

# Washington State Register

September 6, 2000

OLYMPIA, WASHINGTON

ISSUE 00-17



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## CITATION

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

## PUBLIC INSPECTION OF DOCUMENTS

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

## REPUBLICATION OF OFFICIAL DOCUMENTS

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

## CERTIFICATE

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

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

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

The maximum allowable interest rate applicable for the month of September 2000 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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

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# WASHINGTON STATE REGISTER

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*Subscription Clerk*

## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following nine sections:

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

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

### 2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

### 3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

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

### 4. EFFECTIVE DATE OF RULES

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

### 5. EDITORIAL CORRECTIONS

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

2000 - 2001

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

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

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

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

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

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

## **REGULATORY FAIRNESS ACT**

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

### **Small Business Economic Impact Statements (SBEIS)**

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

### **Mitigation**

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

### **When is an SBEIS Required?**

When:

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

### **When is an SBEIS Not Required?**

When:

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

There is less than minor economic impact on business;

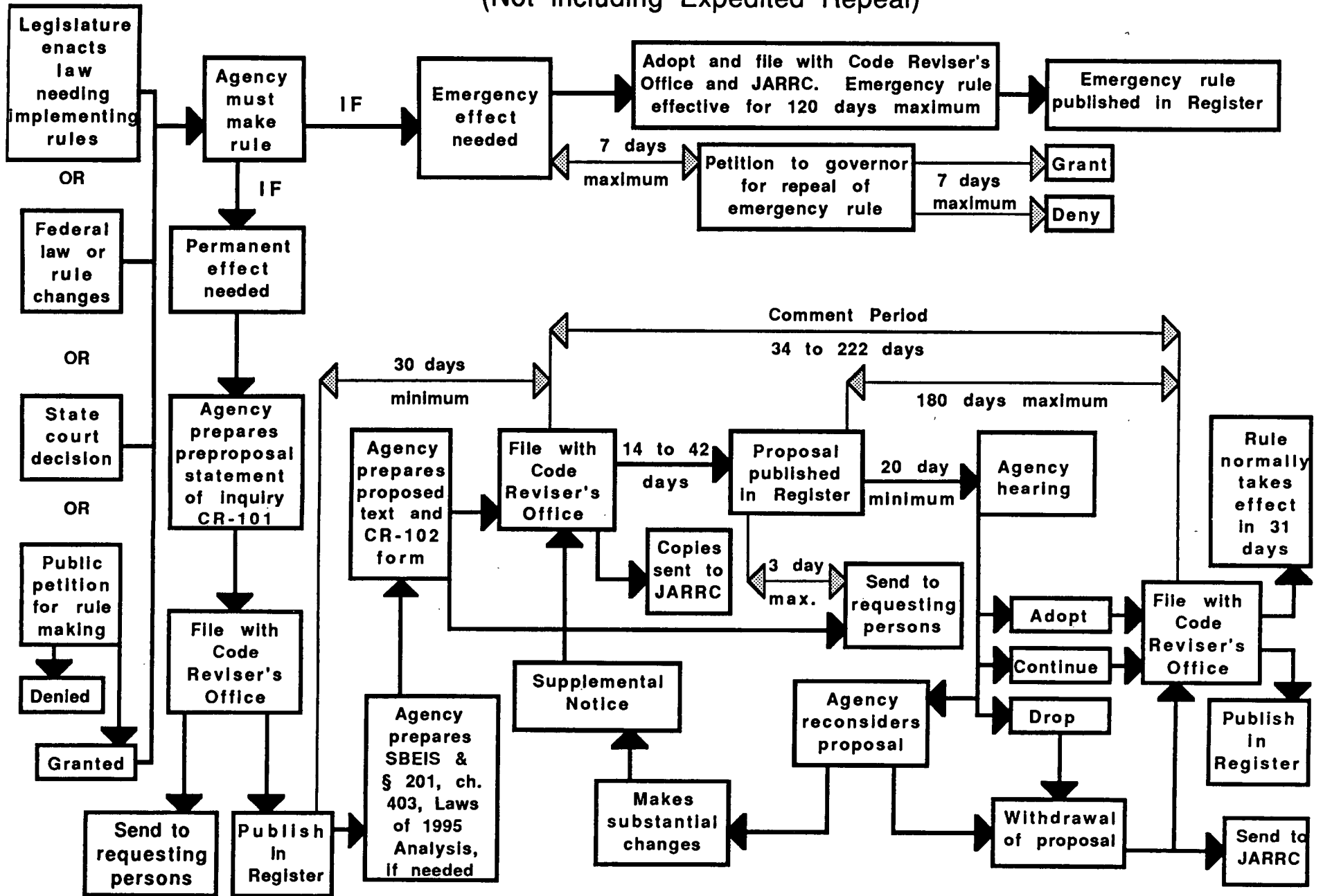
The rule **REDUCES** costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

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

The rule is pure restatement of state statute.

# RULE-MAKING PROCESS

(Not including Expedited Repeal)



**WSR 00-17-002**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Division of Assistance Programs)  
[Filed August 2, 2000, 3:47 p.m.]

Subject of Possible Rule Making: Chapter 388-458 WAC, Notices and letters. This WAC chapter will be revised to clarify current policy.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The amendment of this rule will ensure that both staff and clients understand the rules about notice requirements.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rule(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 Veronica Barnes, Program Manager, Division of Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, (360) 413-3071, fax (360) 413-3493, TTY (360) 413-3001.

August 2, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**WSR 00-17-019**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**  
(Securities Division)  
[Filed August 4, 2000, 8:55 a.m.]

Subject of Possible Rule Making: Revisions to chapter 460-24A WAC to implement a mandatory electronic filing for investment advisers and investment adviser representatives using the Investment Adviser Registration Depository (IARD).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 21.20.050, 21.20.450.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The anticipated advantages of IARD include the following:

1. The IARD will be an Internet-based system that advisers will access through computers in their offices without the need for specialized hardware or software. An adviser will

be able to use the system to apply, amend and/or withdraw its registration.

2. The IARD will contain a number of features designed to make it easy for persons to complete Form ADV, even if they are unfamiliar with the form. The form will be completed on-line and will include a glossary and a help function. The system will not allow the submission of an incomplete form and will check for inconsistent information. The system, however, will allow the user to save a draft version of the form to allow the user to fill out the form over several sessions.

3. For firms registered as both broker-dealers and investment advisers, the IARD and CRD systems will be linked so that responses common to both IARD and CRD need be entered only once.

4. Current information submitted to the IARD by advisers will be available to the public through the IARD web site without charge. Interested persons will be able to search the database to retrieve information, including disciplinary records, about advisory firms and their representatives.

Filing Fees. IARD is permitted to charge reasonable fees to cover system costs. The anticipated fee schedule for state registered advisers and their representatives is as follows:

1. Investment Adviser:
  - (a) Initial Filing - \$150
  - (b) Annual Renewal - \$100
2. Investment Adviser Representative:
  - (a) Initial Filing - \$45
  - (b) Annual Renewal - \$45
  - (c) Transfer - \$45

Please note that these fees would be in addition to the licensing fees collected by the Securities Division. Thus, an adviser filing its annual renewal would owe \$175 - \$75 for the licensing renewal fee due to the Washington State Treasurer and \$100 for the IARD filing fee. All fees would be automatically calculated by IARD. State licensing fees will be electronically remitted to the states by the IARD system.

Hardship Exemptions. The model rules provide two hardship exemptions from the requirements to make electronic filings:

1. A temporary exemption is granted for those advisers that experience unanticipated technical difficulties;
2. A continuing hardship exemption is available if the adviser is able to demonstrate that the electronic filing requirements are unduly burdensome.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Securities and Exchange Commission (SEC) regulates federally registered investment advisers. The SEC is proposing to make electronic filing on IARD mandatory for its registrants as well. (The proposing release can be found at <http://www.sec.gov/rules/proposed/34-42620.htm>.) In response, the North American Securities Administrators Association (NASAA) has drafted model rules, which are currently out for public comment, for use by states in adopting IARD. (The model rules can be found at <http://www.nasaa.org/bluesky/proposals/IARDModelRules.pdf>.) Any amendments proposed as part of this rule making are intended [to] coordinate with the SEC and NASAA proposals.

**Process for Developing New Rule:** It is intended that any rules adopted pursuant to this process will be consistent with the NASAA Model Rules discussed above, which are subject to public comment until August 21, 2000. The Securities Division will also solicit the comment of currently registered investment advisers and their representatives and other interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting William M. Beatty, Securities Division, Department of Financial Institutions, P.O. Box 9033, Olympia, WA 98507-9033, (360) 902-8760, fax (360) 704-6923, [bbeatty@dfi.wa.gov](mailto:bbeatty@dfi.wa.gov), Securities Division Web Site <http://www.wa.gov/dfi/securities>.

August 3, 2000  
Deborah Bortner  
Securities Administrator

#### WSR 00-17-022

### PREPROPOSAL STATEMENT OF INQUIRY SOUTHWEST CLEAN AIR AGENCY

[Filed August 4, 2000, 3:20 p.m.]

**Subject of Possible Rule Making:** SWAPCA 400 General Regulations for Air Pollution Sources.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 70.94.141.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change. Other changes will include updating adoption of federal regulations, clarifying requirements for relocated businesses, and update emission inventory due dates.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** This rule is substantially similar to chapter 173-400 WAC. Recent changes made in the state rule will be incorporated into SWCAA 400.

**Process for Developing New Rule:** Proposed changes are either administrative in nature to reflect the agency name change, or to incorporate changes that have recently been made to chapter 173-400 WAC by the Department of Ecology.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at [Paul@swcleanair.org](mailto:Paul@swcleanair.org).

August 2, 2000  
Robert D. Elliott  
Executive Director

#### WSR 00-17-023

### PREPROPOSAL STATEMENT OF INQUIRY SOUTHWEST CLEAN AIR AGENCY

[Filed August 4, 2000, 3:21 p.m.]

**Subject of Possible Rule Making:** SWAPCA 425 Open Burning.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 70.94.141.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change. Other changes will include updating this rule to be consistent with recent changes in chapter 173-425 WAC.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** This rule is substantially similar to chapter 173-425 WAC. Recent changes made in the state rule will be incorporated into SWCAA 425.

**Process for Developing New Rule:** Proposed changes are either administrative in nature to reflect the agency name change, or to incorporate changes that have recently been made to chapter 173-425 WAC by the Department of Ecology.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at [Paul@swcleanair.org](mailto:Paul@swcleanair.org).

August 2, 2000  
Robert D. Elliott  
Executive Director

#### WSR 00-17-024

### PREPROPOSAL STATEMENT OF INQUIRY SOUTHWEST CLEAN AIR AGENCY

[Filed August 4, 2000, 3:22 p.m.]

**Subject of Possible Rule Making:** SWAPCA 433 Solid Fuel Burning Device.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 70.94.141.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** SWCAA is proposing to adopt rules that are substantially similar to chapter 173-435 [173-433] WAC by the Department of Ecology. No new requirements are anticipated to be imposed on business.



Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to incorporate any changes that may have been made to chapter 173-433 WAC by the Department of Ecology since they were last adopted by SWCAA.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

### WSR 00-17-025

#### PREPROPOSAL STATEMENT OF INQUIRY SOUTHWEST CLEAN AIR AGENCY

[Filed August 4, 2000, 3:23 p.m.]

Subject of Possible Rule Making: SWAPCA 435 Emergency Episode Plan.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is proposing to adopt rules that are substantially similar to chapter 173-435 WAC by the Department of Ecology. No new requirements are anticipated to be imposed on business.

Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to incorporate any changes that may have been made to chapter 173-435 WAC by the Department of Ecology since they were last adopted by SWCAA.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

### WSR 00-17-026

#### PREPROPOSAL STATEMENT OF INQUIRY SOUTHWEST CLEAN AIR AGENCY

[Filed August 4, 2000, 3:24 p.m.]

Subject of Possible Rule Making: SWAPCA 460 Controls for New Sources of Toxic Air Pollutants.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is proposing to adopt rules that are substantially similar to chapter 173-460 WAC by the Department of Ecology. No new requirements are anticipated to be imposed on business.

Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to incorporate any changes that may have recently been made to chapter 173-460 WAC by the Department of Ecology since they were last adopted by SWCAA or to provide consistency with recent federal rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

### WSR 00-17-027

#### PREPROPOSAL STATEMENT OF INQUIRY SOUTHWEST CLEAN AIR AGENCY

[Filed August 4, 2000, 3:25 p.m.]

Subject of Possible Rule Making: SWAPCA 470 Ambient Air Quality Standards for Particulate Matter.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is proposing to adopt rules that are substantially similar to chapter 173-470 WAC by the Department of Ecology. No new requirements are anticipated to be imposed on business.

Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to incorporate any changes that may have been made to chapter 173-470 WAC by the Department of Ecology since they were last adopted by SWCAA or to provide consistency with recent federal standards.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

#### WSR 00-17-028

##### PREPROPOSAL STATEMENT OF INQUIRY SOUTHWEST CLEAN AIR AGENCY

[Filed August 4, 2000, 3:26 p.m.]

Subject of Possible Rule Making: SWAPCA 474 Ambient Air Quality Standards for Sulfur Oxides.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is proposing to adopt rules that are substantially similar to chapter 173-474 WAC by the Department of Ecology. No new requirements or standards are anticipated to be imposed on business.

Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to incorporate any changes that may have been made to chapter 173-474 WAC by the Department of Ecology since they were last adopted by SWCAA.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

#### WSR 00-17-029

##### PREPROPOSAL STATEMENT OF INQUIRY SOUTHWEST CLEAN AIR AGENCY

[Filed August 4, 2000, 3:27 p.m.]

Subject of Possible Rule Making: SWAPCA 475 Ambient Air Quality Standards for Carbon Monoxide, Ozone and Nitrogen Dioxide.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest

Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is proposing to adopt rules that are substantially similar to chapter 173-475 WAC by the Department of Ecology. No new requirements or standards are anticipated to be imposed on business.

Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to incorporate any changes that may have been made to chapter 173-475 WAC by the Department of Ecology since they were last adopted by SWCAA or to provide consistency with recent federal standards.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

#### WSR 00-17-030

##### PREPROPOSAL STATEMENT OF INQUIRY SOUTHWEST CLEAN AIR AGENCY

[Filed August 4, 2000, 3:28 p.m.]

Subject of Possible Rule Making: SWAPCA 476 Standards for Asbestos Control, Demolition and Renovation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is proposing to adopt rules that are more consistent with the federal standards contained at 40 C.F.R. 61 and to clarify other sections where situations have arisen that are not addressed by the existing rules.

Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to provide clarifying language to address particular circumstances. SWCAA will incorporate additional language provided as guidance from EPA.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

**WSR 00-17-031****PREPROPOSAL STATEMENT OF INQUIRY  
SOUTHWEST CLEAN AIR AGENCY**

[Filed August 4, 2000, 3:29 p.m.]

Subject of Possible Rule Making: SWAPCA 490 Emission Standards and Controls for Sources Emitting Volatile Organic Compounds (VOC).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is proposing to adopt rules that are substantially similar to chapter 173-490 WAC by the Department of Ecology. No new requirements or standards are anticipated to be imposed on business or the public.

Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to incorporate any changes that may have been made to chapter 173-490 WAC by the Department of Ecology since they were last adopted by SWCAA or to provide consistency with recent federal standards.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000

Robert D. Elliott  
Executive Director**WSR 00-17-032****PREPROPOSAL STATEMENT OF INQUIRY  
SOUTHWEST CLEAN AIR AGENCY**

[Filed August 4, 2000, 3:29 p.m.]

Subject of Possible Rule Making: SWAPCA 491 Emission Standards and Controls for Sources Emitting Gasoline Vapors.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is proposing to adopt rules that are substantially similar to chapter 173-491 WAC by the Department of

Ecology. No new requirements or standards are anticipated to be imposed on business.

Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to incorporate any changes that have been made to chapter 173-491 WAC by the Department of Ecology since they were last adopted by SWCAA.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000

Robert D. Elliott  
Executive Director**WSR 00-17-033****PREPROPOSAL STATEMENT OF INQUIRY  
SOUTHWEST CLEAN AIR AGENCY**

[Filed August 4, 2000, 3:30 p.m.]

Subject of Possible Rule Making: SWAPCA 492 Oxygenated Fuels.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is preparing to update the local rules that are similar to chapter 173-492 WAC.

Process for Developing New Rule: Proposed changes are administrative in nature to reflect the name change of the agency.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000

Robert D. Elliott  
Executive Director**WSR 00-17-034****PREPROPOSAL STATEMENT OF INQUIRY  
SOUTHWEST CLEAN AIR AGENCY**

[Filed August 4, 2000, 3:30 p.m.]

Subject of Possible Rule Making: SWAPCA 493 VOC Area Source Rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA is proposing to adopt rules that are substantially similar to the federal consumer product and spray paint rules. Current language is similar however, SWCAA is proposing to adopt the federal language for these categories by reference. This will provide consistency with the federal program yet allow for local implementation.

Process for Developing New Rule: Proposed changes are either administrative in nature to reflect the name change of the agency or to incorporate adoption by reference the current federal standards.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

**WSR 00-17-035**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SOUTHWEST CLEAN AIR AGENCY**

[Filed August 4, 2000, 3:31 p.m.]

Subject of Possible Rule Making: New SWCAA 494 Dry Cleaning Operations.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SWCAA is proposing to develop a new rule which incorporates the applicable portion of the existing federal rules under 40 C.F.R. 60 and 40 C.F.R. 63 Subpart M as well as the Department of Ecology rules at WAC 173-400-075. SWCAA is required under current agreements and delegations with EPA and ecology to maintain current program delegation for this source category.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States EPA at 40 C.F.R. 60 and 40 C.F.R. 63 Subpart M Washington Department of Ecology at WAC 173-400-075(6). SWCAA will be incorporating these existing rules into a local rule. There are anticipated to be no new additional requirements.

Process for Developing New Rule: The SWCAA rule will be substantially similar to the existing federal and state rules. There are anticipated to be no new or additional requirements imposed on business as a result of this rule in addition to existing state and federal requirements.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-

3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

**WSR 00-17-036**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SOUTHWEST CLEAN AIR AGENCY**

[Filed August 4, 2000, 3:31 p.m.]

Subject of Possible Rule Making: SWAPCA 802 SEPA Procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141, 43.21C.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The official name of the agency was changed on July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Administrative changes in this rule are necessary to reflect the name change. Other changes will include adopting new or revised language from the model rule, chapter 197-11 WAC, as it would apply or not apply to the agency

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: This rule is substantially similar to chapter 197-11 WAC. Those portions of chapter 197-11 WAC that do not apply to SWCAA will not be incorporated. Initial rule making was proposed under WSR 98-12-012 but was never completed.

Process for Developing New Rule: SWCAA 802 will be substantially similar to chapter 197-11 WAC except for sections that do not apply to SWCAA. This rule will not impose new requirements on business. SWCAA is required by RCW 43.21C.120 to adopt amended SEPA rules after changes are made by Department of Ecology.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Mairose by phone at (360) 574-3058 ext. 30, by mail at 1308 N.E. 134th Street, Vancouver, WA 98685-2747, or by e-mail at Paul@swcleanair.org.

August 2, 2000  
Robert D. Elliott  
Executive Director

**WSR 00-17-077**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)

[Filed August 14, 2000, 3:28 p.m.]

Subject of Possible Rule Making: WAC 388-473-0010 General provisions for ongoing additional requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We will expand eligibility for ongoing additional requirements to include those individuals who are receiving state family assistance (SFA).

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

Process for Developing New Rule: All interested parties are invited to review and provide input on proposed draft language. Obtain draft material by contacting the identified representative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carla Gira, Program Manager, Division of Assistance Programs, 1009 College [Street] S.E., P.O. Box 45470, Olympia, WA 98504-5470, (360) 413-3264, fax (360) 413-3493, e-mail giracg@dshs.wa.gov.

August 11, 2000

Marie Myerchin-Redifer  
Manager

#### WSR 00-17-078

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

(Economic Services Administration)

[Filed August 14, 2000, 3:30 p.m.]

Subject of Possible Rule Making: WAC 388-478-0056 SSI standards. This is a new WAC section, written to pass along the federal cost-of-living adjustment (COLA) for the SSI program. To remain within legislatively set funding limits, SSI state supplement amounts are also being lowered. State supplement amounts could be cut by slightly more than \$1.00 per month.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.620, 74.04.630.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is necessary to pass along the annual federal cost of living adjustment (COLA) for the SSI program in January 2001, and to stay within SSI state supplement funding limits.

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

Process for Developing New Rule: All interested parties are invited to review and provide input on proposed draft language. Obtain draft material by contacting the identified representative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carla Gira, Program Manager, Division of Assistance Programs, 1009 College [Street] S.E., P.O.

Box 45470, Olympia, WA 98504-5470, (360) 413-3264, fax (360) 413-3493, e-mail giracg@dshs.wa.gov.

August 11, 2000

Marie Myerchin-Redifer  
Manager

#### WSR 00-17-089

### PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed August 15, 2000, 1:51 p.m.]

Subject of Possible Rule Making: WAC 392-122-200 through 392-122-275.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify existing rules for reporting students for state institutional education funding, that are confined to a detention facility during specified hours.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Calvin W. Brodie, (360) 664-2117. Send written comments to Rules Coordinator, Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, fax (360) 753-4201, TDD (360) 664-3631.

August 15, 2000

Dr. Terry Bergeson  
Superintendent of Public Instruction

#### WSR 00-17-101

### PREPROPOSAL STATEMENT OF INQUIRY LOTTERY COMMISSION

[Filed August 16, 2000, 1:02 p.m.]

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Considering a change to WAC 315-36-100.

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 pub-

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lication by contacting Mary Jane Ferguson, Rules Coordinator, at (360) 664-4833, fax (360) 586-6586, P.O. Box 43025, Olympia, WA 98504-3025, with any comments or questions regarding this statement of intent.

August 16, 2000

Candace Martin  
for Mary Jane Ferguson  
Rules Coordinator

**WSR 00-17-110**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF AGRICULTURE**

[Filed August 16, 2000, 4:39 p.m.]

Subject of Possible Rule Making: Reviewing and further regulating the nonagricultural uses of diazinon.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.58.040, 17.21.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Diazinon has been found consistently in USGS's Puget Sound NAWQA study. This study as well as several other national, state or regional surface water monitoring studies, point to diazinon in urban surface waters as likely resulting from nonagricultural uses.

Washington State Department of Agriculture regulates pesticide distribution and use in Washington. Rules might be necessary to keep diazinon out of surface water.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Environmental Protection Agency, and possibly the Washington State Department of Ecology. A technical taskforce reviewing pesticides in surface water in Washington for the protection of endangered and threatened salmonids has already been established.

Process for Developing New Rule: A rules review was conducted in accordance with the Governor's Executive Order 97-02. Results of this review will be shared with representatives of the rule stakeholders for input.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ted Maxwell, Program Manager, Registration Services, Pesticide Management Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-2026. Send written comments to Laurie Mauerman, Washington Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2093.

August 16, 2000

Bob Arrington  
Assistant Director

**WSR 00-17-116**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed August 17, 2000, 1:43 p.m.]

Subject of Possible Rule Making: Recreational fishing rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will propose rules for the 2001-2002 season, beginning May 1, 2001. This is a minor rule year during which the department makes changes that are needed for conservation, legal requirements and housekeeping.

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 Lew Atkins, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2651.

Contact by October 31, 2000. Expected proposal filing is November 1, 2000.

August 17, 2000

Evan Jacoby  
Rules Coordinator

**WSR 00-17-122**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF LICENSING**

[Filed August 17, 2000, 3:36 p.m.]

Subject of Possible Rule Making: Chapter 308-78 WAC, Aircraft fuel tax, including, but not limited to WAC 308-78-010, 308-78-020, 308-78-040, 308-78-045, 308-78-050, 308-78-060, 308-78-070, and 308-78-080.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.42.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required as a result of complying with Executive Order 97-02.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting by mail Arthur W. Farley, Prorate and Fuel Tax Services, Vehicle Services, Mailstop 48001, P.O. Box 9036, Olympia, WA 98507-9036, or by phone (360)

664-1820, fax (360) 664-2365, TTY (360) 664-8885, e-mail  
afarley@dol.wa.gov.

August 14, 2000  
Thao Pham-Manikhoth, Administrator  
Prorate and Fuel Tax Services

**WSR 00-17-134**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Docket No. TO-000712—Filed August 21, 2000, 11:41 a.m.]

**Subject of Possible Rule Making:** Hazardous liquid pipeline safety, examine the need to amend or adopt rules for hazardous pipeline facilities as required in section 5, chapter 191, Laws of 2000 and to review chapter 480-75 WAC in light of standards set forth in Executive Order 97-02 regarding regulatory improvement.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 80.01.040(4), section 5, chapter 191, Laws of 2000, to be codified as RCW 81.88.060.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** Chapter 191, Laws of 2000, also known as the Washington State Pipeline Safety Act, in section 5 requires the commission to develop and implement a comprehensive program of hazardous liquid pipeline safety. Consistent with section 5 of the act, the commission will, at a minimum, consider adoption of rules related to the following: (1) Pipeline safety standards for hazardous liquid transportation, (2) pipeline operations safety plans, and (3) testing of elements of pipeline operations. In addition, the agency intends to review chapter 480-75 WAC for compliance with standards specified in Executive Order 97-02.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** The Office of Pipeline Safety (OPS) is charged by federal law to regulate hazardous liquid pipeline operators. OPS has certified the WUTC to assume that responsibilities for intrastate pipeline facilities. The Energy Facility Site Evaluation Council and the state Department of Ecology also have jurisdiction over some matters relating to pipeline safety and environmental effects. The commission will invite participation by those agencies.

**Process for Developing New Rule:** Agency study. The commission will ask for initial written comments, and will provide the opportunity for additional comments. The commission will schedule one or more workshops with representatives of affected constituencies in a manner designed to develop consensus among affected interests 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. TO-000712, not later than **September 13, 2000**. 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 or .pdf format, 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.

**NOTICE OF WORKSHOP:** A workshop will be held on October 19, 2000, beginning at 9:30 a.m., in the Commission's Hearing Room, Second 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 are available and will be assigned one to an organization, first come first served. Persons wishing to attend via the teleconference bridge line must contact Jennifer Watek at (360) 664-1139 no later than 5:00 p.m., October 16, 2000. Questions may be addressed to Joe Subits at (360) 664-1322, or e-mail at [jsubits@wutc.wa.gov](mailto:jsubits@wutc.wa.gov). 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**

**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. TO-000712, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket No. TO-000712, and the words "Please keep me on the mailing list" to [records@wutc.wa.gov](mailto: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.**

August 21, 2000

Paul Curl  
for Carole J. Washburn  
Secretary

**PREPROPOSAL**

**WSR 00-17-152**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 (Division of Assistance Programs)  
 [Filed August 22, 2000, 3:10 p.m.]

Subject of Possible Rule Making: WAC 388-450-0045 Income from employment or training programs. This WAC needs to be updated to include income from the Workforce Investment Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Workforce Investment Act (WIA) replaced JTPA effective July 1, 2000. FNS has recently issued guidelines on how to treat this income. This information needs to be readily available to clients and staff for correct eligibility determinations.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rule(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 Veronica Barnes, Program Manager, Division of Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 413-3071, fax (360) 413-3493, TTY (360) 413-3001.

August 22, 2000  
 Marie Myerchin-Redifer, Manager  
 Rules and Policies Assistance Unit

**WSR 00-17-153**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Aging and Adult Services Administration)  
 [Filed August 22, 2000, 3:11 p.m.]

Subject of Possible Rule Making: WAC 388-71-0600 through 388-71-0620, residential care services and WAC 388-71-0400 through 388-71-0480, home and community programs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.04.200, and 74.08.090. Specific statutory authority will be provided for each rule under following rule filings.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending these rules is necessary to:

- Remove archaic, obsolete language from WAC 388-71-0605, specifically around receiving residential services through SSI.
- Develop policies on bed holds for medical leave.
- Establish guidelines for whether the department pays providers (residential and in-home) on last day of service.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Health Care Financing Administration, Office of Attorney General, Department of Health, and Long-Term Care Ombudsman.

Process for Developing New Rule: AASA will schedule informal meetings to allow for feedback and comments from the public. AASA will provide draft language before publishing rules and encourages stakeholders to submit written or verbal comments. When AASA files a notice of proposed rule making, we will notify interested parties of the scheduled hearing to adopt rules and how to submit comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brooke Buckingham, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2530, fax (360) 438-8633, e-mail buckibe@dshs.wa.gov.

August 22, 2000  
 Marie Myerchin-Redifer, Manager  
 Rules and Policies Assistance Unit

**WSR 00-17-154**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Aging and Adult Services Administration)  
 [Filed August 22, 2000, 3:13 p.m.]

Subject of Possible Rule Making: WAC 388-71-0500 through 388-71-0560, individual provider and home care agency provide qualifications.

Statutes Authorizing the Agency to Adopt Rules on this Subject: EHB 2657 [2637]; RCW 43.43.830; 43.20A.710.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Washington state legislature passed EHB 2637 which:

- Requires that individual providers and home care agency providers who (a) have lived in Washington state less than three years and (b) provide in-home services to clients receiving COPES, Chore, or Medicaid personal care must have FBI fingerprint checks;
- Adds four drug-related crimes to the list of disqualifying crimes; and
- Requires that the department conduct background checks on home care agency providers while applying the same requirements to individual providers.

Rules are necessary to further define provider qualifications and to include home care agencies in to these qualifications.



Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Health Care Financing Administration, Health and Rehabilitation Services, Children's Services, Division of Developmental Disabilities, Mental Health Division, Department of Health.

Process for Developing New Rule: AASA will conduct an internal and external review process prior to filing the CR-102, notice of proposed rule making. AASA will prepare initial draft regulations which will be provided to stakeholders for review. Opportunities for discussion and input will be scheduled for stakeholders, consumers, providers, case managers, and other stakeholder agencies and interested parties. Public meetings will be held to seek comments and recommendations on initial draft regulations. Dates, times, and locations of public meetings will be mailed out in advance. Initial draft rules will be mailed to interested parties in advance of each meeting. Comments and recommendations received up to the deadline will be reviewed and considered before and during the process of drafting proposed rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sue McDonough, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 407-0331, TTY (360) 493-2637, e-mail mcdonsc@dshs.wa.gov.

August 22, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**WSR 00-17-166**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed August 23, 2000, 7:59 a.m.]

Subject of Possible Rule Making: Repeal of commercial seasons for shellfish aquaculture.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department does not have clear authority over nonhunting related safety issues, and setting seasons based on possible paralytic shellfish poison toxin levels is properly within the responsibility of the Department of Health.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington Department of Health, the process is being coordinated with their shellfish section and was developed at their request.

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, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2651. Contact

by October 25, 2000. Expected proposal filing is November 1, 2000.

August 22, 2000

Evan Jacoby  
Rules Coordinator

**WSR 00-17-167**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Docket No. UT-003074—Filed August 23, 2000, 8:00 a.m.]

Subject of Possible Rule Making: Review of chapter 480-122 WAC relating to the Washington telephone assistance program (WTAP) including whether or not participation by CLECs, ILECs and resellers of local exchange service should remain voluntary. Participation by wireless carriers will also be considered.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040, 80.04.160, 80.36.410, 80.36.420, and 80.66.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule review is a result of discussions with DSHS, which is in the process of revising its WTAP rules. The review will consider changes to existing rules to coordinate with DSHS.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: State Department of Social and Health Services and the Federal Communications Commission. The commission will invite those agencies to participate actively in the rule making.

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 one or more workshops with representatives of affected constituencies in a manner designed to develop consensus among affected interests 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.

**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-003074, not later than **September 22, 2000**. 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 .pdf format or 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 WORKSHOP:** A workshop will be held on **October 10, 2000**, beginning at 9:30 a.m., in the Commission's Hearing Room, Room 206, Second 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 are available and will be assigned one to an organization, first come first served. Persons wishing to attend via the teleconference bridge line must contact Jennifer Watssek at (360) 664-1139 no later than 5:00 p.m., October 6, 2000. Questions may be addressed to Kristen Russell at (360) 664-1281 or e-mail at krussell@wutc.wa.gov.

#### 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 rulemaking, 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-003074, 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-003074, 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.**

August 22, 2000

Paul Curl  
for Carole Washburn  
Secretary

revised, making some provisions of the rule obsolete or inconsistent with statute. The rule may be updated to acknowledge changes in industry and program practices, to acknowledge additional scientific discoveries, and to modify it to clear and readable format.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDA APHIS administers federal quarantine rules regarding international and interstate movement of some pest species. However, USDA does not exercise jurisdiction over interstate movement of chestnuts and related species, or the pests named in the existing state rule. Other states also exercise jurisdiction over movement of chestnuts and its pests in or through those states. Proposed text will be circulated to cooperating agencies for review.

**Process for Developing New Rule:** Washington State Department of Agriculture representatives discuss proposed rule changes with stakeholders and affected agencies in other states and then publish the rule proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary A. Martin Toohey, Assistant Director, Washington State Department of Agriculture, Laboratory Services Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094; or Tom Wessels, Plant Services Program Manager, Washington State Department of Agriculture, Laboratory Services Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1984, fax (360) 902-2094.

August 23, 2000

Mary A. Martin Toohey  
Assistant Director

#### WSR 00-17-185

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed August 23, 2000, 11:34 a.m.]

**Subject of Possible Rule Making:** Rules relating to chestnut pest quarantine in chapter 16-470 WAC.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** Chapter 17.24 RCW.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The existing sections of rule pertaining to chestnut pests were last modified in 1985. In the intervening fifteen year, the authorizing statute was

**WSR 00-17-007**  
**EXPEDITED REPEAL**  
**DEPARTMENT OF REVENUE**

[Filed August 3, 2000, 1:57 p.m.]

The Following Sections are Proposed for Expedited Repeal: WAC 458-12-125 Situs of personalty—Merchants and manufacturers and 458-12-390 State levy—Fertilizers and insecticides held by farmers—Inventory.

Rules Proposed for Expedited Repeal Meet the Following Criteria: Statute on which the rule was based has been repealed and has not been replaced by another statute providing statutory authority for the rule; and rule is no longer necessary because of changed circumstances.

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

Address Your Objection to: Kim M. Qually, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail kimq@dor.wa.gov.

Reason the Expedited Repeal of the Rule is Appropriate: WAC 458-12-125, the portion of RCW 84.44.010 that this rule implements was repealed by chapter 301, Laws of 1994.

WAC 458-12-390, although the rule reaches the proper conclusion that insecticides and fertilizers described in the rule are exempt from taxation, the process required to claim the exemption is not provided in law.

August 3, 2000  
 Claire Hesselholt  
 Rules Manager  
 Legislation and Policy Division

**WSR 00-17-008**  
**EXPEDITED REPEAL**  
**DEPARTMENT OF REVENUE**

[Filed August 3, 2000, 1:59 p.m.]

The Following Sections are Proposed for Expedited Repeal: WAC 458-20-161 Persons buying or producing wheat, oats, dry peas, corn, barley, dry beans, lentils, and triticale and making sales thereof and 458-20-234 Business tax on flour millers, manufacturers of soybean or sunflower oil.

Rules Proposed for Expedited Repeal Meet the Following Criteria: Rule is no longer necessary because of changed circumstances; and 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: Alan R. Lynn, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail alanl@dor.wa.gov.

Reason the Expedited Repeal of the Rule is Appropriate: WAC 45-20-161, this rule provides in correct information. The tax that applied to these activities was repealed in 1998. (See also RCW 82.04.332.) The rule provides an incomplete list of products subject to the special rate/exempt of tax.

While the tax was in effect during the statutory claim-period, the rule itself does not provide any information that was not already provided in the statute.

WAC 458-20-234, this rule provides incorrect information. It provides an incomplete list of products subject to the special tax rate. The rule fails to address or identify the multiple activities tax credit reporting requirements of RCW 84.04.440 (addressed in Rule 19301). It also lists an incorrect statutory cite and an incorrect tax rate.

August 3, 2000  
 Claire Hesselholt  
 Rules Manager  
 Legislation and Policy Division

**WSR 00-17-009**  
**EXPEDITED REPEAL**  
**DEPARTMENT OF REVENUE**

[Filed August 3, 2000, 2:01 p.m.]

The Following Sections are Proposed for Expedited Repeal: WAC 458-20-130 Sales of real property, standing timber, minerals, natural resources, 458-20-213 Oil company bulk station agents, and 458-20-237 Retail sales tax collection schedules.

Rules Proposed for Expedited Repeal Meet the Following Criteria: Rule is no longer necessary because of changed circumstances; and 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: Alan R. Lynn, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail alanl@dor.wa.gov.

Reason the Expedited Repeal of the Rule is Appropriate: WAC 458-20-130, this rule is no longer needed. WAC 458-20-118 explains the taxability of income derived from sales of real estate, the license to use real estate, commissions earned on real estate sales, and interest earned on installment real estate contracts. A revised WAC 458-20-135 was adopted May 17, 2000, and addresses the taxability of natural resources that are sold severed or in place.

WAC 458-20-213, this rule provides limited and incomplete tax-reporting information with respect to oil company bulk station agents operating under a commission agency agreement. (RCW 82.04.360 Exemptions—Employees—Independent contractors—Booth renters.) WAC 458-20-105 Employees distinguished from persons engaging in business, and 458-20-159 Consignees, bailees, factors, agents and auctioneers, provide more useful information.

WAC 458-20-237, the information in this rule is either incomplete (e.g., identification of the statutory local sales taxes), incorrect (e.g., many of the district office addresses), or provided in other documents published by the department

(e.g., the local sales tax flier mailed with the excise tax returns).

August 3, 2000  
Claire Hesselholt  
Rules Manager  
Legislation and Policy Division

EXPEDITED REPEAL

**WSR 00-17-003**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed August 2, 2000, 3:50 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 388-200-1400 Application of rules—Temporary assistance to needy families and 388-45-010 The state-funded food assistance program for legal immigrants.

Purpose: Repealing WAC 388-200-1400 Application of rules—Temporary assistance to needy families and 388-45-010 The state-funded assistance program for legal immigrants.

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

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

Summary: Repealing WAC 388-200-1400 Application of rules—Temporary assistance to needy families and 388-45-010 The state-funded food assistance program for legal immigrants.

Reasons Supporting Proposal: WAC 388-200-1400 was originally created to ease the transition from AFDC to TANF so that any existing references to AFDC in WAC would be known as TANF. Those references have now been incorporated into existing policy (as TANF) so there is no longer a need for this WAC. WAC 388-45-010 was replaced by WAC 388-400-0045.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Vicky T. Robinson, Division of Assistance Programs, (360) 413-3031.

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: WAC 388-200-1400 was originally created to ease the transition from AFDC to TANF so that any existing references to AFDC in WAC would be known as TANF. Those references have now been incorporated into existing policy (as TANF) so there is no longer a need for this WAC. WAC 388-45-010 was replaced by WAC 388-400-0045.

Proposal Changes the Following Existing Rules: Repealing WAC 399-200-1400 Application of rules—Temporary assistance to needy families and 388-45-010 The state-funded food assistance program for legal immigrants.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Neither rule impacts small business.

RCW 34.05.328 does not apply to this rule adoption. Neither rule change meets the definition for 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 September 26, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: No sooner than September 27, 2000.

August 2, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 388-200-1400	Application of rules—Temporary assistance to needy families.
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**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 388-45-010	The state-funded food assistance program for legal immigrants.
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**WSR 00-17-004**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed August 2, 2000, 3:51 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-04-036.

Title of Rule: Necessary supplemental accommodation. WAC 388-200-1300 Description of necessary supplemental accommodation (NSA) services and 388-200-1350 Resolving disputes for NSA clients.

Purpose: To adopt changes to amend existing rules to meet regulatory improvement standards of Executive Order 97-02. To adopt changes to fully implement department policies on reinstating or opening benefits when establishing eligibility was delayed because the client needs accommodation services. To repeal WAC 388-200-1050 as NSA-related rules moved to WAC 388-200-1300. The remaining rules were replaced by and duplicate rules about client rights and responsibilities given in WAC 388-472-0005.

Statutory Authority for Adoption: RCW 74.04.050, 43.20A.550, and 74.08.090.

Statute Being Implemented: RCW 74.04.050, 43.20A.550, and 74.08.090.

Summary: These rules describe how the department identifies clients who need additional services to have access to programs and services, which services the department provides, and how the department will resolve disputes about designating clients as NSA or about their accommodation plan.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Douglas Sevin, Division of Assistance Programs, Mailstop 45470, Olympia, WA 98504, (360) 413-3097.

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: Clients may have limitations that prevent them from gaining access to department programs and services. These rules describe how the department decides which clients have such limitations, what additional services will become part of the plan to ensure access and how disputes will be resolved if clients have complaints. The anticipated effect is that clients with limitations will be able to establish their eligibility for public assistance program benefits and services.

Proposal Changes the Following Existing Rules: To adopt changes to amend existing rules to meet regulatory improvement standards of Executive Order 97-02. To adopt changes to fully implement department policies on reinstating or opening benefits when establishing eligibility was delayed because the client needs accommodation services. To repeal WAC 388-200-1050 as NSA-related rules moved to WAC 388-200-1300. The remaining rules were replaced by and duplicate rules about client rights and responsibilities given in WAC 388-472-0005.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules only affect public assistance programs.

RCW 34.05.328 does not apply to this rule adoption. These changes do 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 September 26, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: No sooner than September 26, 2000.

August 2, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 97-02-047, filed 12/30/96, effective 1/30/97)

**WAC 388-200-1300 Description of necessary supplemental accommodation services (NSA).** (1) "NSA client(s)" ~~((are individuals, who have a mental, neurological, physical or sensory impairment or who otherwise have limitations which seriously affect their abilities to access programs in the same manner as those who are unimpaired:~~

~~(2) All department staff have a continuing responsibility to identify and assist NSA clients. Also see, WAC 388-200-1050 (2)(b), and WAC 388-200-1050 (2)(d)(iv), regarding client rights to self-identification and accommodation:~~

~~(3) The department shall screen all applicants with whom its staff come into direct contact in order to identify NSA clients:~~

~~(a) The department shall provide an explanation of NSA services to all clients upon initiation of the NSA screening.~~

~~(b) The department shall initially identify all individuals included in subsections (i) and (ii) below as NSA, unless the client declines NSA services:~~

~~(i) Clients who identify themselves as requiring NSA services in order to access the department's services and programs:~~

~~(ii) Clients in the following categories:~~

~~(A) Identified as having or claiming to have a mental health impairment;~~

~~(B) Having a developmental disability;~~

~~(C) Disabled by drug addiction or alcoholism;~~

~~(D) Unable to read or write in any language;~~

~~(E) A minor not residing with parents.~~

~~(e) The department shall initially identify as NSA all individuals who are observed to have cognitive limitations, regardless of the presence or absence of an underlying disability, which are likely to prevent them from understanding the nature of NSA services and affect their ability to access department programs:~~

~~Cognitive limitations include limitations on ability to communicate, understand, remember, process information, exercise judgement and make decisions, perform routine tasks or relate appropriately with others.~~

~~(4) The department shall mark all cases identified as NSA with a uniform NSA identifier.~~

~~(5) Clients initially identified as NSA under subsection (3)(b)(ii) and (e) above will be assessed to confirm the NSA designation.~~

~~(6) Based on client request or changes in the client's needs, the NSA designation and/or accommodation plan may be assessed and revised.~~

~~(7) An accommodation plan which specifies the auxiliary aids and services to be provided the client to improve the client's access to department programs and services will be developed for clients determined NSA.~~

~~(8) The following NSA services shall be included in the accommodation plan of clients determined NSA under subsections (3)(b)(ii) and (c) above:~~

- ~~(a) Arranging for or providing assistance with completion and submission of forms;~~
- ~~(b) Assisting in obtaining information necessary to determine eligibility or to maintain current benefits;~~
- ~~(c) Explaining the department's adverse actions, see WAC 388-245-1000;~~
- ~~(d) Assisting with requests for fair hearings;~~
- ~~(e) Assisting with requests for continuing benefits;~~
- ~~(f) Providing follow-up contact on missed appointments or deadlines;~~

~~(g) Providing notification to the NSA individual's known advocate when informational requests or adverse action notices are pending;~~

~~(h) Providing protective payments as appropriate, in accordance with WAC 388-265-1250 (3) and (6).~~

~~(9) The department shall redirect and hold warrants for NSA clients through the twentieth day of the month following the month that adverse action notice was given, when the department is unable to determine eligibility. If eligibility is determined within the twenty-day period, the department will release to the client the correct grant amount the client would have been eligible to receive for the month in which redirection occurred. See WAC 388-245-1350;~~

~~(10) The department shall consider the effects of the NSA client's limitation or impairment on the client's ability to: accept or pursue required medical treatment, accept or pursue referrals to other agencies, provide timely monthly income reports, voluntarily quit employment, participate in food stamp employment and training, or participate in the job opportunities and basic skills (JOBS) program. The department shall find the client has good cause for refusal or failure to comply with these requirements and shall take no adverse action when the effects of the client's limitation or impairment substantially contributed to the client's noncompliance)) means a person who has a mental, neurological, physical or sensory impairment or other limitations that seriously affect their ability to have the same access to departmental programs and services as a person who is unimpaired. For purposes of this section, "we" or "us" means the department of social and health services.~~

~~(2) We screen all applicants with whom we have face-to-face contact in order to identify NSA clients. We continue to assess a client's need for NSA services at each face-to-face contact.~~

~~(3) A person can identify themselves as an NSA client by describing the services or special help they need to access department programs and services.~~

~~(4) We begin NSA screening by explaining NSA services to all clients.~~

~~(5) Unless a client declines NSA services, we consider as an NSA client a person who:~~

- ~~(a) Is identified as having or claiming to have a mental health impairment;~~
- ~~(b) Has a developmental disability;~~
- ~~(c) Disabled by drug addiction or alcoholism;~~
- ~~(d) Is unable to read or write in any language;~~

~~(e) A minor not residing with their parents or caretaker relative.~~

~~(f) Observed to have cognitive limitations meaning/limited ability to communicate, understand, remember, process information, exercise judgment and make decisions, perform routine tasks or relate appropriately with others.~~

~~(6) We mark all NSA cases with a uniform NSA identifier.~~

~~(7) We develop an accommodation plan for all NSA clients describing the help we provide to ensure their access to department programs and services. We reassess and change the NSA designation or accommodation plan at person's request or when there are changes in the person's needs.~~

~~(8) We provide the following NSA services as needed:~~

~~(a) Arranging for or providing assistance with completion and submission of forms;~~

~~(b) Assisting in obtaining information necessary to determine eligibility or to maintain current benefits;~~

~~(c) Explaining the department's adverse actions, see WAC 388-458-0010;~~

~~(d) Assisting with requests for fair hearings;~~

~~(e) Assisting with request for continuing benefits;~~

~~(f) Providing follow-up contact on missed appointments or deadlines;~~

~~(g) Providing the NSA client's known advocate with copies of information requests or adverse action notices;~~

~~(h) Providing protective payments as appropriate.~~

~~(9) We reinstate your financial or medical assistance when:~~

~~(a) We closed your assistance because we were unable to determine your eligibility; and~~

~~(b) You provide proof you are eligible within twenty days of the closing.~~

~~(10) We open food assistance without prorating benefits when:~~

~~(a) Your prior food assistance period ended without a new application; and~~

~~(b) We can determine your eligibility within twenty days.~~

~~(11) We find an NSA client to have good cause for refused or failure to comply and take no adverse action, when we determine the NSA client's limitation or impairment significantly contributed to the refusal or failure to comply with a department requirement.~~

AMENDATORY SECTION (Amending WSR 97-02-047, filed 12/30/96, effective 1/30/97)

WAC 388-200-1350 ((~~Dispute resolution~~)) **Resolving disputes for NSA clients ((~~needing supplemental accommodations~~)).** For purposes of this section, "we" or "us" means the department of social and health services.

(1) An applicant or recipient has the right to file a grievance with ((~~the department in accordance with~~)) **us** about any aspect of NSA services, using the grievance procedures provided in WAC ((~~388-200-1100, regarding any aspect of NSA services. The department shall offer to assist a client who expresses dissatisfaction with NSA services with filing and pursuing a grievance~~)) **388-426-0005.** When a client

expresses dissatisfaction with NSA services, we offer to help them with filing and pursuing a grievance.

(2) An NSA client must complete the grievance process before requesting a fair hearing on department decisions as to NSA designations, accommodation plans or NSA services ((do not in themselves provide a basis for a fair hearing until the client has first completed the grievance process. This provision does not limit the client's rights to raise NSA designations, accommodation plans and NSA services in a fair hearing where they are relevant to other issues which are the subject of the fair hearing)) When relevant to other subjects at issue in a fair hearing, the client has the right to raise complaints about NSA designations, accommodation plans and NSA services.

(3) ((Failure)) Department actions are not overturned if we failed to follow NSA requirements ((does not in itself invalidate department actions, except where)) unless our failure caused the applicant or recipient ((was)) to lose or be denied benefits ((for which he/she could have established eligibility had the department followed NSA requirements)).

(4) ((The department shall)) If requested by an NSA client, we review the decision to terminate, suspend or reduce financial assistance ((to NSA recipients upon request. The department shall)). We reinstate financial assistance for those months for which ((the department)) we can determine that the client met program eligibility requirements and the adverse action:

- (a) Was taken because of the NSA client's failure to comply with a department requirement;
- (b) The failure to comply was substantially related to the client's impairment; and
- (c) Was taken no more than ninety days prior to the request.

(5) ((The department)) We may reinstate assistance when the adverse action was taken more than ninety days prior to the request where administratively feasible and not prohibited by state or federal law.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-200-1050      Department and client responsibilities.

#### **WSR 00-17-013**

#### **WITHDRAWAL OF PROPOSED RULES TRANSPORTATION IMPROVEMENT BOARD**

[Filed August 3, 2000, 4:01 p.m.]

The Transportation Improvement Board hereby withdraws proposed new rule WAC 479-14-200 filed with your office on June 20, 2000, as part of WSR 00-13-081.

Jerry M. Fay  
Executive Director

#### **WSR 00-17-037**

#### **PROPOSED RULES SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Filed August 7, 2000, 9:04 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-09-023.

Title of Rule: Chapter 392-300 WAC, Fingerprint record checks—Access to records—Privacy.

Purpose: To implement procedures whereby private K-12 schools can process fingerprint records of employees through the state fingerprint record check system.

Statutory Authority for Adoption: RCW 28A.410.010, 28A.400.305.

Statute Being Implemented: RCW 28A.195.080.

Summary: Rule defines private school "subject individuals" who may submit fingerprint records for check. Defines the process that Office of Superintendent of Public Instruction (OSPI) uses to check fingerprint cards and inform private K-12 schools of the results of the record check.

Name of Agency Personnel Responsible for Drafting: Michael L. Bigelow, Old Capitol Building, (360) 753-1718; Implementation and Enforcement: Linda Harrison, Old Capitol Building, (360) 586-7436.

Name of Proponent: Office of Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule implements RCW 28A.195.080. The RCW authorizes private K-12 schools to participate in the state's fingerprint records check system. The rule describes the process used in submitting the records to OSPI and how information from the Washington State Patrol and Federal Bureau of Investigation is communicated to private schools.

Proposal does not change existing rules.

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

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

Hearing Location: Bryan Conference Room, 4th Floor, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, on September 26, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Linda Harrison, by September 12, 2000, (360) 586-7436, TTY (360) 664-3631.

Submit Written Comments to: Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, 600 South Washington Street, Olympia, WA 98504-7200, fax (360) 664-3683, by September 25, 2000.

Date of Intended Adoption: September 27, 2000.

August 7, 2000  
Dr. Terry Bergesen  
Superintendent of  
Public Instruction

PROPOSED



**NEW SECTION**

**WAC 392-300-070 Private school fingerprint process.** Fingerprinting of subject individuals employed by private schools.

(1) Definitions of private school terms.

(a) "Subject individual" means: Any person, certified or classified employed by a private school in a position having regularly scheduled, unsupervised access to children;

(b) "Regularly scheduled, unsupervised access to children" means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision;

(c) "Fee" means the total charges assessed to process fingerprint cards through the Washington state patrol and Federal Bureau of Investigation records check;

(d) "Information to be required" means all information requested by the office of the superintendent of public instruction including the following:

(A) Completed fingerprint card to be mailed, with the fee, to the Washington state patrol;

(B) Completed information form to be mailed to the superintendent of public instruction;

(e) "Convictions of crimes" means, notwithstanding any other statutes or Washington administrative rule, conviction of a crime listed in WAC 180-86-013, or being under indictment for any of the crimes listed in WAC 180-86-013;

(f) "Private school" means a school that is approved with the Washington state board of education under chapter 180-90 WAC.

(2) The office of the superintendent of public instruction shall request criminal information from the Washington state patrol and the Federal Bureau of Investigation in the manner prescribed by law. A fee shall be charged for such services.

(3) Upon the private school's submission of the completed fingerprint cards and information form, the office of the superintendent of public instruction shall review the criminal records of subject individual.

(4) The office of the superintendent of public instruction shall not provide copies of criminal records to anyone except as provided by law. The private school will receive a copy of subject individual's record of arrest and prosecution (RAP) sheet from the Washington state patrol. The subject individual will be sent a copy of his or her personal criminal records.

(5) For the Federal Bureau of Investigation portion, the superintendent of public instruction or designee shall notify the private school if the subject individual has been convicted of a crime listed in WAC 180-86-013, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Washington under a different statutory name or number; if the subject individual falsified information on the application form; or if the subject individual has no conviction of crimes as listed in WAC 180-86-013.

(6) The office of the superintendent of public instruction shall assure the destruction of all fingerprint cards, facsimiles or other materials from which fingerprints can be reproduced used by Washington state patrol or Federal Bureau of Investigation.

(7) Only cards and forms approved by the office of the superintendent of public instruction will be accepted. The

office of the superintendent of public instruction will hold fingerprint cards on file and notify the private school and subject individual when there is no fee, an incorrect fee, when necessary information is missing from the fingerprint cards, or the information form was not received.

(8) The office of the superintendent of public instruction will return to the private school any fingerprint cards that the Washington state patrol or Federal Bureau of Investigation rejects for poor quality prints. The private school will be responsible for having the subject individual submit additional prints as required.

(9) The superintendent's office shall maintain a record of all properly submitted fingerprint cards in the current records data base for a period of at least two years. The record shall include at least the following:

(a) Card sequence number;

(b) Name of private school submitting the cards;

(c) Date cards received at the Washington state patrol;

(d) Date letter regarding incomplete card was sent to the subject individual with a copy to the private school (only if applicable);

(e) Date Washington state patrol received fingerprint cards;

(f) Date private school was notified of Washington state patrol criminal history record or clearance;

(g) Date private school was notified of Federal Bureau of Investigation record or lack of record.

**WSR 00-17-045**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Division of Assistance Programs)  
[Filed August 7, 2000, 11:23 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-13-061.

Title of Rule: Recipient Fraud Section: WAC 388-46-010, 388-46-100, 388-46-110, and 388-46-120.

Purpose: These WACs should be repealed because they are duplicates of the current WAC 388-446-005, 388-446-0010, 388-446-0020, 388-446-0015, and 388-446-0001.

Other Identifying Information: The original opportunity to repeal these WACs, was overlooked when the new WACs were created.

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

Statute Being Implemented: RCW 74.04.510, 74.04-057.

Summary: These rules were rewritten and adopted in a new WAC chapter in 1998. The originals should have been repealed at that time.

Reasons Supporting Proposal: To stop duplication in our WACs, for Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Samarra Lowe, DAP Pro-

PROPOSED

gram Manager, P.O. Box 45470, Olympia, WA 98504-4570, (360) 413-3032.

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: These rules were rewritten and adopted in a new WAC chapter in 1998. The originals should have been repealed at that time.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This change does not meet the requirements for a small business economic impact statement.

RCW 34.05.328 does not apply to this rule adoption. These changes do 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 September 26, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper by September 18, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: No sooner than September 27, 2000.

August 3, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 388-46-010      Fraud—Criminal prosecution.
- WAC 388-46-100    Fraud—Federal food coupons and commodities.
- WAC 388-46-110    Disqualification period for recipients convicted of unlawfully obtaining assistance.
- WAC 388-46-120    Disqualification period for temporary assistance to needy families (TANF) applicants or recipients convicted of misrepresenting residence to obtain assistance in two or more states.

**WSR 00-17-047  
PROPOSED RULES  
COMMISSION ON  
JUDICIAL CONDUCT**

[Order 00-01—Filed August 7, 2000, 1:38 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Hearing.

Purpose: To amend hearing procedures of the fact-finders.

Other Identifying Information: Commission on Judicial Conduct Rules of Procedure (CJCRP).

Statutory Authority for Adoption: Article IV, section 31, Washington State Constitution.

Statute Being Implemented: Chapter 2.64 RCW and Article IV, section 31, State Constitution.

Summary: The proposed action would provide procedures for fact-finder hearings, reports and objections to the reports.

Reasons Supporting Proposal: The commission is directed to establish rules of procedure.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David Akana, P.O. Box 1817, Olympia, WA 98507, (360) 753-4585.

Name of Proponent: Washington State Commission on Judicial Conduct, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendments to the existing rule would add procedures for fact-finders when the fact-finder is other than the entire commission. The changes would allow more efficient hearings of lengthy or complex matters.

Proposal Changes the Following Existing Rules: The amendments to the existing rule would add procedures for fact-finders when the fact-finder is other than the entire commission. The change describes procedures for filing reports and objections to the reports, and provides for commission review.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small business impact statement is required for this proposal by chapter 19.85 RCW. The rules are procedural in nature.

RCW 34.05.328 does not apply to this rule adoption. The action would amend procedural rules.

Hearing Location: Sea Tac Holiday Inn, 17338 International Boulevard, Seattle, WA, on October 6, 2000, at 11:00 a.m.

Assistance for Persons with Disabilities: Contact Kathy Sullivan by October 2, 2000, TDD (360) 753-4585.

Submit Written Comments to: Commission on Judicial Conduct, P.O. Box 1817, Olympia, WA 98507, fax (360) 586-2918, by September 27, 2000.

Date of Intended Adoption: October 6, 2000.

August 7, 2000  
David Akana  
Executive Director

PROPOSED

COMMISSION ON JUDICIAL CONDUCT  
PROPOSED AMENDMENT TO CJCRP 24

AMENDATORY SECTION (Amending Order 99-01, filed 8/13/99)

**RULE 24. HEARING**

(a) **Scheduling.** Upon receipt of respondent's answer or upon expiration of the time to answer, the commission shall schedule a public hearing during which evidence will be offered and notify disciplinary counsel and respondent of the date, time, and place of the hearing. Respondent will be provided at least fourteen days notice of hearing, which will also include the name or names of the participating commission members and the presiding officer, if any. The presiding officer, special master, and commission panel, which would be composed of less than a quorum of the commission, shall be as designated by the chair with the consent of the commission and the parties shall be so advised. The commission panel shall be comprised of at least one judge member, one lawyer member and one non-lawyer member.

(b) **Conduct of hearing.**

- (1) All testimony shall be under oath.
- (2) Disciplinary counsel shall present the case in support of the statement of charges.
- (3) Disciplinary counsel may call respondent as a witness.
- (4) Both parties shall be permitted to present evidence and produce and cross-examine witnesses.
- (5) The hearing shall be recorded verbatim. Whenever respondent, disciplinary counsel, or a member of the commission requests ~~(a transcript is requested by respondent, disciplinary counsel, or a member of the commission.)~~ a transcript of the hearing, it shall be produced at the requesting party's expense.

(6) Counsel may recommend and argue for a discipline appropriate to the misconduct supported by the evidence, including argument on aggravating and mitigating factors.

(7) Disciplinary counsel and respondent may submit their respective proposed findings, conclusions, and recommendations for discipline or order of dismissal to the commission.

(8) Where a participating member of the commission has not heard the evidence, that member shall not participate in any deliberations or decisions until he or she personally considers the whole record, or portion of the hearing from which that member was absent.

(9) ~~((A+))~~ Where the hearing is conducted by the commission, at least six members, or their alternates, must continually be present during presentation of testimony at the hearing. At least three members of a commission panel must continually be present during presentation of testimony at the hearing.

(c) **Dismissal or recommendation for discipline.** The commission shall dismiss the case, discipline respondent, or in the case of incapacity, recommend to the supreme court the retirement of respondent.

(d) **Submission of the report.**

(1) Report of special master or commission panel. (a) After the hearing, the special master or commission panel shall prepare a report. The report, record of the proceeding and the proposed decision setting forth written findings of fact, conclusions of law, any minority opinions, and the order, shall be filed in the commission's office within thirty days following the evidentiary hearing or after the filing of the transcript if one is requested, unless the presiding officer extends the time. A copy of the report shall be served upon respondent and disciplinary counsel and shall be made available for the public.

(b) Respondent or disciplinary counsel may file a statement of objections to the report which shall be made available for the public. The statement shall set forth all objections to the report and the reasons therefor. The objections shall be filed with the commission and served on the opposing party within fourteen days after service of the report on the party.

(c) If no statement of objections to the report is timely filed, the report may be adopted without argument.

(d) If a statement of objections to the report is timely filed, the commission may schedule oral argument, or consider the matter on the record along with briefs of the parties. The parties shall be given at least fourteen days written notice of the time and place for argument.

(e) If the commission proposes to modify or reject the report, the commission shall schedule a time for oral argument on the record along with briefs of the parties. The parties shall be given at least fourteen days written notice of the time and place for argument.

(2) ~~((After the hearing,))~~ After a hearing before the commission, the commission shall file the record of the proceeding and a decision setting forth written findings of fact, conclusions of law, any minority opinions, and the order, within ninety days following the evidentiary hearing or after the filing of the transcript if one is requested, unless the presiding officer extends the time.

(3) The commission shall announce its decision ~~((shall be announced))~~ in open session. If personal attendance is required, respondent shall have at least fourteen days notice of the announcement, unless otherwise agreed. A copy of the decision shall be served upon respondent.

(e) **Motion for reconsideration.** The commission decision is final fourteen days after service unless respondent or disciplinary counsel files a motion for reconsideration (~~is filed by respondent or disciplinary counsel~~). A motion for reconsideration, if filed, shall be specific and detailed, with appropriate citations to the record and legal authority. Any response to the motion must be filed within fourteen days after service. The motion will be decided without oral argument unless requested by the commission. If the motion for reconsideration is denied, the decision is final when the order denying the motion is filed. If the motion for reconsideration is granted, the reconsidered decision is final when filed in the commission's office.

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

PROPOSED

**WSR 00-17-053**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Medical Assistance Administration)  
 [Filed August 9, 2000, 10:04 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 00-03-011.

**Title of Rule:** Repealing WAC 388-86-120 Medical care services, and new 388-556-0500 Medical care services under state-administered cash programs.

**Purpose:** To incorporate language from repealed WAC 388-86-120 into a new section 388-556-0500 which clarifies and updates program requirements. The new section defines "medical care services (MCS)" as medical care services provided to clients under the state-administered cash programs, and lists services covered under MCS by cross-referencing WAC 388-529-0200 Medical services available to eligible clients. By repealing WAC 388-86-120 and incorporating the language into a new section, the department is complying with the Governor's Executive Order 97-02, which mandates all rules be reviewed for clarity, necessity, fairness, etc.

**Statutory Authority for Adoption:** RCW 74.08.090 and 74.09.035.

**Statute Being Implemented:** RCW 74.08.090 and 74.09.035.

**Summary:** The new section updates and clarifies department policy on medical care services provided to clients under state-administered cash programs.

**Reasons Supporting Proposal:** To set in rule current department policy regarding medical care services provided to clients who are eligible under the state-administered cash programs. To comply with the Governor's Executive Order 97-02.

**Name of Agency Personnel Responsible for Drafting:** Kathy Sayre, DPS/RIP, P.O. Box 45533, Olympia, WA 98507, (360) 725-1342; **Implementation and Enforcement:** Diane Stevens, DHSQS, P.O. Box 45506, Olympia, WA 98507, (360) 725-1551.

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

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The rule updates and clarifies department policy on the limitations of medical care services coverage for clients eligible under the state-administered cash programs.

**Purpose:** To set in rule current department policy by: 1) Defining "medical care services" which are medical care services provided to clients under the state-administered cash programs; 2) updating the list of services in repealed WAC 388-86-120 that MAA will not cover by cross referencing WAC 388-529-0200 which lists the scope of care for medical care services coverage under the state-administered cash programs; 3) cross-referencing WAC 388-501-0175, which lists the Washington state border areas in which clients under the state-administered cash programs are eligible to receive medical care services; and 4) eliminating the cross reference in

repealed WAC 388-86-120(3) to 388-84-120 regarding certification dates for medical care services clients as this information is found in WAC 388-416-0010.

**Anticipated Effect:** To provide a clearer understanding of MAA policy.

**Proposal Changes the Following Existing Rules:** WAC 388-86-120 Medical care services is being repealed and the policy is being written into new section 388-556-0500 Medical care services under state-administered cash programs.

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

RCW 34.05.328 does not apply to this rule adoption. The department has analyzed this rule and concluded that it does not fit 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 September 26, 2000, at 10:00 a.m.

**Assistance for Persons with Disabilities:** Contact Kelly Cooper, Rules Coordinator, by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

**Submit Written Comments to:** Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

**Date of Intended Adoption:** No sooner than September 27, 2000.

August 7, 2000

Marie Myerchin-Redifer, Manager  
 Rules and Policies Assistance Unit

**NEW SECTION**

**WAC 388-556-0500 Medical care services under state-administered cash programs.** Medical care services (MCS) are state-administered medical care services provided to a client receiving cash benefits under the general assistance-unemployable (GA-U) program or the Alcohol and Drug Addiction Treatment and Support Act (ADATSA) program. For a client eligible for MCS:

(1) The medical assistance administration (MAA) covers only the medically necessary services within the notated applicable program limitations listed in the MCS column under WAC 388-529-0200.

(2) MAA does not cover medical services received outside the state of Washington unless the medical services are provided in a border area listed under WAC 388-501-0175.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 388-86-120                      Medical care services.

PROPOSED

**WSR 00-17-054****PROPOSED RULES****DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed August 9, 2000, 10:04 a.m.]

## Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-030.

Title of Rule: WAC 388-478-0026 Excluded resources for family medical programs.

Purpose: Implements HB 2686 allowing the department to exclude any increase in a family's resources when determining a family's continuing eligibility for medical assistance under Section 1931 of the Social Security Act.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.530.

Statute Being Implemented: HB 2686.

Summary: The department does not count increased assets for families when determining continuing eligibility for family medical programs.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, 925 Plum Street, P.O. Box 45534, Olympia, WA 98504-5534, (360) 725-1330.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that apply to client medical or financial eligibility.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on September 26, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 9, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: Not before September 27, 2000.

August 3, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**NEW SECTION**

**WAC 388-478-0026 Excluded resources for family medical programs.** "Continuously eligible" means, for the purposes of this chapter, eligible without a period of ineligibility of a calendar month or more since the date of receipt of any resources that would cause the client to exceed the resource limit of a family medical program.

(1) The department does not count any increase in a client's resources when the increase is received while a client:

(a) Is eligible for and receiving coverage under the family medical program; and

(b) Remains continuously eligible for a family medical program.

(2) The department will not count the resource increase for a client:

(a) Who meets the requirement of subsection (1)(a) of this section;

(b) Whose family medical program is terminated; and

(c) Who is subsequently determined eligible for all months since the termination, which may include a retroactive period of up to three months.

(3) The department counts the resource when the client is ineligible for a family medical program for a full calendar month or more except as described in subsection (2) of this section.

**WSR 00-17-055****PROPOSED RULES****DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed August 9, 2000, 10:06 a.m.]

## Original Notice.

Preproposal statement of inquiry was filed as WSR 00-03-011.

Title of Rule: Repealing WAC 388-86-115 Medical care provided out-of-state and amending WAC 388-501-0180 Out-of-state medical care.

Purpose: To avoid duplicative rules, the department is repealing WAC 388-86-115 and incorporating language into WAC 388-501-0180. Also, to clarify and update program requirements and to comply with the Governor's Executive Order 97-02, which mandates all rules be reviewed for clarity, necessity, fairness, etc.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.035.

Statute Being Implemented: RCW 74.08.090 and 74.09.035.

Summary: These amendments update and clarify department policy on coverage of medical services provided out-of-state to eligible medical assistance clients. The amendments also state that MAA requires out-of-state providers to meet the same criteria as in-state providers in order to be reimbursed for medical services provided to eligible clients.

PROPOSED

Reasons Supporting Proposal: To set in rule current department policy regarding clients, providers, and services. To comply with the Governor's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting: Kathy Sayre, DPS/RIP, P.O. Box 45533, Olympia, WA 98507, (360) 725-1342; Implementation and Enforcement: Diane Stevens, DHSQS, P.O. Box 45506, Olympia, WA 98507, (360) 725-1551.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule updates and clarifies department policy on coverage of medical services provided out-of-state to eligible clients. It also states that MAA requires out-of-state providers to meet the same criteria as in-state providers in order to be reimbursed for medical services provided to eligible medical assistance clients.

The purpose of the rule is to set in rule current department policy regarding clients, providers and medical services. Its anticipated effect is a clearer understanding of MAA policy.

Proposal Changes the Following Existing Rules: The rules propose repealing WAC 388-86-115 and putting that policy into WAC 388-501-0180, using updated language that reflects current department policy.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule amendments and concludes that because the proposed rule does not change existing department policy, no new costs will be imposed on businesses affected by them.

RCW 34.05.328 does not apply to this rule adoption. The department has analyzed this rule and concluded that it does not fit 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 September 26, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: No sooner than September 27, 2000.

August 7, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

~~state may be provided medical care within the scope of the Medicaid program.~~

~~(a) Residency requirements in WAC 388-505-0510 must be met.~~

~~(b) Medical assistance may be provided only in areas of Canada that border on the United States when no other resource is available.~~

~~(2) Persons eligible for the medically needy program may be provided medical care within the scope of that program.~~

~~(3) When an eligible person goes to another state, excluding bordering cities, expressly to obtain medical care that is available within the state of Washington, medical assistance will only be provided on an emergency basis.~~

~~(4) Medicaid will be provided to persons who enter the state and are determined to be financially eligible, provided the residency requirements in WAC 388-505-0510 are met.~~

~~(5) The department shall not provide medical care services out of state except in designated bordering cities under WAC 388-501-0175)) For medical services coverage and reimbursement purposes, the medical assistance administration (MAA) considers cities bordering Washington state and listed in WAC 388-501-0175 the same as in-state cities.~~

(2) MAA covers emergent medical services provided out-of-state to an eligible client if the medical services are within the scope of the client's medical care program as specified under chapter 388-529 WAC.

(3) MAA covers nonemergent medical services provided out-of-state to an eligible client only if the medical services:

(a) Are not readily available within the state of Washington;

(b) Are within the scope of the client's medical care program as specified under chapter 388-529 WAC; and

(c) Have prior authorization through MAA's process described in WAC 388-501-0165.

(4) MAA does not cover out-of-state medical services for clients under state-administered (Washington state medical care only) medical programs. See WAC 388-556-0500.

(5) MAA determines out-of-state coverage for transportation services, including ambulance services, according to chapter 388-546 WAC.

(6) MAA reimburses an out-of-state provider for medical care provided to an eligible client if the provider:

(a) Meets the licensing requirements of the state in which care is provided;

(b) Contracts with MAA to be an enrolled provider; and

(c) Meets the same criteria for payment as in-state providers.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-115

Medical care provided out-of-state.

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-501-0180 Out-of-state medical care. (1)  
~~((A Washington state Medicaid client temporarily out of the~~

**WSR 00-17-056**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed August 9, 2000, 10:06 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 00-07-087.

**Title of Rule:** New WAC 388-530-1125 Drug rebate program, 388-530-1410 Federal upper limit (FUL) methodology, 388-530-1425 Payment methodology for drugs purchased under the Public Health Service (PHS) Act, 388-530-1625 Compliance packaging services; and amending WAC 388-530-300 General reimbursement methodology, 388-530-1350 Estimated acquisition cost methodology, 388-530-1400 Maximum allowable cost methodology, 388-530-1450 Dispensing fee information, 388-530-1500 Reimbursement for compounded prescriptions, 388-530-1550 Unit dose drug delivery systems, 388-530-1600 Unit dose pharmacy billing requirements, 388-530-1650 Reimbursement for pharmaceutical supplies, and 388-530-1700 Drugs and pharmaceutical supplies from nonpharmacy providers.

**Purpose:** To update rule to reflect current department policy and practice and to comply with the Governor's Executive Order 97-02.

**Statutory Authority for Adoption:** RCW 74.08.090, 74.04.050.

**Statute Being Implemented:** RCW 74.08.090, 74.04.050.

**Summary:** The proposed rules regarding pharmacy-related reimbursement reflect current department policy and practice. New sections codify current policy for the drug rebate program; payment methodology for federal upper limit (FUL), for drugs purchased under the Public Health Service (PHS) Act, and for compliance packaging. The amended sections reflect updated policy, and all sections have been written to comply with the clear writing standards in the Governor's Executive Order 97-02.

**Reasons Supporting Proposal:** To ensure current policy and practice is reflected in rule, and to comply with the Governor's Executive Order 97-02.

**Name of Agency Personnel Responsible for Drafting:** Ann Myers, DPS/RIP, P.O. Box 45533, Olympia, WA 98507-5533, (360) 725-1345; Implementation and Enforcement: Ayuni Wimpee, DOSS/PRS, P.O. Box 45510, Olympia, WA 98507-5510, (360) 725-1835.

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

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The proposed rules codify existing department policy regarding pharmacy-related reimbursement methodology. The purpose is to comply with requirements to put reimbursement methodology in rule. The anticipated effect is to clearly reflect department policy so it is understood by those to whom it applies.

Proposal Changes the Following Existing Rules: The rules proposed update language and clarify existing policy.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rules and concludes that they will have a no more than a minor impact on the businesses affected by them; therefore no small business economic impact statement is required.

RCW 34.05.328 does not apply to this rule adoption. The department has analyzed the proposed rules and concludes that they do not meet the definition 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 September 26, 2000, at 10:00 a.m.

**Assistance for Persons with Disabilities:** Contact Kelly Cooper, Rules Coordinator, by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

**Submit Written Comments to:** Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

**Date of Intended Adoption:** No sooner than September 27, 2000.

July 8, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**NEW SECTION**

**WAC 388-530-1125 Drug rebate program.** (1) MAA covers only those outpatient prescription drugs supplied by manufacturers who have a drug rebate contract with the Health Care Financing Administration (HCFA). MAA may make exceptions on a case-by-case basis. Exceptions require prior authorization, refer to WAC 388-501-0165.

(2) MAA may negotiate separate, additional discounts with manufacturers to facilitate formulary management.

**AMENDATORY SECTION** (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

**WAC 388-530-1300 General reimbursement methodology.** (1) ~~((Where the department has not contracted for pharmacy services through competitive procurement, the department shall ensure))~~ MAA's total reimbursement for a prescription drug ~~((does))~~ **must** not exceed the lowest of:

(a) Estimated acquisition cost (EAC) plus a dispensing fee;

(b) Maximum allowable cost (MAC) plus a dispensing fee; ~~((or))~~

(c) Federal Upper Limit (FUL) plus a dispensing fee;

(d) Actual acquisition cost (AAC) plus a dispensing fee for drugs purchased under section 340 B of the Public Health Service (PHS) Act and dispensed to medical assistance clients; or

(e) The provider's usual and customary charge to the non-Medicaid patient.

(2) ~~((If the provider offers a discount, rebate, promotion or other incentive which directly relates to the reduction of the price of a prescription to the individual non-Medicaid customer, the provider shall similarly reduce its charge to the department for the prescription.~~

(3) ~~The department shall choose))~~ MAA selects the in-state pharmaceutical wholesalers used to set EAC and MAC.

~~((The department))~~ (3) MAA may solicit assistance from representative pharmacy providers ((in)), through their state associations, when establishing ((MAC and/or)) EAC and/or MAC.

(4) If the pharmacy provider offers a discount, rebate, promotion or other incentive which directly relates to the reduction of the price of a prescription to the individual non-Medicaid customer, the provider must similarly reduce its charge to MAA for the prescription.

(5) ~~((the))~~ a pharmacy gives a product ((is given)) free to the general public, the pharmacy ((shall)) must not submit a claim to ((the department if the product is given)) MAA when giving the free product to a medical assistance client. ((If the product is sold at a discount to the general public, the pharmacy shall ensure any claim to the department for that product shall reflect the discounted charge.))

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

**WAC 388-530-1350 Estimated acquisition cost methodology.** ~~((The department shall determine estimated acquisition cost (EAC) as follows:~~

~~(1) Periodically, the department shall))~~ MAA determines EAC as follows:

(1) No more than once every three years and no less than once every ten years, MAA:

(a) ((Take a sample of, at)) Takes a minimum((7)) sample of two hundred fifty of the top national drug codes (NDCs) paid ((for by the)) by MAA, excluding drugs under the MAC program; and

(b) Determines pharmacies' average acquisition costs for these products.

~~(2) ((The department shall decide the sampling frequency of the top drug products by dollar volume under medical assistance to determine EAC, but the frequency shall not be:~~

~~(a) More than once every three years; and~~

~~(b) Less than once every ten years.~~

~~(3))~~ The pharmacies' average acquisition cost for the products in the NDC sample ((shall be)) is based on in-state wholesalers' ((published prices)) charges to pharmacy subscribers((- plus an average subscriber upcharge, if applicable. (4))).

(3) MAA ((shall express)) represents the average acquisition cost for each product on the sample list ((during the period under study)) as a percentage of the average published wholesale price (AWP), determined for that product by ((the department's)) MAA's drug pricing file contractor.

~~((5))~~ (4) MAA ((shall)) averages the percentages obtained ((for)) from the sample, and ((the resulting percent-

~~age shall represent the estimated acquisition cost (EAC)) that average represents the EAC.~~

~~((6) MAA may base EAC on standard package size or the price of the actual package size dispensed.~~

~~(7))~~ (5) MAA may set EAC for specified drugs or drug categories at a percentage of AWP ((percentages)) other than ((those)) that determined in subsection ((5)) (4) of this section when MAA ((deems)) considers it necessary. MAA ends the ((department shall cease such)) exemption when it considers the necessity no longer exists.

~~((8) The department shall pay at EAC the brand name and generic drugs with an MAC established if the EAC))~~ MAA pays EAC for a drug with an established MAC when the EAC for the particular drug is lower than the MAC price.

(6) MAA bases EAC drug reimbursement on the actual package size dispensed.

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

**WAC 388-530-1400 Maximum allowable cost methodology.** (1) ~~((When the department determines there is a likelihood that a cost savings will result the department may establish))~~ MAA establishes a maximum allowable cost (MAC) for a multiple-source drug which is available from at least three manufacturers/labelers.

~~(2) ((The department))~~ MAA may exclude from MAC selected multiple-source drugs when clinical response significantly differs between brand and generic equivalents.

~~(3) ((The department shall))~~ MAA determines the MAC for a multiple-source drug by:

(a) ((Generating a manufacturers/labelers list for a multiple-source drug from data provided by the drug pricing file contractor;

(b) Ensure the list is arranged by cost, showing wholesalers' national actual acquisition cost (NAAC) for the drug from each manufacturer/labeler;

(c) If there is a Federal Upper Limit (FUL) for the multiple-source drug, the FUL shall be adopted, except, if the FUL is lower than the pharmacies' actual acquisition cost (AAC) for an available product based on information provided by representative pharmacy providers, a MAC shall be chosen in cooperation with the representative pharmacy providers. The chosen fee shall be the lowest amount sufficient to cover in-state pharmacies' AAC based on information provided by the representative pharmacy providers;

~~(d) Establish estimated acquisition cost (EAC) of the third lowest priced product as the recommend MAC, except:~~

~~(i) If the MAC established is lower than pharmacies' AAC for the three lowest priced products, based on information provided by the representative pharmacy providers, a MAC shall be chosen in cooperation with the representative pharmacy providers. The chosen fee shall be the lowest amount sufficient to cover in-state pharmacies' average acquisition cost based on information provided by the representative pharmacy providers; or~~

~~(ii) A MAC may be established for a drug using the maximum allowable cost set by another third party for that drug))~~ Obtaining copies of in-state wholesalers' product catalogs;



(b) Identifying what products are available from each in-state wholesaler for each MAC drug;

(c) Determining the average pharmacy subscriber's acquisition costs for these products;

(d) Ranking the products in descending order by acquisition cost; and

(e) Establishing the MAC at a level which gives most pharmacists access to two products.

(4) MAA may establish a MAC for a drug using the maximum allowable cost set by another third party for that drug.

(5) The MAC established for a multiple-source drug ~~((shall))~~ does not apply if the ~~((prescriber certifies))~~ written prescription identifies that a specific brand is ~~((=))~~ medically necessary~~((=))~~ for a particular client. In such cases EAC ~~((shall apply))~~ for the particular brand applies, provided prior authorization is obtained from MAA as specified under WAC ~~((388-530-1250-(6)(a)))~~ 388-530-1250(5). Prior authorization.

~~((5))~~ The department shall

(6) The MAC established for a multiple-source drug applies to all package sizes of that drug, except those identified as unit dose NDCs by the manufacturer(s) of the drug.

(7) MAA pays the EAC for a multiple-source product if the EAC for ~~((a multiple source))~~ that product is less than the MAC established for ~~((that product))~~ the drug.

~~((6))~~ (8) The automated maximum allowable cost (AMAC) pricing ~~((shall apply))~~ applies to multiple-source drugs:

~~((a))~~ (a) ~~((Not identified under subsection (2) of this section; (b)))~~ Produced by three or more manufacturers/labelers ~~((under))~~ at least one of which must have a federal drug rebate agreement; and

~~((e))~~ (b) Which are not on the MAC list.

~~((7))~~ (9) AMAC reimbursement for all products within a generic code number (GCN) sequence ~~((shall be))~~ is at the EAC of the third lowest priced product in that sequence, or the EAC of the lowest priced drug under a federal rebate agreement in that sequence, whichever is higher.

~~((8))~~ If the established AMAC price exceeds the FUL, the department shall set the price at the FUL.

~~((9))~~ The department shall pay the estimated acquisition cost (EAC)

(10) For a multiple-source product under AMAC, MAA pays the EAC if the EAC for ~~((a))~~ the multiple-source product is less than the AMAC established for that product.

~~((10))~~ MAA shall

(11) MAA recalculates AMAC each time there ~~((are))~~ is a pricing update~~((s))~~ provided by the drug file contractor to any product in GCN sequences ~~((covered under the AMAC program))~~.

~~((11))~~ The department shall ensure the maximum payment for multiple source drugs for which HCFA has set a FUL does not exceed, in the aggregate, the prescribed upper limits plus the dispensing fees set by the department).

#### NEW SECTION

**WAC 388-530-1410 Federal upper limit (FUL) methodology.** (1) MAA adopts the federal upper limit (FUL) set

by the Health Care Financing Administration (HCFA) unless a lower MAC is already in place for the multiple source drug.

(2) MAA pays the EAC for a multiple source product if the EAC for that product is less than the FUL established for that drug.

(3) MAA's maximum payment for multiple source drugs for which HCFA has set a FUL will not exceed, in the aggregate, the prescribed upper limits plus the dispensing fees set by MAA.

#### NEW SECTION

**WAC 388-530-1425 Payment methodology for drugs purchased under the Public Health Service (PHS) Act.** (1) Drugs purchased under section 340B of the Public Health Service (PHS) Act and dispensed to medical assistance clients must be billed using the actual acquisition cost (AAC) of the drug plus the appropriate dispensing fee.

(2) Drugs provided or dispensed by other specified providers must be billed using AAC. See WAC 388-530-1700.

(3) AAC includes allowances or discounts for volume purchases, purchasing cooperatives, and advertising or other promotional allowances.

**AMENDATORY SECTION** (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

**WAC 388-530-1450 Dispensing fee determination.** Subject to the provisions of WAC 388-530-1300, MAA ~~((shall pay))~~ pays a dispensing fee for each covered prescription.

(1) ~~((The department shall adjust))~~ MAA adjusts the dispensing fee by ~~((weighing))~~ considering factors including, but not limited to:

(a) Legislative appropriations for vendor rates;

(b) Input from provider and/or advocacy groups;

(c) Input from state-employed or contracted actuaries; and

(d) Dispensing fees paid by other third-party payers, including, but not limited to, health care plans and other states' Medicaid agencies.

(2) ~~((The))~~ MAA ~~((shall use))~~ uses a tiered dispensing fee system which reimburses ~~((large))~~ higher volume pharmacies at a lower fee and small volume pharmacies at a ~~((larger))~~ higher fee ~~((In MAA's judgment such a system best preserves or enhances clients' access to services by promoting equitable payment to pharmacy providers)).~~

(3) ~~((In a tiered dispensing fee system, the MAA shall use))~~ MAA uses total annual prescription volume (both Medicaid and non-Medicaid) reported to ~~((the department to determine each pharmacy's dispensing fee category))~~ MAA to determine each pharmacy's dispensing fee tier.

(a) A pharmacy which fills more than thirty-five thousand ~~((and one or more))~~ prescriptions annually ~~((shall be))~~ is a high-volume pharmacy.

(b) A pharmacy which fills between fifteen thousand ~~((and))~~ one and thirty-five thousand prescriptions annually ~~((shall be))~~ is a mid-volume pharmacy.

(c) A pharmacy which fills fifteen thousand or fewer prescriptions annually ~~((shall be))~~ is a low-volume pharmacy.

(4) ~~((The department shall))~~ MAA determines a pharmacy's annual total prescription volume as follows:

(a) ~~((The department shall))~~ MAA sends out a prescription volume survey form to pharmacy providers during the first quarter of the calendar year;

(b) Pharmacies ~~((shall))~~ return completed prescription volume surveys to ~~((the department))~~ MAA by the date specified ~~((by the department each year. The department shall assign)).~~ Pharmacy providers not responding to the survey by the specified date are assigned to the high volume category;

(c) Pharmacies ~~((shall:~~

(i)) must include all prescriptions dispensed from the same physical location in the pharmacy's total prescription count ~~((; and~~

(ii) ~~Report totals from the same location to the department on the same form. Hospital-based pharmacies which serve both inpatient and outpatient clients shall not include hospital inpatient doses/prescriptions in the total volume reported to the department. The department shall deem prescriptions dispensed to nursing facility clients outpatient prescriptions;~~

(d) ~~If a pharmacy uses more than one provider number to bill MAA for pharmacy claims dispensed from the same physical location, the pharmacy shall list on one form all of the provider numbers contributing to the total volume being reported;~~

(e) ~~Reassignment to current or assignment to new dispensing fee categories shall be effective on the first of the month following the date specified by the department for receipt of completed prescription volume survey forms.~~

~~(5) In a tiered dispensing fee system;);~~

(d) Hospital based pharmacies which serve both inpatient and outpatient clients are not required to include hospital inpatient doses/prescriptions in the total volume reported to MAA;

(e) MAA considers prescriptions dispensed to nursing facility clients as outpatient prescriptions;

(f) Assignment to a new dispensing fee tier is effective on the first of the month following the date specified by MAA.

(5) A pharmacy may request a change ((to a lower volume category)) in dispensing fee tier during the interval between the annual prescription volume surveys. The pharmacy ((shall support)) must substantiate such a request with documentation showing that the pharmacy's most recent six-month dispensing data, annualized, would qualify the pharmacy for ((a lower volume category)) the new tier. If MAA receives the documentation by the twentieth of the month, assignment to a new dispensing fee tier is effective on the first of the following month.

~~(6) ((MAA may adopt a uniform dispensing fee if in its judgment such a system would best preserve or enhance clients' access to services by promoting equitable payment to pharmacy providers.~~

~~(7) The department shall grant)) MAA grants general dispensing fee rate increases only when authorized by the legislature. Amounts authorized for dispensing fee increases may be distributed nonuniformly (e.g., tiered dispensing fee based upon volume)((; if necessary, to ensure client access)).~~

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

**WAC 388-530-1500 Reimbursement for compounded prescriptions.** (1) ~~((Notwithstanding the definition in WAC 388-530-1050(7), the department shall))~~ MAA does not consider reconstitution to be compounding.

(a) ~~((The department))~~ MAA may consider the act of combining two or more active ingredients or the adjustment of therapeutic strengths and/or forms by a pharmacist in the preparation of a prescription to be compounding if the client's drug therapy needs are unable to be met by commercially available dosage strengths and/or forms of the medically necessary drug.

(b) The pharmacist ~~((shall))~~ must ensure the need for the adjustment of the drug's therapeutic strength and/or form is well documented in the client's file.

(2) Compounded prescriptions ~~((shall be))~~ are reimbursed as follows:

(a) ~~((The department shall allow))~~ MAA allows only the lowest cost for each formulary ingredient ~~((; whether EAC, MAC, or amount billed ((shall apply)).~~

(b) ~~((The department shall apply))~~ MAA applies current prior authorization requirements to drugs used as ingredients in compounded prescriptions, except as provided under subsection (2)(c) of this section. MAA ~~((shall deny))~~ denies payment for a drug requiring prior authorization used ~~((;~~

(i)) as an ingredient in a compounded prescription ~~((; but (ii) For which)) when prior authorization was not obtained.~~

(c) ~~((The department))~~ MAA may designate selected drugs as not requiring prior authorization when used for compounded prescriptions, but requiring prior authorization for other uses ~~((; The department shall publish such lists periodically))~~ Refer to the pharmacy billing instructions.

(d) ~~((The department shall give))~~ MAA reimburses a dispensing fee as described under WAC 388-530-1450 for:

(i) Each formulary or prior authorized drug ingredient billed separately ~~((; a dispensing fee set by the department as described under WAC 388-530-1450)); and~~

(ii) Drugs used in compounding under subsection (2)(c) of this section ~~((; a dispensing fee set by the department as described under WAC 388-530-1450)).~~

(e) MAA ~~((shall))~~ does not pay a separate fee for compounding time. ~~((; MAA shall replace the fee for compounding time with a dispensing fee for each ingredient, as described under WAC 388-530-1450.))~~

(3) In addition to reimbursement for ingredient and dispensing fees, MAA ~~((shall set))~~ may set maximum allowable fees, called compounded prescription preparation fees, for special procedures, equipment, or supplies used in compounding prescriptions ~~((; MAA shall call these fees compounded prescription preparation fees)).~~

(a) The pharmacy ~~((shall))~~ must note in its records any necessary special procedures, equipment ~~((; or)),~~ supplies, or containers used in preparing the compounded prescription.

(b) MAA ~~((shall adjust))~~ adjusts compounded prescription preparation fees by ~~((; taking into account))~~ considering factors including, but not limited to:

(i) Legislative appropriations for vendor rates;

(ii) Input from provider and/or advocacy groups;  
 (iii) Audit findings regarding costs of compounding equipment and supplies, as specified in subsection ~~((5))~~ (4) of this section; and

(iv) Compounded prescription preparation fees paid by other third-party payers, including but not limited to health care plans and other states' Medicaid agencies.

(c) MAA ~~((shall))~~ does not reimburse compounded prescription preparation fees for infusion ~~((productions))~~ products; MAA reimbursement for home infusion and other intravenous admixtures ~~((shall be for))~~ is limited to ingredient costs and dispensing fees only.

(d) MAA ~~((shall reimburse))~~ reimburses pharmacies for only one preparation fee for each compounded prescription.

(e) Pharmacies ~~((shall))~~ bill MAA for compounded prescription preparation fees using state-assigned drug codes, which MAA ~~((shall publish))~~ publishes periodically in the pharmacy billing instructions.

(f) ~~((MAA shall ensure))~~ A separate dispensing fee does not apply to the state assigned drug preparation fee codes.

(4) ~~((MAA shall periodically sample ten percent of pharmacy claims for compounded drugs. The MAA pharmacist consultant shall review these claims to determine if the drugs were appropriately dispensed in compounded form, or if less costly equivalent alternative preparations were already available commercially. If MAA finds that a pharmacy provider is inappropriately compounding or billing for compounded drugs, MAA shall take whatever corrective action it deems necessary, including but not limited to:~~

~~(a) Education of the provider regarding the problem practice(s);~~

~~(b) Recoupment of payment for the compounded drug, or the differential between the compounded form and its commercially available, less costly alternative form; and/or~~

~~(c) Termination of the provider's core provider agreement in extreme cases.~~

~~(5) MAA may audit selected pharmacies dispensing compounded prescriptions to determine acquisition or estimated costs of equipment and/or supplies used in compounding.)~~ MAA may audit selected pharmacies dispensing compounded prescriptions, to determine acquisition or estimated costs of equipment and/or supplies used in compounding.

AMENDATORY SECTION (Amending WSR 96-21-031; filed 10/9/96, effective 11/9/96)

**WAC 388-530-1550 Unit dose drug delivery systems.**

(1) ~~((The department shall pay))~~ MAA pays for unit dose drug delivery systems only for clients residing in nursing facilities, except as provided in subsections (6) and (7) of this section.

(2) ~~((The department shall pay))~~ Unit dose delivery systems may be true or modified.

(3) MAA pays pharmacies that provide ~~((true))~~ unit dose delivery service ~~((the department's))~~ MAA's highest allowable dispensing fee for each prescription dispensed to clients in nursing facilities. ~~((The department shall reimburse))~~ MAA reimburses ingredient costs for drugs under ~~((true))~~ unit dose systems at the appropriate MAC ~~((or EAC. The department shall pay true)),~~ FUL, AAC, EAC, or billed

charge, whichever is lowest. MAA reimburses unit dose providers for drugs dispensed in manufacturers' unit dose packaging at the EAC for the specific unit dose NDCs.

~~((3) The department shall pay modified unit dose pharmacies the department's highest allowable dispensing fee for repackaged bulk drugs dispensed in unit dose form to clients in nursing facilities. The department shall reimburse ingredient costs for bulk drugs repackaged into unit dose form at the lesser of MAC or EAC. The department shall deem creams, ointments, ophthalmic/otic preparations, and other liquids as not deliverable in this packaging system.)~~

(4) MAA ~~((shall pay))~~ pays a pharmacy that dispenses drugs in bulk containers or multi-dose form to clients in nursing facilities the regular dispensing fee applicable to the pharmacy's total annual prescription volume ~~((category))~~ tier. Drugs MAA considers not deliverable in unit dose form include, but are not limited to, ~~((oral))~~ liquids, creams, ointments, ophthalmic and otic solutions. ~~((The department shall reimburse))~~ MAA reimburses ingredient costs for such drugs at the ~~((lesser))~~ lowest of MAC ~~((or EAC)),~~ FUL, AAC, EAC, or billed charge.

(5) MAA ~~((shall pay))~~ pays a pharmacy that dispenses drugs prepackaged by the manufacturer in unit dose form to clients in nursing facilities the regular dispensing fee applicable to that pharmacy's total annual prescription volume ~~((category))~~ tier. ~~((The department shall pay))~~ MAA reimburses ingredient costs at the EAC applicable to the unit dose ~~((national drug code-))~~ NDC((3)).

(6) MAA ~~((shall pay))~~ reimburses for manufacturer-designated unit dose drugs dispensed to clients not residing in nursing facilities only when such drugs:

(a) Are available in the marketplace only in manufacturer-designated unit dose packaging; and

(b) Would otherwise have been covered outpatient drugs. The unit dose dispensing fee ~~((shall))~~ does not apply in such cases. MAA pays the pharmacy ~~((shall be paid))~~ the dispensing fee applicable to the pharmacy's total annual prescription volume ~~((category))~~ tier.

(7) MAA may pay for ~~((modified))~~ unit dose delivery systems for developmentally disabled (DD) clients residing in approved community living arrangements.

AMENDATORY SECTION (Amending WSR 98-14-005, filed 6/18/98, effective 7/19/98)

**WAC 388-530-1600 Unit dose pharmacy billing requirements.** (1) To be eligible for a unit dose dispensing fee, a pharmacy ~~((shall))~~ must:

(a) Notify MAA in writing of its intent to provide unit dose service;

(b) ~~((Specify the type of unit dose service to be provided;~~

~~(e))~~ Identify the nursing facility(ies) to be served;

~~((d))~~ (c) Indicate the approximate date unit dose service to the facility(ies) will commence; and

~~((e))~~ (d) Sign an agreement to follow department requirements for unit dose reimbursement.

(2) Under a ~~((true or modified))~~ unit dose delivery system, a pharmacy ~~((may))~~ must bill ~~((MAA))~~ only for the number of drug units ~~((dispensed))~~ actually used by the med-

PROPOSED

ical assistance client in the nursing facility, except as provided in subsections (3) and (4) of this section.

(3) The pharmacy (~~(shall)~~) must submit an adjustment form or claims reversal of the charge to MAA for the cost of all unused drugs returned to the pharmacy from the nursing facility on or before the sixtieth day following the date the drug was dispensed, except as provided in subsection (4) of this section. Such adjustment (~~(shall)~~) must conform to the nursing facility's monthly log as described in subsection (6).

(4) (~~(Modified)~~) Unit dose providers do not have to credit MAA for (~~(controlled substances)~~) federally designated schedule two drugs which are returned to the pharmacy. These returned drugs must be disposed of according to federal regulations.

(5) Pharmacies (~~(shall)~~) must not charge clients or MAA a fee for repackaging a client's bulk medications in unit dose form. The costs of repackaging (~~(shall be)~~) are the responsibility of the nursing facility when the repackaging is done:

(a) To conform with a nursing facility's drug delivery system; or

(b) For the nursing facility's convenience.

(6) The pharmacy (~~(shall)~~) must maintain detailed records of medications dispensed under unit dose delivery systems. The pharmacy (~~(shall)~~) must keep a monthly log for each nursing facility served, including but not limited to the following information:

(a) Facility name and address;

(b) Client's name and patient identification code (PIC);

(c) Drug name/strength;

(d) NDC (~~(or labeler information)~~);

(e) Quantity and date dispensed;

(f) Quantity and date returned;

(g) Value of returned drugs or amount credited;

(h) Explanation for no credit given or nonreusable returns; and

(i) Prescription number.

(7) Upon MAA's request, the pharmacy (~~(shall)~~) must submit copies of the logs referred to in subsection (6) (~~(on a monthly, quarterly, or annual basis)~~).

(8) When the pharmacy (~~(shall submit annually with)~~) submits the completed annual prescription volume survey to MAA(:

(a) ~~An updated list of nursing facilities served under unit dose systems; and~~

(b) ~~The nursing facilities' respective billing period start dates)~~ it must include an updated list of nursing facilities served under unit dose systems.

#### NEW SECTION

##### **WAC 388-530-1625 Compliance packaging services.**

(1) MAA reimburses pharmacies for compliance packaging services provided to clients considered at risk for adverse drug therapy outcomes. Clients who are eligible for compliance packaging services must not reside in a nursing home or other inpatient facility, and must meet (a) and either (b) or (c) of this subsection.

(a) Have one or more of the following representative disease conditions:

(i) Alzheimer's disease;

(ii) Blood clotting disorders;

(iii) Cardiac arrhythmia;

(iv) Congestive heart failure;

(v) Depression;

(vi) Diabetes;

(vii) Epilepsy;

(viii) HIV/AIDS;

(ix) Hypertension;

(x) Schizophrenia; or

(xi) Tuberculosis.

(b) Concurrently consume two or more prescribed medications for chronic medical conditions, that are dosed at three or more intervals per day; or

(c) Have demonstrated a pattern of noncompliance that is potentially harmful to their health.

(2) Compliance packaging services include:

(a) Reusable hard plastic containers of any type (e.g., medisets); and

(b) Nonreusable compliance packaging devices (e.g., blister packs).

(3) MAA pays a filling fee and reimburses pharmacies for the compliance packaging device or container. The frequency of fills and number of payable compliance packaging devices per client is subject to limits specified by MAA. MAA does not pay filling or preparation fees for blister packs.

(4) Pharmacies must use the HCFA-1500 claim form to bill MAA for compliance packaging services.

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

**WAC 388-530-1650 Reimbursement for pharmaceutical supplies.** (1) The medical assistance administration (MAA) (~~(shall pay)~~) reimburses for covered pharmaceutical supplies not already included in other payment systems.

(2) MAA (~~(shall base)~~) bases reimbursement of pharmaceutical supplies on MAA-published fee schedules.

(3) MAA (~~(shall use)~~) uses any or all of the following methodologies to set the maximum allowable for a pharmaceutical device/supply:

(a) Pharmacy provider's acquisition cost. Upon review of the claim, MAA may require an invoice which must show the name of the drug, the manufacturer, drug strength, and cost;

(b) Medicare's reimbursement for the item; or

(c) A specified discount off the item's list price or manufacturer's suggested retail price (MSRP).

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

**WAC 388-530-1700 Drugs and pharmaceutical supplies from nonpharmacy providers.** (1) The medical assistance administration (MAA) (~~(shall pay)~~) reimburses for covered drugs and supplies dispensed or administered by non-pharmacy providers under specified conditions. MAA does not reimburse providers for the cost of vaccines obtained through the state department of health; MAA does pay a fee for administering the vaccine.

(2) MAA (~~(may pay)~~) reimburses actual acquisition cost (AAC) to a physician or ARNP for a covered drug (oral, topical or injectable) prepared or packaged for individual use and (~~(dispensed)~~) provided or administered to a client during an office visit. When the cost of the drug (~~(dispensed)~~) provided or administered to the patient exceeds the established fee, the physician or ARNP may submit to MAA a photocopy of the invoice for the actual drug cost. The invoice (~~(shall)~~) must show the name of the drug manufacturer, drug strength, and (~~(dosage)~~) cost.

(3) (~~(MAA shall not reimburse providers for the cost of vaccines obtained by the provider through the state department of health. However, MAA shall pay the provider a set fee established at twenty to thirty five percent of the fee for a brief office visit for administering the vaccine.~~)

(4) MAA ~~(may pay AAC to)~~ MAA reimburses family planning clinics their AAC for birth control pills and contraceptive supplies (~~(the clinics distribute)~~) distributed to clients. MAA may request an invoice for the actual cost of the drug. If an invoice is requested, (~~(the clinic shall ensure)~~) the invoice (~~(shows)~~) must show the name of the drug, manufacturer, drug strength, and (~~(dosage)~~) cost.

(5) MAA (~~(shall determine)~~) reimburses drugs and supplies provided to clients by local health departments (~~(are reimbursed)~~) according to (~~(MAA's)~~) its established fee schedules.

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

**WSR 00-17-079**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 14, 2000, 3:32 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-09-033.

Title of Rule: WAC 388-551-3000 Private duty nursing services for clients seventeen years of age and younger, and repealing 388-086-071 Private duty nursing services.

Purpose: To update, clarify, and rewrite according to the principles in the Governor's executive order on regulatory improvement (97-02).

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.520.

Statute Being Implemented: RCW 74.08.090 and 74.09.520.

Summary: WAC 388-86-071 is being repealed and replaced by separate WACs for private duty nursing services for clients seventeen years of age and younger (shown below) and for adults, which will be adopted (by DSHS Aging and Adult Services) into chapter 388-71 WAC.

Reasons Supporting Proposal: To update, clarify, and rewrite according to the principles in the Governor's executive order on regulatory improvement (97-02).

Name of Agency Personnel Responsible for Drafting: Leslie Saeger, P.O. Box 45533, Olympia, WA 98504, (360) 725-1347; Implementation and Enforcement: Phyllis Coolen, P.O. Box 45506, Olympia, WA 98504, (360) 725-1347.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule explains the private duty nursing services covered by the Medical Assistance Administration, criteria for eligibility, and process and requirements for requesting prior authorization.

Proposal Changes the Following Existing Rules: Repeals WAC 388-86-071 Private duty nursing services.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There are no new requirements in this rule that will financially impact businesses.

RCW 34.05.328 does not apply to this rule adoption. The proposed amendments do not "make significant amendments to a policy or regulatory program" (see RCW 34.05.328 (5)(c)(iii)).

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

Date of Intended Adoption: No sooner than October 4, 2000.

August 10, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**NEW SECTION**

**WAC 388-551-3000 Private duty nursing services for clients seventeen years of age and younger.** This section applies to private duty nursing services for eligible clients on fee-for-service programs. Managed care clients receive private duty nursing services through their plans (see chapter 388-538 WAC).

(1) "**Private duty nursing**" means four hours or more of continuous skilled nursing services provided in the home to eligible clients with complex medical needs that cannot be managed within the scope of intermittent home health services. Skilled nursing service is the management and administration of the treatment and care of the client, and may include, but is not limited to:

(a) Assessments (e.g., respiratory assessment, patency of airway, vital signs, feeding assessment, seizure activity,

hydration, level of consciousness, constant observation for comfort and pain management);

(b) Administration of treatment related to technological dependence (e.g., ventilator, tracheotomy, bilevel positive airway pressure, intravenous (IV) administration of medications and fluids, feeding pumps, nasal stints, central lines);

(c) Monitoring and maintaining parameters/machinery (e.g., oximetry, blood pressure, lab draws, end tidal CO<sub>2</sub>s, ventilator settings, humidification systems, fluid balance, etc.); and

(d) Interventions (e.g., medications, suctioning, IV's, hyperalimentation, enteral feeds, ostomy care, and tracheostomy care).

(2) To be eligible for private duty nursing services, a client must meet all the following:

(a) Be seventeen years of age or younger (see chapter 388-71 WAC for information about private duty nursing services for clients eighteen years of age and older);

(b) Be eligible for categorically needy (CN) or medically needy (MN) scope of care (see WAC 388-529-0200 for client eligibility);

(c) Need continuous skilled nursing care that can be provided safely outside an institution; and

(d) Have prior authorization from the department.

(3) The department contracts only with home health agencies licensed by Washington state to provide private duty nursing services and pays a rate established by the department according to current funding levels.

(4) A provider must coordinate with a division of developmental disabilities case manager and request prior authorization by submitting a complete referral to the department, which includes all of the following:

(a) The client's age, medical history, diagnosis, and current prescribed treatment plan, as developed by the individual's physician;

(b) Current nursing care plan that may include copies of current daily nursing notes that describe nursing care activities;

(c) An emergency medical plan which includes notification of electric, gas and telephone companies as well as local fire department;

(d) Psycho-social history/summary which provides the following information:

(i) Family constellation and current situation;

(ii) Available personal support systems;

(iii) Presence of other stresses within and upon the family; and

(iv) Projected number of nursing hours needed in the home, after discussion with the family or guardian; and

(e) A written request from the client or the client's legally authorized representative for home care.

(5) The department approves requests for private duty nursing services for eligible clients on a case-by-case basis when:

(a) The information submitted by the provider is complete;

(b) The care will be provided in the client's home;

(c) The cost of private duty nursing does not exceed the cost to the department for institutional care;

(d) An adult family member or guardian has been trained and is capable of providing the skilled nursing care;

(e) A registered or licensed practical nurse will provide the care under the direction of a physician; and

(f) Based on the referral submitted by the provider, the department determines:

(i) The services are medically necessary for the client because of a complex medical need that requires continuous skilled nursing care which can be provided safely in the client's home;

(ii) The client requires more nursing care than is available through the home health services program; and

(iii) The home care plan is safe for the client.

(6) Upon approval, the department will authorize private duty nursing services up to a maximum of sixteen hours per day except as provided in subsection (7) of this section, restricted to the least costly equally effective amount of care.

(7) The department may authorize additional hours:

(a) For a maximum of thirty days if any of the following apply:

(i) The family or guardian is being trained in care and procedures;

(ii) There is an acute episode that would otherwise require hospitalization, and the treating physician determines that noninstitutionalized care is still safe for the client;

(iii) The family or guardian caregiver is ill or temporarily unable to provide care;

(iv) There is a family emergency; or

(v) The department determines it is medically necessary.

(b) If the department determines it is medically necessary according to the process explained in WAC 388-501-0165, Determination process for coverage of medical equipment and medical or dental services.

(8) The department adjusts the number of authorized hours when the client's condition or situation changes.

(9) Any hours of nursing care in excess of those authorized by the department must be provided by a trained family member or guardian, or paid for by the client, family or guardian.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-86-071 Private duty nursing services.

**WSR 00-17-080**

**PROPOSED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed August 14, 2000, 3:36 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-07-087.

Title of Rule: Amending WAC 388-530-1000 The medical assistance administration (MAA) drug program, 388-530-1050 Definitions, 388-530-1100 Covered drugs and pharmaceutical supplies, 388-530-1150 Noncovered drugs and pharmaceutical supplies and reimbursement limitations, 388-530-1200 Drug formulary, 388-530-1250 Prior authorization, 388-530-1850 Drug utilization and education council, 388-530-1900 Drug utilization and claims review, 388-530-1950 Point-of-sale (POS) system/prospective drug utilization review (pro-DUR), and 388-530-2050 Reimbursement of out-of-state prescriptions.

Purpose: To clarify and update program requirements and to comply with the Governor's Executive Order 97-02, which mandates that all rules be reviewed for clarity, necessity, fairness, etc.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.

Statute Being Implemented: RCW 74.08.090 and 74.04.050.

Summary: The proposed rules update and clarify MAA's prescription drug program policy and furnishes providers with clear and concise policy that is consistent with federal regulations and agency goals.

Reasons Supporting Proposal: To ensure current policy and practice is reflected in rule and to comply with the Governor's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting: Kathy Sayre, DPS/RIP, P.O. Box 45533, Olympia, WA 98507-5533, (360) 725-1342; Implementation and Enforcement: Marilyn Mueller, DHSQS, P.O. Box 45506, Olympia, WA 98507-5510, (360) 725-1569.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules update and clarify department policy regarding the prescription drug program. The purpose is to comply with requirements to put pharmacy policy in rule. Its anticipated effect is to clearly reflect department policy so those to whom it applies understand it.

Proposal Changes the Following Existing Rules: The rules proposed above have been updated to reflect current department policy and processes for the MAA prescription drug program, as well as to establish consistency with federal regulations and the agency's goals.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule amendments and concludes that they will have a no more than minor impact on the businesses affected by them therefore, no small business economic impact statement is required.

RCW 34.05.328 does not apply to this rule adoption. The department has analyzed these rules and concluded that the proposed amendments do not make "significant amendments to a policy or regulatory program." Therefore, the department concludes that the proposed amendments do not meet the definition of "significant legislative rules."

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

Assistance for Persons with Disabilities: Contact Kelly Cooper by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: No sooner than October 11, 2000.

August 8, 2000

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 00-18 issue of the Register.

**WSR 00-17-081**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 14, 2000, 3:38 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-03-011.

Title of Rule: Repealing WAC 388-87-027 Services requiring prior approval.

Purpose: To repeal an obsolete rule.

Other Identifying Information: This rule lists services that require prior authorization by the department.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.520.

Statute Being Implemented: RCW 74.08.090 and 74.09.520.

Summary: WAC 388-87-027 will be repealed upon the adoption of several other proposed rules, including rules covering private duty nursing services, transportation and ambulance services, out-of-state medical care, and vision services.

Reasons Supporting Proposal: Some of the provisions in the rule are no longer accurate; others are duplicative.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Leslie Saeger, P.O. Box 45533, Olympia, WA 98504, (360) 725-1347.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The current rule lists services that require prior authorization by the department. The department proposes repealing the rule because certain provisions are inaccurate and the remainder are covered in other WAC chapters.

Proposal Changes the Following Existing Rules: Repeals WAC 388-87-027 Services requiring prior approval.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There are no new requirements in this rule that will financially impact businesses.

RCW 34.05.328 does not apply to this rule adoption. The proposed amendments do not "make significant amendments to a policy or regulatory program" (see RCW 34.05.328 (5)(c)(iii)).

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on September 26, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: No sooner than September 27, 2000.

August 8, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 388-87-027                      Services requiring prior approval.

**WSR 00-17-082**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 14, 2000, 3:40 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-05-108.

Title of Rule: New WAC 388-533-0350 Maternity case management, 388-539-0300 Case management for persons living with HIV/AIDS and 388-539-0350 Title XIX, HIV/AIDS case management reimbursement; and repealing WAC 388-86-017 Case management services.

Purpose: The department is establishing one new chapter to incorporate and consolidate rules regarding maternity related services and one new chapter to consolidate rules on HIV/AIDS services. The proposed rules reflect long-standing department policy, are more readable, and comply with the Governor's Executive Order 97-02 on regulatory reform. The proposed rules have been reviewed in consultation with the regulated parties. WAC 388-86-017 is being repealed in order to avoid duplication.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.09.755, 74.09.-800, 74.08.090, 42 U.S.C. Section 1915(g).

Summary: The proposed rules establish WAC 388-533-0350 Maternity case management to contain policy regarding the maternity case management program, including provider and client eligibility criteria, and covered services. WAC 388-539-0300 and 388-539-0350 case management for persons living with HIV/AIDS is being established to contain policy regarding the HIV/AIDS case management program, including provider and client eligibility criteria, program requirements, and provider reimbursement.

Reasons Supporting Proposal: To ensure that department rules reflect current and accurate department policy, to eliminate confusion by consolidating related rules and to comply with the Governor's Executive Order 97-02 on regulatory reform.

Name of Agency Personnel Responsible for Drafting: L. Mike Freeman, MAA/RIP, P.O. Box 45533, Olympia, WA 98504, (360) 725-1350; Implementation and Enforcement: Diane Tiffany, MAA/DPS, P.O. Box 45530, Olympia, WA 98504, (360) 725-1655.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules establish WAC 388-533-0350 Maternity case management to contain policy regarding the maternity case management program, including provider and client eligibility criteria and covered services. WAC 388-539-0300 and 388-539-0350, case management for persons living with HIV/AIDS is being established to contain policy regarding the HIV/AIDS case management program, including provider and client eligibility criteria, program requirements, and provider reimbursement.

The purpose of the rule is to codify department policy and comply with the Governor's Executive Order 97-02.

The anticipated effect of the rule is to promote better understanding of the programs.

Proposal Changes the Following Existing Rules: The rules proposed above repeal existing rules and establish two new sections in two new WAC chapters, one for maternity-related services and one for services for persons with HIV/AIDS. The proposed rules effect the program's operational policies and provide greater detail into long-standing policy.

No small business economic impact statement has been prepared under chapter 19.85 RCW. MAA reviewed the proposed rules and concluded that the impact of the proposed rules will not place "a more than minor impact on businesses." MAA program managers held discussions with service providers to discuss the impact of these clarifications, and they have agreed with MAA's assessment of the impacts. Therefore, no small business economic impact statement is required.

RCW 34.05.328 applies to this rule adoption. MAA has determined that the proposed rules qualify as "significant legislative rules." Therefore, MAA has analyzed the probable costs and the probable benefits of the proposed rules, taking

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into account both the qualitative and quantitative benefits and costs. MAA's analysis revealed that no new costs will be imposed, existing costs will not be increased, and benefits to businesses will not be decreased. The analysis may be obtained from Diane Tiffany, MAA/DPS, P.O. Box 45530, Olympia, WA 98504, (360) 725-1655.

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

Date of Intended Adoption: Not sooner than October 4, 2000.

August 10, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

#### NEW SECTION

**WAC 388-533-0350 Maternity case management.** (1) The medical assistance administration's (MAA) maternity case management (MCM) services are designed to assist pregnant or parenting client(s) obtain needed medical, social, educational, and other services.

(2) The client must be eligible for MAA's pregnancy coverage under WAC 388-462-015 and meet both of the following to be eligible for MCM services. The client:

- (a) Is pregnant; and
- (b) Is at high risk for a poor birth outcome as documented by a completed MCM intake (see MAA's MCM billing instructions).

(3) The MCM intake must be completed during the client's pregnancy. MCM services must begin prior to the child's birth and MCM intake is considered the beginning of MCM services.

(4) MAA considers a client to be at high risk for a poor birth outcome if the client meets any of the following conditions. The client:

- (a) Is age seventeen years or younger;
- (b) Uses alcohol or other drug(s);
- (c) Is in an environment where alcohol or drugs pose a risk; or
- (d) Demonstrates an inability to obtain needed resources or services and is experiencing any three of the following:
  - (i) Has an inadequate physical or emotional support system or has an uninvolved domestic partner;
  - (ii) Has two or more children at home, ages four and/or younger;
  - (iii) Has an eighth grade or less education;
  - (iv) Has a physical disability;
  - (v) Has medical factors that MAA recognizes as related to poor pregnancy or birth outcomes (e.g., diabetes; see MAA's specific program billing instructions);

- (vi) Has refugee status;
- (vii) Is mentally impaired (e.g., mental depression is interfering with daily functioning);
- (viii) Is homeless;
- (ix) Is in a household that has current or recent incidents of violence (i.e., physical or sexual abuse);
- (x) Is limited English proficient;
- (xi) Is eighteen or nineteen years of age; or
- (xii) Entered into prenatal care after twenty-eight weeks gestation.

(5) MAA covers MCM services provided to the eligible woman for up to sixty days postpartum, and provided to the eligible infant until age one.

(6) MAA covers MCM services provided to high-risk clients in addition to the services described in WAC 388-533-0300, Enhanced benefits for pregnant women. A client may receive services under WAC 388-533-0300 and services under this section at the same time or at different times.

(7) MAA reimburses only those providers who have been specifically approved by and contracted with MAA to furnish MCM services. For approval, providers must contact:

The Medical Assistance Administration  
Division of Program Support, Family Services Section  
POB 45530, Olympia, Washington 98504-5530.

(8) MCM providers must document the qualifying high-risk factors in the client's MCM case file. There must be an active MCM service plan demonstrating client need for MCM services, and the provider must periodically review and update the plan. MCM providers must not bill MAA for MCM services once the client is able to obtain needed services or systems without MCM assistance.

(9) MAA's reimbursement for MCM services may vary, depending on the client's specific risk factors and need(s).

(10) MAA publishes MCM program billing instructions that contain specific process requirements for the MCM program.

#### NEW SECTION

**WAC 388-539-0300 Case management for persons living with HIV/AIDS.** MAA provides HIV/AIDS case management to assist persons infected with HIV to: Live as independently as possible; maintain and improve health; reduce behaviors that put the client and others at risk; and gain access to needed medical, social, and educational services.

(1) To be eligible for MAA reimbursed HIV/AIDS case management services, the person must:

- (a) Have a current medical diagnosis of HIV or AIDS;
- (b) Be eligible for Title XIX (Medicaid) coverage under either the categorically needy program (CNP) or the medically needy program (MNP); and
- (c) Require:
  - (i) Assistance to obtain and effectively use necessary medical, social, and educational services; or
  - (ii) Ninety days of continued monitoring as provided in WAC 388-539-0350(2).

(2) MAA has an interagency agreement with the Washington state department of health (DOH) to administer the

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HIV/AIDS case management program for MAA's Title XIX (Medicaid) clients.

(3) HIV/AIDS case management agencies who serve MAA's clients must be approved to perform these services by HIV client services, DOH.

(4) HIV/AIDS case management providers must:

(a) Notify HIV positive persons of their statewide choice of available HIV/AIDS case management providers and document that notification in the client's record. This notification requirement does not obligate HIV/AIDS case management providers to accept all clients who request their services.

(b) Have a current client-signed authorization to release/obtain information form. The provider must have a valid authorization on file for the months that case management services are billed to MAA (see RCW 70.02.030). The fee referenced in RCW 70.02.030 is included in MAA's reimbursement to providers. MAA's clients may not be charged for services or documents related to covered services.

(c) Maintain sufficient contact to ensure the effectiveness of ongoing services per subsection (5) of this section. MAA requires a minimum of one contact per month between the HIV/AIDS case manager and the client. However, contact frequency must be sufficient to ensure implementation and ongoing maintenance of the individual service plan (ISP).

(5) HIV/AIDS case management providers must document services as follows:

(a) Providers must initiate a comprehensive assessment within two working days of the client's referral to HIV/AIDS case management services. Providers must complete the assessment before billing for ongoing case management services. If the assessment does not meet these requirements, the provider must document the reason(s) for failure to do so. The assessment must include the following elements as reported by the client:

(i) Demographic information (e.g., age, gender, education, family composition, housing.);

(ii) Physical status, the identity of the client's primary care provider, and current information on the client's medications/treatments;

(iii) HIV diagnosis (both the documented diagnosis at the time of assessment and historical diagnosis information);

(iv) Psychological/social/cognitive functioning and mental health history;

(v) Ability to perform daily activities;

(vi) Financial and employment status;

(vii) Medical benefits and insurance coverage;

(viii) Informal support systems (e.g., family, friends and spiritual support);

(ix) Legal status, durable power of attorney, and any self-reported criminal history; and

(x) Self-reported behaviors which could lead to HIV transmission or re-infection (e.g., drug/alcohol use).

(b) Providers must develop, monitor, and revise the client's individual service plan (ISP). The ISP identifies and documents the client's unmet needs and the resources needed to assist in meeting the client's needs. The case manager and the client must develop the ISP within two days of the com-

prehensive assessment or the provider must document the reason this is not possible. An ISP must be:

(i) Signed by the client, documenting that the client is voluntarily requesting and receiving MAA reimbursed HIV/AIDS case management services; and

(ii) Reviewed monthly by the case manager through in-person or telephone contact with the client. Both the review and any changes must be noted by the case manager:

(A) In the case record narrative; or

(B) By entering notations in, initialing and dating the ISP.

(c) Maintained ongoing narrative records - These records must document case management services provided in each month for which the provider bills MAA. Records must:

(i) Be entered in chronological order and signed by the case manager;

(ii) Document the reason for the case manager's interaction with the client; and

(iii) Describe the plans in place or to be developed to meet unmet client needs.

#### NEW SECTION

**WAC 388-539-0350 HIV/AIDS case management reimbursement information.** (1) MAA reimburses HIV/AIDS case management providers for the following three services:

(a) Comprehensive assessment - The assessment must cover the areas outlined in WAC 388-539-0300 (1) and (5).

(i) MAA reimburses only one comprehensive assessment unless the client's situation changes as follows:

(A) There is a fifty percent change in need from the initial assessment; or

(B) The client transfers to a new case management provider.

(ii) MAA reimburses for a comprehensive assessment in addition to a monthly charge for case management (either full-month or partial-month) if the assessment is completed during a month the client is Medicaid eligible and the ongoing case management has been provided.

(b) HIV/AIDS case management, full-month - Providers may request the full-month reimbursement for any month in which the criteria in WAC 388-539-0300 have been met and the case manager has an individual service plan (ISP) in place for twenty or more days in that month. MAA reimburses only one full-month case management fee per client in any one month.

(c) HIV/AIDS case management, partial-month - Providers may request the partial-month reimbursement for any month in which the criteria in WAC 388-539-0300 have been met and the case manager has an ISP in place for fewer than twenty days in that month. Using the partial-month reimbursement, MAA may reimburse two different case management providers for services to a client who changes from one provider to a new provider during that month.

(2) MAA limits reimbursement to HIV/AIDS case managers when a client becomes stabilized and no longer needs an ISP with active service elements. MAA limits reimbursement for monitoring to ninety days past the time the last active service element of the ISP is completed. Case Man-

agement providers who are monitoring a stabilized client must meet all of the following criteria in order to bill MAA for up to ninety days of monitoring:

- (a) Document the client's history of recurring need;
  - (b) Assess the client for possible future instability; and
  - (c) Provide monthly monitoring contacts.
- (3) MAA reinstates reimbursement for ongoing case management if a client shifts from monitoring status to active case management status due to documented need(s). Providers must meet the requirements in WAC 388-539-0300 when a client is reinstated to active case management.

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-017 Case management services.

**WSR 00-17-083**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 14, 2000, 3:42 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-12-079.

Title of Rule: WAC 388-511-1130 SSI-related income availability.

Purpose: To improve the clarity and readability of the rule as directed by Governor's Executive Order 97-02.

Statutory Authority for Adoption: RCW 74.04.050, 74.08.090.

Statute Being Implemented: RCW 74.04.050, 74.08.090.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Kevin Sullivan, 925 Plum Street, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1344; Implementation and Enforcement: Rochelle Salsman, 925 Plum Street, P.O. Box 45534, Olympia, WA 98504-5534, (360) 725-1329.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that apply to client medical or financial eligibility.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room

104-B, Lacey, WA 98503, on September 26, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: Not before September 27, 2000.

August 10, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 97-10-022, filed 4/28/97, effective 5/29/97)

**WAC 388-511-1130 SSI-related income availability.**  
The department (~~shall~~):

(1) Considers client checks received in advance of the month (~~the checks are normally received~~) of normal receipt as income in the month of normal receipt;

(2) Considers electronically transferred client funds available as income in the month of normal receipt, regardless of (~~whether~~) the date the banking institution posted the funds to the client's bank account (~~before or after the month the funds are payable~~);

(3) Includes as countable income to the client any earned or unearned income amounts withheld due to garnishment under a court, administrative or agency order. See WAC 388-513-1380(~~(4)~~)(7)(a) for garnishment (~~affecting~~) that affects an institutionalized client; and

(4) Requires a client, as a condition of eligibility, (~~require a client~~) to take all necessary steps to obtain any (~~annuities, pensions, retirement, and disability~~) of the following benefits to which the client is entitled(~~;~~) unless the client can show good cause for not doing so(~~Annunities, pensions, retirement, and disability benefits include, but are not limited to, veteran's compensation and pensions, OASDI benefits, railroad retirement benefits, and unemployment compensation~~);

(a) Annuity;

(b) Pension;

(c) Retirement;

(d) Disability; and

(e) Other benefits, including but not limited to:

(i) Unemployment compensation;

(ii) Veteran's compensation; or

(iii) Old age survivor's disability insurance (OASDI).

**WSR 00-17-084**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Medical Assistance Administration)  
 [Filed August 14, 2000, 3:44 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-01-155.

Title of Rule: Amending WAC 388-474-0001 General information—Supplemental security income; and repealing WAC 388-512-1210 Program description, 388-512-1215 General eligibility, 388-512-1220 Eligibility—Blindness, 388-512-1225 Permanently and totally disabled, 388-512-1230 Refusal to accept medical treatment, 388-512-1235 Review for disability or blindness, 388-512-1240 Computation of available income, 388-512-1245 Monthly maintenance standard—Own home, 388-512-1250 Monthly maintenance standard—Person in institution, 388-512-1255 Available income and nonexempt resources, 388-512-1260 Exempt resources, 388-512-1265 Nonexempt resources, and 388-512-1275 Continuing certification.

Purpose: To repeal unnecessary or duplicative rules.

Statutory Authority for Adoption: RCW 74.04.050, 74.08.090, and 74.09.055.

Statute Being Implemented: RCW 74.04.050, 74.08.090, and 74.09.055.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kevin Sullivan, 925 Plum Street, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1344.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: Most of the eligibility rules in chapter 388-512 WAC can be found in the rules for general SSI recipients. The rules unique to grandfathered SSI recipients have been moved into WAC 388-474-0001.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that apply to client medical or financial eligibility.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on September 26, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assis-

tance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: Not before September 27, 2000.

August 8, 2000

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 388-474-0001 General information—Supplemental Security Income.** (1) Persons with limited income and resources who are aged, blind, or disabled may qualify for federal cash benefits under the Supplemental Security Income program (SSI) administered by the Social Security Administration (SSA) under Title XVI of the Social Security Act.

(2) The SSI program replaced state programs for aged, blind and disabled persons beginning in January(;;) 1974. Persons who received state assistance in December(;;) 1973, as aged, blind or disabled or were needed in the home to care for an eligible person, automatically became eligible for SSI in January(;;) 1974. The blind or disabled grandfathered clients must continue to meet the definition of blind or disabled that was in effect under the state plan in December 1973. These definitions can be found in the SSA program operations manual system (POMS). A person designated in January 1974 as essential to the care of a grandfathered SSI client will continue to be included in the SSI payment as long as the essential person continuously resides with the SSI client.

(3) The spouse of an SSI recipient who does not qualify for SSI in their own right may be included in the state supplement payment but is not considered an SSI recipient for purposes of medical assistance eligibility.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-512-1210	Program description.
WAC 388-512-1215	General eligibility.
WAC 388-512-1220	Eligibility—Blindness.
WAC 388-512-1225	Permanently and totally disabled.
WAC 388-512-1230	Refusal to accept medical treatment.
WAC 388-512-1235	Review for disability or blindness.
WAC 388-512-1240	Computation of available income.
WAC 388-512-1245	Monthly maintenance standard—Own home.
WAC 388-512-1250	Monthly maintenance standard—Person in institution.

PROPOSED

- WAC 388-512-1255 Available income and nonexempt resources.
- WAC 388-512-1260 Exempt resources.
- WAC 388-512-1265 Nonexempt resources.
- WAC 388-512-1275 Continuing certification.

**WSR 00-17-088**  
**WITHDRAWAL OF PROPOSED RULES**  
**SECRETARY OF STATE**

[Filed August 15, 2000, 11:03 a.m.]

WAC 434-663-280 and 434-663-405, proposed by the Secretary of State in WSR 00-04-083, appearing in issue 00-04 of the State Register, which was distributed on February 16, 2000, 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

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

**Small Business Economic Impact Statement**

[See WSR 00-14-020.]

A copy of the statement may be obtained by writing to Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2942.

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

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA, on December 8-9, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson, by November 24, 2000, TDD (360) 902-2207, or (360) 902-2861.

Submit Written Comments to: Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501, fax (360) 902-2942, by December 7, 2000.

Date of Intended Adoption: December 8, 2000.

August 15, 2000

Evan Jacoby  
Rules Coordinator

**WSR 00-17-091**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed August 15, 2000, 2:57 p.m.]

Continuance of WSR 00-14-020.

Preproposal statement of inquiry was filed as WSR 00-02-085.

Title of Rule: Commercial fishing rules.

Purpose: Prohibit bottom trawl in coastal territorial waters and the west end of the Strait of Juan de Fuca.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: See WSR 00-14-020.

Reasons Supporting Proposal: See WSR 00-14-020.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, 902-2651; Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This is a partial continuation for adoption at a later date of WAC 220-44-030 and 220-48-015. The other proposed WACs in WSR 00-14-020 will be adopted as proposed.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See WSR 00-14-038.

Proposal Changes the Following Existing Rules: See WSR 00-14-038.

**WSR 00-17-093**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed August 15, 2000, 2:58 p.m.]

Continuance of WSR 00-14-038.

Preproposal statement of inquiry was filed as WSR 00-05-027.

Title of Rule: Commercial fishing rules.

Purpose: Coastal sardine fishery.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: See WSR 00-14-038.

Reasons Supporting Proposal: See WSR 00-14-038.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This is a continuation for adoption at a later date.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See WSR 00-14-038.

Proposal Changes the Following Existing Rules: See WSR 00-14-038.

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

PROPOSED

## Small Business Economic Impact Statement

[See WSR 00-14-038.]

A copy of the statement may be obtained by writing to Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2930, fax (360) 902-2942.

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

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA, on December 8-9, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson, by November 24, 2000, TDD (360) 902-2207, or (360) 902-2861.

Submit Written Comments to: Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501, fax (360) 902-2942, by December 7, 2000.

Date of Intended Adoption: December 8, 2000.

August 15, 2000

Evan Jacoby  
Rules Coordinator

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

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA, on December 8-9, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson, by November 24, 2000, TDD (360) 902-2207, or (360) 902-2861.

Submit Written Comments to: Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501, fax (360) 902-2942, by December 7, 2000.

Date of Intended Adoption: December 8, 2000.

August 15, 2000

Evan Jacoby  
Rules Coordinator

**WSR 00-17-095**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed August 15, 2000, 3:33 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-01-155.

Title of Rule: Repealing WAC 388-87-060 Payment—Extended care patient—Coinsurance; and new WAC 388-517-0400 Medicare coinsurance payment—Extended care patient.

Purpose: To meet the clear-writing standards required by Governor's Executive Order 97-02 and to move the rule out of chapter 86 [388-87] WAC, which is being phased out by MAA.

Statutory Authority for Adoption: RCW 74.04.050, 74.08.090, and 74.09.055.

Statute Being Implemented: RCW 74.04.050, 74.08.-090, and 74.09.055.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kevin Sullivan, 925 Plum Street, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1344.

Name of Proponent: Department of Social and Health Services, Medical Assistance Administration, 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: The proposal simplifies the rule and makes it easier to understand.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that apply to client medical or financial eligibility.

**WSR 00-17-094**

**PROPOSED RULES**

**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed August 15, 2000, 3:02 p.m.]

Continuance of WSR 00-14-036.

Preproposal statement of inquiry was filed as WSR 00-02-002.

Title of Rule: Commercial fishing rules.

Purpose: Columbia River commercial smelt season setting.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: See WSR 00-14-036.

Reasons Supporting Proposal: See WSR 00-14-036.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This is a continuation for adoption at a later date.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See WSR 00-14-036.

Proposal Changes the Following Existing Rules: See WSR 00-14-036.

No small business economic impact statement has been prepared under chapter 19.85 RCW. See WSR 00-14-036.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on September 26, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: Not before September 27, 2000.

August 8, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

NEW SECTION

**WAC 388-517-0400 Medicare coinsurance payment—Extended care patient.** The department will pay for a long-term care client's Medicare coinsurance if the:

- (1) Client is eligible for extended care Medicare benefits;
- (2) Client is eligible for Medicaid, qualified Medicare beneficiary (QMB) program, or the special low-income Medicare beneficiary (SLMB) program; and
- (3) Medicare coinsurance costs less than the Medicaid nursing facility rate.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-87-060                      Payment—Extended care patient—Coinsurance.

**WSR 00-17-096**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 15, 2000, 3:37 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-13-191 and 98-22-058.

Title of Rule: New WAC 388-546-5000, 388-546-5100, 388-546-5200, 388-546-5300, 388-546-5400 and 388-546-5500, transportation service (nonambulance transportation); repealing WAC 388-86-085 Transportation (other than ambulance) and 388-87-035 Payment—Transportation (other than ambulance); and amending WAC 388-86-100 Durable medical equipment.

Purpose: The department is establishing a new chapter to consolidate rules regarding transportation and transportation related equipment. The proposed rules reflect long-

standing department policy. They are more readable, and they comply with the Governor's Executive Order 97-02 on regulatory reform. The proposed rules have been reviewed in consultation with the regulated parties. WAC 388-86-085 and 388-87-035 are being repealed and WAC 388-86-100 is being amended in order to avoid duplication.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.04.050, [74.]04.055, and [74.]04.057.

Summary: The proposed rules define terms associated with transportation services, define the program scope of coverage, state provider and client requirements, and program limitations.

Reasons Supporting Proposal: To ensure that department rules reflect current and accurate department policy, to eliminate confusion by consolidating related rules, and to comply with the Governor's Executive Order 97-02 on regulatory reform.

Name of Agency Personnel Responsible for Drafting: L. Mike Freeman, MAA/RIP, P.O. Box 45533, Olympia, WA 98504, (360) 725-1350; Implementation: Diane Kessel, MAA/DCS, P.O. Box 45535, Olympia, WA 98504, (360) 725-1318.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules define terms associated with transportation services, define the program scope of coverage, state provider and client requirements, and program limitations.

The purpose of the rules is to consolidate all rules related to this program in one chapter of WAC and ensure that current department policy and practice is clearly reflected in rule.

The anticipated effect is to promote clarity and understanding of the program.

Proposal Changes the Following Existing Rules: The rules proposed above repeal existing rules and establish a new WAC chapter for transportation services. The proposed rules reflect the program's operational policies and provide greater detail into long-standing policy.

No small business economic impact statement has been prepared under chapter 19.85 RCW. MAA reviewed the proposed rules and concluded that the impact of the proposed rules will not place "a more than minor impact on businesses." MAA program managers held discussions with service providers to discuss the impact of these clarifications, who agreed with MAA's assessment of the impacts. Therefore, no small business economic impact statement is required.

RCW 34.05.328 applies to this rule adoption. MAA has determined that the proposed rules qualify as "significant legislative rules." Therefore, MAA has analyzed the probable costs and the probable benefits of the proposed rules, taking into account both the qualitative and quantitative benefits and costs. MAA's analysis revealed that no new costs will be imposed, existing costs will not be increased, and benefits to businesses will not be decreased. The analysis may be

PROPOSED

obtained from Diane Kessel, MAA/DCS, P.O. Box 45535, Olympia, WA 98504, (360) 725-1318.

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

Date of Intended Adoption: Not sooner than October 4, 2000.

August 11, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

## Chapter 388-546 WAC

### TRANSPORTATION SERVICES

#### NEW SECTION

**WAC 388-546-5000 Nonemergency transportation program definitions.** The following terms apply to WAC 388-546-5000, 388-546-5100, 388-546-5200, 388-546-5300, 388-546-5400, and 388-546-5500:

**"Broker"** means an organization or entity contracted with the department of social and health services (DSHS)/**medical assistance administration (MAA)** to arrange nonemergency transportation services for MAA's clients.

**"Drop-off point"** means the place authorized by the transportation broker for the client's trip to end.

**"Escort"** means a person authorized by the broker to be transported with a client to a medical service. An escort may be authorized depending on the client's age, mental state or capacity, safety requirements, mobility requirements, communication or translation requirements, or cultural issues.

**"Guardian"** means a person who is legally responsible for a client and who may be required to be present when a client is receiving medical services.

**"Local provider of type"** means the medical provider who is closest to the client's residence and who fulfills the requirements of the medical appointment. The provider may vary by medical specialty, the provider's acceptance of MAA's clients, and whether managed care, primary care case management or third party participation is involved.

**"Pick-up point"** means the place authorized by MAA's transportation broker for the client's trip to begin.

**"Service mode"** means the method of transportation the transportation broker selects to use for an MAA client.

**"Stretcher trip"** means a transportation service that requires a client to be transported in a prone or supine position. This may be by stretcher, board or gurney (reclined and with feet elevated). Medical or safety requirements must be

the basis for transporting a client in the prone or supine position.

**"Trip"** means transportation one-way from the **pick-up point** by an authorized transportation provider to the **drop-off point**.

#### NEW SECTION

**WAC 388-546-5100 Nonemergency transportation program scope of coverage.** (1) MAA covers transportation that is necessary for its clients to receive **medically necessary** MAA covered services. See WAC 388-546-0100 through 388-546-1000 for Ambulance transportation that covers emergency ambulance transportation and limited non-emergency ground ambulance transportation as medical services.

(2) Licensed ambulance companies, who contract with MAA's transportation brokers, may be reimbursed for non-emergency transportation services under WAC 388-546-5200 as administrative services.

(3) MAA covers nonemergency transportation under WAC 388-546-5000 through 388-546-5500 as an administrative service as provided by the Code of Federal Regulations (42 CFR 431.53 and 42 CFR 440.170 (a)(2)). As a result, clients may not select the transportation provider(s) or the mode of transportation (**service mode**).

(4) Prior authorization by MAA is required for all out-of-state nonemergency medical transportation. Border areas as defined by WAC 388-501-0175 are considered in-state under this section and subsequent sections.

(5) MAA requires all medical transportation to and from eligible medical services to meet the following:

(a) Be medically necessary as defined in WAC 388-500-0005;

(b) Be the lowest cost available alternative that is appropriate to the client's medical need; and

(c) Be limited to the **local provider of type** as follows:

(i) Clients who are served under MAA's fee-for-service program may be transported only to the local provider of type. MAA's transportation **broker** is responsible for considering and authorizing exceptions.

(ii) Clients under MAA's managed care (healthy options) program may be transported to a **provider** as determined necessary by the client's managed care plan.

(6) MAA does not cover any nonemergency transportation service that is not addressed in WAC 388-546-1000 or in 388-546-5000 through 388-546-5500. See WAC 388-501-0160 for information about obtaining approval for noncovered transportation services, known as exception to rule (ETR).

(7) If a medical service is approved by ETR, both the broker and MAA must separately prior approve transportation to that service.

(8) MAA may exempt members of federally recognized Indian tribes from the brokered transportation program. Where MAA approves the request of a tribe or a tribal agency to administer or provide transportation services under WAC 388-546-5000 through 388-546-5400, tribal members obtain



their transportation services as provided by the tribe or tribal agency.

(9) A client who is denied service under this chapter may request a fair hearing per chapter 388-02 WAC.

#### NEW SECTION

**WAC 388-546-5200 Nonemergency transportation program broker and provider requirements.** (1) MAA requires that all nonambulance transportation providers serving MAA clients be subcontracted with the department's primary transportation broker contractors. In addition, MAA's transportation brokers may choose to subcontract with willing ambulance providers in order to provide nonemergency trips in licensed ground ambulance vehicles as an administrative service rather than a medical service - see WAC 388-546-5100(2).

(2) MAA requires all contracted and subcontracted transportation providers under this chapter to be licensed, equipped, and operated in accordance with applicable federal, state, and local statutes, regulations, and ordinances.

(3) MAA's contracted brokers determine the level of transportation service needed by the client and the mode of transportation to be used for each authorized trip.

(4) MAA's contracted brokers must comply with the terms specified in their contracts.

(5) MAA's transportation brokers may require up to forty-eight hours advance notice of a requested trip (see WAC 388-546-5300(2)). MAA allows its transportation brokers to accommodate requests that provide less than forty-eight hours advance notice, within the limits of the resources available to a broker at the time of the request.

(6) If MAA's broker is not open for business and unavailable to give advance approval as described in subsection (5), the sub-contracted transportation provider must either:

(a) Provide the transportation in accordance with the broker's instructions and request an after-the-fact authorization from the transportation broker within seventy-two hours of the transport; or

(b) Deny the transportation, if the requirements of this section cannot be met.

(7) If the sub-contracted transportation provider provides transportation as described in subsection (6), the broker may agree to grant retroactive authorization as provided in WAC 388-546-5300(3). Such retroactive authorization must be:

(a) Documented as to the reasons retroactive authorization is needed; and

(b) Agreed to by the broker within seventy-two hours after the transportation to a medical appointment.

(8) MAA, through its contracted brokers, limits its payment for transportation according to the following conditions:

(a) Clients are not eligible for transportation services when medical services are within reasonable walking distance (normally three-quarters of a mile actual traveling distance), taking into account the client's documented medical condition;

(b) Clients must use personal or informal transportation alternatives if they are available and appropriate to the clients' needs;

(c) If a fixed-route public transportation service is available to the client within three-quarters of a mile walking distance, the broker may require the client to use the fixed route public transportation system unless a higher need is both present and documented (e.g., portable ventilator, use of a walker or quad cane);

(d) MAA or MAA's contracted broker may deny transportation services requested if the request is not necessary, suitable, or appropriate to the client's medical condition;

(e) The medical services requiring transportation must be services that are covered by the client's medical program; and

(f) The transportation selected by the broker for the client must be the lowest cost alternative, considering all cost factors (e.g., the impact on MAA of third party coverage, the costs of meals and lodging).

#### NEW SECTION

**WAC 388-546-5300 Nonemergency transportation program client requirements.** (1) Clients must cooperate with MAA's contracted brokers, the brokers' subcontracted transportation providers, and MAA's medical services providers. A client who refuses to cooperate may be suspended or terminated from access to nonemergency transportation services.

(2) Clients must request, arrange and obtain authorization for medical transportation forty-eight hours in advance of a medical appointment. Exceptions to the forty-eight-hour advance arrangements are described in subsection (3) of this section and in WAC 388-546-5200(6).

(3) If MAA's contracted broker is not open for business at the time nonemergency transportation is needed, the client must follow the transportation broker's instructions to obtain a medically necessary transportation service.

(4) Clients must use the closest available medical care provider that can meet the client's medical needs. Exceptions are:

(a) The client is enrolled in a healthy options managed health care plan and the client's primary care provider (PCP) or a PCP referred provider is not the closest available provider;

(b) The client's service is covered by a **third party** payer and the payer requires or refers the client to a specific provider;

(c) A charitable or other voluntary program (e.g., Shriners) is paying for the client's medical service;

(d) The medical service required by the client is not available within the local healthcare service area;

(e) The total cost to MAA is lower when the services are obtained outside of the local healthcare service area; or

(f) The out-of-area service is required to provide continuity of care for the client's ongoing care as:

(i) Documented by the client's primary care provider; and

PROPOSED

(ii) Agreed to by MAA's contracted transportation broker.

(5) MAA may require transportation brokers to refer any of the exception categories listed in subsection (4) to MAA's medical director or the medical director's designee for review and/or prior authorization of the medical service.

(6) If local medical services are not available to a client because of the client's behavior or the client's lack of cooperation, MAA does not cover nonemergency transportation to out-of-area medical services for the client. MAA's contracted broker must notify a client, in writing, if the broker determines that the client's documented behavior results in a denial to out-of-area transportation services.

#### NEW SECTION

**WAC 388-546-5400 Nonemergency transportation program general reimbursement limitations.** (1) To be reimbursed, MAA requires that a trip be a minimum of three-quarters of a mile from pick-up point to drop off point. MAA's transportation broker may grant exceptions to the minimum distance requirement for any of the following conditions:

- (a) When there is medical justification for a shorter trip;
- (b) When the trip involves an area that MAA's contracted broker considers to be unsafe for the client, other riders, or the driver; or
- (c) When the trip involves an area that the broker determines is not physically accessible to the client.

(2) MAA reimburses for return trips from eligible medical services if the return trips are directly related to the original trips. MAA may deny coverage of a return trip if any delays in the return trip are for reasons not directly related to the original trip.

(3) MAA does not reimburse any costs related to intermediate stops that are not directly related to the original approved trip.

(4) The broker may authorize intermediate stops that are directly related to the original approved trip if the broker determines that the intermediate stop is likely to limit or eliminate the need for supplemental covered trips. MAA considers the following reasons to be related to the original trip:

- (a) Transportation to and from an immediate subsequent medical referral; and
- (b) Transportation to a pharmacy to obtain one or more prescriptions when the pharmacy is within a reasonable distance of the original medical appointment route.

(5) MAA may pay the costs of meals and lodging for clients who must be transported to out-of-area medical services. MAA's contracted brokers make the determination that meals and lodging are necessary based on client need and the reasonableness of costs (as measured against state per diem rates).

(6) MAA may pay transportation costs, including meals and lodging, for authorized escorts. MAA's contracted brokers make the determination that the costs of escorts are necessary based on client need and reasonableness of costs (as measured against state per diem rates).

(7) MAA does not provide escorts or pay the wages of escorts. MAA does not pay for the transportation of an escort when the client is not present unless the broker documents exceptional circumstances causing the broker to determine that the service is necessary to ensure that the client has access to medically necessary care.

(8) MAA may reimburse for the transportation of a guardian with or without the presence of the client if the broker documents its determination that such a service is necessary to ensure that the client has access to medically necessary care.

#### NEW SECTION

**WAC 388-546-5500 Modifications of privately owned vehicles.** (1) MAA may cover and reimburse the purchase of vehicle driving controls, a vehicle wheelchair lift conversion, or the purchase or repair of a vehicle wheelchair lift, when:

(a) The requested item is medically necessary as defined under WAC 388-500-0005; and

(b) The client owns a vehicle that MAA determines is suitable for modification; and

(c) Medical transportation provided under WAC 388-546-5000 through 388-546-5400 cannot meet the client's need for transportation to and from medically necessary covered services at a lower total cost to the department (including anticipated costs); and

(d) Prior approval from MAA is obtained.

(2) Any vehicle driving controls, vehicle wheelchair lift conversion or vehicle wheelchair lift purchased by MAA under this section becomes the property of the client on whose behalf the purchase is made. MAA assumes no continuing liability associated with the ownership or use of the device.

(3) MAA limits the purchase of vehicle driving control(s), vehicle wheelchair lift conversion or vehicle wheelchair lift to one purchase per client. If a device purchased under this section becomes inoperable due to wear or breakage and the cost of repair is more than the cost of replacement, MAA will consider an additional purchase under this section as long as the criteria in subsection (1) of this section are met.

(4) MAA must remain the payer of last resort under this section.

(5) MAA does not cover the purchase of any new or used vehicle under this section or under this chapter.

#### AMENDATORY SECTION (Amending Order 2783, filed 3/31/89)

**WAC 388-86-100 Durable medical equipment, prosthetic devices, and disposable/nonreusable medical supplies.** (1) The division of medical assistance shall purchase and/or rent medically necessary medical equipment, prosthetic devices, and other disposable/nonreusable medical supplies when:

- (a) The division is the payor of last resort; and

(b) The item requested is not included with other reimbursement methodologies, such as, but not limited to, diagnosis related group (DRG) for hospital inpatients, or a nursing home's per diem reimbursement.

(2) The division of medical assistance shall authorize payment for a requested item only when the item is medically necessary as defined under WAC ((388-80-005(45))) 388-500-0005 and is covered by the medical assistance program.

(3) The division of medical assistance shall purchase and/or rent a wheelchair for a permanently disabled nursing home recipient when the chair is for the exclusive full-time use of the recipient and is not included in the nursing home's per diem reimbursement.

(4) Medical equipment and supplies purchased or reissued by the division of medical assistance become the property of the recipient for whom they are purchased/reissued.

(5) The division of medical assistance shall normally authorize the purchase and/or repair of only one wheelchair, manual or power-drive, per recipient. However, another wheelchair shall be provided and/or repaired when medically necessary.

(6) Durable medical equipment, prosthetic devices, and disposable/nonreusable supplies that require approval by the division of medical assistance prior to delivery of service include:

- (a) Prosthetic limbs;
- (b) Orthopedic shoes;
- (c) Osteogenic stimulator, noninvasive;
- (d) Communication devices;
- (e) Transcutaneous nerve stimulators;
- (f) Wheeled shower chairs;
- (g) Blood pressure kits;
- (h) Blood glucose monitors;
- (i) Air and gel cushions;
- (j) Fluidized air flotation system;
- (k) Decubitus care mattress, including flotation or gel mattress;
- (l) Complete patient lift, except for sling or wall mount;
- (m) Wheelchairs;
- (i) Accessories;
- (ii) Fitting fees; and
- (iii) Freight charges.
- (n) Hospital bed and replacement mattress;
- (o) Replacement parts, repairs, and labor charges;
- (p) Bath accessories, decubitus care products (nonformulary), and patient equipment not listed in the division of medical assistance "durable medical equipment and supplies" billing instructions; and
- (q) All rentals.

~~((7) The division of medical assistance shall not authorize the purchase of vehicle driving controls, a vehicle wheelchair lift conversion, or purchase or repair of a vehicle wheelchair lift, unless:~~

- ~~(a) Medical transportation provided under WAC 388-86-085 cannot meet the recipient's need for transportation to and from medically necessary covered services at a lower cost to the department; and~~
- ~~(b) Prior approval is obtained.))~~

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.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 388-86-085                      Transportation (other than ambulance).
- WAC 388-87-035                      Payment—Transportation (other than ambulance).

**WSR 00-17-097**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 15, 2000, 3:41 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-01-167.

Title of Rule: New chapter 388-544 WAC, Vision care; and repealing WAC 388-86-030 Vision care and 388-87-062 Payments—Eyeglasses and examinations.

Purpose: The department is establishing a new chapter to incorporate and consolidate rules regarding vision care services. The proposed rules reflect long-standing department policy. They are more readable, and they comply with the Governor's Executive Order 97-02 on regulatory reform. The proposed rules have been reviewed in consultation with the regulated parties. WAC 388-86-030 and 388-87-062 are being repealed in order to avoid duplication.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.09.510, 74.09.-520, and 74.08.090.

Summary: The department is rewriting these rules in order to consolidate all rules on vision care services into a single chapter and ensure that department policy is reflected in rule. The proposed rules clarify vision care-related terms, client eligibility for services, provider requirements, covered and noncovered services, specific coverage limitations, and reimbursement policy.

Reasons Supporting Proposal: To ensure that department rules reflect current and accurate department policy, to eliminate confusion by consolidating related rules and to comply with the Governor's Executive Order 97-02 on regulatory reform.

Name of Agency Personnel Responsible for Drafting: L. Mike Freeman, MAA/RIP, P.O. Box 45533, Olympia, WA 98504, (360) 725-1350; and Implementation: Joan Baumgartner, MD, MAA, P.O. Box 45500, Olympia, WA 98504, (360) 725-1585.

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

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

**PROPOSED**

Explanation of Rule, its Purpose, and Anticipated Effects: The rule defines terms associated with vision care services, clarifies who is eligible for MAA-reimbursed vision care services, states MAA requirements for vision care providers, what vision care services MAA covers and does not cover, specific coverage limitations, and reimbursement policy.

The purpose is to make MAA policy clear.

The anticipated effect is to promote a clearer understanding of MAA policy and practice.

Proposal Changes the Following Existing Rules: The rules proposed above repeal existing rules and establish a new WAC chapter for vision care services. The proposed rules reflect the program's operational policies and provide greater detail into long-standing policy and practice.

No small business economic impact statement has been prepared under chapter 19.85 RCW. MAA reviewed the proposed rules and concluded that the impact of the proposed rules will not place "a more than minor impact on businesses." MAA program managers held discussions with service providers to discuss the impact of these clarifications. They have agreed with MAA's assessment of the impacts.

RCW 34.05.328 applies to this rule adoption. MAA has determined that the proposed rules qualify as "significant legislative rules." Therefore, MAA has analyzed the probable costs and the probable benefits of the proposed rules, taking into account both the qualitative and quantitative benefits and costs. MAA's analysis revealed that no new costs will be imposed, existing costs will not be increased, and benefits to businesses will not be decreased. The analysis may be obtained from Joan Baumgartner, MD, MAA, P.O. Box 45500, Olympia, WA 98504, (360) 725-1585.

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

Date of Intended Adoption: Not sooner than October 4, 2000.

August 8, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

## Chapter 388-544 WAC

### VISION AND HEARING AID SERVICES

#### VISION CARE

#### NEW SECTION

**WAC 388-544-0050 Definitions for vision care services.** The following definitions and abbreviations and those

found in WAC 388-500-0005 apply to this chapter. Defined words and phrases are bolded the first time they are used in the text. Unless otherwise defined in this chapter, medical terms are used as commonly defined within the scope of professional medical practice in the state of Washington.

**"Stable visual condition"** means that a client's eye condition has no acute disease or injury; or the client has reached a point after any acute disease or injury where the variation in need for refractive correction has diminished or steadied. The client's vision condition has stabilized to the extent that eyeglasses or contact lenses are appropriate and that any prescription for refractive correction is likely to be sufficient for one year or more.

**"Visual field exams or testing"** means a process to determine defects in the field of vision and tests the function of the retina, optic nerve and optic pathways. The process may include simple confrontation to increasingly complex studies with sophisticated equipment.

#### NEW SECTION

**WAC 388-544-0100 Client eligibility for vision care services.** (1) The **medical assistance administration (MAA)** covers vision care services for clients eligible for the following "scope-of-care" designations (see WAC 388-529-0200):

- (a) **Categorically needy (CNP);**
- (b) **Medically needy (MNP);** and
- (c) Medical care services (MCS or GAU/ADATSA).

(2) MAA does not cover vision care services for clients with the following program designations:

- (a) **Medically indigent (MIP);**
- (b) Family planning only;
- (c) Any program designated "emergency medical only";

or

(d) Any other program that does not meet the conditions of subsection (1) of this section.

#### NEW SECTION

**WAC 388-544-0150 Requirements for vision care providers.** (1) The following providers are eligible to enroll/contract with MAA to provide and bill for vision care services furnished to eligible clients:

- (a) Ophthalmologists/MD or DO.
- (b) Optometrists; and
- (c) Opticians;

(2) Enrolled/contracted eye care providers must:

- (a) Meet the requirements in chapter 388-502 WAC;
- (b) Provide only those services that are within the scope of the provider's license; and

(c) Obtain all hardware and contact lenses from MAA's contract suppliers.

#### NEW SECTION

**WAC 388-544-0200 Vision care services MAA covers.** (1) MAA covers **medically necessary** eye examinations,

refractions, eyeglasses (frames and/or lenses), and fitting fees as follows:

- (a) For clients who are asymptomatic and are twenty-one years of age or older, once every twenty-four months;
- (b) For clients who are asymptomatic and are twenty years of age or younger, once every twelve months;
- (c) For adults or children who are identified on the medical assistance identification card (MAID) as being developmentally disabled, once every twelve months;
- (d) For clients on medication that affects vision, as often as is medically necessary as documented by the provider;
- (e) For clients for whom the provider is diagnosing or treating a medical condition that has symptoms of vision problems or disease, as often as medically necessary. The provider must document the diagnosis and/or treatment in the client's record to justify the frequency of examinations and other services.

(2) MAA covers medically necessary **visual field exams** for the diagnosis and treatment of abnormal signs, symptoms or injuries. MAA does not reimburse visual field exams that are done by simple confrontation. Documentation in the record must show all of the following:

- (a) The extent of the testing;
- (b) Why the testing was reasonable and necessary for the client; and

(c) The medical basis for the frequency of testing.

(3) MAA covers eyeglasses (frames and/or lenses as needed) according to the following:

(a) When the client's condition in both eyes is **stable**, and when the minimum correction need is documented and meets one of the following:

- (i) Sphere power equal to or greater than plus or minus 0.50 diopters;
- (ii) Astigmatism power equal to or greater than plus or minus 0.50 diopters; or
- (iii) A combination of spherical power and astigmatic power that is equal to or greater than a spherical equivalent of plus or minus 0.75 diopters (the spherical equivalent means one half cylinder added algebraically to the sphere correction).

(b) MAA covers one pair of back-up eyeglasses when contact lenses are the client's primary visual correction aid as described in WAC 388-544-0400. MAA limits back-up eye glasses as follows (also see WAC 388-544-0250 (1)(e)):

- (i) For clients twenty years of age or younger, once every two years;
- (ii) For clients twenty-one years of age and older, once every six years; or
- (iii) When MAA agrees in advance to the medical necessity and the service is provided consistent with the limitations included in MAA's authorization.

(4) MAA covers gas permeable or daily-wear-soft contact lenses per WAC 388-544-0400.

(5) MAA covers therapeutic contact bandage lenses per WAC 388-544-0450.

(6) MAA covers all hyperopic prescriptions for clients who are twenty years of age or younger and who have a diagnosis of "accommodative esotropia" or any strabismus correction. These clients are not subject to the requirements in

subsection (3)(a) of this section (stable eye condition and minimum correction need).

(7) MAA covers ocular orthotics/prosthetics per WAC 388-544-0500.

(8) MAA covers the following surgeries:

(a) Strabismus surgery for clients eighteen years of age and younger; and

(b) Cataract surgery per WAC 388-544-0550.

(9) MAA considers all requests for vision care services under WAC 388-501-0165.

#### NEW SECTION

**WAC 388-544-0250 Vision care services MAA does not cover.** (1) The vision care services that MAA does not cover include, but are not limited to:

(a) Any of the following types of contact lenses:

- (i) Disposable lenses;
- (ii) Extended wear soft lenses; or
- (iii) Extended wear soft toric lenses.

