety and health assessment and research for prevention program (SHARP) of L&I in the summer of 1998 was designed to obtain information on exposures of workers to a set of specific risk factors for WMSD. Firms were asked to report the number of workers exposed to each risk factor for less than two hours, two-four hours and for more than four hours. This source allowed us to estimate the proportion of the workforce in each industry which was exposed to each risk factor for more than two hours (Level 2) and the proportion exposed for more than four hours (Level 3).

To determine the anticipated cost imposed by the ergonomics rule on Washington businesses a telephone survey was developed and administered by L&I in the summer of 1999 (second survey). The survey elicited information from a sample of businesses across many industries. The survey contained questions about WMSD hazards, time and costs incurred to identify jobs with hazards, and implementation of control strategies and training programs. The proportion of firms' already implementing controls and the costs per employee for each element were estimated. To help estimate the costs in each industry to achieve an acceptable degree of hazard reduction, data was obtained from the Occupational Safety and Health Administration (OSHA). The OSHA estimates, made in 1995, constitute the most comprehensive evidence on ergonomic control costs. They are based on an extensive study of industrial scenarios, provided by ergonomists, to represent a wide range of industrial occupations.

In order to obtain the fraction of the workforce exposed to *any or all of the risk factors*, fractions exposed to separate risk factors were combined. The fractions of the workforce exposed to each separate risk factor are likely to overlap, but we assumed uniform distribution of risks throughout the workforce. Therefore, our method *overestimates* the total exposed population and the associated costs which businesses will incur in controlling exposures to WMSD.

For each one-digit SIC and for both small and large businesses, estimates of the total workforce exposure to WMSD risks for two or more hours and four or more hours were made. These, combined with the per-employee cost data obtained from the second survey and from OSHA, allow us to calculate total cost estimates for each element of the ergonomics rule.

RESULTS AND DISCUSSION: Results were reported at the most detailed level possible given the best available evidence. Costs in each component were annualized and discounted to reflect present value. Results are summarized for

each component of the rule as they apply to certain populations.

Rule Review Costs: The department projects that there will be some costs for the time it takes employers to become familiar with the proposed ergonomics rule and the time required to present the rule to their company's safety committees. These costs are anticipated to be one-time costs and will occur primarily during the rule's phase-in period. Rule review costs are estimated at \$1.87 million for small businesses and \$0.76 million for large businesses. Expressed on a per employee basis the one time cost is \$1.79 for small businesses and \$0.48 for large businesses.

Job Identification and Job Analysis: The department anticipates that most employers will perform a quick and inexpensive step to determine whether or not they are covered by the rule. This identification time is estimated at five minutes per job where WMSD hazards may exist. Identification costs are estimated at \$0.39 per employee for small employers and \$0.22 for large employers per year. For those employers having "caution zone jobs" (Level 2), employers are expected to conduct a more detailed job analysis. It is estimated that because the ergonomic solutions for many jobs are straightforward, employers will decide to fix 30% of the caution zone without the need for job analysis. Total costs of job analysis were determined by applying the applicable population times the total estimated assessment time and wages for job hazard analysis. Annual costs per employee averaged \$0.88 for small businesses and \$1.16 for large businesses.

Engineering and Administrative Controls: For jobs identified as WMSD hazard (Level 3) jobs employers will be required to take control steps to reduce the exposure. Typically engineering or administrative controls steps will be necessary to reduce the hazard. The OSHA estimated control costs, expressed on a per employee basis (1999 dollars), were multiplied by the number of jobs with WMSD hazards. Annual engineering and administrative control costs per employee averaged \$18.46 for small businesses and \$20.65 for large businesses.

Personal Protective Equipment Costs: A fall back approach for controlling workplace ergonomics hazards is to use personal protective equipment (PPE). Estimated PPE costs were multiplied times the number of jobs with WMSD hazards. The annual PPE cost per employee averaged \$0.16 for small businesses and \$0.24 for all large businesses.

Basic Awareness Education: Employers with "caution zone jobs" must provide basic ergonomics awareness education. Estimates of educational awareness cost were aggregates of cost for employee and cost of supervisor and trainer time. Basic ergonomics awareness education costs per employee were estimated to be \$1.87 for all small businesses and \$1.73 for all large businesses.

Hazardous Job Training: Employees working in jobs with WMSD hazards will be required to be trained on job-based ergonomic hazards. Estimates of specific training cost were aggregates of cost for employee training time and instructor time. Annual per employee hazard job training costs were estimated to be \$1.86 for all small businesses and \$1.24 for all large businesses.

Training the Trainer: For those conducting job analysis and hazardous job training sessions, some level of advanced training will be necessary. These costs were composed of personnel time and a class cost. Annuals per employee training costs were estimated to be \$3.00 for all small businesses and \$0.97 for all large businesses.

Managerial and Administrative Costs: No record-keeping is required under the rule. However, employers must be able to demonstrate various elements of compliance. Associated costs were estimated from responses to the 1999 L&I survey described above, regarding personnel managing ergonomics programs and percent of time spent on ergonomics. Small employer managers spent roughly half the time of large employers on ergonomic related issues. Annual per employee managerial and administrative costs were \$3.06 for small businesses and \$1.37 for large.

Total Estimated Annual Costs, Per Employee Costs and Costs as a Percent of Sales: Total costs for the proposed rule, and costs per employee were estimated by combining the nine cost subcomponents presented above. Results are presented in Summary Table 1. Total annual compliance costs for small, large and all businesses are estimated at \$32.9 million, \$44.2 million and \$77.1 million dollars respectively.

On a per employee basis the average annual costs are \$31.47 for small businesses and \$28.03 for large businesses and \$29.40 for all businesses. Total costs and costs as a percent of sales by industrial category are provided in Summary Table 2. The results show that compliance costs are no more than 0.14% of sales for any single industrial category (small business in SIC1). Additional cost information is available in the full SBEIS.

Summary Table 1. Annual cost of the proposed ergonomics rule in each component category

Ergonomics Rule Cost Module	Small business		Large business		All businesses	
	Total	Cost per emp.	Total	Cost per emp.	Total	Cost per emp.
Rule Review	\$1,873,229	\$1.79	\$756,094	\$0.48	\$2,629,323	\$1.00
Job ID	\$406,834	\$0.39	\$343,828	\$0.22	\$750,662	\$0.29
Job analysis	\$919,534	\$0.88	\$1,828,192	\$1.16	\$2,747,726	\$1.05
Eng/Admin. Control	\$19,318,843	\$18.46	\$32,529,031	\$20.65	\$51,847,874	\$19.78
PPE	\$169,046	\$0.16	\$376,583	\$0.24	\$545,628	\$0.21
Awareness educate	\$1,959,468	\$1.87	\$2,730,970	\$1.73	\$4,690,437	\$1.79
Haz. Job training	\$1,944,774	\$1.86	\$1,951,656	\$1.24	\$3,896,430	\$1.49
Training the trainer	\$3,143,009	\$3.00	\$1,479,113	\$0.94	\$4,622,122	\$1.76
Mang. Cost	\$3,197,527	\$3.06	\$2,158,640	\$1.37	\$5,356,167	\$2.04
Total Estimated Cost	\$32,932,263	\$31.47	\$44,154,107	\$28.03	\$77,086,370	\$29.40

Summary Table 2. Annual costs and percent of sales by industrial category

SIC Industry	Small Business		Large Business		All Businesses	
	Total cost	% of sales	Total costs	% of sales	Total cost	% of sales
0 AGRICULTURE AND FORESTRY	\$3,782,287	0.141%	\$898,782	0.065%	\$4,681,069	0.115%
1 MINING AND CONSTRUCTION	\$10,893,303	0.098%	\$5,605,718	0.045%	\$16,499,021	0.070%
2 MANUFACTURING: NONDURABLE	\$1,000,314	0.031%	\$3,761,103	0.011%	\$4,761,416	0.013%
3 MANUFACTURING: DURABLE	\$1,013,068	0.029%	\$9,207,667	0.017%	\$10,220,735	0.017%
4 TRANSPORTATION & PUBLIC UTIL	\$1,805,716	0.073%	\$5,957,881	0.056%	\$7,763,597	0.059%
5 WHOLESALE TRADE	\$6,921,102	0.025%	\$8,167,210	0.009%	\$15,088,312	0.012%
6 RETAIL TRADE	\$1,265,154	0.029%	\$1,353,776	0.008%	\$2,618,929	0.013%
7 GENERAL SERVICES	\$2,143,929	0.027%	\$3,398,294	0.021%	\$5,542,223	0.023%
8 PROFESSIONAL SERVICES	\$3,919,762	0.038%	\$5,696,970	0.035%	\$9,616,732	0.036%
9 PUBLIC ADMINISTRATION	\$187,629	*	\$106,707	*	\$294,336	*
SUM	\$32,932,263	0.0447%	\$44,154,107	0.0170%	\$77,086,370	0.0232%

* Gross business sales not available for SIC 9

CONCLUSION: The proposed ergonomics rule requires employers with "caution zone jobs" to ensure educational awareness programs on ergonomic risks, signs and symptoms of WMSDs and on elements of the ergonomics rule. Employers with hazardous jobs are expected to eliminate or reduce hazards for employees who are exposed.

Using a combination of information from the SHARP, L&I employer surveys, OSHA and various labor market sources, the Department of Labor and Industries concludes that the ergonomics rule will not have a disproportionate

impact to small employers. The department has found that the per employee compliance costs are approximately 10% higher for small employers relative to large employers and does not consider differences large enough to be indicative of disproportionate impact. Identification and analysis, training and awareness all pose relatively small costs. The largest cost component is due to ergonomic controls that *only* employers with WMSD hazard jobs would be expected to sustain.

The methods used in this analysis did not take into account any of the potential benefits of the proposed ergo-

PROPOSED

nomics rule. Each WMSD claim costs the state fund an average of \$5,462. Each case represents higher premium costs for employers, additional noninsurance costs, and as well as pain and suffering borne by those with WMSD injuries. Many cases will be prevented through the proper application of ergonomics awareness education and controls. A subsequent cost-benefit analysis will estimate compliance cost of the proposed rule relative to expected benefits.

Despite little evidence that the ergonomics rule will have a disproportionate impact on small employers, the department recognizes that small businesses face inherent disadvantages which might not be fully demonstrated in this analysis. Therefore, the department concludes that a prudent approach to the rule is to make special allowances for potential impacts on small business. Mitigation of costs is planned in three ways. First, as discussed in this report, there will be a phase-in period, which includes delayed enforcement for small businesses. The department intends to undertake substantial efforts to provide assistance for small businesses in preparing for the rule during this phase-in. Second, under the rule employers will have the option of following specific compliance criteria laid out by the department for identifying and reducing WMSD hazards, or developing and using their own compliance criteria which is tailored to the employers' worksite and needs. Third, the department's method of assessing penalties for violations of rules allows a very substantial penalty reduction for small employers.

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040., [49.17].050.

Statute Being Implemented: Chapter 49.17 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

Name of Proponent: Department of Labor and Industries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: Proposal adds a new section A-1 to chapter 296-62 WAC.

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

Small Business Economic Impact Statement

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 99-24 issue of the Register.

A copy of the statement may be obtained by writing to Greg Nothstein, Economic Analyst, Department of Labor and Industries, P.O. Box 44000, Olympia, WA 98504-4000, phone (360) 902-6805, fax (360) 902-4202.

RCW 34.05.328 applies to this rule adoption. WISHA is proposing to add a new section A-1 to chapter 296-62 WAC. The purpose of the section is to assist employers in reducing employee exposure to workplace hazards that can cause or

aggravate work-related musculoskeletal disorders (WMSD). The rule will require employers to identify and attempt to reduce these WMSD hazards. The proposed new section (A-1 of chapter 296-62 WAC) is a significant legislative rule as defined by RCW 34.05.328 (5)(c)(iii).

Hearing Location: On January 5, 2000, at 1:00 p.m. and 6:00 p.m., at the Washington State Convention Center, Rooms 618-620, 8th and Pike, Seattle, Washington; on January 6, 2000, 1:00 p.m. and 6:00 p.m., at the Howard Johnson Plaza Hotel, Orcas Room, 3105 Pine Street, Everett, WA; on January 10, 2000, at 1:00 p.m. and 6:00 p.m., at the Tacoma Public Library, Olympic Room, 1102 Tacoma Avenue South, Tacoma, WA; on January 11, 2000, at 1:00 p.m. and 6:00 p.m., at the Red Lion Hotel at the Quay, Centennial Center, 100 Columbia Street, Vancouver, WA; on January 12, 2000, at 1:00 p.m. and 6:00 p.m., at Cavanaugh's Inn at the Park, Skyline Room, 303 West North River Drive, Spokane, WA; on January 13, 2000, at 1:00 p.m. and 6:00 p.m., at Cavanaugh's at Yakima Center, Ball Room, 607 East Yakima Avenue, Yakima, WA; and on January 14, 2000, at 1:00 p.m. and 6:00 p.m., at the Labor and Industries Building, Room S117-S118, 7273 Linderson Way S.W., Tumwater.

Assistance for Persons with Disabilities: Contact Josh Swanson by December 22, 1999, at (360) 902-5484.

Submit Written Comments to: Jennie Hays, Project Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, by 5:00 p.m. on February 14, 2000. In addition to written comments, the department will accept comments submitted to fax (360) 902-5529 or by e-mail at ergorule@lni.wa.gov. Comments submitted by fax must be ten pages or less.

Date of Intended Adoption: May 1, 2000.

November 15, 1999

Gary Moore
Director

NEW SECTION

WAC 296-62-051 Ergonomics.

PART 1

NEW SECTION

WAC 296-62-05101 What is the purpose of this rule?

The purpose of this rule is to reduce employee exposure to workplace hazards that can cause or aggravate work-related musculoskeletal disorders (WMSDs). In workplaces where these hazards exist, employers must reduce them. Doing so will prevent WMSDs such as tendinitis, carpal tunnel syndrome and low back disorders. The rule is not designed to prevent injuries from slips, trips, falls, motor vehicle accidents or being struck by or caught in objects.

This rule contains three parts.

- Part 1, WAC 296-62-05105, provides a quick way for employers to know if they are covered.
- Part 2 requires covered employers to meet an employee-education requirement and identify

WMSD hazards. If hazards exist, the employer must reduce them.

- Part 3 shows covered employers when they must comply with this rule. An employer's type of business and number of employees determine how much time is permitted for compliance (3 to 6 years for fixing WMSD hazards).

The rule does not include any requirements for the medical management of WMSDs or change any requirements for handling industrial insurance claims. An employer will not be in violation of this rule solely because an employee develops a WMSD or related symptom.

The department will work with a group of demonstration employers to test and improve guidelines, best practices, and inspection policies and procedures as they are developed.

NEW SECTION

WAC 296-62-05103 Which employers are covered by this rule? Employers with "caution zone jobs" are covered by this rule. A "caution zone job" is a job or task where an employee's typical work includes any of the physical risk factors listed in WAC 296-62-05105.

NEW SECTION

WAC 296-62-05105 What is a "caution zone job"?

"Caution zone"

A "caution zone job" is a job or task where an employee's typical work includes any of the physical risk factors listed below.

- Employers having one or more "caution zone jobs" must comply with Part 2 of this rule. "Caution zone jobs" may not be hazardous, but do require further evaluation.
- This rule does not prohibit "caution zone jobs."
- Employers who have made a reasonable determination that they do not have "caution zone jobs" are not covered by this rule.

Awkward Postures

- Working with the hand(s) above the head, or the elbow(s) above the shoulder, for more than 2 hours total per workday
- Working with the neck, back or wrist(s) bent more than 30 degrees for more than 2 hours total per workday
- Squatting for a total of 2 hours per workday or kneeling for a total of 2 hours per workday

High Hand Force

- Pinching an object weighing more than 2 pounds per hand for more than 2 hours total per workday
- Gripping an object weighing more than 6 pounds per hand for more than 2 hours total per workday

Highly Repetitive Motion

- Repeating the same motion with the neck, shoulders, elbows, wrists, or hands (except for keying) with little or no variation every few seconds for more than 2 hours total per workday
- Performing intensive keying for more than 4 hours total per workday

Repeated Impact

- Using the hand or knee as a hammer more than 10 times per hour for more than 2 hours total per workday

Heavy, Frequent or Awkward Lifting

- Lifting objects weighing more than 75 pounds once per workday or 55 or more pounds more than 10 times per workday
- Lifting objects weighing more than 10 pounds if done more than twice per minute for more than 2 hours total per workday
- Lifting objects weighing more than 25 pounds above the shoulders, below the knees or at arms length more than 25 times per workday

PROPOSED

Moderate to High Vibration

- Using impact wrenches, carpet strippers, chain saws, percussive tools (jack hammers, scalers, riveting or chipping hammers) or other hand tools that typically have high vibration levels for more than 30 minutes total per workday
- Using grinders, sanders, jig saws or other hand tools that typically have moderate vibration levels for more than 2 hours total per workday

(Employers may assume that hand tools vibrating less than 2.5 meters per second squared (m/s²) eight-hour equivalent are not covered.)

PART 2

NEW SECTION

WAC 296-62-05110 When do employers' existing ergonomics activities comply with this rule? Employers may continue to use effective alternative methods established before this rule's adoption date. If used, the employer must be able to demonstrate that the alternative methods, taken as a whole, are as effective as the requirements of this rule in reducing the WMSD hazards of each job and providing for employee education, training and participation.

NEW SECTION

WAC 296-62-05120 Which employees must receive ergonomics awareness education and when? (1) Employers must ensure that all employees working in or supervising "caution zone jobs" receive ergonomics awareness education at least once every three years. The employer may provide ergonomics awareness education or may rely on education provided by another employer or organization.

(2) When employees are assigned to work in or supervise "caution zone jobs," they must receive ergonomics awareness education within 30 calendar days, unless they have received it in the past three years. This requirement applies

**WAC 296-62-05130 - Analyzing and reducing WMSD hazards:
General Performance Approach**

1. The employer must analyze "caution zone jobs" to identify those with WMSD hazards that must be reduced. A WMSD hazard is a physical risk factor that by itself or in combination with other physical risk factors has a sufficient level of intensity, duration or frequency to cause a substantial risk of WMSDs. The employer must choose criteria for this analysis that are as effective as widely accepted nationally recognized criteria such as the Liberty Mutual Manual Handling Tables, the Job Strain Index, the Department of Energy ErgoEaser, the ANSI S3.34-1986 (R1997) Hand Arm Vibration Standards, the 1991 NIOSH Lifting Equation, or the UAW-GM Risk Factor Checklists.
2. The employer must analyze "caution zone jobs" using a systematic method that includes the following, if applicable:

when the initial "awareness education" deadline in the implementation schedule (WAC 296-62-05160) has passed.

NEW SECTION

WAC 296-62-05122 What must be included in ergonomics awareness education? Ergonomics awareness education must include:

- (1) Information on work-related causes of musculoskeletal disorders, including physical risk factors present in the type of job to which the employee is assigned (nonwork factors may be included as well);
- (2) The types, symptoms and consequences of WMSDs and the importance of early reporting;
- (3) Information on identifying WMSD hazards and common measures to reduce them; and
- (4) The requirements of this ergonomics rule.

NEW SECTION

WAC 296-62-05130 What options do employers have for analyzing and reducing WMSD hazards? All covered employers must determine whether "caution zone jobs" have WMSD hazards and must reduce the WMSD hazards identified. **Employers may choose either the general performance approach or the specific performance approach as follows:**

**WAC 296-62-05130 - Analyzing and reducing WMSD hazards:
Specific Performance Approach**

1. The employer must analyze "caution zone jobs" to identify those with WMSD hazards that must be reduced. A WMSD hazard is a physical risk factor that exceeds the criteria in Appendix B of this rule.
2. Same as General Performance Approach.

PROPOSED

WAC 296-62-05130 - Analyzing and reducing WMSD hazards: General Performance Approach

WAC 296-62-05130 - Analyzing and reducing WMSD hazards: Specific Performance Approach

PROPOSED

- a. Physical demands specific to the worksite including posture, force, repetition, repeated impacts, vibration, duration, work pace, task variability and recovery cycles;
 - b. Layout of the work area, including reaches, working heights, seating and surfaces; and
 - c. Manual handling requirements, including size, shape, weight, and packaging.
3. Individuals responsible for hazard analysis must know how to use the analysis method effectively and be informed about the requirements of this rule.
 4. The employer must reduce all WMSD hazards below the criteria chosen in WAC 296-62-05130(1) or to the degree feasible.
 5. Measures used by employers to reduce WMSD hazards must take into account the causes of the hazards and must be implemented in the following order of preference:
 - a. Engineering or administrative measures to reduce WMSD hazards. Examples include:
 - changes to workstations and tools
 - reducing the size and weights of loads handled
 - process redesign to eliminate unnecessary steps or introduce task variety
 - job rotation
 - work schedule modification
 - b. Measures that primarily rely on individual work practices or personal protective equipment to reduce WMSD hazards. Examples include:
 - kneepads
 - impact gloves
 - team lifting
 - training on work techniques
 6. If measures to reduce WMSD hazards include changes in the job or work practices then job-specific training must be provided. This job-specific training must include:
 - a. The hazards of the job or task;
 - b. Safe work practices; and
 - c. The proper use and maintenance of specific measures to reduce WMSD hazards that have been implemented.

3. Individuals responsible for hazard analysis must know how to use the analysis provided in Appendix B effectively and be informed about the requirements of this rule.
4. The employer must reduce all WMSD hazards below the criteria in Appendix B of this rule or to the degree feasible.
5. Same as General Performance Approach.
6. Same as General Performance Approach.

**WAC 296-62-05130 - Analyzing
and reducing WMSD hazards:
General Performance Approach**

7. No written ergonomics program is required. The employer must be able to demonstrate the following:
- The method used to analyze "caution zone jobs";
 - The criteria used to identify WMSD hazards;
 - The jobs with identified WMSD hazards; and
 - The reduction of all WMSD hazards below the criteria chosen in WAC 296-62-05130(1) or to the degree feasible.

NEW SECTION

WAC 296-62-05140 How must employees be kept involved and informed? (1) The employer must provide for and encourage employee participation in analyzing "caution zone jobs" and selecting measures to reduce WMSD hazards. Employers with eleven or more employees who are required to have safety committees (WAC 296-24-045), must involve this committee in choosing the methods to be used for employee participation.

(2) Employers with eleven or more employees must share the following information with the safety committee (if a committee is required by WAC 296-24-045). Employers who are not required to have a safety committee (WAC 296-24-045) must provide this information at safety meetings:

- The requirements of this rule;
- Identified "caution zone jobs";
- Results of the hazard analysis and/or identification of jobs with WMSD hazards; and
- Measures to reduce WMSD hazards.

(3) The employer must review its ergonomics activities at least annually for effectiveness and for any needed improvements. This review must include members of the safety committee where one exists or ensure an equally effective means of employee involvement.

NEW SECTION

WAC 296-62-05150 How are terms and phrases used in this rule? Note: Check L&I's WISHA Services website at <http://www.lni.wa.gov/wisha/ergo> for current links to any of the websites referred to in this section.

ANSI S3.34-1986 (R1997) Hand Arm Vibration Standards - American National Standard Guide for the Measurement and Evaluation of Human Exposure to Vibration Transmitted to the Hand. ANSI S3.34-1986 (R1997). Available for purchase at the ANSI web site <http://web.ansi.org/default.htm>.

"Caution zone jobs" - Jobs or tasks in which the employee's typical work includes physical risk factors identified in WAC 296-62-05105. These jobs have a sufficient

**WAC 296-62-05130 - Analyzing
and reducing WMSD hazards:
Specific Performance Approach**

7. No written ergonomics program is required. The employer must be able to demonstrate that all WMSD hazards have been reduced below the criteria identified in Appendix B of this rule or to the degree feasible.

degree of risk to require ergonomics awareness education and job hazard analysis.

Department of Energy ErgoEaser - Ergonomics Education, Awareness, System Evaluation and Recording (ErgoEaser) software package. U.S. Department of Energy, Office of Environment, Safety, and Health (1995). Can be downloaded from the Department of Energy website at <http://tis.eh.doe.gov/others/ergoeaser/download.htm>.

Ergonomics - The science and practice of designing jobs or workplaces to match the capabilities and limitations of the human body.

Intensive Keying - Keying with the hands or fingers in a rapid, steady motion with few opportunities for temporary work pauses.

Job Strain Index - The Strain Index: A proposed method to analyze jobs for risk of distal upper extremity disorders, Moore, J.S., and A. Garg, (1995). Published in American Industrial Hygiene Association Journal, Vol. 56, pgs. 443-458. Website <http://sg-www.satx.disa.mil/hscoemo/tools/strain.htm>.

Liberty Mutual Manual Handling Tables - The design of manual handling tasks: Revised tables of maximum acceptable weights and forces, Snook, S., Ciriello, V., (1991). Published in Ergonomics, Vol. 34, No. 9, pgs. 1197-1213.

NIOSH Lifting Equation, 1991 - Applications Manual for Revised Lifting Equation, Waters, T., Putz-Anderson, V., Garg, A., (1994). Available from the National Technical Information Center (NTIS), Springfield, VA 22161. 1-800-553-6847. Calculator website: <http://www.industrialhygiene.com/calc/lift.html>. Application guideline website: <http://www.cdc.gov/niosh/94-110.html>.

Recovery Cycles - Work periods with light task demands, or rest breaks, that permit an employee to recover from physically demanding work.

Typical Work - Work that is a regular or foreseeable part of the job.

UAW-GM Risk Factor Checklists - UAW-GM Risk Factor Checklist 2, 1998. UAW-GM Health and Safety Center, 1030 Doris Road, Auburn Hills, Michigan.

Work-Related Musculoskeletal Disorders (WMSDs)

PART 3

- Occupational disorders that involve soft tissues such as muscles, tendons, ligaments, joints, blood vessels and nerves. Examples include: Muscle strains and tears, ligament sprains, joint and tendon inflammation, pinched nerves, degeneration of spinal discs, carpal tunnel syndrome, tendinitis, rotator cuff syndrome. For purposes of this rule WMSDs do not include injuries from slips, trips, falls, motor vehicle accidents or being struck by or caught in objects.

NEW SECTION

WAC 296-62-05160 When must employers comply with this rule? Employers covered by this rule must comply with its requirements by the dates shown.

INITIAL IMPLEMENTATION SCHEDULE

PROPOSED

Employer	Effective Date	Awareness Education Completed	Hazard Analysis Completed	Hazard Reduction Completed
• All employers in SIC codes**152, 174, 175, 176, 177, 242, 411, 421, 451, 541, 734 and 805 that employ 50 or more employees in workplaces described by these SIC codes The WA Dept. of Labor & Industries	One year after the rule adoption date <u>*00/00/00</u>	Adoption date +15 months	Adoption date +24 months	Adoption date +36 months
• Employers in SIC codes** 152, 174, 175,176, 177, 242, 411, 421, 451, 541, 734, and 805 that employ less than 50 employees in workplaces described by these SIC codes. All other employers that employ 50 or more employees	Two years after the rule adoption date	Adoption date +27 months	Adoption date +33 months	Adoption date +48 months
• All other employers employing 11-49 employees	Three years after the rule adoption date	Adoption date +39 months	Adoption date +45 months	Adoption date +60 months
• All other employers	Four years after the rule adoption date	Adoption date +51 months	Adoption date +57 months	Adoption date +72 months

SUPPLEMENTAL IMPLEMENTATION SCHEDULE

New workplaces or businesses	One year from the date the new workplace or business was established	+ 1 month	+ 2 months	+ 3 months
	OR The initial implementation date that applies, whichever is later	OR According to the schedule above	OR According to the schedule above	OR According to the schedule above
Significant changes to existing workplaces or businesses	When they occur	+ 1 month	+ 2 months	+ 3 months
	OR The initial implementation date that applies, whichever is later	OR According to the schedule above	OR According to the schedule above	OR According to the schedule above

**Note: Actual dates will be inserted for final rule.*

***Note: See Appendix C of this rule for descriptions of these SIC codes.*

Note: Help for employers in implementing the rule.**1. Developing Ergonomics Guides and Models**

The department will work with employer and employee organizations to develop guides for complying with this rule (for example, a model program for ergonomics awareness education). Employer use of these guides will be optional.

2. Identifying Industry Best Practices

The department will work with employer and employee organizations to develop or identify methods of reducing WMSD hazards that will serve as examples of industry-specific best practices. As industry-specific best practices are developed, they may be used to demonstrate employer compliance with the requirement to reduce WMSD hazards. Employers will not be restricted to the use of industry best practices for compliance.

3. Establishing Inspection Policies and Procedures

The department will develop policies and procedures for inspections and enforcement of this rule prior to the first effective date. These policies and procedures will be communicated to employers and employees through mailing lists, business associations, labor unions and other methods before the department issues any citations or penalties.

4. Testing Guidelines with Demonstration Employers

Following adoption of this rule, the department intends to identify employers who agree to serve as Demonstration Employers. The department will work with these employers to test and improve guidelines, best practices and inspection policies and procedures as they are developed.

5. Providing Information on Ergonomics

The department will work with employer and employee organizations to collect and share the most effective examples of ergonomic training, job analysis, and specific solutions to problems. The department will make special efforts to share this information with the small business community.

NEW SECTION

WAC 296-62-05170 Appendices.

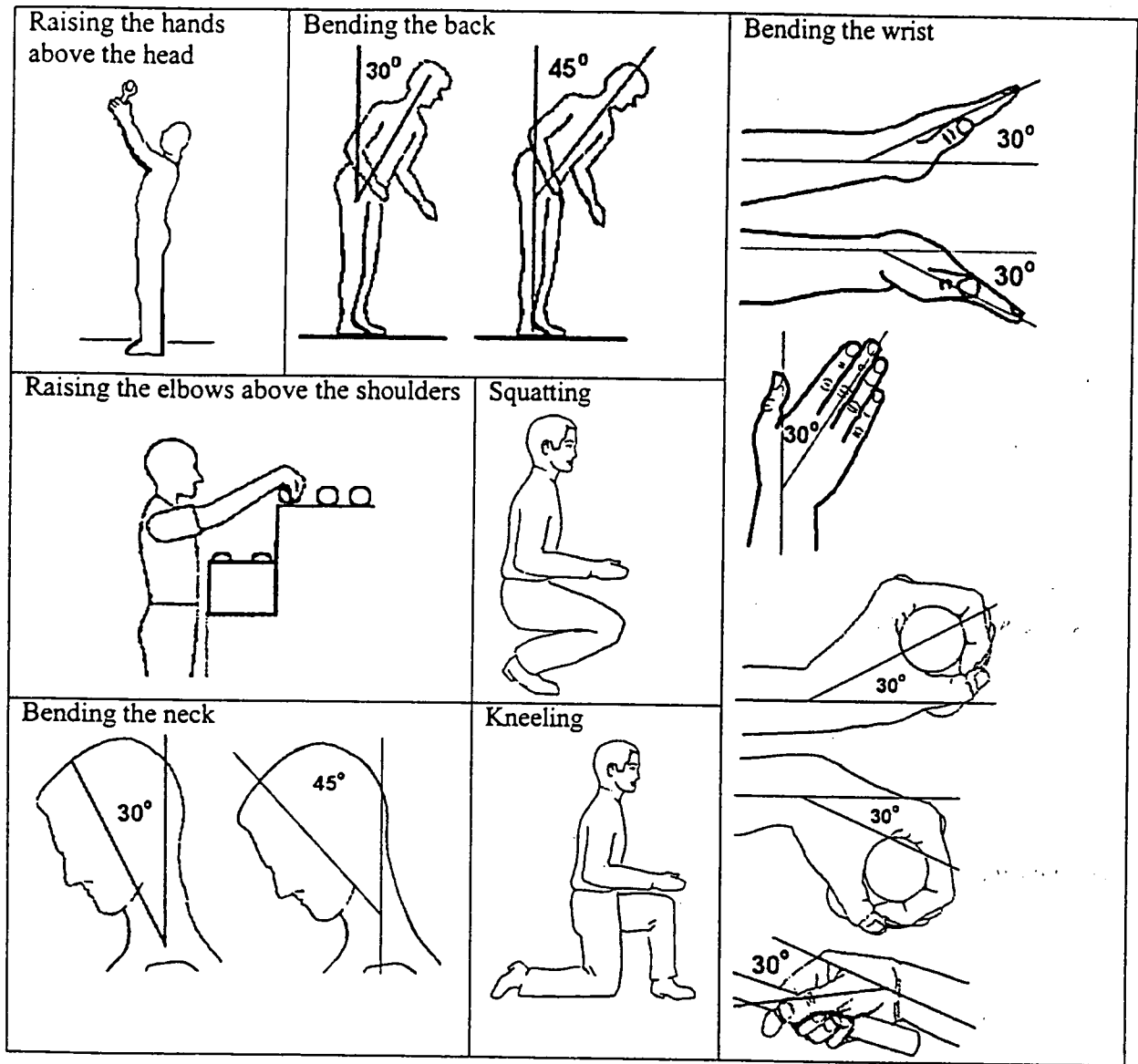
NEW SECTION

WAC 296-62-05172 Appendix A: Illustrations of physical risk factors. The following illustrations are provided as reference only. Some users of this rule may find the pictures aid their understanding of the text in WAC 296-62-05105.

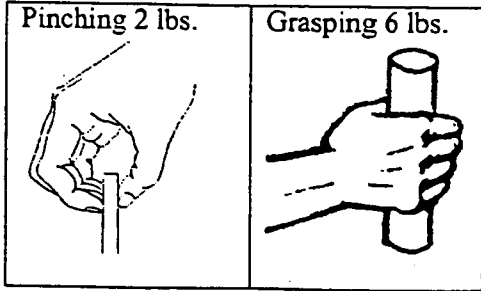
PROPOSED

Awkward Postures

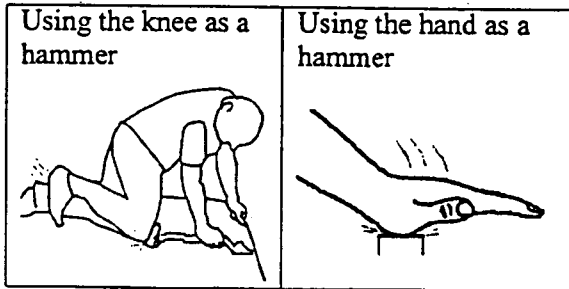
PROPOSED



High Hand Force



Repeated Impacts



NEW SECTION

WAC 296-62-05174 Appendix B: Criteria for analyzing and reducing WMSD hazards for employers who choose the Specific Performance Approach. For each "caution zone job" find any physical risk factors that apply. Reading across the page, determine if all of the conditions are present in the job. If they are, a WMSD hazard exists and must be reduced (see WAC 296-62-05130(4), specific performance approach).


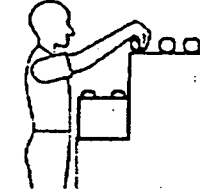
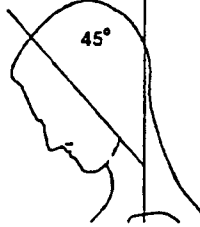
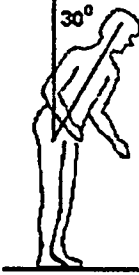
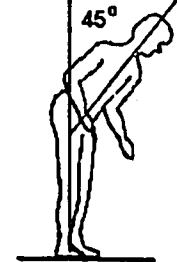
For each "caution zone job" find any physical risk factors that apply. Reading across the page, determine if all of the conditions are present in the job. If they are, a WMSD hazard exists and must be reduced (see WAC 296-62-05130(4), specific performance approach).

PROPOSED

Awkward Postures



Check (✓) here if this is a WMSP hazard

PROPOSED

Body Part	Physical Risk Factor	Duration	Visual Aid
Shoulders	Holding the hand(s) above the head or the elbow(s) above the shoulder(s)	More than 4 hours total per workday	
	Repetitively raising the hand(s) above the head or the elbow(s) above the shoulder(s) more than once per minute	More than 4 hours total per workday	
Neck	Bending the neck, without added support, 45° or more	More than 4 hours total per workday	
Back	Bending the back forward to work, without added support, more than 30°	More than 4 hours total per workday	
	Bending the back forward to work, without added support, more than 45°	More than 2 hours total per workday	



Awkward Postures (continued)

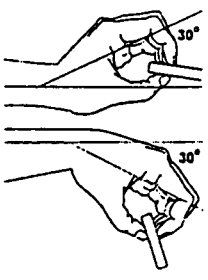
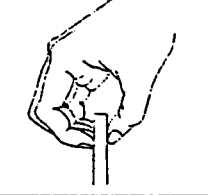
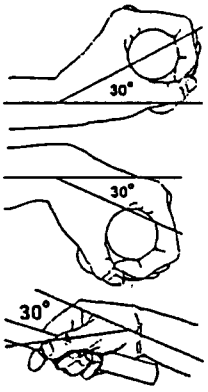
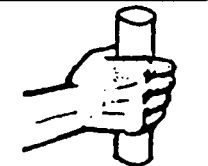
Body Part	Physical Risk Factor	Duration	Visual Aid
Knees	Squatting	More than 4 hours total per workday	
	Kneeling on hard surfaces	More than 2 hours total per workday	
	Kneel on soft or padded surfaces	More than 4 hours total per workday	

Check (✓) here if this is a WMSD hazard

PROPOSED

PROPOSED

High Hand Force

Body Part	Physical Risk Factor	Combined with	Duration	Visual Aid
Arms, wrists, hands	Pinching an object(s) weighing more than 2 lbs. per hand	Highly repetitive motions	More than 3 hours total per workday	
		Wrists bent 30° or more	More than 3 hours total per workday	
		No other risk factors	More than 4 hours total per workday	
Arms, wrists, hands	Gripping an object(s) weighing more than 6 lbs. per hand	Highly repetitive motions	More than 3 hours total per workday	
		Wrists bent 30° or more	More than 3 hours total per workday	
		No other risk factors	More than 4 hours total per workday	

Check (✓) here if this is a WMSD hazard

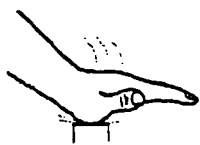

Highly Repetitive Motions

Body Part	Physical Risk Factor	Combined with	Duration
Neck, shoulders, elbows, wrists, hands	Using the same motion with little or no variation every few seconds (excluding keying activities)	No other risk factors	More than 6 hours total per workday
	Using the same motion with little or no variation every few seconds (excluding keying activities)	Wrists bent 30° or more AND High, forceful exertions with the hand(s)	More than 2 hours total per workday
	Intensive keying (for example, data entry)	Awkward postures	More than 4 hours total per workday
		No other risk factors	More than 7 hours total per workday

Check (✓) here if this is a WMSD hazard

PROPOSED

Repeated Impact

Body Part	Physical Risk Factor	Duration	Visual Aid
Hands	Using the hand as a hammer more than once per minute	More than 2 hours total per workday	
Knees	Using the knee as a hammer more than once per minute	More than 2 hours total per workday	

Check (✓) here if this is a WMSD hazard

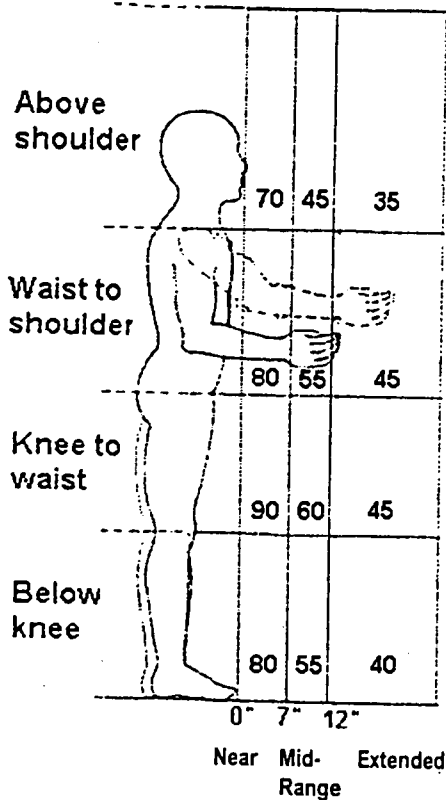
Heavy, Frequent or Awkward Lifting

This analysis only pertains if you have "caution zone jobs" where employees lift 10 lbs. or more (see WAC 296-62-05105, Heavy, Frequent, or Awkward lifting) and you have chosen the specific performance approach.

Step 1 Find out the actual weight of objects that the employee lifts.

Actual Weight = _____ lbs.

Step 2 Determine the Unadjusted Weight Limit. Where are the employee's hands at the beginning of the lift? Mark that spot on the diagram below. The number in that box is the Unadjusted Weight Limit in pounds.



Unadjusted Weight Limit: _____ lbs.

Step 3 Find the Percentage Modifier. Find out how many times the employee lifts per minute and the total number of hours per workday spent lifting. Use this information to look up the Percentage Modifier in the table below.

How many lifts per minute?	For how many hours per workday?		
	1 hr or less	1 hr to 2 hrs	2 hrs or more
1 lift every 5 mins	100%	95%	85%
1 lift every min	95%	90%	75%
2-3 lifts every min	90%	85%	65%
4-5 lifts every min	85%	70%	45%
6-7 lifts every min	75%	50%	25%
8-9 lifts every min	60%	35%	15%
10+ lifts every min	30%	20%	0%

Note: For lifting done less than once every five minutes, use 100%

Percentage Modifier: _____ %

Step 4 Calculate the Weight Limit. Start by copying the Unadjusted Weight Limit from Step 2.

Unadjusted Weight Limit: _____ lbs.

If the employee twists more than 45 degrees while lifting, subtract 10 pounds from the Unadjusted Weight Limit. Otherwise subtract 0.

Twisting Adjustment: - _____ lbs.

Adjusted Weight Limit: = _____ lbs.

Multiply the Adjusted Weight Limit by the Percentage Modifier from Step 3 to get the Weight Limit.

Percentage Modifier: _____ %

Weight Limit: = _____ lbs.

Step 5 Is this a hazard? Compare the Weight Limit calculated in Step 4 with the Actual Weight lifted from Step 1. If the Actual Weight lifted is greater than the Weight Limit calculated, then the lifting is a WMSD hazard and must be controlled.

Note: If the job involves lifts of objects with a number of different weights and/or from a number of different locations, use Steps 1 through 5 above to:

- Analyze the two worst case lifts – the heaviest object lifted and the lift done in the most awkward posture.
- Analyze the most commonly performed lift. In Step 3, use the frequency and duration for all of the lifting done in a typical workday.

PROPOSED

Vibration

PROPOSED

Use the instructions below to determine if a vibration hazard exists.

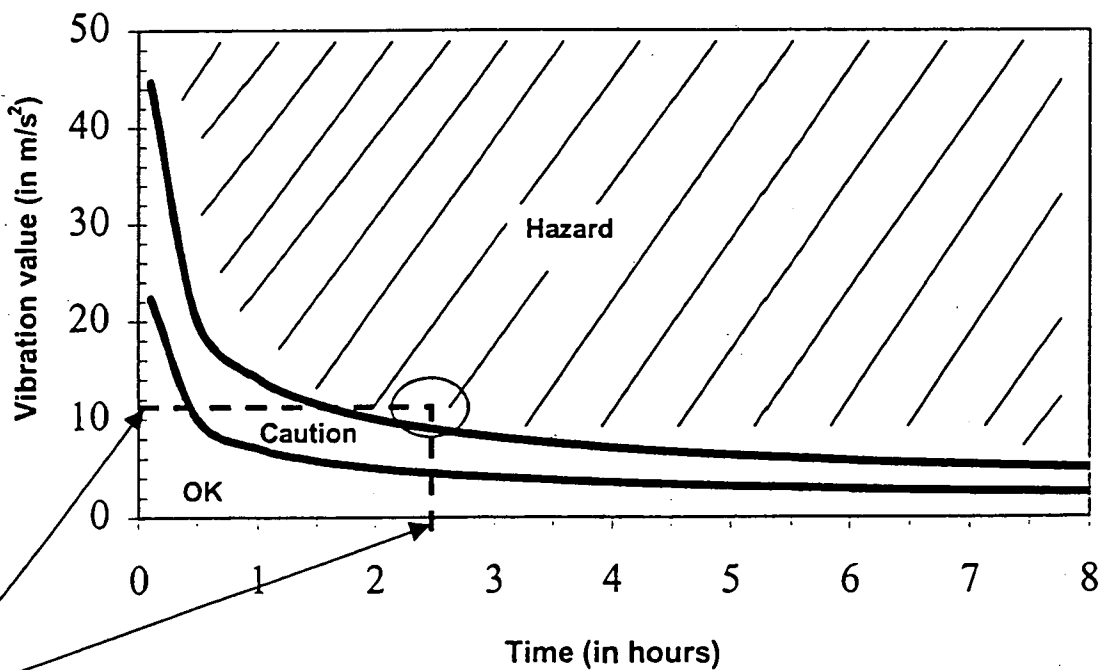
Step 1. Find the vibration value for the tool. (Get it from the manufacturer, look it up at this website: <http://umetech.niwl.se/vibration/HAVHome.html>, or you may measure the vibration yourself). The vibration value will be in units of meters per second squared (m/s^2). On the graph below find the point on the left side that is equal to the vibration value.

Note: You can also link to this website through the L&I WISHA Services Ergonomics website: <http://www.lni.wa.gov/wisha/ergo>

Step 2. Find out how many total hours per workday the employee is using the tool and find that point on the bottom of the graph.

Step 3. Trace a line in from each of these two points until they cross.

Step 4. If that point lies in the cross-hatched "Hazard" area above the upper curve, then the vibration hazard must be controlled. If the point lies between the two curves in the "Caution" area, then the job remains as a "Caution Zone Job." If it falls in the "OK" area below the bottom curve, then no further steps are required.



Example:
An impact wrench with a vibration value of $12 m/s^2$ is used for $2\frac{1}{2}$ hours total per day. The exposure level is in the Hazard area. The vibration must be controlled.

Note: The caution limit curve (bottom) is based on an 8-hour energy-equivalent frequency-weighted acceleration value of $2.5 m/s^2$. The hazard limit curve (top) is based on an 8-hour energy-equivalent frequency-weighted acceleration value of $5 m/s^2$.

NEW SECTION

WAC 296-62-05176 Appendix C: Standard Industry Classification (SIC) codes. The descriptive titles for the SIC codes listed in the implementation schedule (WAC 296-

62-05160) are provided below. SIC codes are established by the federal Office of Management and Budget and are listed in the *Standard Industrial Classification Manual*, 1987 edition.

PROPOSED

SIC*	INDUSTRY	EXAMPLES
152	General Building Contractors, Residential Buildings	<ul style="list-style-type: none"> • general contractors—single-family houses • general contractors—residential buildings other than single-family
174	Masonry, Stonework, Tile Setting & Plastering	<ul style="list-style-type: none"> • masonry, stone setting, and other stone work • plastering, drywall, acoustical, and insulation work • terrazzo, tile, marble, and mosaic work
175	Carpentry and Floor Work	<ul style="list-style-type: none"> • carpentry work • floor laying and other floor work (NEC**)
176	Roofing, Siding and Sheet Metal	<ul style="list-style-type: none"> • installation of roofing, siding, and sheet metal work
177	Concrete Work	<ul style="list-style-type: none"> • includes portland cement and asphalt
242	Sawmills & Planing Mills	<ul style="list-style-type: none"> • sawmills and planing mills • hardwood dimension and flooring mills • special products sawmills (NEC**)
411	Local & Suburban Transportation	<ul style="list-style-type: none"> • local and suburban transit • local passenger transportation (NEC**)
421	Trucking & Courier Service, not Air	<ul style="list-style-type: none"> • trucking • local trucking with or without storage • courier services (except by air)
451	Air Transportation, Scheduled and Air Courier	<ul style="list-style-type: none"> • scheduled air transportation • air courier services <p>Note: WISHA jurisdiction excludes planes in flight.</p>
541	Grocery Stores	<ul style="list-style-type: none"> • supermarkets • food stores • grocery stores
734	Services to Dwellings & Other Buildings	<ul style="list-style-type: none"> • disinfecting and pest control services • building cleaning and maintenance services (NEC**)
805	Nursing & Personal Care	<ul style="list-style-type: none"> • skilled nursing care facilities • intermediate care facilities • nursing and personal care facilities (NEC**)

*SIC or NAICS equivalent. In 2000, federal agencies that produce statistical data will adopt NAICS (North American Industry Classification System) codes and begin to phase out the SIC codes. State and local government agencies also will use this new coding structure to promote a common language for categorizing today's industries.

**NEC - not elsewhere classified.

WSR 99-23-071
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF ECOLOGY
 (By the Code Reviser's Office)
 [Filed November 16, 1999, 8:14 a.m.]

WAC 173-548-001, 173-548-002, 173-548-005,
 173-548-010, 173-548-015, 173-548-020, 173-548-030,
 173-548-031, 173-548-032, 173-548-033, 173-548-034,
 173-548-035, 173-548-036, 173-548-037, 173-548-040,

173-548-050, 173-548-060, 173-548-070, 173-548-075, and 173-548-076, proposed by the Department of Ecology in WSR 99-09-092 appearing in issue 99-10 of the State Register, which was distributed on May 19, 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 99-23-072

**WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF REVENUE**

(By the Code Reviser's Office)
[Filed November 16, 1999, 8:14 a.m.]

WAC 458-20-228, proposed by the Department of Revenue in WSR 99-10-034 appearing in issue 99-10 of the State Register, which was distributed on May 19, 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 99-23-077

**PROPOSED RULES
DEPARTMENT OF**

SOCIAL AND HEALTH SERVICES
(Aging and Adult Services Administration)
[Filed November 16, 1999, 9:53 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-089.

Title of Rule: WAC 388-71-100 - 388-71-149, adult protective services and 388-71-150 - 388-71-199, personal aide registry.

Purpose: Regulatory reform as outlined in Governor's Executive Order 97-02. Implement changes and new requirements from SHB 1620 and SHB 1880.

Statutory Authority for Adoption: RCW 74.08.090, 74.34.165, and 74.39A.050(9).

Statute Being Implemented: Chapter 74.34 RCW, RCW 74.39A.050(9), and 74.39.007.

Summary: Adds clarification in definitions found in chapter 74.34 RCW. Explains when an investigation will be completed by the adult protective services program. Explains the purpose of an adult protective service investigation. Clarifies definition and when adult protective services has authority to conduct an investigation. Complies with statutory requirement (RCW 74.39A.050(9)) to establish a state registry of personal aides who have abandoned, abused, financially exploited, or neglected a vulnerable adult who is self-directing care.

Reasons Supporting Proposal: Implement changes and new requirements from SHB 1620 and SHB 1880 passed during the 1999 legislative session.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Melanie C. Johnson, P.O. Box 45600, Olympia, WA 98504, (360) 407-0354.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Title of Rule and Summary above.

Proposal Changes the Following Existing Rules: Repeal WAC 388-15-120 as a result of clear rule writing requirements. Implement new requirements as a result of SHB 1620 and SHB 1880 passed during the 1999 legislative session.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not have an impact upon small businesses. It only affects vulnerable adults defined in chapter 74.34 RCW.

RCW 34.05.328 does not apply to this rule adoption. The rule does not meet the definition of a "significant legislative rule."

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on December 21, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 7, 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 December 21, 1999.

Date of Intended Adoption: January 7, 2000.

November 10, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

ADULT PROTECTIVE SERVICES

NEW SECTION

WAC 388-71-100 What are the statutory references for WAC 388-71-100 through 388-71-155? The statutory references for WAC 388-71-100 through WAC 388-71-155 are:

- (1) Chapter 74.34 RCW;
- (2) Chapter 74.39A.RCW; and
- (3) Chapter 74.39 RCW.

NEW SECTION

WAC 388-71-105 What definitions apply to adult protective services and the personal aide registry? In addition to the definitions found in chapter 74.34 RCW, the following definitions apply:

"**Basic necessities of life**" means food, water, shelter, clothing, and medically necessary health care, including but

not limited to health-related treatment or activities, hygiene, oxygen, and medication.

"**Legal representative**" means a guardian appointed under chapter 11.88 RCW or individual named in a durable power of attorney as the attorney-in-fact as defined under chapter 11.94 RCW.

"**Person or entity with a duty of care**" includes, but is not limited to, the following:

(1) A guardian appointed under chapter 11.88 RCW; or
 (2) A person or entity providing the basic necessities of life to vulnerable adults where:

(a) The person or entity is employed by or on behalf of the vulnerable adult; or

(b) The person or entity voluntarily agrees to provide, or has been providing, the basic necessities of life to the vulnerable adult on a continuing basis.

"**Personal aide**" as found in RCW 74.39.007.

"**Self-directed care**" as found in RCW 74.39.007.

NEW SECTION

WAC 388-71-110 What is the purpose of an adult protective services investigation? The purpose of an adult protective services investigation is to:

(1) Determine if allegations of abandonment, abuse, financial exploitation, neglect, or self-neglect are valid.

(2) Provide protective services on valid reports with the consent of the vulnerable adult or his or her legal representative.

(3) Determine if other vulnerable adults are at risk of being harmed by individual who has abused, neglected, abandoned or financially exploited the vulnerable adult.

(4) Inform the program or facility providing care for the vulnerable adult that the reported incident of abandonment, abuse, financial exploitation, or neglect occurred. The information provided to the facility or program is required to be consistent with confidentiality requirements concerning the vulnerable adult, witnesses, and complainants.

NEW SECTION

WAC 388-71-115 When is an investigation conducted? The department determines when an investigation is necessary. The following criteria must be met:

(1) The reported circumstances fit the definition of abandonment, abuse, financial exploitation, neglect, or self-neglect found in chapter 74.34 RCW; and

(2) The victim is a vulnerable adult defined in chapter 74.34 RCW.

NEW SECTION

WAC 388-71-120 What adjunct services are provided? Chore personal care services and placement into a licensed and contracted adult family home or state funded adult residential care facility are provided without regard to income only:

(1) When the services are essential to, and a subordinate part of, the adult protective services plan; and

(2) For a period not to exceed ninety days during any twelve-month period of time.

PERSONAL AIDE STATE REGISTRY

NEW SECTION

WAC 388-71-150 When is the name of a personal aide placed on a registry? The name of a personal aide providing self-directed care for a vulnerable adult is placed on the registry when:

(1) An incident of abandonment, abuse, financial exploitation, or neglect of the vulnerable adult has been substantiated by the department; and

(2) The personal aide has either waived his or her right to a fair hearing or the hearing process results in upholding the finding of abandonment, abuse, financial exploitation, or neglect.

NEW SECTION

WAC 388-71-155 Prior to placing his or her name on the registry is the personal aide notified? The following information must be sent to the personal aide prior to placing his or her name on the registry:

(1) Nature and date of the alleged abandonment, abuse, financial exploitation, or neglect.

(2) Right to a fair hearing, as described in chapters 34.05 RCW and 388-08 WAC.

(3) Intent to place identifying information about the personal care aide on a registry.

(4) That the personal aide's failure to request a fair hearing within thirty days will result in his or her name being placed on the registry.

(5) That the name of the personal aide will be placed on the registry if the hearing process results in upholding the department's finding of abandonment, abuse, financial exploitation, or neglect.

(6) That the personal aide has a right to be represented at a fair hearing at his or her own expense.

(7) That, upon request of any person, the department will disclose the substantiated finding of abandonment, abuse, financial exploitation, or neglect and the identifying information regarding a personal aide whose name appears on a registry.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-15-120 Adult protective services.

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.

PROPOSED

WSR 99-23-078
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Adult Services Administration)
 [Filed November 16, 1999, 9:54 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-18-042.

Title of Rule: WAC 388-71-500 through 388-71-560 individual providers and home care agency providers.

Purpose: The proposed rules repeal and amend sections of WAC 388-15-196 through 388-15-19680 and 388-15-198, and move them to WAC 388-71-500 through 388-71-580. They incorporate provisions of ESHB 1546, the Home Care Stabilization Act, and ESHB 1880, Self-directed care, relating to individual provider qualifications. They describe individual provider and home care agency provider qualifications, when the department/AAA may contract with and authorized payment to an individual provider, and when they may deny or terminate a contract, and when they may deny payment to a home care agency provider.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520, 74.39A.090, 43.20A.050, 43.20A.710, 74.39.050, 43.43.830, 43.43.842.

Statute Being Implemented: Chapter 74.39A RCW, RCW 74.39A.090, 74.39A.050, 43.20A.710, 74.39.050, 74.39A.095.

Summary: The rule describes provider qualifications and AAA/HCS responsibilities for: (1) Approving or denying contracts to individual providers; (2) terminating payment to individual providers and home care agency providers; (3) terminating contracts to individual providers; (4) summary suspension of individual providers; and (5) appeal rights. Incorporates requirements and responsibilities of individual providers who provide health-related tasks for clients choosing to self-direct their care.

Reasons Supporting Proposal: Changes are made to comply with the governor's executive order, and rules established to comply with new and amended statutes, chapter 74.39A RCW, RCW 74.39A.050, 74.39A.090, 74.30A.095, and 43.20A.710.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sue McDonough, Program Manager, 600 Woodland Square Loop, Lacey, WA, (360) 407-0331.

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 rules incorporate portions of ESHB 1546 and ESHB 1880, pertaining to provider qualifications and requirements, and define contract qualifications and conditions for payment for individual providers of in-home care. It describes appeal rights. It describes conditions for payment for home care agency providers. The effect of this rule is to provide clear information to consumers, individual providers, home care agency providers, and stakeholders about when

individual providers can and cannot be contracted/paid/terminated, and when home care agency providers can and cannot be paid. The anticipated effects are to improve the quality of personal care provided to elderly and disabled adults who live in home and community settings, which are provided by individual providers and home care agency providers.

The purpose is to comply with the governor's executive order regarding regulatory improvement.

Proposal Changes the Following Existing Rules: WAC 388-15-196 through 388-15-19680 and 388-15-198 is being amended to implement new statutory changes, repealed, and moved to WAC 388-71-500 through 388-71-580. The rule is being divided into easy-to-use sections using clear rule writing techniques. These rule-making amendments comply with the criteria under the Governor's Executive Order 97-02.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not have an economic impact on small businesses. Individual providers are independent contractors of DSHS.

RCW 34.05.328 applies to this rule adoption. These rules do meet the definition of significant "legislative rule" but are exempt under RCW 34.05.328 (5)(b)(v).

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on December 21, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 7, 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 December 21, 1999.

Date of Intended Adoption: January 7, 2000.

November 10, 1999

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

NEW SECTION

WAC 388-71-500 What is the purpose of WAC 388-71-500 through 388-71-580? An adult client/legal guardian may choose an individual provider or a home care agency provider. The intent of WAC 388-71-500 through 388-71-580 is to describe the:

(1) Qualifications of an individual provider, as defined in WAC 388-15-202 (25) and (26);

(2) Qualifications of a home care agency provider, as defined in WAC 388-15-202(2) and chapter 246-336 WAC;

(3) Conditions under which the department/area agency on aging (AAA) will pay an individual provider; and

(4) Conditions under which the department/AAA may deny a contract to an individual provider or terminate payment to an individual provider or a home care agency provider.

NEW SECTION

WAC 388-71-505 How does an adult client hire an individual provider? The adult client, or legal guardian, as defined in chapter 11.88 RCW:

- (1) Has the primary responsibility for locating, screening, hiring, and terminating an individual provider;
- (2) Establishes an employer/employee relationship with the provider; and
- (3) May receive assistance from the social worker/case manager or other resources in this process.

NEW SECTION

WAC 388-71-510 How does a person become an individual provider? In order to become an individual provider, a person must:

- (1) Be eighteen years of age or older;
- (2) Provide the social worker/case manager/designee with:
 - (a) Picture identification; and
 - (b) A Social Security card; or
 - (c) Authorization to work in the United States;
- (3) Complete and submit to the social worker/case manager/designee the department's criminal conviction background inquiry application. Preliminary results may require a thumb print or an interstate background check; and
- (4) Sign a home and community-based service provider contract/agreement to provide services to a COPEs or Medicaid personal care client, or other department contract or agreement.

NEW SECTION

WAC 388-71-515 What are the responsibilities of an individual provider or home care agency provider when employed to provide care to an adult client? An individual provider or home care agency provider must:

- (1) Understand the client's service plan, which is written in clear language and translated or interpreted, as necessary, for the client and the provider;
- (2) Provide the services as outlined on the client's service plan, within the scope of practice in WAC 388-15-202(38) and 388-15-203;
- (3) Accommodate client's individual preferences and differences in providing care, within the scope of the service plan;
- (4) Contact the client's representative and case manager when there are changes which affect the personal care and other tasks listed on the service plan;
- (5) Observe the client for change(s) in health, take appropriate action, and respond to emergencies;
- (6) Notify the case manager immediately when the client enters a hospital, or moves to another setting;
- (7) Notify the case manager immediately if the client dies;
- (8) Notify the department/AAA immediately when unable to staff/serve the client; and

(9) Notify the department/AAA when the individual provider or home care agency will no longer provide services. Notification to the client/legal guardian must:

- (a) Give at least two weeks' notice, and
- (b) Be in writing.

(10) In addition to the above requirements, the individual provider and home care agency provider must:

- (a) Complete and keep accurate time sheets that are accessible to the social worker/case manager; and
- (b) Maintain certain employment standards, which include:
 - (i) Maintaining a drug/alcohol-free work place;
 - (ii) Absence of criminal activity; and
 - (iii) Skills, knowledge, ability, and willingness to provide services.

NEW SECTION

WAC 388-71-520 Are there educational requirements for an individual provider or a home care agency provider of an adult client? There are educational requirements for an individual provider or a home care agency employee. They must:

(1) Possess a certificate of successfully completing department-designated fundamentals of caregiving training within one hundred and twenty days after beginning employment;

(2) Complete a minimum of ten hours of continuing education credits each calendar year following the year in which the fundamentals of caregiving training is taken. One hour of completed instruction equals one hour of credit on topics that pertain to services provided in an in-home setting including, but not limited to:

- (a) Client's rights;
- (b) Personal care (such as transfers or skin care);
- (c) Mental illness;
- (d) Dementia;
- (e) Depression;
- (f) Medication assistance;
- (g) Communication skills;
- (h) Alternatives to restraints;
- (i) Activities for clients; and

(3) Provide the department/AAA with proof of completion of continuing education credits.

NEW SECTION

WAC 388-71-525 Are there any exemptions from the training requirements? In lieu of the fundamentals of caregiving training, an individual provider or home care agency provider can:

- (1) Pass the department's challenge test for the required class. This test can be taken only once;
- (2) Complete the department designated modified fundamentals of caregiving training and be a:
 - (a) Registered or licensed practical nurse;
 - (b) Physical or occupational therapist;
 - (c) Certified nursing assistant; or
 - (d) Medicare-certified home health aide; or

(3) Complete the division of developmental disabilities' (DDD) staff training required by chapter 275-26 WAC and continue to work for a DDD-contracted agency.

NEW SECTION

WAC 388-71-530 Are there special rules about training for parents who are the individual providers of division of developmental disabilities (DDD) adult children? Natural, step, or adoptive parents of adult DDD children:

- (1) Must possess a certificate of successfully completing a six-hour DDD-approved training or a specially designed department-approved training within one hundred eighty days after beginning employment;
- (2) Are exempt from continuing education requirements; and
- (3) Are exempt from the fundamentals of caregiving training if they provide care only for their own adult DDD child.

NEW SECTION

WAC 388-71-535 Are there special rules about training for parents who are the individual providers of non-DDD adult children? Natural, step, or adoptive parents of adult non-DDD children must:

- (1) Possess a certificate of successfully completing the modified fundamentals of caregiving training within one hundred eighty days after beginning employment and have documentation that they have completed individualized or other specific instruction on the care of their adult child; or
- (2) Pass the department's challenge test; or
- (3) Possess a certificate of successfully completing the fundamentals of caregiving.
- (4) Are exempt from continuing education requirements described in WAC 388-71-520(2) if they provide care only for their adult child.

NEW SECTION

WAC 388-71-540 Will the department/AAA pay anyone the adult client chooses to be an individual provider or home care agency provider? The department/AAA cannot contract or pay an individual provider who:

- (1) Is the client's spouse, per 42 C.F.R. 441.360(g), unless the client is on the chore personal care program;
- (2) Has been convicted of a disqualifying crime, as listed in RCW 43.43.830 and 43.43.842;
- (3) Is prohibited, as per RCW 74.39A.050(8);
- (4) Has had a license, certification, or a contract for the care of children or vulnerable adults denied, suspended, revoked, or terminated for noncompliance with state and/or federal regulations;
- (5) Is the adult client's legal guardian, unless the client is a DDD client;
- (6) Is the adult client's representative as given in Durable Power of Attorney (DPOA), as defined in chapter 11.94

RCW, and the DPOA has been executed, unless the client is a DDD client; and/or

(7) Is the parent of a child seventeen years of age or younger, per 42 C.F.R. 4480.A and D.

NEW SECTION

WAC 388-71-545 Under what conditions will the department/AAA deny payment to or terminate the contract of an individual provider, or deny payment to a home care agency provider? The department/AAA will deny payment and terminate the individual provider's contract, or deny payment to a home care agency provider when either provider:

- (1) Does not successfully complete the training requirements within the time limits described in WAC 388-71-520 and 388-71-525;
- (2) Does not meet the conditions of the contract;
- (3) Has been terminated by the department for cause;
- (4) Has abused, neglected, abandoned, or financially exploited a minor or vulnerable adult;
- (5) Demonstrates an unwillingness or inability to provide quality care and services as outlined on the service plan, following monitoring by the social worker/case manager/nurse, which is jeopardizing the health, safety, and well-being of the client;
- (6) Is terminated by the client/employer; and/or
- (7) Has not met the conditions described in WAC 388-71-510 through WAC 388-71-540.

NEW SECTION

WAC 388-71-550 Are there other conditions under which the department/AAA may deny or terminate a contract to an individual provider, including relatives? The department/AAA may deny or terminate a contract to an individual provider when the individual provider:

- (1) Has other employment which prevents the provision of authorized services, as outlined on the client's service plan;
- (2) Is unable to appropriately meet the client's care needs, per RCW 74.39A.090;
- (3) Is already providing the personal care tasks the client requires per the comprehensive assessment and service plan on an informal basis, and the assessment or reassessment does not identify any unmet need;
- (4) Has stress and strain in providing care which interferes with meeting the client's needs. The caregiver strain index may be used as a tool in this determination;
- (5) Lives too far from the client, which prevents the provision of services as they are needed and outlined on the client's service plan;
- (6) Places the health, safety, and well-being of the client at risk;
- (7) Is reported by the client's health care providers and others with direct knowledge as unable to meet the client's needs; and/or
- (8) Has not met the conditions described in WAC 388-71-515 and WAC 388-71-515.

PROPOSED

NEW SECTION

WAC 388-71-555 When can the department/AAA summarily suspend an individual provider's contract?

The department/AAA may summarily suspend an individual provider when it has a reasonable, good faith belief that the health, safety, and well-being of the client is in imminent jeopardy, as evidenced by, but not limited to:

- (1) The absence of essential interventions for the client which will cause immediate harm, such as essential medications or other medical supplies;
- (2) Evidence of alcohol/drug abuse by the individual provider during hours of employment;
- (3) Failure to respond to emergencies;
- (4) Abuse, neglect, abandonment, and/or financial exploitation;
- (5) Other behavior directed toward the client and other persons involved in the client's life which places the client at harm;
- (6) A report(s) from health care providers seeing the client that the health of the client is seriously affected by poor care; and/or
- (7) Conditions or a combination of conditions found in WAC 388-71-515, 388-71-520, 388-71-525, 388-71-540, 388-71-545, and 388-71-550 that imminently affect the health, safety and well-being of the client.

NEW SECTION

WAC 388-71-560 What are the adult client's rights if the department denies, terminates, or summarily suspends an individual provider's contract? If the department denies, terminates, or summarily suspends the individual provider's contract, the client has the right to:

- (1) A fair hearing to appeal the decision, per chapter 388-08 WAC, and
- (2) Receive services from another currently contracted individual provider or home care agency provider, if a contract is summarily suspended.

NEW SECTION

WAC 388-71-580 Self-directed care—Who must direct self-directed care? Self-directed care must be directed by the adult client for whom the health-related tasks are provided. The adult client is responsible to train the individual provider in the health-related tasks which the client self-directs.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-15-196 Individual providers and home care agency providers.
- WAC 388-15-19600 How do I apply to be an individual provider of an adult client?

- WAC 388-15-19610 What requirements must an adult client's individual provider or a home care agency provider meet?
- WAC 388-15-19620 How do I get paid as an individual provider?
- WAC 388-15-19630 Under what conditions will the department deny payment to an individual provider or a home care agency provider?
- WAC 388-15-19640 Does the individual provider or the home care agency provider have responsibilities in addition to the service plan?
- WAC 388-15-19650 What are the educational requirements for an individual provider or a home care agency provider?
- WAC 388-15-19660 Do all individual providers or home care agency providers have to take the fundamentals of caregiving training?
- WAC 388-15-19670 Are there special rules about training for parents who are the individual providers of division of developmental disabilities (DDD) adult children?
- WAC 388-15-19680 Are there special rules about training for parents who are the individual providers of non-DDD adult children?
- WAC 388-15-198 Home and community services—Client and provider responsibilities.

WSR 99-23-079
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed November 16, 1999, 9:55 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-22-056.

Title of Rule: WAC 388-456-0005 Processing a late report, 388-456-0010 Recent work history, and 388-456-0015 Exceptions to monthly reporting.

Purpose: Repeal WAC 388-456-0005 Processing a late report, 388-456-0010 Recent work history, and 388-456-0015 Exceptions to monthly reporting. The rules supporting monthly reporting requirements are no longer needed, as

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monthly reporting requirements are repealed effective January 1, 2000.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.510.

Statute Being Implemented: RCW 74.08.090 and 74.04.510.

Summary: See Purpose above.

Reasons Supporting Proposal: RCW 74.08.090 gives the department authority to make rules and regulations to ensure uniform administration of programs throughout the state. RCW 74.04.510 requires the department to adopt rules consistent with federal laws, rules and regulations relating to the food stamp program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Camp, Division of Assistance Programs, P.O. Box 45480, Olympia, WA 98504-5480, (360) 413-3232.

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: Changes rules to reflect department's choice of prospective budgeting as the sole method for budgeting income and deductions.

Proposal Changes the Following Existing Rules: WAC 388-456-0005 Processing a late report, 388-456-0010 Recent work history, and 388-456-0015 Exceptions to monthly reporting.

Repeals WAC 388-456-0005 Processing a late report, 388-456-0010 Recent work history, and 388-456-0015 Exceptions to monthly reporting. The rules supporting monthly reporting requirements are no longer needed, as monthly reporting requirements are repealed effective January 1, 2000.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The changes as a result of these rules do not affect small businesses.

RCW 34.05.328 does not apply to this rule adoption. These rules do not meet the definition of significant legislative rule.

Title of Rule:

Proposed Action	Title of Rule	Statutory authority for adoption	Statute being implemented
New	388-71-400 What is the intent of the department's home and community programs?	RCW 74.09.520, 74.08.090, 74.39A.130	RCW 74.39.010, 74.39A.110
New	388-71-405 What are the home and community programs?	RCW 74.09.520, 74.08.090, 74.39A.130	RCW 74.39.010, 74.39A.110
New	388-71-410 What services may I receive under HCP?	RCW 74.08.090, 74.39.010, 74.09.520	RCW 74.39.010, 74.09.520
New	388-71-415 What other services may I receive under the COPES program?	RCW 74.08.090, 74.39.020	RCW 74.39.020
New	388-71-420 What services are not covered under HCP?	RCW 74.09.520, 74.08.090, 74.39A.130	RCW 74.39.020

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on December 21, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 7, 1999, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by December 21, 1999.

Date of Intended Adoption: No earlier than December 22, 1999.

November 8, 1999
Marie Myerchin-Redifer
Manager

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-456-0005 Processing a late report.
- WAC 388-456-0010 Recent work history.
- WAC 388-456-0015 Exceptions to monthly reporting.

WSR 99-23-080
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Adult Services Administration)
[Filed November 16, 1999, 9:55 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-15-066.

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New	388-71-425 Who can provide HCP services?	Chapter 175, Laws of 1999, chapters 70.126, 70.127 RCW, RCW 74.08.044	Chapter 175, Laws of 1999, chapters 70.126, 70.127 RCW, RCW 74.08.044
New	388-71-430 Am I eligible for one of the HCP programs?	RCW 74.39.010, 74.08.090, 74.39A.110, 74.09.520	RCW 74.39.010, 74.08.090, 74.39A.110, 74.09.520
New	388-71-440 Am I eligible for MPC-funded services?	RCW 74.09.520	RCW 74.09.520
New	388-71-445 Am I eligible for Chore-funded services?	RCW 74.39A.110, 74.39A.150	RCW 74.39A.110, 74.39A.150
New	388-71-450 How do I remain eligible for services?	42 C.F.R. 441.302, RCW 74.09.520	C.F.R. 42.441.302, RCW 74.09.520
New	388-71-455 Can my services be terminated if eligibility requirements for HCP change?	RCW 74.09.510, 74.09.520	RCW 74.09.510, 74.09.520
New	388-71-460 Are there limitations to HCP services I can receive?	RCW 74.09.520	RCW 74.09.520
New	388-71-465 Are there waiting lists for HCP services?	RCW 74.39.010, 74.39A.120	RCW 74.39.010, 74.39A.120
New	388-71-470 Who pays for HCP services?	RCW 74.39A.120, 74.39.010, 74.39.020	RCW 74.39A.120, 74.39.010, 74.39.020
New	388-71-475 What is the maximum amount that the department pays per month for your COPEs care?	RCW 74.08.090	42 C.F.R. 441.302(f)
New	388-71-480 If I am employed, can I still receive HCP services?	RCW 74.39A.140, 74.39A.150	RCW 74.39A.140, 74.39A.150
New	388-71-600 What are residential services?	RCW 74.08.44 [74.08.044]	RCW 74.39A.020, 74.39A.010
New	388-71-605 Am I eligible for residential services?	RCW 74.08.44 [74.08.044]	RCW 74.39A.020, 74.39A.010
New	388-71-610 Who pays for residential care?	RCW 74.08.44 [74.08.044]	RCW 74.39A.020, 74.39A.010
New	388-71-615 If I leave a residential facility or nursing facility, are there resources available?	RCW 74.42.450, 74.08.090	RCW 74.42.450
New	388-71-620 Am I eligible for a residential discharge allowance?	RCW 74.42.450, 74.08.090	RCW 74.42.450
New	388-71-1000 What is the senior citizens act?	RCW 74.38.030	RCW 74.38.030
New	388-71-1005 Who administers the senior citizens services act funds?	RCW 74.38.030	RCW 74.38.030
New	388-71-1010 What services does the SCSA fund?	RCW 74.38.030	RCW 74.38.040
New	388-71-1015 How do I apply for SCSA-funded services?	RCW 74.38.030	RCW 74.38.050, 74.38.030
New	388-71-1020 Am I eligible for SCSA-funded services?	RCW 74.38.030	RCW 74.38.050
New	388-71-1025 What income and resources are not considered when determining eligibility?	RCW 74.38.030	RCW 74.38.030
New	388-71-1030 What if I am not eligible to receive SCSA-funded services at no cost?	RCW 74.38.030	RCW 74.38.030, 74.38.050
New	388-71-1035 What are my rights under this program?	RCW 74.38.030	RCW 74.38.030
New	388-71-1065 What is the purpose of the respite care program?	RCW 74.41.040	RCW 74.41.040

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New	388-71-1070 What definitions apply to respite care services?	RCW 74.41.040	RCW 74.41.030
New	388-71-1075 Who is eligible to receive respite care services?	RCW 74.41.040	RCW 74.41.050
New	388-71-1080 Who may provide respite care services?	RCW 74.41.040	RCW 74.41.050
New	388-71-1085 How are respite care providers reimbursed for their services?	RCW 74.41.040	RCW 74.41.050
New	388-71-1090 Are participants required to pay for the cost of their services?	RCW 74.41.040	RCW 74.41.040
New	388-71-1095 Are respite care services always available?	RCW 74.41.040	RCW 74.41.050
New	388-71-1100 What is volunteer chore services?	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100
New	388-71-1105 Am I eligible to receive volunteer chore services?	RCW 74.08.090, 74.09.520, 74.39A.030; 74.39A.100	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100
New	388-71-1110 How do I receive information on applying for volunteer chore services?	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100
Repeal	388-15-145 Residential care discharge allowance		
Repeal	388-15-200 Health support services		
Repeal	388-15-201 Long-term care functional eligibility		
Repeal	388-15-206 Volunteer chore services		
Repeal	388-15-207 Chore personal care services for adults—Legal basis		
Repeal	388-15-209 Chore personal care services—Eligibility		
Repeal	388-15-214 Chore personal care services—Budget control		
Repeal	388-15-215 Chore personal care services—Program limitations		
Repeal	388-15-219 Chore personal care services—Payment and client participation		
Repeal	388-15-222 Chore personal care services—Employed disabled—Incentive income and resource exemption		
Repeal	388-15-548 Residential services		
Repeal	388-15-551 Adult family home—authority to purchase care—Standards		
Repeal	388-15-553 Adult family home—Determination of need		
Repeal	388-15-554 Adult family home—Placement in facility		
Repeal	388-15-555 Adult family home—Payment—Standards—Procedures		
Repeal	388-15-560 Congregate care—Definition—Authority to purchase care—Standards		
Repeal	388-15-562 Congregate care—Eligible persons		
Repeal	388-15-563 Congregate care—Residents of other states		

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Repeal	388-15-564 Congregate care—Determination of need		
Repeal	388-15-566 Congregate care—Placement in facility		
Repeal	388-15-568 Congregate care—Payment—Standards—Procedures		
Repeal	388-15-600 Community options program entry system (COPEs)—Purpose		
Repeal	388-15-620 COPEs—Services		
Repeal	388-15-630 COPEs—Payment procedures		
Repeal	388-15-690 Respite care services—Definitions		
Repeal	388-15-695 Respite care services—Caregiver eligibility		
Repeal	388-15-700 Respite care services—Distribution of cost		
Repeal	388-15-705 Respite care services—Rates of payment		
Repeal	388-15-710 Respite care services—Service priorities		
Repeal	388-15-715 Respite care services—Service priority categories		
Repeal	388-15-810 Medicaid personal care services—Legal basis		
Repeal	388-15-830 Medicaid personal care services—Eligibility		
Repeal	388-15-880 Medicaid personal care services—Payment procedures		
Repeal	388-15-890 Medicaid personal care services—Program limitations		
Repeal	388-15-895 Termination of services		
Repeal	388-17-010 Legal basis for senior citizens services program		
Repeal	388-17-020 Definitions		
Repeal	388-17-100 Rights and responsibilities of applicants and recipients		
Repeal	388-17-120 Eligibility for senior citizens services—Application		
Repeal	388-17-160 Income and resources		
Repeal	388-17-180 Fee schedule		
Repeal	388-17-500 Local area agency on aging contracts—Administrative review process		
Repeal	388-17-510 Area agency on aging plan—Administrative review process		

Purpose: The department is rewriting rules to comply with the clear writing standards, per the Governor's Executive Order 97-02. These rules have been rewritten to clarify and simplify language without making any policy changes.

Statutory Authority for Adoption: See Purpose above.

Statute Being Implemented: See Purpose above.

Summary: Repeals rules about social services for adults, which are currently listed in chapters 388-15 and 388-17

WAC, and proposes them as part of a new chapter, chapter 388-71 WAC.

Reasons Supporting Proposal: Governor's Executive Order 97-02.

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: Current rules for Medicaid-funded services under the COPEs (community options program entry system), MPC (Medicaid personal care), and chore personal care programs; residential care services program; residential care discharge allowance; Senior Citizens Services Act; respite care program; and volunteer chore program are being rewritten to meet clear rule writing standards. New rules will be adopted in chapter 388-71 WAC.

Proposal Changes the Following Existing Rules: We are repealing sections of chapters 388-15 and 388-17 WAC and adopting new rules on this subject in chapter 388-71 WAC. The following rules are being repealed: WAC 388-15-145 Residential care discharge allowance, 388-15-200 Health support services, 388-15-201 Long-term care functional eligibility, 388-15-206 Volunteer chore services, 388-15-207 Chore personal care services for adults—Legal basis, 388-15-209 Chore personal care services—Eligibility, 388-15-214 Chore personal care services—Budget control, 388-15-215 Chore personal care services—Program limitations, 388-15-219 Chore personal care services—Payment and client participation, 388-15-222 Chore personal care services—Employed disabled—Incentive income and resource exemption, 388-15-548 Residential services, 388-15-551 Adult family home—Authority to purchase care—Standards, 388-15-552 Adult family home—Eligible persons, 388-15-553 Adult family home—Determination of need, 388-15-554 Adult family home—Placement in facility, 388-15-555 Adult family home—Payment—Standards—Procedures, 388-15-560 Congregate care—Definition—Authority to purchase care—Standards, 388-15-562 Congregate care—Eligible persons, 388-15-563 Congregate care—Residents of other states, 388-15-564 Congregate care—Determination of need, 388-15-566 Congregate care—Placement in facility, 388-15-568 Congregate care—Payment—Standards—Procedures, 388-15-600 Community options program entry system (COPEs)—Purpose, 388-15-620 COPEs—Services, 388-15-630 COPEs—Payment procedures, 388-15-690 Respite care services—Definitions, 388-15-695 Respite care services—Caregiver edibility, 388-15-700 Respite care services—Distribution of cost, 388-15-705 Respite care services—Rates of payment, 388-15-710 Respite care services—Service priorities, 388-15-715 Respite care services—Service priority categories, 388-15-810 Medicaid personal care services—Legal basis, 388-15-830 Medicaid personal care services—Eligibility, 388-15-880 Medicaid personal care services—Payment procedures, 388-15-890 Medicaid personal care services—Program limitations, 388-15-895 Termination of services, 388-17-010 Legal basis for senior citizens services program, 388-17-020 Definitions, 388-17-100 Rights and responsibilities of applicant and recipients, 388-17-120 Eligibility for senior citizens services—Application, 388-17-160 Income and resources, 388-17-180 Fee schedule, 388-17-500 Local areas agency on aging contracts—Administrative review pro-

cess, and 388-17-510 Area agency on aging plan—Administrative review process.

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 does not apply to this rule adoption. The proposed amendments do not change the effect of the policy. Rules do meet the definition of "significant legislative rule," but the department 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 January 4, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 21, 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 January 4, 2000.

Date of Intended Adoption: January 20, 2000.

November 10, 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 99-24 issue of the Register.

WSR 99-23-081
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Management Services Administration)
[Filed November 16, 1999, 9:56 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-09-086.

Title of Rule: Chapter 388-03 WAC, Rules and regulations for the certification of DSHS spoken language interpreters and translators.

Purpose: The language interpretation services and translations (LIST) section of DSHS is proposing rules that incorporate LIST policies regarding examinations, fees and code of professional conduct. Also, the proposed rules bring DSHS into compliance with a federal court decision regarding certification and qualification criteria for interpreters and translators providing services to the department. Finally, by establishing clear LIST regulations, the proposed rules ensure equal access and due process requirements for the department's limited-English proficient clients. The proposed rules are written in a "plain English" style and meet the Executive Order 97-02 criteria for clarity.

Statutory Authority for Adoption: RCW 2.43.010, 74.04.025, and 74.08.090.

Statute Being Implemented: RCW 74.04.025, 74.08.090, 49.60.010, 2.43.010 through 2.43.080.

Summary: Rules on this subject are needed to comply with the stipulation, agreement of settlement and consent order handed down in *Reyes v. Thompson*, United States District Court for Western District of Washington, 1991. These proposed rules are also a result of DSHS's Executive Order 97-02 regulatory improvement effort to incorporate policies into rules when appropriate, to develop new rules and regulations where necessary and write all policies and rules in clear, concise, easily understood language. Finally, the proposed rules are a manifestation of DSHS's legal obligation to provide equal access to department services to all of its clients, customers and vendors, especially LEP clients.

Reasons Supporting Proposal: See Purpose and Summary above.

Name of Agency Personnel Responsible for Drafting: Hungling Fu, Ph.D., Manager, 4500 10th Avenue S.E., Lacey, WA 98504-5820, (360) 664-6035; Implementation and Enforcement: Bonnie Jacques, Chief, 4500 10th Avenue S.E., Lacey, WA 98504-5820, (360) 664-6011.

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

Rule is necessary because of federal court decision, *Reyes v. Thompson*, U.S. District Court for Western District of Washington, 1991.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules do not impose "more than minor" costs on the businesses regulated by them. In fact, the proposed rules impose no new costs at all.

RCW 34.05.328 applies to this rule adoption. The proposed rules are considered "significant legislative rules" because they adopt a new regulatory program. The department has determined that the "probable benefits of the rule are greater than its probable costs." For a copy of this analysis, contact Hungling Fu, Ph.D., Manager, Department of Social and Health Services, Language Interpreter Services and Translations (LIST), 4500 10th Avenue S.E., Lacey, WA, P.O. Box 45820, Olympia, WA 98504-5820, fax (360) 664-6179.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on January 25, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by January 7, 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 January 25, 2000.

Date of Intended Adoption: February 22, 2000.

November 8, 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 99-24 issue of the Register.

WSR 99-23-088
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed November 16, 1999, 3:41 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-031.

Title of Rule: WAC 246-215-010 and 246-215-040, food service.

Purpose: The proposal amends WAC 246-215-040 to require notification to consumers when unpasteurized juices are offered for sale or service. It also amends WAC 246-215-010 to include a definition of unpasteurized juice.

Statutory Authority for Adoption: RCW 43.20.050 (2) and (3).

Statute Being Implemented: RCW 43.20.050.

Summary: The amendments add unpasteurized juice to WAC 246-215-040 a list of items that require notification such as raw or undercooked meats, eggs, or shellfish. A definition of unpasteurized juice is also added to WAC 246-215-010.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dave Gifford, Tumwater, (360) 236-3074.

Name of Proponent: [Department of Health], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule will require businesses that serve unpasteurized juice by the glass to provide notification to consumers. Recent foodborne illness outbreaks in Washington have been linked to unpasteurized juice. The proposal is intended to provide notice to customers when unpasteurized juice is being served so that those people at greatest risk from foodborne illnesses will have this information.

Proposal Changes the Following Existing Rules: The proposal adds unpasteurized juice to a list of items that currently require notification such as undercooked meat, eggs, or shellfish.

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

Small Business Economic Impact Statement

Background: As a result of several foodborne disease outbreaks linked to unpasteurized juice in Washington, the governor and the State Board of Health (SBOH) have directed the Department of Health to begin the rule revision process requiring notification to consumers when unpasteurized juices are offered for unpackaged retail sale. Although federal regulations require a warning to be printed on packaged juice, it does not apply to juices or smoothies sold by the glass. The purpose of the rule is to provide information to consumers so that persons at greatest risk of severe or fatal outcomes from foodborne disease may make an informed choice when purchasing juice beverages at the retail level.

Chapter 246-215 WAC, Food service, currently requires notification about the service of raw or undercooked meats, eggs, and shellfish. The amendment adds unpasteurized or

unprocessed juice to the list of items. Businesses will have a variety of ways of meeting the notification requirement including signs, table tents, or menus.

Small Business Economic Impact Statements: Pursuant to requirements of the Regulatory Fairness Act (act),¹ state agencies must prepare a small business economic impact statement (SBEIS) prior to proposing a new regulation. The impetus for this legislation was a concern that regulatory mandates could "...threaten the very existence of some small businesses" (RCW 19.85.011). The act defines a small business as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees" (RCW 19.85.020).

The Department of Health prepared this SBEIS on behalf of the SBOH as required by the Regulatory Fairness Act. The department used the following process to determine whether the act mandates that the proposed rule include regulatory relief for small businesses.

- Step I Determine the categories of businesses affected by the proposed regulations
- Step II Determine the employment profile for each business category
- Step III Determine the "more than minor" cost threshold
- Step IV Determine whether the estimated cost exceeds the "more than minor" cost threshold for each category of business
- Step V Determine whether the proposed regulations imposes a disproportionate cost burden on small businesses
- Step VI Determine whether regulatory relief is legal and feasible
- Step VII Describe the regulatory relief provided to small businesses
- Step VIII Miscellaneous SBEIS requirements

This process need not result in the provision of regulatory relief. At several steps along this process the department could determine that regulatory relief is not warranted or even that an SBEIS is not necessary. For example, if in Step II all businesses found within an industrial category had more (or less) than 50 employees, the regulation could not, by definition, disproportionately affect small businesses. Such a finding would obviate the need to provide regulatory relief. Or, if the cost to businesses determined in Step IV were below the "more than minor" cost threshold, then, by law, a SBEIS is not required. Similarly, department could determine that it could not legally provide regulatory relief in Step VI.

Step I: What Businesses are Affected by the Proposed Regulation? The proposed rule only affects those businesses selling or serving to the public juice that does not meet the federal standards for pasteurization (which allow other processes that reduce or eliminate pathogens). The department has identified three types of businesses and their

associated "standard industrial codes" (SIC) that could be affected by the proposed rule.

Full Service Restaurants (SIC No. 5812) - While some restaurants could be affected by this rule, the Department of Health believes that the vast majority only serve pasteurized juice.

Juice Bars (SIC Nos. 5812, 5411, 5499 and 5431) - Juice bars serving specialty juice drinks could be significantly affected by the proposed rule. Juice bars are run as independent businesses and also as part of retail food establishments (grocery stores and health food stores) and fruit and vegetable markets.

Juice Producers (SIC No. 2033) - Businesses that specialize in making unpasteurized/unprocessed juice and wholesaling it to restaurants may lose some customers as a result of the proposed rule.

Step II: What is the Employment Profile of Businesses Affected by the Proposed Regulation? The department turned to United States Department of Commerce reports to determine employment patterns in the affected business categories. Table 1 presents employment data on the affected business categories—employment data for independent juice bars was not separated from the larger category of restaurants. Unfortunately, the SIC codes do not distinguish between businesses producing or serving unpasteurized juice and those in similar but unrelated activities. For example, included in SIC 5812 are beaneries, box lunch stands, buffets, cafes, cafeterias, carryout restaurants caterers, coffee shops, as well as 35 other types of businesses. It is clear to the department that most of these businesses do not serve unpasteurized juice and will not be affected by the proposed rule. Nevertheless, the department concludes that in all likelihood, the proposed regulation will affect both large and small businesses. Therefore, the proposed regulation has the potential to impose disproportionate costs on small businesses.

TABLE 1[†]

Type of Establishment	Total Number of Establishments	Number of Establishments by employment-size		Total number of Employees
		1 to 49	50+	
Restaurants	9,011	8,397	614	150,403
Juice Bars, independent	N/A	N/A	N/A	N/A
Juice Bars, groc. Store	2,634	2,183	451	65,686
Juice Bars, fruit/veg. market	74	73	1	338
Health Food Stores	282	281	1	1,683
Juice Producers	32	20	12	2,047

[†] U.S. Department of Commerce, Economics and Statistics Administration, Bureau of the Census, County Business Patterns, 1996, Washington, CBP/96-49.

Step III: What are the "more than minor" Cost Thresholds for Businesses Affected by the Proposed Regulation? An SBEIS is required whenever a regulation

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imposes "more than minor" costs on a regulated business. The "more than minor" thresholds were developed by the Washington State Business Assistance Center (Department of Community, Trade and Economic Development) and range from \$50 to \$300 depending on a business's SIC code². Of the business categories potentially affected by the proposed regulations, No. 5812 and 5431 both had a "more than minor" cost threshold of \$50.

Step IV: Do the Costs Imposed by the Proposed Rule Exceed the "more than minor" Cost Thresholds? To estimate the cost of this proposed rule, the department considered how businesses would comply with the proposed requirements, the cost to comply and whether compliance would cause businesses to lose sales or revenue. The department anticipates both a direct and an indirect cost associated with the proposed rule. The direct cost will be the cost of the notices, signs or stickers for menus. The indirect costs will be incurred if the notices cause businesses to lose sales.

Direct Cost: There is a range of possible costs for notification. Each restaurant will have a choice to either comply with the notification requirement or switch to juice that is processed or pasteurized. For those choosing to continue serving unpasteurized juice there will be many options. The Department of Health anticipates that depending on the type of establishment the rule will be implemented in various ways.

Large Restaurants: The lowest cost alternative is a handwritten sign that is clearly visible to customers. This option would likely cost under \$1.00. Most restaurants will probably prefer to provide the notification in a format other than a handwritten sign. They might print labels to add to their menus or add the information to their menus if they reprint frequently. The department believes printing labels may cost \$25-\$35. At the opposite end of the spectrum is a business going to a print shop with a concept for the notice and asking for design and printing of 75 table tents. Local printers estimate a job like this could cost \$150. In between these estimates would be the cost to add a notice to menus (probably in the form of a sticker).

Juice Bars: The department anticipates that juice bars would employ the lowest cost alternative—a handwritten sign visible to customers. This option would likely cost under \$1.00. As an alternative some juice bars may want to add the notice to their reader board menus. This could cost \$10-\$35 depending on the medium used in making the board.

Juice Producers: Juice producers will not incur a direct cost from this rule unless they sell juice by the glass directly to the public. In this case, the department anticipates they will also use the lowest cost alternative.

Indirect Cost: The indirect costs associated with the proposed rule will be loss of revenue if consumers demand pasteurized juice products as a result of the notification. The consideration of whether or not the rule will cause businesses to lose sales requires the department to make some assumptions regarding the effectiveness of the notification as well as predicting behavior of consumers and businesses. The department anticipates different scenarios for the different types of businesses affected.

Full Service Restaurants: The Department of Health believes that the vast majority of restaurants will not lose revenue because consumers who believe they are at risk from unpasteurized juice will likely substitute some other beverage (i.e., another juice that is pasteurized, coffee or soft drink).

Juice Bars: Of restaurants, juice bars serving specialty juice drinks have the greatest potential to lose revenue. However, when the Department of Health posed the question of whether the rule would cause them to lose sales, some said they were not sure and some said no. One reason for this is that the clientele of juice bars purchase unpasteurized juice for the perceived health benefits and so it is unlikely that a notice identifying the juice as unpasteurized would cause them not to buy it. Most juice bars also serve a variety of juices, some of which are pasteurized, and so customers could easily substitute one product for another if they considered themselves at risk. Nevertheless, the department can only assume that juice bars may lose some sales as a result of consumers at highest risk opting not to purchase juice beverages. The amount is indeterminate at this time.

Juice Producers: Businesses who specialize in making unpasteurized/unprocessed juice and wholesaling it to restaurants may lose revenue if restaurants find it easier to comply with the rule by only serving pasteurized juice. It is important to note however, that juice producers are already being affected by federal rules requiring a warning label on packaged juice that is unpasteurized/unprocessed. It is also anticipated that federal rules requiring all juice to be pasteurized or processed will be adopted within the next five years. Given the changing regulatory environment for juice producers, it is difficult for the department to separate the impact associated with the specific rule being analyzed here. The department assumes there is an indirect cost for juice producers, however it is indeterminate.

As a result of this cost analysis the department concluded that the proposed rule has a potential to exceed the more than minor cost threshold for juice bars and juice producers because of the indeterminate indirect costs. Therefore, the department will move to the next step of a small business economic impact statement - consideration of whether there is a disproportionate burden on small businesses.

Step V: Does the Proposed Regulation Impose a Disproportionate Cost Burden on Small Businesses? To determine whether the proposed rule will disproportionately affect small businesses, the act requires a comparison of "the cost of compliance for small business with the cost of compliance for the ten percent of [the largest] businesses... using one or more of the following as a basis for comparing costs: (a) Cost per employee; (b) cost per hour of labor; or (c) cost per \$100 of sales" (RCW 19.85.040).

Of the alternative ways to compare costs, the preferable approach is "cost per \$100 of sales." By providing a measure of the effect of the proposed rule on the profits of affected businesses, this approach best indicates the likelihood that the businesses will continue (or fail). Thus, this approach most directly addresses the legislature's concern of ensuring that a proposed rule does not threaten the existence of some small businesses.

Even though this rule has a potential to pose more than minor impacts to small businesses, the department does not anticipate that there will be a disproportionate impact. The direct cost is minimal for small businesses at \$1.00 - \$10.00. As noted above, larger businesses may feel it is necessary to spend over \$100 to develop notices. The indirect costs are also anticipated to be proportionate between large and small businesses. Although the extent to which the notice will cause consumers to change their behavior is indeterminate at this time, the department anticipates that any change would affect the sales of small and large businesses at the same rate. Therefore, larger businesses with a higher volume of sales stand to lose more if consumers stop buying unpasteurized juice. This is also true for juice producers. If restaurants stop buying wholesale unpasteurized juice, larger businesses have more potential sales to lose.

Step VI: Is Regulatory Relief for Small Businesses Necessary, Legal and Feasible? Because the agency finds that there are no disproportionate cost impacts associated with the proposed rule, no special relief is required. During the development of the rule however, the department carefully considered the Regulatory Fairness Act along with its statutory mandate to protect human health. The department considered suggestions including a total ban on unpasteurized juice or that a warning be required instead of a notice. These suggestions were rejected, in part, because businesses both large and small thought this would have a much greater negative impact on their sales. Also, the department purposely left the notification options very flexible, allowing businesses the choice to implement the rule at a very low cost if desired. The department feels that any further efforts to mitigate the impact would undermine the purpose of the rule to provide consumers with information about juice products they purchase.

Step VII: Miscellaneous SBEIS Requirements: How did the department involve affected businesses and other interested parties in the development of the rule? The department worked with the Restaurant Association to gather input about how this rule would affect its members. More specifically, juice bars were interviewed because they have the greatest potential impact. Throughout the development of this rule, the department worked to balance the needs of businesses with protecting public health. Workshops were held around the state for businesses, the public and local health jurisdiction to discuss the rule.

¹ The Regulatory Fairness Act is codified at RCW 19.85.

² Facilitating Regulatory Fairness, Washington State Department of Community, Trade and Economic Development, Washington State Business Assistance Center, 1995.

A copy of the statement may be obtained by writing to Dave Gifford, Office of Food Safety and Shellfish Programs, P.O. Box 47824, Olympia, WA 98507-7824.

RCW 34.05.328 applies to this rule adoption. This is a significant legislative rule because if notification is not provided a business may be subject to a penalty.

Hearing Location: First Floor Conference Room, 1102 Quince Street S.E., Olympia, WA 98504, on December 21, 1999, at 10:00.

Assistance for Persons with Disabilities: Contact Dave Gifford, (360) 236-3074, by December 16, 1999, TDD (800) 833-6388.

Submit Written Comments to: Dave Gifford, P.O. Box 47824, Olympia, WA 98504-7824, fax (360) 236-2257, by December 21, 1999.

Date of Intended Adoption: December 21, 1999.

November 12, 1999

M. C. Selecky
Secretary

AMENDATORY SECTION (Amending Order 261B, filed 4/1/92, effective 5/2/92)

WAC 246-215-040 Public health labeling. (1) Food service establishment owners shall label all food products offered for sale if enclosed in a package or container; except:

- (a) Food products produced on-site;
- (b) Nonpotentially hazardous bakery products from approved sources; or

(c) Single service portions or other packaged foods which are shipped to the food service establishment enclosed within a properly labeled master carton.

(2) Food service establishment owners shall label modified atmosphere packaged foods in compliance with WAC 246-215-060.

(3) Food service establishment owners shall ensure labels include:

- (a) The common name of the food;
- (b) All ingredients, including food additives, in descending order of predominance;
- (c) The name, city, state, and zip code of the manufacturer; and

(d) A packaging date code, when required by law or when the food is potentially hazardous.

(4) Food service establishment owners shall ensure information contained on labels is:

- (a) Accurate;
- (b) Easily readable; and
- (c) In the English language, except that duplicate labeling in foreign languages is allowed.

(5) When labels, menus, or other printed or graphic materials are inaccurate or misleading and a report of illness or injury is associated with the food product, the health officer may:

- (a) Stop sale of the product until correctly labeled;
 - (b) Require relabeling of the product; and
 - (c) Issue public health advisories.
- (6) Whenever raw milk or raw milk cheese or similar raw milk products are offered for sale in a food service establishment, the health officer shall:

(a) Require conspicuous labeling of raw milk or products containing raw milk as "raw milk" or "contains raw milk";

(b) Require conspicuous posting of signs near the product that state: "Warning: Raw milk or foods prepared from raw milk, such as unripened or fresh cheese, may be contaminated with dangerous bacteria capable of causing severe intestinal illnesses. Contact your local health department for advice or to report a suspected illness";

(c) Exempt properly fermented raw milk cheeses from the labeling requirements contained in this subsection, provided the cheeses are produced using a flash heating process and they meet the following cheese composition requirements:

- (i) Moisture content of 40% or less;
- (ii) Saline-in-moisture content of 3.75% or greater;
- (iii) Water activity (Aw) of 0.96 or less; and
- (iv) pH of 5.40 or less.

(7) Food service establishment owners shall label packaged or bulk foods containing sulfiting agents at detectable levels as follows:

(a) Accept accurate labels placed on packaged foods by the manufacturer;

(b) Place a label on prepackaged foods stating, "This food contains a sulfiting agent";

(c) Place a sign or label on the bulk food container or in a conspicuous place nearby stating, "The following food or foods contain a sulfiting agent,";

(d) Except these foods may be sold without labeling:

- (i) Wine by the glass;
- (ii) Salad bars; and

(iii) Delicatessens and similar take-out food facilities when food is prepared on-site.

(8) Food service establishment owners shall provide prominent and conspicuous labels on bulk food display units with at least one of the following:

(a) Manufacturer's or processor's container label plainly in view;

(b) A card, sign, or other appropriate device stating the common name of the food; or

(c) A list of ingredients and any food additives contained in the product.

(9) Food service establishment owners shall ensure accurate labels are present on bulk containers of chemicals and pet foods.

(10) When raw or undercooked meats, eggs, or aquatic foods, or unpasteurized fruit or vegetable juices, are offered for immediate service or for sale as ready-to-eat, the health officer shall require these foods to be identified, as such:

- (a) On the menu;
- (b) On the label; or
- (c) On a sign clearly visible to the patrons.

(11) The health officer may approve alternate wording on signs required in subsections (6) and (7) of this section.

AMENDATORY SECTION (Amending Order 261B, filed 4/1/92, effective 5/2/92)

WAC 246-215-010 Definitions. (1) "Abbreviations":

(a) "FDA" means United States Food and Drug Administration.

(b) "HACCP" means hazard analysis, critical control point.

(c) "PPM" means parts per million.

(d) "USA" means United States of America.

(e) "USDA" means United States Department of Agriculture.

(f) "WSDA" means Washington state department of agriculture.

(2) "Adulterated" means the altered condition of food including:

(a) Bearing or containing any poisonous or deleterious substance in a quantity rendering food injurious to health;

(b) Bearing or containing any added poisonous or deleterious substance where no safe tolerance has been established by regulation, or exceeding such tolerance if one has been established;

(c) Consisting in whole or in part of any filthy, putrid, or decomposed substance, or otherwise being unfit for human consumption;

(d) Processing, preparing, packing, or holding potentially hazardous foods under improper time-temperature conditions or under other conditions increasing the probability of food contamination with excessive microorganisms or physical contaminants;

(e) Processing, preparing, packing, or holding food under insanitary conditions increasing the probability of food contamination or cross-contamination;

(f) Holding or packaging food in containers composed, in whole or in part, of any poisonous or deleterious substance rendering the contents potentially injurious to health; or

(g) Containing any product of a diseased animal, or an animal dying by means other than by slaughter, except as permitted under WAC 246-215-020(6).

(3) "Approved" means acceptable to the health officer based on his/her determination regarding conformance with appropriate standards and public health practice.

(4) "Approved source" means foods which are obtained by the food service establishment owner from persons who comply with applicable federal, state and local laws, ordinances and regulations.

(5) "Aquatic foods" means foods grown in or harvested from water, including all types of fish, shellfish and mollusks, edible crustacea, reptiles, amphibians, and mixtures containing aquatic foods and synthetic foods, such as surimi.

(6) "Base of operation" means an approved site for servicing, cleaning, sanitizing, supplying, and maintaining a mobile food unit.

(7) "Bed and breakfast" means a private home or inn offering lodging on a temporary basis to travelers, tourists, and transient guests which provides food service only to registered guests.

(8) "Bulk food" means processed or unprocessed food in containers where consumers withdraw desired quantities.

(9) "Caterer" means a person or food service establishment contracted to prepare food in an approved facility for final cooking or service at another location.

(10) "Commissary" means an approved food service establishment where food is stored, prepared, portioned, or packaged for service elsewhere.

(11) "Corrosion-resistant" means a material maintaining original surface characteristics under prolonged contact with food, cleaning compounds, or sanitizing solutions.

(12) "Critical control point" means a location where exercising a preventive measure or procedure eliminates, prevents, or minimizes a hazard or hazards from occurring after that point.

(13) "Cross-contamination" means the process where disease causing organisms are transferred from raw or other foods to equipment or ready-to-eat foods.

(14) "Department" means the Washington state department of health.

(15) "Durable" means capable of withstanding expected use and remaining easily cleanable.

(16) "Easily cleanable" means readily accessible with materials and finish fabricated to permit complete removal of residue by normal cleaning methods.

(17) "Equipment" means all stoves, ovens, ranges, hoods, slicers, mixers, meat blocks, tables, counters, refrigerators, sinks, dish machines, steam tables, and similar items used in the operation of a food service establishment.

(18) "Extensive remodel" means construction in a food service establishment requiring a building permit or plumbing permit, except for signs and fences.

(19) "Food" means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale, in whole or in part, for human consumption.

(20) "Food additive" means substances added directly or indirectly to food.

(21) "Food contact surfaces" means those surfaces of equipment and utensils normally contacting food, and those surfaces where food may drain, drip, or splash back onto surfaces normally in contact with food.

(22) "Food service establishment" means:

(a) A place, location, operation, site, or facility where food is manufactured, prepared, processed, packaged, dispensed, distributed, sold, served, or offered to the consumer regardless of whether or not compensation for food occurs, including but not limited to:

- (i) Restaurants, snack bars, cafeterias, taverns, bars;
- (ii) Retail food stores, supermarkets, retail meat markets, retail fish markets, retail bakeries, delicatessens;
- (iii) Institutional operations licensed by the department or local health officer, such as schools, hospitals, jails, prisons, and child care facilities;
- (iv) Central preparation sites, including caterers;
- (v) Satellite servicing locations;
- (vi) Temporary food service establishments or mobile food units;
- (vii) Bed and breakfast operations;
- (viii) Remote feeding sites; and
- (ix) Vending machines dispensing potentially hazardous foods.

(b) Except for the following:

- (i) Private homes where food is prepared or served for consumption by household members and/or their guests;
- (ii) Establishments offering only commercially prepackaged nonpotentially hazardous foods;
- (iii) Commercial food processing establishments, licensed and regulated by the USDA, FDA, or WSDA; and
- (iv) Farmers exempt from licensure under RCW 36.71.090.

(23) "Food service worker" means the permit holder, an individual having supervisory or management duties, and any other person working in a food service establishment.

(24) "Frozen" means the condition of a food when it is continuously stored at or below 10° F.

(25) "Game meat" means warm-blooded and cold-blooded animals, excluding fish and meat food animals as defined by USDA, noncommercially raised and processed without continuous regulatory surveillance, including, but not limited to:

- (a) Mammals such as deer, elk, antelope, buffalo, and bear;
- (b) Birds; and
- (c) Reptiles such as alligator.

(26) "Hazard analysis critical control point (HACCP)" means a method used to reduce the risk of foodborne illness by:

- (a) Identifying hazards of high risk foods;
- (b) Assessing the hazards posed by each preparation step;
- (c) Determining the critical points for controlling hazards;
- (d) Monitoring a critical control point or points; and
- (e) Implementing immediate and appropriate corrective action when control criteria are not met.

(27) "Health officer" means the city, county, city-county, or district health officer defined under RCW 70.05.010(2), or his/her authorized representative, or the representative of the department.

(28) "Hermetically sealed container" means a properly designed container, intended to keep the contents free of contamination by microorganisms and to maintain the commercial sterility of its contents after thermal processing.

(29) "Imminent or actual health hazard" means:

- (a) A breakdown or lack of equipment or power causing improper temperature control for potentially hazardous foods; and/or
- (b) Lack of water preventing adequate handwashing or equipment cleaning and sanitizing; and/or
- (c) Emergency situations including fire, flood, building collapse, or similar accident or natural disaster; and/or
- (d) A sewage backup or sewage contamination within a food service establishment; and/or
- (e) An occurrence of an outbreak of foodborne illness linked to the food service establishment.

(30) "Immediate service" means foods served to the public within thirty minutes of preparation.

(31) "Menu" means a written or graphic description of foods prepared and offered for sale or service by a food service establishment.

(32) "Mislabelled" means the presence of any false or misleading written, printed, or graphic material upon or accompanying food or food containers.

(33) "Mobile food unit" means a readily movable food service establishment.

(34) "Modified atmosphere packaging" means a process that completely encases food in an impermeable or partially permeable membrane, with either a partial or complete vacuum; or a gas or mixture of gases surrounding the food. Hermetically sealed containers are not considered to be modified atmosphere packaging.

(35) "Owner" means a person owning and/or responsible for the operation of a food service establishment.

(36) "Perishable food" means foods, other than potentially hazardous foods, where deterioration or spoilage due to loss of moisture or growth of molds and bacteria may occur.

(37) "Person" means any individual, partnership, corporation, association, or other legal entity or agency of state, county, or municipal government, or agency of the federal government which is subject to the jurisdiction of the state.

(38) "Person in charge" means the individual present in a food service establishment and designated supervisor of the food service establishment at the time of inspection or any food service worker present when a designated supervisor is absent.

(39) "pH" means a measure of the amount of acid in a food product.

(40) "Potentially hazardous food" means any natural or synthetic edible item, material, or ingredient in a form supporting rapid and progressive growth of infectious or toxigenic microorganisms or the slower growth of *Clostridium botulinum*. Potentially hazardous food:

(a) Includes any food of animal origin, raw, cooked, or processed;

(b) Includes certain cooked or prepared foods of plant origin, including but not limited to:

(i) Potato products;

(ii) Dry legumes;

(iii) Rice;

(iv) Sprouts; and

(v) Cut melons and cut cantaloupes.

(c) Excludes foods:

(i) With a water activity (A_w) value of 0.90 or less;

(ii) With a pH level of 4.6 or below;

(iii) Enclosed in unopened hermetically sealed containers commercially processed to achieve and maintain commercial sterility under nonrefrigerated storage and distribution conditions; and

(iv) Where laboratory evidence acceptable to the health officer indicates no likelihood of rapid or progressive growth of infectious or toxigenic microorganisms or the slower growth of *Clostridium botulinum*.

(41) "Restructured" means potentially hazardous foods processed and formed so surface contaminants may become incorporated inside the final product.

(42) "Sanitary design" means smooth, nonabsorbent, and easily cleanable.

(43) "Sanitized" means effective bactericidal treatment by a process providing enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level on food contact surfaces.

(44) "Sealed" means free of cracks or other openings permitting entry or passage of moisture or air.

(45) "Self-service" means any site within a food service establishment where customers dispense their own food or beverages.

(46) "Served" means offered to a person for consumption.

(47) "Single service articles" means utensils designed, fabricated, and intended by the manufacturer for one time use.

(48) "Sulfiting agents" means chemicals used to treat food to increase shelf life and enhance appearance including:

(a) Sulfur dioxide;

(b) Sodium sulfite;

(c) Sodium bisulfite;

(d) Potassium bisulfite;

(e) Sodium metabisulfite; and

(f) Potassium metabisulfite.

(49) "Temporary food service establishment" means a food service establishment operating at a fixed location for not more than twenty-one consecutive days in conjunction with a single event or celebration.

(50) "Time/temperature" means the relationship between the length of time and the specific temperatures to which potentially hazardous foods are subjected during storage, transportation, preparation, cooking, reheating, dispensing, service, or sale.

(51) "Unpasteurized juice" means fruit or vegetable juice that has not been specifically processed to prevent, reduce, or eliminate the presence of pathogens, either through heat pasteurization or in another manner allowed under 21 CFR 101.17 (g)(7). This includes any beverage containing juice where neither the juice ingredient nor the beverage has been processed in the above manner.

(52) "Utensil" means any food contact implement used in storing, preparing, transporting, dispensing, serving, or selling of food.

~~((52))~~ (53) "Water activity (A_w)" means a measure of the amount of moisture available for bacterial growth in a food.

~~((53))~~ (54) "Wholesome" means in sound condition, clean, free from adulteration, and otherwise suitable for use as human food.

WSR 99-23-092

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed November 17, 1999, 8:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-18-129.

Title of Rule: Chapter 308-56A WAC, Branding and special built vehicles.

Purpose: 1. To meet the criteria set forth in Governor Locke's Executive Order 97-02.

2. To clarify rules and help make them more comprehensible.

Statutory Authority for Adoption: RCW 46.01.110.

Summary: Amending WAC 308-56A-450 Glider kits and 308-56A-455 Assembled and homemade vehicles; and repealing WAC 308-56A-465 Fleets and 308-56A-470 Issuance of certificates—Contents.

Reasons Supporting Proposal: Meet criteria supporting Governor Locke's Executive Order 97-02.

PROPOSED

Name of Agency Personnel Responsible for Drafting: Patrick J. Zlateff, 1125 Washington Street S.E., Olympia, 902-3718; Implementation and Enforcement: Eric Andersen, 1125 Washington Street S.E., Olympia, 902-4045.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The anticipated effects will be a clarification of the above-mentioned requirements.

Proposal Changes the Following Existing Rules: Clarify sections needed and repeal those no longer required.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in an industry.

RCW 34.05.328 does not apply to this rule adoption. The contents of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room 107, 1125 Washington Street S.E., Olympia, WA 98507, on January 5, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Patrick J. Zlateff by January 4, 2000, TDD (360) 664-8885, or (360) 902-3718.

Submit Written Comments to: Patrick J. Zlateff, Rules Coordinator, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, fax (360) 664-0831, by January 4, 2000.

Date of Intended Adoption: January 15, 2000.

November 16, 1999

D. McCurley, Administrator
Title and Registration Services

AMENDATORY SECTION (Amending WSR 92-15-024, filed 7/6/92, effective 8/6/92)

WAC 308-56A-450 Glider kits. (1) What is a glider kit? A glider kit ~~((is))~~ consists of a new cab ~~((and))~~, chassis, front axle, fenders and air-hose equipment designed for assembly with an existing truck or truck-tractor's rear axle(s), (wheels) and power train.

(2) How are glider kits described on a certificate of ownership? The following ~~((procedures will be followed in filing an application for title))~~ identifiers will be shown on the certificate of ownership:

(a) The model year of the vehicle ~~((will be the year))~~ as designated by the kit manufacturer or the Washington state patrol;

(b) The make of the vehicle will be the make of the kit;

(c) The series and body type will include the initials GL;

(d) The identification number of the vehicle ~~((will be))~~ as determined by an authorized vehicle identification inspector.

(3) What documents shall be submitted with an application for certification of ownership for glider kits? The application for ~~((title must))~~ certificate of ownership shall be accompanied by the following documents:

(a) The previously issued certificate ~~((s of title))~~ of ownership, bill(s) of sale or manufacturer's certificate of origin (MCO);

(b) The previously issued gross weight license when applying for credit against the registration fee, if applicable;

(c) A certificate of inspection by an authorized member of the Washington state patrol or other personnel authorized by the director verifying the vehicle identification number and of component parts not included in the glider kit ~~((manufacturer's statement of origin (MSO)))~~ MCO;

(d) A certified weight slip showing the new scale weight of the vehicle;

(e) An ~~((MSO))~~ MCO or bill of sale of the kit;

(f) A declaration of value form provided by the department.

AMENDATORY SECTION (Amending WSR 92-15-024, filed 7/6/92, effective 8/6/92)

WAC 308-56A-455 Assembled and homemade vehicles. ~~((1) Assembled and homemade vehicles are vehicles that have either (a) been put together by using major component parts from two or more commercially manufactured vehicles (major component parts often carry separate identification numbers); (b) have been structurally modified so that it does not have the same appearance as a similar vehicle from the same manufacturer; or (c) have been put together from parts and materials not obtained from other vehicles. An assembled vehicle can be one that has been sold by a wrecker who listed the vehicle on his wrecker's report pursuant to chapter 308-61 WAC. The difference between an assembled and a homemade vehicle is that an assembled vehicle will be recognizable as one produced by a particular manufacturer. A homemade vehicle will be a vehicle that cannot, visually, be identified as one produced by a particular manufacturer. The model year of a homemade vehicle will be the original year of licensing and the make will be homemade.~~

~~((2))~~ The following procedures must be followed in applying for a certificate of title:

~~((a))~~ If the assembly or repair of the vehicle will involve the removal, destruction, or concealment of any identification number, the parts shall be inspected by an authorized member of the Washington state patrol prior to the removal, destruction, or concealment of the number.

~~((b))~~ The vehicle identification number will be determined and/or assigned by an authorized member of the Washington state patrol, or other personnel authorized by the director.

~~((c))~~ The application for certificate of title must be accompanied by the following documents:

~~((i))~~ The certificate of title for each vehicle used in the assembly of the vehicle or bills of sale for each major component part used in the assembly of the vehicle. The bills of sale must be notarized unless the vendor has a regular place of business and is registered with the department of revenue as an agent for use tax purposes. Such bill of sale shall include the names and addresses of the seller and purchaser; a description of the vehicle or part being sold, including the make, model and identification or serial number; the date of sale; and the purchase price of the vehicle or part.

PROPOSED

(ii) A statement from the authorized inspector verifying the vehicle identification number.

(iii) A declaration of value form provided by the department.) (1) **What constitutes an assembled vehicle?** An assembled vehicle is a vehicle that has been put together by using core or major component parts from two or more commercially manufactured vehicles. Further, core or major component parts often carry separate identification numbers. For the purposes of this section core or major component parts include replacement of those listed in RCW 46.80.010(3). Assembled vehicles are not glider kits, custom built, replica, or kit vehicles.

(2) **What constitutes a homemade vehicle?** A homemade vehicle is a vehicle that has been structurally modified so that it does not have the same appearance as a similar vehicle from the same manufacturer or has been put together from parts and materials other than core or major component parts.

(3) **What is the difference between an assembled vehicle and a homemade vehicle?** The difference between an assembled and a homemade vehicle is that an assembled vehicle will be recognizable as one produced by a particular manufacturer. A homemade vehicle will be a vehicle that cannot visually be identified as one produced by a particular manufacturer. The model year of a homemade vehicle will be the original year of licensing and the make will be homemade.

(4) **How do I apply for a certificate of ownership for my assembled vehicle?** The application for certificate of ownership must be accompanied by the following documents:

(a) The certificate of ownership for each vehicle used in the assembly of the vehicle or bills of sale for each major component part used in the assembly of the vehicle. The bills of sale must be notarized unless the vendor has a regular place of business and is registered with the department of revenue as an agent for use tax purposes. The bill(s) of sale shall include:

- (i) The names and addresses of the seller and purchaser;
- (ii) A description of the vehicle or part being sold, including the make, model and identification or serial number;
- (iii) The date of sale;
- (iv) The purchase price of the vehicle or part; and
- (v) The stock number if from a Washington licensed wrecker.

(b) A statement of fact from an authorized member of the Washington state patrol or other personnel authorized by the director verifying the vehicle identification number, make, model, year and roadworthiness.

(c) A declaration of value form provided by the department.

(5) **What happens if I must remove, destroy or conceal a vehicle identification number during assembly of my vehicle?** Prior to the assembly of a vehicle that will involve the removal, destruction, or concealment of any vehicle identification number, the parts shall be inspected by an authorized member of the Washington state patrol or other personnel authorized by the director who will issue a statement of fact. After assembly and a vehicle identification

number has been removed, destroyed or concealed, a new vehicle identification number will be determined and assigned by an authorized member of the Washington state patrol, or other personnel authorized by the director and a new statement of fact will be issued.

(6) **How do I apply for a certificate of ownership for my homemade vehicle?** The application for certificate of ownership must be accompanied by the following documents:

(a) Bills of sale for each major component part used in the assembly of the vehicle. The bills of sale must be notarized unless the vendor has a regular place of business and is registered with the department of revenue as an agent for use tax purposes and shall include:

- (i) The names and addresses of the seller and purchaser;
- (ii) A description of the vehicle or part being sold, including the make, model and identification or serial number;
- (iii) The date of sale; and
- (iv) The purchase price of the vehicle or part.

(b) A statement from an authorized member of the Washington state patrol or other personnel authorized by the director verifying the vehicle identification number, make, model, year and roadworthiness.

(c) A declaration of value form provided by the department.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-56A-465	Fleets.
WAC 308-56A-470	Issuance of certificates— Contents.

WSR 99-23-093
PROPOSED RULES
OFFICE OF THE
STATE TREASURER
[Filed November 17, 1999, 10:18 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Chapter 474-02 WAC, Newly incorporated city or town—Procedures for reimbursement of moneys borrowed from municipal sales and use tax equalization account.

Purpose: WAC 474-02-010, to amend the basis for the interest rate on loans to newly incorporated cities and towns; and WAC 474-02-020, to amend the sample intergovernmental agreement to reflect change to WAC 474-02-010.

Statutory Authority for Adoption: RCW 35.02.135.

Statute Being Implemented: RCW 35.02.135.

Summary: WAC 474-02-010, the interest rate for loans to newly incorporated cities and towns will be the closing

offering yield of the treasury note which matures closest to three years. WAC 474-02-020, to amend the sample inter-governmental agreement to reflect the change to the basis for the interest rate established in WAC 474-02-010.

Reasons Supporting Proposal: To make rules consistent with changes in the federal government treasury note issues.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Elaine Emans, P.O. Box 40200, (360) 902-8900.

Name of Proponent: Washington State Treasurer, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Pursuant to RCW 35.02.135, the state treasurer is directed to adopt by rule procedures to facilitate the borrowing and repayment of the moneys authorized by the above statute on a reasonable and equitable basis over the three-year period of the loan. WAC 474-02-010 states that each loan shall bear interest for the duration of the loan at the closing offering yield of the then current three-year treasury note, as quoted by the *Wall Street Journal*, on the day prior to the loan disbursement. The federal government no longer issues three-year treasury notes, consequently, a new basis for the interest rate of such loans must be established. The proposed rule establishes the interest for the loan as the closing offering yield of the treasury note which matures closest to the three years.

WAC 474-02-020 Appendix to WAC 474-02-010 provides a sample intergovernmental agreement for such loans. Proposed changes to the ample agreement reflect the changes in the interest rate basis in WAC 474-02-010.

Proposal Changes the Following Existing Rules: The current rule establishes the loan rate at the then current three-year treasury note. Since three-year treasury notes are no longer issued by the federal government, the change establishes the interest at the closing offering yield of the treasury note which matures closest to three years.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule does not regulate or have an economic impact on any small business. The rule only impacts newly incorporated cities and towns.

RCW 34.05.328 does not apply to this rule adoption. The agency does not voluntarily elect to have RCW 34.05.328 applied.

Hearing Location: Office of the State Treasurer, 416 14th Avenue S.W., Second Floor, Room 240, Olympia, WA 98504, on December 28, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Doug Extine by December 21, 1999, TDD (360) 902-8963, or (360) 902-9012.

Submit Written Comments to: Doug Extine, Deputy Treasurer, P.O. Box 40200, Olympia, WA 98504, fax (360) 902-9044, by December 21, 1999.

Date of Intended Adoption: December 28, 1999.

November 17, 1999

Gretchen D. Gale

Legal Counsel

AMENDATORY SECTION (Amending WSR 95-19-029, filed 9/11/95, effective 10/12/95)

WAC 474-02-010 New cities and towns—Standards for borrowing from municipal sales and use tax equalization account. (1) To borrow money from the municipal sales and use tax equalization account a new city or town must furnish a copy of the governing board's resolution establishing the official date of incorporation, declaring the population of the city or town, and stating the amount to be borrowed.

(2) Loans shall be repaid with interest, according to the terms of a loan agreement acceptable to the state treasurer, over a maximum period of three years. Each loan shall bear interest for the duration of the loan at the closing offering yield of the (~~then current three-year~~) treasury note which matures closest to three years, as quoted by the *Wall Street Journal*, on the day prior to loan disbursement.

(3) Loans shall be repayable by the treasurer withholding moneys from the funds otherwise payable to the borrowing city or town, either from the municipal sales and use tax equalization account or from sales and use tax entitlements otherwise distributable to the borrowing city or town, so that the municipal sales and use tax equalization account is fully reimbursed over the period of the loan. Payments are to be made monthly until the borrowing city or town has paid all of the principal and interest owed under the loan agreement.

AMENDATORY SECTION (Amending WSR 95-19-029, filed 9/11/95, effective 10/12/95)

WAC 474-02-020 Appendix to WAC 474-02-010—Sample intergovernmental agreement.

INTERGOVERNMENTAL AGREEMENT

The _____ of (City/Town) has submitted a request to the Washington State Treasurer (Treasurer) to borrow _____ from the Municipal Sales and Use Tax Equalization Account pursuant to RCW 35.02.135.

The City/Town and Treasurer have entered into this agreement, by which the City, as authorized by legally sufficient resolution of its governing body, shall borrow from the municipal sales and use tax equalization account the sum stated below and shall repay said sum according to the repayment terms and conditions stated herein:

1. Amount of loan _____.

2. Interest. Interest will be charged on unpaid principal until the full amount has been paid. Interest will be calculated on the average daily loan balance and will accrue monthly. The loan shall bear interest for the duration of the loan at the closing offering yield of the (~~then current three-year~~) Treasury Note which matures closest to three years, as quoted by the *Wall Street Journal*, on the day prior to loan disbursement repayable as set forth in Section 3.

PROPOSED

3. Repayment.

(A) Time of Payments.

City/Town will pay principal and interest by the Treasurer withholding moneys from the funds otherwise payable to City/Town, either from the municipal sales and use tax equalization account or from sales and use tax entitlements otherwise distributable to City/Town, so that the municipal sales and use tax equalization account is fully reimbursed over the period of the loan. Payments will be due on the last business day of each month beginning on _____. Payments will be made monthly until the City/Town has paid all of the principal and interest owed under this loan agreement. Monthly payments will be applied to interest before principal. Final payment of principal and interest owed is due on _____.

(B) Amount of City's/Town's Monthly Payments.

Each of City's/Town's monthly payments will be in the amount of _____, except for the last payment, due on _____, which will be in the amount of U.S. _____.

4. City's/Town's Right to Prepay.

City/Town has the right to make payments of principal at any time before they are due. City/Town may make a full prepayment or partial prepayments without paying any prepayment charge. Treasurer will use all of City's/Town's prepayments to reduce the amount of principal City/Town owes under this intergovernmental agreement. If City/Town makes a partial prepayment, there will be no changes in the due dates of City's/Town's monthly payments unless Treasurer agrees in writing to those changes. City's/Town's partial prepayments may reduce the amount of its monthly payments beginning with the first payment date following its partial prepayment.

5. Treasurer's Authority to Withdraw Moneys.

The City/Town acknowledges and agrees that Treasurer is authorized by the City/Town pursuant to RCW 35.02.135 and this agreement to withdraw from future tax distributions to the City/Town on the basis stated above. City/Town also agrees not to challenge or contest Treasurer's authority to withdraw moneys for the purposes of this loan.

6. Impact of Rules.

City/Town agrees that the terms and conditions of this agreement are subject to rules adopted by Treasurer pursuant to RCW 35.02.135, and that this agreement may be modified to reflect any changes to such rules effective following the execution of this intergovernmental agreement.

7. Scope of Agreement.

This agreement comprises the entire agreement of the parties with respect to the matters covered herein, and no agreement, statement, or promise made by any party which is not included herein shall be binding or valid.

8. Modification.

This agreement may be modified or amended only pursuant to Section 6 of this agreement or by a written agreement duly executed by all parties hereto.

9. Applicable Law.

This agreement shall be governed by the laws of the State of Washington, and any questions arising under this agreement shall be construed or determined according to such law. City/Town consents to the venue of any action brought under this agreement in any superior court in Thurston County, Washington.

The undersigned persons do hereby stipulate to the following:

I have the authority to sign this intergovernmental agreement, on behalf of the City/Town and the Treasurer.

For the City/Town:

Name	Title	Date
For the Treasurer:		
Name	Title	Date

For the Treasurer:

Name	Title	Date
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WSR 99-23-094

PROPOSED RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed November 17, 1999, 10:48 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-069.

Title of Rule: Field audit expansion.

Purpose: To create a new rule by converting existing policy as a result of Governor Locke's Executive Order 97-02 and numbered as WAC 192-340-010.

Statutory Authority for Adoption: RCW 50.01.010 and chapter 50.24 RCW.

Statute Being Implemented: RCW 50.24.150.

Summary: This is a new rule created due to the examination of existing policies and procedures in accordance with Governor Locke's Executive Order 97-02. This new rule assists an employer and/or employer representative in describing the audit expansion requirements of the department. The Departments of Labor and Industries, Revenue, and Licensing have similar programs.

Reasons Supporting Proposal: The proposed regulations will clarify these situations for employers.

Name of Agency Personnel Responsible for Drafting: George Mante, 212 Maple Park, Olympia, WA 98507, (360) 902-9642; Implementation and Enforcement: Dale Ziegler, 212 Maple Park, Olympia, WA 98507, (360) 902-9303.

Name of Proponent: Employment Security Department, governmental.

PROPOSED

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is being created in accordance with Governor Locke's Executive Order 97-02 which requires a complete review of agency rules, policies and procedures. This particular rule sets forth the conditions upon which the department may expand an audit. The purpose is to convert an existing policy into a rule per the governor's executive order.

Proposal Changes the Following Existing Rules: See explanation above concerning the addition of two new sections to the rule to preserve and protect the UI trust fund.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules will not impact businesses in particular industries as defined in chapter 19.85 RCW, but will impact all industries equally. In addition chapter 19.85 RCW (RCW 19.85.025(3) applies below).

Section 201, chapter 403, Laws of 1995, applies to this rule adoption. The proposed rules will meet the intent of RCW 34.05.310. Public access will be through hearings and solicitation of comment from select stakeholders.

Hearing Location: Employment Security Department, Office of Staff Development, Room 1, ESD Annex, 106 Maple Park, Olympia, WA 98504, on December 28, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact George Mante by December 23, 1999, (360) 902-9642.

Submit Written Comments to: George Mante, Tax Reform Coordinator, UI Tax Administration, P.O. Box 9046, Olympia, WA 98507-9046, fax (360) 902-9556, by December 23, 1999.

Date of Intended Adoption: December 29, 1999.

November 15, 1999

Carver Gayton

Commissioner

Chapter 192-340-WAC Audits and Technical Assistance

NEW SECTION

WAC 192-340-010 Field audit expansion. The department's audit expansion requirements are as follows:

(1) If underreported or overreported wages for employees originally reported and/or new workers are discovered in the audit year, the department may expand to subsequent year(s). Subsequent year(s) and/or quarter(s) means up to the most recently completed calendar quarters where the tax and wages are reported.

(2) When the department feels there are facts that indicate that the employer has made a conscious effort to avoid taxation, the audit period may be expanded within statutory limitations.

(3) In the post audit interview, it is the responsibility of the department to ensure that audit exceptions are discussed and future reporting requirements are understood by the entity being audited.

WSR 99-23-095

PROPOSED RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed November 17, 1999, 10:49 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-068.

Title of Rule: Adjustments and refunds—Reduction of refund if wages reported in error.

Purpose: To create a new rule by converting existing policy as a result of Governor Locke's Executive Order 97-02 and numbered as WAC 192-330-100.

Statutory Authority for Adoption: RCW 50.01.010 and chapter 50.24 RCW.

Statute Being Implemented: RCW 50.24.150.

Summary: This is a new rule created due to the examination of existing policies and procedures in accordance with Governor Locke's Executive Order 97-02. This new rule assists in the protection of the integrity of the UI trust fund so paid out benefits offset any potential refunds to employers where there is a benefit claim.

Reasons Supporting Proposal: The proposed regulations will clarify these situations for employers.

Name of Agency Personnel Responsible for Drafting: George Mante, 212 Maple Park, Olympia, WA 98507, (360) 902-9642; Implementation and Enforcement: Dale Ziegler, 212 Maple Park, Olympia, WA 98507, (360) 902-9303.

Name of Proponent: Employment Security Department, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is being revised in accordance with Governor Locke's Executive Order 97-02 which requires a complete review of agency rules, policies and procedures. This particular rule sets forth the conditions where any paid out benefits offset any potential refunds to employers where there is a benefit claim. This new rule assists in the protection and preservation of the UI trust fund.

Proposal Changes the Following Existing Rules: See explanation above concerning the addition of two new sections to the rule to preserve and protect the UI trust fund.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules will not impact businesses in particular industries as defined in chapter 19.85 RCW, but will impact all industries equally. In addition chapter 19.85 RCW (RCW 19.85.025(3) applies below).

Section 201, chapter 403, Laws of 1995, applies to this rule adoption. The proposed rules will meet the intent of RCW 34.05.310. Public access will be through hearings and solicitation of comment from select stakeholders.

Hearing Location: Employment Security Department, Office of Staff Development, Room 1, ESD Annex, 106 Maple Park, Olympia, WA 98504, on December 28, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact George Mante by December 23, 1999, (360) 902-9642.

PROPOSED

Submit Written Comments to: George Mante, Tax Reform Coordinator, UI Tax Administration, P.O. Box 9046, Olympia, WA 98507-9046, fax (360) 902-9556, by December 23, 1999.

Date of Intended Adoption: December 29, 1999.
November 15, 1999
Carver Gayton
Commissioner

Chapter 192-330-WAC
Adjustments and Refunds

NEW SECTION

WAC 192-330-100 Adjustments and refunds - Reduction of refund if wages reported in error - RCW 50.24.150. An employer may file a written request for refund of, or adjustment to, contributions, interest, or penalties within three years of the date they were paid. The commissioner may also make refunds on adjustments using his/her own initiative.

When the wages of an employee have been reported in error and the department has paid a claimant benefits based on those wages, any request for refund of the tax will be offset by the amount of benefits paid. If there is any refund of taxes due the employer, it will be reduced by the amount of benefits paid against the claim(s) and any associated wages.

WSR 99-23-096
PROPOSED RULES
EMPLOYMENT SECURITY DEPARTMENT

[Filed November 17, 1999, 10:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-067.

Title of Rule: Owners of entities are not covered for unemployment insurance purposes.

Purpose: To create a new rule by converting existing policy as a result of a comprehensive review of all UI tax administration rules, policies, and procedures in accordance with Governor Locke's Executive Order 97-02 and numbered as WAC 192-300-190.

Statutory Authority for Adoption: RCW 50.01.010 and chapters 50.04, 50.24 RCW.

Statute Being Implemented: RCW 50.04.090 and 50.04.100.

Summary: This is a new rule created from existing UI tax administration policy following Governor Locke's guidelines to streamline all rules for the general public and make rules as clear and concise as possible. This new rule assists owners of businesses and/or their representatives in describing the requirements of the department for the exclusion of owners from unemployment insurance coverage. The Department of Labor and Industries has similar regulations in this area.

Reasons Supporting Proposal: The proposed regulations will clarify these situations for employers.

Name of Agency Personnel Responsible for Drafting: George Mante, 212 Maple Park, Olympia, WA 98507, (360) 902-9642; Implementation and Enforcement: Dale Ziegler, 212 Maple Park, Olympia, WA 98507, (360) 902-9303.

Name of Proponent: Employment Security Department, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is being revised in accordance with Governor Locke's Executive Order 97-02 which requires a complete review of agency rules, policies and procedures. This particular rule sets forth the conditions where the department can deny the owner of a business coverage for unemployment insurance purposes. The purpose is to convert an existing policy into a rule per the Governor's Executive Order 97-02. The rule also clearly shows that members of a limited liability company, partners of a limited liability partnership et. al. are not covered for unemployment insurance purposes. In addition it reiterates the fact that there is no employer-employee relationship with services provided in the business by the owners, so owners are not covered for unemployment insurance purposes.

Proposal Changes the Following Existing Rules: See explanation above concerning the addition of two new sections to the rule to preserve and protect the UI trust fund.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules will not impact businesses in particular industries as defined in chapter 19.85 RCW, but will impact all industries equally. In addition chapter 19.85 RCW (RCW 19.85.025(3) applies below).

Section 201, chapter 403, Laws of 1995, applies to this rule adoption. The proposed rules will meet the intent of RCW 34.05.310. Public access will be through hearings and solicitation of comment from select stakeholders.

Hearing Location: Employment Security Department, Office of Staff Development, Room 1, ESD Annex, 106 Maple Park, Olympia, WA 98504, on December 28, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact George Mante by December 23, 1999, (360) 902-9642.

Submit Written Comments to: George Mante, Tax Reform Coordinator, UI Tax Administration, P.O. Box 9046, Olympia, WA 98507-9046, fax (360) 902-9556, by December 23, 1999.

Date of Intended Adoption: December 24 [29], 1999.
November 15, 1999
Carver Gayton
Commissioner

NEW SECTION

WAC 192-300-190 Owners of entities are not covered for unemployment insurance purposes. The owners of a business as identified in RCW 50.04.090 include business entities such as limited liability companies, limited liability

PROPOSED

partnerships, etc. There is no employer-employee relationship in the services provided to the business by the owners, as defined in RCW 50.04.100. Therefore owners are not covered for unemployment insurance purposes.

WSR 99-23-097

PROPOSED RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed November 17, 1999, 10:52 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-066.

Title of Rule: Requirements for election of unemployment insurance coverage.

Purpose: To clarify the rule in light of Governor Locke's Executive Order 97-02 and to add two new sections to the rule which handled the disapproval and cancellation rights of the department for voluntary election coverage of unemployment insurance in order to preserve the integrity of the UI trust fund.

Statutory Authority for Adoption: RCW 50.01.010 and chapters 50.04 and 50.24 RCW.

Statute Being Implemented: RCW 50.04.165 and 50.24.160.

Summary: This is a revised rule created due to the examination of existing policies and procedures in accordance with Governor Locke's Executive Order 97-02. This rule was written in order to take an existing rule of the UI tax administration's status program and develop a rule incorporating two new sections to handle disapproval and cancellation of voluntary election coverage of unemployment insurance in order to preserve the integrity of the UI trust fund.

Reasons Supporting Proposal: The proposed regulations will clarify these situations for employers.

Name of Agency Personnel Responsible for Drafting: George Mante, 212 Maple Park, Olympia, WA 98507, (360) 902-9642; Implementation and Enforcement: Dale Ziegler, 212 Maple Park, Olympia, WA 98507, (360) 902-9303.

Name of Proponent: Employment Security Department, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is being revised in accordance with Governor Locke's Executive Order 97-02 which requires a complete review of agency rules, policies and procedures. This particular rule sets forth the conditions upon which an entity may apply for election of unemployment insurance coverage with the status program of the UI tax administration branch of the department. In order to preserve and protect the integrity of the UI trust fund we have added two new sections to the original rule. These sections cover the disapproval and cancellation of voluntary election coverage of unemployment insurance in those instances where there might be cases which could damage the trust fund.

Proposal Changes the Following Existing Rules: See explanation above concerning the addition of two new sections to the rule to preserve and protect the UI trust fund.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules will not impact businesses in particular industries as defined in chapter 19.85 RCW, but will impact all industries equally. In addition chapter 19.85 RCW (RCW 19.85.025(3) applies below).

Section 201, chapter 403, Laws of 1995, applies to this rule adoption. The proposed rules will meet the intent of RCW 34.05.310. Public access will be through hearings and solicitation of comment from select stakeholders.

Hearing Location: Employment Security Department, Office of Staff Development, Room 1, ESD Annex, 106 Maple Park, Olympia, WA 98504, on December 28, 1999, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact George Mante by December 23, 1999, (360) 902-9642.

Submit Written Comments to: George Mante, Tax Reform Coordinator, UI Tax Administration, P.O. Box 9046, Olympia, WA 98507-9046, fax (360) 902-9556, by December 23, 1999.

Date of Intended Adoption: December 24 [29], 1999.

November 15, 1999

Carver Gayton

Commissioner

Chapter 192-300

Registering for Unemployment Insurance Taxes

NEW SECTION

WAC 192-300-170 Requirements for election of unemployment insurance coverage. The department has to make timely and accurate employer liability determinations and unemployment insurance payments. It is under RCW 50.04.165 and RCW 50.24.160 that we establish the election of coverage for unemployment insurance by employers where personal services are not considered employment:

(1) RCW 50.24.160 allows any business to file a request for election of unemployment insurance coverage for personal services not covered as employment:

- (a) the request must be in writing to the department;
- (b) the department must approve the request for election of coverage in writing; and
- (c) the request must be signed by someone legally authorized to bind the business.

(2) RCW 50.04.165 allows a corporate employer to elect to cover the personal services of its' corporate officers for unemployment insurance coverage:

(a) a corporate employer must submit a written request for voluntary coverage signed by a person authorized to legally bind the corporation. The department must receive this request no later than thirty days prior to the end of the quarter in which the change is to begin;

(b) "corporate officer" is defined in RCW 23A.08.470;

(c) corporate officers appointed under RCW 23.B.08.400, other than those covered by Chapter 50.44, are

PROPOSED

not considered services in employment unless the corporation elects coverage of all its corporate officers under RCW 50.04.165;

(d) all services of corporate officers are considered exempt until the effective date of approval of election of coverage by the department; and

(e) corporate officers are exempt under RCW 50.04.165 only if the employer has notified them in writing that they are ineligible for unemployment insurance benefits. The exemption becomes effective with the date of the written notice. The written notice must:

(i) have the name(s) of the officer(s) who is/are being exempted;

(ii) have the effective date of the exemption;

(iii) have a signature of the officer(s) acknowledging receipt of the request;

(iv) be kept on file by the corporation; and

(v) be available for review by any department official upon request.

(3) If an agricultural corporate employer voluntarily covers its officers, the wages or salaries paid for such services will be used to determine the employer liability of the agricultural employer. Wages or salaries paid for service of corporate officers exempt under RCW 50.04.165 will not be used to determine liability of agricultural employers.

(4) All changes in elected coverage remain in effect for at least two calendar years. The business may terminate coverage only at the end of a calendar year. A written request by the employer must be sent to the department by January 15th following the end of the last calendar year of desired coverage.

(5) The department reserves the right to disapprove an election for unemployment insurance coverage due to:

(a) the applicant being non-liable for federal unemployment taxes (FUTA); or

(b) the seasonal nature of the occupation or industry.

(6) The department reserves the right to cancel unemployment insurance coverage for a voluntary election employer because:

(a) of nonpayment of unemployment insurance taxes, and/or failure to file an unemployment insurance tax/wage report; or

(b) of misrepresentation of facts; or

(c) coverage is not used for involuntary unemployment as outlined in RCW 50.01.010.

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:

WAC 192-12-025.

WSR 99-23-105

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed November 17, 1999, 11:34 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-04-113, 99-09-039, and 99-19-142.

Title of Rule: A chapter regarding the requirements for retail liquor licenses.

Purpose: The Liquor Control Board is currently undergoing a review of all of its rules to make them clear and usable, per Governor Locke's Executive Order 97-02. Proposed chapter 314-02 WAC would replace other WACs and policies that outline the requirements for retail liquor licenses, such as restaurants, taverns, and grocery stores.

Statutory Authority for Adoption: RCW 66.08.030, 66.24.010, 66.24.410, 66.24.420, 66.24.400, 66.24.440, 66.24.455, 66.24.230, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.371, 66.24.540, 66.28.210, 66.28.200, 66.28.220, 66.28.230, 66.28.240, and 66.28.250.

Statute Being Implemented: RCW 66.24.410, 66.24.420, 66.24.400, 66.24.440, 66.24.455, 66.24.230, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.371, 66.24.540, and 66.28.220.

Summary: This proposed chapter would contain the qualifications for eleven different retail liquor licenses.

Name of Agency Personnel Responsible for Drafting: Teresa Berntsen, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1648; Implementation: David Goyette, P.O. Box 43075, Olympia, WA 98504-3075, (360) 664-1611; and Enforcement: Ted Taketa, P.O. Box 43075, Olympia, WA 98504-3075, (360) 664-1780.

Name of Proponent: Washington State Liquor Control Board, governmental.

Rule is necessary because of federal court decision, *Jersey's All-American Sports Bar, Inc., v. Washington State Liquor Control Board, et al.*, United States District Court Western District of Washington, Case C98-1622C (1999).

Explanation of Rule, its Purpose, and Anticipated Effects: Proposed chapter 314-02 WAC would outline the requirements for retail liquor licenses, such as restaurants, taverns, and grocery stores. The purpose of the proposed chapter is to describe the various retail liquor licenses and what is needed to qualify for those types of licenses.

Proposed chapter 314-02 WAC would replace other rules and policies that currently address retail liquor licensing qualifications. Per Governor Locke's Executive Order 97-02, the proposed rules were written in clear language in an attempt to create more usable regulations.

Proposal Changes the Following Existing Rules: The following rules would be replaced by the proposed rules WAC 314-16-190, 314-16-196, 314-16-210, 314-16-115, 314-16-197, 314-16-200, 314-16-205, 314-16-140, 314-16-180, 314-16-199, 314-16-055, 314-16-240, 314-16-250, 314-15-010, 314-15-020, 314-15-030, 314-15-040, 314-15-050, and 314-16-130.

Proposed chapter 314-02 WAC would replace these rules that currently address retail liquor licensing qualifications. Per Governor Locke's Executive Order 97-02, the pro-

posed rules were written in clear language in an attempt to create more usable regulations. Several changes are being proposed in these redrafted regulations:

- Spirits, beer, and wine restaurants would no longer be required to have persons under 21 years of age on their premises.
- For restaurants, barriers around areas that are restricted from persons under 21 years of age would no longer be required to be a minimum of 42" in height. Rather, the proposed regulations state the licensee is responsible to construct the barriers in such a way as to prevent minors from entering the restricted areas.
- The requirement that spirits, beer, and wine restaurants serve five complete meals is proposed to be change to state that they must serve complete meals as required in law (no certain number).
- For restaurants, counters with customer seating on one side and beverage/food service on the other side would no longer be restricted in dining areas.
- Prior approval would no longer be required for certain activities conducted on premises with liquor licenses, such as live music and patron dancing. Also, live music would be allowed in dining areas without the time restrictions previously imposed. (These changes are partially due to federal district court ruling as cited in this filing notice.)
- For spirits, beer, and wine restaurants, the proposed rules require that they maintain the kitchen equipment necessary to prepare their complete meals as required by law, rather than requiring certain pieces of kitchen equipment.
- Regarding keg registration requirements, patrons that purchase kegs would be required to place the registration sticker on the keg, rather than having the choice to place it on the keg or have it placed within five feet of the keg.

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

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Liquor Control Board is not a listed agency in section 201.

Hearing Location: On January 19, 2000, at 9:30 a.m., at the Washington State Liquor Control Board, Board Room, 3000 Pacific Avenue S.E., Olympia, WA 98501; on January 19, 2000, at 2:30 p.m., Seattle Public Library, 3rd Floor, Lee Auditorium, 1000 4th Avenue, Seattle, WA; and on January 20, 2000, at 9:30 a.m., at the Double Tree Hotel Pasco, 2525 North 20th, Pasco, WA 99301.

Assistance for Persons with Disabilities: Contact Teresa Berntsen by January 18, 2000, TDD (360) 586-4727, or (360) 664-1648.

Submit Written Comments to: Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, fax (360) 704-4920, by January 20, 1999 [2000].

Date of Intended Adoption: January 26, 2000.

November 17, 1999

Eugene Prince

Chair

Chapter 314-02 WAC

REQUIREMENTS FOR RETAIL LIQUOR LICENSEES

NEW SECTION

WAC 314-02-005 What is the purpose of chapter 314-02 WAC? Chapter 314-02 WAC outlines the qualifications for the following liquor licenses and permits:

- (1) Spirits, beer, and wine restaurants;
- (2) Beer and/or wine restaurants;
- (3) Snack bars;
- (4) Taverns;
- (5) Motels;
- (6) Bed and breakfasts;
- (7) Nonprofit arts organizations;
- (8) Public houses;
- (9) Grocery stores;
- (10) Beer/wine specialty shops; and
- (11) Beer/wine gift delivery shops.

NEW SECTION

WAC 314-02-010 **Definitions.** The following definitions are to clarify the purpose and intent of the rules and laws governing liquor licenses and permits. Additional definitions can be found in RCW 66.04.010.

(1) "Banquet room" means any room used primarily for the sale and service of food and liquor to private groups.

(2) "Customer service area" means areas where food and/or liquor are normally sold and served to the public, i.e., lounges and dining areas. A banquet room is not considered a customer service area.

(3) "Dedicated dining area." In order for an area to qualify as a dedicated dining area, it must be a distinct portion of a restaurant that is used primarily for the sale, service, and consumption of food, and have accommodations for eating, e.g., tables, chairs, booths, etc.

(a) Dance floors will not be considered part of a restaurant's dedicated dining area.

(b) Counters with customer seating on one side and food and beverage service on the other side are allowed in a dedicated dining area, as long as the required food service is available to patrons sitting at the counter.

(4) "Liquor" means beer, wine, or spirits (per RCW 66.04.010(19) - Definitions).

(5) "Lounge" means the portion of a restaurant used primarily for the preparation, sale, and service of liquor. Persons under twenty-one years of age are not allowed in a lounge (see RCW 66.44.316 for information on employees and professional musicians under twenty-one years of age).

NEW SECTION

WAC 314-02-015 What is a spirits, beer, and wine restaurant license? (1) Per 66.24.400, this license allows a restaurant to:

- (a) Serve spirits by the individual serving for on-premises consumption;

PROPOSED

(b) Serve beer by the opened bottle or can or by tap for on-premises consumption; and

(c) Serve wine by the individual serving for on-premises consumption (see RCW 66.24.320 regarding patrons removing recorked wine from the premises).

(2) This license prohibits licensees from selling alcohol for off-premises consumption.

(3) All applicants for a spirits, beer, and wine license must establish, to the satisfaction of the board, that the premises will operate as a bona fide restaurant. The term "bona fide restaurant" is defined in RCW 66.24.410(2).

NEW SECTION

WAC 314-02-020 What are the fee categories for a spirits, beer, and wine restaurant license? (1) Per RCW 66.24.420, the annual fee for a spirits, beer, and wine restaurant license is graduated, as follows:

Amount of customer service area dedicated to dining	Annual fee
100%	\$1,000
50 - 99%	\$1,600
Less than 50%	\$2,000

(2) The fee for a spirits, beer, and wine restaurant license outside of an incorporated city or town will be prorated according to the calendar quarters the licensee is open for business. This proration does not apply in the case of a suspension or revocation of the license.

(3) A duplicate license is required in order to sell liquor from more than one site on your property. These sites must be located on the same property and owned by the same licensee. The following types of businesses may apply for a duplicate license:

Type of Business	Annual fee per duplicate license
Airport terminal	25% of annual license fee
Civic center (such as a convention center)	\$10
Privately owned facility open to the public	\$20

NEW SECTION

WAC 314-02-025 What are the food requirements for a spirits, beer, and wine restaurant license? (1) Per RCW 66.24.410(2), the restaurant must serve complete meals. Fry orders and such food as sandwiches, hamburgers, and salads do not qualify as complete meals.

(2) The complete meals must be prepared on the restaurant premises.

(3) The restaurant must maintain the kitchen equipment necessary to prepare the complete meals.

(4) A chef or cook must be on duty while complete meals are offered.

(5) A menu must be available to customers that lists, at a minimum, the complete meals.

(6) The food items required to maintain the menu must be on the restaurant premises. These items must be edible.

(7) Restaurants that have one hundred percent dedicated dining area must maintain complete meal service any time liquor is available for sale, service, or consumption.

(8) Restaurants with less than one hundred percent dedicated dining area (restaurants in the one thousand six hundred dollar or two thousand dollar fee category) must maintain complete meal service for a minimum of five hours a day on any day liquor is served.

(a) Minimum food service, such as sandwiches, hamburgers, or fry orders, must be available outside of these hours.

(b) Snacks such as peanuts, popcorn, and chips do not qualify as minimum food service.

(9) The hours of complete meal service must be conspicuously posted on the premises or listed on the menu. If applicable, a statement that minimum food service is available outside of those hours must also be posted or listed on the menu.

NEW SECTION

WAC 314-02-030 Can a spirits, beer, and wine restaurant exclude persons under twenty-one years of age from the entire premises? (1) When applying for a license, a spirits, beer, and wine restaurant license applicant may indicate that he/she wishes to exclude persons under twenty-one years of age from the entire premises. The applicant must:

(a) Pay the appropriate annual license fee, as outlined in WAC 314-02-020; and

(b) Meet all other requirements of this license, including the food service requirements outlined in WAC 314-02-035.

(2) Restaurants that have less than fifteen percent of their total customer service area dedicated to dining must exclude persons under twenty-one years of age from the entire premises. The licensee must:

(a) Pay the two thousand dollars annual license fee; and

(b) Meet all other requirements of this license, including the food service requirements outlined in WAC 314-02-035.

(3) See WAC 314-16-025 regarding requirements for "minors prohibited" signage.

NEW SECTION

WAC 314-02-035 Can a hotel with a spirits, beer, and wine restaurant license sell liquor by the bottle to guests? (1) RCW 66.24.400 allows a spirits, beer, and wine restaurant in a hotel or club with overnight sleeping accommodations to sell liquor by the bottle to registered guests. The hotel or club must be licensed as a "transient accommodation" under chapter 70.62 RCW.

(a) The licensee must verify that the person purchasing the liquor is a registered guest who is at least twenty-one years of age.

(b) The bottle of liquor may be consumed only in a guest, hospitality, or banquet room.

(c) Guests may remove any unused portion of the bottle of liquor from the premises.

PROPOSED

(2) A spirits, beer, and wine restaurant in a hotel or club with overnight sleeping accommodations may sell liquor from honor bars, under the definitions and guidelines in WAC 314-02-075.

NEW SECTION

WAC 314-02-040 What is a beer and/or wine restaurant license? (1) Per RCW 66.24.320, this license allows a restaurant to:

Privilege	Annual fee
(a) Serve beer by the opened bottle or can or by tap for on-premises consumption.	\$200
(b) Serve wine by the individual serving for on-premises consumption (see RCW 66.24.320 regarding patrons removing recorked wine from the premises).	\$200
(c) Sell beer and/or wine in the original, unopened containers for off-premises consumption.	\$120
(d) Sell tap beer for off-premises consumption in a sanitary container holding less than four gallons of beer, and brought to the premises by the purchaser.	In conjunction with off-premises privilege outlined in subsection (c).
(e) Sell beer in kegs or other containers holding at least four gallons of beer (see WAC 314-02-110 regarding the requirements for registering kegs).	In conjunction with off-premises privilege outlined in subsection (c).

(2) All applicants for a beer and/or wine restaurant license must establish, to the satisfaction of the board, that the premises will operate as a bona fide restaurant, as defined in RCW 66.04.010(29).

(3) If a beer and/or wine restaurant's dedicated dining area comprises less than fifteen percent of the total customer service area, the premises must maintain a tavern license (see WAC 314-02-065 regarding the tavern license).

NEW SECTION

WAC 314-02-045 What are the floor space requirements to obtain and maintain a spirits, beer, and wine restaurant license or a beer and/or wine restaurant license?

(1) Licensees are responsible to establish identifiable barriers around areas that are restricted from persons under twenty-one years of age in such a way as to reasonably prevent unauthorized persons from entering the areas. "Minor prohibited" signs, as required by WAC 314-16-025, must be posted at each entrance to such areas.

(2) The applicant must provide two copies of a detailed drawing of the entire premises to be licensed, to the board's licensing and regulation division. The drawing must:

- (a) Be drawn one foot to one-quarter-inch scale;

(b) Have all rooms labeled according to their use; e.g., dining room, lounge, game room, kitchen, etc.; and

(c) Have all barriers labeled in a descriptive way; e.g., "full wall," "half wall," etc.

NEW SECTION

WAC 314-02-050 How can I reclassify my dedicated dining area to a lounge? (1) If a spirits, beer, and wine restaurant or a beer and/or wine restaurant licensee wishes to change the primary use of a dedicated dining area from the sale and service of food, the licensee must request board approval to reclassify the dining area to a lounge, thus having no persons under twenty-one years of age present (see WAC 314-02-125(1) for instructions on reclassifying a dining area).

(2) To make this change the, licensee must meet all other requirements of the license, including the food service requirements outlined in WAC 314-02-025.

NEW SECTION

WAC 314-02-055 What is a caterer's endorsement? (1) Per RCW 66.24.420(6) and 66.24.320(2), a spirits, beer, and wine restaurant and a beer and/or wine restaurant applicant or licensee may apply for a caterer's endorsement, in order to extend the on-premises license privilege to allow the sale and service of liquor at approved locations other than the licensed premises.

(2) The fee for this endorsement is three hundred fifty dollars a year.

NEW SECTION

WAC 314-02-060 What is a snack bar license? (1) Per RCW 66.24.350, a snack bar license allows a licensee to serve beer by the unopened bottle or can for on-premises consumption only.

(2) Snack bar licensees must have food available whenever beer is sold or served.

(3) The annual fee for this license is one hundred twenty-five dollars.

NEW SECTION

WAC 314-02-065 What is a tavern license? (1) Per RCW 66.24.330, this license allows a tavern to:

Privilege	Annual fee
(a) Serve beer by the opened bottle or can or by tap for on-premises consumption.	\$200
(b) Serve wine by the individual serving for on-premises consumption (see RCW 66.24.320 regarding patrons removing recorked wine from the premises).	\$200

PROPOSED

PROPOSED

Privilege	Annual fee
(c) Sell beer and/or wine in the original, unopened containers for off-premises consumption.	\$120
(d) Sell tap beer for off-premises consumption in a sanitary container holding less than four gallons of beer, and brought to the premises by the purchaser.	In conjunction with off-premises privilege outlined in subsection (c).
(e) Sell beer in kegs or other containers holding at least four gallons of beer (see WAC 314-02-110 regarding the requirements for registering kegs).	In conjunction with off-premises privilege outlined in subsection (c).

(2) A tavern licensee may not allow persons under twenty-one years of age on the premises at any time (see RCW 66.44.316 for information regarding employees and professional musicians under twenty-one years of age).

NEW SECTION

WAC 314-02-070 What is a motel license? (1) Per RCW 66.24.540, a motel license allows a motel to:

(a) Sell liquor in locked honor bars in no more than one-half of its guest rooms, provided that:

(i) Rooms are rented to guests, at a minimum, on a daily rental basis; and

(ii) Each honor bar also contains snack food; and

(b) Provide beer and wine by the individual serving to overnight guests of the motel, without additional charge, for on-premises consumption at a specified regular date, time, and place (such as a hospitality room). Patrons may not self-serve during these functions.

(2) The motel must be licensed as a "transient accommodation" per chapter 70.62 RCW.

(3) The annual fee for this license is five hundred dollars.

NEW SECTION

WAC 314-02-075 What are the requirements for a motel licensee or a hotel with a spirits, beer, and wine restaurant license to sell liquor in honor bars? For the purposes of this chapter, an "honor bar" is a cabinet, box, cooler, or refrigerator in a guest room that can be opened only with a key, combination, magnetic card, or similar devise. The following requirements apply to the use of an honor bar:

(1) The licensee must require proof of age before providing a guest access to an honor bar. The guest must sign a declaration, under penalty of perjury, verifying that:

(a) The guest is twenty-one years of age or older; and

(b) No one under twenty-one years of age will have access to the liquor in the honor bar.

(2) The honor bars must remain locked whenever the room is rented to a guest under twenty-one years of age.

(3) All liquor stored on the licensed premises must be either locked in an honor bar or locked in a secured liquor storage room.

(4) No person under twenty-one years of age may have access to the honor bars, liquor storage rooms, or keys, combinations, etc., to the locked honor bars or storage rooms.

(5) A honor bar or storage room may only be replenished during those hours when liquor may legally be sold (not between 2:00 a.m. and 6:00 a.m.), and only by employees who are twenty-one years of age or older. Beer and wine wholesalers may deliver, price, and stock product only in storage rooms.

(6) Liquor in honor bars may only be sold in individual containers in the following sizes:

(a) Spirits - not to exceed fifty milliliters;

(b) Beer - not to exceed twelve ounces; and

(c) Wine - not to exceed one hundred eighty-seven milliliters.

NEW SECTION

WAC 314-02-080 What is a bed and breakfast permit? (1) Per RCW 66.20.010(11), this permit allows a bed and breakfast lodging facility to serve beer or wine without charge to overnight guests, for consumption on the premises.

(2) RCW 66.20.010(11) defines a "bed and breakfast" as a hotel or similar facility offering from one to eight lodging units and breakfast to travelers or guests.

(3) The annual fee for this permit is seventy-five dollars.

NEW SECTION

WAC 314-02-085 What is a nonprofit arts organization license? (1) Per RCW 66.24.495, this license allows a bona fide nonprofit organization to sell beer, wine, and spirits by the individual serving in conjunction with artistic or cultural exhibitions or performances.

(2) The nonprofit organization must be organized and operated for the purpose of providing artistic or cultural exhibitions, presentations, or performances or cultural or art education programs for viewing by the general public. See RCW 66.24.495(2) for specific organizational requirements.

(3) The fee for this license is two hundred fifty dollars a year.

NEW SECTION

WAC 314-02-090 What is a public house license? (1) Per RCW 66.24.580, a public house licensee is allowed to:

(a) Manufacture between two hundred fifty gallons and two thousand four hundred barrels of beer on the premises;

(b) Serve beer by the opened bottle or can or by tap for on-premises consumption; and

(c) Serve wine by the individual serving for on-premises consumption (see RCW 66.24.320 regarding patrons removing recorked wine from the premises).

(2) The annual fee for this license is one thousand dollars.

(3) If a public house licensee wishes to allow persons under twenty-one years of age on the premises, the licensee must meet the requirements of a beer and/or wine restaurant license, per WAC 314-02-040 and 314-02-045.

(4) Public house licensees may apply for a spirits, beer, and wine restaurant license, in order to sell spirits by the individual serving for on-premises consumption (see WAC 314-02-015).

NEW SECTION

WAC 314-02-095 What is a grocery store license? (1) Per RCW 66.24.360, a grocery store license allows a licensee to sell beer and/or wine for off-premises consumption.

(2) The annual fee for this license is one hundred fifty dollars.

(3) In order to obtain and maintain a grocery store license, the premises must be stocked with an inventory of at least three thousand dollars wholesale value of food for human consumption, not including soft drinks, beer, or wine. This minimum inventory must:

(a) Be stocked within the confines of the licensed premises; and

(b) Be maintained at the premises at all times the business is licensed, with the exception of:

(i) The beginning and closing inventory for seasonal operations; or

(ii) When the inventory is being sold out immediately prior to discontinuing or selling the business.

(4) A grocery store licensee may sell beer in kegs or other containers holding at least four gallons and less than five and one-half gallons of beer. See WAC 314-02-110 regarding keg registration requirements.

(5) A grocery store applicant or licensee may apply for an international exporter endorsement for five hundred dollars a year, which allows the sale of beer and wine to locations outside the United States.

NEW SECTION

WAC 314-02-100 What is a beer and/or wine specialty store license? (1) Per RCW 66.24.371, a beer and/or wine specialty store license allows a licensee to sell beer and/or wine for off-premises consumption.

(2) The annual fee for this license is one hundred dollars.

(3) The following requirements must be met to obtain and maintain a beer and/or wine specialty store license:

(a) The premises must be stocked with an inventory of beer and/or wine in excess of three thousand dollars wholesale value. This inventory must be:

(i) Stocked within the confines of the licensed premises; and

(ii) Maintained on the premises at all times the premises is licensed, with the exception of beginning and closing inventory for seasonal operations or when the inventory is being sold out immediately prior to discontinuing or selling the business.

(b) The primary business must be the sale of beer and/or wine at retail. A licensee's gross retail sales of beer and/or wine must exceed fifty percent of all gross sales for the entire business.

(4) A beer and/or wine specialty store licensee may allow customers to sample beer and wine for the purpose of sales promotion, under the following conditions:

(a) Each sample must be two ounces or less;

(b) No more than four samples may be provided to a customer during any one visit to the premises; and

(c) No more than one sample of any single brand and type of beer or wine may be provided to a customer during any one visit to the premises.

(5) A beer and/or wine specialty store licensee may sell beer in kegs or other containers holding at least four gallons and less than five and one-half gallons of beer. See WAC 314-02-110 regarding keg registration requirements.

NEW SECTION

WAC 314-02-105 What is a beer and/or wine gift delivery license? (1) Per RCW 66.24.550, a beer and/or wine gift delivery license allows a business that is primarily engaged in the retail sale of gifts or flowers to deliver beer and/or wine in bottles or original packages. The beer or wine must be delivered in conjunction with the gifts or flowers.

(2) The annual fee for this license is seventy-five dollars.

(3) An applicant must meet the following requirements to obtain and maintain a beer and/or wine gift delivery license:

(a) The business must be primarily engaged in the retail sale of gifts or flowers. In order to determine that the business meets this qualification, the board may inspect an applicant's or licensee's inventory, sales figures, and business records.

(b) A beer and/or wine gift delivery licensee may not hold any other class of liquor license.

NEW SECTION

WAC 314-02-110 What are the requirements for licensees that sell keg beer? Per RCW 66.28.200 and 66.28.210, any licensee who sells beer for off-premises consumption in kegs or other containers holding four or more gallons of beer must:

(1) Require the purchaser to provide at least one piece of identification (see RCW 66.16.040 for acceptable forms of identification); and

(2) The licensee or employee and purchaser must fill out a keg registration form, provided by the board, which contains:

(a) The name and address of the purchaser;

(b) The type and number of the identification presented by the purchaser;

(c) The address where the beer will be consumed and the date on which it will be consumed; and

(d) A sworn statement, signed by the purchaser under penalty of perjury, that the purchaser:

(i) Is at least twenty-one years of age;

(ii) Will not allow persons under twenty-one years of age to consume the beer purchased;

(iii) Will not remove or obliterate the keg registration form affixed to the keg or allow it to be removed or obliterated; and

(iv) The address listed in (c) of this subsection is the true and correct address at which the beer will be consumed or physically located.

PROPOSED

(3) It is the licensee's or employee's responsibility to distribute the properly completed keg registration form as follows:

(a) One copy to the purchaser;

(b) One copy affixed to the keg or container holding four gallons or more of beer, prior to it leaving the licensed premises; and

(c) One copy must be retained on the licensed premises for one year, available for inspection and copying by any law enforcement officer.

(4) Possession of a keg or other container which holds four gallons or more of beer without a properly completed keg registration form affixed to it, other than on the licensee's premises, will be a violation of this title.

NEW SECTION

WAC 314-02-115 How do licensees get keg registration forms? (1) The board will provide keg registration forms free-of-charge to licensees who hold a beer restaurant or tavern license in combination with an off-premises beer and/or wine license.

(2) Licensees who hold only an off-premises beer and wine license must purchase the keg registration forms from

Type of alteration

(1)

- reclassifying a dining area to a lounge;
- reclassifying a lounge as open to persons under twenty-one years of age;
- extending the location of alcohol service, such as a beer garden or patio/deck service (areas must be enclosed with a barrier a minimum of forty-two inches in height);
- storing liquor off of the licensed premises;
- initiating room service in a hotel or motel when the restaurant is not connected to the hotel or motel;
- installing a pass-through window for walk-up customers; and
- using a licensed premises as an access to another business.

(2)

- any alteration that affects the total size of a premises; and
- any alteration that affects the size of a dedicated dining area or lounge.

their local board enforcement office for four dollars per book of twenty-five forms.

NEW SECTION

WAC 314-02-120 What types of activities on a licensed premises require notice to the board? Liquor licensees must notify their local enforcement office in writing at least forty-eight hours before conducting the following activities:

(1) Male/female dance reviews, subject to the provisions of WAC 314-16-125;

(2) Live boxing or wrestling;

(3) Contests with patron participation; and

(4) Hours of operation in between 2:00 a.m. and 6:00 a.m. for licensees that sell liquor for on-premises consumption.

NEW SECTION

WAC 314-02-125 What types of changes to a licensed premises require board approval? The following changes to a licensed premises require prior board approval, by submitting a form provided by the board's licensing and regulation division:

Approval process and timeline

- (a) The board's licensing and regulation division will respond to the request for alteration within five business days.
- (b) The licensee may begin liquor service in conjunction with the alteration as soon as approval is received.
- (c) Board approval will be based on the alteration meeting the requirements outlined in this title.

(a) The board's licensing and regulation division will respond to the licensee's request for alteration within five business days.

(b) The licensee must contact their local liquor control agent when the alteration is completed.

(c) The licensee may begin liquor service in conjunction with the alteration after the completed alteration is inspected by the liquor control agent.

(d) Board approval will be based on the alteration meeting the requirements outlined in this title.

WSR 99-23-108
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed November 17, 1999, 11:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-15-107 on July 21, 1999.

Title of Rule: Safety standards for agriculture, chapter 296-307 WAC, Temporary labor camps, WAC 296-307-161 Temporary worker housing (Part L) and 296-307-163 Cherry harvest camps (Part L1).

Purpose: The 1999 legislature passed ESSB 5599 (chapter 374, Laws of 1999) requiring the Department of Labor and Industries (L&I) and the Department of Health (DOH) to adopt joint rules for the licensing, operation, and inspection of temporary worker housing and the enforcement of these rules. ESSB 5599 also removes temporary worker housing responsibilities from the State Board of Health and directs the agencies to establish standards for cherry harvest camps. Cherry harvest standards may include some variation from standards that are necessary for longer occupancies, provided they are as effective as the standards adopted by WISHA.

Beginning in June 1999 an L&I/DOH joint project team with OSHA representation has been meeting regularly and has developed the proposed wording for the temporary worker housing rule and the cherry harvest rule. During the development of the wording, the joint project team met twice with grower and worker advocates and a third time with the advocates and the public to gather their input. Using the Washington Interactive Television, one public hearing will be held simultaneously in four locations (Wenatchee, Yakima, Tri-Cities, and Mount Vernon) on January 6, 2000. The current WAC 296-307-160 Temporary labor camps is being repealed in its entirety and reissued under WAC 296-307-161 Temporary worker housing and WAC 296-307-163 Cherry Harvest Camps to improve usability and clarity. Current Department of Health requirements have been incorporated into the temporary worker housing and cherry harvest rules.

- REPEALED SECTIONS:** WAC 296-307-160 Temporary labor camps.
- WAC 296-307-16001 What requirements apply to camp sites?
- Requirements have been moved to WAC 296-307-16125.
- WAC 296-307-16003 How must camp shelters be constructed?
- Requirements have been moved to WAC 296-307-16140.
 - To delete the requirement that in a family unit, the husband and wife must have a separate sleeping area whenever living with one or more children over six years old.
- WAC 296-307-16004 What electricity must be provided for temporary labor camps?
- Requirements have been moved to WAC 296-307-16165.

- WAC 296-307-16005 What requirements apply to the water supply?
- Requirements have been moved to WAC 296-307-16130.
- WAC 296-307-16007 Must an employer provide toilet facilities for the camp?
- Requirements have been moved to WAC 296-307-16155.
- WAC 296-307-16009 Must sewer lines connect to public sewers?
- Requirements have been moved to WAC 296-307-16135.
- WAC 296-307-16011 What facilities must an employer provide for laundry, handwashing, and bathing?
- Requirements have been moved to WAC 296-307-16130, 296-307-16145, and 296-307-16150.
- WAC 296-307-16013 What lighting must an employer provide in camp buildings?
- Requirements have been moved to WAC 296-307-16165.
- WAC 296-307-16015 What requirements apply to refuse disposal?
- Requirements have been moved to WAC 296-307-16180.
- WAC 296-307-16017 What cooking and food-handling facilities must be provided in temporary labor camps?
- Requirements have been moved to WAC 296-307-16160 and 296-307-16165.
- WAC 296-307-16019 Must an employer provide insect and rodent control?
- Requirements have been moved to WAC 296-307-16185.
- WAC 296-307-16021 What first-aid facilities must be available in the camp?
- Requirements have been moved to WAC 296-307-16175.
- WAC 296-307-16023 When must an employer report communicable diseases in a camp?
- Requirements have been moved to WAC 296-307-16190.
- NEW SECTIONS:** WAC 296-307-161 Temporary worker housing.
- WAC 296-307-16101 Purpose and applicability.
- To specify that the purpose of the rule is for temporary worker housing.
 - To provide a reference that the requirements for cherry harvest camps using tents are in WAC 296-307-163 Cherry harvest camps.
 - To specify that operators with nine or less occupants are not required to be licensed under this chapter.
 - To specify that operators with at least one employee are still required to comply with WISHA standards.
 - To provide a reference for Department of Health licensing, on-site survey, water test fees.
- WAC 296-307-16103 Definitions.
- To list definitions applicable to temporary worker housing.
- WAC 296-307-16105 Operating license.
- Requirements moved from current Department of Health requirements.

PROPOSED

- To clarify requirements that specify when an operator must request a temporary worker-housing license from the Department of Health.
- To clarify requirements that must be met when requesting an operating license.
- To clarify requirements that specify when the operating license will be issued.
- To clarify requirements that specify when temporary worker housing may be allowed without a renewed license.
- To clarify requirements that specify when an interim operating license may be issued.
- To clarify requirements that require the posting of the operating license in a readily accessible place, notify the Department of Health of a transfer of ownership, and cooperation with the Department of Health or health officer during on-site inspections.

WAC 296-307-16110 Requirements for self-survey program.

Requirements moved from current DOH requirements.

- To clarify requirements that specify participation in the self-survey program.
- To clarify requirements for remaining in the self-survey program.
- To clarify requirements that specify for a change of ownership and continuation within the self-survey program.

WAC 296-307-16115 Maximum housing occupancy.

Requirements moved from current DOH requirements.

- To clarify requirements for the determination of maximum occupancy for operator supplied housing.
- To clarify requirements for the determination of maximum occupancy for worker supplied housing.

WAC 296-307-16120 Variance and procedure.

- To add requirements that specifies the variance application and authority for approval process.

WAC 296-307-16125 Temporary worker housing sites.

Requirements moved from WAC 296-307-16001 and incorporate current DOH requirements.

- To clarify requirements that specify what must be considered to locate and operate a temporary worker housing site.
- To clarify requirements that specify the development and implementation of a temporary worker housing management plan.
- To clarify requirements that specify closing the temporary worker housing for the season or permanently.

WAC 296-307-16130 Water supply.

Requirements moved from WAC 296-307-16005 and incorporate current DOH requirements.

- To clarify requirements that the water system must be approved as a Group A public water system or a Group B water system.
- To clarify requirements that an adequate and convenient hot and cold water supply must be provided for drinking, cooking, bathing, and laundry purposes.
- To clarify requirements that the water distribution lines must be able to maintain the working piping system at not less than fifteen pounds per square inch after allowing for friction and other pressure losses.
- To clarify a definition of an "adequate water supply."

- To clarify requirements that cold, potable, running water under pressure must be within one hundred (100) feet of each dwelling, when water is not piped to the dwelling.
- To clarify requirements that specify one or more drinking fountains for each 100 occupants or fraction thereof if water sources are not available in each individual dwelling unit.
- To clarify requirements that specify the posting of a sign indicating that the water is unsafe for drinking purposes.

WAC 296-307-16135 Sewage disposal.

Requirements moved from WAC 296-307-16035 and incorporated current DOH requirements.

- To clarify requirements that sewage disposal systems must be in accordance with local health jurisdictions.
- To clarify requirements that all drain, waste and vent systems are connected to public sewers, if available, or to approved on-site disposal systems.

WAC 296-307-16140 Electricity and lighting.

Requirements moved from WAC 296-307-16004 and 296-307-16013 and incorporated current DOH requirements.

- To clarify requirements that electricity be in all dwelling units, kitchen facilities, shower/bathroom facilities, common areas and laundry facilities.
- To clarify requirements that electrical wiring and equipment meet electrical standards and building codes.
- To clarify requirements that each habitable room in a camp has one ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet.
- To clarify requirements that laundry and toilet rooms, shower/bathrooms, and rooms where people congregate have at least one ceiling-type or wall-type fixture.
- To clarify requirements that general lighting and task lighting must be adequate.
- To clarify requirements that wiring and fixtures are installed in accordance with applicable codes, ordinances, etc.
- To add requirements that an operator must provide adequate lighting to allow safe passage for camp occupants to handwashing sinks and toilets.

WAC 296-307-16145 Building requirements and maintenance.

Requirements moved from WAC 296-307-16003 and incorporate current DOH requirements.

- To clarify requirements that buildings are constructed to provide protection against the elements and comply with the state building code and local ordinances, etc.
- To add the wording that any shelter meeting these requirements is acceptable.
- To clarify requirements that a number is posted to identify each dwelling unit.
- To clarify requirements that buildings are maintained in good repair and sanitary condition.
- To clarify requirements that a ceiling height of at least seven feet and include a method of measuring ceilings that are sloped.

- To clarify requirements that at least 70 square feet of floor space for one occupant and 50 square feet for each additional occupant.
- To clarify requirements that floors are tightly constructed in accordance with the State Building Code are in good repair.
- To clarify requirements that wooden floors are at least one foot above ground level or meet the requirements of the State Building Code.
- To clarify requirements for a habitable room.
- To clarify requirements that all exterior openings and screen doors are screened and that screen doors have self-closing devices.
- To clarify requirements that all heating, cooking and water heating equipment is installed in accordance to state and local ordinances, codes, etc.
- To clarify requirements that adequate heating in habitable rooms, including bathrooms, are used during cold weather.
- To add requirements that operators ensure that all recreational vehicles and park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

WAC 296-307-16150 Laundry facilities.

Requirements moved from WAC 296-307-16011 and incorporate current DOH requirements.

To clarify requirements that an operator must provide:

- One laundry tray or tub for every 30 persons,
- Facilities for drying clothes,
- Sloped, coved floors of nonslip materials with floor drains, and
- Laundry facilities in a clean and sanitary condition.

WAC 296-307-16155 Handwashing and bathing facilities.

Requirements moved from WAC 296-307-16011 and incorporate current DOH requirements.

- To clarify requirements for the operator to provide handwash sink, showerheads, and a service sink.
- To clarify requirements that floors must be sloped and coved of nonslip impervious materials.
- To clarify requirements for shower rooms and floor drains.
- To clarify requirements for cleanable and nonabsorbent waste containers.
- To clarify requirements that centralized bathing and handwashing facilities be maintained in a clean and sanitary condition.
- To clarify requirements that occupants be requested to maintain bathing and handwashing facilities in family dwellings in a clean and sanitary condition.

WAC 296-307-16160 Toilet facilities.

Requirements moved from WAC 296-307-16007 and incorporate current DOH requirements.

- To clarify requirements for general toilet facilities, centralized toilet facilities, and individual family/unit dwelling facilities.

WAC 296-307-16165 Cooking and food-handling facilities.

Requirements moved from WAC 296-307-16017 and incorporate current DOH requirements.

- To clarify requirements that an operator must provide food-handling facilities for all occupants.

- To clarify requirements for common food-handling facilities.
- To clarify requirements that centralized dining hall facilities comply with chapter 246-215 WAC, Food service.
- To add requirements for two cubic feet of refrigeration per occupant.
- To add requirements for two cubic feet of dry food storage space per occupant.

WAC 296-307-16170 Cots, beds, bedding and personal storage.

Requirements moved from WAC 296-307-16003 and incorporated current DOH requirements.

- To clarify requirements for providing beds, cots or bunks.
- To clarify requirements to provide suitable storage facilities for clothing and personal articles.

WAC 296-307-16175 First aid and safety.

Requirements moved from WAC 296-307-16021 and incorporated current DOH requirements.

- To clarify requirements concerning pesticides and flammable, volatile, or toxic substances not intended for household use.
- To clarify requirements that a first-aid qualified person and equipment are available.
- To clarify requirements that unused refrigerator units are stored or removed to prevent access by children.

WAC 296-307-16180 Refuse disposal.

Requirements moved from WAC 296-307-16015 and incorporated current DOH requirements.

- To clarify requirements for handling refuse, rodent harborage, insect breeding and other health hazards.

WAC 296-307-16185 Insect and rodent control.

Requirements moved from WAC 296-307-16019 and incorporated current DOH requirements.

- To clarify requirements for effective measures to prevent and control insect and rodent infestation.

WAC 296-307-16190 Disease prevention and control.

Requirements moved from WAC 296-307-16023 and incorporated current DOH requirements.

- To clarify requirements for reporting any individual known to have or suspected of having a communicable disease or various sickness.

Chapter 296-307 WAC, Part L1, Cherry Harvest Camps.

WAC 296-307-163 Cherry harvest camps.

WAC 296-307-16301 Purpose and applicability.

- To specify that the purpose of the rule is for cherry harvest camps using tents for employee dwellings during the cherry harvest season.
- To provide a reference that the requirements for other type dwellings are in accordance with WAC 296-307-161 Temporary worker housing.
- To specify requirements that operators with ten or more occupants are required to be licensed under this chapter.
- To specify requirements that operators with at least one employee are still required to comply with WISHA standards.

WAC 296-307-16303 Definitions.

- To specify definitions applicable to cherry harvest camps.

WAC 296-307-16305 Technical assistance.

- To specify that technical assistance is available from the Department of Health and the Department of Labor and Industries.

WAC 296-307-16310 Operating license.

- To specify requirements when an operator must request a cherry harvest camp license from the Department of Health.
- To specify requirements that must be met in the request for an operating license.
- To specify requirements when the operating license will be issued.
- To specify requirements when temporary worker housing may be allowed without a renewed license.
- To specify requirements when an interim operating license may be issued.
- To specify requirements for posting of the operating license in a readily accessible place, notify the Department of Health of a transfer of ownership, and cooperation with the Department of Health or health officer during on-site inspections.

WAC 296-307-16315 Maximum housing occupancy.

- To specify requirements for the determination of maximum occupancy for a cherry harvest tent.

WAC 296-307-16320 Variance and procedure.

- To specify requirements for the variance application and authority for approval process.

WAC 296-307-16325 Cherry harvest campsites.

- To specify requirements for the operator to locate and operate a site to prevent a health or safety hazard.
- To specify requirements for the development and implementation of a cherry harvest camp management plan.
- To specify requirements for the operator to complete certain requirements when closing the camp for the season or permanently.

WAC 296-307-16330 Water supply.

- To specify requirements that the water system is approved as a Group A public water system or a Group B water system.
- To specify requirements that an adequate and convenient hot and cold water supply is provided for drinking, cooking, bathing, and laundry purposes.
- To specify requirements that the water distribution lines are able to maintain an adequate water supply.
- To specify a definition of an "adequate water supply."
- To specify requirements for cold, potable, running water under pressure within one hundred feet of each dwelling, when water is not piped to the dwelling.
- To specify requirements for one or more drinking fountains for each 100 occupants or fraction thereof if water sources are not available in each individual dwelling unit.
- To specify requirements for the posting of a sign indicating that the water is unsafe for drinking purposes.

WAC 296-307-16335 Sewage disposal.

- To specify requirements for sewage disposal systems in accordance with local health jurisdictions.
- To specify requirements that all drain, waste and vent systems are connected to public sewers, if available, or to approved on-site disposal systems.

WAC 296-307-16340, Electricity and lighting.

- To specify requirements for electricity in all dwelling units, kitchen facilities, bathroom facilities and common areas and laundry facilities.
- To specify requirements that electrical wiring and equipment meet electrical standards and building codes.
- To specify requirements that each individual tent in a camp have one ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet.
- To add a requirement for a dedicated electrical outlet for an operator provided refrigerator in the tent.
- To specify requirements that laundry and toilet rooms and rooms where people congregate have a least one ceiling-type or wall-type fixture.
- To specify requirements that general lighting and task lighting be adequate.
- To specify requirements that wiring and fixtures are installed in accordance with applicable codes, ordinances, etc.
- To add requirement that a carbon monoxide monitor must be provided and located not more than 30 inches from the floor if using two or more propane, butane, or white gas lighting appliances.
- To add requirements that an operator must provide adequate lighting to allow safe passage for camp occupants to handwashing sinks and toilets.
- To add requirement for adequate lighting for shower rooms during hours of operation.
- To specify that lighting requirements may be met by natural or artificial means.
- To specify lighting requirements in tents must be adequate to carry on normal daily activities.

WAC 296-307-16345 Tents.

- To add requirements for structural stability and floors.
- To add requirements that floors must be smooth, flat, and without breaks or holes to provide a hard, stable walking surface.
- To specify that nonrigid flooring supported by grass, dirt, soil, gravel, etc., are not acceptable.
- To add requirements for flame-retardant treatments for all tent fabrics.
- To add requirements for a means of egress.
- To add requirements for specific floor space per occupant.
- To add requirements for specific ceiling height.
- To add requirements for windows and ventilation.

WAC 296-307-16350 Recreation vehicles.

- To specify requirements that an operator must ensure all recreational vehicles and park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

WAC 296-307-16355 Laundry facilities.

- To specify requirements for an operator to provide:
 - One laundry tray or tub for every 30 persons,

- Facilities for drying clothes,
- Sloped, coved floors of nonslip materials with floor drains, and
- Laundry facilities in a clean and sanitary condition.

WAC 296-307-16360 Handwashing and bathing facilities.

- To specify requirements for the operator to provide handwash sink, showerheads, and a service sink.
- To specify that handwash sinks must be adjacent to toilets.
- To specify requirements relating to sloped and coved floors of nonslip impervious materials.
- To specify the requirements for shower rooms and floor drains.
- To specify cleanable and nonabsorbent waste containers.
- To specify that centralized bathing and handwashing facilities are maintained in a clean and sanitary condition.
- To specify that occupants be requested to maintain bathing and handwashing facilities in family dwellings in a clean and sanitary condition.

WAC 296-307-16365 Toilet facilities.

- To specify requirements for general toilet facilities, centralized toilet facilities, and the location of toilet rooms.

WAC 296-307-16370 Cooking and food-handling facilities.

- To specify requirements for when an operator provides food-handling facilities for all occupants.
- To add requirement for at least one cooking surface for every four occupants in common food-handling facilities and in tents.
- To specify requirements for cooking in tents and common food-handling facilities.
- To specify requirements that centralized dining hall facilities comply with chapter 246-215 WAC, Food service.
- To add requirements for one cubic foot of refrigeration per occupant.
- To add requirements for two cubic feet of dry food storage space per occupant.

WAC 296-307-16375 Cots, beds, bedding and personal storage.

- To specify requirements for providing beds, cots or bunks.
- To specify requirements for when bunk beds are provided.
- To specify requirements to provide storage facilities for clothing and personal articles.
- To add requirements that cots, beds or bunks be located at least 30 inches or more from cooking surfaces.

WAC 296-307-16380 First aid and safety.

- To specify requirements concerning pesticides and flammable, volatile, or toxic substances not intended for household use.
- To specify requirements that a first aid qualified person and equipment are available.
- To specify requirements that unused refrigerator units are stored or removed to prevent access by children.

WAC 296-307-16385 Refuse disposal.

- To specify requirements for handling refuse, rodent harborage, insect breeding and other health hazards.

WAC 296-307-16390 Insect and rodent control.

- To specify requirements for effective measures to prevent and control insect and rodent infestation.

WAC 296-307-16395 Disease prevention and control.

- To specify requirements for the reporting of any individual known to have, or suspected of having, a communicable disease or various sickness.

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040, [49.17].050, and ESSB 5599, chapter 374, Laws of 1999.

Statute Being Implemented: Chapter 49.17 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

Name of Proponent: Department of Labor and Industries and the Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

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

Small Business Economic Impact Statement

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 99-24 issue of the Register.

A copy of the statement may be obtained by writing to Greg Nothstein, Legislative Economist, Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001.

RCW 34.05.328 applies to this rule adoption. ESSB 5599 (chapter 374, Laws of 1999) requires the Department of Labor and Industries and the Department of Health to adopt joint rules for the licensing, operation, and the inspection of temporary worker and cherry harvest housing and the enforcement of these rules. Though RCW 34.05.328 (5)(b)(iii) and (v) exempts this rule from the significant legislative rule analysis, the Department of Labor and Industries voluntarily applied this analysis.

Hearing Location: On January 6, 2000, at 1:00 p.m.; (Note: Public hearing is to be held simultaneously via Washington Interactive Television) at the Yakima Site: DIS Interactive Technologies, c/o Department of Ecology, Yesterday's Village, 15 West Yakima Avenue, Suite 220, Yakima, WA 98902; at the Everett Site: Everett Community College, Olympus Hall, Room 205, 801 Wetmore Avenue, Everett, WA 98201; at the Tri-Cities Site: DIS Interactive Technologies, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336; and at the Wenatchee Site: Wenatchee Valley Community College, Batjer Hall, Room 8038, 1300 5th Street, Wenatchee, WA 98801.

Assistance for Persons with Disabilities: Contact Josh Swanson by December 23, 1999, at (360) 902-5484.

Submit Written Comments to: Tracy Spencer, Standards Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98507-4620, by 5:00 p.m. on January 6, 2000. In addition to written comments, the department will accept comments submitted to fax (360) 902-5529. Comments submitted by fax must be ten pages or less.

Date of Intended Adoption: No earlier than February 1, 2000.

November 17, 1999

Gary Moore

Director

Part L

Temporary Worker Housing

NEW SECTION

WAC 296-307-161 Temporary worker housing.

NEW SECTION

WAC 296-307-16101 Purpose and applicability. (1) Purpose. This part is adopted by the Washington state department of labor and industries to implement the provisions of chapter 49.17 RCW and establish minimum health and safety requirements for temporary worker housing.

(2) Applicability.

(a) This part applies only to operators of temporary worker housing. Operators using tents within the cherry harvest season must refer to WAC 296-307-163, Part L-1, or chapter 246-361 WAC.

(b) Operators with ten or more occupants are required to be licensed under this chapter. Operators with one or more employees are required to comply with WISHA standards.

(c) For department of health licensing, on-site survey, water test fees, etc., see WAC 246-358-990.

NEW SECTION

WAC 296-307-16103 Definitions. For the purposes of this part, the following words and phrases will have the following meanings unless the context clearly indicates otherwise:

"Agricultural employee" means any person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

"Agricultural employer" means any person engaged in agricultural activity, including the growing, producing, or harvesting of farm or nursery products, or engaged in the forestation or reforestation of lands, which includes but is not limited to the planting, transplanting, tubing, precommercial thinning, and thinning of trees and seedlings, the clearing, piling, and disposal of brush and slash, the harvest of Christmas trees, and other related activities.

"Building" means any structure used or intended to be used for supporting or sheltering any use or occupancy that

may include cooking, eating, sleeping, and sanitation facilities.

"Common food-handling facility" means an area designated by the operator for occupants to store, prepare, cook, and eat their own food supplies.

"Current certificate (first aid)" means a first-aid training certificate that has not expired.

"Department" means the Washington state department of health and/or the department of labor and industries.

"Dining hall" means a cafeteria-type eating place with food furnished by and prepared under the direction of the operator for consumption, with or without charge, by occupants.

"Drinking fountain" means a fixture equal to a nationally recognized standard or a designed-to-drain faucet, which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

"Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

- Provided and designated by the operator as either a sleeping area, living area, or both, for occupants; and
- Physically separated from other sleeping and common-use areas.

"First-aid qualified" means that the person holds a current certificate of first-aid training from the American Red Cross or another course with equivalent content or hours.

"Food-handling facility" means a designated, enclosed area for preparation of food.

"Group A water system" means a public water system and includes community and noncommunity water systems.

(a) A community water system means any Group A water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

(b) A noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) water system that provides service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) Transient (TNC) water system that serves:

- Twenty-five or more of the same people each day for sixty or more days within a calendar year;
- Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days within a calendar year; or
- One thousand or more people for two or more consecutive days within a calendar year.

"Group B water system" means a public water system:

(a) Constructed to serve less than fifteen residential services regardless of the number of people; or

(b) Constructed to serve an average nonresidential population of less than twenty-five per day for sixty or more days within a calendar year; or

PROPOSED

(c) Any number of people for less than sixty days within a calendar year.

"Habitable room" means a room or space in a structure with a minimum seven-foot ceiling used for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

"Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW or appointed as the director of public health of a combined city-county health department under chapter 70.08 RCW.

"Livestock" means horses, cows, pigs, sheep, goats, poultry, etc.

"Livestock operation" means any place, establishment, or facility consisting of pens or other enclosures in which livestock is kept for purposes including, but not limited to, feeding, milking, slaughter, watering, weighing, sorting, receiving, and shipping. Livestock operations include, among other things, dairy farms, corrals, slaughterhouses, feedlots, and stockyards. Operations where livestock can roam on a pasture over a distance may be treated as outside the definition.

"MSPA" means the Migrant and Seasonal Agricultural Worker Protection Act (96 Stat. 2583; 29 U.S.C. Sec. 1801 et seq.).

"Occupant" means a temporary worker or a person who resides with a temporary worker at the housing site.

"Operating license" means a document issued annually by the department of health or contracted health officer authorizing the use of temporary worker housing.

"Operator" means a person holding legal title to the land on which temporary worker housing is located. However, if the legal title and the right to possession are in different persons, "operator" means a person having the lawful control or supervision over the temporary worker housing.

"Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use, that meets the following criteria:

- Built on a single chassis, mounted on wheels;
- Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and
- Certified by the manufacturer as complying with ANSI A119.5.

"Recreational vehicle" means a vehicular-type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive of power or is mounted on, or towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers, but does not include pickup trucks with camper shells, canopies, or other similar coverings.

"Refuse" means solid wastes, rubbish, or garbage.

"Temporary worker" means an agricultural employee employed intermittently and not residing year-round at the same site.

"Temporary worker housing" or **"housing"** means a place, area, or piece of land where sleeping places or housing

sites are provided by an agricultural employer for agricultural employees or by another person, including a temporary worker housing operator, who is providing such accommodations for employees for temporary, seasonal occupancy.

"WISHA" means the Washington Industrial Safety and Health Act, chapter 49.17 RCW, administered by the Washington state department of labor and industries.

NEW SECTION

WAC 296-307-16105 Operating license. The operator:

(1) Must request a license from the department of health or health officer when:

(a) Housing consists of:

(i) Five or more dwelling units; or

(ii) Any combination of dwelling units, or spaces that house ten or more occupants.

(b) Compliance with MSPA requires a license.

(c) Construction of camp buildings requires a license under chapter 246-359 WAC, Temporary worker housing construction standard.

(2) Must apply for an operating license at least forty-five days prior to either the use of housing or the expiration of an existing operating license by submitting to the department or health officer:

(a) A completed application on a form provided by the department or health officer;

(b) Proof the water is current with all water tests required by chapters 246-290 or 246-291 WAC; and

(c) A fee as specified in WAC 246-358-990.

(3) Will receive an operating license for the maximum number of occupants as determined by WAC 246-358-029 when:

(a) The application requirements from subsection (2) of this section are met;

(b) The housing is in compliance with this chapter as demonstrated by:

(i) A licensing survey completed by the department; or

(ii) A self-survey completed by the operator and approved by the department.

(4) May allow the use of housing without a renewed license when all of the following conditions exist:

(a) The operator applied for renewal of an operating license in accordance with subsection (2) of this section at least forty-five days before occupancy, as evidenced by the post mark;

(b) The department or health officer has not inspected the housing or issued an operating license;

(c) Other local, state, or federal laws, rules, or codes do not prohibit use of the housing; and

(d) The operator provides and maintains housing in compliance with this chapter.

(5) Must post the operating license in a place readily accessible to occupants of the housing.

(6) Must notify the department of a transfer of ownership.

(7) Must cooperate with the department or health officer during on-site inspections.

PROPOSED

NEW SECTION

WAC 296-307-16110 Requirements for self-survey program. If a licensed operator meets the requirements provided in this section, then the operator may participate in the self-survey program. This means an operator is allowed to conduct a self-survey for two years. On the third year the department will conduct an on-site verification survey to assure compliance with this chapter and determine if the temporary worker housing still meets the requirements of the self-survey program.

(1) To be in the self-survey program the operator must:

(a) Meet the requirements of WAC 246-358-025;

(b) Not have had any valid complaints;

(c) Have had two consecutive years without any deficiencies or have had only very minor deficiencies (for example one or two screens torn, missing a few small trash cans, etc.); and

(d) Be recommended by the health surveyor.

(2) For a licensed operator to remain in the self-survey program the licensed operator:

(a) Must continue to comply with subsection (1) of this section;

(b) Continue to not have any deficiencies or only very minor deficiencies; and

(c) Must not have a change in ownership.

(3) When licensed temporary worker housing changes ownership, the new licensed operator must comply with the requirements of subsection (1) of this section before being eligible to be on the self-survey program.

NEW SECTION

WAC 296-307-16115 Maximum housing occupancy.

(1) The maximum occupancy for operator-supplied housing will be based on:

(a) The square footage of the housing facility; and

(b) The number of bathing, food handling, handwashing, laundry, and toilet facilities.

(2) The maximum occupancy for worker-supplied housing will be based on:

(a) The number of spaces designated for worker-supplied housing by the operator; and

(b) The number of bathing, food handling, handwashing, laundry, and toilet facilities in excess of those facilities required for operator-supplied housing.

NEW SECTION

WAC 296-307-16120 Variance and procedure. Conditions may exist in operations that a state standard will not have practical use. The director of the department of labor and industries may issue a variance from the requirements of the standard when another means of providing equal protection is provided. The substitute means must provide equal protection in accordance with the requirements of chapter 49.17 RCW and chapter 296-350 WAC, variances.

Applications for variances may be reviewed and investigated by the department of labor and industries and the department of health. Variances granted will be limited to

the specific case or cases covered in the application and may be revoked for cause. The variance shall remain prominently posted on the premises while in effect.

Variance application forms may be obtained from the Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625 or the Department of Health, P.O. Box 47852, Olympia, Washington 98504-7852, upon request. Requests for variances from safety and health standards shall be made in writing to the director or the assistant director, Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625. (Reference RCW 49.17.080 and 49.17.090.)

NEW SECTION

WAC 296-307-16125 Temporary worker housing sites. The operator must:

(1) Locate and operate a site to prevent a health or safety hazard and it is:

(a) Adequately drained and any drainage from and through the housing must not endanger any domestic or public water supply;

(b) Free from periodic flooding and depressions in which water may become a nuisance;

(c) At least 200 feet from a swamp, pool, sink hole, or other surface collection of water unless there is a mosquito prevention program for those areas;

(d) Large enough to prevent overcrowding of necessary structures. The principal housing area for sleeping and for food preparation and eating must be at least 500 feet from where livestock are kept; and

(e) The grounds and open areas surrounding the shelters must be maintained in a clean and sanitary condition.

(2) Must develop and implement a temporary worker housing management plan and rules to assure that the housing is operated in a safe and secure manner and is kept within the approved capacity. Additionally, the licensed operator must:

(a) Inform occupants of the rules, in a language the occupant understands by providing individual copies of the rules to each occupant or posting the rules in the housing area;

(b) Restrict the number of occupants in the temporary worker housing to the capacity as determined by the department.

(3) When closing housing permanently or for the season, complete the following:

(a) Dispose of all refuse to prevent nuisance;

(b) Fill all abandoned toilet pits with earth; and

(c) Leave the grounds and buildings in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16130 Water supply. The operator must:

(1) Provide a water system that is:

(a) Approved as a Group A public water system in compliance with chapter 246-290 WAC or provide proof the temporary worker housing receives water from an approved Group A public water system; or

(b) Approved as a Group B water system in compliance with chapter 246-291 WAC.

Note: A "same farm exemption" applies to a public water system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm.

Note: If a system has fifteen or more connections, regardless of the population, it is a Group A water system.

(2) Provide an adequate and convenient hot and cold water supply for drinking, cooking, bathing, and laundry purposes.

Note: An "adequate water supply" means the storage capacity of the potable water system must meet the requirements of ASHRAE 1999 Applications Handbook, chapter 48, Water Systems.

(3) Ensure that the distribution lines are able to maintain the working pressure of the water piping system at not less than fifteen pounds per square inch after allowing for friction and other pressure losses.

(4) When water is not piped to each dwelling unit, provide cold, potable, running water under pressure within one hundred feet of each dwelling unit.

(5) When water sources are not available in each individual dwelling unit, provide one or more drinking fountains for each 100 occupants or fraction thereof. Prohibit the use of common drinking cups or containers from which water is dipped or poured.

(6) When water is unsafe for drinking purposes and accessible to occupants, post a sign by the source reading "Do not drink. Do not use for washing. Do not use for preparing food" printed in English and in the native language of the persons occupying the housing, or marked with easily understood pictures or symbols.

NEW SECTION

WAC 296-307-16135 Sewage disposal. The operator must:

(1) Provide sewage disposal systems in accordance with local health jurisdictions.

(2) Connect all drain, waste, and vent systems from buildings to:

(a) Public sewers, if available; or

(b) Approved on-site sewage disposal systems that are designed, constructed, and maintained as required in chapters 246-272 and 173-240 WAC, and local ordinances.

NEW SECTION

WAC 296-307-16140 Electricity and lighting. The operator must ensure that:

(1) Electricity is supplied to all dwelling units, kitchen facilities, shower/bathroom facilities, common areas, and laundry facilities;

(2) All electrical wiring and electrical equipment in a camp must meet the electric standards of applicable building codes;

(3) Each habitable room in a camp has at least one ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet;

(4) Laundry, toilet rooms, shower/bathrooms, and rooms where people congregate have at least one ceiling-type or wall-type fixture;

(5) General lighting and task lighting is adequate to carry on normal daily activities;

(6) Adequate lighting is provided for safe passage for camp occupants to handwashing sinks and toilets. Note: Lighting requirements may be met by natural or artificial means;

(7) Wiring and fixtures are installed in accordance with department of labor and industries regulations, chapter 19.28 RCW and local ordinances, and maintained in a safe condition.

NEW SECTION

WAC 296-307-16145 Building requirements and maintenance. An operator must:

(1) Construct buildings to provide protection against the elements and comply with the State Building Code, chapter 19.27 RCW, and Temporary worker housing construction standard, chapter 246-359 WAC, applicable state and local ordinances, codes, regulations, and this part. Any shelter meeting these requirements is acceptable.

(2) Identify each dwelling unit and space used for shelter by posting a number at each site.

(3) Maintain buildings in good repair and sanitary condition.

(4) Provide exits that are unobstructed and remain free of any material or matter where its presence would obstruct or render the exit hazardous.

(5) Provide a ceiling height of at least seven feet for each habitable room. If a building has a sloped ceiling, no portion of the room measuring less than six feet from the finished floor to the finished ceiling will be included in any computation of the minimum floor space.

(6) Provide at least 70 square feet of floor space for the first occupant and at least 50 square feet of floor space for each additional occupant in each dwelling unit.

(7) Provide each room used for sleeping purposes with at least 50 square feet of floor space for each occupant.

(8) Provide floors in accordance with the State Building Code, chapter 19.27 RCW, and Temporary worker housing construction standard, chapter 246-359 WAC, that are tightly constructed and in good repair.

(9) Ensure wooden floors are at least 1 foot above ground level or meet the requirements in the State Building Code, chapter 19.27 RCW and Temporary worker housing construction standard, chapter 246-359 WAC.

(10) Provide habitable rooms that have:

(a) Windows covering a total area equal to at least one-tenth of the floor area and at least one-half of each window can be opened to the outside for ventilation; or

(b) Mechanical ventilation in accordance with applicable ASHRAE standards.

(11) Provide 16-mesh screening on all exterior openings and screen doors with self-closing devices.

(12) Install all heating, cooking, and water heating equipment according to state and local ordinances, codes, and regulations and maintain in a safe condition.

(13) Provide adequate heating equipment if habitable rooms, including bathrooms, are used during cold weather.

(14) Ensure that all recreational vehicles and park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

NEW SECTION

WAC 296-307-16150 Laundry facilities. An operator must:

- (1) Provide one laundry tray or tub or one mechanical washing machine for every 30 persons;
- (2) Provide facilities for drying clothes;
- (3) Provide sloped, coved floors of nonslip impervious materials with floor drains;
- (4) Maintain laundry facilities in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16155 Handwashing and bathing facilities. An operator must:

- (1) Provide one handwash sink for each family dwelling unit or for every six persons in centralized facilities. Handwash sinks must be adjacent to toilets;
- (2) Provide one showerhead for each family dwelling unit or for every 10 persons in centralized facilities;
- (3) Provide one "service sink" in each building used for centralized laundry, handwashing, or bathing;
- (4) Provide sloped, coved floors of nonslip impervious materials with floor drains;
- (5) Ensure shower room walls are smooth and nonabsorbent to the height of four feet. If used, partitions must be smooth and nonabsorbent to the height of four feet;
- (6) Provide all showers, baths, or shower rooms with floor drains to remove wastewater;
- (7) Provide cleanable, nonabsorbent waste containers;
- (8) Maintain centralized bathing and handwashing facilities in a clean and sanitary condition, cleaned at least daily;
- (9) Ensure shower facilities provide privacy from the opposite sex and the public; and
- (10) An operator providing bathing or handwashing facilities in family dwelling units must meet the requirements in subsections (1) and (2) of this section, and request occupants to maintain bathing and handwashing facilities in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16160 Toilet facilities. (1) General toilet requirements. Operators must provide flush toilets unless chemical toilets or pit privies are specifically approved by the department or health officer according to requirements in chapter 246-272 WAC and ensure the following:

- (a) Flush toilets, chemical toilets, and urinals must not be located in any sleeping room, dining room, cooking or food-handling facility.
- (b) When chemical toilets are approved, they must be:
 - (i) Located at least fifty feet from any dwelling unit or food-handling facility; and

- (ii) Maintained by a licensed waste disposal company;
- (iii) Comply with local ordinances;
- (c) When urinals are provided:
 - (i) There must be one urinal or 2 linear feet of urinal trough for each twenty-five men;
 - (ii) The floor from the wall and out at least 15 inches from the outer edge of the urinals must be constructed of materials impervious to moisture;
 - (iii) They must have an adequate water flush where water under pressure is available; and
 - (iv) Urinal troughs are prohibited in pit privies.
- (d) When pit privies are approved they must be:
 - (i) At least one hundred feet away from any sleeping room, dining room, cooking, or food-handling facilities; and
 - (ii) Constructed to exclude insects and rodents from the pit.
- (2) Centralized toilet facilities. The operator must meet the following requirements when centralized toilet facilities are provided:
 - (a) Provide toilet rooms with:
 - (i) One toilet for every fifteen persons;
 - (ii) One handwashing sink for every six persons;
 - (iii) Either a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated; and
 - (iv) All outside openings screened with 16-mesh material;
 - (b) Locate toilet rooms so that:
 - (i) Toilets are within two hundred feet of the door of each sleeping room; and
 - (ii) No person has to pass through a sleeping room to reach a toilet room.
 - (c) Maintain toilets in a clean and sanitary condition, cleaned at least daily;
 - (d) Provide each toilet compartment with an adequate supply of toilet paper;
 - (e) When shared facilities will be used for both men and women:
 - (i) Provide separate toilet rooms for each sex with a minimum of one toilet room for each sex and meet the required ratios as defined in (a) of this subsection;
 - (ii) Identify each room "men" and "women" with signs printed in English and in the native language of the persons occupying the camp, or identified with easily understood pictures or symbols; and
 - (iii) Separate facilities by solid walls or partitions extending from the floor to the roof or ceiling when facilities for each sex are located in the same building.
- (3) Individual family/unit dwelling toilet requirements. If providing flush toilets in individual cabins, apartments, or houses, the operator must:
 - (a) Provide one toilet for each individual family dwelling unit or fifteen persons;
 - (b) Provide one handwashing sink for each six persons. The sink must be located in the toilet room or immediately adjacent;
 - (c) Provide a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated;
 - (d) Ensure all outside openings are screened with 16-mesh material;

(e) Ensure toilet facilities are cleaned prior to occupancy and request occupants to maintain the facilities in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16165 Cooking and food-handling facilities. The operator must provide enclosed or screened cooking and food-handling facilities for all occupants.

(1) If cooking facilities are located in dwelling units, the operator must provide:

(a) An operable cook stove or hot plate with at least one cooking surface for every two occupants;

(b) A sink with hot and cold running potable water under pressure;

(c) At least two (2) cubic feet of dry food storage space per occupant;

(d) Nonabsorbent, easily cleanable food preparation counters situated off the floor;

(e) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least two (2) cubic feet of storage space per occupant;

(f) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;

(g) Nonabsorbent, easily cleanable floors; and

(h) Adequate ventilation for cooking facilities.

(2) In common food-handling facilities, the operator must provide:

(a) A room or building, adequate in size, separate from any sleeping quarters;

(b) No direct openings to living or sleeping areas from the common food-handling facility;

(c) An operable cook stove or hot plate with at least one cooking surface for every four occupants, or four cooking surfaces for every two families;

(d) Sinks with hot and cold running potable water under pressure;

(e) At least two (2) cubic feet of dry food storage space per occupant;

(f) Nonabsorbent, easily cleanable food preparation counters situated off the floor;

(g) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least two (2) cubic feet of storage space per occupant;

(h) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;

(i) Nonabsorbent, easily cleanable floors; and

(j) Adequate ventilation for cooking facilities.

(3) The operator must ensure that centralized dining hall facilities comply with chapter 246-215 WAC, Food service.

NEW SECTION

WAC 296-307-16170 Cots, beds, bedding, and personal storage. The operator must:

(1) Provide beds, cots, or bunks furnished with clean mattresses in good condition for the maximum occupancy

approved by the department or contracted health officer for operator-supplied housing;

(2) Maintain bedding, if provided by the operator, in a clean and sanitary condition;

(3) Provide a minimum of twelve inches between each bed or bunk and the floor;

(4) Separate beds laterally and end-to-end by at least thirty-six inches when single beds are used;

(5) Meet the following requirements when bunk beds are used:

(a) Separate beds laterally and end-to-end by at least forty-eight inches;

(b) Maintain a minimum space of twenty-seven inches between the upper and lower bunks; and

(c) Prohibit triple bunks; and

(6) Provide storage facilities for clothing and personal articles in each room used for sleeping.

NEW SECTION

WAC 296-307-16175 First aid and safety. The operator must:

(1) Comply with chapters 15.58 and 17.21 RCW and chapters 16-228 and 296-307 WAC, Part I and J and pesticide label instructions when using pesticides in and around the housing;

(2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use;

(3) Provide readily accessible first-aid equipment;

(4) Ensure that a first-aid qualified person is readily accessible to administer first aid at all times;

(5) Store or remove unused refrigerator units to prevent access by children.

NEW SECTION

WAC 296-307-16180 Refuse disposal. The operator must:

(1) Comply with local sanitation codes for removing refuse from housing areas and disposing of refuse;

(2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse;

(3) Store refuse in fly-tight, rodent-tight, impervious, and cleanable or single-use containers;

(4) Keep refuse containers clean;

(5) Provide a container on a wooden, metal, or concrete stand within one hundred feet of each dwelling unit;

(6) Empty refuse containers at least twice each week, and when full.

NEW SECTION

WAC 296-307-16185 Insect and rodent control. The operator must take effective measures to prevent and control insect and rodent infestation.

PROPOSED

NEW SECTION**WAC 296-307-16190 Disease prevention and control.**

The operator must:

(1) Report the name and address of any individual in the camp known to have or suspected of having a communicable disease immediately to the local health officer;

(2) Immediately report to the local health officer or state board of health:

(a) Suspected food poisoning; or

(b) An unusual prevalence of fever, diarrhea, sore throat, vomiting, or jaundice;

(c) Productive cough, or weight loss is a prominent symptom among occupants;

(3) Prohibit any individual with a communicable disease from preparing, cooking, serving, or handling food, food-stuffs, or materials in dining halls.

Part L1**Cherry Harvest Camps**NEW SECTION**WAC 296-307-163 Cherry harvest camps.**NEW SECTION**WAC 296-307-16301 Purpose and applicability.**

(1) Purpose. This part is adopted by the Washington state department of labor and industries, to implement the provisions of chapter 49.17 RCW and establish minimum health and safety requirements for cherry harvest camps.

(2) Applicability.

(a) This part applies only to operators of cherry harvest camps using tents during the cherry harvest season. Operators using other housing must refer to WAC 296-307-161, Part L, or chapter 246-358 WAC.

(b) Operators with ten or more occupants are required to be licensed under this chapter. Operators with one or more employees are required to comply with WISHA standards.

(c) For department of health licensing, on-site survey, and water test fees, see WAC 246-361-990.

NEW SECTION**WAC 296-307-16303 Definitions.**

For the purposes of this part, the following words and phrases will have the following meanings unless the context clearly indicates otherwise:

"Building" means any structure used or intended to be used for supporting or sheltering any use or occupancy that may include cooking, eating, sleeping, and sanitation facilities.

"Cherry harvest camp" or **"camp"** means a place, area, or piece of land where dwelling units or campsites are provided by an operator during the cherry harvest.

"Common food-handling facility" means an area designated by the operator for occupants to store, prepare, cook, and eat their own food supplies.

"Current certificate (first aid)" means a first-aid training certificate that has not expired.

"Department" means the Washington state department of health and/or the department of labor and industries.

"Dining hall" means a cafeteria-type eating place with food furnished by and prepared under the direction of the operator for consumption, with or without charge, by occupants.

"Drinking fountain" means a fixture equal to a nationally recognized standard or a designed-to-drain faucet, which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

" Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

- Provided and designated by the operator as either a sleeping area, living area, or both, for occupants; and
- Physically separated from other sleeping and common-use areas.

Note: For the purpose of this Part L1, a "tent" is considered a dwelling unit.

"First-aid qualified" means that the person holds a current certificate of first-aid training from the American Red Cross or another course with equivalent content or hours.

"Food-handling facility" means a designated, enclosed area for preparation of food.

"Group A water system" means a public water system and includes community and noncommunity water systems.

(a) A community water system means any Group A water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

(b) A noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) water system that provides service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) Transient (TNC) water system that services:

- Twenty-five or more different people each day for sixty or more days within a calendar year;

- Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days within a calendar year; or

- One thousand or more people for two or more consecutive days within a calendar year.

"Group B water system" means a public water system:

(a) Constructed to serve less than fifteen residential services regardless of the number of people; or

(b) Constructed to serve an average nonresidential population of less than twenty-five per day for sixty or more days within a calendar year; or

(c) Any number of people for less than sixty days within a calendar year.

"Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW or appointed as the director of public health of a combined city-county health department under chapter 70.08 RCW.

"Livestock" means horses, cows, pigs, sheep, goats, poultry, etc.

"Livestock operation" means any place, establishment, or facility consisting of pens or other enclosures in which livestock is kept for purposes including, but not limited to, feeding, milking, slaughter, watering, weighing, sorting, receiving, and shipping. Livestock operations include, among other things, dairy farms, corrals, slaughterhouses, feedlots, and stockyards. Operations where livestock can roam on a pasture over a distance may be treated as outside the definition.

"MSPA" means the Migrant and Seasonal Agricultural Worker Protection Act (96 Stat. 2583; 29 U.S.C. Sec. 1801 et seq.).

"Occupant" means a temporary worker or a person who resides with a temporary worker at the campsite.

"Operator" means a person holding legal title to the land on which the camp is located. However, if the legal title and the right to possession are in different persons, "operator" means a person having the lawful control or supervision over the camp.

"Operating license" means a document issued annually by the department of health or contracted health officer authorizing the use of temporary worker housing.

"Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use, that meets the following criteria:

- Built on a single chassis, mounted on wheels;
- Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and
- Certified by the manufacturer as complying with ANSI A119.5.

"Recreational vehicle" means a vehicular-type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive of power or is mounted on, or towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers, but does not include pickup trucks with camper shells, canopies or other similar coverings.

"Refuse" means solid wastes, rubbish, or garbage.

"Temporary worker" means an agricultural employee employed intermittently and not residing year-round at the same site.

"Tent" means an enclosure or shelter constructed of fabric or pliable material composed of rigid framework to support tensioned membrane that provides the weather barrier.

"WISHA" means the Washington Industrial Safety and Health Act, chapter 49.17 RCW, administered by the Washington state department of labor and industries.

NEW SECTION

WAC 296-307-16305 Technical assistance. An operator may request technical assistance from the department of health or the department of labor and industries to assist in compliance with this part.

NEW SECTION

WAC 296-307-16310 Operating license. A cherry tent camp license is limited to twenty-one days.

The operator:

(1) Must request a license from the department of health or health officer when:

- (a) The camp will house ten or more occupants;
- (b) Compliance with MSPA requires a license; or
- (c) Construction of camp buildings requires a license under chapter 246-359 WAC, Temporary worker housing construction standard.

(2) Must apply for an operating license at least forty-five days prior to either the use of the camp or the expiration of an existing operating license by submitting to the department or health officer:

- (a) A completed application on a form provided by the department or contracted health officer;
 - (b) Proof the water system is current with all water tests required by chapter 246-290 or 246-291 WAC; and
 - (c) A fee as specified in WAC 246-361-990.
- (3) May receive a license extension from the department for up to seven days when:

- (a) The operator requests an extension for additional days at least three days before the license expiration date; and
- (b) The department in consultation with the local health jurisdiction will determine if an extension would serve to protect the public health.

(4) Will receive an operating license for the maximum number of occupants as determined by WAC 246-361-030 when:

- (a) The application requirements from subsection (2) of this section are met;
- (b) The site is in compliance with this part as demonstrated by a licensing survey completed by the department.

(5) Must post the operating license in a place readily accessible to workers.

(6) Must notify the department in the event of a transfer of ownership.

(7) Must cooperate with the department during on-site inspections.

NEW SECTION

WAC 296-307-16315 Maximum camp occupancy. The maximum occupancy for a camp will be based on:

- (1) The number of shelters provided; and
- (2) The number of bathing, food handling, handwashing, laundry, and toilet facilities.

NEW SECTION

WAC 296-307-16320 Variance and procedure. Conditions may exist in operations that a state standard will not have practical use. The director of the department of labor and industries may issue a variance from the requirements of the standard when another means of providing equal protection is provided. The substitute means must provide equal protection in accordance with the requirements of chapter 49.17 RCW and chapter 296-350 WAC, variances.

Applications for variances may be reviewed and may be investigated by the department of labor and industries and the department of health. Variances granted will be limited to the specific case or cases covered in the application and may be revoked for cause. The variance must remain prominently posted on the premises while in effect.

Variance application forms may be obtained from the Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625 or the Department of Health, P.O. Box 47852, Olympia, Washington 98504-7852, upon request. Requests for variances from safety and health standards must be made in writing to the director or the assistant director, Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625. (Reference RCW 49.17.080 and 49.17.090.)

NEW SECTION

WAC 296-307-16325 Cherry harvest campsites. The operator must:

(1) Locate and operate a site to prevent a health or safety hazard that is:

(a) Adequately drained and any drainage from and through the camp must not endanger any domestic or public water supply;

(b) Free from periodic flooding and depressions in which water may become a nuisance;

(c) At least 200 feet from a swamp, pool, sink hole, or other surface collection of water unless there is a mosquito prevention program for those areas;

(d) Large enough to prevent overcrowding of necessary structures. The principal camp area for sleeping and for food preparation and eating must be at least 500 feet from where livestock are kept; and

(e) Maintained in a clean and sanitary condition.

(2) Develop and implement a cherry harvest camp management plan and rules to assure that the camp is operated in a safe and secure manner and is kept within the approved capacity. Additionally, the licensed operator must:

(a) Inform residents of the rules, in a language the resident understands by providing individual copies of the rules to each camp resident or posting the rules in the camp area; and

(b) Restrict the number of occupants in the camp to the capacity as determined by the department.

(3) When closing the camp permanently or for the season, complete the following:

(a) Dispose of all refuse to prevent nuisance;

(b) Fill all abandoned toilet pits with earth; and

(c) Leave the grounds and buildings in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16330 Water supply. The operator must:

(1) Provide a water system that is:

(a) Approved as a Group A public water system in compliance with chapter 246-290 WAC or provide proof the camp receives water from an approved Group A public water system; or

(b) Approved as a Group B water system in compliance with chapter 246-291 WAC.

Note: A "same farm exemption" applies to a public water system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm.

Note: If a system has fifteen or more connections, regardless of the population, it is a Group A water system.

(2) Provide an adequate and convenient hot and cold water supply for drinking, cooking, bathing, and laundry purposes.

Note: An "adequate water supply" means the storage capacity of the potable water system must meet the requirements of ASHRAE 1999 Applications Handbook, chapter 48, Water Systems.

(3) Ensure that the distribution lines are able to maintain the working pressure of the water piping system at not less than fifteen pounds per square inch after allowing for friction and other pressure losses.

(4) When water is not piped to each dwelling unit, provide cold, potable, running water under pressure within one hundred feet of each dwelling unit.

(5) When water sources are not available in each individual tent, provide one or more drinking fountains for each 100 occupants or fraction thereof. Prohibit the use of common drinking cups or containers from which water is dipped or poured.

(6) When water is unsafe for drinking purposes and accessible to occupants, post a sign by the source reading "Do not drink. Do not use for washing. Do not use for preparing food" printed in English and in the native language of the persons occupying the camp, or marked with easily understood pictures or symbols.

NEW SECTION

WAC 296-307-16335 Sewage disposal. An operator must:

(1) Provide sewage disposal systems in accordance with local health jurisdictions.

(2) Connect all drain, waste, and vent systems from buildings to:

(a) Public sewers, if available; or

(b) Approved on-site sewage disposal systems that are designed, constructed, and maintained as required in chapters 246-272 and 173-240 WAC, and local ordinances.

NEW SECTION**WAC 296-307-16340 Electricity and lighting.** (1)

General electricity requirements.

(a) The operator must supply electricity to all dwelling units, kitchen facilities, bathroom facilities, common areas, and laundry facilities.

(b) Wiring and fixtures must be installed in accordance with department of labor and industries regulations, chapter 19.28 RCW and local ordinances, and maintained in a safe condition.

(2) Electricity requirements in tents.

(a) Each individual tent must have at least one separate floor-type or wall-type convenience outlet. If the operator provides a refrigerator in the tent, a dedicated outlet must be provided for it.

(b) All electrical wiring and equipment installed in tents must meet the requirements of WAC 296-46-100.

(c) All electrical appliances to be connected to the electrical supply must meet the requirements for the load calculations as required by chapter 19.28 RCW.

(d) Electrical wiring exiting the tent to connect to the GFI outside outlet must be placed in approved flexible conduit not to exceed six feet in length.

(e) All wiring located inside the tent must be placed in conduit for protection and connected to a surface to secure the wiring to prevent movement. Wiring must be located to prevent tripping or safety hazards.

(f) Receptacles and lighting fixtures are UL Listed and approved by the department for use in the tent.

(3) General lighting requirements.

(a) The operator must provide adequate lighting sufficient to carry on normal daily activities in all common use areas.

(b) Laundry and toilet rooms and rooms where people congregate must have at least one ceiling-type or wall-type fixture. Where portable toilets are used, lighting requirements can be met by area illumination.

(c) The operator must provide adequate lighting to allow safe passage for camp occupants to handwashing sinks and toilets.

(d) The operator must provide adequate lighting for shower rooms during hours of operation.

Note: Lighting requirements may be met by natural or artificial means.

(4) Lighting requirements in tents.

(a) Tents must have adequate lighting sufficient to carry on all normal daily activities. For example: Three 100-watt bulbs located at the top ridge of the frame and are UL Listed or equivalent.

(b) Each tent must have at least one ceiling-type light fixture.

(c) Food preparation areas, if located in the tent, must have at least one lighting fixture located to provide task lighting over the food preparation area.

(d) Alternate lighting appliances must provide adequate lighting. In addition, if using two or more propane, butane, or white gas lighting appliances, a carbon monoxide monitor must be provided and located not more than 30 inches from the floor.

NEW SECTION

WAC 296-307-16345 Tents. (1) Tents must provide protection from the elements.

(2) Structural stability and floors.

(a) Tents and their supporting framework must be adequately braced and anchored to prevent weather-related collapse. Documentation of the structural stability must be furnished to the department.

(b) Floors must be smooth, flat, and without breaks or holes to provide a hard, stable walking surface. Nonrigid flooring supported by grass, dirt, soil, gravel, etc., are not acceptable. Floors that are constructed of wood or concrete must comply with the building code, chapter 19.27 RCW or Temporary worker housing construction standard, chapter 246-359 WAC.

(c) Floor systems must prevent the entrance of snakes and rodents.

(3) Flame-retardant treatments.

(a) The sidewalls, drops, and tops of tents must be composed of flame-resistant material or treated with a flame retardant in an approved manner.

(b) Floor coverings, which are integral to the tent, and the bunting must be composed of flame-resistant material or treated with a flame retardant in an approved manner and in accordance with Uniform Building Code Standard 31.1.

(c) All tents must have a permanently affixed label bearing the following information:

(i) Identification of tent size and fabric or material type;

(ii) For flame-resistant materials, the necessary information to determine compliance with this section and National Fire Protection Association Standard 701, Standard Methods of Fire Tests for Flame-resistant Textiles and Films;

(iii) For flame-retardant materials, the date that the tent was last treated with an approved flame retardant;

(iv) The trade name and type of flame retardant utilized in the flame-retardant treatment; and

(v) The name of the person and firm that applied the flame retardant.

(4) Means of egress.

(a) At least one door must lead to the outside of the tent and the area designated for refuge must be accessible and remain clear of storage materials or hazards.

(b) The door must not be obstructed in any manner and must remain free of any material or matter where its presence would obstruct or render the exit hazardous.

(c) If cooking is provided in the tent, the window located opposite the door must have a means to open the window or provide an easily openable space. For example, a zipper which opens downward toward the floor.

(5) Floor area. The operator must:

(a) Provide at least 70 square feet of floor space for one occupant and 50 square feet for each additional occupant; and

(b) Provide at least 50 square feet of floor space for each occupant in rooms used for sleeping purposes.

(6) Ceiling height.

(a) If the tent has a sloped ceiling, a ceiling height of at least 7 feet is required in fifty percent of the total area.

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(b) No portion of the tent measuring less than 6 feet from the flooring to the ceiling must be included in any computation of the minimum floor area.

(7) Windows and ventilation.

(a) Provide a window area equal to 1/10 of the total floor area in each dwelling unit which opens 1/2 or more directly to the outside for cross-ventilation and has 16-mesh screens on all exterior openings.

(b) The windows must have weather-resistant flaps, which will cover the window area and a means of fastening the flaps to provide protection from the elements and allow privacy for the occupants.

NEW SECTION

WAC 296-307-16350 Recreational vehicles. The operator must ensure that all recreational vehicles and park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

NEW SECTION

WAC 296-307-16355 Laundry facilities. An operator must:

- (1) Provide one laundry tray or tub or one mechanical washing machine for every 30 persons;
- (2) Provide facilities for drying clothes;
- (3) Provide sloped, coved floors of nonslip impervious materials with floor drains;
- (4) Maintain laundry facilities in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16360 Handwashing and bathing facilities. An operator must:

- (1) Provide one handwash sink for every six persons in centralized facilities. Handwash sinks must be adjacent to toilets;
- (2) Provide one showerhead for every 10 persons in centralized facilities;
- (3) Provide one "service sink" in each building used for centralized laundry, handwashing, or bathing;
- (4) Provide sloped, coved floors of nonslip impervious materials with floor drains;
- (5) Provide walls that are smooth and nonabsorbent to the height of four feet. If partitions are used, they must be smooth and nonabsorbent to the height of four feet;
- (6) Provide all showers, baths, or shower rooms with floor drains to remove wastewater;
- (7) Provide cleanable, nonabsorbent waste containers;
- (8) Maintain bathing and handwashing facilities in a clean and sanitary condition, cleaned at least daily;
- (9) Ensure shower facilities provide privacy from the opposite sex and the public.

NEW SECTION

WAC 296-307-16365 Toilet facilities. (1) General toilet requirements. Operators must provide flush toilets or

chemical toilets. The department or health officer, according to requirements in chapter 246-272 WAC, must approve pit privies. The operator must comply with the following:

(a) Flush toilets, chemical toilets, and urinals must not be located in any tent.

(b) When chemical toilets are provided, they must be:

- (i) Located at least fifty feet from any dwelling unit or food-handling facility;
- (ii) Maintained by a licensed waste disposal company; and

(iii) Comply with local ordinances.

(c) When urinals are provided:

(i) There must be one urinal or two linear feet of urinal trough for each twenty-five men;

(ii) The floor from the wall and out at least 15 inches from the outer edge of the urinals must be constructed of materials impervious to moisture;

(iii) The urinals must have an adequate water flush where water under pressure is available; and

(iv) Urinal troughs are prohibited in pit privies.

(d) When pit privies are approved they must be:

(i) At least one hundred feet away from any dwelling unit or food-handling facility; and

(ii) Constructed to exclude insects and rodents from the pit.

(2) Centralized toilet facilities. The operator must meet the following requirements when centralized toilet facilities are provided:

(a) Provide toilet rooms with:

(i) One toilet for every fifteen persons;

(ii) One handwashing sink for every six persons;

(iii) Either a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated; and

(iv) All outside openings screened with 16-mesh material.

(b) Locate toilet rooms so that:

(i) Toilets are within two hundred feet of the door of each tent; and

(ii) No person has to pass through a sleeping room to reach a toilet room;

(c) Maintain toilets in a clean and sanitary condition, cleaned at least daily;

(d) Provide each toilet compartment with an adequate supply of toilet paper;

(e) When shared facilities will be used for both men and women:

(i) Provide separate toilet rooms for each sex with a minimum of one toilet room for each sex and meet the required ratios as defined in (a) of this subsection;

(ii) Identify each room "men" and "women" with signs printed in English and in the native language of the persons occupying the camp, or identified with easily understood pictures or symbols; and

(iii) Separate facilities by solid walls or partitions extending from the floor to the roof or ceiling when facilities for each sex are located in the same building.

NEW SECTION

WAC 296-307-16370 Cooking and food-handling facilities. The operator must provide enclosed or screened cooking and food-handling facilities for all occupants. Adequate tables and chairs or seating must be provided for camp occupants.

(1) If the operator provides cooking facilities in tents, the operator must provide:

(a) An operable cook stove or hot plate with at least one cooking surface for every four occupants;

(b) A sink with hot and cold running potable water under pressure at each tent site;

(c) At least two (2) cubic feet of dry food storage space per occupant;

(d) Nonabsorbent, easily cleanable food preparation counters situated off the floor;

(e) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least one (1) cubic foot of storage space per occupant; and

(f) Adequate ventilation for cooking facilities.

(2) If the operator provides common food-handling facilities, the operator must provide:

(a) A room or building, adequate in size, separate from any tent;

(b) No direct openings to living or sleeping areas from the common food-handling facility;

(c) An operable cook stove or hot plate with at least one cooking surface for every four occupants, or four cooking surfaces for every two families;

(d) Sinks with hot and cold running potable water under pressure;

(e) At least two (2) cubic feet of dry food storage space per occupant;

(f) Nonabsorbent, easily cleanable food preparation counters situated off the floor;

(g) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least one (1) cubic foot of storage space per occupant;

(h) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;

(i) Nonabsorbent, easily cleanable floors; and

(j) Adequate ventilation for cooking facilities.

(3) The operator must ensure that dining hall facilities comply with chapter 246-215 WAC, Food service.

NEW SECTION

WAC 293-307-16375 Cots, beds, bedding, and personal storage. The operator must provide cots, beds, or bunks for each occupant, not to exceed the maximum occupancy approved by the department or health officer.

(1) Beds or bunks must be furnished with clean mattresses and maintained in a clean and sanitary condition.

(2) The operator must:

(a) Provide a minimum of twelve inches between each cot, bed, or bunk and the floor; and

(b) Allow space to separate beds laterally and end-to-end by at least 36 inches when single beds are used.

(3) When bunk beds are used the operator must:

(a) Allow space to separate beds laterally and end-to-end by at least 48 inches; and

(b) Maintain a minimum space of 27 inches between the upper and lower bunks.

(4) Locate cots, beds, or bunks at least 30 inches or more from cooking surfaces.

(5) The use of triple bunk beds is prohibited.

(6) The operator must provide suitable storage facilities for clothing and personal articles in each tent.

NEW SECTION

WAC 296-307-16380 First aid and safety. The operator must:

(1) Comply with chapters 15.58 and 17.21 RCW and chapters 16-228 and 296-307 WAC, Part I and J and pesticide label instructions when using pesticides in and around the camp;

(2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use;

(3) Provide readily accessible first-aid equipment;

(4) Ensure that a first-aid qualified person is readily accessible to administer first aid at all times;

(5) Store or remove unused refrigerator units to prevent access by children.

NEW SECTION

WAC 296-307-16385 Refuse disposal. The operator must:

(1) Comply with local sanitation codes for removing refuse from camp areas and disposing of refuse;

(2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse;

(3) Store refuse in fly-tight, rodent-tight, impervious, and cleanable or single-use containers;

(4) Keep refuse containers clean;

(5) Provide a container on a wooden, metal, or concrete stand within one hundred feet of each dwelling unit;

(6) Empty refuse containers at least twice each week, and when full.

NEW SECTION

WAC 296-307-16390 Insect and rodent control. The operator must take effective measures to prevent and control insect and rodent infestation.

NEW SECTION

WAC 296-307-16395 Disease prevention and control. The operator must:

(1) Report immediately to the local health officer the name and address of any individual in the camp known to have or suspected of having a communicable disease;

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(2) Immediately report to the local health officer or state board of health:

- (a) Suspected food poisoning; or
- (b) An unusual prevalence of fever, diarrhea, sore throat, vomiting, or jaundice;
- (c) Productive cough, or weight loss is a prominent symptom among occupants.

(3) Prohibit any individual with a communicable disease from preparing, cooking, serving, or handling food, food-stuffs, or materials in dining halls.

WSR 99-23-109

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed November 17, 1999, 11:39 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-15-108.

Title of Rule: Chapter 246-358 WAC, Temporary worker housing, and chapter 246-361 WAC.

Purpose: The 1999 legislature passed ESSB 5599 (chapter 374, Laws of 1999) requiring the Department of Health and the Department of Labor and Industries to adopt joint rules for the licensing, operation, and inspection of temporary worker housing and the enforcement of these rules. ESSB 5599 also removed temporary worker housing responsibilities from the State Board of Health and directs the agencies to establish standards for cherry harvest camps. Cherry harvest standards may include some variation from standards that are necessary for longer occupancies, provided they are as effective as the standards adopted by WISHA.

Beginning in June 1999, a DOH/L&I joint project team with OSHA representation met regularly to develop the proposed wording for the temporary worker housing rule, chapter 246-358 WAC, and the cherry harvest rule, chapter 246-361 WAC. During the development of the wording, the joint project team met twice with grower and worker advocates and a third time with the advocates and the public to gather input on the draft language. Public hearings are scheduled for January 6, 2000, at the following locations: Kennewick, Mount Vernon, Wenatchee and Yakima. The current chapter 246-358 WAC is amended to incorporate WISHA requirements and repeal those sections that addressed the cherry harvest. Chapter 246-361 WAC is established as a new chapter applicable only to cherry harvest camps.

Statutory Authority for Adoption: RCW 70.114A.065 and 70.114A.110.

Statute Being Implemented: Chapter 70.114A RCW.

Summary: Amends chapter 246-358 WAC, Temporary worker housing, and establishes chapter 246-361 WAC for cherry harvest camps.

Reasons Supporting Proposal: SB 5599 (chapter 374, Laws of 1999), codified as RCW 70.114A.065 and 70.114A.110, directs the Department of Health to create joint rules for temporary worker housing and cherry harvest labor camps with the Department of Labor and Industries.

Name of Agency Personnel Responsible for Drafting and Implementation: Maria Gardipee, Olympia, Washington, (360) 705-6625; and Enforcement: Gary Bennett, Olympia, Washington, (360) 705-6652.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 246-358 WAC is amended to reflect the mandates of SB 5599 (chapter 374, Laws of 1999) which directs the department to adopt rules "that are as effective as the standards developed under the Washington Industrial Safety and Health Act, chapter 49.17 RCW." The proposed rules establish minimum licensing requirements for temporary worker housing sites. The rules are consistent with WISHA standards adopted under chapter 49.17 RCW.

Chapter 246-361 WAC is a new chapter that establishes minimum licensing requirements for cherry harvest camps. The purpose is to establish minimum health and safety requirements for the operation of cherry harvest camps. A number of cherry growers have camps that could be equipped for licensure with respect to basic safety and health standards. Licensed camps would provide additional housing for migrant workers. There is currently little alternative housing available for migrant workers in cherry growing communities outside of the cherry camps. Without camps available, workers often live "on the river bank," that is, in isolated rural areas without safe sources of drinking water or any sanitation facilities. The health risks both to workers and to the larger community associated with such conditions include the spread of infectious disease.

Proposal Changes the Following Existing Rules:

AMENDED SECTIONS:

WAC 246-358-001 Purpose and applicability.

- Formerly "Purpose and scope." Amendments specify that the purpose of the rule is temporary worker housing.
- Provides reference for operators of cherry harvest camps to chapter 246-361 WAC or chapter 296-307 WAC, Part L-1.
- Specifies that operators with nine or less occupants are not required to be licensed under this chapter.
- Specifies that operators with at least one employee are still subject to WISHA standards.

WAC 246-358-010 Definitions.

- Amended current definitions and added new definitions as applicable to temporary worker housing.

WAC 246-358-025 Operating license.

- Amended for clarity and consistency with WISHA standards.
- Added requirements for self-survey program.
- Corrected reference to water testing requirements.

WAC 246-358-045 Temporary worker housing sites.

- Renamed section, formerly "Location and maintenance."
- Amended for clarity and consistency with WISHA standards.
- Added requirements for development and implementation of a temporary worker housing management plan.

WAC 246-358-055 Water supply.

- Amended section for clarity and consistency with WISHA standards.
- Corrected references to Group A and Group B water systems, and added a table for assistance.
- Added requirements to be consistent with WISHA requirements and ASHRAE water system standards.

WAC 246-358-065 Sewage disposal.

- Amended section for clarity and consistency with WISHA standards.
- Added requirements that all drain, waste and vent systems are connected to public sewers, if available, or to approved on-site disposal systems.

WAC 246-358-075 Building requirements and maintenance.

- Renamed section, formerly "Construction" requirements and maintenance.
- Amended section for clarity and consistency with WISHA standards, updated references.
- Added construction references to the State Building Code and the DOH temporary worker housing construction standard.

WAC 246-358-090 Laundry facilities.

- Amended section for clarity and consistency with WISHA standards.
- Moved lighting and electricity requirements to WAC 246-358-070.

WAC 246-358-095 Handwashing and bathing facilities.

- Renamed section, formerly "Bathing and handwashing," to be consistent with WISHA standards.
- Amended section for clarity and consistency with WISHA standards.
- Moved water supply requirements to WAC 246-358-055.
- Moved lighting and electricity requirements to WAC 246-358-070.
- Added privacy requirement for shower facilities.
- Changed "slop sink" to "service sink" and defined height of splash as four feet.

WAC 246-358-100 Toilet facilities.

- Amended section for clarity and consistency with WISHA standards.
- Separated requirements for types of facilities, i.e. general toilet facilities, centralized toilet facilities, and individual/family unit dwelling facilities.
- Moved lighting and electricity requirements to WAC 246-358-070.

WAC 246-358-125 Cooking and foodhandling facilities.

- Amended section for clarity and consistency with WISHA standards.
- Moved lighting and electricity requirements to WAC 246-358-070.
- Moved water supply requirements to WAC 246-358-055.
- Defined adequate storage space for dry food and refrigeration space.

WAC 246-358-135 Cots, beds, bedding and personal storage.

- Added "Cots" to title of section.
- Amended section for clarity and consistency with WISHA standards.

WAC 246-358-145 First aid and safety.

- Renamed section, formerly "Health" and safety.
- Amended section for clarity and consistency with WISHA standards.
- Moved requirement to fill abandoned pit privies to WAC 246-358-045.

WAC 246-358-155 Refuse disposal.

- Amended section for clarity and consistency with WISHA standards.
- Moved camp closure requirement to WAC 246-358-045.

WAC 246-358-165 Rodent and insect control.

- Amended section for clarity and consistency with WISHA standards.

WAC 246-358-175 Disease prevention and control.

- Amended section for clarity and consistency with WISHA standards.
- Moved camp rules requirements to WAC 246-358-045.

NEW SECTIONS:**WAC 246-358-027 Requirements for self-survey program.**

- Places policy requirements in rule.
- Specifies requirements for participation in self-survey program.
- Specifies requirements for remaining in self-survey program.
- Specifies requirements for change of ownership and continuation in self-survey program.

WAC 246-358-029 Maximum housing occupancy.

- Specifies requirements for determination of maximum occupancy for operator supplied housing.
- Specifies requirements for determination of maximum occupancy for worker supplied housing.

WAC 246-358-040 Variance and procedure.

- Specifies requirements for the variance application and authority for approval process consistent with WISHA standards.

WAC 246-358-070 Electricity and lighting.

- Consolidates all electricity and lighting requirements into one section.

REPEALED SECTIONS:**WAC 246-358-020 Exemptions.**

- Exemption requirements are deleted, however operators who meet the requirements can follow the variance requirements in WAC 246-358-040. The variance language is consistent with WISHA standards adopted under chapter 49.17 RCW.

WAC 246-358-030 Department authority.

- Language is unnecessary. Authority covered in statute, chapter 70.114A RCW, and in applicability.

WAC 246-358-140 Use of tents.

- Chapter 246-361 WAC allows for use of tents in the cherry harvest.

WAC 246-358-600 Cherry harvest camps—Applicability.

- Requirements amended and moved to WAC 246-361-001.

WAC 246-358-610 Cherry harvest camps—Licensing.

- Requirements amended and moved to WAC 246-361-025.

WAC 246-358-620 Cherry harvest camps—Transitional compliance schedule.

- Language deleted.

WAC 246-358-630 Cherry harvest camps—Location of camp area and camp management plan.

- Requirements amended and moved to WAC 246-361-045.

WAC 246-358-640 Cherry harvest camps—Adequate lighting, electricity and alternative power.

- Requirements amended and moved to WAC 246-361-070.

WAC 246-358-650 Cherry harvest camps—Bathing, toilet and handwashing area.

- Requirements amended and moved to WAC 246-361-095 and 246-361-100.

WAC 246-358-660 Cherry harvest camps—Personal storage.

- Requirements amended and moved to WAC 246-361-135.

WAC 246-358-670 Cherry harvest camps—Cold food storage areas.

- Requirements amended and moved to WAC 246-361-125.

WAC 246-358-680 Cherry harvest camps—Food storage and preparation.

- Requirements amended and moved to WAC 246-361-125.

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

Small Business Economic Impact Statement

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 99-24 issue of the Register.

A copy of the statement may be obtained by writing to Jennell Prentice, Facilities and Services Licensing, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 705-6661, fax (360) 705-6654, e-mail REGMAIL@doh.wa.gov.

RCW 34.05.328 applies to this rule adoption.

Hearing Location: On January 6, 2000, at 1:00 p.m.; (Note: Public hearing is to be held simultaneously via Washington Interactive Television) at the Yakima Site: DIS Interactive Technologies, c/o Department of Ecology, Yesterday's Village, 15 West Yakima Avenue, Suite 220, Yakima, WA 98902; at the Everett Site: Everett Community College, Olympus Hall, Room 205, 801 Wetmore Avenue, Everett, WA 98201; at the Tri-Cities Site: DIS Interactive Technologies, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336; and at the Wenatchee Site: Wenatchee Valley Community College, Batjer Hall, Room 8038, 1300 5th Street, Wenatchee, WA 98801.

Assistance for Persons with Disabilities: Contact Jennell Prentice by December 20, 1999, TDD (800) 833-6388, or (360) 705-6652.

Submit Written Comments to: Jennell Prentice, Rules Administrator, Facilities and Services Licensing, P.O. Box 47852, Olympia, WA 98504-7852, fax (360) 705-6654, e-mail REGMAIL@doh.wa.gov, by January 6, 1999 [2000].

Date of Intended Adoption: No sooner than February 1, 1999 [2000].

November 15, 1999

M. C. Selecky
Secretary

NEW SECTION

WAC 246-361-001 Cherry harvest camps—Purpose and applicability. (1) Purpose. This chapter is adopted by the Washington state department of health to implement the provisions of chapter 70.114A RCW and establish minimum health and safety requirements for cherry harvest camps.

(2) Applicability.

(a) This chapter applies only to operators of cherry harvest camps during the cherry harvest season. Operators using other housing must refer to WAC 296-307-16100, Part L1, or chapter 246-358 WAC.

(b) Operators with ten or more occupants are required to be licensed under this chapter. Operators with one or more employees are required to comply with WISHA standards.

NEW SECTION

WAC 246-361-010 Definitions. For the purposes of this chapter, the following words and phrases will have the following meanings unless the context clearly indicates otherwise:

"Building" means any structure used or intended for supporting or sheltering any use or occupancy that may include cooking, eating, sleeping and sanitation facilities.

"Cherry harvest camp" or **"camp"** means a place, area, or piece of land where dwelling units or camp sites are provided by an operator during the cherry harvest.

"Common food-handling facility" means an area designated by the operator for occupants to store, prepare, cook, and eat their own food supplies.

"Current certificate (first aid)" means a first-aid-training certificate that has not expired.

"Department" means the Washington state department of health.

"Dining hall" means a cafeteria-type eating-place with food furnished by and prepared under the direction of the operator for consumption, with or without charge, by occupants.

"Drinking fountain" means a fixture equal to a nationally recognized standard or a designed-to-drain faucet, which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

"Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

- Provided and designated by the operator as either a sleeping area, living area, or both, for occupants; and

- Physically separated from other sleeping and common-use areas.

Note: For the purpose of this chapter, a "tent" is considered a dwelling unit.

"First aid qualified" means that the person holds a current certificate of first-aid training from the American Red Cross or another course with equivalent content or hours.

"Food-handling facility" means a designated, enclosed area for preparation of food.

"Group A water system" means a public water system and includes community and noncommunity water systems.

(a) A community water system means any Group A water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

(b) Noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) water system that provides service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) Transient (TNC) water system that serves:

- Twenty-five or more different people each day for sixty or more days within a calendar year;
- Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days within a calendar year; or
- One thousand or more people for two or more consecutive days within a calendar year.

"Group B water system" means a public water system: Constructed to serve less than fifteen residential services regardless of the number of people; or constructed to serve an average nonresidential population of less than twenty-five per day for sixty or more days within a calendar year; or any number of people for less than sixty days within a calendar year.

"Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW or appointed as the director of public health of a combined city-county health department under chapter 70.08 RCW.

"Livestock" means horses, cows, pigs, sheep, goats, poultry, etc.

"Livestock operation" means any place, establishment, or facility consisting of pens or other enclosures in which livestock is kept for purposes including, but not limited to, feeding, milking, slaughter, watering, weighing, sorting, receiving, and shipping. Livestock operations include, among other things, dairy farms, corrals, slaughterhouses, feedlots, and stockyards. Operations where livestock can roam on a pasture over a distance may be treated as outside the definition.

"MSPA" means the Migrant and Seasonal Agricultural Worker Protection Act (96 Stat. 2583; 29 U.S.C. Sec. 1801 et seq.).

"Occupant" means a temporary worker or a person who resides with a temporary worker at the camp site.

"Operating license" means a document issued annually by the department of health or contracted health officer authorizing the use of temporary-worker housing.

"Operator" means a person holding legal title to the land on which the camp is located. However, if the legal title and the right to possession are in different persons, "operator" means a person having the lawful control or supervision over the camp.

"Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quar-

ters for recreational, camping, or seasonal use, that meets the following criteria:

- Built on a single chassis, mounted on wheels;
- Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and
- Certified by the manufacturer as complying with ANSI A119.5.

"Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive of power or is mounted on, or towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers.

"Refuse" means solid wastes, rubbish, or garbage.

"Temporary worker" means an agricultural employee employed intermittently and not residing year-round at the same site.