(b) Any eye service or hardware that MAA considers not to be medically necessary;

(c) Any eyeglasses (frames and/or lenses) or contact lenses upgraded at private expense to avoid MAA's contract limitations (e.g., frames that are not available through MAA's contract or noncontract frames or lenses for which the client or other person pays the difference between MAA's payment and the total cost) (see WAC 388-544-0300(7) and 388-544-0350(3));

(d) Bifocal additions to eyeglasses with bifocal correction of less than 1.0 diopter;

(e) Both eyeglasses and contact lenses in a two-year period for any client (see WAC 388-544-0200 (3)(b) for backup eyeglass exceptions);

(f) Eyeglasses or contact lenses when the prescribed need does not meet the minimum corrections described in this chapter;

(g) Eyeglasses or contact lenses when the prescription is over two years old;

(h) Group vision screening for eyeglasses;

(i) Lens replacements for a refractive change which is unstable (see WAC 388-544-0350(1));

(j) Other vision services or hardware for persons enrolled in MAA's managed care program (Healthy Options) when the requirements of that program have not been met;

(k) Orthoptics and visual training therapy;

(l) Plano lenses (no refractive correction) for both eyes, except as provided in WAC 388-544-0350 (12)(a));

(m) Progressive additions lenses, including blended bifocals;

(n) Refractive surgery of any type (e.g., Radial Keratotomy or laser resurfacing);

(o) Separate charges for eye exams conducted in combination with emergency or operating room procedures;

(p) Strabismus surgery for a client nineteen years of age or older;

(q) Sunglasses or colored/tinted lenses requested for cosmetic or other nonmedical reasons;

(r) Two pairs of eyeglasses (e.g., instead of one pair of multifocals); and

PROPOSED

(s) Other services or hardware that do not meet the requirements in this chapter.

(2) MAA considers all requests for vision care service under WAC 388-501-0165.

#### NEW SECTION

##### **WAC 388-544-0300 Eyeglass frames and service.** (1)

The medical assistance administration (MAA) covers pre-approved eyeglass frames through MAA's contracted supplier.

(2) MAA covers eyeglass frames, with specific time limits, for eligible clients who:

(a) Are twenty-one years of age and older, once every twenty-four months;

(b) Are twenty years of age and younger, once every twelve months;

(c) Are identified on the MAID card as being developmentally disabled (adults or children), once every twelve months;

(d) Have been unable to adjust to contact lenses after thirty days. The provider must document the client's inability to adjust and the client must return the contact lenses to the provider.

(3) MAA covers preapproved special frames called "durable and flexible frames" through MAA's contracted supplier when a client:

(a) Is diagnosed with a seizure disorder that results in frequent falls; or

(b) Has a medical condition that has resulted in two or more broken eyeglass frames in a twelve-month period (e.g., Tourette's syndrome).

(4) MAA covers replacement eyeglass frames that have been lost, broken, or stolen:

(a) For adults, only with MAA's prior authorization (see WAC 388-501-0165); and

(b) Without MAA's prior authorization for clients who are either:

(i) Twenty years of age or younger; or

(ii) Identified on the MAID care as being developmentally disabled, regardless of the client's age.

(5) MAA covers incidental repairs to a client's eyeglass frames when both of the following apply:

(a) The repair or adjustment is not typically provided to the public at no cost; and

(b) The cost of the repair does not exceed MAA's cost for replacement frames. MAA's reimbursement for repairs does not exceed its payment level for replacement frames.

(6) If the client has a medically diagnosed allergy to plastic, MAA covers the coating of contact eyeglass frames to make them nonallergenic.

(7) MAA does not allow clients to upgrade eyeglass frames and pay only the upgrade costs in order to avoid MAA's contract limitations (see WAC 388-544-0250 (1)(c) and 388-544-0350(3)).

#### NEW SECTION

##### **WAC 388-544-0350 Eyeglass lenses and service.** (1)

The medical assistance administration (MAA) covers eye-

glass lenses to correct a client's vision if both of the following apply:

(a) The condition requiring correction is stable; and

(b) The prescription is less than two years old.

(2) MAA covers the following types of eyeglass lenses:

(a) Single vision lenses;

(b) Round or flat top D-style bifocals;

(c) Trifocals that are twenty-five or twenty-eight millimeters;

(d) Slab-off and prism lenses (including Fresnel lenses); and

(e) Glass lenses fifty-four millimeters and smaller.

(3) For clients who own their own serviceable eyeglass frames and request lenses only, MAA covers these requests if the size and style of the required lens(es) meet MAA's contract requirements.

(4) MAA covers lens replacements without regard to time limits when (a), (b), and (c) of this subsection apply:

(a) One of the following caused the vision change:

(i) Eye surgery;

(ii) The effect(s) of prescribed medication; or

(iii) One or more diseases;

(b) Both the eye condition and the treatment have stabilized; and

(c) The lens correction has at least one diopter difference between the old and new prescriptions.

(5) MAA covers lens replacement for lost or broken lenses according to the same standards as frames in WAC 388-544-0300 (2) and (4).

(6) MAA allows bifocal lenses to be replaced with single vision lenses or trifocal lenses to be replaced with bifocals or single vision lenses when all of the following apply:

(a) A client has attempted to adjust to the bifocals or trifocals for at least sixty days;

(b) The client is unable to make the adjustment; and

(c) The bifocal or trifocal lenses being replaced are returned to the provider.

(7) MAA covers plastic executive bifocals or trifocals only for clients who are diagnosed with:

(a) Accommodative esotropia; or

(b) Strabismus.

(8) MAA covers high index lenses when the client requires a refractive correction of plus or minus eight diopters or greater.

(9) MAA covers the tinting of plastic lenses when:

(a) The client's medical need is diagnosed and documented as a chronic eye condition causing photophobia; and

(b) The tinting is done by MAA's contracted lens supplier.

(10) MAA covers glass photochromatic lenses when the client's medical need is diagnosed and documented as related to either (a) or (b) of this subsection :

(a) Ocular albinism; or

(b) Blindness, defined as:

(i) Visual acuity for distance vision of twenty/two hundred or worse in the better eye with best correction; or

(ii) A limitation of the client's visual field (widest diameter) subtending an angle of less than twenty degrees from central.

(11) MAA covers treating plastic lenses for scratch resistance only when the client is either:

- (a) Twenty years or age or younger; or
- (b) Identified on the MAID card as being developmentally disabled.

(12) MAA covers polycarbonate lenses when a client is any of the following:

- (a) Blind in one eye as defined in subsection (10) of this section and the client needs protection for the other eye, regardless of whether a vision correction is required;
- (b) Twenty years of age or younger and diagnosed with strabismus or amblyopia; or
- (c) Identified on the MAID card as being developmentally disabled.

#### NEW SECTION

**WAC 388-544-0400 Contact lenses and services.** (1) The medical assistance administration (MAA) covers gas permeable or daily wear soft contact lenses as the client's primary refractive correction method if a client has a vision correction of plus or minus 6.0 diopters or greater.

(2) MAA does not cover contact lenses if the client's ocular condition makes it medically inadvisable (contraindicated) for the client to use contact lenses.

(3) MAA covers contact lens replacements:

- (a) Once every twelve months for normal replacement; or
- (b) When the contact lenses are lost or damaged, with the following limitations:

(i) The prescription must not be over seventeen months old; and

(ii) The date of dispensing for the lost or damaged lenses must not be within the past eleven months.

(4) MAA does not cover contact lenses for a patient who has received MAA-covered eyeglasses within the past two years unless the provider:

(a) Documents the medical necessity to MAA's satisfaction; and

(b) Receives prior authorization from MAA.

(5) MAA covers soft toric contact lenses (daily wear) for clients with astigmatism requiring a correction equal to or greater than one diopter (plus or minus).

(6) MAA covers lenticular, aspheric and myodisc contact lenses when the client has one or more of the following:

- (a) Multiple cataract surgeries on the same eye;
- (b) Aphakia;
- (c) Keratoconus with refractive error of plus or minus ten diopters; or
- (d) Corneal softening (e.g., bullous keratopathy).

#### NEW SECTION

**WAC 388-544-0450 Therapeutic contact bandage lenses.** The medical assistance administration (MAA) covers therapeutic contact bandage lenses only when needed immediately after:

- (1) Eye injury; or
- (2) Eye surgery.

#### NEW SECTION

**WAC 388-544-0500 Ocular prosthetics.** The medical assistance administration (MAA) covers ocular prosthetics which are medically necessary and provided by any of the following:

- (1) An ophthalmologist;
- (2) An ocularist; or
- (3) An optometrist who specializes in orthotics.

#### NEW SECTION

**WAC 388-544-0550 Cataract surgery.** MAA covers cataract surgery when it is medically necessary and the provider clearly documents the need in the client's record. MAA considers the surgery medically necessary when the client has:

- (1) Correctable visual acuity in the affected eye at 20/50 or worse, as measured on the Snellen test chart; or
- (2) One or more of the following conditions:
  - (a) Dislocated or subluxated lens;
  - (b) Intraocular foreign body;
  - (c) Ocular trauma;
  - (d) Phacogenic glaucoma;
  - (e) Phacogenic uveitis; or
  - (f) Phacoanaphylactic endophthalmitis.

#### NEW SECTION

**WAC 388-544-0600 Payment methodology.** (1) The medical assistance administration (MAA) covers one hundred percent of the MAA contract price for eyeglass frames, lenses, and contact lenses when these items are obtained through MAA's approved contract(s).

(2) See WAC 388-531-1850 for professional fee payment methodology.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-030 Vision care.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-87-062 Payment—Eyeglasses and examinations.

**WSR 00-17-102**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)

[Filed August 16, 2000, 3:16 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-21-073.

Title of Rule: WAC 388-444-0020 When must clients register for work but are not required to participate in the food stamp employment and training program (FS E&T)?

Purpose: WAC 388-444-0020 was rewritten to simplify the language.

Statutory Authority for Adoption: RCW 74.04.050 and 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: There is no policy change with WAC 388-444-0020. The WAC informs clients as to who must register for work but are not required to participate in the food stamp employment and training program. The WAC title was changed to a question, and the response speaks to the client.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mary Monahan, P.O. Box 45480, Olympia, 98504-5480, (360) 413-3250.

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: WAC 388-444-0020 When must clients register for work but are not required to participate in the food stamp employment and training program (FS E&T)? The change with the WAC is not in policy but in language. The language has been changed to reflect a question and answer addressed to clients.

Proposal Changes the Following Existing Rules: The rule is amended using clear-writing techniques.

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

RCW 34.05.328 does not apply to this rule adoption. These rules do not fit the definition of a significant legislative rule.

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 902-8292, by October 3, 2000.

Date of Intended Adoption: No sooner than October 4, 2000.

August 14, 2000

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 388-444-0020** When must clients ((who must)) register for work but are not required to participate in the food stamp employment and training program (FS

E&T((?)))? ((The following clients)) You, as a client must register for work ((but)), as provided in WAC 388-444-0005, even though you are exempt from participation in the FS E&T program if you are:

(1) ~~((Participants))~~ Participating in a refugee assistance program;

(2) ~~((Clients))~~ Living in an area where the FS E&T program is not provided (exempt area), see Food Stamp E&T Appendix 1 for exempt areas;

(3) ~~((Clients who live))~~ Living one hour or more travel distance from available FS E&T services;

(4) ~~((Clients who do not have))~~ Without a mailing address or message telephone;

(5) ~~((Clients who have a temporary incapacity))~~ Temporarily unable to work and it is expected to last longer than sixty days ((or more)); or

(6) ~~((Clients))~~ A client who ~~((have))~~ has dependent care needs that exceed the maximum amount payable by the department. The exemption continues until:

(a) A different work activity is available; or

(b) Circumstances change and monthly dependent care costs no longer exceed the reimbursement limit set by the department.

#### WSR 00-17-113

#### WITHDRAWAL OF PROPOSED RULES

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed August 17, 2000, 10:42 a.m.]

The Department of Social and Health Services' Medical Assistance Administration is withdrawing WAC 388-545-500(3), proposed as WSR 00-12-039, filed May 31, 2000.

The proposal to amend is being withdrawn in order to continue assessing the economic impact of implementation on those providers who furnish these services under the federal Individual with Disabilities Education Act (IDEA).

Ann Myers, Rules Coordinator  
Medical Assistance Administration

#### WSR 00-17-114

#### PROPOSED RULES

#### UTILITIES AND

#### TRANSPORTATION COMMISSION

[Docket No. UT-990582—Filed August 17, 2000, 12:03 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-11-069.

Title of Rule: WAC 480-120-560 Collocation.

Purpose: The purpose of the proposed rule is to promote competition in the telecommunications industry by providing collocation rules that are fair, just and reasonable to all telecommunications carriers. The proposed rule is neutral in terms of what type of technology can be collocated, it is neu-

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tral in terms of where the collocation space is to be located, and it is neutral in terms of what type of collocation is being used. Collocation is a critical aspect of a competitive telecommunications service environment.

Statutory Authority for Adoption: RCW 80.01.040 General, RCW 80.04.160 Utility, also 47 U.S.C. 251 (c)(6).

Summary: This proposed rule establishes standard intervals for incumbent local exchange carriers to make collocation space in the incumbents' offices available to competitive local exchange carriers. Intervals are specified for incumbent local exchange carriers to respond to competitive carriers' requests for space availability, to provide price quotes, and to deliver the space requested. In cases where space for collocation is not available the incumbent carrier is required to permit the competitive carrier to tour its premises. If the competitive carrier contests the incumbent carrier's denial of collocation space, the incumbent must file a petition with the commission for final determination of space availability. The incumbent carrier must also file with the commission detailed documentation on the usage of space in the office in question. The commission will decide any petition through an expedited proceeding under WAC 480-09-530. The proposed rule also provides remedies for situations where collocation is difficult to provide, or when schedules are not met.

Reasons Supporting Proposal: State commissions have jurisdiction over transactions that establish collocation and disputes arising out of collocation transactions. Disputes have arisen among parties to interconnection agreements in Washington state on the subject of collocation. The commission does not now have rules specifically addressing collocation arrangements. This proposal implements collocation decisions from orders in interconnection agreements in Washington and from FCC orders.

Name of Agency Personnel Responsible for Drafting: David Griffith, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1284; Implementation and Enforcement: Carole J. Washburn, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1174.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of the rule is to provide uniform collocation standards that promote competition in the telecommunications industry and implement policies established by congress. The proposed rule will establish installation intervals that will be available to all competitive local exchange carriers who wish to collocate in incumbent local exchange carrier central office premises. The proposed rule establishes procedures to be followed when the incumbent local exchange carrier indicates that no space is available for collocation in a specific office.

The anticipated effects are a simple standard of intervals which all incumbent carriers can meet. All competitive carriers will have a reasonable expectation that space will be available within a specified time frame. Competitive carriers will also have a formal process to resolve problems which arise when the incumbent carrier denies orders for collocation

space for technical reasons or because of space limitations.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The impact of this proposed rule will be primarily on large incumbent local exchange carriers. Section 251 (f)(2) of the Telecommunications Act of 1996 allows small carriers (less than 2% of access lines nationwide) to suspend or modify collocation requirements.

RCW 34.05.328 does not apply to this rule adoption. This commission is not an agency to which RCW 34.05.328 applies.

Hearing Location: Washington Utilities and Transportation Commission, Hearing Room, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, on October 25, 2000, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Pat Valentine by Monday, October 23, 2000, TDD (360) 586-8203.

Submit Written Comments to: Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, fax (360) 586-1150, by September 15, 2000.

Date of Intended Adoption: October 25, 2000.

August 16, 2000

Paul Curl

for Carole J. Washburn

Secretary

## NEW SECTION

### **WAC 480-120-560 Collocation (1) Definitions.**

"CLEC" means a competing local exchange carrier that orders collocation from an ILEC.

"Collocation" means the ability of a CLEC to place equipment within, upon, or nearby an ILEC's premises.

"Deliver" or "delivery date" means the point when the ILEC turns the collocation space and related facilities over to the CLEC and the space and facilities are ready for service. Deliver or delivery includes, but is not necessarily limited to, providing the CLEC with access to the collocation space for collocation other than virtual collocation, as well as providing power, telephone service, and other services and facilities ordered by the CLEC for provisioning by the delivery date.

"ILEC" means an incumbent local exchange carrier that is required to provide collocation.

"ILEC premises" means an ILEC wire center, central office, or any other location owned and/or controlled by the ILEC at which interconnection with the ILEC's network or access to ILEC unbundled network elements is technically feasible.

"Points of interface (POI)" means the demarcation between the networks of an ILEC and a CLEC. The POI is the point where the exchange of traffic takes place.

(2) ILEC response to CLEC order for collocation. Within fourteen calendar days of receipt of an order for collocation, an ILEC must notify the CLEC whether sufficient space exists in the ILEC premises to accommodate the

CLEC's collocation requirements. As part of that notification, the ILEC must also notify the CLEC of any extraordinary circumstances, as defined in subsection (3)(c) of this section, that may delay delivery of the ordered collocation space and related facilities.

(3) Provisioning collocation. If the ILEC notifies a CLEC that sufficient space exists to accommodate the CLEC's order for collocation, the following procedures apply:

(a) Within twenty-five calendar days of receipt of the order, the ILEC must provide the CLEC with a written quote detailing the nonrecurring and recurring charges applicable to provisioning the ordered collocation. After providing the written quote and upon reasonable notice of a request by the CLEC, the ILEC must permit the CLEC at least one accompanied site visit to the designated collocation space without charge to the CLEC, to enable the CLEC to verify and inspect the space the ILEC offers for collocation.

(b) The ILEC must complete construction of, and deliver, the ordered collocation space and related facilities within forty-five calendar days after the later of the CLEC's acceptance of the written quote or payment of one-half of the nonrecurring charges specified in the quote, except in the case of extraordinary circumstances, as defined in subsection (3)(c) of this section. The CLEC's acceptance of the quote or payment of any quoted charges does not preclude the CLEC from later disputing the accuracy or reasonableness of those charges.

(c) If extraordinary circumstances exist, the ILEC must complete construction of, and deliver, the ordered collocation space within ninety calendar days of the later of the CLEC's acceptance of the written quote or payment of one-half of the nonrecurring charges specified in the quote. Extraordinary circumstances do not include standard work and equipment required to provide the requisite collocation, but may include (i) the need to reclaim space for collocation by removing inactive or underutilized equipment; or (ii) the unavailability of necessary equipment and facilities if that unavailability is not due to the ILEC's failure to timely arrange for such equipment or facilities. Extraordinary circumstances do not exist for any collocation order that was included in a periodic collocation forecast submitted by the CLEC to the ILEC at least three months in advance of the order.

(d) Following any initial notification as required in section (2) above, the ILEC must notify the CLEC of any extraordinary circumstances as soon as the ILEC is aware of those circumstances and must take all reasonable steps to avoid or minimize any delays caused by those circumstances, including but not limited to joint provisioning of collocation elements by the ILEC and CLEC, or sole construction by the CLEC, through a mutually acceptable third party contractor.

(e) If the ILEC fails to deliver the collocation space by the required delivery date, the ILEC must credit the CLEC in an amount equal to one-tenth of the total nonrecurring charge for the ordered collocation for each week beyond the required delivery date. Recurring charges will not begin to accrue for any element until the ILEC delivers that element to the CLEC. To the extent that a CLEC self-provisions any collocation element, the ILEC may not impose any charges for provisioning that element.

(f) The ILEC must notify the CLEC when construction of the CLEC's collocation space is approximately 50% completed, including scheduled completion and delivery dates. At that time, but in any event at least thirty calendar days prior to the scheduled delivery date, the ILEC must provide the CLEC with sufficient information to enable the ILEC and the CLEC to establish firm Common Language Location Identifier (CLLI) codes and any other codes necessary to order interconnection and cross-connection circuits for the equipment the CLEC intends to collocate, and the ILEC must accept and process CLEC orders for such circuits. The ILEC must provision points of interface (POIs) and other circuits concurrent with delivery of the collocation space and related facilities, unless the CLEC agrees to a later date.

(g) The ILEC must conduct an inspection with the CLEC of the collocation space at least five business days prior to completion of construction of the collocation space. The ILEC must correct any deviations to the CLEC's original or jointly amended requirements after the inspection, at the ILEC's sole expense.

(h) Upon order of the CLEC and concurrent with delivery of the collocation space and related facilities, the ILEC must provide basic telephone service to the collocation space under the rates, terms, and conditions of the ILEC's current tariff or price list offering for the service ordered. The ILEC must also provide CLEC employees, contractors, and representatives with reasonable access to basic facilities, such as restroom facilities and parking, while at the ILEC premises.

(4) Denial of order for collocation. If the ILEC notifies a CLEC that insufficient space exists to accommodate the CLEC's order for collocation, the following procedures apply:

(a) As part of its notification of lack of space, the ILEC must notify the CLEC if any space is available for collocation and, if so, how much space is available. The ILEC must also verify that the ILEC cannot reclaim space for collocation by consolidating or removing inactive or underutilized equipment.

(b) The ILEC must permit the CLEC to tour the ILEC premises within fourteen calendar days of the CLEC's request.

(c) If the CLEC notifies the ILEC that it contests the denial of an order for collocation, the ILEC must, within twenty-five calendar days of the notification, file a petition asking the Commission to determine that the space requested by the CLEC is not available. Upon request and execution of an appropriate confidentiality agreement, the ILEC must also provide a copy of the petition to the CLEC. The ILEC must prepare the petition at its sole expense, and the petition must include the following information:

(i) Central Office CLLI, where applicable;

(ii) Ordering CLEC, including the amount of space sought by the CLEC;

(iii) Written inventory of active, inactive, and underutilized equipment, including the signatures of ILEC personnel certifying the accuracy of the information provided;

(iv) Color-coded floor plans that identify office space work areas, provide spatial dimensions to calculate the square footage for each area, and locate inactive and underutilized equipment;

- (v) Narrative of the central office floor space use;
- (vi) Total amount of space occupied by interconnecting collocators for the sole purpose of interconnection;
- (vii) Total amount of space occupied by third parties for purposes other than interconnection, and a narrative of the space use;
- (viii) The number of central office employees employed and job titles;
- (ix) Description of central office renovation/expansion plans and time frames for completion;
- (x) Description of conversion of administrative, maintenance, equipment, and storage space plans and timeframes for completion; and
- (xi) Description of any internal policies for conversion of administrative, maintenance, equipment, and storage space in central offices.

(d) The Commission will decide any petition filed under subsection (4)(c) through an expedited proceeding conducted in accordance with the relevant procedural requirements and time lines established in WAC 480-09-530. The ILEC bears the burden to prove to the Commission that the ordered collocation is not practical for technical reasons or because of space limitations. The ILEC may be relieved of its obligation to provide collocation at a particular ILEC premises only to the extent expressly provided by Commission order.

(e) Each ILEC must maintain a list of all of its central offices in Washington in which insufficient space exists to accommodate one or more types of collocation. The list must specify which types of collocation are unavailable in each office and whether the Commission has approved the ILEC's denial of collocation in that office. The ILEC must post this list on its publicly accessible web site and provide a copy of the list to any CLEC upon request. The ILEC must update this list within ten business days of (i) denying a CLEC's order for collocation; (ii) the service date of any order from the Commission approving or disapproving such a denial; (iii) providing notice to CLECs previously denied collocation that space has become available in a central office; or (iv) obtaining knowledge through any other means that space for one or more types of collocation is no longer available or has become available in a particular central office.

(f) Each ILEC must maintain for each central office a waiting list of all unfilled orders for collocation space and the date of each order. After an ILEC has announced that one or more types of collocation space are not available in an office, any CLEC may submit a letter of intent to order collocation space in lieu of a collocation order, and this letter of intent must be included on the waiting list. If space for collocation becomes available in any central office, the ILEC must inform CLECs, in the order in which they ordered collocation or submitted a letter of intent to order collocation, of the availability of that space and must provide each such CLEC with thirty calendar days to renew its original collocation order. The ILEC must provision collocation to these CLECs on a first-come, first-served basis according to the dates on which each ordered collocation or submitted a letter of intent to collocate in that central office.

**WSR 00-17-115**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed August 17, 2000, 1:37 p.m.]

Continuance of WSR 00-13-012.

Supplemental Notice to WSR 99-24-133.

Preproposal statement of inquiry was filed as WSR 98-15-016.

Title of Rule: Organic crop production standards.

Purpose: Chapter 16-154 WAC are the rules for organic crop production. The rules provide standards for organic crop production and set record-keeping requirements for organic crop producers.

Statutory Authority for Adoption: Chapter 15.86 RCW.

Statute Being Implemented: Chapter 15.86 RCW.

Summary: The proposed amendments to chapter 16-154 WAC update the organic crop production standards. The amendments specify the food production guidelines, record-keeping requirements, and give a comprehensive list of the materials and practices that are approved and prohibited in crop production. The amendments include two new sections that outline the organic farm plan requirements and mushroom standards. The supplemental includes changes that were made based on the comments from the first hearing. This filing continues the adoption date.

Reasons Supporting Proposal: Applicants to the organic food program will benefit from the rule update and from the clarification of the definitions, crop productions standards, materials that are approved and prohibited for use in organic production, and record-keeping requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Miles McEvoy, Olympia, (360) 902-1924.

Name of Proponent: Organic Food Program, Washington State Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The organic crop production standards, chapter 16-154 WAC, were first adopted in 1987. The rules provide the standards for organic crop production and include a list of generically approved materials that may be used by producers of organic crops. The standards include a list of approved fertilizers, soil amendments, crop production aids, pest control materials and post-harvest materials. The standards also include a list of prohibited materials and practices. In addition, the rules specify the requirements regarding buffer zones, borders at risk, treated wood, roadside vegetation management, genetically engineered organisms, organic farm plan and recordkeeping for organic crop production.

The organic crop production standards are being revised for a number of reasons. One, they will clarify the standards regarding genetic engineering, transplants, seeds, sprouts, and transitional requirements. Two, they will align Washington's organic standards with national and international organic standards. Three, the proposed amendments will enhance organic integrity through the requirements for notification and nonchemical vegetation management. Fourth, the

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list of approved and prohibited materials will be clarified and updated to national organic standards.

Proposal Changes the Following Existing Rules: See addendum [WSR 00-13-012].

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

Small Business Economic Impact Statement

[WSR 00-13-012.]

A copy of the statement may be obtained by writing to Miles McEvoy, Organic Food Program, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1924, fax (360) 902-2087.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Washington State Department of Agriculture is not a listed agency in section 201.

Date of Intended Adoption: September 18, 2000.

August 17, 2000

Candace A. Jacobs, DVM  
Assistant Director

WSR 00-17-121

WITHDRAWAL OF PROPOSED RULES  
DEPARTMENT OF AGRICULTURE

[Filed August 17, 2000, 1:52 p.m.]

The Washington State Department of Agriculture hereby withdraws the notice of proposed rule making filed under WSR 00-05-089. The proposal, if adopted, would have increased the assessment on all varieties of dry peas and lentils grown in Washington state in WAC 16-536-040. In accordance with chapter 15.65 RCW, a referendum was conducted of the dry pea and lentil growers and the referendum failed.

William E. Brookreson  
for James M. Jesernig  
Director

WSR 00-17-124

PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed August 18, 2000, 11:00 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-10-104.

Title of Rule: Chapter 388-151 WAC, Minimum licensing requirements for child care centers caring exclusively for school-age children.

Purpose: The purpose of this chapter is to establish minimum standards of health and safety for school-age children in out-of-home child care.

Other Identifying Information: WAC 388-151-010 through 388-151-500.

Statutory Authority for Adoption: RCW 74.15.020.

Statute Being Implemented: RCW 74.15.020.

Summary: This chapter establishes rules for child care centers caring exclusively for school-age children. These rules were separated from the rules for child care centers that care for children ages one month to twelve years in 1991. This separation allows these rules to be more specific and age-appropriate for school-age care.

Name of Agency Personnel Responsible for Drafting: Leslie Edwards-Hill, 14th and Jefferson, Olympia, (360) 902-8041; Implementation and Enforcement: Sophia Kouidou-Giles, 14th and Jefferson, Olympia, (360) 902-8038.

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 proposed changes broaden the qualifications for child care staff. The school-age subcommittee and the advocates supported this change. Other changes make these WACs more age and developmentally appropriate to school-age children. The fee WAC is also now incorporated for streamlining purposes.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A cost-benefit analysis showed that there is no additional cost imposed on small businesses due to the proposed changes in the rules. There is no significant economic impact to small businesses as a result of the proposed new rules.

RCW 34.05.328 applies to this rule adoption. The proposal makes significant amendments to a policy or regulatory program. The analysis prepared to comply with RCW 34.05.328 can be obtained by contacting Leslie Edwards-Hill at (360) 902-8041.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 24, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 17, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail miyer-cme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 24, 2000.

Date of Intended Adoption: No sooner than October 25, 2000.

August 16, 2000

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 00-19 issue of the Register.

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**WSR 00-17-125**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed August 18, 2000, 11:03 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 98-22-058.

Title of Rule: New WAC 388-546-0001, 388-546-0100, 388-546-0150, 388-546-0200, 388-546-0250, 388-546-0300, 388-546-0400, 388-546-0450, 388-546-0500, 388-546-0600, 388-546-0700, 388-546-0800, and 388-546-1000, transportation services (ambulance transportation).

Repealing WAC 388-86-086 Ambulance services and 388-87-036 Payment methodology—Ambulance.

Purpose: The department is establishing a new chapter to consolidate rules regarding transportation and transportation related equipment. The proposed rules reflect long-standing department policy. They are more readable, and they comply with the Governor's Executive Order 97-02 on regulatory reform. The proposed rules have been reviewed in consultation with the regulated parties. WAC 388-86-086 and 388-87-036 are being repealed in order to avoid duplication.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.500.

Statute Being Implemented: RCW 74.04.050, 04-055 [74.04.055] and 04-057 [74.04.057].

Summary: The proposed rules define terms associated with transportation services, define the program scope of coverage, state provider and client requirements, and program limitations.

Reasons Supporting Proposal: To ensure that department rules reflect current and accurate department policy, to eliminate confusion by consolidating related rules, and to comply with the Governor's Executive Order 97-02 on regulatory reform.

Name of Agency Personnel Responsible for Drafting: L. Mike Freeman, MAA/RIP, P.O. Box 45533, Olympia, WA 98504, (360) 725-1350; Implementation: Ayuni Hautea-Wimpee, MAA/DOSS, P.O. Box 45510, Olympia, WA 98504, (360) 725-1835.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules define terms associated with ambulance services, define the program scope of coverage, state provider and client requirements, and program limitations.

The purpose of the rules is to consolidate all rules related to this program in one chapter of WAC and ensure that current department policy and practice is clearly reflected in rule.

The anticipated effect is to promote clarity and understanding of the program.

Proposal Changes the Following Existing Rules: The rules proposed above repeal existing rules and establish a new WAC chapter for ambulance services. The proposed rules reflect the programs's operational policies and provide greater detail into long-standing policy.

No small business economic impact statement has been prepared under chapter 19.85 RCW. MAA reviewed the proposed rules and concluded that the impact of the proposed rules will not place "a more than minor impact on businesses." MAA program managers held discussions with service providers to discuss the impact of these clarifications, who agreed with MAA's assessment of the impacts. Therefore, no small business economic impact statement is required.

RCW 34.05.328 applies to this rule adoption. MAA has determined that the proposed rules qualify as "significant legislative rules." Therefore, MAA has analyzed the probable costs and the probable benefits of the proposed rules, taking into account both the qualitative and quantitative benefits and costs. MAA's analysis revealed that no new costs will be imposed, existing costs will not be increased, and benefits to businesses will not be decreased. The analysis may be obtained from Ayuni Hautea-Wimpee, MAA/DOSS, P.O. Box 45510, Olympia, WA 98504, (360) 725-1835.

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

Date of Intended Adoption: Not sooner than October 4, 2000.

August 14, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

PROPOSED

**NEW SECTION**

**WAC 388-546-0001 Definitions.** The following definitions and abbreviations, and those found in WAC 388-500-0005, apply to sections WAC 388-546-0150 through 388-546-4000. Defined words and phrases are bolded the first time they are used in the text:

"**Advanced life support (ALS)**" means that level of care that calls for invasive emergency medical services requiring advanced medical treatment skills.

"**Aid vehicle**" means a vehicle used to carry aid equipment and individuals trained in first aid or emergency medical procedure.

"**Air ambulance**" means a rotary blade (helicopter) or fixed-wing aircraft (airplane) designed and used to provide transportation for the ill and injured, and to provide personnel, facilities, and equipment to treat patients before and during transportation.

**"Ambulance"** means a ground or air vehicle designed, licensed per RCW 18.73.140 and used to provide transportation to the ill and injured; and to provide personnel, facilities, and equipment to treat patients before and during transportation.

**"Base rate"** means the medical assistance administration's (MAA) minimum reimbursement amount per covered trip, which includes allowances for emergency medical personnel and their services, the costs of standing orders, reusable supplies and equipment, hardware, stretchers, some disposable supplies, normal waiting time, and the normal overhead costs of doing business. The base rate excludes mileage and MAA specified disposable supplies that can be billed separately.

**"Basic life support (BLS)"** means that level of care that justifies ambulance transportation but requires only basic medical treatment skills. It does not include the need for or delivery of invasive medical services.

**"Broker"** (see "transportation broker").

**"Brokered transportation"** means nonemergent transportation arranged by a broker, under contract with MAA, to or from covered medical services for an eligible client (also, see "transportation broker").

**"Border area hospitals"** (see WAC 388-501-0175).

**"Emergency medical service"** means medical treatment and care that may be rendered at the scene of any medical emergency or while transporting any patient in an ambulance to an appropriate medical facility, including ambulance transportation between medical facilities.

**"Emergency medical transportation"** means ambulance transportation during which a client receives needed emergency medical services en route to an appropriate medical facility.

**"Fixed wing aircraft"** means an airplane.

**"Ground ambulance"** means a ground vehicle designed and primarily used to provide transportation to the ill and injured and to provide personnel, facilities, and equipment to treat patients before and during transportation.

**"Invasive procedure"** means a medical intervention that intrudes on the client's person or breaks the skin barrier.

**"Liftoff fee"** means either of the two base rates MAA pays to air ambulance providers for transporting a client. MAA establishes one liftoff fee for rotary aircraft and one liftoff fee for fixed wing aircraft.

**"Medical control"** means the medical authority upon whom an ambulance provider relies to coordinate pre-hospital emergency services, triage and trauma center assignment/destination for the person being transported. The medical control is designated in the trauma care plan by the approved medical program director of the region in which the service is provided.

**"Nonemergent ambulance transportation"** means the use of a ground ambulance to carry a client who may be confined to a stretcher but typically does not require the provision of emergency medical services en route. Nonemergent ambulance transportation is usually scheduled or prearranged. See also "prone or supine transportation."

**"Prone or supine transportation"** means transporting a client confined to a stretcher, with or without emergency medical services being provided en route.

**"Rotary blade aircraft"** means a helicopter.

**"Scheduled transportation"** means prearranged transportation for an eligible client, typically in a vehicle other than an ambulance, with no emergency medical services being required or provided en route to and from a covered medical service.

**"Standing order"** means an order remaining in effect indefinitely until canceled or modified by an approved medical program director (regional trauma system) or the ambulance provider's medical control.

**"Transportation broker"** means a person or organization contracted by MAA to arrange, coordinate and manage the provision of necessary but nonemergent transportation services for eligible clients to and from covered medical services.

#### NEW SECTION

**WAC 388-546-0100 The MAA transportation program.** The medical assistance administration (MAA) covers medically necessary transportation to and from the provider of MAA covered services that is closest and most appropriate to meet the client's medical need. See WAC 388-546-0150 through 388-546-1000 for ambulance transportation and WAC 388-546-5000 through 388-546-5600 for brokered/nonemergency transportation. See WAC 388-546-0150 for client eligibility for ambulance transportation. See WAC 388-546-5100 for client eligibility for brokered/non-emergency transportation.

#### NEW SECTION

**WAC 388-546-0150 Client eligibility for ground and air ambulance transportation.** (1) MAA covers medically necessary ambulance transportation to MAA covered services for medical assistance clients, including clients enrolled in MAA's managed care program(s) (e.g., Healthy Options). The exception is that MAA does not cover ambulance services for clients eligible for "family planning only."

(2) MAA does not cover out-of-state ambulance services for clients who are eligible for:

- (a) The medically indigent program; or
- (b) The general assistance - unemployable program.

#### NEW SECTION

**WAC 388-546-0200 Scope of coverage for ground and air ambulance.** (1) All ambulance transportation to and from medical services covered under the client's medical assistance program must be:

- (a) Medically necessary based on the client's condition at the time of the ambulance trip;
- (b) Appropriate to the client's actual medical need;
- (c) To the closest available MAA contracted medical provider of MAA covered services; and

(d) Documented in the provider's client record as to medical necessity.

(2) MAA limits coverage to that medically necessary ambulance transportation required because the client cannot be safely or legally transported any other way. If a client can safely travel by car, van, taxi, or other means, the ambulance trip is not medically necessary and the ambulance service is not covered by MAA.

(3) If **Medicare** or another **third party** is the client's primary health insurer and that primary party denies coverage of an ambulance trip due to a lack of medical necessity, MAA relies on that determination that the trip does not meet the medical necessity criteria of MAA.

(4) MAA covers the following ambulance transportation for its eligible clients:

(a) **Emergency medical transportation by air ambulance** when justified under the conditions of this chapter; and

(b) Medical transportation by **ground ambulance** when the client:

(i) Has an emergency medical need for the transportation;

(ii) Needs medical attention to be available during the trip; or

(iii) Must be transported by stretcher or gurney.

(5) MAA covers (through the healthy options managed care plan) medically necessary ambulance transportation for clients enrolled in the plan. This coverage is included in the prepaid plan premium (see WAC 388-546-0400(2)).

(6) MAA covers medically necessary ambulance transportation for clients enrolled in MAA's primary care case management (PCCM) program. Ambulance services that are **emergency medical services** or that are approved by the PCCM in accordance with MAA requirements are reimbursed by MAA according to MAA's published billing instructions.

(7) MAA covers ambulance trips transporting patients from one hospital to another when the transferring or discharging hospital has inadequate facilities to provide the necessary medical services required. MAA covers air ambulance transportation for hospital transfers only if transportation by ground ambulance would endanger the client's life or health.

#### NEW SECTION

**WAC 388-546-0250 Ambulance services that MAA does not cover.** (1) MAA does not cover ambulance services when the transportation is:

(a) Not medically necessary based on the client's condition at the time of service (see exception at WAC 388-546-1000);

(b) Refused by the client;

(c) For a client who is deceased at the time the ambulance arrives on-scene;

(d) For a client who dies after the ambulance arrives on-scene but prior to transport and the ambulance crew did not provide any significant medical services on-scene (see WAC 388-546-0500(2));

(e) Requested for the convenience of the client or the client's family;

(f) More expensive than arranging to bring the necessary medical service to the client's location;

(g) To transfer a client from a medical facility to the client's home (see exception at WAC 388-546-1000);

(h) Requested solely because a client has no other means of transportation;

(i) Provided by other than licensed ambulance providers (e.g., wheelchair vans, cabulance, stretcher cars); or

(j) Not to the nearest appropriate medical facility (e.g., the client's destination is an urgent care clinic or freestanding outpatient facility rather than a hospital emergency room) (see exception at WAC 388-546-1000).

(2) MAA does not cover ambulance services for hospital to hospital transportation if the transportation is requested:

(a) To accommodate a physician's or other health care provider preference for facilities;

(b) To move the client closer to family or home (e.g., for personal convenience); or

(c) To meet insurance requirements or hospital/insurance agreements.

#### NEW SECTION

**WAC 388-546-0300 General requirements for air and ground ambulance providers.** (1) Air and ground ambulances must be licensed, operated, and equipped according to federal, state, and local statutes, ordinances and regulations.

(2) Air and ground ambulances must be staffed and operated by appropriately trained and certified personnel. Personnel who provide any **invasive procedure/emergency medical services** for a client during an ambulance trip must be properly authorized and trained per RCW 18.73.150 and 18.73.170.

(3) MAA requires providers of ambulance services to show medical justification on billing documents for transportation and related services/supplies billed to MAA. Documentation in the provider's client record must include adequate descriptions of the severity and complexity of the client's condition (including the circumstances that made the conditions acute and emergent) at the time of the transportation. MAA may review the client record to ensure MAA's criteria are met.

#### NEW SECTION

**WAC 388-546-0400 General limitations to payment for ground and air ambulance services.** (1) MAA reimburses providers of covered ambulance transportation services on the basis of usual and customary charges or the rates established by MAA, whichever is lower.

(2) MAA does not reimburse providers directly for ambulance services provided to a client who is enrolled in an MAA Healthy Options managed care plan. Payment in such cases is the responsibility of the prepaid managed care plan.

(3) MAA includes certain covered ambulance services in its payments to inpatient hospitals. MAA does not reimburse

ambulance providers for ambulance transportation services if the client remains as an inpatient in a hospital and the transportation is for temporary transfer to another facility for diagnostic or treatment services (e.g., MRI scanning, kidney dialysis). Transportation of an inpatient for such services is included in MAA's payment to the hospital. It is the responsibility of the hospital where the client is an inpatient to reimburse ambulance providers for these transports.

(4) MAA reimburses for the actual mileage incurred for covered trips by paying from the client's point of origin to the point of destination. MAA does not reimburse mileage for any distances traveled to the pick-up point or any other distances traveled when the client is not on board the ambulance.

(5) MAA does not reimburse for ambulance services if:

- (a) The client is not transported to an appropriate treatment facility; or
- (b) The client dies before the ambulance trip begins (see the single exception for ground ambulance providers at WAC 388-546-0500(2)).

#### NEW SECTION

**WAC 388-546-0450 Ground ambulance levels of service and other reimbursement.** (1) MAA reimburses at two levels of service for ground ambulance emergency transportation: **Basic life support (BLS)** and **advanced life support (ALS)**:

(a) A BLS emergency ambulance trip is one in which the client requires and receives basic medical services on-scene and/or en route from the scene of the acute and emergent illness or injury to a hospital or other appropriate treatment facility. Examples of basic medical services are: Controlling bleeding, splinting fracture(s), treating for shock, and cardiopulmonary resuscitation (CPR).

(b) An ALS trip is one in which the client requires and receives more complex services on-scene and/or en route from the scene of the acute and emergent illness or injury to a hospital. Examples of more complex medical services are: the initiation of intravenous therapy, airway intubation, or heart defibrillation. To qualify for reimbursement at the ALS level, certified paramedics or other ALS-qualified personnel on-board must provide the advanced medical services in a properly equipped vehicle.

(2) MAA reimburses for ambulance services (BLS or ALS) based on the client's actual medical condition and the level of medical services needed and provided during the trip. Local ordinances or **standing orders** that require all ambulance trips be ALS equipped do not qualify a trip for MAA reimbursement at the ALS level of service.

(3) MAA reimburses separately for: Oxygen and oxygen administration; and/or intravenous supplies and IV administration. All other reusable supplies, disposable supplies, required equipment and up to thirty minutes of waiting time are included in MAA's **base rate**. MAA includes in the base rate equipment and/or supplies that are not specifically listed as separately payable in the medical transportation billing instructions. MAA does not reimburse for separately charge-

able items that are provided to the client based on standing orders.

(4) The provider must document each trip to reflect the level of care needed by the patient, the training and qualifications of the personnel on board and the types of medical interventions provided by the personnel on-board. A ground ambulance trip is classified and paid at a BLS level, even if certified paramedics or ALS-qualified personnel are on board the ambulance, if no ALS-type interventions are needed and provided en route.

(5) MAA reimburses ground ambulance providers one mileage reimbursement rate, regardless of the level of service. Ground ambulance mileage is reimbursed when the client is transported to and from medical services within the local community only, unless necessary medical care is not available locally. The provider must fully document the circumstances that make medical care outside of the client's local community necessary.

(6) MAA reimburses for an extra attendant, when the ground ambulance provider submits justification to MAA for an extra attendant along with the claim for trip reimbursement, and that extra attendant is on-board for the trip because of one or more of the following:

- (a) The client weighs three hundred pounds or more;
- (b) The client is violent or difficult to control;
- (c) The client is being transported for Involuntary Treatment Act (ITA) purposes and the client must be restrained; or
- (d) More than one client is being transported, and each requires medical attention and/or close monitoring.

(7) The first thirty minutes of waiting time is included in MAA's base rate. MAA reimburses ground ambulance providers for additional waiting time if the time:

- (a) Is extensive, as determined by MAA;
- (b) Constitutes unusual circumstances, as determined by MAA; and
- (c) Is documented in the provider's records and on the billing form. Documentation must include the reason for the wait, the actual length of time spent waiting and the amount of waiting time being billed to MAA.

(8) MAA does not reimburse providers for waiting time if:

- (a) The waiting time is to provide a return trip pickup; or
- (b) The waiting time is to provide a second trip for the same client for the same date of service.

(9) MAA reimburses ambulance providers for ferry tolls incurred when transporting MAA clients. The ferry toll(s) must be thoroughly documented on the claim form. MAA reimburses:

- (a) One standard reimbursement rate for all Puget Sound ferry trips (each way); and
- (b) Actual cost, based on invoice, for all San Juan Island ferry trips.

(10) MAA reimburses ambulance providers for bridge tolls based on actual cost. To be reimbursed, the provider must submit the receipt(s) for the bridge toll(s) incurred during the trip.



NEW SECTION

**WAC 388-546-0500 Special circumstances and payment limits for ground ambulance services.** (1) When more than one client is transported in the same ground ambulance at the same time, the provider must bill MAA:

- (a) At a reduced base rate for the additional client, and
- (b) No mileage charge for the additional client.

(2) MAA may reimburse a provider at the appropriate base-rate (no mileage and no separate supplies) if there is no transportation provided because the client died on scene. MAA allows reimbursement only if the ambulance crew provides necessary and substantial medical care to the client on-scene and prior to the client's death.

NEW SECTION

**WAC 388-546-0600 Procedure code modifiers.** Ground ambulance providers must use procedure code modifiers published by MAA when billing MAA for ground ambulance trips. The same modifiers that describe the ambulance trip's place of origin and the client's destination must be used for all services related to the same trip.

NEW SECTION

**WAC 388-546-0700 Specific payment limitations for air ambulance services.** (1) MAA reimburses for air ambulance services only when all of the following apply:

(a) The necessary medical treatment is not available locally or the client's pick up point is not accessible by ground ambulance;

(b) The vehicle and crew meet the provider requirements in WAC 388-546-0300 and 388-546-0800;

(c) The client's destination is an acute care hospital; and

(d) The client's physical/medical condition requires immediate and rapid ambulance transportation that cannot be provided by ground ambulance.

(2) MAA reimburses one **liftoff fee** per client, per trip.

(3) MAA reimburses mileage for air ambulance services based on air miles and not on highway mileage charts.

(4) MAA reimburses a lift-off fee for each client when two or more clients are transported on a single air ambulance trip. In such a case, the provider must divide equally the total air mileage by the number of clients transported and bill MAA for the mileage portion attributable to each eligible client.

(5) If a client's transportation requires use of more than one ambulance to complete the trip to the hospital or other approved facility, MAA limits its reimbursement as follows:

(a) If more than one air ambulance is used, MAA reimburses one lift-off fee per client and the total of air miles. Mileage reimbursement will be based on the mode of air transport used for the greater distance traveled.

(b) If both an air ambulance and a ground ambulance must be used, MAA reimburses one lift-off fee and total air miles to the air ambulance provider, and one base rate and ground mileage to the ground ambulance provider, except as provided in WAC 388-546-0800 (4)(b).

(6) MAA does not reimburse separately for individual services or an extra attendant for air ambulance transportation. MAA's lift-off fee and mileage reimbursement includes all personnel, services, supplies, and equipment related to the trip.

(7) MAA does not reimburse private organizations for volunteer medical air ambulance transportation services, unless the transportation services and fees are prior authorized by MAA. If authorized, MAA's reimbursement is based on the actual cost to provide the service or at MAA's established rates, whichever is lower. MAA does not reimburse separately for items or services that MAA considers included in the established rate(s).

(8) If MAA determines, upon review, that an air ambulance trip was not:

(a) Medically necessary, MAA may deny or recoup its payment and/or limit reimbursement based on MAA's established rate for a ground ambulance trip (if that would result in a lower cost to MAA); or

(b) To the nearest available and appropriate hospital, MAA may deny or recoup its payment and impose a maximum reimbursement for the trip based on the nearer facility.

(9) Providers must have prior authorization from MAA for any nonemergency air transportation whether by air ambulance or other mode of air transportation.

(10) MAA uses commercial airline companies (i.e., limits air ambulance services) whenever the client's medical condition permits the client to be transported by nonmedical and/or scheduled carriers.

(11) MAA does not reimburse for air ambulance services if there is no transportation provided.

NEW SECTION

**WAC 388-546-0800 Payment for ground and air ambulance services outside the state of Washington.** MAA reimburses emergency transportation provided to MAA's eligible clients who are out-of-state at the time of service (see WAC 388-546-0150(2) for exceptions).

(1) MAA requires any out-of-state ground or air ambulance provider who provides covered services to an MAA client to:

(a) Meet the licensing requirements of the ambulance provider's home state (United States of America and its territories only);

(b) Be participating in the Medicaid program of the ambulance provider's home state; and

(c) Sign an MAA core provider agreement.

(2) MAA requires any out-of-state ground ambulance provider who is transporting MAA clients within the state of Washington to comply with RCW 18.73.180 regarding stretcher transportation.

(3) Air ambulance providers who provide emergency transportation that takes a client out-of-state or that brings a client in state from an out-of-state location must obtain MAA's prior authorization.

(4) MAA reimburses air ambulance providers the agreed upon rate for each medically necessary interstate air ambulance trip:

- (a) The rate is agreed upon as a part of MAA's authorization and the rate is a condition of the authorization; and
- (b) The agreed upon rate may be inclusive of ground ambulance services.
- (5) MAA does not reimburse for an interstate trip if the client is eligible for in-state services only.
- (6) MAA reimburses out-of-state providers at the lower of:
  - (a) The provider's billed amount; or
  - (b) The rate established by MAA.

**NEW SECTION**

**WAC 388-546-1000 Nonemergency ground ambulance transportation.** (1) MAA reimburses for nonemergency ground ambulance transportation at the BLS ambulance level of service under the following conditions:

- (a) The client needs to have basic ambulance level medical attention available during transportation; or
- (b) The client must be transported by stretcher or gurney (in the prone or supine position) for medical or safety reasons.
- (2) MAA requires ambulance providers to thoroughly document the circumstances requiring nonemergency ground ambulance transportation.
- (3) Ground ambulance providers may choose to enter into contracts with MAA's **transportation brokers** to provide nonemergency transportation at a negotiated payment rate. Any such subcontracted rate may not exceed the costs MAA would incur under subsection (1) of this section.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 388-86-086                      Ambulance services.
- WAC 388-87-036                      Payment—Ambulance services.

**WSR 00-17-126**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Medical Assistance Administration)  
 [Filed August 18, 2000, 11:05 a.m.]

Original Notice.  
Preproposal statement of inquiry was filed as WSR 00-12-078.

Title of Rule: Repealing WAC 388-505-0595 Trusts; and new chapter 388-561 WAC, Trusts, annuities, and life estates—Effect on medical programs, WAC 388-561-0001 Definitions, 388-561-0100 Trusts, 388-561-0200 Annuities, and 388-561-0300 Life estates.

Purpose: The rule on trusts is being rewritten to make it clearer and easier to understand as required by Governor's

Executive Order 97-02. The rules on annuities and life estates are being added to better explain how they affect a client's eligibility for medical assistance.

Statutory Authority for Adoption: RCW 74.04.050, 74.08.090.

Statute Being Implemented: RCW 74.04.050, 74.08.090.

Summary: WAC 388-505-0595 Trusts, is being repealed. The rule on trusts is being moved into new chapter 388-561 WAC, Trusts, annuities, and life estates—Effect on medical programs. New rule sections have been added for annuities and life estates. A section defining many of the terms associated with trusts, annuities, and life estates has also been added.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mary Beth Ingram, 925 Plum Street, P.O. Box 45534, Olympia, WA 98504-5534, (360) 725-1327.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that apply to client medical or financial eligibility.

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

Date of Intended Adoption: Not before October 4, 2000.  
August 15, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**Chapter 388-561 WAC**

**TRUSTS, ANNUITIES, AND LIFE ESTATES—  
EFFECT ON MEDICAL PROGRAMS**

**NEW SECTION**

**WAC 388-561-0001 Definitions. "Annuitant"** means a person or entity that receives the income from an annuity.

**"Annuity"** means a policy, certificate or contract that is an agreement between one or more parties and an insurer or similar body, licensed and approved to do business in the

PROPOSED

jurisdiction in which the annuity is established. It buys the right to receive income in a specific amount for a specific time period. The annuity may be purchased at one time or over a set period of time and may be bought individually or with a group. It may be revocable or irrevocable.

**"Beneficiary"** means an individual(s) designated in the trust who benefits from the trust. The beneficiary can also be called the grantee. The beneficiary and the grantor may be the same person.

**"Designated for medical expenses"** means that the trustee may use the trust to pay the medical expenses of the beneficiary. The amount of the trust that is designated for medical expenses is considered an available resource to the beneficiary. Payments are a third party resource.

**"Disbursement/distribution"** means any payment from the principal or proceeds to the beneficiary or to someone on their behalf.

**"Discretion of the trustee"** means that the trustee may decide what portion (up to the entire amount) of the principal of the trust will be made available to the beneficiary.

**"Entity"** means, in this section, a trust, annuity, or life estate.

**"Exculpatory clause"** means that there is some language in the trust that legally limits the authority of the trustee to distribute funds from a trust if the distribution would jeopardize eligibility for government programs including Medicaid.

**"Grantor"** means an individual who uses his assets or funds to create a trust. The grantor may also be the beneficiary.

**"Income beneficiary"** means that the person receiving the payments may only get the proceeds of the trust. The principal is not available for disbursements. If this term is used, the principal of the trust is an unavailable resource.

**"Irrevocable"** means that the entity cannot be changed or cancelled in any way by anyone.

**"Life estate"** means an ownership interest in a property only during the lifetime of the person(s) owning the life estate. In some cases, the ownership interest lasts only until the occurrence of some specific event, such as remarriage of the life estate owner. A life estate owner does not have the legal title or deed to the property, but may have rights to possession, use, income and/or selling their life estate interest in the property.

**"Principal"** means the assets that make up the entity. The principal includes income earned on the principal that has not been distributed. The principal is also called the corpus.

**"Proceeds"** means the income earned on the principal. It is usually interest, dividends, or rent. When the proceeds are not distributed, they become part of the principal.

**"Pooled trust"** means a trust that meets all of the following:

- (1) It was created on or after April 1, 1994;
- (2) It contains funds of more than one disabled individual, combined for investment and management purposes;
- (3) It is for the sole benefit of disabled individuals (as determined by SSA criteria) under sixty-five years old;

(4) It was created by the disabled individuals, their parents, grandparents, legal guardians, or by a court;

(5) It is managed by a nonprofit association with a separate account maintained for each beneficiary; and

(6) It contains a provision that upon the death of the beneficiary, the state will receive all amounts remaining in the individual's separate account up to the total amount of Medicaid paid on behalf of that individual.

**"Revocable"** means the entity can be changed or cancelled by the grantor, or by petitioning the court. An entity that is called irrevocable, but that can be terminated if some action is taken, is revocable for the purposes of this section.

**"Special needs trust"** means a trust that meets all of the following:

- (1) It was created on or after April 1, 1994;
- (2) It is for the sole benefit of a disabled individual (as determined by SSA criteria) under sixty-five years old;
- (3) It was created by the individual's parent, grandparent, legal guardian, or by a court; and
- (4) It contains a provision that upon the death of the individual, the state will be the first beneficiary of all amounts remaining in the trust up to the total amount of Medicaid paid on behalf of the individual.

**"Testamentary trust"** means a trust created by a will from the estate of a deceased person. The beneficiary has no control over establishment of the trust and the trust fund is not given to the beneficiary, but is paid out according to the will. The department does not consider the trust as a resource (see WAC 388-470-0005) or asset to the beneficiary, but payments from the trust are considered income.

**"Trust"** means legal title to property (such as a home, cash, stocks, or other assets) is given to one party for the benefit of another party. The department includes in this definition any other legal instrument similar to a trust. For annuities, refer to WAC 388-561-0200.

**"Trustee"** means an individual or entity (like a bank or insurance company) that manages and administers the trust for the beneficiary.

**"Ultimate beneficiary"** means the entire principal of the trust will be available at a specific point in time.

**"Undue hardship"** means the client is in a situation such as when:

- (1) The client must go without life sustaining services because funds from the trust are not made available to pay for those services; or
- (2) The trustee(s) refuse to disburse funds from the trust to the client and the client has actively pursued litigation to make the funds available.

## NEW SECTION

**WAC 388-561-0100 Trusts.** A trust owned by a client, a client's spouse, or a client's legal dependent affects a client's eligibility for medical programs in the following ways:

- (1) The department disregards trusts established on or before April 6, 1986, for the sole benefit of a client who lives in an intermediate care facility for the mentally retarded (ICFMR).

(2) For trusts established on or before August 10, 1993 the department counts the following:

(a) If the trust was established by the client, client's spouse, or the legal guardian: the largest amount of money (payments) allowed to be distributed under the terms of the trust for the client if:

(i) The client could be the beneficiary of all or part of the payments from the trust;

(ii) The distribution of payments is determined by one or more of the trustees; and

(iii) The trustees are allowed discretion in distributing payments to the client.

This applies whether or not:

(iv) The trust is irrevocable;

(v) The trustees actually use the discretion allowed by the trust; or

(vi) The trust was established for purposes other than to establish eligibility for medical assistance.

(b) If an irrevocable trust doesn't meet the description under subsection (3)(a) of this section:

(i) The trust is an **unavailable** resource if the client established the trust for a beneficiary other than the client or the client's spouse;

(ii) The trust is an **available** resource in the amount of the trust's assets that:

(A) The client could access; or

(B) The trustee of the trust distributes as actual payments to the client; and

(iii) The department applies WAC 388-513-1365 for regulations concerning the transfer of assets.

(c) If a revocable trust doesn't meet the description under subsection (2)(a) of this section:

(i) The full amount of the trust is an available resource of the client if the trust was established by:

(A) The client; or

(B) The client's spouse, and the client lived with the spouse.

(ii) Only the amount of the trust to which the client has access is an available resource of the client, if the trust was established by a person other than the client or the client's spouse.

(iii) Only the amount of money actually paid to the client from the trust is an available resource when the trust was established by:

(A) The client's spouse, and the client did not live with the spouse; or

(B) A person other than the client or the client's spouse; and

(C) Payments were distributed by a trustee of the trust.

(iv) The department considers the funds a resource, not income.

(3) For trusts established on or after August 11, 1993:

(a) The department will consider a trust as if it were established by the client when:

(i) The assets of the trust, as defined under WAC 388-470-0005, are at least partially from the client;

(ii) The trust is not established by will; and

(iii) The trust was established by:

(A) The client or the client's spouse;

(B) A person, including a court or administrative body, with legal authority to act in place of, or on behalf of, the client or the client's spouse; or

(C) A person, including a court or administrative body, acting at the direction of or upon the request of the client or the client's spouse.

(b) Only the assets contributed to the trust by the client are available to the client when part of the trust assets were contributed by any other person.

(c) The department will not look at:

(i) The purpose for establishing a trust;

(ii) Whether the trustees have, or exercise, any discretion under the terms of the trust;

(iii) Restrictions on when or whether distributions may be made from the trust; or

(iv) Restrictions on the use of distributions from the trust.

(d) For a revocable trust established as described under subsection (3)(a) of this section:

(i) The full amount of the trust is an available resource of the client;

(ii) Payments from the trust to or for the benefit of the client are income of the client; and

(iii) Any payments from the trust other than payments described under subsection (3)(d)(ii) of this section are a transfer of client assets.

(e) For an irrevocable trust established as described under subsection (3)(a) of this section:

(i) Any part of the trust from which payment can be made to or for the benefit of the client is an available resource. When payment is made from such irrevocable trusts, we will consider the payments as:

(A) Income to the client when payment is to or for the client's benefit; or

(B) The transfer of an asset when payment is made to any person for any purpose other than the client's benefit;

(ii) A trust from which a payment cannot be made to or for the client's benefit is a transfer of assets. For such a trust, the transfer of assets is effective the date:

(A) The trust is established; or

(B) The client is prevented from receiving benefit, if this is after the trust is established.

(iii) The value of the trust includes any payments made from the trust after the effective date of the transfer.

(4) The following trusts, established on or after August 11, 1993, are not considered available resources if they contain the assets of:

(a) A person sixty-four years of age or younger who is disabled as defined by SSI criteria (as described in WAC 388-503-0510) and the trust:

(i) Is established for the benefit of this person by their parent, grandparent, legal guardian, or a court; and

(ii) Stipulates that the state will receive all amounts remaining in the trust upon the death of the client, up to the amount of Medicaid spent on the client's behalf; or

(b) A person regardless of age, who is disabled as defined by SSI criteria (as described in WAC 388-503-0510) and the trust:

(i) Is managed by a nonprofit association which:

(A) Maintains separate accounts for each trust beneficiary; and

(B) May pool such separate accounts only for investment and fund management purposes; and

(C) Stipulates that the state will receive all amounts remaining in the client's separate account upon the death of the client, up to the amount of Medicaid spent on the client's behalf.

(5) The department considers payments made from trusts in subsection (4) above to be unearned income.

(6) The department will only count income from trusts and not the principal if:

(a) The beneficiary has no control over the trust; and

(b) It was established with funds of someone other than the client, spouse or legally responsible person.

(7) This section of WAC does not apply when a client establishes that undue hardship exists.

(8) WAC 388-513-1365 applies when the department determines that a trust is a transfer of assets.

#### NEW SECTION

**WAC 388-561-0200 Annuities.** An annuity owned by a client, a client's spouse, or a client's legal dependent affects a client's eligibility for medical programs in the following ways:

(1) A revocable annuity is counted as an available resource.

(2) The income received from an irrevocable annuity is counted in determining eligibility and the amount of participation in the cost of care. The annuity itself is not counted as a resource or income.

(3) For irrevocable annuities established January 1, 2001 or after:

(a) When the annuity is paid out in equal monthly amounts throughout the actuarial life expectancy of the annuitant, the department counts the payments as income.

(b) When the annuity is paid out in any other way, the department counts the principal as an available resource.

(c) If the annuity is paid out other than in equal monthly payments, and will still be paid out within the actuarial life expectancy, in order for the annuity to be considered as income rather than resource a client may:

(i) Change the irregular or lump sum payments into equal monthly payments throughout the actuarial life expectancy of the annuitant; or

(ii) Allow the department to calculate and budget the payments as equal monthly payments throughout the actuarial life expectancy of the annuitant.

(d) If the annuity is paid out in excess of the actuarial life expectancy of the annuitant, the excess amount beyond the life expectancy is a transfer of resources and the department will decide if there is a penalty.

(i) In the case of long-term care benefits, there may be a period of ineligibility (see WAC 388-513-1365).

(ii) In the case of other medical programs, there may be ineligibility in the month of application.

(4) A revocable annuity is counted as an available resource.

(5) The income received from an irrevocable annuity is counted in determining eligibility and the amount of participation in the cost of care. The annuity itself is not counted as a resource or income.

(6) For an annuity to be counted as income the annuitant of an irrevocable annuity must be:

(a) The client;

(b) The spouse of the client;

(c) The blind or disabled child of the client; or

(d) A person designated to use the annuity for the sole benefit of the annuitant.

(7) If an annuity has a joint owner (co-annuitant) or an irrevocable beneficiary, who must agree before the policy may be cashed, and refuses to agree, the department does not consider the annuity as available **unless** the joint owner or irrevocable beneficiary is the community spouse. In that case, the department considers the cash surrender value of the annuity as an available resource and counts it toward the maximum community spouse resource allowance.

(8) An annuity is subject to the transfer of asset rules (see WAC 388-513-1365) unless it:

(a) Is irrevocable;

(b) Is issued by an insurer or other body licensed and approved to do business in the jurisdiction in which the annuity is established;

(c) Generates an equal monthly payment of interest and principal (the original purchase price) which pays out the principal throughout the actuarial life expectancy of the annuitant; and

(d) Names the state of Washington's department of social and health services or its successor agency, as the beneficiary of funds remaining in the annuity, not to exceed the total of Medicaid funds spent on the client during the client's lifetime, if the client is single or is married and the annuity is in the client's name.

(9) The dollar amount of resources from an annuity transferred without adequate consideration equals the difference between what will be paid out to the annuitant within the expected lifetime (based on the actuarial tables) and the principal of the annuity (original purchase price) less any early withdrawal and/or tax penalties. The period of ineligibility is determined according to WAC 388-513-1365 for long-term care (LTC).

#### NEW SECTION

**WAC 388-561-0300 Life estates.** A life estate owned by a client, a client's spouse, or a client's legal dependent affects a client's eligibility for medical programs in the following ways:

(1) A life estate is an excluded resource if:

(a) The life estate owner is the client, the life estate is for the client's home and the client is living in or expresses an intent to return to the home; or

(b) It is property other than the home, which is essential to self-support or part of an approved plan for self-support; or

(c) It cannot be sold due to refusal of joint life estate owner(s) to sell.

(2) Only the client's proportionate interest in the life estate is considered if there is more than one owner of the life estate.

(3) A property owner, who transfers legal ownership to a property creating a life estate, is transferring a resource if the life estate cannot be excluded in subsection (1). Refer to WAC 388-513-1365 for transfer of resources.

(4) A person must receive fair market value (FMV) for the value of the property transferred when creating a life estate.

(5) If a person does not receive FMV for the property transferred, then the value of the uncompensated portion of the resource is combined with other nonexcluded resources.

(6) If the total in subsection (5), exceeds the resource standard (WAC 388-470-0005, 388-478-0070, and 388-478-0080), then:

(a) For CN/MN medical programs, the client is ineligible during the month of transfer; or

(b) For long-term care programs, a period of ineligibility will be established (see WAC 388-513-1365).

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-505-0595 Trusts.

**WSR 00-17-127**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Children's Administration)  
[Filed August 18, 2000, 11:07 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Repealing WAC 440-44-026 Fees for family child care homes and 440-44-025 Fees for child care centers.

Purpose: The purpose is to migrate WAC 440-44-026 which governs fees for family child care homes. It will be incorporated into chapter 388-155 WAC so that all the rules for family child care homes will be in one chapter. The new number is WAC 388-155-083. Also, this will migrate WAC 440-44-025 that governs fees for child care centers. This WAC will be moved to 388-150-070 [(1)](c). This will now read "The annual licensing fee. The fee is forty eight dollars for the first twelve children plus four dollars for each additional child."

Statutory Authority for Adoption: RCW 43.20B.110.

Statute Being Implemented: RCW 43.20B.110.

Summary: The WAC governing fees in family child care homes and centers will be moved to the chapter containing the other rules for family child care homes.

Reasons Supporting Proposal: This is in line with the governor's directive to streamline and consolidate the WACs.

Name of Agency Personnel Responsible for Drafting: Leslie Edwards-Hill, 14th and Jefferson, Olympia, Washington 98504, (360) 902-8041; Implementation and Enforcement: Sophia Kouidou-Giles, 14th and Jefferson, Olympia, Washington 98504, (360) 902-8038.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The comments on the proposed change have been extremely positive. This change will consolidate the rules for child care homes.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The department is migrating all its WACs into Title 388 WAC. The purpose of this rule making is to move fee sections pertaining to fees for family child care homes and child care centers into the appropriate chapters within Title 388 WAC making them easier for licensees to find.

Proposal Changes the Following Existing Rules: This proposal repeals two fee sections from Title 440 WAC and moves them to Title 388 WAC. Technical corrections are also made.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposal imposes no new costs on businesses. It only moves fee sections from Title 440 WAC into appropriate sections of Title 388 WAC.

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

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 24, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 17, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 24, 2000.

Date of Intended Adoption: No sooner than October 25, 2000.

August 16, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3623, filed 8/18/93, effective 9/18/93)

**WAC 388-150-070 Application and reapplication for licensing—Investigation.** (1) The person or organization applying for a license or relicensure under this chapter and responsible for operating the center shall comply with application procedures the department prescribes and submit to the department:

(a) A completed department-supplied application for child care agency form, including required attachments, ninety or more days before the:

- (i) Expiration of a current license;
- (ii) Opening date of a new center;
- (iii) Relocation of a center;
- (iv) Change of the licensee; or
- (v) Change of license category.

(b) A completed criminal history and background inquiry form for each staff person or volunteer having unsupervised or regular access to the child in care; and

(c) The annual licensing fee. The fee is forty-eight dollars for the first twelve children plus four dollars for each additional child.

(2) In addition to the required application materials specified under subsection (1) of this section, the applicant for initial licensure shall submit to the department:

(a) An employment and education resume of the person responsible for the active management of the center and the program supervisor;

(b) Diploma or education transcript copies of the program supervisor; and

(c) Three professional references each for the licensee, director, and program supervisor.

(3) The applicant for a license under this chapter shall be twenty-one years of age or older.

(4) The applicant, licensee, and director shall attend department-provided orientation training.

(5) The department may, at any time, require additional information from the applicant, licensee, staff person, volunteer, member of their households, and other person having access to the child in care as the department deems necessary, including, but not limited to:

- (a) Sexual deviancy evaluations;
- (b) Substance and alcohol abuse evaluations;
- (c) Psychiatric evaluations;
- (d) Psychological evaluations; and
- (e) Medical evaluations.

(6) The department may perform investigations of the applicant, licensee, staff person, volunteer, member of their households, and other person having access to the child in care as the department deems necessary, including accessing criminal histories and law enforcement files.

(7) The applicant shall conform to rules and regulations approved or adopted by the:

(a) Department of health, promoting the health of the child in care, contained in this chapter; and

(b) State fire marshal's office, establishing standards for fire prevention and protection of life and property from fire, under chapter 212-12 WAC, "fire marshal standards."

(8) The department shall not issue a license to the applicant until the department of health and the state fire marshal's office have certified or inspected and approved the center.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 440-44-025 Day care centers and mini-day care centers license fees.

#### NEW SECTION

**WAC 388-155-083 Fees.** The licensee must pay a fee of twenty-four dollars per year. The fee is payable to DSHS and may be paid either annually or once every three years.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 440-44-026 Family day care home licensing fee.

**WSR 00-17-128**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 18, 2000, 11:09 a.m.]

Continuance of WSR 00-17-056.

Preproposal statement of inquiry was filed as WSR 00-07-087.

Title of Rule: New WAC 388-530-1125 Drug rebate program, 388-530-1410 Federal upper limit (FUL) methodology, 388-530-1425 Payment methodology for drugs purchased under the Public Health Service (PHS) Act, 388-530-1625 Compliance packaging services; and amending WAC 388-530-1300 General reimbursement methodology, 388-530-1350 Estimated acquisition cost methodology, 388-530-1400 Maximum allowable cost methodology, 388-530-1450 Dispensing fee information, 388-530-1500 Reimbursement for compounded prescriptions, 388-530-1550 Unit dose drug delivery systems, 388-530-1600 Unit dose pharmacy billing requirements, 388-530-1650 Reimbursement for pharmaceutical supplies, and 388-530-1700 Drugs and pharmaceutical supplies from nonpharmacy providers.

Purpose: To continue the public hearing scheduled for September 26, 2000, until October 10, 2000, so that WSR 00-17-080 and 00-17-056 may be heard on the same day, so that interested stakeholders will only have to make one appearance.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050.

Statute Being Implemented: RCW 74.08.090, 74.04.050.

Summary: The proposed rules regarding pharmacy-related reimbursement reflect current department policy and practice. New sections codify current policy for the drug rebate program; payment methodology for federal upper limit

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(FUL), for drugs purchased under the Public Health Service (PHS) Act, and for compliance packaging. The amended sections reflect updated policy, and all sections have been written to comply with the clear-writing standards in the Governor's Executive Order 97-02.

Reasons Supporting Proposal: To ensure current policy and practice is reflected in rule and comply with the Governor's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45533, Olympia, WA 98507-5533, (360) 725-1345; Implementation: Ayuni Wimpee, DOSS/PRS, P.O. Box 45510, Olympia, WA 98507-5510, (360) 725-1835.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules codify existing department policy regarding pharmacy-related reimbursement methodology.

The purpose is to comply with requirements to put reimbursement methodology in rule.

The anticipated effect is to clearly reflect department policy so it is understood by those to whom it applies.

Proposal Changes the Following Existing Rules: The rules proposed above update language and clarify existing policy.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rules and concludes that they will have no more than minor impact on the businesses affected by them; therefore, no small business economic impact statement is required.

RCW 34.05.328 does not apply to this rule adoption. The department has analyzed the proposed rules and concludes that they do 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 October 10, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: No sooner than October 11, 2000.

August 17, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

## WSR 00-17-133

### PROPOSED RULES

## DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed August 21, 2000, 10:28 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-08-084.

Title of Rule: Chapter 388-148 WAC, Licensing requirements for foster homes, group care programs/facilities and agencies.

Purpose: Clarify the language of the licensing requirements for foster homes, group care programs/facilities and child-placing agencies licensed by Children's Administration, DSHS. The chapter incorporates changes in state and federal law, Children's Administration policy and current practice.

Statutory Authority for Adoption: RCW 74.15.030.

Statute Being Implemented: RCW 74.15.030.

Summary: Change in the format and organization adds to clarity. The major changes have to do with strengthening health and safety requirements regarding smoking, water hazards, psychotropic medications, securing a child's belongings, increasing staffing during sleeping hours in group care facilities, raising the age of child care staff, changing language to comply with changes in federal legislation.

Reasons Supporting Proposal: Overall clarity, elimination of duplicative and out-of-date regulations, and effectiveness of the rules affecting foster homes, group care facilities and child-placing agencies will be achieved.

Name of Agency Personnel Responsible for Drafting and Implementation: Jean L. Croisant, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7992; and Enforcement: Division of Licensed Resources, Office of Foster Care Licensing, Children's Administration, DSHS.

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 purpose of the chapter is to define the minimum general and specific licensing requirements for foster homes, staffed residential homes, group facilities and child-placing agencies. Foster homes and group care facilities must be regulated to ensure that children experience safe and healthy care while in out-of-home placement.

The anticipated effect will be the overall clarification of the requirements licensing foster homes, group care facilities and child-placing agencies. The more clearly written question and answer format will improve understanding of the rules and consistency of interpretation of the WAC chapter. It is anticipated there will be greater compliance with the rules, more effective monitoring, and fewer corrective action plans needed as a result of the changes.

Proposal Changes the Following Existing Rules: Some of the changes are as follows:

- Clarifying the use of psychotropic drugs.

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- Aligning the chapter with federal laws under the Multi-ethnic Placement Act of 1994 and the Interethnic Adoption Provisions Act of 1996.
- Clarifying the difference between licensing and certification.
- Requiring a child's belongings to be secured for up to thirty days when a child leaves a home or facility, which allows time for the child's personal belongings to be moved to the new placement.
- Addition of the "awake staff" in settings where there are more than six children in care; or the focus of the program is behavioral in nature rather than transitional living or when the child's behavior is a risk.
- Expansion of the behavior management policy to include requiring training prior to the use of any physical restraint.
- Prohibiting smoking in any home or facility caring for children and in motor vehicles while transporting children.
- Clarification of capacity for foster homes allowing licensing for up to six foster children with the approval of the department.
- Have the same qualifications for the director, on-site program manager, and child care staff for all group care programs.
- Raising the minimum age of the licensee from eighteen to twenty-one years old.
- Raising the age of child care staff from eighteen to twenty-one years old, unless the person is nineteen or twenty and participating in an internship program with an accredited college or university.
- Reducing the capacity for respite care to comply with the general foster home licensed capacity.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Children's Administration only licenses one small business, Shamrock Acres, which is a group home. In a discussion with this small business, it has observed that Shamrock Acres already more than meets the requirements of the proposed changes of this chapter. Therefore, no new costs will be imposed on small businesses affected by these changes. The preparation of a comprehensive small business economic impact statement is not required.

RCW 34.05.328 applies to this rule adoption. The proposed rule changes for chapter 388-148 WAC, Licensing requirements for foster homes, group care programs/facilities and agencies, are "significant legislative rules" as defined in RCW 34.05.325 and therefore require a cost benefit analysis (CBA). A copy of the CBA may be requested by contacting Jean L. Croisant, at the Division of Program and Policy Development, Children's Administration, P.O. Box 45710,

Olympia, WA 98504-5710, (360) 902-7992 or loje300@dshs.wa.gov.

Hearing Location: The hearing will be conducted using Washington Interactive Technologies' videoconferencing service. There will be four sites available for simultaneous hearing: **SPOKANE**, 1101 North Argonne, Suite 109, Spokane, WA 99201, (509) 921-2371; **RENTON**, 1107 S.W. Grady Way, Suite 112, Renton, WA 98055, (425) 277-7290; **TRICITIES**, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336, (509) 734-7180; and **LACEY**, DIS Interactive Technologies, 710 Sleater-Kinney Road S.E., Suite Q, Lacey, WA 98504, (360) 407-9487; on October 26, 2000, at 1:30 p.m. Please contact Kelly Cooper, DSHS Rules Coordinator, at (360) 664-6094 for directions.

Assistance for Persons with Disabilities: Contact DSHS Rules Coordinator by October 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 26, 2000.

Date of Intended Adoption: No sooner than October 27, 2000.

August 18, 2000

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 00-19 issue of the Register.

**WSR 00-17-137**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed August 21, 2000, 3:45 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-03-080.

Title of Rule: General pesticide rules, chapter 16-228 WAC, WAC 16-228-1010, 16-228-1040, 16-228-1150, 16-228-1200, 16-228-1230, 16-228-1270, 16-228-1380, 16-228-1385, 16-228-1540, and 16-228-1580.

Purpose: Regulatory rule review to update regulations and clarify wording and requirements.

Statutory Authority for Adoption: Chapters 15.58, 17.21 RCW.

Statute Being Implemented: Chapters 15.58, 17.21 RCW.

Summary: Modifications to existing rules.

WAC Number	Title	Initial Proposed Changes	Reason
WAC 16-228-1010	Definitions.	(1) Add definition of "blossoming." (2) Add definition of "chemigation." (3) Add definition of "pollen shedding com."	Clarify when other rules are applicable.
WAC 16-228-1040	Response time.	(1) Add "or alleged violation of Chapters 17.21 or 15.58 RCW or the accompanying rules."	Department must initiate an investigation if there is an alleged violation of laws or rules.

PROPOSED

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WAC 16-228-1150	Dispositions.	(1) Add "or notice of correction."	Consistency with regulatory penalties allowed in law.
WAC 16-228-1200	Restrictions on distribution, transportation, storage and disposal.	(1) Add "Restrictions," "pesticide," "application" to title. (2) Change DSHS to DOH, subsection (9). (3) Add "illegible" to subsection (10).	Title reflects content of rule.  Reflects agency name change. The intent of the law is to prohibit sale when the label cannot be read.
WAC 16-228-1230 WAC 16-228-1231	State restricted use pesticides.	(1) Revised section and combined with aquatic pesticides. (2) Add "crop or site..." to dealer records.	Consolidate general rules regarding the use of restricted use products and dealer record-keeping requirements.
WAC 16-228-1270	Use of pesticides on small seeded vegetable seed crops.	(1) Add "clover" to list (crops grown only for seed).	Include clover seed in the list of nonfood, nonfeed crops (when grown for seed) in order to allow state use of certain pesticides.
WAC 16-228-1380	Regulation of application of vertebrate control pesticides.	(1) Add "certified" to subsection (3)(c) "The name of the firm and/or <u>certified</u> applicator....." (2) Modify wording for tamper resistant bait boxes in subsection (3).	Recognize that the certified applicator is responsible.  Clarify that the bait is allowed to be accessible to the target pest.
WAC 16-228-1385	Compounds 1080, etc.	(1) Modify wording regarding certified applicators. (2) Modify wording on placement of bait.	Clarify that a certified applicator is required. Clarify that the bait is to be inaccessible to humans or domestic animals.
WAC 16-228-1540	Examination requirements.	(1) Add "and at other offices as scheduled" to subsection (1).	Allow for testing at other offices.
WAC 16-228-1580	Change of exemptions.	Delete WAC.	Rule contents covered in law.
Chapter 16-228 WAC	General pesticide regulations.	(1) Change title to "General pesticide rules."	Contents are "rules," not "regulations."

Reasons Supporting Proposal: Clarification and update.

Name of Agency Personnel Responsible for Drafting and Implementation: Ann Wick, Olympia, (360) 902-2051; and Enforcement: Cliff Weed, Olympia, (360) 902-2038.

Name of Proponent: Washington State Department of Agriculture.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Modify and update general pesticide regulations for clarity, add consistency with other laws or rules and add needed regulatory authority to existing rules.

Proposal Changes the Following Existing Rules: See Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement was determined not to be required as the economic impact of the rule changes are minor.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable to the Washington State Department of Agriculture.

Hearing Location: The videoconference hearing will be held at three sites throughout the state simultaneously. LACEY, DIS Interactive Technologies, 710 Sleater-Kinney Road S.E., Suite Q, Lacey, WA 98503, (360) 407-9487; SPOKANE, DIS Interactive Technologies, North 1101 Argonne, Suite 109, Spokane, WA 99201, (509) 921-2371; and YAKIMA, DIS Interactive Technologies, Yesterday's Village, 15 West Yakima Avenue, Suite 220, Yakima, WA 98902, (509) 454-7878; on October 10, 2000, at 7:00 p.m.

Assistance for Persons with Disabilities: Contact Laurie Mauerman by October 2, 2000, TDD (360) 902-1996.

Submit Written Comments to: Laurie Mauerman, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2093, by October 11, 2000.

Date of Intended Adoption: October 24, 2000.

August 18, 2000

Bob Arrington  
Assistant Director

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 00-18 issue of the Register.

**WSR 00-17-138**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed August 21, 2000, 3:48 p.m.]

Continuance of WSR 00-13-031.

Preproposal statement of inquiry was filed as WSR 99-11-058.

Title of Rule: Rules relating to the pesticide penalty matrix, WAC 16-228-1100 [16-228-1110] through 16-228-1160 [16-228-1155].

Purpose: The rule ensures a fair and uniform method when assessing penalties for violations of the pesticide laws and rules. The proposed changes simplify and provide additional clarification to the existing rule. Changes will also provide an increased level of deterrence.

Statutory Authority for Adoption: Chapters 15.58 and 17.21 RCW.

Statute Being Implemented: Chapters 15.58 and 17.21 RCW.

**Summary:** The primary purpose of these rules is to clarify and simplify the existing matrix. This is accomplished in part by consolidating the existing two matrices into one and eliminating the knowledge element as a factor. The amendments repeal the first level of violation, leaving only four levels on the matrix. The amendments also clearly separate days of license suspension from monetary fines by adding the words and/or in the first level of violation providing flexibility for the Washington State Department of Agriculture to seek both a civil penalty, a license suspension or both depending on the violation. Additional changes proposed include adding specific language concerning the length of license revocation, new language to address violations committed during a license suspension/revocation, and a new section concerning licensing actions only.

**Reasons Supporting Proposal:** To provide clarification, to update and adjust penalties; and to increase deterrence effectiveness.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Cliff Weed, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-2036.

**Name of Proponent:** Department of Agriculture, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The penalty matrix rule was originally established to provide an effective deterrent in relationship to the nature and magnitude of the violation. Specifically, the proposed changes to the rule clarify the manner in which a penalty is accessed. The changes also provide for slightly higher civil penalties and license suspensions. The proposal allows for the revocation of a license sooner than allowed by the existing matrix. The proposed changes will provide a greater level of deterrence and allow the department a better method to deal with repeat violators in a more effective manner.

**Proposal Changes the Following Existing Rules:** Definitions of "knowingly" and "unknowingly" are repealed, definitions of "civil penalty," "technical assistance" and "notice of correction" are added. A provision (aggravating factor) is added for "Actions against licenses only" without also seeking a civil penalty. Two penalty assignment schedules are combined into one schedule, the first level of violation is repealed, and penalty determination is clarified. A new section is added to clarify notices of correction. Other proposed changes include adding specific language concerning the length of license revocation, new language to address violations committed during a license suspension/revocation, and a new section concerning licensing actions only.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The imposition of civil penalties and/or license suspension on violators of the state pesticide laws and rules does not disproportionately impact small businesses. There is nothing mandatory in these rules that would require any business to expend additional funds to comply with these rules. Rather, the only way businesses will be affected by these rules would be if they violated the pesticide laws and rules. Therefore, no economic impact consideration is necessary.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Department of Agriculture is not a listed agency in section 201.

**Hearing Location:** DIS Interactive Technologies, 1107 S.W. Grady Way, Suite 112, Renton, WA 98055, on September 26, 2000, at 6:00 p.m.

**Assistance for Persons with Disabilities:** Contact Laurie Mauerman by September 15, 2000, TDD (360) 902-1996.

**Submit Written Comments to:** Cliff Weed, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2093, by September 27, 2000.

**Date of Intended Adoption:** October 18, 2000.

August 18, 2000

Bob Arrington  
Assistant Director

**WSR 00-17-142**  
**PROPOSED RULES**  
**BOARD OF INDUSTRIAL**  
**INSURANCE APPEALS**

[Filed August 22, 2000, 11:17 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-12-061.

**Title of Rule:** Chapter 263-12 WAC, Practice and procedure before the Board of Industrial Insurance Appeals.

**Purpose:** The rule reflects the regulation of the use of interpreters in proceedings before the Board of Industrial Insurance Appeals and the responsibility for payment of the services.

**Statutory Authority for Adoption:** RCW 51.52.020.

**Summary:** See Purpose above.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** David E. Threedy, 2430 Chandler Court S.W., Olympia, WA, (360) 753-9646.

**Name of Proponent:** Board of Industrial Insurance Appeals, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** To provide impaired person(s) as defined by chapter 2.42 RCW or non-English speaking person(s) with an interpreter before the Board of Industrial Insurance Appeals.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. This rule relates only to agency hearings.

**Hearing Location:** Board of Industrial Insurance Appeals, 2430 Chandler Court S.W., Main Conference Room, Olympia, WA, on October 10, 2000, at 9:30 - 11:30.

**Assistance for Persons with Disabilities:** Contact Dee Mathews by September 30, 2000.

Submit Written Comments to: David E. Threedy, P.O. Box 42401, Olympia, WA 98504-2401, fax (360) 586-5611, by October 9, 2000.

Date of Intended Adoption: November 7, 2000.

August 22, 2000  
David E. Threedy  
Executive Secretary

## NEW SECTION

**WAC 263-12-097 Interpreters.** (1) When an impaired person as defined in chapter 2.42 RCW or a non-English-speaking person as defined in chapter 2.43 RCW is a party or witness in a hearing before the board of industrial insurance appeals, the industrial appeals judge may appoint an interpreter to assist the party or witness throughout the proceeding. Appointment, qualifications, waiver, compensation, visual recording, and ethical standards of interpreters in adjudicative proceedings are governed by the provisions of chapters 2.42 and 2.43 RCW.

(2) The industrial appeals judge shall make a preliminary determination that an interpreter is able to accurately interpret all communication to and from the impaired or non-English-speaking person and that the interpreter is impartial. The interpreter's ability to accurately interpret all communications shall be based upon either (a) certification by the Office of the Administrator of the Courts, or (b) the interpreter's education, certifications, experience, and the interpreter's understanding of the basic vocabulary and procedure involved in the proceeding. The parties or their representatives may question the interpreter as to his or her qualifications or impartiality.

(3) An interpreter shall not, without the written consent of the parties to the communication, be examined as to any communication the interpreter interprets when the communication is privileged by law. When a case is still pending in which an interpreter provided services, the interpreter shall not be examined as to any information the interpreter obtained, without the written consent of the parties to the communication.

(4) The board of industrial insurance appeals will pay interpreter fees and expenses when the industrial appeals judge has determined the need for interpretive services as set forth in subsection 1. When a party or person for which interpretive services were requested fails to appear at the proceeding, the requesting party or the party's representative may be required to bear the expense of providing the interpreter.

**WSR 00-17-143**  
**PROPOSED RULES**  
**BOARD OF INDUSTRIAL**  
**INSURANCE APPEALS**

[Filed August 22, 2000, 11:18 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 00-12-053 through 00-12-060; 00-12-062 through 00-12-064; and 00-12-066 through 00-12-068.

Title of Rule: Chapter 263-12 WAC, Practice and procedure before the Board of Industrial Insurance Appeals.

Purpose: To revise the board's rules of practice and procedure by amending WAC 263-12-016, 263-12-020, 263-12-045, 263-12-050, 263-12-060, 263-12-090, 263-12-093, 263-12-095, 263-12-100, 263-12-115, 263-12-120, 263-12-135, 263-12-140, and 263-12-145.

Statutory Authority for Adoption: RCW 51.52.020.

Summary: The proposed revisions make a number of housekeeping changes by correcting the address of the headquarters; clarifying and simplifying language; clarifying representation before the board; subpoena power of industrial insurance appeals judge; provide for new types of appeals identified by legislative changes; change contents of notice of proceedings; allow judges to make record of agreed resolutions; to create record of proceedings consistent with changes to WAC 263-12-093; to clarify judges ability to exclude evidence from a record that is admissible and who can request interlocutory review from the chief industrial appeals judge; to include litigation orders and judges report of proceedings identified.

Reasons Supporting Proposal: Rules are being rewritten to meet the WAC migration and clear-writing mandates.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David E. Threedy, 2430 Chandler Court S.W., Olympia, WA, (360) 753-9646.

Name of Proponent: Board of Industrial Insurance Appeals, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 263-12-016, the rule corrects the board's address and will allow parties to properly address mailings for public disclosure requests; WAC 263-12-020, to clarify who may represent employees in adjudicative proceedings involving industrial insurance and WISHA; WAC 263-12-045, clarifies the subpoena power of industrial appeals judges; WAC 263-12-050, to consolidate several rules into a single rule that will clarify the requirements for the contents of a notice of appeal. Contains provisions for new types of appeals due to legislative changes to chapter 41.26 RCW; WAC 263-12-060, to clarify and simplify language regarding time limitations for filing appeals; WAC 263-12-090, to change contents of notice of proceedings so it will no longer specify the industrial appeals judge assigned to a particular conference; WAC 263-12-093, to allow judges to make a record of an agreed resolution without use of a court reporter; WAC 263-12-095, to clarify judges prehearing activities and to reflect ability to create record of proceedings consistent with changes to WAC 263-12-093; WAC 263-12-115, to clarify judge's ability to exclude evidence from a record that is inadmissible under WAC 263-12-095(5) and clarifies who may request an interlocutory review from the chief industrial appeals judge; WAC 263-12-135, to clarify definition of board record to include litigation orders and judges report of proceedings identified by WAC 263-12-093; and WAC 263-12-100, 263-12-120, 263-12-140, and 263-12-145, to clarify and simplify language used in the rules.

Proposal Changes the Following Existing Rules: See Purpose, Summary and Explanation of Rule above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no impact on financial issues in the amendments being made. They are basically clarification of rules in order to make them easier to understand.

RCW 34.05.328 does not apply to this rule adoption. These rule changes are not legislative, they relate to procedures related to agency hearing or clarify language of a rule without changing its effect.

Hearing Location: Board of Industrial Insurance Appeals, 2430 Chandler Court S.W., Main Conference Room, Olympia, WA, on October 10, 2000, at 9:30 - 11:30.

Assistance for Persons with Disabilities: Contact Dee Mathews by September 30, 2000.

Submit Written Comments to: David E. Threedy, P.O. Box 42401, Olympia, WA 98504-2401, fax (360) 586-5611, by October 9, 2000.

Date of Intended Adoption: November 7, 2000.

August 22, 2000

David E. Threedy  
Executive Secretary

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 00-18 issue of the Register.

**WSR 00-17-144**  
**PROPOSED RULES**  
**BOARD OF INDUSTRIAL**  
**INSURANCE APPEALS**

[Filed August 22, 2000, 11:19 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-12-056 and 00-12-065.

Title of Rule: Chapter 263-12 WAC, Practice and procedure before the Board of Industrial Insurance Appeals.

Purpose: To repeal WAC 263-12-051, 263-12-056, 263-12-057, 263-12-058, and 263-12-130.

Statutory Authority for Adoption: RCW 51.52.020.

Summary: The proposed WAC(s) being repealed have been combined under WAC 263-12-050. WAC 263-12-130 is unnecessary.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David E. Threedy, 2430 Chandler Court S.W., Olympia, WA, (360) 753-9646.

Name of Proponent: Board of Industrial Insurance Appeals, governmental.

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

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The repeal of these WAC(s) has no impact on financial issues. The content of these WAC(s) has been listed under WAC 263-12-050.

RCW 34.05.328 does not apply to this rule adoption. These rules relate to procedures for agency hearings.

Hearing Location: Board of Industrial Insurance Appeals, 2430 Chandler Court S.W., Main Conference Room, Olympia, WA, on October 10, 2000, at 9:30 - 11:30.

Assistance for Persons with Disabilities: Contact Dee Mathews by September 30, 2000.

Submit Written Comments to: David E. Threedy, P.O. Box 42401, Olympia, WA 98504-2401, fax (360) 586-5611, by October 9, 2000.

Date of Intended Adoption: November 7, 2000.

August 22, 2000

David E. Threedy  
Executive Secretary

**WSR 00-17-147**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed August 22, 2000, 1:06 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-22-070.

Title of Rule: Chapter 16-237 WAC, Commodity storage warehouses and grain dealers.

Purpose: This rule provides for standard requirements that commodity storage warehouses and grain dealers must meet to maintain their licenses. As required by the governor's executive order on regulatory improvement and agency policy, the proposed rule is updated and rewritten in a clear and usable format. Three existing chapters of rules will be repealed and the significant language in those chapters is revised into one new proposed chapter of rules for the warehouse audit program.

Statutory Authority for Adoption: RCW 22.09.020(13).

Statute Being Implemented: Chapter 22.09 RCW.

Summary: This rule establishes the minimum standard requirements for licensing, bonding and recordkeeping of warehouse operators and grain dealers. This proposed rule consolidates three chapters into one and aligns the rule with the policies and practices of licensed commodity warehouses and grain dealers.

Reasons Supporting Proposal: Current rules affecting commodity storage warehouses and grain dealers are found in three separate chapters of rule. This proposal combines the essence of those rules into one rule chapter and updates the language into a clear and usable format reflecting the standards and practices that must be met within the industry.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Don Michelbook, 617 North Fancher Road, Building 103/D, Spokane, WA 99212, (509) 533-2488.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This rule revision was developed in conjunction with an industry advisory board prior to publication in the register.

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

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Explanation of Rule, its Purpose, and Anticipated Effects: The rule adopts requirements for licensing, bonding, net worth and recordkeeping that must be met by commodity storage warehouses and grain dealers in protecting producers and depositors of specific agricultural commodities as provided by chapter 22.09 RCW. These requirements were found in three rule chapters 16-212, 16-224 and 16-234 WAC which are being repealed. The new rule consolidates the essential requirements into a clear and usable format under one chapter. The proposed rule also establishes criteria allowing for outside temporary storage of agricultural commodities.

Proposal Changes the Following Existing Rules: The new rule consolidates chapters 16-212, 16-224, and 16-234 WAC into one rule and provides clarity to existing language for the benefit of commodity storage warehouse operators and grain dealers. The proposed rule establishes criteria for the temporary outside storage of agricultural commodities and the relicensing of outside storage under certain conditions.

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

#### Small Business Economic Impact Statement

The mission of the warehouse audit program is to protect commodity depositors and producers by regulating and educating stakeholders on state and federal grain warehouse and dealer requirements.

Rule Summary: The warehouse audit program advisory committee, consisting of four licensees and four producers, has reviewed and reorganized the program's three existing administrative rules. The committee recommended that chapters 16-212, 16-224, and 16-234 WAC be rolled into one rule, chapter 16-237 WAC, making it easier for stakeholders to access. The new rule includes all requirements for licensing and bonding of grain warehouse operators and grain dealers, financial statements, net worth and working capital, recordkeeping, printing of warehouse receipts, inventory access pipes in new construction, and outside storage of commodities.

The only new provision of the rule is contained in WAC 16-237-175(3). This section requires warehouse operators who are requesting relicensing of outside storage piles to draw and submit a sample for grading from those storage piles that have been covered and aerated. This provision establishes that a minimum of one sample for every 10,000 bushels in each outside storage pile, be submitted for grading prior to June 1st. The results of the grading must be made available to the department within ten days after the licensee receives the grades.

This will enable the department to protect the depositor by determining that the warehouse operator is maintaining the quality and condition of the commodity in an outside pile per the requirements of RCW 22.09.520 Deposits as bailments. That section states "Whenever any commodity shall be delivered to a warehouse under this chapter and the scale ticket or warehouse receipt issued therefor provides the return of a like amount of a like kind, grade, and class to the holder thereof..."

The purpose of the rule is to clarify and strengthen the rules specifying the responsibilities of commodity storage warehouses and grain dealers.

This rule is being adopted under the authority of chapter 22.09 RCW.

This process also responds to the governor's executive order requiring all administrative rules to be reviewed at least once every four years.

Industries Impacted by the Rule: WAC 16-237-175(3), affects state licensed grain warehouse operators storing commodities in covered and aerated ground storage piles that may be carried forward to the next license year.

The warehouse audit program issues approximately seventy licenses annually to commodity storage warehouse operators. These seventy licensees operate some four hundred ten separate warehouses located throughout the state with a total permanent licensed storage capacity of approximately 210,000,000 bushels. In addition to the 210,000,000 bushels of permanent storage, the program has approved the use of approximately 20,000,000 bushels of outside storage for twelve companies at twenty-four different locations for the license periods 98-99, and 99-00.

The use of outside storage is dependent on the amount of commodities in permanent storage that are carried forward to the next license period, and the projected intake of commodities for the coming harvest. The amount of outside storage that a warehouse operator may want to relicense is dependent on the amount of commodity deposited by producers that is sold in the marketplace over that time frame.

Operators may request approval for two types of outside piles. The first type is an open uncovered pile that must be picked up and placed in permanent storage by October 31st of the license period. The other type of outside pile is covered and aerated and may stay outside.

Of the 20,000,000 bushels approved for 98-99 and 99-00, 10,000,000 was left uncovered and was required to be picked up and placed in permanent storage by October 31st. The other 10,000,000 bushels of outside storage was aerated, covered by a tarp and therefore permitted to remain in outside storage. For the 2000-01 license period the program has approved the use of 31,500,000 bushels of outside storage to sixteen companies at forty-four different locations. Of that total, 13,400,000 bushels will be picked up by October 31st. 18,100,000 bushels will be aerated and covered and may be allowed to stay outside in the ground pile past the October 31st date.

Justification for Sampling and Grading Requirement: Because RCW 22.09.520 requires that warehouse operators maintain commodities in the same quality and condition as originally deposited by the depositor, the only method to ensure the quality and condition of commodities that is in a covered storage pile is to have samples drawn and submitted for grading.

In addition, this requirement provides alignment with and meets the requirements of the USDA/uniform grain and rice storage agreement for outside storage carried forward to the next federal contract period.

Reporting and Record-keeping Requirements: The state currently requires commodity storage warehouses to maintain a complete set of records with regard to the delivery,

storage, purchase contracts with producers, shipping documents for covered commodities. These records include but are not limited to scale tickets, bills of lading, warehouse receipts, purchase and sales contracts, and a depositor ledger. There are no new record-keeping requirements.

**Cost Analysis:** While there are no reporting and record-keeping requirements for WAC 16-237-175 (3)(a), implementation of this section requires the drawing and submitting of samples for grading. There is a cost to the industry to draw samples and a need for professional services to grade the samples.

The following analysis was completed to determine the impact on grain storage warehouses:

The average size of an outside storage pile is approximately 500,000 bushels.

It takes approximately three people four hours to draw fifty samples. At the rate of \$10.00 per manhour. The total cost of the sampling is approximately \$120.00. The cost of the grading is based on the current cost per sample charged by the Washington State Grain Grading Laboratory of \$7.75 per sample, for a cost of \$387.50. Therefore, the total cost of sampling and grading a 500,000 bushel outside storage pile is less than \$600.00.

**Cost Impact for Industry:** As required by rule, the average reported profit for grain warehouse operators for 1998 and 1999 was \$196,750.00 and \$252,298.00 respectively. For the 1998 and 1999 average profit figures, the cost to industry in meeting this requirement at \$600.00 per pile per year is .3% of \$196,750.00 and .2% of \$252,928.00.

**Industry Outreach:** The department mailed a draft copy of the proposed rules to state grain storage examiners, and advisory committee members. We received valuable input as a result of the outreach and have incorporated them into the final draft rules.

**Benefits:** WAC 16-237-175, strengthens and clarifies the requirements for outside storage to include relicensing. This ensures that the quality and condition of commodities is being maintained as originally deposited as required by RCW 22.09.520, to reduce the risk of financial loss to depositors.

The agency will send a copy of the new rule to all state licensed commodity storage warehouses. The department will continue to provide technical assistance and oversight to the industry.

A copy of the statement may be obtained by writing to Don Michelbook, Program Manager, Grain Warehouse Audit Program, 222 North Havana, Spokane, WA 99212, phone (509) 533-2488, fax (509) 533-2486, e-mail whseaudit@agr.wa.gov.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Department of Agriculture is not a named agency under section 201.

**Hearing Location:** Spokane County Ag Center, 222 North Havana, Spokane, WA 99212, on October 3, 2000, at 1:30 p.m.

**Assistance for Persons with Disabilities:** Contact Lou Jones by September 27, 2000, TDD (360) 902-1996, or (360) 902-1806.

**Submit Written Comments to:** Washington State Department of Agriculture, Warehouse Audit, Don Michelbook, Program Manager, P.O. Box 11559 or 617 North

Fancher Road, Building 103/D, Spokane, WA 99211 [99212], fax (509) 533-2486, by October 3, 2000.

Date of Intended Adoption: October 13, 2000.

August 22, 2000

Julie C. Sandberg

Assistant Director

## Chapter 16-237 WAC

### COMMODITY STORAGE WAREHOUSES AND GRAIN DEALERS

#### NEW SECTION

**WAC 16-237-010 Definitions.** (1) "Permanent enclosed storage space" means that it has a foundation and both rigid walls and roof.

(2) "Warehouse operator" means the same as "warehouseman" which is defined in chapter 22.09 RCW.

#### NEW SECTION

**WAC 16-237-015 Covered commodities.** Commodities covered under chapter 22.09 RCW in respect to storage and/or merchandising shall include wheat, barley, oats, field corn, popcorn, rye, triticale, grain sorghum, soybeans, sunflowers, flax, buckwheat, rapeseed, safflower, millet, mustard, dry peas, dry beans, lentils, malt, and the by-products resulting from conditioning the above commodities.

#### NEW SECTION

**WAC 16-237-020 Grades and standards.** The grades and standards established by the United States Department of Agriculture as of August 1, 1984, for all grains and commodities included within the provisions of this chapter are hereby adopted. In addition, the procedures to sample, grade, test and weigh grains and commodities, established by the regulations and instructions under the United States Grain Standards Act and the Agricultural Marketing Act of 1946, are hereby adopted for this state.

#### NEW SECTION

**WAC 16-237-025 Bond requirements.** (1) A bond of not less than fifty thousand dollars nor more than seven hundred fifty thousand dollars shall be required for each warehouse operator and dealer licensed pursuant to chapter 22.09 RCW, the Washington Warehouse Act. The bond amount shall be computed at the rate of eighteen cents per bushel of licensed storage capacity or six percent of cost of covered commodities purchased from producers, whichever is higher.

(2) For purposes of this section, the cost of covered commodities purchased from producers will include only those commodities purchased during the preceding fiscal year of that dealer.

(3) Grain dealers who purchase less than one hundred thousand dollars annually from producers may petition the

PROPOSED

director for exemption from the bond requirements. A grain dealer who is granted exemption must:

(a) Pay for the commodity at time of taking possession by:

- (i) Coin or currency; or
- (ii) Cashier's check; or
- (iii) Certified check; or
- (iv) Bank draft.

(b) Dealers must maintain a copy of the contract, scale ticket and payment record. All documents must be complete and show the actual date of the transaction. If paid for in coin or currency, a receipt must be issued and signed and dated by the producer.

#### NEW SECTION

**WAC 16-237-030 Certificates of deposit, letters of credit, life insurance.** A certificate of deposit, irrevocable letter of credit or assignment on a life insurance policy issued to the department in lieu of a bond shall not be released, canceled or discharged until three years after cancellation of the license unless the department determines that no outstanding claims exist for the subject period.

#### NEW SECTION

**WAC 16-237-035 Net worth requirements.** A warehouse operator must maintain an allowable net worth of twenty cents per bushel of licensed space, with a minimum of twenty-five thousand dollars. A dealer must maintain an allowable net worth of four percent of sales of commodities purchased from producers, with a minimum of twenty-five thousand dollars. A warehouse operator who is also a dealer must maintain the higher of these two requirements. For a warehouse operator, any deficiency above the twenty-five thousand dollar minimum must be compensated for by increasing the amount of the warehouse operator's bond by the amount of the deficiency, up to the seven hundred fifty thousand dollar maximum. For a dealer, any deficiency above the twenty-five thousand dollar minimum must be compensated for by increasing the amount of the dealer's bond by the amount of the deficiency regardless of the seven hundred fifty thousand dollar maximum. Warehouse operators and grain dealers must maintain a current asset to current liability ratio of at least point nine to one. Deficiencies must be made up by providing additional bonding in the amount of the deficiency.

#### NEW SECTION

**WAC 16-237-040 Financial statement requirements.** Each warehouse operator and dealer shall submit to the department an annual financial statement which shall have been audited or reviewed by a certified or licensed public accountant. The statement must be submitted to the department within four months after the conclusion of the warehouse operator's or dealer's fiscal year. The statement shall include:

- (1) A balance sheet.

(2) An income statement which includes annual gross sales of commodities from producers covered under the act.

(3) A statement of changes in financial position.

(4) Footnotes or schedule disclosure of:

(a) The total bushels received annually by commodity.

(b) The amount of each commodity in storage at end of year.

(c) The amount of each commodity held for depositors.

For purposes of this section, commodity refers to those commodities covered under the Washington Warehouse Act, chapter 22.09 RCW.

#### NEW SECTION

**WAC 16-237-140 Warehouse operator recordkeeping requirements.** Each warehouse operator shall maintain the following records at a location required by RCW 22.09-340:

(1) A printed daily position record showing by commodity:

(a) The amount received.

(b) The amount shipped.

(c) Adjustments.

(d) The amount forwarded to other locations.

(e) The amount in storage.

(f) The amount belonging to depositors.

(g) The amount belonging to the warehouse operator.

(2) A depositor ledger for each depositor showing:

(a) The amount deposited each day by scale ticket number.

(b) The amount transferred to warehouse receipts with the corresponding warehouse receipt number.

(c) The amount transferred to other locations.

(d) The amount purchased and purchase report number.

(e) The amount contracted to purchase and contract number.

(f) The amount delivered back to depositors.

(g) The lot numbers and grade.

(h) Any crop divisions.

(3) Scale tickets. In addition to the requirements in RCW 22.09.010(16), scale tickets must:

(a) Show location where the commodity is deposited.

(b) Show that the commodity is insured for current market value.

(c) Plainly indicate that it is nonnegotiable.

(d) Be filed numerically in the main office.

(4) Shipments out of warehouses must be filed by:

(a) Warehouse location; and

(b) Intra-company transfers must be on a prenumbered form and filed numerically by warehouse location.

#### NEW SECTION

**WAC 16-237-145 Grain dealer recordkeeping requirements.** Each dealer shall maintain the following records at a location as required by RCW 22.09.340:

(1) Contracts. Contracts issued to producers must:

(a) Be serially numbered.

(b) Clearly indicate the date title passes.



(c) Show the net price due the producer or charges to be deducted from the selling price.

(d) Show the date payment is due.

(e) Indicate the method of adjustment for over and under deliveries.

(f) Show date paid.

(g) Be maintained in numerical sequence by month payment is due for outstanding contracts and completed contracts must be filed numerically.

(2) Delayed price contracts. Delayed price contracts must contain the following information:

(a) Indicate in large type the date title will pass.

(b) Show the method for setting price.

(c) Charges to be assessed.

(d) Commodity and quantity contracted.

(3) Purchase reports. Each dealer who purchases commodity from a producer must issue a purchase report to the producer at the time of payment which shall:

(a) Be prenumbered.

(b) Show commodity and quantity purchased.

(c) Show price and basis.

(d) Show discounts.

(e) Show itemized charges assessed the producer.

(f) Show the check number and date paid with one copy filed numerically.

(4) Producer ledger. Each dealer must maintain a producer ledger showing:

(a) The name of each producer from whom the dealer has purchased an agricultural commodity.

(b) The amount contracted with corresponding contract number.

(c) Scale ticket numbers, lot numbers and/or bills of lading to apply against the contract.

(d) The purchase voucher number.

(5) Daily position. All grain dealers shall maintain a daily position by commodity in regard to producer purchases showing:

(a) The net buy/sell position.

(b) The amount in pounds, bushels, tons, or hundred weight of delayed price contracts which the producer has not priced.

(c) The amount in pounds, bushels, tons, or hundred weight which the producer has priced but has not received payment.

#### NEW SECTION

**WAC 16-237-150 Recordkeeping requirements for warehouse operators storing seed.** Warehouse operators storing treated seed for depositors must maintain, at a minimum, a separate daily position record by class for treated seed that shows the amount in pounds, bushels, or hundred weights owed to depositors.

#### NEW SECTION

**WAC 16-237-155 Rates and charges.** Warehouse operators and dealers who receive commodities for storage, handling, or conditioning shall post conspicuously a schedule of all charges, moisture adjustment factors, and disposition

and/or ownership of all by-products. A copy of all charges assessed and billed to each depositor shall be itemized and retained in a numerical file.

#### NEW SECTION

**WAC 16-237-160 Scales.** All scales used by warehouse operators and dealers must be certified for accuracy annually. Scale testing for certification may be performed by the department or by an approved scale company. When scales are tested by the department a seal shall be placed on the scales. The seal shall be dated and shall indicate approval or rejection. When scales are tested by an approved scale company, a copy of a scale test report shall be forwarded to the department and a copy shall be maintained in the warehouse operator's file.

#### NEW SECTION

**WAC 16-237-165 Historical depositor.** Prior to allocating storage space, each warehouse operator shall file a policy statement with the department of agriculture setting forth the criteria that identifies a person as a historical depositor as defined in RCW 22.09.010. Any subsequent changes in this policy shall be filed with the department.

#### NEW SECTION

**WAC 16-237-170 Emergency storage situation.** If the director determines that an emergency storage situation exists, a warehouse operator may forward warehouse receipted grain to other licensed warehouses for storage without canceling the depositor's warehouse receipt under the following conditions:

(1) The warehouse operator must notify the department prior to shipment.

(2) The warehouse operator must obtain a warehouse receipt in his/her name from the receiving warehouse.

(3) The warehouse operator be back in compliance with the requirements described in RCW 22.09.250 within thirty days.

#### NEW SECTION

**WAC 16-237-175 Outside storage.** (1) Grain may be stored outside the warehouse operator's permanent enclosed storage space only under the following conditions:

(a) The warehouse operator has insufficient permanent enclosed storage space to handle commodities for the current license year.

(b) Outside storage shall be on ground properly crowned and groomed to provide adequate drainage. Prior to its use, the storage space shall be approved by the department.

(c) Outside storage not filled through the warehouse operator's permanent enclosed storage facility shall have a separate letter designation and license fee.

(d) Outside storage must be free of contact with any building or elevator after October 15th of each year.

(e) The warehouse operator shall maintain a net worth of twenty-five cents per bushel in addition to the net worth requirements of WAC 16-237-035.

(2) Uncovered and/or nonaerated outside storage must be moved to a covered licensed storage facility by October 31st. A warehouse operator may submit a written request to the department for a thirty-day extension. The request for extension shall indicate the amount and condition of the commodity for which the extension is requested along with other information that may be necessary to assist the department in the evaluation of the request. This request must be received by October 15th. The request will be granted upon satisfying the following conditions:

(a) That the amount of outside storage does not exceed fifty-percent of the warehouse operator's license permanent enclosed storage space.

(b) The warehouse operator maintains a total net worth of seventy-five cents per bushel for uncovered outside storage in addition to the net worth requirements of WAC 16-237-035.

(c) There is no unreasonable risk to depositors.

(3) Licensed outside piles that have been covered and aerated prior to November 1 may be relicensed for the next license period provided that the warehouse operator samples each pile and submits the samples for grading.

(a) A sufficient number of samples that is representative of the entire pile shall be drawn, at a minimum, one sample for every ten thousand bushels in each outside pile and submitted for grading by June 1st. Samples are required to be graded using the grades and standards established by the United States Department of Agriculture.

(b) The results of the grading must be made available to the department within ten days of receipt of the grades.

(c) The department may deem that the requirements of this subsection have been met if outside storage samples are drawn and graded under the requirements of a United States Department of Agriculture Uniform Grain and Rice Storage Agreement and those certificates are provided to the department.

(d) If the average of the grades of the samples falls two grades below the average of the grades when the commodity was placed in the outside pile, the pile will not be approved for relicensing. Unless otherwise documented, "average grade" is considered to be U.S. No. 1.

NEW SECTION

**WAC 16-237-180 Warehouse license expiration and late renewal penalty.** (1) Warehouse licenses issued under RCW 22.09.070 shall expire on June 30th after the date of issuance.

(2) If the application for renewal of a warehouse license(s) is not received by the department prior to June 30th of any year a penalty shall be assessed as provided by RCW 22.09.050.

(3) Subsequent to the expiration of a license, nothing herein shall be construed to limit the department's ability to enforce applicable laws as provided by chapter 22.09 RCW.

NEW SECTION

**WAC 16-237-185 Grain dealer license expiration and late renewal penalty.** (1) Grain dealer license issued under RCW 22.09.075 shall expire on June 30th after the date of issuance.

(2) If the application for renewal of a grain dealer license is not received by the department prior to June 30th of any year, a penalty shall be assessed as provided by RCW 22.09.055.

(3) Subsequent to the expiration of a license, nothing herein shall be construed to limit the department's ability to enforce applicable laws as provided by chapter 22.09 RCW.

NEW SECTION

**WAC 16-237-190 Inventory requirements.** A warehouse not licensed prior to July 1, 1983, must meet the following requirements:

(1) Tanks and stices over two hundred bushels per foot must have inventory holes situated in such a manner as to allow the measurement of the high and low points of the commodity.

(2) Conventional flat storage must have an overhead catwalk with a minimum of five feet of headroom.

NEW SECTION

**WAC 16-237-195 Fees for warehouse audit and related services.** These fees shall be applied to the following services:

(1) Measurement of new or additional storage including outside grain storage that requires a second and/or additional inspection or measurement, per hour . . . . . \$ 23.00

(2) Special year end audits that require remeasurement at the request of the warehouse operator, per hour . . . \$ 23.00

(3) Commodity Credit Corporation samples may be drawn by department personnel at the rate established by the grain inspection program.

(4) Appropriate overtime charges, mileage, and travel charges incurred by department personnel shall be assessed.

NEW SECTION

**WAC 16-237-200 Printing by private printer—When.** The department of agriculture will allow warehouse operators to have their negotiable warehouse receipts printed by a private printer only when the state printer cannot supply said receipts within a reasonable time in the form requested and at a competitive price as determined by the director.

NEW SECTION

**WAC 16-237-205 Bond requirements for the use of outside printers.** Warehouse operators who require receipts as set forth in WAC 16-234-010 shall apply to the director and furnish the following:

(1) A bond for one thousand dollars as provided for in RCW 22.09.300.

PROPOSED

(2) Complete the department's "requisition for negotiable warehouse receipts" form, and forward to the department for both approval and forwarding to said private printer.

**NEW SECTION**

**WAC 16-237-210 Completion of printing.** Upon receipt of a completed "requisition for negotiable warehouse receipts" form, the private printer shall print the authorized negotiable warehouse receipts, and upon completion of printing notify the department, by use of the "affidavit of printer" form, the number of negotiable warehouse receipts printed and the inclusive numbers as specified.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 16-212-010 Definitions.
- WAC 16-212-020 Grain and commodity inspection points.
- WAC 16-212-030 General provisions for hourly charges.
- WAC 16-212-060 Official inspection and/or weighing fees under the United States Grain Standards Act.
- WAC 16-212-070 Official services under the Agricultural Marketing Act of 1946.
- WAC 16-212-080 Miscellaneous fees.
- WAC 16-212-082 Fees for services performed under state regulation.
- WAC 16-212-086 Fees for warehouse audit and related services.
- WAC 16-212-087 Covered commodities.
- WAC 16-212-110 Bonds.
- WAC 16-212-120 Grades and standards.
- WAC 16-212-125 Licenses; warehouse, terminal warehouse, country warehouse—Late renewal penalty.
- WAC 16-212-126 Grain dealer license—Late renewal penalty.
- WAC 16-212-127 Warehouse license expiration.
- WAC 16-212-128 Grain dealer license expiration.
- WAC 16-212-130 Net worth requirements.
- WAC 16-212-160 Financial statements.

- WAC 16-212-170 Dealer records.
- WAC 16-212-180 Warehouseman records.
- WAC 16-212-190 Shipments.
- WAC 16-212-195 Inventory requirements.
- WAC 16-212-215 Scales.
- WAC 16-212-220 Signs.
- WAC 16-212-225 Charges.
- WAC 16-212-230 Certificates of deposit, letters of credit, life insurance.
- WAC 16-212-235 Seed warehouseman records.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 16-224-010 Combining certain warehouses into stations.
- WAC 16-224-020 Definition.
- WAC 16-224-025 Emergency storage.
- WAC 16-224-030 Contemporary grain storage.
- WAC 16-224-040 Historical depositor.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 16-234-001 Promulgation.
- WAC 16-234-010 Printing by private printer—When.
- WAC 16-234-020 Bond requirements.
- WAC 16-234-030 Completion of printing.

**WSR 00-17-155  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Economic Services Administration)**

[Filed August 22, 2000, 3:15 p.m.]

Original Notice.  
Preproposal statement of inquiry was filed as WSR 00-13-035.  
Title of Rule: WAC 388-478-0055 SSI standards.  
Purpose: To reduce SSI state supplement amounts to hold total state spending for SSI state supplements to levels mandated by the Washington state legislature. The state supplement is being lowered in the amount of \$4.10 per month for the months of November and December 2000 only, for individuals living alone.

**PROPOSED**

Statutory Authority for Adoption: RCW 74.04.057, 74.08.090.

Statute Being Implemented: Chapters 74.04, 74.08 RCW.

Summary: We are reducing the SSI state supplement amounts for individuals living alone for the months of November and December 2000 only.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Carla Gira, Program Manager, Lacey Government Center, 1009 College Street S.E., Lacey, WA 98503, (360) 413-3264.

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: This rule will reduce the state supplement for SSI recipients who are "individuals living alone," for the months of November and December 2000. This must be done to stay with legislatively set funding limits.

Proposal Changes the Following Existing Rules: This proposal changes the amount of the SSI state supplement for individuals living alone, in the amount of \$4.10 per month for the months of November and December 2000.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not impact small business.

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

Hearing Location: Lacey Government Center (behind Tokyo O'Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on September 26, 2000, at 10:00.

Assistance for Persons with Disabilities: Contact DSHS Rules Coordinator by September 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by September 26, 2000.

Date of Intended Adoption: No sooner than September 27, 2000.

August 18, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 00-11-130, filed 5/22/00, effective 7/1/00)

**WAC 388-478-0055 SSI standards.** (1) Supplemental Security Income (SSI) is a cash assistance program for needy individuals and couples who meet federal disability guidelines as aged, blind or disabled. Since the SSI program began in January 1974, the state of Washington has supplemented the federal benefit level with state funds, known as the SSI state supplement. Persons found eligible for SSI receive cash assistance based on the combined federal and state supplement benefit levels, minus countable income.

(2) Effective ((January)) November 1, 2000, the federal, state and combined benefit levels for an eligible individual and couple are:

(a) Living alone area 1: King, Pierce, Snohomish, Thurston, and Kitsap Counties.

LIVING ALONE - Own household or alternate care, except nursing homes or medical institutions	Federal Benefit Level	State Supplement Benefit Level	Combined Federal/State Benefit Level
Individual	\$ 512.00	\$ (( <del>27.00</del> )) <u>22.90</u>	\$ (( <del>539.00</del> )) <u>534.90</u>
Individual with: One essential person	\$ 769.00	\$ 21.00	\$ 790.00
Individual with: Multiple essential persons	\$ 512 for the eligible individual plus \$ 257 for each essential person (no state supplement)		
Individual with an ineligible spouse	\$ 512.00	\$ 167.20	\$ 679.20
Couple	\$ 769.00	\$ 21.00	\$ 790.00
Couple with one or more essential persons	\$ 769 for eligible couple plus \$ 257 for each essential person (no state supplement)		

(b) Living alone area 2: All other counties.

LIVING ALONE - Own household or alternate care, except nursing homes or medical institutions	Federal Benefit Level	State Supplement Benefit Level	Combined Federal/State Benefit Level
Individual	\$ 512.00	\$ (( <del>6.55</del> )) <u>2.45</u>	\$ (( <del>518.55</del> )) <u>514.45</u>
Individual with: One essential person	\$ 769.00	\$ 0.00	\$ 769.00
Individual with: Multiple essential persons	\$ 512 for the eligible individual plus \$ 257 for each essential person (no state supplement)		
Individual with an ineligible spouse	\$ 512.00	\$ 137.25	\$ 649.25
Couple	\$ 769.00	\$ 0.00	\$ 769.00

PROPOSED

LIVING ALONE - Own household or alternate care, except nursing homes or medical institutions	Federal Benefit Level	State Supplement Benefit Level	Combined Federal/State Benefit Level
Couple with one or more essential persons	\$ 769 for eligible couple plus \$ 257 for each essential person (no state supplement)		

(c) Shared living for both Area 1 and 2.

SHARED LIVING	Federal Benefit Level	State Supplement Benefit Level	Combined Federal/State Benefit Level
Individual	\$ 341.34	\$ 4.81	\$ 346.15
Individual with: One essential person	\$ 512.00	\$ 5.30	\$ 517.30
Individual with: Multiple essential persons	\$ 341.34 for the eligible individual plus \$170.67 for each essential person (no state supplement)		
Individual with an ineligible spouse	\$ 341.34	\$ 102.76	\$ 444.10
Couple	\$ 512.67	\$ 5.30	\$ 517.97
Couple with one or more essential persons	\$ 512.67 for eligible couple plus \$ 170.67 for each essential person (no state supplement)		

(d) Residing in a medical institution: Area 1 and 2

MEDICAL INSTITUTION	Federal Benefit Level	State Supplement Benefit Level	Combined Benefit Level
Individual	\$ 30.00	\$ 11.62	\$ 41.62

(e) Mandatory income level (MIL) for grandfathered claimant. "Grandfathered" refers to a person who qualified for assistance from the state as aged, blind, or disabled, was converted from the state to federal disability assistance under SSI in January 1974, and has remained continuously eligible for SSI since that date.

The combined federal/state SSI benefit level for MIL clients is the higher of the following:

- (i) The state assistance standard they received in December 1973, except for those converted in a "D" living arrangement (residing in a medical institution at the time of conversion), plus the federal cost-of-living adjustments (COLA) since then; or
- (ii) The current standard.

Purpose: Compliance with the executive order on regulatory improvement; to make changes consistent with recent changes in the law; and renumber the rule for inclusion in Title 388 WAC.

Statutory Authority for Adoption: Chapter 10.77 RCW. Statute Being Implemented: Chapter 10.77 RCW.

Summary: The proposed changes will bring the language of the rule into line with the language of the statute, and implement rules required by the statute.

Reasons Supporting Proposal: Compliance with the statute.

Name of Agency Personnel Responsible for Drafting: Kathy Burns Peterson, Office Building 2, Olympia, (360) 902-0843; Implementation: David Weston, Office Building 2, Olympia, (360) 902-0782; and Enforcement: Pat Terry, Acting Director, Office Building 2, Olympia, (360) 902-0790.

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: This proposed rule is about the evaluation and treatment of persons committed to the secretary for evaluation and treatment for criminal insanity. It requires individualized treatment and access to records by criminal justice agencies. It requires that if the defendant may be developmentally disabled that at least one of the experts or professional persons appointed must be a developmental disabilities professional.

Proposal Changes the Following Existing Rules: This proposed rule adds a requirement that certain documents must be made available to criminal justice agencies if they are requested in writing.

**WSR 00-17-156**

**PROPOSED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Health and Rehabilitative Services Administration)

[Filed August 22, 2000, 3:17 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-14-065.

Title of Rule: New chapter 388-875 WAC, Criminally insane person committed to the care of the Department of Social and Health Services—Evaluation, placement, care and discharge. WAC 275-59-020, 275-59-030, and 275-59-060 are amended and recodified. The remaining sections in chapter 275-59 WAC are recodified into chapter 388-875 WAC.

PROPOSED

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule has minor effect on businesses.

RCW 34.05.328 applies to this rule adoption. These proposed rules make significant changes to a policy or regulatory program. However, the department is exempt from the analysis required under RCW 34.05.328 because the changes implement state law without material change.

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

Assistance for Persons with Disabilities: Contact DSHS Rules Coordinator by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: No sooner than October 10, 2000.

August 15, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending Order 1373, filed 3/1/79)

**WAC 275-59-020 Definitions.** ~~((1)) "Secretary" means the secretary of the department of social and health services or his designee.~~

~~((2)) "Department" means the state department of social and health services.~~

~~((3)) "Division" means the mental health division, department of social and health services.~~

~~((4)) "Evaluation" means the initial procedure when a court requests the department to determine if a person charged with a crime is competent to stand trial or, if indicated and appropriate, if the person was suffering under a mental disease or defect excluding responsibility at the time of the commission of the crime.~~

~~"Indigent" means any person who is financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to himself or his family.~~

**"Professional person" means:**

~~(1) A psychiatrist. This is defined as a person having a license as a physician and surgeon in this state, who has in addition, completed three years of graduate training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association and who is certified or is eligible to be certified by the American Board of Psychiatry and Neurology or the American Osteopathic Board of Neurology and Psychiatry.~~

~~(2) A psychologist. This is defined as a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW.~~

~~(3) A social worker. This is defined as a person with a master's or further advanced degree from an accredited~~

~~school of social work or a degree deemed equivalent under rules adopted by the secretary.~~

~~"Secretary" means the secretary of the department of social and health services or his designee.~~

~~"Superintendent" means the person responsible for the functioning of a treatment facility.~~

~~"Treatment facility" means any facility operated or approved by the department of social and health services for the treatment of the criminally insane. Such definition shall not include any state correctional institution or facility.~~

~~((5)) "Superintendent" means the person responsible for the functioning of a treatment facility.~~

~~(6) "Evaluation" means the initial procedure when a court requests the department to determine if a person charged with a crime is competent to stand trial or, if indicated and appropriate, if the person was suffering under a mental disease or defect excluding responsibility at the time of the commission of the crime.~~

~~(7) "Indigent" means any person who is financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to himself or his family.~~

~~(8) "Mental health professional" means:~~

~~(a) A psychiatrist. This is defined as a person having a license as a physician and surgeon in this state, who has in addition, completed three years of graduate training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association.~~

~~(b) A psychologist. This is defined as a person with a doctoral degree in clinical psychology from an accredited college or university, or who has been licensed as a psychologist pursuant to chapter 18.83 RCW.~~

~~(c) A social worker. This is defined as a person with a master's or further advanced degree from an accredited school of social work, and who has had a minimum of two years of experience in the direct treatment of mentally ill or emotionally disturbed persons under the supervision of a mental health professional.~~

~~(d) A psychiatric nurse. This is defined as a registered nurse who has a master's or further advanced degree in psychiatric nursing from an accredited college or university, and who has had a minimum of two years of experience in the direct treatment of mentally ill or emotionally disturbed persons under the supervision of a mental health professional.)~~

**AMENDATORY SECTION** (Amending Order 1373, filed 3/1/79)

**WAC 275-59-030 Mental health division.** The secretary designates to the division the responsibility for:

(1) Evaluation and treatment of any person committed to the secretary for evaluation or treatment, under chapter 10.77 RCW;

(2) Assisting the court in obtaining nondepartmental ~~((mental health professionals))~~ experts or professional persons to participate in the evaluation or a hearing on behalf of the defendant and supervising the procedure whereby such professionals will be compensated, according to fee schedule if the person being evaluated or treated is an indigent;

(3) Assuring that any nondepartmental (~~(mental health)~~) expert or professional person requesting compensation has maintained adequate evaluation and treatment records which justify compensation;

(4) Assisting the court by designation of experts or professional(s) persons to examine the defendant and report to the court when the defendant is not committed to the secretary;

(5) Determination of what treatment (~~(center)~~) facility shall have custody of persons committed to the secretary under chapter 10.77 RCW.

(6) If the court is advised by any party that the defendant may be developmentally disabled, at least one of the experts or professional persons appointed shall be a developmental disabilities professional.

AMENDATORY SECTION (Amending Order 1373, filed 3/1/79)

**WAC 275-59-060 Individualized treatment.** (1) Whenever a person is committed to the secretary as criminally insane, the treatment facility to which the person is assigned shall, within fifteen days of admission to the (~~center, and through the use of appropriate mental health professionals~~) facility, evaluate and diagnose the committed person for the purpose of devising an individualized treatment program.

(2) Every person, committed to the secretary as criminally insane, shall have an individualized treatment plan formulated by the treatment (~~(center)~~) facility. This plan shall be developed by appropriate (~~(mental health professionals)~~) treatment team members and implemented as soon as possible but no later than fifteen days after the person's admission to the treatment (~~(center)~~) facility as criminally insane. Each individualized treatment plan shall include, but not be limited to:

- (a) A statement of the nature of the specific problems and specific needs of the patient;
- (b) A statement of the physical setting necessary to achieve the purposes of commitment;
- (c) A description of intermediate and long-range treatment goals, with a projected timetable for their attainment;
- (d) A statement and rationale for the plan of treatment for achieving these intermediate and long-range goals;
- (e) A specification of staff responsibility and a description of proposed staff involvement with a patient in order to attain these treatment goals;
- (f) Criteria for recommendation to the court for release.

(3) This individualized treatment plan shall be reviewed by the treatment (~~(center)~~) facility periodically, at least every six months, and a copy of the plan shall be sent to the committing court.

NEW SECTION

**WAC 388-875-0110 Access to records by criminal justice agencies.** Upon written request, criminal justice agencies shall have access to the following documents developed pursuant to the procedures set forth in chapter 10.77 RCW. the most recent forensic:

- (1) Psychiatric assessment;
- (2) Release summary; and
- (3) Pre-trial report of the examination, either inpatient or outpatient.

Other relevant information may be provided by agreement between the requesting criminal justice agency and the treatment facility, subject to federal and state confidentiality provisions.

NEW SECTION

The following sections of the Washington Administrative Code, as amended, are recodified as follows:

Old WAC Number	New WAC Number
275-59-020	388-875-0020
275-59-030	388-875-0030
275-59-060	388-875-0060

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
275-59-010	388-875-0010
275-59-041	388-875-0040
275-59-050	388-875-0050
275-59-071	388-875-0070
275-59-072	388-875-0080
275-59-080	388-875-0090
275-59-090	388-875-0100

**WSR 00-17-157**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Health and Rehabilitative Services Administration)  
 [Filed August 22, 2000, 3:20 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-08-048.

Title of Rule: Chapter 275-16 WAC, Liability for costs of care and hospitalization of the mentally ill.

Purpose: Compliance with the executive order on regulatory improvement and to update references to law and other regulations, add one definition and modify two others, delete part of one section and increase the monthly exempt income of a patient. The rewritten rules will be renumbered into chapter 388-855 WAC.

Statutory Authority for Adoption: RCW 43.20B.335, 43.20B.325, 72.01.090, 71.05.560.

Statute Being Implemented: RCW 71.20.090.

Summary: Patients who are financially able to do so must pay for care at the state psychiatric hospitals. This rule

PROPOSED

describes how costs and ability to pay are determined. It also sets the consequences of failing to cooperate with the department, and gives the right to petition for review of the department's decision.

Reasons Supporting Proposal: Efficient use of state resources.

Name of Agency Personnel Responsible for Drafting: Paul Bigelow, OB-2, Olympia, (360) 902-0817; Implementation and Enforcement: Camille Pedersen, Office of Financial Recovery, (360) 664-5470.

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: This proposal allows the state to collect payment for care in the state psychiatric hospitals from patients who are able to pay for their care. The proposal describes how state hospital costs are determined, and how ability to pay is determined. The proposal also describes the consequences for failure to cooperate with the department, and to appeal departmental decisions.

Proposal Changes the Following Existing Rules: The proposal defines "responsible relative" and further defines gross income.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Health and Rehabilitative Services Administration has analyzed the proposed chapter and concludes the proposed changes do not impact small businesses. Therefore, a small business economic impact statement is not required.

RCW 34.05.328 applies to this rule adoption. The proposed changes make significant amendments to a policy or regulatory program. However, the department is exempt from the analysis required under RCW 34.05.328 for rules that relate only to client medical or financial eligibility and rules concerning liability for care of dependents. Therefore no analysis was prepared. Other changes made were technical corrections only.

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

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myer-cme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: No sooner than October 11, 2000.

August 15, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 1627, filed 3/25/81)

**WAC 275-16-015 Definitions.** ~~((+))~~ "Adjusted charges" are those charges levied upon a patient who is or has been confined to a state hospital for the mentally ill, either by voluntary or involuntary admission, and their estates and responsible relatives, which are less than the actual cost of hospitalization as reflected in the schedule of charges herein and which has been established by the issuance of a notice of finding of responsibility.

~~((2))~~ "Adjusted gross income" is that gross income of the estate of the patient and responsible relatives less any deductions, contributions or payments mandated by law including, but not necessarily limited to, income tax and social security.

~~((3))~~ "Dependent" means any spouse, minor son or daughter, or permanently disabled son or daughter, of the patient living in the patient's household. If the patient is a minor, then the same definitions shall apply in determining the dependency of members of the parent's household. If a minor son or daughter is not living in the patient's household, that son or daughter shall not be considered a dependent unless the patient is in fact contributing more than fifty percent of that child's support in accordance with a court order or court-recognized agreement.

~~((4))~~ "Department" means the department of social and health services.

~~((5))~~ "Determination officer" is that duly appointed and qualified claims investigator who is delegated authority by the secretary to conduct or cause to have conducted an investigation of the financial condition of the estate of the patient and responsible relatives; to evaluate the results of such investigations; to make determinations of the ability to pay hospitalization charges from such investigations and evaluations; and to issue notices of findings of responsibility to the responsible parties.

~~((6))~~ "Estate of patient and responsible relative" means the total assets available to the patient and his responsible relatives to reimburse the department for hospitalization charges incurred by the patient in a state hospital for the mentally ill in accordance with these regulations.

~~((7))~~ "Gross income" means the total assets available to the estate of the patient and responsible relatives expressed in terms of their cash equivalent on a monthly basis. ~~((#))~~ The total assets available to the estate of the patient and responsible relatives are converted to a monthly cash equivalent figure by dividing those assets by twelve months. Gross income includes all of the following calculated prior to any mandatory deductions: gross wages for service; net earnings from self-employment; and all other assets (of the estate prior to any mandatory deductions) divided by twelve months.

~~((8))~~ "Responsible relative" includes the spouse of a patient, or the parent of a patient who is under eighteen years of age.

"Secretary" means the secretary of the department of social and health services.



AMENDATORY SECTION (Amending Order 1627, filed 3/25/81)

**WAC 275-16-035 Available assets of estate of patients and responsible relatives.** (1) The department will include, but not necessarily be limited to, in their determination of the assets of the estates of present and former patients of state hospitals for the mentally ill and their responsible relatives, cash, stocks, bonds, savings, security interests, insurance benefits, guardianship funds, trust funds, governmental benefits, pension benefits and personal property.

(2) Real property shall also be an available asset to the estate: Provided, That the patient's home shall not be considered an available asset if that property is owned by the estate and serves as the principal dwelling and actual residence of the patient, the patient's spouse, and/or minor children and disabled sons or daughters: Provided further, That if the home is not being used for residential purposes by the patient, the patient's spouse, and/or minor children and disabled sons or daughters, and in the opinion of two physicians, there is no reasonable expectancy that the patient will be able to return to the home during the remainder of his life, the home shall be considered an asset available to the estate((-

~~(3) In determining if a particular asset is available to the estate of a patient who is eligible or potentially eligible for Medicaid, the determination officer will apply the standards of WAC 388-92-045)).~~

AMENDATORY SECTION (Amending Order 1270, filed 2/17/78)

**WAC 275-16-045 Exempt income.** Patients whose total resources are insufficient to pay for the actual cost of care shall be entitled to a monthly exemption from income in the amount of ~~((25))~~ forty-one dollars and sixty-two cents or such amount as specified in WAC ~~((388-29-125))~~ 388-478-0040.

AMENDATORY SECTION (Amending Order 3083, filed 10/9/90, effective 11/9/90)

**WAC 275-16-055 Notice and finding of responsibility (NFR)—Appeal procedure.** (1) The determination officer's assessment of the ability and liability of a person or of the person's estate to pay hospitalization charges shall be issued in the form of a notice and finding of responsibility (NFR) as prescribed by RCW 43.20B.340.

(2) When the NFR is for full hospitalization charges as specified under WAC ~~((275-16-030))~~ 388-855-0030, the department shall:

(a) Inform the financially responsible person of the current charges; and

(b) Periodically recompute the financially responsible person's charges.

(3) When the NFR is for adjusted charges, the department shall:

(a) Express the charges in a daily or monthly rate; and

(b) Set aside charges for ancillary services.

(4) The right to an adjudicative proceeding to contest the NFR is contained in RCW 43.20B.340.

(a) A financially responsible person wishing to contest the NFR shall, within twenty-eight days of receipt of the NFR:

(i) File a written application for an adjudicative proceeding showing proof of receipt with the Secretary, DSHS, Attn: Determination Officer, P.O. Box 9768, Olympia, WA 98504; and

(ii) Include in or with the application:

(A) A specific statement of the issues and law involved;

(B) The grounds for contesting the department decision; and

(C) A copy of the contested NFR.

(b) The proceeding shall be governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 43.20B.340, this chapter, and chapter ~~((388-08))~~ 388-02 WAC. If any provision in this chapter conflicts with chapter ~~((388-08))~~ 388-02 WAC, the provision in this chapter governs.

AMENDATORY SECTION (Amending Order 1627, filed 3/25/81)

**WAC 275-16-065 Determination of liability.** (1) In determining the ability of the estate of the patient and responsible relative to pay hospitalization charges, first priority shall be given to any third party benefits which might be available. The availability of third party benefits, such as medical insurance, health insurance, Medicare, Medicaid, CHAMPUS, CHAMPVA, shall be considered as an available asset of the estate and shall justify a finding for actual costs of hospitalization during such period as the coverage is in effect.

(2) In the absence of third party benefits, charges shall be based upon the available assets of the estate giving consideration to any unusual and exceptional circumstances and other pertinent factors. No financial determination of the ability of the estate to pay hospitalization charges shall conflict with the eligibility requirements for Medicaid for those patients who are eligible or potentially eligible for such benefits.

(3) The ability of the estate to pay adjusted charges will be determined by applying the following formula:

$$X = (Z-E)F$$

$$\text{Where } Z = (A-Y-N-R)+D$$

Z = available income per family member

X = adjusted charges (daily)

A = gross income

Y = mandatory deductions

N = allowance for unusual and exceptional circumstances

R = allowance for other pertinent factors

D = number of dependents

E = exempt income

F = a factor which converts the monthly figures to a daily rate (.0328767).

All calculations are expressed in monthly terms except the final adjusted charge which is converted to a daily rate. All final figures are rounded out to the nearest cent.

PROPOSED

(4) The adjusted gross income (A-Y) is determined by first developing the gross income of the estate of the patient and the responsible relative. Gross income (A) includes not only gross wages for services rendered, and/or net earnings from self-employment, but all other available assets (~~converted to some reasonable~~) which have been divided by twelve months to convert them to a monthly cash equivalent figure. All mandatory deductions (Y), such as income tax and social security, are deducted from the gross income to arrive at the adjusted gross income.

(5) Approved allowances for unusual and exceptional circumstances (N) and for other pertinent factors (R) are then subtracted from the adjusted gross income.

(6) The available income (A-Y-N-R) is then divided by the number of dependents in the household of the patient (D) to determine the available income per family member.

(7) Exempt income (E) as defined in WAC (~~275-16-045~~) 388-855-0045 is then subtracted from the available income per family member to arrive at the monthly adjusted charges.

(8) The monthly adjusted charges are multiplied by the factor of .0328767 which converts the monthly figure to a daily rate.

**AMENDATORY SECTION** (Amending WSR 96-18-090, filed 9/4/96, effective 10/5/96)

**WAC 275-16-085 Other pertinent factors.** The determination officer may consider the following other pertinent factors in determining the ability of the estate of the patient and responsible relatives to pay.

(1) The determination officer may consider those factors related to the well-being, education and training, child support obligations set by court order or by administrative finding under chapter 74.20A RCW, and/or rehabilitation of the patient and the patient's immediate family, to whom the patient owes a duty of support. The patient and/or responsible relatives shall show the existence and the necessity for the pertinent factors as defined. Upon such a showing, the determination officer may consider such resources necessary to reasonably provide for such pertinent factors as assets not available to the estate of the patient and responsible relatives.

(2) Consistent with RCW 43.20B.335, the determination officer shall consider a judgment owed by the patient to any victim of an act that would have resulted in criminal conviction of the patient but for a finding of the patient's criminal insanity. A victim shall include an estate's personal representative who has obtained judgment for wrongful death against the criminally insane patient(~~(-~~

~~(3) The department shall ensure that any allowance for other pertinent factors does not conflict with Medicaid eligibility requirements for those patients who are eligible or potentially eligible for such benefits)).~~

**NEW SECTION**

The following sections of the Washington Administrative Code, as amended, are recodified as follows:

Old WAC Number	New WAC Number
275-16-015	388-855-0015
275-16-035	388-855-0035
275-16-045	388-855-0045
275-16-055	388-855-0055
275-16-065	388-855-0065
275-16-085	388-855-0085

**NEW SECTION**

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
275-16-010	388-855-0010
275-16-030	388-855-0030
275-16-075	388-855-0075
275-16-095	388-855-0095
275-16-105	388-855-0105

**WSR 00-17-158**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Children's Administration)  
 [Filed August 22, 2000, 3:22 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-08-084.

Title of Rule: Chapter 388-160 WAC, Overnight youth shelters.

Purpose: Clarify the language of the licensing requirements for overnight youth shelters. The rules also meet the intent of the Governor's Executive Order 97-02.

Statutory Authority for Adoption: RCW 74.15.030.

Statute Being Implemented: Chapter 74.15 RCW.

Summary: The clear language and format change will lead to overall clarification of the chapter. The addition of the FBI fingerprinting places state statute and agency policy into WAC. The addition of the qualifications for the lead counselor section consolidates those requirements in one section rather [than] sprinkled throughout the chapter.

Reasons Supporting Proposal: Overall clarity, efficiency and effectiveness of the overnight youth shelter regulations will be achieved.

Name of Agency Personnel Responsible for Drafting and Implementation: Jean L. Croisant, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7992; and Enforcement: Division of Licensed Resources.

Name of Proponent: Department of Social and Health Services, Children's Administration, governmental.

PROPOSED

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 388-160-0125, this rule adds qualifications of a lead counselor. This rule more clearly defines the lead counselor responsibilities and places this requirement in one section rather [than] in several as they are currently.

WAC 388-160-0175, this rule adds FBI criminal history check for those individuals who have lived in the state less than three consecutive years prior to application.

The anticipated effect will be the overall clarification of the requirements of overnight youth shelters. The more clearly written question and answer format will be consistent with the changes being made in the licensing requirements for other group facilities for children and youth. It is anticipated there will be greater compliance with the rules and fewer corrective action plans needed as a result of the changes.

Proposal Changes the Following Existing Rules: The FBI criminal history check has been state statute and agency policy since 1995 and is now being codified. This will provide clarity and ease in locating rules that apply to providers regulated by this chapter.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules do not have an economic impact on small businesses. Overnight youth shelters are nonprofit organizations/agencies. No small business economic impact statement is required.

RCW 34.05.328 applies to this rule adoption. The proposed rule changes for chapter 388-160 WAC, Overnight youth shelters, are "significant legislative rules" as defined in RCW 34.05.328 and therefore require a cost benefit analysis (CBA). A copy of the CBA may be requested by contacting Jean L. Croisant at Children's Administration, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7992, or loje300@dshs.wa.gov.

Hearing Location: The hearing will be conducted using Washington Interactive Technologies' videoconferencing service. There will be four sites available for simultaneous hearing: **SPOKANE**, 1101 North Argonne, Suite 109, Spokane, WA 99201, (509) 921-2371; **RENTON**, 1107 S.W. Grady Way, Suite 112, Renton, WA 98055, (425) 277-7290; **TRICITIES**, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336, (509) 734-7180; and **LACEY**, DIS Interactive Technologies, 710 Sleater-Kinney Road S.E., Suite Q, Lacey, WA 98504, (360) 407-9487; on October 26, 2000, at 1:30. Please contact Kelly Cooper, DSHS Rules Coordinator, at (360) 664-6094 for directions.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 26, 2000.

Date of Intended Adoption: No sooner than October 27, 2000.

August 18, 2000

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 00-18 issue of the Register.

**WSR 00-17-159**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Children's Administration)  
[Filed August 22, 2000, 3:24 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-07-039.

Title of Rule: Chapter 388-146 WAC, Background checks.

Purpose: Clarify the language of the background check requirements for homes and facilities licensed by Children's Administration (CA), for providers with unsupervised access to clients. This includes care providers to clients of the Division of Developmental Disabilities. The changes incorporate federal legislation, the Adoption and Safe Families Act of 1997 (42 U.S.C. 671(a)) that designated the types of criminal convictions which would preclude an individual from ever having unsupervised access to children.

The Division of Developmental Disabilities will follow the changes in this chapter for their adult clients as well as children.

Statutory Authority for Adoption: Chapter 74.15 RCW.  
Statute Being Implemented: RCW 74.15.030.

Summary: The clear language and format change will lead to overall clarification of the chapter. The addition of the federal law changes brings the chapter current with the practice of the Division of Licensed Resources, Children's Administration (DSHS).

The addition of the FBI fingerprinting requirement for persons who are new to the state within three years. This places state statute and agency policy into WAC for consistent practice for CA licensees needing to meet this requirement. The chapter adds the process for completing the background check with both Children's Administration and the Division of Developmental Disabilities making available to those regulated by the WAC the information needed on how to comply with the rule.

Reasons Supporting Proposal: Overall clarity, efficiency and effectiveness of the background check for those having unsupervised access to children and persons with developmental disabilities. Additionally, the WAC changes support the licensors of the Division of Licensed Resources with clear language about the process of completing background checks on prospective licensees and other providers.

Name of Agency Personnel Responsible for Drafting and Implementation: Jean L. Croisant, P.O. Box 45710,

PROPOSED

Olympia, WA 98504-5710, (360) 902-7992; and Enforcement: Division of Licensed Resources, Children's Administration, DSHS.

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 purpose of rewriting the chapter in clear question and answer style is to improve understanding of the rules and for consistency of interpretation. This chapter regulates the review of the criminal history and child abuse/neglect history of potential caregivers to children and developmental disabled adults.

The addition of the federal law changes (of specific categories of criminal convictions) brings the chapter current with the policy and practice of the Division of Licensed Resources, Children's Administration (DSHS). The addition of the FBI fingerprinting requirement for persons who are new to the state within the last three years places in WAC a state statute and agency policy that has been in effect since 1995. The chapter adds the process for completing the background check with both Children's Administration and the Division of Developmental Disabilities.

The process of screening caretakers, for children in licensed homes and facilities as well as for developmentally disabled adults, is clearly a very important health and safety issue. It is important to have the rules clear and easy to understand for consistent interpretation and implementation.

Proposal Changes the Following Existing Rules: WAC 388-146-0120, list the criminal convictions that permanently disqualify an individual from having unsupervised access to children and to persons with developmental disabilities. This change in these crimes now clearly defines these as permanent disqualifiers.

WAC 388-146-0130, lists the crimes that would disqualify an individual for at least five years.

WAC 388-146-0140, outlines the criteria for seeking a license or authorization for unsupervised access to children and to persons with developmental disabilities.

All of the changes have been clarified during the review of the chapter.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The substantive changes in the background check chapter were made to align the WAC with state law and federal law changes with the addition of several crimes to the list of disqualifying convictions. There will be no new costs to businesses.

RCW 34.05.328 applies to this rule adoption. The proposed rule changes for chapter 388-146 WAC, Background checks, are "significant legislative rules" as defined in RCW 34.05.328 and therefore require a cost benefit analysis (CBA). A copy of the CBA may be requested by contacting Jean L. Croisant, at Division of Program and Policy Development, Children's Administration, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7992, or loje300@dshs.wa.gov.

Hearing Location: The hearing will be conducted using Washington Interactive Technologies' videoconferencing service. There will be four sites available for a simultaneous

hearing: SPOKANE, 1101 North Argonne, Suite 109, Spokane, WA 99201, (509) 921-2371; RENTON, 1107 S.W. Grady Way, Suite 112, Renton, WA 98055, (425) 277-7290; TRICITIES, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336, (509) 734-7180; and LACEY, DIS Interactive Technologies, 710 Sleater-Kinney Road S.E., Suite Q, Lacey, WA 98504, (360) 407-9487; on October 26, 2000, at 1:30 p.m. Please contact Kelly Cooper, DSHS Rules Coordinator at (360) 664-6094 for directions.

Assistance for Persons with Disabilities: Contact DSHS Rules Coordinator by October 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 26, 2000.

Date of Intended Adoption: No sooner than October 27, 2000.

August 18, 2000

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 00-18 issue of the Register.

**WSR 00-17-160**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Children's Administration)

[Filed August 22, 2000, 3:27 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-17-058.

Title of Rule: Repealing chapter 248-554 WAC, Shelters for victims of domestic violence; and new chapter 388-61A WAC, Shelters for victims of domestic violence.

Purpose: Chapter 248-554 WAC, Shelters for victims of domestic violence, is being repealed and replaced by chapter 388-61A WAC, Shelters for victims of domestic violence. The proposed rule is the result of DSHS/CA reviewing and updating rules according to Executive Order 97-02. The rules have been rewritten using a question and answer format. The rules establish the minimum standards for agencies that receive funding from DSHS to provide domestic violence shelter and services.

Statutory Authority for Adoption: Chapter 70.123 RCW.

Statute Being Implemented: Chapter 70.123 RCW.

Summary: Chapter 248-554 WAC, Shelters for victims of domestic violence, is being repealed and replaced by chapter 388-61A WAC. The proposed rules establish clear requirements for agencies that contract with DSHS to provide domestic violence shelter and services.

PROPOSED

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Susan Hannibal, c/o P.O. Box 47986, Seattle, WA 98146, (206) 923-4910.

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: Updates rules in accordance with Executive Order 97-02. The purpose of the rule is to establish minimum standards for agencies that receive funding from DSHS to provide domestic violence shelter and services. The anticipated effect of the rule will be to increase the effectiveness of those agencies that must comply with the standards which should, in turn, enhance the provision of services to victims of domestic violence being served by the agencies.

Proposal Changes the Following Existing Rules: Chapter 248-554 WAC, Shelters for victims of domestic violence, is being repealed. The proposed rule:

- Clarifies ambiguities between the statutory authority and current rule.
- Updates fire safety rules for domestic violence shelter and safe home facilities.
- Adds language regarding safety measures for firearms and dangerous weapons.
- Clarifies that shelter residents are not required to participate in supportive services as a condition of residing in the shelter.
- Changes the experiential requirements for staff supervision.
- Clarifies the continuing education requirements for shelter staff.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not have economic impact on small business.

RCW 34.05.328 applies to this rule adoption. Children's Administration has determined that these are significant rules. A copy of the CBA can be obtained by contacting Susan Hannibal, P.O. Box 47986, Seattle, WA 98146, (206) 923-4910.

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

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: Not sooner than October 11, 2000.

August 22, 2000

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 00-18 issue of the Register.

**WSR 00-17-161**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed August 22, 2000, 3:29 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-20-050.

Title of Rule: Repealing WAC 388-41-020 Audit dispute conference, 388-81-175 Audit dispute resolution and 388-501-0130 Administration controls; and new WAC 388-502-0240 Audits and the audit appeal process for contractor/providers.

Purpose: The department originally intended to establish new chapter 388-560 WAC, Medical audit dispute, to consolidate the policies in chapters 388-41 and 388-81 WAC. Upon review, however, it was decided to incorporate policies that apply generally to providers into chapter 388-502 WAC, Administration of medical programs—Providers; the department is proposing to establish WAC 388-502-0240 Audits and the audit appeal process for contractor/providers, to contain the policies in chapter 388-41 WAC and WAC 388-501-0130. The proposed rule has been written to comply with the Governor's Executive Order 97-02 on regulatory reform.

Statutory Authority for Adoption: RCW 74.08.090, 43.20B.675.

Statute Being Implemented: RCW 74.08.090, 43.20B.-675.

Summary: The proposed rule clarifies and updates current department policy regarding provider audits and the audit dispute resolution process. It states what a provider may expect from an audit, what actions the department may take during and after an audit, and what a provider may do to appeal actions taken as a result of an audit.

Reasons Supporting Proposal: To comply with the Governor's Executive Order 97-02 on regulatory reform, and ensure that department policy is reflected in rule.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1345; and Implementation: Edwina Dorsey, DOSS/ASAS, P.O. Box 45503, Olympia, WA 98504-5503, (360) 725-1249.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule clarifies the department's provider audit process, and how a provider may appeal an audit finding.

The purpose is to clearly state department policy regarding provider audits and appeals.

The anticipated effect is to clarify department policy.

Proposal Changes the Following Existing Rules: The rule proposed repeals chapter 388-41 WAC, Medical audit dispute and WAC 388-501-0130 Administrative controls, and establishes new WAC 388-502-0240 Audits and the audit appeal process for contractor/providers.

PROPOSED

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule and concludes that, since there is no change to current policy, it will not have a more than minor impact on the businesses affected by it. Therefore, a small business economic impact statement is not necessary.

RCW 34.05.328 does not apply to this rule adoption. The department analyzed the proposed rule and concluded that it 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 October 10, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: No sooner than October 11, 2000.

August 22, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

## NEW SECTION

**WAC 388-502-0240 Audits and the audit appeal process for contractors/providers.** (1) This section applies to all contractor/providers except the following:

(a) Nursing homes as described in chapters 388-96, 388-97, and 388-98 WAC; and

(b) Managed care contractors as described in chapter 388-538 WAC.

(2) Subject to the limitations in subsection (1) of this section, the following definitions apply to this section:

(a) **"Contractor/provider"** means any person or organization that has a signed core provider agreement with the medical assistance administration (MAA) to provide services to eligible clients.

(b) **"Extrapolation"** means the methodology of estimating an unknown value by projecting, with a calculated precision (i.e., margin of error), the results of a probability sample to the universe from which the sample was drawn.

(c) **"Probability sample"** means the standard statistical methodology in which a sample is selected based on the theory of probability (a mathematical theory used to study the occurrence of random events).

(3) MAA may audit an MAA contractor/provider who furnishes medical or other covered services to eligible clients. See WAC 388-502-0220 for rate appeals. See WAC 388-502-0230 for dispute appeals involving provider review, termination and appeal. See WAC 388-502-0260 for contract appeals, other than those contained in core provider.

(4) MAA conducts audits as necessary to identify benefits or payments to which contractor/providers are not entitled.

(5) The Washington state health professions quality assurance commissions serve in an advisory capacity to MAA in conducting audits.

(6) An MAA audit includes the following:

(a) An examination of provider records, by either an on-site or desk audit. See subsections (7) and (8) of this section;

(b) A draft audit report, which contains preliminary findings and recommendations. See subsection (13) of this section;

(c) A dispute conference, if the contractor/provider requests it. See subsection (14) of this section;

(d) A final audit report. See subsection (15) of this section; and

(e) The right to an administrative appeal, if the contractor/provider requests it. See subsections (15) and (16) of this section.

(7) MAA audits providers who furnish medical and other services as authorized by chapter 74.09 RCW. A audit:

(a) Determine whether providers are:

(i) Complying with the rules and regulations of the program;

(ii) Meeting the community standard of practice; and

(iii) Billing allowable costs; or

(b) Investigate any of the following:

(i) Complaints/allegations;

(ii) Actions taken regarding Medicare or medical assistance; or

(iii) Actions taken by the health profession's quality assurance commissions.

(8) As part of the audit:

(a) MAA examines provider records.

(i) MAA examines those records, or portion thereof, that were reimbursed by MAA.

(ii) MAA examines records as necessary to verify usual and customary charges and payable and receivable accounts to verify third party liability.

(iii) MAA may remove copies of, but not original, records from the provider's premises.

(b) MAA gives a provider twenty days advance notice that it is going to audit paid claims or patient medical records for compliance with program rules, standards, or the community standard of practice. This notice does not:

(i) Apply to providers who are suspected of fraudulent or abusive practices;

(ii) Apply to providers whose practices MAA considers may present a risk of imminent danger to medical assistance clients;

(iii) Include names of patient files that MAA will review; and

(iv) Apply to medical assistance provider business and financial records and patient financial records when they are reviewed as part of a third-party liability compliance audit.

(c) Whenever possible, MAA works with the provider to minimize inconvenience and disruption of health care delivery during the audit.

(d) MAA destroys all copies of identified client medical records made during an audit, after all appeal rights are exhausted.

(9) MAA may audit on a claim-by-claim basis, or using a probability sample.

(10) When MAA conducts a probability sample audit, all of the following apply:

- (a) The sample claims are selected on the basis of recognized and generally accepted sampling methods;
- (b) The sample claims are examined for compliance with relevant federal and state laws and regulations, department billing instructions, and numbered memoranda; and
- (c) When projecting the overpayment, MAA uses a sample that is sufficient to ensure a minimum ninety-five percent confidence level.

(11) MAA uses probability sampling as described in subsection (10) of this section.

(a) If the audit findings demonstrate that MAA has made an overpayment to a Washington state Title XIX or other medical program provider(s), MAA recovers those statistically calculated overpayments.

(b) When calculating the amount to be recovered, MAA ensures that all overpayments and underpayments reflected in the probability sample are totaled and extrapolated to the universe from which the sample was drawn.

(c) MAA does not consider nonbilled services or supplies when calculating underpayments or overpayments.

(12) When MAA uses the results of a probability sample to extrapolate the amount to be recovered as described in subsection (11) of this section, the provider may request a description of all of the following:

- (a) The universe from which MAA drew the sample;
- (b) The sample size and method that MAA used to select the sample; and
- (c) The formulas and calculation procedures MAA used to determine the amount to be recovered.

(13) Upon completion of the audit, MAA identifies for the contractor/provider those files or records that are necessary for the audit, but were not located at the time of the audit.

(a) MAA allows the contractor/provider thirty calendar days from the date of completion of the on-site audit to locate and provide the missing files or records. Undocumented services will be considered as program overpayments; and

(b) At the end of this thirty day period, MAA issues the draft audit report. At this time:

(i) The contractor/provider may review, comment, and provide any additional information, related to the draft audit report, that the contractor/provider wants considered. This information must be submitted within forty-five days of the date the contractor/provider received the draft audit report;

(ii) MAA works with the contractor/provider to resolve areas of disagreement; and

(iii) If necessary, MAA issues a revised draft audit report.