"Tent" means an enclosure or shelter constructed of fabric or pliable material composed of rigid framework to support tensioned membrane that provides the weather barrier.

"WISHA" means the Washington Industrial Safety and Health Act, chapter 49.17 RCW, administered by the Washington state department of labor and industries.

NEW SECTION

WAC 246-361-020 Technical assistance. An operator may request technical assistance from the department of health or the department of labor and industries to assist in compliance with this chapter.

NEW SECTION

WAC 246-361-025 Operating license. A cherry tent camp license is limited to twenty-one days. The operator:

(1) Must request a license from the department or health officer when:

- (a) The camp will house ten or more occupants;
- (b) Compliance with MSPA requires a license; or
- (c) Construction of camp buildings requires a license under chapter 246-359 WAC, Temporary worker housing construction standard.

(2) Must apply for an operating license at least forty-five days prior to either the use of the camp or the expiration of an existing operating license by submitting to the department or health officer:

- (a) A completed application on a form provided by the department or health officer;
 - (b) Proof water system is current with all water tests required by chapter 246-290 or 246-291 WAC; and
 - (c) A fee as specified in WAC 246-361-990.
- (3) May receive a license extension from the department for up to seven days when:

- (a) The operator requests an extension for additional days at least three days before the license expiration date; and
- (b) The department in consultation with the local health jurisdiction will determine if an extension would serve to protect the public health.

PROPOSED

(4) Will receive an operating license for the maximum number of occupants as determined by WAC 246-361-030 when:

(a) The application requirements from subsection (2) of this section are met;

(b) The site is in compliance with this chapter as demonstrated by a licensing survey completed by the department; and

(c) The operator follows the corrective action plan established by the department if existing site does not meet all the requirements of this chapter.

(5) Must post the operating license in a place readily accessible to workers.

(6) Must notify the department in the event of a transfer of ownership.

(7) Must cooperate with the department during on-site inspections.

NEW SECTION

WAC 246-361-030 Maximum camp occupancy. The maximum occupancy for a camp will be based on:

(1) The number of shelters provided; and

(2) The number of bathing, food handling, handwashing, laundry, and toilet facilities.

NEW SECTION

WAC 246-361-035 Variance and procedure. Conditions may exist in operations that a state standard will not have practical use. The director of the department of labor and industries may issue a variance from the requirements of the standard when another means of providing equal protection is provided. The substitute means must provide equal protection in accordance with the requirements of chapter 49.17 RCW and chapter 296-350 WAC, variances.

Applications for variances will be reviewed and may be investigated by the department of labor and industries and the department of health. Variances granted will be limited to the specific case or cases covered in the application and may be revoked for cause. The variance must remain prominently posted on the premises while in effect.

Variance application forms may be obtained from the Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625 or the Department of Health, P.O. Box 47852, Olympia, Washington 98504-7852, upon request. Requests for variances from safety and health standards must be made in writing to the director or the assistant director, Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625. (Reference RCW 49.17.080 and 49.17.090.)

NEW SECTION

WAC 246-361-045 Cherry harvest camp sites. The operator must:

(1) Locate and operate a site to prevent a health or safety hazard that is:

(a) Adequately drained and any drainage from and through the camp must not endanger any domestic or public water supply;

(b) Free from periodic flooding and depressions in which water may become a nuisance;

(c) At least two hundred feet from a swamp, pool, sink hole, or other surface collection of water unless there is a mosquito prevention program for those areas;

(d) Large enough to prevent overcrowding of necessary structures. The principal camp area for sleeping and for food preparation and eating must be at least five hundred feet from where livestock are kept; and

(e) Maintained in a clean and sanitary condition.

(2) Develop and implement a cherry harvest camp management plan and rules to assure that the camp is operated in a safe and secure manner and is kept within the approved capacity. Additionally, the licensed operator must:

(a) Inform residents of the rules, in a language the resident understands, by providing individual copies of the rules to each camp resident or posting the rules in the camp area; and

(b) Restrict the number of occupants in the camp to the capacity as determined by the department.

(3) When closing the camp permanently or for the season, complete the following:

(a) Dispose of all refuse to prevent nuisance;

(b) Fill all abandoned toilet pits with earth; and

(c) Leave the grounds and buildings in a clean and sanitary condition.

NEW SECTION

WAC 246-361-055 Water supply. The operator must:

(1) Provide a water system that is:

(a) Approved as a Group A public water system in compliance with chapter 246-290 WAC or provide proof the camp receives water from an approved Group A public water system; or

(b) Approved as a Group B water system in compliance with chapter 246-291 WAC.

Note: A "same farm exemption" applies to a public water system serving only one single-family residence and a system with four or fewer connections, all of which serve residences on the same farm.

If your system has 15 or more connections, regardless of the population, it is a Group A water system.

	Avg. of less than 25 people	Avg. of 25 or more people
At least 60 days or more	Group B	Group A TNC
59 days or less	Group B	Group B

(2) Provide an adequate and convenient hot and cold water supply for drinking, cooking, bathing, and laundry purposes.

Note: An "adequate water supply" means the storage capacity of the potable water system must meet the requirements of ASHRAE 1999 Applications Handbook, chapter 48, Water Systems.

(3) Ensure that the distribution lines are able to maintain the working pressure of the water piping system at not less than fifteen pounds per square inch after allowing for friction and other pressure losses.

(4) When water is not piped to each dwelling unit, provide cold, potable, running water under pressure within one hundred feet of each dwelling unit.

(5) When water sources are not available in each individual tent, provide one or more drinking fountains for each one hundred occupants or fraction thereof. Prohibit the use of common drinking cups or containers from which water is dipped or poured.

(6) When water is unsafe for drinking purposes and accessible to occupants, post a sign by the source reading "Do not drink. Do not use for washing. Do not use for preparing food." printed in English and in the native language of the persons occupying the camp, or marked with easily understood pictures or symbols.

NEW SECTION

WAC 246-361-065 Sewage disposal. An operator must:

(1) Provide sewage disposal systems in accordance with local health jurisdictions.

(2) Connect all drain, waste, and vent systems from buildings to:

(a) Public sewers, if available; or

(b) Approved on-site sewage disposal systems that are designed, constructed, and maintained as required in chapter 246-272 WAC, chapter 173-240 WAC, and local ordinances.

NEW SECTION

WAC 246-361-070 Electricity and lighting. (1) **General electricity requirements.**

(a) The operator must supply electricity to all dwelling units, kitchen facilities, bathroom facilities, common areas, and laundry facilities.

(b) Wiring and fixtures must be installed in accordance with department of labor and industries regulations, chapter 19.28 RCW and local ordinances, and maintained in a safe condition.

(2) **Electricity requirements in tents.**

(a) Each individual tent must have at least one separate floor-type or wall-type convenience outlet. If the operator provides a refrigerator in the tent, a dedicated outlet must be provided for it.

(b) All electrical wiring and equipment installed in tents must meet the requirements of WAC 296-46-100.

(c) All electrical appliances to be connected to the electrical supply must meet the requirements for the load calculations as required by chapter 19.28 RCW.

(d) Electrical wiring exiting the tent to connect to the GFI outside outlet must be placed in approved flexible conduit not to exceed six feet in length.

(e) All wiring located inside the tent must be placed in conduit for protection and connected to a surface to secure the wiring to prevent movement. Wiring must be located to prevent tripping or safety hazards.

(f) Receptacles and lighting fixtures must be UL Listed and approved by the department for use in the tent.

(3) **General lighting requirements.**

(a) The operator must provide adequate lighting sufficient to carry on normal daily activities in all common use areas.

(b) Laundry and toilet rooms and rooms where people congregate must have at least one ceiling-type or wall-type fixture. Where portable toilets are used, lighting requirements can be met by area illumination.

(c) The operator must provide adequate lighting for safe passage for camp occupants to handwashing sinks and toilets.

(d) The operator must provide adequate lighting for showers during hours of operation.

Note: Lighting requirements may be met by natural or artificial means.

(4) **Lighting requirements in tents.**

(a) Tents must have adequate lighting sufficient to carry on all normal daily activities. For example: Three 100-watt bulbs located at the top ridge of the frame and are UL Listed or equivalent.

(b) Each tent must have at least one ceiling-type light fixture.

(c) Food preparation areas, if located in the tent, must have at least one lighting fixture located to provide task lighting over the food preparation area.

(d) Alternate lighting appliances must provide adequate lighting. In addition, if using two or more propane, butane, or white gas lighting appliances, a carbon monoxide monitor must be provided and located not more than thirty inches from the floor.

NEW SECTION

WAC 246-361-075 Tents. (1) **Tents must provide protection from the element.**

(2) **Structural stability and floors.**

(a) Tents and their supporting framework shall be adequately braced and anchored to prevent weather related collapse. Documentation of the structural stability must be furnished to the department.

(b) Floors must be smooth, flat, and without breaks or holes to provide a hard, stable walking surface. Nonridged flooring supported by grass, dirt, soil, gravel, etc., are not acceptable. Floors that are constructed of wood or concrete must comply with the building code, chapter 19.27 RCW or temporary building code, chapter 296-359 WAC.

(c) Floor systems must prevent the entrance of snakes and rodents.

(3) **Flame-retardant treatments.**

(a) The sidewalls, drops, and tops of tents shall be composed of flame-resistant material or shall be treated with a flame retardant in an approved manner.

(b) Floor coverings, which are integral to the tent, and the bunting shall be composed of flame-resistant material or shall be treated with a flame retardant in an approved manner and in accordance with Uniform Building Code, Standard 31.1.

(c) All tents shall have a permanently affixed label bearing the following information:

- (i) Identification of tent size and fabric or material type;
- (ii) For flame-resistant materials, the necessary information to determine compliance with this section and National Fire Protection Association Standard 701, Standard Methods of Fire Tests for Flame-resistant Textiles and Films;
- (iii) For flame-retardant materials, the date that the tent was last treated with an approved flame-retardant;
- (iv) The trade name and type of flame-retardant utilized in the flame-retardant treatment; and
- (v) The name of the person and firm that applied the flame-retardant.

(4) Means of egress.

(a) At least one door must lead to the outside of the tent and the area designated for refuge must be accessible and remain clear of storage materials or hazards.

(b) The door must not be obstructed in any manner and must remain free of any material or matter where its presence would obstruct or render the exit hazardous.

(c) If cooking facilities are provided in tents, the window located opposite the door must have a means to open the window or provide an easily openable space, for example, by means of a zipper which opens downward toward the floor.

(5) Floor area. The operator must:

(a) Provide at least seventy square feet of floor space for one occupant and fifty square feet for each additional occupant; and

(b) Provide at least fifty square feet of floor space for each occupant in rooms used for sleeping purposes.

(6) Ceiling height.

(a) If the tent has a sloped ceiling, a ceiling height of at least seven feet is required in fifty percent of the total area.

(b) No portion of the tent measuring less than six feet from the flooring to the ceiling shall be included in any computation of the minimum floor area.

(7) Windows and ventilation.

(a) Provide a window area equal to one-tenth of the total floor area in each habitable room which opens one-half or more directly to the outside for cross-ventilation which have sixteen-mesh screens on all exterior openings.

(b) The windows must have weather-resistant flaps, which will cover the window area and a means of fastening the flaps to provide protection from the elements and allow privacy for the occupants.

NEW SECTION

WAC 246-361-080 Recreation vehicles. The operator must ensure that all recreational vehicles and/or park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

NEW SECTION

WAC 246-361-090 Laundry facilities. An operator must:

(1) Provide one laundry tray or tub or one mechanical washing machine for every thirty persons.

(2) Provide facilities for drying clothes.

(3) Provide sloped, coved floors of nonslip impervious materials with floor drains.

(4) Maintain laundry facilities in a clean and sanitary condition.

NEW SECTION

WAC 246-361-095 Handwashing and bathing facilities. An operator must:

(1) Provide one handwash sink for every six persons in centralized facilities. Handwash sinks must be adjacent to toilets.

(2) Provide one showerhead for every ten persons in centralized facilities.

(3) Provide one "service sink" in each building used for centralized laundry, handwashing, or bathing.

(4) Provide sloped, coved floors of nonslip impervious materials with floor drains.

(5) Provide walls that are smooth and nonabsorbent to the height of four feet. If partitions are used, they must be smooth and nonabsorbent to the height of four feet.

(6) Provide all showers, baths, and shower rooms with floor drains to remove wastewater.

(7) Provide cleanable, nonabsorbent waste containers.

(8) Maintain bathing and handwashing facilities in a clean and sanitary condition, cleaned at least daily.

(9) Ensure shower facilities provide privacy from the opposite sex and the public.

NEW SECTION

WAC 246-361-100 Toilet facilities. (1) **General toilet requirements.** Operators must provide flush toilets or chemical toilets. The department or health officer according to requirements in chapter 246-272 WAC, must approve pit privies. The operator must comply with the following:

(a) Flush toilets, chemical toilets, and urinals must not be located in any tent.

(b) When chemical toilets are provided they must be:

(i) Located at least fifty feet from any dwelling unit or food-handling facility;

(ii) Maintained by a licensed waste disposal company; and

(iii) Comply with local ordinances.

(c) When urinals are provided:

(i) There must be one urinal or two linear feet of urinal trough for each twenty-five men;

(ii) The floor from the wall and out at least fifteen inches from the outer edge of the urinals must be constructed of materials impervious to moisture;

(iii) The urinal must have an adequate water flush where water under pressure is available; and

(iv) Urinal troughs are prohibited in pit privies.

(d) When pit privies are approved they must be:

(i) At least one hundred feet away from any dwelling unit or food-handling facility; and

(ii) Constructed to exclude insects and rodents from the pit.

(2) **Centralized toilet facilities.** The operator must meet the following requirements when centralized toilet facilities are provided:

- (a) Provide toilet rooms with:
 - (i) One toilet for every fifteen persons;
 - (ii) One handwashing sink for every six persons;
 - (iii) Either a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated; and
 - (iv) All outside openings screened with sixteen-mesh material.
- (b) Locate toilet rooms so that:
 - (i) Toilets are within two hundred feet of the door of each dwelling unit; and
 - (ii) No person has to pass through a sleeping room to reach a toilet room.
- (c) Maintain toilets in a clean and sanitary condition, cleaned at least daily.
- (d) Provide each toilet compartment with an adequate supply of toilet paper.
- (e) When shared facilities will be used for both men and women:
 - (i) Provide separate toilet rooms for each sex with a minimum of one toilet room for each sex;
 - (ii) Identify each room "men" and "women" with signs printed in English and in the native language of the persons occupying the camp, or identified with easily understood pictures or symbols; and
 - (iii) Separate facilities by solid walls or partitions extending from the floor to the roof or ceiling when facilities for each sex are located in the same building.

NEW SECTION

WAC 246-361-125 Cooking and food-handling facilities. The operator must provide enclosed or screened cooking and food-handling facilities for all occupants. Adequate tables and chairs or seating must be provided for camp occupants.

- (1) If the operator provides cooking facilities in tents, the operator must provide:
 - (a) An operable cook stove or hot plate with at least one cooking surface for every four occupants;
 - (b) A sink with hot and cold running potable water under pressure at each tent site;
 - (c) At least two cubic feet of dry food storage space per occupant;
 - (d) Nonabsorbent, easily cleanable food preparation counters situated off the floor;
 - (e) Mechanical refrigeration conveniently located and able to maintain a temperature of 45°F or below, with at least one cubic foot of storage space per occupant; and
 - (f) Adequate ventilation for cooking facilities.
- (2) If the operator provides common food-handling facilities, the operator must provide:
 - (a) A room or building, adequate in size, separate from any dwelling unit;
 - (b) No direct openings to living or sleeping areas from the common food-handling facility;

(c) An operable cook stove or hot plate with at least one cooking surface for every four occupants, or four cooking surfaces for every two families;

- (d) Sinks with hot and cold running potable water under pressure;
 - (e) At least two cubic feet of dry food storage space per occupant;
 - (f) Nonabsorbent, easily cleanable food preparation counters situated off the floor;
 - (g) Conveniently located mechanical refrigeration able to maintain a temperature of 45° F or below, with at least one cubic foot of storage space per occupant;
 - (h) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;
 - (i) Nonabsorbent, easily cleanable floors; and
 - (j) Adequate ventilation for cooking facilities.
- (3) The operator must ensure that dining hall facilities comply with chapter 246-215 WAC, Food service.

NEW SECTION

WAC 246-361-135 Cots, beds, bedding, and personal storage. The operator must provide cots, beds or bunks for each occupant, not to exceed the maximum occupancy approved by the department or health officer.

- (1) Beds or bunks must be furnished with clean mattresses and maintained in a clean and sanitary condition.
- (2) The operator must:
 - (a) Provide a minimum of twelve inches between each cot, bed, or bunk and the floor; and
 - (b) Allow space to separate beds laterally and end to end by at least thirty-six inches when single beds are used.
- (3) When bunk beds are used the operator must:
 - (a) Allow space to separate beds laterally and end to end by at least forty-eight inches; and
 - (b) Maintain a minimum space of twenty-seven inches between the upper and lower bunks.
- (4) Locate cots, beds, or bunks at least thirty inches or more from cooking surfaces.
- (5) The use of triple bunk beds is prohibited.
- (6) The operator must provide suitable storage facilities for clothing and personal articles in each tent.

NEW SECTION

WAC 246-361-145 First-aid and safety. The operator must:

- (1) Comply with chapters 15.58 and 17.21 RCW, chapter 16-228 WAC, chapter 296-307 WAC Part I and J, and pesticide label instructions when using pesticides in and around the camp.
- (2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use.
- (3) Provide readily accessible first-aid equipment.
- (4) Ensure that a first-aid qualified person is readily accessible to administer first-aid at all times.
- (5) Store or remove unused refrigerator units to prevent access by children.

NEW SECTION

WAC 246-361-155 Refuse disposal. The operator must:

- (1) Comply with local sanitation codes for removing refuse from camp areas and disposing of refuse.
- (2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse.
- (3) Store refuse in fly-tight, rodent-tight, impervious, and cleanable or single-use containers.
- (4) Keep refuse containers clean.
- (5) Provide a container on a wooden, metal, or concrete stand within one hundred feet of each dwelling unit.
- (6) Empty refuse containers at least twice each week, and when full.

NEW SECTION

WAC 246-361-165 Insect and rodent control. The operator must take effective measures to prevent and control insect and rodent infestation.

NEW SECTION

WAC 246-361-175 Disease prevention and control. The operator must:

- (1) Report immediately to the local health officer the name and address of any individual in the camp known to have or suspected of having a communicable disease.
- (2) Report to the local health officer or state board of health:
 - (a) Suspected food poisoning;
 - (b) An unusual prevalence of fever, diarrhea, sore throat, vomiting, or jaundice; or

(c) Productive cough, or weight loss is a prominent symptom among occupants.

(3) Prohibit any individual with a communicable disease from preparing, cooking, serving, or handling food, food-stuffs, or materials in dining halls.

NEW SECTION

WAC 246-361-990 Fees for cherry harvest camps. (1) **License and survey fees.** A cherry camp operator must submit to the department a license fee of twenty-five dollars and an on-site survey fee as specified in Table 990.

Note: The on-site survey fee for licensing includes four surveys (one prior to camp being occupied, two while camp is occupied, and one to verify the camp has been closed).

(2) **Additional survey fees.** An operator will be charged an additional on-site survey fee for any follow-up surveys, when the department determines additional on-site surveys are necessary to confirm compliance with this chapter. The additional survey will be one-half the cost of the on-site survey fee as stated in Table 990.

(3) **Complaint investigation fees.** Operators will be charged for each on-site survey conducted by the department when a complaint investigation results in the complaint being found valid. This fee will be charged according to Table 990 for on-site survey.

(4) **Water test fees.** An operator will be directly billed for each water sample collected by the department when the operator has not submitted the water tests as required by WAC 246-361-025 and 246-361-055.

(5) **Refunds.** The license and on-site survey fee may be refunded when the operator submits:

- (a) A written request to the department; and
- (b) Provides documentation that the housing was not occupied during the license period.

TABLE 990

NUMBER OF UNITS	ON-SITE SURVEY FEE (includes cost of all survey types: Initial, annual, follow-up, complaint)	LICENSE FEE	TOTAL
0 to 9 persons	\$ 45.00	\$25.00	\$70.00
10 to 50 persons	70.00	25.00	95.00
51 to 100 persons	100.00	25.00	125.00
101 to 150 persons	125.00	25.00	150.00
for each additional 50 persons over 150 add \$25	125.00+ \$25.00 for each 50 persons	25.00	

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-001 Purpose and ((scope)) applicability. ((1) This chapter contains:

((a) Minimum health and sanitation requirements for temporary worker housing adopted by the Washington state board of health in accordance with RCW 70.54.110;

((b) Procedures for applying for an operating license to provide temporary worker housing, adopted by the Washington state department of health in accordance with RCW 43.70.340(3); and

((c) Operating license fees as set by RCW 43.70.340(2) to cover the costs of an inspection program to ensure compliance with this chapter, adopted by the Washington state department of health.

((2) This chapter applies to:

PROPOSED

~~(a) Temporary worker housing that consists of:~~
~~(i) Five or more dwelling units; or~~
~~(ii) Any combination of dwelling units, dormitories, or spaces that house ten or more occupants; and~~
~~(b) Operators who must comply with substantive state health and safety standards to qualify for MSPA.~~

~~(3) This chapter does not apply to housing regulated by chapter 59.18 RCW, Residential Landlord-Tenant Act, or chapter 59.20 RCW, Mobile Home Landlord-Tenant Act.)~~

(1) Purpose. This part is adopted by the Washington state department of health to implement the provisions of chapter 70.114A RCW and establish minimum health and safety requirements for temporary worker housing.

(2) Applicability.

(a) This chapter applies only to operators of temporary worker housing. Operators using tents within the cherry harvest season must refer to WAC 296-307-16300, Part L1, or chapter 246-361 WAC.

(b) Operators with ten or more occupants are required to be licensed under this chapter. Operators with one or more employees are required to comply with WISHA standards.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-010 Definitions. For the purposes of this chapter, the following words and phrases will have the following meanings unless the context clearly indicates otherwise:

(1) ("Board" means the Washington state board of health.

(2) "Contracted health officer" means a health officer who has a signed agreement with the department to inspect housing, issue operating licenses, and enforce this chapter.

(3)) "Agricultural employee" means any person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

(2) "Agricultural employer" means any person engaged in agricultural activity, including the growing, producing, or harvesting of farm or nursery products, or engaged in the reforestation or reforestation of lands, which includes, but is not limited to, the planting, transplanting, tubing, precommercial thinning, and thinning of trees and seedlings, the clearing, piling, and disposal of brush and slash, the harvest of Christmas trees, and other related activities.

(3) "Building" means any structure used or intended to be used for supporting or sheltering any use or occupancy that may include cooking, eating, sleeping, and sanitation facilities.

(4) "Department" means the Washington state department of health.

((4)) (5) "Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

(a) Provided and designated by the operator as either a sleeping area, living area, or both, for occupants; and

(b) Physically separated from other sleeping and common-use areas.

((5)) (6) "Drinking fountain" means a fixture equal to a nationally recognized standard or a designed-to-drain faucet which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

((6) "Exemption" means a written authorization which excludes an operator from meeting a specific requirement or requirements in this chapter.)

(7) "First aid qualified" means that the person holds a current certificate of first-aid training from the American Red Cross or another course with equivalent content or hours.

(8) "Current certificate (first aid)" means a first-aid-training certificate that has not expired.

(9) "Food-handling facility" means a designated, enclosed area for preparation of food.

((8)) (10) "Dining hall" means a cafeteria-type eating place with food furnished by and prepared under the direction of the operator for consumption, with or without charge, by occupants.

((b)) (11) "Common food-handling facility" means an area designated by the operator for occupants to store, prepare, cook, and eat their own food supplies.

((8)) (12) "Group A water system" means a public water system and includes community and noncommunity water systems.

(a) A community water system means any Group A water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

(b) A noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) water system that provides service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) Transient (TNC) water system that serves:

(A) Twenty-five or more different people each day for sixty or more days within a calendar year;

(B) Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days within a calendar year; or

(C) One thousand or more people for two or more consecutive days within a calendar year.

(13) "Group B water system" means a public water system: Constructed to serve less than fifteen residential services regardless of the number of people; or constructed to serve an average nonresidential population of less than twenty-five per day for sixty or more days within a calendar year; or any number of people for less than sixty days within a calendar year.

(14) "Habitable room" means a room or space in a structure with a minimum seven-foot ceiling used for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

PROPOSED

(15) "Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW or appointed as the director of public health of a combined city-county health department under chapter 70.08 RCW.

~~((9))~~ "Interagency agreement committee" means a representative from the state board of health, department of health, department of labor and industries, employment security department, and department of community, trade, and economic development, pursuant to RCW 43.70.340.

~~((10))~~ (16) "Livestock" means horses, cows, pigs, sheep, goats, poultry, etc.

(17) "Livestock operation" means any place, establishment, or facility consisting of pens or other enclosures in which livestock is kept for purposes including, but not limited to, feeding, milking, slaughter, watering, weighing, sorting, receiving, and shipping. Livestock operations include, among other things, dairy farms, corrals, slaughterhouses, feedlots, and stockyards. Operations where livestock can roam on a pasture over a distance may be treated as outside the definition.

(18) "MSPA" means the Migrant and Seasonal Agricultural Worker Protection Act (96 Stat. 2583; 29 U.S.C. Sec. 1801 et seq.).

~~((11))~~ (19) "Occupant" means a temporary worker or a person who resides with a temporary worker at the housing site.

~~((12))~~ (20) "Operator" means a person holding legal title to the land on which temporary worker housing is located. However, if the legal title and the right to possession are in different persons, "operator" means a person having the lawful control or supervision over the temporary(-)worker housing.

~~((13))~~ (21) "Operating license" means a document issued annually by the department or ~~((contracted))~~ health officer authorizing the use of temporary(-)worker housing.

~~((14))~~ (22) "Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use, that meets the following criteria:

(a) Built on a single chassis, mounted on wheels;

(b) Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and

(c) Certified by the manufacturer as complying with ANSI A119.5.

(23) "Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive of power or is mounted on, or towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers, but does not include pickup trucks with camper shells, canopies, or other similar coverings.

(24) "Refuse" means solid wastes, rubbish, or garbage.

~~((15))~~ (25) "Temporary worker" means ~~((a person))~~ an agricultural employee employed intermittently and not residing year-round at the same site.

~~((16))~~ (26) "Temporary(-)worker housing" or "housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for his or her agricultural employees or by another

person, including a temporary(-)worker housing operator, who is providing such accommodations for employees for temporary, seasonal occupancy ~~((, and includes "labor camps" under RCW 70.54.110)).~~

~~((17))~~ (27) "WISHA" means the Washington Industrial Safety and Health Act, chapter 49.17 RCW, administered by the Washington state department of labor and industries.

AMENDATORY SECTION (Amending WSR 96-01-084, filed 12/18/95, effective 1/1/96)

WAC 246-358-025 Operating license. The operator:

(1) ~~((An operator shall notify the department or contracted health officer to))~~ Must request ((license)) a license from the department of health or health officer when:

(a) Housing consists of:

(i) Five or more dwelling units;

(ii) Any combination of dwelling units, or spaces that house ten or more occupants; ~~((or))~~

(b) Compliance with MSPA requires ~~((license))~~ a license; or

(c) Construction of camp buildings requires a license under chapter 246-359 WAC. Temporary worker housing construction standard.

(2) ~~((An operator shall))~~ Must apply for an operating license at least forty-five days prior to either the use of housing or the expiration of an existing operating license by submitting to the department or ~~((contracted))~~ health officer:

(a) A completed application on a form provided by the department or ~~((contracted))~~ health officer;

(b) Proof ~~((of satisfactory results of a bacteriological water quality test as required by WAC 246-358-055(2), or proof housing is connected to a community))~~ water system is current with all water tests required by chapter 246-290 or 246-291 WAC; and

(c) A fee as specified in WAC 246-358-990.

(3) ~~((An operator))~~ Will receive an operating license for the maximum number of occupants as determined by WAC 246-358-029 when:

(a) The application requirements from subsection (2) of this section are met;

(b) The housing is in compliance with this chapter as demonstrated by:

(i) A licensing survey completed by the department; or

(ii) A self-survey completed by the operator and approved by the department; and

(c) The operator follows the corrective action plan established by the department if existing housing does not meet all the requirements of this chapter.

(4) May allow the use of housing without a renewed license when all of the following conditions exist:

(a) The operator applied for renewal of an operating license in accordance with subsection (2) of this section at least forty-five days before occupancy, as evidenced by the post mark;

(b) The department or ~~((contracted))~~ health officer has not inspected the housing or issued an operating license;

(c) Other local, state, or federal laws, rules, or codes do not prohibit use of the housing; and

(d) The operator provides and maintains housing in compliance with this chapter.

~~((4) An operator shall:~~

~~(a)) (5) Must post the operating license in a place readily accessible to ((workers;)) occupants of the housing.~~

~~((b)) (6) Must notify the department or ((contracted)) health officer ((in the event)) of a transfer of ownership((; and)).~~

~~((c)) (7) Must cooperate with the department or ((contracted)) health officer during on-site inspections.~~

~~((5) An operator may appeal decisions of the department in accordance with chapter 34.05 RCW and chapter 246-08 WAC.))~~

NEW SECTION

WAC 246-358-027 Requirements for self-survey program. If a licensed operator meets the requirements provided in this section, then the operator may participate in the self-survey program. This means an operator is allowed to conduct a self-survey for two years. On the third year the department will conduct an on-site verification survey to assure compliance with this chapter and determine if the temporary worker housing still meets the requirements of the self-survey program.

(1) To be in the self-survey program the operator must:

(a) Meet the requirements of WAC 246-358-025;

(b) Not have had any valid complaints;

(c) Have had two consecutive years without any deficiencies or very minor deficiencies (for example one or two screens torn, missing a few small trash cans, etc.); and

(d) Be recommended by the health surveyor.

(2) For a licensed operator to remain in the self-survey program the licensed operator must:

(a) Continue to comply with subsection (1) of this section;

(b) Continue to not have any deficiencies or very minor deficiencies; and

(c) Not have a change in ownership.

(3) When licensed temporary worker housing changes ownership, the new licensed operator must comply with the requirements of subsection (1) of this section before being eligible to be on the self-survey program.

NEW SECTION

WAC 246-358-029 Maximum housing occupancy. (1) The maximum occupancy for operator-supplied housing will be based on:

(a) The square footage of the housing facility; and

(b) The number of bathing, food handling, handwashing, laundry, and toilet facilities.

(2) The maximum occupancy for worker-supplied housing will be based on:

(a) The number of spaces designated for worker-supplied housing by the operator; and

(b) The number of bathing, food handling, handwashing, laundry, and toilet facilities in excess of those facilities required for operator-supplied housing.

NEW SECTION

WAC 246-358-040 Variance and procedure. Conditions may exist in operations that a state standard will not have practical use. The director of the department of labor and industries may issue a variance from the requirements of the standard when another means of providing equal protection is provided. The substitute means must provide equal protection in accordance with the requirements of chapter 49.17 RCW and chapter 296-350 WAC, variances.

Applications for variances may be reviewed and investigated by the department of labor and industries and the department of health. Variances granted will be limited to the specific case or cases covered in the application and may be revoked for cause. The variance shall remain prominently posted on the premises while in effect.

Variance application forms may be obtained from the Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625 or the Department of Health, P.O. Box 47852, Olympia, Washington 98504-7852, upon request. Requests for variances from safety and health standards shall be made in writing to the director or the assistant director, Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625. (Reference RCW 49.17.080 and 49.17.090.)

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-045 ~~((Location and maintenance.))~~
Temporary worker housing sites. ~~((1) An operator shall locate housing:~~

~~(a) To prevent a health or safety hazard;~~

~~(b) On well-drained sites to prevent standing water from becoming a nuisance;~~

~~(c) Five hundred feet or more from a livestock operation unless the department or contracted health officer determines that no health risk exists;~~

~~(d) More than two hundred feet from swamps, pools, sink holes, or other surface collections of water unless provisions are taken to prevent the breeding of mosquitoes; and~~

~~(e) On sites sufficient in size to prevent overcrowding of necessary structures.~~

~~(2) An operator shall ensure that the housing site is maintained at all times in a sanitary condition free from garbage and other refuse.)) The operator must locate and operate a site to prevent a health or safety hazard and it is:~~

~~(1) Adequately drained and any drainage from and through the housing must not endanger any domestic or public water supply;~~

~~(2) Free from periodic flooding and depressions in which water may become a nuisance;~~

~~(3) At least two hundred feet from a swamp, pool, sink hole, or other surface collection of water unless there is a mosquito prevention program for those areas;~~

~~(4) Large enough to prevent overcrowding of necessary structures. The principal housing area for sleeping and for food preparation and eating must be at least five hundred feet from where livestock are kept; and~~

(5) The grounds and open areas surrounding the shelters must be in a clean and sanitary condition.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-055 Water supply. ~~((An))~~ The operator ~~((shall))~~ must:

(1) Provide a water system that is:

(a) Approved as a Group A public water system in compliance with chapter 246-290 WAC or provide proof the temporary worker housing receives water from an approved Group A public water system; or

(b) Approved as a Group B water system in compliance with chapter 246-291 WAC.

Note: A "same farm exemption" applies to a public water system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm.

If your system has fifteen or more connections, regardless of the population, it is a Group A water system.

	<u>Avg. of less than</u>	<u>Avg. of 25 or</u>
	<u>25 people</u>	<u>more people</u>

<u>At least 60 days or</u>	<u>Group B</u>	<u>Group A TNC</u>
<u>more</u>		

<u>59 days or less</u>	<u>Group B</u>	<u>Group B</u>
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~~((from an approved source as described in chapter 246-290 WAC, and:~~

~~(a) For housing existing prior to August 1, 1984, maintain and operate the water system in accordance with chapter 246-290 WAC; and~~

~~(b) For housing constructed after August 1, 1984, design, construct, maintain, and operate the water system in accordance with chapter 246-290 WAC;~~

~~(2) Provide a water system:~~

~~(a) Capable of delivering thirty-five gallons per person per day to the housing site at a peak rate of two and one-half times the average hourly demand; and~~

~~(b) With)) for drinking, cooking, bathing, and laundry purposes.~~

Note: An "adequate water supply" means the storage capacity of the potable water system must meet the requirements of ASHRAE 1999 Applications Handbook, chapter 48, Water Systems.

(3) Ensure that the distribution lines ((capable of supplying)) are able to maintain the working pressure of the water piping system at ((normal operating pressures to all fixtures for simultaneous operation;

~~(3) If water is not supplied solely by a community water system, submit a water sample to a department-certified laboratory for bacteriological quality testing each year prior to opening housing in accordance with WAC 246-290-300;~~

(4) Delay the use of housing until bacteriological quality meets the requirements in WAC 246-290-310;)) not less than fifteen pounds per square inch after allowing for friction and other pressure losses.

(4) Provide hot water with a temperature of not less than 105 degrees Fahrenheit that does not exceed 120 degrees Fahrenheit for handwashing, bathing, and laundry purposes.

(5) When water is not piped to each dwelling unit, provide cold, potable, running water under pressure ((in, or)) within one hundred feet of((;)) each dwelling unit((;)).

(6) When water sources are not available in each individual dwelling unit, provide one or more drinking fountains for each one hundred occupants or fraction thereof ((if water under pressure is available;

~~((7)). Prohibit the use of common drinking cups or containers from which water is dipped or poured((- and common drinking cups; and)).~~

~~((8))~~ (7) When water is unsafe for drinking purposes and accessible to occupants, post a sign by the source reading "DO NOT DRINK. DO NOT USE FOR WASHING. DO NOT USE FOR PREPARING FOOD." printed in English and in the native language of the persons occupying the housing or marked with easily-understood pictures or symbols.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-065 Sewage disposal. ~~((An operator shall:~~

~~(1) Connect sewer lines and floor drains from buildings to public sewers if public sewers are available;~~

~~(2) If public sewers are not available provide on-site sewage disposal systems designed, constructed, and maintained as required in chapter 246-272 WAC, chapter 173-240 WAC, and local ordinances; and~~

~~(3) Ensure connection and drainage of sewage and waste water from all housing to a sewage disposal system approved by the jurisdictional agency.))~~ The operator must:

(1) Provide sewage disposal systems in accordance with local health jurisdictions.

(2) Connect all drain, waste, and vent systems from buildings to:

(a) Public sewers, if available; or

(b) Approved on-site sewage disposal systems that are designed, constructed, and maintained as required in chapter 246-272 WAC, chapter 173-240 WAC, and local ordinances.

NEW SECTION

WAC 246-358-070 Electricity and lighting. The operator must ensure that:

(1) Electricity is supplied to all dwelling units, kitchen facilities, shower/bathroom facilities, common areas, and laundry facilities.

(2) All electrical wiring and electrical equipment in a camp must meet the electric standards of applicable building codes.

(3) Each habitable room in a camp has at least one ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet.

(4) Laundry, shower rooms, toilet rooms and rooms where people congregate have at least one ceiling-type or wall-type fixture.

PROPOSED

(5) General lighting and task lighting is adequate to carry on normal daily activities.

(6) Adequate lighting for safe passage for camp occupants to handwashing sinks and toilets.

Note: Lighting requirements may be met by natural or artificial means.

(7) Wiring and fixtures are installed in accordance with department of labor and industries regulations, chapter 19.28 RCW and local ordinances, and maintained in a safe condition.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-075 ((Construction)) Building requirements and maintenance. ((An operator shall:

(1) ~~Ensure construction provides protection against the elements and complies with applicable state and local ordinances, codes, regulations, and this chapter;~~

(2) ~~Identify each dwelling unit and space for worker supplied housing by posting a number at each site;~~

(3) ~~Maintain buildings and shelters in good repair and sanitary condition;~~

(4) ~~Comply with chapter 51-20 WAC by providing two means of escape from sleeping rooms, foodhandling facilities, and rooms where fifty or more people congregate;~~

(5) ~~Provide at least seventy square feet of floor space for one occupant and fifty square feet for each additional occupant in each dwelling unit;~~

(6) ~~Provide at least seven foot ceilings and fifty square feet of floor space for each occupant in rooms used for sleeping purposes;~~

(7) ~~Provide smooth and tightly constructed wood, asphalt, or concrete floors in good repair;~~

(8) ~~When wood floors are used, ensure floors are at least twelve inches above the ground at all points;~~

(9) ~~Provide a window area equal to one-tenth of the total floor area in each habitable room which opens one-half or more directly to the outside for ventilation;~~

(10) ~~Provide effective sixteen-mesh screens on all exterior openings, and screen doors equipped with self-closing devices;~~

(11) ~~Provide electrical service to include at least one electrical ceiling type light fixture and at least one separate floor type or wall type convenience outlet in each habitable room;~~

(12) ~~Provide a minimum of thirty footcandles of light measured thirty inches from the floor in dwelling units;~~

(13) ~~Ensure wiring and fixtures are installed in accordance with department of labor and industries regulations, RCW 19.28.070 and local ordinances, and maintained in a safe condition;~~

(14) ~~Ensure heating, cooking, water heating, and other electrical equipment is installed in accordance with state and local ordinances, codes, and regulations governing such installation;~~

(15) ~~Provide adequate heating equipment if camp is used during cold weather;~~

(16) ~~Ensure that operator-supplied trailers and recreational vehicles manufactured after July 1968 display a~~

~~Washington state department of labor and industries insignia as required in chapters 296-150A and 296-150B WAC; and~~

~~(17) Follow the compliance schedule established with the department or contracted health officer when existing housing fails to meet the requirements in this chapter.)) An operator must:~~

(1) Construct buildings to provide protection against the elements and comply with the State Building Code, chapter 19.27 RCW or the Temporary worker housing construction standard, chapter 246-359 WAC, applicable state and local ordinances, codes, regulations, and this chapter. Any shelter meeting these requirements is acceptable.

(2) Identify each dwelling unit and space used for shelter by posting a number at each site.

(3) Maintain buildings in good repair and sanitary condition.

(4) Provide exits that are unobstructed and remain free of any material or matter where its presence would obstruct or render the exit hazardous.

(5) Provide at least seventy square feet of floor space for the first occupant and at least fifty square feet of floor space for each additional occupant in each dwelling unit.

(6) Provide a ceiling height of at least seven feet for each habitable room. If a building has a sloped ceiling, no portion of the room measuring less than six feet from the finished floor to the finished ceiling will be included in any computation of the minimum floor space.

(7) Provide each room used for sleeping purposes with at least fifty square feet of floor space for each occupant.

(8) Provide floors in accordance with the State Building Code, chapter 19.27 RCW, or the Temporary worker housing construction standard, chapter 246-359 WAC, that are tightly constructed and in good repair.

(9) Ensure wooden floors are at least one foot above ground-level, or meet the requirements in the State Building Code, chapter 19.27 RCW or chapter 246-359 WAC.

(10) Provide habitable rooms that have:

(a) Windows covering a total area equal to at least one-tenth of the total floor area and at least one-half of each window can be opened to the outside for ventilation; or

(b) Mechanical ventilation in accordance with applicable ASHRAE standards.

(11) Provide sixteen-mesh screening on all exterior openings and screen doors with self-closing devices.

(12) Install all heating, cooking, and water heating equipment according to state and local ordinances, codes, and regulations and maintain in a safe condition.

(13) Provide adequate heating equipment if habitable rooms, including bathrooms, are used during cold weather.

(14) Ensure that all recreational vehicles or park trailers meet the requirements of chapter 296-150P or 296-150R WAC.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-090 Laundry facilities. ((An operator shall provide laundry facilities including:

PROPOSED

(1) Hot and cold running water under pressure for laundry adequate to meet the needs of occupants as determined by the department or contracted health officer;

(2) One laundry tray or tub, or one mechanical washing machine, for each thirty occupants, or fraction thereof, specified on the operating license;

(3) At least one slop sink in each building used for laundry;

(4) Facilities for drying clothes;

(5) Sloped, coved floors of nonslip impervious materials with floor drains;

(6) At least one electrical ceiling or wall type convenience fixture;

(7) Thirty footcandles of light measured thirty inches from the floor;

(8) Equipment capable of maintaining a temperature of 70°F during cold weather.) An operator must:

(1) Provide one laundry tray or tub or one mechanical washing machine for every thirty persons.

(2) Provide facilities for drying clothes.

(3) Provide sloped, coved floors of nonslip impervious materials with floor drains.

(4) Maintain laundry facilities in a clean and sanitary condition.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-095 ((Bathing and)) Handwashing and bathing facilities. ((+) An operator shall:

(a) Provide hot and cold running water under pressure for bathing and handwashing adequate to meet the needs of occupants as determined by the department or contracted health officer;

(b) Provide at least one electrical ceiling or wall type convenience fixture; and

(c) Provide thirty footcandles of light measured thirty inches from the floor.

(2) An operator providing centralized bathing or handwashing facilities shall meet the requirements of subsection (1) of this section, and:

(a) Provide the number of handwashing sinks and shower heads specified in Table I;

(b) Provide a means to maintain a temperature of 70°F during cold weather;

(c) Ensure bathing and handwashing facilities are maintained in a clean and sanitary condition;

(d) Provide one slop sink per building used for handwashing and bathing; and

(e) Provide shower rooms with:

(i) Sloped, coved floors of nonslip impervious materials;

(ii) Floor drains; and

(iii) Smooth, water impervious walls and partitions to the height of splash.

(f) Provide cleanable, nonabsorbent waste containers.

TABLE I:

Required number of centralized handwashing sinks and shower heads.

HANDWASHING SINKS One per each 6 persons* or fraction thereof.

TABLE I:

Required number of centralized handwashing sinks and shower heads.

SHOWER HEADS

One per each 10 persons* or fraction thereof.

*The number of persons shall be calculated by subtracting the number of occupants sheltered in dwelling units that contain individual facilities from the maximum occupancies approved for both operator-supplied and worker-supplied housing.

(3) An operator providing bathing or handwashing facilities in dwelling units shall meet the requirements in subsection (1) of this section, and request occupants to maintain bathing, handwashing, and toilet facilities in a clean and sanitary condition.) An operator must:

(1) Provide one handwash sink for each family dwelling unit or for every six persons in centralized facilities. Handwash sinks must be adjacent to toilets.

(2) Provide one showerhead for each family dwelling unit or for every ten persons in centralized facilities.

(3) Provide one "service sink" in each building used for centralized laundry, hand washing, or bathing.

(4) Provide sloped, coved floors of nonslip impervious materials with floor drains.

(5) Ensure shower room walls are smooth and nonabsorbent to the height of four feet. If used, partitions must be smooth and nonabsorbent to the height of four feet.

(6) Provide all showers, baths, or shower rooms with floor drains to remove wastewater.

(7) Provide cleanable, nonabsorbent waste containers.

(8) Maintain centralized bathing and handwashing facilities in a clean and sanitary condition, cleaned at least daily.

(9) Ensure shower facilities provide privacy from the opposite sex and the public.

(10) An operator providing bathing or handwashing facilities in family dwelling units must meet the requirements in subsection (1) and (2) of this section, and request occupants to maintain bathing and handwashing facilities in a clean and sanitary condition.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-100 Toilet facilities. ((+) The operator shall:

(a) Locate each toilet in a toilet room which is accessible without passing through a sleeping room;

(b) Provide a window not less than six square feet in area opening directly to the outside, or other satisfactory ventilation;

(c) Provide water flush toilets unless privies or other methods are specifically approved by the department or contracted health officer according to requirements in chapter 246-272 WAC;

(d) Locate pit privies, when approved, at least one hundred feet from any dwelling unit, space, or foodhandling facility;

(e) When vault privies or chemical toilets are approved:
(i) Locate at least fifty feet from any dwelling unit, space, or foodhandling facility;

PROPOSED

- ~~(ii) Maintain a service contract for sewage pumping with a licensed waste disposal company; and~~
 - ~~(iii) Comply with local ordinances;~~
 - ~~(f) If urinals are provided, cover the floor with a material impervious to moisture for a radius of not less than fifteen inches from the outer edge of the urinal, and from the urinal to the wall;~~
 - ~~(g) Provide an adequate water flush in urinals if water under pressure is available;~~
 - ~~(h) Connect sinks and bathing facilities through properly trapped floor drains to an approved disposal system; and~~
 - ~~(i) Provide an adequate supply of toilet paper in each toilet room, privy, and chemical toilet compartment.~~
 - ~~(j) Provide at least one electrical ceiling or wall type convenience fixture.~~
 - ~~(2) An operator providing centralized toilet facilities shall meet the requirements of subsection (1) of this section, and:~~
 - ~~(a) Provide one toilet per fifteen persons of each sex with a minimum of two toilets for any facility shared by men and women;~~
 - ~~(b) Locate toilets within two hundred feet of the door of each sleeping unit;~~
 - ~~(c) Separate toilet rooms for men and for women with solid walls or partitions extending from the floor to the roof or ceiling;~~
 - ~~(d) Clearly mark each room for "men" and for "women" by signs printed in English and in the native language of the persons occupying the camp, or marked with easily understood pictures or symbols;~~
 - ~~(e) Provide natural or artificial light twenty-four hours per day equal to twenty footcandles of light, measured thirty inches from the floor;~~
 - ~~(f) Provide a means to maintain a temperature of 70°F during cold weather; and~~
 - ~~(g) Ensure that the toilet facilities are cleaned at least daily.~~
 - ~~(3) An operator providing toilet facilities in dwelling units shall meet the requirements in subsection (1) of this section, and:~~
 - ~~(a) Provide a handwashing sink in each dwelling unit that contains a toilet; and~~
 - ~~(b) Request occupants to maintain toilet facilities in a clean and sanitary condition-))~~
- (1) General toilet requirements. Operators must provide water flush toilets unless chemical toilets or pit privies are specifically approved by the department or health officer according to requirements in chapter 246-272 WAC and ensure the following:
- (a) Flush toilets, chemical toilets, and urinals must not be located in any sleeping room, dining room, or kitchen.
 - (b) When chemical toilets are approved, they must be:
 - (i) Located at least fifty feet from any dwelling unit or food handling facility;
 - (ii) Maintained by a licensed waste disposal company; and
 - (iii) Comply with local ordinances.
 - (c) When urinals are provided:
 - (i) There must be one urinal or two linear feet of urinal trough for each twenty-five men;

- (ii) The floor from the wall and out at least fifteen inches from the outer edge of the urinals must be constructed of materials impervious to moisture;
- (iii) Urinals must have an adequate water flush where water under pressure is available; and
- (iv) Urinal troughs are prohibited in pit privies.
- (d) When pit privies are approved they must be:
 - (i) At least one hundred feet away from any sleeping room, dining room, lunch area, or kitchen; and
 - (ii) Constructed to exclude insects and rodents from the pit.
- (2) Centralized toilet facilities. The operator must meet the following requirements when centralized toilet facilities are provided:
 - (a) Provide toilet rooms with:
 - (i) One toilet per fifteen persons;
 - (ii) One handwashing sink for every six persons;
 - (iii) Either a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated; and
 - (iv) All outside openings screened with sixteen-mesh material.
 - (b) Locate toilet rooms so that:
 - (i) Toilets are within two hundred feet of the door of each sleeping room; and
 - (ii) No person has to pass through a sleeping room to reach a toilet room.
 - (c) Maintain toilets in a clean and sanitary condition, cleaned at least daily.
 - (d) Provide each toilet compartment with an adequate supply of toilet paper.
 - (e) When shared facilities will be used for both men and women:
 - (i) Provide separate toilet rooms for each sex with a minimum of one toilet room for each sex;
 - (ii) Identify each room for "men" and "women" with signs printed in English and in the native language of the persons occupying the camp, or identified with easily understood pictures or symbols; and
 - (iii) Separate facilities by solid walls or partitions extending from the floor to the roof or ceiling when facilities for each sex are located in the same building.
- (3) Individual family/unit dwelling toilet requirements. If providing flush toilets in individual cabins, apartments, or houses, the operator must:
 - (a) Provide one toilet for each individual family dwelling unit or fifteen persons.
 - (b) Provide one handwashing sink for each six persons. The sink must be located in the toilet room or immediately adjacent.
 - (c) Provide a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated.
 - (d) Ensure all outside openings screened with sixteen-mesh material.
 - (e) Ensure toilet facilities are cleaned prior to occupancy and request occupants to maintain the facilities in a clean and sanitary condition.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-125 Cooking and food handling facilities. (~~An operator shall provide enclosed cooking and food handling facilities for all occupants:~~

~~(1) An operator furnishing cooking facilities in each dwelling unit shall provide:~~

~~(a) An operable cook stove or hot plate with a minimum of one cooking surface for every two adult occupants or four cooking surfaces for every two families;~~

~~(b) A sink with running water under pressure;~~

~~(c) Food storage areas and easily cleanable food preparation counters situated off the floor;~~

~~(d) Mechanical refrigeration capable of maintaining temperature of forty five degrees Fahrenheit or below, with space for storing perishable food items for all occupants;~~

~~(e) Fire resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;~~

~~(f) Nonabsorbent and easily cleanable floors;~~

~~(g) At least one electrical ceiling or wall type convenience fixture; and~~

~~(h) Thirty footcandles of light measured thirty inches from the floor.~~

~~(2) An operator furnishing common food handling facilities shall provide:~~

~~(a) A room or building, adequate in size, separate from any sleeping quarters and without direct openings to living or sleeping quarters;~~

~~(b) An operable cook stove or hot plate with a minimum of one cooking surface for every two adult occupants or four cooking surfaces for every two families;~~

~~(c) Sinks with hot and cold running water under pressure;~~

~~(d) Food storage areas and easily cleanable food preparation counters situated off the floor;~~

~~(e) Mechanical refrigeration capable of maintaining a temperature of forty five degrees Fahrenheit or below with space for storing perishable food items for all occupants;~~

~~(f) Fire resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;~~

~~(g) Nonabsorbent, easily cleanable floors;~~

~~(h) No direct openings to living or sleeping areas from the common food handling facility;~~

~~(i) At least one ceiling or wall light fixture where electric service is available; and~~

~~(j) Thirty footcandles of light measured thirty inches from the floor.~~

~~(3) An operator furnishing a dining hall shall:~~

~~(a) Comply with chapter 246-215 WAC, Food service;~~

~~(b) Provide a room or building, adequate in size, separate from any sleeping quarters and without direct openings to living or sleeping quarters;~~

~~(c) Provide fire resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;~~

~~(d) Provide at least one ceiling or wall light fixture where electric service is available; and~~

~~(e) Provide thirty footcandles of light measured thirty inches from the floor.))~~ The operator must provide enclosed

or screened cooking and food-handling facilities for all occupants.

(1) If cooking facilities are located in dwelling units, the operator must provide:

(a) An operable cook stove or hot plate with at least one cooking surface for every two occupants;

(b) A sink with hot and cold running potable water under pressure;

(c) At least two cubic feet of dry food storage space per occupant;

(d) Nonabsorbent, easily cleanable food preparation counters situated off the floor;

(e) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least two cubic feet of storage space per occupant;

(f) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;

(g) Nonabsorbent, easily cleanable floors; and

(h) Adequate ventilation for cooking facilities.

(2) In common food-handling facilities, the operator must provide:

(a) A room or building, adequate in size, separate from any sleeping quarters;

(b) No direct openings to living or sleeping areas from the common food-handling facility;

(c) An operable cook stove or hot plate with at least one cooking surface for every four occupants, or four cooking surfaces for every two families;

(d) Sinks with hot and cold running potable water under pressure;

(e) At least two cubic feet of dry food storage space per occupant;

(f) Nonabsorbent, easily cleanable food preparation counters situated off the floor;

(g) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least two cubic feet of storage space per occupant;

(h) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;

(i) Nonabsorbent, easily cleanable floors; and

(j) Adequate ventilation for cooking facilities.

(3) The operator must ensure that centralized dining hall facilities comply with chapter 246-215 WAC, Food service.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-135 Cots, beds, and bedding and personal storage. (~~An~~) The operator (~~shall~~) must:

(1) Provide beds, cots, or bunks furnished with clean mattresses in good condition for the maximum occupancy approved by the department or (~~contracted~~) health officer for operator-supplied housing(~~;~~).

(2) (~~Ensure~~) Maintain bedding, if provided by the operator, (~~is~~) in a clean and (~~maintained in a~~) sanitary condition(~~;~~).

(3) Provide a minimum of twelve inches between each bed or bunk and the floor(~~;~~).

PROPOSED

(4) ~~((When single beds are used))~~ Separate beds laterally and end to end by at least thirty-six inches ~~((; (5)))~~ when ~~((bunk))~~ single beds are used:

(a) Separate beds laterally and end to end by at least forty-eight inches;

(b) Maintain a minimum space of twenty-seven inches between the upper and lower bunks; and

(c) Prohibit triple bunks ~~((; and))~~.

~~((6))~~ (5) Provide storage facilities for clothing and personal articles in each room used for sleeping.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-145 ((Health)) First aid and safety. ~~((An))~~ The operator ~~((shall))~~ must:

(1) Comply with chapters 15.58 and 17.21 RCW, chapter 16-228 WAC, chapter 296-307 WAC, Parts I and J, and pesticide label instructions when using pesticides in and around the housing ~~((;))~~.

(2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use ~~((;))~~.

(3) Provide readily accessible first-aid equipment ~~((meeting the requirements of Part A-1 of chapter 296-24 WAC;))~~.

(4) Ensure that a person trained to administer first aid is readily accessible at all times ~~((;))~~.

(5) ~~((Comply with chapter 51-20 WAC by providing smoke detection devices;~~

~~(6)))~~ Store or remove unused refrigerator units to prevent access by children ~~((; and~~

~~(7) Fill abandoned privy pits with earth; and lock or otherwise secure unused privy buildings))~~.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-155 Refuse disposal. ~~((An))~~ The operator ~~((shall))~~ must:

(1) ~~((Establish and maintain a refuse disposal system;))~~ Comply with local sanitation codes for removing refuse from housing areas and disposing of refuse.

(2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse ~~((;))~~.

(3) Store refuse in fly-tight, rodent-tight, impervious, and cleanable or single-use containers ~~((;))~~.

(4) Keep refuse containers clean ~~((;))~~.

(5) Provide a container on a wooden, metal, or concrete stand within one hundred feet of each dwelling unit ~~((and space;))~~.

(6) Empty refuse containers at least twice each week, and when full ~~((;)~~

~~(7) Comply with local sanitation codes for removing refuse from housing areas and disposing of refuse; and~~

~~(8) Ensure the housing area is free of refuse when housing is closed for the season to prevent a nuisance))~~.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-165 ((Rodent and)) Insect and rodent control. ~~((An operator shall take measures necessary to control rodents and insects in and around the housing;))~~ The operator must take effective measures necessary to prevent and control insect and rodent infestation.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-175 Disease prevention and control. ~~((An))~~ The operator ~~((shall))~~ must:

(1) ~~((Make reasonable efforts to know if disease is present among occupants;~~

~~(2)))~~ Report immediately to the local health officer ~~((; (a)))~~

~~(a)))~~ the name and address of any ~~((occupant))~~ individual in the camp known to have or suspected of having ((an infectious or) a communicable disease((;)).

~~((b) Any case of) (2) Report to the local health officer or state board of health:~~

~~(a) Suspected food poisoning; (and~~

~~(e) Any) (b) Unusual prevalence of ((any illness in which)) fever, diarrhea, sore throat, vomiting, or jaundice((;)) or~~

~~(c) Productive cough, or weight loss is a prominent symptom among occupants((;))~~

(3) Prohibit any individual with a communicable disease from preparing, cooking, serving, or handling food, food-stuffs, or materials in dining halls ~~((;)~~

~~(4) Establish rules and inform occupants of their responsibilities related to maintaining housing consistent with the requirements in this chapter; and~~

~~(5) Post information regarding temporary worker health and sanitation when provided by the department or contracted health officer))~~.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 246-358-020 Exemptions.

WAC 246-358-030 Department authority.

WAC 246-358-140 Use of tents.

WAC 246-358-600 Cherry harvest camps—Applicability.

WAC 246-358-610 Cherry harvest camps—Licensing.

WAC 246-358-620 Cherry harvest camps—Transitional compliance schedule.

WAC 246-358-630 Cherry harvest camps—Location of camp area and camp management plan.

PROPOSED

- WAC 246-358-640 Cherry harvest camps—Adequate lighting, electricity and alternative power.
- WAC 246-358-650 Cherry harvest camps—Bathing, toilet and hand-washing areas.
- WAC 246-358-660 Cherry harvest camps—Personal storage.
- WAC 246-358-670 Cherry harvest camps—Cold food storage areas.
- WAC 246-358-680 Cherry harvest camps—Food storage and preparation areas.

**WSR 99-23-111
PROPOSED RULES
PARKS AND RECREATION
COMMISSION**

[Filed November 17, 1999, 11:56 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-175.

Title of Rule: Chapter 352-32 WAC, Public use of state park areas. The following sections are being amended: WAC 352-32-010 Definitions and 352-32-250 Standard fees charged.

Purpose: WAC 352-32-010 Definitions, to establish definitions of aquatic facilities and conference center facilities as services that may be provided in state parks.

WAC 352-32-250 Standard fees charged, provides a general list of the fees charged for camping and other activities in state parks and clarifies the authority for fees charged for current and future aquatic facilities and conference center facilities. Amends the intent statement of the section to clarify the commission's ability to suspend fees if revenues are not returned to the benefit of parks.

Statutory Authority for Adoption: Chapter 79A.05 RCW, RCW 79A.05.070.

Summary: Defines facilities and services available to the public in state parks. The commission clarifies the fees charged for the use of aquatic center facilities and conference center facilities.

Reasons Supporting Proposal: The commission collects fees for the use of facilities and services at state parks to meet the agency's budgetary responsibility.

Name of Agency Personnel Responsible for Drafting and Implementation: Bill Gansberg, Washington State Parks, P.O. Box 42650, Olympia, WA 98504-2560, (360) 902-8598; and **Enforcement:** Phil Shave, Washington State Parks, P.O. Box 42650, Olympia, WA 98504-2650, (360) 902-8606.

Name of Proponent: The Washington State Parks and Recreation Commission.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule defines aquatic facilities and conference center facilities as services that are provided in state parks. The commission is authorized to collect fees for services and use of state park facilities. It is anticipated that the state parks' standard fee schedule will be adaptable to the addition of facilities and services and be more efficient in generating revenue from the variety of services offered at state parks.

Proposal Changes the Following Existing Rules: Adds two new definitions to WAC 352-32-020, specifically "Aquatic facility" and "Conference center."

Adds two new subsections to WAC 352-32-250, specifically "Aquatic facilities" and "Conference center facilities," to clarify the nature of the fees charged for such facilities and services.

Amends WAC 352-32-250 introduction to clarify the commission's intention to have revenues generated by fees returned to the benefit of the parks, and clarifies their ability to suspend any or all fees.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These amendments do not regulate or have economic impact through regulations on small businesses. There are no compliance costs imposed by these amendments on small businesses.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. In accordance with RCW 35.05.328 [34.05.328] (5)(a)(i), the significant legislative rule-making requirements are not imposed on the state Parks and Recreation Commission, and as applicable under the provisions of RCW 35.05.328 [34.05.328] (5)(a)(ii), these requirements are not voluntarily made applicable and have not been made applicable by the Joint Administrative Rules Review Committee.

Hearing Location: Puget Sound Region Headquarters, 2840 Riverwalk Drive S.E., Auburn, WA 98002, phone (253) 931-3907, on December 21, 1999, at 1:00 p.m. Contact Renee Pacana at (360) 902-8505 for details. **PLEASE NOTE:** This meeting site may be subject to change. For an up-to-the-minute site location, contact Renee Pacana at (360) 902-8505.

Assistance for Persons with Disabilities: Contact John Johns by December 10, 1999, TDD (206) 931-6345.

Submit Written Comments to: Bill Gansberg, Washington State Parks, P.O. Box 42650, Olympia, WA 98504-2650, e-mail billg@parks.wa.gov, fax (360) 586-5875, by December 9, 1999.

Date of Intended Adoption: December 21, 1999.

November 17, 1999

Jim French
Senior Policy Advisor

AMENDATORY SECTION (Amending WSR 98-23-063, filed 11/16/98, effective 1/1/99)

WAC 352-32-010 Definitions. Whenever used in this chapter the following terms shall be defined as herein indicated:

PROPOSED

"Aquatic facility" shall mean any structure or area within a state park designated by the director or designee for aquatic activities, including, but not limited to, swimming pools, wading pools, swimming beaches, floats, docks, ramps, piers or underwater parks.

"Bivouac" shall mean to camp overnight on a vertical rock climbing route on a ledge or in a hammock sling.

"Camping" shall mean erecting a tent or shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

"Camping party" shall mean an individual or a group of people (two or more persons) that is organized, equipped and capable of sustaining its own camping activity. A "camping party" is a "camping unit" for purposes of RCW 43.51.055.

"Commercial recreation use" is a recreational activity in a state park that is packaged and sold as a service by an organization or individual, other than state parks or a state park concessionaire.

"Commercial recreation provider" is any individual or organization that packages and sells a service that meets the definition of a commercial recreation use.

"Commission" shall mean the Washington state parks and recreation commission.

"Conference center" shall mean a state park facility designated as such by the director or designee that provides specialized services, day-use and overnight accommodations available by reservation for organized group activities.

"Day area parking space" shall mean any designated parking space within any state park area designated for day-time vehicle parking.

"Director" shall mean the director of the Washington state parks and recreation commission.

"Emergency area" is an area in the park separate from the designated overnight camping area, which the park manager decides may be used for camping when no alternative camping facilities are available within reasonable driving distances.

"Environmental interpretation" shall mean the provision of services, materials, publications and/or facilities, including environmental learning centers (ELC), for other than basic access to parks and individual camping, picnicking, and boating in parks, that enhance public understanding, appreciation and enjoyment of the state's natural and cultural heritage through agency directed or self-learning activities.

"Environmental learning centers (ELC)" shall mean those specialized facilities, designated by the director, designed to promote outdoor recreation experiences and environmental education in a range of state park settings.

"Group camping areas" are designated areas usually primitive with minimal utilities and site amenities and are for the use of organized groups. Facilities and extent of development vary from park to park.

"Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor and a moped.

"Multiple campsite" shall mean a designated and posted camping facility encompassing two or more individual standard, utility or primitive campsites.

"Overflow area" shall mean an area in a park separate from designated overnight and emergency camping areas, designated by the park manager, for camping to accommodate peak camping demands in the geographic region.

"Overnight accommodations" shall mean any facility or site designated for overnight occupancy within a state park area.

"Paraglider" shall mean an unpowered ultralight vehicle capable of flight, consisting of a fabric, rectangular or elliptical canopy or wing connected to the pilot by suspension lines and straps, made entirely of nonrigid materials except for the pilot's harness and fasteners. The term "paraglider" shall not include hang gliders or parachutes.

"Person" shall mean all natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.

"Popular destination park" shall mean any state park designated by the director as a popular destination park because, it is typically occupied to capacity on Friday or Saturday night during the high use season.

"Primitive campsite" shall mean a campsite not provided with flush comfort station nearby and which may not have any of the amenities of a standard campsite.

"Public assembly" shall mean a meeting, rally, gathering, demonstration, vigil, picketing, speechmaking, march, parade, religious service, or other congregation of persons for the purpose of public expression of views of a political or religious nature for which there is a reasonable expectation that more than one hundred persons will attend based on information provided by the applicant. Public assemblies must be open to all members of the public, and are generally the subject of attendance solicitations circulated prior to the event, such as media advertising, flyers, brochures, word-of-mouth notification, or other form of prior encouragement to attend.

Alternatively, the agency director may declare an event to be a public assembly in the following cases: Where evidentiary circumstances and supporting material suggest that more than one hundred persons will attend, even where the applicant does not indicate such an expectation; or where there is reason to expect a need for special preparations by the agency or the applicant, due to the nature or location of the event.

"Ranger" shall mean a duly appointed Washington state parks ranger who is vested with police powers under RCW 43.51.170, and shall include the park manager in charge of any state park area.

"Recreation vehicle" shall mean a vehicle/trailer unit, van, pickup truck with camper, motor home, converted bus, or any similar type vehicle which contains sleeping and/or housekeeping accommodations.

"Remote controlled aircraft" shall mean nonpeopled model aircraft that are flown by using internal combustion, electric motors, elastic tubing, or gravity/wind for propulsion. The flight is controlled by a person on the ground using a hand held radio control transmitter. A typical radio controlled model aircraft weighs from five to ten pounds and has a wingspan of five to six feet, with the maximum size being approximately fifty pounds and a wingspan of ten feet.

PROPOSED

"Residence" shall mean the long-term habitation of facilities at a given state park for purposes whose primary character is not recreational. "Residence" is characterized by one or both of the following patterns:

Camping at a given park for more than thirty days within a forty-day time period April 1 through September 30; or forty days within a sixty-day time period October 1 through March 31. As provided in WAC 352-32-030(7), continuous occupancy of facilities by the same camping party shall be limited to ten consecutive nights April 1 through September 30. Provided that at the discretion of the park ranger the maximum stay may be extended to fourteen consecutive nights if the campground is not fully occupied. Campers may stay twenty consecutive nights October 1 through March 31 in one park, after which the camping unit must vacate the overnight park facilities for three consecutive nights. The time period shall begin on the date for which the first night's fee is paid.

The designation of the park facility as a permanent or temporary address on official documents or applications submitted to public or private agencies or institutions.

"Sno-park" shall mean any designated winter recreational parking area.

"Special groomed trail area" shall mean those sno-park areas designated by the director as requiring a special groomed trail permit.

"Special recreation event" shall mean a group recreation activity in a state park sponsored or organized by an individual or organization that requires reserving park areas, planning, facilities, staffing, or other services beyond the level normally provided at the state park to ensure public welfare and safety and facility and/or environmental protection.

"Standard campsite" shall mean a designated camping site which is served by nearby domestic water, sink waste, garbage disposal, and flush comfort station.

"State park area" shall mean any area under the ownership, management, or control of the commission, including trust lands which have been withdrawn from sale or lease by order of the commissioner of public lands and the management of which has been transferred to the commission, and specifically including all those areas defined in WAC 352-16-020. State park areas do not include the seashore conservation area as defined in RCW 43.51.655 and as regulated under chapter 352-37 WAC.

"Trailer dump station" shall mean any state park sewage disposal facility designated for the disposal of sewage waste from any recreation vehicle, other than as may be provided in a utility campsite.

"Upland" shall mean all lands lying above mean high water.

"Utility campsite" shall mean a standard campsite with the addition of electricity and which may have domestic water and/or sewer.

"Watercraft launch site" shall mean any facility located in a state park area designated for the purpose of placing or retrieving any vehicle-borne or trailer-borne watercraft into or out of the water.

"Water trail advisory committee" shall mean the twelve-member committee constituted by RCW 43.51.456.

"Water trail camping sites" shall mean those specially designated group camp areas identified with signs, that are near water ways, and that have varying facilities and extent of development.

AMENDATORY SECTION (Amending WSR 98-23-063, filed 11/16/98, effective 1/1/99)

WAC 352-32-250 Standard fees charged. Fees shall be charged in parks operated by the commission for use of lands, facilities, programs, services, and materials as published by state parks: Provided, however, That the commission may suspend any or all of these fees if revenues generated by the fees are not returned to the benefit of the parks: Provided further, That the director or designee has the authority to discount fees to a maximum of 50% below the published fee amounts in order to take advantage of marketing opportunities to encourage use and increase revenues. Any such discounts shall be effective for a limited period of time less than one year in duration. The director may consider the following factors in temporarily establishing or discounting fees:

- Prevailing rates for comparable facilities;
- Day of the week;
- Season of the year;
- Amenities of the park area and site;
- Demand for facilities; and

Such other considerations as the director deems appropriate. The director may also waive fees for marketing or promotional purposes or to redress visitor complaints, provided, however, that annual fees may not be waived. The director may also establish temporary fees for a maximum of one year for new facilities or services.

(1) The director may authorize reciprocity with other state or federal agencies for the use of annual permits of like services, provided, that Washington licensed vehicles and/or residents shall be required to have and/or display the appropriate Washington permit;

(2) Overnight camping - standard campsite; utility campsite; emergency campsite; overflow campsite; primitive campsite for nonmotorized vehicle; primitive campsite for motorized vehicle - fees will be charged as published by state parks. Payment for utility campsite will be collected whether utility hookups are actually used or not, except when otherwise specified by a ranger;

(3) Overnight camping - multiple campsites: Where campsites are designated and posted as a "multiple campsite," an individual may rent the multiple campsite by paying the multiple campsite fee. The multiple campsite fee will be calculated by multiplying the standard utility or primitive campsite fee, as applicable, by the number of individual campsites to be used in the designated multiple campsite;

(4) Group camping area - certain parks: Individual camping units using these facilities must pay campsite fees as published by state parks;

(5) Conference center facilities - fees will be charged for use of facilities and services as set forth in the fee schedule published by state parks and will include, but not be limited to: Overnight accommodations in individual recreational housing units or dormitory units; use of meeting rooms, per-

formance venues and rally areas; linen and janitorial services; group food services; and use of equipment, supplies, and staff time necessary to support group activities. Certain deposits, reservation and cancellation fees also apply as set forth in the fee schedule published by state parks and may not be refundable.

(6) Environmental interpretation:

(a) Service fees will be established by the director in order to recover, to the maximum extent practicable, all direct and indirect costs of environmental interpretation services on a program-wide basis based on anticipated attendance.

(b) Material and publication fees will be established by the director. All material and publication fees will be deposited in the parks improvement account to be used for purposes specified in RCW 43.51.052.

(c) Facility use, including environmental learning center fees, will be established by the commission. A facility use fee schedule is available by contacting Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, WA 98504-2650;

~~((6))~~ **(7) Adirondacks** - not to include those located in ELC areas: Occupancy shall be limited to the number of built-in bunks provided;

~~((7))~~ **(8) Extra vehicle overnight parking fee** will be charged for each additional unhitched vehicle in excess of the one recreational vehicle allowed at each campsite: Provided, An extra vehicle overnight parking fee shall not be imposed when the recreational vehicle and the towed vehicle arrive at the park hitched together, and after the camper has registered for and occupied the assigned campsite either the recreational vehicle or the towed vehicle remain parked at the campsite for the duration of the camper's stay;

~~((8))~~ **(9) Unattended vehicle overnight parking permit:** Unoccupied vehicles parked overnight in designated areas must register and pay the nightly permit fee. The permit must be prominently displayed in the vehicle;

~~((9))~~ **(10) Watercraft launch site permit fee** - charged according to facilities provided. Watercraft launch permit shall not be required for:

(a) Vehicles, other than those registered as extra overnight parking vehicles, registered for camping or overnight mooring in the park containing the watercraft launch site;

(b) Vehicles of persons using any recreational housing or conference facilities at Fort Worden State Park;

(c) Vehicles of persons holding limited-income senior citizen, disability or disabled veteran passes;

(d) Vehicles displaying a valid annual watercraft launch site permit;

~~((10))~~ **(11) Annual watercraft launch site permit** valid January 1 - December 31 at any launch site designated by the commission. Permit must be displayed as instructed on permit backing;

~~((11))~~ **(12) Trailer dump station fee** - fee shall not be required for:

(a) Registered camping vehicles in the park containing the dump station;

(b) Vehicles of persons holding limited-income senior citizen, disability or disabled veterans passes;

~~((12))~~ **(13) Popular destination park** - a surcharge will apply for use of standard or utility campsite located in a popular destination park during such periods as the director may specify;

~~((13))~~ **(14) Water trail site permits** -

(a) Unlimited use within the calendar year, annual fee to be set by the director after consultation with the water trail advisory committee, based on a cumulative charge of \$1.00 per site available for public use at the start of the calendar year;

(b) One day/night use within the calendar year, annual fee to be set by the director after consultation with the water trail advisory committee, based on a cumulative charge of \$.35 per site available for public use at the start of the calendar year;

(c) For children under 13 years of age the permits shall be issued at no cost;

(d) Water trail permits issued to persons by another state or Canadian province will be honored provided that a similar reciprocal provision for Washington water trail permit holders is issued by that state or province;

(e) Water trail permits will be issued to holders of Washington state parks passes (WAC 352-32-251) for the applicable discounts;

~~((14))~~ **(15) A surcharge per collection** shall be assessed for any staff collected fee at a self-registration overnight facility;

~~((15))~~ **(16) Group day use facilities** - a minimum daily permit fee will be charged for groups of 20 or more;

~~((16))~~ **(17) Reservation transaction** - fee will be charged as published by state parks;

~~((17))~~ **(18) Moorage facilities** - fee will be charged as published by state parks;

~~((18))~~ **(19) Hot showers, electric stoves** - fees will be charged as published by state parks. Fees published by state parks do not apply in those circumstances set forth in WAC 352-32-280 and 352-32-285 as now or hereafter amended;

~~((19))~~ **(20) Commercial recreation provider permit registration** - a fee shall be charged, as published by state parks for registration as a commercial recreation provider;

~~((20))~~ **(21) Commercial recreation provider permit** - effective January 1, 1998, a fee shall be charged, as published by state parks for obtaining a permit to engage in commercial recreational use of state parks, as defined in WAC 352-32-010.

~~((21))~~ **(22) Sno-park permit** - seasonal and daily permit fees will be charged as published by state parks.

~~((22))~~ **(23) Special groomed trail permit** - a state-wide special groomed trail permit will be required for use of special groomed trail areas. The fee charged will be as published by state parks.

~~((23))~~ **(24) Wood debris collection permit** - fee will be charged for collection and removal of wood debris from a state park area pursuant to RCW 4.24.210. The fee may be waived for volunteers assisting with emergency salvage and storm clean-up in the parks.

~~((24))~~ **(25) Merchandise** - prices for merchandise including but not limited to interpretive, recreational and historic materials, literature, food, beverage, grocery and other

items at agency operated sales points will be based on market rates and practices.

~~((25))~~ (26) Back country camping permit - fee will be charged as published by state parks for selected state park areas as designated by the director.

~~((26))~~ (27) Group use registration - fee will be charged for groups of a size to be specified in the fee schedule on a park by park basis who have not otherwise reserved group facilities.

~~((27))~~ (28) Special event - fees will be charged based on the cost of providing events and market rates for comparable activities at other locations.

(29) Aquatic facilities - fees will be charged as published by state parks.

PROPOSED

WSR 99-23-003**EXPEDITED ADOPTION****WASHINGTON STATE PATROL**

[Filed November 4, 1999, 11:05 a.m.]

Title of Rule: WAC 204-24-050 Use of tire chains or other traction devices.

Purpose: To correct two different mile post locations where chains should be required on SR-97 and SR-14.

Statutory Authority for Adoption: RCW 46.37.005.

Summary: Two state highways near Goldendale, SR-97 and SR-14, do not have the properly listed mile post for chain-up areas listed. This proposal would include the steep grade on SR-97 from the Columbia River to SR-14 and also extend the chain area on SR-14.

Reasons Supporting Proposal: Some steep grades need to be included in the posted chain-up area.

Name of Agency Personnel Responsible for Drafting: Mr. Gene McDaniel, General Administration Building, Olympia, Washington 98504, (360) 753-0658; Implementation: Mr. Les Rubstello, Department of Transportation, Vancouver, Washington, (360) 905-2240; and Enforcement: Commander LaMunyon, Washington State Patrol, General Administration Building, Olympia, Washington 98504, (360) 586-2340.

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 specifies when tire chains are required and on what types of vehicles. It also requires vehicles over 10,000 lbs. to carry chains over certain listed highways from November 1 through April 1 of each year. The changes to the mile post on SR-97 and SR-14 will increase safety as the chain-up signs will be moved to the bottom of hills.

Proposal Changes the Following Existing Rules: It increases the distance vehicles will be required to carry chains by ten miles.

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 Mr. Gene McDaniel, Washington State Patrol, P.O. Box 42600, Olympia, WA 98504, AND RECEIVED BY January 18, 2000.

November 3, 1999

R. M. Leichner
for Annette M. Sandberg
Chief

AMENDATORY SECTION (Amending WSR 99-06-023, filed 2/22/99, effective 3/25/99)

WAC 204-24-050 Use of tire chains or other traction devices. (1) Vehicles under 10,000 pounds gross vehicle weight.

(a) When traffic control signs marked "approved traction tires required" are posted by the department of transportation it shall be unlawful for any vehicle to enter the controlled area without having mounted on its drive tires at least one of the traction devices meeting the requirements of WAC 204-24-040.

(b) When traffic control signs marked "chains required" are posted by the department of transportation it shall be unlawful for any vehicle to enter the controlled area without having mounted on its drive tires, tire chains meeting the standards in chapter 204-22 WAC.

(i) Exception for all wheel drive vehicles. When "chains required" signs are posted, all-wheel drive vehicles shall be exempt from the chain requirement when all wheels are in gear and are equipped with approved traction devices as specified in WAC 204-24-040 provided that tire chains for at least one set of drive tires are carried in the vehicle.

(2) Vehicles or combinations of vehicles over 10,000 pounds gross vehicle weight.

When traffic control signs marked "approved traction tires required" or "chains required" are posted by the department of transportation it shall be unlawful for any vehicle or combination of vehicles to enter the controlled area without having mounted on its tires, tire chains as follows: Provided, That highway maintenance vehicles operated by the department of transportation for the purpose of snow removal and its ancillary functions are exempt from the following requirements if such vehicle has sanding capability in front of the drive tires.

(a) Vehicles or vehicle combinations with two to four axles including but not limited to trucks, truck-tractors, buses and school buses: For vehicles with a single drive axle, one tire on each side of the drive axle shall be chained. For vehicles with dual drive axles, one tire on each side of one of the drive axles shall be chained. For vehicle combinations including trailers or semi-trailers; one tire on the last axle of the last trailer or semi-trailer, shall be chained. If the trailer or semi-trailer has tandem rear axles, the chained tire may be on either of the last two axles.

(b) Automobile transporters are any vehicle combination designed and used specifically for the transport of assembled (capable of being driven) highway vehicles. For vehicles with single drive axles, one tire on each side of the drive axle shall be chained. For vehicles with dual drive axles, one tire on each side of each of the drive axles shall be chained. For vehicle combinations including trailers or semi-trailers, one tire on the last axle of the last trailer or semi-trailer shall be chained. If the trailer or semi-trailer has tandem rear axles, the chained tire may be on either of the last two axles.

(c) Vehicle combinations with five axles consisting of a truck tractor with dual drive axles and a tandem axled semi-trailer; all tires on one drive axle may be chained or one tire on each side of each of the drive axles may be chained. Chains must be applied to a minimum of four tires on the

drive axles. On the tandem axle semi-trailer, the chained tire may be on either of the last two axles.

(d) Vehicle combinations with five axles, consisting of a truck and trailer, or truck tractor and semi-trailer with a single drive axle, or truck tractor, semi-trailer and full trailer: For vehicles with a single drive axle, all tires on the drive axle shall be chained. For vehicles with dual drive axles, all tires on one of the drive axles shall be chained. For vehicle combinations including trailers or semi-trailers, one tire on the last axle of the last trailer or semi-trailer shall be chained. If the trailer or semi-trailer has tandem rear axles, the chained tire may be on either of the last two axles.

(e) Vehicle combinations with six or more axles, including but not limited to truck and trailer or truck tractor and semi-trailer or truck tractor semi-trailer and full trailer: For vehicles with a single drive axle, all tires on the drive axle shall be chained. For vehicles with dual drive axles where traffic control signs marked "approved traction tires required" are posted, all tires on one of the drive axles shall be chained. For vehicles with dual drive axles where traffic control signs marked "chains required" are posted, all tires on one of the drive axles shall be chained. In addition, one tire on each side of the additional drive axle shall be chained. For vehicle combinations including trailers or semi-trailers, one tire on the last axle shall be chained. For vehicles with tandem axle trailers or semi-trailers, the chained tire may be on either of the last two axles.

(f) All vehicles over 10,000 pounds gross vehicle weight shall carry a minimum of two extra chains for use in the event that road conditions require the use of more chains or in the event that chains in use are broken or otherwise made useless.

(g) Approved chains for vehicles over 10,000 pounds gross vehicle weight shall have at least two side chains to which are attached sufficient cross chains of hardened metal so that at least one cross chain is in contact with the road surface at all times. Plastic chains shall not be allowed. The state patrol may approve other devices as chains if the devices are equivalent to regular chains in performance.

(h) On the following routes all vehicles and combinations of vehicles over 10,000 pounds shall carry sufficient tire chains to meet the requirements of this chapter from November 1 to April 1 of each year or at other times when chains are required for such vehicles:

(i) I-90 - between North Bend (MP 32) and Ellensburg (MP 101).

(ii) SR-97 - between (MP 145) and Junction SR-2.

(iii) SR-2 - between Dryden (MP 108) and Index (MP 36).

(iv) SR-12 - between Packwood (MP 135) and Naches (MP 187).

(v) SR-97 - between the ((~~junction of SR-14 (MP 4)~~)) Columbia River (MP 0.00) and Toppenish (MP 59.00).

(vi) SR-410 - from Enumclaw to Naches.

(vii) SR-20 - between Tonasket (MP 262) and Kettle Falls (MP 342); and SR-20 between Newhalem (MP 120) and Winthrop (MP 192).

(viii) SR-155 - between Omak (MP 79) and Nespelem (MP 45).

(ix) SR-970 - between (MP 0) and (MP 10).

(x) SR-14 - between Gibbons Creek (MP 18.00) and ((~~Junction SR-97 (MP 102)~~)) (MP 108.40) intersection of Cliffs Road.

Vehicles making local deliveries as indicated on bills of lading and not crossing the mountain pass are exempt from this requirement if operating outside of a chain required area.

(3) The Washington state department of transportation or Washington state patrol may prohibit any vehicle from entering a chain/approved traction tire control area when it is determined that the vehicle will experience difficulty in safely traveling the area.

WSR 99-23-030

EXPEDITED ADOPTION

BELLEVUE COMMUNITY COLLEGE

[Filed November 10, 1999, 11:36 a.m.]

Title of Rule: WAC 132H-160-182 Student schedule changes—Refund policy and administrative fees.

Purpose: To identify authorization for the granting of refunds to students and describe the procedure by which a student may request a refund.

Statutory Authority for Adoption: RCW 28B.15.605.

Statute Being Implemented: Refunds of cancellation of fees—Community colleges and technical colleges.

Summary: This rule is being amended to better clarify the individual responsible for granting refunds. It also directs the student to the schedule and catalogue for the most recent procedure for determining refund dates rather than requiring that the information be obtained from the WAC. This eliminates possible errors in dates or confusion in which document is the most accurate.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Tika Esler, Bellevue Community College, B125, (425) 641-2206.

Name of Proponent: Elise Erickson, Bellevue Community College, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment will not change the purpose or effect of the current rule. The refund policy is governed by state statute and this policy follows those rules. The current amendment changes the individual responsible for overseeing the procedure from registrar, which no longer exists on campus, to the associate dean of enrollment services. The amendment also removes specific language for the rules granting a refund and refers the student, instead, to the catalogue or schedule where the most current rules will be listed. This is necessary because the addition of odd day classes require slight adjustments to the specifically identified days listed in the current WAC. Publishing the changes annually in the catalogue or quarterly in the schedule will benefit the students by allowing the flexibility that changing dates requires.

Proposal does not change existing rules. The rules remain the same. Only their location for publication will change.

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 Elise Erickson, Bellevue Community College, Room A201, 3000 Landerholm Circle S.E., Bellevue, WA 98007-6484, AND RECEIVED BY January 19, 2000.

November 8, 1999
Elise J. Erickson
Rules Coordinator

AMENDATORY SECTION (Amending WSR 06-01-056 [96-01-056], filed 12/15/95, effective 1/15/96)

WAC 132H-160-182 Student schedule changes—Refund policy and administrative fees. The Community College District VIII board of trustees has authorized the Associate Dean of Enrollment Services (or his/her designee) registrar to collect an administrative fee when a student adds or drops course(s) or withdraws from the college. In addition, the Associate Dean of Enrollment Services (or his/her designee) registrar is also authorized to refund tuition and/or fees when a student withdraws from college or a course(s), in accordance with RCW 28B.15.605 and the refund policies approved by the Board of Trustees. The Associate Dean of Enrollment Services (or his/her designee) registrar has the authority to make judgments regarding refunds in extraordinary circumstances. A student who is requested to withdraw for disciplinary reasons will not be eligible for a refund. Refund provisions for students receiving Title IV Federal Aid are described in WAC 132H-160-185-, Refund for Title IV Federal Aid Recipients.

The specific refund procedure and rates are published in the college catalog and the quarterly schedule of classes.

Tuition and related fees for fall, winter, and spring quarters are refunded upon withdrawal from college or a course(s) as follows:

~~(1) Tuition and fees will be refunded at 100% prior to the third instructional day of the quarter for complete withdrawal from college, withdrawal from a course(s) (reduction of class load below 10 credits), and for classes the college has canceled.~~

~~(2) Tuition and fees will be refunded at 80% beginning with instructional day three through instructional day five of the quarter for complete withdrawal from college or withdrawal from a course(s) (reduction of class load below 10 credits).~~

~~(3) Tuition and fees will be refunded at 50% beginning with instructional day six of the quarter through calendar day twenty of the quarter for complete withdrawal from college,~~

~~withdrawal from a course(s) (reduction of class load below 10 credits).~~

~~(4) Tuition and fees will not be refunded after calendar day twenty of the quarter. Tuition and related fees for summer quarter are refunded upon withdrawal from college or a course(s) as follows:~~

~~Tuition and related fees for summer quarter are refunded upon withdrawal from college or a course(s) as follows:~~

~~(5) Tuition and fees will be refunded at 100% prior to the second instructional day of the quarter for withdrawal from college, withdrawal from a course(s) (reduction of class load below 10 credits), and for classes the college has canceled.~~

~~(6) Tuition and fees will be refunded at 80% beginning with instructional day two of the quarter through instructional day three of the quarter for withdrawal from college, or withdrawal from a course(s) (reduction of class load below 10 credits).~~

~~(7) Tuition and fees will be refunded at 50% beginning with instructional day four of summer quarter through calendar day eleven of the quarter for withdrawal from college, or withdrawal from a course(s) (reduction of class load below 10 credits).~~

~~(8) Tuition and fees will not be refunded after calendar day eleven of the quarter.~~

~~(9) If an insurance claim has been filed, no refund will be granted for insurance fees.~~

~~(10) Self support programs may develop different refund policies based upon programmatic reasons, with institutional approval. Policies pertaining to these programs will be listed in the quarterly schedule~~

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.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

EXPEDITED ADOPTION



WSR 99-23-012
PERMANENT RULES
LIQUOR CONTROL BOARD

[Filed November 5, 1999, 1:34 p.m.]

Date of Adoption: October 13, 1999.

Purpose: The purpose of WAC 314-08-080 is to inform parties how they will be notified of a hearing regarding a contested case (such as a pending liquor license suspension). The Administrative Procedure Act, specifically RCW 34.05.434, states that an agency must give written notice of a hearing at least seven days in advance. Currently, WAC 314-08-080 states that the Liquor Control Board will notify all parties at least twenty days before the hearing.

The board adopted revisions to this rule in order to have the option of notifying parties not less than the seven days in advance required by law, for contested cases involving emergency suspensions. "Emergency suspensions" are referenced in RCW 66.08.150(4), which states that the board may suspend a license for a period of up to thirty days without a prior hearing if it finds that there is an immediate threat to public health, safety, or welfare. The agency will continue to give parties at least twenty days notice for contested cases involving alleged liquor law or rule violations that do not involve emergency suspensions.

Citation of Existing Rules Affected by this Order: Amending WAC 314-08-080.

Statutory Authority for Adoption: RCW 66.08.030, 34.05.434, 66.08.150, 66.24.010(3).

Adopted under notice filed as WSR 99-17-098 on August 17, 1999.

Changes Other than Editing from Proposed to Adopted Version: The revised rule adopted by the board adds language to clarify that the seven day notice would only apply in the case of emergency suspensions that involve an immediate threat to public health, safety, or welfare (as described by RCW 66.08.150).

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.

October 28, 1999

Eugene Prince
Chair

AMENDATORY SECTION (Amending Order 245, Resolution No. 254, filed 4/5/88)

WAC 314-08-080 Notice (~~and opportunity for~~) of hearing in contested cases. In any contested case, the board will serve all parties (~~shall be served~~) with a written notice of hearing at least twenty days before (~~the date set for~~) the hearing date. The notice (~~shall~~) will state the time, place, and (~~issues involved, as required by RCW 34.04.090(1) and WAC 314-04-010~~) reason for the hearing, and other information required by RCW 34.05.434(2). Notwithstanding the provisions of WAC 314-04-006, in the case of emergency suspensions under RCW 66.08.150, the board will give at least seven days notice before the hearing date, as required by RCW 34.05.434.

WSR 99-23-015
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed November 5, 1999, 3:54 p.m.]

Date of Adoption: October 29, 1999.

Purpose: Increase transient accommodation licensing fees.

Citation of Existing Rules Affected by this Order: Amending WAC 246-360-990.

Statutory Authority for Adoption: RCW 70.62.220, 43.70.110, 43.70.250.

Adopted under notice filed as WSR 99-19-130 on September 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 0, Repealed 0.

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

November 5, 1999

M. C. Selecky
Secretary

AMENDATORY SECTION (Amending WSR 94-21-016, filed 10/6/94, effective 11/6/94)

WAC 246-360-990 Fees. (1) The licensee or applicant (~~shall~~) must submit:

(a) (~~Submit~~) An annual fee according to the following schedule:

NUMBER OF LODGING UNITS	FEE
3 - 10	\$ ((55)) 100
11 - 49	\$ ((110)) 200
50 - over	\$ ((160)) 400

~~(b) ((Submit a transition fee of forty five dollars for any license renewed in 1995;)) A late fee of fifty dollars, in addition to the full license renewal fee, if the full license renewal fee is not delivered or mailed to the department at least thirty days prior to the license expiration date;~~

~~(c) ((Submit)) An additional fee of fifty dollars for an amended license due to changing the number of lodging units or the name of the transient accommodation((;~~

~~(d) Submit an additional one hundred fifty dollars when billed by the department for:~~

~~(i) A third on-site visit resulting from a licensee's or applicant's failure to adequately respond to a statement of deficiencies; and~~

~~(ii) A complete on-site survey resulting from a substantiated complaint)).~~

(2) The department shall refund fees only when all the following conditions are met:

(a) A prospective new owner applies for initial licensure prior to taking ownership as required by WAC 246-360-020 (4)(b);

(b) Transfer of ownership is not finalized;

(c) The applicant requests a refund in writing; and

(d) The department receives the fee and the request for refund in the same biennium.

WSR 99-23-021
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Health and Rehabilitative Services)
 [Filed November 9, 1999, 11:30 a.m.]

Date of Adoption: November 9, 1999.

Purpose: This rule establishes provider qualifications for individuals applying for a contract to provide services to individuals with developmental disabilities. Other parts of DSHS publish provider qualifications. These rules will help ensure equitable treatment of those applying to be a contractor.

Citation of Existing Rules Affected by this Order: Amending WAC 388-825-020.

Statutory Authority for Adoption: RCW 71A.12.030 and 71A.12.040.

Adopted under notice filed as WSR 99-15-043 on July 15, 1999.

Changes Other than Editing from Proposed to Adopted Version: Clarification of documentation needed and responsibility for licensing and certification; a requirement to speak in the language of the person served or be able to otherwise communicate; added a requirement for twenty hours of training for individual supportive living service the first year and ten hours a year thereafter.

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 12, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 12, 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 12, Amended 1, Repealed 0.

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

November 9, 1999

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

Chapter 388-825 WAC

**DIVISION OF DEVELOPMENTAL
 DISABILITIES SERVICE RULES**

AMENDATORY SECTION (Amending WSR 99-04-071, filed 9/30/98 [2/1/99], effective 10/7/98 [3/4/99])

WAC 275-27-020 Definitions. "Abandonment" means action or inaction by a person or entity with a duty to care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

"Adolescent" means a DDD eligible child age thirteen through seventeen years.

"Attendant care" means provision of physical and/or behavioral support to protect the safety and well being of a client.

"Best interest" includes, but is not limited to, client-centered benefits to:

- (1) Prevent regression or loss of skills already acquired;
- (2) Achieve or maintain economic self-support;
- (3) Achieve or maintain self-sufficiency;
- (4) Prevent or remedy neglect, abuse, or exploitation of individuals unable to protect their own interest;
- (5) Preserve or reunite families; and
- (6) Provide the least-restrictive setting that will meet the person's medical and personal needs.

"Client or person" means a person the division determines under RCW 71A.16.040 and WAC ((275-27-026)) 388-825-030 eligible for division-funded services.

"Community support services" means one or more of the services listed in RCW 71A.12.040 including, but not limited to the following services: Architectural, case management, early childhood intervention, employment, counseling, family support, respite care, information and referral, health services and equipment, therapy services, and residential support.

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"**Department**" means the department of social and health services of the state of Washington.

"**Director**" means the director of the division of developmental disabilities.

"**Division or DDD**" means the division of developmental disabilities of the department of social and health services.

"**Emergency**" means a sudden, unexpected occurrence demanding immediate action.

"**Exemption**" means the department's approval of a written request for an exception to a rule in this chapter.

"**Family**" means individuals, of any age, living together in the same household and related by blood, marriage, adoption or as a result of sharing legal custody of a minor child.

"**Family resources coordinator**" means the person who is:

- (1) Recognized by the IDEA Part C lead agency; and
- (2) Responsible for:
 - (a) Providing family resources coordination;
 - (b) Coordinating services across agencies; and
 - (c) Serving as a single contact to help families receiving assistance and services for their eligible children who are under three years of age.

"**ICF/MR**" means a facility certified as an intermediate care facility for the mentally retarded by Title XIX to provide services to the mentally retarded or persons with related conditions.

"**ICF/MR Eligible**" for admission to an ICF/MR means a person is determined by DDD as needing active treatment as defined in CFR 483.440. Active treatment requires:

- (1) Twenty-four hour supervision; and
- (2) Continuous training and physical assistance in order to function on a daily basis due to deficits in the following areas: Toilet training, personal hygiene, dental hygiene, self-feeding, bathing, dressing, grooming, and communication.

"**Individual**" means a person applying for services from the division.

"**Individual alternative living**" means provision of community-based individualized client training, assistance and/or ongoing support to enable a client to live as independently as possible with minimal services.

"**Individual supportive living service**" (also known as companion home) means provision of twenty-four hour residential support in a nonlicensed home for one adult person with developmental disabilities.

"**Intelligence quotient score**" means a full scale score on the Wechsler, or the intelligence quotient score on the Stanford-Binet or the Leiter International Performance Scale.

"**Medicaid personal care**" is the provision of medically necessary personal care tasks as defined in chapter 388-15 WAC.

"**Nonresidential programs**" means programs including, but not limited to, county-funded habilitation services.

"**Nursing facility eligible**" means a person is assessed by DDD as meeting the requirements for admission to a licensed nursing home as defined in WAC 388-97-235. The person must require twenty-four hour care provided by or under the supervision of a licensed nurse.

"**Other resources**" means resources that may be available to the client, including but not limited to:

- (1) Private insurance;
- (2) Medicaid;
- (3) Indian health care;
- (4) Public school services through the office of the superintendent of public instruction; and
- (5) Services through the department of health.

"**Part C**" means early intervention for children from birth through thirty-five months of age as defined in the Individuals with Disabilities Education Act (IDEA), Part C and 34 CFR, Part 303 and Washington's federally approved grant.

"**Residential habilitation center**" or "**RHC**" means a state-operated facility certified to provide ICF/MR and/or nursing facility level of care for persons with developmental disabilities.

"**RHC capacity**" means the maximum number of eligible persons that can reside in a residential habilitation center without exceeding its 1997 legislated budgeted capacity.

"**Residential programs**" means ((programs providing domiciliary care or other residential services, including, but not limited to, state residential facilities, group homes, nursing facilities, ICF/MRs, tenant support services, congregate care facilities, boarding homes, children's foster homes,)) provision of support for persons in community living situations. Residential programs include DDD certified community residential services and support, both facility-based such as, licensed group homes, and non-facility based, i.e., supportive living, intensive tenant support, and state-operated living alternatives (SOLA). Other residential programs include individual alternative living, intensive individual supportive living services, adult family homes, ((and group training)) adult residential care services, nursing homes, and children's foster homes.

"**Respite care**" means temporary residential services provided to a person and/or the person's family on an emergency or planned basis.

"**Secretary**" means the secretary of the department of social and health services or the secretary's designee.

"**Vacancy**" means an opening at a RHC, which when filled, would not require the RHC to exceed its 1997 biannually budgeted capacity, minus:

- (1) Twenty-six beds designated for respite care use; and
- (2) Any downsizing related to negotiations with the Department of Justice regarding community placements.

"**Vulnerable adult**" means a person who has a developmental disability as defined under RCW 71A.10.020.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

NEW SECTION

WAC 388-825-260 What are qualifications for individual service providers? The following rules establish qualifications for:

- (1) Persons whom DDD pays to provide services to individuals with developmental disabilities including children; and

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(2) Agencies contracted to provide services in the home of the DDD client.

NEW SECTION

WAC 388-825-262 What services do individuals provide for persons with developmental disabilities? Individual providers contract directly with DDD to provide services such as respite care, Medicaid personal care, attendant care, individual alternative living and companion home services.

NEW SECTION

WAC 388-825-264 If I want to provide services to persons with developmental disabilities, what do I do? You must contact your local DDD office and ask for a contract application package.

NEW SECTION

WAC 388-825-266 If I want to provide respite care in my home, what is required? All out-of-home respite care funded through DDD must take place in a DSHS licensed home unless you meet criteria listed in the "exemption" section below (WAC 388-825-270). You must have a child foster care, family day care, or adult family home license.

NEW SECTION

WAC 388-825-268 What is required for agencies wanting to provide care in the home of a person with developmental disabilities? Agencies must be a home care agency or a home health agency licensed through the department of health. If a DDD-certified residential agency wishes to provide Medicaid personal care or respite care in the client's home, the agency must have home care agency certification or a home health license.

NEW SECTION

WAC 388-825-270 Are there exceptions to the licensing requirement? Relatives of a specified degree are exempt from the licensing requirement and may provide out-of-home respite in their home. Relatives of specified degree include parents, grandparents, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, first cousin, niece or nephew (WAC 388-76-030).

In addition, RCW 70.128.010 defines adult family home as "more than one, not more than six unrelated adults." If the person requiring out-of-home respite or attendant care is an adult, care may be provided in the nonrelative provider's home without an adult family home license when:

(1) Care is provided for no more than one unrelated person at a time; and

(2) The person or his/her legal guardian signs a statement saying they have seen the home where care will be provided and think it is an appropriate place for the care of the adult. If the person does not have a legal guardian, the parent or other relative with whom the person resides may sign a statement.

NEW SECTION

WAC 388-825-272 What are the minimum requirements to become an individual provider? (1) Be at least eighteen years of age;

(2) Successfully pass a criminal history background check;

(3) Not be the spouse of the client receiving services or the natural/step/adoptive parent of a child age seventeen or younger;

(4) Have no findings of fact or conclusions of law or agreed orders related to abuse, neglect, financial exploitation or abandonment of a minor or vulnerable adult, as defined in RCW 74.39A.050(8);

(5) Have not had a child foster care, daycare, adult family home or other license issued by the department of social and health services (DSHS) revoked, denied, suspended or terminated for noncompliance with state and federal regulations. Any existing contracts you hold with DDD will be terminated for cause if such an action exists;

(6) Be able to prove you can work in the United States, provide your social security card and official picture identification or by providing other approved documentation of eligibility to work;

(7) Speak in the language of the person served or have a viable means of communication, such as translation services;

(8) Provide three satisfactory references, unless you are a relative or a Medicaid personal care provider. References are checked prior to the issuance of the initial contract; and

(9) At DDD discretion, a waiver of references may be granted under the following conditions:

(a) The service provider is recruited to provide service exclusively to a specific person;

(b) A request to waive references is submitted in writing by the person, his or her parents, or legal guardian.

NEW SECTION

WAC 388-825-276 What are required skills and abilities for this job? You must be able to:

(1) Adequately maintain records of services performed and payments received;

(2) Read and understand the person's service plan. Translation services may be used if needed;

(3) Be kind and caring to the DSHS client for whom services are authorized.

(4) Identify problem situations and take the necessary action;

(5) Respond to emergencies without direct supervision;

(6) Understand the way your employer wants you to do things and carry out instructions;

(7) Work independently;

(8) Be dependable and responsible;

(9) Know when and how to contact the client's representative and the client's case manager;

(10) Participate in any quality assurance reviews required by DSHS.

(11) If you are working with an adult client of DSHS as an individual alternative living, attendant care or individual supportive living provider, you must also:

- (a) Be knowledgeable about the person's preferences regarding the care provided;
- (b) Know the resources in the community the person prefers to use and enable the person to use them;
- (c) Know who the person's friends are and enable the person to see those friends; and
- (d) Enable the person to keep in touch with his/her family as preferred by the person.

NEW SECTION

WAC 388-825-278 Are there any educational requirements for individual providers? Training is mandated only for Medicaid personal care providers of adults (WAC 388-15-19650 through 388-15-19680). DSHS retains the authority to require training of any provider.

NEW SECTION

WAC 388-825-280 What are the requirements for an individual supportive living service (also known as a companion home) contract? (1) General knowledge of acceptable standards of performance, including the necessity to be dependable, report punctually, maintain flexibility and to demonstrate kindness and caring to any DSHS client for whom services are authorized.

(2) Twenty hours of training approved by DDD must be completed during the first year of the contract; ten hours must be completed during the second year and all subsequent years.

(3) A clean, safe and healthful environment must be available for the client, including:

- (a) A telephone the client can use;
- (b) A flashlight or other nonelectrical light source in working condition;
- (c) Basic first aid supplies;
- (d) An evacuation plan;
- (e) A safe storage area for flammable and combustible materials;
- (f) Unblocked exits;
- (g) Accessibility by customary forms of ingress and egress for space used for residential purposes; and
- (h) Smoke alarms in the residence.

NEW SECTION

WAC 388-825-282 What is "abandonment of a vulnerable adult"? State law makes it a crime to abandon a vulnerable adult. "Abandon" means leaving a person without the means or ability to obtain any of the basic necessities of life. If you wish to "quit" or terminate your employment, you must give at least two weeks written notice to your employer, their representative (if applicable) and the DDD case manager. You will be expected to continue working until the termination date unless otherwise determined by DSHS.

NEW SECTION

WAC 388-825-284 Are providers expected to report abuse? You are expected to report any abuse or suspected

abuse immediately to child protective services, adult protective services or local law enforcement and make a follow-up call to the person's case manager.

NEW SECTION

The following section of the Washington Administrative Code, as amended, is recodified as follows:

Old WAC Number	New WAC Number
275-27-020	388-825-020

**WSR 99-23-023
PERMANENT RULES
STATE BOARD OF EDUCATION**

[Filed November 9, 1999, 1:23 p.m.]

Date of Adoption: October 29, 1999.

Purpose: Technical/editorial amendments.

Citation of Existing Rules Affected by this Order: Repealing WAC 180-78A-074; and amending WAC 180-78A-005 Purpose, 180-78A-110 Length of time for which program approval status shall be granted, 180-78A-125 Annual reports by colleges and universities, 180-78A-220 Program approval standards for approved preparation programs, 180-78A-264 Approval standard—Program design, 180-78A-270 Approval standard—Knowledge and skills, 180-78A-310 Program approval—Teachers, collaboration with K-12 schools, 180-79A-030 Definitions, 180-79A-105 Equivalency of standards, 180-79A-140 Types of certificates, 180-79A-150 General requirements—Teachers, administrators, educational staff associates, 180-79A-155 Good moral character and personal fitness—Necessary supporting evidence by applicants, 180-79A-211 Academic and experience requirements for certification—Administrators, 180-79A-213 Child abuse course work requirement for continuing certification—Administrators, 180-79A-226 Child abuse course work requirement for continuing certification—Educational staff associate, 180-79A-231 Limited certificates, 180-79A-253 Reinstatement of certificate, 180-79A-299 Transition policies, 180-82-202 Certificate endorsements, 180-82-210 Primary and supporting endorsements, and 180-82-215 Implementation policies.

Statutory Authority for Adoption: RCW 28A.410.010 and 28A.305.130 (1) and (2).

Adopted under notice filed as WSR 99-19-085 on September 17, 1999.

Changes Other than Editing from Proposed to Adopted Version: Changes are editorial.

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 21, Repealed 1.

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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 21, Repealed 1.

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

November 9, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-005 Purpose. In order to support the successful implementation of Washington's ongoing public school reform and improvement policies, the state board of education is establishing a ~~((newly designed))~~ performance-based preparation system for educators ~~((that will be aligned with these efforts))~~. The intent of the performance-based preparation system is to ensure that educators can demonstrate a positive impact on student learning as the foundation for preparing students to ~~((effectively))~~ participate effectively in a diverse and democratic society. This chapter establishes the procedures, standards, and criteria to be used in the development and approval of preparation programs offered by institutions of higher education in Washington state leading to teacher, administrator, and educational staff associates certification. These rules establish a performance-based preparation system for educators that supports the Improvement of Student Achievement Act of 1993 (ESHB 1209) which will enable educators to implement the Washington state student learning goals and essential academic learning requirements.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-110 Length of time for which program approval status shall be granted. (1) The state board of education shall approve all preparation programs under the 1997 program approval standards for five years unless the state board approves a variation with the exception of new programs approved for up to two years under WAC ~~((180-78A-028))~~ 180-78A-105.

(2) The superintendent of public instruction, upon receipt of a complaint from any source or upon her or his initiative, or initiative of the state board may review all or any part of a preparation program for compliance with the provisions of this chapter. If deviations are found, the state board is authorized to rescind program approval until the college or university submits an acceptable compliance agreement which will bring the preparation program into compliance as soon as reasonably practicable, but no later than the commencement of the succeeding academic year or six calendar months, whichever is later.

(3) If an acceptable compliance agreement is not developed and approved by the state board of education, the prep-

aration program shall be placed on probationary status and the probationary status provision of WAC 180-78A-115 shall apply.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-125 Annual reports by colleges and universities. Each college or university offering an approved preparation program shall submit by July 31 of each year annual reports covering the period from July 1 of the previous year to June 30 of the current year, containing the following:

(1) An executive summary of the activities of each professional education advisory board.

(2) Other material related to the preparation programs requested by the state board of education.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-220 Program approval standards for approved preparation programs. The program approval standards for approved preparation programs for teachers, administrators, and educational staff associates are as follows:

(1) **Professional education advisory boards:** The college or university, in ~~((conformance))~~ compliance with the provisions of WAC 180-78A-250, has established and maintained a professional education advisory board to participate in and cooperate with the college or university on decisions related to the development, implementation, and revision of each preparation program—i.e., teacher, administrator, school counselor, school psychologist, and school social workers.

(2) **Accountability:** Each college or university, in ~~((conformance))~~ compliance with the provision of WAC 180-78A-255, has established a performance-based preparation program.

(3) **Resources:** A separate college, school, department, or other administrative unit within the college or university, in ~~((conformance))~~ compliance with the provision of WAC 180-78A-261, is responsible for providing the resources needed to develop and maintain quality preparation programs.

(4) **Program design:** Each college or university, in ~~((conformance))~~ compliance with the provision of WAC 180-78A-264, is responsible for establishing a collaboratively developed approved preparation program that is based on a conceptual framework, current research and best practice that reflects the state's learning goals and essential academic learning requirements.

(5) **Knowledge and skills:** Each college or university, in ~~((conformance))~~ compliance with the provision of WAC 180-78A-270, has established policies requiring all candidates for certification to demonstrate knowledge and skills required for the particular certificate and areas of endorsement and which reflect the state's learning goals and essential academic learning requirements.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-264 Approval standard—Program design. Building on the mission to prepare educators who demonstrate a positive impact on student learning, the following evidence shall be evaluated to determine whether each preparation program is in compliance with the program design standard of WAC 180-78A-220(4):

(1) The curriculum is guided by a conceptual framework and is based on current research and best practice, is cohesive and integrated, is performance-based, and supports the state's student learning goals and for teacher preparation programs, reflects the essential academic learning requirements.

(2) Candidates who demonstrate potential for acquiring the content and pedagogical knowledge and skills for success as educators in schools are recruited, admitted, and retained (see WAC 180-78A-200 Candidate admission policies). These candidates include members from under represented groups.

(3) Candidates attain/demonstrate academic competence in the educator role for which they are being prepared.

(4) A set of criteria/performances for program completion are established and published.

(5) The preparing institution shall assure that candidates are provided with appropriate course work and experiences in teaching methods for each endorsement area. The methods should include:

(a) Instructional strategies.

(b) Curriculum frameworks (essential academic learning requirements).

(c) Assessment strategies, including performance-based measurements of student work.

(d) Unit/lesson planning.

(6) Field experiences are integrated throughout the preparation program and include experience with diverse populations in a variety of settings.

(7) Candidates complete an internship in which they demonstrate the required knowledge and skills: Provided, That candidates for an administrator certificate shall complete an internship pursuant to WAC 180-78A-325, candidates for a school psychologist certificate shall complete an internship pursuant to WAC 180-78A-317, and candidates for a school counselor certificate shall complete an internship pursuant to WAC 180-78A-315.

(8) Programs reflect ongoing collaboration with P-12 schools.

(9) Candidates for a teacher certificate shall hold/obtain a baccalaureate degree from a regionally accredited college or university in any of the subject areas of the endorsements listed in chapter 180-82 WAC: Provided, That if a candidate is accepted into a program in Washington state on or before August 31, 2000, and completes the program on or before August 31, 2003, in accordance with WAC 180-79A-299, the candidate may hold a baccalaureate degree in any of the subject areas of the endorsements listed in WAC 180-79A-302. Such degrees shall require the completion of at least forty-five quarter hours (thirty semester hours) of course work in the subject area: Provided, That a candidate who holds a baccalaureate degree in another academic field will not be

required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed the required forty-five quarter or thirty semester hours of course work in one of the subject areas of the endorsements listed in WAC 180-79A-302.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-270 Approval standard—Knowledge and skills. Building on the mission to prepare educators who demonstrate a positive impact on student learning based on the Improvement of Student Achievement Act of 1993 (1209), the following evidence shall be evaluated to determine whether each preparation program is in compliance with the program approval standards of WAC 180-78A-220(5):

(1) **TEACHER.** Teacher candidates will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

Foundational knowledge

(a) The state learning goals and essential academic learning requirements.

(b) The subject matter content for the area(s) they teach, including relevant methods course work and the ~~((essential areas of study))~~ **knowledge and skills** for each endorsement area for which the candidate is applying (chapter ~~((180-79A))~~ 180-82 WAC).

(c) The social, historical, and philosophical foundations of education, including an understanding of the moral, social, and political dimensions of classrooms, teaching, and schools.

(d) The impact of technological and societal changes on schools.

(e) Theories of human development and learning.

(f) Inquiry and research.

(g) School law and educational policy.

(h) Professional ethics.

(i) The responsibilities, structure, and activities of the profession.

(j) Issues related to abuse including the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(k) The standards, criteria and other requirements for obtaining the professional certificate.

Effective teaching

(l) Research and experience-based principles of effective practice for encouraging the intellectual, social, and personal development of students.

(m) Different student approaches to learning for creating instructional opportunities adapted to learners from diverse cultural or linguistic backgrounds.

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(n) Areas of exceptionality and learning — including, but not limited to, learning disabilities, visual and perceptual difficulties, and special physical or mental challenges.

(o) Effective instructional strategies for students at all levels of academic abilities and talents.

(p) Instructional strategies for developing reading, writing, critical thinking, and problem solving skills.

(q) The prevention and diagnosis of reading difficulties and research-based intervention strategies.

(r) Classroom management and discipline, including:

(i) Individual and group motivation for encouraging positive social interaction, active engagement in learning, and self-motivation.

(ii) Effective verbal, nonverbal, and media communication for fostering active inquiry, collaboration, and supportive interactions in the classroom.

(s) Planning and management of instruction based on knowledge of the content area, the community, and curriculum goals.

(t) Formal and informal assessment strategies for evaluating and ensuring the continuous intellectual, social, and physical development of the learner.

(u) Collaboration with school colleagues, parents, and agencies in the larger community for supporting students' learning and well-being.

(v) Effective interactions with parents to support students' learning and well-being.

Professional development

(w) The opportunity for candidates to reflect on their teaching and its effects on student growth and learning.

(x) Educational technology including the use of computer and other technologies in instruction, assessment and professional productivity.

(y) Strategies for effective participation in group decision making.

(2) **PRINCIPAL AND PROGRAM ADMINISTRATOR.** Effective August 31, 1997, principal and program administrator candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in an approved preparation program which shall include:

(a) Specific performance domains. An approved preparation program shall require the candidate to demonstrate in course work and the internship the following:

(i) **Leadership:** Formulating goals with individuals or groups; initiating and maintaining direction with groups and guiding them to the accomplishment of tasks; setting priorities for one's school in the context of community and district priorities and student and staff needs; integrating own and others' ideas for task accomplishment; initiating and planning organizational change.

(ii) **Information collection:** Gathering data, facts, and impressions from a variety of sources about students, parents, staff members, administrators, and community members; seeking knowledge about policies, rules, laws, precedents, or practices; managing the data flow; classifying and organizing information for use in decision making and monitoring.

(iii) **Problem analysis:** Identifying the important elements of a problem situation by analyzing relevant information; framing problems; identifying possible causes; identifying additional needed information; framing and reframing possible solutions; exhibiting conceptual flexibility; assisting others to form reasoned opinions about problems and issues.

(iv) **Judgment:** Reaching logical conclusions and making high quality, timely decisions given the best available information.

(v) **Organizational oversight:** Planning and scheduling one's own and others' work so that resources are used appropriately, and short-term and long-term priorities and goals are met; monitoring projects to meet deadlines.

(vi) **Implementation:** Making things happen; putting programs and plans into action; applying management technologies; applying methods of organizational change including collaborative processes; facilitating tasks; establishing progress checkpoints; considering alternative approaches; providing "mid-course" corrections when actual outcomes start to diverge from intended outcomes; adapting to new conditions.

(vii) **Delegation:** Assigning projects or tasks together with clear authority to accomplish them and responsibility for their timely and acceptable completion.

(viii) **Instructional program:** Envisioning and enabling instructional and auxiliary programs for the improvement of teaching and learning; recognizing the developmental needs of students; insuring appropriate instructional methods; designing positive learning experiences; accommodating differences in cognition and achievement; mobilizing the participation of appropriate people or groups to develop these programs and to establish a positive learning environment.

(ix) **Curriculum design:** Interpreting school district curricula; planning and implementing with staff a framework for instruction that shall include the implementation of the state learning goals and essential academic learning requirements; initiating needs analyses and monitoring social and technological developments as they affect curriculum; responding to international content levels; adjusting content as needs and conditions change.

(x) **Student guidance and development:** Providing for student guidance, counseling, and auxiliary services; utilizing community organizations; responding to family needs; enlisting the participation of appropriate people and groups to design and conduct these programs and to connect schooling with plans for adult life; planning for a comprehensive program of student activities.

(xi) **Staff development:** Identifying with participants the professional needs of individuals and groups; planning and organizing programs to improve staff effectiveness; supervising individuals and groups; engaging staff and others to plan and participate in recruitment and development; initiating self-development.

(xii) **Measurement and evaluation:** Determining what diagnostic information is needed about students, staff, and the school environment; examining the extent to which outcomes meet or exceed previously defined standards, goals, or priorities for individuals or groups; drawing inferences for

program revisions; interpreting measurements or evaluations for others; relating programs to desired outcomes; developing equivalent measures of competence.

(xiii) **Resource allocation:** Planning and developing the budget with appropriate staff; seeking, allocating, and adjusting fiscal, human, and material resources; utilizing the physical plant; monitoring resource use and reporting results.

(xiv) **Motivating others:** Building commitment to a course of action; creating and channeling the energy of self and others; planning and encouraging participation; supporting innovation; recognizing and rewarding effective performance; providing coaching, guidance, or correction for performance that needs improvement; serving as a role model.

(xv) **Sensitivity:** Perceiving the needs and concerns of others; dealing with others tactfully; working with others in emotionally stressful situations or in conflict; managing conflict; obtaining feedback; recognizing multicultural sensitivities.

(xvi) **Oral expression:** Making oral presentations that are clear and easy to understand; clarifying and restating questions; responding, reviewing, and summarizing for groups; utilizing appropriate communicative aids; adapting for audiences.

(xvii) **Written expression:** Expressing ideas clearly in writing; writing appropriately for different audiences such as students, teachers, and parents; preparing brief memoranda.

(xviii) **Philosophical and cultural values:** Acting with a reasoned understanding of the role of education in a democratic society and in accord with accepted ethical standards; recognizing philosophical and historical influences in education; reflecting an understanding of American culture, including current social and economic issues related to education; recognizing global influences on students and society.

(xix) **Legal and regulatory applications:** Acting in accordance with relevant federal and Washington state laws, rules, and policies; recognizing governmental influences on education; working within local rules, procedures, and directives; administering contracts.

(xx) **Policy and political influences:** Identifying relationships between public policy and education; recognizing policy issues; examining and affecting policies individually and through professional and public groups; relating policy initiatives to the welfare of students; addressing ethical issues.

(xxi) **Public and media relationships:** Developing common perceptions about school issues; interacting with parental and community opinion leaders; understanding and responding skillfully to the electronic and printed news media; initiating and reporting news through appropriate channels; enlisting public participation; recognizing and providing for market segments.

(b) **Performance assessment.** An approved preparation program for principals shall require that prior to the internship each candidate shall engage in a performance assessment through a process determined by each preparation program. The results of this assessment shall be utilized by the college/university supervisor, the cooperating principal, and the principal candidate to cooperatively design the internship plan.

(3) **SUPERINTENDENT.** Superintendent candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in an approved preparation program for superintendents which shall include specific performance domains for superintendents. An approved preparation program for superintendents shall require the candidate to demonstrate in course work and the internship the following:

(a) **Strategic leadership:** The knowledge, skills and attributes to identify contexts, develop with others vision and purpose, utilize information, frame problems, exercise leadership processes to achieve common goals, and act ethically for educational communities. This includes:

- (i) Professional and ethical leadership.
- (ii) Information management and evaluation.

(b) **Instructional leadership:** The knowledge, skills and attributes to design with others appropriate curricula and instructional programs which implement the state learning goals and essential academic learning requirements, to develop learner centered school cultures, to assess outcomes, to provide student personnel services, and to plan with faculty professional development activities aimed at improving instruction. This includes:

- (i) Curriculum, instruction, supervision, and learning environment.
- (ii) Professional development and human resources.
- (iii) Student personnel services.

(c) **Organizational leadership:** The knowledge, skills and attributes to understand and improve the organization, implement operational plans, manage financial resources, and apply decentralized management processes and procedures. This includes:

- (i) Organizational management.
- (ii) Interpersonal relationships.
- (iii) Financial management and resource allocation.
- (iv) Technology and information system.

(d) **Political and community leadership:** The knowledge, skills and attributes to act in accordance with legal provisions and statutory requirements, to apply regulatory standards, to develop and apply appropriate policies, to be conscious of ethical implications of policy initiatives and political actions, to relate public policy initiatives to student welfare, to understand schools as political systems, to involve citizens and service agencies, and to develop effective staff communications and public relations programs. This includes:

- (i) Community and media relations.
- (ii) Federal and Washington state educational law, public policy and political systems.

(4) **SCHOOL COUNSELOR.** School counselor candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

(a) Human growth and development (studies that provide an understanding of the nature and needs of individuals at all developmental levels).

(b) Social and cultural foundations (studies that provide an understanding of issues and trends in a multicultural and diverse society).

(c) Helping relationships (studies that provide an understanding of counseling and consultation processes).

(d) Group work (studies that provide an understanding of group development, dynamics, counseling theories, group counseling methods and skills, and other group work approaches).

(e) Career and lifestyle development (studies that provide an understanding of career development and related life factors).

(f) Appraisal (studies that provide an understanding of individual and group approaches to assessment and evaluation), including assessment of the state learning goals and essential academic learning requirements.

(g) Research and program evaluation (studies that provide an understanding of types of research methods, basic statistics, and ethical and legal considerations in research).

(h) Professional orientation (studies that provide an understanding of all aspects of professional functioning including history, roles, organizational structures, ethics, standards, and credentialing).

(i) Foundations of school counseling including:

(i) History, philosophy, and trends in school counseling;

(ii) Role and function of the school counselor in conjunction with the roles of the professional and support personnel in the school;

(iii) Knowledge of the school setting and curriculum including the state learning goals and essential academic learning requirements;

(iv) Ethical standards and guidelines of the American School Counselor Association (ASCA);

(v) State and federal policies, laws, and legislation relevant to school counseling; and

(vi) Implications of sociocultural, demographic, and lifestyle diversity relevant to school counseling.

(j) Studies that provide an understanding of the coordination of counseling program components as they relate to the total school community including:

(i) Referral of children and adolescents for specialized help;

(ii) Coordination efforts with resource persons, specialists, businesses, and agencies outside the school to promote program objectives;

(iii) Methods of integration of guidance curriculum in the total school curriculum;

(iv) Promotion of the use of counseling and guidance activities and programs by the total school community to enhance a positive school climate; and

(v) Methods of planning and presenting guidance-related educational programs for school personnel and parents.

(k) Theory, knowledge and skills for the practice of school counseling including:

(i) Program development, implementation and evaluation. Studies in this area include:

(A) Use of surveys, interviews, and needs assessments;

(B) Design, implementation and evaluation of a comprehensive, developmental school program;

(C) Implementation and evaluation of specific strategies designed to meet program goals and objectives;

(D) Preparation of a counseling schedule reflecting appropriate time commitments and priorities in a developmental school counseling program; and

(E) Use of appropriate technology and information systems.

(ii) Counseling and guidance. Studies in this area include:

(A) Individual and group counseling and guidance approaches appropriate for the developmental stage and needs of children and adolescents;

(B) Group guidance approaches that are systematically designed to assist children and adolescents with developmental tasks;

(C) Approaches to peer helper programs;

(D) Issues which may affect the development and function of children and adolescents (e.g., abuse, eating disorders, attention deficit hyperactivity disorder, exceptionalism, substance abuse, violence, suicide, dropout);

(E) Developmental approaches to assist students and parents at points of educational transition (e.g., postsecondary education, vocational, and career options);

(F) Crisis intervention and referral; and

(G) System dynamics, including family, school, community, etc.

(iii) Consultation. Studies in this area shall include:

(A) Methods of enhancing teamwork within the school community; and

(B) Methods of involving parents, teachers, administrators, support staff and community agency personnel.

(5) **SCHOOL PSYCHOLOGIST.** School psychologist candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

(a) Knowledge of the field. The candidate has knowledge and skill in relevant fields of study, including:

(i) Learning theory.

(ii) Personality theory and development.

(iii) Individual and group testing and assessment.

(iv) Individual and group counseling and interviewing theory and techniques.

(v) Basic statistics.

(vi) Child development.

(vii) Exceptional children.

(viii) Social and cultural factors.

(ix) Deviant personality.

(x) Curriculum, including the state learning goals and essential academic learning requirements.

(xi) Research design.

(xii) Physiological and biological factors.

(b) Assessment and diagnosis. The candidate has knowledge and skill necessary to select, administer, score, and interpret instruments and techniques in the following areas:

(i) Intellectual and cognitive assessment.

(ii) Individual and group academic skills: Standardized norm-referenced and criteria-referenced measurements and curriculum-based measurements.

(iii) Personality assessment.

(iv) Assessment of perceptual skills.

(v) Assessment of adaptive behavior; assessment of language skills.

(c) Behavioral observation and analysis. The candidate has knowledge and skill in behavior observation, including:

(i) Data taking.

(ii) Frequency measures.

(iii) Qualitative and quantitative analysis of classroom behavior.

(iv) Developmental and personality analysis, including perceptual, cognitive, social, and affective and language development in children.

(d) Counseling and interviewing. The candidate has the knowledge and skill necessary to:

(i) Provide individual and group counseling to students and parents.

(ii) Conduct interviews essential to information collecting from parents, teachers, and other professionals.

(e) Program development. The candidate has the knowledge and skill to make educational prescriptions, including specification of remedial environmental changes, both curricular and behavioral, for a particular student.

(f) Consultation. The candidate has the knowledge and skill to:

(i) Function on multidisciplinary teams in evaluating and placing students.

(ii) Confer with and make recommendations to parents, specialists, teachers, referral personnel, and others relative to student's characteristics and needs in the educational and home environments.

(g) Program evaluation and recordkeeping. The candidate has the knowledge and skill necessary to develop and implement program evaluation and maintain required records.

(h) Professionalism. The candidate has knowledge of professional standards regarding ethical and legal practices relevant to the practice of school psychology. The candidate demonstrates knowledge and skill in written and oral reporting of assessment and remedial recommendations which will meet ethical and legal standards.

(i) Research. The candidate has knowledge and skill to:

(i) Evaluate and perform research.

(ii) Apply school-oriented research.

(iii) Construct criterion-referenced instruments with reference to such educational decisions as:

(A) Retention in grade.

(B) Acceleration and early entrance.

(C) Early entrance.

(6) **SCHOOL SOCIAL WORKER.** School social worker candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

(a) Knowledge for social work practice. The candidate has knowledge and skills in relevant fields of study including:

(i) Values.

(A) Knowledge of profession including values, skills, and ethics; and

(B) National Association of Social Workers (NASW) Code of Ethics and school social work guidelines for practice.

(ii) Human behavior and the social environment.

(A) Community theory and community change (e.g., community organization and development, social planning, networking, and case management);

(B) Systems and organizational theory (e.g., school as a bureaucracy);

(C) Social disorganization (e.g., poverty, family and community violence, unemployment, addictions, multiple losses), and context of family in a changing society;

(D) Family dynamics and theories of family therapy;

(E) Human/child growth and development;

(F) Diverse populations of: Race, culture, social class, life style, age, gender and the disabled;

(G) Theories of personality; and

(H) Use of computer technology for social work practice.

(b) Service delivery and program development. The candidate will have knowledge and skills in the following activities:

(i) Direct practice.

(A) Referring, developing, and coordinating resources and services in the local education agency and community;

(B) Knowledge and skills related to families;

(C) Case management;

(D) Working with vulnerable and "hard to reach" individuals and families, including those from diverse populations;

(E) Crisis intervention, conflict resolution, stress management and decision-making skills;

(F) Individual and group counseling to improve students' self-knowledge and interactional skills for personal empowerment;

(G) Interviewing and counseling students in relation to social-personal problems adjudged to be impairing student's ability to learn;

(H) Family interventions including parent education; referral to resources; family counseling;

(I) Teaching children communication and interpersonal relationship skills through individual/group/classroom interventions;

(J) Collaborating and consulting with parents and community to assure readiness to learn for all students;

(K) Multidimensional assessment of student's social-emotional adjustment, adaptive behaviors, individual strengths, and environmental assets;

(L) Intervention case planning processes; and

(M) Career and academic guidance to students in their school to work transitions.

(ii) Indirect practice.

(A) Liaison and facilitator between and among home, school and community;

(B) Collaborate and consult with other educational staff to assure student progress;

(C) Use computer technology for practice and efficiency;

(D) Develop strategies for increased parental and community involvement with the school;

(E) Develop programs of remediation for students and their families;

(F) Design, coordinate and facilitate programs such as suicide prevention, truancy and drop-out prevention, and prevention of teenage pregnancy;

(G) Provide staff development programs;

(H) Work collaboratively with educational staff to develop programs to address school-community identified needs; and

(I) Function as change agents.

(c) Research and evaluation. The candidate will have necessary skills and knowledge to:

(i) Collect and interpret data in order to evaluate student, school, and community needs;

(ii) Evaluate own practice;

(iii) Become consumer of research findings;

(iv) Understand use of program evaluation methods; and

(v) Utilize computer technology for research and evaluation.

(d) Context for educational system. The candidate will have necessary knowledge and skills to apply the following:

(i) State learning goals and essential academic learning requirements;

(ii) Theories of learning;

(iii) School law and professional ethics;

(iv) Computer technology in the workplace; and

(v) Understanding of policies, laws, and procedures.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-310 Program approval—Teachers, collaboration with K-12 schools. An approved preparation program annually shall develop and implement a plan to enhance the level of collaboration and interaction between the program's faculty and K-12 schools in the state. The plan shall require, to the maximum extent feasible, that each member of the full-time teacher preparation faculty annually provide instruction to students in the K-12 classroom in a public or approved private school setting in the state of Washington, during the regular school year. The instruction that will be provided must be in accordance with RCW ~~((28A.405.010))~~ 28A.410.025 and applicable state board of education rules.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-78A-074	Additional membership on professional education advisory boards.
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AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-030 Definitions. The following definitions shall apply to terms used in this chapter:

(1) The terms, "program approval," "endorsement," "interstate compact," "college or university," and "regionally accredited institution of higher education," as defined in WAC 180-78-010 and 180-78A-010 shall apply to the provisions of this chapter.

(2) "Certificate" means the license issued by the superintendent of public instruction to teachers, administrators, and educational staff associates verifying that the individual has met the requirements set forth in this chapter.

(3) "Certificate renewal" means the process whereby the validity of a certificate, subject to expiration, is extended or regained.

(4) "Classroom teaching" means instructing pupils in an instructional setting.

(5) "Approved baccalaureate degree" for the purpose of this chapter, means a baccalaureate from a regionally accredited college or university in any of the subject areas of the endorsement listed in WAC 180-79A-302 as now or hereafter amended. Such degrees shall require the completion of at least forty-five quarter hours (thirty semester hours) of course work in the subject area: Provided, That a candidate who holds a baccalaureate degree in another academic field will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed the required forty-five quarter or thirty semester hours of course work in one of the subject areas of the endorsements listed in WAC 180-79A-302.

(6) "Child abuse course work requirement" means completion of course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(7) "Approved master's degree" for the purpose of this chapter, means a master's or doctorate degree from a regionally accredited college or university.

~~((7))~~ (8) "Credit hour(s)" means credit (normally 100 level or above) awarded by a regionally accredited institution of higher education.

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-105 Equivalency of standards. Reasonable flexibility in interpretation of the requirements for certification may be applied consistent with the intent and spirit of the requirements of the appropriate chapter. ~~((For example, advanced degrees in the same or related fields may be substituted for required lesser degrees.))~~ An annual report

of the use of this rule shall be submitted to the state board of education by the superintendent of public instruction.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-140 Types of certificates. ((Seven))
Six types of certificates shall be issued:

(1) Teacher. The teacher certificate, including teacher exchange permits as provided in WAC 180-79A-220, authorizes service as a classroom teacher.

(2) Vocational. The vocational certificate authorizes service in vocational programs in accordance with the provisions of chapter 180-77 WAC.

(3) Administrator.

(a) The administrator certificate for principal authorizes services as a building administrator or vice-principal. The initial principal certificate shall indicate one of the following grade levels, preschool-9, 4-12, or preschool-12, based on recommendations from the college or university in which the candidate completed an approved preparation program.

(b) The administrator certificates for superintendent or program administrator will be issued to persons who meet state board of education certification standards for service in the roles of superintendent or program administrator.

(4) Educational staff associate. The educational staff associate certificate authorizes service in the roles of school speech pathologists or audiologists, school counselors, school nurses, school occupational therapists, school physical therapists, school psychologists, and school social workers: Provided, That nothing within chapter 180-79A WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

(5) Internship. The internship certificate is issued to individuals who meet the qualifications for it and are participating in the internship pilot project as described in WAC 180-79A-241.

(6) Limited certificates. The following limited certificates are issued to individuals under specific circumstances set forth in WAC 180-79A-230:

(a) Conditional certificate.

(b) Substitute certificate.

(c) Emergency certificate.

(d) Emergency substitute certificate.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-150 General requirements—Teachers, administrators, educational staff associates. The following requirements are to be met by candidates for certification as teachers including vocational teachers, administrators, or educational staff associates:

(1) Age. No person who is less than eighteen years of age shall receive a certificate to serve in the public or nonpublic schools of Washington state.

(2) Character. Applicants for certificates in Washington state who are not holders of a valid Washington state

teacher's, administrator's, educational staff associate's, or vocational certificate must give evidence of good moral character and personal fitness as specified in WAC 180-79A-155 and must complete a record check through the Washington state patrol criminal identification system and through the Federal Bureau of Investigation at the applicant's expense as required by RCW 28A.410.010; such record check shall include a fingerprint check using a Washington state patrol approved fingerprint card: Provided, That the superintendent of public instruction may waive the record check for an applicant who has had a record check within the two years prior to application.

(3) Degrees and course work. A candidate for certification shall hold appropriate degrees, licenses, and additional course work as prescribed in chapters 180-79A and 180-77 WAC or have qualified under WAC 180-79A-257.

(4) Approved preparation program. Applicants for certification as teachers, administrators, school counselors, school psychologists and school social workers, except as otherwise provided in WAC 180-79A-257, ((180-79A-230, 180-79A-236)) 180-79A-231, and 180-79A-241 and in chapter 180-77 WAC, in order to be certified within the state of Washington shall have completed a state approved college/university preparation program in the professional field for which certification is to be issued. In addition, candidates for principal's certificates must hold a valid teacher's certificate, excluding certificates issued under WAC ((180-79A-230, 180-79A-236;)) 180-79A-231 or 180-79A-241, or comparable out-of-state certificates. Candidates for superintendent's certificates must hold a valid teacher, educational staff associate, or program administrator certificate; excluding certificates issued under WAC ((180-79A-230, 180-79A-236;)) 180-79A-231 or 180-79A-241, or comparable out-of-state certificates.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-155 Good moral character and personal fitness—Necessary supporting evidence by applicants. All applicants for certification shall submit the following:

(1) An affidavit from the applicant indicating that he or she has not been convicted of any crime or a complete disclosure of all arrests and subsequent dispositions of such arrests. In the event of a conviction for any arrest, the applicant shall state reasons why such conviction does not reflect adversely on the requirement to possess good moral character and be personally fit.

(2) An affidavit from the applicant that he or she has no history of serious behavioral problems or a complete disclosure of the nature and status of all such problems, including the names and addresses of health practitioners who have treated the applicant within the past ten years and an executed consent form permitting the superintendent of public instruction to contact and consult with such health practitioners and for such health practitioners to fully disclose medical information related to such behavioral problems.

(3) An affidavit from the dean of the college or school of education or one or more officials designated by such dean,

or, if none, by the college or university president, where the applicant completed his or her approved preparation program, that indicates that a designated college or university official has contacted several faculty members who personally know or knew the applicant and has no knowledge of any relevant information related to the applicant's character or fitness that would adversely affect the applicant's ability to serve in a certificated role or a statement from such affiant of the reasons why it is not possible to make such an affidavit.

(4) If the affidavit described in subsection (3) of this section is impossible or impractical to obtain, the applicant shall submit to the superintendent of public instruction the following:

(a) A statement as to why it is impossible or impractical to secure the affidavit required by subsection (3) of this section;

(b) A complete employment history, including the names, addresses, and phone numbers of the immediate supervisor of such applicant when an employee; and

(c) The names, addresses, and phone numbers of three character references who are not related to the applicant.

(5) If the applicant holds or has held a ((professional)) certificate in any other state, such applicant shall prepare one of the following affidavits for each such state:

(a) An affidavit that such certificate has not been suspended, surrendered, or revoked. Such affidavit shall be forwarded to the licensing agency in such state with a request that such affidavit be verified and forwarded directly to the superintendent of public instruction.

(b) An affidavit which shall fully disclose the reasons for the suspension, surrender, or revocation of the certificate. Such affidavit shall be submitted directly to the superintendent of public instruction.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-211 Academic and experience requirements for certification—Administrators. Candidates for the respective administrative certificate shall complete the following requirements in addition to those set forth in WAC 180-79A-150 and 180-79A-213.

(1) Superintendent.

(a) Initial.

(i) The candidate shall hold an approved master's degree and have completed subsequent to the baccalaureate degree at least forty-five quarter credit hours (thirty semester credit hours) of graduate level course work in education.

(ii) The candidate must meet requirements for a superintendent's certificate pursuant to WAC 180-79A-150(4).

(b) Continuing.

(i) The candidate shall hold an approved master's degree and have completed subsequent to the baccalaureate degree at least sixty quarter credit hours (forty semester credit hours) of graduate level course work in education or shall hold a doctorate in education.

(ii) The candidate must meet requirements for a superintendent's certificate pursuant to WAC 180-79A-150(4).

(iii) Candidates applying for continuing superintendent's certificate shall provide documentation of one hundred eighty

days or 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) Principal.

(a) Initial.

(i) The candidate shall hold a master's degree and have completed an approved program for the preparation of principals.

(ii) Candidates applying for initial principal's certificates who were admitted to a principal preparation program prior to August 31, 1998, shall present documentation of one hundred eighty days or full-time equivalent or more teaching experience with an authorized employer—i.e., school district, state agency, college or university, private school system—and at least thirty days of such employment with the same employer. Candidates applying for the initial principal's certificate who were admitted to a principal preparation program on or after August 31, 1998, shall present documentation of five hundred forty days (three school years) of full-time or more teaching in a public or private school system. No more than sixty days substitute or equivalent teaching experience may be included for this requirement.

(b) Continuing.

(i) The candidate who applies prior to August 31, 1998, shall hold an approved master's degree and completed subsequent to the baccalaureate degree at least forty-five hours (thirty semester hours) of graduate level course work in education or shall hold a doctorate in education.

(ii) The candidate who applies on or after August 31, 1998, shall hold an approved master's degree and shall have completed at least fifteen quarter (ten semester) credit hours of graduate course work offered by a college or university with a state approved principal program or one hundred fifty clock hours of study, which meet the state continuing education clock hour criteria, or a combination of credits and clock hours equivalent to the above. Such study shall:

(A) Be based on the principal performance domains included in WAC ((480-78A-165)) 180-78A-270(2);

(B) Be taken subsequent to the issuance of the initial principal's certificate; and

(C) Be determined in consultation with and approved by the candidate's employer or the administrator of a state approved principal preparation program.

(iii) The candidate must meet requirements for a principal's certificate pursuant to WAC 180-79A-150(4).

(iv) Candidates applying for continuing principal's certificate shall provide documentation of one hundred eighty days or 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. Candidates applying for the continuing principal's certificate on or after August 31, 1998, shall provide documentation of three contracted school years of full-time employment as a principal or assistant principal.

(3) Program administrator.

(a) Initial.

The candidate shall hold an approved master's degree, a master's degree required for an educational staff associate certificate, a master's degree in school nursing, occupational therapy or physical therapy, or a master's degree in public education, or business administration and have completed subsequent to the baccalaureate degree at least twenty-four quarter credit hours (sixteen semester credit hours) of graduate level course work in education.

(b) Continuing.

(i) The candidate shall hold an approved master's degree, a master's degree required for an educational staff associate certificate, a master's degree in school nursing, occupational therapy, physical therapy, or a master's degree in public education, or business administration and have completed subsequent to the baccalaureate degree at least thirty quarter credit hours (twenty semester credit hours) of graduate level course work in education or shall hold a doctorate in education.

(ii) Candidates applying for continuing program administrator's certificate shall provide documentation of one hundred eighty days or 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.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-213 Child abuse course work requirement for continuing certification—Administrators. Candidates who apply for a continuing administrator certificate after August 31, 1994, must have successfully completed (~~course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse as a condition for the issuance of a continuing certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention~~) the child abuse course work requirement as defined in WAC 180-79A-030(6).

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-226 Child abuse course work requirement for continuing certification—Educational staff associate. Candidates who apply for a continuing educational staff associate certificate after August 31, 1994, must have successfully completed (~~course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse as a condition for the issuance of a continuing certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the~~

~~impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention~~) the child abuse course work requirement as defined in WAC 180-79A-030(6).

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-231 Limited certificates. Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited service:

(1) Conditional certificate.

(a) The purpose of the conditional certificate is to assist local school districts, approved private schools, and educational service districts in meeting the state's educational goals by giving them flexibility in hiring decisions based on shortages or the opportunity to secure the services of unusually talented individuals. The state board of education encourages in all cases the hiring of fully certificated individuals and understands that districts will employ individuals with conditional certificates only after careful review of all other options. The state board of education asks districts when reviewing such individuals for employment to consider, in particular, previous experience the individual has had working with children.

(b) Conditional certificates are issued upon application by the local school district, approved private school, or educational service district superintendent to persons who meet the age, good moral character, and personal fitness requirements of WAC 180-79A-150 (1) and (2), if one of the following conditions is verified:

(i) The applicant is highly qualified and experienced in the subject matter to be taught and has unusual distinction or exceptional talent which is able to be demonstrated through public records of accomplishments and/or awards; or

(ii) No person with regular teacher certification in the endorsement area is available as verified by the district or educational service district superintendent or approved private school administrator, or circumstances warrant consideration of issuance of a conditional certificate.

(c) In addition, conditional certificates are issued to persons in the following categories only if no person with regular certification is available:

(i) The applicant qualifies to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3); or

(ii) The applicant is assigned instructional responsibility for intramural/interscholastic activities which are part of the district or approved private school approved program; or

(iii) The applicant possesses a state of Washington license for a registered nurse: Provided, That the district will be responsible for orienting and preparing individuals for their assignment as described in (e)(iii) of this subsection; or

(iv) The applicant has completed a baccalaureate degree level school speech pathologist or audiologist certification preparation program, who were eligible for certification at

the time of program completion and who have served in the role for three of the last seven years.

(d) The educational service district or local district superintendent or administrator of an approved private school will verify that the following criteria have been met when requesting the conditional certificate:

(i) The district or educational service district superintendent or approved private school administrator has indicated the basis on which he/she has determined that the individual is competent for the assignment;

(ii) The individual is being certificated for a specific assignment and responsibility in a specified activity/field;

(e) When requesting the conditional certificate for persons who provide classroom instruction, the educational service district superintendent or local district superintendent or approved private school administrator will verify that the following additional criteria will be met:

(i) After specific inclusion on the agenda, the school board or educational service district board has authorized submission of the application.

(ii) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities with the direct assistance of a school district or approved private school mentor and will not be serving in a paraprofessional role which would not require certification;

(iii) Personnel so certificated will be oriented and prepared for the specific assignment by the employing district or approved private school. A written plan of assistance will be developed, in cooperation with the person to be employed within twenty working days from the commencement of the assignment. In addition, prior to service the person will be apprised of any legal liability, the responsibilities of a professional educator, the lines of authority, and the duration of the assignment;

(iv) Within the first sixty working days, personnel so certificated will complete sixty clock hours (six quarter hours or four semester hours) of course work in pedagogy and child/adolescent development appropriate to the assigned grade level(s) as approved by the employing school district or approved private school.

(f) The certificate is valid for two years or less, as evidenced by the expiration date which is printed on the certificate, and only for the activity specified. The certificate may be reissued for two years and for two-year intervals thereafter upon application by the employing local school district, approved private school, or educational service district and upon completion of sixty clock hours (six quarter hours or four semester hours) of course work since the issuance of the most recent certificate. The requesting local school district, approved private school, or educational service district shall verify that the sixty clock hours taken for the reissuance of the certificate shall be designed to support the participant's professional growth and enhance the participant's instructional knowledge or skills to better assist students meeting the state learning goals and/or essential academic learning requirements.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive

school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of regular Washington certificates have expired; or

(ii) Persons who have completed state approved preparation programs and baccalaureate degrees at regionally accredited colleges and universities for certificates; or

(iii) Persons applying as out-of-state applicants who qualify for certification pursuant to WAC 180-79A-257 (2)(c) and (d).

(b) The substitute certificate is valid for life(~~:- Provided; That if the district or approved private school has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under this subsection for use in a particular school district or approved private school once the list of otherwise qualified substitutes has been exhausted. Such emergency substitute certificates shall be valid for three years or less, as evidenced by the expiration date which is printed on the certificate).~~)

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents or approved private school administrators to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: Provided, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate: Provided further, That a candidate for emergency certification as a school counselor, school psychologist, or social worker shall be the best qualified of the candidates for the position as verified by the employing school district and shall have completed all course work for the required master's degree with the exception of the internship: Provided further, That a candidate for emergency certification as a school psychologist shall be enrolled in an approved school psychologist preparation program and shall be participating in the required internship.

(b) The emergency certificate is valid for one year or less, as evidenced by the expiration date which is printed on the certificate.

(4) Emergency substitute certification.

(a) If the district or approved private school has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under subsection (2) of this section for use in a particular school district or approved private school once the list of otherwise qualified substitutes has been exhausted.

(b) Such emergency substitute certificates shall be valid for three years or less, as evidenced by the expiration date which is printed on the certificate.

(5) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC 180-79A-270 and be eligible

to serve as a teacher in the elementary or secondary schools of the country of residence.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-253 Reinstatement of certificates.

Only a continuing certificate may be reinstated. A holder of a lapsed, surrendered, or revoked continuing (~~(professional)~~) certificate at the time of application for reinstatement of such certificate must submit the following:

- (1) Character evidence as required by WAC 180-79A-150(2) for candidates for certification.
- (2) In accordance with RCW 28A.410.110, a revoked certificate may not be reinstated within one calendar year from the date of revocation.
- (3) Provided, That no certificate may be reinstated if more than five calendar years has passed since the date of surrender or revocation; however, such applicants may apply pursuant to WAC 180-79A-124 for a new certificate under requirements in effect at the time of application.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-299 Transition policies. The transition to the endorsement policies described in chapter 180-82 WAC will include the following policies:

- (1) Endorsement requirements as described in WAC 180-79A-300 through 180-79A-398 shall sunset effective August 31, 2000.
- (2) Candidates for endorsements on teacher certificates on, or before, August 31, 2000, shall meet requirements as described in WAC 180-79A-300 through 180-79A-398; after August 31, 2000, candidates for endorsements on teacher certificates shall meet requirements as described in chapter 180-82 WAC.
- (3) Colleges and universities may permit an individual accepted into programs in Washington state on, or before, August 31, 2000, to obtain endorsements under the requirements in WAC 180-79A-300 through 180-79A-398, if the individual completes the endorsement program on, or before, August 31, 2003, and the college or university verifies endorsement program completion to the superintendent of public instruction on, or before, December 31, 2003.

AMENDATORY SECTION (Amending WSR 99-04-008, filed 1/21/99, effective 2/21/99)

WAC 180-82-202 Certificate endorsements. Teacher certificates shall be endorsed as follows:

- (1) **All levels:**
 - (a) Bilingual education, (supporting).
 - (b) Designated arts: Dance, (supporting).
 - (c) Designated arts: Drama, (supporting).
 - (d) Designated arts: Music: Choral, instrumental or general, (primary).
 - (e) Designated arts: Visual arts, (primary).
 - (f) Designated world languages, (primary and supporting).

- (g) English as a second language, (supporting).
- (h) Health/fitness, (primary).
- (i) Library media, (primary and supporting).
- (j) Reading, (primary and supporting).
- (k) Special education, (primary).
- (2) **Early childhood** (~~(education, (primary and supporting))~~):
 - (a) Early childhood education, (primary and supporting).
 - (b) Early childhood special education, (primary).
 - (3) **Elementary education**, (primary).
 - (4) **Middle level**, (primary).
 - (5) **Secondary level:**
 - (a) Designated science: Biology, (primary and supporting).
 - (b) Designated science: Chemistry, (primary and supporting).
 - (c) Designated science: Earth science, (primary and supporting).
 - (d) Designated science: Physics, (primary and supporting).
 - (e) Designated vocational/technical: Agriculture education, business education, family and consumer sciences education, marketing education, and technology education, (primary).
 - (f) English, (primary).
 - (g) English/language arts, (primary).
 - (h) History, (primary).
 - (i) Mathematics, (primary and supporting).
 - (j) Science, (primary).
 - (k) Social studies, (primary).
 - (6) Traffic safety endorsements may be noted on certificates issued under chapter 180-79A WAC if the candidate meets the requirements of the regulations promulgated by the superintendent of public instruction pursuant to RCW 28A.220.020(3).

AMENDATORY SECTION (Amending WSR 99-04-008, filed 1/21/99, effective 2/21/99)

WAC 180-82-210 Primary and supporting endorsements. (1) All endorsements obtained under the requirements in chapter 180-82 WAC shall be designated as either primary or supporting endorsements on teaching certificates.

(2) All candidates for teaching certificates shall be required to obtain a primary endorsement (~~(which shall require a minimum of forty-five quarter credit hours (thirty semester credit hours) of academic study (or its equivalent) in the endorsement area)~~).

(3) Primary endorsements shall require a minimum of forty-five quarter credit hours (thirty semester credit hours) of academic study (or its equivalent) in the endorsement area: Provided, That primary endorsements for broad area endorsements (i.e., English/language arts, science, and social studies) shall require sixty quarter credit hours (forty semester credit hours) of academic study (or its equivalent) in the endorsement area.

(4) Supporting endorsements shall require a minimum of twenty-four quarter credit hours (sixteen semester credit hours) of academic study (or its equivalent) in the endorse-

ment area(~~:- Provided, That supporting endorsements for broad area endorsements shall require thirty quarter credit hours (twenty semester credit hours) of academic study in the endorsement area).~~)

((4)) (5) The state board of education or its designee may establish performance/competency criteria for obtaining an endorsement.

AMENDATORY SECTION (Amending WSR 99-04-008, filed 1/21/99, effective 2/21/99)

WAC 180-82-215 Implementation policies. (1) All teachers who obtain endorsements after August 31, 2000, shall meet the requirements in chapter 180-82 WAC: Provided, That colleges and universities may permit an individual accepted into programs in Washington state on, or before, August 31, 2000, to obtain endorsements under the requirements in WAC 180-79A-300 through 180-79A-398, if the individual completes the endorsement program on, or before, August 31, 2003, and the college or university verifies endorsement program completion to the superintendent of public instruction on, or before, December 31, 2003: Provided further, That the state board of education or its designee may waive this requirement on a case-by-case basis.

(2) Teachers applying for a continuing or professional certificate after August 31, 2000, shall be required to obtain only one endorsement.

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

November 9, 1999

Larry Davis

Executive Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-79A-241 Internship certificate.

WSR 99-23-025

PERMANENT RULES

DEPARTMENT OF LICENSING

(Landscape Architect Unit)

[Filed November 9, 1999, 3:44 p.m., effective November 9, 1999]

Date of Adoption: November 9, 1999.

Purpose: WAC 308-13-045, sets requirements for licensure, including payment of current license fee, expiration of license, renewal and process for notification.

WAC 308-13-150, sets registration and examination fees, those examination fees to be collected and passed on to the examination vendor.

WAC 308-13-160, sets renewal period from three years to two years, effective July 1, 2000.

Citation of Existing Rules Affected by this Order: Amending WAC 308-13-045, 308-13-150, and 308-13-160.

Statutory Authority for Adoption: RCW 18.96.060.

Other Authority: RCW 43.24.086.

Adopted under notice filed as WSR 99-18-103 on September 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 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 3, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 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: The earlier effective date is necessary because of imminent peril to the public health, safety, or welfare (Landscape Architect Exam will be administered on December 6 and 7 and this rule change should be in effect by that date).

PERMANENT

WSR 99-23-024

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed November 9, 1999, 1:24 p.m.]

Date of Adoption: October 29, 1999.

Purpose: Repeal of the section.

Citation of Existing Rules Affected by this Order: Repealing WAC 180-79A-241.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 99-19-084 on September 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 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: November 9, 1999.

November 9, 1999
 Alan E. Rathbun
 BPD Assistant Director

AMENDATORY SECTION (Amending WSR 97-06-065, filed 2/27/97, effective 3/30/97)

WAC 308-13-045 ~~((How and when do I receive my))~~
Initial license~~((?)), ~~((1) You)~~~~ The applicant will be notified by mail ~~((once you have completed the examination and met))~~ upon meeting all the requirements for initial ~~((registration))~~ licensure. ~~((You may apply for your license up to three months prior to your birthdate and pay the fee for up to a thirty-nine month license. Your))~~ The applicant must submit the current license fee. The license will expire on ~~((your))~~ the applicant's birthdate~~((Subsequent licenses)), and will be issued for ((three))~~ two years.

~~((2) You may also activate an inactive license for up to thirty-nine months. Subsequent licenses will be issued for three years.))~~

AMENDATORY SECTION (Amending WSR 96-11-132, filed 5/22/96, effective 6/22/96)

WAC 308-13-150 Landscape architect fees. The following fees ~~((shall be charged by the business and professions division of the department of licensing))~~ will be collected from the candidates for examination, effective July 1, 2000:

Title of Fee	Fee
Application fee	\$150.00
Reexamination administration fee	50.00
Exam proctor	100.00
Renewal ((3)) 2 years)	((450.00)) 300.00
Late renewal penalty	((150.00)) 100.00
Duplicate license	25.00
Initial registration ((3)) 2 years)	((450.00)) 300.00
Reciprocity application fee	200.00
Certification	45.00
Replacement certificate	20.00

~~((The following charges shall be))~~ Those fees collected from ~~((examination candidates for examinations ordered from CLARB on their behalf. The charges recovered by the department shall be refunded))~~ candidates shall be paid to CLARB for the costs of ~~((tests and shipping charges for))~~ the examinations, effective November 8, 1999.

Examination and Sections	Charges
Entire examination	\$(550.00)) 570.00

Examination sections:

Section ((1)) A: Legal and administrative aspects of practice	40.00
Section ((2)) B: Analytical ((and technical)) aspects of practice	((70.00)) 80.00
Section ((3)) C: ((Conceptualization and communication)) Planning and site design	((110.00)) 160.00
Section ((4)) D: ((Design synthesis)) Structural considerations and materials and methods of construction	((110.00)) 130.00
Section ((5)) E: ((Integration of technical and design requirements)) Grading, drainage and stormwater management	((110.00)) 160.00
((Section 6: Grading and drainage	110.00))

AMENDATORY SECTION (Amending WSR 97-06-065, filed 2/27/97, effective 3/30/97)

WAC 308-13-160 ~~((How do I renew my license and when will it expire?))~~ **Renewal of license.** (1) A courtesy renewal notice is mailed to ~~((your current))~~ the address on file, approximately eight weeks prior to ~~((your))~~ the license expiration date. The notice will show the due date, the amount of renewal fee, the penalty fee for late payment and other mailing instructions. ~~((It is essential that you notify))~~ The board of registration for landscape architects must be notified in writing of any address changes.

(2) ~~((Your))~~ The renewed landscape architect license is issued for a ~~((three))~~ two-year period that expires on ~~((your))~~ the licensee's birthdate.

WSR 99-23-034
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed November 10, 1999, 3:48 p.m., effective January 1, 2000]

Date of Adoption: November 10, 1999.

Purpose: WAC 388-418-0005, 388-418-0020 and 388-458-0010 are amended to reflect the department's change to prospective budgeting as the sole method of budgeting income and deductions. Changes in reporting requirements are changed to reflect the requirements established by a federal waiver approved by the United States Department of Agriculture, Food and Nutrition Services. WAC 388-418-0010, 388-418-0015 and 388-418-0030 are repealed and incorporated into the new WAC 388-458-0001 and the revised WAC 388-458-0010.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 388-418-0010, 388-418-0015 and 388-418-

PERMANENT

0030; and amending WAC 388-418-0005, 388-418-0020, and 388-458-0010.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.510.

Adopted under notice filed as WSR 99-19-159 on September 22, 1999.

Changes Other than Editing from Proposed to Adopted Version: Additional text was added to WAC 388-458-0010 to define when adverse action notice periods begin and end. Text was removed from WAC 388-418-0020 that implied clients must request continued benefits pending a hearing decision.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 3, Repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 3, Repealed 3.

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 3, Repealed 3.

Effective Date of Rule: January 1, 2000.

November 10, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

NEW SECTION

WAC 388-458-0001 How the department requests information or action needed when a client applies for assistance or reports a change. (1) When the department needs additional information in order to determine the client's eligibility and benefit amount, we send a written request. The client has at least ten days from the date we send the request to respond.

(2) We send these kinds of request when:

(a) You must provide additional information, verification or participate in some activity to qualify for benefits.

(b) Additional information is necessary to determine how a change affects your benefit amount.

(c) Verification is required before we increase your benefit amount.

(3) The request must state:

(a) What information or action is needed, and

(b) The date the information or action is due, and

(c) That we may reduce or deny benefits if the client fails to provide the information or take the action.

(4) If the client fails to provide requested information or take an action within the ten days, we may deny, reduce or discontinue the client's benefits.

(5) If the client later provides the requested information or takes the requested action during the advance notice period:

(a) Assistance continues unchanged if the action or information does not result in a reduction of benefits.

(b) The information or action is treated as a newly reported change under chapter 388-418 WAC if the action or information results in a reduction of benefits.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-458-0010 Adequate notice of adverse action to recipients. ~~((An adequate written notice of a decision to terminate, suspend, reduce or restrict cash, medical or food assistance benefits includes a statement of:))~~

~~(1) ((The action the department intends to take;~~

~~(2) The reasons for the intended action;~~

~~(3) The specific rule, regulation or law supporting the action;~~

~~(4) The recipient's right to request a fair hearing, including the circumstances under which assistance may be continued if a hearing is requested;~~

~~(5) Timely notice of a decision to terminate, suspend, or reduce assistance must be provided as required under WAC 388-418-0030; and~~

~~(6) Notices to clients who qualify for necessary supplemental accommodation services will be provided as required under WAC 388-200-1300)) Before we change the benefits a client receives, we send a written notice that explains:~~

~~(a) When the benefit amount will change;~~

~~(b) If the change is an increase or decrease;~~

~~(c) The reasons for the intended action;~~

~~(d) The specific rule, regulation or law supporting the action;~~

~~(e) The recipient's right to request a fair hearing, including the circumstances under which assistance may be continued if a hearing is requested.~~

~~(2) For cash, medical and food assistance, a notice must be sent ten days in advance of an action to reduce, suspend, restrict or discontinue assistance benefits.~~

~~(a) The advance notice period begins the day we send the notice.~~

~~(b) The advance notice period ends;~~

~~(i) On the tenth day after we send the notice; or~~

~~(ii) On the next regular mail delivery day if the tenth day falls on a Sunday or holiday.~~

~~(3) For certain situations the advance notice period can be less than ten days. A shorter advance notice period is allowed when:~~

~~(a) The recipient asks the department to reduce or discontinue benefits.~~

~~(b) The department has documented information that the assistance unit has moved to another state or will move to another state before the next benefits are issued.~~

~~(c) The department has documented information that all members of the assistance unit have died.~~

~~(d) A change in law or regulation requires the department to change benefits for all clients in a certain group.~~

(4) When a shorter advance notice period is allowed, the notice must be mailed or given to the recipient:

(a) For cash and medical assistance, by the date of the action.

(b) For food assistance, by the date the benefits are received or should have been received.

(5) A separate adverse action notice is not required:

(a) For cash and food assistance, when:

(i) The client was notified when benefits were approved that the amount of benefits for each month varied; or

(ii) The client was already notified when a supplemental payment or increased allotment to restore lost benefits would end.

(b) For cash assistance, when the recipient was already notified that an emergent need payment was for one month only.

(6) For clients who qualify for necessary supplemental accommodation services, we provide notices as required under WAC 388-200-1300.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-418-0005 ((Reporting requirements)) Clients must report certain changes to the department within specified time limits. (1) ~~((For))~~ Clients who receive cash ~~((and))~~ or food assistance ~~((:~~

(a) ~~Clients must report changes within ten days of the date the change becomes known to the assistance unit.~~

(b) ~~Clients who report changes on a monthly report as specified under chapter 388-456 WAC are not required to report within the ten-day period.~~

(2) ~~For medical care services, clients must report changes within twenty days of the date the change becomes known to the client.~~

(3) ~~Food assistance clients are required to report the following:~~

(a) ~~A change in the amount of gross monthly income of more than twenty-five dollars except for changes in public assistance income;~~

(b) ~~A change in the source of income;~~

(c) ~~A change in household size such as addition or loss of a household member;~~

(d) ~~A change in residence and the resulting change in shelter cost;~~

(e) ~~Obtaining a licensed vehicle;~~

(f) ~~The end of a temporary disability when the temporary disability is the reason for excluding a vehicle; and~~

(g) ~~When a change in the assistance unit's countable liquid resources exceeds the applicable resource limit as described under WAC 388-470-0005.~~

(4) ~~For TANF/SFA, a caretaker relative must report the absence of a child within five days of the date that it becomes reasonably clear that the absence will exceed ninety days. If the relative fails to report timely, the relative:~~

(a) ~~Is not eligible for one month; and~~

(b) ~~The relative's countable income will be considered available to the remaining members of the assistance unit)) must report the following changes about everyone in the~~

assistance unit. The client must report these changes within ten days of when they learn about the change. Clients must report:

(a) The gross monthly amount of unearned income they receive when:

(i) They start receiving money from any new source.

(ii) The amount received from a previously reported source changes by more than twenty-five dollars.

(b) When someone, including a newborn child, moves in or out, even if the change is temporary.

(c) The marriage or divorce of any assistance unit member.

(d) A new residence, including any change in shelter expenses because of the move.

(e) Obtaining a vehicle.

(f) The end of a temporary disability when the temporary disability is the reason for excluding a vehicle.

(g) When the assistance unit's countable resources exceed the resource limits described in chapter 388-470 WAC.

(h) Any of the following changes related to employment:

(i) A new job or different employer.

(ii) A change in wage rate or pay scale.

(iii) An employment status change from part-time to full time. The employer determines when an employee has full-time employment status.

(2) Clients who receive only children or pregnant women's medical assistance must report the following changes. The client must report these changes within twenty days of when they learn about the change. Clients must report:

(a) When someone, including a newborn child, moves in or out, even if the change is temporary.

(b) When a pregnancy begins or ends.

(c) A new residence.

(3) Clients who receive any other medical assistance must report the following changes. Clients must report these changes about themselves, their spouses or any dependents. The client must report these changes within twenty days of when they learn about the change. Clients must report:

(a) When someone, including a newborn child, moves in or out, even if the change is temporary.

(b) When an assistance unit member gets married, divorced or separated.

(c) When a pregnancy begins or ends.

(d) A new residence or address.

(e) Any change in the amount of income received from any new or previously reported source.

(f) Any change in the amount of expenses paid for shelter.

(g) Any change in the amount of expenses paid for medical care.

(h) Changes in resources.

(4) For TANF/SFA, a caretaker relative must report within five days when they learn that the temporary absence of a child will exceed ninety days. When the relative fails to report timely, the relative:

(a) Is not eligible for one month; and

(b) The relative's countable income is considered available to the remaining members of the assistance unit.

(5) When a change is reported late, the client may receive the wrong amount or the wrong type of assistance. When benefits are overpaid, the client must repay the assistance as described in chapter 388-410 WAC.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-418-0020 (~~Effective dates for changes~~)

How the department determines the date a change affects the benefit amount. ((The following rules apply to recipients of all programs)) (1) Unless otherwise specified((-

(1) When a change causes a cash assistance recipient to become ineligible or results in a change in grant amount, the effective date of the change is the first day of the next month after the change occurred. However, for the following types of changes, the effective date is:

(a) The date a person who is added to the assistance unit enters the household or is determined eligible, whichever is later;

(b) The date of a change in shelter arrangement which makes the assistance unit eligible for a higher payment standard;

(c) The first regular monthly issuance when a person changes from one cash assistance program to another;

(d) The first regular monthly issuance after the advance notice period when a grant deduction is imposed to collect an overpayment;

(e) The date of termination when child support or spousal support is increased as specified in WAC 388-422-0030.

(f) In accordance with:

(i) Chapter 388-450 WAC when budgeting income;

(ii) Chapter 388-480 WAC when an assistance unit member is on strike;

(iii) WAC 388-462-0005(2) when pregnant woman receives GA-S and then relinquishes the child for adoption; and

(iv) As specified by the department for changes in law or regulation.

(g) For TANF/SFA, the date a sanctioned WorkFirst participant complies with the requirements of their individual responsibility plan as specified under chapter 388-310 WAC.

(2) Eligibility for medical care services ends at the same time a recipient's general assistance or ADATSA eligibility is terminated.

(3) When a change makes a recipient ineligible or reduces the benefit amount, assistance will continue without change through the advance notice period even when the advance notice is beyond the effective date.

(4) When cash and food assistance benefits are continued beyond the effective date of a reduction or termination of such benefits, an overpayment will be established for the amount the recipient was not eligible to receive.

(5) For prospectively budgeted food assistance households:

(a) The effective date of the change for an increase in benefits is the next allotment after the change is:

(i) Reported when the change is verified within the ten day period; or

(ii) Verified when the assistance unit does not send the requested verification within the ten day period.

(b) The effective date of the change for a decrease in benefits is the first of the next month after the advance notice period expires.

(6) For retrospectively budgeted food assistance households, the effective date of a change reported in the budget month is the first of the payment month.

(7) Eligibility for the newborn medical program ends on the last day of the month the child is no longer living with the mother. Eligibility is redetermined for other medical programs prior to the termination of newborn medical), the rules in this chapter refer to cash, food and medical assistance benefits.

(2) When a change causes an increase in benefits, the client must provide proof of the change before we adjust the benefit amount.

(a) The change affects the next month after the change is reported if the client provides verification within ten days from the date we request verification.

(b) The change affects the next month after the verification is received if the client provides verification after ten days from the date we request verification.

(c) When the client is entitled to receive additional benefits, the department must send the additional amount within ten days of the day the client provides requested verification.

(3) When a change causes a decrease in benefits:

(a) If the client reports the change within the time limits in WAC 388-418-0005, the change affects the first month following the advance notice period. The advance notice period:

(i) Begins on the day we send the client a notice about the change, and

(ii) Is determined according to the rules in WAC 388-458-0010.

(b) If the client fails to report the change within the time limits in WAC 388-418-0005:

(i) The change affects the first month following the day the advance notice period would end if the client reported the change on time, allowing:

(A) Ten days for the client to report the change, and

(B) Ten days for the advance notice period to begin.

(ii) We continue assistance unchanged through the advance notice period when the advance notice period ends later than the effective date.

(iii) We establish an overpayment claim according to the rules in chapter 388-410 WAC when benefits continue beyond the effective date.

(4) Within ten days of the day we learn about a change, the department:

(a) Sends advance notice according to the rules in chapter 388-458 WAC; and

(b) Takes necessary action to correct the benefit. Action on a change is delayed when the client requests a hearing about a proposed decrease in benefits before the effective date or within the advance notice period.

(5) When the client requests a hearing and continued benefits:

(a) The department continues the same benefits received prior to the advance notice of reduction until the earliest of the following events occur:

(i) For food assistance only, the client's certification period expires;

(ii) The end of the month the fair hearing decision is mailed;

(iii) The client states in writing that the assistance unit does not want continued benefits;

(iv) The client withdraws the fair hearing request in writing; or

(v) The client abandons the fair hearing request; or

(vi) An administrative law judge issues a written order that ends continued benefits prior to the fair hearing.

(b) The department establishes an overpayment claim according to the rules in chapter 388-410 WAC when the hearing decision agrees with the department's action.

(c) Some changes have a specific effective date as follows:

(a) When cash assistance benefits increase because a person is added to the assistance unit, we use the effective date rules for applications in WAC 388-406-0055.

(b) When cash assistance benefits increase because the household becomes eligible for a higher payment standard, we use the date the change occurred.

(c) When a change in law or regulation changes the benefit amount, we use the date specified by the law or regulation.

(d) When institutional medical assistance participation changes, we calculate the new participation amount beginning with the month the income or allowable expense changes.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-418-0010 Requesting information or action needed.
- WAC 388-418-0015 Recipient fails to provide requested information or take requested action.
- WAC 388-418-0030 Notifying a recipient of intent to reduce, suspend or terminate assistance.

WSR 99-23-038
PERMANENT RULES
ENVIRONMENTAL HEARINGS OFFICE
 (Shorelines Hearings Board)
 [Filed November 12, 1999, 3:47 p.m.]

Date of Adoption: November 4, 1999.
 Purpose: Changes to WAC 461-08-355 bring the rule into conformance with an amendment to RCW 90.58.180(1) requiring that a petitioner serve local government with a copy

of the petition for review within seven days of filing with the board. Service on a project applicant is moved to WAC 461-08-355 for greater clarity. WAC 461-08-360 is repealed eliminating a confusing reference to service on the chief legal officer. WAC 461-08-555 is revised to clarify the result if less than a majority of the board members agree on a decision.

Citation of Existing Rules Affected by this Order: Repealing WAC 461-08-360; and amending WAC 461-08-355 and 461-08-555.

Statutory Authority for Adoption: RCW 90.58.175.

Adopted under notice filed as WSR 99-19-121 on October 6 [September 21], 1999.

Changes Other than Editing from Proposed to Adopted Version: In response to comment received, the words "a copy of" were added to proposed WAC 461-08-355 to clarify that a copy of the petition is served on parties to the case.

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 2, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 8, 1999
 Phyllis K. Macleod
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 96-15-002, filed 7/3/96, effective 8/3/96)

WAC 461-08-355 Service of petitions for review with department and attorney general—Intervention by the department and attorney general. (1) For a petition((s)) pertaining to a local government's final decision on a permit, the petitioner shall ((file one copy of)) serve a copy of the petition with the department ((and one copy with the office of)), the attorney general and that local government within seven days of ((the date that)) filing the petition ((was filed)) with the board.

(2) Within fifteen days of the date of receipt of the petition for review described in subsection (1) of this section, the department or the attorney general may intervene in the case before the board to protect the public interest and to insure compliance with chapter 90.58 RCW. Nothing in WAC 461-08-345, setting a twenty-one day limit on when the department or the attorney general can directly file a petition for review, limits the right of the department or attorney general to intervene under this section in a board proceeding.

PERMANENT

(3) When the petitioner is not the permit applicant, the petitioner shall serve the permit applicant with a copy of the petition for review.

AMENDATORY SECTION (Amending WSR 96-15-002, filed 7/3/96, effective 8/3/96)

WAC 461-08-555 Final decisions and orders. (1) **Full-board cases.** When the hearing on the petition for review has been heard by a majority of the board in a full-board case, and upon completion of the record and submission of the issues for decision and order, a written final decision and order concurred in by them then may be adopted which shall contain findings and conclusions as to each contested issue of fact and law: Provided, That in the event that the full board considers the record and that four of the members cannot agree on a decision, the substantive decision (~~of the local government~~) under appeal will control. The board will formally adopt its final decision and order: Provided further, That this subsection does not apply to a request for review filed under RCW 90.58.210.

(2) **Short-board cases.** When the hearing on the petition for review has been heard by two or more board members in a short-board case, and upon completion of the record and submission of the issues for decision and order, a written final decision and order concurred in by them then may be adopted which shall contain findings and conclusions as to each contested issue of fact and law: Provided, That in the event that the three board members consider the record and two members cannot agree on a decision, the substantive decision (~~of the local government~~) under appeal will control. The board will formally adopt its final decision and order.

(3) Copies of the final decision and order shall be mailed by the board to each party to the petition for review or to the attorney or representative of record, if any. Service upon the representative shall constitute service upon the party.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 461-08-360 Service of the petition for review on local government and other parties.

Category	Maximum CPE Allowed in Nontechnical Subject Areas	Minimum CPE in Ethics Applicable to Practice in WA State	Total CPE
(a) A licensee.	24	4	120
(b) A certificateholder whose activities during the 3-year calendar period prior to renewal do not require a license to practice public accounting.	Exempt	4	120

(2) Subject area requirements:

(a) Licensees are limited to a maximum of 24 CPE credit hours in nontechnical subject areas during the CPE reporting period.

(b) If you are a certificateholder, you are exempt from the limitation of CPE credit hours in nontechnical subject areas.

(3) **Ethics applicable to practice in WA state:** During each CPE reporting period all licensees and certificateholders

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:42 a.m., effective January 1, 2000]

Date of Adoption: October 29, 1999.

Purpose: To clearly prescribe the board's continuing professional education requirements.

Citation of Existing Rules Affected by this Order: New section WAC 4-25-830.

Statutory Authority for Adoption: RCW 18.04.055(7), 18.04.215(4), 18.04.105(8).

Adopted under notice filed as WSR 99-19-042 on September 13, 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 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 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: January 1, 2000.

November 9, 1999

Dana M. McInturff, CPA

Executive Director

NEW SECTION

WAC 4-25-830 What are the CPE requirements? (1) For CPE reporting periods beginning January 1, 2000, or later, the following CPE is required during the three calendar year period prior to renewal:

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are required to complete a four-hour course on professional ethics with specific application to the practice of public accounting in Washington state.

(4) **20 hours a year minimum:** For CPE reporting periods beginning after December 31, 1999, you must complete a minimum of 20 hours of CPE each calendar year.

(5) **Reasonable cause exemption:** In order to renew your license and/or certificate you must complete the required CPE unless you can demonstrate your failure to meet the CPE requirements was due to reasonable cause. The board may make exceptions to the CPE requirements for reasons of individual hardship including health, military service, foreign residence, or other reasonable cause. You must request such an exemption in writing to the board. The request should include justification for the exemption and your plan to correct your CPE deficiency.

If you are retired, or you are a certificateholder and did not make any public, professional, commercial, or occupational use of the title CPA during the prior three years, you are deemed to have met the reasonable cause exemption.

(6) **Return to previous status:** If you seek to change your status as a certificateholder exempted from the CPE requirements under the reasonable cause exemption to a:

(a) Licensee, you must satisfy the requirements of subsection (1)(a) of this section within the three-year period immediately preceding the date the application for change in status was received by the board; or

(b) Certificateholder, you must satisfy the requirements of subsection (1)(b) of this section within the three-year period immediately preceding the date the application for change in status was received by the board.

(7) **Reinstatement of a lapsed, suspended, or revoked license and/or certificate:** If you seek to reinstate a lapsed, suspended, or revoked license and certificate, you must satisfy the requirements of subsection (1)(a) of this section within the three-year period immediately preceding the date the application for reinstatement was received by the board. If you seek to reinstate a lapsed, suspended, or revoked certificate, you must satisfy the requirements of subsection (1)(b) of this section within the three-year period immediately preceding the date the application for reinstatement was received by the board.

(8) **Reciprocity:** If you are applying for an initial Washington state CPA license and/or certificate under the reciprocity provisions of RCW 18.04.180 or 18.04.183, you must satisfy the applicable requirements in subsection (1) of this section within the three-year period immediately preceding the date the application was received by the board. For purposes of an initial license and/or certificate, you do not need to satisfy the ethics requirements of subsection (3) of this section.

Thereafter, in order to renew your Washington state CPA license and/or certificate, you must comply with all the applicable renewal requirements in subsection (1) of this section, including the ethics requirements in subsection (3) of this section.

WSR 99-23-046
PERMANENT RULES
BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:43 a.m., effective January 1, 2000]

Date of Adoption: October 29, 1999.

Purpose: To clearly outline the standards continuing professional education courses must meet.

Citation of Existing Rules Affected by this Order: New section WAC 4-25-831.

Statutory Authority for Adoption: RCW 18.04.055, 18.04.105(8).

Adopted under notice filed as WSR 99-19-043 on September 13, 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 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 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: January 1, 2000.

November 9, 1999

Dana M. McInturff, CPA

Executive Director

NEW SECTION

WAC 4-25-831 What are the program standards for CPE? (1) Qualifying program: A program qualifies as acceptable CPE for purposes of RCW 18.04.215(4) if it is a formal program of learning which contributes to the growth in the professional knowledge and professional competence of an individual in the practice of the profession. A formal program means:

- The program is at least fifty minutes in length;
- Attendance is recorded;
- Participants sign in to confirm attendance and, if the program is greater than four credit hours, participants sign out during the last hour of the program; and
- Attendees are provided a certificate of completion.

(2) **Undergraduate and graduate courses:** A graduate or undergraduate course qualifies for CPE credit if it meets the standards in subsections (1) and (5) of this section. For both undergraduate and graduate courses one quarter credit equals 10 CPE credit hours and one semester credit equals 15 CPE credit hours.

(3) **Committee meetings:** Generally, CPE credit is not allowed for attending committee meetings. A meeting qualifies for CPE credit only if it meets the standards in subsections (1) and (5) of this section.

(4) **Quality assurance review:** Service on the board's QAR committee, participating as a QAR team captain or reviewer, and participating on other board-approved quality or peer review committees may be considered for CPE credit as defined by board policy.

(5) **Subject areas:** Programs dealing with the following general subject areas are acceptable so long as they meet the standards in subsection (1) of this section:

(a) Technical subjects include:

- (i) Auditing standards or procedures;
- (ii) Compilation and review of financial statements;
- (iii) Financial statement preparation and disclosures;
- (iv) Attestation standards and procedures;
- (v) Projection and forecast standards or procedures;
- (vi) Accounting and auditing;
- (vii) Management advisory services;
- (viii) Personal financial planning;
- (ix) Taxation;
- (x) Management information services;
- (xi) Budgeting and cost analysis;
- (xii) Asset management;
- (xiii) Professional ethics (other than those programs used to satisfy the requirements of WAC 4-25-830(3));
- (xiv) Specialized areas of industry;
- (xv) Human resource management;
- (xvi) Economics;
- (xvii) Business law;
- (xviii) Mathematics, statistics, and quantitative applications in business;

(ix) Business management and organization;
(xx) General computer skills, computer software training, information technology planning and management;

(b) Nontechnical subjects include:

- (i) Communication skills;
- (ii) Interpersonal management skills;
- (iii) Leadership and personal development skills;
- (iv) Client and public relations;
- (v) Practice development;
- (vi) Motivational and behavioral courses;
- (vii) Speed reading and memory building;
- (viii) Negotiation or dispute resolution courses;

(c) Professional ethics with specific application to the practice of public accounting in Washington state covers the following subjects: Revised Code of Washington chapter 18.04, Washington Administrative Code chapter 4-25, and the code of professional conduct promulgated by the American Institute of CPAs.

Subjects other than those listed above may be acceptable provided you can demonstrate they contribute to your professional competence. You are solely responsible for demonstrating that a particular program is acceptable.

(6) **Group programs:** You may claim CPE credit for group programs such as the following so long as the program meets the standards in subsections (1) and (5) of this section:

- (a) Professional education and development programs of national, state, and local accounting organizations;
- (b) Technical sessions at meetings of national, state, and local accounting organizations and their chapters;
- (c) Formal in-firm education programs;

(d) Programs of other organizations (accounting, industrial, professional, etc.);

(e) Dinner, luncheon, and breakfast meetings which are structured as formal educational programs;

(f) Firm meetings for staff and/or management groups structured as formal education programs. Portions of such meetings devoted to communication and application of general professional policy or procedure may qualify, but portions devoted to firm administrative, financial and operating matters generally will not qualify.

(7) **CPE credit:** CPE credit is allowable only for those programs taken after the issuance of the CPA certificate. Credit is not allowed for programs taken to prepare an applicant for the ethics examination as a requirement for initial certification. CPE credit is given for whole hours only, with a minimum of fifty minutes constituting one hour. For example, one hundred minutes of continuous instruction counts as two hours of CPE credit; however, more than fifty minutes but less than one hundred minutes of continuous instruction counts only as one hour CPE credit. Attendees obtain CPE credit only for time spent in instruction; no credit is allowed for preparation time.

(8) **Self-study programs:** Credit for self-study programs is allowed in the renewal period in which you completed the program as established by the evidence of completion provided by the program sponsor.

(a) **Interactive self-study programs:** The amount of credit allowed for interactive self-study is that which is recommended by the program sponsor on the basis of the average completion time under appropriate "field tests." In order to claim CPE credit for interactive self-study programs, you must obtain evidence of satisfactory completion of the course from the program sponsor.

(b) **Noninteractive self-study programs:** The amount of credit allowed for noninteractive self-study is one-half the average completion time as determined by the program sponsor on the basis of appropriate "field tests." To claim CPE credit for noninteractive self-study programs, you must obtain evidence of satisfactory completion of the course from the program sponsor.

(9) **Instructor, discussion leader, or speaker:** If you serve as an instructor, discussion leader or speaker at a program which meets the standards in subsections (1) and (5) of this section, the first time you present the program you may claim CPE credit for both preparation and presentation time. One hour of credit is allowed for each fifty minutes of instruction. Additionally, you may claim credit for actual preparation time up to two times the presentation hours. No credit is allowed for subsequent presentations. A maximum of 72 CPE credit hours are allowed for preparation and presentation during each CPE reporting period.

(10) **Published articles, books:** You may claim CPE credit for published articles and books, provided they contribute to your professional competence. Credit for preparation of such publications may be claimed on a self-declaration basis for up to 30 hours in a CPE reporting period. In exceptional circumstances, you may request additional credit by submitting the article(s) or book(s) to the board with an explanation of the circumstances that justify a greater credit.

The amount of credit awarded for a given publication will be determined by the board.

(11) **Carry-forward:** CPE credit hours you complete during one period cannot be carried forward to the next period.

(12) **Carry-back:** CPE credit hours you complete during one period can be carried back to the previous reporting period; however, only in accordance with WAC 4-25-830(5).

WSR 99-23-047

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:44 a.m., effective January 1, 2000]

Date of Adoption: October 29, 1999.

Purpose: To inform Washington certified public accountants (CPAs) how to report completed CPE to the board.

Citation of Existing Rules Affected by this Order: New section WAC 4-25-832.

Statutory Authority for Adoption: RCW 18.04.055, 18.04.105(8).

Adopted under notice filed as WSR 99-19-040 on September 13, 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 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 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: January 1, 2000.

November 9, 1999

Dana M. McInturff, CPA
Executive Director

NEW SECTION

WAC 4-25-832 How do I report my CPE to the board? In order to apply for renewal of your CPA license and/or certificate, you must satisfy the board's CPE and supporting documentation requirements.

The reporting of compliance with CPE requirements is concurrent with the application for license and/or certificate renewal. When you complete your renewal form, you are required to sign a statement certifying under the penalty of perjury that you complied with the board's CPE requirements as defined in WAC 4-25-830 and supporting documentation requirements as defined in WAC 4-25-833.

The board audits, on a test basis, compliance with CPE and supporting documentation requirements as certified on the license and/or certificate renewal form. As part of this audit the board may require a general description of each course's contribution to your professional competence.

WSR 99-23-048

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:45 a.m., effective January 1, 2000]

Date of Adoption: October 29, 1999.

Purpose: To prescribe the documentation a Washington certified public accountant (CPA) must retain to support their eligibility for continuing professional education (CPE) credits.

Citation of Existing Rules Affected by this Order: New section WAC 4-25-833.

Statutory Authority for Adoption: RCW 18.04.055, 18.04.105(8).

Adopted under notice filed as WSR 99-19-041 on September 13, 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 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 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: January 1, 2000.

November 9, 1999

Dana M. McInturff, CPA
Executive Director

NEW SECTION

WAC 4-25-833 What documentation must I retain to support my eligibility for CPE credits? (1) For each program for which you claim CPE credit you must retain documentation to support all of the following required information:

- (a) Program sponsor;
- (b) Title of program or description of content;
- (c) Date(s) attended;
- (d) Number of CPE credit hour(s); and
- (e) Acceptable evidence of completion.

(2) Acceptable evidence supporting the requirements of subsection (1) of this section includes:

(a) For group programs, a certificate, or other acceptable verification as defined by board policy, that is supplied by the program sponsor;

(b) For self-study programs, a certificate supplied by the program sponsor after satisfactory completion of a workbook or examination;

(c) For a university or college course, a record of the grade you received;

(d) For instruction credit, evidence obtained from the program sponsor of your having been the instructor or discussion leader at the program; or

(e) For published articles or books, evidence of publication.

(3) You are responsible for documenting your entitlement to the CPE credit you claim on your license and/or certificate renewal form. You must retain the supporting documentation for CPE credit claimed for five years after completion of the program.

WSR 99-23-049

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:46 a.m., effective January 1, 2000]

Date of Adoption: October 29, 1999.

Purpose: To repeal sections of chapter 4-25 WAC that were rewritten and recodified (WAC 4-25-830, 4-25-831, 4-25-832, and 4-25-833).

Citation of Existing Rules Affected by this Order: Repealing WAC 4-25-810, 4-25-811, and 4-25-812.

Statutory Authority for Adoption: RCW 18.04.055.

Adopted under notice filed as WSR 99-19-044 on September 13, 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 3.

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 3.

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 3.

Effective Date of Rule: January 1, 2000.

November 9, 1999

Dana M. McInturff, CPA

Executive Director

WSR 99-23-050

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed November 15, 1999, 9:47 a.m., effective January 1, 2000]

Date of Adoption: October 29, 1999.

Purpose: To eliminate the voluntary sponsor agreement program offered to persons or organizations intending to provide programs qualifying for continuing professional education (CPE).

Citation of Existing Rules Affected by this Order: Repealing WAC 4-25-813.

Statutory Authority for Adoption: RCW 18.04.055, 18.04.105.

Adopted under notice filed as WSR 99-19-045 on September 13, 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 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: January 1, 2000.

November 9, 1999

Dana M. McInturff, CPA

Executive Director

WSR 99-23-065

PERMANENT RULES

UTILITIES AND TRANSPORTATION

COMMISSION

[Docket No. A-990298, General Order No. R-466—Filed November 15, 1999, 11:49 a.m.]

In the matter of amending/adopting/repealing chapter 480-140 WAC, relating to commission general - budgets.

STATUTORY OR OTHER AUTHORITY: The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 99-17-044, filed with the code reviser on August 13, 1999. The commission brings this proceeding pursuant to RCW 80.04.160 and 80.01.040. The statutes being implemented are RCW 80.04.300 through 80.04.330.

STATEMENT OF COMPLIANCE: This proceeding complies with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State

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Environmental Policy Act of 1971 (chapter 34.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

DATE OF ADOPTION: The commission adopted this rule on October 13, 1999.

CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE: The proposed rules implement the requirements of Executive Order 97-02, requiring agencies to review rules for clarity, intent and statutory authority, need, effectiveness and efficiency, coordination, cost, and fairness. The proposal repeals existing rules, reorganizes and rewrites the current rules, and adds a new section allowing the commission to grant an exemption of any rule in this chapter. The proposal places into rule a streamlined process for budget reporting, reducing the amount of information required, and permitting utilities to provide the information in their own format.

REFERENCE TO NEW RULE: This order adds the following new section to chapter 480-140 WAC: WAC 480-140-015 Exemptions from rules.

REFERENCE TO AFFECTED RULES: This order amends the following sections of the Washington Administrative Code: WAC 480-140-010 Definitions, 480-140-020 Who must file, 480-140-030 When to file, 480-140-040 Preparation, and 480-140-080 Secrecy provision.

REFERENCE TO REPEALED RULES: This order repeals the following sections of the Washington Administrative Code: WAC 480-140-050 Approval, 480-140-060 Supplemental change, 480-140-070 Emergency expenditures, 480-140-090 Conformity of accounts, 480-140-100 Donations, 480-140-110 Dues, 480-140-120 Wage scales, 480-140-130 Tax expenditures, 480-140-140 Affiliated interests, 480-140-150 Advertising, 480-140-160 Salaries, and 480-140-170 Operations covered.

PREPROPOSAL STATEMENT OF INQUIRY AND ACTIONS THEREUNDER: The Commission filed a preproposal statement of inquiry (CR-101) on April 15, 1999, at WSR 99-09-028.

ADDITIONAL NOTICE AND ACTIVITY PURSUANT TO PREPROPOSAL STATEMENT: The statement advised interested persons that the commission was considering entering a rule making on rules relating to Budgets. The commission also informed persons of the inquiry into this matter by providing notice of the subject and the CR-101 to all persons on the commission's list of persons requesting such information pursuant to RCW 34.05.320(3), and by sending notice to all affected companies. The commission accepted written comment regarding the CR-101 through May 14, 1999.

Pursuant to the notice, the commission engaged in one stakeholder meeting on June 4, 1999. The workshop participants included representatives from Commission Staff, US WEST Communications, Inc. (USWC), Sprint Communications Company (Sprint), Puget Sound Energy, Inc. (Puget), Cascade Natural Gas Corporation, Avista Utilities (Avista), PacifiCorp, and Northwest Natural Gas Company (NW Natural). In addition, the commission received written comments from the attendees and from GTE Northwest, Incorporated (GTE), Stroh Water Company, and Washington Independent Telephone Association (WITA). Workshop participants reached a consensus concerning rules that could

be deleted. Staff incorporated comments into a discussion draft.

On June 28, 1999, the commission mailed a notice and a rule discussion draft to interested persons. The commission received written comments through July 16, 1999. Avista, PacifiCorp, and GTE submitted written comments. Avista and PacifiCorp supported the proposed rule revisions. GTE had initial concerns about the rules. After discussions with staff, GTE submitted a letter dated July 27, 1999, acknowledging that the company did not anticipate that the draft language would require any more time or effort than is currently required by the existing rule.

NOTICE OF PROPOSED RULE MAKING: The commission filed a notice of proposed rule making (CR-102) on August 13, 1999, at WSR 99-17-044. The commission scheduled this matter for oral comment and adoption under Notice No. WSR 99-17-044 at 9:30 a.m., Wednesday, August 11, 1999, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA. The notice provided interested persons the opportunity to submit written comments to the commission.

COMMENTERS (WRITTEN COMMENTS): The commission received written comments from Puget and USWC. Following the filing of the CR-102, staff worked with interested parties through individual discussions to further clarify the rules and resolve concerns. USWC continues to believe that either all telecommunications companies should be required to file an annual budget or all telecommunications companies should be exempt from filing an annual budget. As currently drafted, staff recognizes that RCW 80.04.530 (1)(a) exempts telecommunications companies that serve less than 2% of the access lines in the state of Washington from filing a budget and, further, that telecommunications companies classified as competitive by the commission are exempted from filing a budget. Due to these existing exemptions, this rule applies only to Washington's four largest telecommunications companies. When these four companies are classified as competitive, they will no longer be required to file a budget.

Puget offered three primary suggestions: (1) Change major "construction" projects to major "capital" projects, (2) restructure the rules for clarity, and (3) include language to clarify that budget information will be on a total company basis, except for major construction projects, which would be listed individually. Staff recommends that the term "construction" remain to assure the language is consistent with the statute. Staff developed clarifying language changes in consultation with Puget to address suggestions (2) and (3). Staff incorporated Puget's suggestion to change the title of WAC 480-140-080 from Secrecy provision to Confidentiality provision. Likewise, staff removed the phrase "in no event" from WAC 480-140-030 as suggested by Puget.

On September 24, 1999, interested persons received the amended rule proposal. No one responded with written comments.

RULE-MAKING HEARING: The rule proposal was considered for adoption, pursuant to notice, at a rule-making hearing scheduled during the commission's regularly scheduled open meeting on October 13, 1999, before Chairwoman

Marilyn Showalter, Commissioner Richard Hemstad, and Commissioner William R. Gillis. The commission heard oral comments from Fred Ottavelli, representing commission staff. No other interested person made oral comments.

COMMISSION ACTION: After considering all of the information regarding this proposal, the commission repealed, amended, and adopted the proposed rules, with the changes described below.

CHANGES FROM PROPOSAL: The commission adopted the proposal with the following changes from the text in the proposed rule making (CR-102) at WSR #99-17-044 (underlined text added).

To clarify the intent of WAC 480-140-020, Who must file as it relates to water companies, the adopted rule adds language to WAC 480-140-020(4) stating, "Water companies required to file water system plans with the department of health must concurrently file a copy with the commission." This additional language is for clarification only; it does not change the intent of the rule. The proposal removes the phrase "in no event" from WAC 480-140-020, and changes the title of WAC 480-140-080 from Secrecy provision to Confidentiality provision.

To clarify the filing format accepted from companies, the proposal adds language to WAC 480-140-040, specifying "Budgets, in a format selected by the reporting company." Additional language clarifies that budget information will be on a total company basis except for major construction projects.

The Commission also adopts minor typographical changes.

STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE: In reviewing the entire record, the commission determines that WAC 480-140-050, 480-140-060, 480-140-070, 480-140-090, 480-140-100, 480-140-110, 480-140-120, 480-140-130, 480-140-140, 480-140-150, 480-140-160, and 480-140-170 should be repealed, WAC 480-140-010, 020, 030, 040, and 080, should be amended, and WAC 480-140-015, should be adopted to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380(2) on the thirty-first day after filing with the code reviser.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 5, Repealed 12.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

ORDER

THE COMMISSION ORDERS:

1. WAC 480-140-050, 480-140-060, 480-140-070, 480-140-090, 480-140-100, 480-140-110, 480-140-120, 480-140-130, 480-140-140, 480-140-150, 480-140-160, and 480-140-170 are repealed, WAC 480-140-010, 480-140-020, 480-140-030, 480-140-040, and 480-140-080 are amended, and WAC 480-140-015 is adopted as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect on the thirty-first day after the date of filing with the code reviser, pursuant to RCW 34.05.380(2).

2. This order and the rules set out in Appendix A, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapters 80.01 and 34.05 RCW and chapter 480-09 WAC.

3. The commission adopts the commission staff open public meeting memoranda, presented when the commission considered filing a preproposal statement of inquiry, when it considered filing the formal notice of proposed rule making, and when it considered adoption of this proposal, in conjunction with the text of this order, as its concise explanatory statement of the reasons for adoption as required by RCW 34.05.025.

DATED at Olympia, Washington, this 12th day of November, 1999.

Washington Utilities and Transportation Commission
Marilyn Showalter, Chairwoman
Richard Hemstad, Commissioner
William R. Gillis, Commissioner

Appendix A

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69, effective 10/9/69)

WAC 480-140-010 Definitions. (~~((1) The term "public service company" shall mean every person, firm, corporation, or association, or their lessees, trustees, or receivers, now or hereafter engaged in business in this state as a public utility and subject to regulation as to rates and service by the Washington utilities and transportation commission.~~

~~(2) The term "commission" when used in those rules and regulations shall mean the Washington utilities and transportation commission or such body as may succeed to the powers and duties now exercised by it.~~

~~(3) The term "budget" when used in these rules and regulations shall mean a financial statement prepared by each public service company showing the estimated revenues, sources and amounts of money which each public service company shall, in its judgment, require during the ensuing year for maintenance, operations and construction classified by accounts as prescribed by the commission.)~~ **Commission means Washington utilities and transportation commission.**

Net utility plant in service means plant in service less accumulated depreciation and amortization.

Public service company means every gas company, electrical company, telecommunications company, and water

company subject to regulation under the provisions of Title 80 RCW as to rates and service by the commission.

for which the budget is applicable)) sixty days after the beginning of the company's fiscal year.

NEW SECTION

WAC 480-140-015 Exemptions from rules. (1) The commission may grant an exemption of any rule in this chapter, if consistent with the public interest, the purposes underlying regulation, and applicable statutes.

(2) To request a rule exemption, a person must file with the commission a written request identifying the rule for which an exemption is sought and giving a full explanation of the reason the exemption is requested.

(3) The commission will assign the request a docket number, if needed, and schedule the request for consideration at one of its regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an adjudication. The commission will notify the person requesting the exemption, and other interested persons, of the date the commission will consider the request.

(4) The commission will enter an order granting or denying the request or setting it for hearing, pursuant to chapter 480-09 WAC.

AMENDATORY SECTION (Amending Order R-363, Docket No. U-911075, filed 12/31/91, effective 1/31/92)

WAC 480-140-020 Who must file. ~~((All public service companies shall file budgets with the commission except (1) gas, water, telecommunications, telegraph, and electrical companies whose annual gross operating revenues do not exceed one hundred fifty thousand dollars and (2) water companies who are required to file water system plans with the department of health in compliance with WAC 246-290-100. Water companies required to file such plans with the department of health shall concurrently file a copy of such plan with the commission.))~~ The following public service companies with annual gross operating revenues exceeding two hundred fifty thousand dollars must file budgets with the commission:

- (1) Gas companies;
- (2) Electrical companies;
- (3) Telecommunications companies that serve more than two percent of the access lines in the state of Washington, except those companies classified as competitive by the commission; and

(4) Water companies that are not required to file water system plans with the department of health in compliance with WAC 246-290-100. Water companies required to file water system plans with the department of health must concurrently file a copy with the commission.

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69, effective 10/9/69)

WAC 480-140-030 When to file: The budget for the ensuing fiscal year ~~((shall))~~ must be ~~((prepared and))~~ filed with the commission within ~~((10))~~ ten days ~~((of the date))~~ after it is approved by the company, but ~~((in no event shall it be filed))~~ no later than ~~((the last day of the year preceding that~~

AMENDATORY SECTION (Amending Order R-363, Docket No. U-911075, filed 12/31/91, effective 1/31/92)

WAC 480-140-040 ((Preparation-)) What to file. ~~((Budgets shall be made in duplicate on forms furnished by the commission. The original and three copies shall be filed with the commission and one copy shall be kept by the company for its files. Each question must be answered fully and accurately. Where the word "none" truly and completely states the fact, it may be given as the answer to any particular inquiry or portion thereof. Do not leave blank lines. Items and schedules which do not apply to the reporting company's business and therefore cannot be filled in, shall be answered "not applicable." In no case shall any utility deviate from the requirements of these rules except upon a showing of good cause, and then only to the extent authorized by the commission in writing. For the purpose of the budget report an "individual major project," is defined according to the following schedule:~~

<u>Company Construction Budget</u>	<u>Major Project</u>
<u>\$25,000 or less</u>	<u>\$2,000 or more</u>
<u>\$25,001 to \$50,000</u>	<u>\$2,500 or more</u>
<u>\$50,001 to \$100,000</u>	<u>\$10,000 or more</u>
<u>\$100,001 to \$500,000</u>	<u>\$15,000 or more</u>
<u>\$500,001 to \$1,000,000</u>	<u>\$50,000 or more</u>
<u>\$1,000,001 to \$5,000,000</u>	<u>\$100,000 or more</u>
<u>\$5,000,001 or more</u>	<u>\$500,000 or more</u>

All other individual projects shall be listed by name, location, and estimated cost. For companies with utility operations in more than one state, the major project threshold shall be applied to all projects proposed to be located in the state of Washington and to all projects which will be partly or wholly allocated to Washington operations: *Provided*, That individual project description sheets shall be required only for those projects for which the assigned or allocated costs to Washington equal or exceed the threshold set forth in this rule.)) Budgets, in a format selected by the reporting company, must show amounts needed for construction, operation and maintenance during the ensuing year. The reporting company must provide the information by industry (water, gas, electrical, and telecommunications) to the extent such information has been prepared. All major construction projects must be identified in the budget. Major construction projects will be determined as described below:

(1) For water, gas, and electrical companies, major projects include all projects where the Washington-allocated share of the total project is greater than five-tenths of one percent of the company's latest year-end Washington-allocated net utility plant in service, but does not include any project of less than three million dollars on a total project basis. This determination for companies providing combined industry services will be done on an industry-specific basis.

(2) For telecommunications companies, major projects include all construction projects where the intrastate Washington jurisdictional share is greater than one million dollars.

PERMANENT

AMENDATORY SECTION (Amending Order R-43, filed 4/5/73 and 4/18/73)

WAC 480-140-080 (~~(Secrecy)~~) **Confidentiality provision.** The commission may, in its discretion, to the extent permitted by (~~(section 31, chapter 1, Laws of 1973)~~) RCW 80.04.095 and chapter 42.17 RCW, upon the request of any public service company, withhold from publication, (~~(during such time as the commission may deem advisable,)~~) any portion of any (~~(original or supplemental)~~) budget (~~(relating to proposed capital expenditures)~~) designated as confidential pursuant to WAC 480-09-015.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 480-140-050 Approval.
- WAC 480-140-060 Supplemental change.
- WAC 480-140-070 Emergency expenditures.
- WAC 480-140-090 Conformity of accounts.
- WAC 480-140-100 Donations.
- WAC 480-140-110 Dues.
- WAC 480-140-120 Wage scales.
- WAC 480-140-130 Tax expenditures.
- WAC 480-140-140 Affiliated interests.
- WAC 480-140-150 Advertising.
- WAC 480-140-160 Salaries.
- WAC 480-140-170 Operations covered.

WSR 99-23-068

PERMANENT RULES

INSURANCE COMMISSIONER'S OFFICE

[Insurance Commissioner Matter No. R 99-5—Filed November 15, 1999, 2:45 p.m.]

Date of Adoption: November 15, 1999.

Purpose: Suspend rate filing requirements of certain large commercial property and casualty lines of insurance.

Statutory Authority for Adoption: RCW 48.02.060, 48.19.080.

Adopted under notice filed as WSR 99-19-174 on September 22, 1999.

Changes Other than Editing from Proposed to Adopted Version: WAC 284-24-120 (6)(d) "businesses, or other organizations" was added to clarify the focus of the rule. The premium threshold amount was changed to an account basis rather than a policy basis. Changes were made throughout the regulation to make the language of the regulation conform to this change.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 15, 1999

Robert A. Harkins

Chief Deputy Commissioner

NEW SECTION

WAC 284-24-120 Suspension of rate filing requirements—Large commercial accounts. (1) Under RCW 48.19.080, the rate filing requirements in chapter 48.19 RCW are suspended with respect to large commercial property casualty accounts.

(2) For purposes of this section, "large commercial property casualty account" means insurance coverage that:

(a) Pertains to a business, nonprofit organization, or public entity;

(b) Involves the lines of property and casualty insurance defined in RCW 48.11.040, 48.11.050, 48.11.060, 48.11.070, and/or 48.11.080; and

(c) Has an estimated annual collected premium of \$25,000 or more, excluding workers compensation insurance issued by the department of labor and industries and types of insurance listed in subsection (6) of this section.

(3) Before an insurer issues coverage in reliance on this section, the insurer or its agent shall notify the insured in writing that the rates have not been and will not be filed for the commissioner's approval.

(4) Property rates used on large commercial property casualty accounts will not be audited by the Washington Insurance Examining Bureau under WAC 284-20-006.

(5) The commissioner retains the right and ability to examine the rates used on large commercial property casualty accounts to ascertain whether they meet the requirements of RCW 48.19.020 and other statutes. The insurer shall maintain records supporting the rating and premium determination of each policy issued in reliance on this section. These records shall be retained by the insurer for a minimum of three years and made available at all reasonable times for the commissioner's examination.

(6) Subsection (1) of this section does not apply to:

(a) Professional liability insurance, including medical malpractice insurance;

(b) Directors' and officers' liability insurance purchased by individuals;

PERMANENT

- (c) Motor vehicle service contract reimbursement insurance, as defined in RCW 48.96.010(4); and
- (d) Master policies under which certificates of coverage are issued to individual consumers, households, businesses, or other organizations.
- (7) If this subsection is not amended, the provisions of this section shall expire on December 31, 2001.

WSR 99-23-073
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Filed November 16, 1999, 9:32 a.m.]

Date of Adoption: November 16, 1999.

Purpose: To establish a fee for hop oil constituent analysis, a new service to be offered by the Washington State Department of Agriculture Chemical and Hop Laboratory in Yakima. Also clarifies the existing text by converting it into clear and readable format.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-218-001; and amending WAC 16-218-010 and 16-218-02001.

Statutory Authority for Adoption: RCW 22.09.790.

Adopted under notice filed as WSR 99-20-135 on October 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 1, 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 2, 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 2, Repealed 1.

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

November 16, 1999

Jim Jesernig
 Director

AMENDATORY SECTION (Amending WSR 93-15-069, filed 7/16/93, effective 8/16/93)

WAC 16-218-010 Schedule of fees for physical grading. The schedule of fees, payable to the department for certification of hops pursuant to the standards established by the Federal Grain Inspection Service of the United States Department of Agriculture shall be as follows:

- (1) Lot inspection. One dollar and twenty-five cents per bale in each lot, minimum charge shall be thirty dollars.
- (2) Sample inspection. Thirty-five dollars per unofficial sample submitted.

- (3) Supplemental certificates. Five dollars per certificate.
- (4) Appeal inspection. Charges for appeal inspections shall be made by the Federal Grain Inspection Service, Portland, Oregon, and payment for appeal inspections shall be made to them.

(5) ~~((Extra copies. A charge of two dollars per set shall be made for typing extra copies of a certificate when requested by the original applicant or other financially interested party.~~

(6)) Extra time and mileage charges. If through no fault of the inspection service, lots of hops cannot be sampled at the time such sampling has been requested by the applicant or there is an undue delay in making a lot of hops available for sampling, extra time and mileage charges shall be assessed. Fees for hourly wages shall be charged at the current established sampler hourly rate and mileage shall be charged at the rate established by the state office of financial management.

To be considered available for sampling and certification, each and every bale in the lot of hops shall be readily accessible so that each bale may be properly stenciled and samples drawn from those bales selected by the inspector.

AMENDATORY SECTION (Amending WSR 97-05-003, filed 2/5/97, effective 3/8/97)

WAC 16-218-02001 Schedule of charges for chemical analyses of hops, hop extract, hop pellets or hop powder. The following is the schedule of charges for chemical analyses of hops, hop extract, hop pellets or hop powder:

(1) Official samples of hops drawn by department personnel shall be composited either from the cores drawn for grade analysis, or from cores specifically drawn on a schedule for brewing value only. ~~((Charges for analysis are: Thirty five cents per bale, with a minimum charge of thirty dollars for the ASBC spectrophotometric with moisture, thirty cents per bale, with a minimum charge of thirty dollars for the ASBC spectrophotometric without moisture, and ASBC or EBC conductometric methods.))~~ A minimum charge of \$30.00 per sample is established for each of the analyses listed in this subsection:

- (a) ASBC spectrophotometric with moisture \$0.35/bale
- (b) ASBC spectrophotometric without moisture \$0.30/bale
- (c) ASBC conductometric \$0.30/bale
- (d) EBC conductometric \$0.30/bale

An official brewing value certificate shall be used.

(2) Extra time and mileage charges. If through no fault of the inspection service, lots of hops cannot be sampled at the time such sampling has been requested by the applicant or there is an undue delay in making a lot of hops available for sampling, extra time and mileage charges shall be assessed. Fees for hourly wages shall be charged at the current established sampler hourly rate and mileage shall be charged at the rate established by the state office of financial management.

To be considered available for sampling and certification, each and every bale in the lot of hops shall be readily

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accessible so that each bale may be properly stenciled and samples drawn from those bales selected by the inspector.

(3) The following fees shall be charged by the department for samples submitted to the chemical and hop laboratory for analysis:

- (a) ASBC (~~(spectro)~~) spectrophotometric . . . \$30.00
- (b) ASBC (~~(condueto)~~) conductometric \$30.00
- (c) EBC (~~(condueto)~~) conductometric \$30.00
- (d) EBC (~~(condueto)~~) conductometric (Wollmer, Zurich, Mebak, Verzele, Ganzlin and hard and/or soft resins) \$60.00
- (e) (~~(Spectro)~~) Spectrophotometric of tannins, Wollmer, etc \$55.00
- (f) Methylene chloride \$80.00
- (g) Tannin \$55.00
- (h) Ash \$20.00
- (i) SO₂ \$25.00
- (j) H₂O \$10.00
- (k) HPLC \$100.00
- (l) Total oil \$25.00
- (m) Oil constituents analysis \$145.00
- (n) Wort test, particle size \$10.00

(4) A fee shall be charged by the department for any other analysis not listed in this section such as isoconversion products from alpha and beta resins and possible adulterants such as residues. Fees shall be based on labor costs, laboratory equipment costs, chemical and material costs, administrative and overhead costs.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-218-001 Promulgation.

WSR 99-23-076
PERMANENT RULES
NORTHWEST AIR
POLLUTION AUTHORITY
 [Filed November 16, 1999, 9:37 a.m.]

Date of Adoption: November 12, 1999.

Purpose: To amend sections of the NWAPA regulation to provide more clarity for users, to modify fee structures for new source review and registration programs, to clarify requirements for source emission testing and continuous emission monitoring, and to amend requirements for gasoline tank trucks for consistency with federal and state rules.

Citation of Existing Rules Affected by this Order: Amendatory sections:

104.1 & 2 Update adoption by reference of current state and federal laws and rules.

- 112.1 Include Control Officer or authorized representatives.
 - 133.1 Adjust maximum civil penalty to account for inflation.
 - 150 For pollutant disclosure remove reference to Class "A" sources and add sources that have actual emissions over 25 tons. Also give Control Officer the ability to require any source to submit periodic reports based on the nature and amounts emitted.
 - 300.2(d) Establish new thresholds (335 hp or 250 kilowatts) for stationary internal combustion engines that will be subject to new source review.
 - 320 Amend section to require registration payment before end of registration period. Failure to do so will require submittal of a new "Notice of Construction" if the source wishes to operate again.
 - 322.4 Change air operating permit fee calculation basis from 80% based on emissions and 20% based on program eligibility to 90% based on emissions and 10% based on eligibility.
 - 324.1 Add additional registration fee for sources of odor.
 - 324.2 Add additional new source review fee of \$150 for sources as determined by the Control Officer.
 - 365.14 All required continuous emission monitors shall be maintained and calibrated in accordance with 40 C.F.R. 60, Appendix F, Sections 2 through 7. All required continuous opacity monitors must meet performance specifications of 40 C.F.R. 60, Appendix B, Specification 1.
 - 365.2 All sources required to perform a source emission test shall submit a test plan to the NWAPA within 20 days of the scheduled test date, receive approval for any changes to the test plan, complete tests unless approval granted by the Control Officer, and submit results within sixty days of test completion unless another date is granted by the Control Officer.
 - 550 Clarify requirements for release of particulate matter.
 - 580.10 Modify requirements for gasoline transport tanks to conform with federal rules.
- Statutory Authority for Adoption: Chapter 70.94 RCW. Adopted under notice filed as WSR 99-20-066 on October 4, 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 11, Repealed 0.

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Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 11, 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.

November 15, 1999

James B. Randles

Assistant Control Officer

AMENDATORY SECTION

SECTION 104 - ADOPTION OF STATE AND FEDERAL LAWS AND RULES

104.1 All provisions of State Law as it now exists or may be hereafter amended, which is pertinent to the operation of the Authority, is hereby adopted by reference and made part of the Regulation of the Authority as of November 12, 1999(8)9. Specifically, there is adopted by reference the Washington State Clean Air Act (RCW 70.94), the Administrative Procedures Act (RCW 34.04) and RCW 43.21A and 43.21B and the following state rules: WAC 173-400, WAC 173-401, WAC 173-405, WAC 173-406, WAC 173-410, WAC 173-415, WAC 173-420, WAC 173-421, WAC 173-422, WAC 173-425, WAC 173-430, WAC 173-433, WAC 173-434, WAC 173-435, WAC 173-450, WAC 173-460, WAC 173-470, WAC 173-474, WAC 173-475, WAC 173-480, WAC 173-481, WAC 173-490, WAC 173-491, WAC 173-492, WAC 173-495, and WAC 173-802.

104.2 (~~All provisions of the following federal rules are hereby adopted by reference and made part of the Regulation of the Authority as of November 12, 1998~~) All provisions of the following federal rules that are in effect as of July 1, 1999 are hereby adopted by reference and made part of the Regulation of the Authority as of November 12, 1999: 40 CFR Part 60 (Standards of Performance For New Stationary Sources) subparts A, B, C, (~~Ca~~), Cb, Cc, Cd, Ce, D, Da, Db, Dc, E, Ea, Eb, Ec, F, G, H, I, J, K, Ka, Kb, L, M, N, Na, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AAa, BB, CC, DD, EE, GG, HH, KK, LL, MM, NN, PP, QQ, RR, SS, TT, UU, VV, WW, XX, AAA, BBB, DDD, FFF, GGG, HHH, III, JJJ, KKK, LLL, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, UUU, VVV, WWW; and 40 CFR Part 61 (National Emission Standards For Hazardous Air Pollutants) Subparts A, B, C, D, E, F, H, (~~I~~), J, (~~K~~), L, M, N, O, P, (~~Q, R, F~~), V, (~~W~~), Y, BB, FF and 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) Subparts A, B, C, D, F, G, H, I, L, M, N, O, Q, R, S, T, U, W, X, Y, AA, BB, CC, DD, EE, GG, HH, II, JJ, KK, LL, OO, PP, QQ, RR, SS, TT, UU, VV, WW, YY, CCC, DDD, EEE, GGG, HHH, III, (~~and~~) JJJ, LLL, MMM, NNN, PPP, TTT, XXX.

Amended: April 14, 1993, September 8, 1993, December 8, 1993, October 13, 1994, May 11, 1995, February 8, 1996, May 9, 1996, March 13, 1997, May 14, 1998, November 12, 1998, November 12, 1999

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.

AMENDATORY SECTION

SECTION 112 - FALSE AND MISLEADING ORAL STATEMENT: UNLAWFUL REPRODUCTION OR ALTERATION OF DOCUMENTS

112.1 No person shall willfully make a false or misleading oral statement to the NWAPA Board, Control Officer, or their duly authorized representatives as to any matter within the jurisdiction of the Board.

Passed: January 8, 1969 Amended: February 14, 1973, November 12, 1999

AMENDATORY SECTION

SECTION 133 - CIVIL PENALTY

133.1 In addition to or as an alternate to any other penalty provided by law, any person who violates any of the provisions of Chapter 70.94 RCW, chapter 70.120 RCW, any of the rules in force under such chapters, including the Regulation of the Northwest Air Pollution Authority shall be liable for a civil penalty in an amount of not more than twelve thousand five hundred dollars (\$12,500) (~~(\$12,000)~~) per day per violation. Each violation shall be a separate and distinct offense, and in the case of a continuing violation, each day's continuance shall be a separate and distinct violation. Any person who fails to take action as specified by an order shall be liable for a civil penalty of not more than twelve thousand five hundred dollars (\$12,500) (~~(\$12,000)~~) for each day of continued noncompliance.

AMENDED: November 14, 1984, April 14, 1993, September 8, 1993, October 13, 1994, February 8, 1996, November 12, 1998, November 12, 1999

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.

AMENDATORY SECTION

SECTION 150 - POLLUTANT DISCLOSURE - REPORTING BY AIR CONTAMINANT SOURCES

150.1 Every person operating a (~~Class A~~) registered air contaminant source with actual annual emissions of 25 tons or more of a single air pollutant or a source subject to the operating permit program shall file annually at a time determined by the Authority and on forms furnished by the Authority a report setting forth:

150.2 Every person operating a registered source other than those identified in 150.1 (~~Class A~~) may be required by the Control Officer to submit periodic emission reports (~~as in 150.1 if there is a significant change or increase in pollutant emissions~~) based on the nature and amount of pollutants emitted.

Passed: February 14, 1973

Amended: September 8, 1993, December 8, 1993, November 12, 1999

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AMENDATORY SECTION

SECTION 300 – NEW SOURCE REVIEW

300.2 Except when part of a new major source or major modification in a nonattainment area, the following air contaminant sources do not need to submit a "Notice of Construction and Application for Approval" approved by the Authority prior to construction, installation, establishment, or modification:

- a) Ventilating systems, including fume hoods, not designed to prevent or reduce air contaminant emissions.
- b) A project with combined aggregate heat inputs of combustion units, less than or equal to all of the following:
 - (1) 500,000 Btu/hr using coal with ≤ 0.5% sulfur or other fuels with ≤ 0.5% sulfur;
 - (2) 500,000 Btu/hr used oil, per the requirements of RCW 70.94.610;
 - (3) 400,000 Btu/hr wood waste or paper;
 - (4) 1,000,000 Btu/hr using kerosene, #1, or #2 fuel oil and with ≤ 0.05% sulfur;
 - (5) 4,000,000 Btu/hr using natural gas, propane, or LPG.
- c) Insecticide, pesticide, or fertilizer spray equipment.
- d) ~~((Internal combustion engines less than the size thresholds of the proposed or final United States Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart FF (Stationary Internal Combustion Engines, 44 FR 43152 7/23/79), or the promulgated EPA NSPS 40 CFR Part 60 Subpart GG (Stationary Gas Turbines).))~~ Stationary internal combustion engines less than 250 kw or 335 hp in size.

PASSED: November 12, 1998, November 12, 1999

AMENDATORY SECTION

SECTION 320 - REGISTRATION PROGRAM

320.4 Any registered source which ~~((ceases to operate any air contaminant source for one (1) year or more or said source leaves the jurisdiction of the Authority and))~~ does not pay the annual registration fee ~~((s, the source))~~ by the end of the registration period shall be considered a new source and shall submit a "Notice of Construction and Application for Approval" and receive approval from the Board prior to resumption of operation or re-entry into the jurisdiction of the Authority.

Passed: November 12, 1998, November 12, 1999

AMENDATORY SECTION

SECTION 322 - AIR OPERATING PERMIT PROGRAM (AOP)

REGISTERED SOURCES	1999	2000	2001	2002	2003
Wastewater treatment plants w/sludge incinerators	\$500	\$515	\$535	\$555	\$575
Portable asphalt plants and soil desorption units	\$300	\$310	\$320	\$330	\$340
Permanent asphalt plants and soil desorption units	\$600	\$620	\$640	\$660	\$680
Odor source	\$600	\$620	\$640	\$660	\$680

322.4 Air Operating Permit Fees.

a) The Authority shall levy annual operating permit program fees as set forth in this section to cover the cost of administering its operating permit program.

b) Commencing with the effective date of the operating permit program, the Authority shall assess and collect annual air operating permit fees in its jurisdiction for any source specified in Section 7661(a) of Title V of the FCAA or Chapter 173-401-300 WAC (excluding sources regulated by the Washington State Department of Ecology Industrial Section). The total fees required by the NWAPA to administer the program shall be determined by a workload analysis conducted by the staff and approved annually by a resolution by the Board of Directors. Allocation of the fees to individual affected sources shall be based on the following:

1) ~~Ten ((Twenty))~~ percent ~~((20%))~~ (10%) of the total fees shall be allocated equally among all affected sources.

2) ~~Ninety ((Eighty))~~ percent ~~((80%))~~ (90%) of the total fees shall be allocated based on actual emissions of regulated pollutants identified in the most recent annual emission inventory or potential emissions if actual data are unavailable. A regulated pollutant for fee calculation shall include:

Nitrogen oxides (NO_x);

Volatile organic compounds (VOC's);

Particulate matter with an aerodynamic particle diameter less than or equal to 10μ (PM₁₀);

Sulfur dioxide (SO₂);

Lead; and

Any pollutant subject to the requirements under Section 112(b) of the FCAA not included in any of the above categories.

PASSED: November 12, 1998, November 12, 1999

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.

AMENDATORY SECTION

SECTION 324 - FEES

324.1 Annual Registration Fees

a) The Authority shall levy fees as set forth in Section 324.1(b) below for services provided in administering the registration program. Fees received under the registration program shall not exceed the cost of administering the program.

b) ~~((Fees))~~ A source shall be assessed a late penalty in the amount of twenty-five percent (25%) of the registration fee for failure to pay the registration fee within 30 days after the due date. The late penalty shall be in addition to the registration fee.

c) Fees

PERMANENT

Petroleum coke handling facility	\$1,200	\$1,240	\$1,280	\$1,320	\$1,360
Perchloroethylene dry cleaners	\$150	\$155	\$160	\$165	\$170
Gasoline stations and Bulk plants	\$150	\$155	\$160	\$165	\$170
Chrome plating	\$150	\$155	\$160	\$165	\$170
Volatile organic compound storage tanks					
> or = 6000 gallons, < 40,000 gallons	\$200	\$210	\$220	\$230	\$240
> or = 40,000 gallons	\$500	\$515	\$535	\$555	\$575
Other sources as determined by the Control Officer	\$150	\$155	\$160	\$165	\$170
FOR SOURCES NOT LISTED ABOVE: ACTUAL EMISSIONS OF TOTAL CRITERIA AND TOXIC AIR POLLUTANTS					
< 10 tons per year	\$150	\$155	\$160	\$165	\$170
> or = 10 tons per year, < 25 tons per year	\$750	\$775	\$800	\$825	\$850
> or = 25 tons per year, < 50 tons per year	\$1,500	\$1,545	\$1,595	\$1,645	\$1,695
> or = 50 tons per year	\$2,500	\$2,575	\$2,655	\$2,735	\$2,820
ADDITIONAL FEES					
Source test review	\$300	\$310	\$320	\$330	\$340
Operation of a Continuous Emission or Opacity Monitor (per unit)	\$300	\$310	\$320	\$330	\$340
Source subject to NSPS or NESHAP (per subpart) except dry cleaners & chrome platers	\$500	\$515	\$535	\$555	\$575
Synthetic minor designation	\$500	\$515	\$535	\$555	\$575
Odor source	\$600	\$620	\$640	\$660	\$680

PASSED: November 12, 1998, November 12, 1999

AMENDATORY SECTION

324.2 New Source Review Fees

a) Fees

	1999	2000	2001	2002	2003
Filing fee	\$100	\$105	\$110	\$115	\$120
NSR FEES IN ADDITION TO THE FILING FEE:					
General (not classified below) for each piece of equipment or control equipment	\$500	\$515	\$535	\$555	\$575
Fuel Burning Equipment					
> or = 0.5 MM Btu/hr, but <10 MM Btu/hr	\$250	\$260	\$270	\$280	\$290
> or = 10 MM Btu/hr, but <100 MM Btu/hr	\$1,000	\$1,030	\$1,065	\$1,100	\$1,135
> or = 100 MM Btu/hr	\$10,000	\$10,300	\$10,610	\$10,930	\$11,260
Minor Notice of Construction change	\$250	\$260	\$270	\$280	\$290
Asphalt plant	\$750	\$775	\$800	\$825	\$850
Coffee roaster	\$250	\$260	\$270	\$280	\$290
Dry cleaner and Chrome plater	\$150	\$155	\$160	\$165	\$170
Gasoline stations and Bulk plants	\$300	\$310	\$320	\$330	\$340
Refuse burning equipment					
< 6 tons per day	\$1,000	\$1,030	\$1,065	\$1,100	\$1,135
> or = 6 tons per day, but < 12 tons per day	\$3,000	\$3,090	\$3,185	\$3,285	\$3,385
> or = 12 tons per day, but < 250 tons per day	\$20,000	\$20,600	\$21,220	\$21,860	\$22,520
> or = 250 tons per day	\$40,000	\$41,200	\$42,440	\$43,715	\$45,030
Paint spray booth	\$150	\$155	\$160	\$165	\$170
Volatil Organic Compounds storage tanks					

PERMANENT

< 40,000 gallons	\$300	\$310	\$320	\$330	\$340
> or = 40,000 gallons	\$1,000	\$1,030	\$1,065	\$1,100	\$1,135
Soil thermal desorption unit	\$750	\$775	\$800	\$825	\$850
Relocation of portable plant to new address	\$300	\$310	\$320	\$330	\$340
Other sources as determined by the Control Officer	\$150	\$155	\$160	\$165	\$170
ADDITIONAL FEES					
Synthetic minor determination (WAC 173-400-091)	\$750	\$775	\$800	\$825	\$850
SEPA threshold determination (NWAPA lead agency)	\$250	\$260	\$270	\$280	\$290
Air toxics review	\$400	\$415	\$430	\$445	\$460
Major source, major modification, PSD thresholds	\$2,000	\$2,060	\$2,125	\$2,190	\$2,260
Emission units subject to NSPS or NESHAP's (except dry cleaners & chrome platers)	\$1,000	\$1,030	\$1,065	\$1,100	\$1,135
Public notice (plus publication fee)	\$200	\$210	\$220	\$230	\$240
Public hearing (plus publication fee)	\$500	\$515	\$535	\$555	\$575
NOC applicability determination	\$200	\$210	\$220	\$230	\$240
Each CEM or alternate monitoring device installed	\$500	\$515	\$535	\$555	\$575
Each source test required in NOC	\$500	\$515	\$535	\$555	\$575
Bubble application	\$1,000	\$1,030	\$1,065	\$1,100	\$1,135

PASSED: November 12, 1998, November 12, 1999

AMENDATORY SECTION

SECTION 365 - MONITORING

365.1 Any person operating a registered air contaminant source or an air operating permit source may, at any time, be required to monitor the ambient air, process emissions or conduct emission tests as deemed necessary by the Control Officer under the following provisions:

365.11 The Board or Control Officer may require any person operating any source to conduct a monitoring program on site or adjacent off site for emissions, ambient air concentrations or any other pertinent special studies deemed necessary.

365.12 All monitoring data shall be submitted in a form which the Board or Control Officer may require. Averaging time and collection periods will be determined by the Control Officer. Failure to record and/or report data as specified in the "Guidelines for Industrial Monitoring Equipment and Data Handling" may be cause for a Notice of Violation to be issued.

365.13 All data and records shall be kept for a period of at least one year and made available to the Control Officer upon request.

365.14 ~~((All instruments used to monitor compliance or for special studies must meet appropriate EPA performance specifications (40 CFR 60, Appendix B) and shall be calibrated and maintained in accordance with the "Guidelines for Industrial Monitoring Equipment and Data Handling" procedures approved by the Control Officer.))~~ All continuous emission monitors required by the NWAPA shall meet appropriate EPA performance specifications (40 CFR 60, Appendix B), shall be calibrated and maintained in accordance with procedures described in 40 CFR 60, Appendix E, Sections 2 through 7, and follow the reporting requirements

in the "Guidelines for Industrial Monitoring Equipment and Data Handling", or alternate procedures approved by the Control Officer. All required continuous opacity monitors required by NWAPA must meet the performance specifications outlined in 40 CFR 60, Appendix B, Specification 1, and shall be calibrated and maintained in accordance with the "Guidelines for Industrial Monitoring Equipment and Data Handling", or alternate procedures approved by the Control Officer.

365.15 The Control Officer may take such samples and make any tests and investigations deemed necessary to determine the accuracy of the monitoring reports and tests submitted to the Authority, and evaluate the validity of the data. The owner or operator may also be required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

365.16 The Board or the Control Officer may require additional reasonable monitoring be undertaken at any appropriate time to insure compliance with this Regulation.

365.2 A source required by the NWAPA to conduct source emission tests (does not include Relative Accuracy Test Audits) to assess compliance with an air emission standard shall do so under the following provisions:

365.21 A source test plan and scheduled test date shall be submitted to the NWAPA for approval by the Control Officer at least 20 days prior to the actual test date. A previous test plan may be referenced if it has not been altered.

365.22 Any change to the test plan must be approved by the Control Officer prior to the test.

365.23 All tests must be completed as described in the test plan. A source emission test shall not be terminated due to excess emissions or high pollutant concentrations unless approved by the Control Officer.

365.24 The results of each required source emission test shall be submitted to the NWAPA within sixty days of test completion unless prior approval has been granted by the Control Officer.

PERMANENT

Passed: August 4, 1971

Amended: February 14, 1973, February 8, 1989, March 13, 1997, November 12, 1999

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

AMENDATORY SECTION

SECTION 550 - PREVENTING PARTICULATE MATTER FROM BECOMING AIRBORNE

550.2 It shall be unlawful for any person to cause or permit a building or its appurtenances (~~or a road~~) to be constructed, altered, repaired or demolished, or conduct sandblasting, without using Best Available Control Technology to prevent the release of fugitive particulate matter to the ambient air.

550.3 (~~It shall be unlawful for any person to cause or permit untreated open areas located within a private lot or roadway to be maintained without using Best Available Control Technology to prevent the release of fugitive particulate matter to the ambient air.~~) It shall be unlawful for any person to cause or permit the release of fugitive particulate matter to the ambient air from public or private lots, roadways, or open areas without using Best Available Control Technology.

PASSED: January 8, 1969

Amended: February 14, 1973, August 9, 1978, October 14, 1987, April 14, 1993, November 12, 1999

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

AMENDATORY SECTION

580.10 Leaks From Gasoline Transport Tanks and Vapor Control Systems

580.101 Applicability This Section shall apply to all gasoline transport tanks and all facilities subject to 580.4, 580.5, and 580.6 of the Northwest Air Pollution Authority Regulation (~~beginning January 1, 1994~~).

580.102 Transport Tanks (also referred to as cargo tanks) It shall be unlawful for any person to cause or allow the transfer of gasoline between a facility subject to the requirements of this Section and a gasoline transport tank unless: (~~a current leak test certification for the transport tank is on file with the facility or a valid inspection sticker is displayed on the vehicle.~~)

580.1021 a current (within 365 days) vapor tightness test certification for the transport tank is on file with the facility or is available in the transport vehicle.

(a) The vapor tightness test shall be conducted annually in accordance with the procedures specified in 40 CFR 63.425(e) and;

(b) The complete vapor tightness certificate shall be on a form approved by the Northwest Air Pollution Authority.

~~(580.103 It shall be unlawful for any person to cause or allow the use of any transport tank for the transfer of gasoline~~

~~at a facility subject to the requirements of this Section, unless the tank))~~

~~((580.1031 Is leak tested annually in accordance with 580.105; and))~~

~~((580.1032 Either displays a sticker or carries a certificate which))~~

~~((a) shows the date the tank last passed the leak test; and))~~

~~((b) shows the identification number of the tank; and))~~

580.10(~~33~~)22 It is loaded and unloaded in such a manner that the concentration of gasoline vapors is below the lower explosive limit (expressed as propane) at all points a distance of 2.5 cm (1 inch) or greater from any potential leak source. Any transport tank which fails to meet the requirements of this subparagraph shall be repaired and retested in accordance with 40 CFR 63.422(c) prior to reloading (~~the provisions of 580.105 within 10 working days. The Control Officer shall be notified in writing within 5 days after the completion of the required leak test.~~)

580.10(~~4~~)3 Vapor Control Systems It shall be unlawful for any person to cause or allow the operation of any facility subject to this Section unless the vapor control system and the gasoline loading equipment is operated during all loading and unloading of gasoline such that:

580.10(~~41~~)31 The concentrations of gasoline vapors is below the lower explosive limit (expressed as propane) at all points a distance of 2.5 cm (1 inch) or greater from any potential leak source; and

580.10(~~42~~)32 There are no liquid leaks in excess of three drops per minute and there is no more than 10 ml of liquid drainage per disconnect.

~~((580.105 In accordance with 580.114, the annual leak test required by 580.103 shall be performed according to the procedures specified in EPA Reference Method 27. During the test each transport tank shall sustain a pressure change of no more than 0.75 Kpa (3 inches of water) in five minutes when pressurized to a gauge pressure of 4.5 Kpa (18 inches of water) and evacuated to a gauge pressure of 1.5 Kpa (6 inches of water) during the test.))~~

PASSED: December 13, 1989

Amended: November 12, 1999

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 99-23-082

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed November 16, 1999, 9:57 a.m.]

Date of Adoption: November 16, 1999.

Purpose: This amendment implements administrative simplification of the alien emergency medical program. Language prohibiting organ transplants is removed.

Citation of Existing Rules Affected by this Order: Amending WAC 388-438-0110.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.057, 74.09.530 and 42 C.F.R. 435.139 and 42 C.F.R. 440.255.

Adopted under notice filed as WSR 99-20-110 on October 16 [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 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.

November 16, 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 388-438-0110 The alien emergency medical (AEM) program. ((An alien who is not eligible for other medical programs, is eligible for emergency medical care and services:

(1) ~~Regardless of their date of arrival in the United States;~~

(2) ~~Except for citizenship, meets Medicaid eligibility requirements as described in WAC 388-505-0210, 388-505-0220 or WAC 388-505-0110; and~~

(3) ~~Limited to the necessary treatment of an alien's emergency medical condition as defined in WAC 388-500-0005, except that organ transplants and related medical care services are not covered))~~

(1) The alien emergency medical (AEM) program is a federally-funded program. It is for aliens who are ineligible for other Medicaid programs, due to citizenship or alien status requirements described in WAC 388-424-0005 and 388-424-0010.

(2) Except for the Social Security Number, citizenship, or alien status requirements, the alien must meet categorical Medicaid eligibility requirements as described in:

(a) WAC 388-505-0110, for an SSI-related person;

(b) WAC 388-505-0220, for family medical programs;

(c) WAC 388-505-0210, for a child under the age of nineteen; or

(d) WAC 388-523-0100, for medical extensions.

(3) When an alien has monthly income which exceeds the CN medical standards, the department will consider AEM medically needy coverage for children or for adults who meet SSI disability criteria. See WAC 388-519-0100.

(4) To qualify for the AEM program, the alien must have an emergency medical condition as described in WAC 388-500-0005.

(5) The alien's date of arrival in the United States is not used when determining eligibility for the AEM program.

WSR 99-23-083

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Assistance Programs)

[Filed November 16, 1999, 9:57 a.m., effective January 1, 2000]

Date of Adoption: November 15, 1999.

Purpose: Change income budgeting rules from using two methods of budgeting to a single method. All income will be prospectively budgeted for cash and food assistance programs. Eliminate rules regarding monthly reporting, retrospective budgeting, and discontinued income as the rules do not apply under prospective budgeting. Eliminated rule regarding effect of lump sum payments for cash assistance. This rule is being incorporated in WAC 388-455-0005 though 388-455-0015.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-450-0060, 388-450-0180, 388-450-0205, 388-450-0220, 388-450-0235, 388-450-0240, 388-456-0001 and 388-470-0080; and amending WAC 388-450-0200, 388-450-0215, and 388-434-0005.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.510.

Adopted under notice filed as WSR 99-19-160 on September 22, 1999.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-450-0215 was changed to reflect that an overpayment or underpayment is not established when the client's estimated income and actual income are different unless the difference was a result of false or incomplete information by the client or incorrect computation of the benefits by the department. WAC 388-450-0215 was also changed to strike subsection (6) that stated clients have a choice of their budgeting method in all circumstances other than those described in subsection (5).

WAC 388-434-0005 was changed to reflect that clients not completing their eligibility review for cash assistance will continue to receive medical benefits for twelve months from their last application, eligibility review, or food assistance application or recertification.

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 3, Repealed 8.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 8.

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 3, Repealed 8.

Effective Date of Rule: January 1, 2000.

November 15, 1999

Marie Myerchin-Redifer
Manager

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-434-0005 The department reviews each client's eligibility ((reviews for cash and medical assistance)) for benefits on a regular basis. (1) ~~((Clients receiving cash assistance are required to have eligibility redetermined at least once every twelve months. The redetermination will be based on information provided on a form designated by the department. A family needs to complete only one form:~~

~~(2) A client's redetermination may be the scheduled review or initiated before the scheduled review when there are a number of eligibility changes to be reviewed. The redetermination includes:~~

~~(a) A review of each eligibility factor; and~~

~~(b) An evaluation of any change occurring since eligibility was established or last reviewed.~~

~~(3) For clients not receiving cash assistance, an eligibility redetermination date will be established in advance. For programs which require a fixed beginning and ending date, eligibility redetermination will be initiated prior to the end of coverage.~~

~~(4) Clients receiving assistance will be responsible for completing and responding to the eligibility redetermination request and attending an interview if required under WAC 388-452-0005.~~

~~(5) Clients who do not respond to a notice of redetermination will be considered to be withdrawing their request for continuing assistance. Termination of medical assistance will occur if there is insufficient information to redetermine medical program eligibility.~~

~~(6) Clients will receive a notice when the cash and food assistance is suspended, terminated, or a benefit error is discovered during the review as specified under chapter 388-458 WAC.~~

~~(7) Clients who become ineligible for cash assistance continue to receive the same medical coverage until a redetermination for other medical programs is completed.~~

~~(8) Clients not requesting a continuation of cash assistance have a right to be considered for other medical program eligibility.~~

~~(9) Clients receiving CN medical only remain eligible until a redetermination of eligibility for other medical programs is completed.~~

~~(10) Recipients who are assessed as needing necessary supplemental accommodation (NSA) services will be~~

~~assisted in complying with the requirements of this section as specified under WAC 388-200-1300)) If you receive cash assistance, the department reviews your eligibility for assistance at least once every six months.~~

~~(2) When it is time for your eligibility review, the department requires you to complete a review form. We use the information you provide to determine your eligibility for all assistance programs.~~

~~(3) If you complete an interview for assistance with a department representative and sign the printed application for benefits (AFB) form, you do not have to complete a separate review form.~~

~~(4) For cash assistance, the eligibility review form or the AFB must be dated and signed by both husband and wife, or both parents of a child in common when the parents live together.~~

~~(5) If you receive medical assistance only, the eligibility review form or the AFB must be signed by at least one parent when the parents live together.~~

~~(6) We may move the date of your eligibility review if we decide your circumstances need to be reviewed sooner.~~

~~(7) At your review, we look at:~~

~~(a) All eligibility requirements under WAC 388-400-0005 through 388-400-0035, 388-503-0505 through 388-503-0515, and 388-505-0210 through 388-505-0220;~~

~~(b) Changes that happened since we last determined your eligibility; and~~

~~(c) Changes that are anticipated to happen during the next review period.~~

~~(8) If you receive medical assistance only, we set your eligibility review date in advance under WAC 388-416-0005 through 388-416-0035. We will start the review process before your benefits end.~~

~~(9) Clients are responsible for attending an interview if one is required under WAC 388-452-0005.~~

~~(10) If you do not complete the eligibility review for cash assistance, you are considered to be withdrawing your request for continuing assistance.~~

~~(a) Your cash assistance benefits will end.~~

~~(b) Your medical assistance will continue for twelve consecutive months from the last:~~

~~(i) Application;~~

~~(ii) Eligibility review; or~~

~~(iii) Food assistance application or recertification.~~

~~(11) We must send you written notice under WAC 388-458-0005, 388-458-0010, and 388-450-0015 before assistance can be suspended, terminated, or a benefit error is established as a result of your eligibility review.~~

~~(12) If you are currently receiving cash or medical assistance, and you are found to no longer be eligible for benefits, we will determine if you are eligible for other medical programs. Until we decide if you are eligible for other programs, your medical assistance will continue under WAC 388-418-0025 even if you request that your benefits end.~~

~~(13) When a client is determined to need necessary supplemental accommodation (NSA) under WAC 388-200-1300, we will help the client meet the requirements of this section.~~

AMENDATORY SECTION (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

WAC 388-450-0200 Medical (~~cost~~) expenses may be used as an income deduction(~~s~~) for food assistance households containing an elderly or disabled household member. (1) (~~Excess medical and/or shelter deductions incurred by the client are allowed when a client:~~

(a) ~~Is elderly or disabled;~~

(b) ~~Received food assistance as a noncash assistance unit until becoming categorically eligible due to the receipt of SSI; or~~

(c) ~~Becomes categorically eligible due to the receipt of SSI after noncash assistance food stamps were denied as provided under WAC 388-414-0001.~~

(2) ~~One-time medical expenses are averaged over the certification period or taken as a deduction at one time at the client's option.~~

(3) ~~Anticipated medical expenses are averaged over the certification period.~~

(4) ~~A medical expense deduction is not allowed when the expense is:~~

(a) ~~A reimbursement;~~

(b) ~~A vendor payment, except for Low Income Home Energy Assistance Act (LIHEAA) payments;~~

(c) ~~Claimed after the initial billing, even though:~~

(i) ~~Not reported when first due;~~

(ii) ~~Included in the most recent billing; and~~

(iii) ~~Actually paid.~~

(d) ~~Allowed as a deduction once but not paid, and subsequently included in a repayment agreement;~~

(e) ~~Included in a timely but defaulted repayment agreement and then included in a subsequent repayment agreement;~~

(f) ~~Claimed by a client after presumptive SSI is denied;~~

(g) ~~Considered overdue to the provider; or~~

(h) ~~Already paid by a prospectively budgeted assistance unit)~~ Food assistance households can use medical expenses in excess of thirty-five dollars monthly as an income deduction for members that are:

(a) Age sixty or older; or

(b) Disabled as defined in WAC 388-400-0040.

(2) The department allows deductions for expenses to cover services, supplies, or medication prescribed by a state licensed practitioner or other state certified, qualified, health professional, such as:

(a) Medical, psychiatric, naturopathic physician, dental, or chiropractic care;

(b) Prescription drugs;

(c) Over the counter drugs;

(d) Eye glasses;

(e) Medical supplies other than special diets;

(f) Medical equipment.

(g) Hospital and outpatient treatment including:

(i) Nursing care; or

(ii) Nursing home care including payments made for a person who was an assistance unit member at the time of placement.

(h) Health insurance premiums paid by the client including:

(i) Medicare premiums or cost sharing; and

(ii) Insurance deductibles and co-payments.

(i) Spendedown expenses as defined in WAC 388-519-0010. Spendedown expenses are allowed as a deduction as they are estimated to occur or as the expense become due;

(j) Dentures, hearing aids, and prosthetics;

(k) Cost of obtaining and caring for a seeing eye or hearing animal, including food and veterinarian bills. We do not allow the expense of guide dog food as a deduction if you receive Ongoing Additional Requirements under WAC 388-255-1050 to pay for this need;

(l) Reasonable costs of transportation and lodging to obtain medical treatment or services;

(m) Attendant care necessary due to age, infirmity, or illness. If your household provides most of the attendant's meals, we allow an additional deduction equal to a one-person allotment.

(3) There are two types of deductions:

(a) One-time expenses are expenses that cannot be estimated to occur on a regular basis. You can choose to have us:

(i) Allow the one-time expense as a deduction when it is billed or due; or

(ii) Average the expense through your certification period.

(b) Recurring expenses are expenses that happen on a regular basis. We estimate your monthly expenses for the certification period.

(4) We do not allow a medical deduction if:

(a) The expense has already been paid;

(b) The expense is repaid by someone else;

(c) The expense is paid or will be paid by another agency;

(d) The expense is covered by medical insurance;

(e) You claim the expense later than the first billing, even if:

(i) You did not claim the expense the first time it was billed;

(ii) The expense is included in the current billing; and

(iii) You paid the bill.

(f) We previously allowed the expense, and you did not pay it. We do not allow the expense again even if it is part of a repayment agreement;

(g) You included the expense in a repayment agreement after failing to meet a previous agreement for the same expense;

(h) You claim the expense after you have been denied for presumptive SSI; and you are not considered disabled by any other criteria; or

(i) The provider considers the expense overdue.

AMENDATORY SECTION (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

WAC 388-450-0215 ((~~Prospective budgeting~~)) **How the department estimates income to determine your eligibility and benefits.** ((~~Unless specifically stated, this section applies to TANF/SFA, RCA, GA, medical and food assistance programs.~~

~~(1) Prospective budgeting means an assistance unit's benefit amount for the month is computed using the best estimate of income and circumstance for that month.~~

~~(2) Best estimate means a reasonable expectation and knowledge of current, past and future circumstances. For TANF/SFA, RCA and GA assistance:~~

~~(a) An overpayment is established if the income is underestimated; and~~

~~(b) A corrective payment is issued if the income is overestimated.~~

~~(3) For medical assistance programs, the assistance unit's income is always prospectively budgeted.~~

~~(4) For TANF/SFA, RCA, GA, and food assistance programs, an assistance unit's income and circumstances are prospectively budgeted:~~

~~(a) For the first two months of benefit eligibility;~~

~~(b) When the benefits have been closed for less than one month and were closed in the first prospectively budgeted month; or~~

~~(c) When the assistance unit's benefits are suspended, as defined in WAC 388-450-0245 and the assistance unit experiences a significant change in their income, such as loss of employment, in the budget or process month.~~

~~(5) For each month of benefit eligibility certain assistance units will have their income prospectively budgeted. This applies to assistance units in which:~~

~~(a) All adult members are elderly or disabled and do not have earned income or recent work history, as defined in WAC 388-404-0015, 388-400-0040 and 388-456-0010;~~

~~(b) All members are homeless as defined in WAC 388-408-0050;~~

~~(c) The only countable income is received from migrant work; or~~

~~(d) For food assistance programs the only countable income is received from seasonal farm work.~~

~~(6) Cash assistance income is budgeted prospectively)) The department uses prospective budgeting to determine eligibility and benefits.~~

~~(1) The department determines the amount of benefits an assistance unit can receive each month based on an estimate of your income and circumstances for that month. This is known as prospective budgeting.~~

~~(2) We base this estimate on what can be reasonably expected based on your current, past and future circumstances.~~

~~(3) We determine if our estimate is reasonable by looking at documents, statements, and other verification.~~

~~(4) There are two methods of estimating a client's income:~~

~~(a) Anticipating monthly income: We estimate the actual amount of income you expect to receive in the month; and~~

~~(b) Averaging income: We estimate your income based on adding the total income you expect to receive for a period of time and dividing by the number of months in the time period.~~

~~(5) We must use the anticipating monthly method in the following circumstances:~~

~~(a) If you are a destitute migrant or destitute seasonal farmworker as defined in WAC 388-406-0021;~~

(b) If you are receiving SSI, Social Security, or SSI-related medical benefits;

(c) If you have income allocated to someone receiving SSI-related medical benefits under WAC 388-450-0150; or

(d) If you have already received income in the month that you apply for benefits.

(6) When using the anticipating monthly method, we estimate the actual amount of income you expect to receive in the month. Your benefits will vary based on the income that is expected for that month.

(7) When using the averaging method, the expected changes in your income are taken into consideration so your benefits do not change as much:

(a) Clients that receive their income weekly or every other week will have their income converted to a monthly amount. If you are paid:

(i) Weekly, we multiply your expected pay by 4.3; or

(ii) Every other week, we multiply your expected pay by 2.15.

(b) Clients that receive their income other than weekly or every other week will have their monthly income estimated by:

(i) Adding the total amount of income expected to be received for the period of time; and

(ii) Dividing by the number of months in the period of time.

(8) We will not make you repay an overpayment or increase your benefits if your actual income is different than your estimated income unless:

(a) The information you provided was incomplete or false; or

(b) We made an error in calculating your benefits.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-450-0060	Lump sum payments.
WAC 388-450-0180	Effect of countable income on eligibility and benefit level for cash assistance.
WAC 388-450-0205	Budgeting income deductions for food assistance.
WAC 388-450-0220	Retrospective budgeting.
WAC 388-450-0235	Discontinued income.
WAC 388-450-0240	Effect of net lump sum payments for cash assistance.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-456-0001	Monthly reporting.
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PERMANENT

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-470-0080 Compensatory award or related settlement lump sum payments.

WSR 99-23-089
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed November 16, 1999, 3:43 p.m.]

Date of Adoption: November 15, 1999.

Purpose: Increase certificate of need fees, clarify fee language.

Citation of Existing Rules Affected by this Order: Amending WAC 246-310-990.

Statutory Authority for Adoption: RCW 70.38.105(5).

Adopted under notice filed as WSR 99-20-090 on October 5, 1999.