(14) A contractor/provider who wants to dispute draft audit findings must request a dispute conference.

(a) The contractor/provider must submit a written request for a dispute conference within forty-five calendar days of the date the draft audit report was received by the contractor/provider. MAA may grant an additional thirty day extension of the forty-five day limit as long as the contractor/provider requests the time extension in writing within the forty-five day limit and states the reason for the request.

(b) The dispute request must:

(i) Specify which finding(s) the contractor/provider is disputing; and

(ii) Supply documentation to support the contractor/provider's position.

(c) MAA acknowledges each request for a dispute conference.

(d) MAA responds to each disputed item in writing.

(e) If MAA and the contractor/provider reach an agreement during the dispute conference process, MAA issues the final audit report and the recommendations are binding.

(f) If MAA and the contractor/provider cannot reach an agreement during the dispute conference process, and the contractor/provider has had the opportunity to raise all concerns related to the audit findings, MAA may close the dispute conference process and issue a final audit report. After MAA issues the final audit report, the contractor/provider may request an audit appeal hearing per subsection (15) of this section.

(15) After MAA issues the final audit report, the contractor/provider may appeal findings in the report and request an audit appeal hearing. When the contractor/provider requests an audit appeal hearing, and when any part of the audited time period falls on or before June 30, 1998, the following process applies. This hearing is not governed by the Administrative Procedure Act (chapter 34.05 RCW).

(a) The request for an audit appeal hearing must meet all of the following:

- (i) Be in writing;
- (ii) Be submitted within twenty-eight calendar days of the date of delivery of the final audit report, by certified mail, to:

Office of Financial Recovery/DSHS  
POB 45862

Olympia, WA 98504-5862

- (iii) Include a copy of the final audit report cover letter;
- (iv) State the contractor/provider's name, address, and contract number (DSHS contract number or core provider agreement number);

(v) State the audit time period's beginning and ending dates; and

(vi) Provide additional documentation, limited to the issues identified in the audit, that the contractor/provider requests to be considered within the hearing.

(b) The audit appeal hearing consists of an administrative review of all documents submitted for consideration by the contractor/provider and MAA. DSHS appoints a hearing officer to conduct such a review. At the hearing officer's discretion, the review may be conducted as a telephone conference, as an in-person meeting in Olympia, Washington, or as a combination thereof.

(c) The decision made by the hearing officer serves as the final agency action and is binding.

(d) The office of financial recovery collects any amount the provider is ordered to repay.

(16) When a contractor/provider requests an audit appeal hearing, and the entire audit period falls on or after July 1, 1998, the audit hearing is governed by the process in RCW 43.20B.675.

(17) MAA considers that a contractor/provider has abandoned the dispute, if the provider fails to identify and

attempt to resolve disputed audit findings as provided in this section, has abandoned the dispute. MAA proceeds with issuing and/or implementing the final audit report.

(18) Based on the findings of an audit, MAA may order the provider to repay excess benefits or payments received, as follows:

(a) MAA may assess civil penalties as provided for in chapter 74.09 RCW;

(b) The amount of civil penalties may not exceed three times the amount of excess benefits or payments the provider received; and

(c) The repayment includes interest on the amount of excess benefits or payments.

(19) When MAA imposes a civil penalty or suspends or terminates a provider from the program, written notice of the action taken is given to the appropriate licensing agency, disciplinary commission, and/or other entity requiring a report.

(20) When an audit shows that a provider has demonstrated a significant noncompliance with the provisions of the medical care program, MAA may refer that provider to the appropriate disciplinary commission.

(21) Where MAA finds evidence of or has reason to suspect fraud, those contractors/providers are referred to the appropriate prosecuting authority for possible criminal action.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 388-41-020      Audit dispute conference.
- WAC 388-81-175      Audit dispute resolution.
- WAC 388-501-0130    Administrative controls.

**WSR 00-17-162**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 22, 2000, 3:31 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-07-055.

Title of Rule: Repealing chapter 388-81 WAC, Medical care administration general; and new WAC 388-502-0260 Appeals and dispute resolution for contracts other than core provider agreements.

Purpose: The department originally intended to establish new chapter 388-526 WAC, Medical fair hearings and incorporate policies contained in chapters 388-81 and 388-41 WAC in the new chapters. Upon review, however, it was decided to incorporate policies in chapters 388-81 and 388-41 WAC that apply generally to providers into chapter 388-502 WAC, Administration of medical programs. The department is proposing to establish WAC 388-502-0260 to contain

the policy in WAC 388-81-200, and to repeal chapter 388-81 WAC to avoid duplication. The new proposed rule does not change existing policy, and has been written to comply with the Governor's Executive Order 97-02 on regulatory reform.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.290.

Statute Being Implemented: RCW 74.08.090, 74.09.290.

Summary: The proposed rule directs those providers who have contracted with the department (other than core provider agreements) to provide medical and other services to eligible clients, to follow the dispute resolution process(es) that are in their contracts.

Reasons Supporting Proposal: To comply with the Governor's Executive Order 97-02 on regulatory reform, so that department policy is accurately reflected in rule.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1345; Implementation and Enforcement: Charley Pugh, DOSS/PRS, P.O. Box 45500, Olympia, WA 98504-5500, (360) 725-1843.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule directs those providers who contract with the department to provide medical and other services to eligible clients to follow the dispute resolution process(es) in their contracts when those providers disagree with a department action. This rule applies to those providers whose contract is other than a core provider agreement.

The proposed rule does not change current policy.

The purpose is to clearly state what providers must do to resolve disagreements with department actions.

The anticipated effect is to make department policy clear to those it affects.

Proposal Changes the Following Existing Rules: Chapter 388-81 WAC listed above is being repealed, and WAC 388-502-0260 is being established to replace it.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule and concludes that, since no new policy is being implemented, there should be no more than a minor impact on the businesses affected by the proposed rule.

RCW 34.05.328 does not apply to this rule adoption. The department has analyzed the proposed rule, and concludes that it does not meet the definition of a "significant legislative rule."

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

PROPOSED



Date of Intended Adoption: No sooner than October 4, 2000.

August 17, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

### NEW SECTION

**WAC 388-502-0260 Appeals and dispute resolution for providers with contracts other than core provider agreements.** (1) Providers of medical services who have a contract, other than a core provider agreement, with a dispute resolution provision must follow the dispute resolution process described in the contract.

(2) See WAC 388-502-0220 for disputes involving rates. See WAC 388-502-0240 for disputes involving audits. See WAC 388-502-0230 for disputes involving provider reviews and termination.

### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-81-175	Audit dispute resolution.
WAC 388-81-200	Appeal of adverse department action—Contractor/provider.

**WSR 00-17-163**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed August 22, 2000, 3:33 p.m.]

#### Original Notice.

Preproposal statement of inquiry was filed as WSR 00-09-037.

Title of Rule: Amending WAC 388-502-0230 Fair hearings—Providers.

Purpose: To comply with the Governor's Executive Order 97-02 on regulatory reform. To update rule to reflect current department policy.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520, 34.05.020, 34.05.220.

Statute Being Implemented: RCW 34.05.020, 34.05.220.

Summary: The proposed rule is being amended to clearly state existing policy regarding how the department reviews and monitors how a medical assistance provider complies with program requirements, and how the provider may appeal department actions resulting from the review. The department originally intended merely to restate the brief existing rule in clearer language, but upon review, decided that the regulated community would be better served with more information about existing department policy.

Reasons Supporting Proposal: To comply with the Governor's Executive Order 97-02 on regulatory reform. To ensure that department rules reflect current policy and practice.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1345; and Implementation: Casey Zimmer, DSHQS/QS, P.O. Box 45506, Olympia, WA 98504-5506, (360) 725-1552.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule updates and clarifies the department's process of reviewing and monitoring medical assistance providers to ensure they are complying with program regulations and providing appropriate quality of care. The rule also states the actions that the department may take as a result of the review, and how providers may appeal any actions resulting from the review. The proposed rule codifies existing policy and practice.

The purpose of the proposed rule is to clearly state current policy and practice so that providers may understand the department's requirements and the recourse available to them when the department takes action based on the review or monitoring.

The anticipated effects of the proposed rule are to make department policy and practice clearly understood by those it affects.

Proposal Changes the Following Existing Rules: The rule proposed above amends existing rule by stating what a provider review may consist of, what actions the department may take as a result of a review, and how a provider may appeal a department action that results from a review.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule and concludes that there will be not more than a minor impact on businesses affected by the rule. This is because the rule codifies current department policy and practice, so there should be little or no effect on providers.

RCW 34.05.328 does not apply to this rule adoption. The proposed rule does not meet the definition of a "significant legislative rule."

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

PROPOSED

Date of Intended Adoption: No sooner than October 4, 2000.

August 17, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-502-0230 ((Fair hearing—)) Provider(s) review and appeal. ((A certified provider of medical care services who is assessed a civil penalty under RCW 74.09.210 or otherwise served with notice that repayment of excess benefits is due under RCW 74.09.210, shall have the right to a fair hearing as provided by chapter 388-08 WAC)) (1) As authorized by chapter 74.09 RCW, the medical assistance administration (MAA) monitors and reviews all providers who furnish medical, dental, or other services to eligible medical assistance clients. MAA determines whether the providers are complying with the rules and regulations of the program(s) and providing appropriate quality of care, and recovers any identified overpayments. Examples of provider reviews are:

(a) A review of all billing/medical/dental/service records for medical assistance clients;

(b) A statistical sampling of billing/medical/dental/service records for medical assistance clients, extrapolated per WAC 388-502-0240 (9), (10), and (11); and

(c) A review focused on selected billing/medical/dental/service records for medical assistance clients.

(2) The Washington State Health Professions Quality Assurance Commissions serve in an advisory capacity to MAA in conducting provider reviews and monitoring.

(3) MAA may determine that a provider's billing does not comply with program regulations or the provider is not meeting quality of care practices. MAA may do, but is not limited to, any of the following:

(a) Conduct pre-pay reviews of all claims the provider submits to MAA;

(b) Refer the provider to MAA's auditors (see WAC 388-502-0240);

(c) Refer the provider to Medicaid's Fraud Control Unit;

(d) Refer the provider to the appropriate state health professions quality assurance commission;

(e) Impose provisional stipulations for the provider to continue on medical assistance programs;

(f) Terminate the provider's participation in medical assistance programs;

(g) Assess a civil penalty against the provider, per RCW 74.09.210; and

(h) Recover any monies that the provider received as a result of inappropriate payments.

(4) When any part of the time period that is reviewed or monitored falls on or before June 30, 1998, the following process applies. A provider who disagrees with a department action regarding overpayment recovery may request an administrative review hearing to dispute the action(s).

(a) The request for an administrative review hearing must be in writing and:

(i) Be sent within twenty-eight days of the date of the notice of action(s);

(ii) State the reason(s) why the provider thinks the action(s) are incorrect;

(iii) Be sent by certified mail (return receipt) or other means that provides proof of delivery to:

The Medical Assistance Administration

Attn: Deputy Assistant Secretary

P.O. Box 45500

Olympia WA 98504-5500

(b) The administrative review hearing consists of a review by MAA's deputy assistant secretary of all documents submitted by the provider and MAA. At the deputy assistant secretary's discretion, the administrative review hearing may be conducted in person, as a telephone conference, in written submissions, or a combination thereof.

(c) When a final decision is issued, the office of financial recovery collects any amount the provider is ordered to repay.

(d) The administrative review hearing referenced in this subsection is the final level of administrative review.

(5) When the entire time period that is reviewed or monitored falls on or after July 1, 1998, the following process applies. A provider who disagrees with a department action regarding overpayment recovery may request a hearing to dispute the action(s).

(a) The request for hearing must be in writing and:

(i) Be sent within twenty-eight days of the date of the notice of action(s), by certified mail (return receipt) or other means that provides proof of delivery to:

The Office of Financial Recovery

P.O. Box 9501

Olympia, WA 98507-5501; and

(ii) State the reason(s) why the provider thinks the action(s) are incorrect.

(b) The office of administrative hearings schedules and conducts the hearing under the Administrative Procedure Act, chapter 34.05 RCW. MAA offers a pre-hearing/alternative dispute conference prior to the hearing.

(c) The office of financial recovery collects any amount the provider is ordered to repay.

(d) The hearing referenced in this subsection is the final level of administrative review.

(6) A provider who disagrees with a department action regarding termination may appeal the action per WAC 388-502-0260. The provider may request a dispute conference; the request must be:

(a) In writing;

(b) Sent within thirty days of the date the provider received the termination notice;

(c) Include a statement of the action(s) appealed and supporting justification; and

(d) Sent to:

DSHS Central Contract Services

P.O. Box 45811

Olympia, WA 98504-5811

(7) See WAC 388-502-0220 for rate reimbursement appeals. See WAC 388-502-0240 for appeals of audit findings. See WAC 388-502-0260 for appeals related to contracts other than MAA's core provider agreements.

PROPOSED

**WSR 00-17-164**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
[Filed August 22, 2000, 3:35 p.m.]

## Original Notice.

Preproposal statement of inquiry was filed as WSR 99-05-044.

Title of Rule: Amending WAC 388-526-2610 Fair hearings (new title "Prehearing reviews for clients who request a fair hearing").

Purpose: To comply with the Governor's Executive Order 97-02 on regulatory reform which mandates that rules be reviewed for clarity, fairness, necessity, etc. To ensure that current department policy and practice is accurately reflected in rule.

Statutory Authority for Adoption: RCW 74.08.090, 34.05.060.

Statute Being Implemented: RCW 34.05.060.

Summary: The proposed rule codifies the informal, pre-hearing review process that the department may use in attempting to settle a dispute with a client who, disagreeing with a medical decision made by the department, has requested a fair hearing.

Reasons Supporting Proposal: To comply with the Governor's Executive Order 97-02. To ensure that department policy and practice is accurately reflected in rule.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1345; and Implementation: Edwina Dorsey, DOSS/ASAS, P.O. Box 45503, Olympia, WA 98504-5503, (360) 725-1249.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule clearly states the informal, pre-hearing review process the department may use to resolve client issues when the client who disagrees with a medical decision made by the department has requested a fair hearing regarding that decision.

The purpose of the rule is to inform clients of the informal, prehearing settlement process that is available when they request a fair hearing regarding a medical decision made by the department.

The anticipated effect is to make the process easy for the client to understand and use.

Proposal Changes the Following Existing Rules: The rule clarifies language in the current rule so that the client prehearing review process is easier to understand, and updates the process so it accurately reflects department policy and practice.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule and concludes that because current policy is not being changed, no new costs will be

imposed on the businesses affected by the rule. Therefore, no economic impact statement is necessary.

RCW 34.05.328 does not apply to this rule adoption. The department has analyzed the proposed rule and concludes that it does not meet the definition of a "significant legislative rule."

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

Date of Intended Adoption: No sooner than October 4, 2000.

August 17, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-526-2610 Prehearing reviews for clients who request a fair hearing(s).** (1) A client ((aggrieved by a department decision shall have a right to a fair hearing as provided under chapter 388-08 WAC.

(2) ~~Medical assistance administration shall be responsible for a prehearing review when the fair hearing request questions a decision:~~

(a) ~~Of a medical consultant; or~~

(b) ~~Concerning an eligibility determination in the Medicaid category or state funded medical program.~~

(3) ~~Medical assistance administration shall review all fair hearing requests referred by the fair hearing coordinator to determine whether or not the:~~

(a) ~~Appellant's request for service was filed according to the applicable rules and regulations;~~

(b) ~~Decision has been made upon complete and accurate evaluation of the facts, existing standards, regulations, and policies.~~

(4) ~~All records and information necessary to determine the validity of the appellant's fair hearing request on request to the reviewing authority and forwarded not later than ten days from such request.~~

(5) ~~The examiner or the appellant may obtain a medical assessment by a professionally qualified person not a party to the action being appealed, at the request of the examiner or the appellant.~~

(6) ~~On receipt of the necessary material, evidence, or reports, the designated reviewing authority shall evaluate the appellant's request in accord with existing rules, regulations, and policies of the department. The reviewing authority may:~~

(a) ~~Reverse the decision when such adverse decision has been made contrary to the rules, regulations and policies of medical assistance administration;~~

~~(b) Resolve a situation resulting in the fair hearing request by adjustment.~~

~~(7) In providing a system for fair hearings for medical care clients, the department shall follow the rules in chapter 388-08 WAC and, where appropriate, other portions of the rules which are applicable to the particular circumstances of the appellant) who does not agree with a department decision regarding medical or dental services has a right to a fair hearing under chapter 388-02 WAC.~~

(a) See chapter 388-538 WAC for hearing requests regarding managed care plans;

(b) See chapter 388-542 WAC for hearing requests regarding the children's health insurance program (CHIP);

(c) See WAC 388-502-0165 for requests for noncovered services.

(2) When a fair hearing is requested, either the client or MAA has the right to request and the client receive a medical assessment appropriate to the nature of the decision from one or more professionally qualified persons who are not a party to the action being appealed. WAC 388-538-120 applies to clients who are managed care enrollees.

(3) After receiving a request for a fair hearing, MAA may request additional information from the client, the provider, or the department. After MAA reviews the available information, the result may be:

(a) A reversal of the initial department decision;

(b) Resolution of the client's issue(s); or

(c) A fair hearing conducted per chapter 388-02 WAC.

**WSR 00-17-165**

**PROPOSED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed August 22, 2000, 3:37 p.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 99-19-088.

Title of Rule: Repealing WAC 388-86-04001 Hearing aids; and new WAC 388-544-1010 Definitions, WAC 388-544-1100 Hearing aid services—General, WAC 388-544-1200 Hearing aid services—For adults, WAC 388-544-1300 Hearing aid services—For children, and WAC 388-544-1400 Hearing aid services—Noncovered services.

Purpose: To clarify the language and hearing aid policy in compliance with Governor's Executive Order 97-02.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The new rule sections explain more clearly the differences in eligibility and services for children and adults.

Name of Agency Personnel Responsible for Drafting: Kevin Sullivan, 925 Plum Street, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1344; Implementation: Audrey Jasperson, 623 8th Avenue S.E., P.O. Box 45510, Olympia, WA 98504-5510, (360) 728-1841; and Enforcement: Pam

Colyar, 805 Plum Street S.E., P.O. Box 45506, Olympia, WA 98504-5506, (360) 725-1582.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The new rule sections explain the differences in eligibility and services for children and adults. It clarifies the language and hearing aid policy in compliance with the Governor's Executive Order 97-02. This rewrite should make the hearing aid policy easier to read and understand.

Proposal Changes the Following Existing Rules: WAC 388-86-04001 is being repealed and replaced with new WAC 388-544-1010, 388-544-1100, 388-544-1200, 388-544-1300, and 388-544-1400, which more clearly defines the differences in hearing aid eligibility for children and adults.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule amendment does not affect small businesses.

RCW 34.05.328 does not apply to this rule adoption. The rule does not meet the definition of a "significant legislative rule" as defined in RCW 34.05.328 (5)(c)(iii).

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on October 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by September 26, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 3, 2000.

Date of Intended Adoption: Not sooner than October 4, 2000.

August 17, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**HEARING AID SERVICES**

NEW SECTION

**WAC 388-544-1010 Definitions. "Expedited prior authorization"** (EPA) means a process designed by MAA to eliminate the need for written prior authorization (see definition for "prior authorization"). MAA establishes authorization criteria and identifies these criteria with specific codes. If the provider determines the client meets the criteria, the provider creates the authorization number using the specific MAA-established codes.

**"FM systems"** means a hearing device that uses a frequency modulated radio signal. FM systems are sometimes referred to as radio frequency (RF) aids.

**"Limitation extension"** (LE) means prior authorization from MAA to exceed the service limits (quantity, frequency, or duration) set in WAC or in MAA billing instructions.

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

"**Prior authorization**" means MAA and/or department of health approval for certain medical services, equipment, or supplies, before the services are provided to clients, as a precondition for provider reimbursement. Expedited prior authorization and limitation extension are forms of prior authorization.

#### NEW SECTION

##### **WAC 388-544-1100 Hearing aid services—General.**

(1) MAA covers only the hearing aid services listed in this chapter, subject to the exceptions, restrictions, and limitations listed in this chapter.

(2) MAA evaluates requests for services listed as non-covered or subject to limitations or restrictions according to the provisions in WAC 388-501-0165.

(3) MAA reimburses providers at the maximum allowable rates established by MAA.

#### NEW SECTION

**WAC 388-544-1200 Hearing aid services—For adults.** This section applies to medical assistance clients eighteen years of age or older:

(1) MAA covers the purchase of one new, nonrefurbished hearing aid for an adult client every five years if all of the following conditions are met:

(a) The client must:

(i) Be eighteen years of age or older;

(ii) Be eligible for the categorically needy program or the medical care services program;

(iii) Have a minimum average fifty decibel hearing loss in the better ear based on auditory screening at one thousand, two thousand, three thousand, and four thousand Hertz (Hz) with effective masking as indicated; and

(iv) Be evaluated by an audiologist.

(b) The client's current hearing aid, if the client has one, is not sufficient for the hearing loss in the better ear; and

(c) The hearing aid must be:

(i) Warranted for one year; and

(ii) Medically necessary, as defined in WAC 388-500-0005.

(2) Reimbursement for hearing aids includes:

(a) A prefitting evaluation;

(b) An ear mold; and

(c) A minimum of three post-fitting consultations.

(3) MAA covers the repair of a hearing aid when the:

(a) Initial one-year warranty has expired;

(b) Repair is warranted for ninety days;

(c) Cost of repair is less than fifty percent of the cost of a new hearing aid; and

(d) Provider has documented the repair and replacement costs.

(4) MAA covers the cost of renting a hearing aid for up to two months while the client's own hearing aid is being repaired.

(5) MAA covers one replacement hearing aid in a five year period when the:

(a) Hearing aid is lost or broken beyond repair;

(b) Client continues to meet the criteria in subsection (1) of this section; and

(c) Provider has documented the necessity for the replacement.

(6) MAA covers replacement of ear molds on the following basis:

(a) Once a year for soft ear molds; and

(b) Once every three years for hard ear molds.

(7) Prior MAA authorization is required for the following services for adults:

(a) Bone conduction hearing aids; and

(b) Binaural hearing aids.

#### NEW SECTION

**WAC 388-544-1300 Hearing aid services—For children.** This section applies to medical assistance clients seventeen years of age or younger:

(1) MAA covers the purchase of new, nonrefurbished hearing aids for children if all of the following conditions in subsections (1)(a) and (1)(b) are met:

(a) The child must:

(i) Be seventeen years of age or under;

(ii) Be eligible for any MAA medical program, except medically indigent program (MIP) and family planning only program; and

(iii) Have prior authorization from the child's local department of health's (DOH) children with special health care needs (CSHCN) coordinator to receive a hearing aid.

(b) The hearing aid must be:

(i) Warranted for one year; and

(ii) Medically necessary as defined in WAC 388-500-0005.

(2) Reimbursement for hearing aids includes:

(a) A prefitting evaluation;

(b) An ear mold for in-the-ear (ITE) hearing aids; and

(c) A minimum of three post-fitting consultations.

(3) MAA covers the repair of a hearing aid when the:

(a) Initial one-year warranty has expired;

(b) Client's local CSHCN coordinator authorizes the repair;

(c) Repair is warranted for ninety days;

(d) Cost of repair is less than fifty percent of the cost of a new hearing aid; and

(e) Provider has documented the repair and replacement costs.

(4) When authorized by the client's local CSHCN coordinator, MAA covers the cost of renting a hearing aid while the client's own hearing aid is being repaired.

(5) MAA covers replacement of a hearing aid when the:

(a) Hearing aid is lost or broken beyond repair;

(b) Client's local CSHCN coordinator authorizes the replacement;

(c) Client continues to meet the criteria in subsection (1) of this section; and

(d) Provider has documented the necessity for the replacement.

(6) MAA covers replacement of hard and soft ear molds when authorized by the client's local CSHCN coordinator.

(7) All hearing aid equipment and services for children require prior authorization from the client's local CSHCN coordinator, except FM systems which require prior authorization from MAA.

**NEW SECTION**

**WAC 388-544-1400 Hearing aid services—Noncovered services.** MAA does not cover any of the following:

- (1) The purchase of batteries, ear trumpets, or tinnitus maskers;
- (2) Group screenings, except as provided under the early and periodic screening, diagnosis, and treatment (EPSDT) program/healthy kids under WAC 388-534-0100;
- (3) Computer-aided hearing devices used only in school;
- (4) Hearing aid charges reimbursed by insurance or other payer source;
- (5) Digital hearing aids; or
- (6) FM systems or programmable hearing aids for adults.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 388-86-04001 Hearing aids.

**WSR 00-17-168  
PROPOSED RULES  
UTILITIES AND TRANSPORTATION  
COMMISSION**

[WUTC Docket No. UT-99173—Filed August 23, 2000, 8:02 a.m.]

Supplemental Notice to WSR 00-10-086.

Preproposal statement of inquiry was filed as WSR 99-23-110.

Title of Rule: WAC 480-120-071 Extensions of telecommunications service.

Purpose: The purpose of the proposed rule is to maintain and advance the efficiency and availability of telecommunications service; ensure that customers pay only reasonable charges for telecommunications service; and promote diversity in the supply of telecommunications services and products in telecommunications markets throughout the state.

Statutory Authority for Adoption: RCW 80.01.040 General, 80.04.160 Utility, 80.36.300, 80.36.080, 80.36.090.

Summary: This proposed rule sets standards for telecommunications service extensions. It maintains and advances the efficiency and availability of telecommunications services by setting standards for reasonable extensions and providing waivers so that unreasonable extensions will not be required. It ensures that customers pay only reasonable charges by setting a standard with an upper limit that individual customers must pay and provides a means for companies to recover costs not met by customer charges. It promotes diversity in the supply of telecommunications ser-

vices and products by permitting extensions through non-wireline telecommunications services. It sets a policy that promotes fair, just, reasonable and sufficient rates. It permits companies to cooperate in providing services across exchange boundaries and does not affect the price telecommunications companies charge developers for extensions to and within developments.

Reasons Supporting Proposal: The commission is charged with establishing policies that maintain and advance the efficiency and availability of telecommunications service; ensure that customers pay only reasonable charges for telecommunications service; and promote diversity in the supply of telecommunications services and products in telecommunications markets throughout the state. See Purpose above.

Name of Agency Personnel Responsible for Drafting: Robert Shirley, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1292; Implementation and Enforcement: Carole J. Washburn, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1174.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose is to provide uniform standards that promote legislative policies and sets a standard for reasonable charges for service extensions and permits cost recovery. The rule provides a mechanism for distinguishing between reasonable and unreasonable extensions. The proposed rule will maintain and advance the efficiency and availability of telecommunications service; ensure that customers pay only reasonable charges for telecommunications service; and promote diversity in the supply of telecommunications services and products in telecommunications markets throughout the state.

The anticipated effects are a simpler, uniform process for the public to request and companies to provide service extensions. When appropriate, it permits the use of nonwireline technologies for service extensions. A standard is set for reasonable customer charges for extensions and companies will recover their costs.

Proposal Changes the Following Existing Rules: This proposal would change WAC 480-120-071 by setting standards for service extensions not in the present requirement that each company must have a tariff. The rule changes are described above.

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

**Small Business Economic Impact Statement**

A small business economic impact statement was filed with the original notice filed under WSR 00-10-086.

A copy of the statement may be obtained by writing to Carole Washburn, Secretary, Washington Utilities and Transportation Commission, 1300 South Evergreen Park Drive S.W., P.O. Box 47250, Olympia, WA 98504, phone (360) 664-1292, fax (360) 586-1150.

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RCW 34.05.328 does not apply to this rule adoption. This commission is not an agency to which RCW 34.05.328 applies.

Hearing Location: Commission Hearing Room, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, on September 27, 2000, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Pat Valentine by Monday, September 25, 2000, TDD (360) 586-8203.

Submit Written Comments to: Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, fax (360) 586-1150, by September 14, 2000.

Date of Intended Adoption: September 27, 2000.

August 22, 2000

Paul Curl  
for Carole J. Washburn  
Secretary

AMENDATORY SECTION (Amending Order R-25, filed 5/5/71)

**WAC 480-120-071 (~~(Line extension policy.)~~) Extension of service.** (~~(All utilities shall have on file as part of their established tariff, a line extension schedule stating the terms and conditions under which extensions of its lines and services will be made to render service to applicants:)~~) (1) **Definitions.** The following definitions apply to this section unless the context clearly indicates otherwise:

"Basic monthly service rate" means the rate for nonmeasured service for the lowest priced class of service ordered by the applicant.

"Binding site plan" has the same meaning as "binding site plan" in RCW 58-17-020.

"Constructed" means a residential building that has been approved for occupancy by the appropriate local government agency.

"Cost justification" means such cost and engineering information as the commission may request.

"Cost of service extension" means the direct and indirect costs of the material and labor to plan and construct the facilities including, but non limited to, drop wire, permitting fees, rights-of-way fees, and payments to subcontractors, and does not include the cost of reinforcement, network upgrade, or similar costs.

"Development" has the same meaning as "development" and "developed lands" in RCW 58.19.020.

"Distribution plant" means telephone equipment and facilities necessary to provide service to a premises, but does not include drop wire.

"Drop wire" means company-supplied wire and pedestals to be placed between a premise and the company distribution plant at the applicant's property line. At a minimum, a drop wire must be sufficient in capacity to allow the provisioning of three individual basic exchange voice-grade access lines.

"Extension of service" means an extension of company distribution plant to a location that is outside any municipal boundary and where no distribution plant of the extending

company exists at the time an extension is requested, that is constructed at the request of one or more applicants for service that pay a charge under this section, and that extends more than 1/10 mile. Extensions of service do not include customer trenches, conduits or other support structure for placement of company-provided facilities from the customer property line to the premises to be served.

"Lot" has the same meaning as "lot" in RCW 58.17.020.

"Marina" has the same meaning as "marina" in RCW 88.12.010.

"Mobile home lot," "mobile home park," "mobile home park cooperative," and "mobile home park subdivision" have the same meaning as "mobile home lot," "mobile home park," "mobile home park cooperative," and "mobile home park subdivision" have in RCW 59.20.030.

"Neighboring exchange" means an exchange bordering on any other exchange.

"Premises" means any structure that is used as a residence, including farm houses, but does not include predominantly commercial or industrial structures.

"Radio communications service company" has the meaning contained in RCW 80.04.010.

"Residential buildings" has the same meaning as "residential buildings" in RCW 58.19.020.

"Short subdivision" has the same meaning as "short subdivision" in RCW 58.17.020.

"Subdivision" has the same meaning as "subdivision" in RCW 58.17.020.

"Temporary occupancy" means occupancy definitely known to be for less than one year but does not include intermittent or seasonal use when such intermittent or seasonal use will occur in more than a one-year period.

"Temporary service" means service definitely known to be for a short period of time, such as service provided for sales campaigns, athletic contests, conventions, fairs, circuses, and similar events.

**(2) Extensions of service.**

(a) Each company required to file tariffs under RCW 80.36.100 must have on file an extension of service tariff and must extend service consistent with its tariff and this section and provide drop wire for customer use. Service extensions must be completed within eighteen months after a request is made and the customer makes the initial payment, unless the commission extends the time on a showing of good cause.

(b) Extension of service is required to occupied premises unless the company demonstrates occupancy is temporary. In the case of new construction commenced after the effective date of this section, extension of service is required only if the applicant has permission to build from the applicable local government and the need for service is not temporary.

(c) Any company required to extend service under this section may do so by extending distribution plant or by making a service and financial agreement with a radio communications service company or other alternative provider to provide service. The services provided through a radio communications service company or other alternative provider must be reasonably comparable services at reasonably comparable prices compared to services provided through wireline distribution facilities in the area of the exchange where service has

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been requested. In addition, the services must include all elements of basic service defined in RCW 80.36.600. A company extending service through a service agreement with a radio communications service company or other alternative provider may file a tariff as permitted under subsection (4) of this section to recover the lesser of the actual direct cost to extend the service through the cooperative agreement or the direct cost of extending wireline distribution plant.

### **(3) Service extension charge to applicants.**

(a) For service provided under subsection (2) of this section, companies must submit a tariff that sets the level of an initial fee and per-month fee for any applicant requesting an extension of service. The tariff may also impose such fees upon applicants for new service from a service extension that is less than five years old measured from the date of the initial service provided by the extension. The charge to applicants for service extensions must include an initial payment to process the order. The maximum initial payment to process the order is an amount equal to twenty times the customer's basic monthly service rate exclusive of all fees, taxes or other charges.

A per-month payment beginning with the first monthly bill for service must be charged once the order is complete and service is provided. The maximum allowable per-month payment for a period of twenty months is an amount equal to the customer's basic monthly service rate, exclusive of all fees, taxes or other charges. Customers may pay the entire amount at any time, in lieu of monthly payments, and must pay the entire remaining amount at the time of disconnecting service if the disconnection occurs prior to full payment.

(b) Customers are responsible for providing or paying the cost of trenching, conduit, or other structures required for placement of company-provided drop wire from the customer's property line to the premises.

### **(4) Cost recovery for extensions of service.**

(a) A company with a terminating-access tariff under WAC 480-120-540 and a service-extension tariff imposing fees or charges under subsection (3) of this section may file tariffs to include a service-extension element in an amount necessary to recover the cost of an extension of service. The tariff may not recover costs covered by applicant or customer payments for service extensions, federal universal service funds, or any similar funds or grants from other sources. The company must file the tariff to be effective only so long as necessary to recover the costs allowed under this section.

(b) Companies may recover costs by filing a tariff under (b)(i) or (ii) of this subsection. In the case of companies that serve fewer than two percent of the access lines in the state, placement of the tariff on the agenda of a commission open meeting constitutes notice of an opportunity to be heard on the need for any reporting requirements related to a tariff based on estimated costs.

(i) A company may file a proposed tariff to recover fifty percent of the estimated cost of an extension after it obtains all permits necessary for construction related to the extension of service. Extensions of service must be completed within twelve months of the effective date of a tariff that uses estimated costs. The tariff based on estimates is null and void at the end of that twelve-month period if the extension of ser-

vice is not completed, however; the commission, for good cause shown, may permit the tariff based on estimates to remain in effect after twelve months. If the commission does not permit the tariff based on estimates to continue, the company must within thirty days of the commission's decision or the end of the twelve-month period, whichever is later, file a replacement tariff to offset the amounts collected. After completion of an extension subject to a tariff based on estimated costs, the company may file a tariff to recover the cost of the extension less any amount already recovered or, in the event of an over-collection, must file a tariff to reduce terminating access sufficient to offset the amount over-collected through the initial tariff.

Class A companies that have in effect a service-extension tariff based on estimated costs must report quarterly on collections, expenditures, and construction timetables and progress, including a final report after completion of the extension and termination of the tariff. Companies that serve fewer than two percent of the access lines in the state and that have in effect a service-extension tariff based on estimated costs must make the same report every six months if ordered by the commission.

(ii) A company may file a tariff to recover the cost of a service extension at any time within two years after completion of an extension and may accumulate the cost of multiple line extensions before filing a tariff.

(c) The commission will review the cost justification for the tariffs and approve the tariffs if they are consistent with this section and in the public interest. The commission will not conduct an earnings review of the company's operations for the purpose of reviewing the proposed tariffs.

**(5) Extension of service to neighboring exchange facilities.** (a) A company that is willing to extend service to a neighboring exchange may recover under subsection (4) of this section the cost of an extension to a neighboring exchange if companies obligated to serve the neighboring exchange agree that the cost of a cross-boundary service extension would be less than the cost of extension within the applicants' exchange and agree to the cross-boundary extension.

(b) In the case of a cross-boundary extension, an applicant will become a customer of the extending company. The customer's rates and local calling capabilities must be the same as other customers served out of the extending company's same central office.

(c) The newly constructed facilities will be the property of the extending company, but the exchange boundary will remain unchanged.

(d) The charge to the customer shall be determined in accordance with subsection (3) of this section.

**(6) Extensions to developments.** The cost of extensions to developments should be borne by those who gain economic advantage from development and not by ratepayers in general. This policy promotes the economic good of having telephone infrastructure placed at the same time as other infrastructure is constructed as a part of development. Accordingly, this section does not apply to extensions to serve the following:



(a) Developments filed after the effective date of this rule for which a public offering statement is required under chapter 58.19 RCW;

(b) Divisions of land filed after the effective date of this rule that use binding site plans under RCW 58.17.035 to create five or more lots or units;

(c) Subdivisions filed after the effective date of this rule;

(d) Short subdivisions with five or more lots filed after the effective date of this rule;

(e) Developments filed prior to the effective date of this rule, in which all lots were under common ownership and control on the effective date of this rule, and in which no residential buildings were constructed after the division of land and prior to the effective date of this rule;

(f) Divisions of land using binding site plans under chapter 58.17 RCW with five or more lots or units filed prior to the effective date of this rule, in which all lots, units or both were under common ownership and control on the effective date of this rule, and in which no residential buildings or commercial or industrial buildings were constructed after the division of land and prior to the effective date of this rule;

(g) Subdivisions filed prior to the effective date of this rule, in which all lots were under common ownership and control on the effective date of this rule, and in which no residential buildings were constructed after the division of land and prior to the effective date of this rule;

(h) Short subdivisions with five or more lots filed prior to the effective date of this rule, in which all lots were under common ownership and control on the effective date of this rule, and in which no residential buildings were constructed after the division of land and prior to the effective date of this rule;

(i) Mobile home parks, mobile home park cooperatives, and mobile home park subdivisions created after the effective date of this rule;

(j) Mobile home parks, mobile home park cooperatives, and mobile home park subdivisions created prior to the effective date of this rule, in which all lots were under common ownership and control on the effective date of this rule, and in which no residential buildings were placed or constructed after the division of land and prior to the effective date of this rule;

(k) Marinas;

(l) Camping resorts regulated under chapter 19.105 RCW;

(m) Condominiums regulated under chapters 64.32 and 64.34 RCW;

(n) Timeshares regulated under chapter 64.36 RCW. Local exchange companies may not recover under subsection (4) of this section the cost of service extensions to locations described in (a) through (l) of this subsection.

(7) Waiver of obligation under this section.

(a) The commission retains the authority under RCW 80.36.090 to determine whether any applicant for service is not reasonably entitled to service and whether the local exchange company is not obligated to provide service to any applicant as required by subsection (2)(b) of this section. In determining the reasonable entitlement, the commission may consider those factors listed in (b)(ii)(A) through (G) of this

subsection and such other information that it may consider necessary to a proper determination.

(b) Waiver of subsection (3)(a) of this section:

(i) A company may petition for a waiver of subsection (3)(a) of this section in order to charge an applicant the direct cost to extend service if it is unreasonable for the direct cost of the extension of service to be borne by rates permitted under subsection (4) of this section.

(ii) In determining whether cost recovery under subsection (4) of this section for an extension is unreasonable and granting a waiver is consistent with public interest, the commission will consider:

(A) The total direct cost of the extension;

(B) The number of customers to be served;

(C) The comparative price and capabilities of radio communication service or other alternatives available to customers;

(D) Technological difficulties and physical barriers presented by the requested extensions;

(E) The effect on the individuals and communities involved;

(F) The effect on the public switched network; and

(G) The effect on the company.

**WSR 00-17-171**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed August 23, 2000, 9:14 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-09-093.

Title of Rule: Regional fisheries enhancement groups.

Purpose: Add two new enhancement groups.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: Eastern Washington is currently under one Regional Fisheries Enhancement Group. This proposal will establish upper Columbia River and southeastern Washington groups in addition to the mid-Columbia River group.

Reasons Supporting Proposal: RFEGs are effective methods for promoting salmon recovery.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, 902-2930; Implementation: Tim Smith, 111 Washington Street, Olympia, 902-2223; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, 902-2373.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: RFEGs are identified lead entities in salmon recovery. The addition of two new groups in Eastern Washington will increase the personnel available to assist in recovery through habitat restoration, salmon production, and other means.

Proposal Changes the Following Existing Rules:  
Increases number or RFEs.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule affects volunteer organizations only.

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

Hearing Location: Room 175B, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA, on September 27, 2000, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Colleen Freeze by September 13, 2000, TDD (360) 902-2295, or (902) [(360)] 902-2222.

Submit Written Comments to: Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501, fax (360) 902-2942, by September 26, 2000.

Date of Intended Adoption: September 27, 2000.

August 23, 2000

Evan Jacoby

Rules Coordinator

**AMENDATORY SECTION** (Amending Order 90-06, filed 1/30/90, effective 3/2/90)

**WAC 220-140-020 Geographical regional fisheries enhancement groups.** The following geographical areas are designated as areas from which groups may be formed, and after being established as provided for in this chapter, such groups are eligible to make funding requests through the department. There shall be one group per region.

(1) Region 1: Nooksack/Samish

Marine Areas: 7, 7A, 7B, 7C, 7D

Watersheds: Those entering the above marine areas, including Bellingham Bay, Samish Bay, and Padilla Bay. Major rivers include Nooksack and Samish.

(2) Region 2: Skagit

Marine Areas: 6A, 8

Watersheds: Those entering Skagit Bay and Saratoga Passage south to East Point on Whidbey Island. The major watersheds are the Skagit River and its tributaries.

(3) Region 3: Stillaguamish/Snohomish

Marine Areas: 8A, 8D

Watersheds: Those entering Port Susan, Port Garner, and Possession Sound, also Saratoga Passage south from Elger Bay. Major rivers include Stillaguamish and Snohomish and their tributaries.

(4) Region 4: Mid-Sound

Marine Areas: 10, 10A-G, 11

Watersheds: Those entering Elliott Bay, Lake Washington, Lake Sammamish, East Passage, Colvos Passage, Sinclair Inlet, Dyes Inlet, Port Orchard, Port Madison. Major rivers include Cedar and Green.

(5) Region 5: South Sound

Marine Areas: 13, 13A-K

Watersheds: Those entering Carr Inlet, Commencement Bay, Henderson Bay, Case Inlet, Nisqually Reach, Henderson Inlet, Budd Inlet, Eld Inlet, Totten Inlet, Hammersley Inlet, and Oakland Bay. Major rivers include Puyallup, Nisqually, and Deschutes.

(6) Region 6: Hood Canal

Marine Areas: 12, 12A-D

Watersheds: Those entering Hood Canal, Dabob Bay, and Quilcene Bay. Major rivers include Skokomish, Hamma Hamma, Duckabush, Dosewallips, and Quilcene.

(7) Region 7: Strait of Juan de Fuca

Marine Areas: 4B, 5, 6B, 6C and Area 9 north of Foulweather Bluff.

Watersheds: Those entering Admiralty Inlet and the Straits of Juan de Fuca. Major rivers include the Dungeness, Elwha, Lyre, Pysht, Clallam, and Hoko.

(8) Region 8: North Coast

Watersheds: Those entering directly into the Pacific Ocean, including Ozette, Quillayute, Hoh, Queets, and Quinault.

(9) Region 9: Grays Harbor

Watersheds: Those entering Grays Harbor, including Humptulips, Hoquiam, Wishkah, Chehalis, and Johns.

(10) Region 10: Willapa Bay

Watershed: Those entering Willapa Bay, including North River, Willapa, Nemah, and Naselle.

(11) Region 11: Lower Columbia River

Watersheds: Those entering the Columbia River below Bonneville Dam, including Grays, Elochoman, Cowlitz, Kalama, Lewis, and Washougal.

(12) Region 12: Mid-Columbia River

Watersheds: Those entering the Columbia River (from the north and west) above Bonneville Dam up to ((Chief Joseph)) Rock Island Dam. Major rivers include Little White Salmon, White Salmon, Wind, Yakima, and Klickitat ((~~Snake, Wenatchee, Entiat, Methow, and Okanogan~~)). (WRIs 29, 30, 31, 37, 38, 39, 40)

(13) Region 13: South Eastern Washington

Watershed: Those entering the Columbia River above McNary Dam from the east including the Snake and Walla Walla rivers and their tributaries. (WRIs 32, 33, 35)

(14) Region 14: Upper Columbia River

Watersheds: Those entering the Columbia River above Rock Island Dam up to and including the San Poil watershed. Major rivers include the Wenatchee, Entiat, Methow, Okanogan and San Poil rivers and their tributaries. (WRIs 44, 45, 46, 47, 48, 49, 50, 51, 52)

**WSR 00-17-172**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**

[Filed August 23, 2000, 9:30 a.m.]

## Original Notice.

Preproposal statement of inquiry was filed as WSR 99-16-072.

Title of Rule: Chapter 208-660 WAC, Mortgage brokers and loan originators—Licensing.

Purpose: To amend the WAC to reflect changes made to the statute in 1997 and add additional clarifying language regarding redisclosure of mortgage broker fees, deposits of checks into trust accounts and continuing education provided by Washington Association of Mortgage Brokers.

Statutory Authority for Adoption: RCW 19.146.223, 43.320.010.

Statute Being Implemented: Chapter 208-660 WAC.

Summary: The 1997 legislative changes in the statute included substituting the term computer loan origination services with computer loan information services to reflect changes in federal law. Additional changes included clarifying language regarding redisclosure of mortgage broker fees, and deposits of checks into trust accounts.

Reasons Supporting Proposal: To implement these legislative changes made in the statute in 1997, including adding clarifying language regarding redisclosure of mortgage broker fees, deposits of checks into trust accounts and continuing education provided by Washington Association of Mortgage Brokers.

Name of Agency Personnel Responsible for Drafting: W. Kwadwo Boateng/Mark Thomson, General Administration Building, Room #300, 902-8785/8787; Implementation and Enforcement: Mark Thomson, General Administration Building, Room #300, 902-8787.

Name of Proponent: Department of Financial Institutions, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendments reflect changes made to the statute in 1997 and add additional clarifying language

regarding redisclosure of mortgage broker fees, deposits of checks into trust accounts and continuing education provided by Washington Association of Mortgage Brokers.

We do not anticipate any adverse effects on the industry since the purpose is to clarify language currently in the rule. With is [this] clarification, licensee would better understand redisclosure requirements and have an opportunity of receiving their continuing education through their trade association.

Proposal Changes the Following Existing Rules: (1) Clarifies redisclosure requirements when fees inuring to the benefit of the mortgage broker increases prior to consummation.

(2) Suggests how to account for fees combined into one check, but meant for the broker and other third party service providers.

(3) Includes Washington Mortgage Brokers Association courses among those approved to [be] used for continuing education by mortgage brokers.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendment will not have quantifiable economic impact on the affected small business licensed under the statute.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Washington State Department of Agriculture [Department of Financial Institutions] is not a listed agency in section 201.

Hearing Location: Washington Interactive Television (WIT), Lacey, Seattle, Spokane, Vancouver, Yakima, on October 3, 2000, at 9-11 a.m.

Assistance for Persons with Disabilities: Mark Thomson by September 29, 2000, TDD (360) 664-8126.

Submit Written Comments to: Mark Thomson, Assistant Director of Consumer Services and Administration, P.O. Box 41200, Olympia, WA 98504-1200, fax (360) 704-6925, by September 29, 2000.

Date of Intended Adoption: October 24, 2000.

August 16, 2000

John L. Bley

Director

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-010 Definitions.** As used in this chapter, the following definitions apply, unless the context otherwise requires:

(1) "Advertising material" means any form of sales or promotional materials to be used in connection with the mortgage broker business.

(2) "Affiliate" means any person who controls, is controlled by, or is under common control with, another person.

(3) "Application deposit" means a deposit in immediately available funds consisting of three hundred fifty dollars for each license applied for and one hundred seventy-five dollars for each branch office certificate applied for. For example, an applicant requesting a license and two branch office certificates must submit an application deposit of seven hundred dollars (calculated by adding three hundred

fifty dollars to the product of two times one hundred seventy-five dollars).

(4) "Approved examination" means a written examination approved by the director.

(5) "Approved licensing or continuing education course" means a licensing or continuing education course approved by the director.

(6) "Borrower" means any person who consults with or retains a mortgage broker or loan originator in an effort to obtain or seek advice or information on obtaining or applying to obtain a residential mortgage loan for himself, herself, or persons including himself or herself, regardless of whether the person actually obtains such a loan.

(7) "Branch office" means a fixed physical location such as an office, separate from the principal place of business of the licensee, where the licensee holds itself out as a mortgage broker.

(8) "Branch office certificate" means a branch office license issued by the director to engage in the mortgage broker business as the branch office indicated in the certificate, pursuant to RCW 19.146.265.

(9) "Certificate of passing an approved examination" means a certificate signed by the examination administrator verifying that the individual performed with a satisfactory score or higher on an approved licensing examination.

(10) "Certificate of satisfactory completion of an approved continuing education course" means a certificate signed by the course provider verifying that the individual has attended an approved continuing education course.

(11) "Certificate of satisfactory completion of an approved licensing course" means a certificate signed by the course provider verifying that the individual has attended at least forty hours of class of an approved licensing course.

(12) "Consumer Protection Act" means chapter 19.86 RCW.

(13) A person "controls" an entity if the person, directly or indirectly through one or more intermediaries, alone or in concert with others, owns, controls, or holds the power to vote twenty-five percent or more of the outstanding stock or voting power of the controlled entity.

(14) A person is "convicted" of a crime, irrespective of the pronouncement or suspension of sentence, if the person:

- Is convicted of the crime in any jurisdiction;
- Is convicted of a crime which, if committed within this state would constitute such a crime under the laws of this state;
- Has plead guilty or no contest or nolo contendere or stipulated to facts that are sufficient to justify a finding of guilt to such a charge before a court or federal magistrate; or
- Has been found guilty of such a crime by the decision or judgment of a court or federal magistrate or by the verdict of a jury.

(15) "Department" means the department of financial institutions.

(16) "Designated broker" means a natural person designated by the applicant for a license or licensee who meets the experience, education, and examination requirements set forth in RCW 19.146.210(e).

(17) "Director" means the director of financial institutions.

(18) "Employee" means any natural person who:

- Has an employment relationship, acknowledged by both the employee and the mortgage broker; and
- Is treated as an employee by the mortgage broker for purposes of compliance with federal income tax laws.

(19) "Financial institution" means a federally insured bank, savings bank, savings and loan association, or credit union, whether state or federally chartered, authorized to conduct business in this state.

(20) "Financial misconduct" means without limitation:

- Any conduct prohibited by the Mortgage Broker Practices Act;
- Any similar conduct prohibited by statutes governing mortgage brokers in other states; and
- Any similar conduct prohibited by statutes governing other segments of the financial services industry, including but not limited to the Consumer Protection Act, statutes governing the conduct of securities broker dealers, financial advisers, escrow officers, title insurance companies, limited practice officers, trust companies, and other licensed or chartered financial service providers.

(21) A person "holds oneself out" by advertising or otherwise informing the public that the person engages in any of the activities indicated, including without limit through the use of business cards, stationery, brochures, rate lists or other promotional items.

(22) "Independent contractor" or "person who independently contracts" means any person that:

- Expressly or impliedly contracts to perform mortgage broker activities for a licensee;
- With respect to its manner or means of performing the activities, is not subject to the licensee's right of control; and
- Is not treated as an employee by the licensee for purposes of compliance with federal income tax laws.

(23) "Investigation" means an examination undertaken for the purpose of detection of violations of this chapter or securing information lawfully required under this chapter.

(24) "License" means a license issued by the director to engage in the mortgage broker business.

~~((24))~~ (25) "Licensee" or "licensed mortgage broker" means:

- A mortgage broker licensed by the director; and
- Any person required to be licensed pursuant to RCW 19.146.200 and 19.146.020.

~~((25))~~ (26) "Loan originator" means a natural person:

- Who is a mortgage broker employee who performs any mortgage broker activities; or
- Who is retained as an independent contractor by a mortgage broker, or represents a mortgage broker, in the performance of any mortgage broker activities.

~~((26))~~ (27) "Lock-in agreement" means an agreement with a borrower made by a mortgage broker or loan originator, in which the mortgage broker or loan originator agrees that, for a period of time, a specific interest rate or other financing terms will be the rate or terms upon which it will make a loan available to the borrower.

~~((27))~~ (28) "Material litigation" means any conviction in the prior seven years for a felony, or for a gross misdemeanor involving dishonesty or financial misconduct, and any litigation pending at any time during the prior seven

years that would be relevant to the director's ruling on an application for a license, including but not limited to, the following types of litigation:

- Criminal actions involving felony charges.
- Criminal or civil actions involving dishonesty or financial misconduct.

~~((28))~~ (29) "Mortgage broker" means any person that for compensation or gain, or in the expectation of compensation or gain:

- Makes a residential mortgage loan or assists a person in obtaining a residential mortgage loan; or
- Holds himself or herself out as being able to do so.

~~((29))~~ (30) "Mortgage Broker Practices Act" means chapter 19.146 RCW and chapter 50-60 WAC.

~~((30))~~ (31) "Out-of-state applicant or licensee" means an applicant for a license or licensee that does not maintain a physical office within this state.

~~((31))~~ (32) "Person" means a natural person, corporation, company, partnership, limited liability company, or association.

~~((32))~~ (33) "Prepaid escrowed costs of ownership," as used in RCW 19.146.030(5), means any amounts prepaid by the borrower for the payment of taxes, property insurance, interim interest, and similar items in regard to the security property.

~~((33))~~ (34) "Principal" means any person who controls, directly or indirectly through one or more intermediaries, alone or in concert with others, a ten percent or greater interest in a partnership, company, association or corporation, and the owner of a sole proprietorship.

~~((34))~~ (35) "RCW" means the *Revised Code of Washington*.

~~((35))~~ (36) "Real Estate Settlement Procedures Act" means the Real Estate Settlement Procedures Act, 12 U.S.C. Sections 2601 et seq., and Regulation X, 24 C.F.R. Sections 3500 et seq.

~~((36))~~ (37) "Registered agent" means a person or persons located within this state that is appointed to accept service of process for an out-of-state licensee.

~~((37))~~ (38) "Residential mortgage loan" means any loan primarily for personal, family, or household use secured by a mortgage or deed of trust on residential real estate upon which is constructed or intended to be constructed a single family dwelling or multiple family dwelling of four or less units.

~~((38))~~ (39) "Subsidiary" means a corporation, company, partnership, or association that is controlled by another.

~~((39))~~ (40) "Third-party provider" means any third party, other than a mortgage broker or lender, that provides goods or services to the mortgage broker in connection with the preparation of a borrower's loan and includes, but is not limited to, credit reporting agencies, title insurance companies, appraisers, structural and pest inspectors, or escrow companies. However, "third-party provider" does include a third-party lender, to the extent it provides lock-in arrangements to the mortgage broker in connection with the preparation of a borrower's loan.

~~((40))~~ (41) "Transfer" means a sale, transfer, assignment, or other disposition, whether by operation of law in a merger or otherwise.

~~((41))~~ (42) "Truth in Lending Act" means the Truth in Lending Act, 15 U.S.C. Sections 1601 et seq., and Regulation Z, 12 C.F.R. Sections 226 et seq.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-020 Statutory exemptions.** (1) The following persons are exempt from all provisions of the Mortgage Broker Practices Act:

(a) Any person doing business under the laws of ~~((this))~~ the state of Washington or the United States relating to commercial banks, bank holding companies, savings banks, trust companies, savings and loan associations, credit unions, consumer loan companies, insurance companies, or real estate investment trusts as defined in 26 U.S.C. Sec. 856 and the affiliates, subsidiaries, and service corporations thereof;

(b) An attorney licensed to practice law in this state who is not principally engaged in the business of negotiating residential mortgage loans when such attorney renders services in the course of his or her practice as an attorney;

(c) Any person doing any act under order of any court except for a person subject to an injunction to comply with any provision of this chapter or any order of the director issued under this chapter;

(d) Any person making or acquiring a residential mortgage loan solely with his or her own funds for his or her own investment without intending to resell the residential mortgage loans. For purposes of this section, intent to resell residential mortgage loans is determined by the person's ability and willingness to hold the residential mortgage loans, indicated by, but not limited to, such measures as whether the person has sold loans in the past, whether the loans conform to established secondary market standards for the sale of loans, and whether the person's financial condition would reasonably allow them to hold the residential mortgage loans.

(e) A real estate broker or salesperson licensed by the state who obtains financing for a real estate transaction involving a bona fide sale of real estate in the performance of his or her duties as a real estate broker and who receives only the customary real estate broker's or salesperson's commission in connection with the transaction;

~~((e))~~ (f) Any mortgage broker approved and subject to auditing by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

(g) The United States of America, the state of Washington, any other state, and any Washington city, county, or other political subdivision, and any agency, division, or corporate instrumentality of any of the entities in this subsection (1)~~((e))~~ (g); and

~~((f))~~ (h) A real estate broker who:

(i) In connection with a ~~((CLO))~~ CLI system, provides only information regarding rates, terms, and lenders;

(ii) Receives a fee for providing such information;

(iii) Conforms to these rules with respect to the providing of such information; and

(iv) Discloses on a form approved by the director that to obtain a loan the borrower must deal directly with a mortgage broker or lender.

However, a real estate broker is not exempt from the Mortgage Broker Practices Act if he or she does any of the following:

(A) Holds himself or herself out as able to obtain a loan from a lender;

(B) Accepts a loan application, or submits a loan application to a lender;

(C) Accepts any deposits for payment to a third-party provider, or accepts any loan fees from a borrower, whether such fees are paid before, upon, or after the closing of the loan;

(D) Negotiates rates or terms with a lender on behalf of a borrower; or

(E) Provides the disclosures required by RCW 19.146.030(1).

(2)(a) The persons described in (b) and (c) of this subsection are exempt from the Mortgage Broker Practices Act except that they:

(i) Must comply with RCW 19.146.0201 through 19.146.090, Part D of chapter 50-60 WAC, and WAC 50-60-125, 50-60-130, 50-60-140, 50-60-165, 50-60-190, and 50-60-200;

(ii) Are subject to the director's authority to take enforcement action for any violation of applicable provisions of the Mortgage Broker Practices Act, pursuant to RCW 19.146.220, 19.146.221, and 19.146.227; and

(iii) Are subject to the director's authority to obtain and review books and records that are relevant to any investigation of such a violation pursuant to the first paragraph of RCW 19.146.235, and WAC 50-60-060(4).

(b) Any person making or acquiring a residential mortgage loan solely with his or her own funds for his or her own investment without intending to resell the mortgage loan.

(c) Any mortgage broker approved and subject to auditing by the Federal National Mortgage Association, the Government National Mortgage Association, or the Federal Home Loan Mortgage Corporation.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 97-01-003, filed 12/5/96, effective 1/5/97)

**WAC 208-660-025 Computer loan ((~~origination~~)) information services and systems.** (1) **Definitions.** "Computer loan ((~~origination~~)) information (CLI) services" means the provision of information to consumers by a mortgage broker, lender, real estate agent or other person regarding interest rates and other loan terms available from different lenders.

"((~~CL~~)) CLI system" means computer hardware or software which facilitates the provision of ((~~CL~~)) CLI services to consumers.

"((~~CL~~)) CLI service provider" means a party who provides ((~~CL~~)) CLI services to consumers. The term does not

include any person or entity exempted from chapter 19.146 RCW by RCW 19.146.020 (1)(a) through (g).

"((~~CL~~)) CLI system provider" means a party who provides a ((~~CL~~)) CLI system.

(2) ((~~CL~~)) CLI service providers may be subject to licensing. Unless otherwise exempt under RCW 19.146.020, any person providing ((~~CL~~)) CLI services is subject to licensing as a mortgage broker under chapter 19.146 RCW, if the person or broker:

(a) Holds himself or herself out as able to obtain a residential mortgage loan for a consumer from a lender;

(b) Accepts a loan application from a consumer, assists a consumer in completion of a loan application, or submits a loan application on behalf of a consumer to a mortgage broker or lender;

(c) Accepts deposits from a consumer for payment of third-party services or any fees in connection with a loan, whether the fees are paid before, upon, or after the closing of the loan;

(d) Negotiates the interest rates or terms of a loan with the mortgage broker or lender on behalf of a consumer; or

(e) Provides to the consumer a good faith estimate or other disclosure required of mortgage brokers or other lenders by state or federal law.

(3) **Providers of ((~~CL~~)) CLI services must make disclosures.** If the consumer of the ((~~CL~~)) CLI service pays for the ((~~CL~~)) CLI service either directly or indirectly, the ((~~CL~~)) CLI service provider shall give a disclosure statement to the consumer. The disclosure statement shall state:

(a) The amount of the ((~~CL~~)) CLI fee which the ((~~CL~~)) CLI service provider charges the consumer for the ((~~CL~~)) CLI service;

(b) That the use of the ((~~CL~~)) CLI system is not required to obtain a residential mortgage loan; and

(c) That the full range of loans available may not be listed on the ((~~CL~~)) CLI system, and different terms and conditions, including lower rates, may be available from others not listed on the system.

(4) **Disclosure statement must be provided to consumer and retained by the ((~~CL~~)) CLI service provider.** Each ((~~CL~~)) CLI service provider must give the consumer a copy of the disclosure form when the first ((~~CL~~)) CLI service is provided to the consumer. The consumer shall sign and date the disclosure statement as evidence that the consumer received the form. ((~~CL~~)) CLI service providers must retain copies of written disclosure statements signed by consumers at an in-state office for two years.

(5) **Mortgage brokers may provide ((~~CL~~)) CLI systems—Conditions.** A licensed mortgage broker may provide ((~~CL~~)) CLI systems. Prior to providing any ((~~CL~~)) CLI system, a mortgage broker subject to licensing must notify the director in writing of its intent to provide the service. The notification shall include:

(a) Copies of any and all agreements between the licensee and the ((~~CL~~)) CLI service provider, including any and all business names and addresses where ((~~CL~~)) CLI services will be provided;

(b) Copies of any and all ((~~CL~~)) CLI disclosure statements which the ((~~CL~~)) CLI service provider shall give to

consumers in connection with the provision of the ~~((CLO))~~ CLI services.

(6) ~~((CLO))~~ **CLI system providers and ~~((CLO))~~ CLI service providers responsible for violations.** The department may hold both ~~((CLO))~~ CLI service providers and ~~((CLO))~~ CLI system providers responsible for any and all violations of chapter 19.146 RCW or chapter 208-660 WAC, and subject either or both the licensee or the service provider to any and all applicable fines and penalties.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-030 Application procedure for mortgage broker license.** (1) Each person required to have a license must apply to the director by filing the following:

(a) An application in the form prescribed by the director, including without limit the information required by RCW 19.146.205 (1)(a) through (d).

(b) A surety bond and related power of attorney, or approved alternative to the bond, in accordance with RCW 19.146.205 (3) and WAC 50-60-080 and 50-60-08010.

(c) The application deposit.

(d) In regard to each principal~~((;))~~ and designated broker~~((, and any branch office manager))~~ of the applicant:

(i) Biographical information including complete and accurate employment history and a description of any material litigation involving the person;

(ii) An independent credit report obtained from a recognized credit reporting agency;

(iii) A signed authorization for a background investigation on a form provided by the department;

(iv) Completed fingerprint cards accepted by the Washington state patrol ~~((this requirement does not apply to branch office managers))~~);

(v) A signed authorization for verification of the existence of a trust account on a form provided by the department;

(vi) A certificate of passing an approved examination (this requirement does not apply to ~~((branch office managers))~~ principals); and

(vii) A certificate of satisfactory completion of an approved licensing course, or satisfactory proof of at least two years of experience in accordance with WAC 50-60-040 ~~((this requirement does not apply to principals))~~.

(e) A signed certificate of compliance and authorization to examine trust accounts on a form provided by the department;

(f) Information to support any required branch office certificate, as required by WAC 50-60-070.

(g) Information in regard to each independent contractor retained by the applicant, in accordance with RCW 19.146.200(1).

(h) A copy of any written agreement with a lender or licensee, in accordance with RCW 19.146.040(2).

(i) A copy of any form to be approved by the director in accordance with WAC 50-60-130(2).

(j) If the applicant's principal office is located out-of-state, information in regard to the applicant's registered agent, in accordance with RCW 19.146.220(3).

(2) Notwithstanding any other provision of these rules, the director may deny an application as incomplete if the applicant fails within ten business days to meet a second request from the director for information, except that the director may grant an extension to the applicant when good cause is shown. An example of good cause may include, but is not limited to, death or incapacitating illness of the preparer, or other catastrophic occurrence. Failure to file requested information under such circumstances will not affect new applications filed after the denial. An applicant may reapply upon submission of a new application and an additional application deposit.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-040 Experience requirements.** (1) A designated broker ~~((or branch office manager))~~ may use the following experience to satisfy the experience requirements of RCW 19.146.210 (1)(e) and 19.146.265:

(a) As a mortgage broker, or as a designated broker, or branch office manager, of a mortgage broker business;

(b) As a mortgage banker, or responsible individual or branch manager, of a mortgage banking business;

(c) As a loan officer, with responsibility primarily for loans secured by a lien on real estate;

(d) As a branch manager of a lender, with responsibility primarily for loans secured by a lien on real estate.

(e) As a mortgage broker with a mortgage broker (or similar) license from another state where the licensing standards are substantially similar to those in this state, as determined by the director.

(2) Satisfactory proof of two years of experience may include valid copies of W-2 or 1099 tax forms verifying employment for the two-year period, valid copies of form 1120 corporate tax returns for the two-year period signed by the broker or manager as owner of the business for the two-year period, or signed letters from a lender on the lender's letterhead verifying that the broker or manager has originated mortgage loans for the two-year period.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-042 Continuing education requirement.** (1) The principal or designated broker ~~((and each branch office manager))~~ of a licensee must satisfactorily complete an approved continuing education course annually. Each licensee must file annually a certificate of satisfactory completion of an approved continuing education course by the licensee's principal or designated broker ~~((and each~~

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~~branch office manager,))~~ no later than the last business day of the month in which the anniversary date of the issuance of the licensee's license occurs.

(2) This section applies to each licensee beginning on the first anniversary date of the issuance of the licensee's license which occurs after December 31, 1995. (For example, if a licensee's license was issued on January 10, 1994, then the licensee must submit its first certificate of satisfactory completion of an approved continuing education course no later than the last business day of January 1996.)

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

**WAC 208-660-045 Approval of courses and examinations.** (1) In order to receive approval of a licensing or continuing education course, the course provider must file an application with the director, which includes the following items:

(a) A description of the course provider's experience in teaching this type of course;

(b) A complete listing of all instructors for the course, including their qualifications and experience teaching courses similar to this course;

(c) A valid certification as a vocational instructor issued by the state of Washington or valid certification as a non-profit corporation under United States Tax Code that represents the interests of mortgage brokers and lenders;

(d) In connection with approval of a licensing course, all course materials and lesson plans on a session-by-session basis, which must cover at least the following subjects to be taught:

(i) The Mortgage Broker Practices Act;

(ii) The Consumer Protection Act;

(iii) The Escrow Agent Registration Act, chapter 18.44 RCW;

(iv) The federal Real Estate Settlement Procedures Act, Truth in Lending Act, Equal Credit Opportunity Act, Fair Credit Reporting Act, Fair Housing Act, Home Mortgage Disclosure Act, and Community Reinvestment Act, and the regulations promulgated pursuant to these acts.

(v) Trust account and recordkeeping requirements provided in the Mortgage Broker Practices Act;

(vi) Mortgage, deed of trust, and real estate contract statutes set forth in Title 61 RCW;

(vii) Washington principal and agent law;

(viii) Real estate and appraisal law, including without limitation, the provisions of chapters 18.85 and 18.140 RCW;

(ix) Arithmetical computations common to mortgage lending including without limitation, the computation of annual percentage rate, finance charge, amount financed, payment and amortization;

(x) Ethics in the mortgage industry; and

(e) In connection with a continuing education course, all course materials and lesson plans on a session-by-session basis, which cover all relevant changes to the laws and matters described in (d) of this subsection.

(2) In order to receive approval of an examination, the examination administrator must file an application with the director, including the following items:

(a) A description of the examination administrator's experience in administering this type of examination; and

(b) A copy of any examinations to be used in determining satisfactory comprehension of the contents of the course and the grading scale to be used. Any new or revised examinations or grading scales to be used must be submitted to the director for approval prior to their use.

(3) The director shall review the applications filed with the department and determine whether to approve or deny the proposed course or examination. If the director approves the course or examination, the director shall issue a certificate of approval that will be effective for two years from the date of its issuance.

(4) The director shall publish annually a list of approved courses and approved examinations.

(5) A course provider or examination administrator that desires to renew the certificate of approval must apply to the director and file the items required in subsection (1) of this section no later than forty-five days before the certificate expires.

(6) The director may audit an approved course or examination at any time. If the course provider or examination administrator has not complied with the requirements of this section, the director may suspend or terminate approval and require the surrender of the certificate of approval.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-070 Branch office application procedure.** Each applicant for a license or licensee required to obtain a branch office certificate shall apply to the director by filing the following:

(1) An application in the form prescribed by the director.

(2) The application deposit.

~~((3) In regard to each branch office manager:~~

~~(a) Biographical information including complete and accurate employment history and a description of any material litigation involving the manager;~~

~~(b) A signed authorization for background investigation on a form provided by the director; and~~

~~(c) A certificate of satisfactory completion of an approved licensing course, or satisfactory proof of at least two years' experience in accordance with WAC 50-60-040.~~

~~A different natural person must serve as manager for each branch office.))~~ A branch office application may be submitted simultaneously with a license application, however no branch office certificate will be issued prior to the issuance of the license.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.



**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-080 Surety bond and approved alternatives—General requirements.** (1) Each applicant for a license and licensee must file and maintain on file with the director:

- (a) A surety bond in the required amount and related power of attorney issued by a bonding company or insurance company authorized to do business in this state; or
- (b) An approved alternative to a surety bond in the required amount in accordance with WAC 50-60-08010.

The required amount of the surety bond or approved alternative ranges from twenty thousand dollars to sixty thousand dollars and is based on the applicant's or licensee's monthly average number of loan originators calculated in accordance with subsection (2) of this section. The surety bond or approved alternative is subject to claims in accordance with RCW 19.146.205 and 19.146.240. Borrowers shall be given priority over the state and other persons who file claims against the bond or approved alternative. The state and other persons shall not receive distributions from the remainder of the bond or approved alternative pursuant to valid claims prior to one hundred eighty days following the date a claim is made against the bond.

(2) The monthly average number of loan originators is calculated as follows:

(a) If the applicant or licensee has not been in the mortgage broker business at any time during the preceding twelve months, the monthly average number of loan originators is determined by adding up the projected number of loan originators to be employed or engaged each month for the first twelve months during which the applicant or licensee will do business, and dividing this total by twelve. The projected number of loan originators must reflect at least the actual number of originators at the inception of business.

(b) If the applicant or licensee has not been in the mortgage broker business at least some portion of each of the preceding twelve months, the monthly average number of loan originators is calculated by adding up the number of loan originators employed or engaged each month (or part thereof) for the number of months the applicant or licensee has been in business during the twelve-month period, and the projected number of loan originators to be employed or engaged each month for any additional months necessary to comprise a total of twelve months (or part thereof), and dividing this total by twelve.

(c) Otherwise, the monthly average number of loan originators as calculated by adding up the number of loan originators employed or engaged each month (or part thereof) for the previous twelve months, and dividing this total by twelve.

(3) Based upon the monthly average number of loan originators, the required surety bond amount is indicated by the following table:

Monthly Average Number of Loan Originators	Minimum Required Bond Amount
up to 3.0	\$20,000
more than 3.0, up to 6.0	\$30,000
more than 6.0, up to 9.0	\$40,000
more than 9.0, up to 15.0	\$50,000
more than 15.0	\$60,000

When calculating the required bond amount, an applicant or licensee shall use the worksheet form approved by the director.

(4) At least forty-five days prior to each anniversary of the issuance of the surety bond or approved alternative, each licensee shall calculate its required bond amount in accordance with subsections (2) and (3) of this section. If the required surety bond amount has changed, then the licensee shall within thirty days of the date of the calculation, file a new surety bond or approved alternative in the required amount or file documentation showing a change in the amount of the existing bond or alternative to the required amount.

(5) Each licensee shall use the bond form, assignment of certificate of deposit form, or irrevocable letter of credit form approved by the director.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-08015 Designation of trust account(s).** Each account holding borrower funds to pay third-party providers must be designated as a trust account in the name of the mortgage broker as it appears on its license, or if exempt from licensing, in the name of the exempt broker. All checks must be prenumbered by the supplier (printer), unless the licensee uses an automated check writing system, in which case all checks must be numbered in sequence, and bear upon the front of the check the identifying words, "trust account." Any interest earned on a borrower's subaccount shall be refunded or credited to the borrower either at closing or upon withdrawal or denial of the borrower's loan application.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-08025 Trust account deposit requirements.** (1) All funds received from borrowers or on behalf of borrowers for the payment of third-party providers, whether specifically identified as such or not, and regardless of when they are received, must be deposited in the trust account(s) prior to the end of the ~~((next))~~ third business day following receipt. In order to satisfy this requirement in regard to the deposit of a check or money order, the mortgage broker must

PROPOSED

within one business day after receipt of the check or money order:

(a) Endorse the check or money order "for deposit only" with the broker's trust account number and mail the check postage prepaid to its financial institution; or

(b) Endorse the check or money order "for deposit only" with the mortgage broker's trust account deposit number and by the end of the next business day mail the check or money order postage prepaid to the main office of the broker. The main office shall, in turn, deposit the check or money order in its financial institution prior to the end of the ~~((next))~~ third business day after receipt of the check or money order in the main office; or

(c) Deposit the check or money order into its trust account by depositing it directly at the branch where its trust account is held or at an ATM of its financial institution.

(2) All deposits to the trust account(s) must be documented by a bank deposit slip which has been validated by bank imprint, or by an attached deposit receipt which bears the signature of an authorized representative of the mortgage broker indicating that the funds were actually deposited into the proper account(s).

(3) Receipt of funds by wire transfer or any means other than cash, check, or money order, must be posted in the same manner as other receipts. Any such transfer of funds must include a traceable identifying name or number supplied by the financial institution or transferring entity. The mortgage broker must also retain a receipt for the deposit of the funds which must contain the traceable identifying name or number supplied by the financial institution or transferring entity.

(4) Deposits to the trust account(s) must be limited to funds delivered to the mortgage broker for payment to third-party providers, except a mortgage broker may deposit its own funds into the trust account(s) to prevent a disbursement in excess of an individual borrower's subaccount, provided that the exact sum of deficiency is deposited and detailed records of the deposit and its purpose are maintained in the trust ledger and the trust account(s) check register. Any deposits of the mortgage broker's own funds into the trust account(s) must be held in trust in the same manner as funds paid by borrowers for the payment of third-party providers and treated accordingly in compliance with the Mortgage Broker Practices Act.

If a mortgage broker has deposited its own funds into its trust account, the mortgage broker may receive reimbursement for such deposit at closing into its general business bank account provided:

(a) All third-party provider's charges associated with the mortgage broker's deposit have been paid;

(b) The HUD 1 Settlement Statement provided to the borrower clearly reflects the line item, "deposit paid by broker," and the amount deposited;

(c) The HUD 1 Settlement Statement provided to the borrower clearly reflects the line item, "reimbursement to broker for funds advances," and the amount reimbursed; and

(d) Any funds disbursed by escrow at closing to the mortgage broker for payment of unpaid third-party providers' expenses charged or to be charged to the mortgage broker are deposited into the borrower's subaccount of the mortgage broker's trust account.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-08030 Trust account disbursement requirements.** (1) Each mortgage broker is responsible for the disbursement of all trust account funds, whether disbursed by personal signature, signature plate, or signature of another person authorized to act on the mortgage broker's behalf.

(2) All disbursements of trust funds must be made by check, drawn on the trust account, and identified on the check as pertaining to a specific third-party provider transaction or borrower refund, except as specified in this section. The number of each check, amount, date, and payee must be shown in the trust account(s) check ledger as written on the check.

(3) Disbursements may be made from the trust account(s) for the payment of bona fide third-party providers' services rendered in the course of the borrower's loan origination, if the borrower has consented in writing to the payment. Such consent may be given at any time during the application process and in any written form, provided that it contains sufficient detail to verify the borrower's consent to the use of trust funds. No disbursement on behalf of the borrower may be made from the trust account until the borrower's or broker's deposit of sufficient funds into the trust account(s) is available for withdrawal.

(4) If a borrower has more than one loan application pending with a mortgage broker, the mortgage broker shall maintain a separate subaccount ledger for each loan application. The borrower must consent to any transfer of trust account funds between the individual subaccounts associated with these pending loan applications. The consent must be maintained in the borrower's loan file and referenced in the borrower's subaccount ledger sheets.

(5) Among other prohibited disbursements, no disbursement may be made from a borrower's subaccount:

(a) In excess of the amount held in the borrower's subaccount (commonly referred to as a disbursement in excess);

(b) In payment of a fee owed to any employee of the mortgage broker or in payment of any business expense of the mortgage broker;

(c) For payment of any service charges related to the management or administration of the trust account(s);

(d) For payment of any fees owed to the mortgage broker by the borrower, or to transfer funds from the subaccount to any other account; and

(e) For the payment of fees owed to the broker under RCW 19.146.070 (2)(a).

(6) A mortgage broker may, in the case of a closed and funded transaction, transfer excess funds remaining in the individual borrower's subaccount into the mortgage broker's general business bank account in full or partial payment of fees owed to the mortgage broker upon determination that all third-party providers' expenses have been accurately reported in the loan closing documents and have been paid in full, and

that the borrower has received credit in the loan closing documents for all funds deposited in the trust account.

Each mortgage broker shall maintain a detailed audit trail for any disbursements from the borrower's subaccount(s) into the mortgage broker's general business bank account, including documentation in the form of a final HUD-1 Settlement Statement form showing that credit has been received by the borrower in the closing and funding of the transaction. The disbursements must be made by a check drawn on the trust account and deposited directly into the mortgage broker's general business bank account.

(7) Borrower funds held by the mortgage broker must be remitted to the borrower within five business days of the determination that all payments to third-party providers owed by the borrower have been satisfied.

(8) Any trust funds held by the mortgage broker for a borrower who cannot be located must be remitted in compliance with the Uniform Unclaimed Property Act of 1983, chapter 63.29 RCW.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### NEW SECTION

**WAC 208-660-08032 Approved methods of disbursement to and from trust accounts.** A mortgage broker who receives a check from closing which includes both the mortgage broker's fee and a payment or payments for third party service providers is required to disburse to and from trust accounts in accordance with WAC 208-660-08010 through 208-660-08030. The approved methods for accomplishing this, and avoiding violation of RCW 19.46.050, are:

(1) The mortgage broker at the time of deposit is to split the check at the teller window and route any moneys due to third party service providers to an approved trust account, and moneys due the mortgage broker to its general account; or

(2) The mortgage broker deposits the entire check into the trust account. After paying any and all moneys due to third party service providers and seeing to it that the borrower has received credit for all funds deposited in the trust account, the mortgage broker may transfer excess funds remaining in the individual borrower's subaccount into the mortgage broker's general business bank account. This amount must be equal to the fee disclosed on the final HUD-1 Settlement Statement, less any amounts already received by the mortgage broker, and must be duly recorded in the trust subaccount ledger. The mortgage broker may at no time before the loan is closed transfer moneys from a trust account to their general business bank account.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-08040 Automated check writing systems.** If a mortgage broker uses a program which has the ability to write checks:

(1) The check number must be pre-printed by the supplier (printer) on the check and on the voucher copy if pre-

printed checks are used, or assigned sequentially if preprinted checks are not used;

(2) The program may assign suffixes or subaccount codes before or after the check number for identification purposes;

(3) The check number must appear in the magnetic coding which also identifies the account number for readability by financial institution computers; and

(4) All checks written must be included within the computer accounting system.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

**WAC 208-660-130 Disclosure required to borrower.**

(1) Any form of disclosure required by RCW 19.146.030 (2)(d), (e), and (f) must be acceptable to the director. A model form for this purpose promulgated by the director is considered acceptable.

(2) Any lock-in agreement form or disclosure form described in RCW 19.146.030 (2)(c) must be approved by the director prior to its use by a mortgage broker or its loan originators. This subsection does not apply to use of a model form promulgated by the director.

(3) A mortgage broker shall not charge any fee that inures to the benefit of the mortgage broker if it exceeds the fee disclosed on the initial written disclosure, unless:

(a) The need to charge the fee was not reasonably foreseeable at the time the written disclosure was provided; and

(b) The mortgage broker has provided to the borrower, no less than three business days prior to the signing of the loan closing documents, a clear written explanation of the fee and the reason for charging a fee exceeding that which was previously disclosed.

However, no other disclosures shall be required by this subsection if the borrower's closing costs, excluding prepaid escrowed costs of ownership, does not exceed the total closing costs in the most recent good faith estimate provided to the borrower.

In addition, no other disclosures shall be required by this subsection if any fee or set of fees that inure to the benefit of the mortgage broker, and that are calculated as a percentage of the loan amount, increase as a result of an increase in the loan amount, provided that:

(i) The increase in loan amount is requested by the borrower;

(ii) The fee or set of fees that are calculated as a percentage of the loan amount have been disclosed on the initial written disclosure as both a percentage of the loan amount and as a dollar amount based upon the assumed loan amount used in the initial written disclosure; and, the total aggregate increase as a result of the increase in loan amount in the fee or set of fees that inure to the benefit of the mortgage broker is less than seven hundred fifty dollars.

PROPOSED

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-140 General recordkeeping requirements.** (1) Each mortgage broker shall retain its books and records for a minimum of ~~((four years))~~ twenty-five months after the effective period to which the books and records relate.

However, books and records relating to a specific loan application must be maintained for a minimum of ~~((four years))~~ twenty-five months after a loan application is received. These books and records must be retained in all cases where a loan application has been received, any deposits or fees associated with a mortgage application have been accepted, or any written agreement has been executed.

(2) All books and records must be kept in a location in this state that is readily accessible to the department. However, a mortgage broker may store its books and records outside the state with the prior approval of the director, and after executing a written agreement with the director:

(a) To provide access to its books and records to investigate complaints against the mortgage broker; and

(b) To pay the department's travel, lodging and per diem expenses incurred in travel to examine books and records stored out-of-state.

(3) Books and records include without limitation: The original contracts for the broker's compensation, an accounting of all funds received in connection with loans, a copy of the settlement statements as provided to borrowers, a record of any fees refunded to applicants for loans that did not close, copies of the good faith estimates and all other written disclosures, and all other correspondence, papers or records relating to loan applications.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-145 Forwarding appraisal, title report and credit report.** Except as otherwise required by the United States Code or the Code of Federal Regulations, now or as amended, if a borrower is unable to obtain a loan for any reason and the borrower has paid the mortgage broker for an appraisal, title report, or credit report, the borrower may request in writing that the mortgage broker mail (or otherwise furnish) a copy of the appraisal, title report or credit report to the borrower and mail (or otherwise furnish) the originals to any other mortgage broker or lender of the borrower's choice. The copies and originals must be furnished by the mortgage broker within five days after the mortgage broker has received the borrower's written request regardless of whether the borrower has obtained a loan. By furnishing the originals to another mortgage broker or lender, the mortgage broker conveys the right to use the documents to the other broker or lender. The mortgage broker must, upon request by the other broker or lender, provide written evidence of the conveyance.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 95-13-091 [96-04-028], filed 6/21/95 [2/1/96], effective 7/22/95 [4/1/96])

**WAC 208-660-160 License application denial or condition; license suspension or revocation.** ~~((H))~~ The director may deny or condition approval of a license application, or suspend or revoke a license if the applicant or licensee, or any principal or designated broker of the applicant or licensee:

~~((a))~~ (1) Has failed to pay a fee due to the state in accordance with the Mortgage Broker Practices Act;

~~((b))~~ (2) Has not filed the required surety bond or approved alternative or otherwise complied with RCW 19.146.205;

~~((c))~~ (3) Has had any license, or any authorization to do business under any similar statute of this or any other state, suspended, revoked, or restricted within the prior five years;

~~((d))~~ (4) Has within the prior seven years been convicted of a felony, or a gross misdemeanor involving dishonesty or financial misconduct;

~~((e))~~ (5) Has failed to demonstrate financial responsibility, character, and general fitness such as to command the confidence of the community and to warrant a belief that the business will be operated honestly, fairly, and efficiently within the purposes of the Mortgage Broker Practices Act. The director may find that the person has failed to make the demonstration if, among other things:

~~((i))~~ (a) The person is or has been subject to an injunction issued pursuant to the Mortgage Broker Practices Act or the Consumer Protection Act; or

~~((ii))~~ (b) An independent credit report issued by a recognized credit reporting agency indicates that the person has a substantial history of unpaid debts;

~~((f))~~ (6) Has omitted, misrepresented, or concealed material facts in obtaining a license or in obtaining reinstatement thereof;

~~((g))~~ (7) Has violated the provisions of the Mortgage Broker Practices Act, or the Consumer Protection Act;

~~((h))~~ (8) Has had its surety bond, approved alternative, or equivalent form of business insurance, canceled or revoked for cause;

~~((i))~~ (9) Has allowed the licensed mortgage broker business to deteriorate into a condition which would result in denial of a new application for a license;

~~((j))~~ (10) Has aided or abetted an unlicensed person to practice in violation of the Mortgage Broker Practices Act;

~~((k))~~ (11) Has demonstrated incompetence or negligence that results in injury to a person or that creates an unreasonable risk that a person may be harmed;

~~((l))~~ (12) Is insolvent in the sense that the value of the applicant's or licensee's liabilities exceed its assets or in the sense that the applicant or licensee cannot meet its obligations as they mature;

~~((m))~~ (13) Has failed to comply with an order, directive, or requirement of the director, or his or her designee, or

with an assurance of discontinuance entered into with the director, or his or her designee;

((+)) (14) Has performed an act of misrepresentation or fraud in any aspect of the conduct of the mortgage broker business or profession;

((+)) (15) Has failed to cooperate with the director, or his or her designee, including without limitation by:

((+)) (a) Not furnishing any necessary papers or documents requested by the director for purposes of conducting an investigation for disciplinary actions or denial, suspension, or revocation of a license; or

((+)) (b) Not furnishing any necessary papers or documents requested by the director for purposes of conducting an investigation into a complaint against the licensee filed with the department, or providing a full and complete written explanation of the circumstances of the complaint upon request by the director;

((+)) (16) Has interfered with an investigation or disciplinary proceeding by willful misrepresentation of facts before the director or the director's designee, or by the use of threats or harassment against a client, witness, employee of the licensee, or representative of the director for the purpose of preventing them from discovering evidence for, or providing evidence in, any disciplinary proceeding or other legal action;

((+)) (17) Has failed to provide a required certificate of passing an approved examination;

((+)) (18) Has failed to provide a required certificate of satisfactory completion of an approved licensing course or, in the alternative, satisfactory proof of two years' experience in accordance with WAC 50-60-040; or

((+)) (19) Has failed to provide a required certificate of satisfactory completion of an approved continuing education course.

~~((2) The director may deny or condition approval of a branch office application, or suspend or revoke a branch office certificate, if the branch office manager has failed to provide any required items described in subsection (1)(r) and (s) of this section.))~~

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

## WSR 00-17-175

### PROPOSED RULES

#### DEPARTMENT OF AGRICULTURE

[Filed August 23, 2000, 10:00 a.m.]

#### Original Notice.

Preproposal statement of inquiry was filed as WSR 00-12-006.

Title of Rule: Commission Merchant Act—Licensing fees, proof of payment, cargo manifests and registration of acreage commitments.

Purpose: This rule combines chapters 16-621, 16-692 and 16-694 WAC, into one clear and readable rule, new chapter 16-623 WAC. This rule making accomplishes the intent of EO 97-02, regulatory improvement.

Other Identifying Information: Chapter 20.01 RCW is commonly referred to as the Commission Merchant Act.

Statutory Authority for Adoption: RCW 20.01.040, [20.01.]125, [20.01.]370, [20.01.]380, [20.01.]410, [20.01.]510.

Statute Being Implemented: Chapter 20.01 RCW.

Summary: The rule addresses licensing fees for commission merchants, dealers, brokers, cash buyers or agents; record-keeping and proof-of-payment requirements; manifests of cargo and shipping documents for hay and straw; and registration of commitments made by processors to producers.

Reasons Supporting Proposal: This new rule accomplishes the intent of EO 97-02, regulatory improvement by taking three rules governing the agricultural industry and combining them into one rule.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jerry Buendel, 1111 Washington Street, Olympia, WA, (360) 902-1856.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule combines chapters 16-621, 16-692, and 16-694 WAC into one clear and readable rule. The rule addresses licensing fees for commission merchants, dealers, brokers, cash buyers or agents; record-keeping and proof-of-payment requirements; manifests of cargo and shipping documents or hay and straw; and registration of commitments made by processors to producers. This rule making accomplishes the intent of EO 97-02, regulatory improvement in that three distinct rules used by the agricultural industry are combined into a single, easier to read document.

Proposal Changes the Following Existing Rules: This rule eliminates three existing rules and combines them into one. The new rules includes a section record-keeping requirements and minimum requirements for alternative manifests of cargo and shipping documents.

Chapter 16-621 WAC, Registration of acreage commitments made by processors to producers; chapter 16-692 WAC, hay and straw—Manifests and shipping documents; chapter 16-694 WAC, Agricultural products—Commission merchants, dealers, brokers, buyers, agents—License fees, will be repealed.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not impose any new requirements, fees or administrative tasks on licensees or producers. The fees cited for licenses in the text of this new rule are the same as those in WAC 16-694-001. Chapter 16-694 WAC is being replaced by this rule.

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

Hearing Location: Washington State Department of Agriculture, 21 North First Avenue, Conference Room 238, Yakima, WA 98902, on October 12, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jodi Jones by October 10, 2000, TDD (360) 902-1996, or (360) 902-1976.

Submit Written Comments to: Jerry Buendel, Program Manager, P.O. Box 42560 or 1111 Washington Street, Olym-

pia, WA 98504-2560, e-mail jbuendel@agr.wa.gov, fax (360) 902-2086, by October 10, 2000.

Date of Intended Adoption: October 24, 2000.

August 21, 2000

Candace A. Jacobs, DVM  
Assistant Director

**Chapter 16-623 WAC**

**COMMISSION MERCHANT ACT—LICENSING FEES, PROOF OF PAYMENT, CARGO MANIFESTS AND REGISTRATION OF ACREAGE COMMITMENTS**

**NEW SECTION**

**WAC 16-623-001 Purpose.** The department of agriculture has written this chapter to implement or clarify selected portions of chapter 20.01 RCW. This administrative rule addresses four topics.

(1) Licensing fees for commission merchants, dealers, brokers, cash buyers or agents.

(2) Recordkeeping and proof of payment requirements for licensees.

(3) Manifests of cargo and shipping documents that accompany hay and straw during transportation.

(4) Rules governing the registration of acreage commitments made by processors to producers of annual crops.

**NEW SECTION**

**WAC 16-623-010 License fees, expirations, renewals and late renewal penalties.** (1) The license fee to act as a commission merchant, dealer, broker, cash buyer, or agent is:

LICENSE CLASS	FEE
Commission merchant	\$357
Dealer	\$357
Limited dealer	\$198
Broker	\$249
Cash buyer	\$ 79
Agent	\$ 28
Additional licenses (see subsection (2) of this section)	\$ 25

(2) A licensee can be licensed in more than one class for an additional fee of twenty-five dollars per class. The principal license must be in the class requiring the greatest fee and all requirements must be met for each class in which a license is being requested.

(3) All licenses expire December 31st of each year.

(4) License renewals must be renewed before January 1st of each year.

(5) Licenses not renewed by January 1st will be assessed a penalty of twenty-five percent of the total fees. Fees and penalties must be paid before the licenses will be issued.

**NEW SECTION**

**WAC 16-623-020 Recordkeeping and proof of payment.** (1) Every commission merchant, dealer, and cash buyer taking possession of or purchasing agricultural products must make and keep for three years accurate records showing the following:

(a) The name and address of the consignor.

(b) The date received.

(c) The quality and quantity delivered by the consignor and where applicable the dockage, tare, grade, size, net weight or quantity.

(d) An itemized statement of the charges to be paid by the consignor, dealer or cash buyer to be paid by the consignor in connection with the sale.

(e) These records must be made available to the director and the consignor or their authorized representatives.

(2) In addition to subsection (1) of this section, the commission merchant's records must include:

(a) An accounting of all sales, including dates, terms of sales, quality and quantity of agricultural products sold and proof of payments received on behalf of the consignor.

(b) The terms of payment to the producer.

(c) The names and addresses of all purchasers if the commission merchant has any financial interest in the business of the purchaser or if the purchaser has any financial interest in the business of the commission merchant. The business interest may be direct or indirect such as holders of the other's corporate stock, as a copartner or as a lender or borrower of money. The interest must be noted in the records following the name of the purchaser.

(d) A lot number or identifying mark for each consignment which will appear on all sales tags and other records showing the price for which the agricultural products actually sold.

(e) If there is a pooling arrangement, the consignor must have agreed in writing to the pooling arrangement before the commission merchant may handle the agricultural product.

(f) In cases where a pooling arrangement is in place, the requirements of subsections (1)(c) and (d) and (2)(b) and (d) of this section apply.

(g) Keep and make available to the director or consignor or their representative claims filed by the commission merchant against any person for overcharges or damages resulting from the injury or deterioration of agricultural products.

(3) In addition to subsection (1) of this section, dealers and cash buyers must include:

(a) Terms of the sale.

(b) Name and address of the purchaser. The name and address of the purchaser may be deleted from the record furnished to the consignor.

(4) Commission merchants will furnish consignors with proof of payment. Proof of payment will be a listing of payments received by the commission merchant on behalf of any consignor whether through an individual accounting or pool arrangement.

PROPOSED

NEW SECTION

**WAC 16-623-030 Manifest of cargo for hay and straw—Forms and exceptions.** (1) Commission merchants, dealers, their employees or licensed agents transporting hay or straw on equipment owned or under their control must have a copy of the manifest of cargo with each load.

(2) The manifest must be on a form prescribed by the director. The form is available from the department. Exceptions to the manifest form are outlined in subsections (3) and (4) of this section. The form, as a minimum, will state the following:

(a) Purchaser's name and address.

(b) Hauler's name and address.

(c) Business or person the products were received from and their address.

(d) The commodity, unit count, unit price, total price, total weight, tare weight and weight of the commodity.

(e) Terms of the settlement.

(f) Date.

(3) Any common carrier transporting hay or straw for a commission merchant or dealer may use shipping documents required by the Washington public utilities and transportation commission, or interstate commerce commission.

(4) Any common carriers, commission merchants, dealers, their employees or licensed agents transporting hay or straw may use other shipping documents that have been reviewed and authorized by the department of agriculture. The alternate shipping documents must be authorized by the department prior to their use.

NEW SECTION

**WAC 16-623-040 Processor plant capacity reporting.** When reporting plant capacity as provided for under RCW 20.01.510, a processor must report the daily total capacity in tons, cases or other legal and customary measure for each crop for all plants that process any Washington agricultural product. The report must include the name, site address, business address and name of the person(s) who may receive legal service for each processing plant reported.

NEW SECTION

**WAC 16-623-050 Grower notification of commitments by processor(s).** (1) Any grower may notify the director that he has an oral commitment with a processor for a specified amount of product within ten days after the commitment was made. The notification will be in writing and sent by certified mail.

(2) When the director receives the notification, he shall notify the processor within five days by certified mail.

(3) The processor will simultaneously notify the director and the grower within ten days by certified mail of receipt of the director's notice whether or not he confirms the notice.

(4) The processor may accept all, none, or any portion of the acreage and/or tonnage stated.

(5) Once the oral commitment is confirmed for all or for a portion of the acreage and/or tonnage, the processor is committed to receive the acreage or tonnage specified. If the con-

tract is that processor's standard contract and the terms of the contract, price or other conditions later offered to the grower are unacceptable to the grower, then the agreement is not binding upon the processor.

NEW SECTION

**WAC 16-623-060 Basis for establishing contract volume.** In contracts for the purchase of the production of a specific number of acres, the amount contracted for will be based on the crop yield for the comparable area for the most recent five-year average. The crop yield will be determined by using data from the USDA's National Agricultural Statistics Service.

WSR 00-17-181

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed August 23, 2000, 11:21 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-111.

Title of Rule: WAC 246-976-320 and 246-976-390, air ambulance standards.

Purpose: The proposed rule change will require all air ambulance services to be accredited by the Commission on Accreditation of Medical Transport Services (CAMTS), or another accrediting organization approved by the department as having equivalent requirements as CAMTS for aeromedical transport, before they are licensed and verified. A provisional license will be granted to those new services requesting licensure that are ineligible to apply for CAMTS accreditation based upon stated CAMTS requirements. The requirement will ensure public safety, meet patients' needs and assure conformity between Washington air ambulance standards and the current national standards.

Statutory Authority for Adoption: RCW 18.73.140.

Statute Being Implemented: RCW 18.73.140.

Summary: Per RCW 18.73.140 and WAC 246-976-320 and 246-976-390, the Office of Emergency Medical and Trauma Prevention (OEMTP) licenses and verifies all air ambulance services to provide trauma care in the state of Washington.

Reasons Supporting Proposal: The current standards do not meet the needs of ensuring adequate public safety standards. DOH staff does not have the technical expertise to conduct the evaluation of air ambulance services to meet nationally recognized public safety standards. Requiring accreditation of air ambulance services provides assurance that the service meets national public safety standards. The accreditation is done by professionals who are qualified to determine air ambulance safety. In addition, compliance with accreditation standards is done on a continual basis by the accrediting organization. Their accreditation standards are periodically revised to reflect the dynamic, changing environment of medical transport with considerable input from all disciplines of the medical profession.

Name of Agency Personnel Responsible for Drafting: Christopher Blake, 2725 Harrison Avenue N.W., Olympia, WA, (360) 705-6739; Implementation and Enforcement: Jack Cvitanovic, 2725 Harrison Avenue N.W., Olympia, WA, (360) 705-6712.

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 proposed rule change will require all air ambulance services to be accredited by the Commission on Accreditation of Medical Transport Services (CAMTS), or another accrediting organization approved by the department as having equivalent requirements as CAMTS for aeromedical transport, before they are licensed and/or verified. The requirement will ensure public safety, meet patients' needs and assure conformity between Washington air ambulance standards and the current national standards.

Proposal Changes the Following Existing Rules: The proposed rule change will require all air ambulance services to be accredited by the Commission on Accreditation of Medical Transport Services (CAMTS), or another accrediting organization approved by the department as having equivalent requirements as CAMTS for aeromedical transport, before they are licensed and verified. A provisional license will be granted to those new services requesting licensure that are ineligible to apply for CAMTS accreditation based upon stated CAMTS requirements.

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

**Small Business Economic Impact Statement**

**Background:** Under current regulations (RCW 18.73.140 and WAC 246-976-320 and 246-976-390), the Department of Health (DOH) licenses and verifies air ambulance services to provide EMS and trauma care in the state of Washington. The proposed rule change requires all air ambulance services to be accredited by the Commission on Accreditation of Medical Transport Services (CAMTS) before they can be licensed. A provisional license will be granted to those new services requesting licensure that are ineligible to apply for CAMTS accreditation based upon stated CAMTS requirements. The CAMTS requirement will ensure public safety, meet patient's needs and assure conformity between Washington air ambulance standards and the current national standards.

The OEMTP uses negotiated rule making while developing all proposed rules and proposed rule changes. This is a process where representatives of the agency and interested parties affected by a possible rule, including city and county representatives, seek to reach a consensus on the terms of the proposed rule and on the process by which it will be negotiated. Numerous committees and public work sessions are used in the initial development and in all revisions of the rules. Several statutory and other EMS and Trauma Care Committees participate in the drafting and reviewing of the proposed rules and proposed rule changes. The committees specifically involved in these proposed rule changes include:

The Steering Committee for EMS and Trauma, and the Licensing and Certification Committee. Members of the above listed committees represent such associations as the Washington State Fire Commissioners' Association, Washington Ambulance Association, Washington State Firefighters' Association, Washington State Hospital Association, American College of Surgeons, Emergency Nurses' Association, Law Enforcement of Washington, Association of Neurological Surgeons, Washington State Medical Association Standards Committee, the public sector and the citizens of Washington state.

**Rule-making Requirements of the Regulatory Fairness Act (Chapter 19.85 RCW):** The Regulatory Fairness Act, RCW 19.85.030 requires the department to conduct a small business economic impact statement (SBEIS) for proposed rules that have more than minor impact on small businesses. The OEMTP conducted the following SBEIS to meet this requirement.

**Cost of Compliance:** Currently nine air ambulance services are licensed in the state of Washington, three of which are CAMTS-accredited: Airlift Northwest, Northwest Medstar and Critical Air. One air ambulance service, Med-Flight, is currently in the process of becoming CAMTS-accredited. The department assumes that the proposed rule would impose no new costs on these four services. Of the remaining five air ambulance services, four provide only scheduled, non-emergency services. This leaves only one service that provides nonscheduled, emergency care, which is not currently accredited by CAMTS. The department estimated the cost for the five services to become accredited.

CAMTS accreditation lasts for three years. The fee depends on factors specific to the applicant.<sup>1</sup> These fees are paid directly to CAMTS, not the Department of Health. Full accreditation is granted for a three-year period of time. Reaccreditation costs the same as the initial accreditation with the exception that a service may receive a \$1500 discount if the service remains relatively unchanged.

Number of transports in most recent year		Total number of sites where aircraft or ground units are based	
<350	\$3500	1 site	\$1500
350 - 500	\$4000	>1 sites	\$2500
501 - 750	\$4500	Number of dedicated transport vehicles (more than 1 transport per month)	
751 - 1000	\$5000	1	\$500
1001 - 1500	\$5500	2-3	\$750
>1500	\$6000	4-5	\$1000
		>5	\$2000

Generally, preparation for a CAMTS accreditation inspection takes four to six months. CAMTS accredited services in Washington state have reported that assembling the application materials usually takes between twenty-four and forty-eight hours of staff time. The department assumed that the service director spends about eight hours with the clerical staff spending an additional twenty-four hours. Assuming a director's hourly wage rate of \$38.20<sup>2</sup> and clerical staff of \$17.50, the total cost of applying for CAMTS accreditation approximates \$725. In addition, there is the cost associated

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with accompanying CAMTS inspectors. The site survey can last from one to two days depending on the size of the service. The service director will need to be present for the entire inspection, while the medical director, chief flight nurse and lead pilot will need to spend about one hour with the inspector. The department assumes costs for hourly wage rates of the medical director, chief flight nurse and lead pilot of \$41.80, \$32.00, and \$31.79, respectively.<sup>2</sup> The total cost to services resulting from CAMTS inspections (not including the inspection fee) is about \$410.

In addition, services face ongoing costs associated with quarterly committee meetings as required by CAMTS. The size of the committee will vary according to the size of the service, but must have representatives from all of the service's areas of discipline. The department's analysis considers a committee with members representing medical staff, pilot staff, and communications staff that meets once a quar-

ter for three hours with an hour of preparation time. Using the hourly wages listed above of \$32.00 for the chief flight nurse and \$31.79 for the lead pilot, as well as \$20.68 for a communications specialist, the department estimated the cost of conducting four meetings a year for all three committees at \$4054.56.

The department does not anticipate any additional equipment costs as a result of using CAMTS's standards. CAMTS assesses an ambulance service's ability to provide transportation to patients with consideration given to the service's mission statement and the scope of care that the service seeks to provide to the area. As long as the service's equipment is consistent with the type of service being provided, there should not be any additional equipment costs.

The department estimated the following costs for the various services to become CAMTS accredited.

	Aeronautical Services, Inc.	Airlift Northwest	Air-Medical Services, Inc.	Ballard Services, Inc.	Critical Air Medicine	Island Air	Lifeline Ambulance, Inc.	Med-Flight	Northwest Medstar
# of Employees	54	65	32	20-30	10	5	10	30	56
# of Transports in Most Recent Year	15 (1998)	3841	82	2	223	12	115	350	2871
Total Number of Sites	2	4	1	1	1	1	1	1	2
Total # of Dedicated Transport Vehicles	2	6	1	1	1	2	1	1	5
Initial Application Fee	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300
Fee For # Of Transports in Most Recent Year	\$3500	\$6000	\$3500	\$3500	\$3500	\$3500	\$3500	\$4000	\$6000
Fee For Total # Of Sites Where Aircraft Or Ground Units Are Based	\$2500	\$2500	\$1500	\$1500	\$1500	\$1500	\$1500	\$1500	\$2500
Fee For Total # Of Dedicated Transport Vehicles	\$750	\$2000	\$500	\$500	\$500	\$750	\$500	\$500	\$1000
<b>Total Fees</b>	<b>\$7050</b>	<b>\$10,800</b>	<b>\$5800</b>	<b>\$5800</b>	<b>\$5800</b>	<b>\$6050</b>	<b>\$5800</b>	<b>\$6300</b>	<b>\$9800</b>
Annualized Fees	\$2350	\$3600	\$1933	\$1933	\$1933	\$2017	\$1933	\$2100	\$3267
Annual Personnel Costs	\$4500	\$4500	\$4500	\$4500	\$4500	\$4500	\$4500	\$4500	\$4500
<b>Total Annual Cost</b>	<b>\$6850</b>	<b>\$8100</b>	<b>\$6433</b>	<b>\$6433</b>	<b>\$6433</b>	<b>\$6517</b>	<b>\$6433</b>	<b>\$6517</b>	<b>\$7767</b>
Cost Per Transport	\$457	\$2	\$78	\$3217	\$29	\$543	\$56	\$18	\$3

**Conclusion:** As the chart above indicates the one unaccredited service with more than fifty employees, Aeronautical Services, Inc. has a cost per transport that falls in the middle of that for the four small unaccredited services. This clearly indicates that there is not a disproportionate impact between large and small businesses. Therefore, the department determined that mitigation for small businesses is not required by the Regulatory Fairness Act.

The department firmly believes, after extensive review and analysis, that the CAMTS accrediting process most efficiently assures that proper safety standards and patient needs

are met and in addition, it provides conformity between Washington standards and current national standards.

<sup>1</sup> Listed fees to become CAMTS accredited were obtained from the CAMTS Web site, accessed April 2000. Available at <http://www.camts.org>.

<sup>2</sup> Hourly wage rates were drawn from Rau, W., "1999 Medical Crew Survey," *AirMed*, Sept-Oct, 1999, 27-33 and Rau, W., "1999 Air Crew Survey," *AirMed*, Sep-Oct, 1999, 27-33. The reported wage figures were inflated by 25% to account for nonwage benefits. Also, the "flight physician" wage was used as a proxy for the medical director and communications staff information was obtained through the Washington State Employment Security Department.

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A copy of the statement may be obtained by writing to Tami Schweppe, DOH, EMS and Trauma, P.O. Box 47853, Olympia, WA 98504-7853.

RCW 34.05.328 applies to this rule adoption. This proposed rule is a significant legislative rule because it establishes, alters or revokes any qualification or standard for the issuance suspension or revocation of a license or permit.

Hearing Location: Highline Schools Administration Building, 15675 Ambaum Boulevard S.W., Burien, WA, on Thursday, September 28, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Tami Schweppe by September 20, 2000, TDD (800) 833-6388, or (360) 705-6748.

Submit Written Comments to: Janet Griffith, Director, P.O. Box 47853, Olympia, WA 98504-7853, fax (360) 705-6706, by September 20, 2000.

Date of Intended Adoption: October 24, 2000.

August 14, 2000

M. C. Selecky

**AMENDATORY SECTION** (Amending WSR 00-08-102, filed 4/5/00, effective 5/6/00)

**WAC 246-976-320 Air ambulance services.** (1) Air ambulance services must:

(a) Comply with all regulations in this chapter pertaining to ambulance services and vehicles, except that WAC 246-976-290 and 246-976-300 are replaced for air ambulance services by subsection ((2)) (4)(b) and (c) of this section;

(b) Comply with the standards in this section for all types of transports, including inter-facility and prehospital transports;

(c) Be in current compliance with all state and Federal Aviation Administration statutes and regulations that apply to air carriers, including, but not limited to, those regulations that apply to certification requirements, operations, equipment, crew members, and maintenance, and any specific regulations that apply to air ambulance services;

(d) Air ambulance services must provide a physician director who is practicing medicine in the response area of the aircraft, as identified in the state EMS/TC plan.

(2) Air ambulance services currently licensed or seeking relicensure after July 31, 2001, must have and maintain accreditation by the Commission on Accreditation of Medical Transport Services or another accrediting organization approved by the department as having equivalent requirements as CAMTS for aeromedical transport. Until August 1, 2001, subsections (4), (5), and (6) of this section apply to air ambulance services currently licensed or seeking relicensure.

(3) Air ambulance services requesting initial licensure that are ineligible to attain accreditation because they lack a history of operation at the site, must meet the criteria of subsections (4), (5), and (6) of this section and within four months of licensure must have completed an initial consultation with CAMTS or another accrediting organization approved by the department as having equivalent requirements as CAMTS for aeromedical transport. A provisional license will be granted for no longer than two years at which time the service must provide documentation that it is accred-

ited by CAMTS or another accrediting organization approved by the department as having equivalent requirements as CAMTS for aeromedical transport.

(4) Air ambulance services must provide:

(a) A physician director who is:

(i) Practicing medicine in the response area of the aircraft, as identified in the state EMS/TC plan;

(ii) Trained and experienced in emergency, trauma, and critical care;

(iii) Knowledgeable of the operation of air medical services; and

(iv) Responsible for supervising and evaluating the quality of patient care provided by the air medical flight personnel;

(b) Sufficient air medical personnel on each response to provide adequate patient care, specific to the mission, including:

(i) One specially trained, experienced registered nurse or paramedic; and

(ii) One other person who must be a physician, nurse, physician's assistant, respiratory therapist, paramedic, EMT, or other appropriate specialist appointed by the physician director. If an air ambulance responds directly to the scene of an incident, at least one of the air medical personnel must be trained in prehospital emergency care;

(c) Aircraft that, when operated as air ambulances:

(i) Are configured so that the medical attendants can access the patient to begin and maintain advanced life support and other treatment;

(ii) Allow loading and unloading the patient without excessive maneuvering or tilting of the stretcher;

(iii) Have appropriate communication equipment to insure internal crew and air-to-ground exchange of information between flight personnel and hospitals, medical control, the flight operations center, and air traffic control facilities;

(iv) Are equipped with:

(A) Appropriate navigational aids;

(B) Airway management equipment, including:

(I) Oxygen;

(II) Suction;

(III) Ventilation and intubation equipment, adult and pediatric;

(C) Cardiac monitor/defibrillator;

(D) Supplies, equipment, and medication as required by the program physician director, for emergency, cardiac, trauma, pediatric care, and other missions; and

(E) The ability to maintain appropriate patient temperature; and

(v) Have adequate interior lighting for patient care arranged so as not to interfere with the pilot's vision;

(d) If using fixed-wing aircraft, pressurized, multi-engine aircraft when appropriate to the mission;

(e) If using helicopter aircraft:

(i) A protective barrier sufficiently isolating the cockpit, to minimize in-flight distraction or interference;

(ii) Appropriate communication equipment to communicate with ground EMS/TC services and public safety vehicles, in addition to the communication equipment specified in (c)(iii) of this subsection.

((3)) (5) All air medical personnel must:

- (a) Be certified in ACLS;
- (b) Be trained in:
  - (i) Emergency, trauma, and critical care;
  - (ii) Altitude physiology;
  - (iii) EMS communications;
  - (iv) Aircraft and flight safety; and
  - (v) The use of all patient care equipment on board the aircraft;
- (c) Be familiar with survival techniques appropriate to the terrain;
- (d) Perform under protocols.
- ~~((4))~~ (6) Exceptions:
  - (a) If aeromedical evacuation of a patient is necessary because of a life threatening condition and a licensed air ambulance is not available, the nearest available aircraft that can accommodate the patient may transport. The physician ordering the transport must justify the need for air transport of the patient in writing to the department within thirty days after the incident.
  - (b) Excluded from licensure requirements those services operating aircraft for primary purposes other than civilian air medical transport, but which may be called into service to initiate an emergency air medical transport of a patient to the nearest available treatment facility or rendezvous point with other means of transportation. Examples are: United States Army Military Assistance to Safety and Traffic, United States Navy, United States Coast Guard, Search and Rescue, and the United States Department of Transportation.

**AMENDATORY SECTION** (Amending WSR 00-08-102, filed 4/5/00, effective 5/6/00)

**WAC 246-976-390 Verification of trauma care services.** (1) The department will:

- (a) Publish procedures for verification. Verification will expire with the period of licensure. The application for verification will be incorporated in the application for licensure;
- (b) Verify prehospital trauma care services in the following categories:
  - (i) Aid service: Basic, intermediate and advanced (paramedic) life support;
  - (ii) Ground ambulance service: Basic, intermediate and advanced (paramedic) life support;
  - (iii) Air ambulance service: After July 31, 2001, the department will consider that an air ambulance service has met the requirements of subsections (4), (6), and (9) of this section if it has been accredited by CAMTS or another accrediting organization approved by the department as having equivalent requirements as CAMTS for aeromedical transport;
  - (c) Review the minimum response times for verified prehospital trauma services at least biennially, considering data available from the trauma registry and with the advice of the steering committee;
  - (d) Forward applications for verification for aid and ground ambulance services to the appropriate regional council for review and comment;
  - (e) Approve an applicant to provide verified prehospital trauma care, based on satisfactory evaluations as described in this section;

- (f) Notify the regional council and the MPD in writing of the name, location, and level of verified services;
- (g) Renew approval of a verified service upon reapplication, if the service continues to meet standards established in this chapter and verification remains consistent with the regional plan.

(2) The department will identify minimum and maximum numbers of prehospital services, based on the approved regional and state plans. The department will:

- (a) Establish and review biennially the minimum and maximum number of prehospital services based upon distribution and level of service identified for each response area in the approved regional plan.
- (b) Evaluate an applicant for trauma verification based upon demonstrated ability of the provider to meet standards defined in this section 24-hours every day.
- (c) Verify the trauma capabilities of a licensed prehospital service if it determines that the applicant:
  - (i) Proposes services that are identified in the regional plan for ground services, or the state plan for air ambulance services, in the proposed response areas.
  - (ii) Agrees to operate under approved regional patient care procedures and prehospital patient care protocols.

(3) Regional council responsibilities regarding verification are described in WAC 246-976-960.

(4) To apply for verification, a licensed ambulance or aid service must submit application on forms provided by the department, including:

- (a) Documentation required for licensure specified by WAC 246-976-260(2);
- (b) A policy that a trauma training program is required for all personnel responding to trauma incidents. The program must meet learning objectives established by the department and be approved by the MPD;
- (c) Documentation that the provider has the ability twenty-four hours every day to deliver personnel and equipment required for verification to the scene of a trauma within the agency response times identified in this section; and

(d) Documentation that the provider will participate in an approved regional quality assurance program.

(5) Verified aid services must provide personnel on each trauma response including:

- (a) Basic life support: At least one individual, first responder or above;
- (b) Intermediate life support:
  - (i) At least one ILS technician; or
  - (ii) At least one IV/airway technician; or
  - (iii) At least two individuals, one IV technician and one airway technician.
- (c) Advanced life support - Paramedic: At least one paramedic.
- (6) Verified ambulance services must provide personnel on each trauma response including:

(a) Basic life support: At least two certified individuals—one EMT plus one first responder;

(b) Intermediate life support:
 

- (i) One ILS technician, plus one EMT; or
- (ii) One IV/airway technician, plus one EMT; or
- (iii) One IV technician and one airway technician;

(c) Advanced life support - Paramedic: At least one paramedic.

(6) Verified ambulance services must provide personnel on each trauma response including:

(a) Basic life support: At least two certified individuals—one EMT plus one first responder;

(b) Intermediate life support:
 

- (i) One ILS technician, plus one EMT; or
- (ii) One IV/airway technician, plus one EMT; or
- (iii) One IV technician and one airway technician;

(c) Advanced life support - Paramedic: At least one paramedic.

(6) Verified ambulance services must provide personnel on each trauma response including:

(a) Basic life support: At least two certified individuals—one EMT plus one first responder;

(b) Intermediate life support:
 

- (i) One ILS technician, plus one EMT; or
- (ii) One IV/airway technician, plus one EMT; or
- (iii) One IV technician and one airway technician;

(c) Advanced life support - Paramedic: At least one paramedic.

(6) Verified ambulance services must provide personnel on each trauma response including:

(a) Basic life support: At least two certified individuals—one EMT plus one first responder;

(b) Intermediate life support:
 

- (i) One ILS technician, plus one EMT; or
- (ii) One IV/airway technician, plus one EMT; or
- (iii) One IV technician and one airway technician;

(c) Advanced life support - Paramedic: At least one paramedic.

(c) Advanced life support - Paramedic: At least two certified individuals — one paramedic and one EMT.

(7) Verified BLS vehicles must carry equipment identified in WAC 246-976-300, Table C.

(8) Verified ILS and paramedic vehicles must provide equipment identified in Table D, in addition to meeting the requirements of WAC 246-976-300:

TABLE D: EQUIPMENT FOR VERIFIED TRAUMA SERVICES  
(NOTE: "ASST" MEANS ASSORTMENTS)

	AMBULANCE		AID VEHICLE	
	PAR	ILS	PAR	ILS
<b>AIRWAY MANAGEMENT</b>				
Airway Adjuncts				
Adjunctive airways, per protocol	1	1	1	1
Laryngoscope handle, spare batteries	1	1	1	1
Adult blades, set	1	1	1	1
Pediatric blades, straight (0,1,2)	1ea	1ea	1ea	1ea
Pediatric blades, curved (2)	1ea	1ea	1ea	1ea
McGill forceps, adult & pediatric	1	1	1	1
ET tubes, adult (±1/2 mm)	1ea	1ea	1ea	1ea
ET tubes, pediatric, with stylet				
Uncuffed (2.5 - 5.0 mm)	1ea	1ea	1ea	1ea
Cuffed or uncuffed (6.0 mm)	1ea	1ea	1ea	1ea
End-tidal CO <sup>2</sup> detector	1ea	1ea	1ea	1ea
Oxygen saturation monitor	1ea	1ea	1ea	1ea
Suction				
Portable, powered	1	1	1	1
<b>PATIENT ASSESSMENT AND CARE</b>				
Sphygmomanometer				
Adult, large	1	1	1	1
Pediatric	1	1	1	1
<b>TRAUMA EMERGENCIES</b>				
IV access				
Administration sets				
Adult	1	1	1	1
Pediatric, w/volume control	4	4	2	2
Catheters, intravenous (14-24 ga)	asst	asst	asst	asst
Needles				
Hypodermic	asst	asst	asst	asst
Intraosseous, per protocol	2	2	1	1
Sharps container	1	1	1	1
Syringes	asst	asst	asst	asst
Glucose measuring supplies	Yes	Yes	Yes	Yes
Pressure infusion device	1	1	1	1
Medications according to local patient care protocols				

(9) Verified air ambulance services must meet equipment requirements described in WAC 246-976-320.

(10) Verified aid services must meet the following minimum agency response times for all major trauma responses to response areas as defined by the department and identified in the regional plan:

(a) To urban response areas: Eight minutes or less, eighty percent of the time;

(b) To suburban response areas: Fifteen minutes or less, eighty percent of the time;

(c) To rural response areas: Forty-five minutes or less, eighty percent of the time;

(d) To wilderness response areas: As soon as possible.

(11) Verified ground ambulance services must meet the following minimum agency response times for all major trauma responses to response areas as defined by the department and identified in the regional plan:

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- (a) To urban response areas: Ten minutes or less, eighty percent of the time;
  - (b) To suburban response areas: Twenty minutes or less; eighty percent of the time;
  - (c) To rural response areas: Forty-five minutes or less, eighty percent of the time;
  - (d) To wilderness response areas: As soon as possible.
- (12) Verified air ambulance services must meet minimum agency response times as identified in the state plan.

**WSR 00-17-182**  
**PROPOSED RULES**  
**LIQUOR CONTROL BOARD**  
 [Filed August 23, 2000, 11:22 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 00-01-198.

Title of Rule: Chapter 314-13 WAC, Mandatory alcohol server training.

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 314-03 WAC would replace chapter 314-14 WAC, which outlines how a person receives a mandatory alcohol server training permit, and how a person can become certified to provide alcohol server training.

Statutory Authority for Adoption: RCW 66.08.030, 66.20.300, 66.20.310, 66.20.320, 66.20.330, 66.20.340, 66.20.350.

Statute Being Implemented: RCW 66.20.300, 66.20.310, 66.20.320, 66.20.330, 66.20.340, 66.20.350.

Summary: RCW 66.20.300 through 66.20.350 set up a mandatory alcohol server training program. These laws require persons who serve or supervise the service of alcohol for on-premises consumption to hold one of two permits, as outlined in this chapter. Proposed chapter 314-03 WAC outlines how a person receives these permits, and how a person can become certified to provide alcohol server training.

Name of Agency Personnel Responsible for Drafting: Teresa Berntsen, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1648; Implementation and Enforcement: Rick Phillips, P.O. Box 43075, Olympia, WA 98504-3075, (360) 664-1780.

Name of Proponent: Washington State Liquor Control Board, governmental.

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

Explanation of Rule; its Purpose, and Anticipated Effects: RCW 66.20.300 through 66.20.350 set up a mandatory alcohol server training program. These laws require persons who serve or supervise the service of alcohol for on-premises consumption to hold one of two permits, as outlined in this chapter. Proposed chapter 314-03 WAC would replace chapter 314-13 WAC. The WACs outline how a person receives these permits, and how a person can become certified to provide alcohol server training.

Proposal Changes the Following Existing Rules: The proposed rules would replace chapter 314-14 WAC; and would make the following changes:

- Proposes that a Class 13 permit holder can fill in for a Class 13 permit holder for up to thirty days. The current rules allow for up to two consecutive working days.
- Clarifies what it means to have "temporary certification" as a provider, and clarifies the requirements for temporary certification (deletes the requirement that, in order for a course to be considered for temporary certification, it must be a "nationally recognized" course).
- Clarifies the course standards for Class 12 mixologist and Class 13 server permit providers (some of the standards are currently set by policy). States that a Class 12 mixologist course must be at least one hour in length as required by statute, as opposed to the current three hour requirement.
- Clarifies that the video portion of an alcohol server training class that is allowed by law includes videotapes and video via computer (such as Internet applications or CD-ROMs). Reiterates that the test must be done in the presence of a trainer.
- Clarifies and adds to the standards for a person to become a certified alcohol server training provider. Adds a requirement that the applicant must be trained on the course material they are to present. Places the Enforcement and Education Division's current policy on criminal history background checks for applicant trainers into rule.
- States that a person whose application to become a trainer is denied by enforcement because of a criminal history can request a hearing for reconsideration.
- Clarifies the procedures for when a provider or trainer issues a permit in error (currently in policy).
- Clarifies what records providers and trainers have to provide to the board, as opposed to what records simply need to be kept on their premises and available to the board if requested.
- Doubles the monetary options for the standard penalty guidelines.
- Describes examples of aggravating and mitigating circumstances for proposed violations for permit holders (currently set by policy).

No small business economic impact statement has been prepared under chapter 19.85 RCW. No 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 September 27, 2000, at 9:30 a.m., Washington State Liquor Control Board, Board Room, 300 Pacific Avenue S.E., Olympia, WA; on October 4, 2000, at 9:30 a.m., Washington State Liquor Control Board, Distribution Center, 4401 East Marginal Way South, Seattle, WA; and on October 6, 2000, at 3:00 p.m., Westcoast River Inn, 700 North Division Street, Spokane, WA.

Assistance for Persons with Disabilities: Contact Teresa Berntsen by September 26, 2000, TDD (360) 586-4727, or (360) 664-1648.

**PROPOSED**

Submit Written Comments to: Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080; fax (360) 664-9689, by October 11, 2000.

Date of Intended Adoption: October 18, 2000.

August 19, 2000  
Eugene A. Prince  
Chair

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

Chapter 314-14 WAC Alcohol server training program.

**CHAPTER 314-13 WAC  
MANDATORY ALCOHOL SERVER TRAINING**

**NEW SECTION**

**WAC 314-13-005 What is the purpose of this chapter?** (1) RCW 66.20.300 through RCW 66.20.350 set up a mandatory alcohol server training program. These laws require persons who serve or supervise the service of alcohol for on-premises consumption to hold one of two permits, as outlined in this chapter.

(2) This chapter outlines how a person receives these permits, and how a person can become certified to provide alcohol server training.

**NEW SECTION**

**WAC 314-13-010 Definitions.** The following definitions are to clarify the purpose and intent of the rules and laws governing mandatory alcohol server training. Additional definitions are in RCW 66.04.010 and 66.20.300.

(1) A "permit holder" is a person who holds either a Class 12 mixologist or a Class 13 server permit. The permit is the property of the permit holder, and can be used at any liquor licensed establishment.

(2) A "provider" is an individual, partnership, corporation, college, educational institute, or other bona fide legal entity that the board certifies to provide a board approved alcohol server education course (per RCW 66.20.300). The provider is a training entity.

(3) A "trainer" is an individual employed or authorized by a provider to conduct an alcohol server education course. Upon the successful completion of the course, the student will receive a Class 12 mixologist or Class 13 server permit.

**NEW SECTION**

**WAC 314-13-015 What are the two types of alcohol server training permits?** There are two types of permits for persons who serve alcohol for on-premises consumption, or who supervise the sale of alcohol for on-premises consumption:

<p><b>(1) Per RCW 66.20.310, a Class 12 mixologist permit is required for liquor licensees or their employees who:</b></p>	<p><b>(2) Per RCW 66.20.310, a Class 13 server permit is required for persons who:</b></p>
<p>(a) manage a premises licensed to sell alcohol beverages for on-premises consumption;</p>	<p>(a) take orders for alcohol beverages to be consumed on-premises;</p>
<p>(b) act as a bartender for selling or mixing alcohol beverages which may include spirits, beer, and/or wine for on-premises consumption; and/or</p>	<p>(b) deliver alcohol beverages to customers for consumption on-premises; and/or</p>
<p>(c) draw beer and/or wine from a tap and/or spirits from a dispensing device at an establishment licensed to sell liquor for on-premises consumption.</p>	<p>(c) open and/or pour beer or wine into a customer's glass at the customer's table.</p>
<p>(d) A Class 12 mixologist permit holder must be at least twenty-one years of age.</p>	<p>(d) A class 13 server permit holder must be at least eighteen years of age.</p>
<p>(e) A Class 12 mixologist permit includes the authority to act as a server, under the Class 13 server permit.</p>	
<p>(f) See RCW 66.20.310(7) for exceptions for employees of grocery stores that have an on-premises liquor license.</p>	

(3) Upon the temporary absence of a Class 12 mixologist permit holder, a Class 13 server permit holder who is at least twenty-one years of age may perform the functions of a Class 12 permit holder until a Class 12 permit holder can arrive to fulfill those duties, but in no event for more than thirty days.

**NEW SECTION**

**WAC 314-13-020 How long are the permits good for, and how does a permit holder renew?** (1) Class 12 mixologist and Class 13 server permits are valid for five years. The permits expire on the first day of the month, five years following the month the person successfully completed the alcohol server education course.

(2) In order to renew the permit, the mixologist or server must attend an alcohol server education course given by a board certified trainer or provider.

PROPOSED

NEW SECTION

**WAC 314-13-025 Do permit holders have to carry their permit with them?** (1) Any time a licensee or employee is performing the duties outlined in WAC 314-13-015, the person must have:

(a) their Class 12 mixologist or Class 13 server permit on the premises, and

(b) one piece of identification (acceptable forms of identification are outlined in RCW 66.16.040).

(2) Both the permit and the identification must be available for inspection by any law enforcement officer.

(3) It will be considered a violation of this section for any person to:

(a) falsify a Class 12 mixologist or a Class 13 server permit; or

(b) keep or possess a Class 12 mixologist permit or a Class 13 server permit contrary to the provisions of this title.

NEW SECTION

**WAC 314-13-030 Are employers responsible to ensure that their employees hold an alcohol server permit?** All licensees who hold a license to sell liquor for on-premises consumption must ensure that any person that engages in the sale or service of liquor, or who supervises such activities, has a current and valid Class 12 mixologist or Class 13 server permit within sixty days of the date of hire. See RCW 66.20.310(7) for exceptions for grocery stores that have an on-premises liquor license.

(1) The permit must be in the same name and with the same identifying characteristics as indicated on the permit holder's identification (acceptable forms of identification are outlined in RCW 66.16.040).

(2) Per WAC 314-16-070(1), a person twenty-one years of age or older must be on the licensed premises to supervise the sale, service, and consumption of liquor.

NEW SECTION

**WAC 314-13-035 How are lost permits replaced?** To replace a lost Class 12 mixologist or Class 13 server permit, the permit holder can:

(1) contact the provider or trainer who issued the permit; or

(2) submit an affidavit of lost permit on a form provided by the board to the enforcement and education division with a fee as prescribed by the board. The board will cancel the lost permit and issue a replacement permit.

NEW SECTION

**WAC 314-13-040 Can Class 13 server permit holders upgrade to a Class 12 mixologist permit when they turn twenty-one?** Class 12 mixologist permits are only issued to persons twenty-one years of age or older. Therefore, any eighteen, nineteen, or twenty year-old person who successfully completes a Class 12 mixologist class will be issued a Class 13 server permit.

(1) Upon turning twenty-one years of age, the server may contact the provider or trainer who issued the permit and receive an upgraded Class 12 mixologist permit.

(2) The expiration date of the permit will remain five years from the date of the original class.

NEW SECTION

**WAC 314-13-045 How do I get a Class 12 mixologist or a Class 13 server permit in Washington if I was trained in another state?** (1) Per RCW 66.20.320(10), if you have completed an alcohol server education course in another state since July 1, 1993, and the course is also certified in Washington State, you may receive a Class 12 mixologist or a Class 13 server permit in Washington by completing the provider's Washington State supplement to the program. This supplement will cover Washington State liquor laws and regulations. (You can contact the board's enforcement and education division to find out if the course you completed is certified in Washington.)

(2) The provider will issue you a Washington State permit, which will expire five years from the first day of the month following the date the original class was taken. (For example, if you completed the program in another state on June 15, 1996, the Washington permit will expire on July 1, 2001.)

NEW SECTION

**WAC 314-13-050 How can a person receive certification as a Class 12 mixologist or Class 13 server permit provider?** An individual, partnership, corporation, college, educational institute, or other bona fide legal entity may apply to be certified by the board to become a Class 12 mixologist and/or a Class 13 server permit provider.

(1) In order to get a course certified, the proposed provider must submit the following information to the board's enforcement and education division:

(a) a completed application form provided by the board;

(b) a copy of the proposed curriculum (see WAC 314-13-060);

(c) a copy of all audio, video, and instructional materials that will be used in the course;

(d) a copy of all printed materials that will be provided to participants as part of the course; and

(e) a copy of the examination(s) and explanation of the examination procedures necessary to pass the course.

(2) The board's enforcement and education division will respond to the request for certification within forty-five days of receipt of the material. The board will either:

(a) issue a letter of certification which will be valid for five years, or

(b) provide a letter outlining what additions or changes need to be made to the course to meet the requirements outlined in this title. If the additions or changes are not received by the enforcement and education division within thirty days, the application for course certification will be withdrawn.

(3) The board or its designee may attend any class provided by certified providers and their trainers at no charge, in order to evaluate the course for conformance with this title.

(4) The provider must receive prior approval from the board's enforcement and education division before making any changes to the course content or method of presentation which has been certified by the board.

**NEW SECTION**

**WAC 314-13-055 Temporary certification as a provider.** (1) Persons or entities may apply for temporary certification by the board to become a Class 12 mixologist and/or a Class 13 server permit provider. Temporary certification may be issued by the board for up to six months. During this time period, the provider may adjust their course content or method of presentation without prior board approval, within the guidelines set by the board's enforcement and education division in the temporary certification.

(2) In order to get a course certified, the proposed provider must submit the information outlined in WAC 314-13-050(1).

(3) The board's enforcement and education division will evaluate the program to see if it meets the minimum standards set by RCW 66.20.300 through 66.20.350, and will respond to the request for temporary certification within forty-five days of receipt of the material. The board will either:

(a) issue a letter of temporary certification which will be valid for up to six months, or

(b) provide a letter outlining what additions or changes need to be made to the course to meet the requirements outlined in this title. If the additions or changes are not received by the enforcement and education division within thirty days, the application for temporary certification will be withdrawn.

(4) The board or its designee may attend any class provided by certified providers and their trainers at no charge in order to evaluate the course for conformance with this title. If, in the opinion of the board or their designee, the provider does not comply with the lesson plan submitted and approved or any of the requirements of this title, the temporary certification may be immediately revoked.

(5) If permanent certification is not obtained during the six month temporary certification period, at the end of the temporary certification period, the provider must return the following materials to the board's enforcement and education division:

- (a) the original letter of board certification,
- (b) any Class 12 mixologist and/or Class 13 server permit forms, and
- (c) records of all permits issued during the temporary certification period.

**NEW SECTION**

**WAC 314-13-060 What are the course standards for Class 12 mixologist and Class 13 server permits?**

<p>(1) Requirements for a Class 12 mixologist permit course</p>	<p>(a) The course of instruction must be at least one hour in length. The course may be by video or audio-visual presentation ("video" includes via videotape or via computer, including Internet applications and CD-ROMS).</p> <p>(b) In addition to meeting the requirements of RCW 66.20.320 (1)(d), the course must contain a standard workbook that covers the specifics of Washington liquor laws and regulations as they relate to:</p> <ul style="list-style-type: none"> <li>(i) recognizing and dealing with intoxicated persons,</li> <li>(ii) how to check identification,</li> <li>(iii) employment of persons under twenty-one years of age,</li> <li>(iv) legal hours of liquor sale and service,</li> <li>(v) prohibited conduct by patrons and employees,</li> <li>(vi) required signs in liquor licensed establishments,</li> <li>(vii) minimum lighting requirements, and</li> <li>(viii) administrative and criminal sanctions against liquor licensees and Class 12 and Class 13 permit holders.</li> </ul>
<p>(2) Requirements for a Class 13 server permit course</p>	<p>(a) The course of instruction must be at least one hour in length. The course may be by video or audio-visual presentation of not less than thirty minutes together with facilitation by an authorized provider or trainer, or a sixty-minute self teaching video ("video" includes via videotape or via computer, including Internet applications and CD-ROMS).</p> <p>(b) In addition to meeting the requirements of RCW 66.20.320 (1)(d), the course must contain a standard workbook that covers the specifics of Washington liquor laws and regulations as they relate to:</p> <ul style="list-style-type: none"> <li>(i) recognizing and dealing with intoxicated persons,</li> <li>(ii) how to check identification,</li> <li>(iii) employment of persons under twenty-one years of age,</li> <li>(iv) legal hours of liquor sale and service,</li> <li>(v) prohibited conduct by patrons and employees, and</li> <li>(vi) administrative and criminal sanctions against licensees and Class 13 server permit holders.</li> </ul>

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<p>(3) Requirements and guidelines for both Class 12 mixologist and Class 13 server permit courses</p>	<p>(a) At the beginning of each class, the trainer must give each student:</p> <p>(i) an enrollment agreement that clearly states the obligations of the trainer and student, refund policies, and procedures to terminate enrollment;</p> <p>(ii) a statement that says, "If you have questions, comments, or complaints about the program, please call the liquor control board" and includes the appropriate board telephone numbers; and</p> <p>(iii) a notice that students must complete the course in order to take the exam.</p> <p>(b) Students must complete a written examination in the presence of the certified trainer that demonstrates the student is familiar with the liquor laws and rules outlined in subsections (2) and (3) of this rule. During the examination, trainees may not refer to any written or video material or have a discussion with another person during the exam (unless the instructor authorizes the student to use an interpreter).</p> <p>(c) Providers or trainers may not suggest that the state of Washington, the board, or any state agency endorses or recommends the provider's program to the exclusion of any other program.</p>
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(4) It is the responsibility of the approved provider to keep the board's enforcement and education division informed of all current trainers.

(a) The provider must notify the board's enforcement and education division within seventy-two hours of the termination of trainer, or within seventy-two hours of when the provider is notified that a trainer has terminated their employment.

(b) For the hiring of new trainers, the provider can either:

(i) notify the board's enforcement and education division in writing of any new trainers within thirty days of the date of hire; or

(ii) provide a list of all current trainers to the board's enforcement and education division monthly.

**NEW SECTION**

**WAC 314-13-070 What criminal history would prevent a person from receiving certification to be a trainer?**

(1) The board's enforcement and education division may process a criminal history check on a person applying to be an alcohol server education trainer, using a point system to determine if the person qualifies. The enforcement and education division will not certify a trainer who accumulates eight or more points as indicated below:

**NEW SECTION**

**WAC 314-13-065 How does a provider receive certification for its trainers?** (1) To receive board certification for trainers to teach a course approved by the board, the provider must submit a form provided by the board to the board's enforcement and education division.

(2) The provider will only contract with trainers who:

(a) have a minimum of two years of post-secondary education in one or more of the following fields or a combination of the following fields, or equivalent years of experience:

- (i) training;
  - (ii) education;
  - (iii) law;
  - (iv) law enforcement;
  - (v) substance abuse rehabilitation; and/or
  - (vi) hospitality industry.
- (b) hold a Class 12 mixologist permit; and
- (c) meet the criminal history requirements outlined in WAC 314-13-070.

(3) The board's enforcement and education division will respond to the request for trainer certification within thirty days of receipt of the request. The board will either:

(a) issue a letter to the provider and each trainer that authorizes the trainer(s) to teach the approved course (the trainer's authorization expires on the date the provider's certification expires); or

(b) send a letter to the provider outlining why an applicant trainer does not meet the qualifications outlined in this title.

(c) Trainers may not begin training certified alcohol server education courses until they receive their authorization letter from the board.

Description	Time period during which points will be assigned	Points the board will assign
Gross misdemeanor conviction	Three years	5 points
Misdemeanor conviction - involving alcohol	Three years	4 points
Misdemeanor conviction - not involving alcohol	Three years	3 points
Driving under the influence conviction	Three years	5 points
Reckless and/or negligent driving conviction - alcohol related	Three years	5 points
Reckless and/or negligent driving conviction - not alcohol related	Three years	4 points
Hit and run, attended - conviction	Three years	5 points
Two to five failures to appear for court conviction	Three years	4 points
Six or more failures to appear for court conviction	Three years	8 points
Felony conviction	Five years	12 points
On parole from a felony	Five years	8 points
Nondisclosure of arrests or convictions to the board	Any arrest or conviction since age eighteen	4 points each, PLUS the points of the fact which was not disclosed
Misrepresentation of fact to the board		8 points, PLUS the points of the fact which was not disclosed

(2) If a case is pending for an alleged conviction that would earn eight or more points, the board's enforcement and

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education division will hold the trainer's application for the disposition of the case. If the disposition is not settled within ninety days, the board will withdraw the application.

(3) Persons whose applications to become an alcohol server education trainer are denied by the enforcement and education division to due a criminal history may request an adjudicative hearing under the provisions of the Administrative Procedure Act (chapter 34.05 RCW). At the board's discretion it may elect to conduct the adjudicative hearing itself or it may assign the matter to the office of administrative hearings.

**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 314-13-075 How does a provider or trainer get Class 12 mixologist and Class 13 server permits to issue to course participants?** (1) Authorized providers and trainers of certified programs may order Class 12 mixologist and Class 13 server training permits from the board's enforcement and education division, to issue to students who successfully complete an approved course (see WAC 314-13-080(3) regarding eighteen, nineteen, and twenty year-old students who complete a Class 12 mixologist course).

(2) The permits must be ordered on a form provided by the board. The board will charge a nominal fee in order to cover its costs to produce the permits.

#### NEW SECTION

**WAC 314-13-080 What are the age requirements for trainees to receive Class 12 mixologist and Class 13 server permits?** (1) Class 12 mixologist permits are only issued to persons twenty-one years of age or older. Therefore, any person who is eighteen, nineteen, or twenty years of age who successfully completes a Class 12 mixologist course will be issued a Class 13 server permit.

(2) Class 13 server permits may only be issued to persons eighteen years of age and older.

(3) Upon turning twenty-one years of age, a Class 13 server permit holder may receive an upgraded Class 12 mixologist permit from the provider or trainer who issued the permit. The expiration date of the permit will remain five years from the date of the class.

(4) If a provider or trainer issues a Class 12 mixologist permit in error to a person under twenty-one years of age, the provider or trainer must take the following steps:

(a) contact the permit holder and notify him/her that they received the incorrect permit;

(b) obtain the original Class 12 mixologist permit from the permit holder; and

(c) issue the correct Class 13 server permit (only after receiving the original Class 12 mixologist permit that was issued in error).

(d) Within thirty days of the date the permit was issued in error, or of being notified by the board of the error, the provider or trainer must:

(i) provide the tear-off portion of the corrected Class 13 server permit to the board's enforcement and education division; or

(ii) if unable to contact the permit holder and issue a corrected permit, the provider or trainer can provide the board's enforcement and education division proof that a certified letter was sent to the trainee who received the Class 12 mixologist permit in error.

#### NEW SECTION

**WAC 314-13-085 What records does the provider or trainer need to provide to the board or keep on file?** (1) Within thirty days of all training classes, the provider or trainer must submit the tear-off portion of the permit form for all Class 12 and/or Class 13 permits issued to the board's enforcement and education division.

(2) The following information must be kept at the trainer's place of business, available for inspection and copying by board employees, for a period of five years:

(a) copies of all Class 12 and/or Class 13 permits issued by the provider or authorized trainers; and

(b) all course presentation information, including the location, date, and time of every class given together with the name of the trainer and name of students that attended each class.

(3) The provider or trainer must provide the following information to the board or its designee upon request:

(a) advance notice of any classes that have been pre-scheduled; and

(b) copies of program publications, brochures, pamphlets, scripts, or any other advertising materials related to the alcohol server training course.

#### NEW SECTION

**WAC 314-13-090 Prohibited conduct by providers and trainers.** No provider or trainer will:

(1) make any material false or misleading statement to induce or prevent board actions;

(2) falsify, alter, or tamper with alcohol server training permits or records;

(3) prohibit or interfere with on-site observations by the board or its staff, or fail to assist the board or its staff in scheduling these observations.

#### NEW SECTION

**WAC 314-13-095 Is the provider responsible for the acts of its trainers?** The board may hold a provider responsible for any act or omission of the provider's program personnel, authorized trainers, or representatives that violates any law or rule affecting provider privileges.

#### NEW SECTION

**WAC 314-13-100 What are the penalties if provider or a trainer violates a liquor law or regulation?** Following are the penalties for a provider or trainer that violates any of the provisions of RCW 66.20.300 through 66.20.350 or any

of the requirements of chapter 314-13 WAC (except for providers with temporary certification, see WAC 314-13-055(4)):

(1) First violation	(a) The provider or trainer will receive a notice of intended suspension/revocation of the board's certification or authorization. (b) This notice will give the provider and/or trainer thirty days to correct any violations. (c) If the problem is rectified, no further action will be taken.
(2) First violation not resolved and/or second violation occurs	(a) The board will suspend its approval and certification of the provider and/or trainer for up to six months. (b) A monetary penalty of up to five hundred dollars may be imposed in lieu of suspension. (c) Prior to lifting the suspension or accepting a monetary penalty, the provider and/or trainer must correct the problem(s) which caused the proposed suspension.

(3) Successive violations within a two-year period	The board may cancel or suspend the approval and certification of the provider and/or trainer for up to five years.
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**NEW SECTION**

**WAC 314-13-105 What are the penalties if a permit holder violates the liquor laws?** (1) Penalties assessed within three year period will normally be as follows:

Violation Type	1st Violation	2nd Violation	3rd Violation	4th Violation
<b>AFTER HOURS:</b> Selling, serving, or allowing alcohol to be consumed between 2 a.m. and 6 a.m. See WAC 314-16-050.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
<b>DISORDERLY CONDUCT:</b> Disorderly conduct by the licensee or employee, or allowing patrons to engage in disorderly conduct. See WAC 314-16-120.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
<b>INTOXICATED PERSONS:</b> Selling or serving to an apparently intoxicated person or allowing such a person to possess or consume alcohol. See RCW 66.44.200 and WAC 314-16-150.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
<b>LEWD CONDUCT:</b> Allowing lewd conduct on the licensed premises. See WAC 314-16-125.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
<b>MISCELLANEOUS:</b> Violation of other retail liquor laws or rules.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
<b>MINORS:</b> Selling or serving alcohol to a person under twenty-one years of age. See RCW 66.44.310 and WAC 314-16-150.	5 day permit suspension OR \$200 monetary option	10 day permit suspension OR \$400 monetary option	30 day permit suspension OR \$600 monetary option	revocation of permit
<b>MINORS:</b> Allowing persons under twenty-one years of age to frequent a restricted premises or area. See RCW 66.44.310 and WAC 314-16-150.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
<b>OBSTRUCTING AN OFFICER:</b> Obstructing a law enforcement officer, or failure to allow an inspection. See RCW 66.28.090.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit

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Violation Type	1st Violation	2nd Violation	3rd Violation	4th Violation
<b>OTHER VIOLATION OF LAWS:</b> Conviction of liquor laws, DUI or felony.	5 day permit suspension OR \$100 monetary option	revocation of permit		
<b>PERMIT:</b> Failure to produce permit and/or ID upon request. See RCW 66.20.310(2) and WAC 314-13-025.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
<b>PRIVATE CLUBS:</b> Prohibitions involving club liquor and use by the general public. See WAC 314-40-010.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit

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

**NEW SECTION**

**WAC 314-13-110 Can the board impose sanctions or penalties other than those indicated in WAC 314-13-105?**

(1) Based on aggravating or mitigating circumstances, the board may impose a different penalty or suspension than the standard penalties and suspensions outlined in WAC 314-13-105.

(2) Examples of aggravating and mitigating circumstances include, but are not limited to:

(a) Examples of aggravating circumstances:	(b) Examples of mitigating circumstances:
<ul style="list-style-type: none"> <li>Patron's identification not checked;</li> <li>Non-cooperation with or obstructing any law enforcement officer;</li> <li>Permit holder did not call law enforcement officer when requested by a customer or a board employee.</li> </ul>	<ul style="list-style-type: none"> <li>Permit holder checked one of the acceptable forms of identification (per RCW 66.16.040);</li> <li>Cooperation with law enforcement officer(s);</li> <li>Permit holder used a licensee certification card (see RCW 66-20.190).</li> </ul>

**NEW SECTION**

**WAC 314-12-115 Can a Class 12 or Class 13 permit holder work on a licensed premises while his/her permit is suspended?**

(1) During a suspension period, permit holders may work on a liquor licensed premises provided they are not involved in any way in the sale or service of alcohol.

(2) No permit is required to be a cashier, receptionist, cook, or custodian.

**WSR 00-17-183**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed August 23, 2000, 11:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-12-006.

**Title of Rule:** This repeals chapter 16-621 WAC, Registration of acreage commitments made by processors to producers; chapter 16-692 WAC, Hay and straw—Manifests and shipping documents; and chapter 16-694 WAC, Agricultural products—Commission merchants, dealers, brokers, buyers, agents—License fees.

**Statutory Authority for Adoption:** RCW 20.01.040, [20.01.]125, [20.01.]370, [20.01.]380, [20.01.]410, [20.01.]510.

**Statute Being Implemented:** Chapter 20.01 RCW.

**Summary:** This repeals the WACs enumerated above. A new rule chapter 16-623 WAC has been written to combine the three WACs being repealed.

**Reasons Supporting Proposal:** This new rule accomplishes the intent of EO 97-02, regulatory improvement by taking three rules governing the agricultural industry and combining them into one rule.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Jerry Buendel, 1111 Washington Street, Olympia, WA, (360) 902-1856.

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

**Proposal Changes the Following Existing Rules:** This rule eliminates three existing rules. A new rule, chapter 16-623 WAC is being adopted. The new rule combines the three existing rules. um requirements for alternative manifests of cargo and shipping documents. See below.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This action does not impose any new requirements, fees or administrative tasks on licensees or producers.

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

**Hearing Location:** Washington State Department of Agriculture, 21 North First Avenue, Conference Room 238, Yakima, WA 98902, on October 12, 2000, at 10:00 a.m.

**Assistance for Persons with Disabilities:** Contact Jodi Jones by October 10, 2000, TDD (360) 902-1996, or (360) 902-1976.

**Submit Written Comments to:** Jerry Buendel, Program Manager, P.O. Box 42560 or 1111 Washington Street, Olympia, WA 98504-2560, e-mail jbuendel@agr.wa.gov, fax (360) 902-2086, by October 10, 2000.

PROPOSED

Date of Intended Adoption: October 24, 2000.

August 23, 2000

Candace A. Jacobs, DVM  
Assistant Director

### REPEALER

The following chapters of the Washington Administrative Code are repealed:

WAC 16-621	Registration of acreage commitments made by processors to producers
WAC 16-692	Hay and straw—Manifests and shipping documents
WAC 16-694	Agricultural products—Commission merchants, dealers, brokers, buyers, agents—License fees

**WSR 00-17-184**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed August 23, 2000, 11:32 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-12-006.

Title of Rule: Service agents—Reporting, test procedures, standards and calibration of weighing and measuring devices.

Purpose: This rule clarifies and strengthens the rules specifying the registration and responsibilities of service agents. This rule making accomplishes the intent of EO 97-02, regulatory improvement.

Statutory Authority for Adoption: RCW 19.94.010, 19.94.190.

Statute Being Implemented: Chapter 19.94 RCW.

Summary: This regulation addresses the mandatory registration, rights and responsibilities of service agents involved in installing servicing and calibrating weighing and measuring devices. The rule addresses reporting devices placed in service, test procedures, reporting forms, and submission of test standards by persons servicing and calibrating weighing and measuring devices.

Reasons Supporting Proposal: This new rule accomplishes the intent of EO 97-02, regulatory improvement by making the rule clear and readable.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jerry Buendel, 1111 Washington Street, Olympia, WA, (360) 902-1856.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule clarifies and strengthens the rules governing the registration, adequacy of standards, identification of work, reports and responsibilities of service agents. The

requirements for service agents to identify their work will provide assurance to the users of their services and to the public using weighing and measuring devices that the devices are serviced and maintained. The markings will allow the department to monitor the quality of the services provided by service agents and service persons. This rule will deter unqualified and improperly equipped businesses from repairing and adjusting weighing and measuring devices. The rule allows test standards to be calibrated and approved by other accredited laboratories. This provision gives service agents flexibility in selecting the locations and dates for certifying their test standards.

Proposal does not change existing rules. The new rule adds definitions and requires service agents and service persons to submit a copy of their tag, label, seal or seal press identification mark to the department at time of registration. The rule allows service agents to have their standards certified by laboratories other than the state metrology laboratory. The proof of inspection must be submitted to the department with the registration application. The rule also requires service agents and service persons to identify their work by applying an adhesive tag or label or using a distinctive security seal on devices they have repaired or returned to service. It also changes the reporting requirements to mandate that service agents submit a copy of test reports along with the agency issued rejection notice.

See repealer below.

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

#### Small Business Economic Impact Statement

Rule Summary: Service agents—Reporting, test procedures, standards and calibration of weighing and measuring devices, chapter 16-663 WAC provides for the registration of service agents, prescribes the interval which test standards must be calibrated, requires identification of work, specifies the reports and delineates the responsibilities of service agents. Service agents are businesses that install, repair and adjust commercial weighing and measuring devices.

The purpose of the rule is to clarify and strengthen the rules specifying the responsibilities of service agents.

These rules are being adopted under the authority of chapter 19.94 RCW.

Industries Impacted by the Rule: All companies servicing weighing and measuring devices in Washington are impacted by chapter 16-663 WAC. SIC code 7699 Scale Repair Service represents the type of businesses affected by this rule. One hundred nine service agents are currently registered and affected by this rule. Approximately 80% of the service agents are small businesses with less than fifty full-time, year-round employees.

Reporting and Record-Keeping Requirements: The state is now requiring service agents submit a copy of their test report for devices being returned to service along with the agency issued rejection notice. Under the old rule they were required to complete a test report but not required to submit it when returning the rejection notice. Service agents are also now required to submit copies of their tags, labels, seals or seal press identification marks and certification reports of

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their standards with their annual registration application. There are no new record-keeping requirements.

**Professional Services:** The reporting and record-keeping requirements would not create a need for professional services. Implementing sections requiring the identification of a service agent's work would impose an additional cost. There would be a need for professional printing services by those opting to identify the devices they serviced by using a label or tag. The cost of labels ranges from \$90.00 per thousand to \$412.00 per thousand depending on the quality of the label selected. For those choosing to use seals or seal press identification markings the costs would range from \$71.50 to \$104.40 or more depending on the complexity of the seal press markings. The cost per employee for large and small businesses would be equal since the seal or label is distinctive in identifying the individual performing the service. Please note that current rules require security seals be applied to any adjustment mechanism designed to be sealed and some businesses may already own seals or seal presses with distinctive markings. It is also common practice for firms to place labels on the devices they service.

**Industry Outreach:** The department mailed a draft copy to all of the service agents currently registered, to all state weights and measures inspectors, Advisory Committee members, and to the two city weights and measures jurisdictions. We received valuable input as a result of the outreach and have incorporated them into the final draft rules.

**Benefits and Mitigation:** The rule will strengthen and clarify requirements for service agents. The requirements for service agents to identify their work will provide assurance to the users of their services and to the public using weighing and measuring devices that the devices are serviced and maintained. The markings will allow the department to monitor the quality of the services provided by service agents and service persons. This rule will deter unqualified and improperly equipped businesses from repairing and adjusting weighing and measuring devices. The rule allows test standards to be calibrated and approved by other accredited laboratories. This provision gives service agents flexibility in selecting the locations and dates for certifying their test standards.

The agency will mitigate the impact of the requirements for service agents and service persons to identify their work by using labels, tags, seals or a seal press identification mark by making WAC 16-663-150 effective on May 1, 2000. The administrative rule has not been changed since 1973.

The agency will send a fact sheet explaining the new rule to all currently registered service agents and service persons. The fact sheet will also be sent to new service agents and service persons as they register. The department will continue to provide technical assistance and oversight to the industry.

A copy of the statement may be obtained by writing to Washington State Department of Agriculture, Weights and Measures Program, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1857, fax (360) 902-2086, e-mail wts&measures@agr.wa.gov.

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

**Hearing Location:** Washington State Department of Agriculture, 21 North First Avenue, Conference Room 238, Yakima, WA 98902, on October 12, 2000, at 11:00 a.m.

**Assistance for Persons with Disabilities:** Contact Jodie Truitt by October 10, 2000, TDD (360) 902-1996, or (360) 902-1976.

**Submit Written Comments to:** Jerry Buendel, Program Manager, P.O. Box 42560 or 1111 Washington Street, Olympia, WA 98504-2560, e-mail jbuendel@agr.wa.gov, fax (360) 902-2086, by October 10, 2000.

**Date of Intended Adoption:** October 24, 2000.

August 23, 2000

Candace A. Jacobs, DVM

Assistant Director

## Chapter 16-663 WAC

### SERVICE AGENTS—REPORTING, TEST PROCEDURES ((AND)), STANDARDS ((BY PERSONS SERVICING AND CALIBRATING)) AND CALIBRATION OF WEIGHING AND MEASURING DEVICES

#### NEW SECTION

**WAC 16-663-100 Purpose.** The following regulation addresses the mandatory registration, rights and responsibilities of service agents involved in installing, servicing and calibrating weighing and measuring devices. The rule addresses reporting devices placed in service, test procedures, reporting forms and submission of test standards by persons servicing and calibrating weighing and measuring devices.

#### NEW SECTION

**WAC 16-663-110 Definitions.** (1) Installation - setting up for use, connecting or adjusting any new, used or remanufactured commercial weighing or measuring device being placed into service.

(2) Placed in service - to cause or permit the commercial usage of any commercial weighing or measuring device.

(3) Returned to service - the instance where servicepersons or service agencies are called upon to service, repair, or recondition a commercial weighing or measuring device that has been "rejected," ordered "out of service," or "condemned" by weights and measures officials with the intent of placing such a device back into service.

(4) Registered serviceperson - any individual who for hire, award, commission, or any other payment of any kind, installs, services, repairs, or reconditions a commercial weighing or measuring device, and who registers himself as such with the director.

(5) Registered service agent - any agent, firm, partnership, company, or corporation, which, for hire, award, commission, or any other payment of any kind, installs, services, repairs, or reconditions a commercial weighing or measuring device, and which registers with the director.

(6) Commercial weighing and measuring device - any weight or measure or weighing or measuring device commercially used or employed in establishing the size, quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered or submitted for sale, hire, or award, or in computing any basic

charge or payment for services rendered on the basis of weight, measure or count. It shall include any accessory attached to or used in connection with a commercial weighing or measuring device when the accessory is designed or installed so that its operation affects, or may affect, the accuracy, correctness, or indication of the device.

(7) Reciprocity - the mutual cooperative interchange of rights and agreements between any other state or states that have similar rules and laws concerning registered service agents and recognition of standards.

(8) Laboratory - the metrology laboratory of any state, agency, or any recognized private industry metrology laboratory as determined by the director. All such laboratories must possess current appropriate National Institute of Standards and Technology (NIST) certifications.

(9) Accuracy - commercial weighing or measuring devices are considered accurate when the performance or value - that is, its indications, its deliveries, its recorded representations, or its capacity or actual value, etc., as determined by tests made with suitable standards - conforms to the standards, tolerances and other performance requirements set forth in the edition of National Institute of Standards and Technology Handbook 44 currently adopted by the director.

(10) Correct - a weighing or measuring device is considered correct when in addition to being accurate, it meets all applicable specifications and requirements as set forth in the edition of National Institute of Standards and Technology Handbook 44 currently adopted by the director.

(11) Certification - a document provided by the director to service agents registered with the department.

#### NEW SECTION

**WAC 16-663-120 Registration, certification and standards.** (1) Service agents and servicepersons who intend to provide service that permits a weighing or measuring device to be placed back into commercial service must register with the department annually. Service agents and servicepersons must register on a form provided by the department annually. The fee for registration is eighty dollars per service person. This registration requirement does not apply to city sealers.

(2) Service agents and servicepersons registering with the department will specifically state the types of devices they will be placing in service. Such a statement is the agent's or person's certification that they are knowledgeable of the requirements of the state and possess proper and certified equipment and standards to perform the services.

(3) The registered service agent or serviceperson shall submit a copy of their tag or label, seal or seal press identification mark to the department at time of registration.

(4) The department will issue an official registration certification for each service agent and serviceperson whose application is approved. Official registration certificates are valid for a period of one year from date of registration.

(5) For requests that are denied the department will provide reasons, in writing, for the denial and refund payment.

#### NEW SECTION

**WAC 16-663-130 Adequacy of standards and submission of standards for certification.** (1) All service agents and servicepersons shall use standards of adequate quantity and design to place commercial weighing and measuring devices in service.

(2) Submission of standards for inspection. All standards used for servicing, repairing and/or calibrating commercial weighing and measuring devices must be submitted at least every two years for examination and certification. The standards will be submitted to the state's metrology laboratory or a laboratory of any state in which a reciprocity agreement has been entered. The state metrology laboratory examines and certifies standards using the current version of National Institute of Standards and Technology Handbook 105.