Changes Other than Editing from Proposed to Adopted Version: Inserted language in fee table for clarity (hospitals).

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.

November 15, 1999

M. C. Selecky
 Secretary

AMENDATORY SECTION (Amending WSR 96-24-052, filed 11/27/96, effective 12/28/96)

WAC 246-310-990 Certificate of need review fees. (1) An application for a certificate of need under chapter 246-310 WAC shall include payment of a fee consisting of the following:

(a) ~~((A nonrefundable application processing fee in the amount of seven hundred fifty dollars;~~

(b)) A review fee based on the facility/project ~~((description and the total capital expenditure))~~ type;

(b) When more than one facility/project type applies to an application, the review fee for each type of facility/project must be included.

<u>((Project Description</u>	<u>Capital Expenditure Range</u>	<u>Review Fee</u>
Additional kidney disease treatment center stations	\$ 0 - 100,000+ - 250,000+ or more	\$4,300 5,700 7,600
Administrative or emergency review	0 - 250,000+ or more	5,400 8,100
Amendment to a certificate of need		5,000
Bed addition of less than 10 beds	0 - 100,000+ - 5,000,000+ or more	4,300 5,700 7,600
Bed addition of 10 beds or more	0 - 500,000+ - 5,000,000+ or more	8,100 11,900 15,700
Bed redistribution or bed relocation	0 - 100,000+ - 2,000,000+ or more	7,000 10,600 13,200
Capital expenditure over the minimum expenditure	Exp. min. 5,000,000+ - 10,000,000+ or more	7,600 9,600 13,600
Establishment of a new hospital, nursing home, or continuing care retirement community	0 - 2,000,000+ or more	10,600 15,700
Establishment of a new home health agency, hospice, ambulatory surgery facility, or kidney disease treatment center	0 - 100,000+ or more	3,700 5,700 7,600
Extension of the certificate of need validity period (projects involving plans review by construction review unit) or extension of nursing home bed banking		150
Extension of the certificate of need validity period (other projects)		900

PERMANENT

(Project Description	Capital Expenditure Range	Review Fee
Replacement of an existing health care facility	+ - 2,000,000 2,000,001 - 5,000,000 5,000,001 or more	5,400 8,100 9,600
Sale, purchase, or lease of part or all of an existing hospital	+ - 5,000,000 5,000,001 or more	7,600 11,500
Substantial change in services, or offering a new tertiary health service	0 - 100,000 100,001 - 2,000,000 2,000,001 or more	8,100 10,600 15,700
Transfer of a certificate of need		2,700

~~(e) A nonrefundable two thousand dollar actuarial review fee surcharge for an application sponsored by an existing or proposed continuing care retirement community (CCRC) as defined in WAC 246-310-130 (3)(b).~~

~~(2) For purposes of subsection (1)(b) of this section, "total capital expenditure" means the total project costs to be capitalized according to generally accepted accounting principles consistently applied, and includes, but is not limited to, the following:~~

- ~~(a) Legal fees;~~
- ~~(b) Feasibility studies;~~
- ~~(c) Site development;~~
- ~~(d) Soil survey and investigation;~~
- ~~(e) Consulting fees;~~
- ~~(f) Interest expenses during construction;~~
- ~~(g) Temporary relocation;~~
- ~~(h) Architect and engineering fees;~~
- ~~(i) Construction, renovation, or alteration;~~
- ~~(j) Total costs of leases of capital assets;~~
- ~~(k) Labor;~~
- ~~(l) Materials;~~
- ~~(m) Equipment;~~
- ~~(n) Sales taxes;~~
- ~~(o) Equipment delivery; and~~
- ~~(p) Equipment installation.~~

~~(3) Where more than one project description under subsection (1)(b) of this section applies to an application, the applicant shall use the project description and capital expenditure range with the highest review fee in calculating the payment to accompany the application submittal.~~

~~(4) The applicant shall accompany the submittal of an amendment to))~~

Facility/Project Type	Review Fee
<u>Ambulatory Surgical Centers/Facilities</u>	\$10,600
<u>Amendments to Issued Certificates of Need</u>	\$6,700
<u>Emergency Review</u>	\$4,300
<u>Exemption Requests</u>	
• <u>Continuing Care Retirement Communities (CCRCs)/Health Maintenance Organization (HMOs)</u>	\$4,300

• <u>Bed Banking/Conversions</u>	\$ 700
• <u>Determinations of Nonreviewability</u>	\$1,000
• <u>Hospice Care Center</u>	\$ 900
• <u>Nursing Home Replacement/Renovation Authorizations</u>	\$ 900
• <u>Nursing Home Capital Threshold under RCW 70.38.105 (4)(e) (Excluding Replacement/Renovation Authorizations)</u>	\$ 900
• <u>Rural Hospital/Rural Health Care Facility</u>	\$ 900

Extensions

• <u>Bed Banking</u>	\$ 400
• <u>Certificate of Need/Replacement Renovation Authorization Validity Period</u>	\$ 400

<u>Home Health Agency</u>	\$12,800
<u>Hospice Agency</u>	\$11,400
<u>Hospital (Excluding Transitional Care Units-TCUs, Ambulatory Surgical Center/Facilities, Home Health, Hospice, and Kidney Disease Treatment Centers)</u>	\$21,000
<u>Kidney Disease Treatment Centers</u>	\$13,000
<u>Nursing Homes (Including CCRCs and TCUs)</u>	\$24,000

~~(2) The fee for amending a pending certificate of need application ((with a fee consisting of the following)) shall be as follows:~~

~~(a) ((A nonrefundable processing fee of five hundred dollars;~~

~~(b)) When ((the)) an amendment ((increases the capital expenditure, or)) to a pending certificate of need application results in ((a)) the addition of one or more facility/project ((description with a larger review fee, an additional review fee based on the difference between the review fee previously paid when the application was submitted and the review fee applicable to the greater capital expenditure or new project description; and~~

~~(e)) types, the review fee for each additional facility/project type must accompany the amendment application;~~

~~(b) When ((the)) an amendment ((decreases the capital expenditure, or)) to a pending certificate of need application results in ((a)) the removal of one or more facility/project ((description with a smaller review fee)) types, the department shall refund to the applicant the difference between the review fee previously paid ((when the application was submitted)) and the review fee applicable to the ((smaller capital expenditure or)) new facility/project ((description)) type; or~~

~~(c) When an amendment to a pending certificate of need application results in any other change as identified in WAC 246-310-100, a fee of one thousand one hundred dollars must accompany the amendment application.~~

~~((5)) (3) When ((an application for)) a certificate of need application is returned by the department in accordance with the provisions of WAC 246-310-090 (2)(b) or (e), the department shall refund ((a)) seventy-five percent of the review fees paid.~~

~~((6)) (4) When an applicant submits a written request to withdraw ((a)) a certificate of need application before the beginning of review, the department shall refund ((any)) seventy-five percent of the review fees paid by the applicant.~~

PERMANENT

~~((7))~~ ~~(5)~~ When an applicant submits a written request to withdraw ~~((a))~~ a certificate of need application after the beginning of review, but before the beginning of the ex parte period ~~((as determined by the department consistent with WAC 246-310-190))~~, the department shall refund one-half of all review fees paid.

~~((8))~~ ~~(6)~~ When an applicant submits a written request to withdraw ~~((a))~~ a certificate of need application after the beginning of the ex parte period ~~((as determined by the department consistent with WAC 246-310-190))~~, the department shall not refund any of the review fees paid.

~~((9))~~ Other certificate of need program fees are:

~~(a)~~ A nonrefundable two hundred fifty dollar processing fee for each request for an exemption from certificate of need review submitted under the provisions of WAC 246-310-040, 246-310-041, 246-310-042, 246-310-043; and

~~(b)~~ A nonrefundable two hundred fifty dollar processing fee for each request for an exemption from certificate of need review submitted under the provisions of RCW 70.38.105 ~~(4)(d))~~ (7) Review fees for exemptions and extensions shall be nonrefundable.

WSR 99-23-090

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed November 16, 1999, 3:45 p.m., effective January 1, 2000]

Date of Adoption: October 7, 1999.

Purpose: These rules will change the current annual license renewal for physicians and physician assistants to once every two years. In addition, the continuing medical education cycles will also be revised from three to four years for physicians and from one to two years for physician assistants.

Citation of Existing Rules Affected by this Order: Amending WAC 246-919-430, 246-919-450, 246-919-460, 246-919-990, 246-918-171, and 246-919-990.

Statutory Authority for Adoption: RCW 18.71.017 and 18.130.050(1).

Other Authority: RCW 18.130.040(4), 18.130.050(12), and 18.130.340.

Adopted under notice filed as WSR 99-18-085 on August 1 [31], 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 2, Amended 5, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 5, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 5, Repealed 0.

Effective Date of Rule: January 1, 2000.

October 27, 1999

Bonnie King

Executive Director

NEW SECTION

WAC 246-919-421 Renewal and continuing medical education cycle revision. Beginning January 1, 2000, the one-year renewal cycle for physicians will transition to a two-year cycle and a four-year continuing medical education reporting cycle. The renewal and continuing medical education reporting cycle will be as follows:

(1) Effective January 1, 2000, any physician whose birth year is an even number will renew their credential for twenty-four months and every two years thereafter. Those physicians must obtain two hundred hours of continuing medical education within the next forty-eight months from the date of the initial two-year license and every four years thereafter.

(2) Effective January 1, 2001, any physician whose birth year is an odd number will renew their credential for twenty-four months and every two years thereafter. Those physicians must obtain two hundred hours of continuing medical education within the next forty-eight months from the date of the initial two-year license and every four years thereafter.

(3) Effective January 1, 2000, in order to attain full license status, individuals with a post-graduate limited license will pay the fee difference between the limited license application and the full license application. This license will expire on their second birthdate after issuance and every two years thereafter.

(4) Effective January 1, 2000, those physicians on a retired active status will remain on the annual renewal cycle and a four-year continuing medical education reporting cycle. Those retired active physicians must report two hundred hours of continuing medical education within the next forty-eight months and every four years thereafter.

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-919-430 General requirements. (1) Licensed physicians must complete ~~((one))~~ two hundred ~~((fifty))~~ hours of continuing education every ~~((three))~~ four years as required in chapter 246-12 WAC, Part 7.

(2) In lieu of the ~~((one))~~ two hundred ~~((fifty))~~ hours of continuing medical education, the commission will accept a current Physician's Recognition Award from the American Medical Association or a current certificate from any specialty board approved by the American Board of Medical Specialties (ABMS) which is considered by the specialty board as equivalent to the ~~((one))~~ two hundred ~~((fifty))~~ hours of continuing medical education required under WAC 246-919-430(1). The commission will also accept certification or recertification by a specialty board as the equivalent of ~~((one))~~ two hundred ~~((fifty))~~ hours of continuing medical education. A list of the approved specialty boards are desig-

nated in the 1995 Official American Boards of Medical Specialty Director of Board Certified Medical Specialist and will be maintained by the commission. The list shall be made available upon request. The certification or recertification must be obtained in the ~~((three))~~ four years preceding application for renewal.

AMENDATORY SECTION (Amending WSR 96-03-073, filed 1/17/96, effective 2/17/96)

WAC 246-919-450 Categories of creditable continuing medical education activities. ~~((The licensee may earn all one hundred fifty credit hours in Category I. If the licensee does not earn the one hundred fifty credit hours in Category I, the licensee must earn the total of one hundred fifty credit hours in at least three of the five categories.))~~ The following are categories of creditable continuing medical education activities approved by the commission:

- Category I Continuing medical education activities with accredited sponsorship
- Category II Continuing medical education activities with nonaccredited sponsorship (maximum of ~~((sixty))~~ eighty hours)
- Category III Teaching ~~((medical))~~ of physicians or ((the) other allied health ((services)) professionals (maximum of ~~((sixty))~~ eighty hours)
- Category IV Books, papers, publications, exhibits (maximum of ~~((sixty))~~ eighty hours)
- Category V ~~((Nonsupervised))~~ Self-directed activities: Self-assessment, self-instruction, specialty board examination preparation, quality of care and/or utilization review (maximum of ~~((sixty))~~ eighty hours).

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-919-460 Continuing medical education requirement. (1) The credits must be earned in the ~~((thirty-six))~~ forty-eight-month period preceding application for renewal of licensure.

(2) **Category I: Continuing medical education activities with accredited sponsorship.** ~~((A maximum of one hundred fifty credit hours may be earned in Category I.))~~ The commission has approved the standards adopted by the Accreditation Council for Continuing Medical Education or its designated interstate accrediting agency, the Washington State Medical Association, in accrediting organizations and institutions offering continuing medical education programs, and will accept attendance at such programs offered by organizations and institutions offering continuing medical education programs, and will accept attendance at such programs offered by organizations and institutions so recognized as Category I credit towards the licensee's continuing medical education requirement for annual renewal of licensure. The licensee may earn all two hundred credit hours in Category I.

(3) **Category II: Continuing medical education activities with nonaccredited sponsorship.** A maximum of ~~((sixty))~~ eighty credit hours may be earned by attendance at continuing medical education programs that are not approved in accordance with the provisions of Category I.

(4) **Category III: Teaching ~~((medical))~~ of physicians or ~~((the))~~ other allied health ~~((services))~~ professionals.** A maximum of ~~((sixty))~~ eighty credit hours may be earned for serving as an instructor of medical students, house staff, other physicians or allied health professionals from a hospital or institution with a formal training program if the hospital or institution has approved the instruction.

(5) **Category IV: Books, papers, publications, exhibits.**

(a) A maximum of ~~((sixty))~~ eighty credit hours may be earned under Category IV, with specific subcategories listed below. Credit may be earned only during the ~~((thirty-six))~~ forty-eight-month period following presentations or publications.

(b) Ten credit hours may be claimed for a paper, exhibit, publication, or for each chapter of a book that is authored and published. A paper must be published in a recognized medical journal. A paper that is presented at a meeting or an exhibit that is shown must be to physicians or allied health professionals. Credit may be claimed only once for the scientific materials presented. Credit should be claimed as of the date materials were presented or published.

Medical editing can not be accepted in this or any other category for credit.

(6) **Category V: ~~((Nonsupervised.))~~ Self-directed activities.**

(a) A maximum of ~~((sixty))~~ eighty credit hours may be earned under Category V. ~~((Credit may be earned only for the thirty-six month period following the year in which the study, preparation, care and/or review occurred.))~~

(b) Self-assessment: Credit hours may be earned for completion of a multimedia medical education program.

(c) Self-instruction: Credit hours may be earned for the independent reading of scientific journals and books.

(d) Specialty board examination preparation: Credit hours may be earned for preparation for specialty board certification or recertification examinations.

(e) Quality care and/or utilization review: Credit hours may be earned for participation on a staff committee for quality of care and/or utilization review in a hospital or institution or government agency.

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-919-990 Physician and surgeon fees and renewal cycle. (1) Licenses must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2, except postgraduate training limited licenses and retired active physician licenses.

(2) Postgraduate training limited licenses must be renewed every year to correspond to program date.

(3) Retired active physician licenses shall be renewed every year.

(4) The following nonrefundable fees will be charged:

Title of Fee	Fee
Physicians and surgeons: Chapter 18.71 RCW	
Application	\$300.00
Retired active physician license renewal <u>(which is the \$100.00 renewal fee plus \$25.00 substance abuse monitoring surcharge)</u>	125.00
<u>Retired active late renewal penalty</u>	<u>50.00</u>
<u>One-year renewal</u>	<u>200.00</u>
<u>Two-year renewal</u>	<u>400.00</u>
Late renewal penalty	((50.00))
	<u>100.00</u>
Expired license reissuance	((100.00))
	<u>200.00</u>
Substance abuse monitoring surcharge <u>(assessed at \$25.00 each year as stipulated in RCW 18.71.310(2))</u>	((25.00))
	<u>50.00</u>
Certification of license	50.00
Duplicate license	15.00
Temporary permit	50.00
Postgraduate limited license fees: RCW 18.71.095	
Limited license application	200.00
Limited license renewal	200.00
Substance abuse monitoring surcharge	25.00
Limited duplicate license	15.00

NEW SECTION

WAC 246-918-171 Renewal and continuing medical education cycle revision. Beginning January 1, 2000, the one-year renewal cycle for physician assistants will transition to a two-year cycle and two-year continuing medical education cycle. The renewal and continuing medical education will be as follows:

(1) Effective January 1, 2000, any physician assistant whose birth year is an even number will renew their credential for twenty-four months and every two years thereafter. Those physician assistants must obtain one hundred hours of continuing medical education within the twenty-four months following the date their first two-year license is issued and every two years thereafter.

(2) Effective January 1, 2001, any physician assistant whose birth year is an odd number will renew their credential for twenty-four months and every two years thereafter. Those physician assistants must obtain one hundred hours of continuing medical education within the twenty-four months following the date their first two-year license is issued and every two years thereafter.

AMENDATORY SECTION (Amending WSR 99-13-087, filed 6/14/99, effective 7/15/99)

WAC 246-918-990 Fees and renewal cycle. (1) Licenses must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
Physician((s)) assistants, certified physician assistants, physician assistant-surgical assistants, acupuncture physician assistants:	
Application	\$50.00
<u>One-year renewal</u>	((35.00))
	<u>70.00</u>
<u>Two-year renewal</u>	<u>70.00</u>
Substance abuse monitoring surcharge <u>(assessed at \$25.00 each year as stipulated in RCW 18.71A.020(3))</u>	((25.00))
	<u>50.00</u>
Expired license reissuance	35.00
Duplicate license	15.00

WSR 99-23-098

PERMANENT RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed November 17, 1999, 10:55 a.m.]

Date of Adoption: November 8, 1999.

Purpose: To repeal WAC 192-16-002 Employer reports—Further defining hours worked.

Citation of Existing Rules Affected by this Order: Repealing WAC 192-16-002

Statutory Authority for Adoption: Chapters 34.05 and 50.12 RCW.

Adopted under preproposal statement of inquiry filed as WSR 99-12-168 [99-12-108] on June 16 [2], 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.

PERMANENT

Effective Date of Rule: Thirty-one days after filing.
November 15, 1999
Carver Gayton
Commissioner

WSR 99-23-099**PERMANENT RULES****EMPLOYMENT SECURITY DEPARTMENT**

[Filed November 17, 1999, 10:56 a.m.]

Date of Adoption: November 8, 1999.

Purpose: To repeal WAC 192-12-043 Definition of student for tax purposes.

Citation of Existing Rules Affected by this Order: Repealing WAC 192-12-043.

Statutory Authority for Adoption: Chapters 34.05 and 50.04 RCW.

Adopted under preproposal statement of inquiry filed as WSR 99-19-073 on September 16, 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.

November 15, 1999
Carver Gayton
Commissioner**WSR 99-23-100****PERMANENT RULES****EMPLOYMENT SECURITY DEPARTMENT**

[Filed November 17, 1999, 10:57 a.m.]

Date of Adoption: November 8, 1999.

Purpose: To repeal WAC 192-12-018 Definitions relating to musicians—Conditions for exemption of musicians and entertainers.

Citation of Existing Rules Affected by this Order: Repealing WAC 192-12-018.

Statutory Authority for Adoption: Chapters 34.05 and 50.12 RCW.

Adopted under preproposal statement of inquiry filed as WSR 99-19-072 on September 16, 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.

November 15, 1999
Carver Gayton
Commissioner**WSR 99-23-101****PERMANENT RULES****DEPARTMENT OF ECOLOGY**

[Order 98-11—Filed November 17, 1999, 11:18 a.m.]

Date of Adoption: November 15, 1999.

Purpose: This rule will guide the creation and operation of county water conservancy boards. The 1997 legislature authorized conservancy boards under chapter 90.80 RCW, allowing counties to establish boards to process applications to change existing water rights, subject to ecology approval. It also directs ecology to establish minimum requirements for training conservancy board members.

Statutory Authority for Adoption: Chapter 90.80 RCW, Water conservancy boards.

Adopted under notice filed as WSR 99-12-109 on June 2, 1999.

Changes Other than Editing from Proposed to Adopted Version: A substantial number of changes were made to the proposed rule, primarily to improve its readability and accuracy. Also, several changes were made to encourage water conservancy boards to involve other water planning entities, such as Indian tribes and watershed planning groups, in the boards' evaluation of applications to change existing 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 19, 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 19, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 15, 1999

Tom Fitzsimmons

Director

Chapter 173-153 WAC

WATER CONSERVANCY BOARDS

NEW SECTION

WAC 173-153-010 Purpose and authority. The purpose of this chapter is to establish procedures the department of ecology (ecology) and water conservancy boards (conservancy boards) will follow in implementing chapter 90.80 RCW, and in implementing RCW 90.03.380, 90.03.390, and 90.44.100, which govern the granting of water right transfers. Chapter 90.80 RCW authorizes establishment of water conservancy boards and vests them with certain powers relating to water right transfers.

NEW SECTION

WAC 173-153-020 Applicability. These procedures apply to the establishment of water conservancy boards (established in accordance with chapter 90.80 RCW) and to how applications to transfer water rights that are filed with a water conservancy board will be processed.

NEW SECTION

WAC 173-153-030 Definitions. For the purposes of this chapter, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Application" means an application for a transfer of a water right, including those proposed under authority of RCW 90.03.380, 90.03.390 and 90.44.100. Application generally refers to filings made on an ecology form titled "application for change/transfer of water right," number 040-1-97, or as that form may be amended by ecology in the future.

(2) "Conditional decision" means the conclusion reached by an individual conservancy board regarding approval or denial of an application to transfer an existing water right.

(3) "Consumptive use" means use of water whereby there is a diminishment of the water source.

(4) "Source" means the water body from which water is or would be diverted or withdrawn under an existing water right which an applicant has proposed to be transferred.

(5) "Transfer" means an alteration, in whole or in part, in the point of diversion or withdrawal, purpose of use, place of use, or change or amendment of a water right, or other limitation or circumstance of water use approved in accordance with RCW 90.03.380, 90.03.390 or 90.44.100.

NEW SECTION

WAC 173-153-040 Creation of a water conservancy board. Counties are encouraged to consult with ecology when considering formation of a water conservancy board.

(1) Creation of a water conservancy board is accomplished by the following steps:

(a) A resolution or petition must be submitted to the county legislative authority calling for formation of a water conservancy board. The resolution or petition may be initiated by:

(i) The county legislative authority;

(ii) The legislative authority of an irrigation district, a public utility district that operates a public water system, a reclamation district, a city operating a public water system, or a water-sewer district that operates a public water system;

(iii) The governing body of a cooperative or mutual corporation that operates a public water system serving one hundred or more accounts;

(iv) Five or more water rights holders who divert water for use in the county; or

(v) Any combination of the above;

(b) The resolution or petition must include:

(i) A statement of the need for the board;

(ii) Proposed bylaws that will govern the operation of the board;

(iii) An identification of the geographic boundaries where there is an initial interest in transacting water sales or transfers; and

(iv) A description of the proposed method(s) for funding the operation of the board;

(c) A public hearing must be held by the county legislative authority on the proposed creation of the board;

(d) A public notice must be published in a newspaper of general circulation in the county not less than ten days, nor more than thirty days, before the date of a public hearing to be held by the county legislative authority on the proposed creation of the water conservancy board. The notice shall describe the time, date, place and purpose of the hearing, as well as the purpose of the board. Notice must be sent to ecology's regional office at the time of publication and an effort should be made to ensure that any watershed planning unit or Indian tribe with an interest in water rights in the county also receives the notice;

(e) After the public hearing a resolution must be adopted by the county legislative authority approving the creation of a water conservancy board; and

(f) The county legislative authority shall identify and select county residents who wish to participate on the county's water conservancy board.

(2) Ecology will approve or deny creation of a water conservancy board within forty-five days of receiving:

(a) A copy of a resolution or petition to the county legislative authority calling for the formation of a water conservancy board. If five water rights holders who divert water for use in the county initiated the petition, it must include their names, addresses, and documentation as to the water rights held by the petitioners. Documentation may include the permit number, certificate number, or claim number of the peti-

tioner's water right. The petition must include a description of how the water conservancy board will be funded;

(b) An affidavit of publication for the public notice that appeared in a newspaper of general circulation in the county not less than ten days nor more than thirty days before the date of the public hearing on the proposed creation of the board;

(c) A summary of the public testimony presented during the public hearing conducted by the county legislative authority in response to the resolution or petition to form a water conservancy board. The summary shall include a title and a date for the hearing;

(d) A copy of the resolution by the county legislative authority approving the creation of a water conservancy board. The resolution must include a method for funding the proposed water conservancy board; and

(e) A copy of the board's proposed bylaws.

(3) Ecology will determine if the creation of a water conservancy board will further the purposes of the law and will be in the public interest. The public interest includes, but is not limited to, whether ecology has sufficient staffing resources to provide necessary training, monitoring, and technical assistance to the board and to make timely responses to the board's anticipated conditional decisions on applications.

(4) Based on its determination, ecology will approve or deny the formation of the water conservancy board. If formation of a water conservancy board is approved, ecology will include a description of the training requirements as outlined in WAC 173-153-050 for water conservancy board members in its approval.

(5)(a) Ecology may revoke legal authority of a board to make conditional decisions in the following circumstances:

(i) If the board fails to render a conditional decision for a period of not less than two years; or

(ii) If the board demonstrates a pattern of ignoring legal principles and requirements in its processing of applications or in its conditional decisions; or

(iii) If requested by the county legislative authority that called for the board's formation.

(b) The board will be allowed thirty days to respond to any revocation before it becomes effective. Ecology may reverse the revocation based upon the board response.

NEW SECTION

WAC 173-153-050 Training requirements. (1) Before participating in any conditional decision of a water conservancy board, every member is required to complete a training program provided by ecology. Successful completion of the training program will consist of:

(a) Completing at least thirty-two hours of instruction regarding hydrology, state water law, state water policy, administrative and judicial case law developments, field practices, evaluation of existing water rights, and applied practical experience working with applications for transfer of water rights with ecology staff; and

(b) Demonstrating sufficient mastery of the training curriculum by passing an examination given by an ecology employee upon completion of the minimum training.

(2) Ecology will certify in writing to the appropriate county legislative authority the successful completion of the training program for water conservancy board members and staff.

(3) After completing one year of service on a water conservancy board, members must each year complete eight hours of continuing education directed or approved by ecology. Continuing education may include readings, seminar or field experience on state water law, state water policy, administrative and judicial case law developments, field practices, the evaluation of existing water rights, or hydrology.

Ecology may, at its discretion, in response to demand, provide training semiannually. Ecology may combine training for more than one board.

NEW SECTION

WAC 173-153-060 Scope of authority of water conservancy boards. (1) A water conservancy board may accept an application for transfer of a surface or ground water right for processing if the water right is currently used within, or if approved, will be used within the boundaries of the county in which the board has jurisdiction. The application may be for a permanent or seasonal (temporary) use. The board shall investigate the application and make a determination whether the proposal should be approved or denied and, if approved, under what conditions the approval should be granted. In this process, boards should determine whether a watershed planning unit is involved in planning related to the source of water that would be affected by the application and, if so, the board should notify and consider comments from the watershed planning unit prior to issuing its conditional decision.

(2)(a) Applications for transfers that propose to use water from the same source must generally be processed in the order in which they were filed. Exceptions are outlined in chapter 173-152 WAC.

(b) Decisions on applications must be made by a board in the order in which the applications were originally filed with the board or with ecology, if the applications were first filed with ecology. Exceptions are as outlined in WAC 173-152-050 or as follows:

(i) Applications to alleviate public health and safety emergencies, as specified in WAC 173-152-050(1), may be processed before competing applications; and

(ii) If review of an application has begun and the board determines that gathering more information than is available at the time of the review is required, the board need not await the availability of the additional information before reviewing the next application awaiting action.

(c) A conservancy board must take into consideration the effect of a proposed transfer on the availability of water for any applications for new water rights, as well as any applications for transfers that were previously filed with ecology for water from the same source as the application under consideration by the board. Ecology will cooperate with conservancy boards to resolve any problems associated with conflicting applications. The availability of water for senior applicants, including those applicants who have filed transfer applications with ecology rather than a conservancy board,

must not be impaired, regardless of the order in which applications are processed.

(3) The quantity of water appropriated under a water right may not be expanded. For agricultural use, the acreage irrigated may not be expanded, except in limited circumstances allowed in RCW 90.03.380 in which the consumptive use under the water right is not increased.

(4) Any water right or portion of a water right that has not previously been put to actual beneficial use cannot be transferred, except as authorized by RCW 90.44.100. Transfer of previously unused ground water rights under RCW 90.44.100 is limited to changing the place of use and the point of withdrawal.

(5) No applicant may be compelled to apply for a transfer with a conservancy board. Applicants have the option of applying directly to ecology rather than a water conservancy board.

NEW SECTION

WAC 173-153-070 Application for transfer of a water right. (1) Water conservancy boards may accept applications for transfer of water rights. Ecology will provide water right transfer application forms and applicant instructions to water conservancy boards, which will make them available to prospective applicants. All applications to the water conservancy board must be made using the water right transfer form supplied by ecology. The decision to file a transfer application with a conservancy board rather than directly with ecology is solely at the discretion of the applicant. The conservancy board and ecology will inform any prospective applicants that they have the option of filing either with the board or with ecology.

(2) The board shall ensure that the application is complete and legible and is accompanied by the minimum ten-dollar examination fee required by RCW 90.03.470(1). The board may establish and charge additional fees in accordance with RCW 90.80.060(2).

(3) The original application form and the statutory state application fee must be forwarded by the conservancy board to the appropriate ecology regional office within five working days of the date of receipt. Within thirty working days from the date of notice from the board, ecology will assign a state water right control number to the application and inform the water conservancy board of the assigned number. Ecology will open a file relating to the application that will be maintained for permanent recordkeeping. Ecology will inform the applicant if additional state fees are due.

(4) If an applicant makes a request to a water conservancy board that an application previously filed with ecology be reviewed by that conservancy board, the conservancy board must determine whether it will review the application. If the conservancy board determines that it will review that application, the board shall make a request to ecology, and ecology shall forward a copy of the application and all relevant documents to the conservancy board.

(5) A board may decline to process or continue processing an application at any time. The board will inform the applicant in writing of its decision to decline further consideration of the application within fourteen working days. The

board must forward to ecology the working file for the specific transfer and any state application fees that have not previously been forwarded to ecology. The board must also provide a written explanation to ecology regarding its decision not to process or finish processing the application.

(6) The board must ensure that copies of the application are properly distributed to interested parties in compliance with existing laws, ecology memoranda of understanding, policies and other guidance. To assist the board, ecology will provide a list of potentially interested parties.

NEW SECTION

WAC 173-153-080 Public notice. (1) The water conservancy board shall publish, or require the applicant to publish, a public notice of the proposed transfer of a water right in accordance with RCW 90.03.280, at least once a week for two consecutive weeks in the legal notice section of a newspaper of general circulation in at a minimum the county or counties of proposed water use, diversion and storage of water. Ecology must provide the board with a list of newspapers acceptable for this purpose. Additional public notice may be required in areas that may be affected by the transfer proposal. The public notice of each individual application for transfer must include the following information, in the following order:

- (a) Applicant's name and city or county of residence;
- (b) Application number assigned by ecology;
- (c) Water right priority date;
- (d) Description of the water right to be transferred, including any identifying number, the location of point of diversion or withdrawal, place of use, and instantaneous and annual quantities authorized;
- (e) Proposed transfers to be made, including location of point of diversion or withdrawal, place of use, or instantaneous and annual quantities authorized;
- (f) Manner and time limit for filing protests with ecology under RCW 90.03.470; and
- (g) Manner and time limit for intervening before the board under RCW 90.80.070(4).

A copy of the public notice will be sent to ecology's regional office.

(2) Before acting on an application, the board must first receive a notarized affidavit of publication from each newspaper in which notice was published verifying that publication correctly occurred. The board must also allow at least thirty days for the filing of protests or objections following the last date of publication of the notice before making a final decision.

(3) When an applicant substantively amends the application for a transfer of a water right subsequent to publication of the notice, or when a substantive error or omission occurs in the publication, the public notice must be republished in all newspapers of original publication, and reviewing agencies must be sent corrected copies of any amended transfer proposal.

NEW SECTION

WAC 173-153-090 Protests. (1) A protest of an application that has been filed with a water conservancy board must be received by ecology with the two-dollar protest fee within thirty days of the last date of publication of the public notice. Ecology will consider all pertinent protests during its review of the board's conditional decision on the application. Persons inquiring of the board or ecology regarding protest procedures will be directed to file the protest with ecology. Ecology will provide a copy of the protest to the appropriate board.

(2) A valid protest must include the name, address and phone number (if any) of the protesting party; identification of the transfer proposal being protested; and a statement regarding the basis for the protest. Proper basis for a protest must include:

(a) The impacts of the proposed transfer on other water rights; or

(b) The impacts of the proposed transfer on the public interest; or

(c) A challenge to the potential extent and validity of the water right proposed to be transferred.

(3) The board must immediately forward to ecology any protests that it receives in error, accompanied by the two-dollar protest fee if it was included with the protest.

(4) Any protest received thirty days after the last date of publication of the public notice, or without the required fee, will be filed as a letter of concern.

NEW SECTION

WAC 173-153-110 Examination of application. (1) A water conservancy board shall make its conditional decision on a transfer application based on applicable state law, rules, policies, and ecology guidance. In addition to specific water law, other relevant state laws, including the Growth Management Act, must be considered.

(2) Generally, a board should conduct a field examination of the site of the proposal, clarify any unclear information by contacting the applicant, and discuss the concerns of protesters and objectors with the persons who filed them. All relevant information must be collected and considered in the examination. Detailed hydrological or hydrogeological information may need to be collected or other research conducted or compiled. A board may require the applicant to provide additional information at the applicant's expense if that information is necessary to render an informed conditional decision on the application.

(3) A board must consider all comments received about the pending application. In this process, boards should determine whether an Indian tribe, watershed planning unit, or other governmental body is involved in planning or water management related to the source of water that would be affected by the application. If this is the case, the board should engage the tribe, watershed planning unit or governmental body in the board's effort to obtain information concerning the application.

(4) A water conservancy board must evaluate the application, including the entire water rights record, and determine

whether or not the transfer as proposed is in accordance with applicable laws, rules, policies and guidelines of ecology. The board must also make a tentative determination as to the extent and validity of the water right proposed to be transferred, whether the transfer can be made without injury or detriment to existing rights, and whether the proposed transfer is not detrimental to the public interest.

(5) A water conservancy board shall ensure that the requirements of the State Environmental Policy Act (SEPA), chapter 43.21C RCW, and the SEPA rules, chapter 197-11 WAC, have been met before finalizing a conditional decision, and if determined by the board to be appropriate under WAC 197-11-922 through 197-11-944, the board will be the lead agency for SEPA compliance.

(6) A water conservancy board shall consult with ecology if it encounters new, unusual, or controversial issues in the course of examining an application. Ecology will provide assistance and advice as to how to proceed in accordance with state law, rule, policy and sound administrative practice.

(7) If a geographical area within the jurisdiction of a conservancy board is or becomes the subject of an adjudication conducted by a superior court for the determination of water rights, ecology will seek guidance from the superior court regarding the court's role in administering the water rights that are subject to the adjudication. Thereafter, ecology shall advise the conservancy board on whether and how the board may proceed to evaluate and make conditional decisions on applications for transfers of water rights that are subject to the adjudication being conducted by the superior court. When a board receives an application for transfer of a water right that is in an area subject to an ongoing general water rights adjudication process, and a public notice has been published, the board must send a copy of the public notice regarding the application to ecology, which will then submit the notice to the court conducting the adjudication. When a board makes a conditional decision on a transfer of a water right that is in an area subject to an ongoing general water rights adjudication process, a copy of the conditional decision must be sent to ecology, which will forward the conditional decision to the court conducting the adjudication.

NEW SECTION

WAC 173-153-120 Interventions and protests. (1) Any water right holder claiming detriment or injury to an existing water right may intervene in the application review process before the water conservancy board. Actions by the water conservancy board are independent from those of ecology. Ecology's final decisions based upon water conservancy board's conditional decisions are subject to administrative and judicial review.

(2) A party who intervenes in a water conservancy board conditional decision is not considered to be a protesting party unless the party has also filed a timely protest with ecology. Protests must be filed with ecology in accordance with WAC 508-12-120 and will be evaluated by ecology concurrently with its review of the water conservancy board conditional decision. Ecology will also consider other objections and comments in the record, including the record of any hearings

held by the board, when it makes its review of the board's conditional decision.

NEW SECTION

WAC 173-153-130 Conditional decision by water conservancy board. (1) The water conservancy board's conditional decision must be in writing, and its record of decision becomes part of the public record.

(2) For applications that are proposed to be denied, the water conservancy board will issue a record of decision denying the transfer, subject to review and final determination by ecology.

(3) For applications for transfer that are proposed to be affirmed, the water conservancy board will issue the applicant a record of decision and a certificate of conditional approval, subject to review and final approval by ecology.

(4) The record of decision along with either the certificate of conditional approval or the notice of denial will each address the following:

(a) Within a section entitled "background":

(i) A description of the water right proposed for transfer to include the ecology-assigned application number, and the board's tentative determination as to the validity and quantification of the right, together with a description of the historical water use information that was considered by the board;

(ii) A description of any protests, objections or comments, including comments provided by other agencies, Indian tribes, or other interested parties, and the board's analysis of each issue considered, including the name and address of individual intervenors;

(iii) A discussion explaining compliance with the State Environmental Policy Act;

(b) Within a section entitled "investigation":

(i) An analysis of the effect of the proposed transfer on other water rights, pending applications, and instream flows established under state law;

(ii) A narrative description of any other water rights or other water uses associated with both the current and proposed place of use and an explanation of how those other rights or uses will be exercised in harmony with the right proposed to be transferred;

(iii) An analysis of the effect of the transfer on the public interest;

(iv) Any conditional decision or conclusion that an existing water right or portion of a water right has been relinquished or abandoned due to nonuse;

(v) A description of the results of any geologic, hydrogeologic or other scientific investigations that were considered by the board;

(c) Within a section entitled "conclusion": A list of conclusions that the board drew from the information related to the transfer proposal;

(d) Within a section entitled "conditional decision": A complete description of the board's conditional decision;

(e) Within a section entitled "provisions":

(i) Conditions and limitations recommended for inclusion in an approval or other corrective action necessary to maintain the water use in compliance with state laws or rules;

(ii) A description of any requirement to mitigate adverse effects on other water rights, the water source, or the public interest; and

(iii) A schedule for development and completion of the transfer to a water right, if approved in part or in whole, that includes a definite date for completion of the transfer and the application of water to authorized beneficial use.

(5) A water conservancy board's conditional decision and certificate is not a final authorization to transfer the water right. Only after ecology has approved the conditional decision and has issued an order authorizing the transfer, or has failed to act within the time frame established in RCW 90.80.080, is the applicant allowed to initiate the transfer of the water right.

NEW SECTION

WAC 173-153-140 Notification of conditional decision. (1) The water conservancy board shall send notice of its conditional decision as to whether the transfer should be approved or denied, by mail to the applicant, ecology, to any person who protested or objected to the transfer, to any persons who requested notice of its conditional decision, and to any commenting agency or tribe. The board shall transmit notification of its conditional decisions to all parties on the same day, and will note that it has been sent to ecology. Ecology shall identify the location designated for submission of the board's conditional decision.

(2) Boards must fully document their process of arriving at a conditional decision regarding water right applications. All original public documents received or developed by a water conservancy board and used during its deliberations for decision making for each application for transfer of a water right must be sent, with a clear copy of the conditional decision, to ecology at the location designated by ecology for permanent recordkeeping, within seven working days after the board has rendered its conditional decision. The board must retain a copy of all documents; any documents used in reaching a conditional decision regarding a water right transfer application must not be destroyed or disposed of, except as allowed by state statute.

(3) Any comments or objections that are received by the water conservancy board on its conditional decision within thirty days after a final decision is issued by ecology must be forwarded to ecology within five working days, at the location designated for submission of the board's determination.

NEW SECTION

WAC 173-153-150 Ecology's review of the board's conditional decision. (1) Ecology will review conditional decisions of approvals and denials made by water conservancy boards. Upon receipt of a conditional decision made by a water conservancy board, ecology will review the conditional decision for compliance with state water laws and rules, policies or guidelines. As part of this review, ecology will also consider agency and tribal comments, any protests or objections filed by parties alleging that one or more of their water rights would be impaired by the transfer, and any

PERMANENT

other comments received regarding the conditional decision by the board.

(2) Ecology may affirm, reverse, or modify the conditional decision of the board. Ecology's decision will be made in the form of a written administrative order and must be issued within forty-five days of receipt of the board's conditional decision. If ecology fails to act within the forty-five-day time period, the board's conditional decision becomes final. The forty-five-day time period may be extended an additional thirty days by ecology's director upon the written consent of the parties to the transfer.

(3) If ecology modifies the conditional decision by the water conservancy board, ecology shall send a notice of modification of the conditional decision that specifies which parts of the conditional decision it was in agreement with, and which parts of the conditional decision it has modified. If ecology reverses the conditional decision by the conservancy board, ecology shall send a notice of reversal of the conditional decision with an explanation of the reversal.

(4) Ecology will send notice of its decision to all parties on the same day. Notice of ecology's decision will be sent by mail within five working days to the water conservancy board, the applicant, any person who protested or intervened before the board, persons who requested notice of its decision, the Washington department of fish and wildlife, and any affected Indian tribe.

(5) If ecology fails to act within the specified time after receipt of the board's conditional decision, the board's action is final. The conservancy board shall notify ecology, the applicant, and any parties that have expressed interest to the conservancy board about the application, of ecology's failure to act. If ecology concurs that the review period has lapsed, ecology will send a notice to the board that the conditional decision is final.

NEW SECTION

WAC 173-153-160 Perfection of a transfer approval.

(1) When an approved transfer has been perfected, the person authorized to transfer a water right must submit evidence to ecology showing the transfer has been completed in accordance with the order authorizing the transfer of the water right. Ecology will issue a change certificate or a superseding certificate to the water right holder(s) to document that the approved transfer was accomplished upon verification of the extent of development as authorized. When the document is issued, ecology shall provide a copy to the conservancy board for its records if requested. The document will also be recorded at the applicant's expense by the county in which the use of water is made.

(2) If development of the approved transfer is not completed in accordance with the development schedule that accompanies the approval, extensions may be requested and will be processed under standard procedures by ecology.

(3) If the person authorized to transfer a water right fails to accomplish the transfer in accordance with the authorization, ecology will cancel the transfer authorization and the water right will revert to the original configuration, less any quantity that was relinquished for nonuse in connection with

ecology's review of the conservancy board's conditional decision.

NEW SECTION

WAC 173-153-170 Reporting requirements. Boards are required to submit reports to ecology on their activities at the end of October of each even-numbered year. The reports must include information about board activities during the previous twenty-four months. The reports shall contain the following information:

(1) Information about applications to the board to include the following:

(a) Number of applications filed with the board by water resources inventory area (WRIA);

(b) Number of applications that received a public hearing to hear intervenors;

(c) Number of conditional decisions approving or partially approving an application;

(d) Number of conditional decisions denying an application;

(e) Number of applications for transfer of surface or ground water;

(f) Number of applications to transfer a claim or certificate;

(g) Number of applications filed directly with the conservancy board, and number transferred from ecology to the board; and

(h) Number of hearings held within other counties when water rights were proposed to be changed between counties.

(2) Operations of the board to include the following:

(a) Chairperson of the board;

(b) Changes in membership of the board, including background and contact information for any new members;

(c) Current fees or changes to previous fees;

(d) Training received other than from ecology;

(e) Ownership of any properties by the conservancy board;

(f) Water marketing activities and any related fees;

(g) Number of staff that are employed by, and staff that provide volunteer service to, the board; and

(h) Any litigation in which the board is involved.

NEW SECTION

WAC 173-153-180 Appeals. Any person aggrieved by ecology's decision to approve or disapprove the establishment of a conservancy board, or ecology's decision to affirm, reverse or modify the determination of a conservancy board on an application for transfer of a water right, may appeal the decision to the state pollution control hearings board in accordance with chapter 43.21B RCW.

NEW SECTION

WAC 173-153-190 Existing rights not affected. Nothing in this chapter is intended to impair any existing water rights.

NEW SECTION

WAC 173-153-200 Review of chapter. This chapter must be reviewed by ecology whenever new information, changing conditions, or statutory modifications make it necessary to consider revisions. In carrying out a review of this chapter, ecology shall consult with existing conservancy boards.

WSR 99-23-107
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed November 17, 1999, 11:36 a.m., effective December 27, 1999]

Date of Adoption: November 17, 1999.

Purpose: These rules are rewritten per the Governor's Executive Order 97-02.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 296-15-010, 296-15-020, 296-15-022, 296-15-023, 296-15-025, 296-15-026, 296-15-02601, 296-15-02602, 296-15-02603, 296-15-02604, 296-15-02605, 296-15-030, 296-15-045, 296-15-050, 296-15-060, 296-15-065, 296-15-080, 296-15-090, 296-15-110, 296-15-130, 296-15-135, 296-15-145, 296-15-150, 296-15-170, 296-15-210, 296-15-215, and 296-15-220.

Statutory Authority for Adoption: RCW 51.14.077, 51.14.120(7), 51.14.150(4), 51.14.160, 51.44.040(3), 51.44.070, 51.44.150.

Adopted under notice filed as WSR 99-18-067 on September 1 [August 31], 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.

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Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 11, Amended 0, Repealed 27.

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November 17, 1999

Gary Moore
Director

NEW SECTION

WAC 296-15-021 Individual firm self insurance application. (1) **What does individual firm mean when applying for certification to self insure workers' compensation benefits?** When applying for certification to self

insure workers' compensation benefits, an individual firm means a sole proprietor, partnership or corporation which is responsible for its own audited financial statements.

(2) **What minimum requirements must an individual firm meet to apply for self insurance certification?** The department will consider an individual firm's application for self insurance certification if it:

- (a) Meets the department's net worth requirement;
- (b) Has been in business for three years; and
- (c) Has acceptable accident prevention programs in place for at least six months in Washington locations.

(3) **How does an individual firm apply?** The individual firm must submit Self Insurance Application SIF-1 L&I form F207-001-000 and three years of financial statements with the most recent year's financial statement audited by a certified independent public accountant.

(4) **What happens after an individual firm submits its application to the department?** After the department receives an application from an individual firm, the department will:

- (a) Conduct an evaluation of the written accident prevention program in effect at a sample of the applicant's locations;
- (b) Consider all matters related to the application; and
- (c) Notify the individual firm whether certification is approved or denied thirty days before the requested certification date unless more time is needed.

(5) **What if the application is denied?** The application will be denied if the individual firm does not meet the department's financial and/or accident prevention program requirements. If the application is denied for:

(a) Financial reasons, the individual firm may reapply after its next independently audited financial statement is available. The department may require the applicant to provide additional information.

(b) Accident prevention program deficiencies, the individual firm may be required to wait six months before reapplying.

(c) Both financial reasons and accident prevention program deficiencies, the individual firm may reapply after its next independently audited financial statement is available. The department may also require the applicant to wait six months before reapplying.

(6) **What if the application is approved?**

(a) If the application is approved, the individual firm must do all of the following before certification will be granted:

(i) Provide written acknowledgment L&I form F207-144-000 of its responsibility to pay benefits on all claims incurred during its period of self insurance. This obligation will continue even if the individual firm voluntarily or involuntarily surrenders its self insurance certification.

(ii) Provide surety in the amount determined necessary by the department. Surety must be filed with the department on a form provided by the department. Initial surety will be the greatest of:

(A) The minimum surety. This amount is calculated annually by department actuaries and is equal to the projected average current cost of a permanent total disability claim,

including time loss, pension reserve and other claim costs paid prior to pension.

(B) The estimated annual amount of accident fund and medical aid fund premiums the self insurer would have paid if still in the state fund.

(C) The estimated amount of developed incurred benefits based on the self insurer's past experience with state fund adjusted for changes in the benefit schedules and exposure.

(D) The estimated average annual incurred losses made by an independent qualified actuary and accepted by the department.

Surety will never be established at a level lower than the minimum surety amount. The department may increase the initial surety amount if other conditions are expected to alter the potential claim costs and/or the self insurer's ability to pay them. A decrease will not be considered during the first three years of certification.

(iii) Pay its share of any state fund deficit or insufficiency. See the Employer's Guide to Self Insurance L&I form F207-079-000 for how the deficit share is calculated.

(iv) Obtain the services of an individual or service organization with an individual qualified to administer a Washington workers' compensation program.

(A) A qualified claim administrator has satisfactorily demonstrated to the department:

(I) A thorough knowledge in Title 51 RCW and all workers' compensation rules; and

(II) An expertise in claim adjudication.

(B) The claim administrator must also have the authority to make prompt:

(I) Payment of all compensation and assessments when due; and

(II) Decisions regarding claim adjudication and awards.

(C) If a service organization will be used, submit a copy of the service contract.

(I) The contract copy may delete clause(s) relating to payment of services.

(II) However, if payment for services is based on the number of claims filed by the self insurer's workers, this must be explained in detail. The department may require an unaltered copy of the agreement for clarification.

(b) The self insured individual firm will be held accountable for:

(i) Its entire workers' compensation program, including all actions on its claims, regardless of whether it contracts with a service organization or administers its own program; and

(ii) Complying with and keeping informed of all changes to industrial insurance laws and rules.

(c) Certification of an individual self insurer will include all of its subsidiaries (fifty percent owned and/or financial interest controlled by) or divisions doing business in Washington. One certificate will be issued to an approved self insurer. The subsidiaries or divisions will be considered one self insurer for all industrial insurance purposes.

(d) The effective date of certification will be the first day of the quarter after the department receives the surety and required documentation. If the applicant fails to provide the required information before the approved certification date

and later wishes to follow through, the department will require the individual firm to reapply.

(7) What if an individual firm is a subsidiary of a corporation?

(a) If an individual self insured firm has a parent (owner of fifty percent and/or having controlling financial interest), the parent must provide the department with its written guarantee L&I form F207-040-000 to assume responsibility for all workers' compensation liabilities of the subsidiary if the subsidiary defaults on its liabilities.

(b) If a parent fails to provide a guarantee, the department will require the subsidiary to provide surety at one hundred twenty-five percent of its actual requirement. The subsidiary must continue to provide surety at the higher level as long as it has no parental guarantee.

NEW SECTION

WAC 296-15-031 Employee stock ownership plan self insurance application. (1) **What does employee stock ownership plan (ESOP) mean when applying for certification to self insure workers' compensation benefits?** When applying for certification to self insure workers' compensation benefits, an employee stock ownership plan (ESOP) means the employees of a self insured firm have purchased majority controlling financial interest in the firm. The new ESOP will be required to return to the state fund for workers' compensation coverage, and after one year in the state fund, the ESOP may apply to become self insured.

(2) **What minimum requirements must an ESOP meet to apply for self insurance certification?** The department will consider an ESOP's application for self insurance certification if it:

(a) Meets the department's net worth requirement;

(b) Has been in business for one year; and

(c) Has acceptable accident prevention programs in place for at least six months in Washington locations.

(3) **How does an ESOP apply?** The ESOP must submit Self Insurance Application SIF-1 L&I form F207-001-000 with the most recent year's financial statement audited by a certified independent public accountant.

(4) **What happens after an ESOP submits its application to the department?** After the department receives an application from an ESOP, the department will:

(a) Conduct an evaluation of the written accident prevention program in effect at a sample of the applicant's locations;

(b) Consider all matters related to the application; and

(c) Notify the ESOP whether certification is approved or denied thirty days before the requested certification date unless more time is needed.

(5) **What if the application is denied?** The application will be denied if the ESOP does not meet the department's financial and/or accident prevention program requirements. If the application is denied for:

(a) Financial reasons, the ESOP may reapply after its next independently audited financial statement is available. The department may require the applicant to provide additional information.

(b) Accident prevention program deficiencies, the ESOP may be required to wait six months before reapplying.

(c) Both financial reasons and accident prevention program deficiencies, the ESOP may reapply after its next independently audited financial statement is available. The department may also require the applicant to wait six months before reapplying.

(6) What if the application is approved?

(a) If the application is approved, the ESOP must do all of the following before certification will be granted:

(i) Provide written acknowledgment on L&I form F207-144-000 of its responsibility to pay benefits on all claims incurred during its period of self insurance. This obligation will continue even if the ESOP voluntarily or involuntarily surrenders its self insurance certification.

(ii) Provide surety in the amount determined necessary by the department. Surety must be filed with the department on a form provided by the department. For the first three years of certification, an ESOP must provide surety equal to one hundred twenty-five percent of its actual requirement. Initial surety will be the greatest of:

(A) The minimum surety. This amount is calculated annually by department actuaries and is equal to the projected average current cost of a permanent total disability claim, including time loss, pension reserve and other claim costs paid prior to pension.

(B) The estimated annual amount of accident fund and medical aid fund premiums the self insurer would have paid if still in the state fund.

(C) The estimated amount of developed incurred benefits based on the self insurer's past experience with state fund adjusted for changes in the benefit schedules and exposure.

(D) The estimated average annual incurred losses made by an independent certified public accountant and accepted by the department.

Surety will never be established at a level lower than the minimum surety amount. The department may increase the initial surety amount if other conditions are expected to alter the potential claim costs and/or the self insurer's ability to pay them. A decrease will not be considered during the first three years of certification.

(iii) Pay its share of any state fund deficit or insufficiency. See the Employer's Guide to Self Insurance L&I form F207-079-000 for how the deficit share is calculated.

(iv) Obtain the services of an individual or service organization with an individual qualified to administer a Washington workers' compensation program.

(A) A qualified claim administrator has satisfactorily demonstrated to the department:

(I) A thorough knowledge in Title 51 RCW and all workers' compensation rules; and

(II) An expertise in claim adjudication.

(B) The claim administrator must also have the authority to make prompt:

(I) Payment of all compensation and assessments when due; and

(II) Decisions regarding claim adjudication and awards.

(C) If a service organization will be used, submit a copy of the service contract.

(I) The contract copy may delete clause(s) relating to payment of services.

(II) However, if payment for services is based on the number of claims filed by the self insurer's workers, this must be explained in detail. The department may require an unaltered copy of the agreement for clarification.

(b) The self insured ESOP will be held accountable for:

(i) Its entire workers' compensation program, including all actions on its claims, regardless of whether it contracts with a service organization or administers its own program; and

(ii) Complying with and keeping informed of all changes to industrial insurance laws and rules.

(c) Certification of an ESOP will include all of its subsidiaries (fifty percent owned and/or financial interest controlled by) or divisions doing business in Washington. One certificate will be issued to an approved self insurer, and the subsidiaries or divisions will be considered one self insurer for all industrial insurance purposes.

(d) The effective date of certification will be the first day of the quarter after the department receives the surety and required documentation. If the applicant fails to provide the required information before the approved certification date and later wishes to follow through, the department will require the ESOP to reapply.

(7) What if an ESOP firm is a subsidiary of a corporation?

(a) If an ESOP has a parent (owner of fifty percent and/or having controlling financial interest), the parent must provide the department with its written guarantee L&I form F207-040-000 to assume responsibility for all workers' compensation liabilities of the subsidiary if the subsidiary defaults on its liabilities.

(b) If a parent fails to provide a guarantee, the department will require the subsidiary to provide surety at one hundred twenty-five percent of its actual requirement. The subsidiary must continue to provide surety at the higher level as long as it has no parental guarantee.

NEW SECTION

WAC 296-15-041 Joint venture self insurance application. (1) **What does joint venture mean when applying for certification to self insure workers' compensation benefits?** When applying for certification to self insure workers' compensation benefits, a joint venture means two or more firms which have signed a contractual agreement to operate as a single unit for a specified period of time.

(2) **What minimum requirements must a joint venture meet to apply for self insurance certification?** The department will consider a joint venture's application for self insurance certification if the joint venture is sponsored by a current self insurer, and the sponsor has majority financial interest in the joint venture's assets and profits.

(3) **How does a joint venture apply?** The joint venture must submit Self Insurance Application SIF-1 L&I form F207-001-000 and:

(a) Three years of financial statements of all parties having at least twenty percent financial interest in the joint ven-

ture, with each party's most recent year's financial statement audited by a certified independent public accountant;

(b) A copy of the joint venture agreement describing the obligations of each party for the joint venture's industrial insurance program; and

(c) Each party's written acknowledgment of its joint and several liability for continuing compensation if any party defaults. This responsibility continues until the department provides a written release from this responsibility to the joint venture or remaining party to the joint venture.

(4) What happens after a joint venture submits its application to the department? After the department receives an application from a joint venture:

(a) The sponsoring self insurer has the responsibility to ensure the adequacy of the written accident prevention program in effect at the joint venture's locations;

(b) The department will consider all matters related to the application; and

(c) The department will notify the joint venture whether certification is approved or denied thirty days before the requested certification date unless more time is needed.

(5) What if the application is denied? The application will be denied if the joint venture does not meet the department's financial requirements. If the application is denied, the joint venture may reapply after the next independently audited financial statements of the original applicants are available. The department may require the joint venture to provide additional information.

(6) What if the application is approved?

(a) If the application is approved, the joint venture must do all of the following before certification will be granted:

(i) Provide surety in the amount determined necessary by the department. Surety must be filed with the department on a form provided by the department. Surety must name the joint venture and all parties as principal. Initial surety will be the greatest of:

(A) The minimum surety. This amount is calculated annually by department actuaries and is equal to the projected average current cost of a permanent total disability claim, including time loss, pension reserve and other claim costs paid prior to pension.

(B) The estimated annual amount of accident fund and medical aid fund premiums the self insurer would have paid if still in the state fund.

Surety will never be established at a level lower than the minimum surety amount.

(ii) Pay its share of any state fund deficit or insufficiency. See the Employer's Guide to Self Insurance L&I form F207-079-000 for how the deficit share is calculated.

(iii) Obtain the services of an individual or service organization with an individual qualified to administer a Washington workers' compensation program.

(A) A qualified claim administrator has satisfactorily demonstrated to the department:

(I) A thorough knowledge in Title 51 RCW and all workers' compensation rules; and

(II) An expertise in claim adjudication.

(B) The claim administrator must also have the authority to make prompt:

(I) Payment of all compensation and assessments when due; and

(II) Decisions regarding claim adjudication and awards.

(C) If a service organization will be used, submit a copy of the service contract.

(I) The contract copy may delete clause(s) relating to payment of services.

(II) However, if payment for services is based on the number of claims filed by the self insurer's workers, this must be explained in detail. The department may require an unaltered copy of the agreement for clarification.

(b) The self insured joint venture will be held accountable for:

(i) Its entire workers' compensation program, including all actions on its claims, regardless of whether it contracts with a service organization or administers its own program; and

(ii) Complying with and keeping informed of all changes to industrial insurance laws and rules.

(c) The effective date of certification will be the first day of the month after the department receives the surety and required documentation. If the applicant fails to provide the required information before the approved certification date and later wishes to follow through, the department will require the joint venture to reapply.

(7) What responsibility does the self insured sponsor have for the joint venture? The sponsor must provide written acknowledgment of its responsibility for the management of all claims and payment of all compensation incurred during the period of the joint venture's self insurance and after the joint venture has been dissolved. The acknowledgment must include the sponsor's responsibility for the continuation of benefits if any party to the joint venture or the joint venture defaults.

(8) When can a minority partner be released from its joint venture obligations? If the sponsor submits a written request, the department may release a minority party from its obligations under the joint venture after:

(a) The contract has been fulfilled; and

(b) A final settlement of the joint venture account has been made.

NEW SECTION

WAC 296-15-051 Public entity self insurance application. (1) **What does public entity mean when applying for certification to self insure workers' compensation benefits?** When applying for certification to self insure workers' compensation benefits, public entity means an individual city, county, school district, port, public hospital district, public utility district, or other public corporation.

(2) **What minimum requirements must a public entity meet to apply for self insurance certification?** The department will consider a public entity's application for self insurance certification if it:

(a) Meets the department's net worth requirement;

(b) Has been in business for three years; and

(c) Has acceptable accident prevention programs in place for at least six months in Washington locations.

(3) **How does a public entity apply?** A public entity must submit Self Insurance Application SIF-1 L&I form F207-001-000 and three years of financial statements with the most recent year's financial statement audited by a certified independent public accountant or state auditor.

(4) **What happens after a public entity submits its application to the department?** After the department receives an application from a public entity, the department will:

- (a) Conduct an evaluation of the written accident prevention program in effect at a sample of the applicant's locations;
- (b) Consider all matters related to the application; and
- (c) Notify the public entity whether certification is approved or denied thirty days before the requested certification date unless more time is needed.

(5) **What if the application is denied?** The application will be denied if the public entity does not meet the department's financial and/or accident prevention program requirements. If the application is denied for:

(a) Financial reasons, the public entity may reapply after its next independently audited financial statement is available. The department may require the applicant to provide additional information.

(b) Accident prevention program deficiencies, the public entity may be required to wait six months before reapplying.

(c) Both financial reasons and accident prevention program deficiencies, the public entity may reapply after its next independently audited financial statement is available. The applicant may also be required to wait six months before reapplying.

(6) **What if the application is approved?**

(a) If the application is approved, the public entity must do all of the following before certification will be granted:

(i) Provide written acknowledgment L&I form F207-144-000 of its responsibility to pay benefits on all claims incurred during its period of self insurance. This obligation will continue even if the public entity voluntarily or involuntarily surrenders its self insurance certification.

(ii) Provide surety in the amount determined necessary by the department.

(A) A public entity's surety must provide for sufficient revenues to satisfy the total estimated claim costs for the upcoming fiscal period. Surety must be filed with the department on a form provided by the department. The minimum surety level will be established by the department.

(B) Each public entity must also establish a cumulative reserve of at least twenty-five percent of its surety requirement. Use a surety type accepted by the department.

The department may increase the initial surety amount if other conditions are expected to alter the potential claim costs and/or the self insurer's ability to pay them. A decrease will not be considered during the first three years of certification.

(iii) Pay its share of any state fund deficit or insufficiency. See the Employer's Guide to Self Insurance L&I form F207-079-000 for how the deficit share is calculated.

(iv) Obtain the services of an individual or service organization with an individual qualified to administer a Washington workers' compensation program.

(A) A qualified claim administrator has satisfactorily demonstrated to the department:

(I) A thorough knowledge in Title 51 RCW and all workers' compensation rules; and

(II) An expertise in claim adjudication.

(B) The claim administrator must also have the authority to make prompt:

(I) Payment of all compensation and assessments when due; and

(II) Decisions regarding claim adjudication and awards.

(C) If a service organization will be used, submit a copy of the service contract.

(I) The contract copy may delete clause(s) relating to payment of services.

(II) However, if payment for services is based on the number of claims filed by the self insurer's workers, this must be explained in detail. The department may require an unaltered copy of the agreement for clarification.

(b) The self insured public entity will be held accountable for:

(i) Its entire workers' compensation program, including all actions on its claims, regardless of whether it contracts with a service organization or administers its own program; and

(ii) Complying with and keeping informed of all changes to industrial insurance laws and rules.

(c) Certification of a public entity will include all of its business operations in Washington. One certificate will be issued to an approved self insurer, and the public entity's business operations will be considered one self insurer for all industrial insurance purposes.

(d) The effective date of certification will be the first day of the quarter after the department receives the surety and required documentation. If the applicant fails to provide the required information before the approved certification date and later wishes to follow through, the department will require the public entity to reapply.

NEW SECTION

WAC 296-15-061 Employer group self insurance application. (1) **What does an employer group mean when applying for certification to self insure workers' compensation benefits?** When applying for certification to self insure its workers' compensation benefits, an employer group means a group of employers qualified to self insure under Title 51 RCW.

(2) **What minimum requirements must a group meet to apply for self insurance certification?** The department will consider a group's application for self insurance certification if the qualified group of employers has acceptable accident prevention programs in place for at least six months in Washington locations.

(3) **How does an employer group apply?** The initial board of trustees of the proposed group must submit a complete and accurate application, including:

(a) A copy of the group's bylaws.

(b) Individual applications and current audited financial statement of each member.

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(c) A financial statement collectively showing the financial condition of members.

(d) Evidence of the fiscal agent's/administrator's fidelity bond with the trust fund. The bond must be sufficient to protect the trust fund against misappropriation or misuse of any money or securities. The bond is a condition for a group to become certified and for the continued operation of the trust fund.

(e) A listing of the estimated standard premium to be developed for each member individually and the estimated standard premium of the group as a whole.

(f) An indemnity agreement jointly and severally binding the group and each member to comply with the provisions of Title 51 RCW.

(g) A detailed budget of all projected administrative expenses for the first year of operation.

(4) What happens after the application is submitted to the department? After the application is submitted, the department will:

(a) Conduct an evaluation of the proposed group members' written accident prevention programs in effect at a sample of the applicant's locations;

(b) Consider all matters related to the application; and

(c) Notify the group whether certification is approved or denied thirty days before the requested certification date unless more time is needed.

(5) What if the application is denied? The application will be denied if the group does not meet the department's financial and/or accident prevention program requirements. If the application is denied for:

(a) Financial reasons, the group may reapply after the next independently audited financial statements of the original applicants are available. The department may require additional information.

(b) Because of deficiencies in its accident prevention program, the applicant may be required to wait six months before reapplying.

(c) Both financial reasons and accident prevention program deficiencies, the group may reapply after the next independently audited financial statements of the original applicants are available. The department may also require the applicant to wait six months before reapplying.

(6) What if the application is approved?

(a) If the application is approved, the group must do all of the following before certification will be granted:

(i) Provide to the department:

(A) Written acknowledgment L&I form F207-144-000 of the group's responsibility for the payment of benefits on all claims incurred during its period of self insurance. This obligation will continue even if the group voluntarily or involuntarily surrenders its self insurance certification.

(B) Evidence of the administrator or fiscal agent's fidelity bond.

(C) Surety in the amount determined necessary by the department. Surety must be filed with the department on a form provided by the department. The group self insurer must maintain adequate financial reserves to cover the group's claims liabilities and administrative expenses, includ-

ing the administrative assessment which would apply to claim costs if the group discontinued.

(I) For the first year of operation, adequate means the group self insurer has collected revenues from members which total one hundred twenty-five percent of the premiums which would have been paid into the state fund, and the group has submitted documentation of the collected revenues to the department.

(II) For subsequent years of operation, adequate means the group self insurer has collected revenues from its members which equal one hundred percent of the premiums which would have been paid into the state fund for each year of operation, and the group has submitted documentation of the collected revenues to the department.

(D) Evidence of:

(I) Excess workers' compensation coverage and reserves covering the difference between the aggregate retention level and claim expenditures; or

(II) Maintaining a contingency reserve to cover any adverse development of claim liability. The contingency reserve must equal the greater of fifteen percent of the claims liability or twenty-five percent of the premium amount.

The department may increase the initial surety amount if other conditions are expected to alter the potential claim costs and/or the group's ability to pay them. A decrease will not be considered during the first five years of certification.

(ii) Pay its share of any state fund deficit or insufficiency. See the Employer's Guide to Self Insurance L&I form F207-079-000 for how the deficit share is calculated.

(iii) Obtain the services of an individual or service organization with an individual qualified to administer a Washington workers' compensation program.

(A) A qualified claim administrator has satisfactorily demonstrated to the department:

(I) A thorough knowledge in Title 51 RCW and all workers' compensation rules; and

(II) An expertise in claim adjudication.

(B) The claim administrator must also have the authority to make prompt:

(I) Payment of all compensation and assessments when due; and

(II) Decisions regarding claim adjudication and awards.

(C) If a service organization will be used, submit a copy of the service contract.

(I) The contract copy may delete clause(s) relating to payment of services.

(II) However, if payment for services is based on the number of claims filed by the self insurer's workers, this must be explained in detail. The department may require an unaltered copy of the agreement for clarification.

(b) The group self insurer will be held accountable for:

(i) Its entire workers' compensation program, including all actions on its claims, regardless of whether it contracts with a service organization or administers its own program; and

(ii) Complying with and keeping informed of all changes to industrial insurance laws and rules.

(c) Certification will be effective the first day of the quarter after the department receives the surety and required documentation. If the applicant fails to provide the required

information before the approved certification date and later wishes to follow through, the department will require the group to reapply.

(d) Certification of a group will include all of its members doing business in Washington. One certificate will be issued to an approved self insurer. All members of a group will be considered as one self insurer for the purposes of Title 51 RCW.

(7) After becoming self insured, how will a group admit or terminate individual members?

(a) A prospective member must submit its application to the group's board of trustees or its administrator. Approved applications must be filed with the department. Membership will take effect the first day of the calendar quarter after the department receives the application.

(b) A group may terminate individual members according to its bylaws, or members may choose to terminate membership. Termination will be effective at the end of the month after the department receives notification.

(8) Who is on a group self insurer's board of trustees? Members of the group elect the board of trustees. Trustees serve stated terms of office and direct the administration of the trust fund.

(9) What are the responsibilities of a group self insurer's board of trustees?

(a) A group self insurer's board of trustees is responsible for all operations of the group's trust fund and is expected to ensure the fund's financial stability. The board's duties include:

(i) Approving new members' applications.

(ii) Designating a fiscal agent and/or administrator to administer the financial affairs of the trust fund in accordance with Title 51 RCW and workers' compensation rules, including those regarding investments of funds, budget and accounting procedures.

(iii) Setting the schedule of due dates and premium amounts.

(iv) Managing deposits to and disbursements from the trust fund.

(v) Auditing the accounts and records of the trust fund annually and whenever required by the department. Copies of audits are due in the department within six months after the close of the fund year.

(vi) Maintaining and providing at department request:

(A) Summary loss data; and

(B) Certified copies of the minutes of trustee meetings.

(b) If specifically defined in board meeting minutes, the board may delegate authority for:

(i) Contracting with a service organization.

(ii) According to department requirements regarding investing surplus moneys, determining premiums and refunds.

(iii) Approving applications for membership.

(10) What are a group self insurer's trustees, fiscal agents or administrators specifically prohibited from?

(a) A group self insurer's trustee, fiscal agent or administrator CANNOT BE either:

(i) An owner or employee of a company under contract to the trust fund; or

(ii) An officer or employee of a service organization contracted to handle any business function of the group.

(b) A group self insurer's trustee, fiscal agent or administrator CANNOT DO any of the following:

(i) Extend credit to members for premium payment.

(ii) Use money collected as premiums for any purpose unrelated to workers' compensation.

(iii) Borrow from or in the name of the fund without prior department approval. The group must advise the department of the purpose of the loan, and the department may decline to approve the loan.

(iv) During any coverage period, collect less than will be needed to cover claim and administrative costs, department assessments and a contingency reserve.

NEW SECTION

WAC 296-15-121 Surety for a self insurance program. (1) **What is surety?** Surety is the legal financial guarantee each self insurer must provide to the department for its self insured workers' compensation program. Failure to provide surety in the amount required by the department will result in the withdrawal of the self insurer's certification. If a self insurer defaults on (stops payment of) benefits and assessments, the department will use its surety to cover these costs.

(a) Surety must be provided on the department's form. The original will be kept by the department. Surety must cover all past, present and future self insurance liabilities.

(b) Surety may not be used by a self insurer to:

(i) Pay its workers' compensation benefits; or

(ii) Serve as collateral for any other banking transactions.

(c) Surety is not an asset of the self insurer and will not be released by the department if the self insurer files a petition for dissolution or relief under bankruptcy laws.

(d) The department will determine the amount of surety each self insurer must provide. The surety level may be increased or decreased to maintain its adequacy when necessary.

(2) **What types of self insurance surety will the department accept?** The department will accept the following types of surety:

(a) Cash, corporate or governmental securities deposited with a department approved escrow agent and administered by a written agreement L&I form F207-039-000 between the department, self insurer and escrow agent. Use L&I form F207-137-000 for any rider/amendment to the escrow account.

An escrow account may not be used by the self insurer to satisfy any other obligation to the bank which maintains the escrow account.

(b) A bond on L&I form F207-068-000 written by a company approved to transact surety business in Washington. Use L&I form F207-134-000 for any rider/amendment to the bond.

(c) An irrevocable standby letter of credit (LOC) on L&I form F207-112-000 if the self insurer has a net worth of at least 500 million dollars. Use L&I form F207-111-000 for any rider/amendment. LOCs are subject to acceptance by the department. Acceptance includes, but is not limited to, approval of the financial condition of the issuing or confirming bank.

(i) The issuing or confirming bank must have a location in Washington. The bank must provide the department with an audited financial statement or call report made to the banking regulatory agencies for the most recent fiscal year. An audited statement/call report is due at LOC issuance and annually while the LOC is in effect.

(ii) The self insurer must provide the department a memorandum of understanding on L&I form F207-113-000 showing the self insurer's agreement with the following conditions:

(A) The department will automatically extend an LOC for an additional year unless notified otherwise by registered mail at least sixty days prior to expiration.

(B) If the department is notified an LOC will not be replaced, and the self insurer fails to provide acceptable replacement surety within thirty days of notice:

(I) The department will draw the full value of the LOC. All proceeds of the LOC will be deposited with the department;

(II) Accrued interest in excess of the surety requirement will be returned semiannually to the self insurer; and

(III) If acceptable replacement surety is later provided, the proceeds of the LOC and accrued interest will be returned to the self insurer.

(C) If the self insurer defaults on the payment of workers' compensation benefits and has failed to provide acceptable replacement surety for an expired LOC:

(I) The title to the proceeds will be transferred to the department; and

(II) The proceeds and accrued interest will be used to pay the self insurer's workers' compensation benefits.

(D) If the self insurer defaults on the payment of workers' compensation benefits and has an LOC in force:

(I) The department will draw the full value of the LOC. All proceeds of the LOC will be deposited with the department; and

(II) The proceeds and accrued interest will be used to pay the self insurer's workers' compensation benefits.

(iii) If the self insurer provides another acceptable type of surety in the amount required by the department, the department's interest in the LOC will be released.

(iv) All legal proceedings regarding a self insurer's LOC will be subject to Washington laws and courts.

(3) How often is each self insurer's surety requirement reviewed? Each self insurer's surety requirement is reviewed annually based on the self insurer's annual report.

(4) When could a self insurer's surety level change?

(a) Surety will be maintained at the current level unless the department's estimate or an independent qualified actuary's estimate of the self insurer's outstanding claim liabilities changes by more than twenty-five thousand dollars.

(b) Surety changes are due by July 1 of each year.

(5) How does the department determine the required surety level? The department analyzes each self insurer's loss history using incurred development, paid development or other department approved actuarial methods of loss development. The following factors also may influence the surety determination:

(a) Pension claims.

(b) Reinsurance.

(c) Inconsistency in reserving practices.

(d) Independent qualified actuarial estimate.

(e) Surety cap.

(6) What is considered reinsurance? For the purposes of Title 51 RCW, excess insurance and reinsurance mean the same thing.

(7) May a self insurer reinsure part of its liability?

(a) A self insurer may reinsure up to eighty percent of its liability under Title 51 RCW.

(b) The reinsuring company and its personnel are prohibited from participating in the administration of the responsibilities of the self insurer.

(c) Reinsurance policies issued after July 1, 1975, must include endorsements which state (a) and (b) of this subsection.

(d) The self insurer must:

(i) Notify the department of the name of the insurance carrier, the extent and coverage period of the policy; and

(ii) Submit copies of all reinsurance policies in force including all modifications and renewal provisions.

(e) The department may accept a certificate of insurance on L&I form F207-095-000 in place of the policy if the certificate certifies all coverage conditions and exceptions and that the reinsurance company and its personnel do not participate in the administration of the responsibilities of the self insurer under Title 51 RCW.

(8) What if a self insurer ends its self insured workers' compensation program? If a self insurer voluntarily surrenders certification or has its certificate involuntarily withdrawn by the department, the former self insurer must continue to do all of the following:

(a) Pay benefits on claims incurred during its period of self insurance. Claim reopenings and new claims filed for occupational diseases incurred during the period of self insurance remain the obligation of the former self insurer.

(b) File quarterly and annual reports as long as quarterly reporting is required. A former self insurer may ask the department to release it from quarterly reporting after it has had no claim activity with the exception of pension or death benefits for a full year.

(c) Provide surety at the department required level. The department may require an increase in surety based on annual reports as they continue to be filed. Surety will not be reduced from the last required level (while self insured) until three full calendar years after the certificate was terminated. A bond may be cancelled for future obligations, but it continues to provide surety for claims occurring prior to its cancellation.

(d) Pay insolvency trust assessments for three years after surrender or withdrawal of certificate.

(e) Pay all expenses for a final audit of its self insurance program.

(9) When could the department consider releasing surety to a former self insurer or its successor?

(a) The department may consider releasing surety to a former self insurer or its successor when all of the following have occurred:

- (i) All claims against the self insurer are closed; and
- (ii) The self insurer has been released from quarterly reporting for at least ten years.

(b) If the department releases surety, the former self insurer remains responsible for claim reopenings and new claims filed for occupational disease incurred during the period of self insurance.

NEW SECTION

WAC 296-15-151 Surety for a public entity's self insurance program. (1) **How does the department determine the required surety level for a public entity?** The required surety level for a public entity will be its estimated claim costs for all claims during the upcoming fiscal year. The minimum surety amount will be determined annually by the department.

(2) **How does a public entity provide surety?** By July 1 of each year, each public entity must submit its public entity surety certification. A public entity's surety certification must demonstrate that it has sufficient revenues in its next budget to meet its estimated claim costs for the next fiscal year by documenting:

- (a) The estimated claim liabilities;
- (b) Source of revenues, detailing accounts identified for self insurance obligations; and
- (c) How the cumulative reserve (twenty-five percent of the required surety) is funded. Show the account balance.

(3) **What type of surety may a public entity use for its cumulative reserve?** A public entity may provide surety for its cumulative reserve using any of the surety types listed in WAC 296-15-221.

NEW SECTION

WAC 296-15-161 Surety for a group self insurance program. (1) **How does the department determine the required surety level for a group self insurer?** After the initial five years of certification, the department will annually calculate the surety requirement for a group self insurer by comparing its original liability estimate to its reserve fund. If the difference is:

- (a) Less than fifteen percent, the department will accept the stated reserves of the group as the required surety level.
- (b) Greater than fifteen percent, the department will establish the group's required surety level.

(2) **What type of surety is acceptable for a group self insurer's reserve fund?** A group self insurer's reserve fund must be cash.

(3) **May a group self insurer pay expenses from its reserve fund?** A group self insurer may pay only the following items from its cash reserve fund:

(a) Administrative expenses for operating the group self insurance program, including claims handling expenses, legal, investigative or administrative costs and department administrative assessments.

(b) Claim expenditures. Supplemental pension fund (SPRF) benefits may also be paid from the reserve fund if the group redeposits SPRF reimbursements into the reserve account. Interest earned by the reserve account must remain in the account while this method is in effect.

(c) Reinsurance premiums. All recoveries from these policies must be redeposited into the reserve fund. Within eighteen months of premium payment, the group must return the amount paid for premiums if reinsurance recoveries were not sufficient to return the account to its original amount.

(4) **How can a group self insurer assess its members for reserve fund costs?** A group self insurer may determine how it will assess members for required reserve fund costs. The group's bylaws must describe the procedures it will use to collect these costs.

(5) **Must a group self insurer purchase reinsurance?** A group self insurer must obtain reinsurance for each year of operation to ensure adequate protection against catastrophic or unexpected loss.

(6) **What if a group self insurer collects excess premiums during a fund year and has a surplus?** A group self insurer may refund surplus money from a fund year if it retains sufficient money to fulfill all of its workers' compensation obligations. This includes maintaining the required reserve fund.

(7) **What if a group self insurer collects insufficient premiums during a fund year and has a deficit?** A group self insurer may cover a deficit by:

- (a) After receiving department approval, using:
 - (i) Unencumbered surplus from a different fund year;
 - (ii) An alternative method; or
- (b) Assessing the membership. The department may require the group to use this method.

NEW SECTION

WAC 296-15-171 Surety for a self insured pension or fatality claim. (1) **When must a self insurer provide funding for a permanent total disability (pension) or fatality claim?** Within sixty days of receipt of the department's order, the self insurer must fund the pension or fatality claim.

(2) **What types of funding may a self insurer use for a pension or fatality claim?** A self insurer may fund a pension or fatality claim with cash, a bond on L&I form F207-065-000, annuity on L&I form F207-129-000 or assignment of account on L&I form F207-058-000. If the pension benefit level increases, the self insurer must increase the surety level or provide additional surety to cover the deficiencies.

(3) **What is an annuity?** An annuity is a contract with an insurance company where the insurance company agrees to pay to the department a specific amount covering the lifetime of a claimant.

(4) **What is an assignment of account?** A self insurance assignment of account/certificate of deposit is a legal

instrument executed by the self insurer and an approved commercial banking institution in Washington. The assignment of account must:

(a) Identify an existing account on deposit with the approved banking institution in the name of the self insurer. The existing assigned account must contain the amount determined necessary by the department to cover the pension benefits on the specific claim beyond all other assignments on that account. A separate assignment of account must be established for each pension.

(b) Bind the self insurer to maintain a balance in the assigned account at least equal to the current present cash value of the pension benefits on the claim and beyond all other assignments on the account for the life of the claim. Present cash values of the assigned account/certificate of deposit will be revised annually by the department. Quarterly pension payments made from the assigned account must not reduce the account balance below the present cash value of the pension beyond all other assignments on the same account.

(c) Authorize the department, if the self insurer defaults, to immediately withdraw up to the entire amount assigned to the pension claim from the assigned account/certificate of deposit. The department will take this action without notifying the defaulting self insurer.

(d) If the bank holding the assignment of account/certificate of deposit fails, the self insurer is responsible for the entire amount of the pension or fatality obligation. Within thirty days, the self insurer must:

(i) Establish a new assignment of account/certificate of deposit, bond; or

(ii) Deposit cash into the reserve fund.

(e) If the self insurer ends its self insurance status, the assignment of account/certificate of deposit will be placed with the department. The department will determine the required reserve for the pension or fatality claim, and any excess will be returned to the former self insurer.

NEW SECTION

WAC 296-15-181 Funding the benefits of an insolvent self insurer. (1) **What happens when a self insurer defaults on (stops paying) workers' compensation benefits and assessments?** When a self insurer stops paying workers' compensation benefits or assessments, and the default is not due to a claims administration decision, the department will take over its surety and claims. The department will manage the claims and bill the surety each quarter to reimburse benefits paid.

(2) **If a defaulting self insurer has multiple types of surety, who determines the order in which surety will be used?** The department has the sole authority to determine the order in which surety types will be used.

(3) **What happens if the defaulting self insurer's surety is exhausted?** When surety is exhausted, the insolvency trust (all self insurers except school districts, cities and counties) will be assessed quarterly to cover the claim costs paid on behalf of the defaulted self insurer.

(4) **Who is on the insolvency trust board?** The insolvency trust board consists of the director or designee, three representatives of self insured employers and one representative of workers. Representatives are nominated by the self insured and labor communities and are appointed by the director for overlapping two year terms.

(5) **What does the insolvency trust board do?** The board advises the department on insolvency trust matters. The department makes all final decisions.

(6) **What annual report is provided on the insolvency trust fund?** The department provides an annual written status report on the insolvency trust fund as of the end of the previous calendar year to the workers' compensation advisory committee. The report is presented at the committee's first quarterly meeting no later than March 31.

NEW SECTION

WAC 296-15-221 Self insurers' reporting requirements. (1) **What information must self insurers report to the department?** Each self insurer must provide the department:

(a) The name, title, address and phone number of the single contact person who is the liaison with the department in all self insurance matters. This contact will be sent all department correspondence and is responsible for forwarding information to appropriate parties for timely action.

(b) A copy of its current policy of applying sick leave, health and welfare benefits or any other compensation in conjunction with, or as a substitute for, time loss benefits.

(2) **When must self insurers notify the department of business status changes?** Self insurers must notify the department in writing:

(a) Immediately, of any plans to:

(i) Cease business entirely or cease business in Washington; or

(ii) Dispose of controlling financial interest of the original self insurer. The self insurer must surrender its certificate for cancellation if requested by the department.

(b) Within thirty days, of any:

(i) Amendment(s) or modification(s) to the self insurer's articles, charter or agreement of incorporation, association, copartnership or sole proprietorship which will materially change the business identity or structure originally certified.

(A) The department may require additional documentation.

(B) If the self insurer becomes a subsidiary to another firm, the parent must provide the department with its written guarantee on L&I form F207-040-001 to assume responsibility for all workers' compensation liabilities of the subsidiary if the subsidiary defaults on its liabilities. See WAC 296-15-021 for additional information.

(ii) Separation (for example, divestiture or spinoff) of any part of the original self insurer.

(A) The original self insurer remains responsible for claims liability of the separated part up to the date of separation unless the department approves an alternative.

(B) If the separating part wishes to continue self insurance, it must submit an application to the department at least thirty days before separation and requested certification.

(C) If certification cannot be granted before separation, industrial insurance coverage must be purchased from the state fund from the date of separation.

(iii) Relocating, adding or closing physical locations.

(3) **When must self insurers notify the department of administrative changes?** A self insurer must notify the department in writing within ten days, of any change to its:

(a) Single contact person who is the liaison with the department in all self insurance matters. Include the contact's title, address and phone number.

(b) Contract with a service organization/third party administrator independent of the self insurer which will participate in the self insurer's responsibilities. Submit a copy of the service contract. See WAC 296-15-021 for additional information.

(c) Administrator of its workers' compensation program.

(4) **What reports must self insurers submit to the department?** Each self insurer must submit:

(a) Complete and accurate quarterly reports summarizing worker hours and claim costs paid the previous quarter. Use a form substantially similar to the preprinted SIQTRR form sent by the department. Payment is due the 30th day after receiving the preprinted report from the department. This report is the basis for determining the administrative, second injury fund, supplemental pension, asbestosis and insolvency trust assessments.

(i) Administrative, second injury fund and insolvency trust assessments are based on a self insurer's total claim costs. Total claim costs during a quarter include, but are not limited to:

(A) Time loss compensation. Include the amount of time loss the worker would have been entitled to if kept on full salary.

(B) Permanent partial disability (PPD) awards.

(C) Medical bills.

(D) Prescriptions.

(E) Medical appliances.

(F) Independent medical examinations and/or consultations.

(G) Loss of earning power.

(H) Travel expenses for treatment or rehabilitation.

(I) Vocational rehabilitation expenses.

(J) Penalties paid to injured workers.

(K) Interest on board orders.

(ii) Supplemental pension (SPRF) and asbestosis fund assessments are based on a self insurer's worker hours. Worker hours must be reported as defined in chapter 296-17 WAC General reporting rules, classifications, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance.

Note: Self insurers may request reimbursement quarterly from SPRF as authorized under Title 51 RCW. Use a form substantially similar to L&I form F207-011-000 or F207-011-222, if there is social security offset.

(iii) The administrative assessment covers department administrative costs, including expenses of other department

divisions, the University of Washington environmental research facility, the board of industrial insurance appeals and other general administrative costs. The administrative assessment rate is applied to a self insurer's total claim costs.

(A) The administrative assessment rate is based on the actual costs of the previous fiscal year and the anticipated costs of the upcoming fiscal year. Employers certified after the fiscal year used for calculation will be assessed at a rate that does not include prior fiscal periods.

(B) Employers no longer self insured must pay an adjusted assessment rate until one year after all self insurance liabilities and responsibilities are terminated.

(C) The minimum quarterly assessment is twenty-five dollars.

(iv) The second injury fund rate will be based on anticipated second injury fund costs.

(A) Self insurers' contributions to the second injury fund will be recorded in the self insurers' account, separate from the state fund account.

(B) The self insurers' second injury fund must maintain a two hundred thousand dollar minimum balance.

(v) Insolvency trust members (all self insurers except school districts, cities and counties) are also assessed to cover claim payments made by the department on behalf of insolvent self insurers. School districts, cities and counties are exempt from and are not covered by this insolvency trust. Any interest earned on the assessment becomes part of the insolvency trust fund. The insolvency assessment rate is applied to a self insurer's total claim costs. Failure to pay an insolvency trust assessment is grounds for withdrawal of certification. Members who voluntarily surrender certification must continue to pay this assessment for three years after the date of surrender.

(b) Complete and accurate annual report of all claim costs paid for each year of liability with an estimate of future claim costs. Use a form substantially similar to SIF-7 L&I form F207-007-000. This report is due March 1 and is the basis for the department's annual determination of each self insurer's surety requirement.

(c) Fully audited financial statement within six months after the end of the self insurer's fiscal year. This report demonstrates the self insurer's continued ability to provide benefits and assessments as required. The department will consider a written request for filing time extension.

(i) This statement must be prepared by a certified public accountant.

(ii) A self insurer with a parental guarantee may submit the parent's fully audited financial statement if the parent's audited statement includes the financial condition of all subsidiaries, including the self insurer.

(iii) A political subdivision of the state may submit a state auditor's report if it includes the self insurer's audited financial statement. If the state auditor does not audit annually, political subdivisions must submit financial statements prepared internally for the years between reports by the state auditor.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-15-010	Preamble and authority.	WAC 296-15-210	Supplementation of temporary total disability compensation by self-insured employers.
WAC 296-15-020	Certification to self-insure.	WAC 296-15-215	Cash, bond or assignment of account alternative for death or permanent total disability.
WAC 296-15-022	Corporate guarantee.	WAC 296-15-220	Second injury fund.
WAC 296-15-023	Entities included in certification.		
WAC 296-15-025	Joint venture.		
WAC 296-15-026	Group self-insurance application.		
WAC 296-15-02601	Group self-insurers admission of new members, termination of individual members.		
WAC 296-15-02602	Group self-insurance reports.		
WAC 296-15-02603	Group self-insurance trustee responsibilities.		
WAC 296-15-02604	Group self-insurance funds—Surplus distribution—Deficit.		
WAC 296-15-02605	Reserves.		
WAC 296-15-030	Surety requirement.		
WAC 296-15-045	Payment of deficit.		
WAC 296-15-050	Reinsurance.		
WAC 296-15-060	Administrative cost assessment.		
WAC 296-15-065	Self-insurers' insolvency trust.		
WAC 296-15-080	Statement of financial condition.		
WAC 296-15-090	Application of supplemental moneys in payment of compensation.		
WAC 296-15-110	Contract with a service organization.		
WAC 296-15-130	Administration of self-insurance.		
WAC 296-15-135	Contact person.		
WAC 296-15-145	Expense of withdrawn certificate audit.		
WAC 296-15-150	Accident prevention program.		
WAC 296-15-170	Cessation of business— Change of status.		



WSR 99-22-012
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Aging and Adult Services)
 (Office of Rates Management)

[Filed October 22, 1999, 3:14 p.m., effective October 27, 1999]

Date of Adoption: October 22, 1999.

Purpose: To implement the changes required by E2SHB 1484, chapter 353, Laws of 1999, Medicaid payment—Nursing facilities and ESSB 5967, 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, 388-96-748, 388-96-767, and 388-96-771.

Statutory Authority for Adoption: Chapter 74.46 RCW as amended by E2SHB 1484, sections 11 and 12.

Other Authority: ESSB 5967, section 3, chapter 376, Laws of 1999 amending 1999. c... (ESSB 5180) section 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, of safety, or support of the state government and its existing public institutions, and takes effect July 1, 1999. These rules are identical to the emergency rules adopted effective July 1, 1999 in WSR 99-14-029. On September 7, 1999, aging and adult services filed notice of its intent to adopt the rules as permanent. The proposed rules will be published in the October 20, 1999, WSR 99-19-904 [99-19-024] with the hearing set for November 9, 1999, and intended adoption on November 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 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 Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 4, Amended 12, Repealed 0.

Effective Date of Rule: October 27, 1999.

October 22, 1999

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-20-023, filed 8/14/97 [9/25/98], effective 9/14/97 [10/1/98])

WAC 388-96-010 Definitions. Unless the context indicates otherwise, the following definitions apply in this chapter.

"**Accounting**" means activities providing information, usually quantitative and often expressed in monetary units, for:

- (1) Decision-making;
- (2) Planning;
- (3) Evaluating performance;
- (4) Controlling resources and operations; and
- (5) External financial reporting to investors, creditors, regulatory authorities, and the public.

"**Administration and management**" means activities used to maintain, control, and evaluate the efforts and resources of an organization for the accomplishment of the objectives and policies of that organization.

"**Allowable costs**"((—)) means documented costs that are necessary, ordinary, and related to the care of Medicaid recipients, and are not expressly declared nonallowable by this chapter or chapter 74.46 RCW. Costs are ordinary if they are of the nature and magnitude that prudent and cost conscious management would pay.

"**Allowable depreciation costs**" means depreciation costs of tangible assets, whether owned or leased by the contractor, meeting the criteria specified in RCW 74.46.330.

"**Anticipated patient days**" are calculated by multiplying the number of licensed beds at the nursing facility by the number of days in the cost report period used to set the property rate and multiplying the product by the nursing facility's expected occupancy, which must be at eighty-five percent or above.

"**Assignment of contract**" means:

- (1) A new nursing facility licensee has elected to care for Medicaid residents;
- (2) The department finds no good cause to object to continuing the Medicaid contract at the facility; and
- (3) The new licensee accepts assignment of the immediately preceding contractor's contract at the facility.

"**Capitalized lease**" means a lease required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

"**Cash method of accounting**" means a method of accounting in which revenues are recorded when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for those expenditures and assets.

"**Change of ownership**" means a substitution of the individual operator or operating entity contracting with the department to deliver care services to medical care recipients

in a nursing facility and ultimately responsible for the daily operational decisions of the nursing facility.

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

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

(b) Transferring ownership of the nursing facility business enterprise to another party, regardless of whether ownership of some or all of the real property and/or personal property assets of the facility are also transferred;

(c) Dissolving of a partnership;

(d) Dissolving the corporation, merging the corporation with another corporation, which is the survivor, or consolidating with one or more other corporations to form a new corporation;

(e) Transferring, whether by a single transaction or multiple transactions within any continuous twenty-four-month period, fifty percent or more of the stock to one or more:

(i) New or former stockholders; or

(ii) Present stockholders each having held less than five percent of the stock before the initial transaction; or

(f) Substituting of the individual operator or the operating entity by any other event or combination of events that results in a substitution or substitution of control of the individual operator or the operating entity contracting with the department to deliver care services.

(2) Ownership does not change when the following, without more, occurs:

(a) A party contracts with the contractor to manage the nursing facility enterprise as the contractor's agent, i.e., subject to the contractor's general approval of daily operating and management decisions; or

(b) The real property or personal property assets of the nursing facility change ownership or are leased, or a lease of them is terminated, without a substitution of individual operator or operating entity and without a substitution of control of the operating entity contracting with the department to deliver care services.

"Charity allowance" means a reduction in charges made by the contractor because of the indigence or medical indigence of a patient.

"Contract" means an agreement between the department and a contractor for the delivery of nursing facility services to medical care recipients.

"Cost report" means all schedules of a nursing facility's cost report submitted according to the department's instructions.

"Courtesy allowances" means reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

"Donated asset" means an asset the contractor acquired without making any payment for the asset either in cash, property, or services. An asset is not a donated asset if the contractor:

(1) Made even a nominal payment in acquiring the asset; or

(2) Used donated funds to purchase the asset.

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

"Fiscal year" means the operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods. As determined by context or otherwise, **"fiscal year"** may also refer to a state fiscal year extending from July 1 through June 30 of the following year and comprising the first or second half of a state fiscal biennium.

"Gain on sale" means the actual total sales price of all tangible and intangible nursing facility assets including, but not limited to, land, building, equipment, supplies, goodwill, and beds authorized by certificate of need, minus the net book value of such assets immediately prior to the time of sale.

"Intangible asset" is an asset that lacks physical substance but possesses economic value.

"Interest" means the cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

"Multiservice facility" means a facility at which two or more types of health or related care are delivered, e.g., a hospital and nursing facility, or a boarding home and nursing facility.

"Nonadministrative wages and benefits" means wages, benefits, and corresponding payroll taxes paid for nonadministrative personnel, not to include administrator, assistant administrator, or administrator-in-training.

"Nonallowable costs" means the same as **"unallowable costs."**

"Nonrestricted funds" means funds which are not restricted to a specific use by the donor, e.g., general operating funds.

"Per diem (per patient day or per resident day) costs" means total allowable costs for a fiscal period divided by total patient or resident days for the same period.

"Prospective daily payment rate" means the rate assigned by the department to a contractor for providing service to medical care recipients prior to the application of settlement principles.

"Recipient" means a Medicaid recipient.

"Related care" includes:

- (1) The director of nursing services;
- (2) Activities and social services programs;
- (3) Medical and medical records specialists; and
- (4) Consultation provided by:
 - (a) Medical directors; and
 - (b) Pharmacists.

"Relative" includes:

- (1) Spouse;
- (2) Natural parent, child, or sibling;
- (3) Adopted child or adoptive parent;
- (4) Stepparent, stepchild, stepbrother, stepsister;
- (5) Father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law;

- (6) Grandparent or grandchild; and
- (7) Uncle, aunt, nephew, niece, or cousin.

"**Start-up costs**" means the one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include:

- (1) Administrative and nursing salaries;
- (2) Utility costs;
- (3) Taxes;
- (4) Insurance;
- (5) Repairs and maintenance; and
- (6) Training costs.

Start-up costs do not include expenditures for capital assets.

"**Unallowable costs**" means costs which do not meet every test of an allowable cost.

"**Uniform chart of accounts**" means a list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

"**Vendor number**" means a number assigned to each contractor delivering care services to medical care recipients.

~~("Working capital" means total current assets necessary, ordinary, and related to patient care from the most recent cost report minus total current liabilities necessary, ordinary, and related to patient care from the most recent cost report.)~~

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending WSR 98-20-023, filed 9/25/98, effective 10/1/98)

WAC 388-96-218 Proposed, preliminary, and final settlements. (1) For each component rate, the department shall calculate a settlement at the lower of prospective payment rate or audited allowable costs, except as otherwise provided in this chapter.

(2) In the proposed settlement report, a contractor shall compare the contractor's payment rates during a report period, weighted by the number of resident days reported for the period when each rate was in effect, to the contractor's allowable costs for the reporting period. The contractor shall take into account all authorized shifting, retained savings, and upper limits to rates on a cost center basis.

(a) Within one hundred twenty days after a proposed settlement report is received, the department shall:

- (i) Review the proposed settlement report for accuracy; and
- (ii) Either accept or reject the proposal of the contractor. If accepted, the proposed settlement report shall become the preliminary settlement report. If rejected, the department shall issue, by cost center, a preliminary settlement report fully substantiating disallowed costs, refunds, or underpayments due and adjustments to the proposed preliminary settlement.

(b) A contractor shall have twenty-eight days after receipt of a preliminary settlement report to contest such report under WAC 388-96-901 and 388-96-904. Upon expiration of the twenty-eight-day period, the department shall

not review or adjust a preliminary settlement report. Any administrative review of a preliminary settlement shall be limited to calculation of the settlement, to the application of settlement principles and rules, or both, and shall not encompass rate or audit issues.

(3) The department shall issue a final settlement report to the contractor after the completion of the department audit process, including exhaustion or termination of any administrative review and appeal of audit findings or determinations requested by the contractor, but not including judicial review as may be available to and commenced by the contractor.

(a) The department shall prepare a final settlement by cost center and shall fully substantiate disallowed costs, refunds, underpayments, or adjustments to the cost report and financial statements, reports, and schedules submitted by the contractor. The department shall take into account all authorized shifting, savings, and upper limits to rates on a cost center basis. For the final settlement report, the department shall compare:

- (i) The payment rate the contractor was paid for the facility in question during the report period, weighted by the number of allowable resident days reported for the period each rate was in effect to the contractor's;
- (ii) Audited allowable costs for the reporting period; or
- (iii) Reported costs for the nonaudited reporting period.

(b) A contractor shall have twenty-eight days after the receipt of a final settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the twenty-eight-day period, the department shall not review a final settlement report. Any administrative review of a final settlement shall be limited to calculation of the settlement, the application of settlement principles and rules, or both, and shall not encompass rate or audit issues.

(c) The department shall reopen a final settlement if it is necessary to make adjustments based upon findings resulting from a department audit performed pursuant to RCW 74.46.100. The department may also reopen a final settlement to recover an industrial insurance dividend or premium discount under RCW 51.16.035 in proportion to a contractor's Medicaid recipients.

(4) In computing a preliminary or final settlement, a contractor may shift savings and/or overpayment in the support services cost center to cover a deficit and/or underpayment in the direct care or therapy cost centers up to the amount of the savings as provided in RCW 74.46.165(4). The provider's payment rate is subject to the provisions of RCW 74.46.421.

(5) If an administrative or judicial remedy sought by the facility is not granted or is granted only in part after exhaustion or mutual termination of all appeals, the facility shall refund all amounts due the department within sixty days after the date of decision or termination plus interest as payment on judgments from the date the review was requested pursuant to WAC 388-96-901 and WAC 388-96-904 to the date the repayment is made.

(6) In determining whether a facility has forfeited unused rate funds in its direct care, therapy care and support services component rates under authority of RCW 74.46.165(3), the following rules shall apply:

(a) Federal or state survey officials shall determine when a facility is not in substantial compliance or is providing sub-

standard care, according to federal and state nursing facility survey regulations;

(b) Correspondence from state or federal survey officials notifying a facility of its compliance status shall be used to determine the beginning and ending dates of any period(s) of noncompliance; and

(c) Forfeiture shall occur if the facility was out of substantial compliance more than ninety days during the settlement period. The ninety-day period need not be continuous if the number of days of noncompliance exceed ninety days during the settlement period regardless of the length of the settlement period. Also, forfeiture shall occur if the nursing facility was determined to have provided substandard quality of care at any time during the settlement period.

(7)(a) For calendar year 1998, the department will calculate two settlements covering the following periods:

(i) January 1, 1998 through September 30, 1998; and

(ii) October 1, 1998 through December 31, 1998.

(b) The department will use Medicaid rates weighted by total patient days (i.e., Medicaid and non-Medicaid days) to divide 1998 costs between the two settlement periods identified in subsection (7)(a) of this section.

(c) The department will net the two settlements for 1998 to determine a nursing facility's 1998 settlement.

AMENDATORY SECTION (Amending WSR 97-17-040, filed 8/14/97, effective 9/14/97)

WAC 388-96-559 Cost basis of land and depreciation base. (1) For all partial or whole rate periods after December 31, 1984 unless otherwise provided or limited by this chapter or by this section, chapter 388-96 WAC or chapter 74.46 RCW, the total depreciation base of depreciable assets and the cost basis of land shall be the lowest of:

(a) The contractor's appraisal, if any;

(b) The department's appraisal obtained through the department of general administration of the state of Washington, if any; or

(c) The historical purchase cost of the contractor, or lessor if the assets are leased by the contractor, in acquiring ownership of the asset in an arm's-length transaction, and preparing the asset for use, less goodwill, and less accumulated depreciation, if applicable, incurred during periods the assets have been used in or as a facility by any and all contractors. Such accumulated depreciation is to be measured in accordance with subsection (5) of this section and WAC 388-96-561, 388-96-565, and 388-96-567. Where the straight-line or sum-of-the-years digits method of depreciation is used the contractor:

(i) May deduct salvage values from historical costs for each cloth based item, e.g., mattresses, linen, and draperies; and

(ii) Shall deduct salvage values from historical costs of at least:

(A) Five percent of the historical value for each noncloth item included in moveable equipment; and

(B) Twenty-five percent of the historical value for each vehicle.

(2) Unless otherwise provided or limited by this chapter or by chapter 74.46 RCW, the department shall, in determin-

ing the total depreciation base of a depreciable real or personal asset owned or leased by the contractor, deduct depreciation relating to all periods subsequent to the more recent of:

(a) The date such asset was first used in the medical care program; or

(b) The most recent date such asset was acquired in an arm's-length purchase transaction which the department is required to recognize for Medicaid cost reimbursement purposes.

No depreciation shall be deducted for periods such asset was not used in the medical care program or was not used to provide nursing care.

(3) The department may have the fair market value of the asset at the time of purchase established by appraisal through the department of general administration of the state of Washington if:

(a) The department challenges the historical cost of an asset; or

(b) The contractor cannot or will not provide the historical cost of a leased asset and the department is unable to determine such historical cost from its own records or from any other source.

The contractor may allocate or reallocate values among land, building, improvements, and equipment in accordance with the department's appraisal.

If an appraisal is conducted, the depreciation base of the asset and cost basis of land will not exceed the fair market value of the asset. An appraisal conducted by or through the department of general administration shall be final unless the appraisal is shown to be arbitrary and capricious.

(4) If the land and depreciable assets of a newly constructed nursing facility were never used in or as a nursing facility before being purchased from the builder, the cost basis and the depreciation base shall be the lesser of:

(a) Documented actual cost of the builder; or

(b) The approved amount of the certificate of need issued to the builder.

When the builder is unable or unwilling to document its costs, the cost basis and the depreciation base shall be the approved amount of the certificate of need.

(5) For leased assets, the department may examine documentation in its files or otherwise obtainable from any source to determine:

(a) The lessor's purchase acquisition date; or

(b) The lessor's historical cost at the time of the last arm's-length purchase transaction.

If the department is unable to determine the lessor's acquisition date by review of its records or other records, the department, in determining fair market value as of such date, may use the construction date of the facility, as found in the state fire marshal's records or other records, as the lessor's purchase acquisition date of leased assets.

(6) For all rate periods past or future, where depreciable assets or land are acquired from a related organization, the contractor's depreciation base and land cost basis shall not exceed the base and basis the related organization had or would have had under a contract with the department.

(7) If a contractor cannot or will not provide the lessor's purchase acquisition cost of assets leased by the contractor

and the department is unable to determine historical purchase cost from another source, the appraised asset value of land, building, or equipment, determined by or through the department of general administration shall be adjusted, if necessary, by the department using the *Marshall and Swift Valuation Guide* to reflect the value at the lessor's acquisition date. If an appraisal has been prepared for leased assets and the assets subsequently sell in the first arm's-length transaction since January 1, 1980, under subsection (9) of this section, the *Marshall and Swift Valuation Guide* will be used to adjust, if necessary, the asset value determined by the appraisal to the sale date. If the assets are located in a city for which the *Marshall and Swift Valuation Guide* publishes a specific index, or if the assets are located in a county containing that city, the city-specific index shall be used to adjust the appraised value of the asset. If the assets are located in a city or county for which a specific index is not calculated, the *Western District Index* calculated by Marshall and Swift shall be used.

(8) For new or replacement building construction or for substantial building additions requiring the acquisition of land and which commenced to operate on or after July 1, 1997, the department shall determine allowable land costs of the additional land acquired for the new or replacement construction or for substantial building additions to be the lesser of:

(a) The contractor's or lessor's actual cost per square foot; or

(b) The square foot land value as established by an appraisal that meets the latest publication of the *Uniform Standards of Professional Appraisal Practice (USPAP)* and the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). The department shall obtain a USPAP appraisal that meets FIRREA first from:

(i) An arm's-length lender that has accepted the ordered appraisal; or

(ii) If the department is unable to obtain from the arm's-length lender a lender-approved appraisal meeting USPAP and FIRREA standards or if the contractor or lessor is unable or unwilling to provide or cause to be provided a lender-approved appraisal meeting USPAP and FIRREA standards, then:

(A) The department shall order such an appraisal; and

(B) The contractor shall immediately reimburse the department for the costs incurred in obtaining the USPAP and FIRREA appraisal.

(9) Except as provided for in subsection (8) of this section, for all rates effective on or after January 1, 1985, if depreciable assets or land are acquired by purchase which were used in the medical care program on or after January 1, 1980, the depreciation base or cost basis of such assets shall not exceed the net book value existing at the time of such acquisition or which would have existed had the assets continued in use under the previous Medicaid contract with the department; except that depreciation shall not be accumulated for periods during which such assets were not used in the medical care program or were not in use in or as a nursing care facility.

(10)(a) Subsection (9) of this section shall not apply to the most recent arm's-length purchase acquisition if it occurs

ten years or more after the previous arm's-length transfer of ownership nor shall subsection (9) of this section apply to the first arm's-length purchase acquisition of assets occurring on or after January 1, 1980, for facilities participating in the Medicaid program before January 1, 1980. The depreciation base or cost basis for such acquisitions shall not exceed the lesser of the fair market value as of the date of purchase of the assets determined by an appraisal conducted by or through the department of general administration or the owner's acquisition cost of each asset, land, building, or equipment. An appraisal conducted by or through the department of general administration shall be final unless the appraisal is shown to be arbitrary and capricious. Should a contractor request a revaluation of an asset, the contractor must document ten years have passed since the most recent arm's-length transfer of ownership. As mandated by Section 2314 of the Deficit Reduction Act of 1984 (P.L. 98-369) and state statutory amendments, and under RCW 74.46.840, for all partial or whole rate periods after July 17, 1984, this subsection is inoperative for any transfer of ownership of any asset, including land and all depreciable or nondepreciable assets, occurring on or after July 18, 1984, leaving subsection (9) of this section to apply without exception to acquisitions occurring on or after July 18, 1984, except as provided in subsections (10)(b) and (11) of this section.

(b) For all rates after July 17, 1984, subsection (8)(a) shall apply, however, to transfers of ownership of assets:

(i) Occurring before January 1, 1985, if the costs of such assets have never been reimbursed under Medicaid cost reimbursement on an owner-operated basis or as a related party lease; or

(ii) Under written and enforceable purchase and sale agreements dated before July 18, 1984, which are documented and submitted to the department before January 1, 1988.

(c) For purposes of Medicaid cost reimbursement under this chapter, an otherwise enforceable agreement to purchase a nursing home dated before July 18, 1984, shall be considered enforceable even though the agreement contains:

(i) No legal description of the real property involved; or

(ii) An inaccurate legal description, notwithstanding the statute of frauds or any other provision of law.

(11)(a) In the case of land or depreciable assets leased by the same contractor since January 1, 1980, in an arm's-length lease, and purchased by the lessee/contractor, the lessee/contractor shall have the option to have the:

(i) Provisions of subsection (10) of this section apply to the purchase; or

(ii) Reimbursement for property and ~~((return on investment continue to be))~~ financing allowance calculated under the provisions ~~((contained in))~~ of chapter 74.46 RCW ((74.46.530 (1)(e) and (f) and WAC 388.96.754(5))). Reimbursement shall be based upon provisions of the lease in existence on the date of the purchase, but only if the purchase date meets the criteria of RCW 74.46.360 (6)(c)(ii)(A) through (D).

(b) The lessee/contractor may select the option in subsection (11)(a)(ii) of this section only when the purchase date meets one of the following criteria. The purchase date is:

(i) After the lessor has declared bankruptcy or has defaulted in any loan or mortgage held against the leased property;

(ii) Within one year of the lease expiration or renewal date contained in the lease;

(iii) After a rate setting for the facility in which the reimbursement rate set, under this chapter and under chapter 74.46 RCW, no longer is equal to or greater than the actual cost of the lease; or

(iv) Within one year of any purchase option in existence on January 1, 1988.

(12) For purposes of establishing the property and ~~((return on investment))~~ financing allowance component rate ~~((s))~~ allocations, the value of leased equipment, if unknown by the contractor, may be estimated by the department using previous department of general administration appraisals as a data base. The estimated value may be adjusted using the *Marshall and Swift Valuation Guide* to reflect the value of the asset at the lessor's purchase acquisition date.

AMENDATORY SECTION (Amending WSR 97-17-040, filed 8/14/97, effective 9/14/97)

WAC 388-96-565 Lives. (1) Except for new buildings, major remodels and major repair projects as defined in subsection (3) of this section, the contractor shall use lives reflecting the estimated actual useful life of assets, for example, land improvements, buildings, equipment, leasehold improvements, and other assets. Lives shall not be shorter than guideline lives published by the American Hospital Association in computing allowable depreciation. In cases of newly constructed buildings containing newly licensed nursing home beds that received certificate of need approval before July 1, 1999 or certificate of need exemptions under chapter 70.38 RCW before July 1, 1999, the shortest lives shall be the most recently published lives for construction classes as defined and described in the *Marshall Valuation Service* published by the Marshall Swift Publication Company.

(2) The contractor shall measure lives from the date on which the assets were first used in the medical care program or from the date of the most recent arm's-length acquisition by purchase of the asset, whichever is more recent. The contractor shall extend lives to reflect periods, if any, during which assets were not used to provide nursing care or were not used in the medical care program.

(3) Effective July 1, 1997, for depreciable assets acquired on or after July 1, 1997 including new facilities, major remodels, and major repair projects that begin operating on or after July 1, 1997, the department shall use the most current edition of *Estimated Useful Lives of Depreciable Hospital Assets* published by the American Hospital Publishing, Inc., to determine the useful life of depreciable assets, new building, major remodels, and major repair projects; provided that, ((the)) forty years is shortest life that may be used for new buildings receiving certificate of need approval on or after July 1, 1999 or certificate of need exemptions under chapter 70.38 RCW on or after July 1, 1999 ~~((is thirty~~

years)). New building, major remodels, and major repair projects are those projects that meet or exceed the expenditure minimum established by the department of health pursuant to chapter 70.38 RCW.

(4) Contractors shall depreciate building improvements other than major remodels and major repairs defined in subsection (3) of this section over the remaining useful life of the building, as modified by the improvement, but not less than fifteen years.

(5) Improvements to leased property which are the responsibility of the contractor under the terms of the lease shall be depreciated over the useful life of the improvement in accordance with American Hospital Association guidelines.

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

(7) For new or replacement building construction or for major renovations receiving certificate of need approval or exemption under chapter 70.38 RCW on or after July 1, 1999, the department will depreciate fixed equipment the same number of years as the life of the building to which it is affixed.

AMENDATORY SECTION (Amending WSR 98-20-023, filed 9/25/98, effective 10/1/98)

WAC 388-96-709 Prospective rate revisions—Reduction in licensed beds. (1) The department will revise a contractor's prospective rate when the contractor reduces the number of its licensed beds and:

(a) Notifies the department in writing thirty days before the licensed bed reduction; and

(b) Supplies a copy of the new bed license and documentation of the number of beds sold, exchanged or otherwise placed out of service, along with the name of the contractor that received the beds, if any; and

(c) Requests a rate revision.

(2) The revised prospective rate shall comply with all the provisions of rate setting contained in chapter 74.46 RCW and in this chapter, including all lids and maximums, unless otherwise specified in this section.

(3) The revised prospective payment rate shall be effective the first of a month determined as follows:

(a) When the contractor complies with subsection (1)(b) and (c) of this section and the effective date of the licensed bed reduction falls:

(i) Between the first and the fifteenth of the month, then the revised prospective rate is effective the first of the month in which the licensed bed reduction occurs; or

(ii) Between the sixteenth and the end of the month, then the revised prospective rate is effective the first of the month following the month in which the licensed bed reduction occurs.

(b) The department shall revise a nursing facility's prospective rate to reflect a reduction in licensed beds as follows:

(i) The department shall use the reduced total number of licensed beds to determine occupancy used to calculate the direct care, therapy care, support services ~~((and)),~~ operations and variable return rate component allocations. If actual occupancy from the rate base cost report is:

(A) At or over eighty-five percent before the reduction and remains at or above eighty-five percent, there will be no change to the component allocations;

(B) Less than eighty-five percent before the reduction and changes to at or above eighty-five percent, then recompute the components using actual rate based resident days; or

(C) Less than eighty-five percent before the reduction and remains below eighty-five percent, then recompute the components using the change in resident days from the rate base cost report resulting from the reduced number of licensed beds used to calculate the eighty-five percent.

(ii) To determine occupancy used to calculate the property and ~~((return on investment (ROI)))~~ financing allowance rate component allocations, the department shall use the facility's anticipated resident occupancy level subsequent to the decrease in licensed bed capacity as long as the occupancy for the reduced number of beds is at or above eighty-five percent and in no case shall the department use less than eighty-five percent occupancy of the facility's reduced licensed bed capacity.

AMENDATORY SECTION (Amending WSR 98-20-023, filed 9/25/98, effective 10/1/98)

WAC 388-96-710 Prospective payment rate for new contractors. (1) The department shall establish an initial prospective Medicaid payment rate for a new contractor as defined under WAC 388-96-026 within sixty days following the new contractor's application and approval for a license to operate the facility under chapter 18.51 RCW. The rate shall take effect as of the effective date of the contract, except as provided in this section, and shall comply with all the provisions of rate setting contained in chapter 74.46 RCW and in this chapter, including all lids and maximums set forth.

(2) Except for quarterly updates per RCW 74.46.501 (7)(c), the rate established for a new contractor as defined in WAC 388-96-026 (1)(a) or (b) shall remain in effect for the nursing facility until the rate can be reset effective July 1 using the first cost report for that facility under the new contractor's operation containing at least six months' data from the prior calendar year, regardless of whether reported costs for facilities operated by other contractors for the prior calendar year in question will be used to cost rebase their July 1 rates. The new contractor's rate thereafter shall be cost rebased only as provided in this chapter and chapter 74.46 RCW.

(3) To set the initial prospective Medicaid payment rate for a new contractor as defined in WAC 388-96-026 (1)(a) and (b), the department shall:

(a) Determine whether the new contractor nursing facility belongs to the metropolitan statistical area (MSA) peer group or the non-MSA peer group using the latest information received from the office of management and budget or the appropriate federal agency;

(b) Select all nursing facilities from the department's records of all the current Medicaid nursing facilities in the new contractor's peer group with the same bed capacity plus or minus ten beds. If the selection does not result in at least seven facilities, then the department will increase the bed

capacity by plus or minus five bed increments until a sample of at least seven nursing facilities is obtained;

(c) Based on the information for the nursing facilities selected under subsection (3)(b) of this section and available to the department on the day the new contractor began participating in the Medicaid payment rate system at the facility, rank from the highest to the lowest the component rate allocation in direct care, therapy care, support services, and operations cost centers and based on this ranking:

(i) Determine the middle of the ranking and then identify the rate immediately above the median for each cost center identified in subsection (3)(c) of this section. The rate immediately above the median will be known as the "selected rate" for each cost center;

(ii) Set the new contractor's nursing facility component rate allocation for therapy care, support services, and operations at the "selected rate";

(iii) Set the direct care rate using data from the direct care "selected" rate facility identified in (c) of this subsection as follows:

(A) The cost per case mix unit shall be the rate base allowable case mixed direct care cost per patient day for the direct care "selected" rate facility, whether or not that facility is held harmless under WAC 388-96-728 and 388-96-729, divided by the facility average case mix index per WAC 388-96-741;

(B) The cost per case mix unit determined under (c)(iii)(A) of this subsection shall be multiplied by the Medicaid average case mix index per WAC 388-96-740. The product shall be the new contractor's direct care rate under case mix; and

(C) The department shall not apply RCW 74.46.506 (5)(k) to any direct care rate established under subsection (5)(e) or (f) of this section. A new contractor whose direct care rate was established under subsection (5)(e) or (f) of this section is not eligible to be paid by a "hold harmless" rate as determined under RCW 74.46.506 (5)(k);

(iv) Set the property rate in accordance with the provisions of this chapter and chapter 74.46 RCW; and

(v) Set the ~~((return on investment))~~ financing allowance and variable return component rate allocations in accordance with the provisions of this chapter and chapter 74.46 RCW. In computing the ~~((financing allowance))~~ variable return component rate allocation, the department shall use for direct care, therapy care, support services and operations ~~((cost centers the rates))~~ rate allocations set pursuant to subsection (3)(c)(i), (ii) and (iii) of this section.

(d) Any subsequent revisions to the rate component allocations of the sample members will not impact a "selected rate" component allocation of the initial prospective rate established for the new contractor under this subsection.

(4) For the WAC 388-96-026 (1)(a) or (b) new contractor, the department shall establish rate component allocations for:

(a) Direct care, therapy care, support services and operations ~~((cost centers))~~ based on the "selected rates" as determined under subsection (3)(c) of this section that are in effect on the date the new contractor began participating in the program; ~~((and))~~

(b) Property in accordance with the provisions of this chapter and chapter 74.46 RCW using for the new contractor as defined under:

(i) WAC 388-96-026 (1)(a), information from the certificate of need; or

(ii) WAC 388-96-026 (1)(b), information provided by the new contractor within ten days of the date the department requests the information in writing. If the contractor as defined under WAC 388-96-026 (1)(b), has not provided the requested information within ten days of the date requested, then the property rate will be zero. The property rate will remain zero until the information is received(-);

(c) (~~Return on investment rate~~) Variable return in accordance with the provisions of this chapter and chapter 74.46 RCW using the "selected rates" established under subsection (3)(c) of this section that are in effect on the date the new contractor began participating in the program(~~, to compute the working capital provision and variable return~~); and

(d) Financing allowance using for the new contractor as defined under:

(i) WAC 388-96-026 (1)(a), information from the certificate of need; or

(ii) WAC 388-96-026 (1)(b), information provided by the new contractor within ten days of the date the department requests the information in writing. If the contractor as defined under WAC 388-96-026 (1)(b), has not provided the requested information within ten days of the date requested, then the net book value of allowable assets will be zero. The financing allowance rate component allocation will remain zero until the information is received.

(5) The initial prospective payment rate for a new contractor as defined under WAC 388-96-026 (1)(a) or (b) shall be established under subsections (3) and (4) of this section. If the WAC 388-96-026 (1)(a) or (b) contractor's initial rate:

(a) Was set before January 1, 1997, and the contractor does not have six months or greater of cost report data for 1996, the October 1, 1998, rate will be set using the contractor's 1997 cost report. Its July 1, 1999, and July 1, 2000, rates will not be cost rebased;

(b) Was set between January 1, 1997, and June 30, 1997, the October 1, 1998, rate will be set using the contractor's 1997 cost report. Its July 1, 1999, and July 1, 2000, rates will not be cost rebased;

(c) Was set between July 1, 1997, and June 30, 1998, the October 1, 1998, rate will be the revised initial sample based rate using October 1, 1998, rate data for direct care, therapy care, support services, and operations, and following the steps identified in subsection (3)(c)(i) and (ii) of this section. There will be no change to the facilities identified in the initial rate under subsection (3)(b) of this section. There will be no change to the property rate. The financing allowance will be revised. The contractor's July 1, 1999, rate will be rebased using 1998 cost report data. Its July 1, 2000, rate will not be cost rebased;

(d) Was set between July 1, 1998, and September 30, 1998, the October 1, 1998, rate will be the revised initial sample based rate using October 1, 1998, rate data for direct care, therapy care, support services, and operations, and following the steps identified in subsection (3)(c)(i) and (ii) of this section. There will be no change to the facilities identified in the

initial rate under subsection (3)(b) of this section. There will be no change to the property rate. The financing allowance will be revised. The July 1, 1999, rate will be revised in the same manner using July 1, 1999, rate data. The July 1, 2000, rate will be rebased using 1999 cost report data;

(e) Is set between October 1, 1998, and June 30, 1999, the initial rate is set in accordance with subsections (3) and (4) of this section. The July 1, 1999, rate will be the revised initial sample based rate using July 1, 1999, rate data for direct care, therapy care, support services, and operations, and following the steps identified in subsection (3)(c)(i) and (ii) of this section. There will be no change to the facilities identified in the initial rate under subsection (3)(b) of this section. There will be no change to the property (~~rate~~) and the financing allowance (~~will be revised~~) component rate allocations. The department will revise the variable return component rate allocation. The July 1, 2000, rate will be rebased using 1999 cost report data; or

(f) Is set between July 1, 1999, and June 30, 2000, the initial rate is set in accordance with subsections (3) and (4) of this section. The July 1, 2000, rate will be the revised initial sample based rate using July 1, 2000, rate data for direct care, therapy care, support services, and operations, and following the steps identified in subsection (3)(c)(i) and (ii) of this section. There will be no change to the facilities identified in the initial rate under subsection (3)(b) of this section. There will be no change to the property (~~rate~~) and the financing allowance (~~will be revised~~) component rate allocations. The department will revise the variable return component rate allocation.

(6) For the WAC 388-96-026 (1)(c) new contractor, the initial prospective payment rate shall be the last prospective payment rate the department paid to the Medicaid contractor operating the nursing facility immediately prior to the effective date of the new Medicaid contract or assignment. If the WAC 388-96-026 (1)(c) contractor's initial rate:

(a) Was set before January 1, 1997, and the new contractor does not have a cost report containing at least six months' data from 1996, its October 1, 1998, rate will be set by using twelve months of cost report data derived from the old contractor's data and the new contractor's data for the 1996 cost report year and its July 1, 1999, and July 1, 2000, rates will not be cost rebased;

(b) Was set between January 1, 1997, and September 30, 1998, its October 1, 1998, rate will be set by using the old contractor's 1996 twelve months' cost report data and its July 1, 1999, and July 1, 2000, rates will not be cost rebased; or

(c) Is set on or after October 1, 1998, its July 1, 1999, and July 1, 2000, rates will not be cost rebased.

(7) A prospective payment rate set for all new contractors shall be subject to adjustments for economic trends and conditions as authorized and provided in this chapter and in chapter 74.46 RCW. For the WAC 388-96-026 (1)(a) or (b) new contractor, to adjust the October 1, 1998, payment rate for economic trends and conditions, the department shall apply a 2.96 percent inflation factor to direct care, therapy care, support services, and operations rate components.

(8) For a WAC 388-96-026 (1)(a), (b) or (c), the Medicaid case mix index and facility average case mix index shall

be determined in accordance with this chapter and chapter 74.46 RCW.

NEW SECTION

WAC 388-96-714 Nursing facility Medicaid rate allocations—Economic trends and conditions adjustment factors. (1)(a) For July 1, 1999, the department will increase the following component rate allocations for each nursing facility by two percent:

(i) Direct care based on case mix requirements of RCW 74.46.506 (5)(g) (Direct care - CM);

(ii) Therapy care;

(iii) Support services; and

(iv) Operations.

(b) For direct care - CM, the department will apply the two percent increase allowed under subsection (1)(a)(i) of this section to the total of the component rate allocations identified in subsection (1)(a) of this section after the direct care component rate allocation is adjusted for case-mix changes and before application of any reductions required by RCW 74.46.421.

(c) For July 1, 1999, the department will increase by one percent the direct care component rate allocations based on the requirements of RCW 74.46.506 (5)(k)(i) (Direct care - hold harmless).

(2) For July 1, 2000, the department will increase each nursing facility's component rate allocations in the same manner as described in subsection (1) of this section. The department will base the direct care - hold harmless component rate allocation of subsection (1)(c) of this section on the requirements of RCW 74.46.506 (5)(k)(ii).

(3)(a) After applying subsection (1) of this section, the department will determine whether a nursing facility's July 1 total rate allocation will be adjusted by an additional economic trends and conditions factor. The department will adjust a nursing facility's July 1 rate total rate allocation set pursuant to this chapter and chapter 74.46 RCW when it is less than its April 1, 1999 total rate allocation adjusted for case-mix changes. Whether the April 1, 1999 or July 1 direct care (DC) rate allocation is determined by case-mix under RCW 74.46.506(a) through (j) or a hold harmless rate under RCW 74.46.506(k), the department will determine whether the July 1 total rate allocation is less than the April 1, 1999 total rate allocation adjusted for case-mix changes by:

(i) Calculating the nursing facility's April 1, 1999 DC component rate allocation by applying the case mix index (CMI) used to set the nursing facility's July 1 DC rate;

(ii) Adding the April 1, 1999 DC component rate allocation based on the CMI used to set the July 1 DC component rate to the remaining April 1, 1999 component rate allocations to establish the April 1, 1999 total rate allocation adjusted for case-mix changes;

(iii) Comparing the April 1, 1999 total rate allocation adjusted for case-mix changes pursuant to subsection (3)(a)(i) and (ii) of this section with the July 1 total rate allocation set pursuant to this chapter and chapter 74.46 RCW; and

(iv) Determining an additional economic trends and conditions factor for the nursing facility when its April 1, 1999 total rate allocation adjusted for case-mix changes pursuant to subsection (3)(a)(i) and (ii) of this section is greater than the facility's July 1 total rate allocation.

(b) The department will determine the additional economic trends and conditions factor by determining the percentage that the April 1, 1999 rate determined pursuant to subsection (3)(a)(i) and (ii) of this section is greater than the July 1 total rate allocation. The percentage is the additional economic trends and condition factor.

(c) For each nursing facility whose April 1, 1999 total rate allocation adjusted for case-mix changes pursuant to subsection (3)(a) of this section is greater than its July 1 total rate allocation, the department will increase each of its July 1 rate component allocations by the nursing facility's additional economic trends and condition factor determined pursuant to subsection (3)(a) and (b) of this section. A nursing facility's additional economic trends and condition factor will be reduced proportionately by the percentage by which total supplemental payments to all nursing facilities would exceed the funds provided for such payments in the biennial appropriations act.

(d) The department will adjust by an additional economic trends and conditions factor determined pursuant to subsection (3)(a) and (b) of this section only the amount of a nursing facility's July 1 total rate allocation that has not resulted from the nursing facility, under WAC 388-96-708, reinstating beds that were previously removed from service (i.e., banked) under chapter 70.38 RCW.

(4) After the initial determination under subsection (3) of this section of whether a nursing facility's July 1 total rate allocation will be adjusted by an additional economic trends and conditions factor, the department may adjust a nursing facility's April 1, 1999 rate and/or its July 1 total rate allocations. If any adjustments occur, then the department will apply subsection (3) using the newly adjusted April 1, 1999 and/or July 1 total rate allocations.

AMENDATORY SECTION (Amending WSR 98-20-023, filed 9/25/98, effective 10/1/98)

WAC 388-96-723 How often will the department compare the state-wide weighted average payment rate for the capital and noncapital portions of the rate for all nursing facilities with the state-wide weighted average payment rate for the capital and noncapital portions of the rate identified in the biennial appropriations act? (1) On a monthly basis, the department will compare the state-wide weighted average payment rate for the capital and noncapital portions of the rate for all nursing facilities with the state-wide weighted average payment rate for the capital and noncapital portions of the rate identified in the biennial appropriations act.

(2) To determine the state-wide weighted average payment rate, the department (~~shall~~) will use total billed Medicaid days and total billed Medicaid dollars(:

(2) ~~Under RCW 74.46.421, the department must implement a reduction in all nursing facilities' component rates any~~

~~time its comparison indicates that the state-wide weighted average payment rate for all nursing facilities:~~

- ~~(a) Exceeds the state-wide weighted average payment rate identified in the Biennial Appropriations Act; or
(b) Is likely to exceed the state-wide weighted average payment rate identified in the Biennial Appropriations Act).~~

AMENDATORY SECTION (Amending WSR 98-20-023, filed 9/25/98, effective 10/1/98)

WAC 388-96-724 How much advance notice will a nursing facility receive of a rate reduction? (1) The department will notify the nursing facility at least twenty-eight calendar days in advance of the effective date of a reduction taken under RCW 74.46.421.

(2) ~~((The))~~ A rate reduction taken under RCW 74.46.421 will be effective the first day of the month following the twenty-eight calendar day advance notice.

AMENDATORY SECTION (Amending WSR 98-20-023, filed 9/25/98, effective 10/1/98)

WAC 388-96-725 After ~~((the))~~ a RCW 74.46.421 rate reduction((s)) when will a nursing facility's rates return to their previous level? (1) The department will not reverse any rate reductions ((to all nursing facilities' component rates)) taken in accordance with RCW 74.46.421 ~~((will not be reversed))~~.

(2) If after a reduction a nursing facility is eligible to receive an increase in a capital and/or noncapital component rate for some unrelated change~~((;))~~ (e.g., a change in the Medicaid case mix index causes the direct care rate to increase), the department ~~((must))~~ will apply the increase to the rate reduced by application of RCW 74.46.421.

(3) Reductions made under RCW 74.46.421 are cumulative. ~~((When a monthly comparison indicates that the state-wide weighted average payment rate for all nursing facilities will exceed or exceeds the state-wide weighted average payment rate identified in the Biennial Appropriations Act, under RCW 74.46.421,))~~ The department ~~((must))~~ will reduce the capital and/or noncapital component rates for all nursing facilities without reversing any previous reductions ~~((or for going any future reductions))~~.

AMENDATORY SECTION (Amending WSR 98-20-023, filed 9/25/98, effective 10/1/98)

WAC 388-96-726 If a nursing facility's capital and/or noncapital component rates are below the state-wide weighted average payment rate for the capital and/or noncapital portion(s) of the rate identified in the biennial appropriations act, will the department reduce the facility's capital and/or noncapital component rates when it ~~((makes a rate reduction))~~ reduces rates under RCW 74.46.421? (1) Even if an individual nursing facility's capital and/or noncapital component rates are below the state-wide weighted average payment rate for the capital and/or noncapital portion(s) of the rate identified in the biennial appropriations act, the department ~~((must))~~ will reduce the nursing

facility's capital and/or noncapital component rates as required under RCW 74.46.421.

(2) The department ~~((shall))~~ will not exempt any nursing facility from a component rates reduction required by RCW 74.46.421 for any circumstance, e.g., billed Medicaid days, under-spending of the biennial appropriation for nursing facility rates, etc.

NEW SECTION

WAC 388-96-730 How will the department reduce a nursing facility's capital and/or noncapital portion(s) of its rate so that the statewide weighted average payment rate for the capital and/or noncapital portion(s) of the rate is equal to or less than the statewide weighted average for the capital and/or noncapital portion(s) of the rate identified in the biennial appropriations act? (1) The department will determine a percentage reduction factor (PRF) that, when applied to all nursing facilities' capital and/or noncapital portion(s) of their rates will result in a statewide weighted average payment rate for the capital and/or noncapital portion(s) of the rate that is equal to or less than the statewide weighted average payment rate for capital and/or noncapital portion(s) of the rate identified in the biennial appropriations act.

(2) By applying various percentages of the capital and/or noncapital portion(s) of the rates for all nursing facilities, the department will identify the percentage(s) that reduce(s) the statewide weighted average payment rate for the capital and/or noncapital portion(s) of the rate to equal to or less than the statewide weighted average payment rate for the capital and/or noncapital portion(s) of the rate identified in the biennial appropriations act.

(3) The percentage(s) identified in subsection (2) of this section will be the PRF(s). The department will apply the PFR(s) equally to all rate component allocations of each nursing facility's capital and/or noncapital portions of the rate.

NEW SECTION

WAC 388-96-731 When will the department reduce all nursing facilities capital and/or noncapital portion(s) of their rates? (1) Under RCW 74.46.421, the department will reduce the capital portion of the rate for each nursing facility when the statewide weighted average payment rate for the capital portion of the rate for all nursing facilities exceeds or is likely to exceed the statewide weighted average payment rate for the capital portion of the rate identified in the biennial appropriations act.

(2) Under RCW 74.46.421, the department will reduce the noncapital portion of the rate for each nursing facility when the statewide weighted average payment rate for the noncapital portion of the rate exceeds or is likely to exceed the statewide weighted average payment rate for the noncapital portion of the rate identified in the biennial appropriations act.

NEW SECTION

WAC 388-96-748 Financing allowance component rate allocation. (1) Beginning July 1, 1999, for each Medicaid nursing facility, the department will establish a financing allowance component rate allocation. The financing allowance component rate allocation will be rebased annually, effective July 1st, in accordance with this chapter and chapter 74.46 RCW.

(2) The department will determine the financing allowance component rate allocation by:

(a) Multiplying the net invested funds of each nursing facility by the applicable factor identified in subsection (3) of this section; and

(b) Dividing the sum of the products by the greater of:

(i) A nursing facility's total resident days from the most recent cost report period; or

(ii) Resident days calculated on eighty-five percent facility occupancy.

(3)(a) The multiplication factor required by subsection (2) (a) of this section is determined by the acquisition date of the tangible fixed asset(s). For each nursing facility, the department will multiply the net invested funds for assets acquired:

(i) Before May 17, 1999 by a factor of .10; and/or

(ii) On or after May 17, 1999 by a factor of .085.

(b) The department will apply the factor of .10 to the net invested funds pertaining to new construction or major renovations:

(i) That received certificate of need approval before May 17, 1999;

(ii) That received an exemption from certificate of need requirements under chapter 70.38 RCW before May 17, 1999; or

(iii) for which the nursing facility submitted working drawings to the department of health for construction review before May 17, 1999.

(c) For a new contractor as defined under WAC 388-96-026 (1)(c), assets acquired from the former contractor will retain their initial acquisition dates when determining the new contractor's financing allowance under this section.

AMENDATORY SECTION (Amending WSR 84-12-039 (Order 2105), filed 5/30/84)

WAC 388-96-767 Appraisal values. If a contractor is unwilling or unable to provide and document the lessor's historical cost of leased assets, the department shall arrange for an appraisal of such assets to be conducted by the state of Washington department of general administration. If such an appraisal is conducted, it shall be the basis for all property and ~~((return on investment reimbursement))~~ financing allowance component rate allocations, except that: If documentation subsequently becomes available to the department establishing the lessor's historical cost is less than the appraisal value, the historical cost shall be the basis for all property and ~~((return on investment reimbursement))~~ financing allowance component rate allocations.

AMENDATORY SECTION (Amending WSR 90-09-061 (Order 2970), filed 4/17/90, effective 5/18/90)

WAC 388-96-771 Receivership. (1) If the nursing home is providing care to recipients of state medical assistance, the receiver shall:

(a) Become the Medicaid contractor for the duration of the receivership period;

(b) Assume all reporting responsibilities for new contractors;

(c) Assume all other responsibilities for new contractors set forth in this chapter; and

(d) Be responsible for the refund of Medicaid rate payments in excess of costs during the period of receivership.

(2) In establishing the prospective rate during receivership the department shall consider:

(a) Compensation, if any, ordered by the court for the receiver. Such compensation may already be available to the receiver through the rate as follows:

(i) ~~((The return on investment))~~ Financing allowance and variable return component rate allocations, or

(ii) The administrator's salary in the case of facilities where the receiver is also the administrator.

If these existing sources of compensation are less than what was ordered by the court, additional costs may be allowed in the rate up to the compensation amount ordered by the court.

(b) Start-up costs and costs of repairs, replacements, and additional staff needed for patient health, security, and welfare. To the extent such costs can be covered through ~~((return on investment))~~ the financing allowance and the variable return component rate allocations, no additional monies will be added to the rate;

(c) Any other allowable costs as set forth in this chapter.

(3)(a) Upon order of the court, the department shall provide emergency or transitional financial assistance to a receiver not to exceed thirty thousand dollars.

(b) The department shall recover any emergency or transitional expenditure made by the department on behalf of a nursing home not certified to participate in the Medicaid Title XIX program from revenue generated by the facility which is not obligated to the operation of the facility.

(c) In order to help recover an emergency or transitional expenditure, regardless of whether the facility is certified to participate in the Medicaid Title XIX program or not, the department may:

(i) File an action against the former licensee or owner at the time the expenditure is made to recover such expenditure; or

(ii) File a lien on the facility or on the proceeds of the sale of the facility.

(4) If recommendations on receiver's compensation are solicited from the department by the court, the department shall consider the following:

(a) The range of compensation for nursing home managers;

(b) Experience and training of the receiver;

(c) The size, location, and current condition of the facility;

(d) Any additional factors deemed appropriate by the department.

(5) When the receivership terminates, the department may revise the nursing home's Medicaid reimbursement. The Medicaid reimbursement rate for:

(a) The former owner or licensee shall be what it was before receivership, unless the former owner or licensee requests prospective rate revisions from the department as set forth in this chapter; and

(b) Licensed replacement operators shall be determined consistent with rules governing prospective reimbursement rates for new contractors as set forth in this chapter.

AMENDATORY SECTION (Amending WSR 98-20-023, filed 9/25/98, effective 10/1/98)

WAC 388-96-776 Add-ons to the payment rate—Capital improvements. (1) The department shall grant an add-on to a payment rate for any capitalized additions or replacements made as a condition for licensure or certification; provided, the net rate effect is ten cents per patient day or greater.

(2) The department shall grant an add-on to a prospective rate for capitalized improvements done under RCW 74.46.431(12); provided, the legislature specifically appropriates funds for capital improvements for the biennium in which the request is made and the net rate effect is ten cents per patient day or greater. Physical plant capital improvements include, but are not limited to, capitalized additions, replacements or renovations made as a result of an approved certificate of need or exemption from the requirements for certificate of need for the replacement of existing nursing facility beds pursuant to RCW 70.38.115 (13)(a) or capitalized additions or renovations for the removal of physical plant waivers.

(3) Rate add-ons granted pursuant to subsection (1) or (2) of this section shall be limited in total amount each fiscal year to the total current legislative appropriation, if any, specifically made to fund the Medicaid share of such rate add-ons for the fiscal year. Rate add-ons are subject to the provisions of RCW 74.46.421.

(4) When physical plant improvements made under subsection (1) or (2) of this section are completed in phases, the department shall not grant a rate add-on for any addition, replacement or improvement until each phase is completed and fully utilized for the purpose for which it was intended. The department shall limit rate add-on to only the actual cost of the depreciable tangible assets meeting the criteria of RCW 74.46.330 and as applicable to that specific completed and fully utilized phase.

(5) When the construction class of any portion of a newly constructed building will improve as the result of any addition, replacement or improvement occurring in a later, but not yet completed and fully utilized phase of the project, the most appropriate construction class, as applicable to that completed and fully utilized phase, will be assigned for purposes of calculating the rate add-on. The department shall not revise the rate add-on retroactively after completion of the portion of the project that provides the improved construction class. Rather, the department shall calculate a new rate add-

on when the improved construction class phase is completed and fully utilized and the rate add-on will be effective in accordance with subsection (9) of this section using the date the class was improved.

(6) The department shall not add on construction fees as defined in WAC 388-96-747 and other capitalized allowable fees and costs as related to the completion of all phases of the project to the rate until all phases of the entire project are completed and fully utilized for the purpose it was made. At that time, the department shall add on these fees and costs to the rate, effective no earlier than the earliest date a rate add-on was established specifically for any phase of this project. If the fees and costs are incurred in a later phase of the project, the add-on to the rate will be effective on the same date as the rate add-on for the actual cost of the tangible assets for that phase.

(7) The contractor requesting an adjustment under subsection (1) or (2) shall submit a written request to the office of rates management separate from all other requests and inquiries of the department, e.g., WAC 388-96-904 (1) and (5). A complete written request shall include the following:

(a) A copy of documentation requiring completion of the addition or replacements to maintain licensure or certification for adjustments requested under subsection (1) of this section;

(b) A copy of the new bed license, whether the number of licensed beds increases or decreases, if applicable;

(c) All documentation, e.g., copies of paid invoices showing actual final cost of assets and/or service, e.g., labor purchased as part of the capitalized addition or replacements;

(d) Certification showing the completion date of the capitalized additions or replacements and the date the assets were placed in service per RCW 74.46.360;

(e) A properly completed depreciation schedule for the capitalized additions or replacement as provided in this chapter;

(f) A written justification for granting the rate increase; and

(g) For capitalized additions or replacements requiring certificate of need approval, a copy of the approval and description of the project.

(8) The department's criteria used to evaluate the request may include, but is not limited to:

(a) The remaining functional life of the facility and the length of time since the facility's last significant improvement;

(b) The amount and scope of the renovation or remodel to the facility and whether the facility will be better able to serve the needs of its residents;

(c) Whether the improvement improves the quality of living conditions of the residents;

(d) Whether the improvement might eliminate life safety, building code, or construction standard waivers;

(e) Prior survey results; and

(f) A review of the copy of the approval and description of the project.

(9) The department shall not grant a rate add-on effective earlier than sixty days prior to the receipt of the initial written request by the office of rates management and not earlier than the date the physical plant improvements are completed and

fully utilized. The department shall grant a rate add-on for an approved request as follows:

(a) If the physical plant improvements are completed and fully utilized during the period from the first day to the fifteenth day of the month, then the rate will be effective on the first day of that month; or

(b) If the physical plant improvements are completed and fully utilized during the period from the sixteenth day and the last day of the month, the rate will be effective on the first day of the following month.

(10) If the initial written request is incomplete, the department will notify the contractor of the documentation and information required. The contractor shall submit the requested information within fifteen calendar days from the date the contractor receives the notice to provide the information. If the contractor fails to complete the add-on request by providing all the requested documentation and information within the fifteen calendar days from the date of receipt of notification, the department shall deny the request for failure to complete.

(11) If, after the denial for failure to complete, the contractor submits a written request for the same project, the date of receipt for the purpose of applying subsection (9) of this section will depend upon whether the subsequent request for the same project is complete, i.e., the department does not have to request additional documentation and information in order to make a determination. If a subsequent request for funding of the same project is:

(a) Complete, then the date of the first request may be used when applying subsection (9) of this section; or

(b) Incomplete, then the date of the subsequent request must be used when applying subsection (9) of this section even though the physical plant improvements may be completed and fully utilized prior to that date.

(12) The department shall respond, in writing, not later than sixty calendar days after receipt of a complete request.

(13) If the contractor does not use the funds for the purpose for which they were granted, the department shall immediately recoup the misspent or unused funds.

(14) When any physical plant improvements made under subsection (1) or (2) of this section results in a change in licensed beds, any rate add-on granted will be subject to the provisions regarding the number of licensed beds, patient days, occupancy, etc., included in this chapter and chapter 74.46 RCW.

(15) All rate components to fund the Medicaid share of nursing facility new construction or refurbishing projects costing in excess of one million two hundred thousand dollars, or projects requiring state or federal certificate of need approval, shall be based upon a minimum facility occupancy of eighty-five percent for the direct care, therapy care, support services, operations (~~and property cost centers, and the return on investment (ROI) rate~~), property, financing allowance, and variable return component rate allocations, during the initial rate period in which the adjustment is granted. These same component rate(s) allocations shall be based upon a minimum facility occupancy of eighty-five percent for all rate periods after the initial rate period.

(16) When a capitalized addition or replacement results in an increased licensed bed capacity during the calendar year following the capitalized addition or replacement:

(a) The department shall for:

(i) Property, use the facility's anticipated resident occupancy level subsequent to the increase in licensed bed capacity; and

(ii) The financing allowance, multiply the net invested funds by ten percent and divide by the facility's anticipated resident occupancy level subsequent to the increase in licensed bed capacity; and

(b) The anticipated resident occupancy for the increased number of beds must be at or above eighty-five percent. In all cases the department shall use at least eighty-five percent occupancy of the facility's increased licensed bed capacity.

**WSR 99-23-016
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 99-194—Filed November 5, 1999, 4:29 p.m., effective November 8, 1999, 12:01 a.m.]

Date of Adoption: November 5, 1999.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-47-605.

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: Areas 7 and 7A chum directed fishery remains closed. Test fishing in Canadian Area 12 has been reviewed and the in-season run-size has been identified as 2.7 million. Area 7B in-season chum run size indicates a return of slightly less than 60,000. All-citizen fishers have already taken more than 60% of the allocation in Area 7B, and if the fishery is [to] be extended over the duration of the run and not take a disproportionately large portion of catch from the early part of the run, it is necessary to reduce the fishing time from the present five days per week. Although weaker than the preseason forecast, the in-season update for Areas 10 and 11 chum show remaining harvest available, so the commercial fishery will proceed as scheduled. Hood Canal chum forecast was reduced to approximately one-half million from the original preseason prediction, but there is no good in-season update available for this run. In order to meet hatchery egg-take needs, it is necessary to allow more than 300,000 chum to escape fisheries. Catch data to date point to one of the smallest runs in recent history (lowest terminal run size in the last 12 years was 1989 when the run numbered slightly less than 300,000), therefore, the fishery is being closed at this time in an effort to assure hatchery goals will be met. All other open periods and restrictions are consistent with fishing plans developed and agreed to during the

EMERGENCY

PFMC/North of Falcon processes. An emergency exists in that 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: November 8, 1999, 12:01 a.m.

November 5, 1999

Jeff P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-47-606 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. November 8, 1999 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods, mesh, area, and species restrictions:

Area 7B Open to gill nets using 6 1/4 inch minimum mesh and to purse seines using the 5 inch strip as follows:

from 6:00 a.m. November 8 through 4:00 p.m. November 11, from 6:00 a.m. November 15 through 4:00 p.m. November 18, from 6:00 a.m. November 22 through 4:00 p.m. November 25, from 6:00 a.m. November 29 through 4:00 p.m. December 2, and from 6:00 a.m. December 6 through 4:00 p.m. December 9.

Area 8 Open to purse seines using the 5 inch strip from 7:00 a.m. to 5:00 p.m. November 8, November 16, and November 22. Open to gill nets using 6 1/4 inch minimum mesh from 7:00 a.m. to 8:00 p.m. November 9, November 15, and November 23.

Areas 8A and 8D Open to purse seines using the 5 inch strip from 7:00 a.m. to 5:00 p.m. November 8, November 9, November 17, November 18, November 22, November 23, and November 24. Open to gill nets using 6 1/4 inch minimum mesh from 7:00 a.m. to 8:00 p.m. daily: November 10, November 11, November 15, November 16, November 22, November 23, and November 24.

Areas 10 and 11 Open to purse seines using the 5 inch strip from 7:00 a.m. to 5:00 p.m. November 8, and November 16. Open to gill nets using 6 1/4 inch minimum mesh from 4:00 p.m. to 8:00 a.m. nightly: November 8, and November 15.

It is unlawful to retain chinook salmon taken with purse seine gear. It is unlawful to retain coho taken with purse seine gear in Catch Areas 10 or 11.

Nightly gill net openings refer to the start date.

Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 are closed.

REPEALER

The following section of the Washington Administrative Code are repealed effective 12:01 a.m. November 8, 1999:

WAC 220-47-605

Puget Sound all-citizen commercial fishery (99-187)

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

WSR 99-23-026

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 99-199—Filed November 9, 1999, 4:29 p.m., effective November 11, 1999, 12:01 a.m.]

Date of Adoption: November 9, 1999.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-23500J and 220-57-47300A; and amending WAC 220-57-235 and 220-57-473.

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 Elochoman Hatchery has achieved its escapement needs. This action will provide a greater opportunity for the sport fishery to utilize the surplus coho. Wild coho adults (adipose fins intact) originating from the Tilton River are being trapped at the Cowlitz River barrier dam and are being trucked and released back into the Tilton River to restore natural production. This regulation will protect those fish from harvest. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: November 11, 1999, 12:01 a.m.

November 9, 1999

Jeff P. Koenings

Director

by Larry Peck

Purpose: To amend on an emergency basis WAC 495D-135-040 to reflect changes necessary to comply with federal and state provisions for calculation and payment of student refunds.

Citation of Existing Rules Affected by this Order: Amending WAC 495D-135-040.

Statutory Authority for Adoption: RCW 28B.50.140.

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: Staff review of changes in college course structure, with assistant attorney general concurrence, determined that minor refund policy revisions are necessary to ensure compliance with federal rules and state statutes.

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: Immediately.

October 28, 1999

Michael Metke Ed.D

President

NEW SECTION

WAC 220-57-23500J Elochoman River. Notwithstanding the provisions of WAC 220-57-235, effective 12:01 a.m. November 11, 1999 through December 31, 1999;

(1) Downstream of the West Fork Elochoman, the daily limit is six salmon of which four may be adults except release all chum and wild coho. Release chinook greater than 28 inches in length downstream from the West Fork Elochoman to the Foster (Risk) Road Bridge.

(2) The following waters are closed to salmon angling at all times;

(a) From 100 feet above the upper hatchery rack to the Elochoman Hatchery Bridge located 400 feet below the upper hatchery rack;

(b) From a point 50 feet above to 100 feet below the outlet pipes from the most downstream Elochoman Hatchery rearing pond and extending 30 feet out from the south bank of the river;

(c) From the West Fork Elochoman upstream.

NEW SECTION

WAC 220-57-47300A Tilton River. Notwithstanding the provisions of WAC 220-57-473, effective 12:01 a.m. November 11, 1999 through December 31, 1999 wild coho must be released in those waters downstream from the West Fork of the Tilton River.

REPEALER

The following sections of the Washington Administrative Code are repealed effective 12:01 a.m. January 1, 2000:

WAC 220-57-23500J Elochoman River.

WAC 220-57-47300A Tilton River.

AMENDATORY SECTION (Amending WSR 93-19-075 [95-17-052], filed 9/14/93 [8/14/95], effective 10/15/93 [9/14/95])

WAC 495D-135-040 Tuition and special course/program connected fees refund policy. Upon withdrawal from college or reduction in class load and the completion of all applicable fee refund forms, the student may receive a tuition and/or fee refund under the following conditions:

(1) A full refund of general tuition-fees, operating fees, special course/program connected fees, and services and activities fees will be made if the student has properly withdrawn prior to the first class session.

(2) A full refund will be made when courses or programs are cancelled by the college.

(3) Upon withdrawal or termination from a state-supported course on or after the first day of instruction and prior to the sixth day of instruction of the regular quarter or registration period for which the tuition and fees have been paid or are due, an eighty percent refund will be made. When a registration is for a first-time federally funded student, his or her

WSR 99-23-029
EMERGENCY RULES
LAKE WASHINGTON
TECHNICAL COLLEGE
[Filed November 10, 1999, 11:31 a.m.]

Date of Adoption: July 6, 1999.

EMERGENCY

refund will be calculated on a pro rata basis consistent with applicable federal rules.

(4) Upon withdrawal or termination from a state-supported course after the fifth day of instruction and up to the twentieth calendar day of the regular quarter or registration period for which the tuition and fees have been paid or are due, a fifty percent refund will be made. When a registration is for a first-time federally funded student, his or her refund will be calculated on a pro rata basis consistent with applicable federal rules.

(5) Refunds for withdrawals or terminations from state-supported courses that start after the regular quarter begins, or from state-supported short courses, shall be made in proportion to the amounts prescribed in subsections (3) and (4) of this section. However, the college will use the start date of the student's longest course or registration period during the regular quarter when calculating refunds upon the student's withdrawal from all courses. Refunds will be made prior to the second scheduled class meeting for self-supported courses, except that refunds will be made only prior to a single-session self-supported course.

(6) Refund requests must be made in person or in writing. Refund requests may not be made by telephone.

(7) Refund processing procedures shall be established by the president.

(8) Exceptions may be made at the president's discretion for students who withdraw for bona fide medical reasons or when called into the military service.

(9) The college may charge a registration or transfer fee set by the president for registration or transfer processing.

(10) Refunds of less than five dollars will not be made.

(11) Students who have paid fees for equipment or material which have a return/refund value must obtain written verification and approval on an appropriate form from the instructor or staff person who is responsible for the return/refund.

(12) Fees which are nonrefundable and not subject to this policy will be set by the president and identified as such in the quarterly course schedule and/or course announcement.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 99-23-031

EMERGENCY RULES

LAKE WASHINGTON TECHNICAL COLLEGE

[Filed November 10, 1999, 11:46 a.m.]

Date of Adoption: July 6, 1999.

Purpose: To amend on an emergency basis WAC 495D-120-040 to provide the college with adequately comprehensive definitions of student misconduct.

Citation of Existing Rules Affected by this Order: Amending WAC 495D-120-040.

Statutory Authority for Adoption: RCW 28B.50.140.

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: Staff review of definitions of student conduct and misconduct is too limited in the college's policies and procedures and needs to be more comprehensive.

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: Immediately.

October 28, 1999

Mike Metke Ed.D

President

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-120-040 Student misconduct. Disciplinary action may be taken for a violation of any provision of this student code, for a violation of other college rules which may from time to time be properly adopted, or for any of the following types of misconduct:

(1) Smoking is prohibited in all enclosed college facilities and other areas so posted by college officials;

(2) The possession, use, sale, or distribution of any alcoholic beverage or illegal drug on the college campus is prohibited, except as specifically provided for by board policy. The use of illegal drugs by any student attending a college-sponsored event is also prohibited, even though the event does not take place at the college. The use of alcohol by any student attending such events on non-college property shall conform to state law;

(3) Engaging in lewd, indecent, or obscene behavior;

(4) Where the student presents an imminent danger to college property or to himself or herself or other students or persons in college facilities on or off campus, or to the education process of the college;

(5) Academic dishonesty, including cheating, plagiarism, or knowingly furnishing false information to the college;

(6) The intentional making of false statements or filing of false charges against the college and members of the college community;

(7) Forgery, alteration, or misuse of college documents, records, funds, or instruments of identification with the intent to defraud;

(8) Theft from or damage to college premises or property, or theft of or damage to property of a member of the college community or college premises;

(9) Failure to comply with the direction of college officials acting in the legitimate performance of their duties;

(10) Possession of firearms, licensed or unlicensed, except where possessed by commissioned police officers as prescribed by law.

(11) Failure to comply with a college rule or policy, as set forth in the Lake Washington Technical College Policies and Procedures Manual;

(12) Failure to comply with college attendance policy as published in the current edition of the *Student Handbook*;

(13) Retaliation upon witnesses or accusers under this chapter.

The Lake Washington Technical College Policies and Procedures Manual and Student Handbook are available during normal business hours for review in the college's library.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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.

November 9, 1999

J. P. Koenings

Director

NEW SECTION

WAC 220-44-09500A Unlawful gear—Ocean waters.

It is unlawful for any Washington licensed fisher, including persons holding a Washington delivery license, to fish for or possess food fish taken with gill net gear in the waters of the Pacific Ocean.

NEW SECTION

WAC 220-44-02000A Coastal baitfish gear.

Notwithstanding the provisions of WAC 220-44-020, the maximum mesh size for baitfish lampara in Pacific Ocean waters is four inches.

**WSR 99-23-042
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 99-198—Filed November 12, 1999, 4:52 p.m.]

Date of Adoption: November 9, 1999.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-44-020.

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 department is promulgating permanent rules to prohibit use of gill net gear in ocean waters, in order to protect sea turtles and marine mammals. This rule is needed to provide immediate protection until the 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 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

EMERGENCY



WSR 99-23-001

**NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE**

[Memorandum—November 1, 1999]

EDMONDS COMMUNITY COLLEGE
BOARD OF TRUSTEES
NOTICE OF SPECIAL MEETINGS
TO MEDIA/OTHER

- November 3, 1999* EdCC Legislative Contact Team Meeting, EdCC, Snohomish Hall, Room 304A, 20226 68th Avenue West, Lynnwood, WA, 7:00 a.m.
Purpose: Planning meeting for legislative agenda.
- November 5, 1999* Trustees Association of Community and Technical Colleges (TACTC), Board of Directors Meeting, Highline Community College, Des Moines, Washington, 8:00-5:00 p.m.
Purpose: Routine business.
- November 9, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.
- November 10, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.
- November 15, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.
- November 16, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.

- November 17, 1999* Creative Options for Estate Planning, Edmonds Floral Conference Centre, 201 4th Avenue North, Edmonds, WA, 7:00-8:30 p.m.
Purpose: Presentation for the families of the EdCC Board of Trustees and College Foundation Board of Directors.
- November 18, 1999 Edmonds Community College Board of Trustees Regular Board Meeting, EdCC, Snohomish Hall, Room 304A, 20226 68th Avenue West, Lynnwood, WA 4:00 p.m.
Purpose: To address routine college business issues.
- November 19, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.

* This event is being scheduled as a special meeting, which is a study session where no action will be taken.

WSR 99-23-002

**NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE**

[Memorandum—November 1, 1999]

The following schedule is for your publication records in the Washington State Register of Olympic College's regular board of trustees meetings for the month of November and calendar year 2000. These dates were approved by the trustees on October 26, 1999. The November 23, 1999, meeting time has changed from 7:30 p.m. to 7:00 p.m. and this is notification of that change.

MEETING TIME CHANGE FOR 1999

November 23, 1999	7:00 p.m.	Board Conference Room
REGULAR MEETINGS FOR 2000		
January 25, 2000	7:00 p.m.	Board Conference Room
February 22, 2000	7:00 p.m.	Board Conference Room
March 28, 2000	7:00 p.m.	Board Conference Room
April 25, 2000	7:00 p.m.	Board Conference Room
May 23, 2000	7:00 p.m.	Board Conference Room
June 27, 2000	7:00 p.m.	Board Conference Room
July 2000	No meeting	
August 22, 2000	7:00 p.m.	Board Conference Room
September 26, 2000	7:00 p.m.	Board Conference Room
October 24, 2000	7:00 p.m.	Board Conference Room
November 28, 2000	7:00 p.m.	Board Conference Room
December 2000	No meeting	

MISC.

The following schedule is for your publication records in the Washington State Register of Olympic College's special board of trustees meetings.

MEETING ADDITION FOR 1999

November 23, 1999 5:00 p.m. President's Conference Room

SPECIAL MEETINGS FOR 2000

February 22, 2000 5:00 p.m. President's Conference Room
 April 25, 2000 5:00 p.m. President's Conference Room
 June 27, 2000 5:00 p.m. President's Conference Room
 August 22, 2000 5:00 p.m. President's Conference Room
 October 24, 2000 5:00 p.m. President's Conference Room

The board of trustees meet the fourth Tuesday of every month for regular meetings except the months of July and December.

WSR 99-23-005

NOTICE OF PUBLIC MEETINGS
 ENERGY FACILITY SITE
 EVALUATION COUNCIL

[Memorandum—November 2, 1999]

2000 MEETING SCHEDULE			
January	February	March	April
3 Executive	7 Executive	6 Executive	3 Executive
10 Council	14 Council	13 Council*	10 Council
18 Executive	22 Executive	20 Executive	17 Executive
May	June	July	August
1 Executive	5 Executive	3 Executive	7 Executive
8 Council	12 Council	10 Council	14 Council
15 Executive	19 Executive	17 Executive	21 Executive
September	October	November	December
5 Executive	2 Executive	6 Executive	4 Executive
11 Council	9 Council	13 Council	11 Council*
18 Executive	16 Executive	20 Executive	18 Executive

Energy Facility Site Evaluation Council Meetings

1:30 p.m.

Meetings will be held at*:

Rowe Six Conference Center - Building 1
 4224 6th Avenue S.E.
 Lacey, WA

*The March ad December meetings will be held at:

WSU Building - Conference Room 308
 925 Plum Street, Building 4
 Olympia, WA

EFSEC Executive Committee Meetings

1:30 p.m.

WSU Building - Conference Room 308
 925 Plum Street, Building 4
 Olympia, WA

EFSEC Mailing Address

P.O. Box 43172
 Olympia, WA 98504-3172
 phone (360) 956-2121
 fax (360) 956-2158

The council meets on the 2nd Monday of each month. The meetings begin at 1:30 p.m., at the locations identified above.

The council's Executive Committee on the 1st and 3rd Monday of each month. When the 1st or 3rd Monday is a holiday, the meeting will be held on the following Tuesday. The meetings begin at 1:30 p.m. The meetings are located at the WSU Building Conference Room 308.

If you plan to attend the meeting, and you require special assistance or auxiliary aids, please contact Diane Burnett, EFSEC Staff, at (360) 956-2121 as soon as possible. For TDD, call (360) 956-2218.

WSR 99-23-006

NOTICE OF PUBLIC MEETINGS
 COUNTY ROAD
 ADMINISTRATION BOARD

[Memorandum—November 3, 1999]

COUNTY ROAD ADMINISTRATION BOARD

MEETING NOTICE: January 12, 2000
 County Road Administration Board
 2404 Chandler Court S.W., Suite 240
 Olympia, WA 98504
 1:00 p.m. to 5:00 p.m.

PUBLIC HEARING: January 12, 2000
 County Road Administration Board
 2404 Chandler Court S.W., Suite 240
 Olympia, WA 98504
 2:00 p.m.

MEETING NOTICE: January 13, 2000
 County Road Administration Board
 2404 Chandler Court S.W., Suite 240
 Olympia, WA 98504
 9:00 a.m. to noon

*Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Cheryl Heinemeyer at (360) 753-5989, hearing and speech impaired persons can call 1-800-833-6384.

MISC.

WSR 99-23-007

NOTICE OF PUBLIC MEETINGS

OFFICE OF THE

INTERAGENCY COMMITTEE

(Interagency Committee for Outdoor Recreation)

[Memorandum—October 7, 1999]

The Interagency Committee for Outdoor Recreation (IAC) will meet Thursday and Friday, November 18-19, 1999, beginning at 8:30 a.m. in Room 175 of the Natural Resources Building in Olympia.

This meeting is a funding recommendation session for projects in the nonhighway off-road vehicle (NOVA), local boating facilities (BFP), firearms and archery range recreation (FARR) programs, and the youth athletic facilities account (YAF) new and improved categories. Other agenda items include discussions of the public lands inventory project, ORV park funding, NOVA plan options, and fuel use study options. Decisions regarding national recreational trails program guideline changes, city of Seattle conversion requests, and changes to the Washington wildlife and recreation program (WWRP) habitat conservation account (HCA) evaluation instruments and criteria will be made.

If you plan to participate or have materials for committee review, please submit information to IAC no later than October 18, 1999. This will allow for distribution to committee members in a timely fashion.

IAC public meetings are held in locations accessible to people with disabilities. Arrangement for individuals with hearing or visual impairments can be provided by contacting IAC by October 18 at (360) 902-3000 or TDD (360) 902-1996.

WSR 99-23-008

NOTICE OF PUBLIC MEETINGS

OFFICE OF THE

INTERAGENCY COMMITTEE

(Interagency Committee for Outdoor Recreation)

[Memorandum—October 28, 1999]

At a regular meeting on September 23, 1999, the Interagency Committee for Outdoor Recreation adopted the following meeting schedule:

March 9-10, 2000	Regular Meeting	Olympia
July 13-14, 2000	Regular Meeting	LaConner
September 21-22, 2000	Regular Meeting	Olympia
November 16-17, 2000	Regular Meeting	Olympia

WSR 99-23-009

NOTICE OF PUBLIC MEETINGS

OFFICE OF THE

INTERAGENCY COMMITTEE

(Salmon Recovery Funding Board)

[Memorandum—October 28, 1999]

At a regular meeting on October 1, 1999, the Salmon Recovery Funding Board adopted the following meeting schedule:

Friday, January 21, 2000	Regular Meeting	Spokane
Thursday, February 17, 2000	Work Session or Tour	Bremerton
Friday, February 18, 2000	Regular Meeting	
Thursday, March 16, 2000	Work Session or Tour	Wenatchee
Friday, March 17, 2000	Regular Meeting	

WSR 99-23-014

**INTERPRETIVE AND POLICY STATEMENT
WASHINGTON STATE LOTTERY**

[Filed November 5, 1999, 2:50 p.m.]

The Washington State Lottery has recently adopted or revised the following policies:

POL 110.009 - Policy and Procedure Approval, Revision and Maintenance (revision)

Clarified that the decision to develop new policies/procedure is made by either the director or deputy director, except that no approval is necessary if an external directive (WAC, RCW, etc.) requires a policy. Revisions do not need approval unless the change has a substantial effect on the operation of the lottery. Added that a timeline is developed for all policies that must be completed by a specific date.

Signed July 9, 1999.

POL 110.558 - Bonus Drawings (for Consumers) (revision)

If the first test on the primary random number generator fails, the secondary machine is used (rather than rerunning the tests). Clarified that the random number generators are not powered off. Added headquarters drawing official information.

Signed July 31, 1999.

POL 110.559 - Bonus Drawings (for Retailers) (new)

Outlines the process for conducting drawings using a computerized random number generator when management determines the type of promotion (bonus drawing) will be conducted using this method.

Signed August 16, 1999.

POL 120.004 - Leave Approval and Reporting (revision)

Deleted the requirement for employees to include "the general reason or circumstance for the sick leave" on their leave request. Clarified that military training leave is not limited to permanent, probationary and project employees - all employees qualify.

Signed July 16, 1999.

MISC.

POL 120.011 - Discrimination/Retaliation Complaints (new)

This new policy/procedure establishes procedures to address complaints alleging discrimination and/or retaliation, including outlining to whom and in what format complaints are addressed and outlines guidelines for responding to complaints in a timely manner.

Signed July 20, 1999.

POL 130.001 - Performing Background Investigations on Applicants and Employees (revision)

The deputy director, rather than the security/legal director, now recommends to the director that initial or continued employment be denied to individuals who are subject to current prosecution or pending charges, those who have an outstanding warrant, and/or those who have a history that indicates a disregard for law, rules and regulations or shows financial distress.

Added that top candidates for a position complete an authorization for personal credit check (in addition to an authorization for background check). Clarified that fingerprinting is performed only on permanent employees during their first six months of employment.

Signed August 9, 1999.

POL 130.002 - Appointing, Training and Removing Lottery Security Officials (LSOs) and Lottery Drawing Officials (LDOs) (revision)

The drawing coordinator may now make an exception to the rule of appointing officials on a "first-come, first-served basis." An example of a reason to make an exception is that the security director needs to add personnel that will better serve the drawing and its integrity.

Signed August 9, 1999.

POL 130.003 - Certifying On-Line Balls (revision)

Deleted references to the lottery's internal audit manager; the duties of accompanying security when picking up new ball sets after being weighed by the metrologist is now performed by any available lottery manager. Added references to Lucky for Life ball sets. Clarified that recalibrations occur approximately six months after getting the new balls. Added a section on storing/destroying old balls; eliminated reference to storing the balls at the off-site warehouse until destruction (to allow for an alternate place of storage, as determined by the security chief).

Clarified that any type of "closeable container" is used to take balls to the metrologist. Clarified that balls are not always immediately lettered and/or used; sometimes they are stored in a locked, secured location with limited access, as approved by the security chief. Clarified that replacement of ball sets may occur at the beginning of the on-line drawing process, even though the security chief (or designee) does not have drawing duty that day.

Signed August 18, 1999.

POL 150.001 - Purchasing Securities for Lotto Jackpot Winners (revision)

With the implementation of jackpot winners being able to select cash option after winning a jackpot, rather than when purchasing a ticket, the lottery initiates the bid process when a winner selects annuity payments (rather than bidders automatically calling in when the jackpot is won). Brokers

must fax confirmation within one hour, rather than four, of being awarded the bid.

Deleted references to the bank account titles and transferring funds, as these were not in the scope of the policy.

Signed September 27, 1999.

POL 230.004 - Accounts Receivable Write-Off (revision)

The director or designee now signs off on amounts of at least \$10,000 (rather than \$1,000) or more. The Attorney General's Office only signs off if the lottery is writing off for reasons not listed in the policy (rather than on anything of \$1,000 or more). Adds the retailer support manager to the approval process. Added that customer service forwards a quarterly estimate of collectibility to financial services. Added Chapter 7 bankruptcy to the list of criteria used to determine it is no longer cost effective to pursue further collection efforts.

Signed August 24, 1999.

POL 240.001 - Power Protectors/Dedicated Power for On-Line Terminals (revision)

Licensing representatives and district sales representatives now have the authority to order the on-line vendor to install SADs, in some circumstances. Clarified that if dedicated power is allowed in lieu of a SAD unit, the retailer contract is altered to reflect that fact. Retailers can pay for SAD units via check (not just by EFT). Added a procedure.

Signed July 28, 1999.

POL 240.003 - Electronic Funds Transfer (EFT) Rejections (revision)

Retailers are now given three days (rather than five) to pay the deposit required after a second rejection. A retailer who has posted a bond and whose average thirteen-week sales exceed the amount of the bond, now have to pay the amount in excess of the bond. Added that when a reject is the fault of the lottery, the lottery reimburses the retailer for any rejection fees charged to the retailer.

Clarified that the lottery does not pursue unpaid accounts of retailers with a Chapter 7 bankruptcy. The legal services manager no longer signs revocation letters. Added that the collection agency sends a letter explaining that collection efforts will begin in thirty days. If the debt is not paid by the end of thirty days, one-percent interest begins accruing. The customer service supervisor may establish a payment plan with a terminating retailer, rather than send it to collection. However, the payment plan cannot exceed six months, and the account is immediately sent to collection if the retailer misses a payment.

Korean retailers now receive letters in both English and Korean. Forms for instant versus on-line terminals have now been combined into one form.

Signed August 25, 1999.

POL 240.004 - Terminating Retailers (revision)

Lottery security is no longer involved in any collection process. Licensing coordinator and on-line coordinator were combined into one job; both performed by a licensing representative.

Signed September 15, 1999.

POL 240.005 - Retailer Remodels (new)

This policy documents guidelines for paying communication line charges and protecting terminals from damage by determining if a terminal will be pinned and/or removed, when a retailer is remodeling a retail location.

Signed August 31, 1999.

POL 310.007 - On-Line Expansion/Retailer Approval (revision)

Two updates:

The sales manager (rather than the director) now signs all on-line expansion approvals.

Signed July 21, 1999.

Added "geographic void" and removed "market addition" as a reason to expand the on-line network. The "\$600" Scratch Addition is now an "\$800" Scratch Addition. Clarified that volume addition does not refer to chain convenience stores. The lottery now considers "26-week," rather than "13-week" sales averages when determining expansion. Added that when considering \$800 Scratch Addition, director discretion, or geographic void, the lottery considers GMARK data, which is a summary of the research and analysis performed by the lottery's on-line vendor.

Clarified that: a) A sufficient number of terminals must be available before any addition can be made, and b) retailers must exhibit cooperation, provide lottery visibility, be the desired type and size of account and be in a desirable location, and have a sufficient volume of instant sales (as described on the on-line survey form).

Signed September 1, 1999.

POL 310.010 - Approving On-Line Terminal Moves (revision)

Clarified that the lottery's on-line vendor does not always pay the telephone line charges for on-line terminal moves. They usually pay the charges for "uncomplicated moves where existing conduit is used. The DSR and/or RSM work with the retailer and on-line vendor to determine who will pay the charges on a case-by-case basis."

Signed July 5, 1999.

POL 320.007 - Selling Lottery Tickets at an Off-Premise Location (revision)

Added licensing representative duties. Added that the special events coordinator completes an application for off-premise addendum. The lottery now accepts \$50 bills (but nothing larger) at special events. No longer use "shift" envelopes, as sales are now accounted for by day rather than by shift. Eliminated the use of the "How and Where to Redeem Your Winning Lottery Ticket" sheets. The licensing representative no longer reconciles bills for telephone lines.

Signed July 27, 1999.

POL 320.052 - Super Bowl/\$3 Touchdown Second Chance Drawing (for consumers) (new)

This policy establishes guidelines for selecting two winners of a trip for two to the 2000 Super Bowl. The policy spells out eligibility requirements, exact prizes, how the drawing is conducted, and how to claim prizes.

Signed September 3, 1999.

POL 320.053 - Pro-Bowl 2000/\$3 Touchdown Retailer Promotion (new)

This policy establishes guidelines for awarding prizes to retailers for selling (activating) packs of Instant Game Number 260 from September 19 through October 16, 1999.

Signed August 3, 1999.

POL 410.002 - Mail Administration (revision)

The number of stamps kept on hand was decreased from 3,500 to the number determined by the administrative services manager; however, it will not exceed 100.

Signed September 27, 1999.

POL 420.021 - Purchasing Cards (new)

Allows the supply officer and some other designees to use a credit card to "efficiently accomplish low dollar purchases of goods and services." The procedure lists methods to obtain the cards, account for their use, etc.

Signed June 26, 1999.

To receive a copy of any of these policies, contact Becky Zopolis, Washington State Lottery, P.O. Box 43000, Olympia, WA 98504-3000, phone (360) 664-4816, fax (360) 664-4817.

November 4, 1999

Merritt D. Long

Director

WSR 99-23-018

**NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE**

[Memorandum—November 8, 1999]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, November 18, 1999, 9-11 a.m., in the College Services Building Board Room on the Bellingham Technical College campus. Call 738-3105 ext. 334 for information.

WSR 99-23-020

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed November 9, 1999, 11:28 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: 99-59 MAA Numbered Memorandum.
Subject: Expedited prior authorization for severe malocclusions for orthodontists only.

Effective Date: December 1, 1999.

Document Description: **Effective for dates of service on or after December 1, 1999**, expedited prior authorization (EPA) will be implemented **for orthodontists only** as a one-year project for procedure codes identified within this numbered memorandum. Orthodontists must use the Handicapping Labiolingual Deviation (HLD) Index Scale, Washington Modified (WA-Mod) enclosed with this memo to determine whether EPA is appropriate.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator,

MISC.

Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 586-2337, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

November 3, 1999
Leslie Saeger
Regulatory Improvement
Project Manager

Date: November 16, 1999
Time: 12 noon to 3 p.m.
Place: Joel M. Pritchard Library Building
Upstairs Conference Room

For additional information, please do not hesitate to contact 753-2914.

WSR 99-23-027
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE

[Memorandum—October 26, 1999]

The board of trustees of Bates Technical College has postponed its regularly scheduled meeting of December 15, 1999, to December 22, 1999.

The time and location of that meeting will remain unchanged: 3 p.m. in the Olympic/Cascade Room at Bates Technical College, 1101 South Yakima Avenue, Tacoma, WA 98405.

The remaining 1999-2000 board of trustees meetings (with the exception of the December meeting) will occur on the third Wednesday of each month through July 2000. Time and location are as noted above.

WSR 99-23-037
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER

[Memorandum—November 10, 1999]

The Design Committee of Washington State Convention and Trade Center (WSCTC) will meet on Wednesday, November 17, 1999, at 1:30 p.m. in Room 310 of the Convention Center, 800 Convention Place, Seattle.

A regular meeting of the WSCTC board of directors will be held on Wednesday, November 17, 1999, at 2:00 p.m. in Room 310 of the Convention Center.

If you have any questions regarding these meetings, please call (206) 694-5000.

WSR 99-23-039
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY

(Library Commission)

[Memorandum—November 10, 1999]

The WSLC workshop scheduled for November 2, 1999, had to be cancelled at last minute, due to the unavailability of three of the commissioners. The following is a reschedule of that workshop.

WSR 99-23-040
NOTICE OF PUBLIC MEETINGS
MARINE EMPLOYEES' COMMISSION

[Memorandum—November 10, 1999]

The following is a schedule of the year 2000 monthly meetings of the Marine Employees' Commission (MEC) adopted by the MEC on October 29, 1999:

<u>MONTH</u>	<u>DAY</u>	<u>LOCATION</u>
January	28	Olympia
February	25	Olympia
*March	24	Olympia
April	28	Seattle
May	19	Seattle
*June	23	Seattle
July	28	Seattle
August	25	Seattle
*September	22	Seattle
October	27	Seattle
November	<i>NO MEETING</i>	
*December	8	Seattle

Meetings scheduled in Seattle will be held at the Washington State Ferries' Terminal, Large Terminal Engineering Room, Colman Building, 3rd Floor, 811 First Avenue, Seattle and will begin at 10:00 a.m. Meetings scheduled in Olympia will be held at the Evergreen Plaza Building, Second Floor Conference Room, and will begin at 10:00 a.m.

Special needs: For special accommodations or to request auxiliary aid, please contact the MEC office at least ten days in advance of the event at (360) 586-6354 (voice) or (360) 586-0820 (fax).

*Quarterly Management Team meetings will be held immediately following the commission meetings.

MISC.

WSR 99-23-043

**NOTICE OF PUBLIC MEETINGS
COLUMBIA BASIN COLLEGE**

[Memorandum—November 9, 1999]

**Board of Trustees
MEETING SCHEDULE 2000**

The CBC board of trustees meets the second Tuesday of each month at 5 p.m., with the exception of August when there is no scheduled meeting.

- January 11
- February 8
- March 14
- April 11
- May 9
- June 13
- July 11
- August - pass
- September 12
- October 10
- November 14
- December 12

In accordance with RCW 42.30.075, this schedule of regular meeting dates for Columbia Basin College, District 19, board of trustees is filed with the Office of the Code Reviser for publication in the Washington State Register.

WSR 99-23-044

**NOTICE OF PUBLIC MEETINGS
BOARD OF ACCOUNTANCY**

[Memorandum—November 9, 1999]

CHANGE TO 1999 BOARD MEETING SCHEDULE

Please publish in the state register as required by RCW 42.30.075 the following change to the schedule of regular meetings the board plans to hold during 1999. This amends WSR 99-02-007 filed on December 24, 1998:

<u>Date</u>	<u>Day</u>	<u>Meeting</u>	<u>Location</u>	
11/19/99	Friday	Regular	Seattle	CANCELLED
12/17/99	Friday	Regular	Seattle/SeaTac	

The exact location of the rescheduled meeting has not been determined. For persons who wish to attend, please contact Cheryl Sexton at the board office (360) 664-9194 or fax (360) 664-9190 for the meeting location. Meetings usually begin at 9:00 a.m. The Board of Accountancy schedules all public meetings at barrier free sites. Persons who need special assistance, such as enlarged type materials, please contact Cheryl Sexton at the board office TDD 800-833-6384, voice (360) 664-9194, or fax (360) 664-9190.

WSR 99-23-069

INSURANCE COMMISSIONER'S OFFICE

[Filed November 15, 1999, 2:46 p.m.]

**Technical Assistance Advisory
T 99-3**

November 15, 1999

Beginning in September of this year, individuals who reside in counties of the state that do not have access to comprehensive commercial healthcare insurance became eligible to purchase coverage from the Washington State Health Insurance Pool (WSHIP).

RCW 48.41.180 requires every member (defined at RCW 48.41.030(13)) of the pool to provide a notice of the availability of WSHIP coverage and an application for pool coverage "to any person who receives a rejection of coverage for health insurance or health care service." WAC 284-91-060 states that members that have individual subscribers in a county but do not accept applications for coverage enrolling new subscribers must provide the notice and application to every person in that county who seeks coverage from them. The commissioner interprets this to include written or telephone inquiries to a member by an individual requesting coverage.

The commissioner requests each member to send a description of the method by which it provides these applicants with the required notice and application. The commissioner also requests a copy of any materials that are routinely mailed to such applicants, and an estimate of the number of applications the carrier has mailed out since the September changes in eligibility for the pool. Please provide these materials and any other materials detailing how the carrier is complying with these laws and rules within fifteen days to the commissioner. The materials should be sent to the attention of Lillian Austin, Administrative Assistant, Rates and Contracts Division, Office of the Insurance Commissioner. Please direct any questions to Ms. Austin at (360) 664-2569 or LillianA@oic.wa.gov.

WSR 99-23-070

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF**

GENERAL ADMINISTRATION

(Capitol Campus Design Advisory Committee)

[Memorandum—November 9, 1999]

Please record the following Capitol Campus Design Advisory Committee (CCDAC) meeting dates in the Washington State Register:

- Thursday, February 11
- Thursday, May 13
- Friday, September 10
- Thursday, November 4

The CCDAC meetings are held in the General Administration Building, 210 11th Avenue S.W., Olympia, WA, Conference Room 207, at 10:00 a.m.

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If you have any questions, please contact (360) 664-9212.

WSR 99-23-074
NOTICE OF PUBLIC MEETINGS
STATE INVESTMENT BOARD

[Memorandum—November 8, 1999]

Pursuant to WAC 287-01-030, this is to notify you that the Washington State Investment Board's regular board meetings for 2000 will be held on the third Thursday of each month, beginning at 9:30 a.m. at the board's offices at 2424 Heritage Court [Court] S.W., Olympia, WA 98504-0916.

If you have any questions, please feel free to call Sheila Geisler at (360) 664-8265.

WSR 99-23-075
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION

(State Capitol Committee)

[Memorandum—November 10, 1999]

Please publish notice of cancellation for the November 17, 1999, State Capitol Committee meeting.

If you have any questions, please call (360) 664-9212.

WSR 99-23-084
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD

[Memorandum—November 2, 1999]

Public Works Board Meeting Dates for 2000

<i>Date/Time</i>	<i>Time</i>	<i>Event</i>	<i>Location</i>
January 2000		No Meeting	No Meeting
February 1, 2000	8:30 a.m.	Regular Meeting	SeaTac, Washington
March 7, 2000	8:30 a.m.	Regular Meeting	SeaTac, Washington
April 4, 2000	8:30 a.m.	Regular Meeting	SeaTac, Washington
May 2, 2000	8:30 a.m.	Regular Meeting	Yakima, Washington
June 6, 2000	8:30 a.m.	Regular Meeting	SeaTac, Washington
July 2000		No Meeting	No Meeting
August 1, 2000	8:30 a.m.	Regular Meeting	SeaTac, Washington
August 15, 1999	8:30 a.m.	Regular Meeting	SeaTac, Washington
September 19, 2000	8:30 a.m.	Special Meeting and Annual Project Tour	Snohomish County
October 2000		No Meeting	No Meeting

Miscellaneous

November 14, 2000	8:30 a.m.	Special Meeting	SeaTac, Washington
December 12, 2000	8:30 a.m.	Special Meeting	SeaTac, Washington

The Public Works Board adopted the above dates at the November 2, 1999, regular meeting.

Changes to the schedule, if any, will be published by the Washington State Code Reviser's Office.

Changes to the schedule, if any, will also be posted one week prior to board meetings at the board website: www.crab.wa.gov/pwtf.

WSR 99-23-091
INSURANCE COMMISSIONER'S OFFICE

[Filed November 16, 1999, 4:55 p.m.]

In the Matter of the Disclaimer of Control in relation to the Acquisition of AETNA US HEALTHCARE, INC., a Registered health maintenance Organization, and AETNA US HEALTHCARE OF WASHINGTON, INC., A registered health care service contractor.) No. G 99-49
NOTICE OF HEARING

TO: Thomas R. Williams, President
Aetna U.S. Healthcare, Inc.
Post Office Box 1109
Blue Bell, Pennsylvania 19422

Thomas R. Williams, President
Aetna U.S. Healthcare of Washington, Inc.
Post Office Box 1109
Blue Bell, Pennsylvania 19422

Jean Margo Reid
Sr. Vice President and General Counsel
Sanford C. Burnstein & Co., Inc.
767 Fifth Avenue
New York, New York 10153-0185

Aetna, Inc. is a Connecticut domestic insurance holding company. Aetna, Inc. is the ultimate controlling person of the following Washington domestic insurance companies:

- Aetna US Healthcare, Inc., a registered health maintenance organization and
- Aetna US Healthcare of Washington, Inc., a registered health care service contractor.

Sanford C. Burnstein & Co., Inc. filed its disclaimer of control as to the identified Washington domestic insurers in anticipation of its acquisition of 10% or more of the voting stock of Aetna, Inc.

The acquisition of a domestic Washington insurance company is controlled by Chapter 48.31B RCW. RCW

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48.31B.005 establishes a presumption of control "if a person, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing, ten percent or more of the voting securities of any other person."

YOU ARE HEREBY NOTIFIED that a hearing will be held commencing Friday, December 17, 1999, at 10:00 a.m. in the 2nd Floor Conference Room at 420 Golf Club Road, Lacey, Washington 98503, to consider all appropriate action concerning the proposed acquisition of Aetna U.S. Healthcare, Inc. and Aetna U.S. Healthcare of Washington, Inc. as described in the Disclaimer of Control attached to this notice as Exhibit A and Exhibit 1.

The hearing will be held under the authority granted the Commissioner by RCW 48.02.060(3) and RCW 48.31B-.025(11).

The basic facts relied upon are those set forth in the Disclaimer of Control filed with the Commissioner. The complete Disclaimer of Control will be made part of the record of the hearing.

The Commissioner has not taken, and will not take, any position on this matter prior to entry of the hearing order.

All parties may be represented at the hearing. They may examine witnesses and fully respond and present evidence and argument on all issues involved, as required by the Administrative Procedure Act. The hearing will be governed by the Administrative Procedure Act, Chapter 34.05 RCW, and the model rules of procedure contained in Chapter 10-08 WAC. A party who fails to attend or participate in any stage of the proceeding may be held in default in accordance with Chapter 34.05 RCW.

The Commissioner will be represented by James Tompkins, Assistant Deputy Commissioner.

Deputy Insurance Commissioner James T. Odiorne has been designated to hear and determine this matter. His address is Office of the Insurance Commissioner, Post Office Box 40259, Olympia, Washington 98504-0259. His telephone number is (360) 407-0420.

ENTERED AT OLYMPIA, WASHINGTON, this 12th day of November, 1999.

DEBORAH SENN
Insurance Commissioner

By:
JAMES T. ODIORNE, CPA, JD
Deputy Insurance Commissioner
Company Supervision Division

WSR 99-23-106
LIQUOR CONTROL BOARD
[Filed November 17, 1999, 11:35 a.m.]

Milestones/Accomplishments:

- To date, 72% of our rules have been reviewed. An internal rules committee is currently revising these

rules to make them more efficient and readable, or repealing the rules when appropriate.

The majority of the WACs that we have reviewed are still in the rule making process, for the reasons outlined in this report. As a result, the agency's reported totals of rules that have been revised or repealed do not accurately reflect the amount of activity that has taken place in the last year.

- * The agency has chosen to have its review committee perform an intense, line-by-line scrutiny of each WAC, starting with the most complex rules first. The agency has also used this review to implement many process and customer service improvements.
- * The agency has greatly expanded its outreach and access to the rule making process. Our list of interested persons and the time spent consulting with them have grown steadily. This expanded consultative process includes work with such diverse groups as the Washington Restaurant Association, the Joint Artists and Musicians Political Action Committee, local law enforcement, and the prevention community. Customers, stakeholders, and interested persons, often with competing interests, have been closely involved in all aspects of our rule making process. Activities include initial evaluation, drafting, and redrafting of existing rules. As a result, there has been a great deal of effective participation by stakeholders in all decisions before rule publication.

Our stakeholders have commented on this renewed partnership. Recent comments from written correspondence received by the board include:

- "I want to thank you for taking the time to actively solicit industry input and response for each rule as it works its way through the process. I do believe stakeholder input is extremely important, especially for an agency that regulates every aspect of our business operations. I'm sure history will show that this is good for the board, and the industry it regulates and the public we all serve."*
- "Thank you for the opportunity to comment upon rules and policies...the City is pleased with the Board's interest in seeking information regarding the potential impacts of decisions made and actions taken by the Board...the Board is to be commended for the participatory and collaborative environment being developed."*
- "I wanted to let you know that [we] very much appreciate the opportunity to comment on these and all your other rules early on in the regulatory review process. In our view, the Board and yourself should be given high marks for the level of stakeholder input you request regarding proposed rule changes. We consider this consistency and the opportunity for early input invaluable. It may lengthen the process a little, but we feel the ultimate product is far better. Keep up the good work."*
- The Liquor Control Board has undertaken many steps to ensure regulatory review is an agency priority. We have educated staff on the importance of participatory rule review; we have used the agency's newsletter and

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Website to promote rule review as an agency commitment; and we educate field staff and the public on the agency's regulatory review process at each of the board's monthly out of town meetings held throughout the state.

- The agency has also expanded its services cross-culturally, branching out to Korean-speaking licensees who represent a sizable portion of the community we regulate. We have worked specifically with the Korean-American Grocers' Association to identify areas of interest in our rule-making process and to translate proposed rules into Korean to encourage maximum feedback.
- Several process improvements and customer services enhancements have been completed or are underway through the regulatory review process:
 - * Streamlining and simplifying the beer and wine tax reporting requirements, and giving licensees the ability to report via the Internet.
 - * Simplifying the requirements necessary to obtain and hold certain liquor licenses, in order to bring these processes into line with current business practices; e.g., e-mail, electronic recordkeeping, etc. (proposed rules currently represent a 61% word reduction).
 - * Revising and reorganizing various rules that relate to general requirements for liquor licensees (proposed rules represent a 52% word reduction).
 - * Streamlining the requirements for liquor license applicants, in order to reduce duplication and have a more user-friendly application process. Currently the guidelines for the application process are found throughout various chapters of WAC and in policy manuals. The proposed rules guide applicants through a step-by-step process.
 - * Simplifying the administrative violation process in order to make the procedure more understandable for licensees and save staff time. This streamlined process, initiated by a Process Improvement Team, has eliminated four months of processing time and review by the board, and has saved mailing costs.
 - * Simplifying and reducing requirements for label approval for beer and wine tax reporting, in order to make criteria for approval more objective and understandable, and to eliminate duplication with federal requirements.
 - * Revising rules to allow for electronic funds transfer as a method of payment between a distributor and a retailer.
- The agency will address statutory change recommendations in the 2001 legislative session, and plans to eliminate the requirement for several permits that the regulatory review committee has determined are no longer necessary.

Summary of rule making actions:

WAC Sections Reviewed	WAC Sections Amended	WAC Sections Repealed	Percentage of Total WAC Sections Reviewed	WAC Pages Eliminated
222	17	2	71	3

Summary of agency actions in response to petitions for rule making:

The Liquor Control Board has had one petition for rule making in the last year. In June of 1999, the board was petitioned to amend WAC 314-12-140 to allow retailers who sell alcohol to provide beer and wine distributors hand trucks, floor jacks, forklifts, and other equipment necessary to unload, move, store, and rotate beer and wine stock. The board denied this petition for rule making under advice of staff and counsel, who indicated the proposed changes would be in conflict with current law (RCW 66.28.010, the "Tied House" statute). The petitioner has been encouraged to participate in the board's review of this rule and related WACs.

Results of policy review:

The agency has completed its review of the policies and interpretive statements that fall under the definition of WAC per the Administrative Procedure Act. As a result, we are either converting these policies into WAC or eliminating them.

The majority of policies that directly affect the public are found in the agency's Licensing and Regulation Division and our Education and Enforcement Division manuals. Both divisions, in cooperation with the regulatory review committee, are in the process of greatly reducing and simplifying the remaining policies and procedures.

Results of review of agency's reporting requirements for businesses:

- Through the work of a process improvement team and the regulatory review committee, the agency is in rule making to greatly simplify the beer and wine tax reporting requirements and to institute electronic tax reporting via the Internet. Stakeholder input has been very favorable.
- Last year the Licensing and Regulation Division implemented an electronic format for beer and wine price postings. The improvement to this reporting requirement resulted in significant savings and customer service improvements and won the Governor's Award for Service and Quality Improvement.

If you have any questions, please do not hesitate to contact me at 664-1711. Our rules coordinator, Teresa Berntsen, can be reached at 664-1648.

Eugene A. Prince
Chairman

MISC.

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- 25-400	PREP	99-23-051	4- 25-810	REP-P	99-13-077	10- 04-070	AMD	99-20-115
4- 25-510	AMD-P	99-13-060	4- 25-810	REP-C	99-19-044	10- 04-080	AMD-P	99-17-107
4- 25-510	AMD	99-18-111	4- 25-810	REP	99-23-049	10- 04-080	AMD	99-20-115
4- 25-521	PREP	99-23-052	4- 25-811	REP-P	99-13-077	10- 04-090	AMD-P	99-17-107
4- 25-522	PREP	99-23-053	4- 25-811	REP-C	99-19-044	10- 04-090	AMD	99-20-115
4- 25-530	PREP	99-05-025	4- 25-811	REP	99-23-049	10- 08	PREP	99-13-188
4- 25-530	AMD-P	99-13-061	4- 25-812	REP-P	99-13-077	10- 08-001	AMD-P	99-17-107
4- 25-530	AMD	99-18-112	4- 25-812	REP-C	99-19-044	10- 08-001	AMD	99-20-115
4- 25-540	PREP	99-23-054	4- 25-812	REP	99-23-049	10- 08-035	AMD-P	99-17-107
4- 25-626	PREP	99-23-055	4- 25-813	REP-P	99-13-078	10- 08-035	AMD	99-20-115
4- 25-631	PREP	99-23-056	4- 25-813	REP-C	99-19-045	10- 08-040	AMD-P	99-17-107
4- 25-660	PREP	99-23-057	4- 25-813	REP	99-23-050	10- 08-040	AMD	99-20-115
4- 25-661	PREP	99-23-058	4- 25-820	PREP	99-23-062	10- 08-045	AMD-P	99-17-107
4- 25-730	AMD-P	99-13-062	4- 25-830	NEW-P	99-13-071	10- 08-045	AMD	99-20-115
4- 25-730	AMD	99-18-113	4- 25-830	NEW-C	99-19-042	10- 08-050	AMD-P	99-17-107
4- 25-730	PREP	99-23-059	4- 25-830	NEW	99-23-045	10- 08-050	AMD	99-20-115
4- 25-740	REP-P	99-13-075	4- 25-831	NEW-P	99-13-072	10- 08-083	NEW-P	99-17-107
4- 25-740	REP	99-18-114	4- 25-831	NEW-C	99-19-043	10- 08-083	NEW	99-20-115
4- 25-745	NEW-P	99-13-063	4- 25-831	NEW	99-23-046	10- 08-085	NEW-P	99-17-107
4- 25-745	NEW	99-18-115	4- 25-832	NEW-P	99-13-073	10- 08-085	NEW	99-20-115
4- 25-746	NEW-P	99-13-064	4- 25-832	NEW-C	99-19-040	10- 08-090	AMD-P	99-17-107
4- 25-746	NEW	99-18-116	4- 25-832	NEW	99-23-047	10- 08-090	AMD	99-20-115
4- 25-750	PREP	99-05-026	4- 25-833	NEW-P	99-13-074	10- 08-110	AMD-P	99-17-107
4- 25-750	AMD-P	99-13-065	4- 25-833	NEW-C	99-19-041	10- 08-110	AMD	99-20-115
4- 25-750	AMD	99-18-117	4- 25-833	NEW	99-23-048	10- 08-120	AMD-P	99-17-107
4- 25-750	PREP	99-23-060	4- 25-910	PREP	99-23-063	10- 08-120	AMD	99-20-115
4- 25-760	REP-P	99-13-076	10- 04	PREP	99-13-188	10- 08-130	AMD-P	99-17-107
4- 25-760	REP	99-18-118	10- 04-010	AMD-P	99-17-107	10- 08-130	AMD	99-20-115
4- 25-780	PREP	99-05-027	10- 04-010	AMD	99-20-115	10- 08-135	NEW-P	99-17-107
4- 25-780	AMD-P	99-13-066	10- 04-020	AMD-P	99-17-107	10- 08-135	NEW	99-20-115
4- 25-780	AMD	99-18-119	10- 04-020	AMD	99-20-115	10- 08-140	AMD-P	99-17-107
4- 25-780	PREP	99-23-061	10- 04-030	AMD-P	99-17-107	10- 08-140	AMD	99-20-115
4- 25-790	NEW-P	99-13-067	10- 04-030	AMD	99-20-115	10- 08-150	AMD-P	99-17-107
4- 25-790	NEW	99-18-120	10- 04-040	AMD-P	99-17-107	10- 08-150	AMD	99-20-115
4- 25-791	NEW-P	99-13-068	10- 04-040	AMD	99-20-115	10- 08-160	AMD-P	99-17-107
4- 25-791	NEW	99-18-121	10- 04-050	AMD-P	99-17-107	10- 08-160	AMD	99-20-115
4- 25-792	NEW-P	99-13-069	10- 04-050	AMD	99-20-115	10- 08-180	AMD-P	99-17-107
4- 25-792	NEW	99-18-122	10- 04-060	AMD-P	99-17-107	10- 08-180	AMD	99-20-115
4- 25-795	NEW-P	99-13-070	10- 04-060	AMD	99-20-115	10- 08-200	AMD-P	99-17-107
4- 25-795	NEW	99-18-123	10- 04-070	AMD-P	99-17-107	10- 08-200	AMD	99-20-115

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
10-08-210	AMD-P	99-17-107	16-12-045	REP-XR	99-16-087	16-12-200	REP-XR	99-16-087
10-08-210	AMD	99-20-115	16-12-045	REP	99-21-012	16-12-200	REP	99-21-012
10-08-217	NEW-P	99-17-107	16-12-050	REP-XR	99-16-087	16-12-205	REP-XR	99-16-087
10-08-217	NEW	99-20-115	16-12-050	REP	99-21-012	16-12-205	REP	99-21-012
10-08-219	NEW-P	99-17-107	16-12-055	REP-XR	99-16-087	16-12-210	REP-XR	99-16-087
10-08-219	NEW	99-20-115	16-12-055	REP	99-21-012	16-12-210	REP	99-21-012
10-08-251	AMD-P	99-17-107	16-12-060	REP-XR	99-16-087	16-12-215	REP-XR	99-16-087
10-08-251	AMD	99-20-115	16-12-060	REP	99-21-012	16-12-215	REP	99-21-012
10-08-260	REP-P	99-17-107	16-12-065	REP-XR	99-16-087	16-12-220	REP-XR	99-16-087
10-08-260	REP	99-20-115	16-12-065	REP	99-21-012	16-12-220	REP	99-21-012
10-08-261	REP-P	99-17-107	16-12-070	REP-XR	99-16-087	16-12-225	REP-XR	99-16-087
10-08-261	REP	99-20-115	16-12-070	REP	99-21-012	16-12-225	REP	99-21-012
10-12	PREP	99-13-188	16-12-075	REP-XR	99-16-087	16-12-230	REP-XR	99-16-087
10-12	AMD-P	99-17-107	16-12-075	REP	99-21-012	16-12-230	REP	99-21-012
10-12	AMD	99-20-115	16-12-080	REP-XR	99-16-087	16-12-235	REP-XR	99-16-087
10-12-010	AMD-P	99-17-107	16-12-080	REP	99-21-012	16-12-235	REP	99-21-012
10-12-010	AMD	99-20-115	16-12-085	REP-XR	99-16-087	16-12-240	REP-XR	99-16-087
10-12-020	AMD-P	99-17-107	16-12-085	REP	99-21-012	16-12-240	REP	99-21-012
10-12-020	AMD	99-20-115	16-12-090	REP-XR	99-16-087	16-12-245	REP-XR	99-16-087
10-16-010	NEW-P	99-17-107	16-12-090	REP	99-21-012	16-12-245	REP	99-21-012
10-16-010	NEW	99-20-115	16-12-095	REP-XR	99-16-087	16-12-250	REP-XR	99-16-087
16-05-005	REP-P	99-05-022	16-12-095	REP	99-21-012	16-12-250	REP	99-21-012
16-05-005	REP	99-08-039	16-12-100	REP-XR	99-16-087	16-12-255	REP-XR	99-16-087
16-05-010	AMD-P	99-05-022	16-12-100	REP	99-21-012	16-12-255	REP	99-21-012
16-05-010	AMD	99-08-039	16-12-105	REP-XR	99-16-087	16-12-260	REP-XR	99-16-087
16-05-015	REP-P	99-05-022	16-12-105	REP	99-21-012	16-12-260	REP	99-21-012
16-05-015	REP	99-08-039	16-12-110	REP-XR	99-16-087	16-12-265	REP-XR	99-16-087
16-05-020	REP-P	99-05-022	16-12-110	REP	99-21-012	16-12-265	REP	99-21-012
16-05-020	REP	99-08-039	16-12-115	REP-XR	99-16-087	16-12-270	REP-XR	99-16-087
16-05-025	REP-P	99-05-022	16-12-115	REP	99-21-012	16-12-270	REP	99-21-012
16-05-025	REP	99-08-039	16-12-120	REP-XR	99-16-087	16-12-275	REP-XR	99-16-087
16-05-030	REP-P	99-05-022	16-12-120	REP	99-21-012	16-12-275	REP	99-21-012
16-05-030	REP	99-08-039	16-12-125	REP-XR	99-16-087	16-12-280	REP-XR	99-16-087
16-05-035	REP-P	99-05-022	16-12-125	REP	99-21-012	16-12-280	REP	99-21-012
16-05-035	REP	99-08-039	16-12-130	REP-XR	99-16-087	16-12-285	REP-XR	99-16-087
16-05-040	AMD-P	99-05-022	16-12-130	REP	99-21-012	16-12-285	REP	99-21-012
16-05-040	AMD	99-08-039	16-12-135	REP-XR	99-16-087	16-12-290	REP-XR	99-16-087
16-05-045	REP-P	99-05-022	16-12-135	REP	99-21-012	16-12-290	REP	99-21-012
16-05-045	REP	99-08-039	16-12-140	REP-XR	99-16-087	16-12-295	REP-XR	99-16-087
16-10	PREP	99-11-056	16-12-140	REP	99-21-012	16-12-295	REP	99-21-012
16-10-010	REP-XA	99-15-033	16-12-145	REP-XR	99-16-087	16-12-300	REP-XR	99-16-087
16-10-010	REP	99-22-002	16-12-145	REP	99-21-012	16-12-300	REP	99-21-012
16-10-020	REP-XA	99-15-033	16-12-150	REP-XR	99-16-087	16-12-305	REP-XR	99-16-087
16-10-020	REP	99-22-002	16-12-150	REP	99-21-012	16-12-305	REP	99-21-012
16-10-030	REP-XA	99-15-033	16-12-155	REP-XR	99-16-087	16-12-310	REP-XR	99-16-087
16-10-030	REP	99-22-002	16-12-155	REP	99-21-012	16-12-310	REP	99-21-012
16-12-001	REP-XR	99-16-087	16-12-160	REP-XR	99-16-087	16-12-315	REP-XR	99-16-087
16-12-001	REP	99-21-012	16-12-160	REP	99-21-012	16-12-315	REP	99-21-012
16-12-010	REP-XR	99-16-087	16-12-165	REP-XR	99-16-087	16-12-320	REP-XR	99-16-087
16-12-010	REP	99-21-012	16-12-165	REP	99-21-012	16-12-320	REP	99-21-012
16-12-015	REP-XR	99-16-087	16-12-170	REP-XR	99-16-087	16-12-325	REP-XR	99-16-087
16-12-015	REP	99-21-012	16-12-170	REP	99-21-012	16-12-325	REP	99-21-012
16-12-020	REP-XR	99-16-087	16-12-175	REP-XR	99-16-087	16-12-330	REP-XR	99-16-087
16-12-020	REP	99-21-012	16-12-175	REP	99-21-012	16-12-330	REP	99-21-012
16-12-025	REP-XR	99-16-087	16-12-180	REP-XR	99-16-087	16-12-335	REP-XR	99-16-087
16-12-025	REP	99-21-012	16-12-180	REP	99-21-012	16-12-335	REP	99-21-012
16-12-030	REP-XR	99-16-087	16-12-185	REP-XR	99-16-087	16-12-340	REP-XR	99-16-087
16-12-030	REP	99-21-012	16-12-185	REP	99-21-012	16-12-340	REP	99-21-012
16-12-035	REP-XR	99-16-087	16-12-190	REP-XR	99-16-087	16-12-345	REP-XR	99-16-087
16-12-035	REP	99-21-012	16-12-190	REP	99-21-012	16-12-345	REP	99-21-012
16-12-040	REP-XR	99-16-087	16-12-195	REP-XR	99-16-087	16-12-350	REP-XR	99-16-087
16-12-040	REP	99-21-012	16-12-195	REP	99-21-012	16-12-350	REP	99-21-012

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-12-820	REP-XR	99-16-087	16-12-975	REP-XR	99-16-087	16-20-080	REP-XR	99-12-122
16-12-820	REP	99-21-012	16-12-975	REP	99-21-012	16-20-080	REP	99-16-086
16-12-825	REP-XR	99-16-087	16-12-980	REP-XR	99-16-087	16-20-090	REP-XR	99-12-122
16-12-825	REP	99-21-012	16-12-980	REP	99-21-012	16-20-090	REP	99-16-086
16-12-830	REP-XR	99-16-087	16-12-983	REP-XR	99-16-087	16-20-100	REP-XR	99-12-122
16-12-830	REP	99-21-012	16-12-983	REP	99-21-012	16-20-100	REP	99-16-086
16-12-835	REP-XR	99-16-087	16-12-985	REP-XR	99-16-087	16-20-110	REP-XR	99-12-122
16-12-835	REP	99-21-012	16-12-985	REP	99-21-012	16-20-110	REP	99-16-086
16-12-840	REP-XR	99-16-087	16-12-985	REP	99-21-012	16-20-120	REP-XR	99-12-122
16-12-840	REP	99-21-012	16-12-988	REP-XR	99-16-087	16-20-120	REP	99-16-086
16-12-845	REP-XR	99-16-087	16-12-988	REP	99-21-012	16-20-130	REP-XR	99-12-122
16-12-845	REP	99-21-012	16-12-991	REP-XR	99-16-087	16-20-130	REP	99-16-086
16-12-850	REP-XR	99-16-087	16-12-991	REP	99-21-012	16-20-140	REP-XR	99-12-122
16-12-850	REP	99-21-012	16-12-994	REP-XR	99-16-087	16-20-140	REP	99-16-086
16-12-855	REP-XR	99-16-087	16-12-994	REP	99-21-012	16-21-001	REP-XR	99-12-122
16-12-855	REP	99-21-012	16-12-997	REP-XR	99-16-087	16-21-001	REP	99-16-086
16-12-860	REP-XR	99-16-087	16-12-997	REP	99-21-012	16-21-010	REP-XR	99-12-122
16-12-860	REP	99-21-012	16-19-010	NEW-P	99-07-116	16-21-010	REP	99-16-086
16-12-865	REP-XR	99-16-087	16-19-010	NEW	99-12-021	16-21-020	REP-XR	99-12-122
16-12-865	REP	99-21-012	16-19-015	NEW-P	99-07-116	16-21-020	REP	99-16-086
16-12-870	REP-XR	99-16-087	16-19-015	NEW	99-12-021	16-21-025	REP-XR	99-12-122
16-12-870	REP	99-21-012	16-19-020	NEW-P	99-07-116	16-21-025	REP	99-16-086
16-12-875	REP-XR	99-16-087	16-19-020	NEW	99-12-021	16-21-030	REP-XR	99-12-122
16-12-875	REP	99-21-012	16-19-030	NEW-P	99-07-116	16-21-030	REP	99-16-086
16-12-880	REP-XR	99-16-087	16-19-030	NEW	99-12-021	16-21-035	REP-XR	99-12-122
16-12-880	REP	99-21-012	16-19-100	NEW-P	99-07-116	16-21-035	REP	99-16-086
16-12-885	REP-XR	99-16-087	16-19-100	NEW	99-12-021	16-21-040	REP-XR	99-12-122
16-12-885	REP	99-21-012	16-19-110	NEW-P	99-07-116	16-21-040	REP	99-16-086
16-12-890	REP-XR	99-16-087	16-19-110	NEW	99-12-021	16-21-045	REP-XR	99-12-122
16-12-890	REP	99-21-012	16-19-120	NEW-P	99-07-116	16-21-045	REP	99-16-086
16-12-895	REP-XR	99-16-087	16-19-120	NEW	99-12-021	16-21-050	REP-XR	99-12-122
16-12-895	REP	99-21-012	16-19-130	NEW-P	99-07-116	16-21-050	REP	99-16-086
16-12-900	REP-XR	99-16-087	16-19-130	NEW	99-12-021	16-21-055	REP-XR	99-12-122
16-12-900	REP	99-21-012	16-19-140	NEW-P	99-07-116	16-21-055	REP	99-16-086
16-12-905	REP-XR	99-16-087	16-19-140	NEW	99-12-021	16-21-060	REP-XR	99-12-122
16-12-905	REP	99-21-012	16-19-200	NEW-P	99-07-116	16-21-060	REP	99-16-086
16-12-910	REP-XR	99-16-087	16-19-200	NEW	99-12-021	16-21-065	REP-XR	99-12-122
16-12-910	REP	99-21-012	16-19-210	NEW-P	99-07-116	16-21-065	REP	99-16-086
16-12-915	REP-XR	99-16-087	16-19-210	NEW	99-12-021	16-21-070	REP-XR	99-12-122
16-12-915	REP	99-21-012	16-19-300	NEW-P	99-07-116	16-21-070	REP	99-16-086
16-12-920	REP-XR	99-16-087	16-19-300	NEW	99-12-021	16-21-075	REP-XR	99-12-122
16-12-920	REP	99-21-012	16-19-310	NEW-P	99-07-116	16-21-075	REP	99-16-086
16-12-925	REP-XR	99-16-087	16-19-310	NEW	99-12-021	16-21-080	REP-XR	99-12-122
16-12-925	REP	99-21-012	16-19-320	NEW-P	99-07-116	16-21-080	REP	99-16-086
16-12-930	REP-XR	99-16-087	16-19-320	NEW	99-12-021	16-21-085	REP-XR	99-12-122
16-12-930	REP	99-21-012	16-19-330	NEW-P	99-07-116	16-21-085	REP	99-16-086
16-12-935	REP-XR	99-16-087	16-19-330	NEW	99-12-021	16-21-090	REP-XR	99-12-122
16-12-935	REP	99-21-012	16-20-001	REP-XR	99-12-122	16-21-090	REP	99-16-086
16-12-940	REP-XR	99-16-087	16-20-001	REP	99-16-086	16-21-095	REP-XR	99-12-122
16-12-940	REP	99-21-012	16-20-010	REP-XR	99-12-122	16-21-095	REP	99-16-086
16-12-945	REP-XR	99-16-087	16-20-010	REP	99-16-086	16-21-100	REP-XR	99-12-122
16-12-945	REP	99-21-012	16-20-020	REP-XR	99-12-122	16-21-100	REP	99-16-086
16-12-950	REP-XR	99-16-087	16-20-020	REP	99-16-086	16-21-105	REP-XR	99-12-122
16-12-950	REP	99-21-012	16-20-030	REP-XR	99-12-122	16-21-105	REP	99-16-086
16-12-955	REP-XR	99-16-087	16-20-030	REP	99-16-086	16-21-110	REP-XR	99-12-122
16-12-955	REP	99-21-012	16-20-040	REP-XR	99-12-122	16-21-110	REP	99-16-086
16-12-960	REP-XR	99-16-087	16-20-040	REP	99-16-086	16-21-115	REP-XR	99-12-122
16-12-960	REP	99-21-012	16-20-050	REP-XR	99-12-122	16-21-115	REP	99-16-086
16-12-965	REP-XR	99-16-087	16-20-050	REP	99-16-086	16-21-120	REP-XR	99-12-122
16-12-965	REP	99-21-012	16-20-060	REP-XR	99-12-122	16-21-120	REP	99-16-086
16-12-970	REP-XR	99-16-087	16-20-060	REP	99-16-086	16-21-125	REP-XR	99-12-122
16-12-970	REP	99-21-012	16-20-070	REP-XR	99-12-122	16-21-125	REP	99-16-086
			16-20-070	REP	99-16-086			

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16- 21-130	REP-XR	99-12-122	16- 23-035	REP-XR	99-12-122	16- 54-040	AMD-P	99-03-084
16- 21-130	REP	99-16-086	16- 23-035	REP	99-16-086	16- 54-040	AMD	99-09-023
16- 21-135	REP-XR	99-12-122	16- 23-040	REP-XR	99-12-122	16- 54-071	AMD-P	99-03-084
16- 21-135	REP	99-16-086	16- 23-040	REP	99-16-086	16- 54-071	AMD	99-09-023
16- 21-140	REP-XR	99-12-122	16- 23-045	REP-XR	99-12-122	16- 54-082	AMD-P	99-03-084
16- 21-140	REP	99-16-086	16- 23-045	REP	99-16-086	16- 54-082	AMD	99-09-023
16- 21-145	REP-XR	99-12-122	16- 23-050	REP-XR	99-12-122	16- 54-101	AMD-P	99-03-084
16- 21-145	REP	99-16-086	16- 23-050	REP	99-16-086	16- 54-101	AMD	99-09-023
16- 21-150	REP-XR	99-12-122	16- 23-060	REP-XR	99-12-122	16- 54-120	AMD-P	99-03-084
16- 21-150	REP	99-16-086	16- 23-060	REP	99-16-086	16- 54-120	AMD	99-09-023
16- 21-155	REP-XR	99-12-122	16- 23-070	REP-XR	99-12-122	16- 54-135	AMD-P	99-03-084
16- 21-155	REP	99-16-086	16- 23-070	REP	99-16-086	16- 54-135	AMD	99-09-023
16- 21-160	REP-XR	99-12-122	16- 23-075	REP-XR	99-12-122	16- 54-150	REP-P	99-03-084
16- 21-160	REP	99-16-086	16- 23-075	REP	99-16-086	16- 54-150	REP	99-09-023
16- 21-165	REP-XR	99-12-122	16- 23-085	REP-XR	99-12-122	16- 59	AMD-P	99-03-085
16- 21-165	REP	99-16-086	16- 23-085	REP	99-16-086	16- 59-001	AMD-P	99-03-085
16- 21-200	REP-XR	99-12-122	16- 23-090	REP-XR	99-12-122	16- 59-001	REP	99-09-024
16- 21-200	REP	99-16-086	16- 23-090	REP	99-16-086	16- 59-005	NEW	99-09-024
16- 21-205	REP-XR	99-12-122	16- 23-095	REP-XR	99-12-122	16- 59-010	AMD-P	99-03-085
16- 21-205	REP	99-16-086	16- 23-095	REP	99-16-086	16- 59-010	AMD	99-09-024
16- 21-210	REP-XR	99-12-122	16- 23-100	REP-XR	99-12-122	16- 59-020	AMD-P	99-03-085
16- 21-210	REP	99-16-086	16- 23-100	REP	99-16-086	16- 59-020	AMD	99-09-024
16- 21-215	REP-XR	99-12-122	16- 23-105	REP-XR	99-12-122	16- 59-030	AMD-P	99-03-085
16- 21-215	REP	99-16-086	16- 23-105	REP	99-16-086	16- 59-030	AMD	99-09-024
16- 21-220	REP-XR	99-12-122	16- 23-110	REP-XR	99-12-122	16- 59-060	AMD-P	99-03-085
16- 21-220	REP	99-16-086	16- 23-110	REP	99-16-086	16- 59-060	AMD	99-09-024
16- 22-001	REP-XR	99-12-122	16- 23-115	REP-XR	99-12-122	16- 59-070	REP-P	99-03-085
16- 22-001	REP	99-16-086	16- 23-115	REP	99-16-086	16- 59-070	REP	99-09-024
16- 22-010	REP-XR	99-12-122	16- 23-120	REP-XR	99-12-122	16- 86	AMD-P	99-03-087
16- 22-010	REP	99-16-086	16- 23-120	REP	99-16-086	16- 86-005	AMD-P	99-03-087
16- 22-011	REP-XR	99-12-122	16- 23-125	REP-XR	99-12-122	16- 86-005	AMD	99-09-025
16- 22-011	REP	99-16-086	16- 23-125	REP	99-16-086	16- 86-015	AMD-P	99-03-087
16- 22-015	REP-XR	99-12-122	16- 23-150	REP-XR	99-12-122	16- 86-015	AMD	99-09-025
16- 22-015	REP	99-16-086	16- 23-150	REP	99-16-086	16- 86-017	AMD-P	99-03-087
16- 22-020	REP-XR	99-12-122	16- 23-160	REP-XR	99-12-122	16- 86-017	AMD	99-09-025
16- 22-020	REP	99-16-086	16- 23-160	REP	99-16-086	16- 86-020	AMD-P	99-03-087
16- 22-030	REP-XR	99-12-122	16- 23-165	REP-XR	99-12-122	16- 86-020	AMD	99-09-025
16- 22-030	REP	99-16-086	16- 23-165	REP	99-16-086	16- 86-030	AMD-P	99-03-087
16- 22-040	REP-XR	99-12-122	16- 23-170	REP-XR	99-12-122	16- 86-030	AMD	99-09-025
16- 22-040	REP	99-16-086	16- 23-170	REP	99-16-086	16- 86-040	AMD-P	99-03-087
16- 22-050	REP-XR	99-12-122	16- 23-175	REP-XR	99-12-122	16- 86-040	AMD	99-09-025
16- 22-050	REP	99-16-086	16- 23-175	REP	99-16-086	16- 86-055	AMD-P	99-03-087
16- 22-060	REP-XR	99-12-122	16- 23-180	REP-XR	99-12-122	16- 86-055	AMD	99-09-025
16- 22-060	REP	99-16-086	16- 23-180	REP	99-16-086	16- 86-060	AMD-P	99-03-087
16- 22-070	REP-XR	99-12-122	16- 24	PREP	99-13-180	16- 86-060	AMD	99-09-025
16- 22-070	REP	99-16-086	16- 30	AMD-XA	99-07-115	16- 86-070	AMD-P	99-03-087
16- 22-080	REP-XR	99-12-122	16- 30	AMD	99-14-032	16- 86-070	AMD	99-09-025
16- 22-080	REP	99-16-086	16- 30-001	REP-XA	99-07-115	16- 86-080	AMD-P	99-03-087
16- 22-090	REP-XR	99-12-122	16- 30-001	REP	99-14-032	16- 86-080	AMD	99-09-025
16- 22-090	REP	99-16-086	16- 30-010	AMD-XA	99-07-115	16- 86-090	AMD-P	99-03-087
16- 23-010	REP-XR	99-12-122	16- 30-010	AMD	99-14-032	16- 86-090	AMD	99-09-025
16- 23-010	REP	99-16-086	16- 30-100	REP-XA	99-07-115	16- 86-092	AMD-P	99-03-087
16- 23-012	REP-XR	99-12-122	16- 30-100	REP	99-14-032	16- 86-092	AMD	99-09-025
16- 23-012	REP	99-16-086	16- 54-010	AMD-P	99-03-084	16- 86-093	REP-P	99-03-087
16- 23-014	REP-XR	99-12-122	16- 54-010	AMD	99-09-023	16- 86-093	REP	99-09-025
16- 23-014	REP	99-16-086	16- 54-016	AMD-P	99-03-084	16- 86-095	AMD-P	99-03-087
16- 23-020	REP-XR	99-12-122	16- 54-016	REP	99-09-023	16- 86-095	AMD	99-09-025
16- 23-020	REP	99-16-086	16- 54-018	NEW	99-09-023	16- 86-100	REP-P	99-03-087
16- 23-025	REP-XR	99-12-122	16- 54-020	AMD-P	99-03-084	16- 86-100	REP	99-09-025
16- 23-025	REP	99-16-086	16- 54-020	AMD	99-09-023	16- 88-010	REP-XR	99-07-114
16- 23-030	REP-XR	99-12-122	16- 54-030	AMD-P	99-03-084	16- 88-010	REP	99-14-031
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16- 88-030	REP-XR	99-07-114	16-124-110	REP-XR	99-13-175	16-142-060	REP-P	99-09-095
16- 88-030	REP	99-14-031	16-124-110	REP	99-18-031	16-142-060	REP	99-13-048
16- 88-040	REP-XR	99-07-114	16-124-120	REP-XR	99-13-175	16-142-100	NEW-P	99-09-095
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16- 89-015	NEW	99-09-026	16-124-150	REP	99-18-031	16-142-130	NEW	99-13-048
16- 89-020	NEW-P	99-03-086	16-124-160	REP-XR	99-13-175	16-142-140	NEW-P	99-09-095
16- 89-020	NEW	99-09-026	16-124-160	REP	99-18-031	16-142-140	NEW	99-13-048
16- 89-030	NEW-P	99-03-086	16-124-170	REP-XR	99-13-175	16-142-150	NEW-P	99-09-095
16- 89-030	NEW	99-09-026	16-124-170	REP	99-18-031	16-142-150	NEW	99-13-048
16- 89-040	NEW-P	99-03-086	16-124-180	REP-XR	99-13-175	16-142-160	NEW-P	99-09-095
16- 89-040	NEW	99-09-026	16-124-180	REP	99-18-031	16-142-160	NEW	99-13-048
16- 89-050	NEW-P	99-03-086	16-124-190	REP-XR	99-13-175	16-142-170	NEW-P	99-09-095
16- 89-050	NEW	99-09-026	16-124-190	REP	99-18-031	16-142-170	NEW	99-13-048
16- 89-060	NEW-P	99-03-086	16-125	PREP	99-04-066	16-144	PREP	99-12-123
16- 89-060	NEW	99-09-026	16-125	AMD-P	99-14-072	16-144-090	REP-XR	99-19-166
16- 89-070	NEW-P	99-03-086	16-125-010	AMD-P	99-14-072	16-144-100	REP-XR	99-19-166
16- 89-070	NEW	99-09-026	16-125-010	AMD	99-18-032	16-144-110	REP-XR	99-19-166
16- 89-080	NEW-P	99-03-086	16-125-020	AMD-P	99-14-072	16-144-120	REP-XR	99-19-166
16- 89-080	NEW	99-09-026	16-125-020	AMD	99-18-032	16-144-130	REP-XR	99-19-166
16- 89-090	NEW-P	99-03-086	16-125-030	AMD-P	99-14-072	16-144-140	REP-XR	99-19-166
16- 89-090	NEW	99-09-026	16-125-030	AMD	99-18-032	16-145	PREP	99-13-179
16- 89-100	NEW-P	99-03-086	16-125-035	NEW-P	99-14-072	16-146	PREP	99-13-182
16- 89-100	NEW	99-09-026	16-125-035	NEW	99-18-032	16-147	PREP	99-12-124
16- 89-110	NEW-P	99-03-086	16-125-040	REP-P	99-14-072	16-150-001	REP-XR	99-16-087
16- 89-110	NEW	99-09-026	16-125-040	REP	99-18-032	16-150-001	REP	99-21-012
16- 89-120	NEW-P	99-03-086	16-125-050	REP-P	99-14-072	16-150-010	REP-XR	99-16-087
16- 89-120	NEW	99-09-026	16-125-050	REP	99-18-032	16-150-010	REP	99-21-012
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16-101-690	REP	99-18-030	16-125-060	REP	99-18-032	16-152-001	REP	99-21-012
16-103	PREP	99-16-088	16-125-070	REP-P	99-14-072	16-152-010	REP-XR	99-16-087
16-108	PREP	99-03-045	16-125-070	REP	99-18-032	16-152-010	REP	99-21-012
16-108-010	AMD-P	99-07-118	16-125-080	REP-P	99-14-072	16-160-010	AMD-P	99-13-195
16-108-010	AMD	99-12-076	16-125-080	REP	99-18-032	16-160-010	AMD	99-16-054
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16-122-001	REP	99-21-012	16-125-090	REP	99-18-032	16-160-020	AMD	99-16-054
16-124-001	REP-XR	99-13-175	16-125-100	REP-P	99-14-072	16-160-025	NEW-P	99-13-195
16-124-001	REP	99-18-031	16-125-100	REP	99-18-032	16-160-025	NEW	99-16-054
16-124-010	REP-XR	99-13-175	16-125-120	AMD-P	99-14-072	16-160-030	AMD-P	99-13-195
16-124-010	REP	99-18-031	16-125-120	AMD	99-18-032	16-160-030	AMD	99-16-054
16-124-020	REP-XR	99-13-175	16-125-200	AMD-P	99-14-072	16-160-035	NEW-P	99-13-195
16-124-020	REP	99-18-031	16-125-200	AMD	99-18-032	16-160-035	NEW	99-16-054
16-124-030	REP-XR	99-13-175	16-125-210	AMD-P	99-14-072	16-160-040	AMD-P	99-13-195
16-124-030	REP	99-18-031	16-125-210	AMD	99-18-032	16-160-040	AMD	99-16-054
16-124-040	REP-XR	99-13-175	16-129-050	PREP	99-13-177	16-160-050	AMD-P	99-13-195
16-124-040	REP	99-18-031	16-142	PREP	99-04-067	16-160-050	AMD	99-16-054
16-124-050	REP-XR	99-13-175	16-142-001	REP-P	99-09-095	16-160-060	AMD-P	99-13-195
16-124-050	REP	99-18-031	16-142-001	REP	99-13-048	16-160-060	AMD	99-16-054
16-124-060	REP-XR	99-13-175	16-142-010	REP-P	99-09-095	16-160-070	AMD-P	99-13-195
16-124-060	REP	99-18-031	16-142-010	REP	99-13-048	16-160-070	AMD	99-16-054
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16-124-070	REP	99-18-031	16-142-020	REP	99-13-048	16-160-090	AMD	99-16-054
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16-124-080	REP	99-18-031	16-142-030	REP	99-13-048	16-160-100	AMD	99-16-054
16-124-090	REP-XR	99-13-175	16-142-040	REP-P	99-09-095	16-160-110	NEW-P	99-13-195
16-124-090	REP	99-18-031	16-142-040	REP	99-13-048	16-160-110	NEW	99-16-054
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16-165-110	NEW	99-13-001	16-212-082	AMD-P	99-11-095	16-228-1270	NEW	99-22-002
16-165-120	NEW-P	99-08-088	16-212-082	AMD	99-15-082	16-228-130	REP-XA	99-15-033
16-165-120	NEW	99-13-001	16-218	PREP	99-17-106	16-228-130	REP	99-22-002
16-165-130	NEW-P	99-08-088	16-218-001	REP-P	99-20-135	16-228-1300	NEW-XA	99-15-033
16-165-130	NEW	99-13-001	16-218-001	REP	99-23-073	16-228-1300	NEW	99-22-002
16-165-140	NEW-P	99-08-088	16-218-010	AMD-P	99-20-135	16-228-1320	NEW-XA	99-15-033
16-165-140	NEW	99-13-001	16-218-010	AMD	99-23-073	16-228-1320	NEW	99-22-002
16-165-150	NEW-P	99-08-088	16-218-02001	AMD-P	99-20-135	16-228-1330	NEW-XA	99-15-033
16-165-150	NEW	99-13-001	16-218-02001	AMD	99-23-073	16-228-1330	NEW	99-22-002
16-165-160	NEW-P	99-08-088	16-219-010	PREP	99-07-088	16-228-1370	NEW-XA	99-15-033
16-165-160	NEW	99-13-001	16-219-016	PREP	99-07-086	16-228-1370	NEW	99-22-002
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16-167-020	AMD-P	99-07-117	16-228	AMD-XA	99-15-033	16-228-1385	NEW-XA	99-15-033
16-167-020	AMD	99-12-020	16-228	AMD	99-22-002	16-228-1385	NEW	99-22-002
16-167-030	AMD-P	99-07-117	16-228-010	REP-XA	99-15-033	16-228-140	REP-XA	99-15-033
16-167-030	AMD	99-12-020	16-228-010	REP	99-22-002	16-228-140	REP	99-22-002
16-167-040	AMD-P	99-07-117	16-228-020	REP-XA	99-15-033	16-228-1400	NEW-XA	99-15-033
16-167-040	AMD	99-12-020	16-228-020	REP	99-22-002	16-228-1400	NEW	99-22-002
16-167-050	AMD-P	99-07-117	16-228-1010	NEW-XA	99-15-033	16-228-1410	NEW-XA	99-15-033
16-167-050	AMD	99-12-020	16-228-1010	NEW	99-22-002	16-228-1410	NEW	99-22-002
16-168	PREP	99-13-181	16-228-1020	NEW-XA	99-15-033	16-228-1420	NEW-XA	99-15-033
16-200	PREP	99-12-101	16-228-1020	NEW	99-22-002	16-228-1420	NEW	99-22-002
16-200-695	AMD-P	99-04-093	16-228-1030	NEW-XA	99-15-033	16-228-143	REP-XA	99-15-033
16-200-695	AMD	99-08-037	16-228-1030	NEW	99-22-002	16-228-143	REP	99-22-002
16-200-705	AMD-P	99-04-093	16-228-1040	NEW-XA	99-15-033	16-228-1430	NEW-XA	99-15-033
16-200-705	AMD	99-08-037	16-228-1040	NEW	99-22-002	16-228-1430	NEW	99-22-002
16-200-7061	AMD-P	99-04-093	16-228-1100	NEW-XA	99-15-033	16-228-1440	NEW-XA	99-15-033
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16-200-742	REP-XA	99-15-033	16-228-1110	NEW-XA	99-15-033	16-228-145	REP-XA	99-15-033
16-200-742	REP	99-22-002	16-228-1110	NEW	99-22-002	16-228-145	REP	99-22-002
16-200-750	AMD-P	99-13-164	16-228-1120	NEW-XA	99-15-033	16-228-1450	NEW-XA	99-15-033
16-200-750	AMD	99-17-043	16-228-1120	NEW	99-22-002	16-228-1450	NEW	99-22-002
16-200-755	AMD-P	99-13-164	16-228-1130	NEW-XA	99-15-033	16-228-14501	REP-XA	99-15-033
16-200-755	AMD	99-17-043	16-228-1130	NEW	99-22-002	16-228-14501	REP	99-22-002
16-200-760	AMD-P	99-13-164	16-228-1140	NEW-XA	99-15-033	16-228-1455	NEW-XA	99-15-033
16-200-760	AMD	99-17-043	16-228-1140	NEW	99-22-002	16-228-1455	NEW	99-22-002
16-200-790	AMD-P	99-13-164	16-228-115	REP-XA	99-15-033	16-228-1460	NEW-XA	99-15-033
16-200-790	AMD	99-17-043	16-228-115	REP	99-22-002	16-228-1460	NEW	99-22-002
16-200-795	AMD-P	99-13-164	16-228-1150	NEW-XA	99-15-033	16-228-1500	NEW-XA	99-15-033
16-200-795	AMD	99-17-043	16-228-1150	NEW	99-22-002	16-228-1500	NEW	99-22-002
16-200-815	AMD-P	99-13-164	16-228-116	REP-XA	99-15-033	16-228-1520	NEW-XA	99-15-033
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16-202-2000	NEW-XA	99-15-033	16-228-1200	NEW-XA	99-15-033	16-228-155	REP-XA	99-15-033
16-202-2000	NEW	99-22-002	16-228-1200	NEW	99-22-002	16-228-155	REP	99-22-002
16-212	PREP	99-07-132	16-228-1220	NEW-XA	99-15-033	16-228-1550	NEW-XA	99-15-033
16-212	AMD-P	99-11-095	16-228-1220	NEW	99-22-002	16-228-1550	NEW	99-22-002
16-212	AMD	99-15-082	16-228-1230	NEW-XA	99-15-033	16-228-1555	NEW-XA	99-15-033
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16-212-010	AMD	99-15-082	16-228-1240	NEW-XA	99-15-033	16-228-157	REP-XA	99-15-033
16-212-030	AMD-P	99-11-095	16-228-1240	NEW	99-22-002	16-228-157	REP	99-22-002
16-212-030	AMD	99-15-082	16-228-125	REP-XA	99-15-033	16-228-1570	NEW-XA	99-15-033
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16-228-162	REP-XA	99-15-033	16-228-430	REP-XA	99-15-033	16-231-500	PREP	99-13-162
16-228-162	REP	99-22-002	16-228-430	REP	99-22-002	16-231-505	PREP	99-13-162
16-228-164	REP-XA	99-15-033	16-228-600	REP-XA	99-15-033	16-231-510	PREP	99-13-162
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16-228-166	REP-XA	99-15-033	16-228-650	REP-XA	99-15-033	16-231-520	PREP	99-13-162
16-228-166	REP	99-22-002	16-228-650	REP	99-22-002	16-231-525	PREP	99-13-162
16-228-168	REP-XA	99-15-033	16-228-655	REP-XA	99-15-033	16-231-530	PREP	99-13-162
16-228-168	REP	99-22-002	16-228-655	REP	99-22-002	16-231-600	PREP	99-13-162
16-228-170	REP-XA	99-15-033	16-228-660	REP-XA	99-15-033	16-231-605	PREP	99-13-162
16-228-170	REP	99-22-002	16-228-660	REP	99-22-002	16-231-610	PREP	99-13-162
16-228-172	REP-XA	99-15-033	16-228-905	REP-XA	99-15-033	16-231-613	PREP	99-13-162
16-228-172	REP	99-22-002	16-228-905	REP	99-22-002	16-231-615	PREP	99-13-162
16-228-180	REP-XA	99-15-033	16-228-910	REP-XA	99-15-033	16-231-620	PREP	99-13-162
16-228-180	REP	99-22-002	16-228-910	REP	99-22-002	16-231-700	PREP	99-13-162
16-228-185	REP-XA	99-15-033	16-228-915	REP-XA	99-15-033	16-231-705	PREP	99-13-162
16-228-185	REP	99-22-002	16-228-915	REP	99-22-002	16-231-710	PREP	99-13-162
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16-228-190	REP	99-22-002	16-228-920	REP	99-22-002	16-231-720	PREP	99-13-162
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16-228-2030	NEW	99-22-002	16-230-160	PREP	99-13-163	16-231-835	PREP	99-13-162
16-228-2040	NEW-XA	99-15-033	16-230-170	PREP	99-13-163	16-231-840	PREP	99-13-162
16-228-2040	NEW	99-22-002	16-230-180	PREP	99-13-163	16-231-900	PREP	99-13-162
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16-228-210	REP	99-22-002	16-230-400	PREP	99-13-162	16-231-910	PREP	99-13-162
16-228-213	REP-XA	99-15-033	16-230-410	PREP	99-13-162	16-231-912	PREP	99-13-162
16-228-213	REP	99-22-002	16-230-420	PREP	99-13-162	16-231-915	PREP	99-13-162
16-228-214	REP-XA	99-15-033	16-230-430	PREP	99-13-162	16-231-920	PREP	99-13-162
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16-228-225	REP-XA	99-15-033	16-231-210	PREP	99-13-162	16-232-020	PREP	99-13-162
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16-750-003	AMD-P	99-20-137	25- 12-040	REP-W	99-16-074	44- 10-010	AMD-P	99-19-109
16-750-004	AMD-P	99-20-137	25- 12-050	REP-P	99-03-098	44- 10-170	AMD-P	99-19-109
16-750-005	AMD-P	99-20-137	25- 12-050	REP-W	99-16-074	44- 10-200	AMD-P	99-19-109
16-750-011	AMD-P	99-20-137	25- 12-060	REP-P	99-03-098	50- 16-020	REP-XR	99-04-073
16-750-015	AMD-P	99-20-137	25- 12-060	REP-W	99-16-074	50- 16-020	REP	99-08-123
16-750-020	AMD-P	99-20-137	25- 12-070	REP-P	99-03-098	50- 16-025	REP-XR	99-04-073
16-750-025	AMD-P	99-20-137	25- 12-070	REP-W	99-16-074	50- 16-025	REP	99-08-123
16-750-105	AMD-P	99-20-137	25- 12-110	NEW-P	99-03-098	50- 16-030	REP-XR	99-04-073

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
50-16-030	REP	99-08-123	131-16-450	AMD	99-13-013	132A-120	AMD	99-15-072
50-16-035	REP-XR	99-04-073	131-28	PREP	99-10-015	132A-120-005	REP-XR	99-16-028
50-16-035	REP	99-08-123	131-46	PREP	99-08-057	132A-120-005	REP	99-19-150
50-16-040	REP-XR	99-04-073	131-46-140	NEW-P	99-14-018	132A-120-006	NEW-P	99-10-100
50-16-040	REP	99-08-123	131-46-140	NEW-E	99-14-020	132A-120-006	NEW	99-15-072
50-16-045	REP-XR	99-04-073	131-46-140	NEW	99-19-099	132A-120-010	REP-XR	99-16-028
50-16-045	REP	99-08-123	132A	PREP	99-07-060	132A-120-010	REP	99-19-150
50-16-050	REP-XR	99-04-073	132A-104-010	REP-XR	99-16-028	132A-120-011	NEW-P	99-10-100
50-16-050	REP	99-08-123	132A-104-010	REP	99-19-150	132A-120-011	NEW	99-15-072
50-16-055	REP-XR	99-04-073	132A-104-011	NEW-P	99-10-100	132A-120-015	REP-XR	99-16-028
50-16-055	REP	99-08-123	132A-104-011	NEW	99-15-072	132A-120-015	REP	99-19-150
50-16-060	REP-XR	99-04-073	132A-104-015	REP-XR	99-16-028	132A-120-016	NEW-P	99-10-100
50-16-060	REP	99-08-123	132A-104-015	REP	99-19-150	132A-120-016	NEW	99-15-072
50-16-065	REP-XR	99-04-073	132A-104-016	NEW-P	99-10-100	132A-120-020	REP-XR	99-16-028
50-16-065	REP	99-08-123	132A-104-016	NEW	99-15-072	132A-120-020	REP	99-19-150
50-16-070	REP-XR	99-04-073	132A-104-020	REP-XR	99-16-028	132A-120-021	NEW-P	99-10-100
50-16-070	REP	99-08-123	132A-104-020	REP	99-19-150	132A-120-021	NEW	99-15-072
50-16-075	REP-XR	99-04-073	132A-104-021	NEW-P	99-10-100	132A-120-025	REP-XR	99-16-028
50-16-075	REP	99-08-123	132A-104-021	NEW	99-15-072	132A-120-025	REP	99-19-150
50-16-080	REP-XR	99-04-073	132A-108-010	NEW-P	99-10-100	132A-120-026	NEW-P	99-10-100
50-16-080	REP	99-08-123	132A-108-010	NEW	99-15-072	132A-120-026	NEW	99-15-072
50-16-085	REP-XR	99-04-073	132A-108-020	NEW-P	99-10-100	132A-120-030	REP-XR	99-16-028
50-16-085	REP	99-08-123	132A-108-020	NEW	99-15-072	132A-120-030	REP	99-19-150
50-16-090	REP-XR	99-04-073	132A-108-030	NEW-P	99-10-100	132A-120-031	NEW-P	99-10-100
50-16-090	REP	99-08-123	132A-108-030	NEW	99-15-072	132A-120-031	NEW	99-15-072
50-16-095	REP-XR	99-04-073	132A-108-040	NEW-P	99-10-100	132A-120-035	REP-XR	99-16-028
50-16-095	REP	99-08-123	132A-108-040	NEW	99-15-072	132A-120-035	REP	99-19-150
50-16-100	REP-XR	99-04-073	132A-108-050	NEW-P	99-10-100	132A-120-036	NEW-P	99-10-100
50-16-100	REP	99-08-123	132A-108-050	NEW	99-15-072	132A-120-036	NEW	99-15-072
50-16-105	REP-XR	99-04-073	132A-108-060	NEW-P	99-10-100	132A-120-040	REP-XR	99-16-028
50-16-105	REP	99-08-123	132A-108-060	NEW	99-15-072	132A-120-040	REP	99-19-150
50-44-037	NEW-P	99-07-131	132A-108-070	NEW-P	99-10-100	132A-120-041	NEW-P	99-10-100
50-44-037	NEW	99-10-024	132A-108-070	NEW	99-15-072	132A-120-041	NEW	99-15-072
50-44-039	NEW-P	99-07-131	132A-108-080	NEW-P	99-10-100	132A-120-045	REP-XR	99-16-028
50-44-039	NEW	99-10-024	132A-108-080	NEW	99-15-072	132A-120-045	REP	99-19-150
51-40-23110	REP-E	99-05-030	132A-108-090	NEW-P	99-10-100	132A-120-046	NEW-P	99-10-100
67-55-040	AMD	99-05-005	132A-108-090	NEW	99-15-072	132A-120-046	NEW	99-15-072
67-55-060	AMD	99-05-005	132A-116-001	NEW-P	99-10-100	132A-120-050	REP-XR	99-16-028
67-75-010	AMD	99-05-005	132A-116-001	NEW	99-15-072	132A-120-050	REP	99-19-150
67-75-020	AMD	99-05-005	132A-116-005	REP-XR	99-16-028	132A-120-051	NEW-P	99-10-100
67-75-030	AMD	99-05-005	132A-116-005	REP	99-19-150	132A-120-051	NEW	99-15-072
67-75-040	AMD	99-05-005	132A-116-006	NEW-P	99-10-100	132A-120-055	REP-XR	99-16-028
67-75-042	AMD	99-05-005	132A-116-006	NEW	99-15-072	132A-120-055	REP	99-19-150
67-75-044	AMD	99-05-005	132A-116-010	REP-XR	99-16-028	132A-120-056	NEW-P	99-10-100
67-75-050	AMD	99-05-005	132A-116-010	REP	99-19-150	132A-120-056	NEW	99-15-072
82-50-021	AMD-XA	99-07-128	132A-116-011	NEW-P	99-10-100	132A-120-060	REP-XR	99-16-028
82-50-021	AMD	99-12-081	132A-116-011	NEW	99-15-072	132A-120-060	REP	99-19-150
98-70-010	PREP	99-10-017	132A-116-015	REP-XR	99-16-028	132A-120-061	NEW-P	99-10-100
98-70-010	AMD-P	99-13-137	132A-116-015	REP	99-19-150	132A-120-061	NEW	99-15-072
98-70-010	AMD	99-16-079	132A-116-016	NEW-P	99-10-100	132A-122-010	REP-XR	99-16-028
130-16	PREP	99-08-060	132A-116-016	NEW	99-15-072	132A-122-010	REP	99-19-150
131-16-021	PREP	99-09-017	132A-116-020	REP-XR	99-16-028	132A-122-011	NEW-P	99-10-100
131-16-021	AMD-P	99-13-043	132A-116-020	REP	99-19-150	132A-122-011	NEW	99-15-072
131-16-021	AMD-E	99-13-186	132A-116-021	NEW-P	99-10-100	132A-122-020	REP-XR	99-16-028
131-16-021	AMD-P	99-14-019	132A-116-021	NEW	99-15-072	132A-122-020	REP	99-19-150
131-16-021	AMD-P	99-14-052	132A-116-025	REP-XR	99-16-028	132A-122-021	NEW-P	99-10-100
131-16-021	AMD-P	99-18-094	132A-116-025	REP	99-19-150	132A-122-021	NEW	99-15-072
131-16-021	AMD	99-19-100	132A-116-026	NEW-P	99-10-100	132A-122-030	REP-XR	99-16-028
131-16-021	AMD	99-22-052	132A-116-026	NEW	99-15-072	132A-122-030	REP	99-19-150
131-16-450	PREP	99-04-029	132A-116-030	NEW-P	99-10-100	132A-122-040	REP-XR	99-16-028
131-16-450	AMD-E	99-07-057	132A-116-030	NEW	99-15-072	132A-122-040	REP	99-19-150
131-16-450	AMD-P	99-08-013	132A-120	AMD-P	99-10-100	132A-122-050	REP-XR	99-16-028