(3) Recognition of out-of-state certification any standard that has been inspected and examined by any state or agency in which the director has entered a reciprocity agreement will be considered correct if said examination is within the previous two-year period. Proof of inspection must be submitted to the department with the registration application.

(4) Proof of certification shall be maintained by the owner of the standards and be kept with the standards during normal usage for the purpose of inspection by the director or authorized representative.

#### NEW SECTION

**WAC 16-663-140 Identification of work—Labels and seals.** (1) Each registered service agent and serviceperson shall identify his/her work on commercially used weighing and measuring devices by:

(a) Applying an adhesive tag or label in a conspicuous location on the device; or

(b) Using a distinctive security seal or seal press impression.

(2) The adhesive tag or label shall legibly show at least the serviceperson registration number, business telephone number and date of service.

(3) Any security seal or seal press used to comply with subsection (1) of this section shall identify the individual registered serviceperson applying the seal.

(4) The registered service agent or serviceperson shall submit a copy of the tag or label, seal or seal press identification mark to the department at time of registration.

(5) The above requirements will be effective May 1, 2001.

#### NEW SECTION

**WAC 16-663-150 Reports and responsibilities of service agents and servicepersons.** (1) Any person installing a new or used weighing or measuring device that is being put in use for the first time at that location must provide a notice of installation to the department. The notice shall state the date placed in service, type of device, capacity, business' name and site address, and name and address of the service com-

pany installing the device. The report shall also indicate whether the device is new or used.

(2) After correcting a rejected device, registered service agents or servicepersons must return the reject report issued by the weights and measures official to the address indicated on the form within seven days from completion of work. All discrepancies noted on the department's rejection report must be corrected before returning the device to service. The form must be signed and dated by the registered serviceperson returning the device to service. The form must also legibly indicate his/her registration number and show the number or identifying mark of security seals that were removed and applied to affect the correction.

(3) A registered service agent or serviceperson will submit a copy of his/her test report showing the as-found and as-corrected readings with the reject report when putting a rejected device back into service.

(4) Commercially used weighing or measuring devices put into service or returned to service must be correct and meet all applicable specifications and requirements set forth in the edition of National Institute of Standards and Technology Handbook 44 currently adopted by the director. The device must also meet current (NTEP) requirements in effect for the device.

(5) Devices must be installed in accordance with manufacturer's instructions.

(6) A device installed in a fixed location must be installed so that its operation or performance will not be adversely affected by any characteristic of the foundation, supports, or any other detail of the installation.

(7) Equipment must be installed in such a manner that all required markings are readily observable.

(8) A device must be installed so that it will be correct and it meets all performance requirements when associated or nonassociated equipment is operated in its usual and customary manner.

(9) Faulty installation conditions must be corrected, and any defective parts must be renewed or suitably repaired, before adjustments are made.

(10) When equipment is adjusted, the adjustment must be made so that performance errors are as close as practicable to zero value.

(11) Equipment put into service, repaired, adjusted, calibrated or refurbished must be sealed with an appropriate security seal and the seal number recorded on the inspection test report. Any security seal removed prior to servicing the device will be noted on the test report and will include the number or identifying mark of the security seal.

(12) Equipment must be assembled and installed so that it does not facilitate the perpetration of fraud.

(b) A finding by the department of a pattern of intentional fraudulent or negligent activities in the installation, inspection, testing, checking, adjusting, or systematically standardizing and approving the graduations of any weighing or measuring instrument or device;

(c) Knowingly placing back into commercial service any weighing or measuring instrument or device that is incorrect or inaccurate;

(d) A violation of any provision of this chapter; or

(e) Conviction of a crime or an act constituting a crime under the laws of this state, the laws of another state, or federal law.

(2) If the department revokes, suspends, or refuses to renew an official registration certificate, an individual will have the right to appeal the decision in accordance with the Administrative Procedure Act, chapter 34.05 RCW, and RCW 19.94.2584.

NEW SECTION

**WAC 16-663-170 Unlawful practices—Penalties.**

Any person who, by himself or herself, by his or her agent or employee, or as the agent or employee of another person, violates the provisions of this rule is subject to a civil penalty of up to five thousand dollars as specified in RCW 19.94.510.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-663-001	Promulgation.
WAC 16-663-010	A regulation of weights and measures servicemen—Relating to reporting and test procedures—Reporting forms and submission of testing standards by persons servicing and calibrating commercial weighing and measuring devices—Definitions.
WAC 16-663-020	Submission of standards.
WAC 16-663-030	Availability of adequate standards.
WAC 16-663-040	Reports to be filed by serviceman or service agency.
WAC 16-663-050	Unlawful practices—Penalty.
WAC 16-663-060	Effective date.

**WSR 00-17-186**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Children's Administration)  
[Filed August 23, 2000, 11:35 a.m.]

Original Notice.  
Preproposal statement of inquiry was filed as WSR 99-17-056.

PROPOSED

NEW SECTION

**WAC 16-663-160 Registration certificate—Revocation, suspension, refusal to renew—Appeal.** (1) The department has the authority to revoke, suspend, or refuse to renew the official registration certificate of any service agent or serviceperson for any of the following reasons:

(a) Fraud or deceit in obtaining an official registration certificate;



## Chapter 388-39A WAC

## CHILD WELFARE SERVICES—COMPLAINT RESOLUTION

Title of Rule: Chapter 388-39 WAC, Child welfare services—Complaint resolution; and repealing WAC 388-74-010 Complaint resolution definition and 388-74-030 Complaint procedure.

Purpose: To explain the process Children's Administration uses to resolve complaints and grievances of clients, foster parents, and other affected individuals; to describe complainants' rights; and to identify responsibilities of constituent relations staff in resolving complaints and providing information.

Statutory Authority for Adoption: RCW 74.13.045.

Statute Being Implemented: Chapters 74.13, 13.32A, and 13.34 RCW.

Summary: The chapter is written in clear English, using a question and answer format, to make it more understandable to Children's Administration customers and to clarify the administration's complaint resolution process. It also removes the word "office" from references to the constituent relations section, reflecting an organizational change.

Reasons Supporting Proposal: The chapter updates information about the Children's Administration's complaint resolution process and complies with Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barbara McPherson, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7914.

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 chapter updates existing rules to provide clear, concise answers to persons seeking information regarding the Children's Administration's complaint resolution process.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Children's Administration has analyzed the proposed WAC changes and concludes that no new costs will be imposed on the small businesses impacted by these WACs. Preparation of a small business economic impact statement is not required.

RCW 34.05.328 does not apply to this rule adoption. The proposal clarifies language of existing rules without changing the effect.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 24, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 17, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myer-cme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 24, 2000.

Date of Intended Adoption: Not sooner than October 25, 2000.

August 23, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

NEW SECTION

**WAC 388-39A-010 What definitions apply to the department's child welfare services complaint resolution process? "Children's administration" (CA) means the cluster of programs within the department of social and health services responsible for the provision of child welfare, child protective, child care licensing, and other services to children and their families.**

"Complaints office" or "constituent relations" means the office within the children's administration responsible for handling complaints regarding child welfare services.

"Division of children and family services" (DCFS) means the division within the children's administration responsible for administering child welfare services programs.

"Division of licensed resources" (DLR) means the division within the children's administration responsible for licensing or certifying child care homes and facilities under the authority of chapter 74.15 RCW.

NEW SECTION

**WAC 388-39A-030 How does the children's administration resolve complaints?** Constituent relations staff assist clients, foster parents, and other affected individuals in resolving complaints and grievances regarding children's administration (CA) policies and procedures, or the application of a policy or procedure related to CA programs. Under RCW 74.13.045, constituent relations staff may inquire into, determine fact, and facilitate the resolution of disputes and complaints.

NEW SECTION

**WAC 388-39A-035 What is the process for resolving complaints?** (1) After making a reasonable effort to resolve a complaint with a social worker or licensor, a client, foster parent, or community member may contact the CA constituent relations office to request assistance.

(2) Constituent relations staff will assist the complainant in reviewing the complaint with the assigned social worker or licensor to arrive at a resolution.

(3) If the complaint cannot be resolved with the social worker or licensor, constituent relations staff will assist the complainant in reviewing it with the supervisor of the social worker or licensor for resolution.

(4) If the complaint cannot be resolved with the supervisor, constituent relations staff will assist the complainant in reviewing the complaint with the supervisor's area manager or regional manager for resolution.

(5) If the complaint cannot be resolved with the area manager or regional manager, constituent relations staff will

PROPOSED

assist the complainant in reviewing it with the area manager's regional administrator or the regional manager's office chief.

(6) If CA constituent relations staff determines at any time during the complaint resolution process that the administration's actions were consistent with agency policy and procedures based on complete and correct information regarding the complainant's situation, the constituent relations staff will terminate the resolution process and will close the complaint.

#### NEW SECTION

**WAC 388-39A-040 What happens if the complaint is not resolved at the regional level?** (1) When constituent relations staff and local CA staff have made a reasonable attempt to resolve the complaint, the regional administrator, the office chief, or the constituent relations supervisor may convene a panel to review the complaint and make recommendations to the CA assistant secretary for resolution.

(2) The regional administrator or office chief and the constituent relations supervisor will determine the membership of the panel.

(3) The panel must consist of the following members:

(a) The regional administrator's or office chief's designee who must not be from the administrative unit where the complaint originated;

(b) A constituent relations staff person;

(c) A person who is not a CA employee; and

(d) If the complainant is a foster parent, a foster parent who is not involved in the complaint.

(4) The panel may examine the complaint, the complainant's file, and any additional relevant information, including information from the complainant, CA staff, or others.

(5) The panel must submit written findings and recommendations to the CA assistant secretary who will issue a final, written decision.

#### NEW SECTION

**WAC 388-39A-045 Does the complaint resolution process apply to all complaints?** (1) The complaint resolution process does not apply to complaints for which the complainant has the right to seek resolution through judicial review or an adjudicative proceeding under Title 13, 26, or 74 RCW.

(2) The process also does not apply to contract rate setting, contested rate payments, exceptional cost rates, disputes or decisions regarding written personal service contracts, or financial agreements.

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

#### NEW SECTION

**WAC 388-39A-050 Is the complaint resolution process the only way to resolve a complaint?** Participation in the complaint resolution process does not affect the right of any person to seek other remedies.

#### NEW SECTION

**WAC 388-39A-055 What rights do complainants have under the complaint resolution process?** (1) Under RCW 74.13.045, the complaint resolution process does not create substantive or procedural rights for any person.

(2) Participation in the complaint resolution process does not entitle any person to an adjudicative proceeding under chapter 34.05 RCW or to superior court review.

#### NEW SECTION

**WAC 388-39A-060 Do constituent relations staff only handle complaints?** In addition to complaint resolution, CA constituent relations staff also provide information about children's administration programs, policies, and procedures and information about other complaint resolution resources, including the office of the family and children's ombudsman.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-74-010 Child welfare services complaint resolution definitions.

WAC 388-74-030 Complaint procedure.

**WSR 00-17-187**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Juvenile Rehabilitation Administration)  
[Filed August 23, 2000, 11:36 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Chapter 275-46 WAC, Placement of juvenile offenders committed to the Juvenile Rehabilitation Administration (JRA) and chapter 275-47 WAC, Collection of costs of support, treatment and confinement of juveniles under RCW 13.40.220; and repealing WAC 275-46-100 Adjudicative proceedings.

Purpose: To create new chapters within Title 388 WAC and amend cross references. Chapter 275-46 WAC will become chapter 388-730 WAC and chapter 275-47 WAC will become chapter 388-720 WAC. WAC 275-46-100 is repealed.

Statutory Authority for Adoption: Chapter 72.05 RCW (for chapter 275-46 WAC) and 13.40.220 (for chapter 275-47 WAC).

Statute Being Implemented: Chapter 72.05 RCW and RCW 13.40.220.

Summary: As a part of the governor's and secretary's executive orders on regulatory improvement, the department is moving all of its rules into Title 388 WAC. The migration

of these two chapters from Title 275 WAC to Title 388 WAC requires technical cross-reference corrections. WAC 275-46-100 is repealed because it contains obsolete information.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cheryl Colglazier, JRA Headquarters, OB 2, Olympia, Washington, (360) 902-8081.

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 purpose of making these changes is to consolidate all the DSHS rules under one title. However, several internal cross-references needed to be updated and so those sections are being amended.

Proposal Changes the Following Existing Rules: Chapters 275-46 and 275-47 WAC are being recodified into chapters 388-730 and 388-720 WAC respectively. WAC 275-46-100 is being repealed.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed changes are housekeeping only and do not require a small business economic impact statement.

RCW 34.05.328 does not apply to this rule adoption. The proposed changes do not meet the definition of a significant legislative rule and therefore the analysis under RCW 34.05.328 is not required.

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

Assistance for Persons with Disabilities: Contact Kelly Cooper by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: No sooner than October 11, 2000.

August 14, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 98-18-056, filed 8/31/98, effective 9/1/98)

**WAC 275-46-060 Minimum security.** (1) The provisions of WAC ((275-46-050)) 388-730-0050 also apply to a juvenile classified as minimum security, except the juvenile must reside in a community facility or a community commitment program facility (CCP) rather than in an institution.

(2) Juveniles must not be placed in a community facility until:

- (a) Ten percent of the juvenile's sentence, and in no case less than thirty days, has been served in a secure facility; and
- (b) All placement assessment requirements have been met.

(3) In addition to the provisions of WAC ((275-46-050)) 388-730-0050 (3)(b)(iii), minimum security juveniles may be permitted unescorted participation in treatment programs in the community that do not involve the family for up to twelve hours per day.

**AMENDATORY SECTION** (Amending WSR 98-18-056, filed 8/31/98, effective 9/1/98)

**WAC 275-46-070 Residential disciplinary standards.**

(1) Serious violations by a juvenile include:

- (a) Escape or attempted escape;
  - (b) Violence toward others with intent to harm and/or resulting in significant bodily injury;
  - (c) Involvement in or conviction of a criminal offense under investigation by law enforcement or awaiting adjudication for behavior that occurred during current placement;
  - (d) Extortion or blackmail that threatens the safety or security of the facility or community;
  - (e) Setting or causing an unauthorized fire with intent to harm self, others, or property, or with reckless disregard for the safety of others;
  - (f) Possession or manufacture of weapons or explosives, or tools intended to assist in escape;
  - (g) Interfering with staff in performing duties relating to the security and/or safety of the facility or community;
  - (h) Intentional property damage in excess of one thousand five hundred dollars;
  - (i) Possession, use, or distribution of drugs or alcohol, or use of inhalants;
  - (j) Rioting or inciting others to riot;
  - (k) Refusal of urinalysis or search; or
  - (l) Other behaviors which threaten the safety or security of the facility, its staff, or residents or the community.
- (2) Other violations by a juvenile placed in a community facility include:
- (a) Unaccounted for time when a juvenile is away from the community facility;
  - (b) Violation of conditions of authorized leave;
  - (c) Intimidation or coercion against any person;
  - (d) Misuse of medication such as hoarding medication or taking another person's medication;
  - (e) Self-mutilation, self tattooing, body piercing, or assisting others to do the same;
  - (f) Intentional destruction of property valued at less than fifteen hundred dollars;
  - (g) Fighting;
  - (h) Unauthorized withdrawal of funds with intent to commit other violations;
  - (i) Suspensions or expulsions from school or work;
  - (j) Violations of school, employment or volunteer work agreements related to custody and security concerns;
  - (k) Escape talk;
  - (l) Sexual contact or any other behavior, not defined as a serious violation, resulting in a referral to the department of licensing, child protective services, or law enforcement; or
  - (m) Lewd or disruptive behavior in the community.
- (3) Juveniles must be held accountable when there is reasonable cause to believe they have committed a violation.

(a) Whenever a juvenile placed in a community facility commits a serious violation, the juvenile must be returned to an institution. The JRA program administrator who receives a service provider report of a serious violation must make arrangements to transfer the juvenile to an institution as soon as possible. Juveniles may be placed in a secure JRA or contracted facility pending transportation to an institution.

(b) Sanctions for serious violations committed by juveniles in an institution, and additional sanctions for serious violations committed by juveniles returned to an institution, must include one or more of the following:

- (i) Loss of privileges for up to thirty days;
- (ii) Loss of program level; or
- (iii) Room confinement up to seventy-two hours.

(c) Sanctions for serious violations may also include, but are not limited to, one or more of the following:

- (i) Change in release date;
- (ii) Referral for prosecution;
- (iii) Transfer to an intensive management unit;
- (iv) Increase in security classification;
- (v) Reprimand and loss of points;
- (vi) Restitution; or
- (vii) Community service.

(d) Sanctions for violations listed in WAC ((275-46-070(2))) 388-730-0070(2) may include transfer to a higher security facility and must include one or more of the following:

- (i) Loss or privileges;
- (ii) Loss of program level;
- (iii) Room confinement up to seventy-two hours;
- (iv) Change in release date;
- (v) Reprimand and/or loss of points;
- (vi) Additional restitution; or
- (vii) Community service.

(4) When a sanction is imposed, the juvenile must also receive a counseling intervention to address the violation.

(5) If the proposed sanctions for any violation includes extending the juvenile's established release date, the juvenile must be entitled to:

(a) Notice of an administrative review to consider extension of the release date and a written statement of the incident;

(b) An opportunity to be heard before a neutral review chairperson;

(c) Present oral or written statements, and call witnesses unless testimony of a witness would be irrelevant, repetitive, unnecessary, or would disrupt the orderly administration of the facility;

(d) Imposition of the sanction only if the administrative review chairperson finds by a preponderance of the evidence that the serious violation did occur; and

(e) A written decision, stating the reasons for the decision, by the administrative review chairperson.

(6) Each superintendent and service provider must clearly post the list of serious violations and possible sanctions in all living units.

(7) Each program administrator must adopt procedures for implementing the requirements of this section.

AMENDATORY SECTION (Amending WSR 98-18-056, filed 8/31/98, effective 9/1/98)

**WAC 275-46-080 Documenting and reporting violations committed by juveniles in residential facilities.** (1) All serious violations and violations listed in WAC ((275-46-070(2))) 388-730-0070(2) must be documented in an incident report. The incident report must include:

- (a) Circumstances leading up to the violation(s);
- (b) A description of the violation;
- (c) Response by staff;
- (d) Response by the juvenile(s) involved in the incident; and
- (e) Sanctions imposed or recommended for the violation(s).

(2) Service providers must:

(a) Forward all incident reports to the JRA program administrator no later than twenty-four hours after the behavior is discovered; and

(b) Verbally report serious violations to the JRA program administrator immediately.

AMENDATORY SECTION (Amending WSR 98-18-056, filed 8/31/98, effective 9/1/98)

**WAC 275-46-090 Service provider penalty schedule.**

(1) Whenever a service provider contracts with the JRA to operate a community facility, the contracted service provider must report any known violation as required in WAC ((275-46-080)) 388-730-0080.

(2) If the contracted service provider fails to report violations within the prescribed time frames, the JRA must impose one or more of the following remedies:

(a) Imposition of a corrective action plan to be completed as determined by the program administrator.

(b) Imposition of the following monetary penalties:

(i) The first time fines are imposed on a service provider, the penalty must be at the rate of fifty dollars per day for each juvenile involved in a violation that was not reported as required. The penalty must be assessed for each day the report was late, and may continue until a corrective action plan is approved by the program administrator.

(ii) Subsequent fines imposed on the service provider during the same calendar year must be at the rate of seventy-five dollars per day for each juvenile involved in a violation that was not reported as required. The penalty must be assessed for each day the report was late, and may continue until a corrective action plan is approved by the program administrator.

(c) Order to stop placement until a corrective action plan is submitted, approved by the program administrator, and implemented.

(d) Termination of the contract for convenience if it is determined such termination is in the best interests of the department.

**NEW SECTION**

The following section of the Washington Administrative Code, as amended, is recodified as follows:

Old WAC Number	New WAC Number
275-46-060	388-730-0060
275-46-070	388-730-0070
275-46-080	388-730-0080
275-46-090	388-730-0090

**NEW SECTION**

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
275-46-010	388-730-0010
275-46-015	388-730-0015
275-46-020	388-730-0020
275-46-030	388-730-0030
275-46-040	388-730-0040
275-46-050	388-730-0050
275-46-065	388-730-0065

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 275-46-100      Adjudicative proceedings.

**AMENDATORY SECTION** (Amending Order 3752, filed 7/8/94, effective 8/8/94)

**WAC 275-47-030 Hearing.** A parent may request a hearing under RCW 13.40.220(5) to contest a notice and finding of financial responsibility issued by the department. The department shall ensure the hearing is governed by chapter 34.05 RCW and chapter ((388-08)) 388-02 WAC. The sole issues at the hearing include whether the:

(1) Person receiving the notice and finding of financial responsibility is a parent of the juvenile; and

(2) Department correctly:

(a) Determined the parent's gross income and the number of parents and dependents; and

(b) Calculated the reimbursement obligation in accordance with the reimbursement schedule as described under WAC ((275-47-020)) 388-720-0020.

**AMENDATORY SECTION** (Amending WSR 96-24-075, filed 12/2/96, effective 1/2/97)

**WAC 275-47-050 Powers of the administrative law judge.** The administrative law judge in the initial decision rendered after the hearing conducted in accordance with WAC ((275-47-030)) 388-720-0030 shall include the name and age of the juvenile in that decision. The administrative law judge shall also indicate the parent's or other legally obli-

gated person's monthly liability amount for the period of the juvenile's confinement beginning with the date the child enters the custody of the department. The administrative law judge shall not establish in the decision any amount constituting a repayment figure of any accrued obligation of the parent but shall indicate in the decision that any accrued obligation shall be paid by the parent to the department's office of financial recovery (OFR) and that OFR will be responsible for determining the method of repayment of the parent's accrued obligation.

The administrative law judge shall also include a statement in the decision that the parent's financial obligation is collectible by OFR and that should the parent fail to comply with any payment plan entered into by OFR and the parent, or the parent fails to pay the amount set out in the decision, OFR shall be authorized to take legal collection action to recover the amounts due from the parent. Legal collection action can include, but is not limited to:

(1) The filing of liens against the real and personal property of the parent; or

(2) The issuance of a garnishment order against the wages, bank accounts, or other property of the responsible persons.

**NEW SECTION**

The following section of the Washington Administrative Code, as amended, is recodified as follows:

Old WAC Number	New WAC Number
275-47-030	388-720-0030
275-47-050	388-720-0050

**NEW SECTION**

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
275-47-010	388-720-0010
275-47-020	388-720-0020
275-47-040	388-720-0040

**WSR 00-17-188**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Children's Administration)  
 [Filed August 23, 2000, 11:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-01-164 and 99-17-054.

Title of Rule: Chapter 388-15 WAC, Child protective services.

Purpose: To rewrite current rules in a clear writing format to comply with Executive Order 97-02 and repeal outdated rules.

PROPOSED

Statutory Authority for Adoption: RCW 74.13.031.

Statute Being Implemented: Chapters 26.44 and 74.13 RCW.

Summary: Rewrite rules in clear format, to update requirements, to include client right of review, and repeal outdated rules.

Reasons Supporting Proposal: The rules are updated to reflect current federal and state law and regulation and comply with Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ken Patis, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7990.

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 recodify existing rules in new sections, restate the rule in clear-writing format and update existing rules to reflect current state and federal law and regulation. The adopted rules will provide clear, concise answers to persons seeking information regarding child protective services.

Proposal Changes the Following Existing Rules: New rules outline the child protective services (CPS) notification process for alleged perpetrators of child abuse or neglect investigative findings. New rules will also outline the procedures, review process, and administrative hearing process regarding the appeal of substantiated CPS investigative findings of child abuse or neglect.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Children's Administration has analyzed the proposed WAC changes and concludes that no new costs will be imposed on the small businesses impacted by these WACs. Preparation of a small business economic impact statement is not required.

RCW 34.05.328 does not apply to this rule adoption. The proposal clarifies language of existing rules without changing effect.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 24, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper DSHS Rules Coordinator, by October 17, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 24, 2000.

Date of Intended Adoption: Not sooner than October 25, 2000.

August 23, 2000

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 00-18 issue of the Register.

WSR 00-17-189

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed August 23, 2000, 11:39 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-15-107.

Title of Rule: Adopting three new chapters: Child welfare services—Foster care, chapter 388-25 WAC; Child welfare services—Adoption and adoption support, chapter 388-27 WAC; and Child welfare services to prevent out-of-home placement and achieve family reconciliation, chapter 388-32 WAC.

Repealing chapter 388-70 WAC and parts of chapter 388-15 WAC.

Purpose: The proposed rules replace chapter 388-70 WAC and parts of chapter 388-15 WAC as part of the department's rule migration and regulatory reform required under EO 97-02. The proposed rules revise child welfare services, adoption, foster care, family reconciliation services, family support services, and add home based services. The proposed rules describe programs and funding requirements to a degree not previously described in rule, with respect to the foster care program.

Statutory Authority for Adoption: RCW 74.13.031.

Statute Being Implemented: Chapters 74.13, 13.32A, and 13.34 RCW.

Summary: Rewrite rules in clear format, to update requirements and benefits, repeal outdated rules.

Reasons Supporting Proposal: The rules are updated to reflect current federal and state law and regulation and to comply with Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting and Implementation: Lonnie Locke/Pam Caird/Sharon Young/Caroline Ford, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7932; and Enforcement: Celeste Carey/Pam Caird/Sharon Young/Caroline Ford, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7986.

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 recodify existing rules in a new chapter, restate the rules in clear writing format and update existing rules to reflect current state and federal law and regulation. The adopted rules will provide clear, concise answers to persons seeking information regarding child welfare services.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Children's Administration has analyzed the proposed WAC changes and concludes that no new costs will be imposed on the small businesses impacted by these WACs. Preparation of a small business economic impact statement is not required.

RCW 34.05.328 applies to this rule adoption. Children's Administration has determined that the changes to the adop-

tion support program in chapter 388-27 WAC and the home-based services program in chapter 388-32 WAC meet the definition of significant legislative rules. The other parts of this proposal clarify language of existing rules without changing the effect. For information regarding the cost benefit analyses contact: For chapter 388-25 WAC, Child welfare services—Foster care, Lonnie Locke, (360) 902-7932; for chapter 388-27 WAC, Child welfare services—Adoption and adoption support, Pam Caird, (360) 902-7968; and for chapter 388-32 WAC, Child welfare services to prevent out-of-home placement and achieve family reconciliation, Sharon Young, (360) 902-7991.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 24, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 17, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 24, 2000.

Date of Intended Adoption: No sooner than October 25, 2000.

August 23, 2000

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 00-19 issue of the Register.

PROPOSED





**WSR 00-17-010**  
**EXPEDITED ADOPTION**  
**DEPARTMENT OF REVENUE**

[Filed August 3, 2000, 2:03 p.m.]

Title of Rule: WAC 458-20-228 Returns, remittances, penalties, extensions, interest, stay of collection.

Purpose: This rule discusses the interest and penalties that are imposed by law when a taxpayer fails to correctly or timely pay a tax liability. It also discusses the circumstances under which the law allows the Department of Revenue to waive interest or penalties.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: RCW 82.32.045, [82.32].050, [82.32].080, [82.32].090, [82.32].105, [82.32].200 and 82.08.050 (with respect to the penalty imposed for a buyer failing to remit sales tax to the seller).

Summary: Taxpayers are responsible for being informed about the applicable tax laws and to correctly and timely report their tax liability. This rule explains the interest and penalties imposed by law when a taxpayer fails to correctly or timely pay a tax liability, and describes how payments are applied to a liability that includes interest and/or penalties. The department is authorized to waive interest or penalties in some situations. The rule provides examples of circumstances qualifying for a waiver of interest or penalties, and explains how a taxpayer may request a waiver.

Reasons Supporting Proposal: To incorporate recent statutory changes provided by chapter 229, Laws of 2000.

Name of Agency Personnel Responsible for Drafting: Pat Moses, 1025 Capital Plaza, Suite #400, Olympia, WA, (360) 570-6117; Implementation: Claire Hesselholt, 1025 Capital Plaza, Suite #400, Olympia, WA, (360) 570-6124; and Enforcement: Russell Brubaker, 1025 Capital Plaza, Suite #400, Olympia, WA, (360) 570-6131.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule discusses the responsibility of taxpayers to timely pay their tax liabilities, and the acceptable methods of payment. The rule explains the statutory due dates for persons remitting combined excise tax returns on either a monthly, quarterly, or annual basis. It discusses the interest and penalties that are imposed by law when a taxpayer fails to correctly or timely pay a tax liability, and the department's authority to waive interest or penalties. The rule provides examples of qualifying circumstances for the waiver of interest and/or penalties, as well as circumstances that do not qualify. It describes how the taxpayer may request an interest and/or penalty waiver. The rule also explains the conditions under which the department will stay collection procedures for certain tax liabilities.

Proposal Changes the Following Existing Rules: This is a revision to an existing rule, WAC 458-20-228 Returns, remittances, penalties, extensions, interest, stay of collection. The rule is being revised to incorporate recent statutory changes provided in chapter 229, Laws of 2000, which removes authority to make a "rebuttable presumption" of a

tax deficiency and intent to avoid and evade tax for situations where a person has registered or licensed a motor vehicle, an aircraft, a watercraft, a trailer, or a camper in another state to avoid the payment of taxes imposed by chapter 82.48 RCW, Aircraft excise tax, chapter 82.49 RCW, Watercraft excise tax, or chapter 82.12 RCW, Use tax. The rebuttable presumption was originally created in chapter 277, Laws of 1999.

**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 Pat Moses, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail patm@dor.wa.gov, AND RECEIVED BY October 24, 2000.

To Obtain a Copy of this Form and Rule in an Alternative Format: Contact Ginny Dale at (360) 570-6176, TDD 1-800-451-7985. Please allow ten days for the form and rule to be prepared and sent to you.

August 3, 2000

Claire Hesselholt

Rules Manager

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 00-04-028, filed 1/24/00, effective 2/24/00)

**WAC 458-20-228 Returns, remittances, penalties, extensions, interest, stay of collection.** (1) **Introduction.** This rule discusses the responsibility of taxpayers to timely pay their tax liabilities, and the acceptable methods of payment. It discusses the interest and penalties that are imposed by law when a taxpayer fails to correctly or timely pay a tax liability. It also discusses the circumstances under which the law allows the department of revenue (department) to waive interest or penalties.

Washington's tax system is based largely on voluntary compliance. Taxpayer's have a legal responsibility to become informed about applicable tax laws, to register with the department, to seek instruction from the department, to file accurate returns, and to pay their tax liability in a timely manner (chapter 82.32A RCW, Taxpayer rights and responsibilities). The department has instituted a taxpayer services program to provide taxpayers with accurate tax-reporting assistance and instructions. The department staffs local district offices, maintains a toll-free question and information phone line (1-800-647-7706), provides information and forms on the Internet (<http://dor.wa.gov>), and conducts free public workshops on tax reporting. The department also publishes notices, interpretive statements, and rules discussing important tax issues and changes.

(2) **Returns.** A "return" is defined as any document a person is required to file by the state of Washington in order to satisfy or establish a tax or fee obligation which is administered or collected by the department, and that has a statutorily defined due date. RCW 82.32.090(8).

(a) Returns and payments are to be filed with the department by every person liable for any tax which the department administers and/or collects, except for the taxes imposed under chapter 82.24 RCW (Tax on cigarettes), which are collected through sales of revenue stamps. Returns must be made upon forms, copies of forms, or by other means, provided or accepted by the department. The department provides tax returns upon request or when a taxpayer opens an active tax reporting account. Tax returns are generally mailed to all registered taxpayers prior to the due date of the tax. However, it remains the responsibility of the taxpayers to timely request a return if one is not received, or to otherwise insure that their return is filed in a timely manner.

(b) Taxpayers whose accounts are placed on an "active nonreporting" status do not automatically receive a tax return and must request a return if they no longer qualify for this reporting status. (See WAC 458-20-101, Tax registration, for an explanation of the active nonreporting status.)

(c) Consumers that are not required to register with the department and obtain a tax registration endorsement (see subsection (2)(a)) may be required to pay use tax directly to the department if they have purchased items without paying Washington's sales tax. Use tax returns are available from the department at any of the local district offices, by fax, or through the Internet. The interest and penalty provisions of this rule may apply to delinquent use tax liabilities, and unregistered consumers should refer to WAC 458-20-178 (Use tax) for an explanation of their tax reporting responsibilities.

(3) **Method of payment.** Payment may be made by cash, check, cashier's check, money order, and in certain cases by electronic funds transfers, or other electronic means approved by the department.

(a) Payment by cash should only be made at an office of the department to ensure that the payment is safely received and properly credited.

(b) Payment may be made by uncertified bank check, but if the check is not honored by the financial institution on which it is drawn, the taxpayer remains liable for the payment of the tax, as well as any applicable interest and penalties. RCW 82.32.080. The department may refuse to accept any check which, in its opinion, would not be honored by the financial institution on which that check is drawn. If the department refuses a check for this reason the taxpayer remains liable for the tax due, as well as any applicable interest and penalties.

(c) The law requires that certain taxpayers pay their taxes through electronic funds transfers. The department notifies taxpayers who are required to pay their taxes in this manner, and can explain how to set up the electronic funds transfer process. (See WAC 458-20-22802 on electronic funds transfers.)

(4) **Due dates.** RCW 82.32.045 provides that payment of the taxes due with the combined excise tax return must be

made monthly and within twenty-five days after the end of the month in which taxable activities occur, unless the department assigns the taxpayer a longer reporting frequency. Payment of taxes due with returns covering a longer reporting frequency are due on or before the last day of the month following the period covered by the return. (For example, payment of the tax liability for a first quarter tax return is due on April 30th.) WAC 458-20-22801 (Tax reporting frequency—Forms) explains the department's procedure for assigning a quarterly or annual reporting frequency.

(a) If the date for payment of the tax due on a tax return falls upon a Saturday, Sunday, or legal holiday, the filing shall be considered timely if performed on the next business day. RCW 1.12.070 and 1.16.050.

(b) The postmark date as shown by the post office cancellation mark stamped on the envelope will be considered conclusive evidence by the department in determining if a tax return or payment was timely filed or received. RCW 82.32.080. It is the responsibility of the taxpayer to mail the tax return or payment sufficiently in advance of the due date to assure that the postmark date is timely.

Refer to WAC 458-20-22802 (Electronic funds transfer) for more information regarding the electronic funds transfer process, due dates, and requirements.

(5) **Penalties.** Various penalties may apply as a result of the failure to correctly or accurately compute the proper tax liability, or to timely pay the tax. Separate penalties may apply and be cumulative for the same tax. Interest may also apply if any tax has not been paid when it is due, as explained in subsection (7) of this rule. Penalties apply as follows.

(a) **Late payment of a return.** If the tax due on a return is not paid by the due date, a five percent penalty will apply; a ten percent penalty will apply if the tax due is not paid on or before the last day of the month following the due date; and a twenty percent penalty will apply if the tax due is still not paid on or before the last day of the second month following the due date. The minimum penalty for late payment is five dollars. RCW 82.32.090(1).

(i) The department may refuse to accept any return which is not accompanied by payment of the tax shown to be due on the return. If the return is not accepted, the taxpayer is considered to have failed or refused to file the return. RCW 82.32.080. If the tax return is accepted without payment and payment is not made by the due date, the late penalties will apply.

(ii) The late payment of return penalty is imposed if a person engages in a taxable business activity in Washington without voluntarily registering with the department. The department will consider a person to have voluntarily registered if, prior to contact by the department, that person contacts any other agency or entity participating in the unified business identifier (UBI) program and properly completes and submits a master application for the purpose of obtaining a UBI number, unless the person has:

(A) Collected retail sales tax from customers and failed to pay it to the department; or

(B) Engaged in fraud with respect to reporting their tax liabilities or other tax requirements; or

(C) Engaged in taxable business activities during a period of time in which their previously open tax reporting account has been closed and the person has failed to reopen the account and report their tax liability prior to being contacted by the department; or

(D) Engaged in unreported taxable business activities after their tax registration account was placed in an active-nonreporting status and the person has failed to notify the department that they no longer qualify for that status prior to being contacted by the department. The active-nonreporting status allows taxpayers, under certain conditions, to engage in business activities subject to the Revenue Act without having to file combined excise tax returns with the department. One of the conditions for qualifying for the active-nonreporting status is that the taxpayer may not incur a tax liability. The late payment of return penalty will be imposed if any tax due from unreported business activities is not paid by the due dates used for taxpayers that are on an annual reporting basis.

(b) **Late payment of an assessment.** An additional penalty of ten percent of the tax due will be added to any taxes assessed by the department if payment of the taxes assessed is not received by the due date specified in the notice, or any extension of that due date. The minimum for this penalty is five dollars. RCW 82.32.090(2).

(c) **Issuance of a warrant.** If the department issues a tax warrant for the collection of any fee, tax, increase, or penalty, an additional penalty will immediately be added in the amount of five percent of the amount of the tax due, but not less than ten dollars. RCW 82.32.090(3). Refer to WAC 458-20-217 for additional information on the application of warrants and tax liens.

(d) **Disregard of specific written instructions.** If the department finds that all or any part of a deficiency resulted from the disregard of specific written instructions as to reporting of tax liabilities, an additional penalty of ten percent of the additional tax found due will be imposed because of the failure to follow the instructions. RCW 82.32.090(4).

(i) The taxpayer will be considered to have disregarded specific written instruction when the department has informed the taxpayer in writing of its tax obligations and specifically advised the taxpayer that failure to act in accordance with those instructions may result in this penalty being imposed. The specific written instructions may be given as a part of a tax assessment, audit, determination, or closing agreement. The penalty may be applied only against the taxpayer given the specific written instructions. However, the taxpayer will not be considered to have disregarded the instructions if the taxpayer has appealed the subject matter of the instructions and the department has not issued its final instructions or decision.

(ii) The penalty will not be applied if the taxpayer has made a good faith effort to comply with specific written instructions.

(e) **Evasion.** If the department finds that all or any part of the deficiency resulted from an intent to evade the tax due, a penalty of fifty percent of the additional tax found to be due shall be added. RCW 82.32.090(5). The evasion penalty is imposed when a taxpayer knows a tax liability is due but attempts to escape detection or payment of the tax liability

through deceit, fraud, or other intentional wrongdoing. An intent to evade does not exist where a deficiency is the result of an honest mistake, miscommunication, or the lack of knowledge regarding proper accounting methods. ~~((With the exception of the circumstances under which the law provides for a rebuttable presumption (see (e)(iii) of this subsection);))~~ The department has the burden of showing the existence of an intent to evade a tax liability through clear, cogent and convincing evidence.

(i) To the extent that the evasion involved only specific taxes, the evasion penalty will be added only to those taxes. The evasion penalty will not be applied to those taxes which were inadvertently underpaid. For example, if the department finds that the taxpayer intentionally understated the purchase price of equipment in reporting use tax and also inadvertently failed to collect or remit the sales tax at the correct rate on retail sales of merchandise, the evasion penalty will be added only to the use tax deficiency and not the sales tax.

(ii) The following is a nonexclusive list of actions that are generally considered to establish an intent to evade a tax liability. This list should only be used as a general guide. A determination of whether an intent to evade exists may be ascertained only after a review of all the facts and circumstances.

(A) The use of an out-of-state address by a Washington resident to register property to avoid a Washington excise or use tax, when at the time of registration the taxpayer does not reside at the out-of-state address on a more than temporary basis. Examples of such an address include, but are not limited to, the residence of a relative, mail forwarding or post office box location, motel, campground, or vacation property;

(B) The willful failure of a seller to remit retail sales taxes collected from customers to the department of revenue; and

(C) The alteration of a purchase invoice or misrepresentation of the price paid for property (e.g., a used vehicle) to reduce the amount of tax owing.

~~((iii) Effective July 25, 1999, RCW 82.32.090(5) provides a rebuttable presumption of a tax deficiency and intent to avoid and evade tax in limited circumstances. Chapter 277, Laws of 1999. This rebuttable presumption applies if the Washington state patrol finds that a person has registered or licensed a motor vehicle, an aircraft, a watercraft, a trailer, or a camper in another state to avoid the payment of taxes imposed by chapter 82.48 RCW (Aircraft excise tax), chapter 82.49 RCW (Watercraft excise tax), or chapter 82.12 RCW (Use tax).~~

~~The rebuttable presumption is limited to situations where a person receives a written notice from the state patrol advising them that a penalty is due pursuant to RCW 46.16.010 (2)(a), 47.68.255, 82.48.020, 82.49.010, or 88.02.118, and either:~~

~~(A) Timely makes a written application to the state patrol for a review of the assessed penalty, and the state patrol finds that the person failed to properly register or license a motor vehicle, an aircraft, a watercraft, a trailer, or a camper; or~~

~~(B) Fails to timely make a written application to the state patrol for a review of the assessed penalty.))~~

(f) **Misuse of resale certificates.** Any buyer who uses a resale certificate to purchase items or services without payment of sales tax, and who is not entitled to use the certificate for the purchase, will be assessed a penalty of fifty percent of the tax due. RCW 82.32.291. The penalty can apply even if there was no intent to evade the payment of the tax. For more information concerning this penalty or the proper use of a resale certificate, refer to WAC 458-20-102 (Resale certificates).

(g) **Failure to remit sales tax to seller.** The department may assert an additional ten percent penalty against a buyer who has failed to pay the seller the retail sales tax on taxable purchases, if the department proceeds directly against the buyer for the payment of the tax. This penalty is in addition to any other penalties or interest prescribed by law. RCW 82.08.050.

(h) **Failure to obtain the contractor's unified business identifier (UBI) number.** If a person who is liable for any fee or tax imposed by chapters 82.04 through 82.27 RCW contracts with another person or entity for work subject to chapter 18.27 RCW (Registration of contractors) or chapter 19.28 RCW (Electricians and electrical installations), that person must obtain and preserve a record of the UBI number of the person or entity performing the work. A person failing to do so is subject to the public works contracting restrictions in RCW 39.06.010 (Contracts with unregistered or unlicensed contractors prohibited), and a penalty determined by the director, but not to exceed two hundred and fifty dollars. RCW 82.32.070 (1)(b).

(6) **Statutory restrictions on imposing penalties.** Depending on the circumstances (~~(of a particular delinquent tax liability)~~), the law may impose (~~(multiple penalties)~~) more than one type of penalty on the same tax liability. (~~The law does provide a limited number of restrictions on imposing multiple~~) However, those penalties ~~(-)~~ are subject to the following restrictions:

(a) The aggregate of the penalties imposed for the late payment of a return, the late payment of an assessment, and issuance of a warrant (see subsection (5)(a) through (c) of this rule) may be applied against the same tax, but may not exceed a total of thirty-five percent of the tax due, or twenty dollars, whichever is greater. This thirty-five percent penalty limitation does not prohibit or restrict full application of other penalties authorized by law, even when they are applied against the same tax. RCW 82.32.090(6).

(b) The department may impose either the evasion penalty (subsection (5)(e)) or the penalty for disregarding specific written instructions (subsection (5)(d)), but may not impose both penalties on the same tax.

RCW 82.32.090(7). The department also will not impose the penalty for the misuse of a resale certificate (subsection (5)(f)) in combination with either the evasion penalty or the penalty for disregarding specific written instructions on the same tax.

(7) **Interest.** The department is required by law to add interest to assessments for tax deficiencies and overpayments. RCW 82.32.050. Interest applies to taxes only. (Refer to WAC 458-20-229 for a discussion of interest as it relates to

refunds and WAC 458-20-230 for a discussion of the statute of limitations as applied to interest.)

(a) For tax liabilities arising before January 1, 1992, interest will be added at the rate of nine percent per annum from the last day of the year in which the deficiency is incurred until the date of payment, or December 31, 1998, whichever comes first. Any interest accrued on these liabilities after December 31, 1998, will be added at the annual variable interest rates described in subsection (7)(e). RCW 82.32.050.

(b) For tax liabilities arising after December 31, 1991, and before January 1, 1998, interest will be added at the annual variable interest rates described in subsection (7)(e), from the last day of the year in which the deficiency is incurred until the date of payment.

(c) For interest imposed after December 31, 1998, interest will be added from the last day of the month following each calendar year included in a notice, or the last day of the month following the final month included in a notice if not the end of the calendar year, until the due date of the notice. However, for 1998 taxes only, interest may not begin to accrue any earlier than February 1, 1999, even if the last period included in the notice is not at the end of calendar year 1998. If payment in full is not made by the due date of the notice, additional interest will be due until the date of payment. The rate of interest continues at the annual variable interest rates described in subsection (7)(e). RCW 82.32.050.

(d) The following is an example of how the interest provisions apply. Assume that a tax assessment is issued with a due date of June 30, 2000. The assessment includes periods from January 1, 1997, through September 30, 1999.

(i) For calendar year 1997 tax, interest begins January 1, 1998, (from the last day of the year). When the assessment is issued the interest is computed through June 30, 2000, (the due date of the assessment).

(ii) For calendar year 1998 tax, interest begins February 1, 1999, (from the last day of the month following the end of the calendar year). When the assessment is issued interest is computed through June 30, 2000, (the due date).

(iii) For the 1999 tax period ending with September 30, 1999, interest begins November 1, 1999, (from the last day of the month following the last month included in the assessment period). When the assessment is issued interest is computed through June 30, 2000, (the due date).

(iv) Interest will continue to accrue on any portion of the assessed taxes which remain unpaid after the due date, until the date those taxes are paid.

(e) The annual variable interest rate will be an average of the federal short-term rate as defined in 26 U.S.C. Sec. 1274(d) plus two percentage points. The rate will be computed by taking an arithmetical average to the nearest percentage point of the federal short-term rate, compounded annually, for the months of January, April, July, and October of the immediately preceding calendar year as published by the United States Secretary of the Treasury. The interest rate will be adjusted on the first day of January of each year.

(f) If the assessment contains tax deficiencies in some years and overpayments in other years with the net difference being a tax deficiency, the interest rate for tax deficiencies

will also be applied to the overpayments. (Refer to WAC 458-20-229 for interest on refunds.)

(8) **Application of payment towards liability.** The department will apply taxpayer payments first to interest, next to penalties, and then to the tax, without regard to any direction of the taxpayer. RCW 82.32.080.

(a) In applying a partial payment to a tax assessment, the payment will first be applied against the oldest tax liability. For purposes of RCW 82.32.145 (Termination, dissolution, or abandonment of corporate business—Personal liability of person in control of collected sales tax funds), it will be assumed that any payments applied to the tax liability will be first applied against any retail sales tax liability. For example, an audit assessment is issued covering a period of two years, which will be referred to as "YEAR 1" (the earlier year) and "YEAR 2" (the most recent year). The tax assessment includes total interest and penalties for YEAR 1 and YEAR 2 of five hundred dollars, retail sales tax of four hundred dollars for YEAR 1, six hundred dollars retail sales tax for YEAR 2, two thousand dollars of other taxes for YEAR 1, and seven thousand dollars of other taxes for YEAR 2. The order of application of any payments will be first against the five hundred dollars of total interest and penalties, second against the four hundred dollars retail sales tax in YEAR 1, third against the two thousand dollars of other taxes in YEAR 1, fourth against the six hundred dollars retail sales tax of YEAR 2, and finally against the seven thousand dollars of other taxes in YEAR 2.

(9) **Waiver or cancellation of penalties.** RCW 82.32.105 authorizes the department to waive or cancel penalties under limited circumstances.

(a) **Circumstances beyond the control of the taxpayer.** The department will waive or cancel the penalties imposed under chapter 82.32 RCW upon finding that the underpayment of the tax, or the failure to pay any tax by the due date, was the result of circumstances beyond the control of the taxpayer. Refer to WAC 458-20-102 (Resale certificates) for examples of circumstances which are beyond the control of the taxpayer specifically regarding the penalty for misuse of resale certificates found in RCW 82.32.291.

(i) A request for a waiver or cancellation of penalties should contain all pertinent facts and be accompanied by such proof as may be available. The taxpayer bears the burden of establishing that the circumstances were beyond its control and directly caused the late payment. The request should be made in the form of a letter; however, verbal requests may be accepted and considered. Any petition for correction of assessment submitted to the department's appeals division for waiver of penalties must be made within the period for filing under RCW 82.32.160 (within thirty days after the issuance of the original notice of the amount owed or within the period covered by any extension of the due date granted by the department), and must be in writing, as explained in WAC 458-20-100 (Appeals, small claims and settlements). Refund requests must be made within the statutory period.

(ii) The circumstances beyond the control of the taxpayer must actually cause the late payment. Circumstances beyond the control of the taxpayer are generally those which are

immediate, unexpected, or in the nature of an emergency. Such circumstances result in the taxpayer not having reasonable time or opportunity to obtain an extension of the due date or otherwise timely file and pay. Circumstances beyond the control of the taxpayer include, but are not necessarily limited to, the following.

(A) The return payment was mailed on time but inadvertently sent to another agency.

(B) Erroneous written information given to the taxpayer by a department officer or employee caused the delinquency. A penalty generally will not be waived when it is claimed that erroneous oral information was given by a department employee. The reason for not cancelling the penalty in cases of oral information is because of the uncertainty of the facts presented, the uncertainty of the instructions or information imparted by the department employee, and the uncertainty that the taxpayer fully understood the information given. Reliance by the taxpayer on incorrect advice received from the taxpayer's legal or accounting representative is not a basis for cancellation of a penalty.

(C) The delinquency was directly caused by death or serious illness of the taxpayer, or a member of the taxpayer's immediate family. The same circumstances apply to the taxpayer's accountant or other tax preparer, or their immediate family. This situation is not intended to have an indefinite application. A death or serious illness which denies a taxpayer reasonable time or opportunity to obtain an extension or to otherwise arrange timely filing and payment is a circumstance eligible for penalty waiver.

(D) The delinquency was caused by the unavoidable absence of the taxpayer or key employee, prior to the filing date. "Unavoidable absence of the taxpayer" does not include absences because of business trips, vacations, personnel turnover, or terminations.

(E) The delinquency was caused by the destruction by fire or other casualty of the taxpayer's place of business or business records.

(F) The delinquency was caused by an act of fraud, embezzlement, theft, or conversion on the part of the taxpayer's employee or other persons contracted with the taxpayer, which the taxpayer could not immediately detect or prevent, provided that reasonable safeguards or internal controls were in place. See subsection (9)(a)(iii)(E).

(G) The taxpayer, prior to the time for filing the return, made timely application to the Olympia or district office for proper forms and the forms were not furnished in sufficient time to permit the completed return to be paid before its due date. In this circumstance, the taxpayer kept track of pending due dates and reasonably fulfilled its responsibility by timely requesting replacement returns from the department.

(iii) The following are examples of circumstances that are generally not considered to be beyond the control of the taxpayer and will not qualify for a waiver or cancellation of penalty:

(A) Financial hardship;

(B) A misunderstanding or lack of knowledge of a tax liability;

(C) The failure of the taxpayer to receive a tax return form, EXCEPT where the taxpayer timely requested the form and it was still not furnished in reasonable time to mail the

return and payment by the due date, as described in subsection (9)(a)(ii)(G), above;

(D) Registration of an account that is not considered a voluntary registration, as described in subsection (5)(a)(ii);

(E) Mistakes or misconduct on the part of employees or other persons contracted with the taxpayer (not including conduct covered in subsection (9)(a)(ii)(F), above); and

(F) Reliance upon unpublished, written information from the department that was issued to and specifically addresses the circumstances of some other taxpayer.

(b) **Waiver of the late payment of return penalty.** The late payment of return penalty (see subsection (5)(a) above) may be waived either as a result of circumstances beyond the control of the taxpayer (RCW 82.32.105(1) and subsection (9)(a) of this rule) or after a twenty-four month review of the taxpayer's reporting history, as described below.

(i) If the late payment of return penalty is assessed on a return but is not the result of circumstances beyond the control of the taxpayer, the penalty will still be waived or canceled if the following two circumstances are satisfied:

(A) The taxpayer requests the penalty waiver for a tax return which was required to be filed under RCW 82.32.045 (taxes reported on the combined excise tax return), RCW 82.23B.020 (oil spill response tax), RCW 82.27.060 (tax on enhanced food fish), RCW 82.29A.050 (leasehold excise tax), RCW 84.33.086 (timber and forest lands), RCW 82.14B.030 (tax on telephone access line use); and

(B) The taxpayer has timely filed and paid all tax returns due for that specific tax program for a period of twenty-four months immediately preceding the period covered by the return for which the waiver is being requested. RCW 82.32.-105(2).

If a taxpayer has obtained a tax registration endorsement with the department and has engaged in business activities for a period less than twenty-four months, the taxpayer is eligible for the waiver if the taxpayer had no delinquent tax returns for periods prior to the period covered by the return for which the waiver is being requested. (See also WAC 458-20-101 for more information regarding the tax registration and tax reporting requirements.) This is the only situation under which the department will consider a waiver when the taxpayer has not timely filed and paid tax returns covering an immediately preceding twenty-four month period.

(ii) A return will be considered timely for purpose of the waiver if there is no tax liability on it when it is filed. Also, a return will be considered timely if any late payment penalties assessed on it were waived or canceled due to circumstances beyond the control of the taxpayer (see subsection (9)(a)). The number of times penalty has been waived due to circumstances beyond the control of the taxpayer does not influence whether the waiver in this subsection will be granted. A taxpayer may receive more than one of the waivers in this subsection within a twenty-four month period if returns for more than one of the listed tax programs are filed, but no more than one waiver can be applied to any one tax program in a twenty-four month period.

For example, a taxpayer files combined excise tax returns as required under RCW 82.32.045, and timber tax returns as required under RCW 84.33.086. This taxpayer may

qualify for two waivers of the late payment of return penalty during the same twenty-four month period, one for each tax program. If this taxpayer had an unwaived late payment of return penalty for the combined excise tax return during the previous twenty-four month period, the taxpayer may still qualify for a penalty waiver for the timber tax program.

(iii) The twenty-four month period reviewed for this waiver is not affected by the due date of the return for which the penalty waiver is requested, even if that due date has been extended beyond the original due date.

For example, assume a taxpayer's January 1999 return has had the original due date of March 1st extended to April 30th. The return and payment are received after the April 30th extended due date. A penalty waiver is requested. Since the delinquent return represented the month of January, 1999, the twenty-four months which will be reviewed begin on January 1, 1997, and end with December 31, 1998, (the twenty-four months prior to January, 1999). All of the returns representing that period of time will be included in the review. The extension of the original due date has no effect on the twenty-four month period under review.

(10) **Waiver or cancellation of interest.** The department will waive or cancel interest imposed under chapter 82.32 RCW only in the following situations:

(a) The failure to pay the tax prior to issuance of the assessment was the direct result of written instructions given the taxpayer by the department; or

(b) The extension of the due date for payment of an assessment was not at the request of the taxpayer and was for the sole convenience of the department. RCW 82.32.105(3).

(11) **Stay of collection.** RCW 82.32.190 allows the department to initiate a stay of collection, without the request of the taxpayer and without requiring any bond, for certain tax liabilities when they may be affected by the outcome of a question pending before the courts (see subsection (11)(a) of this rule). RCW 82.32.200 provides conditions under which the department, at its discretion, may allow a taxpayer to file a bond in order to obtain a stay of collection on a tax assessment (see subsection (11)(b) of this rule). The department will grant a taxpayer's stay of collection request, as described in RCW 82.32.200, only when the department determines that a stay is in the best interests of the state.

(a) Circumstances under which the department may consider initiating a stay of collection without requiring a bond (RCW 82.32.190) include, but are not necessarily limited to, the existence of the following:

(i) A constitutional issue to be litigated by the taxpayer, the resolution of which is uncertain;

(ii) A matter of first impression for which the department has little precedent in administrative practice; or

(iii) An issue affecting other similarly situated taxpayers for whom the department would be willing to stay collection of the tax.

(b) The department will give consideration to a request for a stay of collection of an assessment (RCW 82.32.200) if:

(i) A written request for the stay is made prior to the due date for payment of the assessment; and

(ii) Payment of any unprotested portion of the assessment and other taxes due is made timely; and

(iii) The request is accompanied by an offer of a cash bond, or a security bond that is guaranteed by a specified authorized surety insurer. The amount of the bond will generally be equal to the total amount of the assessment, including any penalties and interest. However, where appropriate, the department may require a bond in an increased amount not to exceed twice the amount for which the stay is requested.

(c) Claims of financial hardship or threat of litigation are not grounds that justify the granting of a stay of collection. However, the department will consider a claim of significant financial hardship as grounds for staying collection procedures, but this will be done only if a partial payment agreement is executed and kept in accordance with the department's procedures and with such security as the department deems necessary.

(d) If the department grants a stay of collection, the stay will be for a period of no longer than two calendar years from the date of acceptance of the taxpayer request, or thirty days following a decision not appealed from by a tribunal or court of competent jurisdiction upholding the validity of the tax assessed, whichever date occurs first. The department may extend the period of a stay originally granted, but only for good cause shown.

(e) Interest will continue to accrue against the unpaid tax portion of a liability under stay of collection. Effective January 1, 1997, the interest rates prescribed by RCW 82.32.190 and 82.32.200 changed from nine percent and twelve percent per annum, respectively, to the same predetermined annual variable rates as are described in subsection (7)(e), above.

(12) **Extensions.** The department, for good cause, may extend the due date for filing any return. Any permanent extension more than ten days beyond the due date, and any temporary extension in excess of thirty days, must be conditional upon deposit by the taxpayer with the department of an amount equal to the estimated tax liability for the reporting period or periods for which the extension is granted. This deposit is credited to the taxpayer's account and may be applied to the taxpayer's liability upon cancellation of the permanent extension or upon reporting of the tax liability where a temporary extension of more than thirty days has been granted.

The amount of the deposit is subject to departmental approval. The amount will be reviewed from time to time, and a change may be required at any time that the department concludes that such amount does not approximate the tax liability for the reporting period or periods for which the extension was granted.

**WSR 00-17-061**

**EXPEDITED ADOPTION**

**DEPARTMENT OF TRANSPORTATION**

[Filed August 9, 2000, 10:20 a.m.]

Title of Rule: Chapter 468-100 WAC, Uniform relocation assistance and real property acquisition.

Purpose: This chapter promulgates rules to implement chapter 8.26 RCW pertaining to policies for relocation assistance and real property acquisition.

Statutory Authority for Adoption: Chapter 8.26 RCW, WSR 89-17-048 (Order 121).

Statute Being Implemented: Chapter 8.26 RCW.

Summary: The proposed rule changes are being made to bring state rules for relocation assistance and real property acquisition into uniformity with federal regulations.

Reasons Supporting Proposal: Uniformity and conformity with federal regulations.

Name of Agency Personnel Responsible for Drafting and Implementation: Brad K. Thomas, WSDOT/OSC/RES, 705-7317; Enforcement: Joachim Pestinger, WSDOT/OSC/RES, 705-7305.

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

Rule is necessary because of federal law, Code of Federal Regulation, 49 C.F.R. Part 24. Also, January 13, 1998, letter from FHWA.

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 468-100 WAC establishes policies to implement the statute recited in chapter 8.26 RCW. These policies are intended to establish a fair and uniform program for the acquisition of real property for public uses and for the relocation of persons, businesses, farms and/or nonprofit organizations displaced as a result of said acquisitions. The changes proposed herein are essentially identical to rules changes made in federal policies and are being made to establish conformity and uniformity between state and federal rules.

Proposal Changes the Following Existing Rules: This proposal increases the dollar limit on parcels that may be appraised and negotiated by the same agent, adds two definitions for persons who are not considered to be displaced by a public project, eliminates three internal dollar limits on items eligible for business reestablishment reimbursement, and adds provisions for dealing with aliens not legally present in the United States.

#### 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 Brad K. Thomas, Washington State Department of Transportation, P.O. Box 47338, Olympia, WA 98504-7338, AND RECEIVED BY October 23, 2000.

August 1, 2000

Gerry E. Smith, P.E.

Deputy Secretary, Operations

**AMENDATORY SECTION** (Amending Order 121, filed 8/14/89, effective 9/14/89)

**WAC 468-100-002 Definitions.** Certain terms used in this chapter are defined as follows:

(1) **Agency:** Means the state agency or local public agency which acquires the real property or displaces a person.

(2) **Alien not lawfully present in United States:** Means an alien who is not "lawfully present" in the United States as defined in Public Law 104-193 and includes:

(a) An alien present in the United States who has not been admitted or paroled into the United States pursuant to the Immigration and Nationality Act and whose stay in the United States has not been authorized by the United States Attorney General; and

(b) An alien who is present in the United States after the expiration of the period of stay authorized by the United States Attorney General or who otherwise violates the terms and conditions of admission, parole or authorization to stay in the United States.

(3) **Appraisal:** Means a written statement independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by the presentation and analysis of relevant market information.

~~((3))~~ (4) **Business:** Means any lawful activity, except a farm operation, that is conducted:

(a) Primarily for the purchase, sale, lease, and/or rental of personal and/or real property, and/or for the manufacture, processing, and/or marketing of products, commodities, and/or any other personal property; or

(b) Primarily for the sale of services to the public; or

(c) Solely for the purpose of WAC 468-100-303, conducted primarily for outdoor advertising display purposes, when the display must be moved as a result of the project; or

(d) By a nonprofit organization that has established its nonprofit status under applicable federal or state law.

~~((4))~~ (5) **Comparable replacement dwelling:** Means a dwelling which meets the additional rules in WAC 468-100-403 and which:

(a) Is decent, safe, and sanitary according to the definition in (~~WAC 468-100-002(6))~~ subsection (7) of this section.

(b) Is functionally similar to the displacement dwelling with particular attention to the number of rooms and living space.

(c) Is adequate in size to accommodate the occupants.

(d) Is located in an area that is not subject to unreasonable adverse environmental conditions, is not generally less desirable than the location of the displaced person's dwelling with respect to public utilities and commercial and public facilities, and is reasonably accessible to the person's place of employment. Comparables may be used from neighborhoods similar to that of the acquired dwelling.

(e) Has a site that is typical in size for residential development with normal site improvements, including customary landscaping. The replacement site need not include either a special improvement or a major exterior attribute of the displacement site in accordance with WAC 468-100-403 (1)(b).

(f) Is currently available to the displaced person on the private market. However, a comparable replacement dwelling for a person receiving government housing assistance before displacement may reflect similar government housing assistance.

(g) Is priced within the financial means of the displaced person.

(i) For a one hundred eighty-day owner-occupant described at WAC 468-100-401, a comparable dwelling is considered to be within the displacee's financial means.

(ii) For a ninety-day tenant-occupant described at WAC 468-100-402, a comparable dwelling is considered to be within the displacee's financial means if after application of the rental assistance payment, described in said section, the displacee's portion of the monthly rent plus utilities would be thirty percent or less of his total monthly income from all sources.

(iii) For a displaced person who is not eligible to receive a replacement housing payment under WAC 468-100-402 due to failure to meet the length of occupancy requirements, comparable housing is considered to be within the displacee's financial means if the acquiring agency pays that portion of the monthly housing costs which would exceed thirty percent of the displacee's monthly income for forty-two months. Replacement housing payments would be paid under WAC 468-100-601.

~~((5))~~ (6) **Contribute materially:** Means that during the two taxable years prior to the taxable year in which displacement occurs, or during such other period as the agency determines to be more equitable, a business or farm operation:

(a) Had average annual gross receipts of at least five thousand dollars; or

(b) Had average annual net earnings of at least one thousand dollars; or

(c) Contributed at least thirty-three and one-third percent of the owner's or operator's average annual gross income from all sources.

(d) If the application of the above criteria creates an inequity or hardship in any given case, the agency may approve the use of other criteria as determined appropriate.

~~((6))~~ (7) **Decent, safe, and sanitary (DSS) dwelling:** Means a dwelling which meets applicable housing and occupancy codes. However, any of the following standards which are not met by an applicable code shall apply, unless waived for good cause by the agency funding the project. The dwelling shall:

(a) Be structurally sound, weathertight, and in good repair.

(b) Contain a safe electrical wiring system adequate for lighting and other electrical devices.

(c) Contain a heating system capable of sustaining a healthful temperature (of approximately seventy degrees) for a displaced person.

(d) Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person. There shall be a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in



good working order and properly connected to appropriate sources of water and to a sewage drainage system. In the case of a housekeeping dwelling, there shall be a kitchen area that contains a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, and adequate space and utility service connections for a stove and refrigerator.

(e) Contains unobstructed egress to safe, open space at ground level. If the replacement dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.

(f) For a displaced person who is handicapped, be free of any barriers which would preclude reasonable ingress, egress, or use of the dwelling by such displaced person.

~~((7))~~ **(8) Displaced person:**

(a) **General:** Means any person who moves from the real property or moves his or her personal property from the real property:

(i) As a direct result of the agency's acquisition of, or the initiation of negotiation for, such real property in whole or in part for a project; or

(ii) As a direct result of a written order from the acquiring agency to vacate such real property for a project; or

(iii) As a direct result of the agency's acquisition of, or written order to vacate for a project, other real property on which the person conducts a business or farm operation; or

(iv) As a direct result of a voluntary transaction by the owner pursuant to WAC 468-100-101 (2)(a) thereby displacing a tenant.

(b) **Persons not displaced:** The following is a nonexclusive listing of persons who do not qualify as a displaced person under this chapter.

(i) A person who moves before the initiation of negotiations except one who is required to move for reasons beyond his or her control as explained in WAC 468-100-403(5); or

(ii) A person who initially enters into occupancy of the property after the date of its acquisition for the project; or

(iii) A person whom the agency determines is not required to relocate permanently as a direct result of a project; or

(iv) A person whom the agency determines is not displaced as a direct result of a partial acquisition; or

(v) A person who, after receiving a notice of relocation eligibility also receives a notice of noneligibility (described in WAC 468-100-203 (2)(b)); or

(vi) An owner who voluntarily sells his or her property pursuant to WAC 468-100-101 (2)(a) after being informed in writing that if a mutually satisfactory agreement of sale cannot be reached, the agency will not acquire the property; or

(vii) A person who retains the right of use and occupancy of the real property for life following its acquisition by the agency; or

(viii) A person who retains the right of use and occupancy of the real property for a fixed term after its acquisition for a program or project receiving federal financial assistance from the Department of Interior; or

(ix) A person who has occupied the property for the purpose of obtaining assistance under the Uniform Act; or

(x) An owner who retains the right of use and occupancy of the real property for a fixed term after its acquisition by the Department of Interior under Public Law 93-477 or Public Law 93-303, except that such owner remains a displaced person for purposes of subpart D of this code; or

(xi) A person who is determined to be in unlawful occupancy or a person who has been evicted for cause prior to the initiations of negotiations for the property; or

(xii) A person who is not lawfully present in the United States and who has been determined to be ineligible for relocation benefits in accordance with WAC 468-100-208.

~~((8))~~ **(9) Dwelling:** Means the place of permanent or customary and usual residence of a person, as determined by the agency according to local custom or law, including a single family house; a single family unit in a two-family, multi-family, or multipurpose property; a unit of a condominium or cooperative housing project; a nonhousekeeping unit; a mobile home; or any other fixed or installed residential unit other than a unit customarily used, and currently (although not necessarily immediately) capable of use, for transportation or recreational purposes.

~~((9))~~ **(10) Farm operation:** Means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

~~((10))~~ **(11) Financial assistance:** Means any grant, loan, or contribution, except a federal guarantee or insurance.

~~((11))~~ **(12) Initiation of negotiations:** Means the date of delivery of the initial written offer by the agency to the owner or the owner's representative to purchase real property for a project for the amount determined to be just compensation, unless applicable agency program regulations specify a different action to serve this purpose. However:

(a) If the agency issues a notice of its intent to acquire the real property, and a person moves after that notice, but before delivery of the initial written purchase offer, the "initiation of negotiations" means the date the person moves from the property. (See also WAC 468-100-505(3).)

(b) In the case of a permanent relocation to protect the public health and welfare under the Comprehensive Environmental Response Compensation and Liability Act of 1980 (Pub. L. 96-510, or "Superfund"), the "initiation of negotiations" means the formal announcement of such relocation or the federal or federally-coordinated health advisory where the federal government later decides to conduct a permanent relocation.

~~((12))~~ **(13) Mortgage:** Means any of such classes of liens as are commonly given to secure advances on, or the unpaid purchase price of, real property, under the laws of the state in which the real property is located, together with the credit instruments, if any, secured thereby.

~~((13))~~ **(14) Owner of displacement dwelling:** A displaced person is considered to have met the requirement to own a displacement dwelling if the person holds any of the following interests in real property acquired for a project:

(a) Fee title, a life estate, a ninety-nine year lease, or a lease, including any options for extension, with at least fifty years to run from the date of acquisition; or

(b) An interest in a cooperative housing project which includes the right to occupy a dwelling; or

(c) A contract to purchase any of the interests or estates described in subsection (1) or ~~((2))~~ (3) of this section; or

(d) Any other interests, including a partial interest, which in the judgment of the agency warrants consideration as ownership.

~~((14))~~ (15) **Person:** Means any individual, family, partnership, corporation, or association.

~~((15))~~ (16) **Salvage value:** Means the probable sale price of an item, if offered for sale on the condition that it will be removed from the property at the buyer's expense, allowing a reasonable period of time to find a person buying with knowledge of the uses and purposes for which it is adaptable and capable of being used, including separate use of serviceable components and scrap when there is no reasonable prospect of sale except on that basis.

~~((16))~~ (17) **Small business:** Means any business having not more than five hundred employees working at the site being required or permanently displaced by a program or project, which site is the location of economic activity. Sites operated solely by outdoor advertising signs, displays, or devices do not qualify as a business for purposes of WAC 468-100-306.

~~((17))~~ (18) **State:** Means any department, commission, agency, or instrumentality of the state of Washington.

~~((18))~~ (19) **Tenant:** Means a person who has the temporary use and occupancy of real property owned by another.

~~((19))~~ (20) **Uneconomic remnant:** Means a parcel of real property in which the owner is left with an interest after the partial acquisition of the owner's property, and which the acquiring agency has determined has little or no value.

~~((20))~~ (21) **Uniform Act:** Means the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894; 42 U.S.C. 4601 et seq.; Pub. L. 91-646), and amendments thereto.

~~((21))~~ (22) **Unlawful occupancy:** A person is considered to be in unlawful occupancy when such person has been ordered to move by a court prior to the initiation of negotiations for the acquisition of the occupied property.

~~((22))~~ (23) **Voluntary transaction:** Means a donation, exchange, market sale, or other type of agreement entered into without compulsion on the part of the agency.

#### AMENDATORY SECTION (Amending Order 121, filed 8/14/89, effective 9/14/89)

**WAC 468-100-102 Criteria for appraisals.** (1) **Standards of appraisal:** The format and level of documentation for an appraisal depend on the complexity of the appraisal problem. The agency shall develop minimum standards for appraisals consistent with established and commonly accepted appraisal practice for those acquisitions which, by virtue of their low value or simplicity, do not require the in-depth analysis and presentation necessary in a detailed appraisal. A detailed appraisal shall be prepared for all other

acquisitions. A detailed appraisal shall reflect nationally recognized appraisal standards. An appraisal must contain sufficient documentation, including valuation data and the appraiser's analysis of that data, to support the appraiser's opinion of value. At a minimum, the appraisal shall contain the following items:

(a) The purpose and/or the function of the appraisal, a definition of the estate being appraised, and a statement of the assumptions and limiting conditions affecting the appraisal.

(b) An adequate description of the physical characteristics of the property being appraised (and, in the case of a partial acquisition, an adequate description of the remaining property), a statement of the known and observed encumbrances if any, title information, location, zoning, present use, an analysis of highest and best use, and at least a five-year sales history of the property.

(c) All relevant and reliable approaches to value consistent with commonly accepted professional appraisal practices. When sufficient market sales data are available to reliably support the fair market value for the specific appraisal problem encountered, the agency, at its discretion, may require only the market approach. If more than one approach is utilized, there shall be an analysis and reconciliation of approaches to value that are sufficient to support the appraiser's opinion of value.

(d) A description of comparable sales, including a description of all relevant physical, legal, and economic factors such as parties to the transaction, source and method of financing, and verification by a party involved in the transaction.

(e) A statement of the value of the real property to be acquired and, for a partial acquisition, a statement of the value of the damages and benefits, if any, to the remaining real property.

(f) The effective date of valuation, date of appraisal, signature, and certification of the appraiser.

(2) **Influence of the project on just compensation.** To the extent permitted by applicable law, the appraiser in his "before" valuation shall disregard any decrease or increase in the fair market value of the real property caused by the project for which the property is to be acquired, or by the likelihood that the property would be acquired for the project, other than that due to the physical deterioration within the reasonable control of the owner.

(3) **Owner retention of improvements:** If the owner of a real property improvement agrees and is permitted to obtain the right to remove it in whole or in part from the project site, the amount to be offered for the interest in the real property to be acquired shall be the amount determined to be just compensation for the owner's entire interest in the real property. The salvage value (defined in WAC 468-100-002(15)) of the improvement to be removed shall be deducted from the agency's payment.

(4) **Qualifications of appraisers:** The agency shall establish criteria for determining the minimum qualifications of appraisers. Appraiser qualifications shall be consistent with the level of difficulty of the appraisal assignment. The agency shall review the experience, education, training, and

other qualifications of appraisers, including review appraisers, and utilize only those determined to be qualified.

(5) **Conflict of interest:** No appraiser or review appraiser shall have any interest, direct or indirect, in the real property being appraised for the agency that would in any way conflict with the preparation or review of the appraisal. Compensation for making an appraisal shall not be based on the amount of the valuation. No appraiser shall act as a negotiator for real property which that person has appraised, except that the agency may permit the same person to both appraise and negotiate an acquisition where the value of the acquisition is ~~((two))~~ ten thousand ~~((five hundred))~~ dollars, or less.

**AMENDATORY SECTION** (Amending Order 121, filed 8/14/89, effective 9/14/89)

**WAC 468-100-203 Relocation notices.** Written notices shall be furnished as required by WAC 468-100-005.

(1) **General relocation information notice:** As soon as feasible, a person scheduled to be displaced shall be furnished with a general written description of the agency's relocation program which does at least the following:

(a) Informs the person that the person may be displaced for the project and generally describes the relocation payment(s) for which the person may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s).

(b) Informs the person that the person will be given reasonable relocation advisory services, including referrals to replacement properties, help in filing payment claims, and other necessary assistance to help the person successfully relocate.

(c) Informs the person that the person will not be required to move without at least ninety days' advance written notice (see subsection (3) of this section), and informs any person to be displaced from a dwelling that the person cannot be required to move permanently unless at least one comparable replacement dwelling has been made available.

(d) Describes the person's right to appeal the agency's determination as to eligibility for, or the amount of, any relocation payment for which the person may be eligible.

**(2) Notice of relocation eligibility:**

(a) Eligibility for relocation assistance shall begin on the date of initiation of negotiations (defined in WAC 468-100-002(11)) for the occupied property. When this occurs, the agency shall promptly provide written notice to all occupants to be displaced of their eligibility for applicable relocation assistance in accordance with WAC 468-100-005.

(b) An occupant may subsequently be provided a notice of noneligibility if the agency determines the person will not be displaced. Such notice may be issued only if the person has not moved and the agency agrees to reimburse the person for any expenses incurred to satisfy any binding contractual relocation obligations entered into after the effective date of the notice of relocation eligibility.

**(3) Ninety-day notice:**

(a) **General:** No lawful occupant shall be required to move unless the occupant has received at least ninety days

advance written notice of the earliest date by which he or she may be required to move.

(b) **Timing of notice:** The displacing agency may issue the notice ninety days before it expects the person to be displaced or earlier.

(c) **Content of notice:** The ninety-day notice shall either state a specific date as the earliest date by which the occupant may be required to move, or state that the occupant will receive a further notice indicating, at least thirty days in advance, the specific date by which the occupant must move. If the ninety-day notice is issued before a comparable replacement dwelling is made available, the notice must state clearly that the occupant will not have to move earlier than ninety days after such a dwelling is made available. (See WAC 468-100-204(1).)

(d) Informs the person that any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child, as defined in WAC 468-100-208(9).

(e) **Urgent need:** In unusual circumstances, an occupant may be required to vacate the property on less than ninety days advance written notice if the agency determines that a ninety-day notice is impracticable, such as when the person's continued occupancy of the property would constitute a substantial danger to health or safety. A record of the agency's determination shall be included in the applicable case file.

**AMENDATORY SECTION** (Amending Order 121, filed 8/14/89, effective 9/14/89)

**WAC 468-100-208** (~~(Relocation payments not considered as income.)~~) Aliens not lawfully present in the United States. (~~No payment received by a displaced person under this chapter may be considered as income for the purpose of determining the eligibility or extent of eligibility of any person for assistance under any state law or for the purposes of any income tax or any tax imposed under Title 82 RCW, and the payments shall not be deducted from any amount to which any recipient would otherwise be entitled under Title 74 RCW.)~~) (1) Each person seeking relocation payments or relocation advisory assistance shall, as a condition of eligibility, certify:

(a) In the case of an individual, that he or she is either a citizen or national of the United States, or an alien who is lawfully present in the United States.

(b) In the case of a family, that each family member is either a citizen or national of the United States, or an alien who is lawfully present in the United States. The certification may be made by the head of the household on behalf of other family members.

(c) In the case of an unincorporated business, farm, or nonprofit organization, that each owner is either a citizen or national of the United States, or an alien who is lawfully present in the United States. The certification may be made by the principal owner, manager, or operating officer on behalf of other persons with an ownership interest.

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(d) In the case of an incorporated business, farm, or non-profit organization, that the corporation is authorized to conduct business within the United States.

(2) The certification provided pursuant to subsection (1)(a), (b) and (c) of this section shall indicate whether such person is either a citizen or national of the United States, or an alien who is lawfully present in the United States. Requirements concerning the certification in addition to those contained in this rule shall be within the discretion of the federal funding agency and, within those parameters, that of the displacing agency.

(3) In computing relocation payments under the Uniform Act, if any member(s) of a household or owner(s) of an unincorporated business, farm, or nonprofit organization is (are) determined to be ineligible because of a failure to be legally present in the United States, no relocation payments may be made to him or her. Any payment(s) for which such household, unincorporated business, farm, or nonprofit organization would otherwise be eligible shall be computed for the household, based on the number of eligible household members and for the unincorporated business, farm, or nonprofit organization, based on the ratio of ownership between eligible and ineligible owners.

(4) The displacing agency shall consider the certification provided pursuant to subsection (1) of this section to be valid, unless the displacing agency determines in accordance with subsection (6) of this section that it is invalid based on a review of an alien's documentation or other information that the agency considers reliable and appropriate.

(5) Any review by the displacing agency of the certifications provided pursuant to subsection (1) of this section shall be conducted in a nondiscriminatory fashion. Each displacing agency will apply the same standard of review to all such certifications it receives, except that such standard may be revised periodically.

(6) If, based on a review of an alien's documentation or other credible evidence, a displacing agency has reason to believe that a person's certification is invalid (for example a document reviewed does not on its face reasonably appear to be genuine), and that, as a result, such person may be an alien not lawfully present in the United States, it shall obtain the following information before making a final determination:

(a) If the agency has reason to believe that the certification of a person who has certified that he or she is an alien lawfully present in the United States is invalid, the displacing agency shall obtain verification of the alien's status from the local Immigration and Naturalization Service (INS) Office. A list of local INS offices was published in the *Federal Register* in November 17, 1997, at 62 FR 61350. Any request for INS verification shall include the alien's full name, date of birth and alien number, and a copy of the alien's documentation. (If an agency is unable to contact the INS, it may contact the FHWA in Washington, DC at 202-366-2035 (Marshall Schy, Office of Real Estate Services) or 202-366-1371 (Reid Alsop, Office of Chief Counsel), for a referral to the INS.)

(b) If an agency has reason to believe that the certification of a person who has certified that he or she is a citizen or national is invalid, the displacing agency shall request evi-

dence of United States citizenship or nationality from such person and, if considered necessary, verify the accuracy of such evidence with the issuer.

(7) No relocation payments or relocation advisory assistance shall be provided to a person who has not provided the certification described in this section or who has been determined to be not lawfully present in the United States, unless such person can demonstrate to the displacing agency's satisfaction that the denial of relocation benefits will result in an exceptional and extremely unusual hardship to such person's spouse, parent, or child who is a citizen of the United States, or is an alien lawfully admitted for permanent residence in the United States.

(8) For purposes of subsection (7) of this section, "exceptional and extremely unusual hardship" to such spouse, parent, or child of the person not lawfully present in the United States means that the denial of relocation payments and advisory assistance to such person will directly result in:

(a) A significant and demonstrable adverse impact on the health or safety of such spouse, parent, or child;

(b) A significant and demonstrable adverse impact on the continued existence of the family unit of which such spouse, parent, or child is a member; or

(c) Any other impact that the displacing agency determines will have a significant and demonstrable adverse impact on such spouse, parent, or child.

(9) The certification referred to in subsection (1) of this section may be included as part of the claim for relocation payments described in WAC 468-100-207.

#### NEW SECTION

**WAC 468-100-209 Relocation payments not considered as income.** No payment received by a displaced person under this chapter may be considered as income for the purpose of determining the eligibility or extent of eligibility of any person for assistance under any state law or for the purposes of any income tax or any tax imposed under Title 82 RCW, and the payments shall not be deducted from any amount to which any recipient would otherwise be entitled under Title 74 RCW.

AMENDATORY SECTION (Amending Order 121, filed 8/14/89, effective 9/14/89)

**WAC 468-100-306 Reestablishment expenses—Non-residential moves.** In addition to the payments available under WAC 468-100-303, a small business, as defined in WAC 468-100-002(16), farm or nonprofit organization may be eligible to receive a payment, not to exceed ten thousand dollars, for expenses actually incurred in relocating and reestablishing such small business, farm, or nonprofit organization at a replacement site.

(1) Eligible expenses. Reestablishment expenses must be reasonable and necessary, as determined by the agency. They may include, but are not limited to, the following:

(a) Repairs or improvements to the replacement real property as required by federal, state, or local law, code, or ordinance.

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**EXPEDITED ADOPTION**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed August 16, 2000, 4:02 p.m.]

(b) Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.

(c) Construction and installation costs (~~(, not to exceed one thousand five hundred dollars)~~) for exterior signing to advertise the business.

(d) Provision of utilities from right of way to improvements on the replacement site.

(e) Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, panelling, or carpeting.

(f) Licenses, fees, and permits when not paid as part of moving expenses.

(g) Feasibility surveys, soil testing and marketing studies.

(h) Advertisement of replacement location (~~(, not to exceed one thousand five hundred dollars)~~).

(i) Professional services in connection with the purchase or lease of a replacement site.

(j) Increased costs of operation during the first two years at the replacement site (~~(, not to exceed five thousand dollars)~~) for such items as:

- (i) Lease or rental charges;
- (ii) Personal or real property taxes;
- (iii) Insurance premiums; and
- (iv) Utility charges, excluding impact fees.

(k) Impact fees or one-time assessments for anticipated heavy utility usage.

(l) Other items that the agency considers essential to the reestablishment of the business.

(m) Expenses in excess of the regulatory maximums set forth in (c), (h) and (j) of this subsection may be considered eligible if large and legitimate disparities exist between costs of operation at the displacement site and costs of operation at an otherwise similar replacement site. In such cases the regulatory limitation for reimbursement of such costs may, at the request of the agency, be waived by the agency funding the program or project, but in no event shall total costs payable under this section exceed the ten thousand dollar statutory maximum.

(2) Ineligible expenses. The following is a nonexclusive listing of reestablishment expenditures not considered to be reasonable, necessary, or otherwise eligible:

(a) Purchase of capital assets, such as, office furniture, filing cabinets, machinery, or trade fixtures.

(b) Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation.

(c) Interior or exterior refurbishments at the replacement site which are for aesthetic purposes, except as provided in WAC 468-100-306 (1)(e).

(d) Interest on money borrowed to make the move or purchase the replacement property.

(e) Payment to a part-time business in the home which does not contribute materially to the household income.

Title of Rule: Commercial fishing rules.

Purpose: Amend coastal harbor salmon seasons.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: Sets 2000 coastal harbor salmon seasons.

Reasons Supporting Proposal: The coastal harbor salmon seasons are set upon recommendation of the North of Falcon subgroup of the Pacific Fisheries Management Council. These limits will allow for harvest of available surplus above broodstock requirements.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: A limited harvest opportunity will be available in Grays Harbor and Willapa Bay to take salmon. The seasons proposed reflect preseason management expectations. The rules were discussed in the North of Falcon work group of the Pacific Fisheries Management Council, and were given a full public hearing in that forum.

Proposal Changes the Following Existing Rules: Changes salmon seasons.

**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 Evan Jacoby, Rules Coordinator, Washington State Fish and Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, AND RECEIVED BY October 24, 2000.

August 16, 2000

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 99-206, filed 11/30/99, effective 12/31/99)

**WAC 220-36-023 Grays Harbor salmon—Fall fishery.** August 16 through December 31 of each year, it is unlawful to fish for salmon in Grays Harbor for commercial purposes, except that:

**Fishing periods**

Gill net gear may be used to fish for salmon (~~from 7:30 a.m. to 6:30 p.m. on October 12, October 13 and October 14, and from 8:00 a.m. to 6:00 p.m. October 27, 1999, in SMCRA 2B-);~~

<u>Time</u>	<u>Areas</u>
<u>6:00 p.m. August 22 through 6:00 p.m. August 25, and 6:00 p.m. October 1 through 6:00 p.m. October 3, 2000</u>	<u>2A and 2D</u>
<u>7:00 a.m. October 30 through 5:00 p.m. October 30, 2000</u>	<u>2B</u>

**Gear**

Gill net gear shall be used as provided for in WAC 220-36-015, except (~~that it shall not contain~~) no maximum mesh (~~(larger than 6 1/2 inches)~~) restriction August 22 through August 25, 2000.

**AMENDATORY SECTION** (Amending Order 99-206, filed 11/30/99, effective 12/31/99)

**WAC 220-40-027 Salmon—Willapa Bay fall fishery.** August 16 through December 31 of each year, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

**Fishing periods**

(1) Gill net gear may be used to fish for salmon (~~from 7:30 a.m. to 6:30 p.m. October 4, 6:00 p.m. October 5 to 6:00 p.m. October 8, 6:00 p.m. October 11 to 6:00 p.m. October 15, 6:00 p.m. October 18 to 6:00 p.m. October 22 and 6:00 p.m. October 25 to 6:00 p.m. October 29, 1999, in SMCRA 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12 and west of a line drawn true north-south through Willapa Channel Marker 24-);~~

<u>Time</u>	<u>Area</u>
<u>6:00 p.m. August 21 through 6:00 p.m. August 22 and 6:00 p.m. August 27 through 6:00 p.m. August 28, 2000</u>	<u>Areas 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12, 2M, 2H west of Willapa Channel Marker 35, and 2J north of the North Entrance Marker to the Nahcotta Boat Basin (RF #2)</u>

6:00 p.m. September 17 through 6:00 p.m. September 30, 2000

Areas 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12, 2M, 2H west of Willapa Channel Marker 40 and 2J north of the North Entrance Marker to the Nahcotta Boat Basin (RF #2)

6:00 p.m. September 17 through 6:00 p.m. September 18 and 6:00 p.m. September 24 through 6:00 p.m. September 25, 2000

Area 2K

7:30 a.m. October 5 through 6:30 p.m. October 5 and 7:30 a.m. October 12 through 6:30 p.m. October 12, 2000

Areas 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12, 2M, 2H west of Willapa Channel Marker 40, and 2J north of the North Entrance Marker to the Nahcotta Boat Basin (RF #2)

6:00 p.m. October 18 through 6:00 p.m. October 19 and 6:00 p.m. October 25 through 6:00 p.m. October 26, 2000

Areas 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12 and west of Willapa Channel Marker 10 and 2J north of the North Entrance Marker to the Nahcotta Boat Basin (RF #2)

(2) During the fisheries provided for in this section, it is unlawful for fishers to fish between Willapa Channel Markers 35 and 40 or in Area 2K unless the fisher has registered in writing on a department-approved form by September 8, 2000, and the fisher agrees to allow a department observer to be on board during the fishing trip to monitor the catch.

((2)) (3) The Tokeland Boat basin is closed to commercial fishing during the openings in SMCRA 2G described in this section. The Tokeland Boat basin means that portion of SMCRA 2G bounded on the south by the shoreline of the boat basin, on the west by the seawall and on the north and east by a line from the Tokeland Channel Marker "3" (flashing green, 4-second) to Tokeland Channel Marker "4" to the tip of the seawall.

**Gear**

(3) Gill net gear shall be used as provided in WAC 220-40-015 except (~~that the~~) no maximum mesh size (~~(is 6 1/2 inches October 4 through October 29, 1999)~~) before 6:00 p.m. September 22, 2000.

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

EXPEDITED ADOPTION

**WSR 00-17-136**  
**EXPEDITED ADOPTION**  
**DEPARTMENT OF ECOLOGY**

[Order 00-21—Filed August 21, 2000, 2:35 p.m.]

**Title of Rule:** Chapter 173-400 WAC, General regulations for air pollution sources.

**Purpose:** This rule amendment will correct typographical errors, clarify existing rule language, and adopt federal requirements.

**Other Identifying Information:** WAC 173-400-030, 173-400-040, 173-400-060, 173-400-070, 173-400-075, 173-400-104, and 173-400-115.

**Statutory Authority for Adoption:** RCW 70.94.331 and [70.94].510.

**Statute Being Implemented:** Chapter 70.94 RCW.

**Summary:** This rule change corrects and clarifies existing rule language in chapter 173-400 WAC. Adoption of federal National Emission Standards for Hazardous Air Pollutants, NESHAP, and Standards of Performance for New Sources, NSPS, would ensure continued compliance with federal law.

**Reasons Supporting Proposal:** The changes are to improve readability and increase usability of state regulations. Incorporation of federal regulations are necessary to comply with federal Clean Air Act requirements.

**Name of Agency Personnel Responsible for Drafting:** Tom Todd, P.O. Box 47600, Olympia, (360) 407-6776;  
**Implementation and Enforcement:** Department of Ecology, P.O. Box 47600, Olympia, (360) 407-6800.

**Name of Proponent:** Department of Ecology, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** Correction of typographical errors and clarification of existing rule language would assist the reader in understanding the rule. No substantive issues are raised by these changes.

Adoption of federal requirements by reference is the least burdensome alternative in assisting regulated sources to comply with federal requirements. Application of this rule will not result in any different effects to either private or public entities.

**Proposal Changes the Following Existing Rules:** WAC 173-400-040 General standards for maximum emissions, the rule contains a reference to "section 8, chapter 252, Laws of 1993." Changing the form of this reference to "RCW 70.194.154" will aid those who read the statute.

WAC 173-400-060 Emission standards for general process units, correction of typographical error.

WAC 173-400-070 Emission standards for certain source categories, adoption of federal requirements for land-fill emissions.

WAC 173-400-075 Emission standards for sources emitting hazardous air pollutants, to remain current with National Emission Standards for Hazardous Air Pollutants (NESHAP), this amendment updates the incorporation by reference of 40 C.F.R. 61 is updated from April 1, 1998, to July 1, 2000.

Text of existing dry cleaning facility rule will be amended to improve usability without changing the underlying substantive meaning of the rule.

To remain current with federally adopted maximum available control technology (MACT) standards, this amendment updates the incorporation by reference of 40 C.F.R. 63 is updated from April 1, 1998, to July 1, 2000.

The effect of this amendment includes the following subparts:

- Subpart F - NESHAPs from the Synthetic Organic Chemical Manufacturing Industry
- Subpart S - NESHAPs from the Pulp and Paper Industry.
- Subpart AA - NESHAPs from Phosphoric Acid Manufacturing Plants.
- Subpart BB - NESHAPs from Phosphate Fertilizers Production Plants.
- Subpart HH - NESHAPs from Oil and Natural Gas Production Facilities.
- Subpart LL - NESHAPs for Primary Aluminum Reduction Plants.
- Subpart SS - NESHAPs for Closed Vent Systems, Control Devices, Recovery Devices, and Routing to a Fuel Gas System or a Process.
- Subpart TT - NESHAPs for Equipment Leaks.
- Subpart UU - NESHAPs for Equipment Leaks.
- Subpart YY - Generic MACT.
- Subpart CCC - NESHAPs for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants.
- Subpart DDD - NESHAPs for Mineral Wool Production.
- Subpart EEE - NESHAPs from Hazardous Waste Combustors.
- Subpart GGG - NESHAPs for Pharmaceuticals Production.
- Subpart HHH - NESHAPs for Natural Gas Transmission and Storage Facilities.
- Subpart III - NESHAPs for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.
- Subpart JJJ - NESHAPs for Group IV Polymers and Resins.
- Subpart LLL - NESHAPs for Portland Cement Manufacturing.
- Subpart MMM - NESHAPs for Pesticide Active Ingredient Production.
- Subpart NNN - NESHAPs for Wool Fiberglass Manufacturing.
- Subpart OOO - NESHAPs for Manufacture of Amino/Phenolic Resins.
- Subpart PPP - NESHAPs for Polyether Polyols Production.
- Subpart RRR - NESHAPs for Secondary Aluminum Production.
- Subpart TTT - NESHAPs for Primary Lead Smelting.
- Subpart VVV - NESHAPs for Publicly Owned Treatment Works.
- Subpart XXX - NESHAPs for Ferroalloys Production: Ferromanganese and Silicomanganese.

**EXPEDITED ADOPTION**

WAC 173-400-104 Registration fees, correction of typographical error.

WAC 173-400-115 Standards of performance for new sources, to remain current with federally adopted Standards of Performance for New Sources (NSPS), this amendment updates the incorporation by reference of 40 C.F.R. 60 is updated from November 1, 1998, to July 1, 2000. The effect of this amendment includes the following subparts:

- Subparts Ea & Eb - Municipal Waste Combustors.
- Subpart Ec - Medical Waste Incinerators.
- Subpart OOO - Nonmetallic Mineral Processing Plants.
- Subpart WWW - Municipal Solid Waste Landfills.

#### NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Jerry Thielen, Rules Coordinator, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, AND RECEIVED BY October 24, 2000.

August 19, 2000  
Daniel Silver  
Deputy Director

**AMENDATORY SECTION** (Amending Order 96-01, filed 12/23/97, effective 1/23/98)

**WAC 173-400-030 Definitions.** Except as provided elsewhere in this chapter, the following definitions apply throughout the chapter:

(1) "Actual emissions" means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) through (c) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. Ecology or an authority shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) Ecology or an authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

(c) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the emissions unit on that date.

(2) "Adverse impact on visibility" means visibility impairment which interferes with the management, protec-

tion, preservation, or enjoyment of the visitor's visual experience of the Federal Class I area. This determination must be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency, and time of visibility impairment, and how these factors correlate with (a) times of visitor use of the Federal Class I area, and (b) the frequency and timing of natural conditions that reduce visibility. This term does not include effects on integral vistas.

(3) "Air contaminant" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. "Air pollutant" means the same as "air contaminant."

(4) "Air pollution" means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities, and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property. For the purposes of this chapter, air pollution shall not include air contaminants emitted in compliance with chapter 17.21 RCW, the Washington Pesticide Application Act, which regulates the application and control of the use of various pesticides.

(5) "Allowable emissions" means the emission rate of a stationary source calculated using the maximum rated capacity of the stationary source (unless the stationary source is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(a) The applicable standards as set forth in 40 CFR Part 60 or 61;

(b) Any applicable state implementation plan emissions limitation including those with a future compliance date; or

(c) The emissions rate specified as a federally enforceable permit condition, including those with a future compliance date.

(6) "Ambient air" means the surrounding outside air.

(7) "Ambient air quality standard" means an established concentration, exposure time, and frequency of occurrence of air contaminant(s) in the ambient air which shall not be exceeded.

(8) "Authority" means any air pollution control agency whose jurisdictional boundaries are coextensive with the boundaries of one or more counties.

(9) "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emission unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying underground pipe work and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

(10) "Best available control technology (BACT)" means an emission limitation based on the maximum degree of reduction for each air pollutant subject to regulation under chapter 70.94 RCW emitted from or which results from any new or modified stationary source, which the permitting authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modifica-



tion through application of production processes and available methods, systems, and techniques, including fuel cleaning, clean fuels, or treatment or innovative fuel combustion techniques for control of each such pollutant. In no event shall application of the "best available control technology" result in emissions of any pollutants which will exceed the emissions allowed by any applicable standard under 40 CFR Part 60 and Part 61, as they exist on March 1, 1996, or their later enactments as adopted by reference by the director by rule. Emissions from any source utilizing clean fuels, or any other means, to comply with this paragraph shall not be allowed to increase above levels that would have been required under the definition of BACT in the Federal Clean Air Act as it existed prior to enactment of the Clean Air Act Amendments of 1990.

(11) "Best available retrofit technology (BART)" means an emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant which is emitted by an existing stationary facility. The emission limitation must be established, on a case-by-case basis, taking into consideration the technology available, the costs of compliance, the energy and nonair quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology.

(12) "Bubble" means a set of emission limits which allows an increase in emissions from a given emissions unit(s) in exchange for a decrease in emissions from another emissions unit(s), pursuant to RCW 70.94.155 and WAC 173-400-120.

(13) "Capacity factor" means the ratio of the average load on equipment or a machine for the period of time considered, to the manufacturer's capacity rating of the machine or equipment.

(14) "Class I area" means any area designated pursuant to §§ 162 or 164 of the Federal Clean Air Act as a Class I area. The following areas are the Class I areas in Washington state:

- Alpine Lakes Wilderness;
- Glacier Peak Wilderness;
- Goat Rocks Wilderness;
- Mount Adams Wilderness;
- Mount Rainier National Park;
- North Cascades National Park;
- Olympic National Park;
- Pasayten Wilderness;
- Spokane Indian Reservation.

(15) "Combustion and incineration sources" means units using combustion for waste disposal, steam production, chemical recovery or other process requirements; but excludes open burning.

(16) "Commenced construction" means that the owner or operator has all the necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

(b) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(17) "Concealment" means any action taken to reduce the observed or measured concentrations of a pollutant in a gaseous effluent while, in fact, not reducing the total amount of pollutant discharged.

(18) "Director" means director of the Washington state department of ecology or duly authorized representative.

(19) "Dispersion technique" means a method which attempts to affect the concentration of a pollutant in the ambient air other than by the use of pollution abatement equipment or integral process pollution controls.

(20) "Ecology" means the Washington state department of ecology.

(21) "Emission" means a release of air contaminants into the ambient air.

(22) "Emission reduction credit (ERC)" means a credit granted pursuant to WAC 173-400-131. This is a voluntary reduction in emissions.

(23) "Emission standard" and "emission limitation" means a requirement established under the FCAA or chapter 70.94 RCW which limits the quantity, rate, or concentration of emissions of air contaminants on a continuous basis, including any requirement relating to the operation or maintenance of a source to assure continuous emission reduction and any design, equipment work practice, or operational standard promulgated under the FCAA or chapter 70.94 RCW.

(24) "Emissions unit" means any part of a stationary source or source which emits or would have the potential to emit any pollutant subject to regulation under the FCAA, chapter 70.94 or 70.98 RCW.

(25) "Excess emissions" means emissions of an air pollutant in excess of any applicable emission standard.

(26) "Excess stack height" means that portion of a stack which exceeds the greater of sixty-five meters or the calculated stack height described in WAC 173-400-200(2).

(27) "Existing stationary facility" means a stationary source of air pollutants which has the potential to emit two hundred fifty tons per year or more of any air pollutant. In determining potential to emit, fugitive emissions, to the extent quantifiable, must be counted. For purposes of determining whether a stationary source is an existing stationary facility the term "building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

(28) "Federal Clean Air Act (FCAA)" means the Federal Clean Air Act, also known as Public Law 88-206, 77 Stat.

392, December 17, 1963, 42 U.S.C. 7401 et seq., as last amended by the Clean Air Act Amendments of 1990, P.L. 101-549, November 15, 1990.

(29) "Federal land manager" means, with respect to any lands in the United States, the Secretary of the department with authority over such lands.

(30) "Fossil fuel-fired steam generator" means a device, furnace, or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

(31) "Fugitive dust" means a particulate emission made airborne by forces of wind, man's activity, or both. Unpaved roads, construction sites, and tilled land are examples of areas that originate fugitive dust. Fugitive dust is a type of fugitive emission.

(32) "Fugitive emissions" means emissions which do not pass and which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

(33) "General process unit" means an emissions unit using a procedure or a combination of procedures for the purpose of causing a change in material by either chemical or physical means, excluding combustion.

(34) "Good engineering practice (GEP)" refers to a calculated stack height based on the equation specified in WAC 173-400-200 (2)(a)(ii).

(35) "Incinerator" means a furnace used primarily for the thermal destruction of waste.

(36) "In operation" means engaged in activity related to the primary design function of the source.

(37) "Integral vista" means a view perceived from within a mandatory Class I federal area of a specific landmark or panorama located outside the boundary of the mandatory Class I federal area.

(38) "Lowest achievable emission rate (LAER)" means for any source that rate of emissions which reflects the more stringent of:

(a) The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of source, unless the owner or operator of the proposed new or modified source demonstrates that such limitations are not achievable; or

(b) The most stringent emission limitation which is achieved in practice by such class or category of source.

In no event shall the application of this term permit a proposed new or modified source to emit any pollutant in excess of the amount allowable under applicable new source performance standards.

(39) "Mandatory Class I federal area" means any area defined in Section 162(a) of the FCAA. The mandatory Class I federal areas in Washington state are as follows:

Alpine Lakes Wilderness;  
 Glacier Peak Wilderness;  
 Goat Rocks Wilderness;  
 Mount Adams Wilderness;  
 Mount Rainier National Park;  
 North Cascades National Park;  
 Olympic National Park;  
 Pasayten Wilderness;

(40) "Major modification" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the FCAA. Any net emissions increase that is considered significant for volatile organic compounds or nitrogen oxides shall be considered significant for ozone. A physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair, and replacement;

(b) Use of an alternative fuel or raw material by reason of an order under Sections 2(a) and (b) of the Energy Supply and Environmental Supply Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the FCAA, 42 U.S.C. 7425;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source which:

(i) The stationary source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976, in a prevention of significant deterioration permit or notice of construction approval; or

(ii) The stationary source is approved to use under any federally-enforceable notice of construction approval or a PSD permit issued by the environmental protection agency;

(f) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition which was established after December 21, 1976, in a prevention of significant deterioration permit or a notice of construction approval;

(g) Any change in ownership at a stationary source.

(41) "Major stationary source" means:

(a) Any stationary source which:

(i) Emits or has the potential to emit one hundred tons per year or more of any air contaminant regulated by the state or Federal Clean Air Acts; or

(ii) Is located in a "marginal" or "moderate" ozone non-attainment area and which emits or has the potential to emit one hundred tons per year or more of volatile organic compounds or oxides of nitrogen.

(b) Any stationary source (or group of stationary sources) which:

(i) Is located in a "serious" carbon monoxide nonattainment area where stationary sources contribute significantly to carbon monoxide levels and which emits or has the potential to emit fifty tons per year or more of carbon monoxide; or

(ii) Is located in a "serious" particulate matter (PM<sub>10</sub>) nonattainment area and which emits or has the potential to emit seventy tons per year or more of PM<sub>10</sub> emissions.

(c) Any physical change that would occur at a stationary source not qualifying under (a) or (b) of this subsection as a major stationary source, if the change would constitute a major stationary source by itself;

(d) A major stationary source that is major for VOCs or NO<sub>x</sub> shall be considered major for ozone;

(e) The fugitive emissions of a stationary source shall not be included in determining whether it is a major stationary source, unless the stationary source belongs to one of the following categories of stationary sources or the source is a major stationary source due to (b) of this subsection:

- (i) Coal cleaning plants (with thermal dryers);
- (ii) Kraft pulp mills;
- (iii) Portland cements plants;
- (iv) Primary zinc smelters;
- (v) Iron and steel mills;
- (vi) Primary aluminum ore reduction plants;
- (vii) Primary copper smelters;
- (viii) Municipal incinerators capable of charging more than two hundred fifty tons of refuse per day;
- (ix) Hydrofluoric, sulfuric, or nitric acid plants;
- (x) Petroleum refineries;
- (xi) Lime plants;
- (xii) Phosphate rock processing plants;
- (xiii) Coke oven batteries;
- (xiv) Sulfur recovery plants;
- (xv) Carbon black plants (furnace process);
- (xvi) Primary lead smelters;
- (xvii) Fuel conversion plants;
- (xviii) Sintering plants;
- (xix) Secondary metal production plants;
- (xx) Chemical process plants;
- (xxi) Fossil-fuel boilers (or combination thereof) totaling more than two hundred fifty million British thermal units per hour heat input;
- (xxii) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels;
- (xxiii) Taconite ore processing plants;
- (xxiv) Glass fiber processing plants;
- (xxv) Charcoal production plants;
- (xxvi) Fossil fuel-fired steam electric plants of more than two hundred fifty million British thermal units per hour heat input; and
- (xxvii) Any other stationary source category which, as of August 7, 1980, was being regulated under sections 111 or 112 of the Federal Clean Air Act.

(f) For purposes of determining whether a stationary source is a major stationary source, the term "building, structure, facility, or installation" means all the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

(42) "Masking" means the mixing of a chemically nonreactive control agent with a malodorous gaseous effluent to change the perceived odor.

(43) "Materials handling" means the handling, transporting, loading, unloading, storage, and transfer of materials with no significant chemical or physical alteration.

(44) "Modification" means any physical change in, or change in the method of operation of, a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emissions of any air contaminant not previously emitted. The term modification shall be construed consistent with the definitions of modification in Section 7411, Title 42, United States Code, and with rules implementing that section.

(45) "National Emission Standards for Hazardous Air Pollutants (NESHAPS)" means the federal regulations set forth in 40 CFR Parts 61 and 63.

(46) "Natural conditions" means naturally occurring phenomena that reduce visibility as measured in terms of visual range, contrast, or coloration.

(47) "Net emissions increase" means:

(a) The amount by which the sum of the following exceeds zero:

(i) Any increase in actual emissions from a particular change or change in method of operation at a source; and

(ii) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(b) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date ten years before construction on the particular change commences and the date that the increase from the particular change occurs.

(c) An increase or decrease in actual emissions is creditable only if:

(i) It occurred no more than one year prior to the date of submittal of a complete notice of construction application for the particular change, or it has been documented by an emission reduction credit, in which case the credit shall expire ten years after the date of original issue of the ERC. Any emissions increases occurring between the date of issuance of the ERC and the date when a particular change becomes operational shall be counted against the ERC.

(ii) Ecology or the authority has not relied on it in issuing any permit or order of approval for the source under regulations approved pursuant to 40 CFR 51 Subpart I or the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21, which order or permit is in effect when the increase in actual emissions from the particular change occurs.

(d) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(e) A decrease in actual emissions is creditable only to the extent that:

(i) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(ii) It is federally enforceable at and after the time that actual construction on the particular change begins;

(iii) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change; and

(iv) Ecology or the authority has not relied on it in issuing any permit or order of approval under regulations approved pursuant to 40 CFR 51 Subpart I, the EPA has not

relied on it in issuing a PSD permit pursuant to 40 CFR 52.21, or ecology or the authority has not relied on it in demonstrating attainment or reasonable further progress.

(f) An increase that results from a physical change at a source occurs when the emission unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days.

(48) "New source" means:

(a) The construction or modification of a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emission of any air contaminant not previously emitted; and

(b) Any other project that constitutes a new source under the Federal Clean Air Act.

(49) "New source performance standards (NSPS)" means the federal regulations set forth in 40 CFR Part 60.

(50) "Nonattainment area" means a clearly delineated geographic area which has been designated by EPA promulgation as exceeding a national ambient air quality standard or standards for one or more of the criteria pollutants.

(51) "Notice of construction application" means a written application to permit construction of a new source, modification of an existing stationary source or replacement or substantial alteration of control technology at an existing stationary source.

(52) "Opacity" means the degree to which an object seen through a plume is obscured, stated as a percentage.

(53) "Open burning" means the combustion of material in an open fire or in an outdoor container, without providing for the control of combustion or the control of the emissions from the combustion. Wood waste disposal in wigwam burners is not considered open burning.

(54) "Order" means any order issued by ecology or a local air authority pursuant to chapter 70.94 RCW, including, but not limited to RCW 70.94.332, 70.94.152, 70.94.153, and 70.94.141(3), and includes, where used in the generic sense, the terms order, corrective action order, order of approval, and regulatory order.

(55) "Order of approval" or "approval order" means a regulatory order issued by ecology or the authority to approve the notice of construction application for a proposed new source or modification, or the replacement or substantial alteration of control technology at an existing stationary source.

(56) "Particulate matter" or "particulates" means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.

(57) "Particulate matter emissions" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by applicable reference methods, or an equivalent or alternative method specified in 40 CFR Part 60 or by a test method specified in the Washington state implementation plan.

(58) "Parts per million (ppm)" means parts of a contaminant per million parts of gas, by volume, exclusive of water or particulates.

(59) "Person" means an individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency.

(60) "PM-10" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 CFR Part 50 Appendix J and designated in accordance with 40 CFR Part 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

(61) "PM-10 emissions" means finely divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in Appendix M of 40 CFR Part 51 or by a test method specified in the Washington state implementation plan.

(62) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(63) "Prevention of significant deterioration (PSD)" means the program set forth in WAC 173-400-141.

(64) "Projected width" means that dimension of a structure determined from the frontal area of the structure, projected onto a plane perpendicular to a line between the center of the stack and the center of the building.

(65) "Reasonably attributable" means attributable by visual observation or any other technique the state deems appropriate.

(66) "Reasonably available control technology (RACT)" means the lowest emission limit that a particular source or source category is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. RACT is determined on a case-by-case basis for an individual source or source category taking into account the impact of the source upon air quality, the availability of additional controls, the emission reduction to be achieved by additional controls, the impact of additional controls on air quality, and the capital and operating costs of the additional controls. RACT requirements for any source or source category shall be adopted only after notice and opportunity for comment are afforded.

(67) "Regulatory order" means an order issued by ecology or an authority to an air contaminant source which applies to that source, any applicable provision of chapter 70.94 RCW, or the rules adopted thereunder, or, for sources regulated by a local air authority, the regulations of that authority.

(68) "Significant" means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emission equal to or greater than any one of the following rates:

Pollutant	Tons/Year
Carbon monoxide .....	100
Nitrogen oxides .....	40
Sulfur dioxide .....	40
Particulate matter (PM) .....	25
Fine particulate matter (PM <sub>10</sub> ) .....	15
Volatile organic compounds (VOC) .....	40
Lead .....	0.6
Fluorides .....	3
Sulfuric acid mist .....	7
Hydrogen sulfide (H <sub>2</sub> S) .....	10
Total reduced sulfur (including H <sub>2</sub> S) .....	10
Municipal waste combustor organics. ....	0.0000035
(measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans)	
Municipal waste combustor metals (measured as PM) .....	15

(69) "Significant visibility impairment" means visibility impairment which interferes with the management, protection, preservation, or enjoyment of visitor visual experience of the Class I area. The determination must be made on a case-by-case basis, taking into account the geographic extent, intensity, duration, frequency, and time of the visibility impairment, and how these factors correlate with the time of visitor use of the Class I area and frequency and timing of natural conditions that reduce visibility.

(70) "Source" means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous or adjacent properties, and are under the control of the same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

(71) "Source category" means all sources of the same type or classification.

(72) "Stack" means any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct.

(73) "Stack height" means the height of an emission point measured from the ground-level elevation at the base of the stack.

(74) "Standard conditions" means a temperature of 20° (68° F) and a pressure of 760 mm (29.92 inches) of mercury.

(75) "Stationary source" means any building, structure, facility, or installation which emits or may emit any contaminant. This term does not include emissions resulting directly from an internal combustion engine for transportation purposes or from a nonroad engine or nonroad vehicle as defined in Section 216 of the FCAA.

(76) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge.

(77) "Synthetic minor" means any source whose potential to emit has been limited below applicable thresholds by means of a federally enforceable order, rule, or permit condition.

(78) "Total reduced sulfur (TRS)" means the sum of the sulfur compounds hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides emitted and measured by EPA method 16 or an approved equivalent method and expressed as hydrogen sulfide.

(79) "Total suspended particulate" means particulate matter as measured by the method described in 40 CFR Part 50 Appendix B as in effect on October 17, 1996.

(80) "Toxic air pollutant (TAP)" or "toxic air contaminant" means any Class A or B toxic air pollutant listed in WAC 173-460-150 and 173-460-160. The term toxic air pollutant may include particulate matter and volatile organic compounds if an individual substance or a group of substances within either of these classes is listed in WAC 173-460-150 and/or 173-460-160. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

(81) "United States Environmental Protection Agency (USEPA)" shall be referred to as EPA.

(82) "Visibility impairment" means any perceptible degradation in visibility (visual range, contrast, coloration) not caused by natural conditions.

(83) "Visibility impairment of Class I areas" means visibility impairment within the area and visibility impairment of any formally designated integral vista associated with the area.

(84) "Volatile organic compound (VOC)" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. This includes:

(a) Any such organic compound other than the following, which has been determined to have negligible photochemical reactivity: Methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,2-trichloro 1,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (HCFC-22); trifluoromethane (HFC-23); 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro 1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); parachlorobenzotrifluoride (PCBTF); cyclic, branched, or linear completely methylated siloxanes; (~~acetone; perchloroethylene (tetrachloroethylene);~~) acetone; perchloroethylene (tetrachloroethylene); 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca); 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb); 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee); difluoromethane (HFC-

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32); ethylfluoride (HFC-161); 1,1,1,3,3,3-hexafluoropropane (HFC-236fa); 1,1,2,2,3-pentafluoropropane (HFC-245ca); 1,1,2,3,3-pentafluoropropane (HFC-245ea); 1,1,1,2,3-pentafluoropropane (HFC-245eb); 1,1,1,3,3-pentafluoropropane (HFC-245fa); 1,1,1,2,3,3-hexafluoropropane (HFC-236ea); 1,1,1,3,3-pentafluorobutane (HFC-365mfc); chlorofluoromethane (HCFC-31); 1 chloro-1-fluoroethane (HCFC-151a); 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a); 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C<sub>4</sub>F<sub>9</sub>OCH<sub>3</sub>); 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF<sub>2</sub>)<sub>2</sub>CFCF<sub>2</sub>OCH<sub>3</sub>); 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C<sub>4</sub>F<sub>9</sub>OC<sub>2</sub>H<sub>5</sub>); 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF<sub>3</sub>)<sub>2</sub>CFCF<sub>2</sub>OC<sub>2</sub>H<sub>5</sub>); methyl chloride and perfluorocarbon compounds which fall into these classes:

(i) Cyclic, branched, or linear completely fluorinated alkanes;

(ii) Cyclic, branched, or linear completely fluorinated ethers with no unsaturations; ~~(and)~~

(iii) Cyclic, branched, or linear completely fluorinated tertiary amines with no unsaturations; and

(iv) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

(b) For the purpose of determining compliance with emission limits, VOC will be measured by the appropriate methods in 40 CFR Part 60 Appendix A. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOC if the amount of such compounds is accurately quantified, and such exclusion is approved by ecology or the authority.

(c) As a precondition to excluding these negligibly-reactive compounds as VOC or at any time thereafter, ecology or the authority may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of ecology or the authority, the amount of negligibly-reactive compounds in the source's emissions.

**AMENDATORY SECTION** (Amending Order 93-03, filed 8/20/93, effective 9/20/93)

**WAC 173-400-040 General standards for maximum emissions.** All sources and emissions units are required to meet the emission standards of this chapter. Where an emission standard listed in another chapter is applicable to a specific emissions unit, such standard will take precedent over a general emission standard listed in this chapter. When two or more emissions units are connected to a common stack and the operator elects not to provide the means or facilities to sample emissions from the individual emissions units, and the relative contributions of the individual emissions units to the common discharge are not readily distinguishable, then the emissions of the common stack must meet the most restrictive standard of any of the connected emissions units. Further, all emissions units are required to use reasonably available control technology (RACT) which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to

be less than RACT, ecology or the authority shall, as provided in ~~((section 8, chapter 252, Laws of 1993))~~ RCW 70.194.154, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

(1) Visible emissions. No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any emissions unit which at the emission point, or within a reasonable distance of the emission point, exceeds twenty percent opacity except:

(a) When the emissions occur due to soot blowing/grate cleaning and the operator can demonstrate that the emissions will not exceed twenty percent opacity for more than fifteen minutes in any eight consecutive hours. The intent of this provision is to permit the soot blowing and grate cleaning necessary to the operation of boiler facilities. This practice, except for testing and trouble shooting, is to be scheduled for the same approximate times each day and ecology or the authority be advised of the schedule.

(b) When the owner or operator of a source supplies valid data to show that the presence of uncombined water is the only reason for the opacity to exceed twenty percent.

(c) When two or more sources are connected to a common stack, ecology or the authority may allow or require the use of an alternate time period if it is more representative of normal operations.

(d) When an alternate opacity limit has been established per RCW 70.94.331 (2)(c).

(2) Fallout. No person shall cause or permit the emission of particulate matter from any source to be deposited beyond the property under direct control of the owner(s) or operator(s) of the source in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is deposited.

(3) Fugitive emissions. The owner or operator of any emissions unit engaging in materials handling, construction, demolition or any other operation which is a source of fugitive emission:

(a) If located in an attainment area and not impacting any nonattainment area, shall take reasonable precautions to prevent the release of air contaminants from the operation.

(b) If the emissions unit has been identified as a significant contributor to the nonattainment status of a designated nonattainment area, shall be required to use reasonable and available control methods, which shall include any necessary changes in technology, process, or other control strategies to control emissions of the contaminants for which nonattainment has been designated.

(4) Odors. Any person who shall cause or allow the generation of any odor from any source which may unreasonably interfere with any other property owner's use and enjoyment of his property must use recognized good practice and procedures to reduce these odors to a reasonable minimum.

(5) Emissions detrimental to persons or property. No person shall cause or permit the emission of any air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.

(6) Sulfur dioxide.

No person shall cause or permit the emission of a gas containing sulfur dioxide from any emissions unit in excess of one thousand ppm of sulfur dioxide on a dry basis, corrected to seven percent oxygen for combustion sources, and based on the average of any period of sixty consecutive minutes, except:

When the owner or operator of an emissions unit supplies emission data and can demonstrate to ecology or the authority that there is no feasible method of reducing the concentration to less than one thousand ppm (on a dry basis, corrected to seven percent oxygen for combustion sources) and that the state and federal ambient air quality standards for sulfur dioxide will not be exceeded. In such cases, ecology or the authority may require specific ambient air monitoring stations be established, operated, and maintained by the owner or operator at mutually approved locations. All sampling results will be made available upon request and a monthly summary will be submitted to ecology or the authority.

(7) Concealment and masking. No person shall cause or permit the installation or use of any means which conceals or masks an emission of an air contaminant which would otherwise violate any provisions of this chapter.

(8) Fugitive dust sources.

(a) The owner or operator of a source of fugitive dust shall take reasonable precautions to prevent fugitive dust from becoming airborne and shall maintain and operate the source to minimize emissions.

(b) The owner(s) or operator(s) of any existing source(s) of fugitive dust that has been identified as a significant contributor to a PM-10 nonattainment area shall be required to use reasonably available control technology to control emissions. Significance will be determined by the criteria found in WAC 173-400-113(3).

**AMENDATORY SECTION** (Amending Order 98-04, filed 7/21/98, effective 8/21/98)

**WAC 173-400-060 Emission standards for general process units.** General process units are required to meet all applicable provisions of WAC 173-400-040 and, no person shall cause or permit the emission of particulate material from any general process operation in excess of 0.23 gram((s)) per dry cubic meter at standard conditions (0.1 grain/dscf) of exhaust gas. EPA test methods from 40 CFR Parts 51, 60, 61, and 63 and any other approved test procedures which are contained in ecology's "Source Test Manual - Procedures For Compliance Testing" as of July 12, 1990, will be used to determine compliance.

**AMENDATORY SECTION** (Amending Order 98-04, filed 7/21/98, effective 8/21/98)

**WAC 173-400-070 Emission standards for certain source categories.** Ecology finds that the reasonable regulation of sources within certain categories requires separate standards applicable to such categories. The standards set forth in this section shall be the maximum allowable standards for emissions units within the categories listed. Except as specifically provided in this section, such emissions units

shall not be required to meet the provisions of WAC 173-400-040, 173-400-050 and 173-400-060.

(1) **Wigwam burners.**

(a) All wigwam burners shall meet all provisions of WAC 173-400-040 (2), (3), (4), (5), (6), and (7).

(b) All wigwam burners shall use RACT. All emissions units shall be operated and maintained to minimize emissions. These requirements may include a controlled tangential vent overfire air system, an adequate underfire system, elimination of all unnecessary openings, a controlled feed and other modifications determined necessary by ecology or the authority.

(c) It shall be unlawful to install or increase the existing use of any burner that does not meet all requirements for new sources including those requirements specified in WAC 173-400-040 and 173-400-050, except operating hours.

(d) Ecology may establish additional requirements for wigwam burners located in sensitive areas as defined by chapter 173-440 WAC. These requirements may include but shall not be limited to:

(i) A requirement to meet all provisions of WAC 173-400-040 and 173-400-050. Wigwam burners will be considered to be in compliance if they meet the requirements contained in WAC 173-400-040(1). An exception is made for a startup period not to exceed thirty minutes in any eight consecutive hours.

(ii) A requirement to apply BACT.

(iii) A requirement to reduce or eliminate emissions if ecology establishes that such emissions unreasonably interfere with the use and enjoyment of the property of others or are a cause of violation of ambient air standards.

(2) **Hog fuel boilers.**

(a) Hog fuel boilers shall meet all provisions of WAC 173-400-040 and 173-400-050(1), except that emissions may exceed twenty percent opacity for up to fifteen consecutive minutes once in any eight hours. The intent of this provision is to permit the soot blowing and grate cleaning necessary to the operation of these units. This practice is to be scheduled for the same specific times each day and ecology or the authority shall be notified of the schedule or any changes.

(b) All hog fuel boilers shall utilize RACT and shall be operated and maintained to minimize emissions.

(3) **Orchard heating.**

(a) Burning of rubber materials, asphaltic products, crankcase oil or petroleum wastes, plastic, or garbage is prohibited.

(b) It is unlawful to burn any material or operate any orchard-heating device that causes a visible emission exceeding twenty percent opacity, except during the first thirty minutes after such device or material is ignited.

(4) **Grain elevators.**

Any grain elevator which is primarily classified as a materials handling operation shall meet all the provisions of WAC 173-400-040 (2), (3), (4), and (5).

(5) **Catalytic cracking units.**

(a) All existing catalytic cracking units shall meet all provisions of WAC 173-400-040 (2), (3), (4), (5), (6), and (7) and:

(i) No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any catalytic cracking unit which at the emission point, or within a reasonable distance of the emission point, exceeds forty percent opacity.

(ii) No person shall cause or permit the emission of particulate material in excess of 0.46 grams per dry cubic meter at standard conditions (0.20 grains/dscf) of exhaust gas.

(b) All new catalytic cracking units shall meet all provisions of WAC 173-400-115.

**(6) Other wood waste burners.**

(a) Wood waste burners not specifically provided for in this section shall meet all provisions of WAC 173-400-040.

(b) Such wood waste burners shall utilize RACT and shall be operated and maintained to minimize emissions.

**(7) Sulfuric acid plants.**

No person shall cause to be discharged into the atmosphere from a sulfuric acid plant, any gases which contain acid mist, expressed as H<sub>2</sub>SO<sub>4</sub>, in excess of 0.15 pounds per ton of acid produced. Sulfuric acid production shall be expressed as one hundred percent H<sub>2</sub>SO<sub>4</sub>.

(8) **Sewage sludge incinerators.** Standards for the incineration of sewage sludge found in 40 CFR Part 503 subparts A (General Provisions) and E (Incineration) in effect on July 1, 1997, are adopted by reference.

**(9) Municipal solid waste landfills constructed, reconstructed, or modified before May 30, 1991.** A municipal solid waste landfill (MSW landfill) is an entire disposal facility in a contiguous geographical space where household waste is placed in or on the land. A MSW landfill may also receive other types of waste regulated under Subtitle D of the Federal Resource Conservation and Recovery Act including the following: Commercial solid waste, non-hazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. A MSW landfill may be either publicly or privately owned. A MSW landfill may be a new MSW landfill, an existing MSW landfill, or a lateral expansion.

(a) Applicability. These rules apply to each existing MSW landfill constructed, reconstructed, or modified before May 30, 1991. (See WAC 173-400-115(2) for MSW landfills constructed, reconstructed, or modified on or after May 30, 1991.)

(b) Exceptions. Any physical or operational change to an existing MSW landfill made solely to comply with these rules is not considered a modification or rebuilding.

(c) Recordkeeping and reporting. All existing MSW landfills must follow the recordkeeping and reporting requirements in 40 CFR 60.757 (submittal of an initial design capacity report) and 40 CFR 60.758 (recordkeeping requirements). Exceptions to these requirements are located in 40 CFR 60.24.

**(d) Test methods and procedures.**

(i) All existing MSW landfills must calculate the landfill nonmethane organic compound (NMOC) emission rates following the procedures listed in 40 CFR 60.754.

(ii) Gas collection and control systems must meet the requirements in 40 CFR 60.752 (b)(2)(ii) through the following procedures:

(A) The systems must follow the operational standards in 40 CFR 60.753.

(B) The systems must follow the compliance provisions in 40 CFR 60.755 (a)(1) through (a)(6) to determine whether the system is in compliance with 40 CFR 60.752 (b)(2)(ii).

(C) The system must follow the applicable monitoring provisions in 40 CFR 60.756.

(e) Conditions. Existing MSW landfills that meet the following conditions must install a gas collection and control system:

(i) The landfill accepted waste at any time since November 8, 1987, or the landfill has additional design capacity available for future waste deposition;

(ii) The landfill has design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters. The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exception values. Any density conversions shall be documented and submitted with the report; and

(iii) The landfill has a nonmethane organic compound (NMOC) emission rate of 50 megagrams per year or greater.

(f) Change in conditions. After the adoption date of this rule, a landfill that meets all three conditions in (e) of this subsection must comply with all the requirements of this section within thirty months of the date when the conditions were met. This change will usually occur because the NMOC emission rate equaled or exceeded the rate of 50 megagrams per year.

(g) Gas collection and control systems.

(i) Gas collection and control systems must meet the requirements in 40 CFR 60.752 (b)(2)(ii).

(ii) The design plans must be prepared by a licensed professional engineer and submitted to ecology within one year after the adoption date of this section.

(iii) The system must be installed within eighteen months after the submittal of the design plans.

(iv) The system must be operational within thirty months after the adoption date of this section.

(v) The emissions that are collected must be controlled in one of three ways:

(A) An open flare designed and operated according to 40 CFR 60.18;

(B) A control system designed and operated to reduce NMOC by 98 percent by weight; or

(C) An enclosed combustor designed and operated to reduce the outlet NMOC concentration to 20 parts per million as hexane by volume, dry basis to three percent oxygen, or less.

**AMENDATORY SECTION** (Amending Order 98-04, filed 7/21/98, effective 8/21/98)

**WAC 173-400-075 Emission standards for sources emitting hazardous air pollutants.** (1) National emission standards for hazardous air pollutants (NESHAPs). NESHAPs and Appendices found in 40 CFR Part 61 in effect on ((April 1, 1998)) July 1, 2000, are adopted by reference. The



term "administrator" in 40 CFR Part 61 includes the director of ecology.

(2) Ecology or the authority may conduct source tests and require access to records, books, files, and other information specific to the control, recovery, or release of those pollutants regulated under 40 CFR Parts 61 and 63 in order to determine the status of compliance of sources of these contaminants and to carry out its enforcement responsibilities.

(3) Source testing, monitoring, and analytical methods for sources of hazardous air pollutants ((~~shall~~)) must conform with the requirements of 40 CFR Parts 61 and 63.

(4) This section ((~~shall~~)) does not apply to any source operating ((~~pursuant to~~)) under a waiver granted by EPA or an exemption granted by the president of the United States ((~~during the effective life of such waiver or exemption~~)).

(5) **Maximum achievable control technology (MACT) standards.** MACT standards are officially known as national emission standards for hazardous air pollutants for source categories. They are found in 40 CFR Part 63.

(a) **Adopt by reference.** ((~~This list of~~)) The federal MACT standards and Appendices in 40 CFR Part 63 in effect on ((~~April 1, 1998~~)) July 1, 2000, is adopted by reference ((~~The term "administrator" in 40 CFR part 63 includes the director of ecology.~~)).

Subpart A	General Provisions
Subpart B	Requirements for Control Technology Determinations for Major Sources According to Section 112(g) and 112(j) of the federal Clean Air Act
Subpart D	Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants
Subpart F	NESHAPs for the Synthetic Organic Chemical Manufacturing Industry (a/k/a HON)
Subpart G	NESHAPs for the Synthetic Organic Chemical Manufacturing Industry: Process Vents, Storage Vessels, Transfer Operations, and Wastewater
Subpart H	NESHAPs for the Synthetic Organic Chemical Manufacturing Industry: Equipment Leaks
Subpart I	NESHAPs for Processes Subject to the Negotiated Regulation for Equipment Leaks
Subpart L	NESHAPs for Coke Oven Batteries: Charging, topside and door leaks
Subpart N	NESHAPs for Chromium Electroplating and Anodizing
Subpart O	NESHAPs for Commercial Ethylene Oxide Sterilizers
Subpart Q	NESHAPs for Industrial Process Cooling Towers

Subpart R	NESHAPs for Gasoline Distribution/Marketing (stage 1)
Subpart T	NESHAPs for Halogenated Solvent-Cleaning Machines
Subpart U	NESHAPs for Group I Polymers and Resins
Subpart W	NESHAPs for Epoxy Resins Production and Non-Nylon Polyamides Production
Subpart X	NESHAPs for the Secondary Lead Smelters
Subpart CC	NESHAPs for the Petroleum Refinery Industry
Subpart DD	NESHAPs from Off-site Waste and Recovery Treatment Operation
Subpart EE	NESHAPs for Magnetic Tape Manufacturing Operations
Subpart GG	NESHAPs for the Aerospace Manufacturing and Rework Facilities
Subpart H	NESHAPs for Shipbuilding and Repair (surface coating)
Subpart JJ	NESHAPs for Wood Furniture Manufacturing Operations
Subpart KK	NESHAPs for Printing and Publishing Industry
Subpart OO	NESHAPs for Tanks level 1
Subpart PP	NESHAPs for Containers
Subpart QQ	NESHAPs for Surface Impoundments
Subpart RR	NESHAPs for Individual Drain Systems
Subpart VV	NESHAPs for Oil-Water Separators and Organic Water Separators
Appendix A	Test Methods
Appendix B	Sources Defined for Early Reduction Provisions
Appendix C	Determination of the Fraction Biodegraded in a Biological Treatment Unit
Appendix D	Alternative Validation procedure for EPA Waste and Wastewater Methods

(b) **Exceptions.** The following subparts of 40 CFR part 63 are not adopted by reference:

Subpart C	List of Hazardous Air Pollutants, Petition Process, Lesser-Quantity Designations, source Category List
Subpart E	Approval of State Programs and Delegation of Federal Authorities
Subpart M	National Perchloroethylene Emission Standards for Dry-Cleaning Facilities

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- Subpart S National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry
- Subpart Y National Emission Standards for Hazardous Air Pollutants for Marine Tank Vessel Loading Operations
- Subpart LL National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants

(6) Emission Standards for Perchloroethylene Dry Cleaners:

(a) Policy and purpose. It is not the intent of this section to place any additional burden on the generator beyond the federal MACT. Instead, the purpose of this section is to provide the reader with a clearer and more concise regulation.

(b) Applicability. This section applies to all dry cleaning systems using perchloroethylene (PCE). The standards that apply to this section fall into the following source categories as presented in Table 1.

TABLE 1. Perchloroethylene Dry Cleaner NESHAP Source Categories

Applicability	Small-Area Sources	Large-Area Sources	Major Sources
Dry cleaning Facilities with less than:	Consuming	Consuming	Consuming
(1) Only Dry-to-Dry Machines	140 gallons PCE/yr	140-2,100 gallons PCE/yr	2,100 gallons PCE/yr
(2) Only Transfer Machines	200 gallons PCE/yr	200-1,800 gallons PCE/yr	1,800 gallons PCE/yr
(3) Both Dry-to-Dry and Transfer Machines	140 gallons PCE/yr	140-1,800 gallons PCE/yr	1,800 gallons PCE/yr

(c) General requirements. It shall be unlawful for any person to cause or allow the operation of a large area or major source perchloroethylene dry cleaning system unless all the air perchloroethylene gas vapor stream is vented through a refrigerated condenser. A major source dry cleaning system installed after September 21, 1993, must utilize a refrigerated condenser followed by a small carbon adsorber. It shall be unlawful for any person to cause or allow the operation of a small area source dry cleaning system installed after September 21, 1993, unless all the air perchloroethylene dry cleaning system is vented through a refrigerated condenser.

(d) General operation and maintenance requirements. It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaning system unless all of the following conditions are met:

(i) All perchloroethylene dry cleaners who generate seventy-five thousand dollars per year in revenue must conduct a visual inspection of the dry cleaning system at least once a week for perceptible leaks. Perceptible leaks shall be repaired within twenty-four hours of detection unless repair parts cannot be ordered within that period of time. If parts must be ordered to repair a leak, the parts shall be ordered within two working days of detecting the leak and repair parts shall be installed within five working days after receipt;

(ii) Drain cartridge filters in their housing or other sealed container for at least twenty-four hours before discarding the cartridges;

(iii) Close the door of each dry cleaning machine except when transferring articles to or from the machine;

(iv) Store all perchloroethylene, and wastes containing perchloroethylene, in a closed container; and

(v) Operate and maintain the dry cleaning system according to the manufacturer's specification and recommendations.

(e) Requirements for refrigerated condensers. It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaning system using a refrigerated condenser unless all of the following conditions are met:

(i) The air temperature at the outlet of the refrigerated condenser installed on a dry-to-dry machine, dryer or reclaimer must be less than or equal to 45°F (7°C) during the cool-down period. Compliance shall be determined by monitoring the temperature on a continuous basis using a permanently installed temperature sensor that is accurate to within 2°F (1°C). The temperature shall be logged weekly;

(ii) The difference between the air temperature at the inlet and outlet of a refrigerated condenser installed on a washer must be greater than or equal to 20°F (11°C). Compliance shall be determined by monitoring the temperature on a continuous basis using a permanently installed temperature sensor that is accurate to within 2°F (1°C). The temperature shall be logged weekly. If the dry cleaning system was constructed before December 9, 1991, temperature sensors shall be installed by September 23, 1996;

(iii) The refrigerated condenser shall be operated with a diverter valve that prevents air drawn into the dry cleaning machine from passing through the refrigerated condenser when the door of the machines is open; and

(iv) The refrigerated condenser shall not vent the air perchloroethylene gas vapor stream while the dry cleaning machine drum is rotating or, if installed on a washer, until the washer door is opened.

(f) Requirements for carbon adsorbers. It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaning system using a carbon adsorber unless all of the following conditions have been met:

(i) The concentration of perchloroethylene at the exhaust of the carbon adsorber shall not exceed 100 ppm while the dry cleaning machine is venting to the carbon adsorber at the end of the last dry cleaning cycle prior to desorption of the carbon adsorber; and

(ii) Compliance shall be determined by weekly measurements of the concentration of perchloroethylene at the outlet of the carbon adsorber using a colorimetric detector tube that is accurate to within 25 ppm. If the dry cleaning system was constructed before December 9, 1991, monitoring shall commence by September 23, 1996.

(g) Recordkeeping. Each dry cleaning facility shall have on-site the design specifications and operating manuals for all perchloroethylene dry cleaning equipment and process vent control devices, as well as an operations and maintenance plan that includes the following:

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~~(i) A record of dates and results of all monitoring, inspections, and repair of the dry cleaning system; and~~

~~(ii) A record of the volume of perchloroethylene purchased each month including receipts of perchloroethylene purchases and a calculation of the amount of perchloroethylene purchased over the previous twelve months.~~

~~(h) A record shall be kept of any pollution prevention activities that have been accomplished.~~

~~(i) Major source requirements. If the dry cleaning system is located at a facility that emits 10 tons or more of perchloroethylene annually, the facility must meet the additional requirements set forth in 40 CFR Part 63, Subpart M), except as specified below.~~

~~(b) The term "administrator" in 40 CFR Part 63 includes the director of ecology.~~

~~(c) Exceptions. The following subparts of 40 CFR Part 63 are not adopted by reference:~~

(i) Subpart C: List of Hazardous Air Pollutants, Petition Process, Lesser Quantity Designations, source Category List.

(ii) Subpart E: Approval of State Programs and Delegation of Federal Authorities.

(iii) Subpart M: National Perchloroethylene Emission Standards for Dry Cleaning Facilities.

(iv) Subpart Y: National Emission Standards for Hazardous Air Pollutants for Marine Tank Vessel Loading Operations.

**(6) Emission Standards for Perchloroethylene Dry Cleaners.**

**(a) Applicability.**

(i) This section applies to all dry cleaning systems that use perchloroethylene (PCE). Table 1 divides dry cleaning facilities into 3 regulatory source categories by the type of equipment they use and the volume of PCE purchased. Each dry cleaning system must follow the applicable requirements in Table 1:

TABLE 1. PCE Dry Cleaner Source Categories

<u>Dry cleaning facilities with:</u>	<u>Small area source purchases less than:</u>	<u>Large area source purchases between:</u>	<u>Major source purchases more than:</u>
<u>(1) Only Dry-to-Dry Machines</u>	<u>140 gallons PCE/yr</u>	<u>140-2,100 gallons PCE/yr</u>	<u>2,100 gallons PCE/yr</u>
<u>(2) Only Transfer Machines</u>	<u>200 gallons PCE/yr</u>	<u>200-1,800 gallons PCE/yr</u>	<u>1,800 gallons PCE/yr</u>
<u>(3) Both Dry-to-Dry and Transfer Machines</u>	<u>140 gallons PCE/yr</u>	<u>140-1,800 gallons PCE/yr</u>	<u>1,800 gallons PCE/yr</u>

(ii) Major sources. In addition to the requirements in this section, a dry cleaning system that is considered a major source according to Table 1 must follow the federal requirements for major sources in 40 CFR Part 63, Subpart M.

**(b) Operations and maintenance record.**

(i) Each dry cleaning facility must keep an operations and maintenance record that is available upon request.

(ii) The information in the operations and maintenance record must be kept on-site for five years.

(iii) The operations and maintenance record must contain the following information:

(A) Inspection: The date and result of each inspection of the dry cleaning system. The inspection must note the condition of the system and the time any leaks were observed.

(B) Repair: The date, time, and result of each repair of the dry cleaning system.

(C) Refrigerated condenser information. If you have a refrigerated condenser, enter this information:

(I) The air temperature at the inlet of the refrigerated condenser;

(II) The air temperature at the outlet of the refrigerated condenser;

(III) The difference between the inlet and outlet temperature readings; and

(IV) The date the temperature was taken.

(D) Carbon adsorber information. If you have a carbon adsorber, enter this information:

(I) The concentration of PCE in the exhaust of the carbon adsorber; and

(II) The date the concentration was measured.

(E) A record of the volume of PCE purchased each month must be entered by the first of the following month;

(F) A record of the total amount of PCE purchased over the previous twelve months must be entered by the first of each month;

(G) All receipts of PCE purchases; and

(H) A record of any pollution prevention activities that have been accomplished.

**(c) General operations and maintenance requirements.**

(i) Drain cartridge filters in their housing or other sealed container for at least twenty-four hours before discarding the cartridges.

(ii) Close the door of each dry cleaning machine except when transferring articles to or from the machine.

(iii) Store all perchloroethylene, and wastes containing perchloroethylene, in a closed container with no perceptible leaks.

(iv) Operate and maintain the dry cleaning system according to the manufacturer's specifications and recommendations.

(v) Keep a copy on-site of the design specifications and operating manuals for all dry cleaning equipment.

(vi) Keep a copy on-site of the design specifications and operating manuals for all emissions control devices.

(vii) Route the PCE gas-vapor stream from the dry cleaning system through the applicable equipment in Table 2:

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TABLE 2. Minimum PCE Vapor Vent Control Requirements

<u>Small area source</u>	<u>Large area source</u>	<u>Major source</u>
<u>Refrigerated condenser for all machines installed after September 21, 1993.</u>	<u>Refrigerated condenser for all machines.</u>	<u>Refrigerated condenser with a carbon adsorber for all machines installed after September 21, 1993.</u>

**(d) Inspection.**

(i) The owner or operator must inspect the dry cleaning system at a minimum following the requirements in Table 3:

TABLE 3. Minimum Inspection Frequency

<u>Small area source</u>	<u>Large area source</u>	<u>Major source</u>
<u>Once every 2 weeks.</u>	<u>Once every week.</u>	<u>Once every week.</u>

(ii) An inspection must include an examination of these components for condition and perceptible leaks:

(A) Hose and pipe connections, fittings, couplings, and valves;

(B) Door gaskets and seatings;

(C) Filter gaskets and seatings;

(D) Pumps;

(E) Solvent tanks and containers;

(F) Water separators;

(G) Muck cookers;

(H) Stills;

(I) Exhaust dampers; and

(J) Cartridge filter housings.

(iii) The dry cleaning system must be inspected while it is operating.

(iv) The date and result of each inspection must be entered in the operations and maintenance record at the time of the inspection.

**(e) Repair.**

(i) Leaks must be repaired within twenty-four hours of detection if repair parts are available.

(ii) If repair parts are unavailable, they must be ordered within two working days of detecting the leak.

(iii) Repair parts must be installed as soon as possible, and no later than five working days after arrival.

(iv) The date and time each leak was discovered must be entered in the operations and maintenance record.

(v) The date, time, and result of each repair must be entered in the operations and maintenance record at the time of the repair.

**(f) Requirements for systems with refrigerated condensers.** A dry cleaning system using a refrigerated condenser must meet all of the following requirements:

(i) Outlet air temperature.

(A) Each week the air temperature sensor at the outlet of the refrigerated condenser must be checked.

(B) The air temperature at the outlet of the refrigerated condenser must be less than or equal to 45°F (7.2°C) during the cool-down period.

(C) The air temperature must be entered in the operations and maintenance record manual at the time it is checked.

(D) The air temperature sensor must meet these requirements:

(I) An air temperature sensor must be permanently installed on a dry-to-dry machine, dryer or reclaimer at the outlet of the refrigerated condenser. The air temperature sensor must be installed by September 23, 1996, if the dry cleaning system was constructed before December 9, 1991.

(II) The air temperature sensor must be accurate to within 2°F (1.1°C).

(III) The air temperature sensor must be designed to measure at least a temperature range from 32°F (0°C) to 120°F (48.9°C); and

(IV) The air temperature sensor must be labeled "RC outlet."

(ii) Inlet air temperature.

(A) Each week the air temperature sensor at the inlet of the refrigerated condenser installed on a washer must be checked.

(B) The inlet air temperature must be entered in the operations and maintenance record at the time it is checked.

(C) The air temperature sensor must meet these requirements:

(I) An air temperature sensor must be permanently installed on a washer at the inlet of the refrigerated condenser. The air temperature sensor must be installed by September 23, 1996, if the dry cleaning system was constructed before December 9, 1991.

(II) The air temperature sensor must be accurate to within 2°F (1.1°C).

(III) The air temperature sensor must be designed to measure at least a temperature range from 32°F (0°C) to 120°F (48.9°C).

(IV) The air temperature sensor must be labeled "RC inlet."

(iii) Difference between inlet and outlet air temperature.

(A) Each week the difference between the air temperature at the inlet and outlet of the refrigerated condenser must be calculated.

(B) The difference between the air temperature at the inlet and outlet of a refrigerated condenser installed on a washer must be greater than or equal to 20°F (11.1°C).

(C) The difference between the inlet and outlet air temperature must be entered in the operations and maintenance record each time it is checked.

(iv) A converted machine with a refrigerated condenser must be operated with a diverter valve that prevents air drawn

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into the dry cleaning machine from passing through the refrigerated condenser when the door of the machine is open;

(v) The refrigerated condenser must not vent the air-PCE gas-vapor stream while the dry cleaning machine drum is rotating or, if installed on a washer, until the washer door is opened; and

(vi) The refrigerated condenser in a transfer machine may not be coupled with any other equipment.

(g) Requirements for systems with carbon adsorbers. A dry cleaning system using a carbon adsorber must meet all of the following requirements:

(i) Each week the concentration of PCE in the exhaust of the carbon adsorber must be measured at the outlet of the carbon adsorber using a colorimetric detector tube.

(ii) The concentration of PCE must be written in the operations and maintenance record each time the concentration is checked.

(iii) If the dry cleaning system was constructed before December 9, 1991, monitoring must begin by September 23, 1996.

(iv) The colorimetric tube must meet these requirements:  
(A) The colorimetric tube must be able to measure a concentration of 100 parts per million of PCE in air.

(B) The colorimetric tube must be accurate to within 25 parts per million.

(C) The concentration of PCE in the exhaust of the carbon adsorber must not exceed 100 ppm while the dry cleaning machine is venting to the carbon adsorber at the end of the last dry cleaning cycle prior to desorption of the carbon adsorber.

(v) If the dry cleaning system does not have a permanently fixed colorimetric tube, a sampling port must be provided within the exhaust outlet of the carbon adsorber. The sampling port must meet all of these requirements:

(A) The sampling port must be easily accessible;  
(B) The sampling port must be located 8 stack or duct diameters downstream from a bend, expansion, contraction or outlet; and

(C) The sampling port must be 2 stack or duct diameters upstream from a bend, expansion, contraction, inlet or outlet.

**AMENDATORY SECTION** (Amending Order 93-40, filed 3/22/95, effective 4/22/95)

**WAC 173-400-104 Registration fees.** (1) Registration fee determination. In counties without an active local air pollution control authority, ecology shall establish registration fees based on workload using the process outlined below. The fees collected shall be sufficient to cover the direct and indirect costs of administering the registration program within ecology's jurisdiction.

(2) Budget preparation. Ecology shall conduct a workload analysis projecting resource requirements for administering the registration program. Workload estimates shall be prepared on a biennial basis and shall estimate the resources required to perform registration program activities listed in WAC ((173-400-097)) 173-400-099(2). Ecology shall prepare a budget for administering the registration program using workload estimates identified in the workload analysis for the biennium. :

(3) Registration fee schedule. Ecology's registration program budget shall be distributed to sources located in its jurisdiction according to the following:

(a) Sources requiring periodic registration and inspections shall pay an annual registration fee of four hundred dollars.

(b) Sources requiring annual registration and inspections shall pay a registration fee comprised of the following three components:

(i) Flat component. This portion of a source's fee shall be calculated by the equal division of thirty-five percent of the budget amount allocated to annual registration sources by the total number of sources requiring annual registration.

(ii) Complexity component. Each source is assigned a complexity rating of 1, 3, or 5 which is based on the estimated amount of time needed to review and inspect the source. This portion of the fee is calculated by dividing forty percent of the budget amount allocated to annually registered sources by the total complexity of sources located in ecology's jurisdiction. The quotient is then multiplied by an individual source's complexity rating to determine that source's complexity portion of the fee.

(iii) Emissions component. This portion of a source's fee is calculated by dividing twenty-five percent of the budget amount allocated to annually registered sources by the total billable emissions from those sources. The quotient is then multiplied by an individual source's billable emissions to determine that source's emissions portion of the fee. Billable emissions include all air pollutants except carbon monoxide and total suspended particulate.

(4) Regulatory orders. Owners or operators registering a source as a synthetic minor must obtain a regulatory order which limits the source's emissions. The owner will be required to pay a fee based on the amount of time required to research and write the order multiplied by an hourly rate of sixty dollars.

(5) Fee reductions for pollution prevention initiatives. Ecology may reduce registration fees for an individual source if that source demonstrates the use of approved pollution prevention measures or best management practices beyond those required of the source.

(6) Fee reductions for economic hardships. If a small business owner believes the registration fee results in an extreme economic hardship, the small business owner may request an extreme hardship fee reduction. The owner or operator must provide sufficient evidence to support a claim of an extreme hardship. The factors which ecology may consider in determining whether an owner or operator has special economic circumstances and in setting the extreme hardship fee include: Annual sales; labor force size; market conditions which affect the owner's or operator's ability to pass the cost of the registration fee through to customers; average annual profits, and cumulative effects of multiple site ownership. In no case will a registration fee be reduced below two hundred dollars.

(7) Fee payments. Fees specified in this section shall be paid within thirty days of receipt of ecology's billing statement. All fees collected under this regulation shall be made payable to the Washington department of ecology. A late fee surcharge of fifty dollars or ten percent of the fee, whichever

is more, may be assessed for any fee not received after the thirty-day period.

(8) Dedicated account. All registration fees collected by ecology shall be deposited in the air pollution control account.

(9) Tracking revenues, time, and expenditures. Ecology shall track revenues collected under this subsection on a source-specific basis. Ecology shall track time and expenditures on the basis of ecology budget functions.

**AMENDATORY SECTION** (Amending Order 98-02, filed 10/23/98, effective 11/23/98)

**WAC 173-400-115 Standards of performance for new sources.** (~~Title 40, Code of Federal Regulations, Part 60 (standards of performance for new sources), as in effect on January 1, 1993, is adopted by reference except for sections 60.5 (determination of construction or modification) and 60.6 (review of plans). The term "administrator" in 40 CFR Part 60 shall mean both the administrator of EPA and the director of ecology.~~)

~~Title 40, Code of Federal Regulations, Part 60, subpart WWW (40 CFR 60.750 et seq.) Standards of Performance for Municipal Solid Waste Landfills, as in effect on 10-1-98 is adopted by reference.~~

As of January 1, 1993, the federal regulations adopted by reference hereby set standards of performance affecting facilities for the following described subparts of 40 CFR Part 60:

- Subpart D Fossil fuel fired steam generators for which construction commenced after August 17, 1971, and prior to September 19, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts
- Subpart Da Electric utility steam generating units for which construction commenced after September 18, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts
- Subpart Db Industrial-commercial-institutional steam-generating units for which construction commenced after June 19, 1984, and prior to June 19, 1986, which have a heat input greater than 29 megawatts but less than 73 megawatts
- Subpart De Small industrial-commercial-institutional steam-generating units
- Subpart E Incinerators
- Subpart Ea Municipal waste combustors
- Subpart F Portland cement plants
- Subpart G Nitric acid plants
- Subpart H Sulfuric acid plants
- Subpart I Asphalt concrete plants

- Subpart J Petroleum refineries which produce less than 25,000 barrels per day of refined products
- Subpart K Storage vessels for petroleum liquid constructed after June 11, 1973, and prior to May 19, 1978, which have a capacity greater than 40,000 gallons
- Subpart Ka Storage vessels for petroleum liquids constructed after May 18, 1978, which have a capacity greater than 40,000 gallons
- Subpart Kb Volatile organic liquid storage vessels (including petroleum liquid storage vessels) constructed, reconstructed, or modified after July 23, 1984
- Subpart L Secondary lead smelters
- Subpart M Brass and bronze ingot production plants
- Subpart N Iron and steel plants
- Subpart Na Secondary emissions from basic-oxygen-process steel-making facilities
- Subpart O Sewage treatment plants
- Subpart P Primary copper smelters
- Subpart Q Primary zinc smelters
- Subpart R Primary lead smelters
- Subpart S Primary aluminum reduction plants
- Subpart T Phosphate fertilizer industry: Wet process phosphoric acid plants
- Subpart U Phosphate fertilizer industry: Superphosphoric acid plants
- Subpart V Phosphate fertilizer industry: Diammonium phosphate plants
- Subpart W Phosphate fertilizer industry: Triple superphosphate plants
- Subpart X Phosphate fertilizer industry: Granular triple superphosphate storage facilities
- Subpart Y Coal preparation plants
- Subpart Z Ferroalloy production facilities
- Subpart AA Steel plants: Electric arc furnaces
- Subpart AAa Steel plants: Electric arc furnaces and argon-oxygen decarburization vessels
- Subpart BB Kraft pulp mills
- Subpart CC Glass manufacturing plants
- Subpart DD Grain elevators
- Subpart EE Industrial surface coating: Metal furniture
- Subpart GG Stationary gas turbines
- Subpart HH Lime manufacturing plants
- Subpart KK Lead-acid battery plants
- Subpart LL Metallic mineral processing plants
- Subpart MM Automobile and light duty truck surface-coating operations
- Subpart NN Phosphate rock plants

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Subpart PP	Ammonium sulfate manufacture
Subpart QQ	Publication rotogravure printing
Subpart RR	Pressure sensitive tape and label surface coating operations
Subpart SS	Industrial surface coating—Large appliances
Subpart TT	Industrial surface coating—Metal coils
Subpart UU	Asphalt processing and asphalt roofing manufacture
Subpart VV	SOCMI equipment leaks (VOC)
Subpart WW	Beverage can surface coating operations
Subpart XX	Bulk gasoline terminals
Subpart AAA	New residential wood heaters
Subpart BBB	Rubber tire manufacturing industry
Subpart DDD	VOC emissions from the polymer manufacturing industry
Subpart FFF	Flexible vinyl and urethane coating and printing
Subpart GGG	Petroleum refineries—compressors and fugitive emission sources
Subpart HHH	Synthetic fiber production facilities
Subpart III	VOC emissions from SOCMI air oxidation unit processes
Subpart JJJ	Petroleum dry cleaners
Subpart KKK	Equipment leaks of VOC from onshore natural gas processing plants
Subpart LLL	Onshore natural gas processing; SO <sub>2</sub> emissions
Subpart NNN	VOC emissions from SOCMI distillation operations
Subpart PPP	Wool fiberglass insulation manufacturing plants
Subpart QQQ	VOC emissions from petroleum refinery wastewater emissions
Subpart RRR	VOC emissions from synthetic organic chemical manufacturing industry
Subpart SSS	Magnetic tape coating facilities
Subpart TTT	Industrial surface coating—Surface coating of plastic parts for business machines
Subpart UUU	Caleiners and dryers in mineral industries
Subpart VVV	Polymeric coating of supporting substrates facilities

Note: For fossil fuel fired steam generators referenced by Subpart D and Da above, units greater than 250 megawatts are governed by the energy facility site evaluation council (EFSEC) in Title 463 WAC.)

(1) NSPS. Standards of performance for new sources are called New Source Performance Standards, or NSPS. They are found in Title 40, Code of Federal Regulations, Part 60, including appendices.

(2) Adoption by reference. The NSPS, including appendices, 40 CFR Part 60, in effect on July 1, 2000, is adopted by reference, except as specified below.

(a) The term "administrator" in 40 CFR Part 60 includes the director of ecology.

(b) The following sections and subparts of 40 CFR Part 60 are not adopted by reference:

(i) 40 CFR 60.5 (determination of construction or modification);

(ii) 40 CFR 60.6 (review of plans);

(iii) 40 CFR Part 60, subparts C, Cb, Cc, Cd, and Ce (emission guidelines); and

(iv) 40 CFR Part 60, subpart OOO (nonmetallic mineral processing plants).

(3) Note that certain affected facilities under 40 CFR Part 60, subparts D and Da are under the energy facility site evaluation council (EFSEC) jurisdiction, pursuant to RCW 80.50.060. These are certain larger energy plants, as defined in RCW 80.50.020(14).

**WSR 00-17-173**  
**EXPEDITED ADOPTION**  
**SECRETARY OF STATE**  
 [Filed August 23, 2000, 9:32 a.m.]

Title of Rule: Electronic authentication.  
 Purpose: Changes and clarification to the publication requirement.

Other Identifying Information: Amending WAC 434-180-440.

Statutory Authority for Adoption: RCW 19.34.030, 19.34.040, 19.34.100, 19.34.111, and 19.34.400.

Statute Being Implemented: Chapter 19.34 RCW.

Summary: To clarify the requirement for publication of information under chapter 19.34 RCW.

Reasons Supporting Proposal: To streamline the publishing requirements under the Washington Electronic Authentication Act.

Name of Agency Personnel Responsible for Drafting: Hans Dettling, 505 East Union, Olympia, WA 98504, (360) 586-0393; Implementation and Enforcement: Office of the Secretary of State.

Name of Proponent: Office of the Secretary of State, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Clarification of publication by the secretary of state under the Washington Electronic Authentication Act. This change should make the publishing process more efficient and easier for participants to understand.

Proposal does not change existing rules.

**NOTICE**

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT

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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 Hans Dettling, Corporations Division, Office of the Secretary of State, P.O. Box 40234, Olympia, WA 98504, phone (360) 586-0393, fax (360) 664-8781, TDD (360) 753-1485, AND RECEIVED BY October 24, 2000.

August 21, 2000  
Tracy Guerin  
Deputy Secretary of State

**AMENDATORY SECTION** (Amending WSR 97-24-053, filed 11/26/97, effective 12/27/97)

**WAC 434-180-440 Publication by the secretary of state repository.** (1) The secretary shall ~~((maintain))~~ publish, either directly or under contract, ~~((a repository for the purpose of publishing))~~ any information required by chapter 19.34 RCW. Information published ~~((in the secretary's repository))~~ by the secretary shall include:

~~((1))~~ (a) The certification authority disclosure record for each certification authority licensed in Washington;

~~((2))~~ (b) A list of all judgments filed with the secretary within the previous five years pursuant to RCW 19.34.290;

~~((3))~~ (c) Any advisory statements published by the secretary regarding the activities of a licensed or unlicensed certification authority, together with any protest filed by the certification authority named in the statement and any final decision of the secretary regarding the issues raised in the statement, all as provided by RCW 19.34.130(2);

~~((4))~~ (d) Any information published ~~((in the secretary's repository))~~ by the secretary pursuant to WAC 434-180-450; and

~~((5))~~ (e) Any other information necessary or appropriate for publication pursuant to chapter 19.34 RCW or this chapter.

(2) The secretary may meet the requirements of this section through publication in the state register, on the website maintained by the secretary, or through any other medium suitable to providing public notice.

**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.

#### WSR 00-17-174

#### EXPEDITED ADOPTION

#### APPLE ADVERTISING COMMISSION

[Filed August 23, 2000, 9:58 a.m.]

Title of Rule: Amount of assessments in WAC 24-12-010.

Purpose: This section establishes the rate of assessment for fresh apples grown in Washington state.

Statutory Authority for Adoption: Chapter 15.24 RCW.

Statute Being Implemented: Chapter 15.24 RCW.

Summary: The assessment of fresh apples was increased from 54.3 cents per one hundred pounds (25 cents per standard 46-pound box) to 86.96 cents per one hundred pounds (40 cents per standard 46-pound box) for a period of three years.

Reasons Supporting Proposal: To correct a typographical error that occurred in filing WSR 98-18-060 in WAC 24-12-010.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ken Severn, 2900 Euclid Avenue, Wenatchee, WA, (509) 663-9600.

Name of Proponent: Washington Apple Advertising Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule provides for the level of assessments on fresh apples grown in the state of Washington. The assessment amount is approved by the majority of the affected producers voting in the referendum. On August 31, 1998, the commission adopted (filing WSR 98-21-048) an increase in the assessment rate which was approved by the producers in a referendum conducted on August 23, 1998. The adopted language contained a typographical error in the assessment rate for those assessments used only for direct consumer advertising. The purpose of this amendment is to correct the typographical error.