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132A-122-050	REP	99-19-150	132A-140-006	NEW	99-15-072	132A-165-065	REP	99-19-150
132A-128-005	REP-XR	99-16-028	132A-140-010	REP-XR	99-16-028	132A-165-075	REP-XR	99-16-028
132A-128-005	REP	99-19-150	132A-140-010	REP	99-19-150	132A-165-075	REP	99-19-150
132A-128-010	REP-XR	99-16-028	132A-140-011	NEW-P	99-10-100	132A-165-085	REP-XR	99-16-028
132A-128-010	REP	99-19-150	132A-140-011	NEW	99-15-072	132A-165-085	REP	99-19-150
132A-128-015	REP-XR	99-16-028	132A-140-015	REP-XR	99-16-028	132A-168-005	REP-XR	99-16-028
132A-128-015	REP	99-19-150	132A-140-015	REP	99-19-150	132A-168-005	REP	99-19-150
132A-128-020	REP-XR	99-16-028	132A-140-016	NEW-P	99-10-100	132A-168-006	NEW-P	99-10-100
132A-128-020	REP	99-19-150	132A-140-016	NEW	99-15-072	132A-168-006	NEW	99-15-072
132A-128-025	REP-XR	99-16-028	132A-140-020	REP-XR	99-16-028	132A-168-010	REP-XR	99-16-028
132A-128-025	REP	99-19-150	132A-140-020	REP	99-19-150	132A-168-010	REP	99-19-150
132A-128-030	REP-XR	99-16-028	132A-140-021	NEW-P	99-10-100	132A-168-011	NEW-P	99-10-100
132A-128-030	REP	99-19-150	132A-140-021	NEW	99-15-072	132A-168-011	NEW	99-15-072
132A-128-035	REP-XR	99-16-028	132A-140-025	REP-XR	99-16-028	132A-168-015	REP-XR	99-16-028
132A-128-035	REP	99-19-150	132A-140-025	REP	99-19-150	132A-168-015	REP	99-19-150
132A-128-040	REP-XR	99-16-028	132A-140-026	NEW-P	99-10-100	132A-168-016	NEW-P	99-10-100
132A-128-040	REP	99-19-150	132A-140-026	NEW	99-15-072	132A-168-016	NEW	99-15-072
132A-128-045	REP-XR	99-16-028	132A-140-030	NEW-P	99-10-100	132A-168-021	NEW-P	99-10-100
132A-128-045	REP	99-19-150	132A-140-030	NEW	99-15-072	132A-168-021	NEW	99-15-072
132A-128-050	REP-XR	99-16-028	132A-150-010	NEW-P	99-10-100	132A-168-026	NEW-P	99-10-100
132A-128-050	REP	99-19-150	132A-150-010	NEW	99-15-072	132A-168-026	NEW	99-15-072
132A-128-060	REP-XR	99-16-028	132A-150-020	NEW-P	99-10-100	132A-176-005	REP-XR	99-16-028
132A-128-060	REP	99-19-150	132A-150-020	NEW	99-15-072	132A-176-005	REP	99-19-150
132A-128-070	REP-XR	99-16-028	132A-156-005	REP-XR	99-16-028	132A-176-006	NEW-P	99-10-100
132A-128-070	REP	99-19-150	132A-156-005	REP	99-19-150	132A-176-006	NEW	99-15-072
132A-128-080	REP-XR	99-16-028	132A-156-006	NEW-P	99-10-100	132A-180-005	REP-XR	99-16-028
132A-128-080	REP	99-19-150	132A-156-006	NEW	99-15-072	132A-180-005	REP	99-19-150
132A-128-090	REP-XR	99-16-028	132A-156-010	REP-XR	99-16-028	132A-180-010	REP-XR	99-16-028
132A-128-090	REP	99-19-150	132A-156-010	REP	99-19-150	132A-180-010	REP	99-19-150
132A-128-100	REP-XR	99-16-028	132A-156-011	NEW-P	99-10-100	132A-180-015	REP-XR	99-16-028
132A-128-100	REP	99-19-150	132A-156-011	NEW	99-15-072	132A-180-015	REP	99-19-150
132A-130-010	NEW-P	99-10-100	132A-156-015	REP-XR	99-16-028	132A-180-020	REP-XR	99-16-028
132A-130-010	NEW	99-15-072	132A-156-015	REP	99-19-150	132A-180-020	REP	99-19-150
132A-130-020	NEW-P	99-10-100	132A-156-016	NEW-P	99-10-100	132A-180-025	REP-XR	99-16-028
132A-130-020	NEW	99-15-072	132A-156-016	NEW	99-15-072	132A-180-025	REP	99-19-150
132A-130-030	NEW-P	99-10-100	132A-156-020	REP-XR	99-16-028	132A-180-030	REP-XR	99-16-028
132A-130-030	NEW	99-15-072	132A-156-020	REP	99-19-150	132A-180-030	REP	99-19-150
132A-131-010	NEW-P	99-10-100	132A-156-025	REP-XR	99-16-028	132A-180-035	REP-XR	99-16-028
132A-131-010	NEW	99-15-072	132A-156-025	REP	99-19-150	132A-180-035	REP	99-19-150
132A-131-020	NEW-P	99-10-100	132A-156-030	REP-XR	99-16-028	132A-180-040	REP-XR	99-16-028
132A-131-020	NEW	99-15-072	132A-156-030	REP	99-19-150	132A-180-040	REP	99-19-150
132A-133-020	NEW-P	99-10-100	132A-160-005	REP-XR	99-16-028	132A-276-005	REP-XR	99-16-028
132A-133-020	NEW	99-15-072	132A-160-005	REP	99-19-150	132A-276-005	REP	99-19-150
132A-136-005	REP-XR	99-16-028	132A-160-006	NEW-P	99-10-100	132A-276-010	REP-XR	99-16-028
132A-136-005	REP	99-19-150	132A-160-006	NEW	99-16-029	132A-276-010	REP	99-19-150
132A-136-010	REP-XR	99-16-028	132A-160-015	REP-XR	99-16-028	132A-276-015	REP-XR	99-16-028
132A-136-010	REP	99-19-150	132A-160-015	REP	99-19-150	132A-276-015	REP	99-19-150
132A-136-015	REP-XR	99-16-028	132A-160-020	REP-XR	99-16-028	132A-276-020	REP-XR	99-16-028
132A-136-015	REP	99-19-150	132A-160-020	REP	99-19-150	132A-276-020	REP	99-19-150
132A-136-020	REP-XR	99-16-028	132A-165-005	REP-XR	99-16-028	132A-276-025	REP-XR	99-16-028
132A-136-020	REP	99-19-150	132A-165-005	REP	99-19-150	132A-276-025	REP	99-19-150
132A-136-025	REP-XR	99-16-028	132A-165-015	REP-XR	99-16-028	132A-276-030	REP-XR	99-16-028
132A-136-025	REP	99-19-150	132A-165-015	REP	99-19-150	132A-276-030	REP	99-19-150
132A-136-030	REP-XR	99-16-028	132A-165-025	REP-XR	99-16-028	132A-276-031	NEW-P	99-10-100
132A-136-030	REP	99-19-150	132A-165-025	REP	99-19-150	132A-276-031	NEW	99-15-072
132A-140	AMD-P	99-10-100	132A-165-035	REP-XR	99-16-028	132A-276-035	REP-XR	99-16-028
132A-140	AMD	99-15-072	132A-165-035	REP	99-19-150	132A-276-035	REP	99-19-150
132A-140-001	NEW-P	99-10-100	132A-165-045	REP-XR	99-16-028	132A-276-040	REP-XR	99-16-028
132A-140-001	NEW	99-15-072	132A-165-045	REP	99-19-150	132A-276-040	REP	99-19-150
132A-140-005	REP-XR	99-16-028	132A-165-055	REP-XR	99-16-028	132A-276-045	AMD-P	99-10-100
132A-140-005	REP	99-19-150	132A-165-055	REP	99-19-150	132A-276-045	AMD	99-15-072
132A-140-006	NEW-P	99-10-100	132A-165-065	REP-XR	99-16-028	132A-276-050	REP-XR	99-16-028

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132A-276-050	REP	99-19-150	132A-320-010	NEW	99-15-072	132H-169-090	NEW	99-10-045
132A-276-055	REP-XR	99-16-028	132A-320-020	NEW-P	99-10-100	132H-169-100	NEW-P	99-05-018
132A-276-055	REP	99-19-150	132A-320-020	NEW	99-15-072	132H-169-100	NEW	99-10-045
132A-276-060	REP-XR	99-16-028	132A-320-030	NEW-P	99-10-100	132H-169-110	NEW-P	99-05-018
132A-276-060	REP	99-19-150	132A-320-030	NEW	99-15-072	132H-169-110	NEW	99-10-045
132A-276-065	REP-XR	99-16-028	132A-350-015	NEW-P	99-10-100	132H-169-120	NEW-P	99-05-018
132A-276-065	REP	99-19-150	132A-350-015	NEW	99-15-072	132H-169-120	NEW	99-10-045
132A-276-070	REP-XR	99-16-028	132A-350-020	NEW-P	99-10-100	132H-169-130	NEW-P	99-05-018
132A-276-070	REP	99-19-150	132A-350-020	NEW	99-15-072	132H-169-130	NEW	99-10-045
132A-280-005	REP-XR	99-16-028	132A-350-030	NEW-P	99-10-100	132K- 16	PREP	99-04-028
132A-280-005	REP	99-19-150	132A-350-030	NEW	99-15-072	132K- 16-010	REP-P	99-07-109
132A-280-006	NEW-P	99-10-100	132A-350-040	NEW-P	99-10-100	132K- 16-010	REP	99-10-046
132A-280-006	NEW	99-15-072	132A-350-040	NEW	99-15-072	132K- 16-020	REP-P	99-07-109
132A-280-010	REP-XR	99-16-028	132A-350-045	NEW-P	99-10-100	132K- 16-020	REP	99-10-046
132A-280-010	REP	99-19-150	132A-350-045	NEW	99-15-072	132K- 16-030	REP-P	99-07-109
132A-280-011	NEW-P	99-10-100	132A-350-050	NEW-P	99-10-100	132K- 16-030	REP	99-10-046
132A-280-011	NEW	99-15-072	132A-350-050	NEW	99-15-072	132K- 16-040	REP-P	99-07-109
132A-280-015	REP-XR	99-16-028	132G-276	PREP	99-23-041	132K- 16-040	REP	99-10-046
132A-280-015	REP	99-19-150	132H-160-182	AMD-XA	99-23-030	132K- 16-050	REP-P	99-07-109
132A-280-016	NEW-P	99-10-100	132H-168-010	REP-P	99-05-018	132K- 16-050	REP	99-10-046
132A-280-016	NEW	99-15-072	132H-168-010	REP	99-10-045	132K- 16-060	REP-P	99-07-109
132A-280-020	REP-XR	99-16-028	132H-168-020	REP-P	99-05-018	132K- 16-060	REP	99-10-046
132A-280-020	REP	99-19-150	132H-168-020	REP	99-10-045	132K- 16-070	REP-P	99-07-109
132A-280-021	NEW-P	99-10-100	132H-168-030	REP-P	99-05-018	132K- 16-070	REP	99-10-046
132A-280-021	NEW	99-15-072	132H-168-030	REP	99-10-045	132K- 16-110	REP-P	99-07-109
132A-280-026	NEW-P	99-10-100	132H-168-040	REP-P	99-05-018	132K- 16-110	REP	99-10-046
132A-280-026	NEW	99-15-072	132H-168-040	REP	99-10-045	132K- 16-120	REP-P	99-07-109
132A-280-030	REP-XR	99-16-028	132H-168-050	REP-P	99-05-018	132K- 16-120	REP	99-10-046
132A-280-030	REP	99-19-150	132H-168-050	REP	99-10-045	132K- 16-130	REP-P	99-07-109
132A-280-031	NEW-P	99-10-100	132H-168-060	REP-P	99-05-018	132K- 16-130	REP	99-10-046
132A-280-031	NEW	99-15-072	132H-168-060	REP	99-10-045	132K- 16-140	REP-P	99-07-109
132A-280-035	NEW-P	99-10-100	132H-168-070	REP-P	99-05-018	132K- 16-140	REP	99-10-046
132A-280-035	NEW	99-15-072	132H-168-070	REP	99-10-045	132K- 16-150	REP-P	99-07-109
132A-280-040	NEW-P	99-10-100	132H-168-080	REP-P	99-05-018	132K- 16-150	REP	99-10-046
132A-280-040	NEW	99-15-072	132H-168-080	REP	99-10-045	132K- 16-160	REP-P	99-07-109
132A-280-045	NEW-P	99-10-100	132H-168-090	REP-P	99-05-018	132K- 16-160	REP	99-10-046
132A-280-045	NEW	99-15-072	132H-168-090	REP	99-10-045	132K- 16-170	REP-P	99-07-109
132A-280-050	NEW-P	99-10-100	132H-168-990	REP-P	99-05-018	132K- 16-170	REP	99-10-046
132A-280-050	NEW	99-15-072	132H-168-990	REP	99-10-045	132K- 16-180	REP-P	99-07-109
132A-280-055	NEW-P	99-10-100	132H-168-9901	REP-P	99-05-018	132K- 16-180	REP	99-10-046
132A-280-055	NEW	99-15-072	132H-168-9901	REP	99-10-045	132K- 16-190	REP-P	99-07-109
132A-280-060	NEW-P	99-10-100	132H-168-9902	REP-P	99-05-018	132K- 16-190	REP	99-10-046
132A-280-060	NEW	99-15-072	132H-168-9902	REP	99-10-045	132K- 16-200	REP-P	99-07-109
132A-280-065	NEW-P	99-10-100	132H-168-9903	REP-P	99-05-018	132K- 16-200	REP	99-10-046
132A-280-065	NEW	99-15-072	132H-168-9903	REP	99-10-045	132K- 16-210	REP-P	99-07-109
132A-280-070	NEW-P	99-10-100	132H-169-010	NEW-P	99-05-018	132K- 16-210	REP	99-10-046
132A-280-070	NEW	99-15-072	132H-169-010	NEW	99-10-045	132K- 16-220	REP-P	99-07-109
132A-280-075	NEW-P	99-10-100	132H-169-020	NEW-P	99-05-018	132K- 16-220	REP	99-10-046
132A-280-075	NEW	99-15-072	132H-169-020	NEW	99-10-045	132K- 16-230	REP-P	99-07-109
132A-280-080	NEW-P	99-10-100	132H-169-030	NEW-P	99-05-018	132K- 16-230	REP	99-10-046
132A-280-080	NEW	99-15-072	132H-169-030	NEW	99-10-045	132K- 16-240	REP-P	99-07-109
132A-280-085	NEW-P	99-10-100	132H-169-040	NEW-P	99-05-018	132K- 16-240	REP	99-10-046
132A-280-085	NEW	99-15-072	132H-169-040	NEW	99-10-045	132K- 16-250	REP-P	99-07-109
132A-300-005	REP-XR	99-16-028	132H-169-050	NEW-P	99-05-018	132K- 16-250	REP	99-10-046
132A-300-005	REP	99-19-150	132H-169-050	NEW	99-10-045	132K- 16-260	REP-P	99-07-109
132A-300-010	REP-XR	99-16-028	132H-169-060	NEW-P	99-05-018	132K- 16-260	REP	99-10-046
132A-300-010	REP	99-19-150	132H-169-060	NEW	99-10-045	132K- 16-270	REP-P	99-07-109
132A-310-005	REP-XR	99-16-028	132H-169-070	NEW-P	99-05-018	132K- 16-270	REP	99-10-046
132A-310-005	REP	99-19-150	132H-169-070	NEW	99-10-045	132K- 16-280	REP-P	99-07-109
132A-310-010	REP-XR	99-16-028	132H-169-080	NEW-P	99-05-018	132K- 16-280	REP	99-10-046
132A-310-010	REP	99-19-150	132H-169-080	NEW	99-10-045	132K- 16-290	REP-P	99-07-109
132A-320-010	NEW-P	99-10-100	132H-169-090	NEW-P	99-05-018	132K- 16-290	REP	99-10-046

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132K-16-300	REP	99-10-046	132K-125-130	NEW	99-10-046	132N-160-010	NEW-P	99-10-044
132K-16-310	REP-P	99-07-109	132K-125-140	NEW-P	99-07-109	132N-160-010	NEW	99-15-011
132K-16-310	REP	99-10-046	132K-125-140	NEW	99-10-046	132N-160-020	NEW-P	99-10-044
132K-16-320	REP-P	99-07-109	132K-125-150	NEW-P	99-07-109	132N-160-020	NEW	99-15-017
132K-16-320	REP	99-10-046	132K-125-150	NEW	99-10-046	132N-160-030	NEW-P	99-10-044
132K-16-330	REP-P	99-07-109	132K-125-160	NEW-P	99-07-109	132N-160-030	NEW	99-15-017
132K-16-330	REP	99-10-046	132K-125-160	NEW	99-10-046	132N-160-040	NEW-P	99-10-044
132K-16-340	REP-P	99-07-109	132K-125-170	NEW-P	99-07-109	132N-160-040	NEW	99-15-017
132K-16-340	REP	99-10-046	132K-125-170	NEW	99-10-046	132N-160-050	NEW-P	99-10-044
132K-16-350	REP-P	99-07-109	132K-125-180	NEW-P	99-07-109	132N-160-050	NEW	99-15-017
132K-16-350	REP	99-10-046	132K-125-180	NEW	99-10-046	132N-160-060	NEW-P	99-10-044
132K-16-360	REP-P	99-07-109	132K-125-190	NEW-P	99-07-109	132N-160-060	NEW	99-15-017
132K-16-360	REP	99-10-046	132K-125-190	NEW	99-10-046	132N-160-070	NEW-P	99-10-044
132K-16-370	REP-P	99-07-109	132K-125-200	NEW-P	99-07-109	132N-160-070	NEW	99-15-017
132K-16-370	REP	99-10-046	132K-125-200	NEW	99-10-046	132N-160-080	NEW-P	99-10-044
132K-16-380	REP-P	99-07-109	132K-125-210	NEW-P	99-07-109	132N-160-080	NEW	99-15-017
132K-16-380	REP	99-10-046	132K-125-210	NEW	99-10-046	132N-160-090	NEW-P	99-10-044
132K-16-390	REP-P	99-07-109	132K-125-220	NEW-P	99-07-109	132N-160-090	NEW	99-15-017
132K-16-390	REP	99-10-046	132K-125-220	NEW	99-10-046	132P-33-010	AMD-P	99-08-019
132K-16-400	REP-P	99-07-109	132K-125-230	NEW-P	99-07-109	132P-33-010	AMD	99-13-140
132K-16-400	REP	99-10-046	132K-125-230	NEW	99-10-046	132P-33-020	AMD-P	99-08-019
132K-16-410	REP-P	99-07-109	132K-125-240	NEW-P	99-07-109	132P-33-020	AMD	99-13-140
132K-16-410	REP	99-10-046	132K-125-240	NEW	99-10-046	132P-33-080	AMD-P	99-08-019
132K-16-420	REP-P	99-07-109	132K-125-240	NEW	99-10-046	132P-33-080	AMD	99-13-140
132K-16-420	REP	99-10-046	132K-125-250	NEW-P	99-07-109	132P-33-080	AMD	99-13-140
132K-16-420	REP	99-10-046	132K-125-250	NEW	99-10-046	132P-33-100	AMD-P	99-08-019
132K-16-430	REP-P	99-07-109	132K-125-260	NEW-P	99-07-109	132P-33-100	AMD	99-13-140
132K-16-430	REP	99-10-046	132K-125-260	NEW	99-10-046	132P-33-100	AMD	99-13-140
132K-16-440	REP-P	99-07-109	132K-125-270	NEW-P	99-07-109	132P-33-120	AMD-P	99-08-019
132K-16-440	REP	99-10-046	132K-125-270	NEW	99-10-046	132P-33-120	AMD	99-13-140
132K-16-450	REP-P	99-07-109	132K-125-280	NEW-P	99-07-109	132P-33-123	NEW-P	99-08-019
132K-16-450	REP	99-10-046	132K-125-280	NEW	99-10-046	132P-33-123	NEW	99-13-140
132K-16-460	REP-P	99-07-109	132K-125-280	NEW	99-10-046	132P-33-125	NEW-P	99-08-019
132K-16-460	REP	99-10-046	132K-125-290	NEW-P	99-07-109	132P-33-125	NEW	99-13-140
132K-16-460	REP	99-10-046	132K-125-290	NEW	99-10-046	132P-33-125	NEW	99-13-140
132K-16-470	REP-P	99-07-109	132K-125-300	NEW-P	99-07-109	132P-33-130	AMD-P	99-08-019
132K-16-470	REP	99-10-046	132K-125-300	NEW	99-10-046	132P-33-130	AMD	99-13-140
132K-16-480	REP-P	99-07-109	132K-125-310	NEW-P	99-07-109	132P-33-150	AMD-P	99-08-019
132K-16-480	REP	99-10-046	132K-125-310	NEW	99-10-046	132P-33-150	AMD	99-13-140
132K-125-010	NEW-P	99-07-109	132K-125-320	NEW-P	99-07-109	132P-33-155	NEW-P	99-08-019
132K-125-010	NEW	99-10-046	132K-125-320	NEW	99-10-046	132P-33-155	NEW	99-13-140
132K-125-020	NEW-P	99-07-109	132K-125-330	NEW-P	99-07-109	132P-33-160	AMD-P	99-08-019
132K-125-020	NEW	99-10-046	132K-125-330	NEW	99-10-046	132P-33-160	AMD	99-13-140
132K-125-030	NEW-P	99-07-109	132K-125-340	NEW-P	99-07-109	132P-33-170	AMD-P	99-08-019
132K-125-030	NEW	99-10-046	132K-125-340	NEW	99-10-046	132P-33-170	AMD	99-13-140
132K-125-040	NEW-P	99-07-109	132K-125-340	NEW	99-10-046	132P-33-210	AMD-P	99-08-019
132K-125-040	NEW	99-10-046	132K-125-350	NEW-P	99-07-109	132P-33-210	AMD	99-13-140
132K-125-050	NEW-P	99-07-109	132K-125-350	NEW	99-10-046	132P-33-220	AMD-P	99-08-019
132K-125-050	NEW	99-10-046	132K-125-360	NEW-P	99-07-109	132P-33-220	AMD	99-13-140
132K-125-060	NEW-P	99-07-109	132K-125-360	NEW	99-10-046	132P-33-230	AMD-P	99-08-019
132K-125-060	NEW	99-10-046	132K-125-370	NEW-P	99-07-109	132P-33-230	AMD	99-13-140
132K-125-070	NEW-P	99-07-109	132K-125-370	NEW	99-10-046	132P-33-260	AMD-P	99-08-019
132K-125-070	NEW	99-10-046	132K-125-380	NEW-P	99-07-109	132P-33-260	AMD	99-13-140
132K-125-080	NEW-P	99-07-109	132K-125-380	NEW	99-10-046	132P-33-270	AMD-P	99-08-019
132K-125-080	NEW	99-10-046	132K-125-390	NEW-P	99-07-109	132P-33-270	AMD	99-13-140
132K-125-090	NEW-P	99-07-109	132K-125-390	NEW	99-10-046	132P-276	PREP	99-05-041
132K-125-090	NEW	99-10-046	132K-125-400	NEW-P	99-07-109	132P-276-010	AMD-P	99-22-101
132K-125-100	NEW-P	99-07-109	132K-125-400	NEW	99-10-046	132P-276-020	AMD-P	99-22-101
132K-125-100	NEW	99-10-046	132K-125-410	NEW-P	99-07-109	132P-276-021	NEW-P	99-22-101
132K-125-110	NEW-P	99-07-109	132K-125-410	NEW	99-10-046	132P-276-022	NEW-P	99-22-101
132K-125-110	NEW	99-10-046	132K-125-420	NEW-P	99-07-109	132P-276-030	AMD-P	99-22-101
132K-125-120	NEW-P	99-07-109	132K-125-420	NEW	99-10-046	132P-276-040	AMD-P	99-22-101
132K-125-120	NEW	99-10-046	132K-125-430	NEW-P	99-07-109	132P-276-050	AMD-P	99-22-101
			132K-125-430	NEW	99-10-046	132P-276-060	AMD-P	99-22-101

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132P-276-070	AMD-P	99-22-101	132X- 50-070	PREP	99-19-102	132X- 60-100	PREP	99-19-102
132P-276-080	AMD-P	99-22-101	132X- 50-080	PREP	99-19-102	132X- 60-100	AMD-P	99-23-035
132P-276-090	AMD-P	99-22-101	132X- 50-080	AMD-P	99-23-035	132X- 60-110	PREP	99-19-102
132P-276-100	AMD-P	99-22-101	132X- 50-090	PREP	99-19-102	132X- 60-110	AMD-P	99-23-035
132P-276-110	AMD-P	99-22-101	132X- 50-100	PREP	99-19-102	132X- 60-120	PREP	99-19-102
132P-276-120	AMD-P	99-22-101	132X- 50-110	PREP	99-19-102	132X- 60-120	AMD-P	99-23-035
132P-276-990	REP-P	99-22-101	132X- 50-110	AMD-P	99-23-035	132X- 60-130	PREP	99-19-102
132Q- 12-010	REP-C	99-05-040	132X- 50-120	PREP	99-19-102	132X- 60-130	AMD-P	99-23-035
132Q- 12-010	REP	99-10-012	132X- 50-120	AMD-P	99-23-035	132X- 60-140	PREP	99-19-102
132V-120	PREP	99-16-107	132X- 50-130	PREP	99-19-102	132X- 60-140	AMD-P	99-23-035
132V-300	PREP	99-16-108	132X- 50-130	AMD-P	99-23-035	132X- 60-150	PREP	99-19-102
132V-400	PREP	99-16-109	132X- 50-140	PREP	99-19-102	132X- 60-150	AMD-P	99-23-035
132X- 10	PREP	99-06-032	132X- 50-140	AMD-P	99-23-035	132X- 60-160	PREP	99-19-102
132X- 10-010	PREP	99-19-102	132X- 50-150	PREP	99-19-102	132X- 60-160	AMD-P	99-23-035
132X- 10-010	AMD-P	99-23-035	132X- 50-150	AMD-P	99-23-035	132X- 60-170	PREP	99-19-102
132X- 10-020	PREP	99-19-102	132X- 50-160	PREP	99-19-102	132X- 60-170	AMD-P	99-23-035
132X- 10-030	PREP	99-19-102	132X- 50-160	AMD-P	99-23-035	132X- 60-178	PREP	99-19-102
132X- 10-030	AMD-P	99-23-035	132X- 50-170	PREP	99-19-102	132X- 60-178	NEW-P	99-23-035
132X- 10-040	PREP	99-19-102	132X- 50-170	AMD-P	99-23-035	132X- 60-180	AMD-P	99-23-035
132X- 10-050	PREP	99-19-102	132X- 50-180	PREP	99-19-102	136-130-050	AMD-P	99-09-084
132X- 10-050	AMD-P	99-23-035	132X- 50-180	AMD-P	99-23-035	136-130-050	AMD	99-16-038
132X- 10-060	PREP	99-19-102	132X- 50-190	PREP	99-19-102	136-130-070	AMD-P	99-17-039
132X- 10-060	AMD-P	99-23-035	132X- 50-190	AMD-P	99-23-035	137- 08-010	PREP	99-14-017
132X- 10-070	PREP	99-19-102	132X- 50-200	PREP	99-19-102	137- 08-020	PREP	99-14-017
132X- 10-080	PREP	99-19-102	132X- 50-210	PREP	99-19-102	137- 08-060	PREP	99-14-017
132X- 10-080	AMD-P	99-23-035	132X- 50-210	AMD-P	99-23-035	137- 08-070	PREP	99-14-017
132X- 10-090	PREP	99-19-102	132X- 50-220	PREP	99-19-102	137- 08-080	PREP	99-14-017
132X- 10-100	PREP	99-19-102	132X- 50-230	PREP	99-19-102	137- 08-090	PREP	99-14-017
132X- 10-100	AMD-P	99-23-035	132X- 50-230	AMD-P	99-23-035	137- 08-100	PREP	99-14-017
132X- 10-110	PREP	99-19-102	132X- 50-240	PREP	99-19-102	137- 08-105	PREP	99-14-017
132X- 10-110	AMD-P	99-23-035	132X- 50-240	AMD-P	99-23-035	137- 08-110	PREP	99-14-017
132X- 20	PREP	99-06-032	132X- 50-250	PREP	99-19-102	137- 08-120	PREP	99-14-017
132X- 20-010	REP-XR	99-23-104	132X- 50-260	PREP	99-19-102	137- 08-130	PREP	99-14-017
132X- 20-020	REP-XR	99-23-104	132X- 50-260	AMD-P	99-23-035	137- 08-140	PREP	99-14-017
132X- 20-030	REP-XR	99-23-104	132X- 50-270	PREP	99-19-102	137- 08-150	PREP	99-14-017
132X- 20-040	REP-XR	99-23-104	132X- 50-270	AMD-P	99-23-035	137- 08-160	PREP	99-14-017
132X- 20-050	REP-XR	99-23-104	132X- 50-280	PREP	99-19-102	137- 08-170	PREP	99-14-017
132X- 20-060	REP-XR	99-23-104	132X- 50-280	AMD-P	99-23-035	137- 56-110	AMD	99-16-078
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132X- 20-080	REP-XR	99-23-104	132X- 60-010	PREP	99-19-102	137-125-010	NEW-E	99-21-028
132X- 20-090	REP-XR	99-23-104	132X- 60-010	AMD-P	99-23-035	137-125-015	NEW-E	99-21-028
132X- 20-100	REP-XR	99-23-104	132X- 60-015	NEW-P	99-23-035	137-125-040	NEW-E	99-21-028
132X- 20-110	REP-XR	99-23-104	132X- 60-020	PREP	99-19-102	137-125-042	NEW-E	99-21-028
132X- 20-120	REP-XR	99-23-104	132X- 60-020	AMD-P	99-23-035	137-125-044	NEW-E	99-21-028
132X- 20-130	REP-XR	99-23-104	132X- 60-030	PREP	99-19-102	137-125-046	NEW-E	99-21-028
132X- 30	PREP	99-06-032	132X- 60-035	NEW-P	99-23-035	137-125-048	NEW-E	99-21-028
132X- 30-040	PREP	99-19-102	132X- 60-037	NEW-P	99-23-035	137-125-052	NEW-E	99-21-028
132X- 30-040	AMD-P	99-23-035	132X- 60-040	PREP	99-19-102	137-125-054	NEW-E	99-21-028
132X- 40	PREP	99-06-032	132X- 60-040	AMD-P	99-23-035	137-125-060	NEW-E	99-21-028
132X- 40-020	PREP	99-19-102	132X- 60-045	NEW-P	99-23-035	137-125-070	NEW-E	99-21-028
132X- 40-020	AMD-P	99-23-035	132X- 60-046	NEW-P	99-23-035	137-125-072	NEW-E	99-21-028
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132X- 50-020	PREP	99-19-102	132X- 60-050	AMD-P	99-23-035	137-125-078	NEW-E	99-21-028
132X- 50-020	AMD-P	99-23-035	132X- 60-060	PREP	99-19-102	137-125-090	NEW-E	99-21-028
132X- 50-030	PREP	99-19-102	132X- 60-060	AMD-P	99-23-035	137-125-095	NEW-E	99-21-028
132X- 50-030	AMD-P	99-23-035	132X- 60-065	NEW-P	99-23-035	137-125-100	NEW-E	99-21-028
132X- 50-040	PREP	99-19-102	132X- 60-070	PREP	99-19-102	137-125-105	NEW-E	99-21-028
132X- 50-040	AMD-P	99-23-035	132X- 60-075	NEW-P	99-23-035	137-125-110	NEW-E	99-21-028
132X- 50-050	PREP	99-19-102	132X- 60-080	PREP	99-19-102	137-125-115	NEW-E	99-21-028
132X- 50-050	AMD-P	99-23-035	132X- 60-080	AMD-P	99-23-035	137-125-120	NEW-E	99-21-028
132X- 50-060	PREP	99-19-102	132X- 60-090	PREP	99-19-102	137-125-125	NEW-E	99-21-028
132X- 50-060	AMD-P	99-23-035	132X- 60-090	AMD-P	99-23-035	137-125-130	NEW-E	99-21-028

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137-125-140	NEW-E	99-21-028	162- 16-120	REP-P	99-04-108	162- 22-050	REP-P	99-04-108
137-125-195	NEW-E	99-21-028	162- 16-120	REP	99-15-025	162- 22-050	REP	99-15-025
137-130-005	NEW-E	99-21-029	162- 16-130	REP-P	99-04-108	162- 22-060	REP-P	99-04-108
137-130-010	NEW-E	99-21-029	162- 16-130	REP	99-15-025	162- 22-060	REP	99-15-025
137-130-020	NEW-E	99-21-029	162- 16-140	REP-P	99-04-108	162- 22-065	NEW-P	99-04-108
137-130-030	NEW-E	99-21-029	162- 16-140	REP	99-15-025	162- 22-065	NEW	99-15-025
137-130-040	NEW-E	99-21-029	162- 16-150	REP-P	99-04-108	162- 22-070	REP-P	99-04-108
137-130-050	NEW-E	99-21-029	162- 16-150	REP	99-15-025	162- 22-070	REP	99-15-025
137-130-060	NEW-E	99-21-029	162- 16-160	REP-P	99-04-108	162- 22-075	NEW-P	99-04-108
137-130-070	NEW-E	99-21-029	162- 16-160	REP	99-15-025	162- 22-075	NEW	99-15-025
137-130-080	NEW-E	99-21-029	162- 16-170	REP-P	99-04-108	162- 22-080	REP-P	99-04-108
137-130-090	NEW-E	99-21-029	162- 16-170	REP	99-15-025	162- 22-080	REP	99-15-025
137-130-100	NEW-E	99-21-029	162- 16-200	NEW-P	99-04-108	162- 22-090	AMD-P	99-04-108
137-130-110	NEW-E	99-21-029	162- 16-200	NEW	99-15-025	162- 22-090	AMD	99-15-025
137-130-120	NEW-E	99-21-029	162- 16-210	NEW-P	99-04-108	162- 22-100	AMD-P	99-04-108
137-130-130	NEW-E	99-21-029	162- 16-210	NEW	99-15-025	162- 22-100	AMD	99-15-025
137-130-140	NEW-E	99-21-029	162- 16-220	NEW-P	99-04-108	162- 26	PREP	99-12-100
137-130-150	NEW-E	99-21-029	162- 16-220	NEW	99-15-025	162- 26	PREP	99-13-121
143- 06	PREP	99-18-012	162- 16-230	NEW-P	99-04-108	162- 26-010	AMD-P	99-04-108
143- 06-020	AMD-P	99-22-056	162- 16-230	NEW	99-15-025	162- 26-010	AMD	99-15-025
143- 06-030	AMD-P	99-22-056	162- 16-240	NEW-P	99-04-108	162- 26-020	REP-P	99-04-108
143- 06-040	REP-P	99-22-056	162- 16-240	NEW	99-15-025	162- 26-020	REP	99-15-025
143- 06-060	AMD-P	99-22-056	162- 16-250	NEW-P	99-04-108	162- 26-030	REP-P	99-04-108
143- 06-070	AMD-P	99-22-056	162- 16-250	NEW	99-15-025	162- 26-030	REP	99-15-025
143- 06-090	AMD-P	99-22-056	162- 16-260	NEW-P	99-04-108	162- 26-035	REP-P	99-04-108
143- 06-100	AMD-P	99-22-056	162- 16-260	NEW	99-15-025	162- 26-035	REP	99-15-025
143- 06-120	AMD-P	99-22-056	162- 16-270	NEW-P	99-04-108	162- 26-040	AMD-P	99-04-108
143- 06-130	AMD-P	99-22-056	162- 16-270	NEW	99-15-025	162- 26-040	AMD	99-15-025
143- 06-140	AMD-P	99-22-056	162- 16-280	NEW-P	99-04-108	162- 26-050	REP-P	99-04-108
143- 06-150	REP-P	99-22-056	162- 16-280	NEW	99-15-025	162- 26-050	REP	99-15-025
143- 06-160	AMD-P	99-22-056	162- 16-290	NEW-P	99-04-108	162- 26-060	AMD-P	99-04-108
162- 04	PREP	99-12-100	162- 16-290	NEW	99-15-025	162- 26-060	AMD	99-15-025
162- 12	PREP	99-12-098	162- 18	PREP	99-12-098	162- 26-070	AMD-P	99-04-108
162- 12-100	AMD-P	99-17-102	162- 18-010	REP-P	99-17-102	162- 26-070	AMD	99-15-025
162- 12-120	AMD-P	99-17-102	162- 18-020	REP-P	99-17-102	162- 26-080	AMD-P	99-04-108
162- 12-130	AMD-P	99-17-102	162- 18-030	REP-P	99-17-102	162- 26-080	AMD	99-15-025
162- 12-135	AMD-P	99-17-102	162- 18-040	REP-P	99-17-102	162- 26-090	REP-P	99-04-108
162- 12-140	AMD-P	99-17-102	162- 18-050	REP-P	99-17-102	162- 26-090	REP	99-15-025
162- 12-150	AMD-P	99-17-102	162- 18-060	REP-P	99-17-102	162- 26-100	AMD-P	99-04-108
162- 12-160	AMD-P	99-17-102	162- 18-070	REP-P	99-17-102	162- 26-100	AMD	99-15-025
162- 12-170	AMD-P	99-17-102	162- 18-080	REP-P	99-17-102	162- 26-110	AMD-P	99-04-108
162- 12-180	AMD-P	99-17-102	162- 18-090	REP-P	99-17-102	162- 26-110	AMD	99-15-025
162- 16-020	REP-P	99-04-108	162- 18-100	REP-P	99-17-102	162- 26-120	AMD-P	99-04-108
162- 16-020	REP	99-15-025	162- 20	PREP	99-12-098	162- 26-120	AMD	99-15-025
162- 16-030	REP-P	99-04-108	162- 20-010	AMD-P	99-17-102	162- 26-135	NEW-P	99-04-108
162- 16-030	REP	99-15-025	162- 20-020	AMD-P	99-17-102	162- 26-135	NEW	99-15-025
162- 16-040	REP-P	99-04-108	162- 20-030	AMD-P	99-17-102	162- 26-140	AMD-P	99-04-108
162- 16-040	REP	99-15-025	162- 22	PREP	99-12-100	162- 26-140	AMD	99-15-025
162- 16-050	REP-P	99-04-108	162- 22-010	AMD-P	99-04-108	162- 28	PREP	99-12-098
162- 16-050	REP	99-15-025	162- 22-010	AMD	99-15-025	162- 28-030	AMD-P	99-17-102
162- 16-060	REP-P	99-04-108	162- 22-020	AMD-P	99-04-108	162- 28-040	AMD-P	99-17-102
162- 16-060	REP	99-15-025	162- 22-020	AMD	99-15-025	162- 30	PREP	99-12-099
162- 16-070	REP-P	99-04-108	162- 22-025	NEW-P	99-04-108	162- 30-010	AMD-P	99-04-108
162- 16-070	REP	99-15-025	162- 22-025	NEW	99-15-025	162- 30-010	AMD	99-15-025
162- 16-080	REP-P	99-04-108	162- 22-030	REP-P	99-04-108	162- 30-020	AMD-P	99-04-108
162- 16-080	REP	99-15-025	162- 22-030	REP	99-15-025	162- 30-020	AMD	99-15-025
162- 16-090	REP-P	99-04-108	162- 22-035	NEW-P	99-04-108	162- 38	PREP	99-12-100
162- 16-090	REP	99-15-025	162- 22-035	NEW	99-15-025	162- 38-040	AMD-P	99-04-108
162- 16-100	REP-P	99-04-108	162- 22-040	REP-P	99-04-108	162- 38-040	AMD	99-15-025
162- 16-100	REP	99-15-025	162- 22-040	REP	99-15-025	162- 38-100	AMD-P	99-04-108
162- 16-110	REP-P	99-04-108	162- 22-045	NEW-P	99-04-108	162- 38-100	AMD	99-15-025

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162-38-110	AMD-P	99-04-108	173-26-120	AMD-W	99-19-074	173-202-020	AMD-E	99-09-001
162-38-110	AMD	99-15-025	173-26-170	NEW-P	99-08-124	173-202-020	AMD-C	99-09-094
162-38-130	REP-P	99-04-108	173-26-170	NEW-W	99-19-074	173-202-020	AMD-W	99-22-071
162-38-130	REP	99-15-025	173-26-180	NEW-P	99-08-124	173-224	PREP	99-11-055
162-40	PREP	99-12-098	173-26-180	NEW-W	99-19-074	173-224-030	AMD-P	99-19-124
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162-40-021	AMD-P	99-17-102	173-26-190	NEW-W	99-19-074	173-224-050	AMD-P	99-19-124
162-40-031	REP-P	99-17-102	173-26-200	NEW-P	99-08-124	173-230	AMD-C	99-13-101
162-40-041	AMD-P	99-17-102	173-26-200	NEW-W	99-19-074	173-230-010	AMD-P	99-12-038
162-40-051	REP-P	99-17-102	173-26-210	NEW-P	99-08-124	173-230-020	AMD-P	99-12-038
162-40-055	NEW-P	99-17-102	173-26-210	NEW-W	99-19-074	173-230-030	REP-P	99-12-038
162-40-061	REP-P	99-17-102	173-26-220	NEW-P	99-08-124	173-230-040	AMD-P	99-12-038
162-40-065	NEW-P	99-17-102	173-26-220	NEW-W	99-19-074	173-230-050	REP-P	99-12-038
162-40-071	REP-P	99-17-102	173-26-230	NEW-P	99-08-124	173-230-061	AMD-P	99-12-038
162-40-075	NEW-P	99-17-102	173-26-230	NEW-W	99-19-074	173-230-065	NEW-P	99-12-038
162-40-081	REP-P	99-17-102	173-26-240	NEW-P	99-08-124	173-230-070	AMD-P	99-12-038
162-40-091	REP-P	99-17-102	173-26-240	NEW-W	99-19-074	173-230-080	AMD-P	99-12-038
162-40-101	REP-P	99-17-102	173-26-250	NEW-P	99-08-124	173-230-090	AMD-P	99-12-038
162-40-111	REP-P	99-17-102	173-26-250	NEW-W	99-19-074	173-230-100	AMD-P	99-12-038
162-40-121	REP-P	99-17-102	173-26-260	NEW-P	99-08-124	173-230-110	AMD-P	99-12-038
162-40-131	REP-P	99-17-102	173-26-260	NEW-W	99-19-074	173-230-120	AMD-P	99-12-038
162-40-141	REP-P	99-17-102	173-153-010	NEW-P	99-12-109	173-230-130	AMD-P	99-12-038
162-40-151	REP-P	99-17-102	173-153-010	NEW	99-23-101	173-230-140	AMD-P	99-12-038
162-40-161	REP-P	99-17-102	173-153-020	NEW-P	99-12-109	173-303	PREP	99-10-041
162-40-171	AMD-P	99-17-102	173-153-020	NEW	99-23-101	173-303	PREP	99-23-102
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162-40-191	AMD-P	99-17-102	173-153-030	NEW	99-23-101	173-321-010	AMD-P	99-22-077
162-40-201	AMD-P	99-17-102	173-153-040	NEW-P	99-12-109	173-321-020	AMD-P	99-22-077
162-40-211	AMD-P	99-17-102	173-153-040	NEW	99-23-101	173-321-040	AMD-P	99-22-077
162-40-221	AMD-P	99-17-102	173-153-050	NEW-P	99-12-109	173-321-050	AMD-P	99-22-077
162-40-231	AMD-P	99-17-102	173-153-050	NEW	99-23-101	173-321-060	AMD-P	99-22-077
162-40-241	REP-P	99-17-102	173-153-060	NEW-P	99-12-109	173-321-080	AMD-P	99-22-077
162-40-251	AMD-P	99-17-102	173-153-060	NEW	99-23-101	173-322	AMD-P	99-22-077
173-16	PREP	99-23-103	173-153-070	NEW-P	99-12-109	173-322-020	AMD-P	99-22-077
173-16-010	REP-P	99-08-124	173-153-070	NEW	99-23-101	173-322-030	AMD-P	99-22-077
173-16-010	REP-W	99-19-074	173-153-080	NEW-P	99-12-109	173-322-040	AMD-P	99-22-077
173-16-020	REP-P	99-08-124	173-153-080	NEW	99-23-101	173-322-050	AMD-P	99-22-077
173-16-020	REP-W	99-19-074	173-153-090	NEW-P	99-12-109	173-322-060	AMD-P	99-22-077
173-16-030	REP-P	99-08-124	173-153-090	NEW	99-23-101	173-322-070	AMD-P	99-22-077
173-16-030	REP-W	99-19-074	173-153-100	NEW-P	99-12-109	173-322-090	AMD-P	99-22-077
173-16-040	REP-P	99-08-124	173-153-110	NEW-P	99-12-109	173-322-100	AMD-P	99-22-077
173-16-040	REP-W	99-19-074	173-153-110	NEW	99-23-101	173-322-110	AMD-P	99-22-077
173-16-050	REP-P	99-08-124	173-153-120	NEW-P	99-12-109	173-322-120	AMD-P	99-22-077
173-16-050	REP-W	99-19-074	173-153-120	NEW	99-23-101	173-325-020	AMD-XA	99-17-114
173-16-060	REP-P	99-08-124	173-153-130	NEW-P	99-12-109	173-325-020	AMD	99-22-078
173-16-060	REP-W	99-19-074	173-153-130	NEW	99-23-101	173-325-030	AMD-XA	99-17-114
173-16-064	REP-P	99-08-124	173-153-140	NEW-P	99-12-109	173-325-030	AMD	99-22-078
173-16-064	REP-W	99-19-074	173-153-140	NEW	99-23-101	173-325-040	AMD-XA	99-17-114
173-16-070	REP-P	99-08-124	173-153-150	NEW-P	99-12-109	173-325-040	AMD	99-22-078
173-16-070	REP-W	99-19-074	173-153-150	NEW	99-23-101	173-325-050	AMD-XA	99-17-114
173-16-200	REP-P	99-08-124	173-153-160	NEW-P	99-12-109	173-325-050	AMD	99-22-078
173-16-200	REP-W	99-19-074	173-153-160	NEW	99-23-101	173-340-100	AMD-P	99-22-077
173-26	AMD-C	99-12-094	173-153-170	NEW-P	99-12-109	173-340-120	AMD-P	99-22-077
173-26-020	AMD-P	99-08-124	173-153-170	NEW	99-23-101	173-340-130	AMD-P	99-22-077
173-26-020	AMD-W	99-19-074	173-153-180	NEW-P	99-12-109	173-340-140	AMD-P	99-22-077
173-26-095	NEW-P	99-08-124	173-153-180	NEW	99-23-101	173-340-200	AMD-P	99-22-077
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173-26-100	AMD-W	99-19-074	173-153-200	NEW-P	99-12-109	173-340-310	AMD-P	99-22-077
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173-340-350	AMD-P	99-22-077	173-400-115	AMD-XA	99-04-097	173-548-002	NEW-W	99-23-071
173-340-360	AMD-P	99-22-077	173-400-115	AMD-P	99-12-096	173-548-005	NEW-P	99-09-092
173-340-370	NEW-P	99-22-077	173-401	PREP	99-17-080	173-548-005	NEW-W	99-23-071
173-340-380	NEW-P	99-22-077	173-405	PREP	99-07-093	173-548-010	AMD-P	99-09-092
173-340-390	NEW-P	99-22-077	173-405	PREP	99-17-080	173-548-010	AMD-W	99-23-071
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173-340-430	AMD-P	99-22-077	173-410	PREP	99-17-080	173-548-020	AMD-W	99-23-071
173-340-440	AMD-P	99-22-077	173-415	PREP	99-10-042	173-548-030	AMD-P	99-09-092
173-340-450	AMD-P	99-22-077	173-415	PREP	99-17-080	173-548-030	AMD-W	99-23-071
173-340-510	AMD-P	99-22-077	173-422-130	AMD-P	99-19-123	173-548-031	NEW-P	99-09-092
173-340-515	NEW-P	99-22-077	173-422-160	AMD-P	99-19-123	173-548-031	NEW-W	99-23-071
173-340-520	AMD-P	99-22-077	173-422-170	AMD-P	99-19-123	173-548-032	NEW-P	99-09-092
173-340-530	AMD-P	99-22-077	173-425	AMD-P	99-07-110	173-548-032	NEW-W	99-23-071
173-340-545	NEW-P	99-22-077	173-425	AMD-S	99-18-100	173-548-033	NEW-P	99-09-092
173-340-550	AMD-P	99-22-077	173-425	AMD-C	99-19-034	173-548-033	NEW-W	99-23-071
173-340-600	AMD-P	99-22-077	173-425-010	AMD-P	99-07-110	173-548-034	NEW-P	99-09-092
173-340-610	AMD-P	99-22-077	173-425-010	AMD-S	99-18-100	173-548-034	NEW-W	99-23-071
173-340-700	AMD-P	99-22-077	173-425-020	AMD-P	99-07-110	173-548-035	NEW-P	99-09-092
173-340-702	AMD-P	99-22-077	173-425-020	AMD-S	99-18-100	173-548-035	NEW-W	99-23-071
173-340-704	AMD-P	99-22-077	173-425-030	AMD-P	99-07-110	173-548-036	NEW-P	99-09-092
173-340-705	AMD-P	99-22-077	173-425-030	AMD-S	99-18-100	173-548-036	NEW-W	99-23-071
173-340-706	AMD-P	99-22-077	173-425-040	AMD-P	99-07-110	173-548-037	NEW-P	99-09-092
173-340-708	AMD-P	99-22-077	173-425-040	AMD-S	99-18-100	173-548-037	NEW-W	99-23-071
173-340-709	NEW-P	99-22-077	173-425-050	AMD-P	99-07-110	173-548-040	AMD-P	99-09-092
173-340-710	AMD-P	99-22-077	173-425-050	AMD-S	99-18-100	173-548-040	AMD-W	99-23-071
173-340-720	AMD-P	99-22-077	173-425-060	AMD-P	99-07-110	173-548-050	AMD-P	99-09-092
173-340-730	AMD-P	99-22-077	173-425-060	AMD-S	99-18-100	173-548-050	AMD-W	99-23-071
173-340-740	AMD-P	99-22-077	173-425-070	AMD-P	99-07-110	173-548-060	AMD-P	99-09-092
173-340-745	AMD-P	99-22-077	173-425-070	AMD-S	99-18-100	173-548-060	AMD-W	99-23-071
173-340-747	NEW-P	99-22-077	173-425-080	AMD-P	99-07-110	173-548-070	AMD-P	99-09-092
173-340-7490	NEW-P	99-22-077	173-425-080	AMD-S	99-18-100	173-548-070	AMD-W	99-23-071
173-340-7491	NEW-P	99-22-077	173-425-090	REP-P	99-07-110	173-548-075	NEW-P	99-09-092
173-340-7492	NEW-P	99-22-077	173-425-090	REP-S	99-18-100	173-548-075	NEW-W	99-23-071
173-340-7493	NEW-P	99-22-077	173-425-100	REP-P	99-07-110	173-548-076	NEW-P	99-09-092
173-340-7494	NEW-P	99-22-077	173-425-100	REP-S	99-18-100	173-548-076	NEW-W	99-23-071
173-340-750	AMD-P	99-22-077	173-425-110	REP-P	99-07-110	174-116-040	AMD-P	99-20-081
173-340-760	AMD-P	99-22-077	173-425-110	REP-S	99-18-100	174-280-015	AMD-P	99-08-030
173-340-800	AMD-P	99-22-077	173-433	PREP	99-07-093	174-280-015	AMD	99-12-024
173-340-810	AMD-P	99-22-077	173-434	PREP	99-07-093	174-280-030	AMD-P	99-08-030
173-340-820	AMD-P	99-22-077	173-434	PREP	99-17-080	174-280-030	AMD	99-12-024
173-340-830	AMD-P	99-22-077	173-481	PREP	99-10-042	180-08-015	NEW-P	99-04-079
173-340-840	AMD-P	99-22-077	173-490	PREP	99-17-080	180-08-015	NEW	99-10-092
173-340-850	AMD-P	99-22-077	173-491	PREP	99-17-080	180-16-195	AMD-P	99-04-080
173-340-990	NEW-P	99-22-077	173-495-010	AMD-XA	99-13-174	180-16-195	AMD	99-10-091
173-400	PREP	99-07-093	173-495-020	AMD-XA	99-13-174	180-16-215	PREP	99-04-088
173-400	PREP	99-09-093	173-495-040	AMD-XA	99-13-174	180-16-215	AMD-P	99-07-069
173-400	PREP	99-10-042	173-495-045	AMD-XA	99-13-174	180-16-215	AMD-W	99-20-087
173-400	PREP	99-17-080	173-495-060	AMD-XA	99-13-174	180-16-220	AMD-P	99-04-080
173-400-030	AMD-XA	99-04-097	173-495-065	AMD-XA	99-13-174	180-16-220	AMD	99-10-091
173-400-030	AMD-P	99-12-096	173-495-070	AMD-XA	99-13-174	180-16-221	REP-XR	99-03-001
173-400-040	AMD-XA	99-04-097	173-495-080	AMD-XA	99-13-174	180-16-221	REP	99-07-054
173-400-040	AMD-P	99-12-096	173-495-100	AMD-XA	99-13-174	180-16-222	REP-XR	99-03-001
173-400-060	AMD-XA	99-04-097	173-495-120	AMD-XA	99-13-174	180-16-222	REP	99-07-054
173-400-060	AMD-P	99-12-096	173-532-085	NEW-S	99-08-125	180-16-226	REP-XR	99-03-001
173-400-070	AMD-XA	99-04-097	173-532-085	NEW	99-13-093	180-16-226	REP	99-07-054
173-400-070	AMD-P	99-12-096	173-537	PREP	99-21-100	180-16-231	REP-XR	99-03-001
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180-16-238	REP	99-07-054	180-24-197	NEW-P	99-19-151	180-40-215	PREP	99-04-084
180-16-240	REP-P	99-04-080	180-24-200	REP-P	99-19-151	180-40-215	AMD-P	99-07-064
180-16-240	REP	99-10-091	180-24-205	AMD-P	99-19-151	180-40-215	AMD-W	99-20-087
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180-18-055	NEW-P	99-06-089	180-24-215	NEW-P	99-19-151	180-40-270	AMD-P	99-19-003
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180-18-055	NEW-W	99-17-085	180-24-300	REP-P	99-19-151	180-40-285	AMD-P	99-19-003
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180-20-035	REP	99-08-004	180-24-310	AMD-P	99-19-151	180-40-305	AMD-P	99-19-003
180-20-040	REP	99-08-004	180-24-310	DECOD-P	99-19-151	180-40-315	AMD-E	99-18-064
180-20-055	REP	99-08-004	180-24-312	DECOD-P	99-19-151	180-40-315	AMD-P	99-19-003
180-20-060	REP	99-08-004	180-24-312	AMD-P	99-19-151	180-41-035	PREP	99-04-090
180-20-070	REP	99-08-004	180-24-315	DECOD-P	99-19-151	180-41-035	AMD-P	99-07-073
180-20-075	REP	99-08-004	180-24-320	AMD-P	99-19-151	180-41-035	AMD-W	99-20-087
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180-20-101	AMD	99-08-004	180-24-325	REP-P	99-19-151	180-51-050	AMD-P	99-04-081
180-20-111	AMD	99-08-004	180-24-327	DECOD-P	99-19-151	180-51-050	AMD	99-10-093
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180-22-150	AMD-P	99-07-065	180-24-355	REP-P	99-19-151	180-51-107	NEW-W	99-17-085
180-22-150	AMD-W	99-20-087	180-24-360	REP-P	99-19-151	180-51-110	PREP	99-04-091
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180-24-007	AMD-P	99-19-151	180-24-375	REP-P	99-19-151	180-51-110	AMD-W	99-20-087
180-24-008	REP-P	99-19-151	180-24-380	REP-P	99-19-151	180-52	PREP	99-10-090
180-24-009	NEW-P	99-19-151	180-25	PREP	99-06-074	180-52-041	NEW-P	99-14-087
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180-24-017	REP-P	99-19-151	180-26-040	AMD-C	99-19-153	180-55-085	AMD-W	99-20-087
180-24-021	REP-P	99-19-151	180-27	PREP	99-06-079	180-56-245	PREP	99-04-092
180-24-080	REP-P	99-19-151	180-27	AMD-C	99-19-154	180-56-245	AMD-P	99-07-071
180-24-101	REP-P	99-19-151	180-27-020	AMD-P	99-14-090	180-56-245	AMD-W	99-20-087
180-24-102	REP-P	99-19-151	180-27-030	AMD-P	99-14-090	180-77A	PREP	99-04-046
180-24-105	NEW-P	99-19-151	180-27-056	AMD-P	99-14-090	180-77A-028	AMD-P	99-07-049
180-24-110	RECOD-P	99-19-151	180-27-080	AMD-P	99-14-090	180-77A-028	AMD	99-12-014
180-24-110	AMD-P	99-19-151	180-27-082	NEW-W	99-03-026	180-77A-029	AMD-P	99-07-049
180-24-112	REP-P	99-19-151	180-27-083	NEW-W	99-03-026	180-77A-029	AMD	99-12-014
180-24-115	RECOD-P	99-19-151	180-27-102	NEW-P	99-14-090	180-77A-080	NEW-P	99-07-049
180-24-115	AMD-P	99-19-151	180-27-600	AMD-P	99-14-090	180-77A-080	NEW	99-12-014
180-24-120	AMD-P	99-19-151	180-27-605	AMD-P	99-14-090	180-78-155	PREP	99-04-087
180-24-120	RECOD-P	99-19-151	180-27-610	AMD-P	99-14-090	180-78-155	AMD-P	99-07-070
180-24-125	AMD-P	99-19-151	180-27-615	AMD-P	99-14-090	180-78-155	AMD-W	99-20-087
180-24-125	RECOD-P	99-19-151	180-29	PREP	99-06-078	180-78-207	PREP	99-04-087
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180-24-130	RECOD-P	99-19-151	180-29-040	AMD-P	99-10-001	180-78-207	AMD-W	99-20-087
180-24-135	NEW-P	99-19-151	180-29-040	AMD-P	99-14-088	180-78-210	PREP	99-04-087
180-24-140	RECOD-P	99-19-151	180-29-040	AMD	99-18-107	180-78-210	AMD-P	99-07-070
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180- 78A-270	AMD-P	99-19-085	180- 82-215	AMD-P	99-19-085	182- 25-010	AMD-P	99-19-027
180- 78A-270	AMD	99-23-023	180- 82-215	AMD	99-23-023	182- 25-020	PREP	99-15-099
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180- 79A-030	AMD-P	99-19-085	180- 82-308	NEW	99-04-008	182- 25-030	AMD-E	99-18-051
180- 79A-030	AMD	99-23-023	180- 82-310	NEW	99-04-008	182- 25-030	AMD-P	99-19-027
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180- 79A-123	PREP	99-21-091	180- 82-315	NEW	99-07-102	182- 25-040	AMD-P	99-12-032
180- 79A-140	AMD-P	99-19-085	180- 82-316	NEW	99-04-008	182- 25-040	PREP	99-15-098
180- 79A-140	AMD	99-23-023	180- 82-317	NEW-P	99-04-110	182- 25-040	AMD	99-16-022
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180- 79A-150	AMD	99-23-023	180- 82-318	NEW	99-04-008	182- 25-040	AMD-P	99-19-027
180- 79A-155	AMD-P	99-19-085	180- 82-319	NEW-P	99-04-110	182- 25-085	PREP	99-05-077
180- 79A-155	AMD	99-23-023	180- 82-319	NEW	99-07-102	182- 25-085	NEW-P	99-08-106
180- 79A-211	AMD-P	99-19-085	180- 82-320	NEW	99-04-008	182- 25-085	NEW	99-12-033
180- 79A-211	AMD	99-23-023	180- 82-321	NEW-P	99-04-110	182- 25-090	PREP	99-05-077
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180- 79A-223	AMD-P	99-10-003	180- 82-326	NEW	99-04-008	182- 25-090	AMD-E	99-18-051
180- 79A-223	AMD	99-14-012	180- 82-328	NEW	99-04-008	182- 25-090	AMD-P	99-19-027
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180- 79A-241	REP-P	99-19-084	180- 82-338	NEW-W	99-08-081	192- 04-190	AMD	99-08-073
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180- 79A-299	AMD-P	99-19-085	180- 82-344	NEW	99-04-008	192- 12-015	REP	99-20-126
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180- 79A-380	AMD-P	99-07-066	180- 82-349	NEW	99-07-102	192- 12-025	REP-P	99-23-097
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180- 82-105	NEW	99-04-008	180- 82-362	NEW-W	99-08-081	192- 12-060	REP-XA	99-13-112
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180- 82-130	NEW	99-04-008	182- 08-095	PREP	99-11-100	192- 12-070	REP	99-20-130
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192-12-080	REP	99-20-119	192-110-015	NEW	99-08-073	192-310-055	NEW-P	99-17-091
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192-12-090	REP	99-20-132	192-110-050	NEW	99-08-073	192-310-060	NEW	99-20-129
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192-12-115	REP	99-20-121	192-120-040	NEW	99-08-073	192-320-050	NEW-W	99-18-065
192-12-130	REP	99-15-069	192-140-005	NEW	99-08-073	192-320-050	NEW-S	99-19-132
192-12-141	REP	99-08-073	192-140-010	NEW	99-08-073	192-320-055	NEW-XA	99-11-091
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192-12-182	REP	99-08-073	192-140-025	NEW	99-08-073	192-320-060	NEW-XA	99-11-090
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192-12-350	REP	99-20-122	192-170-050	NEW-P	99-19-157	192-320-070	NEW-XA	99-19-071
192-12-355	REP-XR	99-13-108	192-170-060	NEW-P	99-19-157	192-330-100	PREP	99-19-068
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192-12-360	REP	99-20-127	192-180-010	NEW-P	99-09-097	192-340-010	NEW-P	99-23-094
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192-16-052	REP	99-18-066	192-210-010	NEW	99-18-066	194-22-020	AMD-XA	99-16-099
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192-16-057	REP-E	99-13-003	192-210-015	NEW-E	99-13-003	194-22-120	AMD-XA	99-16-099
192-16-057	REP-P	99-13-183	192-210-015	NEW-P	99-13-183	194-22-120	AMD	99-21-008
192-16-057	REP	99-18-066	192-210-015	NEW	99-18-066	194-22-130	AMD-XA	99-16-099
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196- 24-097	REP-P	99-10-085	208-480-040	REP	99-03-009	212- 20-650	REP-XR	99-21-018
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196- 24-098	REP-P	99-10-087	208-480-070	REP	99-03-009	212- 20-665	REP-XR	99-21-018
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204- 38-050	PREP	99-20-037	212- 20-235	REP-XR	99-21-018	220- 24-02000I	REP-E	99-16-053
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222- 30-023	NEW-P	99-20-144	226- 02-060	NEW-P	99-13-156	226- 20-010	NEW-E	99-13-157
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222- 30-040	AMD-E	99-16-081	226- 02-070	NEW-P	99-13-156	226- 20-020	NEW-E	99-13-157
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236-48-024	AMD-XA	99-10-069	236-48-142	AMD-XA	99-10-069	236-200-020	RECOD-X	99-19-076
236-48-024	AMD	99-15-070	236-48-142	AMD	99-15-070	236-200-030	RECOD-X	99-19-076
236-48-025	AMD-XA	99-10-069	236-48-143	AMD-XA	99-10-069	236-200-040	RECOD-X	99-19-076
236-48-025	AMD	99-15-070	236-48-143	AMD	99-15-070	236-200-050	RECOD-X	99-19-076
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236-48-036	AMD-XA	99-10-069	236-48-153	AMD	99-15-070	245-02-020	DECOD	99-04-049
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236-48-041	REP-XR	99-10-068	236-48-155	REP	99-13-138	245-02-030	DECOD	99-04-049
236-48-041	REP	99-13-138	236-48-162	REP-XR	99-10-068	245-02-035	DECOD	99-04-049
236-48-051	REP-XR	99-10-068	236-48-162	REP	99-13-138	245-02-040	DECOD	99-04-049
236-48-051	REP	99-13-138	236-48-163	REP-XR	99-10-068	245-02-045	DECOD	99-04-049
236-48-052	REP-XR	99-10-068	236-48-163	REP	99-13-138	245-02-050	DECOD	99-04-049
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246-25-155	RECOD	99-04-049	246-217-030	REP	99-13-019	246-231-200	NEW	99-15-105
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246-25-170	RECOD	99-04-049	246-217-040	REP-P	99-08-097	246-232-040	AMD-P	99-12-130
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246-254-090	AMD-P	99-20-061	246-290-650	AMD	99-07-021	246-318-380	REP	99-04-052
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246-320-325	NEW	99-04-052	246-358-090	AMD-P	99-23-109	246-359-240	NEW	99-03-065
246-320-345	NEW	99-04-052	246-358-095	AMD-P	99-23-109	246-359-250	NEW	99-03-065
246-320-365	NEW	99-04-052	246-358-100	AMD-P	99-23-109	246-359-300	NEW	99-03-065
246-320-385	NEW	99-04-052	246-358-125	AMD-P	99-23-109	246-359-310	NEW	99-03-065
246-320-405	NEW	99-04-052	246-358-135	AMD-P	99-23-109	246-359-320	NEW	99-03-065
246-320-500	NEW	99-04-052	246-358-140	REP-P	99-23-109	246-359-330	NEW	99-03-065
246-320-505	NEW	99-04-052	246-358-145	AMD-P	99-23-109	246-359-340	NEW	99-03-065
246-320-515	NEW	99-04-052	246-358-155	AMD-P	99-23-109	246-359-350	NEW	99-03-065
246-320-525	NEW	99-04-052	246-358-165	AMD-P	99-23-109	246-359-400	NEW	99-03-065
246-320-535	NEW	99-04-052	246-358-175	AMD-P	99-23-109	246-359-405	NEW	99-03-065
246-320-545	NEW	99-04-052	246-358-600	NEW-P	99-08-098	246-359-410	NEW	99-03-065
246-320-555	NEW	99-04-052	246-358-600	NEW	99-12-006	246-359-420	NEW	99-03-065
246-320-565	NEW	99-04-052	246-358-600	REP-P	99-23-109	246-359-430	NEW	99-03-065
246-320-575	NEW	99-04-052	246-358-610	NEW-P	99-08-098	246-359-440	NEW	99-03-065
246-320-585	NEW	99-04-052	246-358-610	NEW	99-12-006	246-359-500	NEW	99-03-065
246-320-595	NEW	99-04-052	246-358-610	REP-P	99-23-109	246-359-510	NEW	99-03-065
246-320-605	NEW	99-04-052	246-358-620	NEW-P	99-08-098	246-359-520	NEW	99-03-065
246-320-615	NEW	99-04-052	246-358-620	NEW	99-12-006	246-359-530	NEW	99-03-065
246-320-625	NEW	99-04-052	246-358-620	REP-P	99-23-109	246-359-540	NEW	99-03-065
246-320-635	NEW	99-04-052	246-358-630	NEW-P	99-08-098	246-359-550	NEW	99-03-065
246-320-645	NEW	99-04-052	246-358-630	NEW	99-12-006	246-359-560	NEW	99-03-065
246-320-655	NEW	99-04-052	246-358-630	REP-P	99-23-109	246-359-565	NEW	99-03-065
246-320-665	NEW	99-04-052	246-358-640	NEW-P	99-08-098	246-359-570	NEW	99-03-065
246-320-675	NEW	99-04-052	246-358-640	NEW	99-12-006	246-359-575	NEW	99-03-065
246-320-685	NEW	99-04-052	246-358-640	REP-P	99-23-109	246-359-580	NEW	99-03-065
246-320-695	NEW	99-04-052	246-358-650	NEW-P	99-08-098	246-359-590	NEW	99-03-065
246-320-705	NEW	99-04-052	246-358-650	NEW	99-12-006	246-359-600	NEW	99-03-065
246-320-715	NEW	99-04-052	246-358-650	REP-P	99-23-109	246-359-700	NEW	99-03-065
246-320-725	NEW	99-04-052	246-358-660	NEW-P	99-08-098	246-359-710	NEW	99-03-065
246-320-735	NEW	99-04-052	246-358-660	NEW	99-12-006	246-359-720	NEW	99-03-065
246-320-745	NEW	99-04-052	246-358-660	REP-P	99-23-109	246-359-730	NEW	99-03-065
246-320-755	NEW	99-04-052	246-358-670	NEW-P	99-08-098	246-359-740	NEW	99-03-065
246-320-765	NEW	99-04-052	246-358-670	NEW	99-12-006	246-359-750	NEW	99-03-065
246-320-775	NEW	99-04-052	246-358-670	REP-P	99-23-109	246-359-760	NEW	99-03-065
246-320-785	NEW	99-04-052	246-358-680	NEW-P	99-08-098	246-359-800	NEW	99-03-065
246-320-795	NEW	99-04-052	246-358-680	NEW	99-12-006	246-359-990	NEW	99-03-065
246-320-805	NEW	99-04-052	246-358-680	REP-P	99-23-109	246-360-990	PREP	99-10-077
246-320-815	NEW	99-04-052	246-358-990	AMD-P	99-21-075	246-360-990	AMD-P	99-19-130
246-320-990	NEW	99-04-052	246-359-001	NEW	99-03-065	246-360-990	AMD	99-23-015
246-320-990	AMD-P	99-21-064	246-359-005	NEW	99-03-065	246-361-001	NEW-P	99-23-109
246-320-99902	NEW	99-04-052	246-359-010	NEW	99-03-065	246-361-010	NEW-P	99-23-109
246-322-990	AMD-P	99-20-091	246-359-020	NEW	99-03-065	246-361-020	NEW-P	99-23-109
246-323-990	AMD-P	99-21-065	246-359-030	NEW	99-03-065	246-361-025	NEW-P	99-23-109
246-324-990	AMD-P	99-20-091	246-359-040	NEW	99-03-065	246-361-030	NEW-P	99-23-109
246-325-990	AMD-P	99-21-065	246-359-050	NEW	99-03-065	246-361-035	NEW-P	99-23-109
246-326-990	AMD-P	99-21-065	246-359-060	NEW	99-03-065	246-361-045	NEW-P	99-23-109
246-338-990	AMD-P	99-21-074	246-359-070	NEW	99-03-065	246-361-055	NEW-P	99-23-109
246-358	PREP	99-15-108	246-359-080	NEW	99-03-065	246-361-065	NEW-P	99-23-109
246-358-001	AMD-P	99-23-109	246-359-090	NEW	99-03-065	246-361-070	NEW-P	99-23-109

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246-361-075	NEW-P	99-23-109	246-810-990	AMD	99-08-101	246-828-280	REP	99-20-063
246-361-080	NEW-P	99-23-109	246-811-010	NEW-P	99-09-100	246-828-290	AMD	99-08-103
246-361-090	NEW-P	99-23-109	246-811-010	NEW	99-13-084	246-828-310	REP	99-07-020
246-361-095	NEW-P	99-23-109	246-811-030	NEW-P	99-09-100	246-828-320	PREP	99-22-088
246-361-100	NEW-P	99-23-109	246-811-030	NEW	99-13-084	246-828-330	PREP	99-22-088
246-361-125	NEW-P	99-23-109	246-811-045	NEW-P	99-09-100	246-828-340	REP	99-07-019
246-361-135	NEW-P	99-23-109	246-811-045	NEW	99-13-084	246-828-350	PREP	99-22-089
246-361-145	NEW-P	99-23-109	246-811-046	NEW-P	99-09-100	246-830-990	AMD-P	99-02-057
246-361-155	NEW-P	99-23-109	246-811-046	NEW	99-13-084	246-830-990	AMD	99-08-101
246-361-165	NEW-P	99-23-109	246-811-047	NEW-P	99-09-100	246-834-050	NEW	99-03-064
246-361-175	NEW-P	99-23-109	246-811-047	NEW	99-13-084	246-834-060	AMD	99-03-064
246-361-990	NEW-P	99-23-109	246-811-048	NEW-P	99-09-100	246-834-070	AMD	99-03-064
246-560-001	AMD	99-03-043	246-811-048	NEW	99-13-084	246-834-080	AMD	99-03-064
246-560-002	NEW	99-03-043	246-811-049	NEW-P	99-09-100	246-834-990	PREP	99-06-090
246-560-010	AMD	99-03-043	246-811-049	NEW	99-13-084	246-838-040	REP	99-08-104
246-560-011	NEW	99-03-043	246-811-049	NEW	99-13-084	246-840	PREP	99-11-033
246-560-025	NEW	99-03-043	246-811-060	NEW-P	99-20-060	246-840	PREP-W	99-23-086
246-560-035	NEW	99-03-043	246-811-070	NEW-P	99-09-100	246-840-010	PREP	99-11-032
246-560-040	AMD	99-03-043	246-811-070	NEW	99-13-084	246-840-020	AMD-P	99-06-092
246-560-045	NEW	99-03-043	246-811-075	NEW-P	99-09-100	246-840-020	AMD	99-10-079
246-560-045	NEW	99-03-043	246-811-075	NEW	99-13-084	246-840-020	PREP	99-11-032
246-560-050	AMD	99-03-043	246-811-080	NEW-P	99-09-100	246-840-050	AMD-P	99-08-099
246-560-060	AMD	99-03-043	246-811-080	NEW	99-13-084	246-840-050	AMD	99-13-086
246-560-065	NEW	99-03-043	246-811-080	NEW	99-13-084	246-840-070	AMD-P	99-08-099
246-560-070	REP	99-03-043	246-811-990	NEW-P	99-09-100	246-840-070	AMD	99-13-086
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246-560-077	NEW	99-03-043	246-812	PREP-W	99-23-086	246-840-090	AMD-P	99-08-099
246-560-085	NEW	99-03-043	246-812-990	AMD-XA	99-18-081	246-840-090	AMD	99-13-086
246-562	PREP	99-15-101	246-817-990	AMD-P	99-02-057	246-840-125	PREP	99-03-066
246-650-990	AMD-P	99-16-115	246-817-990	AMD	99-08-101	246-840-125	PREP-W	99-23-086
246-650-990	AMD	99-20-036	246-822-990	AMD-P	99-02-057	246-840-125	PREP	99-11-032
246-650-991	NEW-P	99-16-115	246-822-990	AMD	99-08-101	246-840-565	PREP	99-11-032
246-650-991	NEW	99-20-036	246-824-010	PREP-W	99-23-086	246-840-730	AMD-P	99-18-082
246-760	PREP	99-11-030	246-824-020	PREP-W	99-23-086	246-840-740	NEW	99-04-051
246-762	PREP	99-11-031	246-824-025	PREP-W	99-23-086	246-840-760	PREP	99-11-032
246-790	PREP	99-13-082	246-824-075	PREP-W	99-23-086	246-840-840	PREP	99-14-002
246-802-030	PREP-W	99-23-086	246-824-075	PREP-W	99-23-086	246-840-840	PREP	99-14-002
246-802-040	PREP-W	99-23-086	246-824-220	PREP-W	99-23-086	246-840-850	PREP	99-14-002
246-802-050	PREP-W	99-23-086	246-824-990	PREP-W	99-23-086	246-840-860	PREP	99-14-002
246-802-060	PREP-W	99-23-086	246-828-045	NEW	99-08-102	246-840-870	PREP	99-14-002
246-802-990	AMD-P	99-02-057	246-828-061	NEW-P	99-11-036	246-840-880	PREP	99-14-002
246-802-990	AMD	99-08-101	246-828-061	NEW	99-19-059	246-840-890	PREP	99-14-002
246-808-101	REP-XR	99-03-061	246-828-080	PREP	99-22-089	246-840-900	PREP	99-14-002
246-808-301	REP-XR	99-03-061	246-828-090	PREP	99-22-089	246-840-920	PREP	99-11-032
246-808-320	REP-XR	99-03-061	246-828-100	PREP	99-22-089	246-841-990	PREP	99-16-114
246-808-330	REP-XR	99-03-061	246-828-105	AMD-XA	99-08-096	246-841-990	AMD-P	99-21-066
246-808-340	REP-XR	99-03-061	246-828-105	AMD	99-19-058	246-843-001	REP-P	99-20-059
246-808-350	REP-XR	99-03-061	246-828-110	REP	99-07-020	246-843-010	AMD-P	99-20-092
246-808-360	REP-XR	99-03-061	246-828-120	REP	99-07-020	246-843-015	NEW-P	99-20-092
246-808-370	REP-XR	99-03-061	246-828-130	REP	99-07-020	246-843-030	REP-P	99-20-059
246-808-380	REP-XR	99-03-061	246-828-140	REP	99-07-020	246-843-040	AMD-P	99-20-059
246-808-390	REP-XR	99-03-061	246-828-150	REP	99-07-020	246-843-050	REP-P	99-20-059
246-808-640	REP-XR	99-03-061	246-828-160	REP	99-07-020	246-843-060	REP	99-03-069
246-808-990	AMD-P	99-02-057	246-828-170	REP	99-07-020	246-843-070	AMD-P	99-20-093
246-810-600	NEW-P	99-22-092	246-828-180	REP	99-07-020	246-843-071	NEW-P	99-20-093
246-810-610	NEW-P	99-22-092	246-828-190	REP	99-07-020	246-843-072	NEW-P	99-20-093
246-810-620	NEW-P	99-22-092	246-828-200	REP	99-07-020	246-843-073	NEW-P	99-20-093
246-810-630	NEW-P	99-22-092	246-828-210	REP	99-07-020	246-843-074	NEW-P	99-20-093
246-810-640	NEW-P	99-22-092	246-828-220	PREP	99-22-089	246-843-080	REP-P	99-20-093
246-810-650	NEW-P	99-22-092	246-828-230	REP	99-07-020	246-843-090	AMD-P	99-20-094
246-810-660	NEW-P	99-22-092	246-828-240	REP	99-07-020	246-843-093	NEW-P	99-20-094
246-810-990	AMD-P	99-02-057	246-828-250	REP	99-07-020	246-843-095	AMD-P	99-20-094
			246-828-260	REP	99-07-020	246-843-100	REP-P	99-20-093
			246-828-270	PREP	99-22-089	246-843-110	REP-P	99-20-093
			246-828-280	REP-XR	99-16-046	246-843-115	REP-P	99-20-093

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246-843-122	REP-P	99-20-093	246-919-430	AMD-P	99-18-085	246-935-050	PREP	99-15-103
246-843-125	REP-P	99-20-095	246-919-430	AMD	99-23-090	246-935-060	PREP	99-15-103
246-843-130	AMD-P	99-20-095	246-919-450	AMD-P	99-18-085	246-935-140	REP-XR	99-02-080
246-843-150	AMD-P	99-20-095	246-919-450	AMD	99-23-090	246-935-140	REP	99-14-076
246-843-170	REP-P	99-20-093	246-919-460	AMD-P	99-18-085	246-939-990	NEW-P	99-21-070
246-843-200	REP	99-03-068	246-919-460	AMD	99-23-090	248-554-001	PREP	99-17-058
246-843-205	AMD-P	99-20-058	246-919-630	NEW-P	99-07-121	248-554-005	PREP	99-17-058
246-843-220	REP	99-03-067	246-919-630	NEW-W	99-20-089	248-554-010	PREP	99-17-058
246-843-225	REP	99-03-067	246-919-640	NEW-P	99-07-121	248-554-015	PREP	99-17-058
246-843-230	AMD-P	99-20-093	246-919-640	NEW-W	99-20-089	248-554-018	PREP	99-17-058
246-843-231	NEW-P	99-20-093	246-919-800	NEW-P	99-18-086	248-554-020	PREP	99-17-058
246-843-990	AMD-P	99-21-067	246-919-800	NEW	99-22-090	248-554-030	PREP	99-17-058
246-845-990	AMD-P	99-02-057	246-919-810	NEW-P	99-18-086	250-04-010	REP-XR	99-19-148
246-845-990	AMD	99-08-101	246-919-810	NEW	99-22-090	250-04-020	REP-XR	99-19-148
246-845-990	PREP-W	99-23-086	246-919-820	NEW-P	99-18-086	250-04-030	REP-XR	99-19-148
246-847-990	AMD-P	99-02-057	246-919-820	NEW	99-22-090	250-04-040	REP-XR	99-19-148
246-847-990	AMD	99-08-101	246-919-830	NEW-P	99-18-086	250-04-050	REP-XR	99-19-148
246-849-990	AMD-P	99-02-057	246-919-830	NEW	99-22-090	250-04-060	REP-XR	99-19-148
246-849-990	AMD	99-08-101	246-919-890	AMD-P	99-18-085	250-04-070	REP-XR	99-19-148
246-850	PREP-W	99-23-086	246-919-990	AMD	99-23-090	250-04-080	REP-XR	99-19-148
246-850-060	NEW-P	99-03-083	246-922	PREP-W	99-23-086	250-08-010	REP-XR	99-19-148
246-850-060	NEW	99-07-122	246-922-010	AMD-P	99-08-100	250-08-020	REP-XR	99-19-148
246-851-270	REP	99-16-047	246-922-010	AMD	99-14-074	250-08-030	REP-XR	99-19-148
246-851-340	REP	99-16-047	246-922-090	REP-P	99-08-100	250-08-040	REP-XR	99-19-148
246-851-360	REP	99-16-047	246-922-090	REP	99-14-074	250-20-001	AMD-P	99-10-074
246-851-990	AMD-P	99-02-057	246-922-100	AMD-P	99-08-100	250-20-001	AMD	99-16-015
246-851-990	AMD	99-08-101	246-922-100	AMD	99-14-074	250-20-011	AMD-P	99-10-074
246-853-990	AMD-P	99-21-068	246-922-300	AMD-P	99-15-104	250-20-011	AMD	99-16-015
246-865	PREP-W	99-23-086	246-922-300	AMD	99-20-096	250-20-021	AMD-P	99-10-074
246-869	PREP-W	99-23-086	246-922-310	AMD-P	99-15-104	250-20-021	AMD	99-16-015
246-872	PREP-W	99-23-086	246-922-310	AMD	99-20-096	250-20-031	AMD-P	99-10-074
246-875	PREP-W	99-23-086	246-922-990	AMD-P	99-21-069	250-20-031	AMD	99-16-015
246-879	PREP-W	99-23-086	246-924-180	AMD-P	99-09-101	250-20-041	AMD-P	99-10-074
246-883-020	AMD-P	99-18-083	246-924-180	AMD	99-14-075	250-20-041	AMD	99-16-015
246-887-160	AMD-XA	99-16-116	246-924-230	AMD-P	99-09-101	250-61-060	AMD	99-06-022
246-887-170	PREP-W	99-23-086	246-924-230	AMD	99-14-075	250-61-090	AMD	99-06-021
246-888-010	NEW-P	99-18-084	246-924-240	AMD-P	99-09-101	250-79	PREP	99-10-070
246-888-020	NEW-P	99-18-084	246-924-240	AMD	99-14-075	250-79-030	NEW-E	99-14-034
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246-888-040	NEW-P	99-18-084	246-924-250	AMD-P	99-09-101	250-79-030	NEW	99-19-147
246-888-050	NEW-P	99-18-084	246-924-250	AMD	99-14-075	250-80-010	NEW-E	99-20-076
246-888-060	NEW-P	99-18-084	246-924-300	AMD-P	99-09-101	250-80-020	NEW-E	99-20-076
246-888-070	NEW-P	99-18-084	246-924-300	AMD	99-14-075	250-80-030	NEW-E	99-20-076
246-888-080	NEW-P	99-18-084	246-924-330	AMD-P	99-09-101	250-80-040	NEW-E	99-20-076
246-888-090	NEW-P	99-18-084	246-924-330	AMD	99-14-075	250-80-050	NEW-E	99-20-076
246-888-100	NEW-P	99-18-084	246-924-340	REP-P	99-09-101	250-80-060	NEW-E	99-20-076
246-888-110	NEW-P	99-18-084	246-924-340	REP	99-14-075	250-80-070	NEW-E	99-20-076
246-901-065	PREP-W	99-23-086	246-924-500	PREP-W	99-23-086	250-80-080	NEW-E	99-20-076
246-915-990	AMD-P	99-02-057	246-924-990	AMD-P	99-02-057	250-80-090	NEW-E	99-20-076
246-915-990	AMD	99-08-101	246-924-990	AMD	99-08-101	250-80-100	NEW-E	99-20-076
246-918-115	NEW-P	99-07-121	246-924-990	PREP-W	99-23-086	251-01-014	NEW-P	99-02-054
246-918-115	NEW-W	99-20-089	246-926-990	AMD-P	99-02-057	251-01-014	NEW	99-05-042
246-918-116	NEW-P	99-07-121	246-926-990	AMD	99-08-101	251-01-015	AMD-P	99-02-054
246-918-116	NEW-W	99-20-089	246-928-990	AMD-P	99-02-057	251-01-015	AMD	99-05-042
246-918-171	NEW-P	99-18-085	246-928-990	AMD	99-08-101	251-01-040	AMD-P	99-02-054
246-918-171	NEW	99-23-090	246-930-330	PREP	99-14-001	251-01-040	AMD	99-05-042
246-918-990	AMD-P	99-06-093	246-930-499	REP	99-07-018	251-01-190	AMD-P	99-02-054
246-918-990	AMD	99-13-087	246-930-990	AMD-P	99-02-057	251-01-190	AMD	99-05-042
246-918-990	AMD-P	99-18-085	246-930-990	AMD	99-08-101	251-01-330	REP-P	99-02-054
246-918-990	AMD	99-23-090	246-933-990	PREP-W	99-23-086	251-01-330	REP	99-05-042
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251- 01-400	AMD	99-05-042	260- 48-910	NEW-P	99-02-081	275- 27-040	DECOD	99-19-104
251- 01-420	REP-P	99-02-054	260- 48-910	NEW	99-06-026	275- 27-050	DECOD	99-19-104
251- 01-420	REP	99-05-042	260- 52-010	PREP	99-22-021	275- 27-060	DECOD	99-19-104
251- 01-435	AMD-P	99-13-106	260- 52-030	PREP	99-22-021	275- 27-180	NEW	99-04-071
251- 01-435	AMD	99-19-118	260- 52-040	PREP	99-22-021	275- 27-180	DECOD	99-19-104
251- 01-440	AMD-P	99-02-054	260- 52-060	PREP	99-22-021	275- 27-185	NEW	99-04-071
251- 01-440	AMD	99-05-042	260- 52-070	AMD	99-05-047	275- 27-185	DECOD	99-19-104
251- 11-130	AMD-P	99-13-106	260- 52-070	PREP	99-22-021	275- 27-190	NEW	99-04-071
251- 11-130	AMD	99-19-118	260- 52-080	PREP	99-22-021	275- 27-190	DECOD	99-19-104
251- 17-090	AMD-P	99-02-054	260- 70-640	PREP	99-22-022	275- 27-191	NEW	99-04-071
251- 17-090	AMD	99-05-042	260- 70-700	PREP	99-22-022	275- 27-191	DECOD	99-19-104
251- 19-050	AMD-P	99-13-106	260- 70-730	PREP	99-22-022	275- 27-192	NEW	99-04-071
251- 19-050	AMD	99-19-118	260- 72-020	PREP	99-22-023	275- 27-192	DECOD	99-19-104
251- 19-060	AMD-P	99-13-106	260- 75	PREP	99-03-014	275- 27-193	NEW	99-04-071
251- 19-060	AMD	99-19-118	260- 88	PREP	99-22-062	275- 27-193	DECOD	99-19-104
251- 19-180	NEW-P	99-16-102	260- 88-010	PREP	99-22-024	275- 27-194	NEW	99-04-071
251- 19-180	NEW	99-19-119	262- 01	PREP	99-20-067	275- 27-194	DECOD	99-19-104
251- 20-020	AMD-P	99-16-101	275- 25-010	DECOD	99-19-104	275- 27-195	NEW	99-04-071
251- 20-030	AMD-P	99-16-101	275- 25-015	DECOD	99-19-104	275- 27-195	DECOD	99-19-104
251- 23-010	AMD-P	99-02-054	275- 25-020	DECOD	99-19-104	275- 27-196	NEW	99-04-071
251- 23-010	AMD	99-05-042	275- 25-030	DECOD	99-19-104	275- 27-196	DECOD	99-19-104
251- 23-030	AMD-P	99-02-054	275- 25-040	DECOD	99-19-104	275- 27-197	NEW	99-04-071
251- 23-030	AMD	99-05-042	275- 25-520	DECOD	99-19-104	275- 27-197	DECOD	99-19-104
251- 23-040	AMD-P	99-02-054	275- 25-527	DECOD	99-19-104	275- 27-198	NEW	99-04-071
251- 23-040	AMD	99-05-042	275- 25-530	DECOD	99-19-104	275- 27-198	DECOD	99-19-104
251- 23-050	AMD-P	99-02-054	275- 25-755	DECOD	99-19-104	275- 27-199	NEW	99-04-071
251- 23-050	AMD	99-05-042	275- 25-800	REP-XR	99-22-010	275- 27-199	DECOD	99-19-104
251- 23-060	AMD-P	99-02-054	275- 26-005	DECOD	99-19-104	275- 27-200	NEW	99-04-071
251- 23-060	AMD	99-05-042	275- 26-010	DECOD	99-19-104	275- 27-200	DECOD	99-19-104
251- 24-030	AMD-P	99-02-054	275- 26-019	DECOD	99-19-104	275- 27-202	NEW	99-04-071
251- 24-030	AMD	99-05-042	275- 26-020	DECOD	99-19-104	275- 27-202	DECOD	99-19-104
251- 24-030	AMD-P	99-13-105	275- 26-021	DECOD	99-19-104	275- 27-204	NEW	99-04-071
251- 24-030	AMD	99-19-115	275- 26-022	DECOD	99-19-104	275- 27-204	DECOD	99-19-104
251- 24-040	AMD-W	99-05-058	275- 26-025	DECOD	99-19-104	275- 27-211	NEW	99-04-071
260- 20-170	PREP	99-22-015	275- 26-050	DECOD	99-19-104	275- 27-211	DECOD	99-19-104
260- 24-560	AMD	99-05-048	275- 26-055	DECOD	99-19-104	275- 27-212	NEW	99-04-071
260- 24-560	PREP	99-22-075	275- 26-060	DECOD	99-19-104	275- 27-212	DECOD	99-19-104
260- 28-200	PREP	99-22-035	275- 26-065	DECOD	99-19-104	275- 27-213	NEW	99-04-071
260- 28-230	PREP	99-22-018	275- 26-070	DECOD	99-19-104	275- 27-213	DECOD	99-19-104
260- 28-235	PREP	99-22-035	275- 26-071	DECOD	99-19-104	275- 27-219	DECOD	99-19-104
260- 28-260	PREP	99-22-035	275- 26-072	DECOD	99-19-104	275- 27-220	DECOD	99-19-104
260- 28-280	PREP	99-22-035	275- 26-073	DECOD	99-19-104	275- 27-222	DECOD	99-19-104
260- 34	PREP	99-22-016	275- 26-074	DECOD	99-19-104	275- 27-223	DECOD	99-19-104
260- 36	PREP	99-22-017	275- 26-075	DECOD	99-19-104	275- 27-230	DECOD	99-19-104
260- 40-100	PREP	99-22-019	275- 26-076	DECOD	99-19-104	275- 27-240	DECOD	99-19-104
260- 44-070	PREP	99-22-062	275- 26-077	DECOD	99-19-104	275- 27-250	DECOD	99-19-104
260- 44-110	AMD-P	99-02-082	275- 26-087	DECOD	99-19-104	275- 27-400	DECOD	99-19-104
260- 44-110	AMD	99-05-049	275- 26-095	DECOD	99-19-104	275- 27-500	DECOD	99-19-104
260- 44-120	AMD-P	99-02-082	275- 26-097	DECOD	99-19-104	275- 27-800	DECOD	99-19-104
260- 44-120	AMD	99-05-049	275- 26-100	DECOD	99-19-104	275- 27-810	DECOD	99-19-104
260- 48-600	AMD-P	99-02-081	275- 26-107	DECOD	99-19-104	275- 27-820	DECOD	99-19-104
260- 48-600	AMD	99-06-026	275- 26-110	DECOD	99-19-104	275- 30-010	AMD	99-03-077
260- 48-600	PREP	99-22-020	275- 26-115	DECOD	99-19-104	275- 30-030	AMD	99-03-077
260- 48-620	AMD-P	99-02-081	275- 27	PREP	99-10-063	275- 30-040	AMD	99-03-077
260- 48-620	AMD	99-06-026	275- 27-020	AMD	99-04-071	275- 30-050	REP	99-03-077
260- 48-620	PREP	99-22-020	275- 27-020	DECOD-P	99-15-043	275- 30-060	AMD	99-03-077
260- 48-700	NEW-P	99-02-081	275- 27-020	AMD-P	99-15-043	275- 30-070	AMD	99-03-077
260- 48-700	NEW	99-06-026	275- 27-020	AMD	99-23-021	275- 30-080	REP	99-03-077
260- 48-710	NEW-P	99-02-081	275- 27-020	DECOD	99-23-021	275- 31-005	DECOD	99-19-104
260- 48-710	NEW	99-06-026	275- 27-023	DECOD	99-19-104	275- 31-010	DECOD	99-19-104
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275-31-040	DECOD	99-19-104	275-38-720	DECOD	99-19-104	275-155-010	DECOD	99-21-001
275-31-050	DECOD	99-19-104	275-38-725	DECOD	99-19-104	275-155-020	DECOD	99-21-001
275-31-070	DECOD	99-19-104	275-38-745	DECOD	99-19-104	275-155-030	DECOD	99-21-001
275-31-080	DECOD	99-19-104	275-38-750	DECOD	99-19-104	275-155-040	DECOD	99-21-001
275-31-090	DECOD	99-19-104	275-38-760	DECOD	99-19-104	275-155-050	DECOD	99-21-001
275-38-001	DECOD	99-19-104	275-38-765	DECOD	99-19-104	275-155-060	DECOD	99-21-001
275-38-003	DECOD	99-19-104	275-38-770	DECOD	99-19-104	275-155-070	DECOD	99-21-001
275-38-005	DECOD	99-19-104	275-38-775	DECOD	99-19-104	275-155-080	DECOD	99-21-001
275-38-015	DECOD	99-19-104	275-38-780	DECOD	99-19-104	275-155-090	DECOD	99-21-001
275-38-020	DECOD	99-19-104	275-38-785	DECOD	99-19-104	275-155-100	DECOD	99-21-001
275-38-025	DECOD	99-19-104	275-38-790	DECOD	99-19-104	275-155-110	DECOD	99-21-001
275-38-030	DECOD	99-19-104	275-38-795	DECOD	99-19-104	275-155-120	DECOD	99-21-001
275-38-035	DECOD	99-19-104	275-38-800	DECOD	99-19-104	275-155-130	DECOD	99-21-001
275-38-045	DECOD	99-19-104	275-38-805	DECOD	99-19-104	275-155-140	DECOD	99-21-001
275-38-050	DECOD	99-19-104	275-38-810	DECOD	99-19-104	275-156-005	DECOD	99-21-002
275-38-055	DECOD	99-19-104	275-38-812	DECQD	99-19-104	275-156-010	DECOD	99-21-002
275-38-060	DECOD	99-19-104	275-38-813	DECOD	99-19-104	275-156-015	DECOD	99-21-002
275-38-065	DECOD	99-19-104	275-38-815	DECOD	99-19-104	275-156-020	DECOD	99-21-002
275-38-075	DECOD	99-19-104	275-38-820	DECOD	99-19-104	275-156-025	DECOD	99-21-002
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275-38-090	DECOD	99-19-104	275-38-835	DECOD	99-19-104	275-156-035	DECOD	99-21-002
275-38-510	DECOD	99-19-104	275-38-840	DECOD	99-19-104	275-156-040	DECOD	99-21-002
275-38-515	DECOD	99-19-104	275-38-845	DECOD	99-19-104	284-07-050	AMD-XA	99-11-101
275-38-520	DECOD	99-19-104	275-38-846	DECOD	99-19-104	284-07-050	AMD	99-16-035
275-38-525	DECOD	99-19-104	275-38-850	DECOD	99-19-104	284-23-300	PREP	99-13-199
275-38-530	DECOD	99-19-104	275-38-860	DECOD	99-19-104	284-23-310	PREP	99-13-199
275-38-535	DECOD	99-19-104	275-38-863	DECOD	99-19-104	284-23-320	PREP	99-13-199
275-38-540	DECOD	99-19-104	275-38-865	DECOD	99-19-104	284-23-330	PREP	99-13-199
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275-38-546	DECOD	99-19-104	275-38-869	DECOD	99-19-104	284-23-350	PREP	99-13-199
275-38-550	DECOD	99-19-104	275-38-870	DECOD	99-19-104	284-23-360	PREP	99-13-199
275-38-555	DECOD	99-19-104	275-38-875	DECOD	99-19-104	284-23-370	PREP	99-13-199
275-38-560	DECOD	99-19-104	275-38-880	DECOD	99-19-104	284-24-120	NEW-P	99-19-174
275-38-565	DECOD	99-19-104	275-38-885	DECOD	99-19-104	284-24-120	NEW	99-23-068
275-38-570	DECOD	99-19-104	275-38-886	DECOD	99-19-104	284-43	AMD-C	99-03-037
275-38-585	DECOD	99-19-104	275-38-887	DECOD	99-19-104	284-43	AMD-C	99-03-038
275-38-586	DECOD	99-19-104	275-38-888	DECOD	99-19-104	284-43	PREP	99-13-198
275-38-590	DECOD	99-19-104	275-38-889	DECOD	99-19-104	284-43-130	AMD-P	99-03-006
275-38-595	DECOD	99-19-104	275-38-890	DECOD	99-19-104	284-43-130	AMD-P	99-03-007
275-38-600	DECOD	99-19-104	275-38-892	DECOD	99-19-104	284-43-130	AMD-W	99-16-073
275-38-605	DECOD	99-19-104	275-38-895	DECOD	99-19-104	284-43-130	AMD-P	99-16-106
275-38-610	DECOD	99-19-104	275-38-900	DECOD	99-19-104	284-43-130	AMD	99-19-032
275-38-615	DECOD	99-19-104	275-38-903	DECOD	99-19-104	284-43-205	NEW-P	99-11-102
275-38-620	DECOD	99-19-104	275-38-906	DECOD	99-19-104	284-43-205	NEW-C	99-13-045
275-38-625	DECOD	99-19-104	275-38-910	DECOD	99-19-104	284-43-205	NEW	99-16-036
275-38-645	DECOD	99-19-104	275-38-915	DECOD	99-19-104	284-43-320	AMD-P	99-12-106
275-38-650	DECOD	99-19-104	275-38-920	DECOD	99-19-104	284-43-320	AMD	99-21-016
275-38-655	DECOD	99-19-104	275-38-925	DECOD	99-19-104	284-43-321	NEW	99-21-016
275-38-660	DECOD	99-19-104	275-38-930	DECOD	99-19-104	284-43-322	NEW	99-21-016
275-38-665	DECOD	99-19-104	275-38-935	DECOD	99-19-104	284-43-324	NEW	99-21-016
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275-38-675	DECOD	99-19-104	275-38-950	DECOD	99-19-104	284-43-331	NEW	99-21-016
275-38-678	DECOD	99-19-104	275-38-955	DECOD	99-19-104	284-43-340	REP-P	99-12-106
275-38-680	DECOD	99-19-104	275-38-960	DECOD	99-19-104	284-43-350	NEW-P	99-12-106
275-38-685	DECOD	99-19-104	275-41-005	DECOD	99-19-104	284-43-360	NEW-P	99-12-106
275-38-690	DECOD	99-19-104	275-41-010	DECOD	99-19-104	284-43-370	NEW-P	99-12-106
275-38-695	DECOD	99-19-104	275-41-015	DECOD	99-19-104	284-43-399	NEW-P	99-12-106
275-38-700	DECOD	99-19-104	275-41-020	DECOD	99-19-104	284-43-610	NEW-P	99-19-173
275-38-705	DECOD	99-19-104	275-41-025	DECOD	99-19-104	284-43-620	NEW-P	99-19-173
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284- 43-810	NEW	99-19-032	296- 15-02601	REP	99-23-107	296- 17	PREP	99-07-099
284- 44-043	AMD-P	99-19-173	296- 15-02602	REP-P	99-18-067	296- 17	PREP	99-07-100
284- 46-507	AMD-P	99-19-173	296- 15-02602	REP	99-23-107	296- 17	PREP	99-13-203
284- 50-377	AMD-P	99-19-173	296- 15-02603	REP-P	99-18-067	296- 17-31007	AMD-P	99-12-115
284- 53-005	NEW-P	99-11-103	296- 15-02603	REP	99-23-107	296- 17-31007	AMD	99-18-068
284- 53-005	NEW	99-16-005	296- 15-02604	REP-P	99-18-067	296- 17-31007	AMD-P	99-19-162
284- 53-010	AMD-P	99-11-103	296- 15-02604	REP	99-23-107	296- 17-31012	AMD-P	99-12-115
284- 53-010	AMD	99-16-005	296- 15-02605	REP-P	99-18-067	296- 17-31012	AMD	99-18-068
284- 91-060	NEW-P	99-14-085	296- 15-02605	REP	99-23-107	296- 17-31013	AMD-P	99-12-115
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286- 26-100	AMD-P	99-08-114	296- 15-031	NEW	99-23-107	296- 17-31021	AMD	99-18-068
286- 26-100	AMD	99-16-009	296- 15-041	NEW-P	99-18-067	296- 17-35201	AMD-P	99-12-115
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292-100-020	AMD	99-06-073	296- 15-050	REP	99-23-107	296- 17-505	AMD	99-18-068
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292-100-060	AMD	99-06-073	296- 15-060	REP	99-23-107	296- 17-50910	AMD	99-18-068
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292-100-090	AMD	99-06-073	296- 15-065	REP-P	99-18-067	296- 17-519	AMD-P	99-12-115
292-100-100	AMD	99-06-073	296- 15-065	REP	99-23-107	296- 17-519	AMD	99-18-068
292-100-105	NEW	99-06-073	296- 15-080	REP-P	99-18-067	296- 17-52102	AMD-P	99-12-115
292-100-110	AMD	99-06-073	296- 15-080	REP	99-23-107	296- 17-52102	AMD	99-18-068
292-100-120	AMD	99-06-073	296- 15-090	REP-P	99-18-067	296- 17-52106	AMD-P	99-12-115
292-100-130	AMD	99-06-073	296- 15-090	REP	99-23-107	296- 17-52106	AMD	99-18-068
292-100-140	AMD	99-06-073	296- 15-110	REP-P	99-18-067	296- 17-52108	AMD-P	99-12-115
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292-100-160	AMD	99-06-073	296- 15-121	NEW-P	99-18-067	296- 17-52109	AMD-P	99-12-115
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292-100-180	AMD	99-06-073	296- 15-130	REP-P	99-18-067	296- 17-52110	AMD-P	99-12-115
292-100-190	AMD	99-06-073	296- 15-130	REP	99-23-107	296- 17-52110	AMD	99-18-068
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296-62-14125	NEW	99-22-046	296-62-14533	AMD	99-10-071	296-62-30705	NEW	99-07-097
296-62-14130	NEW-P	99-13-144	296-62-20011	AMD	99-10-071	296-62-30710	NEW	99-07-097
296-62-14130	NEW	99-22-046	296-62-20017	AMD-XA	99-12-089	296-62-30715	NEW	99-07-097
296-62-14135	NEW-P	99-13-144	296-62-20017	AMD	99-17-094	296-62-3080	AMD	99-07-097
296-62-14135	NEW	99-22-046	296-62-20019	AMD	99-10-071	296-62-3090	AMD	99-07-097
296-62-14140	NEW-P	99-13-144	296-62-20027	AMD	99-10-071	296-62-30905	NEW	99-07-097
296-62-14140	NEW	99-22-046	296-62-20027	AMD-XA	99-12-089	296-62-30910	NEW	99-07-097
296-62-14145	NEW-P	99-13-144	296-62-20027	AMD	99-17-094	296-62-30915	NEW	99-07-097
296-62-14145	NEW	99-22-046	296-62-20029	AMD-XA	99-12-089	296-62-30920	NEW	99-07-097
296-62-14150	NEW-P	99-13-144	296-62-20029	AMD	99-17-094	296-62-30925	NEW	99-07-097
296-62-14150	NEW	99-22-046	296-62-300	AMD	99-07-097	296-62-30930	NEW	99-07-097
296-62-14155	NEW-P	99-13-144	296-62-30001	NEW	99-07-097	296-62-30935	NEW	99-07-097
296-62-14155	NEW	99-22-046	296-62-30003	NEW	99-07-097	296-62-30940	NEW	99-07-097
296-62-14170	NEW-P	99-13-144	296-62-3010	AMD	99-07-097	296-62-3100	AMD	99-07-097
296-62-14170	NEW	99-22-046	296-62-30105	NEW	99-07-097	296-62-31005	NEW	99-07-097
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296-62-14172	NEW-P	99-13-144	296-62-30120	NEW	99-07-097	296-62-31020	NEW	99-07-097
296-62-14172	NEW	99-22-046	296-62-30125	NEW	99-07-097	296-62-3110	AMD	99-07-097
296-62-14173	NEW-P	99-13-144	296-62-30130	NEW	99-07-097	296-62-31105	NEW	99-07-097
296-62-14173	NEW	99-22-046	296-62-30135	NEW	99-07-097	296-62-31110	NEW	99-07-097
296-62-14174	NEW-P	99-13-144	296-62-30140	NEW	99-07-097	296-62-3112	REP	99-07-097
296-62-14174	NEW	99-22-046	296-62-30145	NEW	99-07-097	296-62-3120	AMD	99-07-097
296-62-14175	NEW-P	99-13-144	296-62-3020	AMD	99-07-097	296-62-3130	AMD	99-07-097
296-62-14175	NEW	99-22-046	296-62-30205	NEW	99-07-097	296-62-31305	NEW	99-07-097
296-62-14176	NEW-P	99-13-144	296-62-30210	NEW	99-07-097	296-62-31310	NEW	99-07-097
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296-62-145	REP	99-22-046	296-62-30220	NEW	99-07-097	296-62-31320	NEW	99-07-097
296-62-14500	REP-P	99-13-144	296-62-30225	NEW	99-07-097	296-62-31325	NEW	99-07-097
296-62-14500	REP	99-22-046	296-62-30230	NEW	99-07-097	296-62-31330	NEW	99-07-097
296-62-14501	REP-P	99-13-144	296-62-30235	NEW	99-07-097	296-62-31335	NEW	99-07-097
296-62-14501	REP	99-22-046	296-62-3030	AMD	99-07-097	296-62-3138	AMD	99-07-097
296-62-14503	REP-P	99-13-144	296-62-30305	NEW	99-07-097	296-62-3140	AMD	99-07-097
296-62-14503	REP	99-22-046	296-62-30310	NEW	99-07-097	296-62-31405	NEW	99-07-097
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296-62-14505	REP	99-22-046	296-62-3040	AMD	99-07-097	296-62-31415	NEW	99-07-097
296-62-14507	REP-P	99-13-144	296-62-30405	NEW	99-07-097	296-62-31420	NEW	99-07-097
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296-62-14509	REP	99-22-046	296-62-30420	NEW	99-07-097	296-62-31435	NEW	99-07-097
296-62-14511	REP-P	99-13-144	296-62-30425	NEW	99-07-097	296-62-31440	NEW	99-07-097
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296-62-14519	REP	99-22-046	296-62-3050	AMD	99-07-097	296-62-3180	AMD	99-07-097
296-62-14520	REP-P	99-13-144	296-62-30505	NEW	99-07-097	296-62-3190	AMD	99-07-097
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296-62-41021	NEW	99-07-097	296-79-050	AMD	99-16-083	296-79-27015	AMD	99-16-083
296-62-41023	NEW	99-07-097	296-79-060	REP-P	99-06-071	296-79-280	AMD-P	99-06-071
296-62-41025	NEW	99-07-097	296-79-060	REP	99-16-083	296-79-280	AMD	99-16-083
296-62-41025	AMD-XA	99-12-089	296-79-070	AMD-P	99-06-071	296-79-290	AMD-P	99-06-071
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296-62-41030	NEW	99-07-097	296-79-080	AMD-P	99-06-071	296-79-29001	AMD-P	99-06-071
296-62-41031	NEW	99-07-097	296-79-080	AMD	99-16-083	296-79-29001	AMD	99-16-083
296-62-41033	NEW	99-07-097	296-79-090	AMD-P	99-06-071	296-79-29003	AMD-P	99-06-071
296-62-41035	NEW	99-07-097	296-79-090	AMD	99-16-083	296-79-29003	AMD	99-16-083
296-62-41040	NEW	99-07-097	296-79-100	AMD-P	99-06-071	296-79-29005	AMD-P	99-06-071
296-62-41041	NEW	99-07-097	296-79-100	AMD	99-16-083	296-79-29005	AMD	99-16-083
296-62-41042	NEW	99-07-097	296-79-110	AMD-P	99-06-071	296-79-29007	AMD-P	99-06-071
296-62-41043	NEW	99-07-097	296-79-110	AMD	99-16-083	296-79-29007	AMD	99-16-083
296-62-41044	NEW	99-07-097	296-79-120	AMD-P	99-06-071	296-79-29009	AMD-P	99-06-071
296-62-41045	NEW	99-07-097	296-79-120	AMD	99-16-083	296-79-29009	AMD	99-16-083
296-62-41046	NEW	99-07-097	296-79-130	AMD-P	99-06-071	296-79-29011	AMD-P	99-06-071
296-62-41047	NEW	99-07-097	296-79-130	AMD	99-16-083	296-79-29011	AMD	99-16-083
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296-78	PREP	99-06-040	296-79-255	REP	99-16-083	296-79-29037	AMD	99-16-083
296-78	PREP	99-12-037	296-79-260	AMD-P	99-06-071	296-79-300	AMD-P	99-06-071
296-78-540	AMD-P	99-15-086	296-79-260	AMD	99-16-083	296-79-300	AMD	99-16-083
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296-79-010	AMD	99-16-083	296-79-27005	AMD	99-16-083	296-79-31005	REP	99-16-083
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296-86A-020	AMD-P	99-08-128	296-104-055	AMD	99-22-026	296-104-502	AMD	99-22-026
296-86A-020	AMD	99-12-080	296-104-060	PREP	99-05-021	296-104-700	AMD-P	99-04-036
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296-86A-025	AMD	99-12-080	296-104-060	AMD	99-22-026	296-115	PREP	99-02-083
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296-86A-030	AMD-P	99-08-128	296-104-065	AMD	99-22-026	296-125-0212	NEW-W	99-09-081
296-86A-030	AMD	99-12-080	296-104-100	PREP	99-05-021	296-125-0630	NEW-W	99-09-081
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296-104-001	AMD-P	99-17-028	296-104-115	AMD	99-22-026	296-150C-1080	AMD-P	99-08-129
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296-104-010	PREP	99-05-021	296-104-130	AMD-P	99-17-028	296-150C-1545	NEW	99-13-010
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296-104-015	AMD-P	99-17-028	296-104-135	AMD	99-22-026	296-150C-1590	REP-XR	99-16-113
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296-104-020	AMD-P	99-17-028	296-104-150	PREP	99-05-021	296-150C-1660	REP-XR	99-16-113
296-104-020	AMD	99-22-026	296-104-150	AMD-P	99-17-028	296-150C-1670	REP-XR	99-16-113
296-104-025	PREP	99-05-021	296-104-150	AMD	99-22-026	296-150C-1680	REP-XR	99-16-113
296-104-025	AMD-P	99-17-028	296-104-151	PREP	99-05-021	296-150C-1690	REP-XR	99-16-113
296-104-025	AMD	99-22-026	296-104-151	AMD-P	99-17-028	296-150C-1700	REP-XR	99-16-113
296-104-030	PREP	99-05-021	296-104-151	AMD	99-22-026	296-150C-1710	REP-XR	99-16-113
296-104-030	AMD-P	99-17-028	296-104-155	PREP	99-05-021	296-150C-1720	REP-XR	99-16-113
296-104-030	AMD	99-22-026	296-104-155	AMD-P	99-17-028	296-150C-1730	REP-XR	99-16-113
296-104-035	PREP	99-05-021	296-104-155	AMD	99-22-026	296-150C-1740	REP-XR	99-16-113
296-104-035	AMD-P	99-17-028	296-104-160	PREP	99-05-021	296-150C-1750	REP-XR	99-16-113
296-104-035	AMD	99-22-026	296-104-160	AMD-P	99-17-028	296-150C-1751	REP-XR	99-16-113
296-104-040	PREP	99-05-021	296-104-160	AMD	99-22-026	296-150C-1752	REP-XR	99-16-113
296-104-040	AMD-P	99-17-028	296-104-165	PREP	99-05-021	296-150C-1753	REP-XR	99-16-113
296-104-040	AMD	99-22-026	296-104-165	AMD-P	99-17-028	296-150C-1754	REP-XR	99-16-113
296-104-045	PREP	99-05-021	296-104-165	AMD	99-22-026	296-150C-1755	REP-XR	99-16-113
296-104-045	AMD-P	99-17-028	296-104-170	PREP	99-05-021	296-150C-1756	REP-XR	99-16-113
296-104-045	AMD	99-22-026	296-104-170	AMD-P	99-17-028	296-150C-1757	REP-XR	99-16-113
296-104-050	PREP	99-05-021	296-104-170	AMD	99-22-026	296-150C-1758	REP-XR	99-16-113
296-104-050	AMD-P	99-17-028	296-104-285	REP-P	99-04-036	296-150C-1759	REP-XR	99-16-113

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-150C-1760	REP-XR	99-16-113	296-150P-0140	NEW	99-13-010	296-150T-0500	NEW-P	99-08-130
296-150C-1770	REP-XR	99-16-113	296-150P-3000	AMD-P	99-08-128	296-150T-0500	NEW	99-12-079
296-150C-1780	REP-XR	99-16-113	296-150P-3000	AMD	99-12-080	296-150T-0510	NEW-P	99-08-130
296-150C-1790	REP-XR	99-16-113	296-150R	PREP	99-05-078	296-150T-0510	NEW	99-12-079
296-150C-1800	REP-XR	99-16-113	296-150R-0020	AMD-P	99-08-129	296-150T-0520	NEW-P	99-08-130
296-150C-1810	REP-XR	99-16-113	296-150R-0020	AMD	99-13-010	296-150T-0520	NEW	99-12-079
296-150C-1820	REP-XR	99-16-113	296-150R-0050	NEW-P	99-08-129	296-150T-0530	NEW-P	99-08-130
296-150C-1830	REP-XR	99-16-113	296-150R-0050	NEW	99-13-010	296-150T-0530	NEW	99-12-079
296-150C-3000	AMD-P	99-08-128	296-150R-0140	NEW-P	99-08-129	296-150T-0540	NEW-P	99-08-130
296-150C-3000	AMD	99-12-080	296-150R-0140	NEW	99-13-010	296-150T-0540	NEW	99-12-079
296-150F	PREP	99-05-078	296-150R-3000	AMD-P	99-08-128	296-150T-0550	NEW-P	99-08-130
296-150F-0050	NEW-P	99-08-129	296-150R-3000	AMD	99-12-080	296-150T-0550	NEW	99-12-079
296-150F-0050	NEW	99-13-010	296-150T-0010	NEW-P	99-08-130	296-150T-0580	NEW-P	99-08-130
296-150F-0140	NEW-P	99-08-129	296-150T-0010	NEW	99-12-079	296-150T-0580	NEW	99-12-079
296-150F-0140	NEW	99-13-010	296-150T-0020	NEW-P	99-08-130	296-150T-0590	NEW-P	99-08-130
296-150F-0320	AMD-P	99-08-129	296-150T-0020	NEW	99-12-079	296-150T-0590	NEW	99-12-079
296-150F-0320	AMD	99-13-010	296-150T-0030	NEW-P	99-08-130	296-150T-0600	NEW-P	99-08-130
296-150F-0605	NEW-P	99-08-129	296-150T-0030	NEW	99-12-079	296-150T-0600	NEW	99-12-079
296-150F-0605	NEW	99-13-010	296-150T-0040	NEW-P	99-08-130	296-150T-0700	NEW-P	99-08-130
296-150F-0610	NEW-P	99-08-129	296-150T-0040	NEW	99-12-079	296-150T-0700	NEW	99-12-079
296-150F-0610	NEW	99-13-010	296-150T-0050	NEW-P	99-08-130	296-150T-0710	NEW-P	99-08-130
296-150F-0615	NEW-P	99-08-129	296-150T-0050	NEW	99-12-079	296-150T-0710	NEW	99-12-079
296-150F-0615	NEW	99-13-010	296-150T-0070	NEW-P	99-08-130	296-150T-0720	NEW-P	99-08-130
296-150F-0620	NEW-P	99-08-129	296-150T-0070	NEW	99-12-079	296-150T-0720	NEW	99-12-079
296-150F-0620	NEW	99-13-010	296-150T-0080	NEW-P	99-08-130	296-150T-3000	NEW-P	99-08-130
296-150F-0625	NEW-P	99-08-129	296-150T-0080	NEW	99-12-079	296-150T-3000	NEW	99-12-079
296-150F-0625	NEW	99-13-010	296-150T-0100	NEW-P	99-08-130	296-150V-0010	NEW-P	99-13-200
296-150F-3000	AMD-P	99-08-128	296-150T-0100	NEW	99-12-079	296-150V-0010	NEW	99-18-069
296-150F-3000	AMD	99-12-080	296-150T-0110	NEW-P	99-08-130	296-150V-0020	NEW-P	99-13-200
296-150M	PREP	99-05-078	296-150T-0110	NEW	99-12-079	296-150V-0020	NEW	99-18-069
296-150M-0020	AMD-P	99-08-129	296-150T-0120	NEW-P	99-08-130	296-150V-0030	NEW-P	99-13-200
296-150M-0020	AMD	99-13-010	296-150T-0120	NEW	99-12-079	296-150V-0030	NEW	99-18-069
296-150M-0120	NEW-P	99-08-129	296-150T-0130	NEW-P	99-08-130	296-150V-0040	NEW-P	99-13-200
296-150M-0120	NEW	99-13-010	296-150T-0130	NEW	99-12-079	296-150V-0040	NEW	99-18-069
296-150M-0140	NEW-P	99-08-129	296-150T-0140	NEW-P	99-08-130	296-150V-0050	NEW-P	99-13-200
296-150M-0140	NEW	99-13-010	296-150T-0140	NEW	99-12-079	296-150V-0050	NEW	99-18-069
296-150M-0306	AMD-P	99-08-129	296-150T-0200	NEW-P	99-08-130	296-150V-0060	NEW-P	99-13-200
296-150M-0306	AMD	99-13-010	296-150T-0200	NEW	99-12-079	296-150V-0060	NEW	99-18-069
296-150M-0309	NEW-P	99-08-129	296-150T-0210	NEW-P	99-08-130	296-150V-0070	NEW-P	99-13-200
296-150M-0309	NEW	99-13-010	296-150T-0210	NEW	99-12-079	296-150V-0070	NEW	99-18-069
296-150M-0400	REP-P	99-08-129	296-150T-0220	NEW-P	99-08-130	296-150V-0080	NEW-P	99-13-200
296-150M-0400	REP	99-13-010	296-150T-0220	NEW	99-12-079	296-150V-0080	NEW	99-18-069
296-150M-0600	AMD-P	99-08-129	296-150T-0230	NEW-P	99-08-130	296-150V-0100	NEW-P	99-13-200
296-150M-0600	AMD	99-13-010	296-150T-0230	NEW	99-12-079	296-150V-0100	NEW	99-18-069
296-150M-0610	AMD-P	99-08-129	296-150T-0250	NEW-P	99-08-130	296-150V-0110	NEW-P	99-13-200
296-150M-0610	AMD	99-13-010	296-150T-0250	NEW	99-12-079	296-150V-0110	NEW	99-18-069
296-150M-0614	NEW-P	99-08-129	296-150T-0300	NEW-P	99-08-130	296-150V-0120	NEW-P	99-13-200
296-150M-0614	NEW	99-13-010	296-150T-0300	NEW	99-12-079	296-150V-0120	NEW	99-18-069
296-150M-0615	NEW-P	99-08-129	296-150T-0320	NEW-P	99-08-130	296-150V-0140	NEW-P	99-13-200
296-150M-0615	NEW	99-13-010	296-150T-0320	NEW	99-12-079	296-150V-0140	NEW	99-18-069
296-150M-0640	AMD-P	99-08-129	296-150T-0340	NEW-P	99-08-130	296-150V-0200	NEW-P	99-13-200
296-150M-0640	AMD	99-13-010	296-150T-0340	NEW	99-12-079	296-150V-0200	NEW	99-18-069
296-150M-0655	NEW-P	99-08-129	296-150T-0350	NEW-P	99-08-130	296-150V-0210	NEW-P	99-13-200
296-150M-0655	NEW	99-13-010	296-150T-0350	NEW	99-12-079	296-150V-0210	NEW	99-18-069
296-150M-3000	AMD-P	99-08-128	296-150T-0380	NEW-P	99-08-130	296-150V-0220	NEW-P	99-13-200
296-150M-3000	AMD	99-12-080	296-150T-0380	NEW	99-12-079	296-150V-0220	NEW	99-18-069
296-150P	PREP	99-05-078	296-150T-0390	NEW-P	99-08-130	296-150V-0230	NEW-P	99-13-200
296-150P-0020	AMD-P	99-08-129	296-150T-0390	NEW	99-12-079	296-150V-0230	NEW	99-18-069
296-150P-0020	AMD	99-13-010	296-150T-0400	NEW-P	99-08-130	296-150V-0240	NEW-P	99-13-200
296-150P-0050	NEW-P	99-08-129	296-150T-0400	NEW	99-12-079	296-150V-0240	NEW	99-18-069
296-150P-0050	NEW	99-13-010	296-150T-0410	NEW-P	99-08-130	296-150V-0250	NEW-P	99-13-200
296-150P-0140	NEW-P	99-08-129	296-150T-0410	NEW	99-12-079	296-150V-0250	NEW	99-18-069

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296-150V-0300	NEW-P	99-13-200	296-150V-1170	NEW-P	99-13-200	296-155-130	AMD-P	99-15-086
296-150V-0300	NEW	99-18-069	296-150V-1170	NEW	99-18-069	296-155-135	REP-P	99-15-086
296-150V-0310	NEW-P	99-13-200	296-150V-1180	NEW-P	99-13-200	296-155-17317	AMD	99-10-071
296-150V-0310	NEW	99-18-069	296-150V-1180	NEW	99-18-069	296-155-17335	REP	99-10-071
296-150V-0320	NEW-P	99-13-200	296-150V-1185	NEW-P	99-13-200	296-155-17337	AMD	99-10-071
296-150V-0320	NEW	99-18-069	296-150V-1185	NEW	99-18-069	296-155-17341	AMD	99-10-071
296-150V-0340	NEW-P	99-13-200	296-150V-1190	NEW-P	99-13-200	296-155-17349	REP	99-10-071
296-150V-0340	NEW	99-18-069	296-150V-1190	NEW	99-18-069	296-155-17351	REP	99-10-071
296-150V-0350	NEW-P	99-13-200	296-150V-1220	NEW-P	99-13-200	296-155-17353	REP	99-10-071
296-150V-0350	NEW	99-18-069	296-150V-1220	NEW	99-18-069	296-155-17355	REP	99-10-071
296-150V-0380	NEW-P	99-13-200	296-150V-1303	NEW-P	99-13-200	296-155-17357	REP	99-10-071
296-150V-0380	NEW	99-18-069	296-150V-1303	NEW	99-18-069	296-155-17359	REP	99-10-071
296-150V-0390	NEW-P	99-13-200	296-150V-1330	NEW-P	99-13-200	296-155-174	AMD	99-10-071
296-150V-0390	NEW	99-18-069	296-150V-1330	NEW	99-18-069	296-155-17613	AMD	99-10-071
296-150V-0400	NEW-P	99-13-200	296-150V-1350	NEW-P	99-13-200	296-155-17625	AMD	99-10-071
296-150V-0400	NEW	99-18-069	296-150V-1350	NEW	99-18-069	296-155-17635	REP	99-10-071
296-150V-0410	NEW-P	99-13-200	296-150V-1360	NEW-P	99-13-200	296-155-17652	AMD	99-10-071
296-150V-0410	NEW	99-18-069	296-150V-1360	NEW	99-18-069	296-155-17656	REP	99-10-071
296-150V-0415	NEW-P	99-13-200	296-150V-1380	NEW-P	99-13-200	296-155-220	AMD	99-10-071
296-150V-0415	NEW	99-18-069	296-150V-1380	NEW	99-18-069	296-155-270	AMD-XA	99-12-089
296-150V-0500	NEW-P	99-13-200	296-150V-1390	NEW-P	99-13-200	296-155-270	AMD	99-17-094
296-150V-0500	NEW	99-18-069	296-150V-1390	NEW	99-18-069	296-155-367	AMD	99-10-071
296-150V-0510	NEW-P	99-13-200	296-150V-1400	NEW-P	99-13-200	296-155-615	AMD-P	99-16-084
296-150V-0510	NEW	99-18-069	296-150V-1400	NEW	99-18-069	296-155-655	AMD	99-10-071
296-150V-0520	NEW-P	99-13-200	296-150V-1410	NEW-P	99-13-200	296-155-655	AMD-XA	99-12-089
296-150V-0520	NEW	99-18-069	296-150V-1410	NEW	99-18-069	296-155-655	AMD	99-17-094
296-150V-0530	NEW-P	99-13-200	296-150V-1420	NEW-P	99-13-200	296-155-66403	AMD-XA	99-12-089
296-150V-0530	NEW	99-18-069	296-150V-1420	NEW	99-18-069	296-155-66403	AMD	99-17-094
296-150V-0540	NEW-P	99-13-200	296-150V-1430	NEW-P	99-13-200	296-155-730	AMD	99-10-071
296-150V-0540	NEW	99-18-069	296-150V-1430	NEW	99-18-069	296-200A-900	AMD-P	99-08-128
296-150V-0550	NEW-P	99-13-200	296-150V-1440	NEW-P	99-13-200	296-200A-900	AMD	99-12-080
296-150V-0550	NEW	99-18-069	296-150V-1440	NEW	99-18-069	296-301	PREP	99-04-057
296-150V-0560	NEW-P	99-13-200	296-150V-1450	NEW-P	99-13-200	296-301	PREP	99-06-040
296-150V-0560	NEW	99-18-069	296-150V-1450	NEW	99-18-069	296-301-020	AMD-XA	99-12-089
296-150V-0580	NEW-P	99-13-200	296-150V-1460	NEW-P	99-13-200	296-301-020	AMD	99-12-091
296-150V-0580	NEW	99-18-069	296-150V-1460	NEW	99-18-069	296-301-020	AMD	99-17-094
296-150V-0590	NEW-P	99-13-200	296-150V-1470	NEW-P	99-13-200	296-301-020	AMD	99-22-093
296-150V-0590	NEW	99-18-069	296-150V-1470	NEW	99-18-069	296-301-170	AMD-XA	99-12-089
296-150V-0700	NEW-P	99-13-200	296-150V-1530	NEW-P	99-13-200	296-301-170	AMD	99-17-094
296-150V-0700	NEW	99-18-069	296-150V-1530	NEW	99-18-069	296-301-195	AMD-XA	99-12-089
296-150V-0710	NEW-P	99-13-200	296-150V-1540	NEW-P	99-13-200	296-301-195	AMD	99-17-094
296-150V-0710	NEW	99-18-069	296-150V-1540	NEW	99-18-069	296-301-215	AMD-P	99-15-086
296-150V-0720	NEW-P	99-13-200	296-150V-1550	NEW-P	99-13-200	296-301-220	AMD-XA	99-12-089
296-150V-0720	NEW	99-18-069	296-150V-1550	NEW	99-18-069	296-301-220	AMD	99-17-094
296-150V-0800	NEW-P	99-13-200	296-150V-1560	NEW-P	99-13-200	296-302	PREP	99-02-083
296-150V-0800	NEW	99-18-069	296-150V-1560	NEW	99-18-069	296-303	PREP	99-02-083
296-150V-0930	NEW-P	99-13-200	296-150V-1570	NEW-P	99-13-200	296-304	PREP	99-02-083
296-150V-0930	NEW	99-18-069	296-150V-1570	NEW	99-18-069	296-304	PREP	99-12-037
296-150V-0950	NEW-P	99-13-200	296-150V-1580	NEW-P	99-13-200	296-304-03005	AMD	99-10-071
296-150V-0950	NEW	99-18-069	296-150V-1580	NEW	99-18-069	296-305	PREP	99-02-083
296-150V-1040	NEW-P	99-13-200	296-150V-1590	NEW-P	99-13-200	296-305-01003	AMD	99-05-080
296-150V-1040	NEW	99-18-069	296-150V-1590	NEW	99-18-069	296-305-01005	AMD	99-05-080
296-150V-1070	NEW-P	99-13-200	296-150V-3000	NEW-P	99-13-200	296-305-01509	AMD	99-05-080
296-150V-1070	NEW	99-18-069	296-150V-3000	NEW	99-18-069	296-305-02001	AMD	99-05-080
296-150V-1090	NEW-P	99-13-200	296-155	PREP	99-02-083	296-305-02003	AMD	99-05-080
296-150V-1090	NEW	99-18-069	296-155	PREP	99-04-057	296-305-02007	AMD	99-05-080
296-150V-1100	NEW-P	99-13-200	296-155	PREP	99-06-040	296-305-02013	AMD	99-05-080
296-150V-1100	NEW	99-18-069	296-155	PREP	99-07-015	296-305-02015	AMD	99-05-080
296-150V-1110	NEW-P	99-13-200	296-155	PREP	99-08-070	296-305-02501	AMD	99-10-071
296-150V-1110	NEW	99-18-069	296-155	PREP	99-12-037	296-305-04001	AMD	99-05-080
296-150V-1120	NEW-P	99-13-200	296-155-120	AMD-P	99-15-086	296-305-04501	AMD	99-05-080
296-150V-1120	NEW	99-18-069	296-155-125	AMD-P	99-15-086	296-305-04503	AMD	99-05-080

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296-305-05001	AMD	99-05-080	296-307-16385	NEW-P	99-23-108	308- 19-140	AMD-P	99-08-087
296-305-05007	AMD	99-05-080	296-307-16390	NEW-P	99-23-108	308- 19-140	AMD-S	99-21-048
296-305-05009	AMD	99-05-080	296-307-16395	NEW-P	99-23-108	308- 19-140	AMD-W	99-21-058
296-305-06005	AMD	99-05-080	296-307-52005	AMD-P	99-16-084	308- 19-150	AMD-P	99-08-087
296-305-06007	AMD	99-05-080	296-307-52007	AMD-P	99-16-084	308- 19-150	AMD-S	99-21-048
296-307	PREP	99-02-083	296-307-52011	AMD-P	99-16-084	308- 19-150	AMD-W	99-21-058
296-307	PREP	99-12-037	296-307-52019	AMD-P	99-16-084	308- 19-160	AMD-P	99-08-087
296-307	PREP	99-15-107	296-307-52021	AMD-P	99-16-084	308- 19-160	AMD-S	99-21-048
296-307-160	REP-P	99-23-108	296-307-52023	AMD-P	99-16-084	308- 19-160	AMD-W	99-21-058
296-307-16001	REP-P	99-23-108	296-307-52029	AMD-P	99-16-084	308- 19-200	AMD-P	99-08-087
296-307-16003	REP-P	99-23-108	296-307-52030	NEW-P	99-16-084	308- 19-200	AMD-S	99-21-048
296-307-16004	REP-P	99-23-108	296-307-52031	AMD-P	99-16-084	308- 19-200	AMD-W	99-21-058
296-307-16005	REP-P	99-23-108	296-307-52039	AMD-P	99-16-084	308- 19-210	AMD-P	99-08-087
296-307-16007	REP-P	99-23-108	296-307-52047	AMD-P	99-16-084	308- 19-210	AMD-S	99-21-048
296-307-16009	REP-P	99-23-108	296-350	PREP	99-02-083	308- 19-210	AMD-W	99-21-058
296-307-16011	REP-P	99-23-108	296-350	PREP	99-08-069	308- 19-220	AMD-P	99-08-087
296-307-16013	REP-P	99-23-108	296-400A-045	AMD-XA	99-03-109	308- 19-220	AMD-S	99-21-048
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296-307-16185	NEW-P	99-23-108	308- 13-160	AMD-P	99-18-103	308- 19-430	NEW-W	99-21-058
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308-93-380	AMD	99-22-059	308-96A-050	PREP	99-10-056	308-96A-312	AMD-P	99-17-109
308-93-390	AMD-P	99-18-125	308-96A-050	AMD-P	99-21-051	308-96A-313	AMD	99-21-034
308-93-390	AMD	99-22-059	308-96A-056	PREP	99-10-056	308-96A-313	PREP	99-11-016
308-93-390	AMD	99-22-059	308-96A-056	AMD-P	99-21-051	308-96A-313	AMD-E	99-16-019
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308-96A-316	PREP	99-11-016	308-124E-013	PREP	99-18-101	314-02-075	NEW-P	99-23-105
308-96A-316	AMD-E	99-16-019	308-124F-010	REP	99-03-042	314-02-080	NEW-P	99-23-105
308-96A-316	AMD-P	99-17-109	308-124F-020	REP	99-03-042	314-02-085	NEW-P	99-23-105
308-96A-316	AMD	99-21-034	308-124F-030	REP	99-03-042	314-02-090	NEW-P	99-23-105
308-96A-345	PREP	99-18-128	308-124H-011	PREP	99-18-101	314-02-095	NEW-P	99-23-105
308-96A-345	AMD-P	99-23-010	308-124H-021	PREP	99-18-101	314-02-100	NEW-P	99-23-105
308-96A-350	PREP	99-18-128	308-124H-025	PREP	99-18-101	314-02-105	NEW-P	99-23-105
308-96A-350	AMD-P	99-23-010	308-124H-028	PREP	99-18-101	314-02-110	NEW-P	99-23-105
308-96A-355	PREP	99-18-128	308-124H-051	PREP	99-18-101	314-02-115	NEW-P	99-23-105
308-96A-355	AMD-P	99-23-010	308-124H-061	PREP	99-18-101	314-02-120	NEW-P	99-23-105
308-96A-360	PREP	99-18-128	308-124H-062	PREP	99-18-101	314-02-125	NEW-P	99-23-105
308-96A-360	REP-P	99-23-010	308-124H-220	PREP	99-18-101	314-04-005	AMD-P	99-08-014
308-96A-365	AMD-P	99-23-010	308-124H-230	PREP	99-18-101	314-04-005	AMD	99-12-129
308-96A-370	PREP	99-18-128	308-124H-240	PREP	99-18-101	314-04-006	NEW-P	99-08-014
308-96A-370	REP-P	99-23-010	308-124H-260	PREP	99-18-101	314-04-006	NEW	99-12-129
308-96A-375	PREP	99-18-128	308-124H-270	PREP	99-18-101	314-04-007	NEW-P	99-08-014
308-96A-375	REP-P	99-23-010	308-124H-320	PREP	99-18-101	314-04-007	NEW	99-12-129
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308-96A-380	REP-P	99-23-010	308-124H-580	PREP	99-18-101	314-04-010	REP	99-15-023
308-96A-400	AMD-P	99-13-081	308-124H-800	PREP	99-18-101	314-08	PREP	99-19-143
308-96A-400	AMD	99-19-026	308-125-090	AMD-P	99-08-028	314-08-080	PREP	99-12-126
308-96A-410	AMD-P	99-13-081	308-125-090	AMD	99-11-039	314-08-080	AMD-P	99-17-098
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308-96A-510	REP-P	99-21-051	308-129-110	AMD-P	99-19-129	314-12	PREP	99-18-133
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308-96A-520	REP-P	99-21-051	308-330-307	AMD	99-04-070	314-12-210	NEW-S	99-06-097
308-96A-530	PREP	99-10-056	308-330-425	AMD	99-04-070	314-12-210	NEW	99-13-042
308-96A-530	AMD-P	99-21-051	308-400-030	AMD	99-06-003	314-12-215	NEW-S	99-06-097
308-96A-540	PREP	99-10-056	308-400-030	PREP	99-17-027	314-12-215	NEW	99-13-042
308-96A-540	REP-P	99-21-051	308-400-030	AMD-P	99-22-042	314-12-220	NEW-S	99-06-097
308-97-011	NEW-E	99-16-018	308-400-050	REP	99-06-003	314-12-220	NEW	99-13-042
308-97-011	PREP	99-18-010	308-400-053	AMD	99-06-003	314-12-225	NEW-S	99-06-097
308-97-011	NEW-XA	99-18-061	308-400-054	REP	99-06-003	314-12-225	NEW	99-13-042
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308-99-050	PREP	99-10-055	308-400-095	AMD-P	99-19-082	314-14-165	NEW	99-03-033
308-100-050	AMD-P	99-23-066	308-400-095	AMD	99-22-040	314-14-170	NEW	99-03-033
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308-124-021	PREP	99-18-101	314-02-025	NEW-P	99-23-105	314-16	PREP	99-12-128
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308-124B-145	NEW	99-03-042	314-02-045	NEW-P	99-23-105	314-16-130	REP-P	99-23-105
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314- 16-197	REP-P	99-23-105	315- 11A-172	REP-XR	99-10-031	352- 12-040	AMD	99-04-117
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314- 16-260	NEW-S	99-16-118	315- 11A-178	REP-XR	99-10-031	352- 32-075	AMD	99-15-030
314- 16-265	NEW-S	99-07-085	315- 11A-178	REP	99-16-007	352- 32-250	PREP	99-19-175
314- 16-265	NEW-S	99-16-118	315- 11A-179	REP-XR	99-10-031	352- 32-250	AMD-P	99-23-111
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314- 16-270	NEW-S	99-16-118	315- 11A-180	REP-XR	99-10-031	352- 32-25001	AMD	99-08-031
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314- 16-275	NEW-S	99-16-118	315- 11A-181	REP-XR	99-10-031	352- 32-25002	REP	99-08-031
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365-18-050	NEW-W	99-17-084	383-06-010	AMD-P	99-20-078	383-07-050	AMD-E	99-18-035
365-18-050	NEW-S	99-18-105	383-06-020	AMD-E	99-16-012	383-07-050	AMD-P	99-20-079
365-18-060	NEW-S	99-04-072	383-06-020	AMD-E	99-18-034	383-07-060	AMD-E	99-18-035
365-18-060	NEW-W	99-17-084	383-06-020	AMD-P	99-20-078	383-07-060	AMD-P	99-20-079
365-18-060	NEW-S	99-18-105	383-06-030	AMD-E	99-18-034	383-07-070	AMD-E	99-16-013
365-18-070	NEW-S	99-04-072	383-06-030	AMD-P	99-20-078	383-07-070	AMD-E	99-18-035
365-18-070	NEW-W	99-17-084	383-06-031	NEW-E	99-18-034	383-07-070	AMD-P	99-20-079
365-18-070	NEW-S	99-18-105	383-06-031	NEW-P	99-20-078	383-07-080	AMD-E	99-16-013
365-18-080	NEW-S	99-04-072	383-06-040	AMD-E	99-16-012	383-07-080	AMD-E	99-18-035
365-18-080	NEW-W	99-17-084	383-06-040	AMD-E	99-18-034	383-07-080	AMD-P	99-20-079
365-18-080	NEW-S	99-18-105	383-06-040	AMD-P	99-20-078	383-07-085	NEW-E	99-18-035
365-18-090	NEW-S	99-04-072	383-06-045	AMD-E	99-18-034	383-07-085	NEW-P	99-20-079
365-18-090	NEW-W	99-17-084	383-06-045	AMD-P	99-20-078	383-07-090	AMD-E	99-16-013
365-18-090	NEW-S	99-18-105	383-06-046	NEW-E	99-18-034	383-07-090	AMD-E	99-18-035
365-18-100	NEW-S	99-04-072	383-06-046	NEW-P	99-20-078	383-07-090	AMD-P	99-20-079
365-18-100	NEW-W	99-17-084	383-06-050	REP-E	99-18-034	383-07-100	AMD-E	99-16-013
365-18-100	NEW-S	99-18-105	383-06-050	REP-P	99-20-078	383-07-100	AMD-E	99-18-035
365-18-110	NEW-S	99-04-072	383-06-060	REP-E	99-18-034	383-07-100	AMD-P	99-20-079
365-18-110	NEW-W	99-17-084	383-06-060	REP-P	99-20-078	383-07-115	AMD-E	99-18-035
365-18-110	NEW-S	99-18-105	383-06-070	AMD-E	99-16-012	383-07-115	AMD-P	99-20-079
365-18-120	NEW-S	99-04-072	383-06-070	AMD-E	99-18-034	383-07-120	AMD-E	99-16-013
365-18-120	NEW-W	99-17-084	383-06-070	AMD-P	99-20-078	383-07-120	AMD-E	99-18-035
365-18-120	NEW-S	99-18-105	383-06-071	NEW-E	99-18-034	383-07-120	AMD-P	99-20-079
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383- 07-130	AMD-P	99-20-079	388- 03-132	NEW-P	99-23-081	388- 15	PREP	99-15-066
388- 01-010	NEW-P	99-11-085	388- 03-133	NEW-P	99-23-081	388- 15-120	PREP	99-19-089
388- 01-010	NEW	99-15-065	388- 03-135	NEW-P	99-23-081	388- 15-120	REP-P	99-23-077
388- 01-020	NEW-P	99-11-085	388- 03-138	NEW-P	99-23-081	388- 15-130	PREP	99-17-054
388- 01-020	NEW	99-15-065	388- 03-140	NEW-P	99-23-081	388- 15-132	PREP	99-17-054
388- 01-030	NEW-P	99-11-085	388- 03-150	NEW-P	99-23-081	388- 15-134	PREP	99-17-054
388- 01-030	NEW	99-15-065	388- 03-152	NEW-P	99-23-081	388- 15-145	REP-P	99-23-080
388- 01-040	NEW-P	99-11-085	388- 03-154	NEW-P	99-23-081	388- 15-150	PREP	99-17-054
388- 01-040	NEW	99-15-065	388- 03-156	NEW-P	99-23-081	388- 15-160	PREP	99-17-054
388- 01-050	NEW-P	99-11-085	388- 03-170	NEW-P	99-23-081	388- 15-170	DECOD	99-15-076
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388- 01-070	NEW-P	99-11-085	388- 04-010	RECOD	99-15-021	388- 15-176	DECOD	99-15-076
388- 01-070	NEW	99-15-065	388- 04-020	RECOD	99-15-021	388- 15-177	PREP	99-05-070
388- 01-080	NEW-P	99-11-085	388- 04-030	RECOD	99-15-021	388- 15-196	AMD	99-03-041
388- 01-080	NEW	99-15-065	388- 04-040	RECOD	99-15-021	388- 15-196	PREP	99-18-042
388- 01-090	NEW-P	99-11-085	388- 04-050	RECOD	99-15-021	388- 15-196	REP-P	99-23-078
388- 01-090	NEW	99-15-065	388- 04-060	RECOD	99-15-021	388- 15-19600	AMD	99-03-041
388- 01-100	NEW-P	99-11-085	388- 04-070	RECOD	99-15-021	388- 15-19600	PREP	99-18-042
388- 01-100	NEW	99-15-065	388- 07-005	REP-XR	99-20-099	388- 15-19600	REP-P	99-23-078
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388- 01-110	NEW	99-15-065	388- 08-410	AMD-XA	99-11-086	388- 15-19610	PREP	99-18-042
388- 01-120	NEW-P	99-11-085	388- 08-410	AMD	99-16-023	388- 15-19610	REP-P	99-23-078
388- 01-120	NEW	99-15-065	388- 08-413	AMD-XA	99-11-086	388- 15-19620	AMD	99-03-041
388- 01-130	NEW-P	99-11-085	388- 08-413	AMD	99-16-023	388- 15-19620	PREP	99-18-042
388- 01-130	NEW	99-15-065	388- 08-437	AMD-XA	99-11-086	388- 15-19620	REP-P	99-23-078
388- 01-140	NEW-P	99-11-085	388- 08-437	AMD	99-16-023	388- 15-19620	AMD	99-03-041
388- 01-140	NEW	99-15-065	388- 08-440	AMD-XA	99-11-086	388- 15-19630	PREP	99-18-042
388- 01-150	NEW-P	99-11-085	388- 08-440	AMD	99-16-023	388- 15-19630	REP-P	99-23-078
388- 01-150	NEW	99-15-065	388- 08-464	AMD-XA	99-11-086	388- 15-19640	AMD	99-03-041
388- 01-160	NEW-P	99-11-085	388- 08-464	AMD	99-16-023	388- 15-19640	PREP	99-18-042
388- 01-160	NEW	99-15-065	388- 08-470	AMD-XA	99-11-086	388- 15-19640	REP-P	99-23-078
388- 01-170	NEW-P	99-11-085	388- 08-470	AMD	99-16-023	388- 15-19650	AMD	99-03-041
388- 01-170	NEW	99-15-065	388- 08-515	AMD-XA	99-11-086	388- 15-19650	PREP	99-18-042
388- 01-180	NEW-P	99-11-085	388- 08-515	AMD	99-16-023	388- 15-19650	REP-P	99-23-078
388- 01-180	NEW	99-15-065	388- 08-555	AMD-XA	99-11-086	388- 15-19660	AMD	99-03-041
388- 01-190	NEW-P	99-11-085	388- 08-555	AMD	99-16-023	388- 15-19660	PREP	99-18-042
388- 01-190	NEW	99-15-065	388- 08-575	AMD-XA	99-11-086	388- 15-19660	REP-P	99-23-078
388- 01-200	NEW	99-15-065	388- 08-575	AMD	99-16-023	388- 15-19670	AMD	99-03-041
388- 01-210	NEW-P	99-11-085	388- 10-010	DECOD	99-15-021	388- 15-19670	PREP	99-18-042
388- 01-220	NEW-P	99-11-085	388- 10-020	DECOD	99-15-021	388- 15-19670	REP-P	99-23-078
388- 02	PREP	99-21-037	388- 10-030	DECOD	99-15-021	388- 15-19680	AMD	99-03-041
388- 03-010	NEW-P	99-23-081	388- 10-040	DECOD	99-15-021	388- 15-19680	PREP	99-18-042
388- 03-020	NEW-P	99-23-081	388- 10-050	DECOD	99-15-021	388- 15-19680	REP-P	99-23-078
388- 03-030	NEW-P	99-23-081	388- 10-060	DECOD	99-15-021	388- 15-198	PREP	99-18-042
388- 03-050	NEW-P	99-23-081	388- 10-070	DECOD	99-15-021	388- 15-198	REP-P	99-23-078
388- 03-060	NEW-P	99-23-081	388- 14-420	PREP	99-09-003	388- 15-200	REP-P	99-23-080
388- 03-110	NEW-P	99-23-081	388- 14-420	AMD-E	99-09-004	388- 15-201	REP-P	99-23-080
388- 03-112	NEW-P	99-23-081	388- 14-420	AMD-P	99-17-010	388- 15-202	PREP	99-09-051
388- 03-114	NEW-P	99-23-081	388- 14-420	AMD-E	99-17-012	388- 15-203	PREP	99-09-051
388- 03-115	NEW-P	99-23-081	388- 14-420	AMD	99-20-012	388- 15-205	PREP	99-09-051
388- 03-116	NEW-P	99-23-081	388- 14-421	NEW-P	99-17-010	388- 15-206	REP-P	99-23-080
388- 03-117	NEW-P	99-23-081	388- 14-421	NEW	99-20-012	388- 15-207	REP-P	99-23-080
388- 03-118	NEW-P	99-23-081	388- 14-422	NEW-P	99-17-010	388- 15-209	REP-P	99-23-080
388- 03-120	NEW-P	99-23-081	388- 14-422	NEW	99-20-012	388- 15-214	REP-P	99-23-080
388- 03-122	NEW-P	99-23-081	388- 14-422	NEW	99-20-012	388- 15-215	REP-P	99-23-080
388- 03-123	NEW-P	99-23-081	388- 14-423	NEW-P	99-17-010	388- 15-219	REP-P	99-23-080
388- 03-124	NEW-P	99-23-081	388- 14-423	NEW	99-20-012	388- 15-220	PREP	99-17-054
388- 03-125	NEW-P	99-23-081	388- 14-424	NEW-P	99-17-010	388- 15-222	REP-P	99-23-080
388- 03-126	NEW-P	99-23-081	388- 14-424	NEW	99-20-012	388- 15-548	REP-P	99-23-080
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388-15-553	REP-P	99-23-080	388-43-020	DECOD	99-20-022	388-71-420	NEW-P	99-23-080
388-15-554	REP-P	99-23-080	388-43-030	DECOD	99-20-022	388-71-425	NEW-P	99-23-080
388-15-555	REP-P	99-23-080	388-43-040	DECOD	99-20-022	388-71-430	NEW-P	99-23-080
388-15-560	REP-P	99-23-080	388-43-050	DECOD	99-20-022	388-71-440	NEW-P	99-23-080
388-15-562	REP-P	99-23-080	388-43-060	DECOD	99-20-022	388-71-445	NEW-P	99-23-080
388-15-563	REP-P	99-23-080	388-43-070	DECOD	99-20-022	388-71-450	NEW-P	99-23-080
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388-15-568	REP-P	99-23-080	388-43-110	DECOD	99-20-022	388-71-465	NEW-P	99-23-080
388-15-570	PREP	99-17-054	388-43-130	DECOD	99-20-022	388-71-470	NEW-P	99-23-080
388-15-600	REP-P	99-23-080	388-60	PREP	99-17-057	388-71-475	NEW-P	99-23-080
388-15-610	PREP	99-11-083	388-71	PREP	99-18-042	388-71-480	NEW-P	99-23-080
388-15-620	REP-P	99-23-080	388-71	PREP	99-19-089	388-71-500	NEW-P	99-23-078
388-15-630	REP-P	99-23-080	388-71-0800	NEW-P	99-14-066	388-71-505	NEW-P	99-23-078
388-15-650	NEW	99-12-072	388-71-0800	NEW	99-19-048	388-71-510	NEW-P	99-23-078
388-15-651	NEW	99-12-072	388-71-0805	NEW-P	99-14-066	388-71-515	NEW-P	99-23-078
388-15-652	NEW	99-12-072	388-71-0805	NEW	99-19-048	388-71-520	NEW-P	99-23-078
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388-15-656	NEW	99-12-072	388-71-0815	NEW	99-19-048	388-71-540	NEW-P	99-23-078
388-15-657	NEW	99-12-072	388-71-0820	NEW-P	99-14-066	388-71-545	NEW-P	99-23-078
388-15-658	NEW	99-12-072	388-71-0820	NEW	99-19-048	388-71-550	NEW-P	99-23-078
388-15-659	NEW	99-12-072	388-71-0825	NEW-P	99-14-066	388-71-555	NEW-P	99-23-078
388-15-660	NEW	99-12-072	388-71-0825	NEW	99-19-048	388-71-560	NEW-P	99-23-078
388-15-661	NEW	99-12-072	388-71-0830	NEW-P	99-14-066	388-71-580	NEW-P	99-23-078
388-15-662	NEW	99-12-072	388-71-0830	NEW	99-19-048	388-71-600	NEW-P	99-23-080
388-15-690	REP-P	99-23-080	388-71-0835	NEW-P	99-14-066	388-71-605	NEW-P	99-23-080
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388-15-715	REP-P	99-23-080	388-71-0845	NEW	99-19-048	388-74-030	PREP	99-17-056
388-15-810	REP-P	99-23-080	388-71-100	NEW-P	99-23-077	388-78A-020	AMD-XA	99-09-052
388-15-830	REP-P	99-23-080	388-71-1000	NEW-P	99-23-080	388-78A-020	AMD	99-15-067
388-15-880	REP-P	99-23-080	388-71-1005	NEW-P	99-23-080	388-78A-040	AMD-XA	99-09-052
388-15-890	REP-P	99-23-080	388-71-1010	NEW-P	99-23-080	388-78A-040	AMD	99-15-067
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388-17-020	REP-P	99-23-080	388-71-1030	NEW-P	99-23-080	388-78A-055	AMD	99-15-067
388-17-100	REP-P	99-23-080	388-71-1035	NEW-P	99-23-080	388-78A-150	AMD-XA	99-09-052
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388-17-160	REP-P	99-23-080	388-71-1065	NEW-P	99-23-080	388-78A-240	AMD-XA	99-09-052
388-17-180	REP-P	99-23-080	388-71-1070	NEW-P	99-23-080	388-78A-240	AMD	99-15-067
388-17-500	REP-P	99-23-080	388-71-1075	NEW-P	99-23-080	388-78A-265	AMD-XA	99-09-052
388-17-510	REP-P	99-23-080	388-71-1080	NEW-P	99-23-080	388-78A-265	AMD	99-15-067
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388-86-047	REP	99-09-007	388-96-710	AMD-P	99-19-024	388-165-220	NEW	99-22-011
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388-86-073	REP-P	99-11-071	388-96-714	NEW-P	99-19-024	388-165-230	NEW-P	99-18-071
388-86-073	REP	99-16-068	388-96-714	NEW-E	99-22-012	388-165-230	NEW	99-22-011
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388-86-090	REP-P	99-20-106	388-96-723	AMD-E	99-14-029	388-165-240	NEW-P	99-18-071
388-86-097	REP-P	99-08-122	388-96-723	AMD-P	99-19-024	388-165-240	NEW	99-22-011
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388-86-112	REP	99-17-111	388-96-725	AMD-E	99-22-012	388-235-9000	AMD-P	99-23-033
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388-87-0007	PREP	99-05-044	388-96-730	NEW-P	99-19-024	388-290-015	NEW-P	99-08-121
388-87-0008	PREP	99-05-044	388-96-730	NEW-E	99-22-012	388-290-015	NEW	99-14-023
388-87-0010	PREP	99-05-044	388-96-731	NEW-E	99-14-029	388-290-020	REP-P	99-08-121
388-87-0011	PREP	99-05-044	388-96-731	NEW-P	99-19-024	388-290-020	REP	99-14-023
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388-87-0105	PREP	99-05-044	388-96-748	NEW-P	99-19-024	388-290-030	REP-P	99-08-121
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388-87-025	REP-P	99-20-111	388-96-766	AMD-P	99-19-024	388-290-035	REP-P	99-08-121
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388-87-065	REP-P	99-11-053	388-96-767	AMD-E	99-22-012	388-290-050	REP	99-14-023
388-87-065	REP	99-16-069	388-96-771	AMD-E	99-14-029	388-290-055	REP-P	99-08-121
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388-87-080	REP-P	99-08-122	388-96-771	AMD-E	99-22-012	388-290-060	REP-P	99-08-121
388-87-080	REP	99-13-049	388-96-776	AMD-E	99-14-029	388-290-060	REP	99-14-023
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388-87-090	REP-P	99-20-106	388-96-776	AMD-E	99-22-012	388-290-070	REP	99-14-023
388-87-105	REP-P	99-20-111	388-165-108	NEW-P	99-18-071	388-290-075	NEW-P	99-08-121
388-87-110	REP-W	99-11-060	388-165-108	NEW	99-22-011	388-290-075	NEW	99-14-023
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388-96-010	AMD-E	99-14-029	388-165-130	RECOD	99-19-087	388-290-090	REP-P	99-08-121
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388-290-525	NEW	99-14-023	388-310-0800	AMD	99-14-043	388-320-235	REP	99-15-065
388-290-525	PREP	99-17-024	388-310-0900	AMD-P	99-05-071	388-320-240	REP-P	99-11-085
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388-290-800	NEW	99-14-023	388-310-1400	AMD-P	99-05-071	388-320-450	REP-P	99-11-085
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388-290-850	NEW	99-14-023	388-310-1400	AMD-P	99-18-072	388-320-460	REP-P	99-11-085
388-290-850	PREP	99-17-024	388-310-1400	AMD-W	99-20-105	388-320-460	REP	99-15-065
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388-438-0110	AMD-P	99-20-110	388-450-0190	AMD-P	99-12-116	388-470-0025	AMD-P	99-12-117
388-438-0110	AMD	99-23-082	388-450-0190	AMD	99-16-024	388-470-0025	AMD	99-16-024
388-440	PREP	99-08-120	388-450-0195	AMD-E	99-05-046	388-470-0035	AMD-P	99-12-117
388-440-0001	AMD-P	99-20-108	388-450-0195	AMD-P	99-06-088	388-470-0035	AMD	99-16-024
388-440-0005	AMD-P	99-20-108	388-450-0195	AMD	99-09-055	388-470-0045	AMD-P	99-12-117
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388-470-0055	AMD	99-16-024	388-503-0310	REP	99-19-091	388-527-2750	AMD-P	99-07-025
388-470-0070	PREP	99-03-040	388-505-0210	AMD-P	99-13-126	388-527-2750	AMD	99-11-076
388-470-0075	AMD-P	99-12-117	388-505-0210	AMD	99-17-023	388-527-2752	REP-P	99-07-025
388-470-0075	AMD	99-16-024	388-505-0540	PREP	99-05-044	388-527-2752	REP	99-11-076
388-470-0080	REP-P	99-19-160	388-505-0595	PREP	99-05-044	388-527-2753	REP-P	99-07-025
388-470-0080	REP	99-23-083	388-510-1005	REP-XR	99-15-042	388-527-2753	REP	99-11-076
388-472-0005	AMD-P	99-13-192	388-511-1130	PREP	99-05-044	388-527-2754	AMD-P	99-07-025
388-472-0005	AMD	99-17-025	388-513-1300	REP-P	99-16-067	388-527-2754	AMD	99-11-076
388-476-0005	AMD-P	99-13-192	388-513-1301	NEW-P	99-16-067	388-527-2790	AMD-P	99-07-025
388-476-0005	AMD	99-17-025	388-513-1305	AMD	99-06-045	388-527-2790	AMD	99-11-076
388-478-0010	AMD-P	99-12-120	388-513-1305	AMD-P	99-16-067	388-527-2795	NEW-P	99-07-025
388-478-0010	AMD	99-16-024	388-513-1310	REP-P	99-16-067	388-527-2795	NEW	99-11-076
388-478-0015	AMD	99-04-056	388-513-1315	AMD	99-06-045	388-530-1800	PREP	99-05-044
388-478-0025	REP-P	99-12-116	388-513-1315	AMD-P	99-16-067	388-530-1800	AMD-P	99-20-111
388-478-0025	REP	99-16-024	388-513-1320	AMD	99-06-045	388-530-2050	PREP	99-05-044
388-478-0055	AMD	99-04-103	388-513-1320	AMD-P	99-16-067	388-530-2050	AMD-P	99-20-111
388-478-0055	PREP	99-05-045	388-513-1325	NEW-P	99-16-067	388-533	PREP	99-06-043
388-478-0055	AMD-P	99-15-078	388-513-1330	AMD	99-06-045	388-535-1000	REP	99-07-023
388-478-0055	AMD	99-18-063	388-513-1330	AMD-P	99-16-067	388-535-1010	NEW	99-07-023
388-478-0060	AMD	99-05-074	388-513-1340	AMD-W	99-13-096	388-535-1050	AMD	99-07-023
388-478-0060	AMD-P	99-12-120	388-513-1340	AMD-P	99-19-090	388-535-1060	NEW	99-07-023
388-478-0060	AMD	99-16-024	388-513-1345	AMD-W	99-13-096	388-535-1080	NEW	99-07-023
388-478-0060	AMD-E	99-20-040	388-513-1345	AMD-P	99-19-090	388-535-1100	AMD	99-07-023
388-478-0060	AMD-P	99-20-101	388-513-1350	AMD	99-06-045	388-535-1150	AMD	99-07-023
388-478-0070	AMD-P	99-08-118	388-513-1350	AMD-P	99-16-067	388-535-1200	AMD	99-07-023
388-478-0070	AMD-E	99-08-119	388-513-1360	AMD	99-06-045	388-535-1220	NEW	99-07-023
388-478-0070	AMD	99-11-054	388-513-1360	AMD-P	99-16-067	388-535-1230	NEW	99-07-023
388-478-0075	PREP	99-07-103	388-513-1365	AMD	99-06-045	388-535-1240	NEW	99-07-023
388-478-0075	AMD-E	99-08-001	388-513-1365	AMD-P	99-16-067	388-535-1250	AMD	99-07-023
388-478-0075	AMD-P	99-15-044	388-513-1366	NEW-P	99-16-067	388-535-1260	NEW	99-07-023
388-478-0075	AMD-E	99-15-045	388-513-1380	AMD-P	99-06-100	388-535-1300	AMD	99-07-023
388-478-0075	AMD	99-19-005	388-513-1380	AMD-E	99-08-016	388-535-1350	AMD	99-07-023
388-478-0080	AMD-P	99-08-118	388-513-1380	AMD	99-11-017	388-535-1400	AMD	99-07-023
388-478-0080	AMD-E	99-08-119	388-513-1380	AMD-E	99-18-040	388-535-1450	AMD	99-07-023
388-478-0080	AMD	99-11-054	388-513-1380	PREP	99-20-010	388-535-1500	AMD	99-07-023
388-478-0085	PREP	99-07-103	388-513-1395	AMD	99-06-045	388-535-1550	AMD	99-07-023
388-478-0085	AMD-E	99-08-001	388-513-1395	AMD-P	99-16-067	388-537-0100	NEW-P	99-20-111
388-478-0085	AMD-P	99-15-044	388-513-1396	AMD-P	99-16-067	388-538-001	REP-P	99-20-109
388-478-0085	AMD-E	99-15-045	388-515-1505	AMD-W	99-13-096	388-538-050	AMD-P	99-20-109
388-478-0085	AMD	99-19-005	388-515-1505	AMD-P	99-19-090	388-538-060	AMD-P	99-20-109
388-480-0001	AMD-P	99-23-033	388-515-1510	AMD	99-06-045	388-538-065	NEW-P	99-20-109
388-482-0005	AMD-P	99-12-117	388-515-1510	AMD-P	99-16-067	388-538-066	NEW-P	99-20-109
388-482-0005	AMD	99-16-024	388-515-1530	AMD	99-06-045	388-538-070	AMD-P	99-20-109
388-484-0005	AMD-P	99-04-102	388-515-1530	AMD-P	99-16-067	388-538-080	AMD-P	99-20-109
388-484-0005	AMD	99-08-050	388-517-0300	PREP	99-21-039	388-538-090	REP-P	99-20-109
388-501-0050	NEW-P	99-20-111	388-526-2610	PREP	99-05-044	388-538-095	AMD-P	99-20-109
388-501-0100	NEW-P	99-20-111	388-527	AMD-P	99-07-025	388-538-100	AMD-P	99-20-109
388-501-0130	PREP	99-05-044	388-527	AMD	99-11-076	388-538-110	AMD-P	99-20-109
388-501-0160	PREP	99-08-040	388-527-2700	NEW-P	99-07-025	388-538-120	AMD-P	99-20-109
388-501-0160	AMD-P	99-20-107	388-527-2700	NEW	99-11-076	388-538-130	AMD-P	99-20-109
388-501-0165	PREP	99-08-041	388-527-2730	AMD-P	99-07-025	388-538-140	AMD-P	99-20-109
388-501-0165	AMD-P	99-20-107	388-527-2730	AMD	99-11-076	388-538-150	REP-P	99-20-109
388-501-0175	PREP	99-05-044	388-527-2733	NEW-P	99-07-025	388-539	PREP	99-21-095
388-501-0175	AMD-P	99-20-111	388-527-2733	NEW	99-11-076	388-539-0500	PREP	99-13-190
388-501-0200	NEW-P	99-20-111	388-527-2735	REP-P	99-07-025	388-540-001	PREP	99-05-044
388-502	PREP	99-20-048	388-527-2735	REP	99-11-076	388-540-001	AMD-P	99-20-111
388-502-0220	PREP	99-06-085	388-527-2737	NEW-P	99-07-025	388-540-005	AMD-P	99-20-111
388-502-0220	AMD-P	99-11-052	388-527-2737	NEW	99-11-076	388-540-010	PREP	99-05-044
388-502-0220	AMD	99-16-070	388-527-2740	AMD-P	99-07-025	388-540-010	AMD-P	99-20-111
388-502-0250	PREP	99-05-044	388-527-2740	AMD	99-11-076	388-540-020	PREP	99-05-044

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388-540-040	PREP	99-05-044	388-550-2900	PREP	99-06-084	388-550-5350	AMD	99-14-025
388-540-040	AMD-P	99-20-111	388-550-2900	AMD-P	99-09-091	388-550-5400	PREP	99-06-083
388-540-050	PREP	99-05-044	388-550-2900	AMD	99-14-027	388-550-5400	AMD-P	99-09-087
388-540-050	AMD-P	99-20-111	388-550-3000	AMD	99-06-046	388-550-5400	AMD	99-14-025
388-540-060	AMD-P	99-20-111	388-550-3100	AMD	99-06-046	388-550-5600	PREP	99-06-085
388-542	PREP	99-18-102	388-550-3381	NEW-P	99-14-038	388-550-5600	AMD-P	99-11-052
388-543-1000	NEW-W	99-08-080	388-550-3381	NEW	99-17-111	388-550-5600	AMD	99-16-070
388-543-1100	NEW-W	99-08-080	388-550-3401	NEW-P	99-14-038	388-550-6000	AMD	99-06-046
388-543-1200	NEW-W	99-08-080	388-550-3401	NEW	99-17-111	388-550-6000	PREP	99-06-086
388-543-1300	NEW-W	99-08-080	388-550-3450	PREP	99-06-084	388-550-6000	AMD-P	99-09-089
388-543-1400	NEW-W	99-08-080	388-550-3450	AMD-P	99-09-091	388-550-6000	PREP	99-12-071
388-543-1500	NEW-W	99-08-080	388-550-3450	AMD	99-14-027	388-550-6000	AMD	99-14-028
388-543-1600	NEW-W	99-08-080	388-550-3500	AMD	99-06-046	388-551-1000	NEW-P	99-05-073
388-543-1700	NEW-W	99-08-080	388-550-3500	PREP	99-06-084	388-551-1000	NEW	99-09-007
388-543-1800	NEW-W	99-08-080	388-550-3500	AMD-P	99-09-091	388-551-1010	NEW-P	99-05-073
388-543-1900	NEW-W	99-08-080	388-550-3500	AMD	99-14-027	388-551-1010	NEW	99-09-007
388-543-2000	NEW-W	99-08-080	388-550-3700	AMD	99-06-046	388-551-1200	NEW-P	99-05-073
388-543-2100	NEW-W	99-08-080	388-550-3900	PREP	99-06-084	388-551-1200	NEW	99-09-007
388-543-2200	NEW-W	99-08-080	388-550-3900	AMD-P	99-09-091	388-551-1210	NEW-P	99-05-073
388-543-2300	NEW-W	99-08-080	388-550-3900	AMD	99-14-027	388-551-1210	NEW	99-09-007
388-543-2400	NEW-W	99-08-080	388-550-4100	PREP	99-06-084	388-551-1300	NEW-P	99-05-073
388-543-2500	NEW-W	99-08-080	388-550-4100	AMD-P	99-09-091	388-551-1300	NEW	99-09-007
388-543-2600	NEW-W	99-08-080	388-550-4100	AMD	99-14-027	388-551-1310	NEW-P	99-05-073
388-543-2700	NEW-W	99-08-080	388-550-4500	AMD	99-06-046	388-551-1310	NEW	99-09-007
388-543-2800	NEW-W	99-08-080	388-550-4500	PREP	99-06-084	388-551-1315	NEW-P	99-05-073
388-543-2900	NEW-W	99-08-080	388-550-4500	AMD-P	99-09-091	388-551-1315	NEW	99-09-007
388-543-3000	NEW-W	99-08-080	388-550-4500	AMD-W	99-11-050	388-551-1320	NEW-P	99-05-073
388-545-0500	PREP	99-11-084	388-550-4500	AMD-P	99-13-050	388-551-1320	NEW	99-09-007
388-545-300	NEW-P	99-11-071	388-550-4500	AMD-S	99-17-110	388-551-1330	NEW-P	99-05-073
388-545-300	NEW	99-16-068	388-550-4700	AMD	99-06-046	388-551-1330	NEW	99-09-007
388-545-500	NEW-P	99-20-106	388-550-4800	AMD	99-06-046	388-551-1340	NEW-P	99-05-073
388-545-700	NEW-P	99-11-074	388-550-4800	AMD-P	99-09-090	388-551-1340	NEW	99-09-007
388-545-700	NEW	99-16-071	388-550-4800	AMD	99-14-026	388-551-1350	NEW-P	99-05-073
388-546	PREP	99-13-191	388-550-4900	PREP	99-06-083	388-551-1350	NEW	99-09-007
388-550	PREP	99-20-049	388-550-4900	AMD-P	99-09-087	388-551-1360	NEW-P	99-05-073
388-550-1050	AMD	99-06-046	388-550-4900	AMD	99-14-040	388-551-1360	NEW	99-09-007
388-550-1050	PREP	99-06-087	388-550-5000	PREP	99-06-083	388-551-1400	NEW-P	99-05-073
388-550-1050	AMD-P	99-09-088	388-550-5000	AMD-P	99-09-087	388-551-1400	NEW	99-09-007
388-550-1050	AMD	99-14-039	388-550-5000	AMD	99-14-040	388-551-1410	NEW-P	99-05-073
388-550-1200	AMD	99-06-046	388-550-5100	PREP	99-06-083	388-551-1410	NEW	99-09-007
388-550-2300	REP-P	99-14-038	388-550-5100	AMD-P	99-09-087	388-551-1500	NEW-P	99-05-073
388-550-2300	REP	99-17-111	388-550-5100	AMD	99-14-025	388-551-1500	NEW	99-09-007
388-550-2431	NEW	99-06-046	388-550-5110	PREP	99-06-083	388-551-1510	NEW-P	99-05-073
388-550-2501	NEW-P	99-14-038	388-550-5110	NEW-P	99-09-087	388-551-1510	NEW	99-09-007
388-550-2501	NEW	99-17-111	388-550-5110	NEW-W	99-13-125	388-551-1520	NEW-P	99-05-073
388-550-2511	NEW-P	99-14-038	388-550-5120	PREP	99-06-083	388-551-1520	NEW	99-09-007
388-550-2511	NEW	99-17-111	388-550-5120	NEW-P	99-09-087	388-551-1530	NEW-P	99-05-073
388-550-2521	NEW-P	99-14-038	388-550-5120	NEW-W	99-13-125	388-551-1530	NEW	99-09-007
388-550-2521	NEW	99-17-111	388-550-5150	PREP	99-06-083	388-551-2000	NEW-P	99-11-053
388-550-2531	NEW-P	99-14-038	388-550-5150	AMD-P	99-09-087	388-551-2000	NEW	99-16-069
388-550-2531	NEW	99-17-111	388-550-5150	AMD	99-14-025	388-551-2010	NEW-P	99-11-053
388-550-2541	NEW-P	99-14-038	388-550-5200	PREP	99-06-083	388-551-2010	NEW	99-16-069
388-550-2541	NEW	99-17-111	388-550-5200	AMD-P	99-09-087	388-551-2020	NEW-P	99-11-053
388-550-2551	NEW-P	99-14-038	388-550-5200	AMD	99-14-025	388-551-2020	NEW	99-16-069
388-550-2551	NEW	99-17-111	388-550-5250	PREP	99-06-083	388-551-2100	NEW-P	99-11-053
388-550-2561	NEW-P	99-14-038	388-550-5250	AMD-P	99-09-087	388-551-2100	NEW	99-16-069
388-550-2561	NEW	99-17-111	388-550-5250	AMD	99-14-025	388-551-2110	NEW-P	99-11-053
388-550-2800	AMD	99-06-046	388-550-5300	PREP	99-06-083	388-551-2110	NEW	99-16-069
388-550-2800	PREP	99-06-084	388-550-5300	AMD-P	99-09-087	388-551-2120	NEW-P	99-11-053
388-550-2800	AMD-P	99-09-091	388-550-5300	AMD	99-14-025	388-551-2120	NEW	99-16-069

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388-551-2130	NEW	99-16-069	388-810-050	NEW	99-19-105	388-820-105	RECOD	99-19-104
388-551-2200	NEW-P	99-11-053	388-810-060	NEW-P	99-16-098	388-820-110	RECOD	99-19-104
388-551-2200	NEW	99-16-069	388-810-060	NEW	99-19-105	388-820-115	RECOD	99-19-104
388-551-2210	NEW-P	99-11-053	388-810-070	NEW-P	99-16-098	388-820-120	RECOD	99-19-104
388-551-2210	NEW	99-16-069	388-810-070	NEW	99-19-105	388-820-125	RECOD	99-19-104
388-551-2220	NEW-P	99-11-053	388-810-080	NEW-P	99-16-098	388-820-130	RECOD	99-19-104
388-551-2220	NEW	99-16-069	388-810-080	NEW	99-19-105	388-825-020	RECOD-P	99-15-043
388-552-001	NEW-P	99-08-122	388-810-090	NEW-P	99-16-098	388-825-020	RECOD	99-23-021
388-552-001	NEW	99-13-049	388-810-090	NEW	99-19-105	388-825-025	RECOD	99-19-104
388-552-005	NEW-P	99-08-122	388-815-005	RECOD	99-20-023	388-825-030	RECOD	99-19-104
388-552-005	NEW	99-13-049	388-815-010	RECOD	99-20-023	388-825-035	RECOD	99-19-104
388-552-100	NEW-P	99-08-122	388-815-020	RECOD	99-20-023	388-825-040	RECOD	99-19-104
388-552-100	NEW	99-13-049	388-815-030	RECOD	99-20-023	388-825-045	RECOD	99-19-104
388-552-200	NEW-P	99-08-122	388-815-100	RECOD	99-20-023	388-825-050	RECOD	99-19-104
388-552-200	NEW	99-13-049	388-815-110	RECOD	99-20-023	388-825-055	RECOD	99-19-104
388-552-210	NEW-P	99-08-122	388-815-120	RECOD	99-20-023	388-825-065	RECOD	99-19-104
388-552-210	NEW	99-13-049	388-815-130	RECOD	99-20-023	388-825-080	RECOD	99-19-104
388-552-220	NEW-P	99-08-122	388-815-140	RECOD	99-20-023	388-825-100	RECOD	99-19-104
388-552-220	NEW	99-13-049	388-815-160	RECOD	99-20-023	388-825-120	RECOD	99-19-104
388-552-230	NEW-P	99-08-122	388-815-200	RECOD	99-20-023	388-825-170	RECOD	99-19-104
388-552-230	NEW	99-13-049	388-815-205	RECOD	99-20-023	388-825-180	RECOD	99-19-104
388-552-240	NEW-P	99-08-122	388-815-210	RECOD	99-20-023	388-825-190	RECOD	99-19-104
388-552-240	NEW	99-13-049	388-815-215	RECOD	99-20-023	388-825-200	RECOD	99-19-104
388-552-300	NEW-P	99-08-122	388-815-220	RECOD	99-20-023	388-825-205	RECOD	99-19-104
388-552-300	NEW	99-13-049	388-815-230	RECOD	99-20-023	388-825-210	RECOD	99-19-104
388-552-310	NEW-P	99-08-122	388-815-240	RECOD	99-20-023	388-825-220	RECOD	99-19-104
388-552-310	NEW	99-13-049	388-815-250	RECOD	99-20-023	388-825-222	RECOD	99-19-104
388-552-320	NEW-P	99-08-122	388-818-001	RECOD	99-20-022	388-825-224	RECOD	99-19-104
388-552-320	NEW	99-13-049	388-818-002	RECOD	99-20-022	388-825-226	RECOD	99-19-104
388-552-330	NEW-P	99-08-122	388-818-003	RECOD	99-20-022	388-825-228	RECOD	99-19-104
388-552-330	NEW	99-13-049	388-818-005	RECOD	99-20-022	388-825-230	RECOD	99-19-104
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388-552-340	NEW	99-13-049	388-818-020	RECOD	99-20-022	388-825-234	RECOD	99-19-104
388-552-350	NEW-P	99-08-122	388-818-030	RECOD	99-20-022	388-825-236	RECOD	99-19-104
388-552-350	NEW	99-13-049	388-818-040	RECOD	99-20-022	388-825-238	RECOD	99-19-104
388-552-360	NEW-P	99-08-122	388-818-050	RECOD	99-20-022	388-825-240	RECOD	99-19-104
388-552-360	NEW	99-13-049	388-818-060	RECOD	99-20-022	388-825-242	RECOD	99-19-104
388-552-370	NEW-P	99-08-122	388-818-070	RECOD	99-20-022	388-825-244	RECOD	99-19-104
388-552-370	NEW	99-13-049	388-818-080	RECOD	99-20-022	388-825-246	RECOD	99-19-104
388-552-380	NEW-P	99-08-122	388-818-090	RECOD	99-20-022	388-825-248	RECOD	99-19-104
388-552-380	NEW	99-13-049	388-818-110	RECOD	99-20-022	388-825-250	RECOD	99-19-104
388-552-390	NEW-P	99-08-122	388-818-130	RECOD	99-20-022	388-825-252	RECOD	99-19-104
388-552-390	NEW	99-13-049	388-820-005	RECOD	99-19-104	388-825-254	RECOD	99-19-104
388-552-400	NEW-P	99-08-122	388-820-010	RECOD	99-19-104	388-825-256	RECOD	99-19-104
388-552-400	NEW	99-13-049	388-820-015	RECOD	99-19-104	388-825-260	NEW-P	99-15-043
388-552-410	NEW-P	99-08-122	388-820-020	RECOD	99-19-104	388-825-260	NEW	99-23-021
388-552-410	NEW	99-13-049	388-820-025	RECOD	99-19-104	388-825-262	NEW-P	99-15-043
388-552-420	NEW-P	99-08-122	388-820-030	RECOD	99-19-104	388-825-262	NEW	99-23-021
388-552-420	NEW	99-13-049	388-820-035	RECOD	99-19-104	388-825-264	NEW-P	99-15-043
388-557-0100	NEW-P	99-20-111	388-820-040	RECOD	99-19-104	388-825-264	NEW	99-23-021
388-560	PREP	99-20-050	388-820-045	RECOD	99-19-104	388-825-266	NEW-P	99-15-043
388-810-005	NEW-P	99-16-098	388-820-050	RECOD	99-19-104	388-825-266	NEW	99-23-021
388-810-005	NEW	99-19-105	388-820-055	RECOD	99-19-104	388-825-268	NEW-P	99-15-043
388-810-010	NEW-P	99-16-098	388-820-060	RECOD	99-19-104	388-825-268	NEW	99-23-021
388-810-010	NEW	99-19-105	388-820-065	RECOD	99-19-104	388-825-270	NEW-P	99-15-043
388-810-020	NEW-P	99-16-098	388-820-070	RECOD	99-19-104	388-825-270	NEW	99-23-021
388-810-020	NEW	99-19-105	388-820-075	RECOD	99-19-104	388-825-272	NEW-P	99-15-043
388-810-030	NEW-P	99-16-098	388-820-080	RECOD	99-19-104	388-825-272	NEW	99-23-021
388-810-030	NEW	99-19-105	388-820-085	RECOD	99-19-104	388-825-276	NEW-P	99-15-043
388-810-040	NEW-P	99-16-098	388-820-090	RECOD	99-19-104	388-825-276	NEW	99-23-021
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388-825-280	NEW	99-23-021	388-835-250	RECOD	99-19-104	388-835-560	RECOD	99-19-104
388-825-282	NEW-P	99-15-043	388-835-255	RECOD	99-19-104	388-835-565	RECOD	99-19-104
388-825-282	NEW	99-23-021	388-835-260	RECOD	99-19-104	388-840-005	RECOD	99-19-104
388-825-284	NEW-P	99-15-043	388-835-265	RECOD	99-19-104	388-840-010	RECOD	99-19-104
388-825-284	NEW	99-23-021	388-835-270	RECOD	99-19-104	388-840-015	RECOD	99-19-104
388-830-005	RECOD	99-19-104	388-835-275	RECOD	99-19-104	388-840-020	RECOD	99-19-104
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388-835-020	RECOD	99-19-104	388-835-330	RECOD	99-19-104	388-880-005	RECOD	99-21-001
388-835-025	RECOD	99-19-104	388-835-335	RECOD	99-19-104	388-880-010	RECOD	99-21-001
388-835-030	RECOD	99-19-104	388-835-340	RECOD	99-19-104	388-880-020	RECOD	99-21-001
388-835-035	RECOD	99-19-104	388-835-345	RECOD	99-19-104	388-880-030	RECOD	99-21-001
388-835-040	RECOD	99-19-104	388-835-350	RECOD	99-19-104	388-880-040	RECOD	99-21-001
388-835-045	RECOD	99-19-104	388-835-355	RECOD	99-19-104	388-880-050	RECOD	99-21-001
388-835-050	RECOD	99-19-104	388-835-360	RECOD	99-19-104	388-880-060	RECOD	99-21-001
388-835-055	RECOD	99-19-104	388-835-365	RECOD	99-19-104	388-880-070	RECOD	99-21-001
388-835-060	RECOD	99-19-104	388-835-370	RECOD	99-19-104	388-880-080	RECOD	99-21-001
388-835-065	RECOD	99-19-104	388-835-375	RECOD	99-19-104	388-880-090	RECOD	99-21-001
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388-835-075	RECOD	99-19-104	388-835-385	RECOD	99-19-104	388-880-110	RECOD	99-21-001
388-835-080	RECOD	99-19-104	388-835-390	RECOD	99-19-104	388-880-120	RECOD	99-21-001
388-835-085	RECOD	99-19-104	388-835-395	RECOD	99-19-104	388-880-130	RECOD	99-21-001
388-835-090	RECOD	99-19-104	388-835-400	RECOD	99-19-104	388-880-140	RECOD	99-21-001
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388-835-100	RECOD	99-19-104	388-835-410	RECOD	99-19-104	388-885-010	RECOD	99-21-002
388-835-105	RECOD	99-19-104	388-835-415	RECOD	99-19-104	388-885-015	RECOD	99-21-002
388-835-110	RECOD	99-19-104	388-835-420	RECOD	99-19-104	388-885-020	RECOD	99-21-002
388-835-115	RECOD	99-19-104	388-835-425	RECOD	99-19-104	388-885-025	RECOD	99-21-002
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388-835-130	RECOD	99-19-104	388-835-440	RECOD	99-19-104	388-885-040	RECOD	99-21-002
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388-835-140	RECOD	99-19-104	388-835-450	RECOD	99-19-104	388-890-0005	NEW	99-18-053
388-835-145	RECOD	99-19-104	388-835-455	RECOD	99-19-104	388-890-0010	NEW-P	99-12-030
388-835-150	RECOD	99-19-104	388-835-460	RECOD	99-19-104	388-890-0010	NEW	99-18-053
388-835-155	RECOD	99-19-104	388-835-465	RECOD	99-19-104	388-890-0015	NEW-P	99-12-030
388-835-160	RECOD	99-19-104	388-835-470	RECOD	99-19-104	388-890-0015	NEW	99-18-053
388-835-165	RECOD	99-19-104	388-835-475	RECOD	99-19-104	388-890-0020	NEW-P	99-12-030
388-835-170	RECOD	99-19-104	388-835-480	RECOD	99-19-104	388-890-0020	NEW	99-18-053
388-835-175	RECOD	99-19-104	388-835-485	RECOD	99-19-104	388-890-0025	NEW-P	99-12-030
388-835-180	RECOD	99-19-104	388-835-490	RECOD	99-19-104	388-890-0025	NEW	99-18-053
388-835-185	RECOD	99-19-104	388-835-495	RECOD	99-19-104	388-890-0030	NEW-P	99-12-030
388-835-190	RECOD	99-19-104	388-835-500	RECOD	99-19-104	388-890-0030	NEW	99-18-053
388-835-195	RECOD	99-19-104	388-835-505	RECOD	99-19-104	388-890-0035	NEW-P	99-12-030
388-835-200	RECOD	99-19-104	388-835-510	RECOD	99-19-104	388-890-0035	NEW	99-18-053
388-835-205	RECOD	99-19-104	388-835-515	RECOD	99-19-104	388-890-0040	NEW-P	99-12-030
388-835-210	RECOD	99-19-104	388-835-520	RECOD	99-19-104	388-890-0040	NEW	99-18-053
388-835-215	RECOD	99-19-104	388-835-525	RECOD	99-19-104	388-890-0045	NEW-P	99-12-030
388-835-220	RECOD	99-19-104	388-835-530	RECOD	99-19-104	388-890-0045	NEW	99-18-053
388-835-225	RECOD	99-19-104	388-835-535	RECOD	99-19-104	388-890-0050	NEW-P	99-12-030
388-835-230	RECOD	99-19-104	388-835-540	RECOD	99-19-104	388-890-0050	NEW	99-18-053
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388-890-1125	NEW	99-18-053	388-890-1280	NEW	99-18-053	390-14-045	AMD-P	99-09-069
388-890-1130	NEW-P	99-12-030	388-890-1285	NEW-P	99-12-030	390-14-045	AMD	99-12-063
388-890-1130	NEW	99-18-053	388-890-1285	NEW	99-18-053	390-14-055	PREP	99-06-058
388-890-1135	NEW-P	99-12-030	388-890-1290	NEW-P	99-12-030	390-14-055	REP-P	99-09-057
388-890-1135	NEW	99-18-053	388-890-1290	NEW	99-18-053	390-14-055	REP	99-12-051
388-890-1140	NEW-P	99-12-030	388-890-1295	NEW-P	99-12-030	390-14-100	PREP	99-06-059
388-890-1140	NEW	99-18-053	388-890-1295	NEW	99-18-053	390-14-100	AMD-P	99-09-070
388-890-1145	NEW-P	99-12-030	388-890-1300	NEW-P	99-12-030	390-14-100	AMD	99-12-064
388-890-1145	NEW	99-18-053	388-890-1300	NEW	99-18-053	390-14-105	PREP	99-06-060
388-890-1150	NEW-P	99-12-030	388-890-1305	NEW-P	99-12-030	390-14-105	REP-P	99-09-058
388-890-1150	NEW	99-18-053	388-890-1305	NEW	99-18-053	390-14-105	REP	99-12-052
388-890-1155	NEW-P	99-12-030	388-890-1310	NEW-P	99-12-030	390-14-110	PREP	99-06-061
388-890-1155	NEW	99-18-053	388-890-1310	NEW	99-18-053	390-14-110	AMD-P	99-09-071
388-890-1160	NEW-P	99-12-030	389-12-020	AMD-P	99-16-034	390-14-110	AMD	99-12-065
388-890-1160	NEW	99-18-053	389-12-020	AMD	99-20-082	390-16-011	PREP	99-16-044
388-890-1165	NEW-P	99-12-030	389-12-030	AMD-P	99-16-034	390-16-011	AMD-P	99-19-171
388-890-1165	NEW	99-18-053	389-12-030	AMD	99-20-082	390-16-011	AMD-C	99-20-073
388-890-1170	NEW-P	99-12-030	389-12-040	AMD-P	99-16-034	390-16-011	AMD	99-22-083
388-890-1170	NEW	99-18-053	389-12-040	AMD	99-20-082	390-16-012	PREP	99-16-045
388-890-1175	NEW-P	99-12-030	389-12-050	AMD-P	99-16-034	390-16-012	AMD-P	99-19-172
388-890-1175	NEW	99-18-053	389-12-050	AMD	99-20-082	390-16-012	AMD-C	99-20-073
388-890-1180	NEW-P	99-12-030	389-12-060	AMD-P	99-16-034	390-16-012	AMD	99-22-084
388-890-1180	NEW	99-18-053	389-12-060	AMD	99-20-082	390-16-032	PREP	99-16-043
388-890-1185	NEW-P	99-12-030	389-12-065	AMD-P	99-16-034	390-16-032	AMD-P	99-19-170
388-890-1185	NEW	99-18-053	389-12-065	AMD	99-20-082	390-16-032	AMD-C	99-20-073
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388-890-1190	NEW	99-18-053	389-12-071	AMD	99-20-082	390-16-041	PREP	99-16-042
388-890-1195	NEW-P	99-12-030	389-12-075	AMD-P	99-16-034	390-16-041	AMD-P	99-19-169
388-890-1195	NEW	99-18-053	389-12-075	AMD	99-20-082	390-16-041	AMD-C	99-20-073
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388-890-1200	NEW	99-18-053	389-12-080	AMD	99-20-082	390-17-030	PREP	99-06-062
388-890-1205	NEW-P	99-12-030	389-12-140	AMD-P	99-16-034	390-17-030	AMD-P	99-09-072
388-890-1205	NEW	99-18-053	389-12-140	AMD	99-20-082	390-17-030	AMD	99-12-066
388-890-1210	NEW-P	99-12-030	389-12-210	AMD-P	99-16-034	390-18-020	PREP	99-06-063
388-890-1210	NEW	99-18-053	389-12-210	AMD	99-20-082	390-18-020	AMD-P	99-09-073
388-890-1215	NEW-P	99-12-030	389-12-220	AMD-P	99-16-034	390-18-020	AMD	99-12-067
388-890-1215	NEW	99-18-053	389-12-220	AMD	99-20-082	390-18-050	PREP	99-06-064
388-890-1220	NEW-P	99-12-030	389-12-230	AMD-P	99-16-034	390-18-050	AMD-P	99-09-074
388-890-1220	NEW	99-18-053	389-12-230	AMD	99-20-082	390-18-050	AMD	99-12-068
388-890-1225	NEW-P	99-12-030	390-05-400	PREP	99-22-080	390-20-014	PREP	99-06-065
388-890-1225	NEW	99-18-053	390-12-255	PREP	99-06-050	390-20-014	AMD-P	99-09-075
388-890-1230	NEW-P	99-12-030	390-12-255	AMD-P	99-09-062	390-20-014	AMD	99-12-069
388-890-1230	NEW	99-18-053	390-12-255	AMD	99-12-056	390-20-015	PREP	99-06-066
388-890-1235	NEW-P	99-12-030	390-14-015	PREP	99-06-051	390-20-015	AMD-P	99-09-076
388-890-1235	NEW	99-18-053	390-14-015	AMD-P	99-09-063	390-20-015	AMD	99-12-070
388-890-1240	NEW-P	99-12-030	390-14-015	AMD	99-12-057	390-20-023	PREP	99-06-067
388-890-1240	NEW	99-18-053	390-14-020	PREP	99-06-052	390-20-023	REP-P	99-09-059
388-890-1245	NEW-P	99-12-030	390-14-020	AMD-P	99-09-064	390-20-023	REP	99-12-053
388-890-1245	NEW	99-18-053	390-14-020	AMD	99-12-058	390-20-100	PREP	99-06-068
388-890-1250	NEW-P	99-12-030	390-14-025	PREP	99-06-053	390-20-100	REP-P	99-09-060
388-890-1250	NEW	99-18-053	390-14-025	AMD-P	99-09-065	390-20-100	REP	99-12-054
388-890-1255	NEW-P	99-12-030	390-14-025	AMD	99-12-059	390-20-115	PREP	99-06-069
388-890-1255	NEW	99-18-053	390-14-030	PREP	99-06-054	390-20-115	REP-P	99-09-061
388-890-1260	NEW-P	99-12-030	390-14-030	AMD-P	99-09-066	390-20-115	REP	99-12-055
388-890-1260	NEW	99-18-053	390-14-030	AMD	99-12-060	391-08	PREP	99-04-013
388-890-1265	NEW-P	99-12-030	390-14-035	PREP	99-06-055	391-08-310	AMD-P	99-10-107
388-890-1265	NEW	99-18-053	390-14-035	AMD-P	99-09-067	391-08-310	AMD	99-14-060
388-890-1270	NEW-P	99-12-030	390-14-035	AMD	99-12-061	391-08-810	AMD-P	99-10-107
388-890-1270	NEW	99-18-053	390-14-040	PREP	99-06-056	391-08-810	AMD	99-14-060
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391-55-002	AMD-P	99-10-107	391-55-350	AMD-P	99-10-107	392-127-070	AMD-P	99-21-007
391-55-002	AMD	99-14-060	391-55-350	AMD	99-14-060	392-127-085	PREP	99-16-077
391-55-010	AMD-P	99-10-107	391-65	PREP	99-04-013	392-127-085	AMD-P	99-21-007
391-55-010	AMD	99-14-060	391-65-001	AMD-P	99-10-107	392-127-095	PREP	99-16-077
391-55-020	NEW-P	99-10-107	391-65-001	AMD	99-14-060	392-127-095	REP-P	99-21-007
391-55-020	NEW	99-14-060	391-65-002	AMD-P	99-10-107	392-127-101	PREP	99-16-077
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391-55-032	AMD	99-14-060	391-65-030	AMD-P	99-10-107	392-127-111	PREP	99-16-077
391-55-050	AMD-P	99-10-107	391-65-030	AMD	99-14-060	392-127-111	AMD-P	99-21-007
391-55-050	AMD	99-14-060	391-65-050	AMD-P	99-10-107	392-127-112	PREP	99-16-077
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456- 12-070	REP-P	99-08-091	458- 16-280	AMD	99-18-008	458- 29A-400	NEW-P	99-17-088
456- 12-070	REP	99-13-098	458- 16-282	PREP	99-09-085	458- 29A-400	NEW	99-20-053
456- 12-075	NEW-P	99-08-091	458- 16-282	AMD-P	99-13-017	458- 29A-500	NEW-P	99-17-088
456- 12-075	NEW	99-13-098	458- 16-282	AMD	99-18-008	458- 29A-500	NEW	99-20-053
456- 12-080	REP-P	99-08-091	458- 16-320	AMD-XA	99-07-090	458- 29A-600	NEW-P	99-17-088
456- 12-080	REP	99-13-098	458- 16-320	AMD	99-13-018	458- 29A-600	NEW	99-20-053
456- 12-085	NEW-P	99-08-091	458- 16A-010	AMD	99-04-016	458- 30-262	AMD-XA	99-19-107
456- 12-085	NEW	99-13-098	458- 18-010	PREP	99-11-105	458- 30-360	REP-XR	99-13-016
456- 12-090	REP-P	99-08-091	458- 18-010	AMD-P	99-18-045	458- 30-360	REP	99-17-042
456- 12-090	REP	99-13-098	458- 18-010	AMD	99-21-044	458- 30-590	AMD-XA	99-19-108
456- 12-095	NEW-P	99-08-091	458- 18-220	AMD-XA	99-19-106	458- 40-540	AMD-P	99-22-063
456- 12-095	NEW	99-13-098	458- 20-101	AMD-XA	99-20-051	458- 40-660	PREP	99-06-036
456- 12-100	REP-P	99-08-091	458- 20-117	AMD-XA	99-20-020	458- 40-660	AMD-P	99-10-039
456- 12-100	REP	99-13-098	458- 20-119	AMD-XA	99-06-027	458- 40-660	AMD	99-14-055
456- 12-105	NEW-P	99-08-091	458- 20-119	AMD	99-11-107	458- 40-660	PREP	99-18-070
456- 12-105	NEW	99-13-098	458- 20-131	AMD-P	99-05-017	458- 40-660	AMD-P	99-22-064
456- 12-110	REP-P	99-08-091	458- 20-131	AMD	99-08-090	458- 50-010	REP-XR	99-04-031
456- 12-110	REP	99-13-098	458- 20-135	AMD-E	99-12-077	458- 50-010	REP	99-08-006
456- 12-115	NEW-P	99-08-091	458- 20-135	PREP	99-12-078	458- 50-050	REP-XR	99-04-031
456- 12-115	NEW	99-13-098	458- 20-135	AMD-E	99-20-003	458- 50-050	REP	99-08-006
456- 12-120	REP-P	99-08-091	458- 20-136	AMD-E	99-12-077	458- 57	PREP	99-07-133
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458- 57-015	NEW	99-15-095	460- 24A-110	NEW	99-03-050	468- 66-050	AMD-E	99-18-096
458- 57-025	NEW-P	99-11-104	460- 24A-110	AMD-P	99-21-072	468- 66-050	AMD-P	99-20-065
458- 57-025	NEW	99-15-095	460- 24A-145	NEW	99-03-052	468- 66-070	AMD-E	99-18-096
458- 57-035	NEW-P	99-11-104	460- 24A-150	AMD-P	99-21-072	468- 66-070	AMD-P	99-20-065
458- 57-035	NEW	99-15-095	460- 24A-220	AMD	99-03-051	468- 66-110	AMD-E	99-18-096
458- 57-045	NEW-P	99-11-104	460- 28A-015	AMD	99-03-053	468- 66-110	AMD-P	99-20-065
458- 57-045	NEW	99-15-095	461- 08-355	AMD-P	99-19-121	468- 66-140	AMD-E	99-18-096
458- 57-510	REP-P	99-11-104	461- 08-355	AMD	99-23-038	468- 66-140	AMD-P	99-20-065
458- 57-510	REP	99-15-095	461- 08-360	REP-P	99-19-121	468- 70	PREP	99-19-145
458- 57-520	REP-P	99-11-104	461- 08-360	REP	99-23-038	468- 70-010	AMD-P	99-23-011
458- 57-520	REP	99-15-095	461- 08-555	AMD-P	99-19-121	468- 70-020	AMD-P	99-23-011
458- 57-530	REP-P	99-11-104	461- 08-555	AMD	99-23-038	468- 70-030	AMD-P	99-23-011
458- 57-530	REP	99-15-095	468- 06-040	AMD-XA	99-02-065	468- 70-040	AMD-P	99-23-011
458- 57-540	REP-P	99-11-104	468- 06-040	AMD	99-07-013	468- 70-050	AMD-P	99-23-011
458- 57-540	REP	99-15-095	468- 12	PREP	99-04-042	468- 70-060	AMD-P	99-23-011
458- 57-550	REP-P	99-11-104	468- 34-010	AMD-W	99-08-082	468- 70-070	AMD-P	99-23-011
458- 57-550	REP	99-15-095	468- 34-020	AMD-W	99-08-082	468- 70-080	AMD-P	99-23-011
458- 57-560	REP-P	99-11-104	468- 34-100	AMD-W	99-08-082	468- 70-085	AMD-P	99-23-011
458- 57-560	REP	99-15-095	468- 34-120	AMD-W	99-08-082	468-300-010	AMD-P	99-05-035
458- 57-570	REP-P	99-11-104	468- 34-150	AMD-W	99-08-082	468-300-010	AMD	99-08-066
458- 57-570	REP	99-15-095	468- 34-330	AMD-W	99-08-082	468-300-020	AMD-P	99-05-035
458- 57-575	NEW	99-03-010	468- 38-110	AMD-P	99-05-006	468-300-020	AMD	99-08-066
458- 57-575	REP-P	99-11-104	468- 38-110	AMD	99-08-025	468-300-040	AMD-P	99-05-035
458- 57-575	REP	99-15-095	468- 38-110	AMD-E	99-21-030	468-300-040	AMD	99-08-066
458- 57-580	REP-P	99-11-104	468- 38-110	PREP	99-22-003	468-300-220	AMD-P	99-05-035
458- 57-580	REP	99-15-095	468- 38-150	REP-XR	99-04-058	468-300-220	AMD	99-08-066
458- 57-590	REP-P	99-11-104	468- 38-150	REP	99-07-098	468-300-700	AMD	99-07-059
458- 57-590	REP	99-15-095	468- 38-170	REP-XR	99-04-058	468-310-010	AMD	99-03-025
458- 57-600	REP-P	99-11-104	468- 38-170	REP	99-07-098	468-310-020	AMD	99-03-025
458- 57-600	REP	99-15-095	468- 38-210	REP-XR	99-04-058	468-310-020	AMD	99-03-025
458- 57-610	REP-P	99-11-104	468- 38-210	REP	99-07-098	468-310-050	AMD	99-03-025
458- 57-610	REP	99-15-095	468- 38-290	AMD-E	99-10-004	468-310-060	AMD	99-03-025
458- 57-620	REP-P	99-11-104	468- 38-290	PREP	99-10-020	468-310-100	AMD	99-03-025
458- 57-620	REP	99-15-095	468- 38-290	AMD-P	99-14-047	468-500-001	AMD-XA	99-06-004
458- 57-630	REP-P	99-11-104	468- 38-290	AMD	99-18-019	468-500-001	AMD	99-11-007
458- 57-630	REP	99-15-095	468- 51-010	AMD	99-06-034	468-550	PREP	99-11-026
458- 57-640	REP-P	99-11-104	468- 51-020	AMD	99-06-034	468-550-030	AMD-P	99-15-011
458- 57-640	REP	99-15-095	468- 51-030	AMD	99-06-034	468-550-030	AMD	99-18-059
458- 57-650	REP-P	99-11-104	468- 51-040	AMD	99-06-034	468-550-040	AMD-P	99-15-011
458- 57-650	REP	99-15-095	468- 51-060	AMD	99-06-034	468-550-040	AMD	99-18-059
458- 57-660	REP-P	99-11-104	468- 51-070	AMD	99-06-034	468-550-060	AMD-P	99-15-011
458- 57-660	REP	99-15-095	468- 51-080	AMD	99-06-034	468-550-060	AMD	99-18-059
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458- 61-090	AMD	99-14-053	468- 51-090	AMD	99-06-034	468-550-070	AMD	99-18-059
458- 65-010	REP-XR	99-10-032	468- 51-100	AMD	99-06-034	468-550-080	NEW-P	99-15-011
458- 65-010	REP	99-14-056	468- 51-105	NEW	99-06-034	468-550-080	NEW	99-18-059
458- 65-020	REP-XR	99-04-018	468- 51-110	AMD	99-06-034	474- 02-010	PREP	99-16-021
458- 65-020	REP	99-08-007	468- 51-120	AMD	99-06-034	474- 02-010	AMD-P	99-23-093
458- 65-030	REP-XR	99-04-018	468- 51-130	AMD	99-06-034	474- 02-020	AMD-P	99-23-093
458- 65-030	REP	99-08-007	468- 51-140	AMD	99-06-034	474- 10-010	NEW	99-03-004
458- 65-040	REP-XR	99-04-018	468- 51-150	AMD	99-06-034	474- 10-020	NEW	99-03-004
458- 65-040	REP	99-08-007	468- 52-020	AMD	99-06-035	474- 10-030	NEW	99-03-004
460- 21B-060	AMD-XA	99-07-012	468- 52-030	AMD	99-06-035	474- 10-040	NEW	99-03-004
460- 21B-060	AMD	99-12-043	468- 52-040	AMD	99-06-035	474- 10-050	NEW	99-03-004
460- 21B-060	AMD-W	99-14-077	468- 52-050	AMD	99-06-035	474- 10-060	NEW	99-03-004
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460- 22B-090	AMD	99-12-043	468- 54	PREP	99-10-029	474- 10-090	NEW	99-03-004
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478-140-010	AMD-P	99-08-056	479- 05-020	NEW-P	99-20-143	479- 12-020	REP-E	99-19-006
478-140-010	AMD	99-12-110	479- 05-030	NEW-E	99-19-006	479- 12-020	REP-P	99-20-143
478-140-015	AMD-P	99-08-056	479- 05-030	NEW-P	99-20-143	479- 12-100	NEW-E	99-19-006
478-140-015	AMD	99-12-110	479- 05-040	NEW-E	99-19-006	479- 12-100	NEW-P	99-20-143
478-140-018	AMD-P	99-08-056	479- 05-040	NEW-P	99-20-143	479- 12-110	NEW-E	99-19-006
478-140-018	AMD	99-12-110	479- 05-050	NEW-E	99-19-006	479- 12-110	NEW-P	99-20-143
478-140-019	NEW-P	99-08-056	479- 05-050	NEW-P	99-20-143	479- 12-120	NEW-E	99-19-006
478-140-019	NEW	99-12-110	479- 05-060	NEW-E	99-19-006	479- 12-120	NEW-P	99-20-143
478-140-021	AMD-P	99-08-056	479- 05-060	NEW-P	99-20-143	479- 12-130	NEW-E	99-19-006
478-140-021	AMD	99-12-110	479- 05-070	NEW-E	99-19-006	479- 12-130	NEW-P	99-20-143
478-140-024	AMD-P	99-08-056	479- 05-070	NEW-P	99-20-143	479- 12-140	NEW-E	99-19-006
478-140-024	AMD	99-12-110	479- 05-080	NEW-E	99-19-006	479- 12-140	NEW-P	99-20-143
478-140-050	AMD-P	99-08-056	479- 05-080	NEW-P	99-20-143	479- 12-150	NEW-E	99-19-006
478-140-050	AMD	99-12-110	479- 05-090	NEW-E	99-19-006	479- 12-150	NEW-P	99-20-143
478-140-060	REP-P	99-08-056	479- 05-090	NEW-P	99-20-143	479- 12-200	NEW-E	99-19-006
478-140-060	REP	99-12-110	479- 05-100	NEW-E	99-19-006	479- 12-200	NEW-P	99-20-143
478-140-070	AMD-P	99-08-056	479- 05-100	NEW-P	99-20-143	479- 12-210	NEW-E	99-19-006
478-140-070	AMD	99-12-110	479- 05-110	NEW-E	99-19-006	479- 12-210	NEW-P	99-20-143
478-140-080	NEW-P	99-08-056	479- 05-110	NEW-P	99-20-143	479- 12-220	NEW-E	99-19-006
478-140-080	NEW	99-12-110	479- 05-120	NEW-E	99-19-006	479- 12-220	NEW-P	99-20-143
478-210-010	REP	99-06-033	479- 05-120	NEW-P	99-20-143	479- 12-230	NEW-E	99-19-006
478-210-020	REP	99-06-033	479- 05-130	NEW-E	99-19-006	479- 12-230	NEW-P	99-20-143
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478-324-030	AMD-XA	99-19-096	479- 05-140	NEW-E	99-19-006	479- 12-240	NEW-P	99-20-143
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478-324-045	NEW-XA	99-19-096	479- 05-150	NEW-E	99-19-006	479- 12-250	NEW-P	99-20-143
478-324-050	REP-XA	99-19-096	479- 05-150	NEW-P	99-20-143	479- 12-260	NEW-E	99-19-006
478-324-060	AMD-XA	99-19-096	479- 05-160	NEW-E	99-19-006	479- 12-260	NEW-P	99-20-143
478-324-070	AMD-XA	99-19-096	479- 05-160	NEW-P	99-20-143	479- 12-300	NEW-E	99-19-006
478-324-090	AMD-XA	99-19-096	479- 05-170	NEW-E	99-19-006	479- 12-300	NEW-P	99-20-143
478-324-110	AMD-XA	99-19-096	479- 05-170	NEW-P	99-20-143	479- 12-310	NEW-E	99-19-006
478-324-120	AMD-XA	99-19-096	479- 05-180	NEW-E	99-19-006	479- 12-310	NEW-P	99-20-143
478-324-130	AMD-XA	99-19-096	479- 05-180	NEW-P	99-20-143	479- 12-340	NEW-E	99-19-006
478-324-140	AMD-XA	99-19-096	479- 05-190	NEW-E	99-19-006	479- 12-340	NEW-P	99-20-143
478-324-150	AMD-XA	99-19-096	479- 05-190	NEW-P	99-20-143	479- 12-350	NEW-E	99-19-006
478-324-170	AMD-XA	99-19-096	479- 05-200	NEW-E	99-19-006	479- 12-350	NEW-P	99-20-143
478-324-180	AMD-XA	99-19-096	479- 05-200	NEW-P	99-20-143	479- 12-360	NEW-E	99-19-006
478-324-190	AMD-XA	99-19-096	479- 05-210	NEW-E	99-19-006	479- 12-360	NEW-P	99-20-143
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478-324-210	AMD-XA	99-19-096	479- 05-220	NEW-E	99-19-006	479- 12-370	NEW-P	99-20-143
479- 01-010	AMD-E	99-19-006	479- 05-220	NEW-P	99-20-143	479- 12-400	NEW-E	99-19-006
479- 01-010	AMD-P	99-20-143	479- 05-230	NEW-E	99-19-006	479- 12-400	NEW-P	99-20-143
479- 01-020	AMD-P	99-20-143	479- 05-230	NEW-P	99-20-143	479- 12-410	NEW-E	99-19-006
479- 01-040	AMD-E	99-19-006	479- 05-240	NEW-E	99-19-006	479- 12-410	NEW-P	99-20-143
479- 01-040	AMD-P	99-20-143	479- 05-240	NEW-P	99-20-143	479- 12-420	NEW-E	99-19-006
479- 01-050	AMD-E	99-19-006	479- 05-250	NEW-E	99-19-006	479- 12-420	NEW-P	99-20-143
479- 01-050	AMD-P	99-20-143	479- 05-250	NEW-P	99-20-143	479- 12-430	NEW-E	99-19-006
479- 02-010	AMD-E	99-19-006	479- 05-260	NEW-E	99-19-006	479- 12-430	NEW-P	99-20-143
479- 02-010	AMD-P	99-20-143	479- 05-260	NEW-P	99-20-143	479- 12-440	NEW-E	99-19-006
479- 02-020	REP-E	99-19-006	479- 05-270	NEW-E	99-19-006	479- 12-440	NEW-P	99-20-143
479- 02-020	REP-P	99-20-143	479- 05-270	NEW-P	99-20-143	479- 13-010	REP-E	99-19-006
479- 02-030	REP-E	99-19-006	479- 05-280	NEW-E	99-19-006	479- 13-010	REP-P	99-20-143
479- 02-030	REP-P	99-20-143	479- 05-280	NEW-P	99-20-143	479- 13-011	REP-E	99-19-006
479- 02-050	AMD-E	99-19-006	479- 05-290	NEW-E	99-19-006	479- 13-011	REP-P	99-20-143
479- 02-050	AMD-P	99-20-143	479- 05-290	NEW-P	99-20-143	479- 13-025	REP-E	99-19-006
479- 02-060	AMD-E	99-19-006	479- 12-005	AMD-E	99-19-006	479- 13-025	REP-P	99-20-143
479- 02-060	AMD-P	99-20-143	479- 12-005	AMD-P	99-20-143	479- 13-035	REP-E	99-19-006
479- 02-110	AMD-E	99-19-006	479- 12-008	AMD-E	99-19-006	479- 13-035	REP-P	99-20-143
479- 02-110	AMD-P	99-20-143	479- 12-008	AMD-P	99-20-143	479- 13-070	REP-E	99-19-006
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479-14-005	NEW-P	99-20-143	479-16-050	REP-P	99-20-143	479-112-003	REP-P	99-20-143
479-14-008	NEW-E	99-19-006	479-16-060	REP-E	99-19-006	479-112-0055	REP-E	99-19-006
479-14-008	NEW-P	99-20-143	479-16-060	REP-P	99-20-143	479-112-0055	REP-P	99-20-143
479-14-010	NEW-E	99-19-006	479-16-080	REP-E	99-19-006	479-112-007	REP-E	99-19-006
479-14-010	NEW-P	99-20-143	479-16-080	REP-P	99-20-143	479-112-007	REP-P	99-20-143
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479-14-110	NEW-P	99-20-143	479-16-098	AMD	99-08-021	479-112-009	REP-P	99-20-143
479-14-120	NEW-E	99-19-006	479-16-098	REP-E	99-19-006	479-112-010	REP-E	99-19-006
479-14-120	NEW-P	99-20-143	479-16-098	REP-P	99-20-143	479-112-010	REP-P	99-20-143
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479-14-150	NEW-P	99-20-143	479-17-300	NEW-P	99-20-143	479-112-020	REP-P	99-20-143
479-14-160	NEW-E	99-19-006	479-17-400	NEW-E	99-19-006	479-113-010	REP-P	99-20-143
479-14-160	NEW-P	99-20-143	479-17-400	NEW-P	99-20-143	479-113-011	REP-P	99-20-143
479-14-170	NEW-E	99-19-006	479-20-007	AMD-P	99-03-089	479-113-029	REP-P	99-20-143
479-14-170	NEW-P	99-20-143	479-20-007	AMD	99-08-021	479-113-031	REP-P	99-20-143
479-14-180	NEW-E	99-19-006	479-20-007	REP-E	99-19-006	479-113-035	REP-P	99-20-143
479-14-180	NEW-P	99-20-143	479-20-007	REP-P	99-20-143	479-113-070	REP-P	99-20-143
479-14-190	NEW-E	99-19-006	479-20-007	REP-P	99-20-143	479-116-010	REP-P	99-20-143
479-14-190	NEW-P	99-20-143	479-20-010	REP-E	99-19-006	479-116-010	REP-P	99-20-143
479-15-005	NEW-E	99-19-006	479-20-010	REP-P	99-20-143	479-116-015	REP-P	99-20-143
479-15-005	NEW-P	99-20-143	479-20-010	REP-P	99-20-143	479-116-016	REP-P	99-20-143
479-15-008	NEW-E	99-19-006	479-20-011	REP-E	99-19-006	479-116-020	REP-P	99-20-143
479-15-008	NEW-P	99-20-143	479-20-011	REP-P	99-20-143	479-116-030	REP-P	99-20-143
479-15-008	NEW-E	99-19-006	479-20-013	REP-E	99-19-006	479-116-035	REP-P	99-20-143
479-15-008	NEW-P	99-20-143	479-20-013	REP-P	99-20-143	479-116-035	REP-P	99-20-143
479-15-010	NEW-E	99-19-006	479-20-016	REP-E	99-19-006	479-116-040	REP-P	99-20-143
479-15-010	NEW-P	99-20-143	479-20-016	REP-E	99-19-006	479-116-045	REP-P	99-20-143
479-15-100	NEW-E	99-19-006	479-20-016	REP-P	99-20-143	479-116-050	REP-P	99-20-143
479-15-100	NEW-P	99-20-143	479-20-020	AMD-P	99-03-089	479-116-060	REP-P	99-20-143
479-15-110	NEW-E	99-19-006	479-20-020	AMD	99-08-021	479-116-070	REP-P	99-20-143
479-15-110	NEW-P	99-20-143	479-20-020	REP-E	99-19-006	479-116-080	REP-P	99-20-143
479-15-120	NEW-E	99-19-006	479-20-020	REP-P	99-20-143	479-120-010	REP-P	99-20-143
479-15-120	NEW-P	99-20-143	479-20-025	AMD-P	99-03-089	479-120-011	REP-P	99-20-143
479-15-130	NEW-E	99-19-006	479-20-025	AMD	99-08-021	479-120-013	REP-P	99-20-143
479-15-130	NEW-P	99-20-143	479-20-025	REP-E	99-19-006	479-120-016	REP-P	99-20-143
479-15-140	NEW-E	99-19-006	479-20-025	REP-P	99-20-143	479-120-020	REP-P	99-20-143
479-15-140	NEW-P	99-20-143	479-20-027	REP-E	99-19-006	479-120-025	REP-P	99-20-143
479-16-010	REP-E	99-19-006	479-20-027	REP-P	99-20-143	479-120-027	REP-P	99-20-143
479-16-010	REP-P	99-20-143	479-20-031	REP-E	99-19-006	479-120-031	REP-P	99-20-143
479-16-015	REP-E	99-19-006	479-20-031	REP-P	99-20-143	479-120-037	REP-P	99-20-143
479-16-015	REP-P	99-20-143	479-20-037	AMD-P	99-03-089	479-120-037	REP-P	99-20-143
479-16-016	REP-E	99-19-006	479-20-037	AMD	99-08-021	479-120-086	REP-P	99-20-143
479-16-016	REP-P	99-20-143	479-20-037	REP-E	99-19-006	479-120-089	REP-P	99-20-143
479-16-020	AMD-P	99-03-089	479-20-037	REP-P	99-20-143	479-120-095	REP-P	99-20-143
479-16-020	AMD	99-08-021	479-20-086	REP-E	99-19-006	479-310-010	REP-E	99-19-006
479-16-020	REP-E	99-19-006	479-20-086	REP-P	99-20-143	479-310-010	REP-P	99-20-143
479-16-020	REP-P	99-20-143	479-20-089	REP-E	99-19-006	479-310-050	REP-E	99-19-006
479-16-030	REP-E	99-19-006	479-20-089	REP-P	99-20-143	479-310-050	REP-P	99-20-143
479-16-030	REP-P	99-20-143	479-20-095	REP-E	99-19-006	479-310-100	REP-E	99-19-006
479-16-035	REP-E	99-19-006	479-20-095	REP-P	99-20-143	479-310-100	REP-P	99-20-143
479-16-035	REP-P	99-20-143	479-24-010	REP-E	99-19-006	479-310-150	REP-E	99-19-006
479-16-040	AMD-P	99-03-089	479-24-010	REP-P	99-20-143	479-310-150	REP-P	99-20-143
479-16-040	AMD	99-08-021	479-24-020	REP-P	99-20-143	479-310-200	REP-E	99-19-006
479-16-040	REP-E	99-19-006	479-24-030	REP-P	99-20-143	479-310-200	REP-P	99-20-143
479-16-040	REP-P	99-20-143	479-24-040	REP-P	99-20-143	479-312-010	REP-E	99-19-006
479-16-045	REP-E	99-19-006	479-24-050	REP-P	99-20-143	479-312-010	REP-P	99-20-143
479-16-045	REP-P	99-20-143	479-24-070	REP-P	99-20-143	479-312-050	REP-E	99-19-006
479-16-045	REP-E	99-19-006	479-112-001	REP-E	99-19-006	479-312-050	REP-P	99-20-143
479-16-045	REP-P	99-20-143	479-112-001	REP-P	99-20-143			

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
479-312-100	REP-E	99-19-006	479-416-015	REP-E	99-19-006	479-510-420	REP-E	99-19-006
479-312-100	REP-P	99-20-143	479-416-015	REP-P	99-20-143	479-510-420	REP-P	99-20-143
479-312-150	REP-E	99-19-006	479-416-016	REP-E	99-19-006	479-510-450	NEW-P	99-03-088
479-312-150	REP-P	99-20-143	479-416-016	REP-P	99-20-143	479-510-450	NEW	99-08-020
479-312-200	REP-E	99-19-006	479-416-018	REP-E	99-19-006	479-510-460	NEW-P	99-03-088
479-312-200	REP-P	99-20-143	479-416-018	REP-P	99-20-143	479-510-460	NEW	99-08-020
479-312-250	REP-E	99-19-006	479-416-020	REP-E	99-19-006	479-510-500	REP-E	99-19-006
479-312-250	REP-P	99-20-143	479-416-020	REP-P	99-20-143	479-510-500	REP-P	99-20-143
479-312-300	REP-E	99-19-006	479-416-030	REP-E	99-19-006	480-09-005	NEW	99-05-031
479-312-300	REP-P	99-20-143	479-416-030	REP-P	99-20-143	480-09-010	AMD	99-05-031
479-316-010	REP-E	99-19-006	479-416-035	REP-E	99-19-006	480-09-012	AMD	99-05-031
479-316-010	REP-P	99-20-143	479-416-035	REP-P	99-20-143	480-09-100	AMD	99-05-031
479-316-050	REP-E	99-19-006	479-416-040	REP-E	99-19-006	480-09-101	NEW	99-05-031
479-316-050	REP-P	99-20-143	479-416-040	REP-P	99-20-143	480-09-115	AMD	99-05-031
479-316-100	REP-E	99-19-006	479-416-045	REP-E	99-19-006	480-09-120	AMD	99-05-031
479-316-100	REP-P	99-20-143	479-416-045	REP-P	99-20-143	480-09-125	AMD	99-05-031
479-316-200	REP-E	99-19-006	479-416-050	REP-E	99-19-006	480-09-130	AMD	99-05-031
479-316-200	REP-P	99-20-143	479-416-050	REP-P	99-20-143	480-09-135	AMD	99-05-031
479-316-250	REP-E	99-19-006	479-420-010	REP-E	99-19-006	480-09-140	AMD	99-05-031
479-316-250	REP-P	99-20-143	479-420-010	REP-P	99-20-143	480-09-150	AMD	99-05-031
479-316-300	REP-E	99-19-006	479-420-011	REP-E	99-19-006	480-09-200	AMD	99-05-031
479-316-300	REP-P	99-20-143	479-420-011	REP-P	99-20-143	480-09-210	AMD	99-05-031
479-320-050	REP-E	99-19-006	479-420-013	REP-E	99-19-006	480-09-220	AMD	99-05-031
479-320-050	REP-P	99-20-143	479-420-013	REP-P	99-20-143	480-09-230	AMD	99-05-031
479-320-100	REP-E	99-19-006	479-420-016	REP-E	99-19-006	480-09-337	NEW-S	99-12-112
479-320-100	REP-P	99-20-143	479-420-016	REP-P	99-20-143	480-09-340	AMD	99-05-031
479-320-150	REP-E	99-19-006	479-420-020	REP-E	99-19-006	480-09-390	AMD	99-05-031
479-320-150	REP-P	99-20-143	479-420-020	REP-P	99-20-143	480-09-400	AMD	99-05-031
479-320-200	REP-E	99-19-006	479-420-025	REP-E	99-19-006	480-09-410	AMD	99-05-031
479-320-200	REP-P	99-20-143	479-420-025	REP-P	99-20-143	480-09-420	AMD	99-05-031
479-410-010	REP-E	99-19-006	479-420-027	REP-E	99-19-006	480-09-425	AMD	99-05-031
479-410-010	REP-P	99-20-143	479-420-027	REP-P	99-20-143	480-09-426	AMD	99-05-031
479-410-020	REP-E	99-19-006	479-420-031	REP-E	99-19-006	480-09-430	AMD	99-05-031
479-410-020	REP-P	99-20-143	479-420-031	REP-P	99-20-143	480-09-440	AMD	99-05-031
479-410-100	REP-E	99-19-006	479-420-037	REP-E	99-19-006	480-09-460	AMD	99-05-031
479-410-100	REP-P	99-20-143	479-420-037	REP-P	99-20-143	480-09-465	AMD	99-05-031
479-410-150	REP-E	99-19-006	479-420-086	REP-E	99-19-006	480-09-466	AMD	99-05-031
479-410-150	REP-P	99-20-143	479-420-086	REP-P	99-20-143	480-09-467	AMD	99-05-031
479-410-160	REP-E	99-19-006	479-420-089	REP-E	99-19-006	480-09-470	AMD	99-05-031
479-410-160	REP-P	99-20-143	479-420-089	REP-P	99-20-143	480-09-475	AMD	99-05-031
479-410-170	REP-E	99-19-006	479-420-095	REP-E	99-19-006	480-09-500	AMD	99-05-031
479-410-170	REP-P	99-20-143	479-420-095	REP-P	99-20-143	480-09-510	AMD	99-05-031
479-410-180	REP-E	99-19-006	479-510-060	REP-E	99-19-006	480-09-600	AMD	99-05-031
479-410-180	REP-P	99-20-143	479-510-060	REP-P	99-20-143	480-09-610	AMD	99-05-031
479-410-200	REP-E	99-19-006	479-510-076	REP-E	99-19-006	480-09-620	AMD	99-05-031
479-410-200	REP-P	99-20-143	479-510-076	REP-P	99-20-143	480-09-700	AMD	99-05-031
479-412-020	REP-E	99-19-006	479-510-080	REP-E	99-19-006	480-09-705	AMD	99-05-031
479-412-020	REP-P	99-20-143	479-510-080	REP-P	99-20-143	480-09-710	AMD	99-05-031
479-412-100	REP-E	99-19-006	479-510-110	REP-E	99-19-006	480-09-720	AMD	99-05-031
479-412-100	REP-P	99-20-143	479-510-110	REP-P	99-20-143	480-09-730	AMD	99-05-031
479-412-150	REP-E	99-19-006	479-510-120	REP-E	99-19-006	480-09-735	AMD	99-05-031
479-412-150	REP-P	99-20-143	479-510-120	REP-P	99-20-143	480-09-736	AMD	99-05-031
479-412-200	REP-E	99-19-006	479-510-210	REP-E	99-19-006	480-09-740	AMD	99-05-031
479-412-200	REP-P	99-20-143	479-510-210	REP-P	99-20-143	480-09-745	AMD	99-05-031
479-412-250	REP-E	99-19-006	479-510-220	REP-E	99-19-006	480-09-750	AMD	99-05-031
479-412-250	REP-P	99-20-143	479-510-220	REP-P	99-20-143	480-09-751	AMD	99-05-031
479-412-300	REP-E	99-19-006	479-510-410	AMD-P	99-03-088	480-09-760	AMD	99-05-031
479-412-300	REP-P	99-20-143	479-510-410	AMD	99-08-020	480-09-770	AMD	99-05-031
479-412-310	REP-E	99-19-006	479-510-410	REP-E	99-19-006	480-09-780	AMD	99-05-031
479-412-310	REP-P	99-20-143	479-510-410	REP-P	99-20-143	480-09-800	AMD	99-05-031
479-416-010	REP-E	99-19-006	479-510-420	AMD-P	99-03-088	480-09-810	AMD	99-05-031
479-416-010	REP-P	99-20-143	479-510-420	AMD	99-08-020	480-09-815	AMD	99-05-031

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-09-820	AMD	99-05-031	480-66-400	NEW-P	99-15-083	480-110-046	REP-W	99-07-053
480-09-830	REP	99-05-031	480-66-410	NEW-P	99-15-083	480-110-046	REP-S	99-12-112
480-12-100	REP-W	99-08-085	480-66-420	NEW-P	99-15-083	480-110-051	REP-W	99-07-053
480-12-370	RE-AD	99-08-026	480-66-430	NEW-P	99-15-083	480-110-051	REP-S	99-12-112
480-12-375	REP	99-08-026	480-66-440	NEW-P	99-15-083	480-110-056	REP-W	99-07-053
480-12-375	REP-W	99-08-085	480-66-450	NEW-P	99-15-083	480-110-056	REP-S	99-12-112
480-14-060	AMD-XA	99-14-079	480-66-460	NEW-P	99-15-083	480-110-061	REP-W	99-07-053
480-14-060	AMD	99-20-013	480-66-470	NEW-P	99-15-083	480-110-061	REP-S	99-12-112
480-15	PREP	99-22-039	480-66-480	NEW-P	99-15-083	480-110-066	REP-W	99-07-053
480-15-040	AMD-XA	99-14-079	480-66-490	NEW-P	99-15-083	480-110-066	REP-S	99-12-112
480-15-040	AMD	99-20-013	480-66-500	NEW-P	99-15-083	480-110-071	REP-W	99-07-053
480-30-015	AMD-XA	99-14-079	480-66-510	NEW-P	99-15-083	480-110-071	REP-S	99-12-112
480-30-015	AMD	99-20-013	480-66-520	NEW-P	99-15-083	480-110-076	REP-W	99-07-053
480-31-100	AMD-XA	99-14-079	480-66-600	NEW-P	99-15-083	480-110-076	REP-S	99-12-112
480-31-100	AMD	99-20-013	480-66-620	NEW-P	99-15-083	480-110-081	REP-W	99-07-053
480-31-120	AMD-XA	99-14-079	480-70	PREP	99-08-012	480-110-081	REP-S	99-12-112
480-31-120	AMD	99-20-013	480-70-055	AMD-XA	99-14-079	480-110-086	REP-W	99-07-053
480-31-130	AMD-XA	99-14-079	480-70-055	AMD	99-20-013	480-110-086	REP-S	99-12-112
480-31-130	AMD	99-20-013	480-75-005	AMD-XA	99-14-079	480-110-091	REP-W	99-07-053
480-31-140	AMD-XA	99-14-079	480-75-005	AMD	99-20-013	480-110-091	REP-S	99-12-112
480-31-140	AMD	99-20-013	480-80	PREP	99-19-086	480-110-096	REP-W	99-07-053
480-40-015	AMD-XA	99-14-079	480-90	PREP	99-08-052	480-110-096	REP-S	99-12-112
480-40-015	AMD	99-20-013	480-92-011	AMD	99-05-016	480-110-101	REP-W	99-07-053
480-60-010	AMD-P	99-15-083	480-92-016	NEW	99-05-016	480-110-101	REP-S	99-12-112
480-60-012	NEW-P	99-15-083	480-92-021	AMD	99-05-016	480-110-111	REP-W	99-07-053
480-60-014	NEW-P	99-15-083	480-92-031	AMD	99-05-016	480-110-111	REP-S	99-12-112
480-60-020	AMD-P	99-15-083	480-92-041	NEW	99-05-016	480-110-116	REP-W	99-07-053
480-60-030	AMD-P	99-15-083	480-92-050	AMD	99-05-016	480-110-116	REP-S	99-12-112
480-60-035	NEW-P	99-15-083	480-92-060	AMD	99-05-016	480-110-121	REP-W	99-07-053
480-60-040	AMD-P	99-15-083	480-92-070	AMD	99-05-016	480-110-121	REP-S	99-12-112
480-60-050	AMD-P	99-15-083	480-92-080	AMD	99-05-016	480-110-126	REP-W	99-07-053
480-60-060	AMD-P	99-15-083	480-92-090	AMD	99-05-016	480-110-126	REP-S	99-12-112
480-60-070	REP-P	99-15-083	480-92-100	AMD	99-05-016	480-110-131	REP-W	99-07-053
480-60-080	AMD-P	99-15-083	480-92-110	AMD	99-05-016	480-110-131	REP-S	99-12-112
480-60-090	AMD-P	99-15-083	480-93-010	AMD-XA	99-14-079	480-110-136	REP-W	99-07-053
480-60-99002	REP-P	99-15-083	480-93-010	AMD	99-20-013	480-110-136	REP-S	99-12-112
480-60-99003	REP-P	99-15-083	480-100	PREP	99-08-105	480-110-141	REP-W	99-07-053
480-62	PREP	99-08-053	480-100-076	PREP	99-19-155	480-110-141	REP-S	99-12-112
480-62-090	AMD-XA	99-14-079	480-100-186	PREP	99-19-155	480-110-146	REP-W	99-07-053
480-62-090	AMD	99-20-013	480-100-191	PREP	99-19-155	480-110-146	REP-S	99-12-112
480-66-010	REP-P	99-15-083	480-110-011	REP-W	99-07-053	480-110-151	REP-W	99-07-053
480-66-020	REP-P	99-15-083	480-110-011	REP-S	99-12-112	480-110-151	REP-S	99-12-112
480-66-030	REP-P	99-15-083	480-110-016	REP-W	99-07-053	480-110-156	REP-W	99-07-053
480-66-040	REP-P	99-15-083	480-110-016	REP-S	99-12-112	480-110-156	REP-S	99-12-112
480-66-050	REP-P	99-15-083	480-110-018	REP-W	99-07-053	480-110-161	REP-W	99-07-053
480-66-060	REP-P	99-15-083	480-110-018	REP-S	99-12-112	480-110-161	REP-S	99-12-112
480-66-070	REP-P	99-15-083	480-110-021	REP-W	99-07-053	480-110-166	REP-W	99-07-053
480-66-100	NEW-P	99-15-083	480-110-021	REP-S	99-12-112	480-110-166	REP-S	99-12-112
480-66-110	NEW-P	99-15-083	480-110-023	REP-W	99-07-053	480-110-171	REP-W	99-07-053
480-66-120	NEW-P	99-15-083	480-110-023	REP-S	99-12-112	480-110-171	REP-S	99-12-112
480-66-140	NEW-P	99-15-083	480-110-026	REP-W	99-07-053	480-110-176	REP-W	99-07-053
480-66-150	NEW-P	99-15-083	480-110-026	REP-S	99-12-112	480-110-176	REP-S	99-12-112
480-66-160	NEW-P	99-15-083	480-110-028	REP-W	99-07-053	480-110-205	NEW-S	99-12-112
480-66-170	NEW-P	99-15-083	480-110-028	REP-S	99-12-112	480-110-215	NEW-S	99-12-112
480-66-200	NEW-P	99-15-083	480-110-031	REP-W	99-07-053	480-110-225	NEW-S	99-12-112
480-66-210	NEW-P	99-15-083	480-110-031	REP-S	99-12-112	480-110-235	NEW-S	99-12-112
480-66-220	NEW-P	99-15-083	480-110-032	REP-W	99-07-053	480-110-245	NEW-S	99-12-112
480-66-230	NEW-P	99-15-083	480-110-032	REP-S	99-12-112	480-110-255	NEW-S	99-12-112
480-66-300	NEW-P	99-15-083	480-110-036	REP-W	99-07-053	480-110-265	NEW-S	99-12-112
480-66-310	NEW-P	99-15-083	480-110-036	REP-S	99-12-112	480-110-275	NEW-S	99-12-112
480-66-320	NEW-P	99-15-083	480-110-041	REP-W	99-07-053	480-110-285	NEW-S	99-12-112
480-66-330	NEW-P	99-15-083	480-110-041	REP-S	99-12-112	480-110-295	NEW-S	99-12-112

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-110-305	NEW-S	99-12-112	480-121	AMD-P	99-07-106	480-123-370	NEW-W	99-13-095
480-110-315	NEW-S	99-12-112	480-121	AMD	99-13-097	480-123-380	NEW-W	99-13-095
480-110-325	NEW-S	99-12-112	480-121-010	AMD-P	99-07-106	480-123-390	NEW-W	99-13-095
480-110-335	NEW-S	99-12-112	480-121-010	AMD	99-13-097	480-123-400	NEW-W	99-13-095
480-110-345	NEW-S	99-12-112	480-121-015	NEW	99-13-097	480-123-410	NEW-W	99-13-095
480-110-355	NEW-S	99-12-112	480-121-020	AMD-P	99-07-106	480-123-420	NEW-W	99-13-095
480-110-365	NEW-S	99-12-112	480-121-020	AMD	99-13-097	480-123-430	NEW-W	99-13-095
480-110-375	NEW-S	99-12-112	480-121-023	NEW	99-13-097	480-123-440	NEW-W	99-13-095
480-110-385	NEW-S	99-12-112	480-121-026	NEW	99-13-097	480-123-450	NEW-W	99-13-095
480-110-395	NEW-S	99-12-112	480-121-030	AMD-P	99-07-106	480-123-460	NEW-W	99-13-095
480-110-405	NEW-S	99-12-112	480-121-030	AMD	99-13-097	480-123-470	NEW-W	99-13-095
480-110-415	NEW-S	99-12-112	480-121-040	AMD-P	99-07-106	480-123-480	NEW-W	99-13-095
480-110-425	NEW-S	99-12-112	480-121-040	AMD	99-13-097	480-123-490	NEW-W	99-13-095
480-110-435	NEW-S	99-12-112	480-121-050	REP-P	99-07-106	480-123-500	NEW-W	99-13-095
480-110-445	NEW-S	99-12-112	480-121-050	AMD	99-13-097	480-123-510	NEW-W	99-13-095
480-110-455	NEW-S	99-12-112	480-121-060	NEW-P	99-07-106	480-123-520	NEW-W	99-13-095
480-110-465	NEW-S	99-12-112	480-121-060	NEW	99-13-097	480-123-530	NEW-W	99-13-095
480-110-475	NEW-S	99-12-112	480-121-070	NEW-P	99-07-106	480-123-540	NEW-W	99-13-095
480-110-485	NEW-S	99-12-112	480-121-070	NEW	99-13-097	480-123-550	NEW-W	99-13-095
480-110-495	NEW-S	99-12-112	480-121-080	NEW-P	99-07-106	480-123-560	NEW-W	99-13-095
480-110-500	NEW-W	99-07-053	480-121-080	NEW-W	99-20-088	480-123-570	NEW-W	99-13-095
480-110-510	NEW-W	99-07-053	480-121-090	NEW-P	99-07-106	480-140	PREP	99-09-028
480-110-520	NEW-W	99-07-053	480-121-090	NEW-W	99-20-088	480-140-010	AMD-P	99-17-044
480-110-530	NEW-W	99-07-053	480-121-100	NEW-P	99-07-106	480-140-010	AMD	99-23-065
480-110-540	NEW-W	99-07-053	480-121-100	NEW-W	99-20-088	480-140-015	NEW-P	99-17-044
480-110-550	NEW-W	99-07-053	480-123-015	NEW-W	99-13-095	480-140-015	NEW	99-23-065
480-110-560	NEW-W	99-07-053	480-123-020	NEW-W	99-13-095	480-140-020	AMD-P	99-17-044
480-110-570	NEW-W	99-07-053	480-123-030	NEW-W	99-13-095	480-140-020	AMD	99-23-065
480-110-580	NEW-W	99-07-053	480-123-040	NEW-W	99-13-095	480-140-030	AMD-P	99-17-044
480-110-590	NEW-W	99-07-053	480-123-050	NEW-W	99-13-095	480-140-030	AMD	99-23-065
480-110-600	NEW-W	99-07-053	480-123-060	NEW-W	99-13-095	480-140-040	AMD-P	99-17-044
480-110-610	NEW-W	99-07-053	480-123-070	NEW-W	99-13-095	480-140-040	AMD	99-23-065
480-110-620	NEW-W	99-07-053	480-123-080	NEW-W	99-13-095	480-140-050	REP-P	99-17-044
480-110-630	NEW-W	99-07-053	480-123-085	NEW-W	99-13-095	480-140-050	REP	99-23-065
480-110-640	NEW-W	99-07-053	480-123-090	NEW-W	99-13-095	480-140-060	REP-P	99-17-044
480-110-650	NEW-W	99-07-053	480-123-100	NEW-W	99-13-095	480-140-060	REP	99-23-065
480-110-660	NEW-W	99-07-053	480-123-110	NEW-W	99-13-095	480-140-070	REP-P	99-17-044
480-110-670	NEW-W	99-07-053	480-123-120	NEW-W	99-13-095	480-140-070	REP	99-23-065
480-110-680	NEW-W	99-07-053	480-123-130	NEW-W	99-13-095	480-140-080	AMD-P	99-17-044
480-110-690	NEW-W	99-07-053	480-123-140	NEW-W	99-13-095	480-140-080	AMD	99-23-065
480-110-700	NEW-W	99-07-053	480-123-150	NEW-W	99-13-095	480-140-090	REP-P	99-17-044
480-110-710	NEW-W	99-07-053	480-123-160	NEW-W	99-13-095	480-140-090	REP	99-23-065
480-110-720	NEW-W	99-07-053	480-123-170	NEW-W	99-13-095	480-140-100	REP-P	99-17-044
480-110-730	NEW-W	99-07-053	480-123-180	NEW-W	99-13-095	480-140-100	REP	99-23-065
480-110-740	NEW-W	99-07-053	480-123-190	NEW-W	99-13-095	480-140-110	REP-P	99-17-044
480-110-750	NEW-W	99-07-053	480-123-200	NEW-W	99-13-095	480-140-110	REP	99-23-065
480-110-760	NEW-W	99-07-053	480-123-210	NEW-W	99-13-095	480-140-120	REP-P	99-17-044
480-110-770	NEW-W	99-07-053	480-123-220	NEW-W	99-13-095	480-140-120	REP	99-23-065
480-110-780	NEW-W	99-07-053	480-123-230	NEW-W	99-13-095	480-140-130	REP-P	99-17-044
480-110-790	NEW-W	99-07-053	480-123-240	NEW-W	99-13-095	480-140-130	REP	99-23-065
480-120	PREP	99-09-027	480-123-250	NEW-W	99-13-095	480-140-140	REP-P	99-17-044
480-120-052	NEW	99-10-013	480-123-260	NEW-W	99-13-095	480-140-140	REP	99-23-065
480-120-058	NEW	99-10-013	480-123-270	NEW-W	99-13-095	480-140-150	REP-P	99-17-044
480-120-071	PREP	99-23-110	480-123-280	NEW-W	99-13-095	480-140-150	REP	99-23-065
480-120-139	AMD-P	99-07-107	480-123-290	NEW-W	99-13-095	480-140-160	REP-P	99-17-044
480-120-139	AMD	99-11-070	480-123-300	NEW-W	99-13-095	480-140-160	REP	99-23-065
480-120-139	AMD-P	99-21-057	480-123-310	NEW-W	99-13-095	480-140-170	REP-P	99-17-044
480-120-144	NEW	99-05-015	480-123-320	NEW-W	99-13-095	480-140-170	REP	99-23-065
480-120-151	NEW	99-05-015	480-123-330	NEW-W	99-13-095	480-143-010	REP-P	99-03-074
480-120-152	NEW	99-05-015	480-123-340	NEW-W	99-13-095	480-143-010	REP	99-08-055
480-120-153	NEW	99-05-015	480-123-350	NEW-W	99-13-095	480-143-020	REP-P	99-03-074
480-120-154	NEW	99-05-015	480-123-360	NEW-W	99-13-095	480-143-020	REP	99-08-055

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-143-030	REP-P	99-03-074	480-146-210	REP-P	99-03-073	490-500-065	REP-P	99-12-030
480-143-030	REP	99-08-055	480-146-210	REP	99-08-054	490-500-065	REP	99-18-053
480-143-040	REP-P	99-03-074	480-146-220	REP-P	99-03-073	490-500-070	PREP	99-06-081
480-143-040	REP	99-08-055	480-146-220	REP	99-08-054	490-500-070	REP-P	99-12-030
480-143-050	REP-P	99-03-074	480-146-230	REP-P	99-03-073	490-500-070	REP	99-18-053
480-143-050	REP	99-08-055	480-146-230	REP	99-08-054	490-500-080	PREP	99-06-081
480-143-060	REP-P	99-03-074	480-146-240	NEW-P	99-03-073	490-500-080	REP-P	99-12-030
480-143-060	REP	99-08-055	480-146-240	NEW	99-08-054	490-500-080	REP	99-18-053
480-143-070	REP-P	99-03-074	480-146-250	NEW-P	99-03-073	490-500-170	PREP	99-06-081
480-143-070	REP	99-08-055	480-146-250	NEW	99-08-054	490-500-170	REP-P	99-12-030
480-143-080	REP-P	99-03-074	480-146-260	NEW-P	99-03-073	490-500-170	REP	99-18-053
480-143-080	REP	99-08-055	480-146-260	NEW	99-08-054	490-500-180	PREP	99-06-081
480-143-100	NEW-P	99-03-074	480-146-270	NEW-P	99-03-073	490-500-180	REP-P	99-12-030
480-143-100	NEW	99-08-055	480-146-270	NEW	99-08-054	490-500-180	REP	99-18-053
480-143-110	NEW-P	99-03-074	480-146-280	NEW-P	99-03-073	490-500-185	PREP	99-06-081
480-143-110	NEW	99-08-055	480-146-280	NEW	99-08-054	490-500-185	REP-P	99-12-030
480-143-120	NEW-P	99-03-074	480-146-280	NEW	99-08-054	490-500-185	REP	99-18-053
480-143-120	NEW	99-08-055	480-146-290	NEW-P	99-03-073	490-500-185	REP	99-18-053
480-143-120	NEW	99-08-055	480-146-290	NEW	99-08-054	490-500-190	PREP	99-06-081
480-143-130	NEW-P	99-03-074	480-146-290	NEW	99-08-054	490-500-190	REP-P	99-12-030
480-143-130	NEW	99-08-055	480-146-300	NEW-P	99-03-073	490-500-190	REP	99-18-053
480-143-130	NEW	99-08-055	480-146-300	NEW	99-08-054	490-500-190	REP	99-18-053
480-143-140	NEW-P	99-03-074	480-146-310	NEW-P	99-03-073	490-500-200	PREP	99-06-081
480-143-140	NEW	99-08-055	480-146-310	NEW-P	99-03-073	490-500-200	PREP	99-06-081
480-143-140	NEW	99-08-055	480-146-310	NEW	99-08-054	490-500-200	REP-P	99-12-030
480-143-150	NEW-P	99-03-074	480-146-320	NEW-P	99-03-073	490-500-200	REP	99-18-053
480-143-150	NEW	99-08-055	480-146-320	NEW	99-08-054	490-500-200	REP	99-18-053
480-143-150	NEW	99-08-055	480-146-320	NEW	99-08-054	490-500-205	PREP	99-06-081
480-143-160	NEW-P	99-03-074	480-146-330	NEW-P	99-03-073	490-500-205	REP-P	99-12-030
480-143-160	NEW	99-08-055	480-146-330	NEW	99-08-054	490-500-205	REP	99-18-053
480-143-160	NEW	99-08-055	480-146-330	NEW	99-08-054	490-500-205	REP	99-18-053
480-143-170	NEW-P	99-03-074	480-146-340	NEW-P	99-03-073	490-500-257	PREP	99-06-081
480-143-170	NEW	99-08-055	480-146-340	NEW	99-08-054	490-500-257	PREP	99-06-081
480-143-170	NEW	99-08-055	480-146-340	NEW	99-08-054	490-500-257	REP-P	99-12-030
480-143-180	NEW-P	99-03-074	480-146-350	NEW-P	99-03-073	490-500-257	REP	99-18-053
480-143-180	NEW	99-08-055	480-146-350	NEW	99-08-054	490-500-257	REP	99-18-053
480-143-180	NEW	99-08-055	480-146-350	NEW	99-08-054	490-500-260	PREP	99-06-081
480-143-190	NEW-P	99-03-074	480-146-360	NEW-P	99-03-073	490-500-260	REP-P	99-12-030
480-143-190	NEW	99-08-055	480-146-360	NEW	99-08-054	490-500-260	REP	99-18-053
480-143-190	NEW	99-08-055	480-146-360	NEW	99-08-054	490-500-260	REP	99-18-053
480-143-200	NEW-P	99-03-074	480-146-370	NEW-P	99-03-073	490-500-270	PREP	99-06-081
480-143-200	NEW	99-08-055	480-146-370	NEW	99-08-054	490-500-270	PREP	99-06-081
480-143-200	NEW	99-08-055	480-146-370	NEW	99-08-054	490-500-270	REP-P	99-12-030
480-143-210	NEW-P	99-03-074	480-146-380	NEW-P	99-03-073	490-500-270	REP	99-18-053
480-143-210	NEW	99-08-055	480-146-380	NEW	99-08-054	490-500-270	REP	99-18-053
480-143-210	NEW	99-08-055	480-146-380	NEW	99-08-054	490-500-275	PREP	99-06-081
480-143-990	REP-P	99-03-074	484- 20-068	PREP	99-22-025	490-500-275	PREP	99-06-081
480-143-990	REP	99-08-055	490-500-005	PREP	99-06-081	490-500-275	REP-P	99-12-030
480-143-990	REP	99-08-055	490-500-005	REP-P	99-12-030	490-500-275	REP	99-18-053
480-146-010	REP-P	99-03-073	490-500-005	REP	99-18-053	490-500-300	PREP	99-06-081
480-146-010	REP	99-08-054	490-500-005	REP	99-18-053	490-500-300	PREP	99-06-081
480-146-010	REP	99-08-054	490-500-005	REP	99-18-053	490-500-300	REP-P	99-12-030
480-146-020	REP-P	99-03-073	490-500-010	PREP	99-06-081	490-500-300	REP	99-18-053
480-146-020	REP	99-08-054	490-500-010	PREP	99-06-081	490-500-300	REP	99-18-053
480-146-020	REP	99-08-054	490-500-010	PREP	99-06-081	490-500-300	REP	99-18-053
480-146-030	REP-P	99-03-073	490-500-010	REP	99-18-053	490-500-325	PREP	99-06-081
480-146-030	REP	99-08-054	490-500-015	REP	99-18-053	490-500-325	PREP	99-06-081
480-146-030	REP	99-08-054	490-500-015	PREP	99-06-081	490-500-325	REP	99-18-053
480-146-040	REP-P	99-03-073	490-500-015	PREP	99-06-081	490-500-325	REP	99-18-053
480-146-040	REP	99-08-054	490-500-015	PREP	99-06-081	490-500-350	PREP	99-06-081
480-146-040	REP	99-08-054	490-500-015	PREP	99-06-081	490-500-350	PREP	99-06-081
480-146-050	REP-P	99-03-073	490-500-022	REP-P	99-12-030	490-500-350	REP-P	99-12-030
480-146-050	REP	99-08-054	490-500-022	REP	99-18-053	490-500-350	REP	99-18-053
480-146-050	REP	99-08-054	490-500-022	REP	99-18-053	490-500-380	PREP	99-06-081
480-146-060	REP-P	99-03-073	490-500-022	REP	99-18-053	490-500-380	PREP	99-06-081
480-146-060	REP	99-08-054	490-500-025	PREP	99-06-081	490-500-380	REP-P	99-12-030
480-146-060	REP	99-08-054	490-500-025	PREP	99-06-081	490-500-380	REP	99-18-053
480-146-070	REP-P	99-03-073	490-500-025	REP-P	99-12-030	490-500-385	PREP	99-06-081
480-146-070	REP	99-08-054	490-500-025	REP	99-18-053	490-500-385	PREP	99-06-081
480-146-070	REP	99-08-054	490-500-025	REP	99-18-053	490-500-385	REP-P	99-12-030
480-146-080	REP-P	99-03-073	490-500-030	PREP	99-06-081	490-500-385	REP	99-18-053
480-146-080	REP	99-08-054	490-500-030	PREP	99-06-081	490-500-389	REP	99-18-053
480-146-080	REP	99-08-054	490-500-030	PREP	99-06-081	490-500-389	PREP	99-06-081
480-146-090	REP-P	99-03-073	490-500-030	REP-P	99-12-030	490-500-389	REP-P	99-12-030
480-146-090	REP	99-08-054	490-500-030	REP	99-18-053	490-500-389	REP	99-18-053
480-146-090	REP	99-08-054	490-500-030	REP	99-18-053	490-500-389	REP	99-18-053
480-146-091	REP-P	99-03-073	490-500-050	PREP	99-06-081	490-500-390	PREP	99-06-081
480-146-091	REP	99-08-054	490-500-050	PREP	99-06-081	490-500-390	PREP	99-06-081
480-146-091	REP	99-08-054	490-500-050	REP-P	99-12-030	490-500-390	REP-P	99-12-030
480-146-095	REP-P	99-03-073	490-500-050	REP	99-18-053	490-500-390	REP-P	99-12-030
480-146-095	REP	99-08-054	490-500-055	PREP	99-06-081	490-500-390	REP	99-18-053
480-146-095	REP	99-08-054	490-500-055	PREP	99-06-081	490-500-390	REP	99-18-053
480-146-200	REP-P	99-03-073	490-500-055	REP-P	99-12-030	490-500-418	PREP	99-06-081
480-146-200	REP	99-08-054	490-500-055	REP	99-18-053	490-500-418	REP-P	99-12-030
480-146-200	REP	99-08-054	490-500-065	PREP	99-06-081	490-500-418	REP	99-18-053

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
490-500-420	PREP	99-06-081	490-500-545	REP	99-18-053			
490-500-420	REP-P	99-12-030	490-500-555	PREP	99-06-081			
490-500-420	REP	99-18-053	490-500-555	REP-P	99-12-030			
490-500-430	PREP	99-06-081	490-500-555	REP	99-18-053			
490-500-430	REP-P	99-12-030	490-500-560	PREP	99-06-081			
490-500-430	REP	99-18-053	490-500-560	REP-P	99-12-030			
490-500-435	PREP	99-06-081	490-500-560	REP	99-18-053			
490-500-435	REP-P	99-12-030	490-500-580	PREP	99-06-081			
490-500-435	REP	99-18-053	490-500-580	REP-P	99-12-030			
490-500-437	PREP	99-06-081	490-500-580	REP	99-18-053			
490-500-437	REP-P	99-12-030	490-500-590	PREP	99-06-081			
490-500-437	REP	99-18-053	490-500-590	REP-P	99-12-030			
490-500-445	PREP	99-06-081	490-500-590	REP	99-18-053			
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