Proposal Changes the Following Existing Rules: Amends in WAC 24-12-010(1) the assessment on each one hundred pounds gross billing weight used only for direct consumer advertising from 35.66 cents to 32.66 cents.

#### 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 Ken Severn, Washington Apple Commission, P.O. Box 18, Wenatchee, WA 98807, fax (509) 663-5824, AND RECEIVED BY October 23, 2000.

August 21, 2000

Kenneth L. Severn

President

**AMENDATORY SECTION** (Amending WSR 98-18-060 [and 98-21-048], filed 8/31/98 [and 10/15/98])

**WAC 24-12-010 Amount of assessments.** (1) There is hereby levied upon all fresh apples grown annually in this state, and upon all apples packed as Washington apples, an assessment of 86.96 cents on each one hundred pounds gross billing weight until September 30, 2001. On and after October 1, 2001 the assessment on fresh apples shall be 54.3 cents



on each one hundred pounds gross billing weight. For the period October 1, 1998 through September 30, 2001, ~~((35.66))~~ 32.66 cents of the assessment on each one hundred pounds gross billing weight shall be used only for direct consumer advertising.

(2) Assessments shall be payable as provided in WAC 24-12-012, whether in bulk or loose in boxes or any other container, or packed in any style package. The gross billing weights for the following containers shall apply for the purpose of computing said assessments:

DESCRIPTION OF CONTAINER	GROSS BILLING WEIGHTS
1/3 Bushel box (packed or loose)	15 lbs.
1/2 Bushel box (loose)	23 lbs.
Bulk bushel container (loose)	Net weight plus 3 lbs. tare
9/4 and 12/3 Bag containers	41 lbs.
13/3 Bag container	44 lbs.
10/4 and 8/5 Bag containers	45 lbs.
12/4 Bag container	53 lbs.
Standard tray pack container	46 lbs.
Pocket cell tray pack container	46 lbs.
Cell pack containers, all counts	46 lbs.
2-Layer tray pack container	23 lbs.
Single-layer tray pack container	12 lbs.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

EXPEDITED ADOPTION



**WSR 00-16-113**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed August 2, 2000, 9:26 a.m., effective September 1, 2000]

Date of Adoption: August 2, 2000.

Purpose: The revision was done to meet the requirements of the WAC migration of Title 388 WAC and to meet the standards of Executive Order 97-02 for regulatory improvement. Chapter 388-235 WAC was repealed, the rules were rewritten and incorporated into chapter 388-448 WAC.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-235-1500 Persons in institutions, 388-235-5000 Incapacity determination—Process, 388-235-5050 Waiver of medical documentation and progressive evaluation process (PEP), 388-235-5060 Determination of capacity to engage in gainful employment, 388-235-5070 Sources of medical evidence, 388-235-5080 Medical evidence requirements, 388-235-5090 Assigning severity ratings, 388-235-5100 PEP step I—Review of medical documentation, 388-235-5200 PEP step II—Severity of mental impairments, 388-235-5300 PEP step III—Severity of physical impairments, 388-235-5400 Progressive evaluation process—Step IV—Multiple impairments, 388-235-5500 Progressive evaluation process—Step V—Functional mental capacity, 388-235-5600 Progressive evaluation process—Step V—Functional physical capacity, 388-235-5700 Evaluating vocational factors for progressive evaluation process—Steps VI and VII, 388-235-5800 Progressive evaluation process—Step VI—Evaluate capacity to perform past work, 388-235-5900 Progressive evaluation process—Step VII—Evaluating capacity to perform other work, 388-235-6000 Duration of assistance based on incapacity, 388-235-7000 Purpose of referrals, 388-235-7100 Treatment and referral requirements, 388-235-7200 Other agency referral requirements, 388-235-7300 ADATSA referral requirements, 388-235-7400 Protective payments, 388-235-7500 Good cause for refusing medical treatment or other agency referrals, 388-235-7600 Sanction for refusing medical treatment or other agency referrals, 388-235-8000 Redetermination of financial eligibility, 388-235-8100 Redetermination of incapacity, 388-235-8130 Determining a recipient is no longer incapacitated—Termination proviso, 388-235-8140 Redetermination of eligibility based on mental retardation, 388-235-8150 Redetermination for a recipient appearing to meet federal disability criteria for SSI, 388-235-8200 Reinstating eligibility after termination due to lack of medical evidence, 388-235-9000 How benefits from other programs affect your eligibility for general assistance-unemployable, 388-235-9100 GAU pending SSI eligibility, 388-235-9200 Assignment and recovery of interim assistance, and 388-235-9300 GAU to an SSI recipient whose SSI check is lost, stolen, or missent.

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

Adopted under notice filed as WSR 00-11-129 on May 22, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 22, Amended 0, Repealed 34.

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 22, Amended 0, Repealed 34.

Effective Date of Rule: September 1, 2000.

August 2, 2000

Marie Myerchin-Redifer, Manager  
 Rules and Policies Assistance Unit

### NEW SECTION

**WAC 388-448-0010 How we decide if you are incapacitated.** When you apply for general assistance unemployable (GAU) program benefits, you must provide medical evidence to us to show that you are unable to work. If we say that you are "**incapacitated**," it means that you are incapable of gainful employment as a result of a physical or mental impairment that is expected to continue for ninety days or more from the date of application.

(1) If you are gainfully employed at the time of your application for GAU, we deny incapacity. "**Perform gainful employment**" means you can perform, in a regular and predictable manner, an activity usually done for pay or profit. We do not consider work to be gainful employment when you are:

(a) Working under special conditions, like a sheltered workshop we have approved; or

(b) Working occasionally or part-time if your medical condition limits the hours you can work compared to unimpaired workers in the same job.

(2) We decide if you are able to perform gainful employment when:

(a) We receive an application for benefits. We may waive this decision if medical documentation requirements are waived under WAC 388-448-0001;

(b) You become employed; or

(c) We get new information that indicates you may be employable.

(3) Unless medical documentation requirements are waived under WAC 388-448-0001, we determine if incapacity exists using the progressive evaluation process (PEP). When we receive your medical evidence, we use the PEP to decide if there is a medical impairment that prevents you from being gainfully employed. The PEP is a sequence of seven-steps.

(4) You are not eligible for GAU benefits if you are incapacitated only because of alcoholism or drug addiction. If

you have a physical or mental impairment and you are impaired by alcohol or drug addiction, we decide if you are eligible for general assistance. If you qualify for both GAU and ADATSA shelter, you may choose either program.

(5) In determining incapacity, we consider only your ability to perform basic work-related activities. "Basic work-related activities" are activities that anyone would be required to perform in a work setting. They consist of: sitting, standing, walking, lifting, carrying, handling, seeing, hearing, communicating, and understanding and following instructions.

**NEW SECTION**

**WAC 388-448-0020 How and from whom you can get medical evidence for incapacity determination.** Before we can find out if you are eligible, you must give us medical evidence that meets the requirements in WAC 388-448-0030. Medical evidence provides us with the details of your impairment and how it affects your ability to be gainfully employed. If you cannot get medical evidence without cost to you, we will pay the fees or other expenses based on our published policies and payment limits.

We accept medical evidence from the sources listed below:

(1) For a physical impairment, we only accept reports from the following licensed medical professionals as primary evidence:

- (a) A physician;
- (b) An advanced registered nurse practitioner (ARNP) in the ARNP's area of certification;
- (c) The chief of medical administration of the Veterans' Administration, or their designee, as authorized in federal law; or
- (d) A physician assistant when the report is co-signed by the supervising physician.

(2) For a mental impairment, we only accept reports from one of the following licensed professionals as primary evidence:

- (a) A psychiatrist;
- (b) A psychologist;
- (c) An advanced registered nurse practitioner when certified in psychiatric nursing;

(d) A person who provides mental health services in a community mental health services setting and meets the mental health practitioner qualifications set by the local community mental health agency, which consist of having a Master of Arts (MA) degree and two years experience; or

(e) The physician who is currently treating you for a mental disorder.

(3) "**Supplemental medical evidence**" means a report from a practitioner that can be used to support medical evidence given by any of the practitioners listed in subsections (1) and (2) of this section. We accept as supplemental medical evidence reports from:

- (a) A practitioner who is providing on-going treatment to you, such as a chiropractor, nurse, physician assistant; or
- (b) DSHS institutions and agencies that are providing or have provided services to you.

**NEW SECTION**

**WAC 388-448-0030 The kind of medical evidence you need to provide for determination of incapacity.** You must provide medical evidence that clearly explains what physical or mental health problem you have that incapacitates you. "**Impairment**" means any diagnosable physical or mental condition except alcoholism or drug addiction. The following describes how we decide if the medical evidence that you provide regarding your impairment meets the requirements:

(1) We only accept written medical evidence. It must contain clear, objective medical documentation that includes:

- (a) A diagnosis for the incapacitating condition;
- (b) The effect of the condition on your ability to perform work-related activities; and
- (c) Relevant medical history and sufficient medical documentation to support conclusions of incapacity.

(2) The medical evidence must be based on an exam within the last ninety days.

(3) When making an incapacity decision, we do not use your report of symptoms as evidence unless medical findings show there is a medical condition that could reasonably be expected to produce the symptoms reported. In those cases, you must provide us with clear and objective medical information, including observation by the medical practitioner and relevant medical history that supports conclusions about:

- (a) The existence and persistence of the symptom(s); and
- (b) Its effect on your ability to perform basic work activities.

(4) We decide incapacity based solely on the objective information we receive. We are not obligated to accept a decision that you are incapacitated or unemployable made by another agency or person.

**NEW SECTION**

**WAC 388-448-0035 How we assign severity ratings to your impairment.** (1) "**Severity rating**" means a rating of the extent of your incapacity, and how severely it impacts your ability to perform the basic work activities. Severity ratings are assigned in Steps II through IV of the PEP. The following chart provides a description of levels of limitations on work activities and the severity ratings that would be assigned to each.

Effect on work activities	Severity rating
(a) There is no effect on your performance of basic work-related activities.	1
(b) There is no significant effect on your performance of basic work-related activities.	2
(c) There are significant limits on your performance of at least one basic work-related activity.	3
(d) There are very significant limits on your performance of at least one basic work-related activity.	4

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Effect on work activities	Severity rating
(e) You are unable to perform at least one basic work-related activity.	5

(2) We use the severity rating given by the medical evidence provider:

- (a) If the rating is supported by and consistent with the medical evidence;
- (b) If the provider's assessment of your limitations is consistent with our definition of the rating; and
- (c) If the rating is consistent with other medical evidence provided to us.

(3) If the medical evidence provider assigns a severity rating that is not consistent with the objective evidence and your symptoms from your impairment as described in the medical evidence, we take the following action:

- (a) If your limitations are more severe than the rating given, we raise your severity rating; or
- (b) If your limitations are less severe than the rating given, we lower your severity rating; and
- (c) We give clear and convincing reasons for adjusting the rating.

**NEW SECTION**

**WAC 388-448-0040 PEP step I—Review of medical evidence required for eligibility determination.** When we receive your medical evidence, we review it to see if it is complete and to decide whether your circumstances match GAU program requirements.

(1) We require a written medical report to determine incapacity. The report must:

- (a) Contain sufficient information as described under WAC 388-448-0030;
- (b) Be written by an authorized medical professional;
- (c) Document the existence of a potentially incapacitating condition; and
- (d) Indicate an impairment is expected to last ninety days or more from the application date.

(2) If the information received is not clear, we may require more information before we decide your ability to be gainfully employed. As examples, we may require you to get more medical tests or be examined by a medical specialist.

(3) We deny incapacity when:

- (a) There is only one impairment with a severity rating less than three;
- (b) A reported impairment is not expected to last ninety days (twelve weeks) or more from the date of application;
- (c) The practitioner is not able to determine that the physical or mental impairment would remain incapacitating after at least sixty days of abstinence from alcohol and drugs; or
- (d) We do not have clear and objective medical evidence to approve incapacity.

**NEW SECTION**

**WAC 388-448-0050 PEP step II—How we determine the severity of mental impairments.** If you are diagnosed with a mental impairment, we use information from the pro-

vider to determine if your impairment prevents you from being gainfully employed. We review the psychological evidence to determine the severity of your mental impairment.

(1) The severity of your mental impairment is based on:

- (a) Psychosocial and treatment history;
- (b) Clinical findings;
- (c) Results of psychological tests; and
- (d) Symptoms observed by the examining practitioner that show impairment of your ability to perform basic work-related activities.

(2) If you are diagnosed with mental retardation, the diagnosis must be based on the Wechsler Adult Intelligence Scale (WAIS). The following test results determine the severity rating:

Intelligence Quotient (IQ) Score	Severity Rating
85 or above	1
71 to 84	3
70 or lower	5

(3) If you are diagnosed with a mental impairment with physical causes, we assign a severity rating based on the most severe of the following three areas of impairment:

- (a) Memory defect for recent events;
  - (b) Impoverished, slowed, perseverative thinking, with confusion or disorientation; or
  - (c) Labile, shallow, or coarse affect.
- (4) We base the severity of the functional psychotic or nonpsychotic disorder, excluding alcoholism or drug addiction, on:

(a) Clinical assessment of these twelve symptoms: depressed mood, suicidal trends, verbal expression of anxiety or fear, expression of anger, social withdrawal, motor agitation, motor retardation, paranoid behavior, hallucinations, thought disorder, hyperactivity, preoccupation with physical complaints; and

(b) Clinical assessment of the intensity and pervasiveness of your symptoms and their effect on work activities.

(5) We base the severity rating for a functional mental impairment on accumulated severity ratings for the twelve symptoms in subsection (4)(a) of this section as follows:

Symptom Ratings or Condition	Severity Rating
(a) The functional mental impairment is diagnosed with psychotic features; (b) You have had two or more hospitalizations for psychiatric reasons in the past two years; (c) You have had more than six months of continuous psychiatric hospital or residential treatment in the past two years; (d) The overall assessment of symptoms is rated three; or (e) At least three symptoms are rated three or higher.	3

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Symptom Ratings or Condition	Severity Rating
(f) The overall assessment of symptoms is rated four; or (g) At least three symptoms are rated four or five.	4
(h) The overall assessment of symptoms is rated five; or (i) At least three symptoms are rated five.	5

(6) If you have more than one type of mental impairment, we assign a severity rating as follows:

Condition	Severity Rating
(a) Two or more disorders with ratings of three; or (b) One or more disorders rated three; and one rated four.	4
(c) Two or more disorders rated four.	5

(7) We deny incapacity when you do not have a significant physical impairment and your overall mental severity rating is one or two;

(8) We approve incapacity when you have an overall mental severity rating of five, regardless of whether you have a physical impairment.

**NEW SECTION**

**WAC 388-448-0060 PEP step III—How we determine the severity of physical impairments.** We must decide if your physical impairment is serious enough to limit your ability to be gainfully employed. "Severity of a physical impairment" means the degree that an impairment restricts you from performing basic work-related activities (see WAC 388-448-0010). Severity ratings range from one to five, with five being the most severe. We will assign severity ratings according to the table in WAC 388-448-0035.

(1) We assign to each physical impairment a severity rating that is supported by medical evidence.

(2) If your physical impairment is rated two, and there is no mental impairment or a mental impairment that is rated one, we deny incapacity.

(3) If your physical impairment is consistent with a severity rating of five, we approve incapacity.

**NEW SECTION**

**WAC 388-448-0070 PEP step IV—How we determine the severity of multiple impairments.** (1) If you have more than one impairment we decide the overall severity rating by deciding if your impairments have a combined effect on your ability to be gainfully employed. Each diagnosis is grouped by affected organ or function into one of twelve "body systems." The twelve body systems consist of:

- (a) Musculo-skeletal,
- (b) Special senses,
- (c) Respiratory,
- (d) Cardiovascular,

- (e) Digestive,
- (f) Genito-urinary,
- (g) Hemic and lymphatic,
- (h) Skin,
- (i) Endocrine,
- (j) Neurological,
- (k) Neoplastic, and
- (l) Immune systems.

(2) We follow these rules when there are multiple impairments:

(a) We group each diagnosis by body system.

(b) When you have two or more diagnosed impairments that limit work activities, we assign an overall severity rating as follows:

Your Condition	Severity Rating
(i) All impairments are in the same body system, are rated two and there is no cumulative effect on basic work activities.	2
(ii) All impairments are in the same body system, are rated two and there is a cumulative effect on basic work activities. (iii) All impairments are in different body systems, are rated two and there is a cumulative effect on basic work activities.	3
(iv) Two or more impairments are in different body systems and are rated three. (v) Two or more impairments are in different body systems; one is rated three and one is rated four.	4
(vi) Two or more impairments in different body systems are rated four.	5

(c) We deny incapacity when the overall severity rating is two.

(d) We approve incapacity when the overall severity rating is five.

**NEW SECTION**

**WAC 388-448-0080 PEP step V—How we determine your ability to function in a work environment if you have a mental impairment.** If you have a mental impairment we evaluate your cognitive and social functioning in a work setting. Functioning means your ability to perform the tasks that would be required of you on the job and your ability to get along with your co-workers, supervisors and other people you would be in contact with while on the job.

(1) We evaluate cognitive factors by assessing your ability to:

- (a) Understand, remember, and follow simple, one- or two-step instructions;
- (b) Understand, remember, and follow complex instructions, with three or more steps;

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- (c) Learn new tasks;
  - (d) Exercise judgment and make decisions; and
  - (e) Perform routine tasks without undue supervision.
- (2) We approve incapacity when the practitioner's evaluation shows you are:
- (a) At least moderately impaired in your ability to understand, remember, and follow simple instructions and at least moderately limited in your ability to:
    - (i) Learn new tasks, exercise judgment, and make decisions; and
    - (ii) Perform routine tasks without undue supervision; or
  - (b) Able to understand, remember, and follow simple instructions, but are:
    - (i) At least moderately impaired in the ability to understand, remember, and follow instructions with three or more steps; and
    - (ii) Markedly impaired in the ability to learn new tasks, exercise judgment and make decisions, and perform routine tasks without undue supervision.
- (3) The practitioner's evaluation reports your social factors after assessing your ability to:
- (a) Relate appropriately to coworkers and supervisors;
  - (b) Relate appropriately in contacts with the public;
  - (c) Tolerate the pressures of a work setting;
  - (d) Perform self-care activities, including personal hygiene; and
  - (e) Maintain appropriate behavior in a work setting.
- (4) We approve incapacity if you are rated at least two in one area of social functioning and at least three in all other areas of social functioning.

**NEW SECTION**

**WAC 388-448-0090 PEP step V—How we determine your ability to function in a work environment if you have a physical impairment.** In Step V of the PEP we review the medical evidence you provide and make a determination of how your physical impairment prevents you from working. This determination is then used in Steps VI and VII of the PEP to determine your ability to perform either work you have done in the past or other work.

(1) "**Exertion level**" means the ability to lift, carry, stand and walk with the strength needed to fulfill job duties in the following work categories. For this section, "occasionally" means less than one-third of the time and "frequently" means one-third to two-thirds of the time. We only consider your strength, mobility, and flexibility. We review any work limits you have in the following areas, and then assign an exertion level and determine exertional limitations.

The following table is used to determine your exertion level. Included in this table is a strength factor, which is your ability to perform physical activities, as defined in Appendix C of the Dictionary of Occupational Titles (DOT), Revised Edition, published by the U.S. Department of Labor.

If you	Then we assign this exertion level
(a) Can not lift at least two pounds or stand and/or walk.	Severely limited
(b) Can lift ten pounds maximum and frequently lift and/or carry lightweight articles. Walking and standing are only required for brief periods.	Sedentary
(c) Can lift twenty pounds maximum and frequently lift and/or carry objects weighing up to ten pounds. Walk six out of eight hours per day or stand during a significant portion of the workday, with sitting and pushing/pulling arm or leg movements most of the day.	Light
(d) Can lift fifty pounds maximum and frequently lift and/or carry up to twenty-five pounds.	Medium
(e) Can lift one hundred pounds maximum and frequently lift and/or carry up to fifty pounds.	Heavy

(2) "**Exertionally-related limitation**" means a restriction in mobility, agility or flexibility in the following twelve activities: balancing, bending, climbing, crawling, crouching, handling, kneeling, pulling, pushing, reaching, sitting, and stooping. If you have exertionally-related limitations, we consider them in determining your ability to work.

(3) "**Functional physical capacity**" means the degree of strength, agility, flexibility, and mobility you can apply to work-related activities. We consider the effect of the physical impairment on the ability to perform work-related activities when the physical impairment is assigned an overall severity rating of three or four. We determine functional physical capacity based on your exertional, exertionally related and non-exertional limitations. All limitations must be substantiated by the medical evidence and directly related to the diagnosed impairment(s).

(4) "**Nonexertional physical limitation**" means a restriction on work activities that does not affect strength, mobility, agility, or flexibility. Examples are:

- (a) Environmental restrictions which could include, among other things, your inability to work in an area where you would be exposed to chemicals; and
- (b) Workplace restrictions, such as impaired hearing or speech, which would limit the types of work environments you could work in.

**NEW SECTION**

**WAC 388-448-0100 PEP step VI—How we evaluate capacity to perform relevant past work.** If your overall severity rating is three or four and we have reached this stage of the PEP and have not approved or denied your application, we decide if you can do the same or similar work as you have done in the past. We look at your current physical and/or

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mental limitations and vocational factors to make this decision. Vocational factors are education, relevant work history, and age.

(1) We evaluate education in terms of formal schooling or other training that enables you to meet job requirements. We classify education as:

If you	Then your education level is
(a) Can not read or write a simple communication, such as two sentences or a list of items.	Illiterate
(b) Have no formal schooling beyond the eleventh grade; or (c) Have participated in special education.	Limited education
(d) Have received a high school diploma or general equivalency degree (GED); or (e) Have received skills training and were awarded a certificate, degree or license.	High school and above level of education

(2) We evaluate your work experience to determine if you have relevant past work. "Relevant past work" means work that:

(a) Is normally done for pay or profit. We exclude work done in a sheltered workshop, a job where you were given special consideration, or activities you may have performed as a student or homemaker;

(b) Has been performed in the past five years; and

(c) You have done long enough for you to have acquired the knowledge and skills to continue performing the job. You must meet the specific vocational preparation level as defined in Appendix C of the Dictionary of Occupational Titles.

(3) For each relevant past work situation you have had, we determine:

Highest work level assigned by the practitioner	Your age	Your education level	Other vocational factors
Sedentary	Any age	Any level	Does not apply
Light	Fifty and older	Any level	Does not apply
Light	Thirty-five and older	Illiterate or LEP	Does not apply
Light	Eighteen and older	Limited education	Does not have any past work
Medium	Fifty and older	Limited education	Does not have any past work
Medium	Fifty-five and older	Any level	Does not apply
Heavy	Fifty-five and older	Any level	Environmental restrictions apply

(2) We approve incapacity when you have a mental impairment only and meet the age and social functioning limitations below:

Social limitation	Age
(a) Can not appropriately relate to coworkers and supervisors (rated three); and (b) Can not tolerate the pressures of a work setting (rated four).	Fifty years and older
(c) Can not tolerate the pressures for a work setting (rated five).	Eighteen to fifty-four

(a) The exertional or skill requirements of the job; and  
(b) Current cognitive, social, or nonexertional factors that significantly limit your ability to perform past work.

(4) After considering vocational factors, we approve or deny incapacity based on the following:

If you	Then we take this action on incapacity
(a) Have the physical or mental ability to perform past work and there is no significant cognitive, social or nonexertional limitation.	Deny
(b) Have recently acquired specific work skills through completion of vocational training, enabling you to work within your current physical or mental capacities.	Deny
(c) Are fifty-five years of age or older and have an impairment that is assigned an overall severity rating of at least three and do not have the physical or mental ability to perform past work or do not have work experience.	Approve

NEW SECTION

**WAC 388-448-0110 PEP step VII—How we evaluate your capacity to perform other work.** If we decide you cannot do work that you've done before, we then decide if you can do any other work. In making this decision, we again consider vocational factors of age, education and limited English proficiency (LEP).

(1) We approve incapacity if you have a physical impairment only and meet the vocational factors below:

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Social limitation	Age
(d) A mental disorder severity rated four; (e) One or more symptoms from WAC 388-448-0050(4) (rated five); (f) Can not appropriately relate to coworkers and supervisors (rated three); and (g) Can not tolerate the pressures of a work setting (rated four).	Eighteen to forty-nine

(3) We approve incapacity when you have both mental and physical impairments and vocational factors interfere with working as follows:

Your age	Your education	Your other restrictions
Any age	Any level	(a) Can not appropriately relate to coworkers and supervisors (rated three; and (b) Can not tolerate pressures of a work setting (rated four).
Fifty or older	Limited education	(c) Restricted to medium work level or less.
Eighteen to forty-nine	Limited education	(d) Restricted to light work level.

(4) If we do not find that you are incapacitated by the end of Step VII of the PEP, an administrative review team (ART) makes the incapacity decision. The review team consists of two or more persons within the community service office (CSO) who are not in the position of providing direct eligibility or incapacity services to you. The ART reviews the medical evidence and your vocational factors.

(4) We may require you to undergo alcohol or drug treatment before re-evaluating eligibility for GAU.

(5) You may request a fair hearing if you disagree with the treatment or referral requirements we set for you. If you request a fair hearing we will not reduce or stop your benefits as a result of your refusal to follow the requirement until the fair hearing is decided.

**NEW SECTION**

**WAC 388-448-0120 How we decide how long you are incapacitated.** We decide the maximum length of time you are eligible for GAU based on incapacity according to the medical evidence and expected length of recovery from the incapacitating condition as follows:

- (1) Thirty-six months when we decide it is evident you meet federal disability criteria to receive Social Security Supplemental Security Income (SSI); or
- (2) Twelve months.

**NEW SECTION**

**WAC 388-448-0130 Treatment and referral requirements.** We refer you to medical providers or other agencies for treatment or rehabilitation to improve your ability to engage in gainful employment or reduce your need for GAU. "Available medical treatment" means medical, surgical, chemical dependency, or mental health services, or a combination of them.

- (1) We give you written information regarding your treatment requirements when you are initially approved, and at each redetermination.
- (2) You must accept and follow through on required medical treatment unless you have a convincing reason for not doing so. Examples of good cause are found in WAC 388-448-0140.
- (3) If your basic claim of incapacity is alcoholism or drug dependency, we refer you for evaluation under the alcoholism and drug addiction treatment and support act (ADATSA).

**NEW SECTION**

**WAC 388-448-0140 Good cause for refusing medical treatment or other agency referrals.** We may determine that you have good cause for refusing required treatment or referrals to other agencies. We may require you to provide documentation to support your good cause claim. Valid reasons for refusing treatment and other agency referrals include, but are not limited to, the following:

- (1) Treatment referrals:
  - (a) You are so fearful of the treatment that your fear could interfere with the treatment or reduce its benefits;
  - (b) Treatment could cause further limitations or loss of a function or an organ and you are not willing to take that risk;
  - (c) You practice an organized religion that prohibits treatment; or
  - (d) Treatment is not available without cost to you.
- (2) Treatment or other agency referrals:
  - (a) You did not have enough information on the requirement or did not receive written notice of the requirement;
  - (b) The requirement was made in error;
  - (c) You are temporarily unable to participate because of documented interference, or
  - (d) Your medical condition or limitations are consistent with the definition of necessary supplemental accommodation (NSA), WAC 388-200-1300, and your condition or limitations contributed to your refusal.

**NEW SECTION**

**WAC 388-448-0150 Penalty for refusing medical treatment or other agency referrals.** (1) If you refuse

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required treatment or agency referral without having good cause, we will stop your GAU benefits.

(2) We stop your GAU benefits until you agree to accept and pursue the required treatment service or referral.

(3) If you reapply, you must wait for a penalty period to pass before you begin getting benefits. The penalty is based on how often you have refused:

Refusal	Penalty
First	One week
Second within six months	One month
Third and subsequent within one year	Two months

**NEW SECTION**

**WAC 388-448-0160 Review of your incapacity.** (1) In order to review your incapacity, we must have sufficient written medical information based on an examination within the last sixty days. We may also require information about your progress with required treatment or agency referrals according to WAC 388-448-0130.

(2) We cannot extend GAU eligibility beyond the current eligibility end date if we do not receive current medical evidence that we decide is enough to show that you continue to be incapacitated.

**NEW SECTION**

**WAC 388-448-0170 Termination requirement—How we determine you are no longer incapacitated.** (1) Before we can decide you are no longer incapacitated, we must demonstrate that at least one of the following conditions exists:

(a) The incapacitating condition has clearly improved since incapacity was established. **"Clear improvement"** means that since incapacity was established:

(i) The physical or mental impairment that incapacity was based on has decreased in severity to the point where you are capable of gainful employment;

(ii) The effect of that impairment on work-related activities has been significantly decreased through treatment or rehabilitation, and you are now capable of gainful employment; or

(iii) We decide you are gainfully employed.

(b) There was a previous error in the eligibility decision. **"Previous error"** means incapacity was previously established based on:

(i) Faulty or insufficient information; or

(ii) We made a procedural error in one of our previous determinations, based on a rule in effect at the time.

(2) If we decide you are clearly improved but are receiving services through the division of vocational rehabilitation (DVR), we have the option of approving continued GAU through an exception to rule (ETR).

(3) We do not apply the clear improvement or previous error criteria when:

(a) You have a break in assistance of over thirty days and do not meet the criteria for retroactive reinstatement as required under WAC 388-448-0190; or

(b) You do not meet the categorical eligibility requirements for the general assistance unemployable program.

**NEW SECTION**

**WAC 388-448-0180 How we redetermine your eligibility if it is evident you meet federal disability criteria for SSI.** We may extend your incapacity period up to thirty-six months from the last date of incapacity determination without additional medical documentation when it is evident that you meet federal disability criteria for Supplemental Security Income (SSI) eligibility.

(1) We determine your eligibility at the end of the thirty-six-month period, using current medical evidence.

(2) If you applied for SSI, were denied, and the denial was upheld by an administrative appeal before the end of the thirty-six-month incapacity period, we adjust the incapacity period to be sixty days after the SSI denial date.

**NEW SECTION**

**WAC 388-448-0190 Reinstating your eligibility after termination due to lack of medical evidence.** If your assistance was terminated due to lack or insufficiency of medical evidence, we reinstate your eligibility the day following the termination date if the following conditions are met:

(1) The termination was not due to your failure to cooperate in gathering the evidence;

(2) You provided the medical evidence within thirty days after the termination, establishing that you have been incapacitated since the date of termination; and

(3) The medical evidence substantiates incapacity.

**NEW SECTION**

**WAC 388-448-0200 Eligibility for general assistance unemployable pending SSI eligibility.** If you are applying for SSI and we determine you may become eligible for SSI, we approve you for GAU benefits. The assistance is authorized through the month SSI payments begin if you:

(1) Apply for SSI and follow through with your application;

(2) Assign the initial or reinstated SSI payment to DSHS as provided under WAC 388-448-0210; and

(3) Are otherwise eligible.

**NEW SECTION**

**WAC 388-448-0210 Assignment and recovery of interim assistance.** You can get assistance to meet your basic needs from only one government source at a time. When you are approved for SSI, you may receive a payment going back to the date you applied for SSI. This means you are being paid a back payment for your basic needs. When you have received GAU during that time period, the amount paid to you in the form of GAU must be reimbursed to the state.

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(1) "Assign" means that the Social Security Administration (SSA) will pay DSHS directly from your reimbursement amount. The assignment will be up to the amount of interim assistance we provide to you.

(2) "Interim assistance" means the state funds we provide to you to meet basic needs during:

(a) The time between your SSI application date and the month recurring SSI payments begin; or

(b) The period your SSI payments were suspended or terminated, and later reinstated for that period.

(3) We pay up to twenty-five percent of the interim assistance reimbursement that we receive from the SSA to the attorney who has successfully represented you in your effort to receive SSI.

### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-235-1500	Persons in institutions.
WAC 388-235-5000	Incapacity determination—Process.
WAC 388-235-5050	Waiver of medical documentation and progressive evaluation process (PEP).
WAC 388-235-5060	Determination of capacity to engage in gainful employment.
WAC 388-235-5070	Sources of medical evidence.
WAC 388-235-5080	Medical evidence requirements.
WAC 388-235-5090	Assigning severity ratings.
WAC 388-235-5100	PEP step I—Review of medical documentation.
WAC 388-235-5200	PEP step II—Severity of mental impairments.
WAC 388-235-5300	PEP step III—Severity of physical impairments.
WAC 388-235-5400	Progressive evaluation process—Step IV—Multiple impairments.
WAC 388-235-5500	Progressive evaluation process—Step V—Functional mental capacity.
WAC 388-235-5600	Progressive evaluation process—Step V—Functional physical capacity.
WAC 388-235-5700	Evaluating vocational factors for progressive evaluation process—Steps VI and VII.
WAC 388-235-5800	Progressive evaluation process—Step VI—Evaluate

WAC 388-235-5900

WAC 388-235-6000

WAC 388-235-7000

WAC 388-235-7100

WAC 388-235-7200

WAC 388-235-7300

WAC 388-235-7400

WAC 388-235-7500

WAC 388-235-7600

WAC 388-235-8000

WAC 388-235-8100

WAC 388-235-8130

WAC 388-235-8140

WAC 388-235-8150

WAC 388-235-8200

WAC 388-235-9000

WAC 388-235-9100

WAC 388-235-9200

WAC 388-235-9300

capacity to perform past work.

Progressive evaluation process—Step VII—Evaluating capacity to perform other work.

Duration of assistance based on incapacity.

Purpose of referrals.

Treatment and referral requirements.

Other agency referral requirements.

ADATSA referral requirements.

Protective payments.

Good cause for refusing medical treatment or other agency referrals.

Sanction for refusing medical treatment or other agency referrals.

Redetermination of financial eligibility.

Redetermination of incapacity.

Determining a recipient is no longer incapacitated—Termination proviso.

Redetermination of eligibility based on mental retardation.

Redetermination for a recipient appearing to meet federal disability criteria for SSI.

Reinstating eligibility after termination due to lack of medical evidence.

How benefits from other programs affect your eligibility for general assistance-unemployable.

GAU pending SSI eligibility.

Assignment and recovery of interim assistance.

GAU to an SSI recipient whose SSI check is lost, stolen, or missent.

**WSR 00-17-005**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)

[Filed August 2, 2000, 3:53 p.m.]

Date of Adoption: August 2, 2000.

Purpose: The purpose of this rule is to:

1. Raise the Working Connections Child Care (WCCC) upper income limit from 175% FPL to 225% FPL; and
2. Change the WCCC copayment schedule.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-290-550; and amending WAC 388-290-015, 388-290-280, 388-290-350, 388-290-450, 388-290-475, 388-290-600, 388-290-650, 388-290-920, and 388-290-950.

Statutory Authority for Adoption: RCW 74.04.050, 74.13.0903, and P.L. 104-193, Sections 407 and 605.

Other Authority: 45 C.F.R. Parts 98 and 99 (Child Care and Development Fund rule).

Adopted under notice filed as WSR 00-10-089 on May 2, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: ~~New 0, Amended 0, Repealed 0~~; Federal Rules or Standards: ~~New 0, Amended 0, Repealed 0~~; or Recently Enacted State Statutes: ~~New 0, Amended 0, Repealed 0~~.

Number of Sections Adopted at Request of a Nongovernmental Entity: ~~New 0, Amended 0, Repealed 0~~.

Number of Sections Adopted on the Agency's Own Initiative: ~~New 0, Amended 0, Repealed 0~~.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: ~~New 0, Amended 9, 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.

August 2, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

**WAC 388-290-015 What basic steps does the department take to decide if I'm eligible for WCCC?** We take the following basic steps to decide if you're eligible for WCCC:

"We," for the purposes of this chapter, means the department of social and health services.

(1) We determine:

(a) If you're participating in an approved activity (see WAC 388-290-125, 388-290-150, or 388-290-200);

(b) If you and your children are otherwise eligible for WCCC (see WAC 388-290-300);

(c) Your family size under WCCC guidelines (see WAC 388-290-400);

(d) Your countable income, which must be at or below ~~((one)) two hundred ((seventy)) twenty-five~~ percent of the Federal Poverty Level (FPL) (see WAC 388-290-600);

(e) Your share of the child care cost, called a copayment (see WAC 388-290-650);

(2) After you make your own child care arrangements, we decide if we can pay your child care provider under WCCC guidelines (see WAC 388-290-850).

(3) We look at other WCCC program requirements, when needed (see WAC 388-290-900, ~~((1000, 1050, 1100, 1150, 1200, 1250, and 1300)) 905, 910, 915, 920, 925, 930, and 935~~).

**AMENDATORY SECTION** (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

**WAC 388-290-280 Can the department pay WCCC for activity fees or bonuses?** (1) We can pay initial and ongoing annual registration fees up to fifty dollars per child to your child care provider, only if the fees are:

(a) Required of all parents whose child(ren) are in care with that provider; and

(b) Needed to maintain a child care arrangement.

(2) We can pay ongoing activity fees of up to twenty dollars per month per child to your child care provider if the conditions in subsections (1)(a) and (1)(b) of this section are met.

(3) We can pay child care providers a one-time bonus of up to two hundred fifty dollars for each infant they newly enroll in care if all the following conditions are met:

(a) The child being cared for is less than twelve months of age;

(b) The child care provider is licensed or certified by the department; and

(c) We expect care to be provided for five days or more.

(4) We can pay child care providers a nonstandard hour bonus under ~~((chapter 388-15))~~ WAC 388-165-195 and 388-165-200.

**AMENDATORY SECTION** (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

**WAC 388-290-350 If I'm in an approved activity, what are the steps the department takes to figure my WCCC copayment?** If you're in an approved activity, we take the following steps to figure your WCCC copayment:

(1) Determine your family size (see WAC 388-290-400);

(2) Verify and calculate all nonexempt income that is received directly by your family (see WAC 388-290-450);

(3) ~~((Figure))~~ **Add together** your family's expected average monthly earned and unearned income ~~((see WAC 388-290-500 and 525))~~ **to get total income;**

(4) ~~((Figure your family's adjusted earned income based on your expected average monthly earnings (see WAC 388-290-550);~~

~~5) Add your expected average monthly unearned income and the result of subsection (4) of this section together))~~ **Subtract the amount of child support you pay out to get your family's countable income** (see WAC 388-290-600).

~~((6))~~ (5) Use your family's countable income to figure your WCCC copayment (see WAC 388-290-650).

~~((7))~~ (6) Assess the minimum copayment if:

- (a) You're a minor parent and meet certain guidelines (see WAC 388-290-700); or
- (b) You meet other guidelines not specifically for minor parents (see WAC 388-290-750).

**AMENDATORY SECTION** (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

**WAC 388-290-450 What income does the department count in WCCC?** (1) We count the following as earned income when figuring your copayment:

- (a) Earnings from employment or self-employment;
- (b) Military housing and food allowance;
- (c) Income in-kind.

"Income in-kind" means income received in a form other than cash, such as goods, services, or room and board.

(2) We count the following as unearned income when figuring your WCCC copayment:

- (a) Your TANF grant, except when exempt under WAC 388-290-475;
- (b) Child support payments received;
- (c) General assistance;
- (d) Supplemental Security Income (SSI);
- (e) Other social security payments, such as SSA and SSDI;
- (f) Refugee assistance payments;
- (g) Payments from the Veterans' Administration, disability payments, or payments from labor and industries (L&I);
- (h) Unemployment compensation; and
- (i) Other types of unearned income not exempted in WAC 388-290-475.

**AMENDATORY SECTION** (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

**WAC 388-290-475 What income does the department exempt in WCCC?** We exempt the following when figuring your copayment:

- (1) Income types in WAC 388-450-0015, WAC 388-450-0035, WAC 388-450-0040, and WAC 388-450-0055;
- (2) The earned income of a child, unless otherwise indicated in WAC 388-290-400;
- (3) Compensatory awards, such as an insurance settlement or court-ordered payment for personal injury, damage, or loss of property;
- (4) Reimbursements, such as an income tax refund;
- (5) Diversion Cash Assistance; ~~((and))~~
- (6) Child support you pay out under court order, DCS administrative order, or tribal government order.
- (7) The TANF grant for the first three consecutive calendar months after you start a new job. The first calendar month is the month in which you start working.

**AMENDATORY SECTION** (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

**WAC 388-290-600 How does the department figure my countable income, and what is countable income used for?** ~~((1)) To get your countable income, we add together the following kinds of expected average monthly income:~~

- ~~(a) Adjusted earned income; and~~
- ~~(b) Unearned income that is not exempt (see WAC 388-290-450).~~

(2) All countable income received directly by your family is used to determine WCCC eligibility and calculate your WCCC copayment except if you automatically pay the minimum copayment under WAC 388-290-700 or 388-290-750.

**AMENDATORY SECTION** (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

**WAC 388-290-650 How does the department figure my copayment, once my countable income is known?**

If your family's countable income falls within this range...	...Then your copayment is...
(1) At or below <del>((seventy-four))</del> <u>eighty-two</u> percent of the Federal Poverty Level (FPL).	Ten dollars.
(2) Above <del>((seventy-four))</del> <u>eighty-two</u> percent and up to one hundred <u>thirty-seven and one-half</u> percent FPL.	Twenty dollars.
(3) Over one hundred <u>thirty-seven and one-half</u> percent of the FPL.	The <del>((greater of: (a) Twenty dollars, or: (b) Forty-seven percent of your countable income over one hundred percent of the FPL))</del> <u>dollar amount equal to subtracting one hundred thirty-seven and one-half of FPL from countable income, multiplying by forty-four percent, then adding twenty.</u>

**AMENDATORY SECTION** (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

**WAC 388-290-920 When does the department provide me with advance and adequate notice of WCCC payment changes?** (1) We provide you with advance and adequate notice for changes in payment when the change results in a suspension, reduction, termination, or forces a change in child care arrangements, except as noted in WAC ~~((388-290-1200))~~ 388-290-925, below.

(2) "**Advance notice**," means a notice of a WCCC reduction, suspension, or termination that is mailed at least ten days before the date of the intended action.

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(3) "Adequate notice" means a written statement of the action the department intends to take, the facts relating to the decision, the Washington Administrative Code (WAC) supporting the action, and your right to request a fair hearing.

**AMENDATORY SECTION** (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

**WAC 388-290-950 When does the department collect overpayments?** (1) In areas not covered by this section, WCCC consumers are subject to chapter 388-410 WAC (Benefit errors).

(2) When setting up an overpayment, we reduce the WCCC overpayment by the amount of the WCCC underpayment when applicable.

(3) We recover WCCC overpayments from you, regardless of whether you are a current or past WCCC consumer, if:

(a) The amount we overpay is more than three hundred dollars; and

(b) Your child(ren) attend child care when not authorized by the department to do so;

(c) A member of a different overpaid family later becomes a member of your family;

(d) Cost of recovery does not exceed the overpayment amount;

(e) You:

(i) Do not report a change of circumstance within ten days under WAC (~~(388-290-1050)~~) 388-290-910; and

(ii) Use WCCC during a period of time when you would otherwise have been ineligible or eligible for a smaller amount of care; or

(f) You knowingly fail to give the department information that affects the amount of WCCC you are eligible for.

(4) Recovery of overpayments cannot force a change in your child care arrangements.

(5) We recover WCCC overpayments from child care providers, if:

(a) The amount we overpay is more than three hundred dollars;

(b) The provider receives payment for WCCC services not provided; or

(c) We pay the provider more than the cost of providing WCCC under (~~chapter 388-15~~) WAC 388-165-180 and 388-165-185; and

(d) The cost of recovery does not exceed the overpayment amount.

(6) We set up overpayments starting the date that:

(a) You use WCCC when not authorized by the department to do so; or

(b) The child care provider provides care when not authorized by the department to do so.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 388-290-550	How does the department figure my adjusted earned income?
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**WSR 00-17-015  
PERMANENT RULES  
EVERETT COMMUNITY COLLEGE**

[Filed August 3, 2000, 4:08 p.m.]

Date of Adoption: May 24, 2000.

Purpose: Codification of existing college policies related to student rights and responsibilities to: 1) Ensure their consistency and compliance with current state statutes and the Administrative Procedure Act; and 2) to modify existing codes for practicality, effectiveness, and appropriateness.

Citation of Existing Rules Affected by this Order: Rules recodified:

old	new
132E-120-010	132E-120-180
132E-120-020	132E-120-190
132E-120-030	132E-120-220
132E-120-040	132E-120-230
132E-121-010	132E-120-160
132E-124-020	132E-120-170

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 00-06-063 on March 1, 2000.

Changes Other than Editing from Proposed to Adopted Version: Addition of two statements added to WAC 132E-121-010 (new number WAC 132E-120-160) as required by the Family Educational Rights and Privacy Act regarding the disclosure of student information.

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.

July 31, 2000

Juli Boyington

Assistant to the President

**AMENDATORY SECTION** (Amending Order 72-1, filed 2/1/73, effective 3/9/73)

**WAC 132E-120-020 Everett Community College—General policies concerning student conduct.** (1) Everett Community College distinguishes its responsibility for student conduct from the control functions of the wider community. When a student has been apprehended for the violation

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of a local, state or federal law (~~(of the community, the state, or the nation)~~), the college will not request or agree to special consideration for the student because of his/her status as a student. The college will cooperate fully, however, with the law enforcement agencies (~~(, and with other agencies in any program for the rehabilitation of the student. Ordinarily, the college will not impose further sanctions after law enforcement agencies or the courts have disposed of a case)~~).

(2) Everett Community College may apply sanctions or take other appropriate action only when student conduct directly and significantly interferes with the college's:

(a) Primary educational responsibility of ensuring the opportunity of all members of the college's community to attain their educational objectives, (~~(or)~~)

(b) Subsidiary responsibilities of protecting the health and safety of persons in the college community, maintaining and protecting property, keeping records and other services, and sponsoring nonclassroom activities such as lectures, cultural events, concerts, athletic and other recreational activity events, (~~(and)~~) social functions, and other special activities/events, or

(c) When a student commits any of the offenses listed in WAC 132E-120-220.

(3) Procedural fairness is basic to the proper enforcement of all college rules. In particular, no disciplinary sanction as serious as expulsion, suspension, summary suspension or disciplinary probation, written warning, or restitution shall be imposed unless the student has been notified in writing of the charges against him/her and has had (~~(an)~~) the opportunity:

(a) To appear alone or with (~~(any other person)~~) an advocate to advise and assist him/her as he/she appears before an appropriate college official and/or the student conduct committee. The advocate's function is to provide support to the student but may not address the college official or the student conduct committee(~~(, court, or official)~~),

(b) To know the nature and source of the evidence against him/her and to present evidence in (~~(his own)~~) his/her behalf, and

(c) To have his/her case reviewed by the (~~(faculty-student disciplinary)~~) student conduct committee.

(4) Students shall have an opportunity to participate fully in the formulation of all policies and rules pertaining to student conduct.

(5) Rules and sanctions affecting the conduct of (~~(men and women)~~) students shall be based on (~~(general)~~) principles of equal treatment, including like penalties for like violations.

(6) The general policies, violations and sanctions shall be printed and made available to students of the college.

AMENDATORY SECTION (Amending Order 76-11-1, filed 12/17/76)

WAC 132E-120-030 ((Everett Community College) Student conduct code—Violations. (1) As members of Everett Community College, students are expected to abide by all college rules and regulations. Students shall be subject to disciplinary action as provided for by this code who, either as a principal actor, aider, or accomplice interferes with the personal rights or privileges of others or the educational process of the college; violates the provisions as set forth in this

chapter; or commits any of the offenses as defined in this section.

(2) No sanction or other disciplinary action shall be imposed on a student by or in the name of the college except in accordance with this (~~(code)~~) chapter.

(~~(2) Expulsion or suspension from the Everett Community College or any lesser sanction may result from the commission of any of these offenses.~~) (3) Disciplinary actions and/or sanctions may be imposed on a student for the commission of any of the following offenses:

(a) Academic cheating or plagiarism.

(b) Furnishing false information to the college with the intent to deceive including the filing of a formal complaint that falsely accuses another student of violating the student conduct code or a college employee with violating college rules/procedures.

(c) Forgery, alteration, or misuse of college documents, records or identification cards.

(d) Physical abuse, assault, reckless endangerment, intimidation, or interference of another person in the college community on college owned or controlled property or at functions sponsored or supervised by the college or its student organizations/clubs.

(e) Vandalism of college property, theft or conversion of another's property (~~(occurring under the conditions of WAC 132E-120-020(2))~~) on college owned or controlled property or at functions sponsored or supervised by the college or its student organizations or clubs.

(f) Lewd or indecent conduct occurring (~~(under the conditions of WAC 132E-120-020(2))~~) on college owned or controlled property or at functions sponsored or supervised by the college or its student organizations or clubs.

(g) Furnishing alcoholic beverages without authorization and proper licenses or illegal drugs on property owned or controlled by the college or at functions sponsored or supervised by the college or its student organizations/clubs.

(h) (~~(Two or more (or the repetition of) offenses listed in paragraph (3) below.~~)

(3) Disciplinary probation or any lesser sanction may result from the commission of any of the following offenses.

(a)) Possession or consumption of alcoholic beverages except at authorized and properly licensed functions while on property owned or controlled by the college or at functions sponsored or supervised by the college or its student organizations/clubs.

(~~(b))~~) (i) Illegal possession, or consumption (~~(of drugs or narcotics)~~), selling, distributing, or being demonstrably under the influence of any narcotic or controlled substance (identified as prohibited by federal law) on property owned or controlled by the college or at functions sponsored or supervised by the college or its student organizations/clubs. For the purpose of this rule, "sale" shall include the statutory meaning defined in RCW 69.50.410 as now or hereafter amended.

(~~(e))~~) (j) Disorderly, abusive or bothersome conduct, including (~~(disorderly)~~) conduct resulting from drunkenness or drug influence(~~(, occurring under the conditions of WAC 132E-120-020(2))~~) on college owned or controlled property or at functions sponsored or supervised by the college or its student organizations or clubs. Disorderly or abusive behav-

ior also includes interfering with the right of others or obstructing or disrupting teaching, research, or administrative functions.

~~((d))~~ (k) Gambling on property owned or controlled by the college or at functions sponsored or supervised by the college or its student organizations/clubs.

~~((e))~~ (l) Violation of any ~~(college rule approved)~~ condition imposed by the vice-president for student services or his/her designee or recommended by the student conduct committee for ~~(the)~~ an infraction of which sanctions may be imposed under this code.

(m) Refusal to provide positive identification (e.g., valid driver's license or state identification card) in appropriate circumstances to any college employee in the lawful discharge of said employee's duties.

(n) Entering any administrative or other employee office that is normally not accessible to the public or any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof.

(o) Smoking in or on any college facility except those areas which have been identified as designated smoking areas.

(p) Failure to comply with the following rules governing firearms and weapons on campus:

(i) Carrying, exhibiting, displaying, or drawing any weapon, such as a slung shot, sand club, metal knuckles, dagger, sword, or swing blade knife, or any knife of which is automatically released by a spring mechanism or other mechanical devise, or any knife having a blade which opens, or falls, or is ejected into position by force of gravity, or by outward, downward, or centrifugal thrust or movement, or any other cutting or stabbing instrument or club or any other weapon apparently capable of inflicting bodily harm and/or property damage is prohibited.

(ii) Explosives, incendiary devices, or any weapon facsimile are prohibited in or on college facilities.

(iii) Carrying firearms on college facilities is prohibited except and unless the firearm is registered with campus safety and security for a designated period of time that the firearm is carried on campus.

(iv) The regulations in (p)(i) through (iii) of this subsection shall not apply to equipment or material owned, used or maintained by the college: Nor will they apply to law enforcement officers.

**AMENDATORY SECTION** (Amending Order 72-1, filed 2/1/73, effective 3/9/73)

**WAC 132E-120-040 Everett Community College—Student conduct code—Sanctions for violations.** ~~((+))~~ Sanctions which may be imposed for the commission of college offenses shall include the following.

~~((a))~~ (1) Expulsion from ~~(Everett Community)~~ the college: Termination of student status for an indefinite period of time. Conditions of restitution and readmission, if any, shall be stated in the order of expulsion.

~~((b))~~ (2) Suspension from ~~(Everett Community)~~ the college: Suspension from student status for a definite ~~(or indefinite)~~ period of time.

~~((e))~~ (3) Summary suspension: Exclusion from classes or other privileges, services or activities.

(4) Disciplinary probation with or without loss of designated privileges for a definite period of time. The violation of the terms of disciplinary probation or the infraction of any college rule during the period of disciplinary probation may be grounds for suspension or expulsion from the college. The parents of any student under 18 years of age who is placed on disciplinary probation, suspended, or expelled shall be so notified.

~~((d)) Admonition and warning.~~

~~(2) The sanctions of expulsion or suspension shall not be imposed except upon proper determination by the disciplinary committee.)~~ (5) Restitution: Reimbursement for damage to or misappropriation of property. The restitution may be in the form of appropriate service or compensation.

(6) Warning: Notice in writing that continuation or repetition of conduct deemed wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action.

(7) Admonition: An oral admonition shall not be considered a formal disciplinary action, and shall not be subject to appeal to the student conduct code.

#### NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
WAC 132E-120-010	WAC 132E-120-180
WAC 132E-120-020	WAC 132E-120-190
WAC 132E-120-030	WAC 132E-120-220
WAC 132E-120-040	WAC 132E-120-230

**AMENDATORY SECTION** (Amending WSR 97-24-056, filed 12/1/97, effective 1/1/98)

**WAC 132E-121-010 Disclosure of student information.** (1) Unless the student has provided the office of enrollment services with written notice which specifically requests otherwise, designated officials\* of the college will routinely respond to requests for the following directory information about a student:

~~(Directory information is defined as:)~~

(a) Student's name((-);

(b) Major field of study((-);

(c) Extracurricular activities((-);

(d) Height and weight of athletic team members((-);

(e) Dates of attendance((-);

(f) Degrees and awards received((-);

~~((Other))~~ (g) The most recent previous educational agency or institutions attended;

(h) Date of birth.

(2) Pursuant to FERPA (Family Educational Rights and Privacy Act) regulations, information from student's educational record may also be released to schools to which the student is seeking enrollment, and to appropriate college offi-



cial. The college may also release information to the military pursuant to the Solomon Amendment.

~~((written))~~ (3) No other information is to be given without the prior consent of the student or parent/guardian as appropriate. ~~The ((dean of students))~~ vice-president for student services will be responsible for reviewing unusual requests for information and assisting in the interpretation of the provisions of the Federal Family Education Rights and Privacy Act/Buckley Amendment. See Family Educational Rights and Privacy Act of 1974 in the Student Handbook for more information on confidentiality of student information and records.

\* Designated officials of the college are those employees designated by the president to serve in this capacity.

NEW SECTION

The following section of the Washington Administrative Code is recodified as follows:

Old WAC Number	New WAC Number
WAC 132E-121-010	WAC 132E-120-160

AMENDATORY SECTION (Amending Order 72-1, filed 2/1/73, effective 3/9/73)

**WAC 132E-124-020 Everett Community College distribution of literature procedures.** In order to insure an atmosphere in which the discussion of diverse points of view and ideas may exist, the following policy with regard to the distribution of printed matter will be implemented.

(1) Printed matter may be distributed in an orderly and nonforceful manner ~~((anywhere in the student center building, and the area directly in front thereof.))~~ in only such areas as may be designated by the vice-president for student services or his/her designee except that:

- (a) Noninstructional printed matter shall not be distributed in the classroom((-);
- (b) Printed matter shall not be distributed in Olympus Hall, the library, (other than in specifically ((provided for)) designated areas) or in any area where the distribution of printed matter would restrict the physical passage of students or interfere with the instructional program((-);
- (c) Printed matter shall not be placed on any vehicle parked on the campus((-);
- (d) Posters and advertising bulletins must be approved by the office of student activities before they may be posted on campus. In general, material concerning off-campus activities will not be approved unless it is determined to be special service to EyCC students((-);

~~((2))~~ (e) In addition, ~~((three central))~~ designated points of distribution will be made available on campus(=;

- ~~(a) A table in the library.~~
- ~~(b) The kiosks in the student lounge.~~
- ~~(c) A table in the TUB foyer—eastside entrance to the cafeteria).~~

~~((3))~~ (2) As to content of printed matter, the college will be guided by both adherence to the First Amendment of the Federal Constitution and existing laws regarding libel, slander and obscenity.

~~((4))~~ (3) A system of prior censorship is to be avoided if at all possible. Therefore, maximum cooperation of students, faculty and administration will be necessary. Matters of interpretation regarding these procedures and questions as to content of any displayed material will be handled by the ~~((dean of students))~~ vice-president for student services.

~~((5))~~ (4) Printed matter originating with an off-campus individual(s) or organization must be registered with the ~~((dean))~~ director of student(s) activities before distribution will be permitted.

NEW SECTION

The following section of the Washington Administrative Code is recodified as follows:

Old WAC Number	New WAC Number
WAC 132E-124-020	WAC 132E-120-170

**Chapter 132E-120 WAC**

**STUDENT ((CONDUCT CODES)) RIGHTS AND RESPONSIBILITIES**

NEW SECTION

**WAC 132E-120-110 Everett Community College student rights and responsibilities.** Everett Community College exists as an institution for the transmission of knowledge, the pursuit of truth, and the development of its students. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of this educational community. The college has a responsibility to the students and society at large to develop policies and procedures which provide for and safeguard such freedom. This is a statement of essential rights, responsibilities, and freedoms of students enrolled at Everett Community College.

NEW SECTION

**WAC 132E-120-120 Academic affairs.** Students' scholastic performance shall be evaluated on the basis of educational performance, not on opinions or conduct in matters unrelated to scholastic standards.

(1) Protection of freedom of expression.

Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course for which they are enrolled.

(2) Right to pursue educational goals.

Students are free to pursue appropriate educational goals from among the college's curricula, programs, and services, subject to the limitations of RCW 28B.50.090 (3)(b).

(3) Protection against improper academic evaluation.

Students shall have protection, through orderly procedures, against prejudice or capricious academic evaluation. At the same time, they are responsible for maintaining the standards of academic performance established for each

PERMANENT

course in which they are enrolled (see academic grievance procedure in the student handbook, WAC 132E-120-360).

(4) Protection against improper disclosure.

Information about student views, beliefs, and political associations acquired by faculty members in the course of their work as instructors, advisers, and counselors will be considered as privileged and confidential.

(5) Right to attend classes as regularly scheduled.

Students have the right to expect classes to be held as regularly scheduled and are expected to attend such classes as scheduled.

#### NEW SECTION

##### **WAC 132E-120-130 Students as research subjects.**

(1) Permission may be granted for conduct of research involving students for such purposes as the pursuit of advanced degrees, independent student research, and research for off-campus individuals and agencies. Participation therein is the choice of the individual student. Persons planning research utilizing students as subjects must secure permission in advance of the project from the vice-president for student services. Minimally such approval will entail:

(a) Assurance that the project does not conflict with examinations or require a major loss of classroom time;

(b) Assurance that students know they have the alternative of choosing to participate or not;

(c) Explanation of the purpose of the research and disclosure of any possible negative consequence of any procedure to which students might be exposed in the research;

(d) Provision for students to have the opportunity to see the results of the research;

(e) Evidence that the research method is appropriate for the subject to be studied;

(f) Guarantee of confidentiality of student records and responses.

(2) Prior to the initiation of such a project, the researcher shall submit a report of the research covering the points listed above to the vice-president for student services. Written permission may be given with or without college endorsement of the project. In such instances where the vice-president for student services deems appropriate, assistance may be sought from others with related knowledge before permission to proceed is granted or denied.

#### NEW SECTION

**WAC 132E-120-140 Right to due process.** (1) Students are guaranteed against unreasonable searches and seizures of their persons, lodgings, papers, and possessions.

(2) No disciplinary action/sanction may be imposed on any student without the student being apprised of the nature of the charges.

(3) A student accused of violating the college's student conduct code shall be entitled to procedural due process as established in this chapter, WAC 132E-120-200 through 132E-120-350.

#### NEW SECTION

**WAC 132E-120-150 Student affairs.** (1) Freedom of association - Students are free to organize and join associations to promote their common interests, provided such organizations or associations do not disrupt or interfere with the mission of the college.

(a) The membership, policies, and actions of a student organization will be determined by vote of only those persons who hold bona fide membership in the student body as determined by current enrollment in the college.

(b) Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.

(c) An organization is free to nominate its own adviser from the campus faculty. Campus advisers shall advise organizations in the exercise of the rights and responsibilities as an organization, but they will not have authority to control the policies of such organizations.

(d) Student organizations shall be required to submit a constitution to the office of student activities which includes a statement of purpose, criteria for membership, rules or procedures, and a current list of officers to the student government recognized by the college.

(e) Campus organizations, including those affiliated with an extramural organization, shall be open to all students.

(2) Right of assembly.

(a) Students have the right to conduct or may participate in any assembly on facilities that are generally available to the public provided that such assemblies:

(i) Are conducted in an orderly manner;

(ii) Do not unreasonably interfere with classes, scheduled meetings or ceremonies, or regular functions of the college;

(iii) Do not unreasonably interfere with pedestrian or vehicular travel; or

(iv) Do not cause destruction or damage to college property.

(b) Any student group or student organization/club which wishes to schedule an assembly must reserve the college facilities per the appropriate procedures (see commercial and promotional activities in the student handbook).

(c) Assemblies which violate these rules and other college policies and rules may be ordered to disperse by the college.

(d) A nonstudent who violates any provision of the rule will be referred to civilian authorities.

(3) Student participation in institutional government - As constituents of the educational community, students shall be free, individually and collectively, to express their views on issues of institutional policy and matters of general interest to the student body. The student body shall have a clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The role of student government will be made explicit. The actions of the student government within the areas of jurisdiction shall be reviewed by the director of student activities and by the vice-president for student services through orderly procedures.

(4) Right of ownership of works - Employees of the college shall not use students' published and unpublished works for personal gain without written consent of the student.

(5) Right to be interviewed.

(a) Every student has the right to be interviewed on campus by any organization that is legal desiring to recruit at the college.

(b) Any student, student group, or student organization/club may assemble in protest against any such organization provided that such protest does not interfere with any other student's rights to have such an interview, and provided that such protest is in accordance with subsection (2) of this section.

#### NEW SECTION

**WAC 132E-120-200 Authority to request identification.** In situations of suspected misconduct or suspected unauthorized presence in a college facility, it may be necessary for properly identified college personnel to ask a person to produce evidence of being a currently enrolled student at the college. Failure to comply with a legitimate request for identification from a properly identified college personnel is a violation of this chapter and may result in disciplinary action if the person is found to be a student. In emergency situations or in cases of serious misconduct where there is a substantial danger to the college community or college property, failure to produce identification by a student may result in the assumption by college personnel that the person questioned is not a student and may result in direct civil or criminal action.

#### NEW SECTION

**WAC 132E-120-210 Everett Community College student conduct—Authority and responsibility.** (1) The board of trustees acting in accordance with RCW 28B.050.140(14) does by written order delegate to the president of the college authority to administer disciplinary action.

(2) The vice-president for student services is directed by the president to represent the college with regard to student affairs including discipline. He/she is responsible for assembling facts regarding incidents referred to his/her office, making provisions for suitable hearings, convening the designated student conduct committee when requested, notifying students and others concerned, determining and imposing appropriate disciplinary action, keeping confidential files and reports regarding incidents following each disciplinary case until it is closed, and destroying out-of-date files related to student disciplinary cases as may be permitted under state law.

(3) The instructor is responsible for the management of student conduct in the classroom. Instructors may remove a student from class on a daily basis if the student is being disruptive to the learning environment and fails to abide by the instructor's behavioral expectations.

The student has the right to appeal any disciplinary action taken against him/her in accordance with the procedures set forth in this chapter.

#### NEW SECTION

**WAC 132E-120-240 Student conduct—Initial disciplinary procedures.** Allegations of misconduct shall be filed in the vice-president for student services office in writing. Upon investigation, the vice-president for student services shall initiate action as described below.

(1) Students alleged to have committed an act of misconduct shall be notified to meet with the vice-president for student services or his/her designee for possible disciplinary action. The notice must be given at least one school day prior to the scheduled appointment. The notice will be delivered to the student on-campus and/or by first class mail to the student's last known address. The notice shall identify the provision or provisions of the student conduct code that he/she is alleged to have violated, and the range of penalties, if any, which might result from the disciplinary proceedings.

(2) After a careful review of the circumstances surrounding the alleged misconduct and after interviewing the accused student, if he/she appears at the initial meeting, the vice-president for student services or his/her designee may take one of the following actions:

(a) Take no further action and terminate the proceeding, exonerating the student or students;

(b) Provide whatever counseling and/or advice may be appropriate;

(c) Impose verbal admonition to the student directly which is not subject to the student's right of appeal as provided in this chapter; or

(d) Impose appropriate disciplinary action, subject to the student's right of appeal as described in this chapter. The student shall be notified in writing of such an action.

(3) The student may be placed on summary suspension pending the commencement of disciplinary action, pursuant to the conditions set forth in WAC 132E-120-250.

#### NEW SECTION

**WAC 132E-120-250 Summary suspension—Purpose and proceedings.** (1) As defined in WAC 132E-120-040, summary suspension is exclusion from classes or other privileges, services and activities. A student shall be summarily suspended if the vice-president for student services or his/her designee has cause to believe that the student:

(a) Has violated any provision of this chapter; and/or

(b) Presents an imminent danger either to himself or herself, other persons on the campus, or to the educational process.

(2) Summary suspension is appropriate only where subsection (1)(b) of this section can be shown, either alone or in conjunction with subsection (1)(a) of this section. The vice-president for student services or his/her designee shall enter an order as provided by law if the student is to be suspended. Written notice shall be served by certified and regular mail at the student's last known address, or shall be personally served on the student.

(3) The procedures for a summary suspension hearing shall be considered an emergency adjudicative proceeding and shall be conducted as soon as possible. The vice-president for student services and/or his/her designee shall preside

over the meeting. The vice-president for student services or his/her designee shall, at the summary suspension proceeding, determine whether there is probable cause to believe that continued suspension is necessary and/or whether other disciplinary action is appropriate.

(4) The vice-president for student services or his/her designee may continue to enforce the suspension of the student from the college and/or may impose other disciplinary action if, after the summary suspension hearing, the vice-president for student services or his/her designee finds that the student against whom the specific violations are alleged has in fact committed one or more of said violations and:

(a) Summary suspension is necessary for the safety of the student, other campus community members, or to restore order to the campus; and

(b) The violation(s) by the student are grounds for disciplinary action per WAC 132E-120-020 and 132E-120-040.

#### NEW SECTION

##### **WAC 132E-120-260 Notice of summary suspension.**

(1) If, after the summary suspension hearing a student's summary suspension is upheld or if the student is disciplined in another way, the vice-president for student services or his/her designee will provide to the student written findings of fact and conclusions which lead the vice-president for student services or his/her designee to conclude that the summary suspension of the student should be affirmed.

(2) The student shall be served a copy, if applicable, of the findings and conclusions by certified and regular mail to the student's last known address or by personal services within three working days following the summary suspension hearing. The notice shall state the terms for which the student is suspended and any conditions imposed on the student's return.

#### NEW SECTION

**WAC 132E-120-270 Summary suspension for failure to appear.** The vice-president for student services or his/her designee has the authority to enforce the suspension of a student if the student fails to appear at the time designated for the summary suspension hearing.

#### NEW SECTION

**WAC 132E-120-280 Appeals from summary suspension hearing.** (1) A student has the right to appeal a summary suspension to the student conduct committee and may do so if:

(a) The student has been officially notified in writing of the outcome of the summary suspension hearing;

(b) Summary suspension or other disciplinary action has been upheld; and

(c) The student's appeal conforms to the procedures prescribed in this chapter.

(2) The student conduct committee shall conduct a formal hearing as expeditiously as possible and appropriate.

#### NEW SECTION

##### **WAC 132E-120-290 Student conduct committee.** (1)

The college's student conduct committee will hear and make recommendations on all disciplinary cases referred to it by the vice-president for student services or his/her designee or appealed to it by students who have been disciplined by the vice-president for student services or his/her designee.

(2) The student conduct committee will be comprised of the following members:

(a) A chair designated by the president of the college for a period of one year. The chair will be a nonvoting member, except in the case of a tie vote by committee members, and will normally be a faculty member. It shall be his/her responsibility to ensure that all procedures prescribed in this chapter are followed. The chair will also take appropriate action to ensure that the hearing is conducted in a safe and orderly manner, advise the committee members of the precedents and guidelines concerning the case, and inform the student in writing of the action taken/recommended by the committee following the hearing.

(b) Three faculty members appointed by the president. Three alternates shall also be appointed by the president in the event an appointee(s) is unable to complete his/her term or unable to serve on a particular case.

(c) Three full-time (at least ten credits) student representatives shall be recommended by the associated students' executive council to the president of the college. Three alternates will also be appointed to serve in the event that a member(s) is unable to complete his/her term or is unable to serve on a particular case.

(d) A quorum shall consist of at least two of the above named faculty, and two of the above named students and the chair.

(e) Committee members will be appointed to serve for one year but are eligible to serve as many as three consecutive terms.

#### NEW SECTION

**WAC 132E-120-300 Appeals of disciplinary action—General.** (1) Disciplinary action imposed by the vice-president for student services or his/her designee may be appealed to the student conduct committee.

(2) An appeal by a student of disciplinary action must meet the following conditions:

(a) The appeal must be in writing and must clearly state the student's position and errors in fact, if any, and compelling reasons which support the appeal; and

(b) The appeal must be filed in the president's office within twenty-one working days from the date that the student was served notice that disciplinary action had been taken or recommended against him/her.

(3) All recommendation(s) from the student conduct committee shall include the signature of the chair. Copies of the committee's recommendation(s) shall be sent to the student, vice-president for student services or his/her designee, and president.

(4) Recommendations made by the student conduct committee may be appealed by the student to the president of the

college. The president shall review the report of the proceedings which give rise to the appeal and the disciplinary action taken by the vice-president for student services or his/her designee and the recommendation(s) of the student conduct committee. The president's decision shall be final.

#### NEW SECTION

**WAC 132E-120-310 Student conduct committee hearing procedures.** (1) The student conduct committee shall conduct a hearing within fourteen working days after disciplinary action has been referred to it. Proceedings shall be governed by chapter 34.05 RCW.

(2) Proceedings before the student conduct committee shall be conducted in a manner that will bring about a prompt and fair resolution.

(3) The student has a right to a fair and impartial hearing before the student conduct committee on any allegation of violating the student conduct code and shall be provided notice of the hearing at least seven days in advance. If the student fails to attend the hearing held by the student conduct committee, the committee may proceed with the findings of fact, conclusions and recommendations.

(4) The student may appear with an advocate to advise and assist him/her as he/she appears before the student conduct committee. The advocate's function is to provide support to the student but may not address the student conduct committee.

(5) The student may have a duly licensed attorney, admitted to practice in the state of Washington, present at the hearing to advise the student in the presentation of his/her appeal. The attorney may not address the student conduct committee unless he/she is called as a material witness in the case. If the student chooses to have an attorney present to advise him/her, the student shall notify the chair at least five days prior to the hearing.

(6) The vice-president for student services or designated representative(s) shall make the first presentation. Each witness may be cross-examined by the student; and after cross-examination is completed, any committee member who wishes may ask questions of the witness but only after both direct examination and cross-examination of the witness have been completed. Upon completion of the presentation by the student, both sides shall then be permitted to make any closing arguments after which the committee may ask questions.

(7) The hearing will then be closed and the committee will retire to executive session for deliberation. When a recommendation has been reached, the committee will reconvene and announce its recommendation within one school day. The proceeding will then be adjourned.

(8) The record in a formal hearing shall consist of all documents as required by law and as specified in RCW 34.05.476.

(9) All records of disciplinary proceedings shall be maintained in the appropriate administrative office and shall be available only during the course of the disciplinary proceedings to the student conduct committee, the student, and his/her attorney, and any other college official designated by the president.

(10) Following the conclusion of the disciplinary proceedings, access to records of the case and the hearing files will be limited to the student and to those designated by the college president.

(11) The time of the hearing may be advanced by the student conduct committee at the request of the student or continued for good cause.

(12) If at any time during the hearing a visitor disrupts the proceedings, the chair of the student conduct committee may exclude that person from the hearing room.

(13) A recorder shall be present at the hearing to record the proceedings.

#### NEW SECTION

**WAC 132E-120-320 Evidence admissible in hearings.** (1) The student shall be entitled to hear and examine the evidence against him/her and be informed of the identity of its sources. The student shall have all authority as may be conferred by law to obtain information or to request the presence of witnesses or the production of other evidence relevant to the issues of the hearing.

(2) Only those matters presented at the hearing will be considered in determining whether the student is guilty of the misconduct charged. The student's past history of college conduct, if relevant to the case at hand as determined by the chair of the student conduct committee, may be taken into account in formulating the committee's recommendation for disciplinary action.

(3) The chair of the student conduct committee shall give effect to the rules of privilege recognized by law and rule on the competency, relevancy, and materiality of testimony, and any other evidence. Technical rules of evidence shall not apply.

(4) Extenuating or mitigating evidence on behalf of the student will not be permitted until all substantive evidence or testimony is presented.

#### NEW SECTION

**WAC 132E-120-330 Decision by student conduct committee.** (1) At the conclusion of the hearing, the student conduct committee shall, within seven working days, make findings of facts, conclusions, and recommend disciplinary action/sanctions as appropriate, if any. In deciding upon its recommendation, the committee shall consider the following:

(a) Does the alleged act or acts constitute misconduct?

(b) Did the student involved commit the acts with which he/she was charged?

(c) Were there any extenuating or mitigating circumstances?

(2) The committee's recommendation(s) shall be written and the student will be provided a copy of the committee's findings of fact and conclusions. The copy shall be dated and signed by the committee chair and contain a statement advising the student of his/her right to appeal the committee's recommendation(s) to the president of the college.

NEW SECTION

**WAC 132E-120-340 Final appeal.** Any student who disagrees with the findings, conclusions and recommendation(s) of an appeal to the student conduct committee may appeal the same in writing to the president of the college within twenty-one working days of being served notice of the recommendation(s) made by the committee. The president may, at his/her discretion, suspend any disciplinary action pending determination of the merits of the findings, conclusions and any disciplinary action imposed. In consideration of such an appeal, the president shall base his/her findings and decision only on the official written record of the case.

NEW SECTION

**WAC 132E-120-350 Readmission after dismissal.** Any student expelled from the college may submit a written petition to the vice-president for student services requesting readmission. Such petition must include how any conditions imposed by the vice-president for student services or student conduct committee have been met. Decisions by the vice-president for student services regarding a petition for readmission shall be reviewed by the president.

NEW SECTION

**WAC 132E-120-360 Academic grievance procedure.** (1) Definition of an academic grievance - If a student has evidence that he/she has been: Unfairly treated in matters related to grading, course policies or expectation; falsely accused of cheating; or inappropriately penalized for alleged cheating, he/she may be said to have an academic grievance. Students who feel that such unfair treatment has transpired should feel free to raise the question of how such a grievance may be resolved with the office of the vice-president of educational services or his/her designee which will provide information (without judgment) regarding the procedure for filing an academic grievance.

(2) Informal procedure resolution - Informal complaints should be made to the appropriate division dean or other supervising administrator. Upon receipt of a student complaint by the division dean, the following steps may be taken:

(a) The student will be encouraged to discuss the alleged problem with the involved instructor; or if the complaint involves a program, the student will be encouraged to speak to the director/dean of the involved program.

(b) If the student is not satisfied as a result of such discussion, he/she should then meet with the director/dean or supervising administrator to resolve the complaint.

(c) If the complaint is not resolved at this level, the student, the instructor and the director/dean should meet with the vice-president of educational services or his/her designee to attempt resolution.

(d) If the complaint is not resolved at this level the student may institute formal grievance procedures.

(3) Formal grievance procedure - To assure an atmosphere free from unfair treatment in academic matters, the following procedures are established to respond to an unresolved academic complaint registered by a student. It is

understood, however, that this procedure will be employed only after efforts have been made by the student to resolve the issue through the previously described informal procedure. A student who feels an academic grievance has not been resolved through the informal resolution process may file a formal grievance with the vice-president of educational services prior to the tenth (10th) day of the quarter following the alleged grievance. Within ten working days of the receipt of the signed written grievance, the vice-president of educational services or his/her designee will appoint a grievance committee for the purpose of reviewing the complaint and recommending a resolution.

(4) The grievance committee will be composed of seven voting members including:

(a) An administrator who will serve as the chair.

(b) Four faculty members, including one from the division of the involved faculty member.

(c) Two students to be selected as provided for in the associated students constitution and by-laws. All matters shall be discussed in closed meetings and shall be treated with strict confidence by committee members.

(5) Formal resolution.

(a) Parties affected by the grievance will provide the grievance committee with all requested information in order to bring about full understanding and a speedy resolution to the grievance.

(b) In order to ensure due process, the aggrieved student shall have:

(i) The right to respond to the grievance, submitting appropriate evidence to support such response;

(ii) The opportunity to call as a witness any member of the college community who can provide information relevant to the allegation and interview the aggrieved student or any witness presented by the student(s) involved.

(c) The instructor against whom the grievance is filed shall have:

(i) The right to respond to the grievance, submitting appropriate evidence to support such response;

(ii) The opportunity to call as a witness any members of the college community who can provide information relevant to the allegation and interview the aggrieved student or any witness presented by the student(s) involved.

(d) Once the aggrieved student and the faculty member have had sufficient opportunity to present their points of view, the grievance committee will deliberate and reach a decision by a simple majority vote. The committee will provide the vice-president of educational services or his/her designee its written recommendation within ten working days of its organizational meeting. The vice-president or his/her designee will notify the parties in the grievance of his/her decision, and the resolution within forty-eight hours of having received the committee recommendation.

(e) If the grievance committee establishes that an aggrieved student has been treated unfairly, the committee will recommend corrective steps to the vice-president of educational services or his/her designee.

(f) Either party shall have the right to present a written appeal of the decision of the vice-president of educational services or his/her designee to the president of the college. Within one week of having received the appeal, the president

shall review the case and render a decision which will be transmitted to both parties.

#### NEW SECTION

**WAC 132E-120-370 Student affairs grievance procedure.** (1) Definition of a student affairs grievance - If a student has evidence that he/she has been: Unfairly treated in matters related to student services/student auxiliary services, policies, procedures, or expectations, he/she may be said to have a student affairs grievance. Students who feel that such unfair treatment has transpired should feel free to raise the question of how such a grievance may be resolved with the associated student executive council which will provide information (without judgment) regarding the procedure for filing a grievance.

(2) Informal procedure for resolution - Informal complaints should be made to the appropriate administrator. Upon receipt of a student complaint by the administrator, the following steps will be taken:

(a) The student will be encouraged to discuss the alleged problem with the party concerned; or if the complaint involves a program, the student will be encouraged to speak to the appropriate supervisor.

(b) If the student is not satisfied as a result of such discussion, he/she should then meet with the immediate administrator to resolve the complaint.

(c) If the complaint is not resolved at this level, the student, the respondent and the administrator should meet with the vice-president for student services to attempt resolution.

(d) If the complaint is not resolved at this level, the student may institute formal grievance procedures.

(3) Formal grievance procedure - To assure an atmosphere free from unfair treatment, the following procedures are established to respond to an unresolved complaint registered by a student. It is understood, however, that this procedure will be employed only after efforts have been made by the student to resolve the issue through the previously described informal procedure. A student who feels a grievance has not been resolved through the informal resolution process may file a formal grievance with the vice-president for student services prior to the tenth (10th) instructional day of the quarter following the alleged grievance. Within ten working days of the receipt of the signed written grievance, the vice-president for student services will appoint a grievance committee for the purpose of reviewing the complaint and recommending a resolution.

(4) The grievance committee will be composed of seven voting members including:

(a) An administrator, other than the vice-president for student services;

(b) One faculty and one from classified staff;

(c) Four students to be selected randomly and not active members of student activities, or the involved program. All matters shall be discussed in closed meetings and shall be treated with strict confidence by committee members.

(5) Formal resolution.

(a) Parties affected by the grievance will provide the grievance committee with all requested information in order

to bring about full understanding and a speedy resolution to the grievance.

(b) In order to ensure due process, the aggrieved student shall have:

(i) The right to respond to the grievance, submitting appropriate evidence to support such response.

(ii) The opportunity to call as a witness any member of the college community who can provide information relevant to the allegation and interview the aggrieved student or any witness presented by the student(s) involved.

(c) The party against whom the grievance is filed shall have:

(i) The right to respond to the grievance, submitting appropriate evidence to support such response;

(ii) The opportunity to call as a witness any member of the college community who can provide information relevant to the allegation and interview the aggrieved student or any witness presented by the student(s) involved.

(d) Once the aggrieved student and the respondent have had sufficient opportunity to present their points of view, the grievance committee will deliberate and reach a decision by a simple majority vote. The committee will provide the vice-president for student services its written recommendation within ten working days of its organizational meeting.

(e) The vice-president for student services will notify the parties in the grievance of the resolution within two school days of having received the committee recommendation. If the grievance committee establishes that aggrieved student has been treated unfairly, the committee will recommend corrective steps to the vice-president for student services.

(f) Either party shall have the right to present a written appeal of the decision to the president of the college. Within one week of having received the appeal, the president shall review the case and render a decision which will be transmitted to both parties.

#### NEW SECTION

**WAC 132E-120-380 Discrimination/sexual harassment.** (1) The following laws and documents relate to prohibition of discrimination on the basis of race, religion, color, age, sex, or national origin and are applicable to the affirmative action program at Everett Community College.

(a) Title IV, Civil Rights Act of 1964 (prohibits discrimination on the basis of race and national origin in federally assisted programs).

(b) Title IX of Educational amendments of 1972 (prohibits sex discrimination on the basis of race and national origin in federally assisted programs).

(c) Federal Age Discrimination Act of 1975 (prohibits discrimination based on age in federally assisted programs).

(d) Office of Federal Contract Compliance Sex Discrimination guidelines CRF-20.

(e) Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 and state of Washington Laws of 1994, chapter 105.

(2) Everett Community College must provide a learning environment free from unlawful discrimination and sexual harassment of its students and those who apply for student status. All students should be aware that the college is con-

cerned and will take action to eliminate such actions and that those who so act are subject to disciplinary action.

(3) Informal procedure.

(a) The complainant(s) should initially discuss any grievance with the respondent(s), if feasible.

(b) If not resolved, the complainant(s) may elect to contact the vice-president for student services or affirmative action officer for assistance. The vice-president for student services or affirmative action officer will:

(i) Inform the respondent of the complaint.

(ii) Conduct a preliminary investigation of the grievance.

(iii) Inform the complainant(s) and respondent(s) of the findings of the preliminary investigation.

(iv) Act as mediator in attempting to resolve the grievance at the informal level.

(v) If not resolved, advise the complainant(s) of the formal procedure.

(4) Formal procedure - If so requested in writing by the complainant(s), the vice-president for student services will forward the written complaint, as signed by the student, along with the vice-president's findings from the preliminary investigation, to the affirmative action officer for formal action as described in the college affirmative action program.

#### NEW SECTION

**WAC 132E-120-390 Anti-hazing policy.** (1) Hazing is prohibited on Everett Community College (EvCC) property and at all EvCC functions, including club and organization activities, whether on EvCC property or not.

(2) Hazing is defined as any method of initiation into a student organization, club or association, or any pastime or amusement engaged in with respect to such an organization, club or association that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person. Excluded from this definition are customary athletic events or other similar contests or competitions.

(3) Any allegations of hazing shall be submitted to the vice-president for student services and action shall be taken as appropriate per Article IV (Disciplinary Procedures) of the Statement of Student Rights and Responsibilities with the following additional disciplinary provisions:

(a) Any EvCC student organization, club or association that knowingly permits hazing shall be denied recognition by EvCC as an official organization, club or association. Any group so barred may apply to be reinstated as an official organization, club or association after waiting a period of one quarter and providing a written statement of their intent to follow hazing policies as set forth herein. Repeat offenses by student organizations/clubs will be submitted to the vice-president for student services for possible further action under the guidelines for disciplinary procedures.

(b) A person who participates in the hazing of another shall forfeit any entitlement to state funded grants, scholarships or awards for one full quarter for a first-time offense, and for a period to be determined via the processes for disciplinary procedures for repeat violations. Additional sanctions which may include expulsion from the college may be

recommended by the vice-president for student services per the guidelines for disciplinary procedures.

(c) Hazing violations are misdemeanors punishable under state criminal law (RCW 28B.10.901 and 9A.20.021).

#### NEW SECTION

**WAC 132E-120-400 Drug-free campus policy.** Everett Community College's board of trustees have adopted a policy for the maintenance of a drug-free campus. The provisions of this policy as it relates to students are as follows:

(1) Students who report to class or work must do so unimpaired due to the use of alcohol or other drugs.

(2) Unlawful use, possession, delivery, dispensation, distribution, manufacture or sale of drugs on college property, in state vehicles or on official business is strictly prohibited. Documented evidence of illegal drug involvement will be given to law enforcement agencies.

(3) Possession of alcohol is prohibited on college property and in state vehicles.

(4) Students found in violation of this policy will be subject to formal disciplinary action, which could include completion of an appropriate rehabilitation program up to and/or including dismissal/expulsion.

(5) Students needing assistance with problems related to alcohol or drug abuse are encouraged to seek referral from a counselor in the counseling, advising and career center and/or appropriate off campus substance abuse agencies.

(6) Students must report any drug abuse or alcohol conviction to the vice-president for student services within five school days after such conviction.

(7) The college will report the conviction to the appropriate federal or state agency within ten working days after having received notice that a student employed under a federally funded grant or contract or receiving grant funds has any drug statute conviction occurring on campus.

(8) All students, regardless of status, shall comply with this policy regarding a drug-free campus.

#### NEW SECTION

**WAC 132E-120-410 Tobacco use policy.** The college's board of trustees has adopted the following tobacco use policy:

(1) Use of tobacco in any form shall not be allowed in college buildings, enclosures or state-owned vehicles and will not be sold or distributed on campus grounds.

(2) The president shall sponsor and/or assist in the establishment of tobacco cessation programs.

(3) Students who willfully violate this policy will be subject to disciplinary procedures.

(4) The success of this policy depends upon the thoughtfulness, consideration, and cooperation of both smokers and nonsmokers. All college community members and visitors share in the responsibility for adhering to and enforcing the policy. Any problems should be brought to the attention of a college administrator, program supervisor, or campus security and handled through the normal chain of authority.



(5) The college has designated specific areas outside on college grounds as smoking areas. These are the only areas on campus where smoking is permitted.

**WSR 00-17-016**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-139—Filed August 3, 2000, 4:24 p.m.]

Date of Adoption: July 21, 2000.

Purpose: Adopt personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-235 and 220-56-250.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Adopted under notice filed as WSR 00-10-038 on April 25, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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.

August 3, 2000

Evan Jacoby

for Jeff P. Koenings  
 Director

**AMENDATORY SECTION** (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

**WAC 220-56-235 Possession limits—Bottomfish.** It is unlawful for any person to take in any day more than the following quantities of bottomfish for personal use. The possession limit at any time shall not exceed the equivalent of two daily limits in fresh, frozen or processed form. Unless otherwise provided bottomfish fishing is open the entire year.

(1) Coastal (Catch Record Card Areas 1 through 4):

(a) Lingcod - ((2)) 1 fish minimum length 24 inches.

(b) Rockfish - 10 fish of which no more than 2 may be canary rockfish and no more than 2 may be yelloweye rockfish.

(c) Surfperch (excluding shiner perch) - 15 fish.

(d) Wolf-eel - 2 fish east of the Bonilla-Tatoosh line.

(e) Cabezon - 2 fish east of the Bonilla-Tatoosh line.

(f) All other species - no limit.

(2) Inner Puget Sound (Catch Record Card Areas 5 through 13):

(a) Catch Record Card Areas 5 and 6 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish	1 fish
Surfperch	10 fish
Pacific cod	2 fish
Pollock	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	2 fish
Cabezon	2 fish
Pacific hake	2 fish

(b) Catch Record Card Area 7 - 15 fish in the aggregate of all species of bottomfish, which may include no more than:

Rockfish	1 fish
Surfperch	10 fish
Pacific cod	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pollock	2 fish
Pacific hake	2 fish

(c) Catch Record Card Areas 8-1 through 13 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish	1 fish
Surfperch	10 fish
Pacific cod	0 fish
Pollock	0 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	0 fish

(d) It is unlawful to possess lingcod taken by angling less than 26 inches in length or greater than 40 inches in length.

(e) The daily limit taken by spear fishing may include no more than one lingcod. There is no size restriction on the one lingcod allowed in the daily limit if taken by spear fishing.

(f) It is unlawful to retain cabezon taken from Catch Record Card Areas 5 through 13 from December 1 through April 30.

**AMENDATORY SECTION** (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

**WAC 220-56-250 Lingcod—Areas and seasons.** It is unlawful to take, fish for or possess lingcod for personal use

PERMANENT

except during the seasons and within the areas herein provided:

(1) Coastal area (a) Catch Record Card Areas 1 through 3 - ~~((open the entire year))~~ April 1 through September 30, (b) Catch Record Card Area 4 - April 16 through ~~((November))~~ September 30.

(2) Catch Record Card Areas 5 through 13 - May 1 through June 15 by angling and May 21 through June 15 by spear fishing.

**WSR 00-17-017**  
**PERMANENT RULES**  
**CRIMINAL JUSTICE**  
**TRAINING COMMISSION**

[Filed August 4, 2000, 7:56 a.m.]

Date of Adoption: July 17, 2000.

Purpose: Pursuant to Governor Locke's executive order that requires state agencies to review all of their existing rules, the Washington State Criminal Justice Training Commission has reviewed and evaluated all of its rules. As a result of this review, changes have been made to clarify and streamline the rules to make them easier to use.

Citation of Existing Rules Affected by this Order: Amending WAC 139-01-100, 139-05-200, 139-05-210, 139-05-220, 139-05-230, 139-05-240, 139-05-242, 139-05-250, 139-05-810, 139-05-912, 139-05-915, 139-10-210, 139-10-212, 139-10-215, 139-10-220, 139-10-222, 139-10-230, 139-10-235, 139-10-237, 139-10-240, 139-10-310, 139-10-320, 139-10-410, 139-10-420, 139-10-510, 139-10-520 and 139-25-110; repealing WAC 139-01-110, 139-01-320, 139-01-330, 139-01-410, 139-01-415, 139-01-420, 139-01-425, 139-01-430, 139-01-435, 139-01-440, 139-01-445, 139-01-450, 139-01-455, 139-01-460, 139-01-465, 139-01-470, 139-01-475, 139-01-510, 139-01-515, 139-01-520, 139-01-525, 139-01-530, 139-01-535, 139-01-540, 139-01-545, 139-01-550, 139-01-555, 139-01-560, 139-01-565, 139-01-570, 139-01-575, 139-01-610, 139-01-615, 139-01-620, 139-01-625, 139-01-630, 139-01-710, 139-01-715, 139-01-720, 139-01-725, 139-01-730, 139-01-735, 139-01-810 and 139-01-820; and new section WAC 139-02-010, 139-02-020, 139-02-030, 139-02-040, 139-02-050, 139-02-060, 139-02-070, 139-02-080, 139-02-090, 139-02-100, 139-02-110, 139-03-010, 139-03-020, 139-03-030, 139-03-040, 139-03-050, 139-03-060, 139-03-070, 139-03-080, 139-10-221, and 139-10-236.

Statutory Authority for Adoption: RCW 43.101.080.

Adopted under notice filed as WSR 00-07-097 on March 17, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 21, Amended 27, Repealed 44.

Number of Sections Adopted Using Negotiated Rule Making: New 21, Amended 27, Repealed 44; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

July 17, 2000

Sharon M. Tolton

Deputy Director

AMENDATORY SECTION (Amending Order 1-B, filed 9/10/86)

**WAC 139-01-100 Description of central and field organization.** The Washington state criminal justice training commission consists of the executive director, ~~((his/her))~~ staff, and ~~((twelve))~~ fourteen commissioners. Recommendations for training pursuant to commission adopted goals and standards may be approved by the executive director of the commission. Other recommendations will be reviewed by the commissioners for approval or rejection. Approved recommendations and other matters of the commission necessitating implementation or staff involvement will be assigned by the executive director to appropriate personnel.

The ~~((central))~~ business office of the commission is located ~~((on the campus of St. Martin's College))~~ at 621 Woodland Square Loop, P.O. Box 40905, Olympia, Washington, 98504. It is maintained by the commission's executive director and staff from 8:00 a.m. to 5:00 p.m., Monday through Friday, and serves as a central repository for the commission's records of administration and operation.

The Criminal Justice Training Center, ~~((2450 So. 142nd))~~ 19010 1st Avenue, Seattle, Washington, 98148, serves as the commission's primary training site. Other training is conducted locally, regionally, or at centralized locations state-wide, as determined by staff.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- |                |  |
|----------------|--|
| WAC 139-01-110 | Public records available.  |
| WAC 139-01-320 | Appearance and practice before commission—<br>Appearance by former member of attorney general's staff. |
| WAC 139-01-330 | Computation of time.   |
| WAC 139-01-410 | Service of process—By whom served.   |
| WAC 139-01-415 | Service of process—Upon whom served.   |
| WAC 139-01-420 | Service of process—Service upon parties.   |

PERMANENT

WAC 139-01-425	Service of process—Method of service.	WAC 139-01-555	Depositions and interrogatories in contested cases—Fees of officers and deponents.
WAC 139-01-430	Service of process—When service complete.	WAC 139-01-560	Depositions upon interrogatories—Submission of interrogatories.
WAC 139-01-435	Service of process—Filing with agency.	WAC 139-01-565	Depositions upon interrogatories—Interrogation.
WAC 139-01-440	Subpoenas—Where provided by law—Form.	WAC 139-01-570	Depositions upon interrogatories—Attestation and return.
WAC 139-01-445	Subpoenas—Issuance to parties.	WAC 139-01-575	Depositions upon interrogatories—Provisions of deposition rule.
WAC 139-01-450	Subpoenas—Service.	WAC 139-01-610	Official notice—Matters of law.
WAC 139-01-455	Subpoenas—Fees.	WAC 139-01-615	Official notice—Material facts.
WAC 139-01-460	Subpoenas—Proof of service.	WAC 139-01-620	Presumptions.
WAC 139-01-465	Subpoenas—Quashing.	WAC 139-01-625	Stipulations and admissions of record.
WAC 139-01-470	Subpoenas—Enforcement.	WAC 139-01-630	Rules of evidence—Admissibility criteria.
WAC 139-01-475	Subpoenas—Geographical scope.	WAC 139-01-710	Petitions for rule making, amendment or repeal—Who may petition.
WAC 139-01-510	Depositions and interrogatories in contested cases—Right to take.	WAC 139-01-715	Petitions for rule making, amendment or repeal—Requisites.
WAC 139-01-515	Depositions and interrogatories in contested cases—Scope.	WAC 139-01-720	Petitions for rule making, amendment or repeal—Agency must consider.
WAC 139-01-520	Depositions and interrogatories in contested cases—Officer before whom taken.	WAC 139-01-725	Petitions for rule making, amendment or repeal—Notice of disposition.
WAC 139-01-525	Depositions and interrogatories in contested cases—Authorization.	WAC 139-01-730	Declaratory rulings.
WAC 139-01-530	Depositions and interrogatories in contested cases—Protection of parties and deponents.	WAC 139-01-735	Forms.
WAC 139-01-535	Depositions and interrogatories in contested cases—Oral examination and cross-examination.	WAC 139-01-810	Review and appeal of action.
WAC 139-01-540	Depositions and interrogatories in contested cases—Recordation.	WAC 139-01-820	Request for exemption or variance.
WAC 139-01-545	Depositions and interrogatories in contested cases—Signing attestation and return.		
WAC 139-01-550	Depositions and interrogatories in contested cases—Use and effect.		

**Chapter 139-02 WAC**

**PUBLIC RECORDS**

NEW SECTION

**WAC 139-02-010 Purpose.** The purpose of this chapter shall be to ensure compliance by the criminal justice training commission with the provisions of the Public Records Disclosure Act, RCW 42.17.250 through 42.17.340.

PERMANENT

NEW SECTION

**WAC 139-02-020 Definitions.** (1) "Public records" include any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by the commission regardless of physical form or characteristics.

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

(3) "Commission" means the criminal justice training commission.

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

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

(6) "Denial of disclosure" denotes any exempting from disclosure of any public record.

NEW SECTION

**WAC 139-02-030 Public records available.** (1) Requests for any identifiable public record may be initiated by mail or in person at the business office of the commission during normal business hours.

(2) The commission shall at all times take the most timely possible action on requests for disclosure, and shall be required to respond in writing within five business days of receipt of the request for disclosure.

NEW SECTION

**WAC 139-02-040 Public disclosure officer.** The commission shall designate a public disclosure officer, located in its business office, who shall be responsible for implementing the commission's rules regarding disclosure of public records, coordination of staff in this regard, and generally insuring compliance by the staff with public records disclosure requirements.

NEW SECTION

**WAC 139-02-050 Request for public records.** (1) Unless waived by a public disclosure officer, all requests for the disclosure of a public record must be in writing identifying the record sought with reasonable certainty. The written request may include:

- (a) The name of the person requesting the record;
- (b) The calendar date on which the request is made; and
- (c) The nature of the request.

(2) An in-person request for disclosure shall be made during customary business hours.

(3) If the public record contains material exempt from disclosure pursuant to law, the commission must provide the person requesting disclosure with a written explanation for the nondisclosure, pursuant to WAC 137-08-130.

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

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

NEW SECTION

**WAC 139-02-060 Disclosure to client's representative.** (1) If a client requests disclosure to a representative, that request must be accompanied by a written release signed by the client, except that, as an accommodation to the client and if the legislator or attorney representing the client can provide assurance that the client has authorized disclosure, the client's record may be briefly discussed with that legislator or attorney so long as there is neither physical inspection nor copying of client records by that representative. A written release must include:

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

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

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

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

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

NEW SECTION

**WAC 139-02-070 Fees—Inspection and copying.** (1) No fee shall be charged for the inspection of public records.

(2) The commission shall collect a fee of twenty cents per page plus postage as reimbursement for the cost of providing copies of public records.

(3) Nothing contained in this section shall preclude the commission from agreeing to exchange or provide copies of manuals or other public records with other state or federal agencies, whenever doing so is in the best interest of the commission.

(4) The director of the commission or his or her designee is authorized to waive any of the foregoing copying costs.

NEW SECTION

**WAC 139-02-080 Protection of public records.** Public records shall be disclosed only in the presence of the public disclosure officer or his or her designee, who shall withdraw the records if the person requesting disclosure acts in a manner which will damage or substantially disorganize the records or interfere excessively with other essential functions of the commission. This section shall not be construed to prevent the commission from accommodating a person by use of the mails in the disclosure process.

NEW SECTION

**WAC 139-02-090 Disclosure procedure.** (1) The public disclosure officer shall review file materials prior to disclosure.

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

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

NEW SECTION**WAC 139-02-100 Qualifications on nondisclosure.**

(1) To the extent that nondisclosable information can be deleted from the specific records sought, the remainder of the records shall be disclosable.

(2) No exemptions shall be construed to require nondisclosure of statistical information not descriptive of identifiable persons, as required by RCW 42.17.310(2).

(3) Inspection and copying of any specific records otherwise nondisclosable is permissible pursuant to an order of the superior court enforcing a subpoena in accordance with the provisions of RCW 42.17.310(3), or an order of the office of hearings enforcing a subpoena.

NEW SECTION

**WAC 139-02-110 Records index.** (1) The commission finds that it would be unduly burdensome and would interfere with agency operations to maintain an index of records because of the complexity and diversity of its operations and the resulting volume of manuals, correspondence, reports, surveys, staff studies, and other materials.

(2) The commission will make available for public disclosure all indices which may at a future time be developed for agency use.

**Chapter 139-03 WAC****PROCEDURES**NEW SECTION

**WAC 139-03-010 Adoption of model rules of procedure.** In those contested cases, declaratory proceedings, and requests for rule making in which the commission has authority to conduct hearings, practice and procedure shall be in accordance with the model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended. The model rules hereby adopted are found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the

model rules of procedure and the procedural rules adopted in this title, the procedural rules adopted in this title shall govern.

NEW SECTION

**WAC 139-03-020 Review and appeal of action.** (1) Except as otherwise provided in this section or in WAC 139-03-030, a person aggrieved by a commission "action" as defined under the Administrative Procedure Act may appeal that action by filing a notice of appeal to the commission on an appeal form provided by the commission. Notice of appeal forms are available from the commission at the following address: 621 Woodland Square Loop, P.O. Box 40905, Olympia, WA 98504. This section shall not apply to a request for a variance or exemption pursuant to WAC 139-03-030.

(2) Unless otherwise provided in this title, student dismissal for academic or disciplinary reasons may be reviewed at the request of such individual, or the head of such individual's employing agency, and shall be considered in accordance with the process hereinafter provided.

(3) An individual requesting review shall submit a request in writing to the executive director and shall therein specify and include, where applicable:

(a) The action for which review is requested, identified by date and description of action;

(b) The direct and adverse effects of such action;

(c) The corrective or remedial action or other relief sought;

(d) The name and mailing address of the requesting party, any witness to be called by the requesting party, and any person who will personally appear in support of the requesting party, including legal counsel; and

(e) A statement that the person signing the request for review has read it and that to the best of his or her knowledge or information and belief the contents thereof are true.

(4) A request for review must be mailed to or personally served upon the director of the commission within thirty days of the date of written communication of commission staff action. "Mailing" for purposes of this regulation means posting in the United States mail, properly addressed, postage prepaid.

(5) A requesting party may notify the director of the commission within seven days of filing the request for a hearing that the requesting party chooses to first meet with the executive director and ask him or her to informally review the staff action. The executive director will conduct such informal review within thirty days of such request for informal review or within such additional period as is agreed to between the requesting party and the executive director. If the executive director then affirms staff action, or if the requesting party elects to forgo this informal review step, the matter will proceed to a formal hearing by an administrative law judge from the state office of administrative hearings. The administrative law judge will:

(a) Schedule and conduct an adjudicative proceeding under chapter 34.05 RCW; and

(b) Issue an initial decision of the commission in the matter.

The commission staff or the requesting party may then pursue review by the commission subject to the time limits and any other jurisdictional requirements of chapter 34.05 RCW and of this section.

(6) A petition for review of the initial decision must be filed with the commission within thirty days of mailing of the initial decision to the parties. Extensions of the time for filing petitions for review may be granted for good cause shown in the discretion of the chairperson of the commission on timely written request of a party. The petition for review shall set forth in detail the grounds for review, and the party filing the petition shall be deemed to have waived all objections or claims of irregularities not specifically set forth therein. At the next succeeding regularly scheduled meeting of the commission at which review can practicably be conducted, the commission shall consider the whole record, or such portions of it as are cited by the parties. The commission shall afford the parties an opportunity to present written argument, and may, as a matter of discretion, allow oral argument. Thereafter, a final decision shall be entered within thirty days of the meeting, either finally disposing of the action or remanding the matter for further proceedings before the initial reviewer.

#### NEW SECTION

**WAC 139-03-030 Request for exemption, waiver, extension or variance.** (1) Requests for exemption, waiver, extension or variance from the commission's regulations may be pursued only under this section.

(2) A request for exemption, waiver, extension or variance may be made only by the head of a law enforcement or corrections agency on behalf of an employee or employees directly affected by the regulation. Where a request for an exemption or variance is on behalf of a chief of police, such request shall be made by the appointing authority. Requests under this section shall be for mitigation only and shall not raise questions of law or of fact. Such requests shall be submitted in writing to the executive director of the commission and shall include, where applicable:

(a) The particular regulation from which exemption, waiver, extension or variance is sought;

(b) The nature of the exemption, waiver, extension or variance which is sought;

(c) The mitigating factors in the particular case;

(d) The name and mailing address of the requesting party and any person who will personally appear in support of the requesting party, including legal counsel;

(e) A statement that the person signing the request has read it and that to the best of his or her knowledge or information and belief the contents thereof are true.

(3) Upon receipt of a request under this section which satisfies the requirements of subsection (2) of this section, the executive director shall schedule the request for full consideration at the next commission meeting. If it is determined by the chair that circumstances justify expedited review, the chair may schedule a special meeting for the sole purpose of effecting review. After full consideration of the matter, the commission shall deny the request, grant the request or provide alternative mitigating relief.

#### NEW SECTION

**WAC 139-03-040 Method of recording.** Proceedings shall be recorded by a method determined by the presiding officer, by manual, electronic, or other type of recording device.

#### NEW SECTION

**WAC 139-03-050 Discovery.** Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

#### NEW SECTION

**WAC 139-03-060 Procedure for closing parts of hearings.** A party may apply for a protective order to close part of a hearing. The party making the request should state the reasons for making the application in writing to the presiding officer. The request shall be made at least thirty days before the date of the hearing, except upon a showing of good cause for delay in making the request. If the other party opposes the request, a written response to the request shall be made within ten days of the request. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and shall state the reasons therefor in writing within twenty days of receiving the request. No recording devices or cameras are allowed in those parts of proceedings which the presiding officer has decided to close, except for the method of official recording selected by the presiding officer.

#### NEW SECTION

**WAC 139-03-070 Burden and standard of proof.** Unless otherwise provided by law, the appealing party has the burden of proof, and the standard of proof on all factual issues is preponderance of the evidence.

#### NEW SECTION

**WAC 139-03-080 Petitions for stay of effectiveness.** Disposition of a petition for stay of effectiveness of a final order shall be made by the chair of the commission or the chair's designee.

**AMENDATORY SECTION** (Amending Order 14D, filed 6/13/89)

**WAC 139-05-200 Requirement of basic law enforcement training.** (1) All full-time commissioned law enforcement employees of a city, county, or political subdivision of the state of Washington, except officers of the Washington state patrol, unless otherwise exempted by the Washington state criminal justice training commission, shall as a condition of continued employment successfully complete a ((440-hour)) basic law enforcement academy sponsored or con-

ducted by the commission, or obtain a certificate of equivalent basic training from the commission. This requirement of basic law enforcement training shall be met within the initial ~~((fifteen))~~ six-month period of law enforcement employment, unless otherwise extended by the commission. ~~((Provided, that aforementioned personnel hired on or after January 1, 1990, shall commence basic training during the first six months of employment unless otherwise extended by the commission.))~~

(2) Law enforcement personnel exempted from the requirement of subsection (1) of this section shall include:

(a) Individuals holding the office of sheriff of any county on September 1, 1979;

(b) Auxiliary and reserve personnel; and

(c) Commissioned personnel~~((s))~~.

(i) Who have been granted an administrative exemption by the commission, provided that the initial grant and continuing effect of such exemption shall be governed by the following:

(A) No police chief or sheriff of any agency with ten or fewer ~~((full-time patrol))~~ commissioned officers shall be eligible to receive such exemption;

(B) Any request for such exemption shall be submitted to the commission on an approved form with a criminal records check completed by the Washington state patrol and, in any instance wherein the requestor is a police chief, such request shall be cosigned by requestor's appointing authority;

(C) Any individual receiving such exemption may not engage in patrol or other general enforcement activity on a usual or regular basis but shall limit such involvement to that required for supervision, agency management, or manpower replacement on an emergency or exigent basis;

(D) Any approved administrative exemption shall remain in effect for the duration of the exemptee's term of service within the position upon which such exemption is based or until the nature of exemptee's primary duties and responsibilities change from administrative to general enforcement; and

(E) Any approved administrative exemption may be revoked by the commission at any time ~~((and))~~ upon its finding that the conditions of such exemption are not being met or the basis for such exemption no longer exists;

(ii) Whose initial date of full-time, regular and commissioned law enforcement employment within the state of Washington precedes January 1, 1978; or

(iii) Who have been certified in accordance with the requirement of subsection (1) of this section, and thereafter have engaged in regular and commissioned law enforcement employment without break or interruption in excess of twenty-four month~~((s))~~s duration.

(3) Each law enforcement agency of the state of Washington, or any political subdivision thereof, except the Washington state patrol, shall immediately notify the commission by approved form of each instance wherein a commissioned officer begins continuing and regular employment with that agency ~~((on or after January 1, 1978))~~. Such notification shall be maintained by the commission and shall be utilized by the commission for the subsequent scheduling, notification and enrollment required for compliance with the basic law enforcement training requirement.

(4) Failure to comply with the above requirement of basic law enforcement training shall result in notification of noncompliance, by the commission, on approved form, to:

(a) The individual in noncompliance;

(b) The head of his/her agency;

(c) The civil service commission having jurisdiction of such agency;

(d) The judges and clerks of the municipal, district, and superior courts in which said agency is located;

(e) The state auditor's office; and

(f) Any other agency or individual, as determined by the commission.

AMENDATORY SECTION (Amending Order 1-B, filed 9/10/86)

**WAC 139-05-210 Basic law enforcement equivalency certification.** (1) A certificate of equivalent basic law enforcement training shall be issued only to applicants who successfully complete the equivalency process as required by the Washington state criminal justice training commission. For this purpose, the term "process" shall include all documentation and prerequisites set forth in subsection (6) of this section, and successful completion of all knowledge and skills requirements within the basic equivalency academy. A certificate of equivalent basic law enforcement training shall be recognized in the same manner as the certificate of completion of the basic law enforcement academy.

(2) Eligibility for participation in the basic equivalency process shall be limited to regular, full-time, commissioned enforcement officers who otherwise are eligible to attend the basic law enforcement academy, and who have attained basic certification through completion of a basic training program in this or another state. For this purpose, the term "basic training program" shall not include any military or reserve training program, or any federal training program not otherwise approved by a majority of the law enforcement representatives within the commission membership.

(3) ~~((Effective January 1, 1987.))~~ The participation of any eligible and approved applicant for a certificate of equivalent basic law enforcement training shall be effected within, and limited to, the first available session of the basic equivalency academy following such applicant's date of hire; provided that no applicant shall be required to attend a session of the basic equivalency academy which is conducted within the initial sixty days of the employment for which certification is requested.

It shall be the responsibility of the applicant's agency to ensure that all necessary forms and documentation are completed and submitted to the commission in a timely manner and as necessary to ensure that the participation provided by this section is effected.

The participation of any applicant in any session of the basic equivalency academy not otherwise provided herein shall require the approval of the commission.

(4) In those instances wherein an applicant has attended more than one basic training program, eligibility for participation in the basic equivalency process shall not be approved if such applicant, for whatever reason, failed to successfully complete the most recent of such programs attended.

(5) The decision to request an officer's participation within the equivalency process shall be discretionary with the head of the officer's employing agency, who shall advise the commission of that decision by appropriate notation upon the hiring notification submitted to the commission for such officer. Upon receipt of such notification, the commission shall provide to such agency head all necessary forms and information required for the processing of a request for a certificate of equivalent basic training.

(6) Upon approval of an applicant's eligibility to participate in the equivalency process, the applicant's employing agency shall submit to the commission the following documentation as a precondition of participation within such process:

(a) A copy of applicant's current and valid Washington state driver's license;

(b) A copy of applicant's current and valid basic first-aid card;

(c) A statement of applicant's health and physical condition by an examining physician;

(d) A record of applicant's firearms qualification;

(e) A liability release agreement by the applicant; and

(f) A criminal records check regarding such applicant.

(7) If such training has not been completed previously, the applicant shall be required to complete the commission's ~~((twenty-four hour))~~ forty hour emergency vehicle operation course, as scheduled by the commission.

(8) Upon completion of the equivalency process and review and evaluation of applicant's performances therein, the commission shall:

(a) Issue a certificate of equivalent basic training;

(b) Issue a certificate of equivalent basic training upon applicant's successful completion of additional training as the training commission may require; or

(c) Require completion of the basic law enforcement academy.

(9) ~~((Any waiver of, or variance in, any above requirement for equivalency participation and/or certification may be granted by the commission if it determines that sufficient justification exists for such action.~~

~~Additionally,))~~ Any action or determination by the commission staff regarding a requestor or applicant for equivalency certification shall, upon written request of the involved individual or agency, be reviewed by the executive director of the training commission.

(10) Any waiver of, or variance in, any above requirement for equivalency participation and/or certification may be granted by the commission if it determines that sufficient justification exists for such action.

**AMENDATORY SECTION** (Amending Order 1-B, filed 9/10/86)

**WAC 139-05-220 Backgrounding requirement for admission to basic law enforcement academy.** The Washington state criminal justice training commission is responsible for the conduct of the basic law enforcement academy and to therein certify, to and for the state of Washington, those officers who have demonstrated the ability and suitability requisite to law enforcement service and the public trust.

In accordance with that responsibility, and to ensure the continuing integrity and credibility of the basic academy program, no individual shall be granted academy admission or allowed continued participation if such individual, in adult status, has been convicted of a felony offense, or has been convicted of a gross misdemeanor or misdemeanor involving moral turpitude.

For this purpose, the term "convicted" shall include any disposition adverse to the subject, except a decision not to prosecute, a dismissal, or acquittal; provided, however, that a dismissal entered after a period of probation, suspension, or deferral of sentence shall be considered a disposition adverse to the subject.

~~((Additionally, and for this purpose,))~~ The term "felony offense" shall include any act or omission which is classified as a felony by the laws of the jurisdiction in which such act or omission occurred, or for which imprisonment in a federal or state penitentiary could have been imposed.

It shall be the responsibility of each sponsoring or applying agency to request a complete criminal records check to include a search of state and national criminal history records information regarding its applicant through the submission of the applicant's fingerprints to an appropriate action agency or agencies.

Each application for academy attendance shall be accompanied by a written attestation by the applying agency that (1) the aforementioned ~~((records search))~~ criminal records check has been effected regarding the individual for which academy application is being made, and (2) that such search indicated the absence of any felony conviction or other disqualifying conviction.

No exception to, or variance from, the above requirements or the prohibition which is provided, will be granted without the approval of the training commission.

**AMENDATORY SECTION** (Amending WSR 91-14-011, filed 6/24/91, effective 7/25/91)

**WAC 139-05-230 Physical requirements for admission to basic law enforcement academy.** Each successful applicant for admission to a basic law enforcement academy sponsored or conducted by the Washington state criminal justice training commission shall possess good health and physical capability to actively and fully participate in defensive tactics training and other required physical activities. In order to minimize risk of injury and maximize the benefit of such participation, each ~~((trainee))~~ recruit in any academy session ~~((commencing on or after July 1, 1992,))~~ shall, as a precondition of his or her academy attendance, demonstrate a requisite level of physical fitness, as established by the training commission.

For this purpose, each academy applicant shall be evaluated in the assessment areas of aerobic capacity, strength, and flexibility, in accordance with the requirements and procedures established by the training commission. ~~((Such evaluation shall be based upon performance ratings which are normed to the general population and appropriately adjusted for consideration of the age and gender of the applicant.))~~



Failure to demonstrate a requisite level of fitness ~~((within each assessment area))~~ will result in ineligibility for academy admissions and/or attendance.

**AMENDATORY SECTION** (Amending WSR 93-13-098, filed 6/21/93, effective 7/22/93)

**WAC 139-05-240 Requirements of basic law enforcement academy.** (1) Each ~~((trainee))~~ recruit in a basic law enforcement academy shall receive ~~((certification))~~ a certificate of completion only upon full and successful completion of the academy process as prescribed by the Washington state criminal justice training commission. The performance of each ~~((trainee))~~ recruit shall be evaluated as follows:

(a) Scholarship. A standardized examination process shall be utilized by all basic law enforcement academies sponsored or conducted by the ~~((Washington state criminal justice training))~~ Washington state criminal justice training commission, in evaluating the level of scholastic achievement of each ~~((trainee))~~ recruit. Such process shall include the application of a designated minimum passing score to each subject area and the availability of a retesting procedure. Failure to achieve the required minimum passing score will result in termination of academy assignment ~~(([if] provided that any unsuccessful trainee whose beginning date of continuous law enforcement employment precedes January 1, 1978, may be allowed to audit the remainder of the academy upon a determination by the coordinator of law enforcement training that such audit would be beneficial to the trainee and have no adverse effect upon the other attendees))~~.

(b) Physical performance. A standardized evaluation process shall be utilized by all basic law enforcement academies sponsored or conducted by the commission in evaluating the level of physical performance of each trainee. Such process shall include the application of pass/fail grading to designated instructional objectives for physical performance and the availability of a retesting procedure. Failure to achieve a final passing grade ~~((of pass))~~ in physical training, including defensive tactics, shall preclude ~~((certification))~~ a certificate of completion.

(c) Deportment and conduct. Failure to maintain an exemplary standard of deportment and conduct or to adhere to all rules, regulations and policies of a basic law enforcement academy sponsored or conducted by the commission may result in termination of academy assignment.

(2) Upon the written request of a ~~((trainee))~~ recruit, or the head of a ~~((trainee's))~~ recruit's employing agency, any action affecting such ~~((trainee's))~~ recruit's status or eligibility for ~~((certification))~~ a certificate of completion shall be reviewed ~~((pursuant to the procedural rules and regulations adopted))~~ by the commission.

**AMENDATORY SECTION** (Amending WSR 93-13-103, filed 6/21/93, effective 7/22/93)

**WAC 139-05-242 Readmission to basic law enforcement academy.** No person may be readmitted to the basic law enforcement training academy except as provided in this section.

(1) Any request for readmission to any academy shall be made and submitted by the individual's employing or sponsoring agency.

(2) Any individual terminated from any academy for academic failure or who has voluntarily withdrawn from any academy for any reason, may be readmitted to a subsequent academy session only if:

(a) The head of the individual's current employing agency submits to the commission a written request for readmission of the individual to the academy program, and

(b) The executive director of the commission, or his or her designee, is satisfied that any conditions to the individual's readmission specified by the director or his or her designee have been met.

(3) Any individual dismissed from any academy for disciplinary reasons other than those specified by section (4), below, may be readmitted to a subsequent academy program only if:

(a) The head of the individual's current employing agency submits to the commission a written request for readmission, and

(b) The executive director of the commission, or his or her designee, is satisfied that any conditions to the individual's readmission specified by the director or his or her designee have been met, and determines there no longer exists "good cause" to exclude the individual from the academy program.

(4) Any person dismissed from any academy for an integrity violation, including but not limited to cheating, the making of materially false statements, or the commission of ~~((any))~~ a crime ~~((involving moral turpitude))~~, shall not be eligible for readmission to any subsequent academy within twenty-four months from the date of dismissal. Such ineligibility shall not be affected by any new employment or reemployment during the period of ineligibility specified in the preceding sentence of this subsection.

(5) An exception to the ineligibility period specified in subsection (4) may be granted ~~((it))~~ at the sole discretion of the director, based upon mitigating circumstances. However, no person may be considered for such early readmission after an integrity violation dismissal unless a written request is made on his or her behalf by the head of the agency employing the individual at the time of the request. Such request may be granted by the director upon hearing the matter in a proceeding conducted in accordance with the applicable procedures of the commission. The director's decision under this subsection shall be subject to further review only for abuse of discretion.

(6) After the ineligibility period specified in subsection (4) has passed, or after an exception thereto has been granted by the commission under subsection (5), the person previously dismissed for an integrity violation may be readmitted to a subsequent academy session only if:

(a) The head of the individual's current employing agency submits to the commission a written request for readmission, and

(b) The executive director of the commission, or his or her designee, is satisfied that any conditions to the individual's readmission specified by the director or his or her designee have been met, and determines there no longer exists

"good cause" to exclude the individual from the academy program.

(7) Any and all information deemed to be relevant to the eligibility for readmission under this section of any law enforcement ((or corrections trainee)) recruit or prospective ((trainee)) recruit may be disseminated without restriction between the commission staff and any employer or prospective employer.

(8) For purposes of this section, reserves and volunteers will be deemed to be employees of the agencies which sponsor them for participation in a training academy.

**AMENDATORY SECTION** (Amending WSR 93-13-097, filed 6/21/93, effective 7/22/93)

**WAC 139-05-250 Basic law enforcement curriculum.**

The basic law enforcement curriculum of the Washington state criminal justice training commission shall ((consist of 440 hours, including)) include, but not be limited to, the following core subject areas with common threads of communications, community policing and police ethics:

- (1) ~~((Introduction to law enforcement[;]~~)
  - ~~(a) Introduction to law enforcement[;]~~
  - ~~(b) The criminal justice system[;]~~
  - ~~(c) Police power and execution of authority[;]~~
  - ~~(d) Civil rights and civil liability[; and]~~
  - ~~(e) Police ethics[.]~~
  - ~~(f) Police use of force~~
  - ~~(g) Cultural awareness~~
  - ~~(h) Harassment in the workplace~~
  - ~~(i) Critical incident stress~~
  - ~~(j) Community policing~~
- (2) Criminal law[;]
  - (a) Criminal law[; and]
  - (b) Juvenile law[.]
- (3) Criminal procedures[;]
  - (a) Constitutional law[;]
  - (b) Probable cause[;]
  - (c) Laws of arrest[;]
  - (d) Search and seizure[;]
  - (e) Interrogation, statements and confessions[; and]
  - (f) Field interrogations and "stop and frisk[.]"
  - (g) Domestic violence law
- (4) Patrol procedures[;]
  - (a) Observation and perception[;]
  - (b) Patrol procedures[;]
  - (c) First aid/adult and juvenile CPR[;]
  - (d) HIV/HBV awareness
  - (e) Community relations[;]
  - (f) Crime prevention[;]
  - (g) Juvenile procedures[;]
  - (h) Traffic stop[;]
  - (i) Felony stop[;]
  - (j) Field interview[;]
  - (k) Building search[; and]
  - (l) Gang awareness
  - (m) K-9 application
  - (n) Hazardous materials
  - (o) ACCESS training
  - (5) Communication skills[;]

- (a) General writing skills
- (b) Police report writing and notetaking[; and]
- (c) Oral communication[.]
- (6) Emergency vehicle operation course[.]
- (7) Human relations[;]
  - (a) General theory[;]
  - (b) Recognizing and handling abnormal behavior[;]
  - (c) Oral and physical communication[;]
  - (d) Handling stress[; and]
  - (e) Family disturbance[.]
  - (f) Victim/witness
  - (g) Family violence
- (8) Traffic law[;]
  - (a) Traffic law enforcement[;]
  - (b) Impaired driving[; and]
  - (c) Accident investigation[.]
  - (d) Vehicle registration/licensing
  - (e) Drivers' licensing
  - (f) Dept. of licensing records
  - (9) Firearms[.]
    - (a) Fundamentals of Shooting
    - (b) Safe weapon handling
    - (c) Night/low light shooting
    - (d) Range qualification
    - (e) Firearms training simulator
  - (10) Defensive tactics[.]
  - (11) Criminal Investigation[.]
    - (a) Crime scene search and protection[;]
    - (b) Collection and preservation of evidence[;]
    - (c) Interviews and interrogation techniques[;]
    - (d) Crime scene protection/search/investigation[; and]
    - (e) Testifying in court[.]
    - (f) Fingerprinting
    - (g) Child abuse
    - (h) Sex crimes

(i) Drug enforcement)) Introduction to law enforcement;  
(2) Criminal law;  
(3) Criminal procedures;  
(4) Patrol procedures;  
(5) Communication skills;  
(6) Emergency vehicle operation course;  
(7) Human relations;  
(8) Traffic law;  
(9) Firearms;  
(10) Defensive tactics; and  
(11) Criminal Investigation.

**AMENDATORY SECTION** (Amending Order 20, filed 9/28/88)

**WAC 139-05-810 Basic training requirement for reserve officers.** (1) For the purposes herein:

(a) "Reserve officer" includes any law enforcement officer who does not serve as a law enforcement officer of this state on a full-time basis, but who, when called by such agency into active service, is fully commissioned on the same basis as full-time officers to enforce the criminal laws of this state; and

(b) "Field assignment" includes any period of active service wherein the assigned officer is expected to take routine

and/or special enforcement actions, independently or otherwise, in the same manner and capacity as a full-time officer with such assignment.

(2) For the purposes of the Washington Mutual Aid Peace Officers Powers Act, chapter 10.93 RCW, every individual who is commissioned as a specially commissioned peace officer in this state (~~on or after January 1, 1989~~), shall obtain a basic reserve certificate as a precondition of his/her exercise of authority pursuant to such act; provided that, any individual possessing a basic reserve certificate issued to him/her by the training commission prior to January 1, 1989, shall be deemed to have met this requirement.

(3) A basic reserve certificate shall be issued by the training commission to any individual who successfully completes:

(a) A basic course of instruction for reserve officers as prescribed and required by the training commission; and

(b) A comprehensive (~~certification~~) examination developed and administered by the training commission.

(4) Requirements of section 3 above may be waived in whole or in part as determined by the training commission and based upon an evaluation of an applicant's experience and training accomplishments. A request for such waiver must be submitted to the training commission on an approved form by the applicant's agency head and, if approved, may result in direct issuance of a basic reserve certificate or issuance of such certificate upon successful completion of specific training requirements prescribed by the training commission.

AMENDATORY SECTION (Amending WSR 93-13-101, filed 6/21/93, effective 7/22/93)

**WAC 139-05-912 Requirement of training for fire marshals.** (1) The training prescribed herein shall constitute:

(a) The training requirement which must be met by deputy state fire marshals and resident fire marshals as a precondition of any exercise of police powers granted to such personnel by RCW 48.48.060, and

(b) The training standard recommended by the criminal justice training commission for local agencies employing a training requirement (~~(e)f~~) or prerequisite for the purpose of commissioning fire personnel.

(2) The training requirement herein prescribed for the purpose of RCW 48.48.060 shall be met by:

(a) Obtainment of the training commission's basic law enforcement certificate, or

(b) Obtainment of the training commission's basic law enforcement equivalency certificate, or

(c) Successful completion of a training program of at least one hundred and seventy-six hours, including:

- (i) Criminal investigation 52 hours
- (ii) Criminal law 40 hours
- (iii) Criminal procedures 42 hours
- (iv) Human relations 38 hours
- (v) Use of force 04 hours

(3) No authorization, expressed or implied, to carry a firearm in the performance of official duties may be granted to any deputy state fire marshal or resident fire marshal unless such personnel has successfully completed a basic firearms training program. Such program shall be at least forty hours in length and include instruction in firearms care, handling, and usage, and a range qualification course approved by the training commission. Thereafter such personnel shall successfully complete an eight-hour firearms requalification course approved by the training commission during each year in which authorization to carry a firearm is granted or remains in effect.

(4) It shall be the responsibility of the state fire marshal to effect and ensure personnel compliance herein, and to provide documentation of such compliance upon the request of the training commission.

AMENDATORY SECTION (Amending Order 1-B, filed 9/10/86)

**WAC 139-05-915 Requirements of training for police dog handler.** (1) For purposes herein:

(a) "Dog handler" means any commissioned law enforcement officer of a state, county, city, municipality, or combination thereof, agency who is responsible for the routine care, control, and utilization of a police dog within a law enforcement patrol or investigative assignment; and

(b) "Training" means any structured classroom or practical learning exercise conducted, evaluated, and documented by an experienced dog handler or trainer, for the purpose of developing the trainee's competency in the care, control, and utilization of a police dog.

(2) A dog handler shall, as a precondition of such assignment, successfully complete the basic law enforcement academy program, or otherwise comply with the basic training requirement prescribed by WAC (~~(139-14-010)~~) 139-05-200 and 139-05-210 of the training commission.

(3) Prior to, or within the first six months of such assignment, a dog handler shall successfully complete training according to the nature and purpose of utilization of the police dog for which such handler is responsible. Categories of utilization and concomitant training standards are prescribed as follows:

(a) Generalist. A dog handler who is responsible for the routine and regular utilization of a police dog within general patrol or investigative activities, shall successfully complete at least three hundred ninety hours of training which shall include, but not be limited to:

- (i) Philosophies/theories of police K-9;
- (ii) Legal and liability aspects, including applicable department policies;
- (iii) Public relations;
- (iv) Care and maintenance;
- (v) Obedience and control;
- (vi) Tracking;
- (vii) Trailing;
- (viii) Area searching;
- (ix) Building searching;
- (x) Evidence searching;
- (xi) Pursuit/holding; and

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(xii) Master protection.

(b) General detection. A dog handler who is responsible for the primary and specialized utilization of a police dog in the search for and detection of specific substances, excluding explosives, shall successfully complete at least one hundred eighty hours of training which shall include, but not be limited to:

- (i) Philosophies/theories of police K-9;
- (ii) Legal and liability aspects, including applicable department policies;
- (iii) Public relations;
- (iv) Care and maintenance;
- (v) Obedience and control;
- (vi) Area searching;
- (vii) Building searching;
- (viii) Evidence searching; and
- (ix) Detection of specific substances.

(c) Explosives detection. A dog handler who is responsible for the primary and specialized utilization of a police dog in the search for and detection of explosive substances and devices, shall successfully complete at least three hundred ninety hours of training which shall include, but not be limited to:

- (i) Philosophies/theories of police K-9;
- (ii) Legal and liability aspects, including applicable department policies;
- (iii) Public relations;
- (iv) Care and maintenance;
- (v) Obedience and control;
- (vi) Area searching;
- (vii) Building searching;
- (viii) Evidence searching; and
- (iv) Detection of explosives.

(d) Master protection. A dog handler who is responsible for the routine and regular utilization of a police dog solely for self-protection and assistance in hostile or potentially hostile situations, shall successfully complete at least one hundred eighty hours of training which shall include, but not be limited to:

- (i) Philosophies/theories of police K-9;
- (ii) Legal and liability aspects, including applicable department policies;
- (iii) Public relations;
- (iv) Care and maintenance;
- (v) Obedience and control;
- (vi) Pursuit/holding; and
- (vii) Master protection.

~~((4) Any dog handler whose initial date of assigned responsibility for K-9 utilization precedes January 1, 1983, shall meet the applicable training standard as above prescribed. For this purpose, training completed by such handler prior to January 1, 1983, shall be recognized and considered as training completed pursuant to such standard. If such training is less than, or does not include, that prescribed, the additional training required shall be completed prior to July 1, 1983.~~

(5) It shall be the responsibility of the local agency to ensure both program and personnel compliance with the above standards, as applicable, and the maintenance of training records necessary for the substantiation of such compli-

~~ance. Such compliance shall constitute compliance required by RCW 4.24.410 and 9A.76.200 and for purposes of the immunity and penal provisions therein.))~~

**AMENDATORY SECTION** (Amending WSR 95-08-036 and 95-09-070, filed 3/30/95 and 4/19/95, effective 4/30/95 and 5/20/95)

**WAC 139-10-210 Requirement of basic corrections training.** As provided in RCW 43.101.220, all full-time corrections employees of the state of Washington or of any city, county, or political subdivision of the state of Washington, ~~((initially hired on or after January 1, 1982,))~~ shall, as a condition of continued employment, successfully complete a basic corrections academy as prescribed, sponsored or conducted by the Washington state criminal justice training commission ~~((for their class))~~. This requirement to complete basic training shall be fulfilled within the initial six months of corrections employment unless otherwise extended or waived by the commission. Requests for extension or waiver of the basic training requirement shall be submitted to the commission in writing as designated by its policies.

(1) Corrections personnel shall attend basic academy training according to job function as described below:

(a) Corrections officers academy. All employees whose primary job function is to provide for the custody, safety and security of adult prisoners in jails, penal institutions and ~~((work release))~~ detention facilities. Representative job classifications include, but are not limited to, ~~((jailers))~~ custody and correctional officers.

(b) Adult services academy. All employees whose primary job function is the case management of offenders, to include assessment, case planning, counseling, supervision, and monitoring. Representative job classes include, but are not limited to, community corrections officers, adult probation counselors, institution counselors, and psychiatric social workers.

(c) Juvenile services academy. All employees working with juveniles whose primary job function is the case management of offenders, to include assessment, case planning, counseling, supervision, and monitoring. Representative job classes include, but are not limited to, juvenile probation and parole counselors ~~((and))~~, case aides/assistants, trackers, juvenile rehabilitation community counselors, juvenile drug court counselors, and community surveillance officers.

(d) Juvenile security workers academy. All employees responsible for the care, custody, and safety of youth in county and state juvenile ~~((court detention centers))~~ custody facilities. Representative job class includes, but is not limited to, juvenile detention workers, juvenile corrections officers, juvenile supervision officers, and juvenile rehabilitation residential counselors.

(e) Work release academy. All employees responsible for the safety, custody and care of adult offenders in a work release facility. Representative job class includes, but is not limited to, work release officers and work release counselors.

(2) It shall be the responsibility of the employing agency to determine the most appropriate basic academy for an employee to attend within the guidelines set by the commission.

An agency may elect to forgo completely any basic academy training if such employee occupies a middle management or an executive position, as defined in WAC 139-10-410, 139-10-510, and 139-25-110.

(3) Failure to comply with the above requirements shall result in a notification of noncompliance from the commission directed to the individual employee, and, as appropriate, the employing agency director, chief or sheriff, the civil service commission, and/or the state auditor's office, and the chief executive of the local unit of government.

(4) Each agency employing personnel covered by RCW 43.101.220 shall be responsible for full and complete compliance with the above training requirements. Additionally, each such agency shall provide the commission with employment information necessary for the establishment and maintenance of complete and accurate training records on all affected employees.

**AMENDATORY SECTION** (Amending WSR 91-14-010, filed 6/24/91, effective 7/25/91)

**WAC 139-10-212 Physical requirements for admission to basic corrections academies.** Each successful applicant for admission to a basic corrections officer or juvenile security workers academy sponsored or conducted by the Washington state criminal justice training commission shall possess good health and physical capability to actively and fully participate in defensive tactics training and other required physical activities. In order to minimize risk of injury and maximize the benefit of such participation, each trainee in any academy session (~~((commencing on or after July 1, 1992;))~~) shall, as a precondition of his or her academy attendance, demonstrate a requisite level of physical fitness, as established by the training commission.

For this purpose, each academy applicant shall be evaluated in the assessment areas of aerobic capacity, strength, and flexibility, in accordance with the requirements and procedures established by the Training Commission. Such evaluation shall be based upon composite performance ratings (~~((which are normed to the general population and appropriately adjusted for consideration of age and gender of the applicant))~~) in the overall assessment as established by the commission.

Failure to demonstrate a requisite level of fitness within (~~((each))~~) the overall assessment (~~((area))~~) will result in ineligibility for academy (~~((admissions and/or))~~) attendance and completion.

**AMENDATORY SECTION** (Amending WSR 91-01-041, filed 12/12/90, effective 1/12/91)

**WAC 139-10-215 Basic corrections (~~((officer))~~) academy equivalency certification.** (1) A certificate of equivalent basic corrections training shall be issued only to corrections employees who successfully complete the equivalency process as required by the Washington state criminal justice training commission and shall be recognized in the same manner as the certificate of completion of a basic (~~((training commission basic))~~) corrections (~~((officer))~~) academy.

(2) Eligibility for participation in the basic equivalency process shall be limited to regular, full-time custody and case management employees of publicly funded corrections agencies within this state who have obtained certification through successful completion of an accepted basic corrections (~~((basic))~~) training program in this or another state. The determination of program acceptability shall be the responsibility of the commission's executive director or his/her designee and shall be based upon a description and/or curriculum specifying subject areas and hourly allocation thereto.

(3) The decision to request an employee's participation within the equivalency process shall be discretionary with the chief executive officer of the employing agency. Such request shall be made to the commission (~~((on))~~) in the approved form, signed by the chief executive officer of the requesting agency and shall include:

(a) Documented certification of successful completion of a basic corrections training program accepted by the training commission for the purposes of equivalency participation pursuant to the provisions of section (2) above;

(b) Written curriculum detailing specific areas of training and hours of training in specific areas;

(c) Copies of current and valid basic cardiopulmonary resuscitation (CPR) card and current and valid basic or advanced first-aid card(s) taken within the past year;

(d) Statement of applicant's health and physical condition from a licensed physician giving clearance for participation in physical training and defensive tactics coursework.

(4) Following receipt and acceptance of the above by the training commission, the applicant may participate in the equivalency process which shall include written examinations of specific core material classes, practical testing in basic skill areas, and full participation in mock scenes.

(5) Upon completion of the examination process outlined in section (4) and evaluation of the applicant's performance, the training commission shall:

(a) Issue a certificate of equivalent basic training;

(b) Issue a certificate of equivalent basic training upon applicant's successful completion of additional training as the training commission may require;

(c) Require completion of the appropriate basic corrections academy program.

(6) Any waiver of, or variance in, any above requirement for equivalency participation and/or certification may be granted by the training commission if it (~~((determines))~~) is determined that sufficient justification exists for such action. Any action or determination by commission staff regarding a requestor or applicant for equivalency certification may, upon written request of the involved individual or agency, be appealed to the training commission executive director, or designee.

**AMENDATORY SECTION** (Amending WSR 93-13-099, filed 6/21/93, effective 7/22/93)

**WAC 139-10-220 Requirements of basic corrections academy.** (1) Each trainee in a basic corrections academy shall receive certification only upon full and successful completion of the academy process as prescribed by the (~~((Washington state criminal justice training))~~) Washington state

criminal justice training commission. The performance of each trainee shall be evaluated as follows:

(a) Scholarship. A standardized examination process shall be utilized by each corrections academy sponsored or conducted by the commission, in evaluating the level of scholastic achievement and skill proficiency of each trainee. Such process shall include the application of a designated minimum passing score and the availability of a retesting procedure.

(b) Participation. Each trainee shall be required to participate fully in all academy classes, practice exercises and physical training programs. No applicant for basic corrections training shall begin the basic academy assignment if his or her health and physical condition precludes active and full participation in the physical activities required for certification (~~[(f.):] provided, that any applicant whose beginning date of continuous corrections [officer] employment precedes January 1, 1982, may be allowed to audit, in whole or in part, basic corrections [officer] training~~). In no instance shall certification be granted until successful completion of physical fitness training, including defensive tactics, has been achieved.

(c) Department and conduct. Failure to maintain a standard of deportment and conduct as defined in the rules, regulations and policies of the basic corrections academy may result in termination of academy (~~(assignment)~~) enrollment.

(2) Upon the written request of a trainee, or the head of a trainee's employing agency, any action affecting such trainee's status or eligibility for certification shall be reviewed pursuant to the procedural rules and regulations adopted by the commission.

## NEW SECTION

**WAC 139-10-221 Scholastic performance requirements for basic corrections training.** (1) Each trainee in a basic corrections academy shall receive certification only upon full and successful completion of the basic academy process as prescribed by the Washington state criminal justice training commission. The performance of each trainee shall be evaluated as follows:

(a) Scholastic achievement. A standardized examination process shall be utilized by each corrections academy sponsored or conducted by the commission, in evaluating the level of scholastic achievement of each trainee. Such process shall include the application of a minimum passing score for written examinations in each academy, as determined by the rules of the commission. Retesting of each trainee shall be limited to one retest for each written examination.

(b) Skill proficiency. A standardized examination process shall be utilized by each corrections academy sponsored or conducted by the commission, in evaluating the level of skill proficiency of each trainee. Such process shall include application of a minimum passing score of seventy percent for demonstration of all skill proficiencies identified by the commission. Retesting shall be limited to one retest for each identified skill proficiency testing procedure.

(c) Employing agencies will be notified of test results within twenty-four hours in the case of test failure. Agency authorization for retesting must occur before the retest exam-

ination is conducted. Subsequent failure of the retest will result in commission notification to the employing agency executive director, or designee, and removal of the affected trainee from the academy.

(2) In the event of retest failure, and subsequent academy removal, a letter of training attendance will be sent to the employing agency and a certificate of completion will not be awarded. The affected trainee will not be eligible for reentry into that same academy for a three-month period, if continually employed by the same agency.

Hours of successfully completed training will be recorded by the commission in the trainee's commission training record.

AMENDATORY SECTION (Amending WSR 93-07-119, filed 3/24/93, effective 4/24/93)

**WAC 139-10-222 Readmission to corrections academies.** No person may be readmitted to any corrections training academy except as provided in this section.

(1) Any request for readmission to any academy shall be made and submitted by the individual's employing or sponsoring agency chief executive officer, or designee.

(2) Any individual terminated from any academy for academic failure, skills deficiency or who has voluntarily withdrawn from any academy for any reason, may be readmitted to a subsequent academy session only if:

(a) The head of the individual's current employing agency, or designee, submits to the commission a written request for readmission of the individual to the academy program, and

(b) The executive director of the commission, or (~~his or her~~) designee, is satisfied that any conditions to the individual's readmission previously specified by the agency director or (~~his or her~~) designee have been met.

(3) Any individual dismissed from any academy for disciplinary reasons other than those specified by section (4), below, may be readmitted to a subsequent academy program only if:

(a) The head of the individual's current employing agency, or designee, submits to the commission a written request for readmission, and

(b) The executive director of the commission, or (~~his or her~~) designee, is satisfied that any conditions to the individual's readmission previously specified by the director or (~~his or her~~) designee have been met, and determines there no longer exists "good cause" to exclude the individual from the academy program.

(4) Any person dismissed from any academy for an integrity violation, including but not limited to cheating, the making of materially false statements, or the commission of (~~any~~) a crime (~~(involving moral turpitude,)~~) shall not be eligible for readmission to any subsequent academy within twenty-four months from the date of dismissal. Such ineligibility shall not be affected by any new employment or reemployment during the period of ineligibility specified in the preceding sentence of this subsection.

(5) An exception to the ineligibility period specified in subsection (4) may be granted (~~(in)~~) at the sole discretion of the (~~director~~) commission executive director or designee.

based upon mitigating circumstances. However, no person may be considered for such early readmission after an integrity violation dismissal unless a written request is made (~~on his or her behalf~~) by the head of the agency employing the individual at the time of the request. Such request may be granted by the executive director upon hearing the matter in a proceeding conducted in accordance with the applicable procedures of the commission. The executive director's decision under this subsection shall be subject to further review only for abuse of discretion.

(6) After the ineligibility period specified in subsection (4) has passed, or after an exception thereto has been granted by the commission under subsection (5), the person previously dismissed for an integrity violation may be readmitted to a subsequent academy session only if:

(a) The head of the individual's current employing agency submits to the commission a written request for readmission, and

(b) The executive director of the commission, or (~~his or her~~) designee, is satisfied that any conditions to the individual's readmission specified by the agency director or (~~his or her~~) designee have been met, and determines there no longer exists "good cause" to exclude the individual from the academy program.

(7) Any and all information deemed to be relevant to the eligibility for readmission under this section of any law enforcement or corrections trainee or prospective trainee may be disseminated without restriction between the commission staff and any employer or prospective employer.

(8) For purposes of this section, reserves and volunteers will be deemed to be employees of the agencies which sponsor them for participation in a training academy.

**AMENDATORY SECTION** (Amending Order 15-D, filed 9/18/87)

**WAC 139-10-230 Basic corrections officers academy curriculum.** The basic corrections officers academy curriculum of the Washington state criminal justice training commission, (~~effective January 1, 1988,~~) shall be one hundred sixty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Core skills((+))
  - (a) Observation skills(~~(+ and)~~)
  - (b) Communication skills((+))
  - (c) Security management
  - (d) Supervision of inmates
  - (e) Discipline of inmates
  - (f) Proper use of physical force
  - (g) Writing skills
- (2) Key skills((+))
  - (a) Legal issues((+))
  - (b) Dealing with aggressive behavior((+))
  - (c) Dealing with medical problems((+))
  - (d) Dealing with mental illness problems(~~(+ and)~~)
  - (e) Problem solving((+))
  - (f) Report writing
  - (g) Avoiding inmate manipulation
  - (h) Booking and classification
  - (i) Fingerprinting

- (3) Related skills((+))
  - (a) Stress management(~~(+ and)~~)
  - (b) Physical fitness((+))
  - (c) Professionalism
  - (d) Human relations/cultural awareness
  - (e) Self-leadership.

**AMENDATORY SECTION** (Amending Order 15-D, filed 9/18/87)

**WAC 139-10-235 Basic adult services academy curriculum.** The basic adult correctional services academy curriculum of the Washington state criminal justice training commission shall be eighty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Core skills((+))
  - (a) Assessment((+))
  - (b) Motivation((+))
  - (c) Goal setting/action planning((+))
  - (d) Monitoring and intervention(~~(+ and)~~)
- (2) Key skills((+))
  - (a) Interpersonal skills((+))
  - (b) Interviewing((+))
  - (c) Classification((+))
  - (d) Supervision and discipline((+))
  - (e) Offense prevention(~~(+ and)~~)
- (3) Related skills((+))
  - (a) Dealing with aggressive and resistive behavior((+))
  - (b) (~~Ethnic competency(+)~~)
  - (~~e~~) Legal issues(~~(+ and)~~)
  - (~~d~~) Report writing((+))
  - (~~e~~) (~~d~~) Counseling techniques
  - (~~f~~) (~~e~~) Managing information.

**NEW SECTION**

**WAC 139-10-236 Work release academy curriculum.** The basic work release academy curriculum of the Washington state criminal justice training commission shall be forty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Core skills
  - (a) Observation skills
  - (b) Communication skills
  - (c) Security management
  - (d) Offender behavior management
- (2) Key skills
  - (a) Report writing
  - (b) Personal safety
  - (c) Offender manipulation
  - (d) Professionalism
  - (e) Team building
- (3) Related skills
  - (a) Gang identification
  - (b) Substance abuse issues
  - (c) Self leadership
  - (d) Legal issues.

AMENDATORY SECTION (Amending Order 15-D, filed 9/18/87)

**WAC 139-10-237 Basic juvenile services academy curriculum.** The basic juvenile services academy curriculum of the Washington state criminal justice training commission shall be eighty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Core skills
  - (a) Assessment
  - (b) Motivation
  - (c) Goal setting/action planning
  - (d) Monitoring and intervention
- (2) Key skills
  - (a) Interpersonal skills
  - (b) Interviewing
  - (c) Classification
  - (d) Supervision and discipline
  - (e) Offense prevention
- (3) Related skills
  - (a) Dealing with aggressive and resistive behavior
  - (b) Ethnic competency
  - (c) Legal issues
  - (d) Report writing
  - (e) Counseling techniques
  - (f) Skill training
  - (g) Teamwork.

AMENDATORY SECTION (Amending Order 15-D, filed 9/18/87)

**WAC 139-10-240 Basic juvenile security workers academy curriculum.** The basic juvenile security workers academy curriculum of the Washington state criminal justice training commission shall be eighty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Core skills~~((f-))~~
  - (a) Observation skills~~((f-))~~
  - (b) Interpersonal skills~~((f- and))~~
  - (c) Security management~~((f-))~~
  - (d) Supervision of youth
  - (e) Discipline of youth
  - (f) Proper use of physical force
  - (g) Writing skills
- (2) Key skills~~((f-))~~
  - (a) Legal issues~~((f-))~~
  - (b) Dealing with aggressive behavior~~((f-))~~
  - (c) Handling medical problems~~((f-))~~
  - (d) Handling mental illness problems~~((f- and))~~
  - (e) Report writing~~((f-))~~
  - (f) Skills training
  - (g) Reception and classification
- (3) Related skills~~((f-))~~
  - (a) Professionalism~~((f-))~~
  - (b) Physical fitness~~((f-))~~
  - (c) Stress management~~((f- and))~~.

AMENDATORY SECTION (Amending Order 15-E, filed 9/18/87)

**WAC 139-10-310 Requirement of corrections supervisory training.** (1) As provided in RCW 43.101.220, all corrections employees of the state of Washington, or any city, county or political subdivision of the state of Washington, promoted or appointed to a full-time first-level or second-level supervisory position (~~((on or after January 1, 1982,))~~) shall successfully complete, prior to, or within six months after such promotion or appointment, unless otherwise extended or waived by the commission~~((;))~~ the commission's first-level and second-level supervision course, or other training deemed the equivalent by ~~((the corrections training manager of))~~ the commission's executive director, or designee.

(2) It shall be the responsibility of the employing agency, in consultation with the commission corrections training manager, to determine which of its employees should attend the first-level and second-level ~~((supervisors))~~ supervisory course. In general, first-level supervision positions are defined as positions above operational level for the direct supervision of nonsupervisory personnel. Second-level supervisors are defined as those persons who supervise first-level supervisors. Representative job classes may include, but are not limited to, sergeants, lieutenants, district supervisors, classification and community corrections officer supervisors, cottage supervisors, and unit supervisors.

(3) Each agency employing personnel covered by RCW 43.101.220 shall be responsible for full and complete compliance with the above training requirements. Additionally, each such agency shall provide to the commission employment information necessary for the establishment and maintenance of complete and accurate training records on all affected employees.

(4) Upon the written request of a trainee, or ~~((the head of his [or her]))~~ employing agency director, or designee, any action affecting such trainee's status or compliance with the above requirement for certification shall be reviewed pursuant to the procedural rules and regulations adopted by the commission.

AMENDATORY SECTION (Amending Order 15-E, filed 9/18/87)

**WAC 139-10-320 First-level and second-level corrections supervision curriculum.** The first-level and second-level corrections supervision curriculum of the Washington state criminal justice training commission shall be forty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Role of the supervisor~~((f-))~~
- (2) Advanced oral and written communication~~((f-))~~
- (3) Team building~~((f-))~~
- (4) Goal setting~~((f-))~~
- (5) Work planning/time management~~((f-))~~
- (6) Scheduling and delegating~~((f-))~~
- (7) On-the-job training~~((f-))~~
- (8) Performance monitoring~~((f-))~~
- (9) Employee selection~~((f-))~~



- (10) Employee performance appraisal((f-))
- (11) Handling incompetent and difficult staff and preventing grievances((f-))
- (12) Handling criticism from staff((f-))
- (13) Preventing and handling staff burnout((f-))
- (14) Leading meetings((f-)).

AMENDATORY SECTION (Amending Order 15-E, filed 9/18/87)

**WAC 139-10-410 Requirement of middle-management corrections training.** (1) As provided in RCW 43.101.220, all corrections employees of the state of Washington, or any city, county or political subdivision of the state of Washington, promoted or appointed to a full-time middle-management position ((~~on or after January 1, 1982,~~) shall successfully complete, prior to or within six months after such promotion or appointment, unless otherwise waived or extended by the commission, the commission's corrections middle-management course or other middle-management training deemed the equivalent thereof by the ((~~corrections training manager~~)) commission executive director, or designee.

(2) It shall be the responsibility of the employing agency to determine which of its employees should attend the middle-management course. In general, middle managers shall be defined as those persons in the organization who manage and develop programs and who are responsible for the smooth functioning of work groups supervised by first-level and second-level supervisors. Representative job classes include regional administrators, central office staff, captains, associate superintendents, district administrators, and unit program directors.

(3) Each agency employing personnel covered by RCW 43.101.220 shall be responsible for full and complete compliance with the above training requirements. Additionally, each such agency shall provide to the commission employment information necessary for the establishment and maintenance of complete and accurate training records on all affected employees.

(4) Upon the written request of a trainee, ((~~or the head of his [or her]~~)) employing agency director, any action affecting such trainee's status or compliance with the middle-management training requirement shall be reviewed pursuant to the procedural rules and regulations adopted by the commission.

AMENDATORY SECTION (Amending Order 1-B, filed 9/10/86)

**WAC 139-10-420 Middle-management curriculum—Corrections.** The middle-management curriculum of the Washington state criminal justice training commission shall be forty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Teamwork((-))
- (2) Internal consulting((-))
- (3) Budgeting((-))
- (4) Program development((-))
- (5) Program evaluation((-))
- (6) Procedures development((-))

- (7) Motivation and bureaucracy((-))
- (8) Procedure writing((-))
- (9) Managing by systems.

AMENDATORY SECTION (Amending Order 15-E, filed 9/18/87)

**WAC 139-10-510 Requirement of executive management corrections training.** (1) As provided in RCW 43.101.220, all corrections employees of the state of Washington, or any city, county, or political subdivision of the state of Washington, promoted or appointed to a full-time executive management position ((~~on or after January 1, 1982,~~) shall successfully complete, prior to or within six months after such promotion or appointment, unless otherwise waived or extended by the commission, the commission's corrections executive management course or other executive management training deemed the equivalent thereof by the ((~~corrections training manager of the~~)) commission's executive director, or designee.

(2) It shall be the responsibility of the employing agency to determine which of its employees should attend the executive management course. In general, executive managers are defined as superintendents of large correctional institutions and jails, central office directors, deputy directors and assistant directors, and juvenile court directors and deputy directors in large jurisdictions.

(3) Each agency employing personnel covered by RCW 43.101.220 shall be responsible for full and complete compliance with the above training requirements. Additionally, each such agency shall provide to the commission employment information necessary for the establishment and maintenance of complete and accurate training records on all affected employees.

(4) Upon the written request of a trainee, or ((~~the head of his [or her]~~)) employing agency director, any action affecting such trainee's status or compliance with the executive management training requirement shall be reviewed pursuant to the procedural rules and regulations adopted by the commission.

AMENDATORY SECTION (Amending Order 15-E, filed 9/18/87)

**WAC 139-10-520 Corrections executive management curriculum.** The corrections executive management curriculum of the Washington state criminal justice training commission shall be forty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Team building and organizational goal setting((f-))
- (2) Long-range planning((f-))
- (3) Your public image((f-))
- (4) Creating momentum for organizational change((f-))
- (5) Organizational communication((f-))
- (6) Organizational leadership((f-))
- (7) Policy development((f-))
- (8) Executive self-care((f-))
- (9) Managing with limited resources((f-))
- (10) Executive career ladder and power base((f-))

- (11) Program effectiveness research((+))
- (12) Quality control((+))
- (13) View of the executive((+))
- (14) Training systems((+))
- (15) Futures planning((+)).

AMENDATORY SECTION (Amending Order 21, filed 9/28/88)

**WAC 139-25-110 Career-level certification for law enforcement and corrections personnel.** (1) For purposes herein:

(a) The term "first-level supervisory position" means a position above operational level for which commensurate pay is authorized and is occupied by an individual who, in the upward chain of command, principally is responsible for the direct supervision of nonsupervisory employees of an agency or is subject to assignment of such responsibilities;

(b) The term "middle-management position" means a position between a first-level supervisory position and an executive position and for which commensurate pay is authorized and is occupied by an individual who, in the upward chain of command, principally is responsible for the direct supervision of supervisory employees of an agency and/or command duties;

(c) The term "executive position" means the head of an agency or those individuals occupying positions designated as executive positions by the agency head.

(2) Any law enforcement officer or corrections employee successfully completing the training requirements specified ((+)) hereinafter shall be eligible to apply to the Washington state criminal justice training commission for issuance of the certification for which such requirements are prescribed. Such certification is intended to acknowledge the recipient's accomplishment of training and experience responsive to the specific functions and responsibilities of a first-level supervisory, ((midmanagement)) middle management, or executive position. It is not intended to supplant an effective promotional or selection process or preclude consideration of a broad scope of qualifying factors within such process.

(3) The minimum requirements of supervisory certification are set forth as follows:

(a) Possession of a basic law enforcement or corrections certificate or basic equivalency certificate of the training commission or basic certificate of the Washington state patrol; and

(b) At least three years of regular and full-time law enforcement or corrections service in a patrol, line, or nonsupervisory position; and

(c) Satisfactory completion of a probationary period made applicable by the employing agency to a first-level supervisory position or, in the absence of such period, satisfactory performance throughout the initial six months of service in such position; and

(d) Successful completion of the first((-))level or first((-)) and second((-))level supervision course of the training commission; and

(e) Successful completion of at least 72 additional elective training hours intended or approved for the first-level supervisory position.

(4) The minimum requirements for ((midmanagement)) middle management certification are set forth as follows:

(a) At least two years of full-time and regular service in a first-level supervisory position; and

(b) Satisfactory completion of a probationary period made applicable by the employing agency to a ((midmanagement)) middle management position or, in the absence of such period, satisfactory performance throughout the initial six months of service within such position; and

(c) Possession of the supervisory certificate of the training commission; and

(d) Successful completion of a ((midmanagement)) middle management course of the training commission; and

(e) Successful completion of at least 72 additional elective training hours intended or approved for the ((midmanagement)) middle management position.

(5) The minimum requirements for executive certification are set forth as follows:

(a) At least two years of full-time and regular service in a ((midmanagement)) middle management position; and

(b) Possession of the ((midmanagement)) middle management certificate of the training commission; and

(c) Successful completion of the ((small)) agency administration ((or introduction to)) and executive management core courses of the training commission; and

(d) ((Successful completion of the Law Enforcement Command College or executive management course of the training commission; and

(e)) Successful completion of at least 72 additional elective training hours intended or approved for the executive position.

(6) Any application for certification provided herein shall be submitted in writing on an approved form to the executive director of the training commission or ((his/her)) designee.

(7) Education and training programs successfully completed by the applicant and not sponsored or otherwise approved by the training commission may be considered in any determination of satisfaction of training requirements prescribed herein. Such determinations and any other determinations relating to equivalent or alternative training shall be made by the executive director of the training commission or ((his/her)) designee.

(8) Any requests for exception to or variance within any provision or requirements set forth herein may be submitted in writing by the individual seeking certification to the executive director or ((his/her)) designee, who shall have dispositive authority in the matter.

**WSR 00-17-046**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Juvenile Rehabilitation Administration)  
[Filed August 7, 2000, 11:27 a.m.]

Date of Adoption: August 7, 2000.

Purpose: To effect community safety by allowing for parole revocation due process to occur with youth that have been detained in other states pending a return to Washington. Without this change, youth returned to Washington, as parole absconders can not be detained.

Citation of Existing Rules Affected by this Order: Amending WAC 388-740-0010.

Statutory Authority for Adoption: RCW 13.40.020, 13.24.010.

Adopted under notice filed as WSR 00-13-074 on June 19, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Without this change we are unable to complete a parole revocation on Washington state parolees who have been detained in other states. These youth are offenders who have absconded from parole supervision or are displaying high-risk behaviors, which indicate that they are close to reoffending/committing new offenses. This change will allow Juvenile Rehabilitation Administration to carry out our primary mission of public safety by permitting us to execute the parole revocation process with these offenders.

Effective Date of Rule: August 27, 2000.

August 7, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-03-077, filed 1/19/99, effective 2/19/99)

**WAC 275-30-010 Definitions.** "**Department**" means the department of social and health services.

**"Detention"** means physical custody in Washington state by the department of social and health services in a juvenile rehabilitation administration operated or contracted

facility or a Washington state detention facility as defined in RCW 13.40.020(9).

**"Juvenile parole officer"** means a state employee, or person under contract to the state, whose responsibilities include supervising juvenile parolees.

**"Juvenile parolee"** means a person under age twenty-one released from a juvenile rehabilitation administration residential facility and placed under the supervision of a juvenile parole officer.

**"Modification of parole conditions"** means a change in the "order of parole conditions" provided by the juvenile parole officer with full knowledge of the change by the juvenile parolee.

**"Parole"** means a period of supervision following release from a juvenile rehabilitation administration residential facility, during which time certain parole conditions are to be followed.

**"Parole conditions"** mean interventions or expectations that include, but are not limited to, those listed in RCW 13.40.210, intended to facilitate the juvenile parolee's reintegration into the community and/or to reduce the likelihood of reoffending.

**"Secretary"** means secretary of the department of social and health services or his/her designee.

**"Violation"** means behavior by a juvenile parolee contrary to written parole conditions which may result in sanctions that include, but are not limited to, modification of parole conditions and/or confinement.

NEW SECTION

The following section of the Washington Administrative Code, as amended, is recodified as follows:

Old WAC Number	New WAC Number
275-30-010	388-740-0010

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
275-30-030	388-740-0030
275-30-040	388-740-0040
275-30-060	388-740-0060
275-30-070	388-740-0070

**WSR 00-17-048**  
**PERMANENT RULES**  
**UTILITIES AND**  
**TRANSPORTATION COMMISSION**

[Docket No. U-991928, General Order No. R-472—Filed August 7, 2000, 2:25 p.m.]

In the matter of amending WAC 480-80-335 relating to utilities general—Tariff—Special contracts for electric, water, and natural gas utilities

**STATUTORY OR OTHER AUTHORITY:** The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 00-11-044, filed with the code reviser on May 11, 2000. The commission brings this proceeding pursuant to RCW 80.04.160 and 80.01.040.

**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 Washington State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 34.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

**DATE OF ADOPTION:** The commission adopted this rule on the date this order is entered.

**CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE:** The proposal would 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 would describe and define the essential terms and conditions of a special contract for the sale of regulated utility services subject to the approval of the commission under WAC 480-80-335. The essential terms and conditions of a special contract under this section will be made available to the public by the commission in its review of any proposed special contract.

**REFERENCE TO AFFECTED RULES:** This rule amends WAC 480-80-335 by reorganizing and rewriting the current rule, and adding a new subsection.

**PREPROPOSAL STATEMENT OF INQUIRY AND ACTIONS THEREUNDER:** The commission filed a preproposal statement of inquiry (CR-101) on December 23, 1999, at WSR 00-02-011.

**ADDITIONAL NOTICE AND ACTIVITY PURSUANT TO PREPROPOSAL STATEMENT:** The statement advised interested persons that the commission was considering entering a rule making on the rule governing the commission's regulation of special contracts for electric, water, and natural gas utilities. 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.

Pursuant to the notice, the commission received written comments from ARCO Products Company (ARCO), Avista Utilities (Avista), Northwest Industrial Gas Users (NWIGU), PacifiCorp, Puget Sound Energy, Inc. (PSE), and the Industrial Customers of Northwest Utilities (ICNU). In addition, the commission engaged in one stakeholder workshop on January 20, 2000. The workshop participants included representatives from Avista, Cascade Natural Gas, NWIGU, PacifiCorp, PSE, and the Investor Owned Water Utilities Association of Washington.

Staff began drafting and rewriting the rule after a review of the submitted written comments and the general discussion at the stakeholder workshop. A preliminary draft of the rule was sent to all affected stakeholders on February 11, 2000, requesting written comments by February 28, 2000. Written comments were received from ARCO, Avista, ICNU, NWIGU, and PSE.

The draft rule was revised and on April 18, 2000, the commission served the revised rule to interested persons for comments. No comments were received.

**NOTICE OF PROPOSED RULE MAKING:** The commission filed a notice of proposed rule making (CR-102) on May 11, 2000, at WSR 00-11-044. The commission scheduled this matter for oral comment and adoption under Notice No. WSR 00-11-044 at 9:30 a.m., Wednesday, July 12, 2000, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA. The notice, served to interested persons on May 12, 2000, provided the opportunity to submit written comments to the commission. Interested persons were asked to consider a modifier before the word "discrimination" such as "material" or "significant."

**WRITTEN COMMENTS:** Pursuant to the notice served on May 12, 2000, the commission received written comments from PassWord Telephone & Radio Communications Center (PassWord), ARCO, Avista, NWIGU, PSE, and ICNU.

ICNU supported the proposed revisions and "believes that the amendments to the special contracts rules are essential to allow the public to effectively evaluate discrimination issues." PassWord suggested the following minor rewording of subsection (4):

In no event may a contract become effective on a date that precedes commission approval unless such earlier effective date is specifically approved.

A contract cannot lawfully become effective prior to commission approval. The language proposed by PassWord would permit approval of an effective date prior to commission approval and must be rejected.

Avista, NWIGU and PSE submitted written comments concerning subsection (5)(b). Avista recommended the terms "undue and unreasonable" be included before "discrimination." NWIGU suggested that some modifier be added before the word "discrimination." PSE proposed adding the following language:

Each contract filed for commission approval shall be accompanied by such documentation as may be necessary to show that the contract does not provide the customer with an undue or unreasonable preference and does not result in unjust discrimination...

Staff proposed that this language be redrafted by removing the reference to discrimination and directing the applicant to the specific statutes it must comply with as part of the approval process. RCW 80.28.090 and 80.28.100 address the concerns raised by Avista, NWIGU and PSE regarding unreasonable preference and unjust discrimination. These statutory references assure consistency between the statutes and the rule.

NWIGU and PSE submitted comments on subsection (7). NWIGU agreed with the proposed rule language in subsection (7)(d), stating, "Knowing the price is critical to judging whether a special contract results in unlawful discrimination. A clear standard requiring public disclosure of essential terms and conditions of special contracts, including price terms, will create needed certainty." PSE maintains, "The draft rule in its current form, by not accommodating the situation where an 'essential term' falls within the scope of information that may lawfully be protected by RCW 80.04.095, is

contrary to that statute and, for that reason, may not survive judicial scrutiny if the rule is challenged." PSE suggests the following language:

(7) Filings under this section may be submitted with portions designated "confidential" pursuant to WAC 480-09-015. However, unless the commission waives this requirement for good cause shown, any filing that designates the essential terms and conditions of the contract as "confidential" shall be rejected by the commission as not in compliance with the public inspection requirements of RCW 80.28.050. Essential terms and conditions are:... Good cause is shown for waiving the disclosure requirements if it is demonstrated that the information requested to be treated confidentially is protected under Chapter 42.17 RCW or RCW 80.04.095.

The language suggested by PSE is discussed below.

In response to the May 12, 2000, notice, ARCO reaffirmed comments it submitted to the commission on February 28, 2000. In those comments ARCO asserted the specific determination of what is confidential and what is not can only be made case-by-case. ARCO recommended that subsection (7) of the proposed draft be revised to read as follows:

(7) Filings under this section shall include a description of the contract's essential terms and conditions and may be submitted with portions designated "confidential" pursuant to WAC 480-09-015. Essential terms and conditions include, but are not limited to, the ... (include (a) through (f) as appear in staff draft).

The commission acknowledges that there may be some apparent tension between the provisions of RCW 80.28.050, which require that terms of tariffs (including special contracts that are by operation a company tariff) be public, and the provisions of RCW 80.04.095, which allow the protection of certain information which if made public, could result in private loss. The principle that the commission adopts in the rule is that tariff provisions, including the provisions of special contracts, must be disclosed. Because of the importance of public awareness, the commission rejects the commenters' suggestion that the nondisclosure provision applies to take precedence whenever it is invoked. If a person believes that the statute allowing protection of information outweighs the principle of disclosure for certain specific information in a particular case, the person may seek exemption from application of the rule by application to the commission under WAC 480-80-010(2). Upon such a request, the commission will then be in a position to grant or deny the request or to determine when faced with an actual situation that waiver or exemption may not be appropriate in any circumstances.

**RULE-MAKING HEARING:** The rule proposal was considered for adoption, pursuant to the notice, at a rule-making hearing scheduled during the commission's regularly scheduled open public meeting on July 12, 2000, before Chairwoman Marilyn Showalter, Commissioner Richard Hemstad, and Commissioner William R. Gillis. The commission heard oral comments from Fred Ottavelli, representing commission staff, James VanNostrand representing PSE, and Edward Finckle representing NWIGU.

**SUGGESTIONS FOR CHANGE THAT ARE REJECTED:** PSE and ARCO expressed concern the rule should be waived when a utility or company is able to show an essential term would fall within the scope of RCW 80.04.095. Following

considerable discussion, the commission observed the draft rule allows for the possibility of an exception, as stated above, and expresses appropriate policy and balance between the statutes.

**COMMISSION ACTION:** After considering all of the information regarding this proposal, the commission adopted the proposed rule.

**STATEMENT OF ACTION: STATEMENT OF EFFECTIVE DATE:** In reviewing the entire record, the commission determines that WAC 480-80-335 should be amended to read as set forth in Appendix A, as a rule 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 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.

#### ORDER

##### THE COMMISSION ORDERS:

1. WAC 480-80-335 is amended as set forth in Appendix A, as a rule 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 rule 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 1-21 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 7th day of August, 2000.

Washington Utilities and Transportation Commission  
Marilyn Showalter, Chairwoman  
Richard Hemstad, Commissioner  
William R. Gillis, Commissioner

AMENDATORY SECTION (Amending Order 291, Docket No. U-88-2337-R, filed 10/28/88)

**WAC 480-80-335 Special contracts for electric, water, and natural gas (~~(utilities)~~) companies.** (1) Contracts to be filed. Electric, water, and natural gas companies must file with the commission all contracts for the retail sale of regulated utility services (~~(by electric, water, or natural gas utilities)~~) to end-use customers (~~(which contain or)~~) that:

(a) State (~~(rates)~~) charges or conditions (~~(which)~~) that do not conform to any (~~(applicable)~~) existing tariff; or (~~(which)~~)

(b) Provide for utility services (~~(which are)~~) not specifically addressed in the (~~(utility's published)~~) company's existing tariffs (~~(shall be filed with the commission)~~).

(2) (~~(This rule shall apply prospectively to all contracts, as defined in subsection (1), executed after (the effective date of this rule-)) Significant modification of a previously executed contract will be treated as a new contract for purposes of this section.~~

(3) Essential terms and conditions of all contracts filed pursuant to this section (~~(have the same effect as)~~) are considered a part of the company's filed tariffs and are subject to enforcement, supervision, regulation, (~~(and)~~) control, and public inspection as such. The provisions of this chapter (~~(shall)~~) will apply except for those provisions governing the filing, notice, and form of tariffs, including those stated in WAC 480-80-060 through 480-80-320.

(4) (~~(Each such contract shall be filed with the commission not less than thirty days prior to the proposed effective date of the contract, and shall become effective according to its terms the thirty-first day from the date of its filing unless earlier approved, suspended, or rejected by the commission: Provided, That upon application and for good cause shown, the commission may approve the contract as of an effective date prior to the date that the contract would have become effective in accordance with this rule-)) Filing and effective dates. The contract will become effective on the effective date stated on the contract or thirty days after the filing date, whichever occurs later, unless suspended or rejected by the commission. The commission, for good cause shown, may approve an earlier effective date. In no event may a contract become effective on a date that precedes commission approval. The request for an earlier effective date must include a complete explanation of why an earlier effective date is appropriate.~~

(5) Each (~~(contract)~~) application filed for commission approval (~~(shall be accompanied by such documentation as may be necessary to)~~) of a contract must:

(a) Include a complete copy of the proposed contract;

(b) Show that the contract (~~(does not result in discrimination between customers receiving like and contemporaneous service under substantially similar circumstances and provides for the recovery of)~~) meets the requirements of RCW 80.28.090 (prohibiting unreasonable preference) and RCW 80.28.100 (prohibiting rate discrimination);

(c) Demonstrate, at a minimum, that the contract charges recover all costs (~~(associated with the provision of the service. In addition, the utility shall file the following information in conjunction with each contract submitted for commission approval:~~

~~(a) A statement summarizing the)) resulting from providing the service during its term, and, in addition, provide a contribution to the company's fixed costs;~~

~~(d) Summarize the basis of the (~~(rate or)~~) charge(s) proposed in the contract and (~~(an explanation of)~~) explain the derivation of the proposed (~~(rate or)~~) charge(s) including all cost computations involved;~~

~~((b) An explanation of all cost computations involved in arriving at the derivation of the level of the rate or charge in the contract;)) and~~

~~((e) A statement indicating)) (e) Indicate the basis for (~~(the use of)~~) using a contract rather than a filed tariff for the specific service involved. If the basis for using a contract is the availability of an alternative service provider, identify that provider.~~

(6) All contracts (~~(shall)~~) must be for a stated time period. The commission may approve terms and conditions (~~(which)~~) that prescribe the (~~(rate or rates)~~) charge(s) to be applied during the time period, if such (~~(rates)~~) charge(s) are found to be appropriate. Unless otherwise provided by the commission, such approval (~~(shall)~~) will not be determinative with respect to the expenses and revenues of the (~~(utility)~~) company for subsequent ratemaking considerations.

(7) Filings under this section may be submitted with portions designated "confidential" pursuant to WAC 480-09-015. However, any filing that designates the essential terms and conditions of the contract as "confidential" shall be rejected by the commission as not in compliance with the public inspection requirement of RCW 80.28.050. Essential terms and conditions are:

(a) Identity of the customer;

(b) Nature and characteristics of the service provided, including interruptible, firm, or peak delivery;

(c) Duration of the contract, including any options to renew;

(d) Charge(s) for service, including minimum charge provisions;

(e) Geographic location where service will be provided;

and  
(f) Additional obligations specified in the contract, if any.

WSR 00-17-057

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed August 9, 2000, 10:08 a.m.]

Date of Adoption: August 9, 2000.

Purpose: To improve clarity and readability, update obsolete WAC cross references, and to relocate rule to a new WAC section because current WAC chapter is being phased out.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 388-86-087 Personal care services.

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under notice filed as WSR 00-13-104 on June 21, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 1.

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

August 9, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

August 9, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

## NEW SECTION

**WAC 388-556-0300 Personal care services.** The department pays for personal care services for a Title XIX categorically needy Medicaid client as provided under chapter 388-71 WAC, Home and community programs.

## REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-087 Personal care services.

**WSR 00-17-058**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed August 9, 2000, 10:10 a.m.]

Date of Adoption: August 9, 2000.

Purpose: To adopt increases in the federal standards for community spouses, family maintenance needs, and excess shelter allowances that are based on the federal poverty level that increased on April 1, 2000.

Citation of Existing Rules Affected by this Order: Amending WAC 388-513-1380 Determining a client's participation in the cost of care for long term care.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500.

Other Authority: Section 1924(g) of the Social Security Act.

Adopted under notice filed as WSR 00-13-107 on June 21, 2000.

**AMENDATORY SECTION** (Amending WSR 99-11-017, filed 5/10/99, effective 6/10/99)

**WAC 388-513-1380 (~~Institutional~~) Determining a client's participation (~~Client~~) in the cost of care for long-term care (LTC) services.** This section describes (~~allocations of~~) how the department allocates income and excess resources (used to determine a person's) when determining participation in the cost of care (for institutional services in a medical facility. Income allocations described in this section are used to reduce countable income that remains after exclusions described in WAC 388-513-1340) (in the post-eligibility process). The department applies rules described in WAC 388-513-1315 to define what income and resources must be used in this process.

(1) (~~Allocations used to reduce excess resources are amounts for incurred medical expenses, not subject to third-party payment, for which the person is liable, including:~~

(a) ~~Health insurance and Medicare premiums, deductions, and co-insurance charges; and~~

(b) ~~Necessary medical care recognized under state law, but not covered under the state's Medicaid plan.~~

(2) ~~Allocations used to reduce countable income are made in the following order:~~

(a) ~~Amounts described in subsection (2)(a) may not total more than the one person medically needy income level (MNIL):~~

(i) ~~A personal needs allowance (PNA) as follows:~~

(A) ~~One hundred sixty dollars for a person living in a state veterans' home;~~

(B) ~~Ninety dollars for a veteran or a veteran's surviving spouse, who receives an improved pension and does not live in a state veterans' home; or~~

(C) ~~Forty one dollars and sixty two cents for all other persons in a medical facility.~~

(ii) ~~Federal, state, or local income taxes:~~

~~(A) Mandatorily withheld from earned or unearned income for income tax purposes before receipt by the person; or~~

~~(B) Not covered by withholding, but are owed, become an obligation, or have been paid by the person during the time period covered by the PNA.~~

~~(iii) Wages for a person who:~~

~~(A) Is SSI-related; and~~

~~(B) Receives the wages as part of a department-approved training or rehabilitative program designed to prepare the person for a less restrictive placement. When determining this deduction employment expenses are not deducted.~~

~~(iv) Guardianship fees and administrative costs including any attorney fees paid by the guardian, after June 15, 1998, only as allowed by chapter 388-79 WAC.~~

~~(b) Income garnished for child support:~~

~~(i) For the time period covered by the PNA; and~~

~~(ii) Not deducted under another provision in the post-eligibility process.~~

~~(c) A monthly needs allowance for the community spouse not to exceed, effective January 1, 1999, two thousand forty-nine dollars, unless a greater amount is allocated as described in subsection (4) of this section. The monthly needs allowance:~~

~~(i) Consists of a combined total of both:~~

~~(A) An amount added to the community spouse's gross income to provide a total of one thousand three hundred fifty-eight dollars; and~~

~~(B) Excess shelter expenses as specified under subsection (3) of this section; and~~

~~(ii) Is allowed only to the extent the person's income is made available to the community spouse.~~

~~(d) A monthly maintenance needs amount for each dependent or minor child, dependent parent or dependent sibling:~~

~~(i) Residing with the community spouse, equal to one-third of the amount that one thousand three hundred fifty-seven dollars exceeds the family member's income. Child support received from an absent parent is the child's income.~~

~~(ii) Not residing with the community spouse, equal to the MNIL for the number of family members in the home less the income of the family members.~~

~~(e) Incurred medical expenses described in subsections (1)(a) and (b) not used to reduce excess resources.~~

~~(f) Maintenance of the home of a single person or institutionalized couple:~~

~~(i) Up to one hundred percent of the one-person federal poverty level per month;~~

~~(ii) Limited to a six-month period;~~

~~(iii) When a physician has certified that the person is likely to return to the home within the six-month period; and~~

~~(iv) When social service staff documents initial need for the income exemption and reviews the person's circumstances after ninety days.~~

~~(3) For the purposes of this section, "excess shelter expenses" equal the actual expenses under subsection (3)(a) less the standard shelter allocation under subsection (3)(b):~~

~~(a) Shelter expenses are the actual required maintenance expenses for the community spouse's principal residence for:~~

~~(i) Rent;~~

~~(ii) Mortgage;~~

~~(iii) Taxes and insurance;~~

~~(iv) Any maintenance care for a condominium or cooperative; and~~

~~(v) The food stamp standard utility allowance, provided the utilities are not included in the maintenance charges for a condominium or cooperative.~~

~~(b) The standard shelter allocation is four hundred seven dollars, effective April 1, 1998.~~

~~(4) The amount allocated to the community spouse may be greater than the amount in subsection (2)(c) only when:~~

~~(a) A court enters an order against the person for the support of the community spouse; or~~

~~(b) A hearings officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.~~

~~(5) A person receiving SSI shall continue to receive total payment under 1611 (b)(1) of the Social Security Act for the first three full calendar months of institutionalization in a public or Medicaid-approved medical institution or facility when the:~~

~~(a) Stay in the institution or facility is not expected to exceed three months; and~~

~~(b) The person plans to return to former living arrangements.) For a client receiving institutional or hospice services in a medical facility, the department applies all subsections of this rule.~~

~~(2) For a client receiving waived services at home or in an alternate living facility, the department applies only those subsections of this rule that are cited in the rules for those programs.~~

~~(3) For a client receiving hospice services at home, the department applies rules used for the community options program entry system (COPES).~~

~~(4) The department allocates excess resources in an amount equal to incurred medical expenses that are not subject to third-party payment and for which the client is liable, including:~~

~~(a) Health insurance and Medicare premiums, deductions, and co-insurance charges; and~~

~~(b) Necessary medical care recognized under state law, but not covered under the state's Medicaid plan.~~

~~(5) The amount of excess resources described in subsection (4) is limited to the following amounts:~~

~~(a) For LTC services provided under the categorically needy (CN) program, the amount described in WAC 388-513-1315(3); or~~

~~(b) For LTC services provided under the medically needy (MN) program, the amount described in WAC 388-513-1395 (2)(a) or (b).~~

~~(6) The department allocates nonexcluded income up to a total of the medically needy income level (MNIL) in the following order:~~

~~(a) A personal needs allowance (PNA) of:~~

~~(i) One hundred sixty dollars for a client living in a state veterans' home;~~

~~(ii) Ninety dollars for a veteran or a veteran's surviving spouse, who receives an improved pension and does not live in a state veterans' home; or~~

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(iii) Forty-one dollars and sixty-two cents for all other clients in a medical facility.

(b) Federal, state, or local income taxes:

(i) Mandatorily withheld from earned or unearned income for income tax purposes before receipt by the client; or

(ii) Not covered by withholding, but are owed, become an obligation, or have been paid by the client during the time period covered by the PNA.

(c) Wages for a client who:

(i) Is related to the supplemental security income (SSI) program as described in WAC 388-503-0510 (1); and

(ii) Receives the wages as part of a department-approved training or rehabilitative program designed to prepare the client for a less restrictive placement. When determining this deduction employment expenses are not deducted.

(d) Guardianship fees and administrative costs including any attorney fees paid by the guardian, after June 15, 1998, only as allowed by chapter 388-79 WAC.

(7) The department allocates nonexcluded income after deducting amounts described in subsection (6) in the following order:

(a) Income garnisheed for child support:

(i) For the time period covered by the PNA; and

(ii) Not deducted under another provision in the post-eligibility process.

(b) A monthly needs allowance for the community spouse not to exceed, effective January 1, 2000, two thousand one hundred three dollars, unless a greater amount is allocated as described in subsection (9) of this section. The monthly needs allowance:

(i) Consists of a combined total of both:

(A) An amount added to the community spouse's gross income to provide a total of one thousand four hundred seven dollars; and

(B) Excess shelter expenses as specified under subsection (8) of this section; and

(ii) Is allowed only to the extent the client's income is made available to the community spouse.

(c) A monthly maintenance needs amount for each minor or dependent child, dependent parent or dependent sibling of the community or institutionalized spouse who:

(i) Resides with the community spouse, equal to one-third of the amount that one thousand four hundred seven dollars exceeds the dependent family member's income.

(ii) Does not reside with the community spouse, equal to the MNIL for the number of dependent family members in the home less the income of the dependent family members. Child support received from an absent parent is the child's income.

(d) Incurred medical expenses described in subsections (4)(a) and (b) not used to reduce excess resources.

(e) Maintenance of the home of a single client or institutionalized couple:

(i) Up to one hundred percent of the one-person federal poverty level per month;

(ii) Limited to a six-month period;

(iii) When a physician has certified that the client is likely to return to the home within the six-month period; and

(iv) When social service staff documents initial need for the income exemption and reviews the client's circumstances after ninety days.

(8) For the purposes of this section, "excess shelter expenses" equal the actual expenses under subsection (8)(b) less the standard shelter allocation under subsection (8)(a). For the purposes of this rule:

(a) The standard shelter allocation is four hundred twenty-two dollars, effective April 1, 2000; and

(b) Shelter expenses are the actual required maintenance expenses for the community spouse's principal residence for:

(i) Rent;

(ii) Mortgage;

(iii) Taxes and insurance;

(iv) Any maintenance care for a condominium or cooperative; and

(v) The food stamp standard utility allowance, provided the utilities are not included in the maintenance charges for a condominium or cooperative.

(9) The amount allocated to the community spouse may be greater than the amount in subsection (7)(b) only when:

(a) A court enters an order against the client for the support of the community spouse; or

(b) A hearings officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.

(10) A client who continues to receive SSI in a medical facility does not participate the SSI income in the cost of care for medical services.

## WSR 00-17-059

### PERMANENT RULES

### OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

[Filed August 9, 2000, 10:13 a.m.]

Date of Adoption: August 8, 2000.

Purpose: To implement RCW 39.19.030(4) and encourage minority and women owned business participation in state contracting and procurement.

Citation of Existing Rules Affected by this Order: Amending WAC 326-30-041 Annual goals.

Statutory Authority for Adoption: RCW 39.19.030(7).

Adopted under notice filed as WSR 00-13-112 on June 21, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 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.  
August 8, 2000  
Juan Huey-Ray  
Acting Director

Effective Date of Rule: Thirty-one days after filing.  
August 8, 2000  
Gerald E. Smith, P.E.  
Deputy Secretary, Operations

**AMENDATORY SECTION** (Amending WSR 98-20-005, filed 9/24/98, effective 10/25/98)

**WAC 326-30-041 Annual goals.** The annual overall goals for participation by certified firms in the public works, other contracting, and procurement of each state agency and educational institution, subject to this chapter, shall be as follows:

July 1, ((1998)) 2000, through June 30, ((1999)) 2001,

Construction/Public Works	10% MBE	6% WBE
Architect/Engineering	10% MBE	6% WBE
Purchased Goods	8% MBE	4% WBE
Purchased Services	10% MBE	4% WBE
Professional Services	10% MBE	4% WBE

**AMENDATORY SECTION** (Amending Order 199, filed 5/10/00, effective 6/10/00)

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

(2) Self-propelled farm implements, including a farm tractor pulling no more than two implements (no vehicle capable of carrying a load may pull more than one trailing implement, i.e., a truck of any kind) up to sixteen feet wide are exempt from acquiring a special motor vehicle permit for movement: Provided, That the movement of the implement(s) complies with the following safety requirements:

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

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

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

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

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

**WSR 00-17-060**

**PERMANENT RULES**

**DEPARTMENT OF TRANSPORTATION**

[Filed August 9, 2000, 10:17 a.m.]

Date of Adoption: August 8, 2000.

Purpose: Corrects an erroneous reference to WAC 468-38-110 (16)(a) and (b), replacing it with subsection (17), as the result of an amendment to WAC 468-38-110. The correction maintains the original intent of the rule.

Citation of Existing Rules Affected by this Order: Amending WAC 468-38-290.

Statutory Authority for Adoption: RCW 46.44.090.

Adopted under notice filed as WSR 00-12-023 on May 26, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

PERMANENT

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

(i) A farmer, farm implement dealer, or agri-chemical dealer (including employees of each) is exempt from WAC 468-38-110 (5)(a) and (b), (6) relative to passengers, WAC 468-38-110 (11)(e), and ~~((16)(a) and (b))~~ (17) when moving a farm implement off of the interstate and on the following rural interstate segments:

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

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

I-82 between Exit 37 (Union Gap) and the Washington/Oregon border;

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

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

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

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

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

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

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

**WSR 00-17-063**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**

[Order 704—Filed August 9, 2000, 1:59 p.m.]

Date of Adoption: June 15, 2000.

Purpose: Update chapter 332-130 WAC to reflect changes in chapter 58.09 RCW and adopt a survey map recording checklist in WAC, in compliance with RCW 58.09.110.

Citation of Existing Rules Affected by this Order: Amending WAC 332-130-050.

Statutory Authority for Adoption: RCW 58.24.040(1) and 58.09.110.

Adopted under notice filed as WSR 00-08-034 on March 29, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

June 20, 2000

Julie Boyer

Supervisor

AMENDATORY SECTION (Amending Order 561, filed 5/11/89)

**WAC 332-130-050 Survey map requirements.** The following requirements apply to land boundary survey maps and plans, records of surveys, plats, short plats, boundary line adjustments, and binding site plans required by law to be filed or recorded with the county.

(1) All such documents filed or recorded shall conform to the following:

(a) They shall display a county recording official's information block which shall be located along the bottom or right edge of the document unless there is a local requirement specifying this information in a different format. The county recording official's information block shall contain:

(i) The title block, which shall be on all sheets of maps, plats or plans, and shall identify the business name of the firm and/or land surveyor that performed the survey. For documents not requiring a surveyor's certificate and seal, the title block shall show the name and business address of the preparer and the date prepared. Every sheet of multiple sheets

shall have a sheet identification number, such as "sheet 1 of 5";

(ii) The auditor's certificate, where applicable, which shall be on the first sheet of multiple sheets; however, the county recording official shall enter the appropriate volume and page and/or the auditor's file number on each sheet of multiple sheets;

(iii) The surveyor's certificate, where applicable, which shall be on the first sheet of multiple sheets and shall show the name, license number, original signature and seal of the land surveyor who had responsible charge of the survey portrayed, and the date the land surveyor approved the map or plat. Every sheet of multiple sheets shall have the seal and signature of the land surveyor and the date signed;

(iv) The following indexing information on the first sheet of multiple sheets:

(A) The section-township-range and quarter-quarter(s) of the section in which the surveyed parcel lies, except that if the parcel lies in a portion of the section officially identified by terminology other than aliquot parts, such as government lot, donation land claim, homestead entry survey, townsite, tract, and Indian or military reservation, then also identify that official subdivisional tract and call out the corresponding approximate quarter-quarter(s) based on projections of the aliquot parts. Where the section is incapable of being described by projected aliquot parts, such as the Port Angeles townsite, or elongated sections with excess tiers of government lots, then it is acceptable to provide only the official GLO designation. A graphic representation of the section divided into quarter-quarters may be used with the quarter-quarter(s) in which the surveyed parcel lies clearly marked;

(B) Additionally, if appropriate, the lot(s) and block(s) and the name and/or number of the filed or recorded subdivision plat or short plat with the related recording data;

(b) They shall contain:

(i) A north arrow;

(ii) The vertical datum when topography or elevations are shown;

(iii) The basis for bearings, angle relationships or azimuths shown. The description of the directional reference system, along with the method and location of obtaining it, shall be clearly given (such as "North by Polaris observation at the SE corner of section 6"; "Grid north from azimuth mark at station Kellogg"; "North by compass using twenty-one degrees variation"; "None"; or "Assumed bearing based on ..."). If the basis of direction differs from record title, that difference should be noted;

(iv) Bearings, angles, or azimuths in degrees, minutes and seconds;

(v) Distances in feet and decimals of feet;

(vi) Curve data showing the controlling elements.

(c) They shall show the scale for all portions of the map, plat, or plan provided that detail not drawn to scale shall be so identified. A graphic scale for the main body of the drawing, shown in feet, shall be included. The scale of the main body of the drawing and any enlargement detail shall be large enough to clearly portray all of the drafting detail, both on the original and reproductions;

(d) The document filed or recorded and all copies required to be submitted with the filed or recorded document shall, for legibility purposes:

(i) Have a uniform contrast suitable for scanning or microfilming.

(ii) Be without any form of cross-hatching, shading, or any other highlighting technique that to any degree diminishes the legibility of the drafting detail or text;

(iii) Contain dimensioning and lettering no smaller than 0.08 inches, vertically, and line widths not less than 0.008 inches (equivalent to pen tip 000). This provision does not apply to vicinity maps, land surveyors' seals and certificates.

(e) They shall not have any adhesive material affixed to the surface;

(f) For the intelligent interpretation of the various items shown, including the location of points, lines and areas, they shall:

(i) Reference record survey documents that identify different corner positions;

(ii) Show deed calls that are at variance with the measured distances and directions of the surveyed parcel;

(iii) Identify all corners used to control the survey whether they were calculated from a previous survey of record or found, established, or reestablished;

(iv) Give the physical description of any monuments shown, found, established or reestablished, including type, size, and date visited;

(v) Show the record land description of the parcel or boundary surveyed or a reference to an instrument of record;

(vi) Identify any ambiguities, hiatuses, and/or overlapping boundaries;

(vii) Give the location and identification of any visible physical appurtenances such as fences or structures which may indicate encroachment, lines of possession, or conflict of title.

(2) All signatures and writing shall be made with permanent black ink.

(3) The following criteria shall be adhered to when altering, amending, changing, or correcting survey information on previously filed or recorded maps, plats, or plans:

(a) Such documents filed or recorded shall comply with the applicable local requirements and/or the recording statute under which the original map, plat, or plan was filed or recorded;

(b) Alterations, amendments, changes, or corrections to a previously filed or recorded map, plat, or plan shall only be made by filing or recording a new document;

(c) All such documents filed or recorded shall contain the following information:

(i) A title or heading identifying the document as an alteration, amendment, change, or correction to a previously filed or recorded map, plat, or plan along with, when applicable, a cross-reference to the volume and page and auditor's file number of the altered document;

(ii) Indexing data as required by subsection (1)(a)(iv) of this section;

(iii) A prominent note itemizing the change(s) to the original document. Each item shall explicitly state what the change is and where the change is located on the original;

(d) The county recording official shall file, index, and cross-reference all such documents received in a manner sufficient to provide adequate notice of the existence of the new document to anyone researching the county records for survey information;

(e) The county recording official shall send to ~~((the engineering division of))~~ the department of natural resources, as per RCW 58.09.050(3), a legible copy of any document filed or recorded which alters, amends, changes, or corrects survey information on any document that has been previously filed or recorded pursuant to the Survey Recording Act.

(4) ~~((In the absence of permanency and durability standards for public records, eventually to be established by rule by the Washington state division of archives and records management, the following standards will apply to maps, plats, or plans filed with the county. Upon adoption of rules established by the division of archives and records management, those rules shall prevail over this section.~~

(a) ~~The following are deemed to be acceptable material for filing:~~

- ~~(i) Permanent black ink on mylar;~~
- ~~(ii) Photo mylar with a fixed silver halide base;~~
- ~~(iii) Permanent black ink on mylar when the ink is coated with a suitable substance to assure permanent legibility;~~

(b) ~~The following are deemed to be unacceptable material for filing:~~

- ~~(i) Diazo mylar;~~
- ~~(ii) Linen with an image produced by a dry electrostatic process;~~
- ~~(iii) Mylars with an image produced by a dry electrostatic process;))~~

Survey maps, plats and plans filed with the county shall be an original that is legibly drawn in black ink on mylar and is suitable for producing legible prints through scanning, microfilming or other standard copying procedures. The following are allowable formats for the original that may be used in lieu of the format stipulated above:

(a) photo mylar with original signatures,

(b) any standard material as long as the format is compatible with the auditor's recording process and records storage system. Provided, that records of survey filed pursuant to 58.09 RCW are subject to the restrictions stipulated in 58.09.110(5) RCW,

(c) an electronic version of the original if the county has the capability to accept a digital signature issued by a licensed certification authority under chapter 19.34 RCW or a certification authority under the rules adopted by the Washington state board of registration for professional engineers and land surveyors, and can import electronic files into an imaging system. The electronic version shall be a standard raster file format acceptable to the county.

(5) The following checklist is the only checklist that may be used to determine the recordability of records of survey filed pursuant to 58.09 RCW. There are other requirements to meet legal standards. This checklist also applies to maps filed pursuant to the other survey map recording statutes, but for these maps there may be additional sources for determining recordability.

#### CHECKLIST FOR SURVEY MAPS BEING RECORDED

(Adopted in WAC 332-130)

The following checklist applies to land boundary survey maps and plans, records of surveys, plats, short plats, boundary line adjustments, and binding site plans required by law to be filed or recorded with the county. There are other requirements to meet legal standards. Records of survey filed pursuant to 58.09 RCW, that comply with this checklist, shall be recorded; no other checklist is authorized for determining their recordability.

#### ACCEPTABLE MEDIA:

- For counties required to permanently store the document filed, the only acceptable media are:  
 black ink on mylar or photo mylar
- For counties exempted from permanently storing the document filed, acceptable media are:  
 any standards material compatible with county processes; or, an electronic version of the original.
- All signatures must be original and, on hardcopy, made with permanent black ink.
- The media submitted for filing must not have any material on it that is affixed by adhesive.

#### LEGIBILITY:

- The documents submitted, including paper copies, must have a uniform contrast throughout the document.
- No information, on either the original or the copies, should be obscured or illegible due to cross-hatching, shading, or as a result of poor drafting technique such as lines drawn through text or improper pen size selection (letters or number filled in such that 3's, 6's or 8's are indistinguishable).
- Signatures and seals must be legible on the prints or the party placing the seal must be otherwise identified.
- Text must be 0.08 inches or larger; line widths shall not be less than 0.008 inches (vicinity maps, land surveyor's seals and certificates are excluded).

#### INDEXING:

- The recording officer's information block must be on the bottom or right edge of the map.
- A title block (shows the name of the preparer and is on each sheet of multiple sheets).
- An auditor's certificate (on the first sheet of multiple sheets, although Vol./Pg. and/or AF# must be entered by the recording officer on each sheet).
- A surveyor's certificate (on the first sheet of multiple sheets; seal and signature on multiple sheets).
- The map filed must provide the following indexing data:  
 S-T-R and the quarter-quarter(s) or approximate quarter-quarter(s) of the section in which the surveyed parcel lies.  
 Optional: a graphic representation of the section divided into quarter-quarters may be used with the quarter-quarter(s) in which the surveyed parcel lies clearly marked;

#### MISCELLANEOUS

- If the function of the document submitted is to change a previously filed record, it must also have:

- a title identifying it as a correction, amendment, alteration or change to a previously filed record,
- a note itemizing the changes.
- For records of survey:
  - The sheet size must be 18" x 24"
  - The margins must be 2" on the left and 1/2" for the others, when viewed in landscape orientation.
  - In addition to the map being filed there must be two prints included in the submittal; except that, in counties using imaging systems fewer prints, as determined by the Auditor, may be allowed.

- WAC 314-19-015 (4)(a)(vi), during the 2000 legislative session, RCW 66.24.170 was amended to state that a domestic winery may serve tastings of its own products and sell wine of its own production at up to two additional locations. Language was added to this rule to outline the wine tax payment requirements for product tasted or sold from these additional locations.

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 5, Repealed 9.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 5, Repealed 9.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 5, Repealed 9.

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

July 15, 2000

Eugene A. Prince

Chairman

**WSR 00-17-065**  
**PERMANENT RULES**  
**LIQUOR CONTROL BOARD**

[Filed August 9, 2000, 3:58 p.m.]

Date of Adoption: June 14, 2000.

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 314-19 WAC would replace other WACs and policies that outline the requirements for beer and wine tax reporting and payment.

Citation of Existing Rules Affected by this Order: Repealing WAC 314-16-130, 314-20-010, 314-20-040, 314-20-060, 314-20-150, 314-20-180, 314-24-095, 314-24-110 and 314-26-010; and amending WAC 314-20-015, 314-20-160, 314-20-170, 314-24-120, and 314-24-160.

Statutory Authority for Adoption: RCW 66.08.030, 66.24.210, 66.24.230, 66.24.290, 66.24.305, 66.24.270, 66.24.215, 66.24.290, 66.24.580, 66.24.206.

Adopted under notice filed as WSR 00-09-095 on April 19, 2000.

Changes Other than Editing from Proposed to Adopted Version:

- During the 2000 legislative session, the definition of a domestic brewery was changed to include a brand owner whose malt beverage is brewed under contract with an in-state brewery. Therefore, the term "domestic brewery/brand owner" was added to the proposed rules.
- WAC 314-19-015 (5)(b), during the 2000 legislative session, RCW 66.28.040 was amended to allow out-of-state breweries and wineries to donate beer or wine to nonprofit charitable associations in Washington. Language was added to this rule to outline the beer and wine tax payment requirements for these donations.
- WAC 314-19-015 (2)(c), What are the monthly reporting and tax payment requirements? Language was deleted that stated that distributors could claim a refund or credit for taxes paid on sales to the Washington State Liquor Control Board. When distributors sell beer and wine to the Liquor Control Board, it includes a markup to cover the excise tax paid by the distributor. The product is not exempt from state taxes. The technical correction reflects current practice.

**NEW SECTION**

**WAC 314-19-005 What is the purpose of chapter 314-19 WAC?** The purpose of this chapter is to outline the beer and wine tax reporting and payment requirements for the following liquor licensees:

Type of liquor license	Laws that outline tax rates and requirements
(a) Washington beer and/or wine distributor	RCWs 66.24.210, 66.24.230, 66.24.290, 66.24.305
(b) Washington beer and/or wine importer	RCW 66.24.230
(c) domestic brewery	RCWs 66.24.270, 66.24.290, 66.24.305
(d) domestic brewery/brand owner	RCWs 66.24.270, 66.24.290, 66.24.305
(e) microbrewery	RCWs 66.24.270, 66.24.290, 66.24.305
(f) domestic winery	RCWs 66.24.210, 66.24.215, 66.24.230, 66.24.305
(g) public house	RCW 66.24.290, 66.24.580
(h) beer certificate of approval holder	RCW 66.24.270

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(i) wine certificate of approval holder	RCWs 66.24.210, 66.24.206
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**NEW SECTION**

**WAC 314-19-010 Definitions.** The following definitions are to clarify the purpose and intent of the rules and laws governing beer and wine tax reporting and payment requirements. Additional definitions can be found in RCW 66.04.010.

(1) "Missing." A monthly tax report or payment is considered missing if it is more than thirty days past the required filing date. Required filing dates are outlined in RCW 66.24.206, RCW 66.24.210, RCW 66.24.270, RCW 66.24.290 and WAC 314-19-015.

(2) "Samples" are beer and/or wine furnished to retail licensees for the purpose of negotiating a sale, per RCW 66.28.040. See WAC 314-64-080 for sampling procedures.

(3) "Tastings" are beer and/or wine products provided to customers at no charge for the purpose of promoting a sale, that are consumed on the premises of a domestic brewery, microbrewery, winery, or additional winery locations as authorized by RCW 66.24.170(4). Tastings are not taxable under this title.

**NEW SECTION**

**WAC 314-19-015 What are the monthly reporting and tax payment requirements?** (1) The required monthly beer and/or wine tax reports must be:

(a) on a form furnished by the board or in a format approved by the board;

(b) filed every month, including months with no activity or taxes due; and

(c) submitted, with the tax due, to the board on or before the twentieth day of each month, for the previous month (for example, a report listing transactions for the month of January is due by February 20). When the twentieth day of the month falls on a Saturday, Sunday, or a legal holiday, the filing must be postmarked by the U.S. Postal Service no later than the next postal business day.

Type of licensee	Tax Payment Requirements
(2) Washington beer and/or wine distributor	<p>(a) Distributors must pay taxes on all beer and/or wine received during the preceding calendar month, including samples received at no charge. The total tax due (per barrel for beer and per liter for wine) is to be paid by the first distributor to receive the product and must be included with the monthly report.</p> <p>(b) Distributors do not pay taxes on beer and/or wine received from another in-state licensed distributor who has already paid the Washington State tax on the product.</p>

	<p>(c) Distributors may claim a tax refund or credit for the following (see WAC 314-19-030 for information on claiming a tax refund or credit):</p> <p>(i) shipments exported directly to a point outside the state of Washington, including sales to interstate common carriers;</p> <p>(ii) sales to any military reservation in Washington State;</p> <p>(iii) samples on which the tax has already been paid; and</p> <p>(iv) product that is deemed unsalable due to freight damage or other causes that occurred prior to receipt by the distributor, subject to the following conditions:</p> <p>(A) the unsalable product must be destroyed within the state of Washington (per RCW 66.24.305);</p> <p>(B) the licensee must notify their local liquor enforcement officer in advance for destruction of more than fifty cases of wine or two hundred cases of beer;</p> <p>(C) the licensee must report the destroyed product on the next required monthly report; and</p> <p>(D) the licensee must keep records showing the reason for the destruction and an inventory of products destroyed. These records must be kept on the licensed premises and available for inspection by board employees for a period of two years.</p>
(3) Washington beer and/or wine importer	<p>Importers must pay taxes on samples received during the preceding calendar month, as follows:</p> <p>(a) If the samples are used by the importer within the state of Washington, the importer must pay the tax.</p> <p>(b) If samples are provided to a distributor for use by the distributor, the distributor must pay the tax.</p>
(4) Domestic breweries, domestic brewery/brand owner, microbreweries, and domestic wineries	<p>(a) Domestic breweries, domestic breweries/brand owners, microbreweries, and domestic wineries must pay taxes on beer and/or wine that is:</p> <p>(i) sold at retail on the licensed premises (or additional winery locations as authorized by RCW 66.24.170(4)), including retail sales to out-of-state residents;</p> <p>(ii) sold to retail licensees;</p> <p>(iii) furnished as samples to licensees as authorized by RCW 66.28.040 and WAC 314-64-080;</p> <p>(iv) provided as donations to qualifying non-profit organizations, per RCW 66.28.040; and</p> <p>(v) received via an inter-plant transfer if used as outlined in above subsections (i), (ii), (iii), or (iv).</p> <p>(b) Domestic breweries, domestic breweries/brand owners, microbreweries, and domestic wineries do not pay tax on beer and/or wine that is:</p> <p>(i) sold to distributors;</p> <p>(ii) shipped out of a particular location for an inter-plant transfer;</p>

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	<p>(iii) exported directly to a point outside the state of Washington, including sales to interstate common carriers;</p> <p>(iv) sold to the Washington State liquor control board;</p> <p>(v) sold to any military reservation in Washington State; or</p> <p>(vi) provided as a tasting on the brewery or winery premises or at additional winery locations as authorized by RCW 66.24.170(4). See WAC 314-19-010(3) for the definition of "tastings."</p>
(5) Out-of-state beer and/or wine certificate of approval holders	<p>(a) Certificate of approval holders must file a report showing the quantity of all beer and/or wine sold or delivered to each licensed beer or wine distributor or importer during the preceding month.</p> <p>(b) Tax is due from the certificate of approval holder only on samples shipped to licensed agents, directly to retailers, or to non-profit charitable associations within Washington State. See WAC 314-64-080 for information on providing samples. See RCW 66.28.040 regarding donations to nonprofit charitable associations.</p>
(6) Public House licensees	Public house licensees must pay taxes on all sales of their own product during the preceding calendar month.

**NEW SECTION**

**WAC 314-19-020 What if a licensee doesn't report or pay the taxes due, or reports or pays late?** The board may take the following actions against a domestic brewery, domestic brewery/brand owner, microbrewery, domestic winery, beer/wine distributor, beer/wine importer, public house licensee, or beer/wine certificate of approval holder in order to collect any of the reports or taxes due that are outlined in this title.

(1) Suspension or revocation of license	<p>(a) Failure to make a report and/or pay the taxes in the manner and dates outlined in this chapter will be sufficient ground for the board to suspend or revoke a liquor license or certificate of approval (per RCW 66.08.150, RCW 66.24.010, RCW 66.24.120, 66.24.206, and 66.24.270).</p> <p>(b) The suspension will remain in effect until all missing reports and/or taxes have been filed with the board (see WAC 314-19-010(1) for the definition of "missing").</p>
(2) Penalties	A penalty will be assessed on any tax payments postmarked after the twentieth day of the month following the month of sale (per the reporting requirements outlined in WAC 314-19-015, RCW 66.24.290, and RCW 66.24.210). When the twentieth day of the month falls on a Saturday, Sunday, or a legal holiday, the filing must be postmarked by the U.S. Postal Service no later than the next postal business day.

(3) Surety bond requirements	<p>(a) <b>What is a surety bond?</b> A "surety bond" is a type of insurance policy that guarantees beer and/or wine tax payment to the state. The surety bond must be:</p> <p>(i) executed by a surety company authorized to do business in the state of Washington;</p> <p>(ii) on a form and in an amount acceptable to the board;</p> <p>(iii) payable to the Washington state liquor control board; and</p> <p>(iv) conditioned that the licensee will pay the taxes and penalties levied by RCW 66.24.210 and/or RCW 66.24.290.</p> <p>(v) As an option to obtaining a surety bond, a licensee may create an assignment of savings account for the board in the same amount as required for a surety bond. Requests for this option must be submitted in writing to the board's financial division.</p>
	<p>(b) <b>When will the board require a surety bond?</b> If any of the following occur at one or more licensed locations, the board will require the licensee to obtain a surety bond or assignment of savings account for each licensed location, within twenty-one days:</p> <p>(i) a report or tax payment is missing, as defined in WAC 314-19-010(1), for two or more consecutive months; or</p> <p>(ii) a report or tax payment is missing, as defined in WAC 314-19-010(1), two or more times within a two year period.</p>
	<p>(c) <b>What will happen if the licensee does not acquire the surety bond or savings account?</b> Failure to meet the bonding or savings account requirements outlined in subsections (a) and (b) of this rule may result in immediate suspension of license privileges until all missing reports are filed and late taxes have been paid.</p>
	<p>(d) <b>In what amount and for how long will the board require a surety bond?</b> The amount of a surety bond or savings account required by this chapter must be either \$3,000, or the total of the highest four months' worth of tax liability for the previous twelve month period, whichever is greater.</p> <p>(i) the licensee must maintain the bond for at least two years. After the two year period the licensee may request an exemption as outlined in subsection (f) of this rule.</p> <p>(iii) Surety bond and savings account amounts will be reviewed annually and compared to the last twelve months' tax liability of the licensee. If the current bond or savings account amount does not meet the requirements outlined in this section, the licensee will be required to increase the bond amount or amount on deposit within twenty-one days.</p>

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	<p>(e) What action will the board take when a licensee holds a surety bond and does not pay taxes due or pays late? If a licensee holds a surety bond or savings account, the board will immediately start the process to collect overdue taxes from the surety company or assigned account. If the exact amount of taxes due is not known due to missing reports, the board will estimate the taxes due based on previous production, receipts, and/or sales.</p>
	<p>(f) Can a licensee request an exemption to the surety bond or savings account requirement? A licensee may make a written request to the board's financial division for an exemption from the surety bond or assignment of savings account requirements. The board will grant an exemption once the following criteria are met for each of the requesting licensee's locations:</p> <p>(i) The licensee has filed reports and paid applicable taxes to the board for at least two years immediately prior to the exemption request; and</p> <p>(ii) there have been no late or missing reports or tax payments during the previous two years.</p> <p>(iii) In order to remain exempt from the surety bond or assignment of savings account requirements, the licensee must continue to meet the tax reporting and payment requirements outlined in this title (outlined in WAC 314-19-015, RCW 66.24.206, RCW 66.24.210, RCW 66.24.270, RCW 66.24.290, and RCW 66.24.580).</p>

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 314-19-025 Are there any exceptions to the tax payments required in this chapter if the licensee primarily exports beer and/or wine?** Washington beer and/or wine distributors or importers who purchase fifty percent or more of their beer or wine for the purpose of exporting the product from the state may request that the board make simplified arrangements for reporting and payment of tax.

- (1) The licensee must make a written request for such arrangement to the board's financial division.
- (2) The board will make such arrangements on an individual basis for the purpose of simplifying the reporting and accounting requirements.

**NEW SECTION**

**WAC 314-19-030 How can a licensee claim a credit or refund for tax-paid product?**

(1) How to claim a tax credit	(2) How to claim a tax refund
<p>(a) On the next monthly report, show the amount of product for which a tax credit is due in the appropriate section(s) of the form.</p> <p>(b) Deduct the total credit from the total amount due on this report.</p>	<p>(a) A licensee may request a refund, rather than claim a credit, if no tax is due on the next required report.</p> <p>(b) On the next monthly report, the licensee must show the amount of product for which a tax refund is due in the appropriate section(s) of the form.</p> <p>(c) The board will not issue a refund check until the total amount to be refunded accumulates to at least ten dollars.</p>

**NEW SECTION**

**WAC 314-19-035 Reduced tax rate for beer** (1) The additional beer taxes imposed under RCW 66.24.290 (3)(a) do not apply to the first sixty thousand barrels of beer sold by a brewery in Washington each fiscal year, if:

- (a) the beer is produced in the United States; and
- (b) the producing brewery meets the qualifications of 26 U.S.C. Sec. 5051 (a)(2).

(2) In order to qualify for this exemption, the Washington brewer or the out-of-state beer certificate of approval holder must provide the board a copy of a Bureau of Alcohol, Tobacco and Firearms acknowledged copy of their filing "Notice of Brewer to Pay Reduced Rate of Tax" for the calendar year (as required under 27 C.F.R. Sec. 25.167).

(3) The tax exemption will not apply until the first day of the second month following the month the notice is received (for example, if the notice is received by the Board on January 10, the tax exemption will start on March 1).

(4) How will the distributor know what tax rate to pay for each brewery's products?

- (a) The board will provide distributors a list of breweries that qualify for the reduced tax rate; and
- (b) The qualifying brewery is responsible to inform the distributors when product sold to distributors exceeds the first sixty thousand barrels exempted from the additional tax.
- (c) Once a qualifying brewery's sales to distributors exceeds sixty thousand barrels, the distributors must begin paying the full tax rate on their next monthly tax report.

**NEW SECTION**

**WAC 314-19-040 Is there any exception to the additional tax imposed on fortified wine?** (1) RCW 66.24.210(4) imposes an additional tax on fortified wine. RCW 66.04.010(37) defines "fortified wine" as wine that has an alcohol content greater than fourteen percent of alcohol by volume, and outlines exceptions for when wine can be over fourteen percent alcohol by volume and not be considered "fortified."

(2) In order to not pay the additional tax on fortified wine that falls under one of the exceptions in RCW 66.04.010(34),

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a manufacturer, importer, or distributor must file an affidavit of exception on a form prescribed by the board.

(a) The form must be submitted to the board's licensing and regulation division.

(b) The board will only exempt payments owed and/or submitted after the affidavit is on file with the board. Tax payments owed and/or submitted prior to the board receiving the affidavit will not be adjusted.

(c) The licensee who files the affidavit is responsible for the information it contains. Any affidavit which the board finds to contain false information may result in suspension of label and product approval for the wine products that are the subject of the affidavit, for not less than one year.

**AMENDATORY SECTION** (Amending WSR 98-18-097, filed 9/2/98, effective 10/3/98)

**WAC 314-20-015 Licensed brewers—Retail sales of beer on brewery premises—Beer served without charge on premises—Spirit, beer and wine restaurant operation.**

(1) A licensed brewer holding a proper retail license, pursuant to chapter 66.24 RCW, may sell beer of its own production at retail on the brewery premises. ~~((: Provided, That beer so sold at retail shall be subject to the tax and penalty for late payment, if any, as imposed by RCW 66.24.290, and to reporting and bonding requirements as prescribed in RCW 66.28.010 and WAC 314-20-010.))~~

(2) In selling beer at retail, as provided in subsection (1) of this regulation, a brewer shall conduct such operation in conformity with the statutes and regulations applicable to holders of such beer retailers' licenses. The brewer shall maintain records of such retail operation separate from other brewery records.

(3) Upon written authorization of the board, pursuant to RCW 66.04.011, beer of a licensed brewer's own production may be consumed in designated parks and picnic areas adjacent to and held by the same ownership as the licensed brewer.

(4) A licensed brewer or a lessee of a licensed brewer operating a spirit, beer and wine restaurant, licensed pursuant to RCW 66.28.010, shall conduct such operation in conformity with the statutes and regulations which apply to holders of such spirit, beer and wine restaurant licenses.

(5) A brewer may serve its own beer and beer not of its own production without charge on the brewery premises, as authorized by RCW 66.28.040. ~~((Such beer served without charge as provided herein is not subject to the tax imposed by RCW 66.24.290.))~~

(6) No retail license or fee is required for the holder of a brewer's license to serve beer without charge on the brewery premises as set forth in subsection (5) of this regulation. Before exercising this privilege, however, such brewer shall obtain approval of the proposed service area and facilities from the board. Such brewer shall maintain a separate record of all beer so served.

(7) A brewery is required to obtain the appropriate retail license to sell beer, wine, or spirits on the brewery premises that is not of its own production.

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

**AMENDATORY SECTION** (Amending Order 85, filed 10/28/81)

**WAC 314-20-160 Import~~((er))~~ation of foreign beer—~~((Certificate))~~ of approval required—Reports—Payment of tax.** Beer manufactured outside of the United States may be imported by a beer importer or distributor, but only under the following conditions:

(1) ~~((The beer importer must be the holder of a certificate of approval, and shall furnish the bond required by WAC 314-20-010.~~

(2) ~~The beer importer importing such beer shall be at all times solely responsible for the payment of any and all taxes due the state of Washington on account of such beer.)~~ Such beer shall be imported and delivered directly to either the warehouse of the importer or distributor or to some other warehouse previously designated by the importer or distributor and approved by the board.

~~((3) On or before the twentieth day of the month following such importation the importer (certificate of approval holder) shall report such importation to the board, setting forth the quantity, brand, type, and package sizes of such beer and shall pay to the board the tax due thereon as provided in WAC 314-20-010.~~

(4) ~~(2)~~ All matters pertaining to the importation, transportation, storage, payment of taxes and keeping of records, and all other matters pertaining to the importation of beer manufactured outside the United States shall be subject at all times to such orders, rules and regulations as the board may from time to time prescribe, and the board reserves the right to make orders applicable to individual and particular cases in addition to general orders, rules and regulations applicable generally.

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

**AMENDATORY SECTION** (Amending Rule 56, filed 6/13/63)

**WAC 314-20-170 Holders of certificates of approval.** Each brewer holding a certificate of approval may ship beer only to licensed beer importers or distributors. ~~((In those cases where the beer importer orders beer for export and requests that such beer be stamped with beer "in transit" stamps, the beer may be shipped, provided the appropriate beer "in transit" stamps are properly affixed to the packages or containers, subject to the exception as provided in WAC 314-20-040(1).))~~ As ~~((a part of the reports))~~ required by RCW 66.24.270 (sec. 23-F of the Washington State Liquor Act) and by the written agreement embodied in the application for certificate of approval, ~~((and at the time of filing monthly report with the board))~~ each brewer holding a certificate of approval shall ~~((pay the tax on behalf of the beer importer on all shipments of beer to such importers during the preceding calendar month, other than beer shipped with "in~~

transit" stamps affixed, and shall make report as follows)) file the report(s) required by WAC 314-19-015.

~~((1) Such report shall show the quantity of beer sold or delivered to each licensed beer importer during the preceding month, together with the number, type and size of the packages or containers, respectively, and the date and invoice number of each shipment of such beer;~~

~~(2) a statement showing the respective amount of "in transit" stamps affixed to the packages or containers; and~~

~~(3) a) All reports shall be made upon forms prescribed, and furnished by the Washington state liquor control board.~~

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 typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 98-18-097, filed 9/2/98, effective 10/3/98)

**WAC 314-24-120 Importation of foreign wine—United States wineries—~~(Certificate of approval required—)~~Monthly reports—Records.** (1) Foreign wine. Wine manufactured outside of the United States may be imported by a wine importer or distributor under the following conditions:

~~(a) ((The wine importer must be the holder of a certificate of approval.~~

~~(b)) The wine importer ((certificate of approval holder)) or distributor importing such wine must obtain label approval in accordance with WAC 314-24-040. Such wine shall be imported and delivered directly to either the warehouse of the importer ((certificate of approval holder)) or distributor or to some other warehouse previously designated by the importer or distributor and approved by the board.~~

~~((e) On or before the twentieth day of the month following such importation the importer (certificate of approval holder) shall report such importation to the board upon forms prescribed and furnished by the board.~~

~~(d)) (b) All matters pertaining to the importation, transportation, storage, keeping of records, and all other matters pertaining to the importation of wine manufactured outside the United States shall be subject at all times to such orders, rules and regulations as the board may from time to time prescribe, and the board reserves the right to make orders applicable to individual and particular cases in addition to general orders, rules and regulations applicable generally.~~

~~((e) Any wine importer (certificate of approval holder) holding a wine distributor's license should refer to WAC 314-24-110 for requirements on surety bond and payment of wine tax.))~~

(2) Holders of certificate of approval—United States wineries, located outside of Washington state. Each winery holding a certificate of approval may ship wine to licensed wine importers and/or distributors only. As required by section 10, chapter 21, Laws of 1969 ex. sess., and by the written agreement embodied in the application for certificate of approval, each winery holding a certificate of approval

shall ~~((on or before the twentieth day of each month, furnish to the board a report of such shipments)) file the report(s) required by WAC 314-19-015.~~

~~((a) Such report shall show the quantity of wine sold or delivered to each licensed wine importer during the preceding month, together with such other information as the board may require.~~

~~(b) All reports shall be made upon forms prescribed and furnished by the Washington state liquor control board.~~

~~(3) Failure to make such a report at the time and in the manner as prescribed will be sufficient cause for the board to forthwith suspend or revoke the certificate of the certificate of approval holder.))~~

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

AMENDATORY SECTION (Amending WSR 98-18-097, filed 9/2/98, effective 10/3/98)

**WAC 314-24-160 Domestic wineries—Retail sales of wine on winery premises—Wine served without charge on premises—Spirit, beer and wine restaurant operation.**

(1) A domestic winery holding a proper retail license, pursuant to chapter 66.24 RCW, may sell wine of its own production at retail on the winery premises ~~((: Provided, That wine so sold at retail shall be subject to the tax imposed by RCW 66.24.210, and to reporting and bonding requirements as prescribed by RCW 66.28.010 and WAC 314-24-110 (Rule 69)).~~

(2) In selling wine of its own production at retail on its premises as provided in subsection (1) of this regulation, a domestic winery shall conduct such operation in conformity with the statutes and regulations which apply to holders of such wine retailers' licenses. The winery shall maintain records of its retail operation separate from other winery operation records.

(3) Upon written authorization of the board, pursuant to RCW 66.04.011, wine of a domestic winery's own production and/or liquor products other than wine of a licensee's own production may be consumed in designated parks and picnic areas adjacent to and held by the same ownership as the domestic winery.

(4) A domestic winery or a lessee of a licensed domestic winery operating a spirit, beer and wine restaurant, licensed pursuant to RCW 66.28.010, shall conduct such operation in conformity with the statutes and regulations which apply to holders of such spirit, beer and wine restaurant licenses.

(5) A domestic winery may serve its own wine and wine not of its own production without charge on the winery premises as authorized by RCW 66.28.040. ~~((Such wine served without charge as provided herein is not subject to the tax imposed by RCW 66.24.210.))~~

(6) No retail license or fee is required for the holder of a domestic winery license to serve wine without charge on the winery premises as set forth in subsection (5) of this regulation. Before exercising this privilege, however, such winery shall obtain approval of the proposed service area and facilities. Such winery shall maintain a separate record of all wine so served.

(7) A winery is required to obtain the appropriate retail license to sell beer, wine, or spirits on the winery premises that is not of its own production.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 314-16-130 In transit stamps.
- WAC 314-20-010 Brewers—Importers—Distributors—Monthly reports—Tax refund procedures—Bond requirements—Payment of tax.
- WAC 314-20-040 Beer in transit stamps—General.
- WAC 314-20-060 Beer distributors and importers—Reports—Stamps.
- WAC 314-20-150 Beer importers—Responsibility—Taxes—Stamps.
- WAC 314-20-180 Partial beer tax exemption.
- WAC 314-24-095 Fortified wine—Exception to definition when affidavit on file.
- WAC 314-24-110 Domestic wineries, wine distributors, wine importers—Monthly reports—Bonds required—Payment of tax.
- WAC 314-26-010 Procedures for tax refunds.

**WSR 00-17-072**

**PERMANENT RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed August 14, 2000, 8:41 a.m.]

Date of Adoption: August 14, 2000.

Purpose: Chapter 16-42 WAC, Biological products protects animal and public health by establishing rules for control of sale, distribution and use of biological products. Certain biologics are restricted to protect animal or human health, ensure accurate diagnosis of disease, prevent spread of diseases and ensure quality state-federal animal disease control and eradication programs.

Citation of Existing Rules Affected by this Order: Chapter 16-42 WAC, Biological products; repealing WAC 16-42-022, 16-42-025 and 16-42-060; and amending WAC 16-42-005, 16-42-017, and 16-42-035.

Statutory Authority for Adoption: RCW 16.36.040.

Adopted under notice filed as WSR 00-14-076 on July 5, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 3, Repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

August 9, 2000

Jim Jesernig

Director

**AMENDATORY SECTION** (Amending Order 1866, filed 7/10/85)

**WAC 16-42-005 Definitions.** (1) "Department" means the department of agriculture of the state of Washington.

(2) "Director" means the director of the department of agriculture of the state of Washington or his/her authorized representative.

(3) "Biologics," sometimes referred to as biologicals or biological products, means all bacteria, viruses, serums, toxins, and analogous products of natural or synthetic origin, or products prepared from any type of genetic engineering, such as diagnostics, antitoxins, vaccines, live microorganisms, killed microorganisms and the antigenic or immunizing components of microorganisms intended for use in the diagnosis, treatment, or prevention of diseases in animals.

**AMENDATORY SECTION** (Amending Order 1866, filed 7/10/85)

**WAC 16-42-017 Permits required.** (1) Any person manufacturing biologics within the state for distribution within the state (~~shall~~) must first obtain a permit from the director. (~~Such~~) This permit may be revoked or suspended (~~in the manner provided for~~) under chapter (~~34.04~~) 34.05 RCW for any violation of this chapter.

(2) (~~Prior to importation of~~) Written approval of the director is required before any newly licensed biologic is imported into the state for sale, use or distribution (~~within the state, the written approval of the director shall be required. When deemed necessary,~~), The director may also require a special permit for the importation or distribution of other biologics into the state.

**NEW SECTION**

**WAC 16-42-023 Sale of licensed products.** Biologics produced in accordance with WAC 16-42-015 or 16-42-017 may be sold over the counter as well as by persons or firms properly licensed under chapter 18.64 RCW and by any veterinarian licensed pursuant to chapter 18.92 RCW. Persons other than licensed veterinarians or state or federal veterinar-

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ians may purchase and administer biologics to their own animals, except for those biologics restricted in WAC 16-42-026.

#### NEW SECTION

**WAC 16-42-026 Restricted products.** (1) All biologics now in existence or newly developed to diagnose, prevent, or combat the following diseases are declared by the director to be of such a nature that their control is necessary to protect animal or human health and welfare, to ensure accurate diagnosis, to prevent the spread of infectious, contagious, communicable, and dangerous diseases affecting domestic animals within the state and/or to effectuate state-federal animal disease control and eradication programs:

- (a) Anaplasmosis.
- (b) Anthrax.
- (c) Bluetongue.
- (d) Brucellosis.
- (e) Equine infectious anemia.
- (f) Equine viral arteritis.
- (g) Paratuberculosis.
- (h) Pseudorabies.
- (i) Rabies.
- (j) Tuberculosis.
- (k) Swine erysipelas (Avirulent vaccine exempted).
- (l) Vesicular stomatitis.
- (m) All conditionally approved vaccines.

(2) All biologics used to control or diagnose any of the diseases listed in subsection (1) of this section are restricted, and may only be purchased, administered, or otherwise used by or under the direct supervision of veterinarians licensed pursuant to chapter 18.92 RCW, or by state or federal veterinarians. The director may authorize others by written permit to purchase biologics listed in subsection (1) of this section for research agencies or laboratories authorized by the department, for emergency disease control programs, or for other limited and controlled purposes which are not likely to create a hazard to the public health or to the health of domestic animals. In issuing this permit, the director will consider:

- (a) The known effectiveness of the biologic;
- (b) Whether or not the disease for which the biologic is used or intended to be used is present in this state and to what extent it is present;
- (c) Degree of isolation of the animals and area, and availability of veterinary service; and
- (d) Any other factor which, having due regard for the properties of the biologic, may constitute a hazard to animal or public health in this state.

**AMENDATORY SECTION** (Amending Order 1866, filed 7/10/85)

**WAC 16-42-035 Reports.** In the interest of public health and good cooperative disease control it is recommended that any person using any biologics(~~(-as defined in WAC 16-42-005;)~~) immediately report to the department any suspected or actual disease outbreak that occurs in connection with use of the biologic.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-42-022	Biologics.
WAC 16-42-025	Purchasing and administering biologics limited.
WAC 16-42-060	Penalty.

#### **WSR 00-17-085**

##### **PERMANENT RULES**

##### **DEPARTMENT OF**

##### **SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed August 14, 2000, 3:45 p.m.]

Date of Adoption: August 14, 2000.

Purpose: These amendments change income standards to reflect the new federal poverty level (FPL). These changes will increase the number of people eligible for the medical programs based on the FPL, pregnant women, children and those eligible for Medicare cost-sharing programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-478-0075 and 388-478-0085.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.057, 74.09.530 and the poverty guidelines updated annually in the Federal Register by the United States Department of Health and Human Services under authority of Section 673(2) of the Omnibus Budget Reconciliation Act (42 U.S.C. 9902(2)).

Adopted under notice filed as WSR 00-14-044 on June 30, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 2, 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 2, Repealed 0.

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

August 14, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

PERMANENT

**AMENDATORY SECTION** (Amending WSR 99-19-005, filed 9/3/99, effective 10/4/99)

**WAC 388-478-0075 Medical programs—Monthly income standards based on the federal poverty level (FPL).** (1) The department bases the income standard upon the Federal Poverty Level (FPL) for the following medical programs:

(a) Children's health program ~~((is))~~ up to one hundred percent of FPL;

(b) Pregnant women's program ~~((is))~~ up to one hundred eighty-five percent of FPL;

(c) Children's categorically needy program ~~((is))~~ up to two hundred percent of FPL; and

(d) The children's health insurance program (CHIP)~~((; effective January 1, 2000,))~~ is over two hundred percent of FPL but under two hundred fifty percent of FPL.

(2) Beginning April 1, ~~((1999))~~ 2000, the monthly FPL standards are:

FAMILY SIZE	100 % FPL	185 % FPL	200 % FPL	250 % FPL
1	\$ <del>((687))</del> <u>696</u>	\$ <del>((1271))</del> <u>1288</u>	\$ <del>((1374))</del> <u>1392</u>	\$ <del>((1717))</del> <u>1740</u>
2	\$ <del>((922))</del> <u>938</u>	\$ <del>((1706))</del> <u>1735</u>	\$ <del>((1844))</del> <u>1875</u>	\$ <del>((2305))</del> <u>2344</u>
3	\$ <del>((1157))</del> <u>1180</u>	\$ <del>((2140))</del> <u>2182</u>	\$ <del>((2314))</del> <u>2359</u>	\$ <del>((2892))</del> <u>2948</u>
4	\$ <del>((1392))</del> <u>1421</u>	\$ <del>((2575))</del> <u>2629</u>	\$ <del>((2784))</del> <u>2842</u>	\$ <del>((3480))</del> <u>3553</u>
5	\$ <del>((1627))</del> <u>1663</u>	\$ <del>((3010))</del> <u>3076</u>	\$ <del>((3254))</del> <u>3325</u>	\$ <del>((4067))</del> <u>4157</u>
6	\$ <del>((1862))</del> <u>1905</u>	\$ <del>((3445))</del> <u>3523</u>	\$ <del>((3724))</del> <u>3809</u>	\$ <del>((4655))</del> <u>4761</u>
7	\$ <del>((2097))</del> <u>2146</u>	\$ <del>((3879))</del> <u>3970</u>	\$ <del>((4194))</del> <u>4292</u>	\$ <del>((5242))</del> <u>5365</u>
8	\$ <del>((2332))</del> <u>2388</u>	\$ <del>((4314))</del> <u>4417</u>	\$ <del>((4664))</del> <u>4775</u>	\$ <del>((5830))</del> <u>5969</u>
9	\$ <del>((2567))</del> <u>2630</u>	\$ <del>((4749))</del> <u>4864</u>	\$ <del>((5134))</del> <u>5259</u>	\$ <del>((6417))</del> <u>6573</u>
10	\$ <del>((2802))</del> <u>2871</u>	\$ <del>((5184))</del> <u>5312</u>	\$ <del>((5604))</del> <u>5742</u>	\$ <del>((7005))</del> <u>7178</u>

Add to the ten person standard for each person over ten:  
 \$ ~~((235))~~ 242    \$ ~~((435))~~ 448    \$ ~~((470))~~ 484    \$ ~~((588))~~ 605

(3) There are no resource limits for the programs under this section.

**AMENDATORY SECTION** (Amending WSR 99-19-005, filed 9/3/99, effective 10/4/99)

**WAC 388-478-0085 Medicare cost sharing programs—Monthly income and countable resources standards.** (1) The qualified Medicare beneficiary (QMB) program income standard is up to one hundred percent of the Federal Poverty Level (FPL). Beginning April 1, ~~((1999))~~ 2000, the QMB program's income standards are:

- (a) One person                    \$ ~~((687))~~ 696
- (b) Two persons                 \$ ~~((922))~~ 938

(2) The special low-income Medicare beneficiary (SLMB) program income standard is over one hundred percent of FPL, but under one hundred twenty percent of FPL. Beginning April 1, ~~((1999))~~ 2000, the SLMB program's income standards are:

	Minimum	Maximum
(a) One person	\$ <del>((687.01))</del> <u>696.01</u>	\$ <del>((824))</del> <u>835</u>
(b) Two persons	\$ <del>((922.01))</del> <u>938.01</u>	\$ <del>((1106))</del> <u>1125</u>

(3) The expanded special low-income Medicare beneficiary (ESLMB) program income standard is over one hundred twenty percent of FPL, but under one hundred thirty-five percent of FPL. Beginning April 1, ~~((1999))~~ 2000, the ESLMB program's income standards are:

	Minimum	Maximum
(a) One person	\$ <del>((824.01))</del> <u>835.01</u>	\$ <del>((927))</del> <u>940</u>
(b) Two persons	\$ <del>((1106.01))</del> <u>1125.01</u>	\$ <del>((1245))</del> <u>1266</u>

(4) The qualified disabled working individual (QDWI) program income standard is ~~((standard is based upon))~~ up to two hundred percent of FPL. Beginning April 1, ~~((1999))~~ 2000, the QDWI program's income standards are:

- (a) One person                 \$ ~~((1374))~~ 1392
- (b) Two persons                \$ ~~((1844))~~ 1875

(5) The qualified individual (QI) program income standard is over one hundred thirty-five percent of FPL, but under one hundred seventy-five percent of FPL. Beginning April 1, ~~((1999))~~ 2000, the QI program's income standards are:

	Minimum	Maximum
(a) One person	\$ <del>((927.01))</del> <u>940.01</u>	\$ <del>((1202))</del> <u>1218</u>
(b) Two persons	\$ <del>((1245.01))</del> <u>1266.01</u>	\$ <del>((1613))</del> <u>1641</u>

(6) The resource standard for the Medicare cost sharing programs in this section is:

- (a) One person                    \$ 4000
- (b) Two persons                 \$ 6000

**WSR 00-17-098**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Aging and Adult Services Administration)  
 [Filed August 15, 2000, 3:44 p.m.]

Date of Adoption: August 15, 2000.

Purpose: Rules are no longer necessary because of changed circumstances. Similar rules governed by another

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agency make the rule redundant. The Department of Community, Trade and Economic Development (CTED) administers the long-term care ombudsman program (LTCOP) according to chapter 43.190 RCW. CTED adopted rules for the LTCOP in May 2000 to replace DSHS's outdated rules in chapter 388-18 WAC.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-18-010, 388-18-020, 388-18-030, 388-18-040, 388-18-050, 388-18-060, 388-18-070, 388-18-080, 388-18-090, 388-18-100, 388-18-110, 388-18-120, and 388-18-130.

Statutory Authority for Adoption: RCW 43.190.030.

Adopted under preproposal statement of inquiry filed as WSR 00-11-061 on May 15, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 13.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 13.

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 13.

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

August 15, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 388-18-010	Purpose.
WAC 388-18-020	Definitions.
WAC 388-18-030	Duties—State ombudsman.
WAC 388-18-040	Duties—Local ombudsman.
WAC 388-18-050	Duties—Certified volunteer ombudsmen.
WAC 388-18-060	Certification procedures for volunteer ombudsmen.
WAC 388-18-070	Access to residents, facilities, and records.
WAC 388-18-080	Reporting requirements.
WAC 388-18-090	Facility entry—Report and identification—Disclosure of purpose.

WAC 388-18-100	Privacy during ombudsman visits.
WAC 388-18-110	Confidentiality of information.
WAC 388-18-120	Referrals.
WAC 388-18-130	Posting requirements.

**WSR 00-17-105  
PERMANENT RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-148—Filed August 16, 2000, 4:04 p.m.]

Date of Adoption: August 12, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-95-013, 220-95-018, 220-95-022, and 220-95-032.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-14-021 on June 28, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 4, 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.

August 15, 2000

Russell W. Cahill  
for Kelly White, Chairman  
Fish and Wildlife Commission

**AMENDATORY SECTION** (Amending Order 98-206, filed 10/1/98, effective 11/1/98)

**WAC 220-95-013 ((1998)) 2000 Coastal salmon license buy-back program established—Fund allocation—Expiration.** (1) The ~~((National Marine Fisheries Service (NMFS) has designated the department as the administering agency for distribution of Magnuson-Stevens Fisheries Conservation and Management Act (the act) funds))~~ legislature has allocated funds to buy back salmon licenses from commercial license holders ~~((who have been affected by reductions in salmon fishing caused by winter flooding in~~

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Washington state)). The department hereby designates ((the)) \$923,400 of these funds ((distribution)) as the ((1998)) 2000 coastal salmon license buy-back program (program). The licenses eligible to participate in the program are salmon charter, salmon delivery, salmon troll, Grays Harbor salmon gill net, ((salmon purse seine)) and Willapa Harbor salmon ((reef)) gill net.

(2) The goal of the program is to provide economic relief to Washington commercial salmon fishers, and to reduce the number of Washington commercial salmon licenses. To accomplish this, the department is proposing a two-step process, first an open purchase of licenses for a fixed sum (Phase One), then, if any funds remain available, an income-based purchase plan (Phase Two).

(3) The department will allocate the (((\$4,670,000)) \$923,400 available ((under Section 312(a))) for coastal salmon fishery licenses as follows:

(a) Program administration - (((\$123,000)) \$23,400.

(b) Salmon charter - (((\$152,000)) \$300,000.

(c) Salmon troll and salmon delivery - (((\$750,000)) \$300,000.

(d) Willapa-Columbia River and Grays Harbor-Columbia River gill net - (((\$840,000)) \$300,000.

((e) Puget Sound salmon gill net—\$2,040,000.

(f) Salmon purse seine—\$660,000.

(g) Reef net—\$105,000.)

Program administration funds that will not be used will be reallocated to license purchases.

(4) The program expires upon the distribution of all available funds.

**AMENDATORY SECTION** (Amending Order 98-206, filed 10/1/98, effective 11/1/98)

**WAC 220-95-018 Program eligibility.** Only persons meeting the following criteria are eligible to participate in the program.

(1) For phase one applicants, the person possessed or was eligible to possess in ((1997 one of the Washington state salmon fishing licenses issued pursuant to RCW 75.28.110 or 75.28.113)) 1999 a salmon troll or delivery license, a Grays Harbor salmon gill net license, a Willapa Harbor salmon gill net license or a salmon charter license issued pursuant to RCW 75.28.095, and is eligible to possess the same license in ((1998)) 2000.

(2) For phase two applicants:

(a) The person possessed or was eligible to possess in ((1997) 1999 one of the Washington state salmon fishing licenses ((issued pursuant to RCW 75.28.110 or 75.28.113 or a salmon charter license issued pursuant to RCW 75.28.095 and is eligible to possess the same license in 1998)) listed in subsection (1) of this section, is eligible to possess the same license in 2000, and had income derived under the license from 1986 through 1991;

(b) The person had a salmon income loss greater than \$0, computed as follows:

The salmon income loss under the program is the difference between the highest gross income derived from Washington state and offshore salmon fishing activity (including incidental catch provided that some salmon are shown on the

fish receiving ticket documenting the catch) during any calendar year 1986 through 1991 (the base year), less the sum of the least amount of gross income derived from the same salmon fishing activity during any calendar year from 1992 through ((1997)) 1999 (the comparison year), multiplied by 2.5. For purposes of calculating income, the license holder must and may only use income from salmon fisheries in the coastal waters of Washington, the waters of Grays Harbor, Willapa Bay, and the Columbia River((, and waters of Puget Sound easterly of the Bonilla-Tatoosh Line)). Income that was used in calculating uninsured loss in the 1995 salmon disaster relief license buy-back program ((or)), salmon decline impact in the 1996 Washington salmon license buy-out program or salmon income loss in the 1998 salmon license buy-back program may not be used to calculate salmon income loss in the ((1998)) 2000 coastal salmon license buy-back program if the license offered in ((either)) the 1995 ((or)), 1996, or 1998 program was purchased and retired.

**AMENDATORY SECTION** (Amending Order 98-206, filed 10/1/98, effective 11/1/98)

**WAC 220-95-022 Program application.** (1) A person may make only one offer per license per phase under the program.

(2) Income used in the calculation of offers that are accepted may not be used in the calculation of any other offer.

(3) Phase one applications:

(a) Phase one applications must be submitted to the department's licensing division on a department offer form. A completed offer form must contain the following information:

The applicant's name, Social Security number, mailing address during the offer period, telephone number (if applicable), and the license type and license number being offered;

(b) The offer amounts for phase one are:

(i) Salmon troll and salmon delivery: \$7,500.

(ii) Grays Harbor-Columbia and Willapa Bay-Columbia gill net: (((\$10,000)) \$12,500.

(iii) ((Puget Sound gill net: \$12,000.

(iv) Reef net: \$15,000.

(v) Salmon purse seine: \$30,000.

(vi)) Salmon charter: \$1,000 per angler permit not to exceed \$10,000, and including ((only and)) all angler permits ((that were)) currently on the license or all angler permits on the license as of ((August 1, 1998)) December 31, 1999, whichever is the lesser number.

(c) Phase one applications will be accepted ((October 26, 1998,)) through ((4:30 p.m., October 30, 1998)) 5:00 p.m., September 1, 2000. ((Any application received before October 26, 1998, will be treated as being received on October 26, 1998, for purposes of prioritizing the applications)). Any amounts remaining in the ((area and)) gear category from phase one will be used in phase two, unless the department deems that there are insufficient funds remaining to conduct a phase two plan.

(4) Phase two applications:



(a) Phase two applications must be made on department forms and must be received by the department's licensing division (~~(between November 16, 1998, and 4:30 p.m., November 30, 1998)~~) by 5:00 p.m., October 6, 2000.

(b) The licensee may offer the license for any amount up to the salmon income loss incurred under the license or \$75,000, whichever is the lesser amount.

(c) An offer is not made unless a complete offer is received by the department. In order for an offer to be complete, the following must be received:

(i) A complete offer sheet, showing:

(A) The applicant's name, Social Security number, mailing address during the offer period and telephone number (if applicable);

(B) The license type and license number that is being offered;

(C) The offer amount;

(D) The base year income (1986-1991);

(E) The comparison year income (1992-~~(1997)~~ 1999); and

(F) The offer ratio, defined as the offer amount divided by the salmon income loss.

(ii) Salmon income supporting documents other than salmon charter are defined as official state fish receiving tickets documenting landings under a Washington license, or computer generated landing lists that have been certified by the department or the Pacific States Marine Fisheries Commission to be true and correct copies of Washington or Columbia River landings. All landings count in calculation of base and comparison year incomes.

(iii) For salmon charter license fishing activity, acceptable supporting documents are trip tickets identifying the species targeted, the number of anglers, and the date of the trip or, if such tickets are unavailable, the department will accept a letter of endorsement from a charterboat association or charterboat booking office indicating salmon fishing was a major component of earnings, and, if such a letter is provided, will review the total income of the applicant for the base and comparison years.

Note: Commercial salmon licensee applicants who submitted complete offers in the ~~(1996)~~ 1998 Washington salmon license buy-out program need not resubmit supporting documents for offers based on the same base and comparison years if all landings are from Washington state. Such persons must submit a new offer sheet to participate in the ~~(1998)~~ 2000 program, but the offer amount may differ from the ~~(1996)~~ 1998 offer amount, provided it does not exceed the ~~(1998)~~ 2000 program limits.

(iv) Records disclosure authorization that allows the department to receive copies of the applicant's Internal Revenue Service returns for the base and comparison years and to receive landing information from the Pacific States Marine Fisheries Commission.

(v) A signed statement certifying that all information provided is true and correct.

~~((vi) A completed 1998 license application if the person has not already renewed for 1998 the license offered for sale. If the applicant is not reached on the ranked offers, the 1998 license fee will be required within 30 days of notification.))~~

AMENDATORY SECTION (Amending Order 98-206, filed 10/1/98, effective 11/1/98)

**WAC 220-95-032 Offer acceptance—Acknowledgment—Retirement of licenses.** (1) Phase one. The department will accept applications for phase one (~~(on a first come, first serve basis)~~) until 5:00 p.m. September 1, 2000. Applicants will not be prioritized on the basis of the date the application was received by the department. Phase one applicants may apply in person at the department licensing office in Olympia, by FAX to the license office at (360) 902-2925, or by mail to Fish and Wildlife Licensing, 600 Capitol Way North, Olympia, Washington 98501-1091. If there are insufficient funds (~~(are remaining)~~) to process all applications received (~~(on a given day)~~), a random drawing will be made (~~(of that day's applicants)~~) to determine which applications will be accepted to participate in the program.

(2) Phase two. The department will accept applications for phase two in rank order, beginning with the lowest offer ratio. In the event of a tie between identical offer ratios, the lowest offer amount will be given preference.

(3) The department will notify license holders that it has accepted a license offer by sending an acceptance and acknowledgment to the license holder by registered mail to the address provided on the offer form or offer sheet. The acknowledgment must be signed and returned to the department within ten days of the date of the mailing of the acceptance. Any acknowledgment received after the 10-day period is void and the acceptance is withdrawn.

(4) The department will tender the amount of the offer upon receipt of a valid acknowledgment. Upon tendering the offer amount, the department will retire the license and any angler permits that formed the basis of the offer amount.

(5) Persons who sell a license in phase two of the program cannot purchase or operate a commercial license listed in RCW 75.28.110 or 75.28.113 or a salmon charter license listed in RCW 75.28.095 for ten years, beginning January 1, ~~(1999)~~ 2001, except that persons may operate such a license if the license was owned or operated by that person in ~~(1997)~~ 1999.

**WSR 00-17-106  
PERMANENT RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-149—Filed August 16, 2000, 4:04 p.m.]

Date of Adoption: August 11, 2000.

Purpose: Amend commercial and recreational fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-16-590, 220-16-740, 220-16-750, 220-20-015, 220-20-020, 220-20-025, and 232-12-011.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-14-022 on June 28, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 7, 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.

August 15, 2000

Russell W. Cahill

for Kelly White, Chairman  
Fish and Wildlife Commission

**AMENDATORY SECTION** (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

**WAC 220-16-590 Orchard Rocks Conservation Area.** "Orchard Rocks Conservation Area" is defined as those waters and bedlands of Rich Passage within a 400-yard radius of Orchard Rocks day marker. ~~((All waters and bedlands within 400 yards of the day marker at Orchard Rocks not within the Orchard Rocks Conservation Area are included in the Orchard Rocks Marine Reserve.))~~

**AMENDATORY SECTION** (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

**WAC 220-16-740 Waketickeh Creek ((Marine Reserve)) Conservation Area.** "Waketickeh Creek ((Marine Reserve)) Conservation Area" is defined as those waters and bedlands from Waketickeh Creek (located 1000 yards northeast of Cummings Point) out perpendicular to shore 500 yards, then parallel to shore northeast 1700 yards, then back to shore along a line perpendicular to shore, excluding the area within 100 feet of ordinary high water.

**AMENDATORY SECTION** (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

**WAC 220-16-750 Saltar's Point Beach ((Marine Reserve)) Conservation Area.** "Saltar's Point Beach ((Marine Reserve)) Conservation Area" is defined as those tidelands owned by the Town of Steilacoom at Saltar's Point Beach located between Montgomery Street and Martin Street, and the water column above those tidelands.

**AMENDATORY SECTION** (Amending Order 98-120, filed 7/7/98, effective 8/7/98)

**WAC 220-20-015 Lawful and unlawful acts—Salmon.** (1) It is unlawful to operate in any river, stream or

channel any gill net gear longer than three-fourths the width of the stream; this provision shall supersede all other regulations in conflict with it.

(2) It is unlawful to operate any net for removing snags from state waters without permit from the department of fisheries.

(3) It is unlawful to take, fish for or possess for commercial purposes chinook salmon less than 28 inches in length or coho salmon less than 16 inches in length except as follows:

(a) In the Puget Sound, Grays Harbor, Willapa Bay and Columbia River commercial salmon net fisheries there is no minimum size limit on salmon taken with gill net gear.

(b) In the Pacific Ocean commercial salmon troll fishery frozen chinook salmon, dressed heads off shall be 21 1/2 inches minimum and frozen coho salmon dressed heads off shall be 12 inches minimum, measured from the midpoint of the clavicle arch to the fork of the tail.

(c) This subsection does not apply to salmon raised in aquaculture.

(4) It is unlawful to set, maintain, or operate any reef net gear at any location which places the stern ends of either or both reef net boats of said gear less than a distance of 800 feet in front of or behind the head buoys of any row or reef net gear, within the boundaries of the Lummi Island Reef Net Fisheries Area, as described in RCW 75.12.140.

(5) It is lawful to possess salmon for any purpose which were lawfully obtained from state and federal government fish hatcheries and facilities. Subsections (3) and (12) of WAC 220-20-010 and subsection (3) of WAC 220-20-015 do not apply to salmon possessed under this subsection.

(6) It is unlawful to take or fish for food fish from a commercial salmon trolling vessel with gear other than lawful troll line gear while said vessel is engaged in commercial fishing or has commercially caught fish aboard.

(7) It shall be unlawful to angle for salmon for personal use from any vessel that is engaged in commercial salmon trolling or has commercially caught salmon aboard.

(8) It is unlawful to fish for or possess salmon taken for commercial purposes from the Sund Rock Marine Preserve ~~((or)),~~ the Titlow Beach Marine Preserve or the Colvos Passage Marine Preserve.

(9) It is unlawful to take salmon for personal use from the Colvos Passage Marine Preserve except by trolling, defined as fishing from a vessel under power and in gear making forward progress.

**AMENDATORY SECTION** (Amending Order 99-215, filed 12/16/99, effective 1/16/00)

**WAC 220-20-020 General provisions—Lawful and unlawful acts—Food fish other than salmon.** (1) It is unlawful to fish for or possess for commercial purposes any round, undressed white sturgeon less than 48 inches or greater than 60 inches in length or any round, undressed green sturgeon less than 48 inches or greater than 66 inches in length.

(2) It is unlawful to fish for or possess for commercial purposes or possess aboard a commercial fishing vessel for any purpose any species of halibut (*Hippoglossus*) unless

permitted by the current regulations of the International Pacific Halibut Commission.

(3) It is unlawful to fish for or possess for commercial purposes sturgeon taken from any of the waters of Puget Sound or tributaries, and any sturgeon taken with any type of commercial gear incidental to a lawful fishery shall immediately be returned to the water unharmed.

(4) It is unlawful to fish for food fish for commercial purposes in the waters of Shilshole Bay inland and inside a line projected in a southwesterly direction from Meadow Point to West Point.

(5) It is unlawful to fish for or possess for commercial purposes any starry flounder less than 14 inches in length taken by any commercial gear, in all Puget Sound Marine Fish-Shellfish Areas.

(6) It shall be unlawful to harvest herring eggs naturally deposited on marine vegetation or other substrate, unless a person has a permit issued by the director.

(7) It is unlawful to fish for or possess food fish other than salmon taken for commercial purposes from the San Juan Islands Marine Preserve, except that it is lawful to take herring.

(8) It is unlawful to fish for or possess food fish other than salmon taken from the Titlow Beach Marine Preserve, ((or)) the Sund Rock Marine Preserve or the Colvos Passage Marine Preserve.

**AMENDATORY SECTION** (Amending Order 99-213, filed 12/15/99, effective 1/15/00)

**WAC 220-20-025 General provisions—Shellfish.** (1) It is unlawful to drive or operate any motor-propelled vehicle, land any airplane or ride or lead any horse on the razor clam beds of the state of Washington, as defined in WAC 220-16-257. A violation of this subsection shall be punished as an infraction.

(2) It is unlawful to possess any soft-shelled crab for any purpose.

(3) It is unlawful to possess in the field any crab from which the back shell has been removed.

(4) It is unlawful to use any chemicals when taking or fishing for octopus except for persons granted a scientific collector's permit from the department for the harvest of octopus for display or scientific purposes.

(5) It is unlawful to willfully damage crab or other shellfish. Any crab taken incidentally to a net fishery must be immediately returned to the water with the least possible damage to the crab.

(6) It is unlawful to fish for or possess shellfish taken for commercial purposes from the San Juan Islands Marine Preserve, except it is lawful to fish for crab in Parks Bay.

(7) It is unlawful to fish for, harvest, or possess shellfish taken from the Titlow Beach Marine Preserve ((or)), the Sund Rock Marine Preserve or the Colvos Passage Marine Preserve.

**AMENDATORY SECTION** (Amending Order 00-47, filed 4/19/00, effective 5/20/00)

**WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished.** Protected wildlife are designated into three subcategories: Threatened, sensitive, and other.

(1) Threatened species are any wildlife species native to the state of Washington that are likely to become endangered within the foreseeable future throughout a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as threatened include:

Common Name	Scientific Name
western gray squirrel	<i>Sciurus griseus</i>
Steller (northern) sea lion	<i>Eumetopias jubatus</i>
North American lynx	<i>Lynx canadensis</i>
Aleutian Canada goose	<i>Branta Canadensis leucopareia</i>
bald eagle	<i>Haliaeetus leucocephalus</i>
ferruginous hawk	<i>Buteo regalis</i>
marbled murrelet	<i>Brachyramphus marmoratus</i>
green sea turtle	<i>Chelonia mydas</i>
loggerhead sea turtle	<i>Caretta caretta</i>
sage grouse	<i>Centrocercus urophasianus</i>
sharp-tailed grouse	<i>Phasianus columbianus</i>

(2) Sensitive species are any wildlife species native to the state of Washington that are vulnerable or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as sensitive include:

Common Name	Scientific Name
Gray whale	<i>Eschrichtius gibbosus</i>
Common Loon	<i>Gavia immer</i>
Larch Mountain salamander	<i>Plethodon larselli</i>
Pygmy whitefish	<i>Prosopium coulteri</i>
Margined sculpin	<i>Cottus marginatus</i>
Olympic mudminnow	<i>Novumbra hubbsi</i>

(3) Other protected wildlife include:

Common Name	Scientific Name
cony or pika	<i>Ochotona princeps</i>
least chipmunk	<i>Tamias minimus</i>
yellow-pine chipmunk	<i>Tamias amoenus</i>
Townsend's chipmunk	<i>Tamias townsendii</i>
red-tailed chipmunk	<i>Tamias ruficaudus</i>
hoary marmot	<i>Marmota caligata</i>

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Common Name	Scientific Name
Olympic marmot	<i>Marmota olympus</i>
Cascade golden-mantled ground squirrel	<i>Spermophilus saturatus</i>
golden-mantled ground squirrel	<i>Spermophilus lateralis</i>
Washington ground squirrel	<i>Spermophilus washingtoni</i>
red squirrel	<i>Tamiasciurus hudsonicus</i>
Douglas squirrel	<i>Tamiasciurus douglasii</i>
northern flying squirrel	<i>Glaucomys sabrinus</i>
wolverine	<i>Gulo gulo</i>
painted turtle	<i>Chrysemys picta</i>
California mountain kingsnake	<i>Lampropeltis zonata</i>

All birds not classified as game birds, predatory birds or endangered species, or designated as threatened species or sensitive species; all bats, except when found in or immediately adjacent to a dwelling or other occupied building; all wildlife within Titlow Beach Marine Preserve ((Area)), the Sund Rock Marine Preserve, the Colvos Passage Marine Preserve, and the conservation areas defined in chapter 220-16 WAC; mammals of the order *Cetacea*, including whales, porpoises, and mammals of the order *Pinnipedia* not otherwise classified as endangered species, or designated as threatened species or sensitive species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear.

**WSR 00-17-107  
PERMANENT RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-152—Filed August 16, 2000, 4:05 p.m.]

Date of Adoption: August 11, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-88B-030, 220-88B-040, and 220-88B-050.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-13-082 on June 20, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, 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.

August 15, 2000

Russell W. Cahill

for Kelly White, Chairman  
Fish and Wildlife Commission

AMENDATORY SECTION (Amending Order 98-257, filed 12/22/98, effective 1/22/99)

**WAC 220-88B-030 Emerging commercial fishery—Eligibility for coastal experimental fishery permits—Terms and conditions of use—Renewal.** (1) A 1999 coastal spot shrimp pot experimental fishery permit will be issued to a natural person who is the owner of a vessel that can prove by means of valid Washington fish receiving tickets that at least 1,000 round pounds of spot shrimp were taken from waters of the Pacific Ocean between 46.15.00' and 48.28.00" N. latitude with shellfish pot gear and delivered from that vessel during the period January 1, 1992, through March 30, 1998, and that coastal spot shrimp were landed from the vessel during 1996, 1997 or 1998. In order for a fish receiving ticket to be valid it must have been received by the department no later than April 15, 1998. Valid Oregon fish receiving tickets may be used to meet the qualifying criteria for issuance of a coastal spot shrimp pot experimental fishery permit specified in this subsection, provided that reasonable proof is presented to the department that the spot shrimp were taken from waters of the Pacific Ocean adjacent to the state of Washington prior to March 30, 1998, and the fish receiving tickets were received by the Oregon department of fish and wildlife no later than April 15, 1998.

(2) A 1999 coastal spot shrimp trawl experimental fishery permit will be issued to a natural person who is the owner of a vessel that can prove by means of valid Washington fish receiving tickets that at least 10,000 round pounds of spot shrimp were taken from waters of the Pacific Ocean between 46.15.00' and 48.28.00" N. latitude with trawl gear and delivered from that vessel during the period from January 1, 1992, through March 30, 1998, and that coastal spot shrimp were landed from the vessel during 1996, 1997 or 1998. In order for a fish receiving ticket to be valid it must have been received by the department no later than April 15, 1998. Valid Oregon fish receiving tickets may be used to meet the qualifying criteria for issuance of a coastal spot trawl experimental fishery permit specified in this subsection, provided that reasonable proof is presented to the department that the spot shrimp were taken from waters of the Pacific Ocean adjacent to the state of Washington prior to March 30, 1998,

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and the fish receiving tickets were received by the Oregon Department of fish and wildlife no later than April 15, 1998.

(3) For purposes of this section, landings of spot shrimp reported as "tails" on fish receiving tickets will be converted to round pounds by multiplying the reported weight of tails by two.

(4) In the event the owner has replaced a vessel that was used during the qualifying period, the landings from the original and replacement vessels may be combined for purposes of achieving the minimum landing requirement during the qualifying period.

(5) No individual may hold more than one Washington coastal spot shrimp experimental fishery permit.

(6) Coastal spot shrimp experimental fishery permits are not transferable. Only the vessel designated in the emerging commercial fishery license and coastal spot shrimp experimental fishery permit may be used to fish for or deliver spot shrimp.

(7) After 1999, a coastal spot shrimp pot experimental fishery permit or a coastal spot shrimp trawl experimental fishery permit will be issued only to the person who:

(a) Held such a permit the previous year; and

(b) Beginning January 1, 2001, can demonstrate by valid Washington fish receiving tickets that at least 1,000 cumulative round weight pounds of spot shrimp taken from waters of the Pacific Ocean adjacent to the state of Washington were landed from the person's vessel during the previous two calendar years.

(8) The director may convert coastal spot shrimp experimental trawl fishery permits to coastal spot shrimp experimental pot fishery permits.

(9) Coastal spot shrimp experimental fishery permits may be revoked by the director for failure to comply with conditions specified in the permits or violations of other fishing regulations. A coastal spot shrimp experimental fishery permit shall be revoked if the emerging commercial fishery license is revoked or future fishing privileges of the licensee are suspended.

(10) The director may issue a coastal spot shrimp experimental fishery permit to another person if a permittee fails to make the requisite landings, if the person's experimental coastal spot shrimp experimental fishery permit is revoked, or if no application for an emerging commercial fishery license is received by March 31st of each year. The total number of permits issued, including replacement permits, shall not exceed the number of permits issued in 1999. Selection of persons to receive replacement permits shall be by gear type, and replacement permits will be offered in descending order first to persons who made the largest total of Washington coastal spot shrimp landings in each gear type during the qualifying period, and then in descending order to persons who made the largest total of Washington coastal spot shrimp landings in each gear type. If no persons with coastal spot shrimp landings wish to participate, the director may offer a replacement permit by random drawing.

(11) Coastal spot shrimp experimental fishery permits are only valid for the year issued and expire on December 31st of the year issued with the expiration of the emerging commercial fishery license.

(12) The total allowable catch of spot shrimp taken from Washington territorial waters west of the Bonilla-Tatoosh line and from adjacent waters of the Pacific Ocean during a calendar year is 250,000 pounds round weight, and shall be equally divided between trawl and pot gear fishers, provided that not more than 100,000 pounds may be taken south of 47°04.00' N. latitude. The allowable catch may be reallocated between gear types if the allowable catch of a gear type is unlikely to be taken during the calendar year.

**AMENDATORY SECTION** (Amending Order 98-257, filed 12/22/98, effective 1/22/99)

**WAC 220-88B-040 Coastal spot shrimp pot experimental fishery—Season and gear—Species restriction.** It is unlawful to fish for spot shrimp for commercial purposes in coastal and offshore waters using shellfish pot gear except as provided in this section:

(1) Season - Open to shellfish pot gear the entire year.

(2) Gear restrictions:

(a) Maximum of 500 shellfish pots per permit.

(b) Effective January 1, 2001, pot size is limited to a maximum 153 inch bottom perimeter and a maximum 24 inch height.

(c) Effective January 1, 2001, shrimp pot gear must be constructed with net webbing or rigid mesh, and at least 50 percent of the net webbing or mesh covering the sides of the pot must easily allow passage of a seven-eighths inch diameter dowel.

(d) Pot gear is required to have an escape mechanism as provided for in WAC 220-52-035.

(e) Groundline end marker buoys must be floating and visible on the surface of the water, equipped with a pole, flag, radar reflector and operating light, and marked with the clear identification of the permittee.

(3) Incidental catch: It is unlawful to retain any species of finfish or shellfish taken with spot shrimp pot gear, except that it is lawful to retain octopus, squid, and up to 50 pounds round weight of other shrimp species taken with shrimp pot gear. It is lawful for persons fishing in the coastal spot shrimp experimental fishery to participate in the coastal bottomfish fishery under WAC 220-44-050, and to retain on board bottomfish taken in that fishery.

**AMENDATORY SECTION** (Amending Order 98-257, filed 12/22/98, effective 1/22/99)

**WAC 220-88B-050 Coastal spot shrimp trawl experimental fishery—Season and gear—Trawl gear restriction-pot gear restriction—Species restriction.** It is unlawful to fish for spot shrimp for commercial purposes in coastal and offshore waters using trawl gear except as provided for in this section:

(1) Season - Open to trawl gear May 1 through November 30 except closed May 1 through June 30 north of 46°54.50' and south of 47°04.00' N. latitude, and closed at all times within 3 miles of shore.

(2) Gear:

(a) Fish excluder devices required.

(b) Single-layered codends only, minimum mesh one and one-half inches measured between adjacent knots. Effective January 1, 2001, minimum mesh size is two inches measured between adjacent knots.

(c) Chafing gear may encircle no more than 50 percent of the circumference of the net codend and the terminal end of chafing gear may not be attached to the codend except at the corners.

(d) Trawl gear may not be rigged such that tickler chains, or any other gear drags across the bottom in front of the mouth of the net; each roller, bobbin, disc, or similar device added to the footrope of the trawl net that is intended to make contact with the sea bottom may not be less than eight inches nor more than twenty-eight inches in diameter and must roll independently and freely.

(3) Spot shrimp pot gear may not be aboard any vessel designated in the coastal spot shrimp trawl experimental fishery.

(4) Incidental catch:

(a) It is unlawful to retain more than 50 pounds round weight of other shrimp species. It is lawful to retain octopus and squid.

(b) It is unlawful to retain salmon.

(c) It is unlawful to retain any bottomfish species except as provided for in WAC 220-44-050.

**WSR 00-17-108**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-153—Filed August 16, 2000, 4:05 p.m.]

Date of Adoption: August 11, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-52-069.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-11-045 on May 11, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

August 15, 2000

Russell W. Cahill

for Kelly White, Chairman  
Fish and Wildlife Commission

**AMENDATORY SECTION** (Amending Order 94-23, filed 5/19/94, effective 6/19/94)

**WAC 220-52-069 Scallop fishery—Puget Sound.** It is unlawful to fish for or possess scallops taken for commercial purposes from Puget Sound except as provided for in this section:

(1)(a) Rock scallops and weathervane scallops. It is unlawful at any time to take or possess rock or weathervane scallops taken for commercial purposes from Puget Sound unless a person has first obtained a scallop brood stock permit issued by the department. The permit will specify the species, location, time, and quantity of scallops that can be taken for brood stock or culture purposes.

(b) Licensing:

(i) A shellfish dive fishery license is a license that allows a permittee to retain rock and weathervane scallops for brood stock purposes.

(ii) Shrimp trawl—Puget Sound and food fish trawl—Puget Sound fishery licenses are licenses that allow a permittee to retain weathervane scallops for brood stock purposes.

(2) Pink scallops and spiny scallops.

(a) General provisions:

(i) Pink and spiny scallops may be harvested from Puget Sound at any time.

(ii) The minimum commercial pink or spiny scallop size is 2 inches in length from the hinge to the outer margin of the shell.

(iii) Persons fishing for pink or spiny scallops must have approval of the Washington state department of health. Scallops may only be taken from areas approved by the department of health and any fisher taking pink or spiny scallops must have on board the harvesting vessel a valid department of health shellfish toxin sampling agreement.

(iv) No other shellfish except octopus and squid or food fish may be retained while scallop fishing or possessed aboard the scallop fishing vessel.

(b) Trawl gear provisions:

(i) Trawlers may only use single beam trawls not exceeding ten feet in width and having mesh size no smaller than two inches in the intermediate portion and cod end of the trawl.

(ii) Trawling for scallops is prohibited in waters less than 120 feet below mean lower low water.

(iii) Trawling for scallops is prohibited in the following areas:

(A) All waters closed to bottomfish trawl in WAC 220-48-015.

(B) Shrimp Districts 1 and 3 as defined in WAC 220-52-051.

(C) Sea Urchin Districts 1 and 2 closed waters defined in WAC 220-52-073 (1)(a)(i), (ii), and (1)(b)(ii).

(iv) Licensing: A ~~((shrimp))~~ food fish trawl—Puget Sound fishery license is the license required to operate the gear provided for in this section.

(c) Shellfish diver gear provisions:

(i) Diving for scallops is prohibited in Sea Urchin Districts 1 and 2 closed waters as defined in WAC 220-52-073 (1)(a)(i), (ii), (1)(b)(i), and (ii).

(ii) Licensing: A shellfish dive fishery license is the license required to take scallops with shellfish diver gear.

**WSR 00-17-117**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-146—Filed August 17, 2000, 1:45 p.m.]

Date of Adoption: August 14, 2000.

Purpose: Adopt commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-32-057, 220-33-010, 220-33-020, and 220-33-040.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-12-052 on June 5, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 4, 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.

August 14, 2000

J. P. Koenings

Director

AMENDATORY SECTION (Amending Order 82-142, filed 9/21/82)

**WAC 220-32-057 Season—Sturgeon.** (1) It is unlawful to take, fish for or possess sturgeon taken for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H except ~~((as provided for in this section:~~

~~(4))~~ individuals possessing treaty fishing rights pursuant to the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for sturgeon with setline gear from ~~((12:00 noon August))~~ January 1 ~~(((-1982 to 12:00 noon))~~ through January

~~((15, 1983))~~ 31, and during seasons opened under emergency rule by the department and as provided in this section.

~~(2) ((Set line gear is limited to not more than 100 hooks per setline.~~

~~(3) Minimum hook size is 9/0 and treble hooks are prohibited.-))~~ During the open season:

(a) It is unlawful to retain for commercial purposes sturgeon less than 48 inches or greater than 60 inches in length;

(b) To sell, barter, or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of a sturgeon prior to the sale of the sturgeon to a wholesale dealer licensed under chapter 75.28 RCW, or to sell or barter sturgeon eggs at retail; or

(c) To deliver to a wholesale dealer licensed under chapter 75.28 RCW any sturgeon that are not in the round with the head and tail intact.

(3) Gear:

(a) Maximum 100 hooks per setline;

(b) Minimum hook size 9/0;

(c) Treble hooks prohibited;

(d) Visible buoys required with operator name and tribal identification clearly marked on the buoy.

AMENDATORY SECTION (Amending Order 88-86, filed 9/2/88)

**WAC 220-33-010 Salmon.** It is unlawful to fish for salmon in the lower Columbia River for commercial purposes or to possess salmon taken from those waters for commercial purposes, except as provided in this section:

**Gear**

(1) Gill net gear may be used to fish for salmon if it does not exceed 1,500 feet in length along the cork line ~~((and)),~~ it is not constructed of monofilament webbing, its mesh size does not exceed 9 3/4 inches, and it does not have a lead line weighing more than two pounds per fathom of net as measured on the cork line. ((Gill net gear includes trammel nets.-))

(2) It is lawful to have a gill net with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or transiting through the Tongue Point Select Area.

(3) From December 1 through March 31 it is lawful for salmon fishers to have smelt or sturgeon gill nets aboard while fishing for salmon.

**Fishing periods**

~~((2))~~ (4) The lower Columbia River is closed to commercial salmon fishing, except as provided by emergency rule of the director.

**General**

~~((3))~~ (5) Unless otherwise specified by emergency rule of the director, the following areas of the lower Columbia River remain closed during open salmon fishing periods:

(a) All tributaries flowing into the lower Columbia River.

(b) Grays Bay sanctuary.

(c) Elokomin-A sanctuary.

- (d) Cowlitz sanctuary.
- (e) Kalama-A sanctuary.
- (f) Lewis-A sanctuary.
- (g) Washougal sanctuary.
- (h) Big Creek sanctuary.
- (i) Gnat Creek sanctuary.
- (j) Sandy River sanctuary.

**AMENDATORY SECTION** (Amending Order 97-51, filed 3/14/97, effective 4/14/97)

**WAC 220-33-020 Sturgeon.** It is unlawful to fish for sturgeon in the lower Columbia River for commercial purposes or to possess sturgeon taken from those waters for commercial purposes, except as provided in this section:

#### Gear

(1) Gill net gear may be used to fish for sturgeon if it does not exceed 1,500 feet in length along the cork line, it is not constructed of monofilament webbing, its mesh size does not exceed 9 3/4 inches, and it does not have a lead line weighing more than two pounds per fathom of net as measured on the cork line. ~~((Gill net gear includes trammel nets.))~~

(2) From December 1 through March 31 it is lawful for sturgeon fishers to have salmon or smelt gill nets aboard while fishing for sturgeon.

#### Fishing periods

~~((2))~~ (3) The lower Columbia River is closed to commercial sturgeon fishing, except as provided by emergency rule of the director. Sturgeon taken incidentally during an open commercial salmon fishing period may be retained for commercial purposes.

#### General

~~((3))~~ (4) Sturgeon smaller or greater than the size limits provided for in WAC 220-20-020 may not be retained for commercial purposes and shall be returned immediately to the water. All sturgeon in transit must not have the head or tail removed.

~~((4))~~ (5) A person engaged in commercial fishing may retain one sturgeon of legal commercial length for personal use.

~~((5))~~ (6) Sturgeon eggs may not be removed from the body cavity of the sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 75.28.300.

~~((6))~~ (7) The head or tail may not be removed from a sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 75.28.300 and delivered to a fish processing plant.

~~((7))~~ (8) A sturgeon carcass with head and tail removed and retained at a fish processing plant must be at least 28 inches in length.

(9) It is unlawful to gaff sturgeon.

**AMENDATORY SECTION** (Amending Order 88-86, filed 9/2/88)

**WAC 220-33-040 Smelt.** It is unlawful to fish for smelt in the lower Columbia River for commercial purposes or to

possess smelt taken from those waters for commercial purposes, except as provided in this section:

#### Gear

(1) Otter trawl gear may be used to fish for smelt if:

(a) The head rope of the trawl does not exceed 25 feet in length.

(b) The foot rope or groundline of the trawl does not exceed 25 feet in length.

(c) The dimensions of the trawl's otter doors do not exceed 3 feet by 4 feet.

(d) The bag length of the trawl, as measured from the center of the head rope to the terminal end of the bunt, does not exceed 35 feet.

(e) The bridal rope from the rear of the otter doors to the foot and head ropes does not exceed 8 feet.

(f) Each breast rope does not exceed 5 feet.

(g) The mesh size used in the trawl does not exceed 2 inches stretch measure.

(h) Only one trawl net is fished from the boat at a time.

(2) Gill net gear may be used to fish for smelt if it does not exceed 1,500 feet in length along the cork line and the mesh size of the net does not exceed 2 inches stretch measure. ~~((Gill net gear includes trammel nets.))~~

(3) Hand dip net gear may be used to fish for smelt if it does not measure more than 36 inches across the bag frame.

(4) From December 1 through March 31 it is lawful for smelt fishers to have salmon or sturgeon gill nets aboard while fishing for smelt.

#### Fishing periods

~~((4))~~ (5) Otter trawl gear may be used to fish for smelt in SMCRA 1A from 6 p.m. Monday to 6 p.m. Wednesday of each week from March 1 through March 31, and for boats not exceeding 32 feet in length, in SMCRA 1B, 1C, 1D and 1E 7 days per week from December 1 through March 31 of the following year.

~~((5))~~ (6) Gill net gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E 7 days per week from December 1 of each year through March 31 of the following year.

~~((6))~~ (7) Hand dip net gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E and tributaries to these areas 7 days per week from December 1 of each year through March 31 of the following year.

~~((7))~~ (8) The following areas of the lower Columbia River remain closed to smelt fishing during the open time periods specified in this section:

(a) Those waters within one mile of a dam or other obstruction.

(b) Those waters of the Cowlitz River upstream from a monument located at Peterson's Eddy, also known as Miller's Eddy.



**WSR 00-17-132**  
**PERMANENT RULES**  
**COLUMBIA RIVER**  
**GORGE COMMISSION**

[Filed August 21, 2000, 10:17 a.m.]

Date of Adoption: July 13, 2000.

Purpose: To implement disaster guidelines for the scenic area of Klickitat County, Washington.

Citation of Existing Rules Affected by this Order: Amending 350-80-040, 350-80-070, and 350-80-075.

Adopted under notice filed as WSR 00-10-004, 00-10-006, 00-10-007, and 00-10-008 on April 20, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 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 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 1, 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.

August 17, 2000

Robert K. McIntyre

Administrative Assistant

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 00-19 issue of the Register.

**WSR 00-17-135**  
**PERMANENT RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[General Order No. R-473, Docket No. UW-991634—Filed August 21, 2000, 11:42 a.m.]

In the matter of amending WAC 480-110-255 (2)(g), relating to investor owned water companies.

1 **STATUTORY OR OTHER AUTHORITY:** The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 00-11-043, filed with the code reviser on May 11, 2000. This rule was reserved from the adoption and amendment of the balance of the chapter 480-110 WAC under Notice No. WSR 98-24-123. The commission brings this proceeding pursuant to RCW 80.01.040.

2 **STATEMENT OF COMPLIANCE:** This proceeding complies with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 34.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

3 **DATE OF ADOPTION:** The commission adopted this rule on August 21, 2000.

4 **CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE:** This rule clarifies that the commission does not regulate entities or persons that provide water to their tenants as part of the business of renting or leasing, but not to others. The rule thus clarifies the jurisdictional limits of commission authority.

5 **REFERENCE TO AFFECTED RULES:** This rule amends WAC 480-110-255(2) of the Washington Administrative Code by adding subpart (2)(g).

6 **PREPROPOSAL STATEMENT OF INQUIRY AND ACTIONS THEREUNDER:** The commission filed a preproposal statement of inquiry (CR-101) on February 13, 1998, as WSR 98-05-056.

7 **ADDITIONAL NOTICE AND ACTIVITY PURSUANT TO PREPROPOSAL STATEMENT:** The preproposal statement advised interested persons that the commission was considering entering a rule making to review all provisions required for water regulation, especially (but not limited to) the provisions of chapter 480-110 WAC. The commission also informed potentially interested 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 providing notice to all commission regulated water utilities, public utility attorneys, state granges, legislators, and consumers who had previously shown interest in water matters.

8 The commission held stakeholder meetings on April 16 and June 30, 1998. Subsequent stakeholder meetings were held on September 15 and October 6, 1998, and on April 21, 1999, to address discussion drafts of proposed rules.

9 A draft of the proposed rule came before the commission originally on July 28, 1999, along with other revisions to chapter 480-110 WAC. At that open meeting the commission adopted all revised rules submitted to them except this rule in its original form. The commission directed staff to file a subsequent notice of proposed rule making (CR-102) to address the practice of landlords that bill their tenants for water usage, either directly or through a third party.

10 **NOTICE OF PROPOSED RULE MAKING:** The commission filed a subsequent notice of proposed rule making (CR-102) on May 11, 2000, as WSR 00-11-043. The commission scheduled this matter for oral comment and adoption on Wednesday, August 9, 2000, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA. The notice provided interested persons the opportunity to submit written comments to the commission.

11 **MEETINGS OR WORKSHOPS; COMMENTS:** The commission received written comments after the issuances of the original and subsequent CR-102 from the following interested persons: George Andre Fields Esq. for Conrad Hunt, Kum Ho, and others; Donald Nelson; Thomas Houglund; Philomena Coyle; Henry Vernon; Dale R. Wiltshire; and Marc Treitler on behalf of National Water & Power, Inc., the National Submetering and Utility Allocation Association, and Viterra Energy.

12 The commission received six comments in 1999, prior to notice of proposed rule making (CR-102) that was

filed on May 11, 2000. The comments urged the commission to regulate landlords and set the rates landlords could charge their tenants for water. On January 6, 2000, the commission was advised by an informal opinion letter from the Attorney General's Office that the commission does not have legal jurisdiction over landlords that bill their tenants for water, if such landlords do not also provide water to others. Thus, the proposal to regulate landlords and the rates they charge their tenants for water became moot since it was based on the incorrect premise that the commission has the legal authority to regulate landlords that furnish water to their tenants.

13 In response to the May 11, 2000, Notice of Opportunity to Comment, Viterra Energy Services Incorporated (Viterra Energy) on its own behalf and on behalf of National Water & Power, Inc., and the National Submetering and Utility Allocation Association, offered its comment. The comment supported our adoption of the rule. The commission received no other comments at this stage of the rule-making proceeding.

14 No workshops or meetings were held because the commission determined that the outcome of the rule making turned on a question of law. Under the circumstances, workshops or meetings would not have served any meaningful purpose.

15 **RULE-MAKING HEARING:** The proposed rule was considered for adoption, pursuant to notice, at a rule-making hearing scheduled to coincide with the commission's regularly scheduled open public meeting on August 9, 2000. The matter was heard by Chairwoman Marilyn Showalter, Commissioner Richard Hemstad, and Commissioner William R. Gillis. The commission heard oral comments from Danny Kermode of the commission staff. No interested person made oral comments.

16 **SUGGESTION FOR CHANGE THAT HAS NOT BEEN INCORPORATED INTO THE ADOPTED RULE:** Viterra Energy, in its written comments, suggested that the term "tenant," as used in the proposed rule, be changed to "occupant." Staff believes that the suggested change would materially alter the meaning and impact of the rule, staff rejected the suggested change as expanding the proposed rule beyond the bounds outlined in the attorney general's informal opinion.

17 **STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE:** In reviewing the entire record, the commission determines that WAC 480-110-255(2) should be amended to read as set forth in Appendix A (i.e., by adding subpart (2)(g)), and should be a rule 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 1, 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.

**ORDER**

**THE COMMISSION ORDERS:**

18 1. WAC 480-110-255 is amended by adding subpart (2)(g). WAC 480-110-255 is revised to read as set forth in Appendix A, and shall become a rule of the Washington Utilities and Transportation Commission, to take effect on the thirty-first day after filing with the code reviser pursuant to RCW 34.05.380(2).

19 2. This order and the rule set out below, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapters 80.01 and 34.05 RCW and chapter 1-21 WAC.

20 3. The commission adopts the commission staff's open 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 and for rejection of proposed changes, as required by RCW 34.05.025.

DATED at Olympia, Washington, this 21st day of August, 2000.

Washington Utilities and Transportation Commission  
Marilyn Showalter, Chairwoman  
Richard Hemstad, Commissioner  
William R. Gillis, Commissioner

**AMENDATORY SECTION** (Amending Order R-467, Docket No. UW-980082, filed 11/30/99, effective 12/31/99)

**WAC 480-110-255 Jurisdiction.** (1) The commission only regulates investor-owned water companies that:

(a) Own, operate, control, or manage one or more water systems; except that control or management does not include management by a satellite management agency as defined in chapter 70.116 RCW if the satellite management agency is not an owner of the water company.

(b) Meet jurisdictional thresholds of one hundred or more customers, or receive average revenue of four hundred twenty-nine dollars per customer per year.

If a water company serves customers	and receives average annual revenue per customer	commission regulation
99 or less	less than \$429	No
99 or less	\$429 or more	Yes
100 or more	less than \$429	Yes
100 or more	\$429 or more	Yes

PERMANENT

(2) The commission does not regulate the following providers of water service:

- (a) Cities, towns, or counties.
- (b) Public utility districts.
- (c) Water districts.
- (d) Local improvement districts.
- (e) Homeowner associations, cooperatives and mutual corporations, or similar entities that provide service only to their owners or members.

(f) Homeowner associations, cooperatives and mutual corporations, or similar entities that provide service to nonmembers unless they serve one hundred or more nonmembers, or charge nonmembers more than four hundred twenty-nine dollars average annual revenue per nonmember.

(g) Entities or persons that provide water only to their tenants as part of the business of renting or leasing.

This may include:

- (i) Apartment buildings.
- (ii) Mobile home parks.
- (iii) Manufactured home rental communities.
- (iv) Office complexes.
- (v) Commercial or industrial parks.

(3) To determine jurisdiction, the commission considers only those customers receiving water. The commission does not consider customers who do not receive water, such as customers who have paid:

- (a) Water-availability letter fees.
- (b) Standby charges.
- (c) System-readiness fees.
- (d) Ready-to-serve charges.

(4) To calculate the average annual revenue per customer, the commission considers only the charges that water-receiving customers pay on a monthly basis, other than contributions in aid of construction. For example, this includes money paid for flat-rate service or the metered base-charge and all usage charges.

(a) The commission does not include charges paid by customers who do not receive water, such as:

- (i) Water availability letter fees.
- (ii) Standby charges.
- (iii) System-readiness fees.
- (iv) Ready-to-serve charges.

(b) The commission does not consider contributions in aid of construction in determining jurisdiction. These contributions can be money, services or property. Payments can be made in a lump sum or financed over time. Examples of contributions in aid of construction include payments for:

- (i) Connection to system.
- (ii) Meter installation.
- (iii) System buy-in.
- (iv) Facilities charges.
- (v) Assessments for capital plant and equipment.

(5) The following example shows how to calculate the average annual revenue per customer for two hypothetical customers. The data for each customer are provided at the end of the example:

(a) Select the most recent twelve consecutive months.

Example: February 1999 through January 2000.

(b) For each customer who received water service during the twelve-month period, add the amount the customer paid to the water company for items other than contribution in aid of construction items.

Example: Customer A paid \$340.  
Customer B paid \$283.

(c) For each customer who received water service during the twelve-month period, add the number of months the customer received water service.

Example: Customer A received water service for twelve months.  
Customer B received water service for nine months.

(d) Total the amount paid by customers during the twelve-month period.

Example:

	Paid to Water Company During the Twelve-Month Period
Customer A	\$340
Customer B	+ \$283
Total Paid During Twelve-Month Period	\$623

(e) Total the number of months each customer received water service.

Example:

	Number of Months Received Water Service During the Twelve-Month Period
Customer A	12
Customer B	+ 9
Total Months Received Water Service During the Twelve-Month Period	21

(f) Calculate the "Average Monthly Revenue Per Customer": Divide the "Total Paid During the Twelve-Month Period" by the "Total Months Received Water Service During the Twelve-Month Period."

Example:

Total Paid During the Twelve-Month Period	\$623
Total Months Received Water Service During the Twelve-Month Period	+ 21
Average Monthly Revenue Per Customer	\$29.67

PERMANENT

(g) Calculate the "Average Annual Revenue Per Customer": Multiply the "Average Monthly Revenue Per Customer" times 12 months.

$$(B) \quad \begin{matrix} \text{Months in a Year} & \times & \underline{12} \\ \text{Average Annual Revenue} & & \\ \text{Per Customer} & & \end{matrix} \quad \$356.04$$

(A) Average Monthly Revenue Per Customer \$29.67

**DATA USED IN THE EXAMPLE  
TO CALCULATE  
AVERAGE ANNUAL REVENUE PER CUSTOMER**

**Example—  
Customer A**

	<u>Standby Charge</u>	<u>Ready-to- Serve Charge</u>	<u>Connection Charge</u>	<u>Facilities Charge</u>	<u>Meter Base Charge</u>	<u>Meter Usage Charge</u>	
<u>Receive Water Service</u>	No	No	Yes	Yes	Yes	Yes	
<u>Contribution in Aid of Construction</u>	No	No	Yes	Yes	No	No	
<u>Year</u>							<u>Total Paid</u>
1997					\$20	\$4	\$24
1997					\$20	\$5	\$25
1997					\$20	\$2	\$22
1997					\$25	\$5	\$30
1997					\$25	\$6	\$31
1997					\$25	\$12	\$37
1997					\$25	\$6	\$31
1997					\$25	\$4	\$29
1997					\$25	\$4	\$29
1997					\$25	\$3	\$28
1997					\$25	\$2	\$27
1998					<u>\$25</u>	<u>\$2</u>	<u>\$27</u>
	\$0	\$0	\$0	\$0	\$285	\$55	\$340
Number of months service					12		
					Not Receiving Water		\$0
					Receiving Water - Contribution in Aid of Construction		\$0
					Receiving Water - Other than Contribution in Aid of Construction		<u>\$340</u>
					Total customer paid during period		\$340

**PERMANENT**

**DATA USED IN THE EXAMPLE  
TO CALCULATE  
AVERAGE ANNUAL REVENUE PER CUSTOMER**

**Example—  
Customer B**

	<u>Standby Charge</u>	<u>Ready-to- Serve Charge</u>	<u>Connection Charge</u>	<u>Facilities Charge</u>	<u>Meter Base Charge</u>	<u>Meter Usage Charge</u>		
<u>Receive Water Service</u>	No	No	Yes	Yes	Yes	Yes		
<u>Contribution in Aid of Construction</u>	No	No	Yes	Yes	No	No		
<u>Year</u>	<u>Month</u>						<u>Total Paid</u>	
1997	February	\$7					\$7	
1997	March	\$7					\$7	
1997	April		\$12				\$12	
1997	May		\$300	\$4,500	\$25	\$5	\$4,830	
1997	June				\$25	\$4	\$29	
1997	July				\$25	\$3	\$28	
1997	August				\$25	\$12	\$37	
1997	September				\$25	\$10	\$35	
1997	October				\$25	\$15	\$40	
1997	November				\$25	\$5	\$30	
1997	December				\$25	\$2	\$27	
1998	January				<u>\$25</u>	<u>\$2</u>	<u>\$27</u>	
		\$14	\$12	\$300	\$4,500	\$225	\$58	\$5,109
Number of months service							9	
							Not Receiving Water	\$26
							Receiving Water - Contributions in Aid of Construction	\$4,800
							Receiving Water - Other than Contribution in Aid of Construction	<u>\$283</u>
							Total customer paid during period	\$5,109

(h) To ensure that all customers are treated equitably, the commission will impute the same rates to any customers receiving free or reduced service that apply to other customers receiving comparable service on the same system.

Citation of Existing Rules Affected by this Order:  
Amending Title 419 WAC.

Statutory Authority for Adoption: RCW 33.04.025 and 43.320.040.

Adopted under notice filed as WSR 00-13-100 on June 21, 2000 (published on July 5, 2000).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 4, Amended 20, Repealed 0.

**WSR 00-17-140  
PERMANENT RULES  
DEPARTMENT OF  
FINANCIAL INSTITUTIONS**

[Filed August 22, 2000, 8:34 a.m.]

Date of Adoption: August 22, 2000.

Purpose: Housekeeping changes and recodifying Title 419 WAC as a chapter of Title 208 WAC.

PERMANENT

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 4; Amended 20, 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.

August 22, 2000

John L. Bley

Director

**AMENDATORY SECTION** (Amending Order 83-5, filed 9/26/83)

**WAC 419-14-020 Collection of examination and supervision costs—Collection method.** The requirement of RCW 33.28.020 that the ~~((supervisor))~~ director collect from each savings and loan association the actual costs of examinations and supervision shall be met in accordance with the procedures established in this chapter. The fee shall consist of three elements: (1) An hourly charge for the number of hours spent by division personnel in conducting an examination of the association, (2) a semiannual asset charge; and (3) an hourly charge for the number of hours of extraordinary or special services.

**AMENDATORY SECTION** (Amending WSR 91-06-063, filed 3/1/91, effective 4/1/91)

**WAC 419-14-030 Hourly charge for examinations.** The hourly charge for hours spent by personnel of the division of ~~((savings and loan))~~ banks in conducting examinations shall be assessed as follows:

(1) For division personnel classified as ~~((savings and loan analyst))~~ financial examiner, \$40.00 per hour;

(2) For division personnel classified as ~~((savings and loan senior analyst))~~ financial examiner senior, \$45.00 per hour;

(3) For division personnel classified as ~~((review analyst))~~ case manager or financial examiner supervisor or above, \$50.00 per hour;

In addition to the hourly examination fee, foreign associations doing business in the state of Washington will defray the costs of travel and per diem paid to division personnel in examinations performed outside the state of Washington.

The ~~((supervisor))~~ director may charge the actual cost of examinations performed under personal service contracts by third parties. The ~~((supervisor))~~ director shall submit a statement for the foregoing charges following the completion of any applicable examination, and the charges shall be paid not later than thirty days after submission of such statement.

**AMENDATORY SECTION** (Amending Order 84-1, filed 4/18/84)

**WAC 419-14-070 Loans to directors, officers, or employees—Maximum amount.** The total value of loans made or obligations acquired under the authority of RCW

33.12.060 (2)(f) for any director, officer, or employee of an association shall not exceed twenty-five thousand dollars, unless all applicable regulations of the Federal ~~((Savings and Loan))~~ Deposit Insurance Corporation have been complied with, in which case loans not in excess of one hundred thousand dollars total may be made. Loans in amounts larger than one hundred thousand dollars may be made only with the prior written approval of the ~~((supervisor))~~ director has been obtained in accordance with the provisions of this section.

Requests to the ~~((supervisor))~~ director for permission to exceed the maximum loan limit shall be made at least ten days in advance of the date upon which it is anticipated that funds will be disbursed, if the loan is approved. Such requests must be accompanied by a certified copy of the authorizing resolution, which shall set forth with specificity the reasons that the board of directors believes that exceeding the loan limitation established in this section is in the best interest of the association in each instance. The authorizing resolution shall also set forth the directors' evaluation of the quality of the security for the loan, and the ability of the debtor to repay the loan in accordance with its terms.

**AMENDATORY SECTION** (Amending Order 84-1, filed 4/18/84)

**WAC 419-14-085 Loans to one borrower.** RCW 33.24.010 provides that an association may not invest more than two and one-half percent of its assets in any loan or obligation to any one person, except with the written approval of the supervisor. The ~~((supervisor))~~ director hereby gives written approval for any state chartered association to make a loan to any one borrower in an amount which, taken together with all other outstanding loans and obligation to the same borrower, does not exceed either ten percent of the institution's withdrawable accounts, or the association's net worth, whichever is less.

"One borrower" is defined as (a) any person or entity that is, or that upon the making of a loan will become, obligor on a loan; (b) nominees of such obligor; (c) all persons trusts, partnerships, syndicates, and corporations of which such obligor is a nominee or a beneficiary, partner, member, or record or beneficial stockholder owning ten percent or more of the capital stock, and (d) if such obligor is a trust partnership, syndicate, or corporation, all trusts, partnerships, syndicates, and corporations of which any beneficiary, partner, member, or record or beneficial stockholder owning ten percent or more of the capital stock, is also a beneficiary, partner, member, or record or beneficial stockholder owning ten percent or more of the capital stock of such obligor; and the term "total balances of all outstanding loans" means the original amounts loaned by an insured institution plus any additional advances and interest due unpaid, less repayments and participating interests sold and exclusive of any loan on the security of such institution's savings accounts or real estate, the title to which has been conveyed to a bona fide purchaser of such real estate.

**AMENDATORY SECTION** (Amending WSR 91-06-063, filed 3/1/91, effective 4/1/91)

**WAC 419-14-100 Supervisory review of examination.** Upon completion of each examination the ~~((analyst's))~~ examiner's report shall be reviewed and an examination letter prepared by administrative personnel. The hourly charge for the review and preparation of the examination letter shall be assessed at the rate of \$50.00 per hour.

**AMENDATORY SECTION** (Amending Order 84-5, filed 5/31/84)

**WAC 419-14-120 Acquisition application fee.** RCW 33.28.020 requires the ~~((supervisor))~~ director to collect from each association a fee to cover the actual cost of supervision.

To maintain fairness to all associations the acquiring party(ies) will defray the costs involving the ~~((supervisor))~~ director and his staff as follows:

A minimum nonrefundable fee of \$5,000 payable with the acquisition application described in RCW 33.24.360. In addition direct costs involving travel and lodging of the ~~((supervisor))~~ director or his staff and legal expense billed directly to the division will be paid by the acquirers.

Savings and loan associations merging under authority of RCW 33.04.010 are not considered within the scope of RCW 33.24.360 and are therefore not included with respect to this WAC.

**NEW SECTION**

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
419-14-020	208-586-020
419-14-030	208-586-030
419-14-040	208-586-040
419-14-050	208-586-050
419-14-060	208-586-060
419-14-070	208-586-070
419-14-075	208-586-075
419-14-080	208-586-080
419-14-085	208-586-085
419-14-090	208-586-090
419-14-100	208-586-100
419-14-110	208-586-110
419-14-120	208-586-120
419-14-135	208-586-135
419-14-140	208-586-140

**AMENDATORY SECTION** (Amending Order 82-1, filed 3/30/82)

**WAC 419-52-010 Purpose.** The purpose of this chapter is to set forth the guidelines which allow for the interstate merger or acquisition of troubled savings and loan associa-

tions. ~~((The guidelines follow the federal home loan bank board's statement of policy regarding interstate branching.))~~

**AMENDATORY SECTION** (Amending Order 82-1, filed 3/30/82)

**WAC 419-52-020 Merger or acquisition of a troubled foreign association by a domestic association.** Pursuant to RCW 33.12.012 and 33.12.014, a domestic savings and loan association may acquire or merge with a foreign association under the following circumstances:

(1) The regulator of the foreign association believes that a merger is necessary to prevent the failure of the foreign association;

(2) The regulator of the foreign association believes that no adequate merger candidates exist within the regulator's jurisdiction;

(3) The regulator of the foreign association believes that it is appropriate for the foreign association to be acquired by a domestic association; and

(4) The ~~((supervisor))~~ director believes that it is appropriate for the domestic association to acquire the foreign association.

Any acquisition made under this authority shall be conducted in the same manner so outlined in RCW 33.24.350 - 33.24.380.

**AMENDATORY SECTION** (Amending Order 82-1, filed 3/30/82)

**WAC 419-52-030 Acquisition of a troubled domestic association by a foreign association.** Pursuant to RCW 33.12.012 and 33.12.014, and notwithstanding any other law to the contrary, a foreign savings and loan association may acquire a domestic association under the following circumstances:

(1) The ~~((supervisor))~~ director believes that a merger is necessary to prevent the failure of the domestic association;

(2) The ~~((supervisor))~~ director believes that no adequate merger candidates exist in Washington;

(3) The ~~((supervisor))~~ director believes that it is appropriate for the domestic association to be acquired by a foreign association; and

(4) The regulator of the foreign association believes that it is appropriate for the foreign association to acquire the domestic association.

Any acquisition made under this authority shall be subject to RCW 33.24.350 - 33.24.380.

**NEW SECTION**

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
419-52-010	208-590-010
419-52-020	208-590-020
419-52-030	208-590-030

PERMANENT

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

**WAC 419-56-010 Definitions.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means the fiduciary relationship in which title to the property constituting the agency does not pass to the trust department but remains in the owner of the property, who is known as the principal, and in which the agent is charged with certain specific duties with respect to the property.

(2) "Agency coupled with an interest" means an agency in which the agent has a legal interest in the subject matter. Such an agency is not terminated automatically, as are other agencies, by the death of the principal but continue in effect until the agent can realize upon its legal interest.

(3) "Fiduciary powers" means the power to act in any fiduciary capacity authorized by the state of Washington including, but not limited to; trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, agent, custodian, escrow agent, corporate bond paying and transfer agent, escrow holder, managing agent, depository, committee of estates of incompetents.

(4) "Managing agent" means the fiduciary relationship assumed by a trust department upon the creation of an account which names the association as agent and confers investment discretion upon the association.

(5) (~~"Supervisor" means the supervisor of savings and loan associations, department of general administration.~~) "Director" means the director of the department of financial institutions.

(6) "Trust business" means the business of doing any or all of the activities specified in RCW 30.08.150 (2) through (11):

(7) "Trust department" means that group or groups of officers and employees of a savings and loan association to whom are designated by the board of directors the performance of the fiduciary responsibilities of the association, whether or not the groups or groups are so named.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

**WAC 419-56-020 Administration of fiduciary powers.** (1)(a) The board of directors of the savings and loan association is responsible for the proper exercise of fiduciary powers by the trust department. All matters pertinent thereto, including the determination of policies, the investment and disposition of property held in a fiduciary capacity, and the direction and review of the actions of all officers, employees, and committees utilized by the savings and loan association in the exercise of its fiduciary powers, are the responsibility of the board. In discharging this responsibility, the board of directors may assign, by action duly entered in the minutes, the administration of such of the association's fiduciary powers as it may consider proper to assign to such director(s), officer(s), employee(s), or committee(s) as it may designate.

(b) No fiduciary account shall be accepted without the prior approval of the board, or of the director(s), officer(s), or

committee(s) to whom the board may have designated the performance of that responsibility. A written record shall be made of such acceptances and of the relinquishment or closing out of all fiduciary accounts. Upon the acceptance of an account for which the trust company has investment responsibilities a prompt review of the assets shall be made. The board shall also ensure that at least once during every calendar year thereafter, and within fifteen months of the last review, all the assets held in or for each fiduciary account where the association has investment responsibilities are reviewed to determine the advisability of retaining or disposing of such assets.

(2) All officers and employees taking part in the operation of the trust department shall be adequately bonded.

(3) Every qualified fiduciary subject to this chapter and exercising fiduciary powers in this state shall designate, employ, or retain legal counsel who shall be readily available to pass upon fiduciary matters and to advise the savings and loan association and its trust department.

(4) The trust department may utilize personnel and facilities of other departments of the savings and loan association, and other departments of the savings and loan association may utilize the personnel and facilities of the trust department only to the extent not prohibited by law and as long as the separate identity of the trust department is preserved.

(5) Fiduciary records shall be kept separate and distinct from other records of the savings and loan association and maintained in compliance with the provisions of RCW 30.04.240. All fiduciary records shall be kept and retained for such time as to enable the fiduciary to furnish such information or reports with respect thereto as may be required by the ~~((supervisor of savings and loan associations))~~ director of the department of financial institutions.

(6) Every such fiduciary shall keep an adequate record of all pending litigation to which it is a party in connection with its exercise of fiduciary powers.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

**WAC 419-56-030 Application process.** Associations desiring to establish trust departments shall complete an application establishing the scope of the intended operation. Upon receiving an application from an association to engage in trust business pursuant to this chapter, the ~~((supervisor))~~ director may request such additional information as he deems necessary for the informed disposition of the application. If supplementary information is requested by the ~~((supervisor))~~ director, the application will not be complete until the supplementary information is supplied.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

**WAC 419-56-040 ((Supervisor)) Director action on application.** After receiving an application from a savings and loan association to engage in trust business and after having considered it, the ~~((supervisor))~~ director shall grant, grant conditionally, grant in modified form, or deny the application and shall inform the applicant in writing of his action and of



the reasons therefor. Any application not acted upon within six months after its receipt by the supervisor shall be deemed denied unless the ((supervisor)) director, in writing, informs the applicant that he is holding the application for further review.

**AMENDATORY SECTION** (Amending Order 87-2, filed 1/6/88)

**WAC 419-56-050 Engagement in unauthorized trust business prohibited.** No savings and loan association shall engage in any trust business not authorized in advance by the ((supervisor)) director in accordance with this rule, unless the ((supervisor)) director informs an applicant in writing that it may engage in a trust business provisionally while he reviews the application. Failure of a savings and loan association to comply with the terms of this chapter may be grounds for supervisory action against the savings and loan, its directors, or officers.

**AMENDATORY SECTION** (Amending Order 87-2, filed 1/6/88)

**WAC 419-56-060 Modification or revocation of investment practices previously authorized.** The ((supervisor)) director may find that a trust business previously authorized by him is no longer a safe and prudent practice for savings and loan associations generally to engage in, or has become inconsistent with applicable state or federal law, or has ceased to be a safe and prudent practice in one or more particular savings and loan associations in light of their financial condition or management. Upon such a finding, the ((supervisor)) director may in writing inform the board of directors of any or all of the associations engaging in such a trust business that the authority to engage in the activity has been revoked or modified. When the ((supervisor)) director so notifies any savings and loan association, its directors and officers shall forthwith take steps to cease the trust business (if authority to engage in the activity has been revoked) or to make such modifications as the ((supervisor)) director requires. The ((supervisor)) director may for cause shown grant a savings and loan association some definite period of time within in which to arrange its affairs to comply with the ((supervisor's)) director's orders. Savings and loan associations which continue to engage in a trust business where their authority to do so has been revoked or modified will be treated as if the authority to engage in the practice had never been granted, and their actions may be grounds for supervisory action against the association, its directors, or officers.

**AMENDATORY SECTION** (Amending Order 87-2, filed 1/6/88)

**WAC 419-56-070 Investigation fee for new trust applications.** The investigation fee charged under RCW 33.28.020 in connection with applications to establish a new savings and loan trust department shall be one thousand dollars. In the event the actual costs of the investigation conducted with respect to a particular application are less than the amount of the fee, such difference between the fee and the

actual costs submitted shall be refunded, provided that in no event shall more than five hundred dollars be refunded. Expansion of the originally approved scope of trust business must also be approved by the ((supervisor)) director by additional application and fee. In the event that actual costs of processing additional applications are less than the amount of the fee, such difference between the fee and the actual cost shall be refunded, provided that in no event shall more than seven hundred dollars be refunded. For the purposes of this section, actual costs include travel and per diem expenses paid to division personnel in connection with the investigation.

**AMENDATORY SECTION** (Amending Order 87-2, filed 1/6/88)

**WAC 419-56-090 Examinations and fees.** The ((supervisor)) director shall have the power to examine the affairs of a trust department of a state-chartered savings and loan association under the same general powers as outlined in RCW 33.04.020. The report of examination of any trust department will be subject to the same restrictions as those of the parent association as outlined in RCW 33.04.110. Fees for such examinations will be charged on the same hourly basis as those for the parent association as established by administrative rule.

**NEW SECTION**

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
419-56-010	208-594-010
419-56-020	208-594-020
419-56-030	208-594-030
419-56-040	208-594-040
419-56-050	208-594-050
419-56-060	208-594-060
419-56-070	208-594-070
419-56-080	208-594-080
419-56-090	208-594-090

**AMENDATORY SECTION** (Amending Order 87-1, filed 1/6/88)

**WAC 419-60-010 Application procedures.** RCW 33.32.030 provides for regulatory authority by the ((supervisor)) director over the activities of foreign associations within the state of Washington, and requires that such associations conduct their business in accordance with the appropriate statutes and under the requirements set forth by the ((supervisor)) director in various rules. In order to conduct the business of a savings and loan in Washington, a foreign association must formally apply for the approval of the supervisor. Procedures for application are as follows:

(1) The application must be filed with the supervisor at the offices of the Division of ~~((Savings and Loan, Room~~

217C, General Administration Building,)) Banks in Olympia, Washington ((98504)).

(2) The application shall be filed in duplicate and shall be accompanied by a filing fee of five thousand dollars. In the event the actual costs of investigating the application exceed this amount, such difference between the fee and the actual costs shall be paid by the applicant. For the purposes of this section, actual costs shall include but not be limited to travel and per diem expense paid to division personnel in connection with the investigation.

AMENDATORY SECTION (Amending Order 87-1, filed 1/6/88)

**WAC 419-60-020 Information to be included in the application.** An application shall include at least the following information:

- (1) Name, address, and telephone number of the applicant.
- (2) Name, address, and telephone number of the person to be contacted concerning the application.
- (3) A summary of the applicant's history, which should include as a minimum the date and place of incorporation, the date and nature of any mergers or acquisitions, and certified current copies of the applicant's articles of incorporation and bylaws.
- (4) A description of the applicant's business and corporate structure, including a listing of all branches or similar offices, and each majority owned subsidiary, and the nature and extent of the business activities of each.
- (5) A business plan describing the applicant's proposed business activities in this state.
- (6) A copy of the independent auditor's report for the applicant's most recent fiscal year and comparative financial statements for the prior fiscal year.
- (7) The name, address, professional experience, and financial statement of the chief executive officer and principal operating officers.
- (8) The name, address, and principal occupation of each director of applicant, and completed biographical and financial statements on each.
- (9) A copy of the last two examination reports prepared by the ((applicable Federal Home Loan Bank)) Office of Thrift Supervision, the last two state examination reports, any correspondence from the relevant regulator to the board of directors discussing each report, and the board's responses thereto.
- (10) A statement as to the presence or absence of any supervisory agreement or regulatory order that may be in effect or may have been in effect in the last five years, and, if so, a copy of each such order or agreement.
- (11) An opinion from the applicant's state regulatory agency which describes the conditions under which Washington associations may conduct business in such state.
- (12) A statement of total shares outstanding and total number of stockholders if the applicant is a stock association. Additionally, provide a breakdown of stock ownership by officers and directors and any other entities owning five percent or more of the association's stock.

(13) A copy of the association's bond and its riders/attachments.

(14) Any additional information that may be required by the ((supervisor)) director or deemed appropriate by the applicant.

AMENDATORY SECTION (Amending Order 87-1, filed 1/6/88)

**WAC 419-60-030 Approval to conduct the business of an association in Washington.** The information required by WAC ((419-06-020)) 208-598-020 must demonstrate to the satisfaction of the ((supervisor)) director:

- (1) That the applicant, the directors of the applicant, and the chief officers of the applicant are each of good character and sound financial standing.
- (2) That the financial history and condition of the applicant are satisfactory.
- (3) That the applicant's plan to conduct the business of an association in Washington affords a reasonable promise of success.
- (4) That the state in which the home office of the applicant is located permits Washington associations to conduct the business of an association in such state in substantially the same manner as the applicant proposes in this state.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC Number
419-60-010	208-598-010
419-60-020	208-598-020
419-60-030	208-598-030

**WSR 00-17-141  
PERMANENT RULES  
DEPARTMENT OF  
FINANCIAL INSTITUTIONS**

[Filed August 22, 2000, 8:40 a.m.]

Date of Adoption: August 22, 2000.

Purpose: Housekeeping changes and recodifying Title 50 WAC as a chapter of Title 208 WAC.

Citation of Existing Rules Affected by this Order: Amending Title 50 WAC.

Statutory Authority for Adoption: RCW 30.04.030 and 43.320.040.

Adopted under notice filed as WSR 00-13-101 on June 21, 2000 (published on July 5, 2000).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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Number of Sections Adopted on the Agency's Own Initiative: New 7, Amended 57, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 7, Amended 57, 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.

August 22, 2000

John L. Bley

Director

**AMENDATORY SECTION** (Amending Order 2, filed 12/23/68)

**WAC 50-12-030 Definitions and characterization of time deposits.** The term "time deposits" means "time certificates of deposit" and, "time deposits, open account," as defined below.

(1) **Time certificates of deposit.** The term "time certificate of deposit" means a deposit evidenced by a negotiable or nonnegotiable instrument which provides on its face that the amount of such deposit is payable:

- (a) On a certain date, specified in the instrument, not less than thirty days after the date of the deposit; or
- (b) At the expiration of a specified period not less than thirty days after the date of the instrument; or
- (c) Upon written notice to be given not less than thirty days before the date of repayment.

(2) **Time deposits, open account.** The term "time deposit, open account," means a deposit, other than a "time certificate of deposit," with respect to which there is in force a written contract with the depositor that neither the whole nor any part of such deposit may be withdrawn, by check or otherwise, prior to the date of maturity, which shall be not less than thirty days after the date of the deposit, or prior to the expiration of the period of notice which must be given by the depositor in writing not less than thirty days in advance of withdrawals.

A time deposit is a deposit and therefore not subject to individual bank and trust company lending limits, as proscribed by RCW 30.04.110. However, before a bank or trust company may deposit its funds with another bank in the form of a time deposit, the depository bank must first be appointed a depository by a vote of a majority of the directors of the depositing bank and approved as a depository by the ~~((supervisor of banking))~~ director of the department of financial institutions.

If a bank acquires a time deposit with a bank that has not been approved as a depository by the ~~((supervisor of banking))~~ director of the department of financial institutions, such transaction shall be considered to be an investment and subject to the bank's lending limitation.

**AMENDATORY SECTION** (Amending WSR 91-18-055, filed 8/30/91, effective 9/30/91)

**WAC 50-12-045 Schedule of fees for banks, trust companies, stock savings banks, mutual savings banks, and alien banks.** (1) The ~~((supervisor))~~ director shall collect the following fees:

(a) Hourly charges for services plus actual expenses for review of application and attendant investigation for:

- (i) New bank or trust company;
- (ii) Conversion to a state chartered institution;
- (iii) Alien bank to establish and operate an office or bureau in the state;
- (iv) Certificate conferring trust powers;
- (v) Branch;
- (vi) A satellite facility or facilities which are to be used by its own customers or customers of another bank;

(vii) A network system of satellite facilities as defined in WAC 50-40-010(4) or modification of a previously approved network system made in accordance with WAC 50-40-060 (1) or (2);

(viii) Merger, consolidation, or reorganizational agreement;

- (ix) Relocation of main office or branch;
- (x) An out-of-state bank holding company acquisition and control of more than five percent of the shares of voting stock or substantially all of the assets of a bank, trust company, national banking association or bank holding company, the principal operations of which are conducted within this state;

- (xi) The purchase or sale of a branch;
- (xii) Voluntary or involuntary liquidation of a bank or trust company pursuant to chapter 30.44 RCW or for acting as conservator of a bank or trust company pursuant to chapter 30.46 RCW;

(xiii) Conversion from a mutual savings bank to a stock savings bank;

- (xiv) Notice of change of control.
- (b) Hourly charges for opinions rendered regarding interpretations of statutes and rules.

(c) \$100.00 for issuing the following certificates:

- (i) Branch certificate;
- (ii) Increase or decrease of capital stock certificate;
- (iii) Certificate of authority;
- (iv) Satellite facility;
- (v) Certificate of good standing;
- (vi) Other.

(d) \$100.00 for filing articles of incorporation, or amendments thereof, or other certificates required to be filed with the ~~((supervisor))~~ director.

(e) Fifty cents per page for furnishing copies of papers filed with the ~~((supervisor))~~ director.

(2) The hourly fee for services shall be \$90.00 per employee hour expended. The ~~((supervisor))~~ director may require a lump sum payment in advance to cover the anticipated cost of review and investigation of the activities described in subsection (1)(a) and (b) of this section. In no event shall the lump sum payment required under this section exceed actual amounts derived in subsection (1)(a) and (b) of this section.

AMENDATORY SECTION (Amending Order 29, filed 10/2/75)

**WAC 50-12-060 Accounts in excess of one hundred thousand dollars.** A mutual savings bank may accept or hold accounts in excess of one hundred thousand dollars on the following terms and conditions:

(1) Such accounts in the aggregate are placed in assets of similar maturity;

(2) The following records are maintained at all times with respect to each such account:

- (a) The name(s) and address(es) of the depositor(s);
- (b) The manner in which the account is held;
- (c) The amount of the initial deposit;
- (d) The contemplated time of withdrawal, if known;
- (e) The interest rate; and

(f) Such other information available to the mutual savings bank as the ((supervisor)) director may from time to time require in order to carry out the duties of his office;

(3) A separate report maintained showing at all times the aggregate total of all such accounts accepted or held; and

(4) Asset liquidity records and controls are maintained. The ((supervisor)) director may from time to time impose such requirements or restrictions as he deems appropriate in connection with accepting or holding one or more such accounts, based upon the nature and size of the account, the condition of the mutual savings bank accepting the same, the general economic conditions then existing, and such other factors as the ((supervisor)) director may deem relevant to the prudent operation of the mutual savings bank accepting or holding the account.

AMENDATORY SECTION (Amending Order 9, filed 5/9/72)

**WAC 50-12-070 Nonbankable assets.** In determining whether an asset of a bank, mutual savings bank or trust company is bankable all of the circumstances of the asset shall be weighed, including but not limited to the following:

- (1) Character of the borrower
- (2) Capacity of the borrower
- (3) Capital of the borrower
- (4) Collateral, sufficiency of
- (5) Economic conditions pertaining to the type of business in which the borrower is engaged
- (6) Conformance to general banking standards as then currently practiced in the banking industry.

If, in the examination of a bank, mutual savings bank or trust company, an examiner finds an asset which in his opinion, after weighing all the circumstances of the asset, is non-bankable, the ((supervisor)) director may require that such asset be charged off the books of the bank, mutual savings bank or trust company.

Within fifteen days following the next meeting of the board of directors following receipt of written notice from the ((supervisor)) director to charge off such asset, but in no event more than forty-five days following receipt of such written notice, the bank, mutual savings bank or trust company, shall write the same off as an asset or file a written statement with the ((supervisor)) director explaining why, in

its opinion, the asset should not be so treated. After considering such written statement and within ten days after receipt thereof, the ((supervisor)) director will notify the bank in writing of his decision as to the treatment of the asset.

AMENDATORY SECTION (Amending Order 71, filed 11/25/87)

**WAC 50-12-117 Investments in corporations.** Nothing in WAC ((50-12-110, 50-12-115, or 50-12-116)) 208-512-110, 208-512-115, or 208-512-116 shall limit the authority of a bank or trust company to invest in corporations or entities, with the prior authorization of the ((supervisor)) director, pursuant to RCW 30.04.\_\_\_\_, (section 1, chapter 498, Laws of 1987).

AMENDATORY SECTION (Amending Order 66, filed 12/30/86)

**WAC 50-12-120 Promulgation.** The division of ((banking)) banks, hereinafter referred to as the "division," after due and proper notice, and pursuant to chapter 30.60 RCW hereby adopts and promulgates the following rules and regulations, effective January 1, 1986.

AMENDATORY SECTION (Amending Order 66, filed 12/30/86)

**WAC 50-12-140 Definitions.** For purposes of interpreting and administering the provisions and procedures contained herein, the definitions of terms used shall be identical to the corresponding definitions set forth in the Community Reinvestment Act of 1977, Public Law 95-128, sections 801-806, 12 U.S.C. 2901, et seq. and regulations promulgated pursuant thereto; provided, these definitions are not inconsistent with the context used, or otherwise defined, in this regulation.

The term "division" means the division of ((banking)) banks of the state of Washington. The term "supervisor" means the ((supervisor of banking)) director of the department of financial institutions.

AMENDATORY SECTION (Amending Order 66, filed 12/30/86)

**WAC 50-12-150 Assessing the record of performance.** In connection with its examination of a bank, the division shall assess the record of performance of the bank in helping to meet the credit needs of its entire community, including low-income and moderate-income neighborhoods, consistent with safe and sound operation of the bank. The division will review the bank's Community Reinvestment Act statement(s) and any other written and signed reports, documents, or comments prepared or filed by the bank with the division, or one or more federal bank regulatory agencies, and will use this material as part of or in lieu of an investigation as set forth by RCW 30.60.010. The foregoing material, together with such additional information as may be deemed necessary and obtained by investigation performed by the

division, will be considered in assessing the bank's record of performance, based upon the following factors:

- (1) Activities conducted by the institution to ascertain credit needs of its community, including the extent of the institution's efforts to communicate with members of its community regarding the credit services being provided by the institution;
- (2) The extent of the institution's marketing and special credit related programs to make members of the community aware of the credit services offered by the institution;
- (3) The extent of participation by the institution's board of directors in formulating the institution's policies and reviewing its performance with respect to the purposes of the Community Reinvestment Act of 1977;
- (4) Any practices intended to discourage applications for types of credit set forth in the institution's Community Reinvestment Act statement(s);
- (5) The geographic distribution of the institution's credit extensions, credit applications and credit denials;
- (6) Evidence of prohibited discriminatory or other illegal credit practices;
- (7) The institution's record of opening and closing offices and providing services at offices;
- (8) The institution's participation, including investments, in local community development projects;
- (9) The institution's origination of residential mortgage loans, housing rehabilitation loans, home improvement loans, and small business or small farm loans within its community, or the purchase of such loans originated in its community;
- (10) The institution's participation in governmentally insured, guaranteed, or subsidized loan programs for housing, small businesses, or small farms;
- (11) The institution's ability to meet various community credit needs based on its financial condition, size, legal impediments, local economic condition, and other factors;
- (12) Other factors that, in the judgment of the ~~((supervisor))~~ director, reasonably bear upon the extent to which an institution is helping to meet the credit needs of its entire community.

**AMENDATORY SECTION** (Amending Order 66, filed 12/30/86)

**WAC 50-12-160 Rating assignment.** (1) Based upon the foregoing investigation and assessment, the ~~((supervisor))~~ director shall annually assign to the bank a numerical community reinvestment rating based on a one through five scoring system in accordance with RCW 30.60.010. Such numerical scores shall represent performance assessments as follows:

- (a) Excellent performance: 1
- (b) Good performance: 2
- (c) Satisfactory performance: 3
- (d) Inadequate performance: 4
- (e) Poor performance: 5

(2) For each calendar year commencing after December 31, 1986, the most recent community reinvestment rating

assigned to the bank by the ~~((supervisor))~~ director shall be used as a basis for limiting the funds invested in real property and improvements thereof pursuant to RCW 30.04.212. These investments shall be limited to a percentage of capital, surplus, and undivided profits, as follows:

- (a) Excellent performance-rating (1): 10% limitation
- (b) Good performance-rating (2): 8% limitation
- (c) Satisfactory performance-rating (3): 6% limitation
- (d) Inadequate performance-rating (4): 3% limitation
- (e) Poor performance-rating (5): no investment

No bank may at any time be required to dispose of any investment made in accordance with this section because the bank is not then authorized to acquire such investment, if such investment was lawfully acquired by the bank at the time of acquisition.

**AMENDATORY SECTION** (Amending Order 66, filed 12/30/86)

**WAC 50-12-200 Consideration of performance record in meeting community credit needs in approving and disapproving applications.** The division shall consider, among other factors, the record of performance of the applicant in helping to meet the credit needs of the applicant's entire community, including low-income and moderate-income neighborhoods in determining the approval or disapproval for the following applications:

- (1) For a new branch or satellite facility;
- (2) For a purchase of assets;
- (3) For a merger;
- (4) For an acquisition;
- (5) For authority to engage in a business activity;
- (6) For a conversion from a national bank to a state-chartered bank; and
- (7) Such other application as the ~~((supervisor))~~ director may consider appropriate.

The performance record need not be considered for subsections (2), (3), and (4) of this section where solvency and safety soundness of the bank is threatened. Assessment of an institution's CRA performance may be a basis for denying an application.

**AMENDATORY SECTION** (Amending Order 69, filed 9/30/87)

**WAC 50-12-210 Promulgation.** The division of ~~((banking))~~ banks, hereinafter referred to as the "division," after due and proper notice, and pursuant to the provisions of RCW 30.04.111 hereby adopts and promulgates the following rules and regulations, effective September 9, 1987.

**AMENDATORY SECTION** (Amending Order 74, filed 8/1/88)

**WAC 50-12-230 Definitions.** (1) The term "person" shall include an individual, sole proprietor, partnership, joint venture, association, trust, estate, business trust, corporation,

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sovereign government or agency, instrumentality, or political subdivision thereof, or any similar entity or organization.

(2) The term "loans and extensions of credit" means any direct or indirect advance of funds to a person made on a basis of any obligation of that person to repay the funds, or repayable from specific property pledged by or on behalf of a person. "Loans and extensions of credit" also includes a "contractual commitment to advance funds" as that term is defined in this section, and includes a renewal, modification, or extension of the maturity date of a loan or extension of credit. Provided, the term "loan or extension of credit" does not include a renewal, extension or restructuring of an existing loan, with interest paid current and no further advance of funds, by a bank under the direction and control of a conservator appointed by the ((supervisor)) **director**.

(3) The term "contractual commitment to advance funds" means:

(a) An obligation on the part of the bank to make payments (directly or indirectly) to a designated third party contingent upon a default by the bank's customer in the performance of an obligation under the terms of that customer's contract with the third party; or

(b) An obligation to guarantee or stand as surety for the benefit of a third party. The term includes, but is not limited to, standby letters of credit, guarantees, puts, and other similar arrangements. Undisbursed loan funds, loan commitments not yet drawn upon which do not fall under this definition, and commercial letters of credit or similar instruments are not considered contractual commitments to advance funds.

(4) The term "readily marketable collateral" means financial instruments and bullion which are saleable under ordinary circumstances with reasonable promptness at a fair market value determined by daily quotations based on actual transactions on an auction or a similarly available daily bid and ask price market.

(5) The term "financial instruments" shall include stocks, notes, bonds, and debentures traded on a national securities exchange, "OTC margin stocks" (as defined in Regulation U of the Federal Reserve Board), commercial paper, negotiable certificates of deposit, bankers' acceptances, and shares in money market and mutual funds of the type which issue shares in which banks may perfect a security interest.

(6) The term "current market value" means the bid or closing price listed for an item in a regularly published listing or an electronic reporting service.

(7) The term "capital" will include the amount of common stock outstanding and unimpaired, the amount of preferred stock outstanding and unimpaired, and capital notes or debentures issued pursuant to chapter 30.36 RCW.

(8) The term "surplus" shall include capital surplus, reflecting the amounts paid in excess of the par or stated value of capital stock, or amounts contributed to the bank other than for capital stock, and amounts transferred to surplus from undivided profits pursuant to resolution of the board of directors.

(9) The term "subsidiary" means:

(a) Any company twenty-five percent or more of whose voting shares (excluding shares owned by the United States or by any company wholly owned by the United States) is

directly or indirectly owned or controlled by such person, or is held by it with power to vote;

(b) Any company the election of a majority of whose directors is controlled in any manner by such person; or

(c) Any company with respect to the management or policies of which such person has power, directly or indirectly, to exercise a controlling influence, as determined by the division, after notice and opportunity for hearing.

**AMENDATORY SECTION** (Amending Order 71, filed 11/25/87)

**WAC 50-12-250 General limitation—Loans fully secured by readily marketable collateral.** (1) Loans or extensions of credit by a state bank to a person outstanding at one time and fully secured by readily marketable collateral having a market value, as determined by reliable and continuously available price quotations, shall not be subject to any limitations based on capital and surplus. However, if the total of such loans and extensions of credit, together with loans made under general limitations pursuant to WAC ((50-12-240)) **208-512-240** exceed forty-five percent, the division of ((banking)) **banks** will review the credits as a possible concentration, with regard to both risk diversification within the bank's asset structure and diversification or other risk in the marketable collateral securing the loan. This limitation shall be separate and in addition to the general twenty percent limitation set forth in WAC ((50-12-240)) **208-512-240**.

(2) Each loan or extension of credit based on the foregoing limitation shall be secured by readily marketable collateral having a current market value of at least one hundred fifteen percent of the amount of the loan or extension of credit at all times.

(3) Financial instruments may be denominated in foreign currencies which are freely convertible to United States dollars. If collateral is denominated and payable in a currency other than that of the loan or extension of credit which it secures, the bank's procedures must require that the collateral be revalued at least monthly, using appropriate foreign exchange rates, in addition to being repriced at current market value.

(4) Each bank must institute adequate procedures to ensure that the collateral value fully secures the outstanding loan at all times. If collateral values fall below one hundred fifteen percent of the outstanding loan, to the extent that the loan is no longer in conformance with this section and exceeds the general twenty percent limitation, the loan must be brought into conformance within five business days, except where judicial proceedings, regulatory actions, or other extraordinary occurrences prevent the bank from taking actions.

**AMENDATORY SECTION** (Amending WSR 90-10-074, filed 5/2/90, effective 6/2/90)

**WAC 50-12-310 Insurance agency activities—Promulgation.** The division of ((banking)) **banks**, after due and proper notice, and pursuant to the general rule-making authority in RCW 30.04.030 hereby adopts and promulgates the following rules and regulations.

**AMENDATORY SECTION** (Amending WSR 90-10-074, filed 5/2/90, effective 6/2/90)

**WAC 50-12-350 Insurance agency activities—**

**Exceptions.** (1) A bank located in a city of not more than five thousand inhabitants may act as insurance agent from an office in that city. A bank exercising this power may continue to act as insurance agent notwithstanding a change of the population of the city in which it is located.

(2) A trust company may act as an insurance agent pursuant to its powers under RCW 30.08.150(3) "to act as attorney in fact or agent of any corporation, foreign or domestic, for any purpose, statutory or otherwise."

(3) A bank may engage in insurance activities that have been determined by the board of governors of the federal reserve system or by the United States Congress to be closely related to the business of banking, as of June 11, 1986. These activities include, but are not limited to:

(a) General insurance agency activities conducted by a bank with total assets of fifty million dollars or less, provided, however, that such bank may not engage in the sale of life insurance or annuities. For purposes of this exception "total assets" is determined by the latest consolidated report of condition filed with the ~~((supervisor of banking))~~ director of the department of financial institutions. This exception ceases when the value of the assets of the bank exceed fifty million dollars. The insurance agency license must be surrendered and the assets sold or otherwise disposed of within three years unless otherwise extended by the ~~((supervisor of banking))~~ director of the department of financial institutions.

(b) A bank may act as agent for life, disability, and involuntary unemployment insurance if the insurance is limited to assuring the repayment of the outstanding balance due on a specific extension of credit by the bank.

(c) A bank may act as agent for property insurance on loan collateral, provided such insurance is limited to assuring repayment of the outstanding balance of the extension of credit and such extension of credit is not more than ten thousand dollars (twenty-five thousand dollars to finance the purchase of a residential manufactured home and which is secured by such home) increased by the percentage increase in the *Consumer Price Index for Urban Wage Earners and Clerical Workers* published monthly by the Bureau of Labor Statistics for the period beginning on January 1, 1982, and ending on December 31 of the year preceding the year of the extension of credit.

(4) A bank or trust company may engage in any insurance agency activity lawfully engaged in by national banks located in the state of Washington.

**AMENDATORY SECTION** (Amending WSR 90-10-074, filed 5/2/90, effective 6/2/90)

**WAC 50-12-370 Insurance agency activities—**

**Enforcement.** It shall be considered an unsafe and unsound practice in conducting the affairs of the bank or trust company if in the opinion of the ~~((supervisor))~~ director the insurance agency activities of the bank or bank subsidiary are:

(1) A violation of any applicable state or federal consumer protection law; or

(2) A violation of any applicable state or federal statute prohibiting anticompetitive activities.

**NEW SECTION**

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-12-020	208-512-020
50-12-030	208-512-030
50-12-045	208-512-045
50-12-050	208-512-050
50-12-060	208-512-060
50-12-070	208-512-070
50-12-080	208-512-080
50-12-090	208-512-090
50-12-100	208-512-100
50-12-110	208-512-110
50-12-115	208-512-115
50-12-116	208-512-116
50-12-117	208-512-117
50-12-120	208-512-120
50-12-130	208-512-130
50-12-140	208-512-140
50-12-150	208-512-150
50-12-160	208-512-160
50-12-170	208-512-170
50-12-180	208-512-180
50-12-190	208-512-190
50-12-200	208-512-200
50-12-210	208-512-210
50-12-220	208-512-220
50-12-230	208-512-230
50-12-240	208-512-240
50-12-250	208-512-250
50-12-260	208-512-260
50-12-270	208-512-270
50-12-280	208-512-280
50-12-290	208-512-290
50-12-300	208-512-300
50-12-310	208-512-310
50-12-320	208-512-320
50-12-330	208-512-330
50-12-340	208-512-340
50-12-350	208-512-350
50-12-360	208-512-360
50-12-370	208-512-370

PERMANENT

AMENDATORY SECTION (Amending Order 36, filed 7/8/76)

**WAC 50-14-010 Facilitating loans—Real property.** For purposes of this section the following words shall have the following meanings:

(1) "Foreclosed property" means real estate or interest therein, or other property used in connection therewith acquired through foreclosure or similar action, deed of trust sales, or by deed in lieu of any thereof.

(2) "Facilitating loan" means a loan or real estate contract covering foreclosed property made by a mutual savings bank to the purchaser of the foreclosed property.

(3) "Loan limits" means the limitations on investments imposed by RCW 32.20.410.

A mutual savings bank may make a facilitating loan for not in excess of the sale price of the property if the board of trustees or officers or committees designated by the board deem it prudent to dispose of the property in that manner. Facilitating loans shall not be deemed violations of RCW 32.20.250 or 32.20.260, nor shall the division of ~~((banking))~~ banks require facilitating loans to be classified as loans made pursuant to RCW 32.20.255. Until such time as a facilitating loan conforms to the requirements of RCW 32.20.250, 32.20.255 or 32.20.260, or other investment statutes relating to mutual savings bank, it shall be carried on the books and records of the bank as "Other real estate loans - Debts previously contracted," and shall not be carried at more than the value of the property securing it. Facilitating loans shall be included in determining the amounts invested which are subject to the loan limits to the extent of the value at which they are carried on the books of the bank. The bank may, however, make facilitating loans regardless of the loan limits.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-020 Introduction.** This chapter implements the authority of the ~~((supervisor of banking))~~ director of the department of financial institutions (the "~~((supervisor))~~ director") under chapters 32.08, 32.34, and 34.05 RCW to enact regulations concerning the organization and operation of mutual holding companies. It addresses only those features of the organization and operation of mutual holding companies and their subsidiary stock savings banks that are not governed by Title 32 RCW. Among the provisions that must be considered are:

(1) Chapter 32.32 RCW for the chartering of a mutual savings bank and the conversion of a mutual savings bank to a stock savings bank;

(2) Title 32 RCW generally for the operations of any such savings bank; and

(3) Chapter 32.34 RCW for any merger or acquisition of assets involving a mutual holding company or banking subsidiary of a mutual holding company.

In addition, the ~~((supervisor))~~ director has determined that formation of a business trust is not the sole and exclusive method by which a state savings bank may form a mutual holding company ("MHC").

Under RCW 32.34.050, a state savings bank is allowed to form a business trust that, in turn, is authorized to become a MHC. However, based on the statutory authority granted to the ~~((supervisor))~~ director under that statute as well as chapters 32.08 and 34.05 RCW, the ~~((supervisor))~~ director has determined that utilization of a business trust is not the exclusive procedure for creation of MHCs.

By enacting RCW 32.08.142, the legislature evidenced a clear intent that state-chartered savings banks not be placed at a competitive disadvantage to federally chartered savings banks. While the state Constitution prohibits automatic incorporation into state law of federal laws enacted after adoption of RCW 32.08.142, that restriction does not invalidate the legislative intent that state institutions not be placed at an undue competitive disadvantage with federal savings banks.

Conditioning MHC formation on the utilization of a business trust to act as the MHC is potentially disadvantageous to state savings banks in view of:

(a) The absence of state statutory and regulatory guidance concerning the governance and authority of trusts when acting as holding companies;

(b) The uncertainty of regulations of such trusts as MHCs; and

(c) The potential federal tax uncertainties that would arise by utilizing a trust in connection with a tax free reorganization into a mutual holding company.

In addition, business trusts are permitted by statute (chapter 23.90 RCW) to exercise the general powers of domestic corporations, including the power to merge into a domestic corporation. As a result, the ~~((supervisor))~~ director has determined that the scope of chapter 32.34 RCW and the incidental powers clause of RCW 32.08.140 make it convenient or useful in connection with a savings bank's performance of its specifically enumerated powers to accomplish a MHC reorganization, to utilize either a corporation formed under the laws of the state of Washington or a business trust.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-030 Definitions—Regulations not exclusive.** (1) The definitions in RCW 32.32.025 shall apply to any transaction under these rules unless the context requires otherwise and except as provided herein.

(2) The reorganization of a mutual savings bank into mutual holding company form ("reorganization") and the subsequent conversion of the MHC into stock form or the offering of common stock of a subsidiary of a MHC that will cause the MHC to hold less than fifty-one percent of the issued and outstanding common stock of the stock savings bank ("conversion to stock form") shall be governed by chapter 32.32 RCW, except as provided in these rules.

(3) The term "mutual holding company" shall mean the business trust or mutually owned corporation, or the successor of either, originally established by a savings bank to serve as the holding company of a stock savings bank subsidiary, provided that a MHC shall at all times own fifty-one percent or more of the issued and outstanding common stock of a stock savings bank subsidiary that is the successor by merger or purchase to substantially all of the assets and all of the



deposits and other liabilities of the savings bank that has reorganized into a mutual holding company pursuant to RCW 32.34.050 and these rules.

(4) To achieve the intent of RCW 32.34.050 in a manner that ensures consistency with chapter 32.32 RCW, and acting pursuant to RCW 32.32.010, the ~~((supervisor))~~ director hereby waives or modifies to the extent set forth in these rules the applicability of the following provisions of chapter 32.32 RCW as they relate to the organization and operation of mutual holding companies and their stock savings bank subsidiaries: RCW 32.32.035, 32.32.045 through 32.32.070, 32.32.085, 32.32.090, 32.32.095, 32.32.110, 32.32.120, 32.32.135 through 32.32.160, 32.32.185 through 32.32.205, 32.32.240 through 32.32.275, 32.32.315, 32.32.320, 32.32.330, 32.32.335, 32.32.355, 32.32.440, and 32.32.485.

**AMENDATORY SECTION** (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-040 Authorization to form mutual holding companies.** (1) Notwithstanding any other provision of law, and in accordance with the general requirements set forth in WAC (~~50-14-050 through 50-14-140~~) 208-514-050 through 208-514-140, a mutual savings bank may reorganize under a plan of reorganization so as to cause its deposit-taking and one or more other activities to be conducted by a stock savings bank subsidiary of a mutual holding company, which subsidiary is formed for such purpose. The plan of reorganization must be adopted by the bank's trustees and submitted to and approved by the ~~((supervisor))~~ director as provided in these rules.

(2) Except to the extent that such provisions are inconsistent with these rules, the new stock savings bank subsidiary of the mutual holding company shall be subject to the same provisions of Title 32 RCW as apply to other stock savings banks.

**AMENDATORY SECTION** (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-050 Required approvals.** (1) A reorganization of a mutual savings bank pursuant to these rules shall be approved by not less than two-thirds of the board of trustees of the mutual savings bank.

(2)(a) A mutual savings bank proposing a reorganization pursuant to these rules shall provide the ~~((supervisor))~~ director with written notice of such proposed reorganization. Such notice shall include (i) a copy of the plan of reorganization approved by the board of trustees pursuant to subsection (1) of this section, (ii) the proposed incorporation and authorization certificates for the mutual holding company and/or the stock savings bank subsidiary, as appropriate, and (iii) such other information as the ~~((supervisor))~~ director shall require. The ~~((supervisor))~~ director shall approve or disapprove the plan of reorganization within sixty days of acceptance of a completed plan of reorganization.

(b) In determining whether to approve the plan of reorganization, the ~~((supervisor))~~ director shall consider:

(i) Whether the formation of the mutual holding company would be in the interests of the depositors of the mutual savings bank proposing to reorganize;

(ii) Whether the reorganization would promote safe and sound banking practices;

(iii) Whether the reorganization would serve the public interest;

(iv) Whether the financial and management resources of the mutual savings bank proposing to reorganize are sufficient to warrant approval of the reorganization; and

(v) Whether the mutual savings bank proposing to reorganize either fails to furnish any information required under (a) of this subsection or furnishes information containing any statement that, at the time and in the circumstances under which it was made, was false or misleading with respect to any material fact or omits any material fact necessary to make statements therein not false or misleading.

(c) When the ~~((supervisor))~~ director shall have determined to approve or disapprove the plan of reorganization, the ~~((supervisor))~~ director shall so advise the mutual savings bank in writing and, if appropriate, shall endorse approval on the incorporation and authorization certificates and cause the same to be filed in such manner and in the respective offices provided in chapter 32.08 RCW. Upon the filing of the authorization certificate as provided in RCW 32.08.080, the existence of the mutual holding company and/or stock savings bank, as appropriate, shall commence. As used in these rules, the term "authorization certificate" shall include an amended authorization certificate.

**AMENDATORY SECTION** (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-060 Formation of a mutual holding company.** (1)(a) The plan of reorganization may authorize the formation of a MHC by:

(i) The organization by or at the discretion or request of the mutual savings bank of a business trust or mutual corporation that shall serve as a MHC, the organization by the MHC of a stock savings bank subsidiary and the transfer to such stock savings bank of substantially all of the mutual savings bank's assets and liabilities, including all of its deposit liabilities, in accordance with these rules;

(ii) The organization by or at the direction or request of the mutual savings bank of a business trust or mutual corporation that shall serve as the MHC, and the organization by such MHC of a stock savings bank subsidiary that merges with the mutual savings bank; or

(iii) The reorganization of the mutual savings bank under any other method approved by the ~~((supervisor))~~ director.

(b) For the purposes of (a) of this subsection and when authorized by the ~~((supervisor))~~ director, as hereinafter provided, the trustees of the mutual holding company, consisting of five or more natural persons who are citizens of the United States, may incorporate an interim stock savings bank subsidiary in the manner herein prescribed. No savings bank shall incorporate for less amount nor commence business unless it has a paid-in capital stock in such amount as may be determined by the ~~((supervisor))~~ director after consideration of the proposed transaction.

(i) Persons desiring to incorporate an interim stock savings bank shall file with the ~~((supervisor))~~ director a notice of their intention to organize a savings bank in such form and containing such information as the ~~((supervisor))~~ director shall prescribe by regulation or otherwise require, together with proposed articles of incorporation and bylaws, which shall be submitted for examination to the ~~((supervisor))~~ director at his office in Olympia. The proposed articles of incorporation shall state:

(A) The name of such savings bank.

(B) The city, village or locality and county where the head office of such savings bank is to be located.

(C) The nature of its business (i.e., that of a savings bank).

(D) The amount of its capital stock, which shall be divided into shares of a par or no par value as may be provided in the articles of incorporation.

(E) The names, places of residence, and mailing addresses of the persons who as directors are to manage the bank until the first annual meeting of its shareholders.

(F) If there is to be preferred or special classes of stock, a statement of preferences, voting rights, if any, limitations and relative rights in respect of the shares of each class; or a statement that the shares of each class shall have the attributes as shall be determined by the bank's board of directors from time to time with the approval of the ~~((supervisor))~~ director.

(G) Any provision granting the shareholders the preemptive right to acquire additional shares of the bank and any provision granting shareholders the right to cumulate their votes.

(H) Any provision, not inconsistent with law, which the incorporators elect to set forth in the articles of incorporation for the regulation of the internal affairs of the corporation, including, without limitation, any provision restricting the transfer of shares.

(I) Any provision the incorporators elect to so set forth, not inconsistent with law or with the purposes for which the bank is organized, or any provision limiting any of the powers granted in the applicable provisions of the Revised Code of Washington.

It shall not be necessary to set forth in the articles of incorporation any of the corporate powers granted in the applicable provisions of the Revised Code of Washington. The articles of incorporation shall be signed by all of the incorporators and acknowledged before an officer authorized to take acknowledgements.

(ii) In case of approval, the ~~((supervisor))~~ director shall forthwith give notice thereof to the proposed incorporators and file one of the triplicate articles of incorporation in his own office, transmit another triplicate to the secretary of state, and the last to the incorporators. Upon receipt from the proposed incorporators of the same fees as are required for filing and recording other articles of incorporation, the secretary of state shall file such articles and record the same. Upon the filing of articles of incorporation approved as aforesaid by the ~~((supervisor))~~ director, with the secretary of state, all persons named therein and their successors shall become and be a corporation, which shall have the powers and be subject to the duties and obligations prescribed by the applicable pro-

visions of the Revised Code of Washington, and whose existence shall continue from the date of the filing of such articles until terminated pursuant to law; but such corporation shall not transact any business, except as is necessary or convenient to its organization and preparation to engage in business, until it has received from the ~~((supervisor))~~ director a certificate of authority to engage in the banking business as a stock savings bank.

(c) For the purposes of (a) of this subsection, WAC ~~((50-14-080))~~ 208-514-080 permits a newly organized stock savings bank to issue to persons other than its parent MHC, an amount of common stock and securities convertible into common stock that, in the aggregate, does not exceed forty-nine percent of the issued and outstanding common stock of such stock savings bank upon completion of the offering. Issued and outstanding securities that are convertible into common stock shall be considered issued and outstanding common stock for purposes of computing the forty-nine percent limitation. This subsection shall not limit the authority of such stock savings bank to issue equity or debt securities other than common stock and securities convertible into common stock.

(2) In connection with the reorganization of a mutual savings bank as provided in WAC ~~((50-14-040))~~ 208-514-040, the MHC may acquire assets of the mutual savings bank to the extent that such assets are not then required to be transferred to (or retained by) the stock savings bank in order to satisfy capital or reserve requirements of any applicable state or federal law or regulation.

(3) A stock savings bank whose outstanding common stock is at least fifty-one percent but less than one hundred percent owned by a mutual holding company shall have at least one director, but no more than two-fifths of its directors, who are "unaffiliated directors" who shall represent the interests of the minority shareholders. An "unaffiliated director" is a director who is not:

(a) An officer or employee of the stock savings bank (or any affiliate thereof); or

(b) An officer, trustee, or employee of the mutual holding company.

If the incorporation certificate or bylaws of the stock savings bank provide that the board of directors shall be divided into two or more classes, then to the extent possible, each class shall contain the same number of unaffiliated directors as each other class.

**AMENDATORY SECTION** (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-070 Mutual holding company powers.**

(1) Upon the formation of a MHC:

(a) The MHC shall possess all the rights, powers, and privileges (except deposit-taking powers) and shall be subject to all the limitations, not inconsistent with these rules, of a mutual savings bank under Title 32 RCW; and

(b) The MHC shall be subject to the limitations imposed by the Bank Holding Company Act of 1956 (12 U.S.C. Section 1841, et seq.) or, in the case of a MHC resulting from the reorganization of a savings bank that elected either before or after such reorganization to be treated as a savings associa-

tion (as defined in 12 U.S.C. Section 1467a), such mutual holding company shall be subject to the limitations imposed by the savings and loan holding company provisions of the Home Owners' Loan Act (12 U.S.C. Section 1467a).

(2) Notwithstanding any inconsistent provisions of Title 32 RCW, and subject to the express approval of (or additional rules promulgated by) the ((supervisor)) director, a MHC may:

(a) Merge with, acquire, or purchase the assets of a mutual holding company established pursuant to these rules or the savings and loan holding company provisions of the Home Owners' Loan Act (12 U.S.C. Section 1467a);

(b) Acquire or purchase the assets or stock of a stock savings bank, commercial bank, credit union, stock savings and loan association, stock federal savings bank, or stock federal savings and loan association;

(c) Acquire a mutual savings bank, mutual savings and loan association, federal mutual savings bank, or federal mutual savings and loan association through the merger of such institution with a stock subsidiary of such mutual holding company;

(d) Convert to a stock holding company pursuant to the provisions of a plan which is approved by the ((supervisor)) director, preserves the subscription and liquidation account rights of depositors of the mutual savings bank who then remain depositors of the stock savings bank and otherwise complies with WAC ((50-14-130)) 208-514-130; and

(e) Engage in any other acquisition or combination, specifically permitted by the ((supervisor)) director, including a merger into or sale of assets to another mutual or stock corporation.

**AMENDATORY SECTION** (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-080 Offering of securities.** (1) Any offering of shares of voting securities by a MHC which converts to stock form or of common stock of a stock savings bank subsidiary of a MHC that will cause the holding company to hold less than fifty-one percent of the issued and outstanding common stock of the stock savings bank upon completion of the offering (a "subsequent offering") shall be governed by the rules prescribed in chapter 32.32 RCW, except to the extent that those rules are explicitly waived or modified by the ((supervisor)) director.

(2) Any offering of shares of any class of stock of a stock savings bank subsidiary of a MHC that will not cause the MHC to hold less than fifty-one percent of the issued and outstanding common stock of the stock savings bank upon completion of the offering may be accomplished through either a public distribution or by means of a limited distribution or placement of the securities, none of which methods of offering will require the stock of the savings bank subsidiary to be offered to members of the unconverted mutual savings bank or of the MHC. Any such offering shall comply with the disclosure requirements of chapter 32.32 RCW, shall be made by means of an offering circular approved by the ((supervisor)) director, and shall be sold at a price that is approved (a) by the ((supervisor)) director in the case of the initial offering of shares to persons other than the MHC, and in such case

based upon a proposed price range established by qualified persons who are independent of the bank and (b) by the board of directors in the case of other offerings contemplated by this subsection.

(3) The procedures to follow in conducting a subsequent offering may, with the ((supervisor's)) director's approval, differ from those set forth in chapter 32.32 RCW.

(4) Notwithstanding any contrary provision of Title 32 RCW, there shall be no requirement to use an underwriter in an offering made pursuant to subsection (2) of this section, though such use is permissible.

(5) Subject to approval of the ((supervisor)) director, a stock savings bank subsidiary of a MHC may declare or pay a cash dividend that is payable only to shareholders of the stock savings bank other than the MHC.

(6) Notwithstanding any contrary provision of Title 32 RCW, no offering circular used in connection with an offering pursuant to subsection (2) of this section shall be required to set forth the estimated subscription price range of the shares being offered.

(7) A stock savings bank subsidiary of a MHC may issue and, consistent with these rules, any person may acquire any amount of preferred stock of the bank.

**AMENDATORY SECTION** (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-090 Subscription rights.** (1) Upon a conversion to stock form, as such conversion is defined in WAC ((50-14-030)) 208-514-030(2), by a MHC or a stock savings bank subsidiary of a MHC, depositors of the stock savings bank at the record date of the conversion to stock form who continuously have been depositors since the reorganization, or were depositors of any savings association subsequently acquired by a MHC at a time when the association was in mutual form and remained depositors of the stock savings bank, shall receive, without payment, nontransferable rights to subscribe for stock of the converted MHC or the converted stock savings bank to be sold in the subsequent offering, to the extent that such depositors would have received those rights pursuant to RCW 32.32.045 in a stock conversion of the savings bank as prescribed in chapter 32.32 RCW; provided, however, that such depositors who are not shareholders of the stock savings bank at the record date for the subsequent offering shall have priority rights, not inconsistent with the provisions of chapter 32.32 RCW, to subscribe for shares to be issued in the subsequent offering in accordance with a plan approved by the ((supervisor)) director or made pursuant to subsequent rules to be promulgated by the ((supervisor)) director.

(2) For purposes of this section, an "eligible account holder" is any depositor of a stock savings bank at the record date for a conversion to stock form of the bank or the MHC who has continuously owned in such bank one or more accounts valued in the aggregate of fifty dollars or more since the date that the trustees of the unconverted mutual savings bank approved the reorganization or the date that the bank's predecessor mutual association was acquired by the MHC.

(3) Nothing in chapter 32.34 RCW or chapter ((50-14)) 208-514 WAC shall be construed to authorize or require that

depositors in a mutual savings bank that reorganizes as a MHC be offered stock in the stock savings bank subsidiary except as provided in subsection (1) of this section.

(4) Depositors in a mutual savings bank that reorganizes as a MHC with a stock savings bank subsidiary shall become depositors in such subsidiary when the mutual savings bank merges with or transfers its assets and liabilities to the stock savings bank.

**AMENDATORY SECTION** (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-100 Stock issuance and stock award plans.** The authority for a stock savings bank subsidiary of a MHC to issue stock shall be subject to the following limitations, unless otherwise approved by the ~~((supervisor))~~ director.

(1) The stock sold in the reorganization shall be sold at a total price equal to the estimated pro forma market value of such stock, based on an independent valuation as provided in WAC ~~((50-14-080))~~ 208-514-080(2) and any stock sold in a later offering shall be sold at its fair value as determined by the board of directors of the stock savings bank.

(2) The aggregate amount of issued and outstanding common stock of the stock savings bank owned or controlled by persons other than the MHC at the close of any proposed issuance shall be forty-nine percent or less than the savings bank's total outstanding common stock.

(3) The aggregate amount of common stock acquired in the proposed issuance, plus all prior issuances of the savings bank, by any nontax-qualified employee stock benefit plan of the savings bank or any insider (which for the purpose of these rules will mean an officer, director, or associate of an officer or director) of the savings bank (exclusive of any stock acquired by said plan or insider and his or her associates in the secondary market) shall not exceed ten percent of the outstanding shares of common stock of the savings bank held by persons other than the savings bank's MHC parent at the close of the proposed issuance. In calculating the number of shares held by any insider or associate, shares held by any tax-qualified or nontax-qualified employee stock benefit plan of the savings bank that are attributable to such person shall not be counted.

(4) The aggregate amount of stock, whether common or preferred, acquired in the proposed issuance, plus all prior issuances of the savings bank, by any nontax-qualified employee stock benefit plan of the savings bank or any insider of the savings bank and his or her associates (exclusive of any stock acquired by said plan or insider and his or her associates in the secondary market) shall not exceed ten percent of the stockholders' equity of the savings bank held by persons other than the MHC parent at the close of the proposed issuance.

(5) The aggregate amount of common stock acquired in the proposed issuance, plus all prior issuances of the savings bank, by any one or more tax-qualified employee stock benefit plans of the savings bank (exclusive of any stock acquired by such plans in the secondary market) shall not exceed ten percent of the outstanding shares of common stock of the sav-

ings bank held by persons other than the MHC parent at the close of the proposed issuance.

(6) The aggregate amount of stock, whether common or preferred, acquired in the proposed issuance, plus all prior issuances of the savings bank, by any one or more tax-qualified employee stock benefit plans of the savings bank (exclusive of any stock acquired by such plans in the secondary market) shall not exceed ten percent of the stockholders' equity of the savings bank held by persons other than the MHC parent at the close of the proposed issuance.

(7) The aggregate amount of common stock acquired in the proposed issuance, plus all prior issuances of the savings bank by all nontax-qualified employee stock benefit plans of the savings bank and insiders of the savings bank (exclusive of any stock acquired by said plans and by insiders in the secondary market) shall not exceed thirty-five percent of the outstanding shares of common stock of the savings bank held by persons other than the MHC parent at the close of the proposed issuance if the savings bank has less than fifty million dollars in total assets prior to the issuance or twenty-five percent of such outstanding shares if the savings bank has more than five hundred million dollars in total assets before the issuance. If the savings bank has between fifty million dollars and five hundred million dollars in total assets before the issuance, the maximum percentage shall be equal to thirty-five percent minus one percent multiplied by the quotient of total assets less fifty million dollars divided by forty-five million dollars. In calculating the number of shares held by insiders and their associates, shares held by any tax-qualified or nontax-qualified employee stock benefit plan of the savings bank that are attributable to such persons shall not be counted.

(8) The aggregate amount of stock, whether common or preferred, acquired in the proposed issuance, plus all prior issuances of the savings bank, by all nontax-qualified employee stock benefit plans of the savings bank, insiders of the savings bank, and associates of insiders of the savings bank (exclusive of any stock acquired by said plans and by insiders in the secondary market) shall not exceed thirty-five percent of the stockholders' equity of the savings bank held by persons other than the association's mutual holding company parent at the close of the proposed issuance if the savings bank has less than fifty million dollars in total assets before the issuance or twenty-five percent of such stockholders' equity if the savings bank has more than five hundred million dollars in total assets prior to the issuance. If the savings bank has between fifty million dollars and five hundred million dollars in total assets before the proposed issuance, the maximum percentage shall be equal to thirty-five percent minus one percent multiplied by the quotient of total assets less fifty million dollars divided by forty-five million dollars.

(9) Shares of authorized but unissued stock of a stock savings bank subsidiary of a MHC may be reserved to satisfy and may be issued pursuant to any stock-based incentive plan for employees, directors, and others approved by the savings bank's board of directors and a majority of its stockholders.

(10) If, at the close of any stock issuance, the stock savings bank has holders of record of its outstanding voting securities that would require registration under the Securities Exchange Act of 1934, then such requirement shall be met.

(11) For a period of three years following the proposed issuance, no insider of the savings bank shall sell, without the ~~((supervisor's))~~ director's prior written approval, any stock of the savings bank purchased in connection with the reorganization except that the personal representative of such insider may sell shares in the event of the death of the insider.

50-14-100	208-514-100
50-14-110	208-514-110
50-14-120	208-514-120
50-14-130	208-514-130
50-14-140	208-514-140

**AMENDATORY SECTION** (Amending WSR 92-06-041, filed 2/28/92, effective 3/30/92)

**WAC 50-14-120 Reorganization into mutual holding company form.** (1) The mutual holding company may retain or acquire assets of the mutual savings bank only to the extent permitted by the ~~((supervisor))~~ director.

(2) A stock savings bank established in connection with a reorganization shall reserve no authorized but unissued shares, except as necessary to satisfy a stock option plan or issue securities convertible into stock.

(3) A plan of reorganization shall contain the provisions referenced in RCW 32.32.035, except that it need not provide for the sale of any stock and the aggregate price of any stock sold shall bear the same proportion to total estimated pro forma market value of the subsidiary savings bank(s) determined by an independent appraisal that the shares sold bear to the total issued and outstanding shares of the savings bank(s).

**AMENDATORY SECTION** (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

**WAC 50-14-130 Conversion of mutual holding company into stock holding company.** (1) If approved by the ~~((supervisor))~~ director, a MHC may convert to a stock form holding company.

(2) The MHC shall adopt a plan of conversion which the ~~((supervisor))~~ director finds to be in accordance with the provisions of chapter 32.32 RCW and these rules.

(3) The conversion must include such provisions requiring the exchange of shares of the subsidiary savings bank(s) for shares of the resulting stock holding company as the ~~((supervisor))~~ director finds to be fair to members of the MHC who possess subscription rights and to stockholders of the subsidiary banks.

**NEW SECTION**

The following sections of the Washington Administrative code are recodified as follows:

Old WAC Number	New WAC Number
50-14-010	208-514-010
50-14-020	208-514-020
50-14-030	208-514-030
50-14-040	208-514-040
50-14-050	208-514-050
50-14-060	208-514-060
50-14-070	208-514-070
50-14-080	208-514-080
50-14-090	208-514-090

**AMENDATORY SECTION** (Amending Order 21, filed 8/6/73)

**WAC 50-28-020 Operations and procedures.** A notice of intention to incorporate a bank or trust company shall be filed with the ~~((supervisor))~~ director at the division of ~~((banking))~~ banks in Olympia. As a matter of general procedure, it has been found desirable and is recommended that interested groups visit the office of the ~~((supervisor))~~ director for a round-table discussion of statutory and other requirements, the forms, documentation and general information needed, the fees payable to the ~~((supervisor of banking))~~ division of banks and the secretary of state, plus a general discussion of the primary market area the applicants wish to serve and of economic resources of that area together with a brief review of existing financial institutions now serving that area.

**AMENDATORY SECTION** (Amending Order 21, filed 8/6/73)

**WAC 50-28-030 Policy and guidelines.** The notice of intention to organize a state bank or trust company shall be filed with the ~~((supervisor))~~ director in duplicate, on a form furnished by the division of ~~((banking))~~ banks. It is the established policy of the division of ~~((banking))~~ banks to require diligent and timely completion and submission of forms, schedules, surveys, economic studies, maps and all supporting data deemed necessary and required to conduct the statutory investigation. For the purpose of expediting the investigation and correlating said investigation with that of the Federal Deposit Insurance Corporation, in the event deposits of the proposed bank or trust company are to be insured by that agency, the schedules, statements and supporting data shall be organized under six basic general headings or factors:

- (1) Financial history and condition.
  - (a) Pro forma statement of condition - beginning of business.
  - (b) Premises to be occupied by proposed bank, whether owned or leased, whether permanent or temporary, details as to description, costs, from whom purchased or leased, insurance coverage, estimated annual depreciation. If property is to be purchased or leased from a director, officer, a large shareholder, or an interest of any such, complete details should be furnished.
    - (c) Details as to proposed investment in and rental of furniture, fixtures and equipment.
    - (d) Relationships and associations with proposed bank of any of the sellers or lessors of land, buildings or equipment, either directly or indirectly.
    - (e) Organization expenses (which should not be borrowed from any source) - complete and detailed accounting is required for all expenses related to organization, including

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detailed account of actual legal work performed together with any additional costs anticipated prior to opening or costs incurred or work performed during the organization period for which disbursement has been deferred beyond the opening date.

(2) Adequacy of the capital structure.

(a) Proposed allocations within total capital structure.

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

(ii) Amount of paid-in surplus.

(iii) Amount of paid-in undivided profits.

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

(b) Minimum capital requirements of state law (RCW 30.08.010 as amended by chapter 104, Laws of 1973).

(c) The adequacy (deemed reasonable) of the proposed capital structure is evaluated, in part, by:

(i) The population of the community to be served.

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

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

(4) General character of management.

(a) A financial report and a biographical report for each officer and director is required together with a report by each officer and director stating the number of shares to be purchased, the total cost of such shares and details as to source and financing terms for such portion as not paid in cash. (If disclosure of any of the proposed officers would jeopardize current employment, include the information in a special "CONFIDENTIAL SECTION.")

(b) The subscribers (proposed shareholders) are to be listed alphabetically with name and address, occupation and number of shares being purchased indicated by number of shares and total subscription price. The list should indicate "D" for the directors designee, "O" for officers.

(c) For any subscribers for 5% or more of the proposed capital stock, the financing terms are required as for directors and officers.

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

(i) Loan and/or executive committee.

(ii) Investment committee.

(iii) Audit committee.

(e) Management of the proposed bank will report:

(i) Name of principal correspondent bank or banks and basis upon which the selection was made.

(ii) Determination that sufficiency of surety bond coverage conforms with generally accepted banking practices.

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

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

(a) Applicants have the responsibility of developing as fully as possible the economic support and justification for the proposed bank including:

(i) The community and "surrounding country" (the trade territory or market area) which the proposed bank will serve, including the geographic boundaries within which all or most of the bank's potential customers reside.

(1) Furnish a detail map of such area pinpointing and indexing each financial institution (banks and savings and loan associations and mutual savings bank, whether head office or branch office).

(2) Provide list or recapitulation of subscribers residing in or closely identified with the area to be served.

(3) Provide estimates of the total deposits anticipated during the early period of operations together with totals expected by the end of each of the first three years. The latter should be segregated:

(a) Demand deposits.

(b) Savings passbook accounts.

(c) Other time deposits.

(d) Public funds.

(e) Recapitulation as to total demand and total time.

(4) The economic characteristics of the trade territory specified above for the most recent five-year period where possible... including manufacturing, agricultural and other industrial data, construction activity, retail and wholesale sales, housing starts, school population, census figures and projections.

(5) Such additional data relating to the trade area considered relevant and indicating support for the proposed bank as may be obtained from such sources as local offices of utilities, planning commission, chamber of commerce or trade associations, traffic surveys, county auditor, title insurance company, etc. (In the event an economic survey or feasibility study has been prepared it may provide most of the information needed.)

(ii) List principal business and industries of the market area by name of company, type of business, average number of employees, approximate annual payroll and annual sales. If significant, furnish details as to public employment of the area, including schools, military, U.S., state, county, municipal or other.

(b) List all banks, branches, trust companies, mutual savings banks and branches, together with savings and loan associations presently serving in the proposed market area and surrounding country, including any authorized but unopened offices, indicating "N/A" for information determined unobtainable:

(i) Name of the financial institution.

(ii) Location.

(iii) Distance (road miles or city blocks) from proposed site.

(iv) Direction from site.

(v) Date established.

(vi) Date of latest statement available.

(vii) Deposits: Demand, time and total.

(viii) Loans: Commercial, consumer, real estate secured and total to extent available.

(6) Consistency of corporate powers. In addition to the proposed articles of incorporation submitted with the notice of intention to organize, the proposed bylaws should be submitted together with articles of incorporation and complete details for any proposed affiliate (i.e., a premises holding company).

AMENDATORY SECTION (Amending Order 21, filed 8/6/73)

**WAC 50-28-050 Field investigation.** The required field investigation will be undertaken promptly upon submission of the notice of intention to organize a bank or trust company accompanied by statutory fees, provided the required documentation is determined by preliminary review to be complete in all respects. If, in the judgment of the ((~~supervisor~~)) director, matters of substantive nature are missing or incomplete the notice of intent to organize and submitted documents may be returned to the correspondent of record. If the matters deemed incomplete be of relatively minor nature the applicants may be notified in writing thereof and given a reasonable time to make corrections or submit additional information or schedules required. For purposes of section 5, chapter 104, Laws of 1973 1st ex. sess. (RCW 30.08.030), a notice of intention to organize a bank or trust company shall not be deemed to be received by the ((~~supervisor~~)) director unless and until all of the information required by the ((~~supervisor~~)) director has been provided to him.

AMENDATORY SECTION (Amending Order 21, filed 8/6/73)

**WAC 50-28-060 Adoption of form.** The division of ((~~banking~~)) banks hereby adopts for use of all persons requesting permission to organize a state bank or trust company, the form attached hereto as Appendix No. 1, entitled "Notice of intention to organize a state bank or trust company."

AMENDATORY SECTION (Amending Order 30, filed 10/2/75)

**WAC 50-28-070 Payment on subscription for the capital stock.** The subscription agreement with prospective purchasers of the capital stock of a proposed new bank or trust company shall not contain any agreement for any amount to be paid in advance for the purpose of defraying organization costs. No payment on subscription for stock shall be made until the articles of incorporation have been approved by the ((~~supervisor of banking~~)) director of the department of financial institutions and filed with the secretary of state.

AMENDATORY SECTION (Amending Order 21, filed 8/6/73)

**WAC 50-28-990 Appendix I—Form—Notice of intention to organize a state bank or trust company.**

APPENDIX I

NOTICE OF INTENTION TO ORGANIZE A

STATE BANK OR TRUST COMPANY

To the ((~~Supervisor of Banking~~)) Director of the Department of Financial Institutions:

We, the undersigned, as proposed incorporators and subscribing shareholders, being natural persons and citizens of the United States of America, make application for permission to organize a (state bank or trust company) under the title of . . . . . to be located in . . . . ., County of . . . . ., State of Washington, with capital stock of \$. . . . ., surplus of \$. . . . ., and undivided profits of \$. . . . .

We submit herewith the proposed articles of incorporation for examination together with all such data, information, schedules, maps and supporting documentation specified by statute and regulations as necessary and required to conduct the statutory investigation.

We enclose Cashier's Check for \$2,000 to apply upon the statutory cost of investigation. If the cost of the investigation to be made exceeds \$2,000, we agree to pay such excess in accordance with WAC ((~~50-12-040~~)) 208-512-040.

We designate . . . . ., whose address is . . . . ., as correspondent of records to receive all instructions and correspondence in connection with this application.

SUBSCRIBED at . . . . ., Washington, this . . . . day of . . . . ., 19. . .

- \* . . . . .
- \* . . . . .
- \* . . . . .
- \* . . . . .
- \* . . . . .
- \* . . . . .

Enclosure: \$2,000 Cashier's Check  
Payable to the ((~~Supervisor of Banking~~)) Division of Banks

(\* Please type name under signature.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-28-010	208-528-010
50-28-020	208-528-020

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50-28-030	208-528-030
50-28-040	208-528-040
50-28-050	208-528-050
50-28-060	208-528-060
50-28-070	208-528-070
50-28-990	208-528-990

**AMENDATORY SECTION** (Amending WSR 99-01-119, filed 12/18/98, effective 1/18/99)

**WAC 50-36-020 Administration of fiduciary powers.**

(1)(a) The board of directors is responsible for the proper exercise of fiduciary powers by the trust company. All matters pertinent thereto, including the determination of policies, the investment and disposition of property held in a fiduciary capacity, and the direction and review of the actions of all officers, employees, and committees utilized by the trust company in the exercise of its fiduciary powers, are the responsibility of the board. In discharging this responsibility, the board of directors may assign, by action duly entered in the minutes, the administration of such of the trust company's fiduciary powers as it may consider proper to assign to such director(s), officer(s), employee(s) or committee(s) as it may designate.

(b) No fiduciary account shall be accepted without the prior approval of the board, or of the director(s), officer(s) or committee(s) to whom the board may have designated the performance of that responsibility. A written record shall be made of such acceptances and of the relinquishment or closing out of all fiduciary accounts. Upon the acceptance of an account for which the trust company has investment responsibilities a prompt review of the assets shall be made. The board shall also ensure that at least once during every calendar year thereafter, all the assets held in or for each fiduciary account where the bank has investment responsibilities are reviewed to determine the advisability of retaining or disposing of such assets.

(2) All officers and employees taking part in the operation of the trust department shall be adequately bonded.

(3) Every qualified fiduciary subject to this regulation and exercising fiduciary powers in this state shall designate, employ or retain legal counsel who shall be readily available to pass upon fiduciary matters and to advise the trust company and its trust department.

(4)(a) The trust department may utilize personnel and facilities of other departments of the trust company or its affiliates, and other departments of the trust company may utilize the personnel and facilities of the trust department or its affiliates only to the extent not prohibited by law and as long as the separate identity of the trust department is preserved.

(b) Agency agreements. Pursuant to a written agreement, a trust company exercising fiduciary powers may perform services related to the exercise of fiduciary powers for another trust company or other entity, and may purchase services related to the exercise of fiduciary powers from another trust company or other entity.

(5) Fiduciary records shall be kept separate and distinct from other records of the trust company and maintained in compliance with the provisions of RCW 30.04.240. All fiduciary records shall be kept and retained for such time as to enable the fiduciary to furnish such information or reports with respect thereto as may be required by the ~~((supervisor of banking))~~ director.

(6) Every such fiduciary shall keep an adequate record of all pending litigation to which it is a party in connection with its exercise of fiduciary powers.

**AMENDATORY SECTION** (Amending WSR 99-01-119, filed 12/18/98, effective 1/18/99)

**WAC 50-36-050 Collective investment funds—**

**Administration of funds.** Collective investments of funds or other property held by such qualified fiduciary (and referred to in this paragraph as "collective investment funds") shall be administered as follows:

(1) Each collective investment fund shall be established and maintained in accordance with a written plan (referred to herein as the plan) which shall be approved by a resolution of the trust company's board of directors or by a committee authorized by the board and filed with the ~~((supervisor of banking))~~ director of the department of financial institutions. The plan shall contain appropriate provisions not inconsistent with the rules and regulations of the ~~((supervisor of banking))~~ director of the department of financial institutions as to the manner in which the fund is to be operated, including provisions relating to the investment powers and a general statement of the investment policy of the trust company with respect to the fund; the allocation of income, profits and losses; the terms and conditions governing the admission or withdrawal of participations in the fund; the auditing of accounts of the bank with respect to the fund; the basis and method of valuing assets in the fund, setting forth specific criteria for each type of asset; the minimum frequency for valuation of assets of the fund; the period following each such valuation date during which the valuation may be made (which period in usual circumstances should not exceed 10 business days); the basis upon which the fund may be terminated; and such other matters as may be necessary to define clearly the rights of participants in the fund. A copy of the plan shall be available at the principal office of the trust company for inspection during all banking hours, and upon request a copy of the plan shall be furnished to any person.

(2) Property held by a bank in its capacity as trustee of retirement, pension, profit sharing, stock bonus, or other trusts which are exempt from federal income taxation under any provisions of the Internal Revenue Code may be invested in collective investment funds established under the provisions of subparagraph (a) or (b) of WAC ~~((50-36-040))~~ 208-536-040, subject to the provisions herein contained pertaining to such funds, and may qualify for tax exemption pursuant to section 584 of the Internal Revenue Code. Assets of retirement, pension, profit sharing, stock bonus, or other trusts which are exempt from federal income taxation by reason of being described in section 401 of the code may be invested in collective investment funds established under the provisions of subparagraph (b) of WAC ~~((50-36-040))~~ 208-



536-040, if the fund qualifies for tax exemption under Revenue Ruling 56-267 and following rulings.

(3) All participants in the collective investment fund shall be on the basis of a proportionate interest in all of the assets. In order to determine whether the investment of funds received or held by a trust company as fiduciary in a participation in a collective investment fund is proper, the trust company may consider the collective investment fund as a whole and shall not, for example, be prohibited from making such investment because any particular asset is nonincome producing.

**AMENDATORY SECTION** (Amending WSR 99-01-119, filed 12/18/98, effective 1/18/99)

**WAC 50-36-080 Collective investment funds—  
Financial reports.**

(1) A trust company administering a collective investment fund shall at least once during each period of 12 months prepare a financial report of the fund which shall be filed with the ~~((supervisor of banking))~~ director of the department of financial institutions within 90 days after the end of the fund's fiscal year. This report, based upon the above audit, shall contain a list of investments in the fund showing the cost and current market value of each investment; a statement for the period since the previous report showing purchases, with cost; sales, with profit or loss and any other investment changes; income and disbursements; and an appropriate notation as to any investments in default.

(2) The financial report may include a description of the fund's value on previous dates, as well as its income and disbursements during previous accounting periods. No predictions or representations as to future results may be made. In addition, as to funds described in WAC ~~((50-36-040))~~ 208-536-040, neither the report nor any other publication of the trust company shall make reference to the performance of funds other than those administered by the trust company.

(3) A copy of the financial report shall be furnished, or notice shall be given that a copy of such report is available and will be furnished without charge upon request, to each person to whom a regular periodic accounting would ordinarily be rendered with respect to each participating account. A copy of such financial report may be furnished to prospective customers. The cost of printing and distribution of these reports will be borne by the trust company. In addition, a copy of the report shall be furnished upon request to any person for a reasonable charge. The fact of the availability of the report for any fund described in WAC ~~((50-36-040))~~ 208-536-040 may be given publicity solely in connection with the promotion of the fiduciary services of the trust company.

(4) Except as herein provided, the trust company shall not advertise or publicize its collective investment fund(s); provided, however, that publication in a newspaper, periodical, or other medium of the net asset value of collective investment fund(s) for which a daily net asset value is available, shall not be considered an advertisement or publication prohibited by this section. Restraint is required in fiduciary advertisements to preclude the violation of securities laws including the Mutual Fund Reform Act.

**AMENDATORY SECTION** (Amending WSR 99-01-119, filed 12/18/98, effective 1/18/99)

**WAC 50-36-090 Collective investment funds—  
Investments and administration.** (1) A trust company administering a collective investment fund shall have the exclusive management thereof, except as a prudent person might delegate responsibilities to others.

(2) No trust company shall have any interest in a collective investment fund other than in its fiduciary capacity. Except for temporary net cash overdrafts or as otherwise specifically provided herein, it may not lend money to a fund, sell property to, or purchase property from a fund. No assets of a collective investment fund may be invested in stock or obligations, including time or savings deposits, of the bank or any of its affiliates: Provided, That such deposits may be made of funds awaiting investment or distribution. Subject to all other provisions of this part, funds held by a trust company as fiduciary for its own employees may be invested in a collective investment fund.

(3) A trust company may not make any loan on the security of a participation in a fund. If because of a creditor relationship or otherwise the trust company acquires an interest in a participation in a fund, the participation shall be withdrawn on the first date on which such withdrawal can be effected. However, in no case shall an unsecured advance until the time of the next valuation date to an account holding a participation be deemed to constitute the acquisition of an interest by the bank.

(4) Any trust company administering a collective investment fund may purchase for its own account from such fund any devaluated fixed income investment held by such fund, if in the judgment of the board of directors the cost of segregation of such investment would be greater than the difference between its market value and its principal amount plus interest and penalty charges due. If the trust company elects to so purchase such investment, it must do so at its market value or at the sum of cost, accrued unpaid interest, and penalty charges, whichever is greater.

(5) Except in the case of collective investment funds described in paragraph (b) of WAC ~~((50-36-040))~~ 208-536-040:

(a) No funds or other property shall be invested in a participation in a collective investment fund if as a result of such investment the participant would have an interest aggregating in excess of 10 percent of the then market value of the fund: Provided, That in applying this limitation if two or more accounts are created by the same person or persons and as much as one-half of the income or principal of each account is payable or applicable to the use of the same person or persons, such accounts shall be considered as one;

(b) No investment for a collective investment fund shall be made in stocks, bonds, or other obligations of any closely held corporation, as may be determined by the ~~((supervisor of banking))~~ director of the department of financial institutions, or, of any one person, firm, or corporation if as a result of such investment the total amount invested in stocks, bonds, or other obligations issued or guaranteed by such person, firm, or corporation would aggregate in excess of 10 percent of the then market value of the fund: Provided, That this lim-

itation shall not apply to investments in direct obligations of the United States or its agencies or other obligations fully guaranteed by the United States or its agencies as to principal and interest: And Provided Further, That this limitation shall not apply to investments in securities of, or other interests in, an open-end or closed-end management type investment company or investment trust registered under the Federal Investment Company Act of 1940, as now or hereafter amended, if both of the following conditions are met:

(i) The portfolio of the investment company or investment trust is limited to such obligations of, or fully guaranteed by, the United States or its agencies and to repurchase agreements fully collateralized by such obligations; and

(ii) The investment company or investment trust takes delivery of the collateral for any repurchase agreement either directly or through an authorized custodian;

(6) In addition to the investments permitted under WAC ((50-36-040)) 208-536-040, funds or other property received or held by a trust company as fiduciary may be invested collectively, to the extent not prohibited by law, as follows:

(a) In shares of a mutual trust investment company, organized and operated pursuant to a statute that specifically authorizes the organization of such companies exclusively for the investment of funds held by corporate fiduciaries, commonly referred to as a "bank fiduciary fund."

(b) In a single real estate loan, a direct obligation of the United States, or an obligation fully guaranteed by the United States, or in a single fixed amount security, obligation or other property, either real, personal or mixed, of a single issue: Provided, That the trust company owns no participation in the loan or obligation and has no interest in any investment therein except in its capacity as fiduciary.

(c) In a common trust fund maintained by the trust company for the collective investment of cash balances received or held by a trust company in its capacity as trustee, executor, administrator, or guardian, which the trust company considers to be individually too small to be invested separately to advantage. The total investment for such fund must not exceed \$1,000,000; the number of participating accounts is limited to 100, and no participating account may have an interest in the fund in excess of \$1,000,000: Provided, That in applying these limitations if two or more accounts are created by the same person or persons and as much as one-half of the income or principal of each account is presently payable or applicable to the use of the same person or persons, such account shall be considered as one: And Provided, That no fund shall be established or operated under this subparagraph for the purpose of avoiding the provisions of chapter ((50-36)) 208-536 WAC.

(d) In any investment specifically authorized by court order, or authorized by the instrument creating the fiduciary relationship, in the case of trusts created by a corporation, its subsidiaries or affiliates or by several individual settlors who are closely related: Provided, That such investment is not made under this subparagraph for the purpose of avoiding any provision of this regulation, in particular, but not limited to the provisions beginning with new section WAC ((50-36-040)) 208-536-040.

(e) In such other manner as shall be approved in writing by the ((supervisor of banking)) director of the department of financial institutions.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-36-010	208-536-010
50-36-020	208-536-020
50-36-030	208-536-030
50-36-040	208-536-040
50-36-050	208-536-050
50-36-060	208-536-060
50-36-070	208-536-070
50-36-080	208-536-080
50-36-090	208-536-090
50-36-100	208-536-100
50-36-110	208-536-110
50-36-120	208-536-120

AMENDATORY SECTION (Amending WSR 91-18-054, filed 8/30/91, effective 9/30/91)

**WAC 50-44-005 Determination of collection method—Principles.** When determining a revision to the collection method, the ((supervisor)) director shall consider but not be limited to the following principles.

(1) The revenue to be collected shall be sufficient to allow the division of ((banking)) banks to achieve its statutory mission to examine institutions within all required time periods.

(2) Regulatory costs shall be apportioned in a manner consistent with the state of Washington's overall policy commitments to rural and economically distressed areas, promoting the delivery of financial services to those areas.

(3) No industry or institution shall bear a disproportionate share of regulatory costs.

(4) There shall be a significant correlation between assessments and examination costs across institutions.

(5) The division of ((banking)) banks shall have sufficient resources to maintain a competent and motivated staff.

(6) Such other principles as the ((supervisor)) director may deem relevant.

AMENDATORY SECTION (Amending WSR 90-12-007, filed 5/25/90, effective 6/25/90)

**WAC 50-44-010 Collection of examination costs—Collection method.** The requirement of RCW 30.04.070 and 30.08.095 that the ((supervisor)) director collect from each bank, mutual savings bank, stock savings bank, trust company, or industrial loan company, the costs of the division, shall be met in accordance with the procedures established in this chapter. Costs shall be recouped by the following meth-

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(c) "Located" means the institution's primary market area where at least sixty percent of the institution's deposits are booked.

(2) Limit on assessment. If an institution is located in a rural community or economically distressed area, and if the charges assessed under WAC ((50-44-020)) 208-544-020(1) relating to a semiannual asset charge and WAC ((50-44-030)) 208-544-030(1) relating to the hourly examination fee, exceed ninety-five percent of the assessment charge applicable for a two-year period of the office of the comptroller of the currency ("OCC") or its successor then the assessments paid in excess of such amount shall be rebated to the institution pursuant to subsection (5) of this section unless abated by the supervisor as provided in subsection (6) of this section.

(3) Determination. For purposes of determining rebate entitlement, the total of semiannual assessments and examination fees are determined by adding the monthly average semiannual assessment and the monthly average of the examination fees for any twenty-four month period after June 1, 1990. The monthly average is determined by dividing the semiannual assessment fee by six and applying the monthly average to the previous six months. The monthly average examination fee is determined by dividing the examination fee for each examination during the averaging period by the number of months between each such examination and the previous examination as determined by the date of the examinations and applying the monthly average to those months. The OCC charge is determined in the same manner.

(4) Rebate. The rebate is determined by the difference between the sum of the applicable monthly average state charges for the twenty-four month period minus ninety-five percent of the sum of the applicable monthly average OCC charge for the same period, as each are determined in subsection (3) of this section. The total amounts of all rebates shall not exceed three-quarters of one percent of the current biennium budget.

(5) Petition. Entitlement of the rebate shall occur only upon petition and proof to the ((supervisor)) director during the first month of the last quarter of the current biennium.

(6) Rebate abatement. At the discretion of the ((supervisor)) director, all or part of the rebate determined under subsection (4) of this section may be denied if the ((supervisor)) director determines that:

(a) The institution required a substantially greater than average amount of supervisory time for reasons other than as a result of economic, legal, regulatory, or other conditions beyond the control of competent management;

(b) The institution required a substantially greater than average amount of examination time for an institution of its size for reasons other than as a result of economic, legal, regulatory, or other conditions beyond the control of competent management;

(c) Examinations or investigations were performed by third parties under personal services contracts; or

(d) Such other factors as the ((supervisor)) director may deem equitable or relevant.

(7) Institutions may become eligible to receive a rebate on or after April 1, 1993, for amounts paid on or after the 1991-1993 biennium and such eligibility shall continue for two years thereafter.

AMENDATORY SECTION (Amending WSR 91-18-054, filed 8/30/91, effective 9/30/91)

**WAC 50-44-060 Banking fund—Minimum cash balance.** The ((supervisor)) director shall maintain a minimum cash balance in the banking fund (RCW 43.19.095) of at least one month's allotment. One month's allotment is based upon the current biennium budget divided by twenty-four months. In the event the banking fund balance drops below this figure the ((supervisor)) director shall declare the next semiannual asset assessment due; payment within thirty days of such declaration. The ((supervisor)) director shall bill each institution based on the most current report of condition and payment shall be in lieu of the next regularly scheduled asset assessment.

#### NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-44-005	208-544-005
50-44-010	208-544-010
50-44-020	208-544-020
50-44-025	208-544-025
50-44-030	208-544-030
50-44-037	208-544-037
50-44-039	208-544-039
50-44-050	208-544-050
50-44-060	208-544-060

AMENDATORY SECTION (Amending Order 56, filed 10/3/83)

**WAC 50-48-010 Authority and purpose.** These regulations are promulgated pursuant to section 9, chapter 157, Laws of 1983, to establish a procedure under which an out-of-state bank holding company which desires to acquire more than five percent of the shares of the voting stock, or all or substantially all of the assets, of a bank, trust company, national banking association or bank holding company, the principal operations of which are conducted within this state, may apply to the ((supervisor)) director for approval of such acquisition.

AMENDATORY SECTION (Amending Order 62, filed 9/13/85)

**WAC 50-48-020 Joint application.** An application for approval of such acquisition shall be submitted jointly by the acquiring bank holding company and the domestic institution or bank holding company to be acquired. The application need not be in any particular format, but must set forth all the information required under these regulations. The application shall include a copy of the agreement setting forth the plan of merger or acquisition, including certified copies of the resolutions of the respective boards of directors of parties to the

agreement approving same. The application shall also include a statement authorizing any federal or state regulatory agency to make available to the ((supervisor)) director any and all information which such agency may have relating to the applicants or any of their subsidiaries.

**AMENDATORY SECTION** (Amending Order 56, filed 10/3/83)

**WAC 50-48-030 Information required—Identity of applicant parties and operating subsidiaries—Designation of representative of each applicant.** Unless included in other information required by this chapter, the application shall set forth the name and main office address of all operating subsidiaries of both the acquiring bank holding company and the bank, trust company, national banking association or domestic bank holding company to be acquired. In addition, the application shall set forth the name, office address, and telephone of one or more persons designated by each applicant to be its official representative in connection with the application. All contact between the ((supervisor's)) director's office and the applicant should, except in extraordinary circumstances, be through such representatives.

**AMENDATORY SECTION** (Amending Order 56, filed 10/3/83)

**WAC 50-48-060 Information to be made available by acquiring applicant.** The applicant out-of-state bank holding company shall make available for review by the ((office of the supervisor)) division of banks the following:

(a) Any current file which it or its principal banking subsidiary or subordinate is required to maintain by regulations promulgated by the appropriate federal financial supervisory authority (as defined in 12 U.S.C. §2902(1)) for purposes of the Community Reinvestment Act (12 U.S.C. §2902 et seq.).

(b) Copies of all internal documents having to do with the proposed merger or acquisition, including, without limitation, memoranda or analyses together with conclusions and recommendations to management and all financial or other information from which such memoranda, analyses, conclusions, recommendations or other documents were prepared.

**AMENDATORY SECTION** (Amending Order 56, filed 10/3/83)

**WAC 50-48-070 Information to be made available by applicant to be acquired.** The bank, trust company, national banking association or domestic bank holding company to be acquired shall make available to the ((supervisor)) director all internally generated reports relating to the operation of any or all operating subsidiaries during the immediately preceding two-year period.

**AMENDATORY SECTION** (Amending Order 56, filed 10/3/83)

**WAC 50-48-090 ((Supervisor)) Director may consult with and obtain information from appropriate federal**

**regulatory authority.** The ((supervisor)) director may consult with appropriate federal regulatory agencies in connection with any application filed hereunder and shall consider any information received from such agency or agencies in ruling upon the application.

**AMENDATORY SECTION** (Amending WSR 93-07-113, filed 3/23/93, effective 4/23/93)

**WAC 50-48-100 Interstate acquisition reciprocity—States possessing.** The ((supervisor of banking)) director of the department of financial institutions, having reviewed the laws of the following states as they relate to a domestic (Washington) bank holding company acquiring more than five percent of the shares of the voting stock or all or substantially all of the assets of a bank, trust company, or national banking association the principal operations of which are conducted within such states, has determined, pursuant to RCW 30.04.232, that the laws of such states allow a domestic bank holding company to acquire a bank, trust company, or national banking association, the principal operations of which are conducted within such states, and permit the operation of the acquired bank, trust company, or national banking association within such states on terms and conditions no less favorable than other banks, trust companies, or national banking associations doing a banking business within such states: (1) Alaska, (2) Arizona, (3) California, (4) Colorado, (5) Connecticut, (6) Idaho, (7) Illinois, (8) Kentucky, (9) Louisiana, (10) Maine, (11) Massachusetts, (12) Michigan, (13) Nebraska, (14) Nevada, (15) New Hampshire, (16) New Jersey, (17) New Mexico, (18) New York, (19) North Dakota, (20) Ohio, (21) Oklahoma, (22) Oregon, (23) Pennsylvania, (24) Rhode Island, (25) South Dakota, (26) Tennessee, (27) Texas, (28) Utah, (29) Vermont, (30) West Virginia, and (31) Wyoming.

Other states not listed shall be reviewed on a case-by-case basis.

**NEW SECTION**

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-48-010	208-548-010
50-48-020	208-548-020
50-48-030	208-548-030
50-48-040	208-548-040
50-48-050	208-548-050
50-48-060	208-548-060
50-48-070	208-548-070
50-48-080	208-548-080
50-48-090	208-548-090
50-48-100	208-548-100

PERMANENT

**AMENDATORY SECTION** (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

**WAC 50-56-010 Purpose.** The purpose of this chapter shall be to provide guidelines for application for a license to operate a nondepository small business lending venture under the auspices of the federal Small Business Administration (SBA) guaranty program known as the 7(a) loan guaranty program. Specifics of the program are set forth in section 7(a) of the federal "Small Business Investment Act of 1958," 15 U.S.C., part 636(a). These rules also establish other regulatory oversight guidelines and provide for fees. These rules are promulgated under the general rule-making authority of the state (~~((supervisor of banking))~~) director of the department of financial institutions, and are required under legislation passed by the legislature (section 3(1), chapter 212, Laws of 1989.)

**AMENDATORY SECTION** (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

**WAC 50-56-020 Application procedures.** An application for state license to operate a nondepository small business lending venture to qualify for participation in the SBA 7(a) program shall be filed with the (~~((supervisor at the division of banking))~~) director of the department of financial institutions and shall include such fees as established elsewhere in these rules. As a matter of general procedure, it is recommended that interested parties visit the office of the (~~((supervisor))~~) director prior to submitting their application to review statutory and other requirements for this action.

**AMENDATORY SECTION** (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

**WAC 50-56-030 Application format.** Applicants may use the same documentation as required by the SBA for their approval of the lender to the extent that such documentation meets the requirements of statute and these rules unless waived by the (~~((supervisor))~~) director. The application must contain the following:

- (1) Applicant's name, address, and telephone number.
- (2) A statement that the applicant is incorporated under the Washington Business Corporation Act or the Washington Nonprofit Corporation Act and a copy of applicant's Articles of Incorporation and Bylaws, properly certified.
- (3) A list of officers, directors, associates, and all holders of ten or more percent of any class of the applicant's capital stock.
- (4) A statement of personal history of all those listed in subsection (3) of this section. SBA Form 1081 or its equivalent may be used.
- (5) A copy of the most recent audited financial statement of any entity other than a natural person holding ten or more percent of any class of stock of the applicant.
- (6) An organizational chart showing the relationship of the applicant to its affiliates, as well as the applicant's internal organizational structure.
- (7) Copies of the last three audited financial statements of the applicant, and supporting tax returns.

(8) Applicant's business plan which should include at a minimum:

(a) A detailed pro forma financial projection for at least three years of operations.

(b) A market study of the intended geographical area of operations.

(c) An explanation of applicant's method of funding loans, including the unguaranteed portion.

(d) An outline of loan servicing procedures proposed.

(e) Copies of written policies and procedures to be used, which must include policies requiring disclosure of conflicts of interest of affiliates, directors, officers, and employees; prohibiting false statements or representations to the (~~((supervisor))~~) director; and preventing fraud or undue influence by the licensee.

(9) Certified copy of a resolution by the applicant's board of directors designating the person(s) authorized to act on behalf of applicant.

(10) An opinion of independent counsel that the applicant is in compliance with applicable state and federal laws in the formation and organization of the company, with applicable securities laws, and is chartered to conduct its business in the proposed operating area.

(11) Such marketing materials as may have been prepared that portray the nature of applicant's operations.

(12) Copies of all bonds in effect for directors, officers, and employees.

(13) Other such information as the (~~((supervisor))~~) director may require.

**AMENDATORY SECTION** (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

**WAC 50-56-040 Continuing operations.** Licensees shall maintain an adequate financial condition.

(1) Minimum capital (unimpaired paid-in capital, surplus, and undivided profits) shall be in the amount of five hundred thousand dollars or five and one-half percent of total assets, whichever is greater, or a greater amount should the (~~((supervisor))~~) director determine that applicant's business plan or economic conditions require a greater amount to conduct the business of a 7(a) lender. The (~~((supervisor))~~) director may consider and include the net worth of any corporate shareholder of the applicant if the shareholder agrees to unconditionally guarantee the liabilities of the applicant and that shareholder agrees to the reporting requirements set forth in WAC (~~((50-56-060))~~) 208-556-060.

(2) Capital below the required amount precludes the presentation of additional loans to the SBA for guaranty without the written consent of the (~~((supervisor))~~) director.

(3) Licensees shall maintain a reserve for anticipated loan losses appropriate to its needs, based on the following factors:

(a) The volume and mix of the existing loan portfolio, including the volume and severity of nonperforming loans and adversely classified credits, as well as an analysis of net charge-offs experienced on previously classified loans.

(b) The extent to which loan renewals and extensions are used to maintain loans on a current basis and the degree of risk associated with such loans.

- (c) The trend in loan growth, including any rapid increase in loan volume within a relatively short time period.
- (d) General and local economic conditions affecting the collectibility of the licensee's loans.
- (e) Previous loan loss experience by loan type, including net charge-offs as a percent of average loans over the past several years.
- (f) The relationship and trend over the past several years of recoveries as a percent of previous year's charge-offs.
- (g) Available outside information of a comparable nature regarding the loan portfolios of other such lenders.

**AMENDATORY SECTION** (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

**WAC 50-56-050 Records.** Licensees shall maintain records in a fashion consistent with a financial institution and shall have them at all times readily accessible to the ~~((supervisor))~~ director. Records shall be preserved under the following schedule:

- (1) Preserve permanently:
  - (a) All general and subsidiary ledgers reflecting asset, liability, capital stock and surplus and income and expense accounts.
  - (b) All general and special journals or other records forming the basis for entries in such ledgers.
  - (c) Articles of incorporation, bylaws, stock registers, licenses, and minutes of board of directors meetings.
- (2) Preserve for at least six years following final disposition of the related loan:
  - (a) All applications for financing.
  - (b) Financing instruments.
  - (c) Lending participation agreements.
  - (d) Escrow agreements.
  - (e) All other documents and supporting material relating to such loans, including correspondence.

Records and other documents in subsections (1) and (2) of this section may be preserved by reproduction. Provided, however, that the licensee shall prepare a duplicate reproduction which shall be stored separately from the original for the time required. If such reproductions are used, the licensee shall maintain at all times facilities for the projection and reproduction of such records.

**AMENDATORY SECTION** (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

**WAC 50-56-060 Reports.** Licensees shall submit the following reports to the ~~((supervisor))~~ director:

- (1) Annual audits prepared in accordance with generally accepted accounting principles which shall be certified unless the ~~((supervisor))~~ director makes other provision in writing in advance.
- (2) Quarterly financial reports which shall include a balance sheet and income and expense statement for both the period and year to date.
- (3) A notification of any suit or proceeding involving fraud or dishonesty where the licensee or an employee may be a party, or where an adverse judgment could contribute materially to the impairment of the licensee's capital. Such

notification must be forwarded with copies of the complaint within thirty days of the filing of such action.

**AMENDATORY SECTION** (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

**WAC 50-56-070 Examinations.** The ~~((supervisor))~~ director will conduct examinations of licensees as provided by statute and will forward a report of examination to the licensee's board of directors for information and action as appropriate. These examination reports and all subsequent and related correspondence are the property of the ~~((supervisor))~~ director and will be subject to the same confidentiality requirements as established for financial institutions regulated by the division of ~~((banking))~~ banks.

**AMENDATORY SECTION** (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

**WAC 50-56-080 Fees.** The cost of regulation of nondepository lenders licensed under Title 31 RCW, shall be borne by the licensees under the following schedule:

- (1) Application fee. A fee of two thousand dollars must accompany an application for this license to cover the cost of investigation.
- (2) Acquisition of control approval fee. A fee of two thousand dollars must accompany any request for acquisition of control of a licensee to cover the cost of investigation which will be conducted to the same degree as an initial application approval.
- (3) Business combination fee. Other business combinations must be approved by the ~~((supervisor))~~ director. Costs of investigation will be borne by the licensee and will be based on actual staff costs of the division of ~~((banking))~~ banks, which are fifty dollars per hour per examiner assigned.
- (4) Examination and supervision fees. Examination and supervision fees shall be billed based on rates charged commercial banks for examination costs and semiannual asset charges in chapter 50-44 WAC.

**NEW SECTION**

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-56-010	208-556-010
50-56-020	208-556-020
50-56-030	208-556-030
50-56-040	208-556-040
50-56-050	208-556-050
50-56-060	208-556-060
50-56-070	208-556-070
50-56-080	208-556-080

PERMANENT

**WSR 00-17-145**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-165—Filed August 22, 2000, 11:31 a.m.]

Date of Adoption: August 11, 2000.

Purpose: Adopt commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 220-48-011, 220-48-019, 220-52-050, and  
 220-52-068.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-14-020 on June  
 28, 2000

Changes Other than Editing from Proposed to Adopted  
 Version: Partial adoption; see WSR 00-17-091.

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 Nongov-  
 ernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Ini-  
 tiative: New 0, Amended 4, 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 0, Amended 0, Repealed 0.

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

August 21, 2000

Russell W. Cahill

for Kelly White, Chairman  
 Fish and Wildlife Commission

**AMENDATORY SECTION** (Amending Order 94-23, filed  
 5/19/94, effective 6/19/94)

**WAC 220-48-011 Beam trawl and otter trawl—  
 Gear.** (1)(a) **Mesh sizes.** It is unlawful to use or operate beam  
 trawls or otter trawls having mesh size in the codend section  
 less than 4 1/2 inches in waters of Puget Sound, unless other-  
 wise provided.

(b) It is lawful to use or operate pelagic trawl gear having  
 mesh size in the codend section of not less than 3 inches  
 while fishing for Pacific whiting during the seasons provided  
 in WAC 220-48-017 (1) and (2).

(2) **Chafing gear.**

(a) For bottom trawls, chafing gear must have a mini-  
 mum mesh size of 15 inches unless only the bottom one-half  
 (underside) of the codend is covered by chafing gear.

(b) For roller trawls and pelagic trawls chafing gear cov-  
 ering the upper one-half (top side) of the codend must have a  
 minimum mesh size of 6.0 inches.

(3) **Roller trawl.**

~~((a))~~ It is unlawful to use ~~((a))~~ roller trawl gear in Puget  
 Sound ~~((except in Marine Fish-Shellfish Management and  
 Catch Reporting Area 29.~~

~~(b) It is unlawful to use a roller trawl that does not con-  
 form to the gear requirements in WAC 220-44-030).~~

**AMENDATORY SECTION** (Amending WSR 98-05-043,  
 filed 2/11/98, effective 3/14/98)

**WAC 220-48-019 Roller trawl—Seasons.** (1) It is  
~~((lawful))~~ unlawful to use roller trawls ~~((in Puget Sound  
 Marine Fish-Shellfish Management and Catch Reporting  
 Area 29 the entire year.~~

~~(2) It is unlawful to take more than 500 pounds of rock-  
 fish with roller trawl gear during any vessel trip))~~ in ~~((all))~~  
 any Puget Sound Marine Fish-Shellfish Management and  
 Catch Reporting Area~~((s)).~~

**AMENDATORY SECTION** (Amending Order 98-257, filed  
 12/22/98, effective 1/22/99)

**WAC 220-52-050 Ocean pink shrimp trawl fishery—  
 Coastal waters.** It is unlawful to fish for, possess or deliver  
 ocean pink shrimp taken for commercial purposes from  
~~((Washington territorial waters west of))~~ the ~~((Bonilla-  
 Tatoosh line or))~~ waters of the Exclusive Economic Zone  
 except as provided for in this section:

(1) Ocean pink shrimp fishery:

(a) The open season for trawl gear is April 1 through  
 October 31 of each year.

(b) The following gear is prohibited: Trawl gear having  
 a net mesh size greater than two inches in the intermediate or  
 codend, except for net mesh used in fish excluder devices. It  
 is lawful to have net mesh larger than two inches in the wings  
 or body of the trawl.

(c) Minimum number of shrimp per pound: The count  
 per pound must average no more than 160 shrimp per pound  
 for a minimum of two samples increasing at a rate of one  
 sample per one thousand pounds landed or in possession up  
 to a maximum requirement of twenty samples. Such samples  
 shall consists of at least one pound of each of whole unbroken  
 shrimp taken at random from throughout the individual load  
 landed or in possession. This shall apply only to loads of  
 3,000 pounds of shrimp or more.

(d) Incidental catch-finfish: It is unlawful to take salmon  
 incidental to any shrimp fishery. It is unlawful to retain any  
 bottomfish species taken incidental to shrimp trawl fishery  
 except as provided for in WAC 220-44-050.

(e) Incidental catch-shellfish:

(i) It is unlawful to retain any species of shellfish except  
 that it is lawful to retain up to 50 pounds round weight of  
 other shrimp species taken incidentally in the ocean pink  
 shrimp fishery, or octopus or squid.

(ii) It is unlawful to ~~((retain))~~ fish for ocean pink shrimp  
~~((taken))~~ within the territorial boundaries of the state.

(f) An ocean pink shrimp delivery license is the license  
 required to operate the gear provided for in this section, and  
 allows the operator to retain shrimp taken in ~~((offshore))~~ the  
 waters of the Exclusive Economic Zone.

PERMANENT



(2) ~~((Ocean spot shrimp fishery: The spot shrimp fishery shall be governed by chapter 220-88B WAC.~~

(3)) Fisheries for shrimp species other than ocean pink shrimp or ocean spot shrimp: Species other than ocean pink shrimp and ocean spot shrimp may only be taken incidentally to the ocean pink shrimp and ocean spot shrimp fisheries.

**AMENDATORY SECTION** (Amending Order 94-23, filed 5/19/94, effective 6/19/94)

**WAC 220-52-068 Scallop fishery—Coastal waters.** It is unlawful to fish for or possess scallops taken for commercial purposes from ~~((coastal and offshore))~~ the waters of the Exclusive Economic Zone except as provided for in this section.

(1) Season: July 1 through November 30 in the waters of the Exclusive Economic Zone. It is unlawful to trawl for scallops in Washington territorial waters west of the Bonilla-Tatoosh line or in Marine Fish-Shellfish Management and Catch Reporting Area 29.

(2) Gear: Only scallop dredge gear may be used. Scallop dredge gear may not exceed fifteen feet in width per unit of gear and must have three inch or larger net mesh or rings throughout. Scallop dredges may not use a dredge liner nor have chaffing gear covering any portion of the top half of the dredge.

(3) Licensing: A shrimp trawl—non-Puget Sound fishery license is the license required to operate the gear provided for in this section.

(4) Incidental catch: It is unlawful to retain food fish or shellfish taken incidental to any lawful scallop fishery, except that it is lawful to retain octopus and squid.

**WSR 00-17-146**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-163—Filed August 22, 2000, 11:33 a.m.]

Date of Adoption: August 11, 2000.

Purpose: Adopt ballast water control rules.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-14-008 on June 26, 2000.

Changes Other than Editing from Proposed to Adopted Version: 1. In subsection (1), "33CFR Ch. 1 § 151.1045" changed to "Title 33 C.F.R. Part 151.2045."

2. In subsection (3), "Inquires" changed to "inquiries."

3. In subsection (4), "parts per thousand and viable aquatic organisms" changed to "parts per thousand combined with viable aquatic organisms."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

August 21, 2000

Russell W. Cahill

for Kelly White, Chairman

Fish and Wildlife Commission

**NEW SECTION**

**WAC 220-77-090 Ballast water management and control—Reporting and sampling requirements.** (1) At least twenty-four hours before a vessel subject to chapter 108, Laws of 2000, enters Washington waters intending to discharge ballast water, or twenty-four hours prior to the actual discharge of the ballast water, the master of the vessel must report ballast water management information in written or electronic form to the Washington department of fish and wildlife. This information may be submitted by filing a ballast water report pursuant to Title 33 C.F.R. Part 151.2045, or the report may be forwarded through a recognized marine trade association in a timely manner. Failure to comply may trigger civil penalties under section 8, chapter 108, Laws of 2000.

(2) The department, with assistance from recognized marine trade associations, will compile the ballast water management information required under subsection (1) of this section, compare ballast water reports with vessel arrivals, determine vessel reporting rates, and evaluate the adequacy of ballast water exchange monitoring.

(3) The department may at reasonable times and in a reasonable manner, during a vessel's scheduled stay in port, take samples of ballast water and sediment, may examine ballast water management records, and may make other appropriate inquiries to assess the compliance of vessels with ballast water reporting and control requirements.

(4) No vessel may discharge ballast water into state waters if the ballast water has a salinity level less than thirty parts per thousand combined with viable aquatic organisms, unless specifically exempted in chapter 108, Laws of 2000.

**WSR 00-17-148**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed August 22, 2000, 1:19 p.m., effective September 30, 2000]

Date of Adoption: August 22, 2000.

Purpose: Factory assembled structures' rules, chapters 296-150C, 296-150F, 296-150M, 296-150P, 296-150R, and 296-150V WAC.

State-initiated rules are being adopted to make several changes to include:

- Clarifying and housekeeping changes,
- Update a reference to and incorporate requirements from the Uniform Building Code,
- Amendments that were identified on the department's August 1997 rule review plan, and
- Incorporate necessary policy into rule as directed by the Governor's Executive Order 97-02 on regulatory improvement.

#### AMENDED SECTIONS:

**WAC 296-150C-0140 Do you allow the use of alternate materials, alternate design and method of construction?** "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

**WAC 296-150C-0200 Who must obtain commercial coach insignia?** An incorrect reference to "subsection (1)(a) and (b) of this section" was corrected to "subsection (2)(a) and (b) of this section."

**WAC 296-150C-0910 Minimum uniform and concentrated live loads.** An incorrect reference to the 1994 edition of the Uniform Building Code was corrected to the 1997 edition.

**WAC 296-150C-0970 Roof construction.** This section was amended to incorporate the requirements for ventilation, which were inadvertently removed the last time these rules were rewritten and as found in 1505.3 of the 1997 edition of the Uniform Building Code.

**WAC 296-150C-1070 Floor closure material.** This section was amended to move the floor closure material requirements into a new subsection (4) to make the rules easier to understand and use.

**WAC 296-150F-0140 Do you allow the use of alternate materials, alternate design and method of construction?** "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

**WAC 296-150F-0500 When is an inspection required?** A new subsection (6) was added to clarify that components are approved when an insignia has been attached to the first component and all additional components for each job site.

**WAC 296-150M-0020 What definitions apply to this chapter?** The definition for "equipment" was modified to clarify that equipment is equivalent to "appliances" and a list of examples were provided for what are considered to be and what are not considered to be "appliances."

**WAC 296-150M-0140 Do you allow the use of alternate materials, alternate design and method of construction?** "When altering a manufactured home, an" was added

to make the rule easier to understand and use. "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction. Also, the reference to WAC 296-150M-0100 was removed.

**WAC 296-150M-0306 What codes are used when altering a manufactured (mobile) home?**

- The reference to the "Part 24, CFR 3280" was corrected to "24 C.F.R. Part 3280."
- A sentence was added to clarify that (1) and (2) are provision accepted by the department that supersede the applicable requirements found in 24 C.F.R. Part 3280.
- "Tested" was added to (1) to make it easier to understand and use.
- A note was added to clarify that the replacement of exterior siding is an alteration and requires department approval in the form of an insignia. This change incorporates necessary policy and current practice into rule.

**WAC 296-150M-3000 Manufactured home fees.** The reference to "OPIA" was corrected to "IPIA" which is the correct acronym for Inspection Primary Inspection Agency. Also, corrected the spelling of the word "resubmittal."

**WAC 296-150P-0140 Do you allow the use of alternate materials, alternate design and method of construction?** "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

**WAC 296-150P-3000 Recreational park trailer fees.** The reference to "STATE PLAN" was corrected to "QUALITY CONTROL" to make the rules easier to understand and use. Also, corrected the spelling of the word "resubmittal."

**WAC 296-150R-0140 Do you allow the use of alternate materials, alternate design and method of construction?** "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

**WAC 296-150R-3000 Recreational vehicle fees.** The reference to "STATE PLAN" was corrected to "QUALITY CONTROL" to make the rules easier to understand and use. Also, corrected the spelling of the word "resubmittal."

**WAC 296-150V-0140 Do you allow the use of alternate materials, alternate design and method of construction?** "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

**WAC 296-150V-0530 Am I charged if I request an inspection but I am not prepared?** This section was

amended to separate the requirements of the rule into two subsections. Also, references to WAC 296-150V-3000 to make the rule easier to use and understand.

**WAC 296-150V-1180 What requirements apply to conversion vendor unit exits on all units approved after December 31, 1999?** The word "exit" was added to clarify that the rules are referring to the vending unit and medical unit exits.

**WAC 296-150V-1220 What code and installation requirements apply to conversion vendor unit or medical unit systems?** This section was reorganized and rewritten to make it easier to understand and use. Also, the reference to the National Electrical Code (NEC), Article 550 was corrected to Article 551. The reference to Article 550 is incorrect because it requires changes to the recreational vehicle electrical system, which is not the intent of the rule. This change allows the use of the appropriate recreational vehicle section of the electrical code.

#### NEW SECTIONS:

**WAC 296-150C-1175 Glass and glazed openings.** A new section was added for the installation of glass or glazed openings, including hazardous locations. This section (previously WAC 296-150B-500) was inadvertently repealed the last time rule changes were done. This change reflects current policy and industry practice.

**WAC 296-150C-1346 When HVAC equipment is supplied with more than one CFM rating, which do I use?** A new section was added to clarify that it is the highest rated capacity that must be used. This addition incorporates current policy and industry practice into rule.

**WAC 296-150F-0630 When HVAC equipment is supplied with more than one CFM rating, which do I use?** A new section was added to clarify that it is the highest rated capacity that must be used. This addition incorporates current policy and industry practice into rule.

Citation of Existing Rules Affected by this Order: See Purpose above.

Statutory Authority for Adoption: RCW 43.22.340, 43.22.350, 43.22.355, 43.22.360, 43.22.400, 43.22.432, 43.22.433, 43.22.434, 43.22.450, 43.22.480, and 43.22.485.

Adopted under notice filed as WSR 00-13-103 on June 21, 2000.

Changes Other than Editing from Proposed to Adopted Version: **WAC 296-150M-0306 What codes are used when altering a manufactured (mobile) home?**

- The reference to the "Part 24, CFR 3280" was corrected to "24 C.F.R. Part 3280."
- A sentence was added to clarify that (1) and (2) are provisions accepted by the department that supersede the applicable requirements found in 24 C.F.R. Part 3280.
- (3) was changed to a note.

**WAC 296-150V-1220 What code and installation requirements apply to conversion vendor unit or medical unit systems?** Nonsubstantive changes were made to this section to make it easier to understand and use.

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 3, Amended 19, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 3, Amended 19, 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 3, Amended 19, Repealed 0.

Effective Date of Rule: September 30, 2000.

August 22, 2000

Gary Moore

Director

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

**WAC 296-150C-0140 Do you allow the use of alternate materials, alternate design and method of construction?** An applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

(a) The applicant's name, address and phone number;

(b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;

(c) ~~(Adequate)~~ Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;

(d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

(a) The applicant's request as described in subsection (1) of this section;

(b) Research into the request;

(c) Expert advise.

(3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150C-0100.

**AMENDATORY SECTION** (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

**WAC 296-150C-0200 Who must obtain commercial coach insignia?** (1) You must obtain an insignia from us for each commercial coach manufactured, sold, leased, or used in Washington state.

(2) You do not need an insignia for a commercial coach:

(a) When a unit has been used outside of the state for six months before being brought into Washington state (see RCW 43.22.380); or

(b) If a unit was manufactured prior to July 1, 1968. (See RCW 43.22.370.)

Note: All commercial coaches must have insignia if they are altered, this includes the exceptions in subsection ((+)) (2)(a) and (b) of this section.

(3) You must obtain an insignia when commercial coaches are altered in Washington state.

(4) You must obtain an alteration insignia when a commercial coach is damaged in transit after leaving the manufacturing location or during an on-site installation, and an alteration or repair is necessary. The insignia indicates the commercial coach was altered or repaired.

(5) You must have an approved design plan and pass our inspection before we will attach an insignia.

**AMENDATORY SECTION** (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

**WAC 296-150C-0910 Minimum uniform and concentrated live loads.** See use or occupancy of the ((1994)) 1997 edition of The Uniform Building Code for group occupancy loads.

**AMENDATORY SECTION** (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

**WAC 296-150C-0970 Roof construction.** (1) All roofs must be framed and tied into the framework and supporting walls to form an integral part of the commercial coach.

(2) All trusses must be laterally braced.

(3) All roof decks must be designed and built with sufficient slope or camber to assure adequate drainage, or must be designed to support maximum loads including possible ponding of water due to deflection.

(4) Cutting roof framework members for passage of electrical, plumbing, or mechanical systems is prohibited except where substantiated by engineering analysis.

(5) Electrical, plumbing, or mechanical systems must not penetrate the roofing membrane unless the penetration point is adequately sealed.

(6) Ventilation. Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain and snow. Where eave or cornice vents are installed, insulation shall not block the free flow of air. A minimum of 1 inch of air space shall be provided between the

insulation and roof sheathing. The net free ventilating area shall not be less than 1/150 of the space ventilated, except:

(a) The area may be 1/300, provided 50 percent of the required opening area is provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet above eave or cornice vents; or

(b) A vapor barrier not exceeding 1 perm is installed on the warm side of the attic insulation.

**AMENDATORY SECTION** (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

**WAC 296-150C-1070 Floor closure material.** ~~((Floor closure material around piping, ducts, plenums, or vents must prevent damage to the underside of the commercial coach due to air, water, insects, dust, and must be rodent resistant.))~~

The closure material must meet ASTM D-781 standard or equal and be installed as follows:

(1) Fibrous material (with or without patches) must meet or exceed the level of 48 inch-pounds of puncture resistance as tested.

(2) The material must be installed according to installation instructions furnished by the supplier of the material.

(3) Patching material must be suitable for patches and the patch life must be equivalent to the material life.

(4) Floor closure material around piping, ducts, plenums, or vents must prevent damage to the underside of the commercial coach due to air, water, insects, dust, and must be rodent resistant.

#### NEW SECTION

**WAC 296-150C-1175 Glass and glazed openings.** The provisions of this section shall apply to the installation of glass or glazed openings, including hazardous locations.

(1) Standards. Standards for material shall meet UBC Standard 24-1 for flat glass and UBC Standard 24-2 for safety glazing.

(2) Identification. Flat glass shall bear the manufacturer's label designating the type and thickness of glass. Safety glazing shall have the manufacturer's identification etched or ceramic fired on the glass and be visible when the unit is glazed.

(3) Wind loads. Exterior glass and glazing shall be capable of withstanding a wind pressure of 20 pounds per square foot.

(4) Hazardous locations. The following shall be considered specific hazardous locations for the purposes of glazing:

(a) Glazing in ingress and egress doors;

(b) Glazing in fixed and sliding panels of sliding door assemblies and panels in swinging doors other than wardrobe doors;

(c) Glazing in storm doors;

(d) Glazing in fixed or operable panels adjacent to a door where the nearest exposed edge of the glazing is within a 24-inch arc of either vertical edge of the door in a closed position;

(e) Glazing in a fixed or operable panel, other than locations in (d) of this subsection, that meets all of the following conditions:

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- (i) Exposed area of an individual pane greater than 9 square feet.
- (ii) Exposed bottom edge less than 18 inches above the floor;
- (f) Shower doors and tub enclosures.

#### NEW SECTION

**WAC 296-150C-1346** When HVAC equipment is supplied with more than one CFM rating, which rating do I use? Where HVAC equipment manufacturers show multiple cubic feet per minute (CFM) ratings and/or multiple water gauge ratings, you must use the highest rated capacity.

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

**WAC 296-150F-0140** Do you allow the use of alternate materials, alternate design and method of construction? An applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

- (a) The applicant's name, address and phone number;
- (b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;
- (c) ((Adequate)) Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;
- (d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

- (a) The applicant's request as described in subsection (1) of this section;
  - (b) Research into the request;
  - (c) Expert advice.
- (3) Applicant's response to denials. The applicant may appeal the departments decision by following the procedure in WAC 296-150F-0100.

AMENDATORY SECTION (Amending WSR 98-14-078, filed 6/30/98, effective 7/31/98)

**WAC 296-150F-0500** When is an inspection required? (1) Before we issue an insignia, each factory-built house, commercial structure, and component must be inspected at the manufacturing location as many times as are required by the codes. (See WAC 296-150F-0600.) Inspections may include:

- (a) A "cover" inspection during construction of the unit before the electrical, plumbing, mechanical, and structural systems are covered;
- (b) Insulation and vapor barrier inspection, if required;
- (c) Other required code inspections;
- (d) A final inspection after the factory-built house, commercial structure, or component is complete;

Note: Each factory-built house, commercial structure, and component must have a serial number to enable us to track inspections.

(2) If we discover a violation during inspection, we will issue a notice of noncompliance. You can correct the violation during the inspection. If you cannot correct the violation during inspection, you must leave the item uncovered until we approve your correction.

(3) After a unit is manufactured but before occupancy, we must inspect a factory-built house or commercial structure if it is damaged in transit to the building site or during on-site installation. This is considered a repair inspection. (See WAC 296-150F-0540.)

(4) Approved design plans must be available in compliance with the applicable sections of adopted state codes.

(5) Once your unit is inspected and approved we will attach the insignia.

(6) Components shall be identified as having been approved by attaching an insignia to the first component and all additional components for one job site shall have a label issued by the department as having been approved.

Note: We only inspect factory-built housing and commercial structures before occupancy. After occupancy, the local enforcement agency is the inspection agency.

#### NEW SECTION

**WAC 296-150F-0630** When HVAC equipment is supplied with more than one CFM rating, which rating do I use? Where HVAC equipment manufacturers show multiple cubic feet per minute (CFM) ratings and/or multiple water gauge ratings, you must use the highest rated capacity.

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

**WAC 296-150P-0140** Do you allow the use of alternate materials, alternate design and method of construction? An applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

- (a) The applicant's name, address and phone number;
- (b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;
- (c) ~~(Adequate)~~ Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;
- (d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

- (a) The applicant's request as described in subsection (1) of this section;
- (b) Research into the request;
- (c) Expert advice.
- (3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150P-0100.

**AMENDATORY SECTION** (Amending WSR 99-12-080, filed 5/28/99, effective 6/28/99)

**WAC 296-150P-3000 Recreational park trailer fees.**

<b>WAC 296-150P-3000 RECREATIONAL PARK TRAILER FEES</b>	
<b>INITIAL FILING FEE</b>	\$28.00
<b>DESIGN PLAN FEES:</b>	
NEW PLAN REVIEW FEE WITHOUT STRUCTURAL REQUIREMENTS	\$78.75
NEW PLAN REVIEW FEE WITH STRUCTURAL REQUIREMENTS	\$104.00
<del>((RESUBMITAL))</del> RESUBMITTAL FEE	\$56.25
ADDENDUM (Approval expires on same date as original plan.)	\$56.25
<b><del>((STATE PLAN))</del> QUALITY CONTROL/MANUAL FEES:</b>	
INITIAL APPROVAL	\$10.75
RESUBMITTAL FEE	\$56.25
ADDENDUM	\$56.25
<b>DEPARTMENT AUDIT FEES:</b>	
AUDIT (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
<b>DEPARTMENT INSPECTION FEES:</b>	
INSPECTION (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
<b>INSIGNIA FEES:</b>	
STATE CERTIFIED	\$10.50

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<b>WAC 296-150P-3000 RECREATIONAL PARK TRAILER FEES</b>	
ALTERATION	\$28.00
REISSUED-LOST/DAMAGED	\$10.50
<b>OTHER FEES:</b>	
FIELD TECHNICAL SERVICE (per hour* plus travel time* and mileage**)	\$56.25
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$10.75
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

**AMENDATORY SECTION** (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

**WAC 296-150R-0140 Do you allow the use of alternate materials, alternate design and method of construction?** An applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

- (a) The applicant's name, address and phone number;
- (b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;
- (c) ~~((Adequate))~~ Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;
- (d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the

requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

- (a) The applicant's request as described in subsection (1) of this section;
  - (b) Research into the request;
  - (c) Expert advice.
- (3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150R-0100.

**AMENDATORY SECTION** (Amending WSR 99-12-080, filed 5/28/99, effective 6/28/99)

**WAC 296-150R-3000 Recreational vehicle fees.**

<b>WAC 296-150R-3000 RECREATIONAL VEHICLE FEES</b>	
STATE PLAN INITIAL FILING FEE	\$28.00
<b>DESIGN PLAN FEES:</b>	
NEW PLAN REVIEW FEE	\$78.75
<del>((RESUBMITAL))</del> RESUBMITTAL FEE	\$56.25
ADDENDUM (Approval expires on same date as original plan.)	\$56.25
<del>((STATE PLAN))</del> <b>QUALITY CONTROL/MANUAL FEES:</b>	
INITIAL APPROVAL	\$10.75
RESUBMITTAL FEE	\$56.25
ADDENDUM	\$56.25
<b>DEPARTMENT AUDIT FEES:</b>	
AUDIT (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	

PERMANENT

<b>WAC 296-150R-3000 RECREATIONAL VEHICLE FEES</b>	
PARKING	
AIRFARE***	
<b>DEPARTMENT INSPECTION FEES:</b>	
INSPECTION (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
<b>INSIGNIA FEES:</b>	
STATE CERTIFIED	\$10.25
ALTERATION	\$28.00
REISSUED-LOST/DAMAGED	\$10.25
<b>OTHER FEES:</b>	
FIELD TECHNICAL SERVICE (per hour* plus travel time* and mileage**)	\$56.25
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$10.75
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

<b>WAC 296-150R-3000 RECREATIONAL VEHICLE FEES</b>	
<b>SELF CERTIFICATION</b>	
INITIAL FILING FEE	\$28.00
<b>DESIGN PLAN FEES:</b>	
NEW PLAN REVIEW FEE (one time fee)	\$78.75
((RESUBMITTAL)) RESUBMITTAL FEE	\$56.25
ADDENDUM (Approval expires on same date as original plan.)	\$56.25
<b>SELF CERTIFICATION/MANUAL FEES:</b>	
INITIAL APPROVAL	\$10.75
RESUBMITTAL FEE	\$56.25
ADDENDUM	\$56.25
<b>DEPARTMENT AUDIT FEES:</b>	
AUDIT (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING	
AIRFARE***	
<b>DEPARTMENT INSPECTION FEES:</b>	
INSPECTION (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	

PERMANENT



<b>WAC 296-150R-3000 RECREATIONAL VEHICLE FEES</b>	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
<b>INSIGNIA FEES:</b>	
SELF CERTIFIED	\$10.25
ALTERATION	\$28.00
REISSUED-LOST/DAMAGED	\$10.25
<b>OTHER FEES:</b>	
FIELD TECHNICAL SERVICE (per hour* plus travel time* and mileage**)	\$56.25
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$10.75
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
***Actual charges incurred.	

**AMENDATORY SECTION** (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

**WAC 296-150V-0140 Do you allow the use of alternate materials, design, or method of construction?** An applicant may apply for the use of alternate materials, design, or methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) **Responsibilities of the applicant.** The applicant must submit in writing the following information:

- (a) Name, address, and phone number;
- (b) The specific requirement or requirements from which the alternate material, design, or method of construction is requested;
- (c) (~~Adequate~~) Justification that the requirements of this chapter cannot be met without using alternate materials, design, or method of construction;
- (d) How the use of alternate materials, design, or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements;

The department has a form that you may use for your request. Please contact us at the address shown in WAC 296-150V-0020, Definitions.

(2) **Responsibilities of the department.** The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision on:

- (a) The applicant's request as described in subsection (1) of this section;
- (b) Research into the request;
- (c) Expert advice.

(3) **Applicant's response to denials.** The applicant may appeal the department's decision by following the procedure in WAC 296-150V-0100.

**AMENDATORY SECTION** (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

**WAC 296-150V-0530 Am I charged if I request an inspection but I am not prepared?** (1) If you ask us to inspect a conversion vendor unit or medical unit within Washington state but you are not prepared when we arrive, you must pay the inspection fee and travel (see WAC 296-150V-3000).

(2) If the inspection is outside of Washington state and you are not prepared, you must pay the inspection fee, travel, and per diem expenses (see WAC 296-150V-3000).

**AMENDATORY SECTION** (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

**WAC 296-150V-1180 What requirements apply to conversion vendor unit exits on all units approved after December 31, 1999?** At least one conversion vending unit exit or medical unit exit must meet the following requirements:

- (1) Exterior doors must be constructed for exterior use.
- (2) The exterior door must be at least a 28 inch wide clear opening by 72 inches high.
- (3) Locks must be operable from the interior of the unit without use of a key.
- (4) Exit doors may either be hinged or sliding. Roll-up doors may not be used to meet the requirements of this section.
- (5) Existing units with doors less than 28 inches in width must have a second means of exit. The second means of exit for converted units shall be 24 inches by 17 inches, and for newly built units exits must be a minimum of 5 square feet of openable area.

Exception: When there are employees, a minimum of 28 inches clear opening must be provided.

PERMANENT

**AMENDATORY SECTION** (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

**WAC 296-150V-1220 What code and installation requirements apply to conversion vendor unit or medical unit electrical systems?** The electrical system in any conversion vendor unit or medical unit must comply with Article 551 of the National Electrical Code (NEC) as referenced in chapter 19.28 RCW (~~(Article 550)~~) and the ~~((applicable portions of other Articles as required by this section:))~~ following:

(1) Appliances must be installed per Articles 422(~~(—)~~), Appliances.

(2) Generators must be installed per Article 445(~~(—)~~), Generators.

(3) On a 120 volt system a 3-wire system can be used. On a 240 volt system a 4-wire system must be used.

Exception: Sign circuits required by Article 600 will not be required.

**AMENDATORY SECTION** (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

**WAC 296-150M-0020 What definitions apply to this chapter?** "Alteration" is the replacement, addition, modification, or removal of any equipment or installation that affects the construction, planning considerations, fire safety, or the plumbing, mechanical, and electrical systems of a manufactured home. The installation of whole-house water treatment equipment that requires cutting into the existing plumbing is considered an alteration and requires a permit, an inspection and an alteration insignia.

The following are not considered alterations:

- Repairs to equipment with approved parts; or
- Modification of a fuel-burning appliance according to the listing agency's specifications; or
- Adjustment and maintenance of equipment.

"Alteration insignia" is an insignia issued by the department of labor and industries to verify that an alteration to a manufactured home meets the requirements of federal law 24 CFR 3280 and this chapter.

"Anchoring system" is the means used to secure a mobile home to ground anchors or to other approved fastening devices. It may include straps, cables, turnbuckles, bolts, fasteners, and other components.

"ANSI" is the American National Standards Institute, Inc., and the institute's rules applicable to manufactured homes, ANSI A225.1 Manufactured Homes Installation, 1994 edition, except section 3.5.2 - Ground Cover and section 4.1.3.3 - Clearance.

"Authority having jurisdiction" means that either the department of labor and industries or the local jurisdiction is responsible for establishing specific manufactured home standards. The authority for specific manufactured home standards is divided as follows:

- The department of labor and industries establishes standards for manufactured home installation and alterations and performs alteration inspections;
- The local jurisdiction establishes standards for manufactured homes governing the building site and performs installation inspections.

"Building site" is a tract, parcel, or subdivision of land on which a manufactured home is installed.

"DAPIA" is a Design Approval Primary Inspection Agency as approved by the United States Department of Housing and Urban Development.

"Department" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, PO Box 44440, Olympia, WA 98504-4440.

"Design plan" is a design submitted to the department for approval of a manufactured home structural alteration.

"Equipment" (~~(is all material, appliances, devices, fixtures, fittings, or accessories)~~) means the appliances used in the alteration or installation of a manufactured home.

Examples of appliances that require an alteration inspection include:

- Furnace;
- Water heater;
- Air conditioner; and
- Heat pump.

Examples of appliances that do not require an alteration inspection include:

- Microwave oven;
- Washer;
- Dryer; and
- Dishwasher and range that are connected to their source of power by a plug-in cord.

"Equivalent air conditioning/heat pump components" is equipment that performs the same function and is compatible with the equipment of another manufacturer, sometimes referred to as mix and match.

"Footing" is the portion of a support system that transmits loads from the manufactured home to the ground.

"Foundation skirting" or "skirting" is the material that surrounds and encloses the space under the manufactured home.

"Homeowner" is an individual who owns a manufactured home. Dealers, distributors, and developers are not regarded as homeowners.

"HUD" is the United States Department of Housing and Urban Development with headquarters located in Washington, D.C.

"Installation" is the activity needed to prepare a building site and to set a manufactured home within that site. Site means a tract, parcel, or subdivision of land including a mobile home park.

"IPIA" is a manufactured home production Inspection Primary Inspection Agency approved by the United States Department of Housing and Urban Development. The department of labor and industries is the IPIA for Washington state.

"Local enforcement agency" is an agency of city or county government with power to enforce local regulations governing the building site and installation of a manufactured home.

"Manufactured home" is a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety

Standards Act, which is a national, preemptive building code.

A manufactured home also:

- Includes plumbing, heating, air conditioning, and electrical systems;
- Is built on a permanent chassis; and
- Can be transported in one or more sections with each section at least eight feet wide and forty feet long when transported; or when installed on the site is three hundred twenty square feet or greater (see RCW 46.04.302).

**Note:** Total square feet is based on exterior dimensions measured after installation using the longest horizontal projections. Dimensions may not include bay windows but may include projections containing interior space such as cabinets and expandable rooms.

**Exception:** A structure that meets the requirements of a manufactured home as set out in 24 CFR 3282.7(u), except the size requirements is considered a manufactured home, if the manufacturer files with the secretary of HUD a certificate noted in CFR 3282.13.

**"Mobile home"** is a factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. For the purposes of this chapter references to manufactured homes include mobile homes.

**"Park site"** is the installation location of a manufactured home within a residential area for manufactured homes.

**"Structural alteration-custom design"** is a design that can only be used once.

**"Structural alteration-master design"** is a design plan that can be used more than once. The master plan expires when there is a code change applicable to the design.

**"System"** is part of a manufactured home designed to serve a particular function such as structural, plumbing, mechanical, or electrical functions.

**AMENDATORY SECTION** (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

**WAC 296-150M-0140 Do you allow the use of alternate materials, alternate design and method of construction? When altering a manufactured home, an applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.**

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

- (a) The applicant's name, address and phone number;
- (b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;
- (c) ~~(Adequate)~~ Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;
- (d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken

to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

- (a) The applicant's request as described in subsection (1) of this section;
  - (b) Research into the request;
  - (c) Expert advice.
- (3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150M-0100.

**AMENDATORY SECTION** (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

**WAC 296-150M-0306 What codes are used when altering a manufactured (mobile) home?** Alterations to a manufactured (mobile) home must be in compliance with the Manufactured Home Construction and Safety Standards, ~~(Part)~~ 24(~~;~~) CFR Part 3280, as adopted by the Secretary for the Department of Housing and Urban Development (HUD) and the amendments to that federal standard adopted in this WAC chapter. The department will accept the following provisions, which supersede the applicable requirements in 24 CFR Part 3280.

(1) ~~((The department will accept))~~ Tested equivalent air conditioning/heat pump components that have been tested and listed for use with a particular furnace by a nationally recognized testing laboratory.

(2) ~~((The department will accept))~~ Pellet stoves for installation that have been listed by a department approved testing laboratory. For a current list of approved laboratories, contact any department field office or the department at the address shown in WAC 296-150M-0020.

**Note:** The replacement of exterior siding is an alteration and requires the approval of the department and an alteration insignia.

AMENDATORY SECTION (Amending WSR 99-12-080, filed 5/28/99, effective 6/28/99)

WAC 296-150M-3000 Manufactured home fees.

WAC 296-150M-3000 MANUFACTURED HOME FEES	
INITIAL FILING FEE	\$28.00
<b>DESIGN PLAN FEES:</b>	
STRUCTURAL ALTERATION-MASTER DESIGN (CODE CYCLE)	\$112.75
STRUCTURAL ALTERATION - ONE YEAR DESIGN	\$78.75
RENEWAL FEE	\$33.75
((RESUBMITAL)) RESUBMITTAL FEE	\$56.25
ADDENDUM (Approval expires on the same date as original plan.)	\$56.25
<b>DEPARTMENT INSPECTION FEES:</b>	
INSPECTION (Per hour*)	\$56.25
OTHER REQUIRED INSPECTIONS (Per hour*)	\$56.25
ALL REINSPECTIONS (Per hour*)	\$56.25
<b>INSIGNIA FEES:</b>	
ALTERATION	\$28.00
REISSUED - LOST/DAMAGED	\$16.50
<b>IPIA</b>	
<b>DEPARTMENT AUDIT FEES</b>	
<b>REGULARLY SCHEDULED IPIA AUDIT:</b>	
First inspection on each section (one time only)	\$25.75
Second and succeeding inspections of unlabelled sections (Per hour*)	\$56.25
<b>OTHER ((OPIA)) IPIA FEES:</b>	
Red tag removal during a regularly scheduled IPIA audit (Per hour* separate from other fees)	\$56.25
Red tag removal at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$56.25
Increased frequency surveillance (Per hour* plus travel time* and mileage**)	\$56.25
Attendance at manufacturers training classes (Per hour* only)	\$56.25
Subpart "I" investigations (Per hour* plus travel time* and mileage**)	\$56.25
Alterations to a labelled unit (Per hour* plus travel time* and mileage**)	\$56.25
IPIA Issues/Responses (Per hour* Plus travel time* and mileage**)	\$56.25
Monthly surveillance during a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$56.25
Monthly surveillance at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$56.25
Plant certifications, recertifications and addenda updates (Per hour* plus travel time* and mileage per each inspector)	\$56.25
Response to HBT Audit during a regularly scheduled IPIA audit (Per hour*)	\$56.25
Response to HBT Audit at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$56.25
Alternative construction (AC) letter inspections at placement site (Per hour* plus travel time* and mileage**)	\$56.25
Replacement of HUD labels (Per hour* plus travel time* and mileage**)	\$56.25
<b>OTHER FEES:</b>	
FIELD TECHNICAL SERVICE (Per hour plus travel time* and mileage**)	\$56.25
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$10.75
<b>NOTE: Local jurisdictions may have other fees that apply.</b>	
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

PERMANENT

**WSR 00-17-179**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**

(Nursing Care Quality Assurance Commission)

[Filed August 23, 2000, 11:17 a.m.]

Date of Adoption: July 13, 2000.

Purpose: WAC 246-840-830, amend rule to extend authority to certify the cause of death to all advanced registered nurse practitioner (ARNP) categories (not just "certified nurse midwife as defined in WAC 246-840-300").

Citation of Existing Rules Affected by this Order: Amending WAC 246-840-830 Determination and pronouncement of death.

Statutory Authority for Adoption: RCW 70.58.170 and 70.58.180.

Other Authority: Chapter 133, Laws of 2000.

Adopted under notice filed as WSR 00-11-166 on May 24, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 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.

July 14, 2000

Frank T. Maziarski, CRNA, MS  
 Chairman, Nursing Commission

**AMENDATORY SECTION** (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

**WAC 246-840-830 Determination and pronouncement of death by a licensed registered nurse.** A registered nurse may determine and pronounce death, but shall not certify death as defined in RCW 70.58.160 unless the registered nurse is ~~((an))~~ a licensed ARNP~~((certified nurse midwife))~~ as defined in WAC 246-840-300.

(1) A registered nurse may assume responsibility for the determination and pronouncement of death only if there are written policies and procedures relating to the determination and pronouncement of death in the organization with which the registered nurse is associated as an employee or by contract, provided:

(a) The decedent was under the care of a health care practitioner qualified to certify cause of death; and

(b) The decedent was a patient of the organization with which the registered nurse is associated; and

(c) There is a "do not resuscitate order" in the patient's record when the decedent was assisted by mechanical life support systems at the time of determination and pronouncement of death.

(2) A registered nurse who assumes responsibility for the determination and pronouncement of death shall be knowledgeable of the laws and regulations regarding death and human remains which affect the registered nurse's practice of this responsibility.

(3) A registered nurse who assumes responsibility for the determination and pronouncement of death shall:

(a) Perform a physical assessment of the patient's condition;

(b) Insure that family and physician and other caregivers are notified of the death; and

(c) Document the findings of the assessment and notification in all appropriate records.

**WSR 00-17-180**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
 [Filed August 23, 2000, 11:20 a.m.]

Date of Adoption: July 27, 2000.

Purpose: The purpose of these rule changes is to allow chiropractic applications to take one national examination instead of a state administered written and practical examination. This process will decrease license issuance time.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-808-120 Chiropractic examination scores; and amending WAC 246-808-105 Chiropractic licensure—Initial eligibility and application requirements, 246-808-115 Examinations, and 246-808-135 Licensure by endorsement.

Statutory Authority for Adoption: RCW 18.25.0171.

Other Authority: RCW 18.25.030.

Adopted under notice filed as WSR 00-13-094 on June 21, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, 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.

July 27, 2000

Robert S. Cummins, DC  
 Chairman, Chiropractic Commission

PERMANENT

**AMENDATORY SECTION** (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

**WAC 246-808-105 Chiropractic licensure—Initial eligibility and application requirements.** To be eligible for Washington state chiropractic licensure, the applicant shall complete an application provided by the commission, and shall include written documentation to meet the eligibility criteria for ~~((such))~~ licensure.

(1) Eligibility. An applicant shall provide proof that ~~((they))~~ applicant:

(a) Graduated from an accredited chiropractic college approved by the commission and show satisfactory evidence of completion of a resident course of study of at least four thousand classroom hours of instruction.

(b) Successfully completed National Board of Chiropractic Examiners test parts I ~~((and)), II, III and IV.~~

(c) Completed ~~((not less than))~~ at least one-half the requirements for a baccalaureate degree at an accredited and approved college or university if the applicant matriculated after January 1, 1975. Applicants who matriculated prior to January 1, 1975, must show proof of high school graduation or its equivalent.

(2) Application procedure. Each applicant shall submit:

(a) A completed official application including ~~((two))~~ one recent photo~~((s)).~~

(b) The ~~((examination))~~ application fee. (Refer to WAC 246-808-990 for fee schedule.)

(c) Official transcripts from prechiropractic schools showing successful completion of at least two years of liberal arts and sciences study.

(d) An official transcript and diploma certified by the registrar, from an approved chiropractic college.

(e) An official certificate of proficiency sent directly to the commission from the National Board of Chiropractic Examiners, parts I ~~((and)), II, III and IV.~~

(f) Verification of licensure status from all states where applicant has been issued a license to practice chiropractic. Verification is required whether license is active or inactive.

(g) ~~((Applicants must complete))~~ Evidence of completion of four clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.

**AMENDATORY SECTION** (Amending WSR 96-16-074, filed 8/6/96, effective 9/6/96)

**WAC 246-808-115 Examinations.** (1) In order to be eligible to take the commission administered examination, all applicants shall satisfactorily pass the National Board of Chiropractic Examiners test parts I ~~((and)), II, III and IV~~ which covers the subjects set forth in RCW 18.25.030.

(2) ~~((The commission's written examination includes the law relating to chiropractic.~~

(3) ~~The commission's practical examination contains the following sections:~~

~~(a) Practical x-ray;~~

~~(b) Practical technique.)~~ All applicants shall pass the open book written jurisprudence examination.

(3) The minimum passing score on the open book written jurisprudence examination is 95 percent.

**AMENDATORY SECTION** (Amending WSR 96-16-074, filed 8/6/96, effective 9/6/96)

**WAC 246-808-135 Licensure by endorsement.** An applicant may apply for licensure by endorsement by submitting to the commission:

(1) A completed application on forms provided by the department;

(2) A fee as specified in WAC 246-808-990; and

(3) Evidence, satisfactory to the commission:

(a) ~~((Of a))~~ That the license to practice chiropractic in another jurisdiction including, but not limited to, another state, a territory of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province in Canada;

(b) ~~((Of))~~ That the credentials and qualifications ~~((which))~~ are equivalent to the requirements of the state of Washington for licensure by examination at the time of application under this section;

(c) That the jurisdiction in which the applicant is licensed grants similar recognition to licensees in the state of Washington;

(d) That the applicant has been engaged in the full-time practice of chiropractic, or has taught general clinical chiropractic subjects at an accredited school of chiropractic, as set forth in WAC 246-808-040, in a jurisdiction described in subsection (3)(a) of this section for at least three of the five years immediately preceding application under this section;

(e) That the applicant has not been convicted of a crime, if such crime would be grounds for the refusal, suspension, or revocation of a license to practice chiropractic in this state if committed in the state of Washington;

(f) That the applicant's license to practice chiropractic is not, at the time of application under this section, suspended or revoked in any jurisdiction, based on grounds which would be grounds for the refusal, suspension or revocation of a license to practice chiropractic in this state; and

(g) Of passing ~~((a jurisprudence and adjustive technique examination administered by the Washington commission of chiropractic examiners))~~ an open book written jurisprudence examination and National Board of Chiropractic Examiners Special Purpose Examination for Chiropractors (SPEC).

#### **REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 246-808-120

Chiropractic examination scores.

**WSR 00-17-001**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-136—Filed August 2, 2000, 2:14 p.m., effective August 4, 2000, 12:01 a.m.]

Date of Adoption: August 2, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-24-02000M; and amending WAC 220-24-020.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A harvestable surplus of salmon is available for the troll fleet. These rules are adopted at the recommendation of the Pacific Fisheries Management Council, in accordance with preseason fishing plans. 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: August 4, 2000, 12:01 a.m.

August 2, 2000

J. P. Koenings

Director

**NEW SECTION**

**WAC 220-24-02000M Commercial salmon troll.** Notwithstanding the provisions of WAC 220-24-010, 220-24-020 and WAC 220-24-030, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear from those waters west of the Bonilla-Tatoosh, the Pacific Ocean and waters west of the Buoy 10 Line at the mouth of the Columbia River except as provided for in this section:

(1) Effective 12:01 a.m. August 4, 2000 through 11:59 p.m. September 30, 2000, Salmon Management and Catch Reporting Areas 1 and 2 from Cape Falcon, Oregon north to the Queets River will be open for a marked coho directed, all

salmon fishery. The fishery will cycle on a 4 days open, 3 days closed basis until reaching the earliest of September 30 or quota of 2,750 chinook or quota of 25,000 coho

SEASON: 12:01 a.m. August 4, through 11:59 p.m. August 7, 2000

12:01 a.m. August 11, through 11:59 p.m. August 14, 2000

12:01 a.m. August 18, through 11:59 p.m. August 21, 2000

12:01 a.m. August 25, through 11:59 p.m. August 28, 2000

12:01 a.m. September 1, through 11:59 p.m. September 4, 2000

12:01 a.m. September 8, through 11:59 p.m. September 11, 2000

12:01 a.m. September 15, through 11:59 p.m. September 18, 2000

12:01 a.m. September 22, through 11:59 p.m. September 25, 2000

12:01 a.m. September 29, through 11:59 p.m. September 30, 2000

(a) Each vessel is limited to 300 coho per 4 day open period. No vessel may land or possess more than 300 coho per 4 day open period. Gear is restricted to all legal troll gear with single point, single shank barbless hooks only. Each participating vessel must land and deliver in the area or adjacent closed area within 24 hours of each closure. All salmon species are legal but all retained coho must have a healed adipose fin clip. Salmon fishing closed in a control zone at the mouth of the Columbia River, described as:

(b) Columbia Control Zone - An area at the Columbia River mouth, bounded on the west by a line running north-east/southwest between the red lighted Buoy #4 (46°13'35" N. Lat., 124°06'50" W. long.) and the green lighted Buoy #7 (46°15'09" N. lat., 124°06'16" W. long.); on the east, by the Buoy #10 line which bears north/south at 357° true from the south jetty at 46°14'00" N. lat., 124°03'07" West. long. to its intersection with the north jetty; on the north, by a line running northeast/southwest between the green lighted Buoy #7 to the tip of the north jetty (46°14'48" N. lat., 124°05'20" W. long.) and then along the north jetty to the point of intersection with the Buoy #10 line; and, on the south, by a line running northeast/southwest between the red lighted Buoy #4 and tip of the south jetty (46°14'03" N. lat., 124°04'05" W. long.), and then along the south jetty to the point of intersection with the Buoy #10 line.

(2) In the fisheries authorized in this section:

(a) No chinook salmon smaller than 28 inches in total length or coho smaller than 16 inches in total length may be taken or retained. Except that frozen salmon taken in this fishery may be landed pursuant to WAC 220-20-015.

(b) It is unlawful to fish for or possess salmon taken for commercial purposes with gear other than troll gear.

(c) It is unlawful to land salmon taken south of Cape Falcon in any port north of Cape Falcon, except when the waters north of Cape Falcon are closed. It is unlawful to land chinook taken south of Cape Falcon that are less than 26 inches in length.

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

### REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 30, 2000:

WAC 220-24-02000M Commercial salmon troll.

**WSR 00-17-006**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-137—Filed August 3, 2000, 10:52 a.m., effective August 4, 2000, 11:59 p.m.]

Date of Adoption: August 3, 2000.

Purpose: Amend commercial rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-05100G; and amending WAC 220-52-051.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The state's share of spot shrimp in Marine Fish-Shellfish Management and Catch Reporting Area 26B is projected to be taken by the action date herein. 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: August 4, 2000, 11:59 p.m.

August 3, 2000

J. P. Koenings

Director

by Larry Peck

### NEW SECTION

#### **WAC 220-52-05100H Shrimp fishery—Puget Sound.**

Notwithstanding the provisions of WAC 220-52-051, effective immediately until further notice it is unlawful to fish for shrimp for commercial purposes in Puget Sound except as provided for in this section:

(1) All waters of Crustacean Management Regions 1B, 1C, 2, 3, 4, and 6 are open to harvest of all shrimp species by pot gear except as provided below:

(a) It is unlawful to harvest spot shrimp in all waters of Crustacean Management Regions 1B and 1C.

(b) It is unlawful to harvest spot shrimp in Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 25A and 26A.

(c) It is unlawful to harvest spot shrimp in Marine Fish-Shellfish Management and Catch Reporting Area 23A east of a line projected 335 degrees true from the Dungeness Lighthouse.

(d) Effective 11:59 p.m., August 4, 2000, it is unlawful to harvest spot shrimp in Marine Fish-Shellfish Management and Catch Reporting Area 26B.

(e) It is unlawful for the combined total harvest of spot shrimp by a fisher and/or the fisher's alternate operator to exceed 800 pounds per week or to exceed 300 pounds per week from Crustacean Management Region 4. Any fisher whose weekly shrimp harvest activity is exclusively limited to Marine Fish-Shellfish Management and Catch and Reporting Areas 23C, 23D, 29, or the western portion of Marine Fish-Shellfish Catch and Reporting Area 23A (west of a line projected true north from the new Dungeness light), or any combination of these areas, shall not be subject to the weekly spot shrimp trip limit for that week. The spot shrimp trip limit accounting week is Monday through Sunday.

(f) It is unlawful to fish for shrimp in Puget Sound in more than one Marine Fish-Shellfish Management and Catch Reporting Area per day. Fishers may move all of their shellfish pot gear from one Marine Fish-Shellfish Management and Catch Reporting Area to another Marine Fish-Shellfish Management and Catch Reporting Area if a harvest report is made before the shellfish pot gear is moved. The harvest activity report must be made consistent with the provisions of WAC 220-52-075 and must also include the following additional information.

(g) The number of pots being moved to a new area.

(h) The Marine Fish-Shellfish Management and Catch Reporting Area that pots are being moved to.

(i) It is unlawful to set or pull shellfish pots in one Marine Fish-Shellfish Management and Catch Reporting Area while in possession of shrimp harvested from another Marine Fish-Shellfish Management and Catch Reporting Area except shellfish pots may be set in a new fishing area subsequent to making a report as indicated in Section 5 above.

(2) It is unlawful to fish for shrimp in Puget Sound with beam trawl gear except:

(a) Crustacean Management Regions 1A, 1B and 1C - Open until further notice except as provided below.

(b) Crustacean Management Region 3 - Open until further notice, except closed in waters of Marine Fish-Shellfish



Management and Catch Reporting Area 23A west of a line projected due north from the Dungeness lighthouse.

(c) It is unlawful to fish for shrimp in Puget Sound with beam trawl gear in waters shallower than 100 feet.

(d) It is lawful to fish for shrimp in Puget Sound with beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Area 21A only in those waters north and west of a line from the southern tip of Sinclair Island to Carter Point on Lummi Island.

(e) The following restrictions apply to shrimp trawl harvest in Marine Fish-Shellfish Management and Catch Reporting Area 20A:

(i) Closed in waters east of a line from the southwest corner of Point Roberts to Sandy Point.

(ii) Closed in waters shallower than 20 fathoms.

(3) It is unlawful to harvest shrimp using shellfish pot or shrimp beam trawl gear from one hour after official sunset to one hour before official sunrise.

(4) It is unlawful to fish for shrimp in Puget Sound with shellfish pot gear in Shrimp Districts 1, 3, 4, 5, and 6 and it is unlawful to fish for shrimp in Puget Sound with beam trawl gear in Shrimp Districts 1, 2, 3, 4, 5, and 6.

(5) All shrimp taken under this section must be sold to licensed Washington wholesale fish dealers. No fisher may land shrimp without immediate delivery to a licensed wholesale dealer or, if transferred at sea, without transfer to a licensed wholesale dealer.

## REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 4, 2000:

WAC 220-52-05100G      Shrimp fishery—Puget Sound (00-125)

**WSR 00-17-020**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-138—Filed August 4, 2000, 9:55 a.m.]

Date of Adoption: August 3, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-07100P; and amending WAC 220-52-071.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable amounts of sea cucumbers are available in all districts and areas listed. Tatoosh Island is closed consistent with state/tribal agree-

ment. Colvos Passage Marine Preserve is closed to preserve the character of the marine preserve. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 3, 2000

J. P. Koenigs

Director

by Larry Peck

## NEW SECTION

**WAC 220-52-07100Q Sea cucumbers.** Notwithstanding the provisions of WAC 220-52-071, effective immediately until further notice, it is unlawful to take or possess sea cucumbers taken for commercial purposes except as provided for in this section:

(1) Effective 6:00 a.m. August 7, 2000 until further notice, sea cucumber harvest using shellfish diver gear is allowed in Sea Cucumber District 2 (Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23C, 23D, 25A, 25B, 25C, 25D, 25E, and 29), and Marine Fish-Shellfish Management and Catch Reporting Areas 26D, 28A, 28B, 28C, and 28D only on Monday, August 7, 2000 from 6:00 a.m. to one-half hour before official sunset, except for closures as provided for in this section.

(2) The following areas are closed to the harvest of sea cucumbers at all times:

(a) Tatoosh Island - Those waters within one-quarter mile of Tatoosh Island.

(b) Colvos Passage Marine Preserve - Area enclosed by a line starting at extreme low water 300 feet southwest of the southern boundary of sunrise County Park, Pierce County (latitude 47°20.9N) due east 300 feet, then southwesterly paralleling the shoreline for 500 feet, then west to the extreme low water line then northeasterly along extreme low water line to point of origin.

(3) It is unlawful to dive for any purpose from a commercially-licensed fishing vessel, except vessels actively fishing geoducks under contract with the Washington Department of Natural Resources, on August, 5 and 6, 2000.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-52-07100P Sea cucumbers. (00-128)

**WSR 00-17-049  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-140—Filed August 8, 2000, 8:08 a.m.]

Date of Adoption: August 7, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-12-61900N; and amending WAC 232-12-619.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These rules implement recommendations of the North of Falcon subgroup of the Pacific Fisheries Management Council, and are interim until permanent rules take effect.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 7, 2000

Evan Jacoby  
for Jeff P. Koenings  
Director

1. Bear River (Pacific County) - Effective immediately until further notice the river is closed to salmon fishing and single point barbless hooks, nonbuoyant lures and night closure not required until August 16, 2000.

2. Beaver Creek (Thurston County) - Effective immediately until further notice when open trout minimum size 14 inches.

3. Blooms Ditch (Thurston County) - Effective immediately until further notice when open trout minimum size 14 inches.

4. Bogachiel River (Clallam County) - Effective immediately until further notice when open for salmon release wild adult coho and wild adult chinook.

5. Calawah River (Clallam County) - Effective immediately until further notice when open for salmon release wild adult coho and wild adult chinook.

6. Canyon Creek (Clark County) - Effective immediately until further notice when open trout daily limit five fish.

7. Canyon Creek (Klickitat County) - Effective immediately until further notice when open statewide rules apply.

8. Carbon River (Pierce County) - Effective immediately until further notice nonbuoyant lure restriction and night closure from mouth to Voight Creek.

9. Clover Creek (Pierce County) - Effective immediately until further notice when open trout daily limit two fish.

10. Copalis River (Grays Harbor County) - Effective immediately until further notice closed to salmon angling.

11. Cowlitz River (Cowlitz/Lewis Counties) - Effective immediately until further notice: Salmon daily limit 6 fish of which no more than 2 may be adult fish. Release chum, chinook and wild coho.

12. Deep River (Wahkiakum County) - Effective immediately until further notice: Salmon open. Daily limit 6 fish of which no more than 2 may be adult fish. Release chum and wild coho.

13. Dickey River (Clallam County) - Effective immediately until further notice release wild adult coho and wild adult chinook.

14. Elwha River (Clallam County) - Effective immediately until further notice fly fishing only from mouth to marker at the outfall of the WDFW rearing channel.

15. Green River (Cowlitz County) - Effective immediately until further notice release chinook and wild coho.

16. Hoh River (Jefferson County) - Effective immediately until further notice the daily limit may contain up to two adult salmon from mouth to DNR oxbow campground boat launch, except release wild adult chinook

17. Hoko River (Clallam County) - Effective immediately until further notice from upper Hoko Bridge to Ellis Creek Bridge: Trout: Fly fishing only and release all fish.

18. Kalama River (Cowlitz County) - Effective immediately until further notice fishing from a floating device equipped with a motor prohibited in all waters upstream from the Modrow Bridge. From mouth to 1000 feet below fishway at upper salmon hatchery: Salmon: daily limit 6 fish of which no more than 2 may be adult fish. Release chum and wild coho.

19. Klickitat River (Klickitat County) - Effective immediately until further notice release wild coho.

**NEW SECTION**

**WAC 232-12-61900P Exceptions to statewide rules—North of Falcon 2000 emergency rules.** Notwithstanding the provisions of WAC 220-56-205, Chapters 220-57 and 220-57A WAC and WAC 232-28-619:

20. Little Quilcene River (Jefferson County) - Effective immediately until further notice statewide rules except trout minimum length fourteen inches.

21. Naselle River (Pacific/Whakiakum Counties) - Effective August 16 until further notice nonbuoyant lure and night closure downstream from North Fork and fishers may not allow their line, lures or bait to remain stationary in the water from the Crown Main Line Bridge downstream.

22. Nemah River, North, Middle and South (Pacific County) - Effective August 16 until further notice nonbuoyant lure restriction and night closure on North and Middle Nemah and South Nemah from mouth to confluence with Middle Nemah.

23. Niawiakum River (Pacific County) - Single point barbless hooks, nonbuoyant lure restriction and night closure not required until August 16. Effective immediately until further notice closed to salmon fishing.

24. Nooksack River (Whatcom County) - Effective immediately until further notice mainstem closed from Mount Baker High School bus barn to confluence of North and South forks.

25. North River (Grays Harbor/Pacific Counties) - Single point barbless hooks, nonbuoyant lure restriction and night closure not required until August 16. Effective immediately until further notice closed to salmon fishing.

26. Palix River, including all forks (Pacific County) - Single point barbless hooks, nonbuoyant lure restriction and night closure not required until August 16. Effective immediately until further notice closed to salmon fishing.

27. Quillayute River (Clallam County) - Effective immediately through August 31 release wild adult coho and wild adult chinook.

28. Sauk River, South Fork (Skagit/Snohomish Counties) - Upstream from Elliott Creek: Trout: Statewide rules.

29. Skokomish River (Mason County) - Effective immediately until further notice from mouth to Highway 101 Bridge, salmon daily limit 6 fish of which no more than 2 may be adult salmon, of which not more than one may be a chinook. Release chum.

30. Smith Creek (Pacific County) - Effective immediately until further notice closed to salmon fishing. Effective August 16 until further notice nonbuoyant lure restriction and night closure from mouth to Highway 101 Bridge.

31. Sol Duc River (Clallam County) - Effective immediately through August 31 release wild adult coho and wild adult chinook.

32. Tapps Lake Intake Canal (Pierce County) - Effective immediately until further notice, bass: release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

33. Tilton River (Lewis County) - Effective immediately until further notice release wild coho.

34. Toutle River (Cowlitz County) - Effective immediately until further notice in mainstem from mouth to forks and North Fork to posted deadline below fish collection facility: salmon daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and chinook. Release wild coho downstream of the forks.

35. Toutle River, North Fork (Cowlitz County) Effective immediately until further release wild coho.

36. Washougal River (Clark County) - Effective immediately through August 15, 2000 in those waters from the mouth to bridge at Salmon Falls, open for trout, wild cut-throat release. Nonbuoyant lure restriction and night closure. Effective August 16, through October 14, 2000 closed.

37. Willapa River (Pacific County) - Effective August 16 nonbuoyant lure restriction and night closure.

38. Wind River (Skamania County) - Effective immediately until further notice nonbuoyant lure restriction from mouth to Burlington Northern Railroad Bridge.

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-12-61900N Exceptions to statewide rules—North of Falcon 2000 emergency rules. (00-126)

### WSR 00-17-050 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 00-141—Filed August 8, 2000, 8:11 a.m., effective August 8, 2000, 6:00 a.m.]

Date of Adoption: August 7, 2000.

Purpose: Amend commercial rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05700G; and amending WAC 220-32-057.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Opens the John Day Pool for sturgeon set line fishing. The guideline of 1,160 has not been reached and harvestable numbers of sturgeon are available. Conforms state rules with tribal rules. 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: August 8, 2000, 6:00 a.m.

August 7, 2000

Evan Jacoby  
for Jeff P. Koenings  
Director

**WSR 00-17-051  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-142—Filed August 8, 2000, 3:52 p.m., effective August 8, 2000, 6:00 p.m.]

Date of Adoption: August 8, 2000.

Purpose: Amend commercial rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-52-05100H; and amending WAC 220-52-051.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The state's share of spot shrimp in Marine Fish-Shellfish Management and Catch Reporting Area 23B is projected to be taken by the action date herein. The state's share of nonspot shrimp has also been taken in 23A, 23B and 25A. 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: August 8, 2000, 6:00 p.m.

August 8, 2000

Evan Jacoby  
for Jeff P. Koenings  
Director

NEW SECTION

**WAC 220-32-05700G Columbia River sturgeon seasons above Bonneville Dam.** Notwithstanding the provisions of WAC 220-32-057, effective immediately, it is unlawful to take, fish for or possess sturgeon taken for commercial purposes in Columbia River Salmon Management Catch Reporting Areas 1F, 1G, and 1H, except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for sturgeon with set line gear under the following provisions:

1) Dates: 6:00 a.m. August 8, 2000 until 6:00 p.m. August 20, 2000

2) Open area for set line gear is 1H.

3) During the season specified in Section 1, it is unlawful to:

a) retain for commercial purposes sturgeon less than 48 inches or greater than 60 inches in length.

b) sell, barter, or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of a sturgeon prior to sale of the sturgeon to a wholesale dealer licensed under chapter RCW 75.28, or to sell or barter sturgeon eggs at retail.

c) deliver to a wholesale dealer licensed under chapter RCW 75.28 any sturgeon that are not in the round with the head and tail intact.

4) During the season specified in Section 1, it is unlawful to use set line gear:

a) with more than 100 hooks per set line

b) with hooks less than the minimum size of 9/0

c) with treble hooks

d) without visible buoys attached and with buoys that do not specify operator and tribal identification

5) Allowable sale is sturgeon. Sturgeon caught from scaffolds and platforms may be sold.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. August 20, 2000:

WAC 220-32-05700G Columbia River sturgeon seasons above Bonneville Dam.

NEW SECTION

**WAC 220-52-05100I Shrimp fishery—Puget Sound.** Notwithstanding the provisions of WAC 220-52-051, effective immediately until further notice it is unlawful to fish for shrimp for commercial purposes in Puget Sound except as provided for in this section:

(1) All waters of Crustacean Management Regions 1B, 1C, 2, 3, 4, and 6 are open to harvest of all shrimp species by pot gear except as provided below:

(a) It is unlawful to harvest spot shrimp in all waters of Crustacean Management Regions 1B and 1C.

(b) It is unlawful to harvest spot shrimp in Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 25A, 26A and 26B.

(c) It is unlawful to harvest spot shrimp in Marine Fish-Shellfish Management and Catch Reporting Area 23A east of a line projected 335 degrees true from the Dungeness Light-house.

(d) Effective 6:00 p.m., August 8, 2000, it is unlawful to harvest spot shrimp in Marine Fish-Shellfish Management and Catch Reporting Area 23B.

(e) It is unlawful for the combined total harvest of spot shrimp by a fisher and/or the fisher's alternate operator to exceed 800 pounds per week or to exceed 300 pounds per week from Crustacean Management Region 4. Any fisher whose weekly shrimp harvest activity is exclusively limited to Marine Fish-Shellfish Management and Catch and Reporting Areas 23C, 23D, 29, or the western portion of Marine Fish-Shellfish Catch and Reporting Area 23A (west of a line projected true north from the new Dungeness light), or any combination of these areas, shall not be subject to the weekly spot shrimp trip limit for that week. The spot shrimp trip limit accounting week is Monday through Sunday.

(f) It is unlawful to fish for shrimp in Puget Sound in more than one Marine Fish-Shellfish Management and Catch Reporting Area per day. Fishers may move all of their shellfish pot gear from one Marine Fish-Shellfish Management and Catch Reporting Area to another Marine Fish-Shellfish Management and Catch Reporting Area if a harvest report is made before the shellfish pot gear is moved. The harvest activity report must be made consistent with the provisions of WAC 220-52-075 and must also include the following additional information.

(g) The number of pots being moved to a new area.

(h) The Marine Fish-Shellfish Management and Catch Reporting Area that pots are being moved to.

(i) It is unlawful to set or pull shellfish pots in one Marine Fish-Shellfish Management and Catch Reporting Area while in possession of shrimp harvested from another Marine Fish-Shellfish Management and Catch Reporting Area except shellfish pots may be set in a new fishing area subsequent to making a report as indicated in Section 5 above.

(2) It is unlawful to fish for shrimp in Puget Sound with beam trawl gear except:

(a) Crustacean Management Regions 1A, 1B and 1C - Open until further notice except as provided below.

(b) Crustacean Management Region 3 - Open until further notice, except closed in waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23B and 25A.

(c) It is unlawful to fish for shrimp in Puget Sound with beam trawl gear in waters shallower than 100 feet.

(d) It is lawful to fish for shrimp in Puget Sound with beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Area 21A only in those waters north and west of a line from the southern tip of Sinclair Island to Carter Point on Lummi Island.

(e) The following restrictions apply to shrimp trawl harvest in Marine Fish-Shellfish Management and Catch Reporting Area 20A:

(i) Closed in waters east of a line from the southwest corner of Point Roberts to Sandy Point.

(ii) Closed in waters shallower than 20 fathoms.

(3) It is unlawful to harvest shrimp using shellfish pot or shrimp beam trawl gear from one hour after official sunset to one hour before official sunrise.

(4) It is unlawful to fish for shrimp in Puget Sound with shellfish pot gear in Shrimp Districts 1,3, 4, 5, and 6 and it is unlawful to fish for shrimp in Puget Sound with beam trawl gear in Shrimp Districts 1, 2, 3, 4, 5, and 6.

(5) All shrimp taken under this section must be sold to licensed Washington wholesale fish dealers. No fisher may land shrimp without immediate delivery to a licensed wholesale dealer or, if transferred at sea, without transfer to a licensed wholesale dealer.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 6:00 p.m. August 8, 2000:

WAC 220-52-05100H      Shrimp fishery—Puget Sound (00-137)

### WSR 00-17-064 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 00-143—Filed August 9, 2000, 3:52 p.m., effective August 10, 2000, 12:01 a.m.]

Date of Adoption: August 9, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-16000A; and amending WAC 220-57-160.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The upper Columbia summer chinook return for 2000 is one of the strongest returns in recent history. Escapement will exceed hatchery broodstock and wild broodstock spawning needs. There is a harvestable surplus. The stock is stable, not listed under ESA, and deemed by NMFS not likely to have negative impact on ESA listed species. 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: August 10, 2000, 12:01 a.m.

August 9, 2000

Jeff P. Koenings

by Larry Peck

Director

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 10, 2000

Evan Jacoby

for Jeff P. Koenings

Director

NEW SECTION

**WAC 220-57-16000A Columbia River.** Notwithstanding the provisions of WAC 220-57-160, effective 12:01 a.m. August 10, 2000 through October 31, 2000 in those waters of the Columbia River from Priest Rapids Dam upstream to Wells Dam, daily limit of six salmon, no more than 2 adults. Release wild coho. Non-buoyant lure restriction.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. November 1, 2000:

WAC 220-57-16000A Columbia River.

NEW SECTION

**WAC 220-56-19000E Coastal salmon seasons.** Notwithstanding the provisions of WAC 220-56-190, effective immediately until further notice it is unlawful to fish for or possess salmon taken from Catch Record Card Areas 1 through 4 except as provided for in this section:

Area 1 - Open only August 13, 2000. Daily limit 2 salmon, not more than one of which may be a chinook. Release wild coho.

Area 2 and 2-2 west of the Buoy 13 line - Open only August 13, 2000. Daily limit 2 salmon, not more than one of which may be a chinook. Release wild coho. Open August 13 inside a line from the Westport Light to Grays Harbor Buoy No. 2, to Grays Harbor Buoy No. 3, to the Grays Harbor North Jetty and west of the buoy 13 line.

Area 2-2 east of the Buoy 13 line - Closed except waters of the Westport and Ocean Shores Boat Basins open August 16 until further notice, daily limit six salmon not more than four of which may be adult salmon. Chinook and coho salmon minimum size 12 inches. Single point barbless hooks required.

Area 2-1 - Open August 16 until further notice. Daily limit 6 salmon, not more than 2 of which may be adult salmon. Release wild coho salmon. Single point barbless hooks required.

Area 3 - Open through August 12. Daily limit 2 salmon, not more than one of which may be a chinook. Release wild coho.

Area 4 - Open until further notice. Daily limit 2 salmon, not more than one of which may be a chinook. Release wild coho. In those waters of Catch Record Area 4 east of the Bonilla-Tatoosh line all chinook salmon must be released immediately.

**WSR 00-17-071**

**EMERGENCY RULES**

**DEPARTMENT OF**

**FISH AND WILDLIFE**

[Order 00-145—Filed August 11, 2000, 2:43 p.m.]

Date of Adoption: August 10, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19000C and 220-56-19000D; and amending WAC 220-56-190.

Statutory Authority for Adoption: RCW 77.12.047.

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 harvestable quota of salmon is projected to have been achieved in Catch Record Card Areas 1, 2, 2-2 west of the Buoy 13 line and Area 3. 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

EMERGENCY

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 220-56-19000C Coastal salmon—Saltwater seasons. (00-58)
- WAC 220-56-19000D Coastal salmon—Saltwater seasons. (00-104)

**WSR 00-17-090  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-151—Filed August 15, 2000, 2:55 p.m., effective August 16, 2000, 12:01 a.m.]

Date of Adoption: August 15, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19100L; and amending WAC 220-56-191.

Statutory Authority for Adoption: RCW 77.12.047.

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: Following conclusion of the North of Falcon planning process, tribal managers requested that the department modify adopted regulations for recreational fishing inside Elliott Bay for the period August 16-31 to be contingent upon in-season assessment of returning chinook salmon. Information for in-season management of this fishery will not be available prior to August 16, so the fishery will be closed until further notice. 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: August 16, 2000, 12:01 a.m.

August 15, 2000

Evan Jacoby

for Jeff P. Koenings

Director

**NEW SECTION**

**WAC 220-56-19100M Puget Sound salmon seasons.** Notwithstanding the provisions of WAC 220-56-191, effective 12:01 a.m. August 16, 2000 until further notice it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Areas 5 through 13 except as provided for in this section:

In all fisheries provided for in this section the minimum size for chinook is 22 inches and there is no minimum size for other salmon.

Areas 5 and 6 - Open until further notice. Daily limit 2 salmon, except release chinook, chum and wild coho.

Area 7 - Open until further notice. Daily limit 2 salmon, not more than one of which may be a chinook salmon, except August 16 until further notice in Bellingham Bay and adjacent waters described in WAC 220-56-195(1) daily limit 4 salmon not more than one of which may be a chinook salmon, except closed in Samish Bay south of a line due east from Fish Point until further notice.

Areas 8-1 and 8-2 - Closed until further notice, except Tulalip Bay waters described in WAC 220-56-191 (4)(b) open until further notice each Friday through 11:59 a.m. the following Monday, daily limit 2 salmon not more than one of which may be a chinook.

Area 9 - Closed until further notice except when fishing from the Edmonds Public Fishing pier, daily limit 2 salmon not more than one of which may be a chinook salmon.

Area 10 - Open until further notice. Daily limit 2 salmon, except release chinook salmon, except:

(a) Waters of Elliott Bay east of a line from West Point to Alki Point are closed to salmon angling except as provided in subsection (e).

(b) Effective immediately until further notice Shilshole Bay east of a line from Meadow Point to West Point is closed.

(c) Effective immediately until further notice in Sinclair Inlet and Port Orchard south of the Manette Bridge, south of a line projected true west from Battle Point and west of a line projected true south from Point White the daily limit may contain up to two chinook.

(d) Effective immediately until further notice waters east of a line from Point Wells to Meadow Point are closed.

(e) Fishing from the Elliott Bay and Seacrest Public Fishing Pier is allowed until further notice, daily limit 2 salmon not more than one of which may be a chinook.

Area 11 - Open until further notice. Daily limit 2 salmon not more than one of which may be a chinook salmon.

Area 12 - Open until further notice south of Ayock Point. Daily limit 2 salmon not more than one of which may be a chinook salmon. Release chum salmon. Open August 16 until further notice in waters north of a true east line from Point Whitney to the Toandos Peninsula. Daily limit 4

**EMERGENCY**

salmon, release chinook and chum. The Hoodspout Hatchery fishery is managed separately under WAC 220-56-124.

Area 13 - Open until further notice. Daily limit 2 salmon, release wild coho. While fishing from the Fox Island Public Fishing Pier, daily limit 2 salmon not more than one of which may be a chinook, and release wild coho.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. August 16, 2000:

WAC 220-56-19100L Puget Sound salmon seasons.  
(00-58)

**WSR 00-17-092**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-147—Filed August 15, 2000, 2:58 p.m., effective August 16,  
2000, 12:01 a.m.]

Date of Adoption: August 15, 2000.

Purpose: Amend commercial fishing use rules.

Statutory Authority for Adoption: RCW 77.12.047.

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 above Puget Sound purse seine, gill net, and reef net openings are part of the final agreements reached at the April 7, 2000, meeting of the Pacific Fishery Management Council in Portland, Oregon. Those agreements were drafted into regulatory format and filed with the Code Reviser's Office under the expedited rule-making process. Rules in that filing do not become effective until September 22, 2000, but several fisheries are scheduled to begin prior to that date. These emergency rules are necessary at this time to harvest surplus salmon before the salmon migrate into their spawning streams losing commercial fishing opportunity.

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 Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 16, 2000, 12:01 a.m.

August 15, 2000

Evan Jacoby

for Jeff P. Koenings

Director

### NEW SECTION

**WAC 220-47-701 Puget Sound all-citizen commercial salmon fishery.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Wednesday, August 16, 2000 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, gears, mesh sizes, area, and species restrictions:

**Area 6D:** Open to skiff gill nets only using 5 inch minimum and 5 1/2 inch maximum mesh from 7:00 a.m. to 7:00 p.m. on the following dates: 9/21, 9/22, 9/25, 9/26, 9/27, 9/28, 9/29, 10/2, 10/3, 10/4, 10/5, 10/6, 10/9, 10/10, 10/11, 10/12, 10/13, 10/16, 10/17, 10/18, 10/19, 10/20, 10/23, 10/24, 10/25, 10/26, 10/27.

In Area 6D, it is unlawful to retain chinook salmon at any time, or any chum salmon taken prior to October 16. Salmon that are unlawful to retain must be removed from the net by cutting the meshes ensnaring the fish. Area 6D is closed to commercial salmon fishing within 1/4 mile of each mouth of the Dungeness River.

**Area 7:** Open for reef nets from 7:00 a.m. to 7:00 p.m. daily beginning Sunday, September 10 until Saturday, November 11, but closed until such time as the Fraser River Panel of the Pacific Salmon Commission relinquishes control of convention waters, if they have not done so by September 10. It is unlawful to retain chinook salmon at any time. Chum salmon must be released prior to October 1.

**Area 7A:** Open for reef nets from 7:00 a.m. to 7:00 p.m. daily beginning Sunday, September 10 until Saturday, November 11, but closed until such time as the Fraser River Panel of the Pacific Salmon Commission has relinquished control of convention waters, if they have not done so by September 10. It is unlawful to retain chinook salmon at any time. Chum salmon must be released prior to October 1.

**Area 7B:** Open as follows:

**gill nets** - open to gill nets using 7 inch minimum mesh during these times:

7:00 p.m. Wednesday, August 16 to 9:00 a.m. Thursday August 17

7:00 p.m. Monday, August 21 to 9:00 a.m. Tuesday, August 22

7:00 p.m. Tuesday, August 22 to 9:00 a.m. Wednesday, August 23

7:00 p.m. Monday, August 28 to 9:00 a.m. Tuesday, August 29

7:00 p.m. Monday, September 4 to 9:00 a.m. Tuesday, September 5



and open to gill nets using 5 inch minimum mesh during these times:

6:00 a.m. Monday, September 11 through 8:00 p.m. Wednesday, September 13

6:00 a.m. Monday, September 18 through 7:00 p.m. Wednesday, September 20

**purse seine** - open to purse seines using the 5-inch strip during these times:

6:00 a.m. Monday, September 11 through 8:00 p.m. Wednesday, September 13

6:00 a.m. September 18 through 7:00 p.m. Wednesday, September 20

**Area 7C:** Open to gill nets using 7 inch minimum mesh during these times:

7:00 p.m. Wednesday, August 16 to 9:00 a.m. Thursday August 17

7:00 p.m. Monday, August 21 to 9:00 a.m. Tuesday, August 22

7:00 p.m. Tuesday, August 22 to 9:00 a.m. Wednesday, August 23

7:00 p.m. Monday, August 28 to 9:00 a.m. Tuesday, August 29

7:00 p.m. Monday, September 4 to 9:00 a.m. Tuesday, September 5

**Area 9A:** Open to gill nets using 5 inch minimum mesh from 7:00 a.m. Sunday, September 17 to 4:00 p.m. Saturday, October 28. Chum salmon must be released prior to October 1. Chum salmon that are unlawful to be retained must be removed from the net by cutting the meshes ensnaring the fish.

**Area 12A:** Open to beach seines only 7:00 a.m. to 7:00 p.m. daily beginning Monday, August 28 to Friday, September 1; Monday, September 4 to Friday, September 8; Monday, September 11 to Friday, September 15; Monday, September 18 to Friday, September 22; Monday, September 25 to Friday, September 29; Monday, October 2 to Friday, October 6; Monday, October 9 to Friday, October 13.

In Area 12A it is unlawful to retain chinook salmon at any time.

Areas 4B, 5, 6, 6A, 6B, 6C, 7D, 7E, 8, 8A, 9, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 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 - Closed.

**WSR 00-17-099**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-150—Filed August 15, 2000, 4:25 p.m.]

Date of Adoption: August 15, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 220-56-235.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The populations of sixgill sharks in Puget sound are thought to be small and localized. Recent emergent recreational fisheries have appeared to significantly reduce a local population. This slow growing and late maturing shark also has low reproductive rates and will not be able to persist under a targeted fishing effort. This action provides a conservation protection measure. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 15, 2000

J. P. Koenigs

Director

by Larry Peck

**NEW SECTION**

**WAC 220-56-23500H Possession limits—Bottomfish.** Notwithstanding the provisions of WAC 220-56-235, effective immediately until further notice, it is unlawful to retain Sixgill shark (*Hexanchus griseus*) taken for personal use in Catch Record Card Areas 5 through 13.

**WSR 00-17-103**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Medical Assistance Administration)

[Filed August 16, 2000, 3:20 p.m., effective August 17, 2000]

Date of Adoption: August 16, 2000.

Purpose: To correct a recently adopted rule (WAC 388-502-0020 General requirements for providers) which was filed as WSR 00-15-050. This will rescind a requirement that MAA providers include a specific signed statement with each request for payment. This is no longer required and is not possible with MAA's electronic billing system. MAA will

begin the expedited adoption process to permanently amend this rule.

Citation of Existing Rules Affected by this Order: Amending WAC 388-502-0020.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.500, 74.09.530.

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: In a recent adoption, MAA required people who provide services/equipment to MAA clients (providers) to include a certification with their bills as a condition of payment. This is impossible when using MAA's electronic billing system. MAA must remove this requirement immediately so providers can be reimbursed for the services/equipment they furnish (and continue to serve MAA clients).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: August 17, 2000, immediately after the permanent rule (filed as WSR 00-15-050) becomes effective.

August 16, 2000

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 00-15-050, filed 7/17/00, effective 8/17/00)

**WAC 388-502-0020 General requirements for providers.** (1) Enrolled providers must:

(a) Keep legible, accurate, and complete charts and records to justify the services provided to each client, including, but not limited to:

- (i) Patient's name and date of birth;
- (ii) Dates of services;
- (iii) Name and title of person performing the service, if other than the billing practitioner;
- (iv) Chief complaint or reason for each visit;
- (v) Pertinent medical history;
- (vi) Pertinent findings on examination;

(vii) Medications, equipment, and/or supplies prescribed or provided;

(viii) Description of treatment (when applicable);

(ix) Recommendations for additional treatments, procedures, or consultations;

(x) X-rays, tests, and results;

(xi) Dental photographs and teeth models;

(xii) Plan of treatment and/or care, and outcome; and

(xiii) Specific claims and payments received for services.

(b) Assure charts are authenticated by the person who gave the order, provided the care, or performed the observation, examination, assessment, treatment or other service to which the entry pertains;

(c) Make charts and records available to DSHS, its contractors, and the US Department of Health and Human Services upon request, for six years from the date of service or longer if required specifically by federal or state law or regulation;

(d) Bill the department according to department rules and billing instructions;

~~(e) ((Include and sign the following statement with each bill submitted to the department for reimbursement: "I hereby certify under penalty of perjury, that the material furnished and service rendered is a correct charge against the state of Washington; the claim is just and due; that no part of the same has been paid and I am authorized to sign for the payee; and that all goods furnished and/or services rendered have been provided without discrimination on the grounds of race, creed, color, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap."~~

~~(f))~~ Accept the payment from the department as payment in full;

~~((g))~~ ~~(f)~~ Follow the requirements in WAC 388-502-0160 and 388-538-095 about billing clients;

~~((h))~~ ~~(g)~~ Fully disclose ownership and control information requested by the department;

~~((i))~~ ~~(h)~~ Not pay a third party biller a percentage of amounts collected, or discount client accounts to a third party biller;

~~((j))~~ ~~(i)~~ Provide all services without discriminating on the grounds of race, creed, color, age, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap; and

~~((k))~~ ~~(j)~~ Provide all services according to federal and state laws and rules, and billing instructions issued by the department.

(2) A provider may contact MAA with questions regarding its programs. However, MAA's response is based solely on the information provided to MAA's representative at the time of inquiry, and in no way exempts a provider from following the laws and rules that govern the department's programs.

**WSR 00-17-118  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-144—Filed August 17, 2000, 1:47 p.m., effective August 19, 2000, 12:01 a.m.]

Date of Adoption: August 17, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-56-33000F.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Crab hard shell condition meets the criteria needed for harvest in the northern portion of Marine Area 7. 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 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 0.

Effective Date of Rule: August 19, 2000, 12:01 a.m.

August 17, 2000

J. P. Koenings

Director

by Larry Peck

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. August 19, 2000:

WAC 220-56-33000F Personal use crab fishery—  
Areas and seasons (00-116)

**WSR 00-17-119  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-156—Filed August 17, 2000, 1:49 p.m., effective August 18, 2000, 12:01 a.m.]

Date of Adoption: August 17, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-24-02000M; and amending WAC 220-24-020.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A harvestable surplus of salmon is available for the troll fleet. These rules are adopted at the recommendation of the Pacific Fisheries Management Council, in accordance with preseason fishing plans. 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: August 18, 2000, 12:01 a.m.

August 17, 2000

J. P. Koenings

Director

by Larry Peck

**NEW SECTION**

**WAC 220-24-02000N Commercial salmon troll.** Notwithstanding the provisions of WAC 220-24-010, 220-24-020 and WAC 220-24-030, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear from those waters west of the Bonilla-Tatoosh, the Pacific Ocean and waters west of the Buoy 10 Line at the mouth of the Columbia River except as provided for in this section:

(1) Effective 12:01 a.m. August 18, 2000 through 11:59 p.m. September 30, 2000, Salmon Management and Catch Reporting Areas 1 and 2 from Cape Falcon, Oregon north to

**EMERGENCY**

the Queets River will be open for a marked coho directed, all-salmon fishery. The fishery will cycle on a 4 days open, 3 days closed basis until reaching the earliest of September 30 or quota of 3,750 chinook or quota of 21,000 coho

SEASON: 12:01 a.m. August 18, through 11:59 p.m. August 21, 2000

12:01 a.m. August 25, through 11:59 p.m. August 28, 2000

12:01 a.m. September 1, through 11:59 p.m. September 4, 2000

12:01 a.m. September 8, through 11:59 p.m. September 11, 2000

12:01 a.m. September 15, through 11:59 p.m. September 18, 2000

12:01 a.m. September 22, through 11:59 p.m. September 25, 2000

12:01 a.m. September 29, through 11:59 p.m. September 30, 2000

(a) Gear is restricted to all legal troll gear with single point, single shank barbless hooks only. Each participating vessel must land and deliver in the area or adjacent closed area within 24 hours of each closure. All salmon species are legal but all retained coho must have a healed adipose fin clip. Salmon fishing closed in a control zone at the mouth of the Columbia River, described as:

(b) Columbia Control Zone - An area at the Columbia River mouth, bounded on the west by a line running north-east/southwest between the red lighted Buoy #4 (46°13'35" N. Lat., 124°06'50" W. long.) and the green lighted Buoy #7 (46°15'09" N. lat., 124°06'16" W. long.); on the east, by the Buoy #10 line which bears north/south at 357° true from the south jetty at 46°14'00" N. lat., 124°03'07" West. long. to its intersection with the north jetty; on the north, by a line running northeast/southwest between the green lighted Buoy #7 to the tip of the north jetty (46°14'48" N. lat., 124°05'20" W. long.) and then along the north jetty to the point of intersection with the Buoy #10 line; and, on the south, by a line running northeast/southwest between the red lighted Buoy #4 and tip of the south jetty (46°14'03" N. lat., 124°04'05" W. long.), and then along the south jetty to the point of intersection with the Buoy #10 line.

(2) In the fisheries authorized in this section:

(a) No chinook salmon smaller than 28 inches in total length or coho smaller than 16 inches in total length may be taken or retained. Except that frozen salmon taken in this fishery may be landed pursuant to WAC 220-20-015.

(b) It is unlawful to fish for or possess salmon taken for commercial purposes with gear other than troll gear.

(c) It is unlawful to land salmon taken south of Cape Falcon in any port north of Cape Falcon, except when the waters north of Cape Falcon are closed. It is unlawful to land chinook taken south of Cape Falcon that are less than 26 inches in length.

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 220-24-02000M Commercial salmon troll.  
(00-136)

### WSR 00-17-120 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 00-155—Filed August 17, 2000, 1:50 p.m., effective August 17, 2000, 11:59 p.m.]

Date of Adoption: August 17, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-56-19000E; and amending WAC 220-56-190.

Statutory Authority for Adoption: RCW 77.12.047.

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 harvestable quota of salmon is projected to have been achieved in Catch Record Card Areas 1, 2, 2-2 west of the Buoy 13 line and Area 3 and Area 4 west of the Bonilla Tatoosh line. 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: August 17, 2000, 11:59 p.m.

August 17, 2000

J. P. Koenings

Director

by Larry Peck

### NEW SECTION

WAC 220-56-19000F Coastal salmon seasons. Notwithstanding the provisions of WAC 220-56-190, effective

11:59 p.m. August 17, 2000 until further notice it is unlawful to fish for or possess salmon taken from Catch Record Card Areas 1 through 4 except as provided for in this section:

Area 1 - Closed until further notice.

Area 2 and 2-2 west of the Buoy 13 line - Closed until further notice.

Area 2-2 east of the Buoy 13 line - Closed except waters of the Westport and Ocean Shores Boat Basins open August 16 until further notice, daily limit six salmon not more than four of which may be adult salmon. Chinook and coho salmon minimum size 12 inches. Single point barbless hooks required.

Area 2-1 - Open August 16 until further notice. Daily limit 6 salmon, not more than 2 of which may be adult salmon. Release wild coho salmon. Single point barbless hooks required.

Area 3 - Closed until further notice.

Area 4 west of the Bonilla Tatoosh line - closed until further notice.

Area 4 east of the Bonilla Tatooh line - Open until further notice. All chinook salmon must be released immediately. Release wild coho salmon.

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-19000E Coastal salmon—Saltwater seasons. (00-145))

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

**WSR 00-17-129  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-157—Filed August 18, 2000, 4:57 p.m., effective August 18, 2000, 11:59 p.m.]

Date of Adoption: August 17, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19100M and 220-56-19100N; and amending WAC 220-56-191.

Statutory Authority for Adoption: RCW 77.12.047.

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: In-season management information indicates the Green River chinook run is at, or below, preseason expectations and few fresh returning fish appear to be moving into the bay. The number of natural chinook remaining in the bay are needed for spawning, and chinook-directed fisheries in the Elliott Bay portion of Area 10 are

being closed to salmon angling through August 31, including the two fishing piers that are normally open year round. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 18, 2000, 11:59 p.m.

August 17, 2000

J. P. Koenigs

Director

### NEW SECTION

**WAC 220-56-19100N Puget Sound salmon seasons.** Notwithstanding the provisions of WAC 220-56-191, effective 11:59 p.m. August 18 until further notice, it is unlawful to fish for or possess salmon taken from Catch Record Card Areas 5 through 13 except as provided for in this section:

Areas 5 and 6 - Open until further notice. Daily limit 2 salmon, except release chinook, chum and wild coho.

Area 7 - Open until further notice. Daily limit 2 salmon, not more than one of which may be a chinook salmon, except in Bellingham Bay and adjacent waters described in WAC 220-56-195(1) daily limit 4 salmon not more than one of which may be a chinook salmon, except closed in Samish Bay south of a line due east from Fish Point.

Areas 8-1 and 8-2 - Closed until further notice, except Tulalip Bay waters described in WAC 220-56-191 (4)(b) are open each Friday through 11:59 a.m. the following Monday, daily limit 2 salmon not more than one of which may be a chinook.

Area 9 - Closed until further notice except when fishing from the Edmonds fishing pier, daily limit 2 salmon not more than one of which may be a chinook.

Area 10 - Open until further notice, daily limit 2 salmon, except release chinook salmon, except:

(a) Closed through August 31 east of a line from West Point to Alki Point, including waters seaward (downstream) of the mouth of the Duwamish River (First Avenue South Bridge).

(b) Waters of Shilshole Bay east of a line from Meadow Point to West Point are closed.

(c) Effective immediately until further notice in Sinclair Inlet and Port Orchard south of the Manette Bridge, south of a line projected true west from Battle Point and west of a line

projected true south from Point White the daily limit may contain up to two chinook.

(d) Waters east of a line from Point Wells to Meadow Point are closed.

(e) Effective 11:59 p.m. Friday, August 18 through August 31, fishing from the Elliott Bay Public Fishing Pier at Terminal 86 and the Seacrest fishing pier is closed.

Area 11 - Open until further notice. Daily limit 2 salmon, not more than one of which may be a chinook salmon.

Area 12 - Closed until further notice, except:

(a) Open south of Ayock Point. Daily limit 2 salmon, not more than one of which may be a chinook salmon. Release chum salmon.

(b) Open northeast of a true east-west line from Point Whitney to the Toandos Peninsula, daily limit 4 salmon, release chinook and chum.

(c) The Hoodspout Hatchery fishery is managed separately under WAC 220-56-124.

Area 13 - Open until further notice. Daily limit 2 salmon, release wild coho. Fishing from the Fox Island Public Fishing Pier open until further notice, daily limit 2 salmon not more than one of which may be a chinook, and release wild coho.

Reasons for this Finding: Harvestable numbers of salmon and sturgeon are available. Season is consistent with 2000 fall management agreement and actions of the Columbia River Compact of August 18, 2000. There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 21, 2000, 8:00 p.m.

August 18, 2000

J. P. Koenings

Director

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 18, 2000:

WAC 220-56-19100M Puget Sound salmon seasons. (00-151)

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 31, 2000:

WAC 220-56-19100N Puget Sound salmon seasons.

**NEW SECTION**

**WAC 220-33-01000G Columbia River season below Bonneville** Notwithstanding the provisions of WAC 220-33-010, and 220-33-020, it is unlawful for a person to take or possess salmon or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E, except as provided in the following subsections.

1) OPEN AREA: SMCRA 1D upstream of the I-205 Bridge and 1E, with the following modified Washougal Sanctuary:

a) Modified Washougal Sanctuary means those waters of the Columbia River and Camas Slough upstream from a line projecting from flashing light 1 on the Washington shore (approximately 4.5 miles upstream of the I-205 Bridge) to Navigational marker 2 on the lower end of Sand Island thence south to Government Island, and a line from the upper end of Government Island south to the upper end of McGuire Island thence south to the Oregon shore, and downstream of a line projected true north-south through the Washougal blinker light (light "50") to a fishing boundary marker on the Washington shore and to the Oregon shore.

SEASON: 8:00 p.m. August 21, 2000 to 6:00 a.m. August 22, 2000

8:00 p.m. August 22, 2000 to 6:00 a.m. August 23, 2000

8:00 p.m. August 23, 2000 to 6:00 a.m. August 24, 2000

GEAR: 9 inch minimum mesh and 9-3/4 inch maximum mesh.

ALLOWABLE SALE: Salmon and sturgeon.

OTHER: White sturgeon less than 48 inches or greater than 60 inches, or green sturgeon less than 48 inches or greater than 66 inches may not be retained for commercial

EMERGENCY

**WSR 00-17-130  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 00-158—Filed August 21, 2000, 7:53 a.m., effective August 21, 2000, 8:00 p.m.]

Date of Adoption: August 18, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000G; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 77.12.047.

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.

purposes and shall be immediately returned to the water. It is unlawful to gaff sturgeon. It is unlawful to sell unprocessed eggs from lower Columbia River sturgeon.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 a.m. August 24, 2000:

WAC 220-33-01000G Columbia River season below Bonneville.

**WSR 00-17-139**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 00-162—Filed August 21, 2000, 4:13 p.m.]

Date of Adoption: August 21, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-36-02300A and 220-40-02700U; and amending WAC 220-36-023 and 220-40-027.

Statutory Authority for Adoption: RCW 77.12.047.

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: These regulations implement recommendations of the North of Falcon subgroup of the Pacific Fisheries Management Council, and are interim until permanent rules take effect.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 21, 2000  
Evan Jacoby  
for Jeff P. Koenings  
Director

#### NEW SECTION

**WAC 220-36-02300A Grays Harbor salmon—Fall fishery.** Notwithstanding the provisions of WAC 220-36-023, effective immediately it is unlawful to fish for or possess salmon taken for commercial purposes from the waters of Willapa Bay except provided for in this section.

(1) Open 6:00 p.m. August 22 through 6:00 p.m. August 25 and 6:00 p.m. October 1 through 6:00 p.m. October 3, 2000 in Areas 2A and 2D.

(2) Open 7:00 a.m. October 30 through 5:00 p.m. October 30, 2000 in Area 2B.

(3) Gill net gear shall be used as provided for in WAC 220-36-015, except no maximum mesh restriction August 22 through August 25, 2000.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 5:01 p.m. October 30, 2000.

WAC 220-36-02300A Grays Harbor salmon—Fall fishery.

#### NEW SECTION

**WAC 220-40-02700U Salmon—Willapa Bay fall fishery.** Notwithstanding the provisions of WAC 220-40-027, effective immediately it is unlawful to fish for or possess salmon taken for commercial purposes from the waters of Willapa Bay except provided for in this section.

(1) Open 6:00 p.m. August 21 through 6:00 p.m. August 22, 2000 and 6:00 p.m. August 27 through 6:00 p.m. August 28, 2000 in Area 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12, Areas 2M, and 2H west of Willapa Channel Marker 35 and Area 2J north of the North Entrance Marker to the Nahcotta Boat Basin (RF#2)

(2) Open 6:00 p.m. September 17 through 6:00 p.m. September 30, 2000 in Area 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12, Areas 2M and 2H west of Willapa Channel Marker 40 and Area 2J north of the North Entrance Marker to the Nahcotta Boat Basin (RF#2).

(3) Open 6:00 p.m. September 17 through 6:00 p.m. September 18 and 6:00 p.m. September 24 through 6:00 p.m. September 25, 2000 in Area 2K.

(4) Open 7:30 a.m. October 5 through 6:30 p.m. October 5 and 7:30 a.m. October 12 through 6:30 p.m. October 12, 2000 in Area 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12, Areas 2M and 2H west of Willapa Channel Marker 40 and Area 2J north of the North Entrance Marker to the Nahcotta Boat Basin (RF#2).

(5) Open 6:00 p.m. October 18 through 6:00 p.m. October 19 and 6:00 p.m. October 25 through 6:00 p.m. October 26, 2000 in Area 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12, and west of Willapa Channel Marker 10 and Area 2J north of the North Entrance Marker to the Nahcotta Boat Basin (RF#2).

EMERGENCY

(6) During the fisheries provided for in this section, it is unlawful for fishers to fish between Willapa Channel Markers 35 and 40 or in Area 2K unless the fisher has registered in writing on a department-approved form by September 8, 2000, and the fisher agrees to allow a department observer to be on board during the fishing trip to monitor the catch.

(7) Gill net gear shall be used as provided in WAC 220-40-015 except no maximum mesh size before 6:00 p.m. September 22, 2000.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. October 26, 2000:

WAC 220-40-02700U      Salmon—Willapa Bay fall fishery.



**WSR 00-17-011**  
**INTERPRETIVE STATEMENT**  
**DEPARTMENT OF REVENUE**  
 [Filed August 3, 2000, 2:05 p.m.]

**ADOPTION OF INTERPRETIVE STATEMENT**

**Property Tax Advisory 2.0.2000—(Property Tax Bulletins Cancelled Effective June 30, 2000)**

This announcement of the adoption of this interpretive statement is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has adopted Property Tax Advisory 2.0.2000 (Property Tax Bulletins Cancelled Effective June 30, 2000). This advisory lists the Property Tax Bulletins repealed and a brief explanation as to why they were repealed. A listing of the individual PTBs repealed was published in WTD 00.14.086.

Requests for copies of this advisory may be directed to Pete Levine, Property Tax Division, P.O. Box 47471, Olympia, WA 98504-7471, phone (360) 570-5865, fax (360) 586-7602.

Claire Hesselholt  
 Policy Counsel

**WSR 00-17-012**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**HISPANIC AFFAIRS**  
 [Memorandum—August 3, 2000]

**WASHINGTON STATE COMMISSION ON HISPANIC AFFAIRS**  
**MEETING SCHEDULE**  
 2000

MONTH	DATE	LOCATION
January	22	Tacoma
March	25	Mount Vernon
May	20	Pasco
July	29	Wenatchee
September	16	Othello
November	11	Vancouver, Washington

**WSR 00-17-014**  
**NOTICE OF PUBLIC MEETINGS**  
**WORKFORCE TRAINING AND**  
**EDUCATION COORDINATING BOARD**  
 [Memorandum—August 2, 2000]

The Workforce Training and Education Coordinating Board will hold a dinner meeting on August 29, 2000, from 6:30 p.m. to 8:00 p.m. at the Doubletree Inn at Southcenter Mall, Banyan Room, 205 Strander Boulevard, Seattle, WA 98188. Members of the Seattle/King County Workforce Development Council have been invited to join them.

If you have any questions, please call (360) 753-5677.

**WSR 00-17-018**  
**POLICY STATEMENT**  
**WASHINGTON STATE LOTTERY**  
 [Filed August 4, 2000, 8:44 a.m.]

The Washington State Lottery (WSL) has recently adopted or revised the following policies:

**POL 110.022 - Telephone Customer Service (New)**

This policy establishes guidelines to make every effort for all callers to the lottery to be able to reach a live person during normal business hours, for all calls to be returned within twenty-four hours or the next business day (if at all possible), and for current voice messages and extended absence greetings to be used in a manner that assists callers.

Signed April 24, 2000.

**POL 120.027 - Hiring New Employees (Revision)**

A personnel action request (PAR) form replaces hiring memos. Added that the employee services manager or designee and the hiring supervisor work together to determine the most appropriate method of recruitment. Clarified the approval signatures necessary for recruiting and hiring a specific individual. Added section on notifying unsuccessful applicants (all receive written notification) and retaining applications/resumes (retained at least one year, then destroyed). Eliminates the reference to all applicants completing a Washington state application for employment (they are still used when hiring off the state register). Clarified that inquiries regarding the status of a background investigation are made through employee services.

Signed June 28, 2000.

**POL 130.005 - Retailer Criminal History and Credit Criteria for Applicants and Licensees (Revision)**

The lottery's security chief, or his/her designee, may now determine that circumstances justify performing follow-up checks on a specific retailer. Added that, in addition to the other criteria listed, "minimal" credit ratings are given when accounts are less than one year old. Spouses of officers for a corporation/organization are not investigated. Added "received a deferred a sentence" to the list of reasons the WSL may deny, suspend or revoke a license. Added director discretion as a reason to revoke a license, and lists examples of when this might be used (cash flow or gambling problems).

Signed April 7, 2000.

**POL 220.002 - Travel Reimbursement (Revision)**

Requests for advancements were eliminated, except for out-of-state travel. The deputy director or other designee can now approve out-of-state travel. The accounts payable supervisor and financial services manager are now authorized to accept reimbursement requests made more than ten days after the end of the month in which the expense was incurred. The director or deputy director must make all denials. The gen-

MISC.

eral accounting manager can now sign the director's travel voucher in the financial services managers' absence.

Eliminates need for receipt for items up to \$25. Added the ability to file travel vouchers electronically. Added clarification that meal reimbursements are considered taxable income when no overnight travel is involved.

Signed July 5, 2000.

**POL 240.003 - Electronic Funds Transfer (EFT Rejections) (Revision)**

Added that after a retailer's first EFT rejection, their RSM or a designee will visit the retailer to explain the consequence of a subsequent rejection (in addition to being in the letter sent from customer service). This visit will usually occur within two business days of the rejection; the RSM or designee e-mails the retailer support manager that the visit has taken place.

For revocations, terminals are now removed as soon as the on-line vendor can schedule removal. For on-line retailers, if the retailer wins an appeal, the WSL pays for reinstallation of the phone line.

Letters for third rejections now include a statement that collection efforts will begin if the retailer does not pay the amount owed. Added a note referencing POL 130.005, that the director has the discretion to determine circumstances justify revocation of a lottery license. All letters are sent via both regular and certified mail.

Signed April 20, 2000.

**POL 240.004 - Terminating Retailers (New)**

The lottery now waits thirty days, rather than five days, from the date of the termination letter before turning uncollected balances over to a collection agency. Clarified that customer service notifies retailers via letter that unpaid balances are sent to collection. For retailers with a credit balance whose account is closed, clarified that accounts receivable debits account balances, rather than "manually adjusts" them. Accounts receivable does not enter the date letters are sent or the last game played for accounts that appear on the weekly EFT exceptions report.

Signed April 13, 2000.

**POL 320.058 - Lotto "Double Days" Promotion (New)**

This policy establishes guidelines for paying double the normal pay out to players with second, third, and fourth-prize winning lotto tickets for the July 19 through August 12, 2000, drawings. The increase in pay out is paid from the Unclaimed Prizes Fund. The promotion is an effort to recognize the feedback from current players and retailers on the desire for higher pay outs in low-tier prizes, return unclaimed prize money to the players, bring back lapsed players, and increase player awareness.

Signed June 28, 2000.

**POL 320.059 - "Mystery Shopper" Program (Lotto Double Days) (New)**

This policy establishes the process for rewarding on-line retailers for displaying at least three pieces of point of sale (POS) relating to the Lotto Double Days promotion (see POL 320.058 above). Approximately 10% of all high volume and new on-line retailers will be visited. If the appropriate POS

is displayed, an average of five \$1 Scratch tickets will be awarded to the clerks' supervisor for distribution to the clerks. (For stores with fewer or more than five clerks, the "Mystery Shopper" has the discretion to adjust the number of tickets awarded, according to the number of clerks.)

Signed July 5, 2000.

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.

July 26, 2000  
Merritt D. Long  
Director

**WSR 00-17-021**

**NOTICE OF PUBLIC MEETINGS  
BOARD OF ACCOUNTANCY**

[Memorandum—August 3, 2000]

**NOTICE OF CHANGE TO 2000 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 2000. This amends WSR 00-02-006 filed on December 23, 1999:

Date	Day	Meeting	Location
December 8, 2000	Friday	Annual	Evergreen Plaza Building 711 South Capitol Way Conference Room Olympia
December 15, 2000	Friday	Annual	SeaTac <b>CANCELLED</b>

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 00-17-038**

**NOTICE OF PUBLIC MEETINGS  
BELLINGHAM TECHNICAL COLLEGE**

[Memorandum—August 7, 2000]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, August 17, 2000, 9-11 a.m., in the College Services Building Board Room on the Bellingham Technical College campus. Call 738-3105 ext. 334 for information.

MISC.

**WSR 00-17-039**

**NOTICE OF PUBLIC MEETINGS  
EDMONDS COMMUNITY COLLEGE**

[Memorandum—August 1, 2000]

**EDMONDS COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
NOTICE OF SPECIAL MEETINGS  
TO MEDIA/OTHER**

- August 28, 2000 Edmonds Community College Board of Trustees Special Meeting, EdCC, Snohomish Hall, Room 110, 20226 68th Avenue West, Lynnwood, WA, 7:30 a.m.  
*Purpose: To address routine college business issues.*  
**Note: Change of date from original schedule.**
- August 28, 2000\* Edmonds Community College Board of Trustees and President's Cabinet Summer Study Session: Channel Lodge, P.O. Box 573, LaConner, WA, (9:30 a.m. - 5:00 p.m.)  
*Purpose: To discuss EdCC accomplishments, challenges and goals, strategic planning, and policy issues.*
- August 29, 2000\* Edmonds Community College Board of Trustees and President's Cabinet Summer Study Session: Channel Lodge, P.O. Box 573, LaConner, WA, 7:30 a.m. - 1:00 p.m.  
*Purpose: To discuss EdCC accomplishments, challenges and goals, strategic planning, and policy issues.*

\*This event is being scheduled as a special meeting, which is a study session where no action will be taken.

**WSR 00-17-040**

**NOTICE OF PUBLIC MEETINGS  
WASHINGTON STATE LIBRARY**

(Library Commission)  
[Memorandum—August 3, 2000]

**WASHINGTON STATE LIBRARY COMMISSION MEETING**

The Washington State Library Commission will hold a regular business meeting as follows:

- Date: Tuesday, August 22, 2000
- Time: 9 a.m.
- Location: Cherberg Building on Capitol Campus  
Conference Room B&C

For further information, including accommodating the needs of persons with disabilities, please contact Patricia Davis at (360) 753-2914 or e-mail pdavis@statelib.wa.gov.

If you do not wish to receive further notices of the commission meetings, please return the label on the envelope to Patricia Davis, P.O. Box 42460, Olympia, WA with a request to delete the address from the database.

**WSR 00-17-041**

**INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

[Filed August 7, 2000, 11:18 a.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: CN 198.  
 Subject: Delegation of decision making/conference board issues.  
 Effective Date: July 11, 2000.  
 Document Description: This CN describes the new field office procedures for resolving issues that formerly have been conference board issues.  
 To receive a copy of the interpretive or policy statement, contact Alyson Chase, Division of Child Support, P.O. Box 9162, Olympia, WA 98507-9162, phone (360) 664-5230, TDD (360) 753-9122, fax (360) 586-3274, e-mail achase@dshs.wa.gov.

August 3, 2000  
Alyson Chase

**WSR 00-17-042**

**INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

[Filed August 7, 2000, 11:19 a.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: CN 199.  
 Subject: Full party status.  
 Effective Date: July 31, 2000.  
 Document Description: This CN describes the new process that resulted from the recommendation by a QIT. The new process eliminates forms, saves time for staff, reduces time to issue a support notice, and improves fairness for all parties.  
 To receive a copy of the interpretive or policy statement, contact Alyson Chase, Division of Child Support, P.O. Box 9162, Olympia, WA 98507-9162, phone (360) 664-5230, TDD (360) 753-9122, fax (360) 586-3274, e-mail achase@dshs.wa.gov.

August 3, 2000  
Alyson Chase

**WSR 00-17-043**

**INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

[Filed August 7, 2000, 11:21 a.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: CN 200.  
 Subject: Internet debt registry.  
 Effective Date: July 27, 2000.

MISC.

Document Description: DCS received a federal grant to create and pilot an Internet Debt registry that will allow both private and public entities to search the SEMS database to determine if the individual is delinquent in payment. This CN describes the process and procedures.

To receive a copy of the interpretive or policy statement, contact Alyson Chase, Division of Child Support, P.O. Box 9162, Olympia, WA 98507-9162, phone (360) 664-5230, TDD (360) 753-9122, fax (360) 586-3274, e-mail achase@dshs.wa.gov.

August 3, 2000  
Alyson Chase

**WSR 00-17-044**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed August 7, 2000, 11:22 a.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: CN 201.

Subject: GA-H program funding change from state to federal.

Effective Date: July 31, 2000.

Document Description: This CN describes the changes that took place July 1, 2000, regarding the GA-H program. Funding now comes from the federal TANF program.

To receive a copy of the interpretive or policy statement, contact Alyson Chase, Division of Child Support, P.O. Box 9162, Olympia, WA 98507-9162, phone (360) 664-5230, TDD (360) 753-9122, fax (360) 586-3274, e-mail achase@dshs.wa.gov.

August 3, 2000  
Alyson Chase

**WSR 00-17-052**  
**PROCLAMATION**  
**OFFICE OF THE GOVERNOR**

[Filed August 9, 2000, 9:44 a.m.]

**WHEREAS**, weather and fire fuel conditions are presenting a high risk of severe wild fires in Washington State;

**WHEREAS**, the potential threat to life and property from wild fires is extreme, and could cause extensive damage to homes, public facilities, businesses, public utilities, and infrastructure in Washington State, and endanger the public welfare;

**WHEREAS**, wild fire fighting resources are scarce throughout the state, region, and nation due to fire fighting efforts in other areas;

**WHEREAS**, current resource availability would not be adequate to address the outbreak of simultaneous large fires in Washington State, and in such a case the National Guard

would be needed to assist other jurisdictions and agencies in fire fighting efforts.

**NOW, THEREFORE**, I, Gary Locke, Governor of the state of Washington, as a result of the aforementioned situation and under RCW 38.08, 38.52, and 43.06, do hereby proclaim that a State of Emergency exists in Washington State and direct the supporting plans and procedures to the *Washington State Comprehensive Emergency Management Plan* be implemented. State agencies and departments are directed to utilize state resources and to do everything possible to assist affected political subdivisions in an effort to respond to and recover from the event. I also hereby order into active state service the Washington National Guard, or such part thereof as may be necessary in the opinion of the Adjutant General, to perform such duties as directed by competent authority.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this Eighth Day of August A.D., Two Thousand.

Gary Locke

Governor of Washington

**BY THE GOVERNOR:**

Ralph Munro

Secretary of State

MISC.

**WSR 00-17-062**  
**AGENDA**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed August 9, 2000, 1:25 p.m.]

**Washington State Department of Agriculture**  
**Semi-Annual Rules Agenda, July 31, 2000**  
**P.O. Box 4256, Olympia, WA 98504-2560**

Chapter	Subject	Contact
Chapter 16-101 WAC	Adoption of the updated pasteurized milk ordinance (PMO)	Mike Donovan, Program Manager, Food Safety and Animal Health Division, phone (360) 902-1883
Chapter 16-101X WAC	Dairy penalty matrix	Mike Donovan, Program Manager, Food Safety and Animal Health Division, phone (360) 902-1883
Chapter 16-165 WAC	Food inspection	Mike Donovan, Program Manager, Food Safety and Animal Health Division, phone (360) 902-1883
Chapter 16-200 WAC	General pesticide rules relating to pesticide labeling	Ted Maxwell, Program Manager, Pesticide Management Division, phone (360) 902-2026
Chapter 16-202 WAC	Exempting biosolids from fertilizer requirements	Ted Maxwell, Program Manager, Pesticide Management Division, phone (360) 902-2026
Chapter 16-202, 16-200 WAC	General pesticide rules relating to chemigation and fertigation	Ann Wick, Program Manager, Pesticide Management Division, phone (360) 902-2051
Chapter 16-212, 16-224, 16-234 WAC	Commodity warehouses and grain dealers	Julie Sandberg, Assistant Director, Consumer and Producer Protection Division, phone (360) 902-1851
Chapter 16-228 WAC	Pesticide penalty matrix for violations of the pesticide rules and laws	Cliff Weed, Program Manager, Pesticide Management Division, phone (360) 902-2036
Chapter 16-228 WAC	General pesticide rules relating to restrictions on pesticides, seed crops	Ann Wick, Program Manager, Pesticide Management Division, phone (360) 902-2051
Chapter 16-228 WAC	General pesticide rules relating to restrictions on pesticide use, signs and records	Cliff Weed, Program Manager, Pesticide Management Division, phone (360) 902-2036
Chapter 16-231 WAC	Pesticide applications in Benton, Franklin and Walla Walla counties	Cliff Weed, Program Manager, Pesticide Management Division, phone (360) 902-2036
Chapter 16-316 WAC	Seed certification conducted by the Washington state crop improvement association	Julie Sandberg, Assistant Director, Consumer and Producer Protection Division, phone (360) 902-1851
Chapter 16-322 WAC	Mint rootstock certification	Mary A. Martin Toohey, Assistant Director, Laboratory Services Division, phone (360) 902-1907
Chapter 16-324 WAC	Certification of seed potatoes	Mary A. Martin Toohey, Assistant Director, Laboratory Services Division, phone (360) 902-1907

Chapter	Subject	Contact
Chapter 16-328 WAC	Strawberry plant certification	Mary A. Martin Toohey, Assistant Director, Laboratory Services Division, phone (360) 902-1907
Chapter 16-328 WAC	Strawberry plant certification	Tom Wessels, Program Manager, Laboratory Services Division, phone (360) 902-1984
Chapter 16-333 WAC	Certification of caneberries	Mary A. Martin Toohey, Assistant Director, Laboratory Services Division, phone (360) 902-1907
Chapter 16-333 WAC	Standards for caneberry certification	Tom Wessels, Program Manager, Laboratory Services Division, phone (360) 902-1984
Chapter 16-439 WAC	Standards of grades and packs for summer and fall pears	Jim Quigley, Program Manager, Commodity Inspection Division, phone (360) 902-1883
Chapter 16-442 WAC	Standards of grades and packs for winter pears	Jim Quigley, Program Manager, Commodity Inspection Division, phone (360) 902-1883
Chapter 16-448 WAC	Standards for potatoes	Jim Quigley, Program Manager, Fruit and Vegetable Inspection Program, phone (360) 902-1833
Chapter 16-449, 16-459, 16-690 WAC	Washington controlled atmosphere storage requirements and fruit storage	Jim Quigley, Program Manager, Fruit and Vegetable Inspection Program, phone (360) 902-1833
Chapter 16-487 WAC	Fruit tree disease quarantine	Mary A. Martin Toohey, Assistant Director, Laboratory Services Division, phone (360) 902-1907
Chapter 16-497 WAC	Hop disease quarantine	Mary A. Martin Toohey, Assistant Director, Laboratory Services Division, phone (360) 902-1907
Chapter 16-540 WAC	Mint commission assessment	Deborah Anderson, Commodity Commission Coordinator, phone (360) 902-1808
Chapter 16-550 WAC	Blueberry commission assessment	Deborah Anderson, Commodity Commission Coordinator, phone (360) 902-1808
Chapter 16-570 WAC	Production and establishment of districts	Randy Deike, Program Manager, Commodity Inspection Division, phone (360) 902-1921
Chapter 16-573, 16-570 WAC	Canola and rapeseed commission	Randy Dieke, Program Manager, Grain Inspection, phone (360) 902-1921, (360) 902-1928
Chapter 16-752 WAC	Yellow nutsedge quarantine	Mary A. Martin Toohey, Assistant Director, Laboratory Services Division, phone (360) 902-1907
Chapter 16-663, 16-674 WAC	Weights and measures—Service agents	Julie Sandberg, Assistant Director, Consumer and Producer Protection Division, phone (360) 902-1851
Chapter 16-621, 16-622, 16-692, 16-694 WAC	Commission merchants	Julie Sandberg, Assistant Director, Consumer and Producer Protection Division, phone (360) 902-1851

Chapter	Subject	Contact
New	Plant tagging requirements	Mary A. Martin Toohey, Assistant Director, Laboratory Services Division, phone (360) 902-1907

Dannie McQueen  
Rules Coordinator

**WSR 00-17-066**  
**NOTICE OF PUBLIC MEETINGS**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**  
[Memorandum—August 1, 2000]

**COUNTY ROAD ADMINISTRATION BOARD**

MEETING NOTICE: October 5, 2000  
County Road Administration Board  
2404 Chandler Court S.W., Suite 240  
Olympia, WA 98504  
1:00 p.m. to 5:00 p.m.

MEETING NOTICE: October 6, 2000  
County Road Administration Board  
2404 Chandler Court S.W., Suite 240  
Olympia, WA 98504  
9:00 a.m. to 12:00 p.m.

\*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 call 1-800-833-6384.

If you have questions, contact (360) 753-5989.

**WSR 00-17-067**  
**PROCLAMATION**  
**OFFICE OF THE GOVERNOR**  
[Filed August 10, 2000, 2:46 p.m.]

**PROCLAMATION BY THE GOVERNOR**

**WHEREAS**, a high demand for electrical energy throughout the western United States this summer has resulted in significant shortages of electricity in parts of the western United States power grid. These shortages have caused current physical disruptions in California, and there have been unprecedented high market rates for electricity throughout the West. California, which is tied to Washington on the power grid, has declared several stage II energy alerts and may soon call a stage III energy alert, allowing for rolling blackouts to ration energy in that state, further driving up prices and threatening the supply of electricity in Washington and other parts of the west coast;

**WHEREAS**, the Bonneville Power Administration and private electrical power generating companies in Washington have begun extraordinary measures to use electricity reserves by drawing down their reservoirs beyond normal in efforts to mitigate the electricity shortage;

**WHEREAS**, the shortage of electrical power this summer has threatened the supply of frozen storage warehouse space that is essential to our agricultural and seafood industries. No viable alternative to frozen storage can be found, and the loss of frozen storage capacity will cause millions of pounds of crops and seafood to perish.

**WHEREAS**, the frozen storage warehouse supply crisis has occurred as we approach the peak harvest season for Washington crops and in the Alaska fishing season, when the need for frozen storage capacity is in highest demand;

**WHEREAS**, this crisis threatens the survival of farmers, fishermen, seafood companies, many of which are already under distress due to severely depressed prices and other factors. Additionally, thousands of jobs depend on these threatened businesses and industries, and may be permanently lost unless the situation is alleviated;

**WHEREAS**, the volume of crops and seafood at risk is a significant portion of the nation's food supply of those products, and immediate steps must be taken to alleviate social and economic impacts to people and property;

**NOW, THEREFORE**, I, Gary Locke, Governor of the state of Washington, find that vital public services, particularly fish production, food production and processing facilities, are at risk, and there exists a situation that threatens to disrupt or diminish the supply of energy to the extent that the public health, safety, and general welfare may be jeopardized, and find that an energy supply alert exists within this state, and hereby declare a condition of energy supply alert under Chapters 43.06 and 43.21G RCW. I further direct all state and local governmental agencies to fully comply with all orders that may accompany this declaration or that I may issue pursuant to this proclamation as deemed necessary to preserve and protect the public health, safety, and general welfare, and to minimize, to the fullest extent possible, the injurious economic, social, and environmental consequences of this energy supply crisis.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this 10th day of August, A.D., Two Thousand.

Gary Locke

Governor of Washington

BY THE GOVERNOR:

Michelle Burkheimer

Acting Deputy Secretary of State

**WSR 00-17-068**  
**RULES COORDINATOR**  
**MARINE EMPLOYEES' COMMISSION**

[Memorandum—August 9, 2000]

This letter is to formally notify you that Ms. Janis Lien, former executive director of the Marine Employees' Commission, left this agency July 31, 1999, for a new full-time position. One of her responsibilities has been to serve as the agency's rules coordinator.

Ms. Kathy Marshall was hired September 2, 1999, as the new administrator of the Marine Employees' Commission and a portion of her duties include serving as the agency's rules coordinator.

John D. Nelson  
 Chairman

**WSR 00-17-069**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
 (Board of Natural Resources)  
 [Memorandum—August 7, 2000]

Special meeting of the Board of Natural Resources

The Board of Natural Resources has scheduled a retreat for August 22-23, 2000.

Board of Natural Resources Retreat  
 August 22-23, 2000  
 Aljoia Conference Center - Seattle

**WSR 00-17-070**  
**AGENDA**  
**FOREST PRACTICES BOARD**

[Filed August 11, 2000, 2:03 p.m.]

**Forest Practices Board**  
**Rule Development Agenda**

Numerous sections of Title 222 WAC, Forest Practices Board, are in the rule-making process or being developed. The board's mandate is to adopt rules to protect the state's public resources while maintaining a viable forest products industry.

**1. New Forest Practices Rules:** Initial draft of permanent rules: The board initiated the rule-making process with an initial draft of the forestry module proposed rules on October 12, 1998. The notice was published on November 4, 1998, (WSR 98-21-015); text was published on December 2, 1998. This filing was continued in WSR 99-09-078 in [and] WSR 99-22-032. The proposed rules incorporate new public resource protection requirements in the following categories: Riparian protection for fish-bearing and nonfish-bearing streams; water typing; wetlands; Class IV-Special; SEPA guidance; application procedures; roads; slope stability; forest chemicals; enforcement; monitoring; adaptive management; and watershed analysis.

The board received five comprehensive proposals for permanent forestry module rules, conducted scoping for the EIS, and identified three alternatives for environmental review. The draft EIS was published on March 20, 2000. A public hearing on the draft EIS was held April 19, 2000. The review period closed on April 21. Public comments in the draft EIS are now being analyzed.

**Water Type and Salmonid Emergency Rules:** In the interim, the board has continued an emergency stream typing rule:

- WAC 222-16-030 Water typing systems. The emergency rule modifies the definitions of Type 2 and 3 waters so that appropriate riparian protection is provided along fish-bearing streams.
- WAC 222-12-090(13) Implementation guidelines in the Forest Practices Board manual.

The board has also readopted an emergency rule to protect threatened and endangered salmonids listed by the United States Fish and Wildlife Service and the National Marine Fisheries Service. The rule provides protection to the listed species by setting SEPA triggers that would classify certain forest practices within the listed areas as Class IV-Special. The rule includes a "salmonid listed areas" map; SEPA guidance; road maintenance and abandonment plan requirements; and stream temperature provisions for some nonfish-bearing streams in listed areas. The map in the rule has been updated each time new listings have occurred.

**New Emergency Rules:** ESHB 2091 passed by the 1999 legislature declares salmon recovery efforts an emergency and provided additional authority to the Forest Practices Board to adopt emergency rules to protect aquatic resources based on the Forests and Fish Report. These emergency rules were published in the Washington State Register on October 20, 1999, and a public hearing with opportunity for oral and



written comment was held on November 9, 1999. The board adopted emergency rules on January 20, 2000, and they became effective on March 20, 2000. Additions to the emergency rules include new emergency rules for small landowner riparian easements, adopted by the board on May 10, 2000, which became effective on July 3, 2000. These new emergency rules will remain in effect until new permanent rules are adopted or until June 30, 2001, whichever is sooner.

The board plans to add more sections to the emergency rules, including rules for hardwood conversions and alternate plans.

**2. Rule-making Petitions:** The board recently denied a petition regarding scenic trail corridors. The Governor's Office agreed the denial was appropriate but suggested the board consider a notice rule. There may be possible rule making on this issue.

**3. Other:** The board plans to propose editorial, procedural and minor rule changes. These may be a separate proposal or may be included within a supplemental notice for the permanent rule proposal in 1 above. These include corrections, SEPA guidance, clarifying some watershed analysis rules, clarifying timelines associated with civil penalty appeals, and reviewing forest practices relationship with other laws.

**Contact Person:** Debora Brown Munguia, FPB Acting Rules Coordinator, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1448, fax (360) 902-1789, e-mail debora.brown-munguia@wadnr.gov.

Filed August 11, 2000.

### WSR 00-17-073

#### NOTICE OF PUBLIC MEETINGS

#### CLARK COLLEGE

[Memorandum—August 9, 2000]

The Clark College board of trustees has changed the dates of its meetings in November and December 2000. The board will meet on November 27 and December 18.

### WSR 00-17-074

#### NOTICE OF PUBLIC MEETINGS

#### PUBLIC DISCLOSURE COMMISSION

[Memorandum—August 14, 2000]

The Public Disclosure Commission has moved the date of the regular meeting previously scheduled for Tuesday, August 22, 2000, to Tuesday, August 29, 2000. The meeting will be held in the commission's meeting room, Evergreen Plaza Building, Suite 206, 711 Capitol Way, Olympia, Washington. Any discussion of rules will take place at that time and place.

### WSR 00-17-075

#### INTERPRETIVE OR POLICY STATEMENT

#### DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed August 14, 2000, 3:26 p.m.]

#### DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing Instructions.

Subject: Private duty nursing services.

Effective Date: September 2000.

Document Description: This manual describes DSHS guidelines for private duty nursing services delivered to medical assistance clients seventeen years of age and younger. Included in this document are the following sections: Client eligibility, provider/client responsibilities, prior authorization information, coverage, billing guidelines, fee schedule, and claim form instructions and sample.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 586-2337, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

August 10, 2000

Leslie Saeger, Manager

Regulatory Improvement Project

### WSR 00-17-076

#### DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Memorandum—August 11, 2000]

#### PUBLIC NOTIFICATION OF GRANT APPLICATION

The public is invited to review the year 2001 Washington state application for federal substance abuse prevention and treatment (SAPT) block grant funding. The application is submitted annually to the federal Centers for Substance Abuse Treatment and Substance Abuse Prevention. The 2001 application will result in approximately \$31 million in federal funds being awarded to the state of Washington for substance abuse prevention and treatment. The funds awarded will be expended by September 30, 2002.

The application is being prepared by the Department of Social and Health Services, Division of Alcohol and Substance Abuse. A summary of the SAPT block grant requirements and the plan for award allocation is available to anyone interested upon request.

If you have questions, or wish to request a copy of the review material, please contact Vince Collins, Federal Block Grant Administrator, Department of Social and Health Services, Division of Alcohol and Substance Abuse, P.O. Box 45330, Olympia, WA 98504-5330, (360) 438-8226, fax (360) 438-8078, collivl@dshs.wa.gov.

**WSR 00-17-086**  
**NOTICE OF PUBLIC MEETINGS**  
**CENTER FOR**  
**INFORMATION SERVICES**  
 [Memorandum—August 14, 2000]

Notice of Public Meetings  
 Executive Committee Meetings  
 Center for Information Services (CIS)

CIS Executive Committee Meeting	9:30 - 11:30 a.m., August 2, 2000 The Shilo Inn at Ocean Shores
CIS Executive Committee Meeting	9:30 - 11:30 a.m., September 28, 2000 Bates Technical College
CIS Executive Committee Meeting	9:30 - 11:30 a.m., November 2, 2000 Washington State University
CIS Executive Committee Meeting	9:30 - 11:30 a.m., December 14, 2000 Bellevue Community College
CIS Executive Committee Meeting	9:30 - 11:30 a.m., January 24, 2001 SBCTC
CIS Executive Committee Meeting	9:30 - 11:30 a.m., February 21, 2001 South Puget Sound Community College
CIS Executive Committee Meeting	9:30 - 11:30 a.m., March 28, 2001 SBCTC
CIS Executive Committee Meeting	9:30 - 11:30 a.m., April 26, 2001 Skagit Valley College
CIS Executive Committee Meeting	9:30 - 11:30 a.m., May 31, 2001 Cascadia Community College
CIS Executive Committee Meeting	9:30 - 11:30 a.m., June 28, 2001 Shoreline Community College

These meetings are scheduled as part of WACTC.

**WSR 00-17-087**  
**INTERPRETIVE OR POLICY STATEMENT**  
**LABOR AND INDUSTRIES**  
 [Filed August 15, 2000, 10:54 a.m.]

In accordance with RCW 34.05.230(12), the following policies and interpretive statements were recently issued by the department:

Insurance Services Division:

**Insurance Services Policy #6.42, "Adjudicating a Formal Job Offer from the Employer of Record,"** is repealed. This policy provided guidance for adjudicating a worker's compensation claim when a formal job offer was made to the claimant by the employer at the job of injury. This policy did not affect the Crime Victims Program. (Repealed 08/04/2000).

**Insurance Services Policy #8.10, "Magnetic Resonance Imaging,"** is repealed because the policy issue is now covered in statute. This policy aided the department in assessing the effectiveness of MRIs. (Repealed 04/11/2000).

**Insurance Services Policy #60.01, "Handling Cash,"** is amended. The policy gives direction to employer services staff on how they will handle cash payments. The task associated with this policy was removed and placed in the Task &

Procedure Manual and associated housekeeping changes were made to the policy. (Amended 08/04/2000).

**Insurance Services Policy #61.04, "Processing Applications for Elective Coverage,"** is amended. Employer services staff apply this policy when processing applications for elective worker's compensation insurance coverage for excluded or exempted employers. The update incorporates limited liability company coverage into the policy. (Amended 08/04/2000).

**Insurance Services Policy #61.11, "Determining Industrial Insurance Coverage for Partners,"** is amended. Employer services staff use this policy to determine worker's compensation insurance coverage for partners. The update removed limited liability company language from the policy. (Amended 04/11/2000).

**Insurance Services Policy #61.14, "Funeral Home Payments to Third Parties,"** is repealed. Employer services staff applied this policy to funeral homes that used the services of ministers, soloists, organists, hair stylists and policy escort services. (Repealed 04/11/2000).

**Insurance Services Policy #61.15, "Residence Construction by Contractors,"** is amended. Employer services staff use this policy to clarify the employer/employee relationship for worker's compensation insurance purposes during the construction of a private residence by individuals in the construction business, trade, or profession. Section number 2, which referred to collecting premiums, was deleted and will be addressed as a separate policy. (Amended 04/11/2000).

**Insurance Services Policy #61.21, "Determining Coverage Requirements for Members/Managers of a Limited Liability Company (LLC),"** is a new policy developed to help employer services staff identify and define members of LLCs and explain the reporting requirements for members/managers who are exempt from workers' compensation. (Issued 08/04/2000).

**Insurance Services Policy #61.22, "Municipalities & Special Purpose Districts,"** is amended. This policy defines municipalities and describes how to deal with their unique characteristics for workers' compensation insurance purposes. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #62.04, "Businesses Awarded Department of Energy Contracts,"** is repealed. This policy was used by employer services staff to provide consistency in the handling of businesses that were awarded contracts with the Department of Energy. (Repealed 04/11/2000).

**Insurance Services Policy #63.20, "Risk Classification Changes,"** is amended. Employer services staff apply this policy whenever an Industrial Insurance classification change is not the result of an audit. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #64.02, "Sick Leave, On-Call, Vacation, and Bonus Payments—Exceptions"** is repealed. This policy provided guidelines for employer services staff for worker's compensation insurance payments that are not considered remuneration for hours worked and are not reportable. (Repealed 04/11/2000).

MISC.

**Insurance Services Policy #64.03, "Reporting Hours—School Districts,"** is amended. Employer services staff use this policy to clarify methods by which schools and/or school districts may report worker hours of employer contract personnel. Washington Administrative Code references were updated. (Amended 08/04/2000).

**Insurance Services Policy #64.08, "Reportable Travel Time,"** is a new policy that employer services staff apply to determine when employers must report travel time for worker's compensation insurance purposes. (Issued 04/11/2000).

**Insurance Services Policy #64.30, "Payments on Account—Applying,"** is amended. This policy provides guidelines for employer services staff when applying payment on an employer's Industrial Insurance account. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #64.60, "Minimum in Tolerance Amount,"** is amended. Employer services staff apply this policy when there is a balance of \$9.99 or less, either credit or debit, remaining on an employer's Industrial Insurance account. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #65.01, "Penalty and Interest Assessment and Waivers on Account Balances,"** is amended. This policy provides guidelines for employer services staff to use in the assessment of waivers of penalty and interest on state fund employer account balances contained on the Department of Labor and Industries' Employer Account System (EASE) computer system. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #66.01, "Processing of Hot Claims,"** is amended. Employer services staff apply this policy when priority workers' compensation claims are received on-line from claims initiation staff. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #68.01, "Requesting Classification Studies,"** is amended. Employer services staff apply this policy when an internal or external stakeholder believes an Industrial Insurance classification study is needed. It provides guidelines for when a classification study is appropriate. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #68.01, "Requesting Classification Studies,"** is amended. Employer services staff apply this policy when an internal or external stakeholder believes an Industrial Insurance classification study is needed. It provides guidelines for when a classification study is appropriate. The effective date was corrected on this policy. (Amended 08/04/2000).

**Insurance Services Policy #68.50, "Conducting Classification Studies,"** is amended. Employer services staff apply this policy when a study of Industrial Insurance risk classifications is to be conducted. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #68.51, "Risk Classification Conversions,"** is amended. Employer services staff apply this policy when it is necessary to convert one Industrial Insurance risk classification into another. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #91.01, "Audit Request and Referrals,"** is amended. This policy applies to all Department of Labor and Industries audit and investigation requests and referrals of employer accounts. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #91.03, "Premium Audits on Accounts Involved in a Classification Study,"** is amended. This policy outlines when an audit may be conducted on an employer whose business was surveyed as a part of a classification study performed by classification services at the Department of Labor and Industries. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #91.04, "Out-of-State Audit and Investigation Assignments,"** is amended. This policy is used to assign responsibility for completion of assignments in employer services when a firm's headquarters is located out of state. Minor changes in formatting were made to this policy. (Amended 08/04/2000).

**Insurance Services Policy #91.22, "Taking Possession of Employer Records,"** is amended. This policy applies when department staff from the Insurance Services division take possession of an employer's records. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #91.80, "Award Notices—Receiving, Processing, and Mailing,"** is amended. This policy applies when a contractor submits an award notice to the Department of Labor and Industries. Changes were to format only. (Amended 04/11/2000).

**Insurance Services Policy #91.81, "Request for Release Forms—Receiving, Processing, and Mailing,"** is amended. This policy applies whenever a contractor submits a Request for Release form to the Department of Labor and Industries. Changes were to format only. (Amended 04/11/2000).

Contact: Linda Norris, Mailstop 4-4310, (360) 902-4999, Douglas Connell, Assistant Director.

WISHA (Washington Industrial Safety and Health Act) Services Division:

**WISHA Regional Directive #6.69, "Abrasive Operations Using Cutoff Wheels and Masonry Saws, WAC 296-24-18005(5), WAC 296-155-365(4) and WAC 296-155-367(1)"** is repealed. It clarified the appropriate enforcement approach for cutoff wheels and masonry saws. The substance of this WISHA Regional Directive was incorporated into rule. (Repealed 07/28/2000).

**WISHA Regional Directive #10.05, "Ergonomics Activity During Initial Phase-In,"** is a new policy that provides guidance for all WISHA consultation and compliance activities during the phase-in period of the new ergonomics standard to ensure appropriate and consistent approaches to ergonomics issues. It also provides necessary guidance to deal with immediate consultation and other technical assistance requests. (Issued 07/07/2000).

**WISHA Regional Directive #11.40, "Bloodborne Pathogens,"** is a new policy that provides guidance for all WISHA enforcement and consultation activities involving WAC 296-62-08001, the Bloodborne Pathogens Standard. (Issued 07/03/2000).

**WISHA Regional Directive #11.45, "First-Aid Certification & Bloodborne Pathogen Requirements,"** is repealed. It provided guidance to WISHA Consultation and Compliance staff encountering situations where first-aid trained employees were called upon to respond to first-aid incidents in relation to the Bloodborne Pathogens Standard. It was replaced by WISHA Regional Directive #11.40, "Bloodborne Pathogens." (Repealed 07/03/2000).

**WISHA Regional Directive #21.25, "Use of PFDs,"** is a new policy that provides guidance for all WISHA enforcement and consultation activities involving the use of personal flotation devices (designed to protect employees from the danger of drowning when working over or on the water). This policy replaces any previous guidance on the subject, whether formal or informal. (Issued 07/03/2000).

**WISHA Regional Directive #29.72, "Tag Line Use,"** is a new policy that provides guidance for all WISHA enforcement and consultation activities involving the requirements of WAC 296-155-525 (2)(f) as they relate to loads suspended from hoist lines of cranes or similar equipment. This policy replaces any previous guidance on the subject, whether formal or informal. (Issued 07/03/2000).

**WISHA Regional Directive #32.15, "Diving Search & Rescue,"** is a new policy that provides guidance for all WISHA enforcement and consultation activities involving the application of chapter 296-37 WAC (the diving standard) to the public sector (or private employers involved in search and rescue, including those acting in support of the public sector). This policy replaces any previous guidance on the subject, whether formal or informal. (Issued 07/03/2000).

**WISHA Regional Directive #92-6A, "Enforcement Procedures for Occupational Exposure to the Bloodborne Pathogens Standard,"** is repealed. It provided guidance for the WISHA consultation and compliance activities involving the Bloodborne Pathogens Standard. It was replaced by WISHA Regional Directive #11.40, "Bloodborne Pathogens." (Repealed 07/03/2000).

**WISHA Regional Directive #93.3, "Handling and Storage of Criminal Evidence in Accordance with the Requirements of the Bloodborne Pathogens Standard (BBP), Chapter 296-62 Washington Administrative Code (WAC), Part J,"** is repealed. It provided guidance for WISHA enforcement and consultation staff when evaluating employer compliance for the handling and preservation of specimens/criminal evidence by law enforcement agencies and other (private and public) agencies such as courts, mortuaries, crime laboratories, county police agencies, etc. It was replaced by WISHA Regional Directive #11.40, "Bloodborne Pathogens." (Repealed 07/03/2000).

**WISHA Interim Interpretative Memorandum #98-11-B, "Post-Exposure Following-up for Bloodborne Pathogen Exposure,"** is repealed. It provided guidance to WISHA enforcement and consultation staff regarding the appropriate application of the Bloodborne Pathogens standard in WAC 296-62-08001 (6)(a)(ii)(D), "Bloodborne Pathogens." It was replaced by WISHA Regional Directive #11.40, "Bloodborne Pathogens." (Repealed 07/03/2000).

Contact: Marcia Benn, Mailstop 4-4648, (360) 902-5503, Dr. Michael Silverstein, Assistant Director.

If you have any questions or need additional information, please call 902-4216.

Doric Olson  
Legislative and  
Governmental Affairs Office

**WSR 00-17-100**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**

[Memorandum—August 14, 2000]

National Association of State Facilities Administrators  
(NASFA) 2000 Western Regional Meeting

The 2000 NASFA western regional meeting will be hosted by the Department of General Administration (GA) on September 20-22, 2000, in Seattle, Washington at the Sea-Tac Marriott Hotel.

Details are available on the NASFA home page at <http://www.nasfa.net/>. If you have questions, please contact the conference coordinator, Mary Briggs, at 902-7377 or her assistant, Catherine Fahoum, at 902-7370.

**WSR 00-17-109**  
**DEPARTMENT OF ECOLOGY**

[Filed August 16, 2000, 4:05 p.m.]

**DRAFT BIENNIAL APPROPRIATIONS REQUEST**  
**(BAR) REPORT AVAILABLE FOR PUBLIC COMMENT**

Ecology is accepting comments on its draft report to the legislature entitled, "The Toxics Control Accounts Appropriations Recommendations for the 2001 - 2003 Biennium." This report, which is required by RCW 70.105D.030(3), describes the appropriation recommendations for funds from the state and local toxics control accounts for activities to cleanup, manage, and prevent the generation of hazardous wastes. These activities are carried out by the Washington State Departments of Ecology, Agriculture, and Health, and the Washington State Patrol (supported by revenue collection activities in the Department of Revenue).

You may receive a copy of the report by calling 1-800-826-7716 or ecology's publications office (360) 407-7472 or ecology's TDD line (360) 407-6006.

**PUBLIC HEARINGS:** Tuesday, September 19, 2000, 7:00 p.m., Department of Ecology, Northwest Regional Office, 3190 160th Avenue S.E., Conference Room 1, Bellevue, WA.

**PLEASE NOTE:** A public hearing will be held in Spokane if ten or more people request one by Wednesday, September 13, 2000. The tentative date and location is Wednesday, September 20, 2000, 7:00 p.m., Department of Ecology, Eastern Regional Office, 4601 North Monroe, 1st Floor Conference Room, Spokane, WA.

Written comments will be accepted through Friday, September 29, 2000. Please send your comments to Leslie Romer, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600 or fax (360) 407-6989 or by e-mail Lrom461@ecy.wa.gov.

**PUBLIC COMMENT PERIOD:** Through September 29, 2000.

**WSR 00-17-111**  
**NOTICE OF PUBLIC MEETINGS**  
**PIERCE COLLEGE**

[Memorandum—August 14, 2000]

The board of trustees of Community College District Number Eleven (Pierce College) would like to announce a **change of date for their regular September board meeting**. The time and location remain the same. This meeting is open to the public.

Original Meeting Date	Time
<b>Wednesday, September 13, 2000</b>	12:30 p.m.
Board Room, Ft. Steilacoom 9401 Farwest Drive S.W., Lakewood, Washington	

New Meeting Date	Time
<b>Tuesday, September 12, 2000</b>	12:30 p.m.
Same location	

**WSR 00-17-112**  
**NOTICE OF PUBLIC MEETINGS**  
**SKAGIT VALLEY COLLEGE**

[Memorandum—August 17, 2000]

**NOTICE OF SPECIAL MEETING**  
**BOARD OF TRUSTEES**  
**COMMUNITY COLLEGE DISTRICT NO. 4**  
**SKAGIT VALLEY COLLEGE**

2405 East College Way  
 Mount Vernon, WA 98273  
 Monday, August 21, 2000  
 1:00 p.m.

Mount Vernon Campus Board Room

Chairperson, Dr. Barbara Andersen, has called a special meeting of the board of trustees for **Monday, August 21, 2000, 1:00 p.m.** This meeting is being held as a work session for the board of trustees. Business to be transacted will address board policies, governance, and visioning. Action items, if any, made necessary by the foregoing discussion.

**WSR 00-17-123**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE UNIVERSITY**  
 [Memorandum—August 15, 2000]

The date of the Washington State University board of regents meeting scheduled for August 25, 2000, has been changed. The meeting of the board will be held on September 21, 2000, and will take place at the Alumni Centre, Washington State University, Pullman, Washington. The board of regents meeting scheduled for October 6, 2000, will be cancelled.

Inquiries about the meeting can be directed to the WSU President's Office, (509) 335-6666.

**WSR 00-17-131**  
**NOTICE OF PUBLIC MEETINGS**  
**EASTERN WASHINGTON UNIVERSITY**  
 [Memorandum—August 21, 2000]

**EASTERN WASHINGTON UNIVERSITY**  
**BOARD OF TRUSTEES**  
**August 25, 2000, 10:00 a.m.**  
**Cheney Campus**  
**PUB 263-5-7**

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling the president's office, (509) 359-6598.

**WSR 00-17-149**  
**NOTICE OF PUBLIC MEETINGS**  
**OFFICE OF THE**  
**INTERAGENCY COMMITTEE**  
 (Interagency Committee for Outdoor Recreation)  
 [Memorandum—August 18, 2000]

The Interagency Committee for Outdoor recreation (IAC) will meet Thursday, September 21, and Friday, September 22, 2000, beginning at 8:30 a.m. on Thursday in Room 172 of the Natural Resources Building in Olympia.

This two-day meeting is a funding recommendation session for projects in the Washington Wildlife and Recreation Program, the General and Education categories of the National Recreational Trails Program, and the Youth Athletic Facilities: Maintenance category. Additional agenda items include adoption of the 2001 IAC meeting schedule and management update reports.

If you plan to participate or have materials for committee review, please submit information to our office no later than August 31, 2000. This will allow for distribution to committee members in a timely fashion.

IAC public meetings are held in locations accessible to people with disabilities. Arrangements for individuals with hearing or visual impairments can be provided by contacting

MISC.

IAC by August 31 at (360) 902-2637 or TDD (360) 902-1996.

**WSR 00-17-150**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**  
 (State Capitol Committee)  
 [Memorandum—August 21, 2000]

Please publish the following State Capitol Committee meeting date in the Washington State Register:

Date: Thursday, October 12, 2000  
 Time: 10:00 a.m. to 12:00 p.m.  
 Location: Legislative Building, Senate Rules Room

Also, please publish a notice of cancellation for the Tuesday, October 10, 2000, State Capitol Committee meeting.

If you have any questions, call (360) 902-0970.

**WSR 00-17-151**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Filed August 22, 2000, 3:09 p.m.]

Please transfer the rules contained in chapter 275-20 WAC to a new Department of Social and Health Services' chapter 388-853 WAC.

Old WAC Number	New WAC Number
275-20-010 Authority	388-853-010 Authority
275-20-030 Schedule of per capita cost	388-853-030 Schedule of per capita cost
275-20-035 Exempt income	388-853-035 Exempt income
275-20-080 Notice and finding of responsibility	388-853-080 Notice and finding of responsibility

Marie Myerchin-Redifer, Manager  
 Rules and Policies Assistance Unit

**WSR 00-17-169**  
**NOTICE OF PUBLIC MEETINGS**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**  
 (Professional Educator Standards Board)  
 [Memorandum—August 14, 2000]

The Professional Educator Standards Board will meet for regular business on the dates listed for the 2000-01 FY.

**September 19-20, 2000**  
 OSPI  
 600 South Washington  
 Brouillet Room  
 Olympia, WA 98504  
**October 24-25, 2000**  
 Central Washington University  
 Barge Board Room  
 Ellensburg, Washington 98926  
**November 28-29, 2000**  
 Spokane County  
 Location TBA  
**February 13-14, 2000 [2001]**  
 King County  
 Location TBA  
**April 24-25, 2000 [2001]**  
 Yakima County  
 Location TBA  
**July 10-11, 2000 [2001]**  
 Thurston County  
 Location TBA

**WSR 00-17-170**  
**NOTICE OF PUBLIC MEETINGS**  
**FOREST PRACTICES BOARD**  
 [Memorandum—August 23, 2000]

The Forest Practices Board will hold a work plan retreat October 3-4, 2000. The meeting will convene at 8:00 a.m. at Sawyer Hall (A) located at 510 Desmond Drive, Lacey, WA. The purpose of the meeting is for the board to discuss their work plan for 2001, as well as developing overall strategies for its rule making. No public testimony will be taken.

For more information contact the Forest Practices Board secretary at Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1413, fax (360) 902-1789, e-mail forest.practicesboard@wadnr.gov.

**WSR 00-17-176**  
**DEPARTMENT OF ECOLOGY**  
 [Filed August 23, 2000, 10:35 a.m.]

NOTICE OF PUBLIC HEARING

Including Revised Northwest Air Pollution Authority Regulations in the Washington State Implementation Plan

The Northwest Air Pollution Authority (NWAPA) is requesting a revision to the state implementation plan (SIP) for the state of Washington. The SIP is a state-wide plan for meeting federal health-based air quality standards. The purpose of this revision is to delete administrative and outdated

MISC.

sections of the NWAPA regulation, and adopt into the SIP amended sections that pertain to regulation of industrial sources.

The Washington State Department of Ecology (ecology) is conducting a public hearing to receive comments on including amended Northwest Air Pollution Authority (NWAPA) regulations in the SIP. The hearing will be held at 1:30 p.m. on September 14, 2000, at the NWAPA offices located at 1600 South Second Street, Mount Vernon, WA.

Comments at the hearing must be limited to the subject of amending the NWAPA regulations that are included in the SIP. Written comments must be postmarked no later than September 14, 2000, and should be sent to Bob Saunders, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, or e-mailed to [rsau461@ecy.wa.gov](mailto:rsau461@ecy.wa.gov).

In accordance with NWAPA's legal authority pursuant to RCW 70.94.141, the amended sections of the NWAPA regulation were adopted by its board of directors on March 9, 2000; November 12, 1999; November 12, 1998; March 13, 1997; May 9, 1996; February 8, 1996; May 11, 1995; and April 14, 1993.

For more information on the content of the NWAPA regulations prior to the hearing, please contact Dan Mahar at (360) 428-1617 ext. 203. If you have special accommodation needs, please contact the agency receptionist at Northwest Air Pollution Authority, (360) 428-1617 (press 0).

**WSR 00-17-177**  
**POLICY STATEMENT**  
**DEPARTMENT OF HEALTH**  
 [Filed August 23, 2000, 11:13 a.m.]

NOTICE OF ADOPTION OF POLICY

Title of Policy: Group A Water System Transfer of Ownership (A.10).

Effective Date: Revision: July 28, 2000.

Issuing Agency/Division: Department of Health (DOH), Environmental Health Programs, Division of Drinking Water.

Description: This policy was established to help provide new owners with the proper tools to satisfactorily operate their water system and to ensure a standardized process for water system transfer of ownership under drinking water regulations, which emphasizes the protection of health and other interests of consumers during the transfer process.

Contact: Karena Jentzen, Division of Drinking Water, Headquarters, P.O. Box 47849, Olympia, WA 98504-7849, phone (360) 236-3130, Internet [karena.jentzen@doh.wa.gov](mailto:karena.jentzen@doh.wa.gov).

**WSR 00-17-178**  
**BOARD OF PHARMACY**  
 [Filed August 23, 2000, 11:16 a.m.]

Reviser's note: The following material has *not* been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

WASHINGTON STATE BOARD OF PHARMACY  
 MEMORANDUM

DATE: August 15, 2000  
 TO: Dennis W. Cooper  
 Office of the Code Reviser  
 FROM: Donald H. Williams  
 Executive Director  
 SUBJECT: NOTICE OF INTENT TO ADOPT FEDERAL SCHEDULING ORDER - PLACING GAMMA-BUTYROLACTONE IN SCHEDULE I OF THE CONTROLLED SUBSTANCES ACT

NOTICE

The Washington State Board of Pharmacy intends to adopt the April 24, 2000 action of the Drug Enforcement Administration (DEA) to place Gamma-Hydroxybutyric in schedule I of the Uniform Controlled Substances Act.

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:

Donald H. Williams, Executive Director  
 Washington State Board of Pharmacy  
 PO Box 47863  
 Olympia WA 98504-7863 - or  
 Fax (360) 586-4359

RCW 69.50.201(e) allows the Board of Pharmacy to directly adopt DEA scheduling orders without the need for the issuance of a Notice of Proposed Rule under RCW 34.05. The Board will use the expedited rule process allowed for under RCW 69.50.201 provided no objection is made to the Board's adoption of the DEA scheduling order.

The proposed rule will be adopted by the Board of Pharmacy on October 13, 2000 provided no objection to the rule is received. The Board will accept comments up to October 1, 2000.

AMENDATORY SECTION (Amending WSR 94-08-098, filed 4/6/94)

**WAC 246-887-100 Schedule I.** The board finds that the following substances have high potential for abuse and have no accepted medical use in treatment in the United States or that they lack accepted safety for use in treatment under medical supervision. The board, therefore, places each of the following substances in Schedule I.

(a) The controlled substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name, are included in Schedule I.

(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters,

and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

- (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);
- (2) Acetylmethadol;
- (3) Allylprodine;
- (4) Alphacetylmethadol; [(except for levo-alpha-cetylmethadol - also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM);]
- (5) Alphameprodine;
- (6) Alphamethadol;
- (7) Alpha-methylfentanyl (N-[1-alpha-methyl-beta-phenyl) ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
- (8) Benzethidine;
- (9) Betacetylmethadol;
- (10) Betameprodine;
- (11) Betamethadol;
- (12) Betaprodine;
- (13) Clonitazene;
- (14) Dextromoramide;
- (15) Diampromide;
- (16) Diethylthiambutene;
- (17) Difenoxin;
- (18) Dimenoxadol;
- (19) Dimepheptanol;
- (20) Dimethylthiambutene;
- (21) Dioxaphetyl butyrate;
- (22) Dipipanone;
- (23) Ethylmethylthiambutene;
- (24) Etonitazene;
- (25) Etoxidine;
- (26) Furethidine;
- (27) Gamma-hydroxybutyric (Other names include:

**GBH)**

- (~~2728~~) Hydroxypethidine;
- (~~2829~~) Ketobemidone;
- (~~2930~~) Levomoramide;
- (~~3031~~) Levophenacylmorphan;
- (~~3132~~) 3-Methylfentanyl (N-[3-Methyl-1-(2-phenethyl)-4-piperidyl]-N-phenylpropanamide);
- (~~3233~~) Morpheridine;
- (~~3334~~) MPPP (1-Methyl-4-phenyl-4-propionoxypiperidine);
- (~~3435~~) Noracymethadol;
- (~~3536~~) Norlevorphanol;
- (~~3637~~) Normethadone;
- (~~3738~~) Norpipanone;
- (~~3839~~) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- (~~3940~~) Phenadoxone;
- (~~4041~~) Phenampromide;
- (~~4142~~) Phenomorphan;
- (~~4243~~) Phenoperidine;
- (~~4344~~) Piritramide;
- (~~4445~~) Proheptazine;
- (~~4546~~) Properidine;
- (~~4647~~) Propiram;

- (~~4748~~) Racemoramide;
- (~~4849~~) Tilidine;
- (~~4950~~) Trimeperidine.

(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine;
- (2) Acetyldihydrocodeine;
- (3) Benzylmorphine;
- (4) Codeine methylbromide;
- (5) Codeine-N-Oxide;
- (6) Cyprenorphine;
- (7) Desomorphine;
- (8) Dihydromorphine;
- (9) Drotebanol;
- (10) Etorphine (except hydrochloride salt);
- (11) Heroin;
- (12) Hydromorphanol;
- (13) Methyldesorphine;
- (14) Methyldihydromorphine;
- (15) Morphine methylbromide;
- (16) Morphine methylsulfonate;
- (17) Morphine-N-Oxide;
- (18) Myrophine;
- (19) Nicocodeine;
- (20) Nicomorphine;
- (21) Normorphine;
- (22) Pholcodine;
- (23) Thebacon.

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of paragraph (d) of this section, only, the term "isomer" includes the optical, position, and geometric isomers):

- (1) 4-bromo-2,5-dimethoxy-amphetamine: Some trade or other names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA;
- (2) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA;
- (3) 2,5-dimethoxy-4-ethylamphetamine (DOET)
- (4) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine, PMA;
- (5) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (6) 4-methyl-2,5-dimethoxy-amphetamine: Some trade and other names: 4-methyl-2,5-dimethoxy-a-methylphenethylamine; "DOM"; and "STP";
- (7) 3,4-methylenedioxy amphetamine;
- (8) 3,4-methylenedioxymethamphetamine (MDMA);
- (9) 3,4,5-trimethoxy amphetamine;
- (10) Bufotenine: Some trade or other names: 3-(beta-Dimethylaminoethyl)-5-hydroxindole; 3-(2-dimethyl-



laminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;

(11) Diethyltryptamine: Some trade or other names: N,N-Diethyltryptamine; DET;

(12) Dimethyltryptamine: Some trade or other names: DMT;

(13) Ibogaine: Some trade or other names: 7-Ethyl-6,6 beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9methano-5H-pyndo (1',2':1,2) azepino (5,4-b) indole; Tabernanthe iboga;

(14) Lysergic acid diethylamide;

(15) Marihuana;

(16) Mescaline;

(17) Parahexyl-7374; some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo[b,d]pyran; synhexyl;

(18) Peyote, meaning all parts of the plant presently classified botanically as *Lophophora Williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or extracts; (interprets 21 USC § 812 (c), Schedule I (c)(12))

(19) N-ethyl-3-piperidyl benzilate;

(20) N-methyl-3-piperidyl benzilate;

(21) Psilocybin;

(22) Psilocyn;

(23) Tetrahydrocannabinols, synthetic equivalents of the substances contained in the plant, or in the resinous extractives of *Cannabis*, sp., and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

(i) Delta 1 - cis - or transtetrahydrocannabinol, and their optical isomers, excluding tetrahydrocannabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States Food and Drug Administration;

(ii) Delta 6 - cis - or transtetrahydrocannabinol, and their optical isomers;

(iii) Delta 3,4 - cis - or transtetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

(24) Ethylamine analog of phencyclidine: Some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;

(25) Pyrrolidine analog of phencyclidine: Some trade or other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP;

(26) Thiophene analog of phencyclidine: Some trade or other names: 1-(1-[2-thenyl]-cyclohexyl)-piperidine; 2-thienylanalogue of phencyclidine; TPCP; TCP;

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(i) Mecloqualone;

(ii) Methaqualone.

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(i) Cathinone (also known as 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone)

(ii) Fenethylamine;

(iii) N-ethylamphetamine;

(iv) 4-methylaminorex;

(v) N,N-dimethylamphetamine.

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

**Reviser's note:** The brackets and enclosed material in the text of 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.



**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 #
1- 04-010	AMD-XA	00-13-109	4- 25-830	AMD	00-11-077	16- 71-010	AMD	00-14-059
1- 06-010	AMD-XA	00-13-109	4- 25-910	AMD-P	00-07-015	16- 71-022	AMD-P	00-11-145
1- 06-030	AMD-XA	00-13-109	4- 25-910	AMD	00-11-078	16- 71-022	AMD	00-14-059
1- 06-040	AMD-XA	00-13-109	16- 42	PREP	00-08-095	16- 71-030	AMD-P	00-11-145
1- 06-130	AMD-XA	00-13-109	16- 42-005	AMD-P	00-11-146	16- 71-030	AMD	00-14-059
1- 06-140	AMD-XA	00-13-109	16- 42-005	AMD-C	00-14-076	16- 71-035	NEW-P	00-11-145
1- 06-160	AMD-XA	00-13-109	16- 42-005	AMD	00-17-072	16- 71-035	NEW	00-14-059
1- 21-020	AMD-XA	00-13-109	16- 42-017	AMD-P	00-11-146	16- 71-040	REP-P	00-11-145
1- 21-070	AMD-XA	00-13-109	16- 42-017	AMD-C	00-14-076	16- 71-040	REP	00-14-059
1- 21-110	AMD-XA	00-13-109	16- 42-017	AMD	00-17-072	16- 71-050	REP-P	00-11-145
1- 21-140	AMD-XA	00-13-109	16- 42-022	AMD-P	00-11-146	16- 71-050	REP	00-14-059
1- 21-160	AMD-XA	00-13-109	16- 42-022	REP-C	00-14-076	16- 74-001	REP-P	00-03-069
1- 21-170	AMD-XA	00-13-109	16- 42-022	REP	00-17-072	16- 74-001	REP	00-06-065
4- 25-400	AMD-P	00-07-004	16- 42-023	NEW-C	00-14-076	16- 74-005	NEW-P	00-03-069
4- 25-400	AMD	00-11-067	16- 42-023	NEW	00-17-072	16- 74-005	NEW	00-06-065
4- 25-510	PREP	00-03-032	16- 42-025	AMD-P	00-11-146	16- 74-010	AMD-P	00-03-069
4- 25-510	AMD-P	00-07-005	16- 42-025	REP-C	00-14-076	16- 74-010	AMD	00-06-065
4- 25-510	AMD	00-11-068	16- 42-025	REP	00-17-072	16- 74-020	AMD-P	00-03-069
4- 25-522	REP-P	00-07-006	16- 42-026	NEW-C	00-14-076	16- 74-020	AMD	00-06-065
4- 25-522	REP	00-11-069	16- 42-026	NEW	00-17-072	16- 74-030	AMD-P	00-03-069
4- 25-540	AMD-P	00-07-007	16- 42-035	AMD-P	00-11-146	16- 74-030	AMD	00-06-065
4- 25-540	AMD	00-11-070	16- 42-035	AMD-C	00-14-076	16- 74-040	REP-P	00-03-069
4- 25-631	AMD-P	00-07-008	16- 42-035	AMD	00-17-072	16- 74-040	REP	00-06-065
4- 25-631	AMD	00-11-071	16- 42-060	REP-P	00-11-146	16- 80-005	AMD-P	00-03-068
4- 25-660	AMD-P	00-07-009	16- 42-060	REP-C	00-14-076	16- 80-005	AMD	00-06-066
4- 25-660	AMD	00-11-072	16- 42-060	REP	00-17-072	16- 80-007	AMD-P	00-03-068
4- 25-661	AMD-P	00-07-010	16- 70-001	REP-P	00-03-070	16- 80-007	AMD	00-06-066
4- 25-661	AMD	00-11-073	16- 70-001	REP	00-06-064	16- 80-010	AMD-P	00-03-068
4- 25-750	AMD-P	00-07-011	16- 70-005	AMD-P	00-03-070	16- 80-010	AMD	00-06-066
4- 25-750	AMD	00-11-074	16- 70-005	AMD	00-06-064	16- 80-015	AMD-P	00-03-068
4- 25-780	REP-P	00-07-012	16- 70-010	AMD-P	00-03-070	16- 80-015	AMD	00-06-066
4- 25-780	REP	00-11-075	16- 70-010	AMD	00-06-064	16- 80-020	AMD-P	00-03-068
4- 25-781	NEW-P	00-07-013	16- 70-030	REP-P	00-03-070	16- 80-020	AMD	00-06-066
4- 25-781	NEW	00-11-076	16- 70-030	REP	00-06-064	16- 80-025	AMD-P	00-03-068
4- 25-782	NEW-P	00-07-013	16- 71	PREP	00-08-094	16- 80-025	AMD	00-06-066
4- 25-782	NEW	00-11-076	16- 71-001	REP-P	00-11-145	16- 80-030	AMD-P	00-03-068
4- 25-783	NEW-P	00-07-013	16- 71-001	REP	00-14-059	16- 80-030	AMD	00-06-066
4- 25-783	NEW	00-11-076	16- 71-003	REP-P	00-11-145	16- 80-035	AMD-P	00-03-068
4- 25-830	PREP	00-03-033	16- 71-003	REP	00-14-059	16- 80-035	AMD	00-06-066
4- 25-830	AMD-P	00-07-014	16- 71-010	AMD-P	00-11-145	16- 80-040	AMD-P	00-03-068

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-80-040	AMD	00-06-066	16-154-120	AMD-W	00-13-026	16-213-260	AMD	00-08-041
16-80-045	AMD-P	00-03-068	16-154-180	NEW-S	00-13-012	16-213-270	AMD-P	00-05-048
16-80-045	AMD	00-06-066	16-154-180	NEW-C	00-17-115	16-213-270	AMD	00-08-041
16-80-047	AMD-P	00-03-068	16-164	PREP	00-15-030	16-224-010	REP-P	00-17-147
16-80-047	AMD	00-06-066	16-200-512	REP-XR	00-07-068	16-224-020	REP-P	00-17-147
16-80-050	REP-P	00-03-068	16-200-512	REP	00-16-046	16-224-025	REP-P	00-17-147
16-80-050	REP	00-06-066	16-200-600	NEW-P	00-15-065	16-224-030	REP-P	00-17-147
16-101	PREP	00-02-077	16-200-695	PREP	00-03-076	16-224-040	REP-P	00-17-147
16-101-700	AMD-P	00-15-001	16-200-695	AMD-P	00-15-065	16-228-1010	PREP	00-03-080
16-101-716	AMD-P	00-15-001	16-200-701	NEW-P	00-15-065	16-228-1010	AMD-P	00-17-137
16-101-721	AMD-P	00-15-001	16-200-703	NEW-P	00-15-065	16-228-1040	PREP	00-03-080
16-101-990	AMD-P	00-15-001	16-200-705	REP-P	00-15-065	16-228-1040	AMD-P	00-17-137
16-101X	PREP	00-07-115	16-202-1000	PREP	00-03-076	16-228-1110	AMD-P	00-10-098
16-112-001	REP	00-05-024	16-202-2000	PREP	00-03-076	16-228-1110	AMD-C	00-13-031
16-112-010	REP	00-05-024	16-212	PREP	00-10-104	16-228-1110	AMD-C	00-17-138
16-112-020	REP	00-05-024	16-212-010	REP-P	00-17-147	16-228-1120	AMD-P	00-10-098
16-112-030	REP	00-05-024	16-212-020	REP-P	00-17-147	16-228-1120	AMD-C	00-13-031
16-143	NEW-C	00-11-112	16-212-030	REP-P	00-17-147	16-228-1120	AMD-C	00-17-138
16-143-005	NEW-E	00-13-055	16-212-060	REP-P	00-17-147	16-228-1125	NEW-P	00-10-098
16-143-010	NEW-P	00-08-107	16-212-070	REP-P	00-17-147	16-228-1125	NEW-C	00-13-031
16-143-010	NEW	00-11-123	16-212-080	REP-P	00-17-147	16-228-1125	NEW-C	00-17-138
16-143-020	NEW-P	00-08-107	16-212-082	REP-P	00-17-147	16-228-1130	AMD-P	00-10-098
16-143-020	NEW	00-11-123	16-212-086	REP-P	00-17-147	16-228-1130	AMD-C	00-13-031
16-143-030	NEW-P	00-08-107	16-212-087	REP-P	00-17-147	16-228-1130	AMD-C	00-17-138
16-143-030	NEW	00-11-123	16-212-110	REP-P	00-17-147	16-228-1140	REP-P	00-10-098
16-143-040	NEW-P	00-08-107	16-212-120	REP-P	00-17-147	16-228-1140	REP-C	00-13-031
16-143-040	NEW	00-11-123	16-212-125	REP-P	00-17-147	16-228-1140	REP-C	00-17-138
16-143-050	NEW-P	00-08-107	16-212-126	REP-P	00-17-147	16-228-1150	PREP	00-03-080
16-143-050	NEW	00-11-123	16-212-127	REP-P	00-17-147	16-228-1150	AMD-P	00-10-098
16-143-060	NEW-P	00-08-107	16-212-128	REP-P	00-17-147	16-228-1150	AMD-C	00-13-031
16-143-060	NEW	00-11-123	16-212-130	REP-P	00-17-147	16-228-1150	AMD-P	00-17-137
16-143-070	NEW-P	00-08-107	16-212-160	REP-P	00-17-147	16-228-1150	AMD-C	00-17-138
16-143-070	NEW	00-11-123	16-212-170	REP-P	00-17-147	16-228-1155	NEW-P	00-10-098
16-143-080	NEW-P	00-08-107	16-212-180	REP-P	00-17-147	16-228-1155	NEW-C	00-13-031
16-143-080	NEW	00-11-123	16-212-190	REP-P	00-17-147	16-228-1155	NEW-C	00-17-138
16-143-090	NEW-P	00-08-107	16-212-195	REP-P	00-17-147	16-228-1200	PREP	00-03-080
16-143-090	NEW	00-11-123	16-212-215	REP-P	00-17-147	16-228-1200	AMD-P	00-17-137
16-143-100	NEW-P	00-08-107	16-212-220	REP-P	00-17-147	16-228-1220	PREP	00-03-077
16-143-100	NEW	00-11-123	16-212-225	REP-P	00-17-147	16-228-1220	PREP	00-03-077
16-143-110	NEW-P	00-08-107	16-212-230	REP-P	00-17-147	16-228-1230	PREP	00-03-080
16-143-110	NEW	00-11-123	16-212-235	REP-P	00-17-147	16-228-1230	REP-P	00-17-137
16-147-010	AMD	00-05-025	16-212-235	REP-P	00-17-147	16-228-1231	NEW-P	00-17-137
16-147-020	AMD	00-05-025	16-213-010	REP-P	00-05-048	16-228-1240	PREP	00-03-077
16-147-030	AMD	00-05-025	16-213-010	REP	00-08-041	16-228-1240	REP-P	00-17-137
16-154-030	AMD-S	00-13-012	16-213-100	REP-P	00-05-048	16-228-1250	PREP	00-03-077
16-154-030	AMD-C	00-17-115	16-213-100	REP	00-08-041	16-228-1270	PREP	00-03-080
16-154-050	AMD-S	00-13-012	16-213-110	REP-P	00-05-048	16-228-1270	AMD-P	00-17-137
16-154-050	AMD-C	00-17-115	16-213-110	REP	00-08-041	16-228-1300	PREP	00-03-077
16-154-053	NEW-S	00-13-012	16-213-120	REP-P	00-05-048	16-228-1320	PREP	00-03-077
16-154-053	NEW-C	00-17-115	16-213-120	REP	00-08-041	16-228-1320	PREP	00-03-077
16-154-060	AMD-S	00-13-012	16-213-130	REP-P	00-05-048	16-228-1380	PREP	00-03-080
16-154-060	AMD-C	00-17-115	16-213-130	REP	00-08-041	16-228-1380	AMD-P	00-17-137
16-154-070	AMD-S	00-13-012	16-213-200	AMD-P	00-05-048	16-228-1385	PREP	00-03-080
16-154-070	AMD-C	00-17-115	16-213-200	AMD	00-08-041	16-228-1385	AMD-P	00-17-137
16-154-080	AMD-S	00-13-012	16-213-220	REP-P	00-05-048	16-228-1400	PREP	00-03-078
16-154-080	AMD-C	00-17-115	16-213-220	REP	00-08-041	16-228-1500	PREP	00-03-079
16-154-090	AMD-S	00-13-012	16-213-220	REP	00-08-041	16-228-1520	PREP	00-03-079
16-154-090	AMD-C	00-17-115	16-213-230	REP-P	00-05-048	16-228-1540	PREP	00-03-080
16-154-100	AMD-S	00-13-012	16-213-230	REP	00-08-041	16-228-1540	AMD-P	00-17-137
16-154-100	AMD-C	00-17-115	16-213-240	REP-P	00-05-048	16-228-1545	PREP	00-03-079
16-154-110	AMD-S	00-13-012	16-213-240	REP	00-08-041	16-228-1580	PREP	00-03-080
16-154-110	AMD-C	00-17-115	16-213-250	REP-P	00-05-048	16-228-1580	REP-P	00-17-137
16-154-110	AMD-C	00-17-115	16-213-250	REP	00-08-041	16-228-2000	PREP	00-03-077
			16-213-260	AMD-P	00-05-048	16-230	PREP	00-04-020

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-230	PREP	00-04-021	16-237-160	NEW-P	00-17-147	16-333-066	NEW-XA	00-14-077
16-230	PREP	00-04-022	16-237-165	NEW-P	00-17-147	16-333-070	REP-XA	00-14-077
16-230-600	PREP	00-13-030	16-237-170	NEW-P	00-17-147	16-333-071	NEW-XA	00-14-077
16-230-600	PREP	00-15-063	16-237-175	NEW-P	00-17-147	16-333-080	REP-XA	00-14-077
16-230-605	PREP	00-13-030	16-237-180	NEW-P	00-17-147	16-333-085	NEW-XA	00-14-077
16-230-605	PREP	00-15-063	16-237-185	NEW-P	00-17-147	16-333-090	AMD-XA	00-14-077
16-230-610	PREP	00-13-030	16-237-190	NEW-P	00-17-147	16-350	AMD-XA	00-14-078
16-230-610	PREP	00-15-063	16-237-195	NEW-P	00-17-147	16-350-001	REP-XA	00-14-078
16-230-615	PREP	00-13-030	16-237-200	NEW-P	00-17-147	16-350-003	REP-XA	00-14-078
16-230-615	PREP	00-15-063	16-237-205	NEW-P	00-17-147	16-350-010	AMD-XA	00-14-078
16-230-620	PREP	00-13-030	16-237-210	NEW-P	00-17-147	16-350-015	AMD-XA	00-14-078
16-230-620	PREP	00-15-063	16-324-361	AMD-XA	00-16-111	16-350-020	AMD-XA	00-14-078
16-230-625	PREP	00-13-030	16-324-370	AMD-XA	00-16-111	16-350-025	AMD-XA	00-14-078
16-230-625	PREP	00-15-063	16-324-375	AMD-XA	00-16-111	16-350-030	AMD-XA	00-14-078
16-230-630	PREP	00-13-030	16-324-381	AMD-XA	00-16-111	16-350-032	AMD-XA	00-14-078
16-230-630	PREP	00-15-063	16-324-382	AMD-XA	00-16-111	16-350-035	AMD-XA	00-14-078
16-230-635	PREP	00-13-030	16-324-385	NEW-XA	00-16-111	16-350-040	AMD-XA	00-14-078
16-230-635	PREP	00-15-063	16-324-391	AMD-XA	00-16-111	16-350-045	AMD-XA	00-14-078
16-230-640	PREP	00-13-030	16-324-392	AMD-XA	00-16-111	16-350-050	AMD-XA	00-14-078
16-230-640	PREP	00-15-063	16-324-393	AMD-XA	00-16-111	16-350-060	REP-XA	00-14-078
16-230-645	PREP	00-13-030	16-324-394	REP-XA	00-16-111	16-350-065	REP-XA	00-14-078
16-230-645	PREP	00-15-063	16-324-395	REP-XA	00-16-111	16-350-070	REP-XA	00-14-078
16-230-650	PREP	00-13-030	16-324-396	AMD-XA	00-16-111	16-350-075	REP-XA	00-14-078
16-230-650	PREP	00-15-063	16-324-397	REP-XA	00-16-111	16-404	PREP	00-03-083
16-230-655	PREP	00-13-030	16-324-398	AMD-XA	00-16-111	16-409	PREP	00-03-085
16-230-655	PREP	00-15-063	16-324-399	NEW-XA	00-16-111	16-414	PREP	00-07-132
16-230-660	PREP	00-13-030	16-324-401	AMD-XA	00-16-111	16-439	PREP	00-07-134
16-230-660	PREP	00-15-063	16-324-402	AMD-XA	00-16-111	16-442	PREP	00-07-133
16-230-665	PREP	00-13-030	16-324-409	AMD-XA	00-16-111	16-445	PREP	00-03-084
16-230-665	PREP	00-15-063	16-324-431	AMD-XA	00-16-111	16-449	PREP	00-15-010
16-230-670	PREP	00-13-030	16-324-446	AMD-XA	00-16-111	16-459	PREP	00-15-010
16-230-670	PREP	00-15-063	16-324-700	REP-XA	00-16-111	16-463	PREP	00-07-135
16-230-673	PREP	00-13-030	16-324-710	REP-XA	00-16-111	16-470	PREP	00-16-048
16-230-673	PREP	00-15-063	16-324-720	AMD-XA	00-16-111	16-470	PREP	00-16-049
16-230-675	PREP	00-13-030	16-328	AMD-XA	00-14-079	16-470	PREP	00-16-050
16-230-675	PREP	00-15-063	16-328-008	AMD-XA	00-14-079	16-470	PREP	00-17-185
16-232-001	PREP	00-15-064	16-328-009	REP-XA	00-14-079	16-472-010	AMD-XA	00-16-110
16-232-005	PREP	00-15-064	16-328-010	AMD-XA	00-14-079	16-472-020	AMD-XA	00-16-110
16-232-010	PREP	00-15-064	16-328-015	AMD-XA	00-14-079	16-472-030	AMD-XA	00-16-110
16-232-015	PREP	00-15-064	16-328-025	AMD-XA	00-14-079	16-472-040	AMD-XA	00-16-110
16-232-020	PREP	00-15-064	16-328-030	REP-XA	00-14-079	16-472-050	REP-XA	00-16-110
16-232-025	PREP	00-15-064	16-328-035	REP-XA	00-14-079	16-478	PREP	00-16-047
16-232-027	PREP	00-15-064	16-328-038	REP-XA	00-14-079	16-483	AMD-C	00-04-066
16-232-030	PREP	00-15-064	16-328-045	NEW-XA	00-14-079	16-483-001	AMD	00-05-105
16-232-035	PREP	00-15-064	16-328-060	AMD-XA	00-14-079	16-483-005	AMD	00-05-105
16-232-038	PREP	00-15-064	16-328-065	AMD-XA	00-14-079	16-483-010	AMD	00-05-105
16-233	PREP	00-09-029	16-328-080	REP-XA	00-14-079	16-483-020	AMD	00-05-105
16-234-001	REP-P	00-17-147	16-328-083	AMD-XA	00-14-079	16-483-030	AMD	00-05-105
16-234-010	REP-P	00-17-147	16-328-085	AMD-XA	00-14-079	16-483-040	AMD	00-05-105
16-234-020	REP-P	00-17-147	16-328-088	AMD-XA	00-14-079	16-483-050	AMD	00-05-105
16-234-030	REP-P	00-17-147	16-333	AMD-XA	00-14-077	16-483-060	REP	00-05-105
16-237-010	NEW-P	00-17-147	16-333-010	AMD-XA	00-14-077	16-516-010	AMD-XA	00-07-079
16-237-015	NEW-P	00-17-147	16-333-020	AMD-XA	00-14-077	16-516-010	AMD	00-11-180
16-237-020	NEW-P	00-17-147	16-333-030	REP-XA	00-14-077	16-516-020	AMD-XA	00-07-079
16-237-025	NEW-P	00-17-147	16-333-040	AMD-XA	00-14-077	16-516-020	AMD	00-11-180
16-237-030	NEW-P	00-17-147	16-333-045	NEW-XA	00-14-077	16-536-040	AMD-P	00-05-089
16-237-035	NEW-P	00-17-147	16-333-050	REP-XA	00-14-077	16-536-040	AMD-W	00-17-121
16-237-040	NEW-P	00-17-147	16-333-051	NEW-XA	00-14-077	16-550-020	AMD-XA	00-05-090
16-237-140	NEW-P	00-17-147	16-333-056	NEW-XA	00-14-077	16-550-020	AMD	00-10-022
16-237-145	NEW-P	00-17-147	16-333-060	REP-XA	00-14-077	16-555-020	AMD-XA	00-05-091
16-237-150	NEW-P	00-17-147	16-333-061	NEW-XA	00-14-077	16-555-020	AMD	00-10-024
16-237-155	NEW-P	00-17-147	16-333-065	REP-XA	00-14-077	16-557	REP-C	00-08-066

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-557	REP-C	00-09-026	16-694-010	REP-P	00-17-183	50-12-160	DECOD	00-17-141
16-557-010	REP-C	00-07-136	16-694-020	REP-P	00-17-183	50-12-170	DECOD-X	00-13-101
16-557-010	REP-W	00-10-066	16-694-021	REP-P	00-17-183	50-12-170	DECOD	00-17-141
16-557-020	REP-C	00-07-136	16-750	PREP	00-13-002	50-12-180	DECOD-X	00-13-101
16-557-020	REP-W	00-10-066	24-12-010	AMD-XA	00-17-174	50-12-180	DECOD	00-17-141
16-557-025	REP-C	00-07-136	25-48	PREP	00-11-170	50-12-190	DECOD-X	00-13-101
16-557-025	REP-W	00-10-066	44-10-010	AMD	00-08-068	50-12-190	DECOD	00-17-141
16-557-030	REP-C	00-07-136	44-10-170	AMD	00-08-068	50-12-200	AMD-XA	00-13-101
16-557-030	REP-W	00-10-066	44-10-200	AMD	00-08-068	50-12-200	DECOD-X	00-13-101
16-557-040	REP-C	00-07-136	50-12-020	DECOD-X	00-13-101	50-12-200	AMD	00-17-141
16-557-040	REP-W	00-10-066	50-12-020	DECOD	00-17-141	50-12-200	DECOD	00-17-141
16-557-041	REP-C	00-07-136	50-12-030	AMD-XA	00-13-101	50-12-210	AMD-XA	00-13-101
16-557-041	REP-W	00-10-066	50-12-030	DECOD-X	00-13-101	50-12-210	DECOD-X	00-13-101
16-557-050	REP-C	00-07-136	50-12-030	AMD	00-17-141	50-12-210	AMD	00-17-141
16-557-050	REP-W	00-10-066	50-12-030	DECOD	00-17-141	50-12-210	DECOD	00-17-141
16-557-060	REP-C	00-07-136	50-12-045	AMD-XA	00-13-101	50-12-220	DECOD-X	00-13-101
16-557-060	REP-W	00-10-066	50-12-045	DECOD-X	00-13-101	50-12-220	DECOD	00-17-141
16-557-070	REP-C	00-07-136	50-12-045	AMD	00-17-141	50-12-230	PREP	00-13-099
16-557-070	REP-W	00-10-066	50-12-045	DECOD	00-17-141	50-12-230	AMD-XA	00-13-101
16-557-080	REP-C	00-07-136	50-12-050	DECOD-X	00-13-101	50-12-230	DECOD-X	00-13-101
16-557-080	REP-W	00-10-066	50-12-050	DECOD	00-17-141	50-12-230	AMD	00-17-141
16-565-020	AMD-XA	00-05-092	50-12-060	AMD-XA	00-13-101	50-12-230	DECOD	00-17-141
16-565-020	AMD	00-10-023	50-12-060	DECOD-X	00-13-101	50-12-240	DECOD-X	00-13-101
16-570	PREP	00-10-109	50-12-060	AMD	00-17-141	50-12-240	DECOD	00-17-141
16-573	PREP	00-10-108	50-12-060	DECOD	00-17-141	50-12-250	AMD-XA	00-13-101
16-621-001	REP-P	00-17-183	50-12-070	AMD-XA	00-13-101	50-12-250	DECOD-X	00-13-101
16-621-010	REP-P	00-17-183	50-12-070	DECOD-X	00-13-101	50-12-250	AMD	00-17-141
16-621-030	REP-P	00-17-183	50-12-070	AMD	00-17-141	50-12-250	DECOD	00-17-141
16-621-040	REP-P	00-17-183	50-12-070	DECOD	00-17-141	50-12-260	DECOD-X	00-13-101
16-622	PREP	00-12-007	50-12-080	DECOD-X	00-13-101	50-12-260	DECOD	00-17-141
16-623-001	NEW-P	00-17-175	50-12-080	DECOD	00-17-141	50-12-270	DECOD-X	00-13-101
16-623-010	NEW-P	00-17-175	50-12-090	DECOD-X	00-13-101	50-12-270	DECOD	00-17-141
16-623-020	NEW-P	00-17-175	50-12-090	DECOD	00-17-141	50-12-280	DECOD-X	00-13-101
16-623-030	NEW-P	00-17-175	50-12-100	DECOD-X	00-13-101	50-12-280	DECOD	00-17-141
16-623-040	NEW-P	00-17-175	50-12-100	DECOD	00-17-141	50-12-290	DECOD-X	00-13-101
16-623-050	NEW-P	00-17-175	50-12-110	DECOD-X	00-13-101	50-12-290	DECOD	00-17-141
16-623-060	NEW-P	00-17-175	50-12-110	DECOD	00-17-141	50-12-300	DECOD-X	00-13-101
16-662-105	AMD-P	00-09-090	50-12-115	DECOD-X	00-13-101	50-12-300	DECOD	00-17-141
16-662-105	AMD	00-14-005	50-12-115	DECOD	00-17-141	50-12-310	AMD-XA	00-13-101
16-663	PREP	00-13-078	50-12-116	DECOD-X	00-13-101	50-12-310	DECOD-X	00-13-101
16-663	AMD-P	00-17-184	50-12-116	DECOD	00-17-141	50-12-310	AMD	00-17-141
16-663-001	REP-P	00-17-184	50-12-117	AMD-XA	00-13-101	50-12-310	DECOD	00-17-141
16-663-010	REP-P	00-17-184	50-12-117	DECOD-X	00-13-101	50-12-320	DECOD-X	00-13-101
16-663-020	REP-P	00-17-184	50-12-117	AMD	00-17-141	50-12-320	DECOD	00-17-141
16-663-030	REP-P	00-17-184	50-12-117	DECOD	00-17-141	50-12-330	DECOD-X	00-13-101
16-663-040	REP-P	00-17-184	50-12-120	AMD-XA	00-13-101	50-12-330	DECOD	00-17-141
16-663-050	REP-P	00-17-184	50-12-120	DECOD-X	00-13-101	50-12-340	DECOD-X	00-13-101
16-663-060	REP-P	00-17-184	50-12-120	AMD	00-17-141	50-12-340	DECOD	00-17-141
16-663-100	NEW-P	00-17-184	50-12-120	DECOD	00-17-141	50-12-350	AMD-XA	00-13-101
16-663-110	NEW-P	00-17-184	50-12-130	DECOD-X	00-13-101	50-12-350	DECOD-X	00-13-101
16-663-120	NEW-P	00-17-184	50-12-130	DECOD	00-17-141	50-12-350	AMD	00-17-141
16-663-130	NEW-P	00-17-184	50-12-140	AMD-XA	00-13-101	50-12-350	DECOD	00-17-141
16-663-140	NEW-P	00-17-184	50-12-140	DECOD-X	00-13-101	50-12-360	DECOD-X	00-13-101
16-663-150	NEW-P	00-17-184	50-12-140	AMD	00-17-141	50-12-360	DECOD	00-17-141
16-663-160	NEW-P	00-17-184	50-12-140	DECOD	00-17-141	50-12-370	AMD-XA	00-13-101
16-663-170	NEW-P	00-17-184	50-12-150	AMD-XA	00-13-101	50-12-370	DECOD-X	00-13-101
16-664	PREP	00-13-080	50-12-150	DECOD-X	00-13-101	50-12-370	AMD	00-17-141
16-674	PREP	00-13-079	50-12-150	AMD	00-17-141	50-12-370	DECOD	00-17-141
16-690	PREP	00-15-010	50-12-150	DECOD	00-17-141	50-14-010	AMD-XA	00-13-101
16-692-001	REP-P	00-17-183	50-12-160	AMD-XA	00-13-101	50-14-010	DECOD-X	00-13-101
16-692-010	REP-P	00-17-183	50-12-160	DECOD-X	00-13-101	50-14-010	AMD	00-17-141
16-694-001	REP-P	00-17-183	50-12-160	AMD	00-17-141	50-14-010	DECOD	00-17-141

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
50-14-020	AMD-XA	00-13-101	50-28-050	AMD	00-17-141	50-36-110	DECOD-X	00-13-101
50-14-020	DECOD-X	00-13-101	50-28-050	DECOD	00-17-141	50-36-110	DECOD	00-17-141
50-14-020	AMD	00-17-141	50-28-060	AMD-XA	00-13-101	50-36-120	DECOD-X	00-13-101
50-14-020	DECOD	00-17-141	50-28-060	DECOD-X	00-13-101	50-36-120	DECOD	00-17-141
50-14-030	AMD-XA	00-13-101	50-28-060	AMD	00-17-141	50-44-005	AMD-XA	00-13-101
50-14-030	DECOD-X	00-13-101	50-28-060	DECOD	00-17-141	50-44-005	DECOD-X	00-13-101
50-14-030	AMD	00-17-141	50-28-070	AMD-XA	00-13-101	50-44-005	AMD	00-17-141
50-14-030	DECOD	00-17-141	50-28-070	DECOD-X	00-13-101	50-44-005	DECOD	00-17-141
50-14-040	AMD-XA	00-13-101	50-28-070	AMD	00-17-141	50-44-010	AMD-XA	00-13-101
50-14-040	DECOD-X	00-13-101	50-28-070	DECOD	00-17-141	50-44-010	DECOD-X	00-13-101
50-14-040	AMD	00-17-141	50-28-990	AMD-XA	00-13-101	50-44-010	AMD	00-17-141
50-14-040	DECOD	00-17-141	50-28-990	DECOD-X	00-13-101	50-44-010	DECOD	00-17-141
50-14-050	AMD-XA	00-13-101	50-28-990	AMD	00-17-141	50-44-020	AMD-XA	00-13-101
50-14-050	DECOD-X	00-13-101	50-28-990	DECOD	00-17-141	50-44-020	DECOD-X	00-13-101
50-14-050	AMD	00-17-141	50-32-010	DECOD-X	00-14-053	50-44-020	AMD	00-17-141
50-14-050	DECOD	00-17-141	50-32-020	AMD-XA	00-14-053	50-44-020	DECOD	00-17-141
50-14-060	AMD-XA	00-13-101	50-32-020	DECOD-X	00-14-053	50-44-025	DECOD-X	00-13-101
50-14-060	DECOD-X	00-13-101	50-32-030	AMD-XA	00-14-053	50-44-025	DECOD	00-17-141
50-14-060	AMD	00-17-141	50-32-030	DECOD-X	00-14-053	50-44-030	AMD-XA	00-13-101
50-14-060	DECOD	00-17-141	50-32-040	AMD-XA	00-14-053	50-44-030	DECOD-X	00-13-101
50-14-070	AMD-XA	00-13-101	50-32-040	DECOD-X	00-14-053	50-44-030	AMD	00-17-141
50-14-070	DECOD-X	00-13-101	50-32-050	DECOD-X	00-14-053	50-44-030	DECOD	00-17-141
50-14-070	AMD	00-17-141	50-32-060	DECOD-X	00-14-053	50-44-037	DECOD-X	00-13-101
50-14-070	DECOD	00-17-141	50-32-070	DECOD-X	00-14-053	50-44-037	DECOD	00-17-141
50-14-080	AMD-XA	00-13-101	50-32-080	DECOD-X	00-14-053	50-44-039	DECOD-X	00-13-101
50-14-080	DECOD-X	00-13-101	50-32-090	AMD-XA	00-14-053	50-44-039	DECOD	00-17-141
50-14-080	AMD	00-17-141	50-32-090	DECOD-X	00-14-053	50-44-050	AMD-XA	00-13-101
50-14-080	DECOD	00-17-141	50-32-100	DECOD-X	00-14-053	50-44-050	DECOD-X	00-13-101
50-14-090	AMD-XA	00-13-101	50-32-99001	AMD-XA	00-14-053	50-44-050	AMD	00-17-141
50-14-090	DECOD-X	00-13-101	50-32-99001	DECOD-X	00-14-053	50-44-050	DECOD	00-17-141
50-14-090	AMD	00-17-141	50-32-99002	AMD-XA	00-14-053	50-44-060	AMD-XA	00-13-101
50-14-090	DECOD	00-17-141	50-32-99002	DECOD-X	00-14-053	50-44-060	DECOD-X	00-13-101
50-14-100	AMD-XA	00-13-101	50-32-99003	AMD-XA	00-14-053	50-44-060	AMD	00-17-141
50-14-100	DECOD-X	00-13-101	50-32-99003	DECOD-X	00-14-053	50-44-060	DECOD	00-17-141
50-14-100	AMD	00-17-141	50-36-010	DECOD-X	00-13-101	50-48-010	AMD-XA	00-13-101
50-14-100	DECOD	00-17-141	50-36-010	DECOD	00-17-141	50-48-010	DECOD-X	00-13-101
50-14-110	DECOD-X	00-13-101	50-36-020	AMD-XA	00-13-101	50-48-010	AMD	00-17-141
50-14-110	DECOD	00-17-141	50-36-020	DECOD-X	00-13-101	50-48-010	DECOD	00-17-141
50-14-120	AMD-XA	00-13-101	50-36-020	AMD	00-17-141	50-48-020	AMD-XA	00-13-101
50-14-120	DECOD-X	00-13-101	50-36-020	DECOD	00-17-141	50-48-020	DECOD-X	00-13-101
50-14-120	AMD	00-17-141	50-36-030	DECOD-X	00-13-101	50-48-020	AMD	00-17-141
50-14-120	DECOD	00-17-141	50-36-030	DECOD	00-17-141	50-48-020	DECOD	00-17-141
50-14-130	AMD-XA	00-13-101	50-36-040	DECOD-X	00-13-101	50-48-030	AMD-XA	00-13-101
50-14-130	DECOD-X	00-13-101	50-36-040	DECOD	00-17-141	50-48-030	DECOD-X	00-13-101
50-14-130	AMD	00-17-141	50-36-050	AMD-XA	00-13-101	50-48-030	AMD	00-17-141
50-14-130	DECOD	00-17-141	50-36-050	DECOD-X	00-13-101	50-48-030	DECOD	00-17-141
50-14-140	DECOD-X	00-13-101	50-36-050	AMD	00-17-141	50-48-040	DECOD-X	00-13-101
50-14-140	DECOD	00-17-141	50-36-050	DECOD	00-17-141	50-48-040	DECOD	00-17-141
50-28-010	DECOD-X	00-13-101	50-36-060	DECOD-X	00-13-101	50-48-050	DECOD-X	00-13-101
50-28-010	DECOD	00-17-141	50-36-060	DECOD	00-17-141	50-48-050	DECOD	00-17-141
50-28-020	AMD-XA	00-13-101	50-36-070	DECOD-X	00-13-101	50-48-060	AMD-XA	00-13-101
50-28-020	DECOD-X	00-13-101	50-36-070	DECOD	00-17-141	50-48-060	DECOD-X	00-13-101
50-28-020	AMD	00-17-141	50-36-080	AMD-XA	00-13-101	50-48-060	AMD	00-17-141
50-28-020	DECOD	00-17-141	50-36-080	DECOD-X	00-13-101	50-48-060	DECOD	00-17-141
50-28-030	AMD-XA	00-13-101	50-36-080	AMD	00-17-141	50-48-070	AMD-XA	00-13-101
50-28-030	DECOD-X	00-13-101	50-36-080	DECOD	00-17-141	50-48-070	DECOD-X	00-13-101
50-28-030	AMD	00-17-141	50-36-090	AMD-XA	00-13-101	50-48-070	AMD	00-17-141
50-28-030	DECOD	00-17-141	50-36-090	DECOD-X	00-13-101	50-48-070	DECOD	00-17-141
50-28-040	DECOD-X	00-13-101	50-36-090	AMD	00-17-141	50-48-080	DECOD-X	00-13-101
50-28-040	DECOD	00-17-141	50-36-090	DECOD	00-17-141	50-48-080	DECOD	00-17-141
50-28-050	AMD-XA	00-13-101	50-36-100	DECOD-X	00-13-101	50-48-090	AMD-XA	00-13-101
50-28-050	DECOD-X	00-13-101	50-36-100	DECOD	00-17-141	50-48-090	DECOD-X	00-13-101

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
50- 48-090	AMD	00-17-141	51- 11-1009	AMD-P	00-16-131	51- 40-1203	AMD-P	00-16-128
50- 48-090	DECOD	00-17-141	51- 11-1201	REP-P	00-16-131	51- 40-1505	NEW-P	00-16-128
50- 48-100	AMD-XA	00-13-101	51- 11-1210	REP-P	00-16-131	51- 40-1600	NEW-P	00-16-128
50- 48-100	DECOD-X	00-13-101	51- 11-1312	AMD-P	00-16-131	51- 40-1616	AMD-P	00-16-128
50- 48-100	AMD	00-17-141	51- 11-1313	AMD-P	00-16-131	51- 40-1700	NEW-P	00-16-128
50- 48-100	DECOD	00-17-141	51- 11-1322	AMD-P	00-16-131	51- 40-1800	NEW-P	00-16-128
50- 56-010	AMD-XA	00-13-101	51- 11-1323	AMD-P	00-16-131	51- 40-1900	NEW-P	00-16-128
50- 56-010	DECOD-X	00-13-101	51- 11-1331	AMD-P	00-16-131	51- 40-2000	NEW-P	00-16-128
50- 56-010	AMD	00-17-141	51- 11-1334	AMD-P	00-16-131	51- 40-2100	NEW-P	00-16-128
50- 56-010	DECOD	00-17-141	51- 11-1401	AMD-P	00-16-131	51- 40-2106	NEW-P	00-16-128
50- 56-020	AMD-XA	00-13-101	51- 11-1410	AMD-P	00-16-131	51- 40-2200	NEW-P	00-16-128
50- 56-020	DECOD-X	00-13-101	51- 11-1411	AMD-P	00-16-131	51- 40-2300	NEW-P	00-16-128
50- 56-020	AMD	00-17-141	51- 11-1412	AMD-P	00-16-131	51- 40-2900	AMD-P	00-16-128
50- 56-020	DECOD	00-17-141	51- 11-1414	AMD-P	00-16-131	51- 40-2929	AMD-P	00-16-128
50- 56-030	AMD-XA	00-13-101	51- 11-1415	AMD-P	00-16-131	51- 40-3102	AMD-P	00-16-128
50- 56-030	DECOD-X	00-13-101	51- 11-1416	NEW-P	00-16-131	51- 40-31200	AMD-P	00-16-128
50- 56-030	AMD	00-17-141	51- 11-1423	AMD-P	00-16-131	51- 42-0405	NEW-P	00-16-130
50- 56-030	DECOD	00-17-141	51- 11-1433	AMD-P	00-16-131	51- 42-1101	AMD-P	00-16-130
50- 56-040	AMD-XA	00-13-101	51- 11-1435	AMD-P	00-16-131	51- 42-1103	AMD-P	00-16-130
50- 56-040	DECOD-X	00-13-101	51- 11-1438	AMD-P	00-16-131	51- 42-1105	AMD-P	00-16-130
50- 56-040	AMD	00-17-141	51- 11-1439	NEW-P	00-16-131	51- 42-1109	NEW-P	00-16-130
50- 56-040	DECOD	00-17-141	51- 11-1443	NEW-P	00-16-131	51- 42-1110	NEW-P	00-16-130
50- 56-050	AMD-XA	00-13-101	51- 11-1454	AMD-P	00-16-131	51- 42-1111	NEW-P	00-16-130
50- 56-050	DECOD-X	00-13-101	51- 11-1512	AMD-P	00-16-131	51- 42-1112	NEW-P	00-16-130
50- 56-050	AMD	00-17-141	51- 11-1513	AMD-P	00-16-131	51- 42-1113	NEW-P	00-16-130
50- 56-050	DECOD	00-17-141	51- 11-1521	AMD-P	00-16-131	51- 42-1114	NEW-P	00-16-130
50- 56-060	AMD-XA	00-13-101	51- 11-1530	AMD-P	00-16-131	51- 42-1115	NEW-P	00-16-130
50- 56-060	DECOD-X	00-13-101	51- 11-1531	AMD-P	00-16-131	51- 42-1116	NEW-P	00-16-130
50- 56-060	AMD	00-17-141	51- 11-1532	AMD-P	00-16-131	51- 42-1117	NEW-P	00-16-130
50- 56-060	DECOD	00-17-141	51- 11-1701	REP-P	00-16-131	51- 42-1118	NEW-P	00-16-130
50- 56-070	AMD-XA	00-13-101	51- 11-2000	REP-P	00-16-131	51- 42-1119	NEW-P	00-16-130
50- 56-070	DECOD-X	00-13-101	51- 11-2001	REP-P	00-16-131	51- 42-1120	NEW-P	00-16-130
50- 56-070	AMD	00-17-141	51- 11-2002	REP-P	00-16-131	51- 42-1121	NEW-P	00-16-130
50- 56-070	DECOD	00-17-141	51- 11-2003	REP-P	00-16-131	51- 42-1122	NEW-P	00-16-130
50- 56-080	AMD-XA	00-13-101	51- 11-2004	REP-P	00-16-131	51- 42-1123	NEW-P	00-16-130
50- 56-080	DECOD-X	00-13-101	51- 11-2005	REP-P	00-16-131	51- 42-1124	NEW-P	00-16-130
50- 56-080	AMD	00-17-141	51- 11-2006	REP-P	00-16-131	51- 42-1126	NEW-P	00-16-130
50- 56-080	DECOD	00-17-141	51- 11-2007	REP-P	00-16-131	51- 42-1301	NEW-P	00-16-130
51- 11-0201	AMD-P	00-16-131	51- 11-2008	REP-P	00-16-131	51- 44-0103	AMD-P	00-16-132
51- 11-0502	AMD-P	00-16-131	51- 11-2009	REP-P	00-16-131	51- 44-0105	NEW-P	00-16-132
51- 11-0503	AMD-P	00-16-131	51- 11-99902	AMD-P	00-16-131	51- 44-0200	AMD-P	00-16-132
51- 11-0504	AMD-P	00-16-131	51- 11-99903	AMD-P	00-16-131	51- 44-1007	AMD-P	00-16-132
51- 11-0505	AMD-P	00-16-131	51- 11-99904	AMD-P	00-16-131	51- 44-1102	NEW-P	00-16-132
51- 11-0530	AMD-P	00-16-131	51- 13-101	AMD-P	00-16-133	51- 44-1109	AMD-P	00-16-132
51- 11-0601	AMD-P	00-16-131	51- 13-301	AMD-P	00-16-133	51- 44-2500	AMD-P	00-16-132
51- 11-0602	AMD-P	00-16-131	51- 13-302	AMD-P	00-16-133	51- 44-5200	AMD-P	00-16-132
51- 11-0604	AMD-P	00-16-131	51- 13-303	AMD-P	00-16-133	51- 44-6100	AMD-P	00-16-132
51- 11-0605	AMD-P	00-16-131	51- 13-304	AMD-P	00-16-133	51- 44-6300	AMD-P	00-16-132
51- 11-0625	AMD-P	00-16-131	51- 13-503	AMD-P	00-16-133	51- 44-7900	AMD-P	00-16-132
51- 11-0626	AMD-P	00-16-131	51- 40-0200	AMD-P	00-16-128	51- 44-8000	AMD-P	00-16-132
51- 11-0627	AMD-P	00-16-131	51- 40-0310	AMD-P	00-16-128	51- 44-8102	NEW-P	00-16-132
51- 11-0628	AMD-P	00-16-131	51- 40-0313	AMD-P	00-16-128	51- 45-10100	NEW-P	00-16-132
51- 11-0630	AMD-P	00-16-131	51- 40-0403	AMD-P	00-16-128	51- 46-001	REP-P	00-16-129
51- 11-0701	AMD-P	00-16-131	51- 40-0804	AMD-P	00-16-128	51- 46-002	REP-P	00-16-129
51- 11-1001	AMD-P	00-16-131	51- 40-0902	AMD-P	00-16-128	51- 46-003	REP-P	00-16-129
51- 11-1002	AMD-P	00-16-131	51- 40-1003	AMD-P	00-16-128	51- 46-007	REP-P	00-16-129
51- 11-1003	AMD-P	00-16-131	51- 40-1004	AMD-P	00-16-128	51- 46-008	REP-P	00-16-129
51- 11-1004	AMD-P	00-16-131	51- 40-1103	AMD-P	00-16-128	51- 46-0100	REP-P	00-16-129
51- 11-1005	AMD-P	00-16-131	51- 40-1104	AMD-P	00-16-128	51- 46-0101	REP-P	00-16-129
51- 11-1006	AMD-P	00-16-131	51- 40-1105	AMD-P	00-16-128	51- 46-0102	REP-P	00-16-129
51- 11-1007	AMD-P	00-16-131	51- 40-1106	AMD-P	00-16-128	51- 46-0103	REP-P	00-16-129
51- 11-1008	AMD-P	00-16-131	51- 40-1202	NEW-P	00-16-128	51- 46-0200	REP-P	00-16-129

TABLE



**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-46-0205	REP-P	00-16-129	51-46-1400	REP-P	00-16-129	118-07-010	REP	00-05-011
51-46-0215	REP-P	00-16-129	51-46-1401	REP-P	00-16-129	118-07-020	REP	00-05-011
51-46-0218	REP-P	00-16-129	51-46-1491	REP-P	00-16-129	118-07-030	REP	00-05-011
51-46-0300	REP-P	00-16-129	51-46-97120	REP-P	00-16-129	118-07-040	REP	00-05-011
51-46-0301	REP-P	00-16-129	51-46-97121	REP-P	00-16-129	118-07-050	REP	00-05-011
51-46-0310	REP-P	00-16-129	51-46-97122	REP-P	00-16-129	118-07-060	REP	00-05-011
51-46-0311	REP-P	00-16-129	51-46-97123	REP-P	00-16-129	118-08-010	REP	00-05-011
51-46-0313	REP-P	00-16-129	51-46-97124	REP-P	00-16-129	118-08-020	REP	00-05-011
51-46-0314	REP-P	00-16-129	51-46-97125	REP-P	00-16-129	118-08-030	REP	00-05-011
51-46-0316	REP-P	00-16-129	51-46-97126	REP-P	00-16-129	118-08-040	REP	00-05-011
51-46-0392	REP-P	00-16-129	51-46-97127	REP-P	00-16-129	118-08-050	REP	00-05-011
51-46-0400	REP-P	00-16-129	51-46-97128	REP-P	00-16-129	118-08-060	REP	00-05-011
51-46-0402	REP-P	00-16-129	51-46-97129	REP-P	00-16-129	118-08-070	REP	00-05-011
51-46-0412	REP-P	00-16-129	51-47-001	REP-P	00-16-129	131-16	PREP	00-08-029
51-46-0413	REP-P	00-16-129	51-47-002	REP-P	00-16-129	131-16-021	AMD-E	00-09-050
51-46-0500	REP-P	00-16-129	51-47-003	REP-P	00-16-129	131-16-021	AMD-P	00-10-099
51-46-0501	REP-P	00-16-129	51-47-007	REP-P	00-16-129	131-16-021	AMD	00-14-017
51-46-0502	REP-P	00-16-129	51-47-008	REP-P	00-16-129	131-16-031	AMD-E	00-09-050
51-46-0505	REP-P	00-16-129	51-56-001	NEW-P	00-16-129	131-16-031	AMD-P	00-10-099
51-46-0507	REP-P	00-16-129	51-56-002	NEW-P	00-16-129	131-16-031	AMD	00-14-017
51-46-0509	REP-P	00-16-129	51-56-003	NEW-P	00-16-129	131-16-450	PREP	00-07-128
51-46-0512	REP-P	00-16-129	51-56-007	NEW-P	00-16-129	131-16-450	AMD-E	00-14-016
51-46-0513	REP-P	00-16-129	51-56-008	NEW-P	00-16-129	131-16-450	AMD-P	00-15-037
51-46-0514	REP-P	00-16-129	51-56-0100	NEW-P	00-16-129	132E-120	PREP	00-02-082
51-46-0515	REP-P	00-16-129	51-56-0200	NEW-P	00-16-129	132E-120	AMD-P	00-06-063
51-46-0516	REP-P	00-16-129	51-56-0300	NEW-P	00-16-129	132E-120-010	DECOD-P	00-06-063
51-46-0517	REP-P	00-16-129	51-56-0400	NEW-P	00-16-129	132E-120-010	DECOD	00-17-015
51-46-0518	REP-P	00-16-129	51-56-0500	NEW-P	00-16-129	132E-120-020	AMD-P	00-06-063
51-46-0519	REP-P	00-16-129	51-56-0600	NEW-P	00-16-129	132E-120-020	DECOD-P	00-06-063
51-46-0520	REP-P	00-16-129	51-56-0700	NEW-P	00-16-129	132E-120-020	AMD	00-17-015
51-46-0521	REP-P	00-16-129	51-56-0800	NEW-P	00-16-129	132E-120-020	DECOD	00-17-015
51-46-0522	REP-P	00-16-129	51-56-0900	NEW-P	00-16-129	132E-120-030	AMD-P	00-06-063
51-46-0523	REP-P	00-16-129	51-56-1300	NEW-P	00-16-129	132E-120-030	DECOD-P	00-06-063
51-46-0524	REP-P	00-16-129	51-56-1400	NEW-P	00-16-129	132E-120-030	AMD	00-17-015
51-46-0525	REP-P	00-16-129	51-56-1500	NEW-P	00-16-129	132E-120-030	DECOD	00-17-015
51-46-0600	REP-P	00-16-129	51-56-201300	NEW-P	00-16-129	132E-120-040	AMD-P	00-06-063
51-46-0603	REP-P	00-16-129	51-57-001	NEW-P	00-16-129	132E-120-040	DECOD-P	00-06-063
51-46-0604	REP-P	00-16-129	51-57-002	NEW-P	00-16-129	132E-120-040	AMD	00-17-015
51-46-0608	REP-P	00-16-129	51-57-003	NEW-P	00-16-129	132E-120-040	DECOD	00-17-015
51-46-0609	REP-P	00-16-129	51-57-007	NEW-P	00-16-129	132E-120-110	NEW-P	00-06-063
51-46-0610	REP-P	00-16-129	51-57-008	NEW-P	00-16-129	132E-120-110	NEW	00-17-015
51-46-0700	REP-P	00-16-129	51-57-790000	NEW-P	00-16-129	132E-120-120	NEW-P	00-06-063
51-46-0701	REP-P	00-16-129	51-57-895000	NEW-P	00-16-129	132E-120-120	NEW	00-17-015
51-46-0704	REP-P	00-16-129	82-50-021	AMD-XA	00-05-016	132E-120-130	NEW-P	00-06-063
51-46-0710	REP-P	00-16-129	82-50-021	AMD	00-09-088	132E-120-130	NEW	00-17-015
51-46-0713	REP-P	00-16-129	112-10-010	AMD	00-05-036	132E-120-140	NEW-P	00-06-063
51-46-0793	REP-P	00-16-129	112-10-020	AMD	00-05-036	132E-120-140	NEW	00-17-015
51-46-0800	REP-P	00-16-129	112-10-030	AMD	00-05-036	132E-120-150	NEW-P	00-06-063
51-46-0810	REP-P	00-16-129	112-10-040	AMD	00-05-036	132E-120-150	NEW	00-17-015
51-46-0814	REP-P	00-16-129	112-10-050	AMD	00-05-036	132E-120-160	RECOD-P	00-06-063
51-46-0815	REP-P	00-16-129	112-10-060	AMD	00-05-036	132E-120-160	RECOD	00-17-015
51-46-0900	REP-P	00-16-129	112-10-070	NEW	00-05-036	132E-120-170	RECOD-P	00-06-063
51-46-0903	REP-P	00-16-129	112-10-080	NEW	00-05-036	132E-120-170	RECOD	00-17-015
51-46-1000	REP-P	00-16-129	118-03-330	REP	00-05-012	132E-120-180	RECOD-P	00-06-063
51-46-1003	REP-P	00-16-129	118-06-010	REP	00-05-011	132E-120-180	RECOD	00-17-015
51-46-1012	REP-P	00-16-129	118-06-020	REP	00-05-011	132E-120-190	RECOD-P	00-06-063
51-46-1300	REP-P	00-16-129	118-06-030	REP	00-05-011	132E-120-190	RECOD	00-17-015
51-46-1301	REP-P	00-16-129	118-06-040	REP	00-05-011	132E-120-200	NEW-P	00-06-063
51-46-1302	REP-P	00-16-129	118-06-050	REP	00-05-011	132E-120-200	NEW	00-17-015
51-46-1303	REP-P	00-16-129	118-06-060	REP	00-05-011	132E-120-210	NEW-P	00-06-063
51-46-1304	REP-P	00-16-129	118-06-070	REP	00-05-011	132E-120-210	NEW	00-17-015
51-46-1305	REP-P	00-16-129	118-06-080	REP	00-05-011	132E-120-220	RECOD-P	00-06-063

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132E-120-220	RECOD	00-17-015	132G-276-060	AMD-P	00-02-074	132L-120-200	NEW	00-07-113
132E-120-230	RECOD-P	00-06-063	132G-276-060	AMD-S	00-06-074	132L-120-210	NEW	00-07-113
132E-120-230	RECOD	00-17-015	132G-276-060	AMD	00-10-048	132L-120-220	NEW	00-07-113
132E-120-240	NEW-P	00-06-063	132G-276-080	AMD-P	00-02-074	132N-156	PREP	00-10-043
132E-120-240	NEW	00-17-015	132G-276-080	AMD-S	00-06-074	132N-156-300	AMD-P	00-15-044
132E-120-250	NEW-P	00-06-063	132G-276-080	AMD	00-10-048	132N-156-310	AMD-P	00-15-044
132E-120-250	NEW	00-17-015	132G-276-090	AMD-P	00-02-074	132N-156-320	AMD-P	00-15-044
132E-120-260	NEW-P	00-06-063	132G-276-090	AMD-S	00-06-074	132N-156-330	AMD-P	00-15-044
132E-120-260	NEW	00-17-015	132G-276-090	AMD	00-10-048	132N-156-440	AMD-P	00-15-044
132E-120-270	NEW-P	00-06-063	132G-276-100	AMD-P	00-02-074	132N-156-450	AMD-P	00-15-044
132E-120-270	NEW	00-17-015	132G-276-100	AMD-S	00-06-074	132N-156-500	AMD-P	00-15-044
132E-120-280	NEW-P	00-06-063	132G-276-100	AMD	00-10-048	132N-156-530	AMD-P	00-15-044
132E-120-280	NEW	00-17-015	132G-276-110	AMD-P	00-02-074	132N-156-550	AMD-P	00-15-044
132E-120-290	NEW-P	00-06-063	132G-276-110	AMD-S	00-06-074	132N-156-570	AMD-P	00-15-044
132E-120-290	NEW	00-17-015	132G-276-110	AMD	00-10-048	132N-156-600	AMD-P	00-15-044
132E-120-300	NEW-P	00-06-063	132G-276-120	AMD-P	00-02-074	132N-156-620	AMD-P	00-15-044
132E-120-300	NEW	00-17-015	132G-276-120	AMD-S	00-06-074	132N-156-645	NEW-P	00-15-044
132E-120-310	NEW-P	00-06-063	132G-276-120	AMD	00-10-048	132N-156-650	AMD-P	00-15-044
132E-120-310	NEW	00-17-015	132G-276-130	AMD-P	00-02-074	132N-156-730	AMD-P	00-15-044
132E-120-320	NEW-P	00-06-063	132G-276-130	AMD-S	00-06-074	132N-156-740	AMD-P	00-15-044
132E-120-320	NEW	00-17-015	132G-276-130	AMD	00-10-048	132N-156-750	AMD-P	00-15-044
132E-120-330	NEW-P	00-06-063	132G-276-900	AMD-P	00-02-074	132N-156-800	NEW-P	00-15-044
132E-120-330	NEW	00-17-015	132G-276-900	AMD-S	00-06-074	132N-156-810	NEW-P	00-15-044
132E-120-340	NEW-P	00-06-063	132G-276-900	AMD	00-10-048	132Q- 04-010	AMD-P	00-08-075
132E-120-340	NEW	00-17-015	132H-121-010	AMD-E	00-14-002	132Q- 04-010	AMD	00-14-007
132E-120-350	NEW-P	00-06-063	132H-121-010	AMD-P	00-15-027	132Q- 04-020	AMD-P	00-08-075
132E-120-350	NEW	00-17-015	132H-160-182	AMD	00-11-102	132Q- 04-020	AMD	00-14-007
132E-120-360	NEW-P	00-06-063	132L- 20-010	REP	00-07-113	132Q- 04-031	NEW-P	00-08-075
132E-120-360	NEW	00-17-015	132L- 20-030	REP	00-07-113	132Q- 04-031	NEW	00-14-007
132E-120-370	NEW-P	00-06-063	132L- 20-050	REP	00-07-113	132Q- 04-035	REP-P	00-08-075
132E-120-370	NEW	00-17-015	132L- 20-070	REP	00-07-113	132Q- 04-035	REP	00-14-007
132E-120-380	NEW-P	00-06-063	132L- 20-080	REP	00-07-113	132Q- 04-040	REP-P	00-08-075
132E-120-380	NEW	00-17-015	132L- 20-130	REP	00-07-113	132Q- 04-040	REP	00-14-007
132E-120-390	NEW-P	00-06-063	132L- 20-135	REP	00-07-113	132Q- 04-050	REP-P	00-08-075
132E-120-390	NEW	00-17-015	132L- 20-140	REP	00-07-113	132Q- 04-050	REP	00-14-007
132E-120-400	NEW-P	00-06-063	132L- 22-020	REP	00-07-113	132Q- 04-060	REP-P	00-08-075
132E-120-400	NEW	00-17-015	132L- 22-060	REP	00-07-113	132Q- 04-060	REP	00-14-007
132E-120-410	NEW-P	00-06-063	132L- 22-070	REP	00-07-113	132Q- 04-061	REP-P	00-08-075
132E-120-410	NEW	00-17-015	132L- 22-080	REP	00-07-113	132Q- 04-061	REP	00-14-007
132E-121-010	AMD-P	00-06-063	132L- 24-010	REP	00-07-113	132Q- 04-067	REP-P	00-08-075
132E-121-010	DECOD-P	00-06-063	132L- 24-020	REP	00-07-113	132Q- 04-067	REP	00-14-007
132E-121-010	AMD	00-17-015	132L- 24-030	REP	00-07-113	132Q- 04-068	REP-P	00-08-075
132E-121-010	DECOD	00-17-015	132L- 24-090	REP	00-07-113	132Q- 04-068	REP	00-14-007
132E-124-020	AMD-P	00-06-063	132L- 25-010	REP	00-07-113	132Q- 04-070	REP-P	00-08-075
132E-124-020	DECOD-P	00-06-063	132L-120-010	AMD	00-07-113	132Q- 04-070	REP	00-14-007
132E-124-020	AMD	00-17-015	132L-120-015	NEW	00-07-113	132Q- 04-075	REP-P	00-08-075
132E-124-020	DECOD	00-17-015	132L-120-020	AMD	00-07-113	132Q- 04-075	REP	00-14-007
132G-276-010	AMD-P	00-02-074	132L-120-030	NEW	00-07-113	132Q- 04-076	AMD-P	00-08-075
132G-276-010	AMD-S	00-06-074	132L-120-040	NEW	00-07-113	132Q- 04-076	AMD	00-14-007
132G-276-010	AMD	00-10-048	132L-120-070	NEW	00-07-113	132Q- 04-080	REP-P	00-08-075
132G-276-020	AMD-P	00-02-074	132L-120-080	NEW	00-07-113	132Q- 04-080	REP	00-14-007
132G-276-020	AMD-S	00-06-074	132L-120-090	NEW	00-07-113	132Q- 04-081	REP-P	00-08-075
132G-276-020	AMD	00-10-048	132L-120-100	NEW	00-07-113	132Q- 04-081	REP	00-14-007
132G-276-030	REP-P	00-02-074	132L-120-110	NEW	00-07-113	132Q- 04-082	REP-P	00-08-075
132G-276-030	REP-S	00-06-074	132L-120-120	NEW	00-07-113	132Q- 04-082	REP	00-14-007
132G-276-030	REP	00-10-048	132L-120-130	NEW	00-07-113	132Q- 04-083	REP-P	00-08-075
132G-276-040	REP-P	00-02-074	132L-120-140	NEW	00-07-113	132Q- 04-083	REP	00-14-007
132G-276-040	REP-S	00-06-074	132L-120-150	NEW	00-07-113	132Q- 04-085	REP-P	00-08-075
132G-276-040	REP	00-10-048	132L-120-160	NEW	00-07-113	132Q- 04-085	REP	00-14-007
132G-276-050	AMD-P	00-02-074	132L-120-170	NEW	00-07-113	132Q- 04-090	REP-P	00-08-075
132G-276-050	AMD-S	00-06-074	132L-120-180	NEW	00-07-113	132Q- 04-090	REP	00-14-007
132G-276-050	AMD	00-10-048	132L-120-190	NEW	00-07-113	132Q- 04-094	REP-P	00-08-075

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132Q- 04-094	REP	00-14-007	132Q- 20-040	AMD	00-14-007	132S- 40-155	REP-P	00-12-010
132Q- 04-095	REP-P	00-08-075	132Q- 20-060	AMD-P	00-08-075	132S- 40-160	NEW-P	00-12-010
132Q- 04-095	REP	00-14-007	132Q- 20-060	AMD	00-14-007	132S- 40-165	NEW-P	00-12-010
132Q- 04-096	REP-P	00-08-075	132Q- 20-080	AMD-P	00-08-075	132S- 40-170	NEW-P	00-12-010
132Q- 04-096	REP	00-14-007	132Q- 20-080	AMD	00-14-007	132S- 40-175	NEW-P	00-12-010
132Q- 04-100	AMD-P	00-08-075	132Q- 20-090	AMD-P	00-08-075	132S- 40-180	NEW-P	00-12-010
132Q- 04-100	AMD	00-14-007	132Q- 20-090	AMD	00-14-007	132S- 40-185	NEW-P	00-12-010
132Q- 04-110	AMD-P	00-08-075	132Q- 20-110	AMD-P	00-08-075	132S- 40-190	NEW-P	00-12-010
132Q- 04-110	AMD	00-14-007	132Q- 20-110	AMD	00-14-007	132S- 40-195	NEW-P	00-12-010
132Q- 04-120	AMD-P	00-08-075	132Q- 20-130	AMD-P	00-08-075	132S- 40-200	NEW-P	00-12-010
132Q- 04-120	AMD	00-14-007	132Q- 20-130	AMD	00-14-007	132S- 40-210	NEW-P	00-12-010
132Q- 04-130	AMD-P	00-08-075	132Q- 20-150	AMD-P	00-08-075	132X- 10-010	AMD	00-05-023
132Q- 04-130	AMD	00-14-007	132Q- 20-150	AMD	00-14-007	132X- 10-030	AMD	00-05-023
132Q- 04-140	AMD-P	00-08-075	132Q- 20-160	AMD-P	00-08-075	132X- 10-050	AMD	00-05-023
132Q- 04-140	AMD	00-14-007	132Q- 20-160	AMD	00-14-007	132X- 10-060	AMD	00-05-023
132Q- 04-150	AMD-P	00-08-075	132Q- 20-170	AMD-P	00-08-075	132X- 10-080	AMD	00-05-023
132Q- 04-150	AMD	00-14-007	132Q- 20-170	AMD	00-14-007	132X- 10-100	AMD	00-05-023
132Q- 04-170	AMD-P	00-08-075	132Q- 20-180	AMD-P	00-08-075	132X- 10-110	AMD	00-05-023
132Q- 04-170	AMD	00-14-007	132Q- 20-180	AMD	00-14-007	132X- 20-010	REP	00-05-022
132Q- 04-180	AMD-P	00-08-075	132Q- 20-200	AMD-P	00-08-075	132X- 20-020	REP	00-05-022
132Q- 04-180	AMD	00-14-007	132Q- 20-200	AMD	00-14-007	132X- 20-030	REP	00-05-022
132Q- 04-190	AMD-P	00-08-075	132Q- 20-210	AMD-P	00-08-075	132X- 20-040	REP	00-05-022
132Q- 04-190	AMD	00-14-007	132Q- 20-210	AMD	00-14-007	132X- 20-050	REP	00-05-022
132Q- 04-200	AMD-P	00-08-075	132Q- 20-220	AMD-P	00-08-075	132X- 20-060	REP	00-05-022
132Q- 04-200	AMD	00-14-007	132Q- 20-220	AMD	00-14-007	132X- 20-070	REP	00-05-022
132Q- 04-210	AMD-P	00-08-075	132Q- 20-240	AMD-P	00-08-075	132X- 20-080	REP	00-05-022
132Q- 04-210	AMD	00-14-007	132Q- 20-240	AMD	00-14-007	132X- 20-090	REP	00-05-022
132Q- 04-240	AMD-P	00-08-075	132Q- 20-250	AMD-P	00-08-075	132X- 20-100	REP	00-05-022
132Q- 04-240	AMD	00-14-007	132Q- 20-250	AMD	00-14-007	132X- 20-110	REP	00-05-022
132Q- 04-250	AMD-P	00-08-075	132Q- 20-260	AMD-P	00-08-075	132X- 20-120	REP	00-05-022
132Q- 04-250	AMD	00-14-007	132Q- 20-260	AMD	00-14-007	132X- 20-130	REP	00-05-022
132Q- 04-260	AMD-P	00-08-075	132Q- 20-270	AMD-P	00-08-075	132X- 30-040	AMD	00-05-023
132Q- 04-260	AMD	00-14-007	132Q- 20-270	AMD	00-14-007	132X- 40-020	AMD	00-05-023
132Q- 04-280	AMD-P	00-08-075	132Q- 94-010	AMD-P	00-08-075	132X- 50-020	AMD	00-05-023
132Q- 04-280	AMD	00-14-007	132Q- 94-010	AMD	00-14-007	132X- 50-030	AMD	00-05-023
132Q- 05-010	AMD-P	00-08-075	132Q- 94-020	AMD-P	00-08-075	132X- 50-040	AMD	00-05-023
132Q- 05-010	AMD	00-14-007	132Q- 94-020	AMD	00-14-007	132X- 50-050	AMD	00-05-023
132Q- 05-020	AMD-P	00-08-075	132Q- 94-030	AMD-P	00-08-075	132X- 50-060	AMD	00-05-023
132Q- 05-020	AMD	00-14-007	132Q- 94-030	AMD	00-14-007	132X- 50-080	AMD	00-05-023
132Q- 05-033	AMD-P	00-08-075	132Q- 94-030	AMD	00-14-007	132X- 50-110	AMD	00-05-023
132Q- 05-033	AMD	00-14-007	132Q- 94-125	AMD-P	00-08-075	132X- 50-120	AMD	00-05-023
132Q- 05-036	AMD-P	00-08-075	132Q- 94-125	AMD	00-14-007	132X- 50-130	AMD	00-05-023
132Q- 05-036	AMD	00-14-007	132Q- 94-150	AMD-P	00-08-075	132X- 50-140	AMD	00-05-023
132Q- 05-040	AMD-P	00-08-075	132Q- 94-150	AMD	00-14-007	132X- 50-150	AMD	00-05-023
132Q- 05-040	AMD	00-14-007	132S- 40-005	AMD-P	00-12-010	132X- 50-160	AMD	00-05-023
132Q- 05-050	AMD-P	00-08-075	132S- 40-010	REP-P	00-12-010	132X- 50-170	AMD	00-05-023
132Q- 05-050	AMD	00-14-007	132S- 40-015	REP-P	00-12-010	132X- 50-180	AMD	00-05-023
132Q- 05-060	AMD-P	00-08-075	132S- 40-020	REP-P	00-12-010	132X- 50-190	AMD	00-05-023
132Q- 05-060	AMD	00-14-007	132S- 40-025	REP-P	00-12-010	132X- 50-210	AMD	00-05-023
132Q- 05-070	AMD-P	00-08-075	132S- 40-030	REP-P	00-12-010	132X- 50-230	AMD	00-05-023
132Q- 05-070	AMD	00-14-007	132S- 40-035	REP-P	00-12-010	132X- 50-240	AMD	00-05-023
132Q- 05-080	AMD-P	00-08-075	132S- 40-040	REP-P	00-12-010	132X- 50-260	AMD	00-05-023
132Q- 05-080	AMD	00-14-007	132S- 40-045	REP-P	00-12-010	132X- 50-270	AMD	00-05-023
132Q- 05-090	AMD-P	00-08-075	132S- 40-046	REP-P	00-12-010	132X- 50-280	AMD	00-05-023
132Q- 05-090	AMD	00-14-007	132S- 40-055	REP-P	00-12-010	132X- 50-280	AMD	00-05-023
132Q- 05-100	AMD-P	00-08-075	132S- 40-060	REP-P	00-12-010	132X- 60-010	AMD	00-05-023
132Q- 05-100	AMD	00-14-007	132S- 40-065	REP-P	00-12-010	132X- 60-015	NEW	00-05-023
132Q- 20-010	AMD-P	00-08-075	132S- 40-070	REP-P	00-12-010	132X- 60-020	AMD	00-05-023
132Q- 20-010	AMD	00-14-007	132S- 40-075	REP-P	00-12-010	132X- 60-035	NEW	00-05-023
132Q- 20-020	AMD-P	00-08-075	132S- 40-080	REP-P	00-12-010	132X- 60-037	NEW	00-05-023
132Q- 20-020	AMD	00-14-007	132S- 40-140	REP-P	00-12-010	132X- 60-040	AMD	00-05-023
132Q- 20-040	AMD-P	00-08-075	132S- 40-145	REP-P	00-12-010	132X- 60-045	NEW	00-05-023
132Q- 20-040	AMD	00-14-007	132S- 40-150	REP-P	00-12-010	132X- 60-046	NEW	00-05-023

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132X- 60-050	AMD	00-05-023	137- 28-260	AMD-P	00-07-048	137-130-080	NEW-E	00-05-045
132X- 60-060	AMD	00-05-023	137- 28-260	AMD	00-10-079	137-130-090	NEW-E	00-05-045
132X- 60-065	NEW	00-05-023	137- 28-270	AMD-P	00-07-048	137-130-100	NEW-E	00-05-045
132X- 60-075	NEW	00-05-023	137- 28-270	AMD	00-10-079	137-130-110	NEW-E	00-05-045
132X- 60-080	AMD	00-05-023	137- 28-290	AMD-P	00-07-048	137-130-120	NEW-E	00-05-045
132X- 60-090	AMD	00-05-023	137- 28-290	AMD	00-10-079	137-130-130	NEW-E	00-05-045
132X- 60-100	AMD	00-05-023	137- 28-300	AMD-P	00-07-048	137-130-140	NEW-E	00-05-045
132X- 60-110	AMD	00-05-023	137- 28-300	AMD	00-10-079	137-130-150	NEW-E	00-05-045
132X- 60-120	AMD	00-05-023	137- 28-310	AMD-P	00-07-048	139- 01	PREP	00-04-048
132X- 60-130	AMD	00-05-023	137- 28-310	AMD	00-10-079	139- 01-100	AMD-P	00-07-097
132X- 60-140	AMD	00-05-023	137- 28-320	REP-P	00-07-048	139- 01-100	AMD	00-17-017
132X- 60-150	AMD	00-05-023	137- 28-320	REP	00-10-079	139- 01-110	REP-P	00-07-097
132X- 60-160	AMD	00-05-023	137- 28-350	AMD-P	00-07-048	139- 01-110	REP	00-17-017
132X- 60-170	AMD	00-05-023	137- 28-350	AMD	00-10-079	139- 01-320	REP-P	00-07-097
132X- 60-178	NEW	00-05-023	137- 28-380	AMD-P	00-07-048	139- 01-320	REP	00-17-017
132X- 60-180	AMD	00-05-023	137- 28-380	AMD	00-10-079	139- 01-320	REP	00-17-017
132Z-104-010	REP-XR	00-11-018	137- 28-380	AMD	00-10-079	139- 01-330	REP-P	00-07-097
132Z-112-010	NEW-P	00-07-121	137- 28-420	AMD-P	00-07-048	139- 01-330	REP	00-17-017
132Z-112-020	NEW-P	00-07-121	137- 28-420	AMD	00-10-079	139- 01-410	REP-P	00-07-097
132Z-112-030	NEW-P	00-07-121	137- 32-002	AMD	00-09-063	139- 01-410	REP	00-17-017
132Z-112-040	NEW-P	00-07-121	137- 32-005	AMD	00-09-063	139- 01-415	REP-P	00-07-097
132Z-112-050	NEW-P	00-07-121	137- 32-010	AMD	00-09-063	139- 01-415	REP	00-17-017
132Z-115-010	NEW-P	00-07-121	137- 32-015	AMD	00-09-063	139- 01-420	REP-P	00-07-097
132Z-115-020	NEW-P	00-07-121	137- 32-020	AMD	00-09-063	139- 01-420	REP	00-17-017
132Z-115-030	NEW-P	00-07-121	137- 32-025	AMD	00-09-063	139- 01-425	REP-P	00-07-097
132Z-115-040	NEW-P	00-07-121	137- 32-030	AMD	00-09-063	139- 01-425	REP	00-17-017
132Z-115-050	NEW-P	00-07-121	137- 32-035	AMD	00-09-063	139- 01-430	REP-P	00-07-097
132Z-115-060	NEW-P	00-07-121	137- 32-045	AMD	00-09-063	139- 01-430	REP	00-17-017
132Z-115-070	NEW-P	00-07-121	137-125-005	NEW-E	00-05-044	139- 01-435	REP-P	00-07-097
132Z-115-080	NEW-P	00-07-121	137-125-010	NEW-E	00-05-044	139- 01-435	REP	00-17-017
132Z-115-090	NEW-P	00-07-121	137-125-015	NEW-E	00-05-044	139- 01-440	REP-P	00-07-097
132Z-115-100	NEW-P	00-07-121	137-125-042	NEW-E	00-05-044	139- 01-440	REP	00-17-017
132Z-115-110	NEW-P	00-07-121	137-125-044	NEW-E	00-05-044	139- 01-445	REP-P	00-07-097
132Z-115-120	NEW-P	00-07-121	137-125-046	NEW-E	00-05-044	139- 01-445	REP	00-17-017
132Z-115-130	NEW-P	00-07-121	137-125-048	NEW-E	00-05-044	139- 01-450	REP-P	00-07-097
132Z-115-140	NEW-P	00-07-121	137-125-052	NEW-E	00-05-044	139- 01-450	REP	00-17-017
132Z-115-150	NEW-P	00-07-121	137-125-054	NEW-E	00-05-044	139- 01-455	REP-P	00-07-097
132Z-115-160	NEW-P	00-07-121	137-125-060	NEW-E	00-05-044	139- 01-455	REP	00-17-017
132Z-115-170	NEW-P	00-07-121	137-125-070	NEW-E	00-05-044	139- 01-460	REP-P	00-07-097
132Z-115-180	NEW-P	00-07-121	137-125-072	NEW-E	00-05-044	139- 01-460	REP	00-17-017
132Z-115-190	NEW-P	00-07-121	137-125-076	NEW-E	00-05-044	139- 01-465	REP-P	00-07-097
132Z-115-200	NEW-P	00-07-121	137-125-078	NEW-E	00-05-044	139- 01-465	REP	00-17-017
132Z-115-210	NEW-P	00-07-121	137-125-090	NEW-E	00-05-044	139- 01-470	REP-P	00-07-097
132Z-115-220	NEW-P	00-07-121	137-125-095	NEW-E	00-05-044	139- 01-470	REP	00-17-017
132Z-115-230	NEW-P	00-07-121	137-125-100	NEW-E	00-05-044	139- 01-475	REP-P	00-07-097
136- 10-035	NEW-P	00-12-003	137-125-105	NEW-E	00-05-044	139- 01-475	REP	00-17-017
136-150-022	AMD-P	00-12-004	137-125-110	NEW-E	00-05-044	139- 01-510	REP-P	00-07-097
136-167-020	AMD	00-05-043	137-125-115	NEW-E	00-05-044	139- 01-510	REP	00-17-017
136-167-030	AMD	00-05-043	137-125-120	NEW-E	00-05-044	139- 01-515	REP-P	00-07-097
137- 28	PREP	00-02-070	137-125-125	NEW-E	00-05-044	139- 01-515	REP	00-17-017
137- 28-140	AMD-P	00-07-048	137-125-130	NEW-E	00-05-044	139- 01-520	REP-P	00-07-097
137- 28-140	AMD	00-10-079	137-125-135	NEW-E	00-05-044	139- 01-520	REP	00-17-017
137- 28-160	AMD-P	00-07-048	137-125-140	NEW-E	00-05-044	139- 01-525	REP-P	00-07-097
137- 28-160	AMD	00-10-079	137-125-140	NEW-E	00-05-044	139- 01-525	REP	00-17-017
137- 28-170	AMD-P	00-07-048	137-125-195	NEW-E	00-05-044	139- 01-530	REP-P	00-07-097
137- 28-170	AMD	00-10-079	137-130-005	NEW-E	00-05-045	139- 01-530	REP	00-17-017
137- 28-185	NEW-P	00-07-048	137-130-010	NEW-E	00-05-045	139- 01-535	REP-P	00-07-097
137- 28-185	NEW	00-10-079	137-130-020	NEW-E	00-05-045	139- 01-535	REP	00-17-017
137- 28-220	AMD-P	00-07-048	137-130-030	NEW-E	00-05-045	139- 01-540	REP-P	00-07-097
137- 28-220	AMD	00-10-079	137-130-040	NEW-E	00-05-045	139- 01-540	REP	00-17-017
137- 28-230	AMD-P	00-07-048	137-130-050	NEW-E	00-05-045	139- 01-545	REP-P	00-07-097
137- 28-230	AMD	00-10-079	137-130-060	NEW-E	00-05-045	139- 01-545	REP	00-17-017
			137-130-070	NEW-E	00-05-045	139- 01-550	REP-P	00-07-097

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139-01-555	REP-P	00-07-097	139-03-030	NEW-P	00-07-097	139-10-420	AMD-P	00-07-097
139-01-555	REP	00-17-017	139-03-030	NEW	00-17-017	139-10-420	AMD	00-17-017
139-01-560	REP-P	00-07-097	139-03-040	NEW-P	00-07-097	139-10-510	AMD-P	00-07-097
139-01-560	REP	00-17-017	139-03-040	NEW	00-17-017	139-10-510	AMD	00-17-017
139-01-565	REP-P	00-07-097	139-03-050	NEW-P	00-07-097	139-10-520	AMD-P	00-07-097
139-01-565	REP	00-17-017	139-03-050	NEW	00-17-017	139-10-520	AMD	00-17-017
139-01-570	REP-P	00-07-097	139-03-060	NEW-P	00-07-097	139-25	PREP	00-04-048
139-01-570	REP	00-17-017	139-03-060	NEW	00-17-017	139-25-110	AMD-P	00-07-097
139-01-575	REP-P	00-07-097	139-03-070	NEW-P	00-07-097	139-25-110	AMD	00-17-017
139-01-575	REP	00-17-017	139-03-070	NEW	00-17-017	173-15-010	AMD-XA	00-11-066
139-01-610	REP-P	00-07-097	139-03-080	NEW-P	00-07-097	173-15-010	AMD	00-16-080
139-01-610	REP	00-17-017	139-03-080	NEW	00-17-017	173-15-020	AMD-XA	00-11-066
139-01-615	REP-P	00-07-097	139-05	PREP	00-04-048	173-15-020	AMD	00-16-080
139-01-615	REP	00-17-017	139-05-200	AMD-P	00-07-097	173-15-030	AMD-XA	00-11-066
139-01-620	REP-P	00-07-097	139-05-200	AMD	00-17-017	173-15-030	AMD	00-16-080
139-01-620	REP	00-17-017	139-05-210	AMD-P	00-07-097	173-16-010	REP-P	00-11-175
139-01-625	REP-P	00-07-097	139-05-210	AMD	00-17-017	173-16-020	REP-P	00-11-175
139-01-625	REP	00-17-017	139-05-220	AMD-P	00-07-097	173-16-030	REP-P	00-11-175
139-01-630	REP-P	00-07-097	139-05-220	AMD	00-17-017	173-16-040	REP-P	00-11-175
139-01-630	REP	00-17-017	139-05-230	AMD-P	00-07-097	173-16-050	REP-P	00-11-175
139-01-710	REP-P	00-07-097	139-05-230	AMD	00-17-017	173-16-060	REP-P	00-11-175
139-01-710	REP	00-17-017	139-05-240	AMD-P	00-07-097	173-16-064	REP-P	00-11-175
139-01-715	REP-P	00-07-097	139-05-240	AMD	00-17-017	173-16-070	REP-P	00-11-175
139-01-715	REP	00-17-017	139-05-242	AMD-P	00-07-097	173-16-200	REP-P	00-11-175
139-01-720	REP-P	00-07-097	139-05-242	AMD	00-17-017	173-24-010	AMD-XA	00-14-032
139-01-720	REP	00-17-017	139-05-250	AMD-P	00-07-097	173-24-020	AMD-XA	00-14-032
139-01-725	REP-P	00-07-097	139-05-250	AMD	00-17-017	173-24-030	AMD-XA	00-14-032
139-01-725	REP	00-17-017	139-05-810	AMD-P	00-07-097	173-24-040	AMD-XA	00-14-032
139-01-730	REP-P	00-07-097	139-05-810	AMD	00-17-017	173-24-050	AMD-XA	00-14-032
139-01-730	REP	00-17-017	139-05-912	AMD-P	00-07-097	173-24-060	AMD-XA	00-14-032
139-01-735	REP-P	00-07-097	139-05-912	AMD	00-17-017	173-24-070	AMD-XA	00-14-032
139-01-735	REP	00-17-017	139-05-915	AMD-P	00-07-097	173-24-080	AMD-XA	00-14-032
139-01-810	REP-P	00-07-097	139-05-915	AMD	00-17-017	173-24-090	AMD-XA	00-14-032
139-01-810	REP	00-17-017	139-10	PREP	00-04-048	173-24-100	AMD-XA	00-14-032
139-01-820	REP-P	00-07-097	139-10-210	AMD-P	00-07-097	173-24-110	AMD-XA	00-14-032
139-01-820	REP	00-17-017	139-10-210	AMD	00-17-017	173-24-120	AMD-XA	00-14-032
139-02-010	NEW-P	00-07-097	139-10-212	AMD-P	00-07-097	173-24-125	AMD-XA	00-14-032
139-02-010	NEW	00-17-017	139-10-212	AMD	00-17-017	173-24-130	AMD-XA	00-14-032
139-02-020	NEW-P	00-07-097	139-10-215	AMD-P	00-07-097	173-24-140	AMD-XA	00-14-032
139-02-020	NEW	00-17-017	139-10-215	AMD	00-17-017	173-24-150	AMD-XA	00-14-032
139-02-030	NEW-P	00-07-097	139-10-220	AMD-P	00-07-097	173-26-010	AMD-P	00-11-175
139-02-030	NEW	00-17-017	139-10-220	AMD	00-17-017	173-26-020	AMD-P	00-11-175
139-02-040	NEW-P	00-07-097	139-10-221	NEW-P	00-07-097	173-26-105	NEW-P	00-11-175
139-02-040	NEW	00-17-017	139-10-221	NEW	00-17-017	173-26-170	NEW-P	00-11-175
139-02-050	NEW-P	00-07-097	139-10-222	AMD-P	00-07-097	173-26-180	NEW-P	00-11-175
139-02-050	NEW	00-17-017	139-10-222	AMD	00-17-017	173-26-190	NEW-P	00-11-175
139-02-060	NEW-P	00-07-097	139-10-230	AMD-P	00-07-097	173-26-200	NEW-P	00-11-175
139-02-060	NEW	00-17-017	139-10-230	AMD	00-17-017	173-26-210	NEW-P	00-11-175
139-02-070	NEW-P	00-07-097	139-10-235	AMD-P	00-07-097	173-26-220	NEW-P	00-11-175
139-02-070	NEW	00-17-017	139-10-235	AMD	00-17-017	173-26-230	NEW-P	00-11-175
139-02-080	NEW-P	00-07-097	139-10-236	NEW-P	00-07-097	173-26-240	NEW-P	00-11-175
139-02-080	NEW	00-17-017	139-10-236	NEW	00-17-017	173-26-250	NEW-P	00-11-175
139-02-090	NEW-P	00-07-097	139-10-237	AMD-P	00-07-097	173-26-270	NEW-P	00-11-175
139-02-090	NEW	00-17-017	139-10-237	AMD	00-17-017	173-26-280	NEW-P	00-11-175
139-02-100	NEW-P	00-07-097	139-10-240	AMD-P	00-07-097	173-26-290	NEW-P	00-11-175
139-02-100	NEW	00-17-017	139-10-240	AMD	00-17-017	173-26-300	NEW-P	00-11-175
139-02-110	NEW-P	00-07-097	139-10-310	AMD-P	00-07-097	173-26-310	NEW-P	00-11-175
139-02-110	NEW	00-17-017	139-10-310	AMD	00-17-017	173-26-320	NEW-P	00-11-175
139-03-010	NEW-P	00-07-097	139-10-320	AMD-P	00-07-097	173-26-330	NEW-P	00-11-175
139-03-010	NEW	00-17-017	139-10-320	AMD	00-17-017	173-26-340	NEW-P	00-11-175
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173- 98-030	AMD	00-09-010	173-240-110	AMD-XA	00-10-054	173-303-016	AMD-P	00-02-081
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173-145-010	AMD-W	00-16-058	173-240-120	AMD-XA	00-10-054	173-303-040	AMD-P	00-02-081
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173-145-020	AMD-W	00-16-058	173-240-130	AMD-XA	00-10-054	173-303-045	AMD-P	00-02-081
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173-145-040	AMD-W	00-16-058	173-240-150	AMD-XA	00-10-054	173-303-070	AMD-P	00-02-081
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173-145-130	AMD-XA	00-11-065	173-245-040	AMD	00-15-019	173-303-170	AMD	00-11-040
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173-240-060	AMD	00-15-021	173-300-030	AMD-XA	00-13-021	173-303-370	AMD	00-11-040
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173-340-370	NEW-P	00-16-135	173-340-7491	NEW-P	00-16-135	180- 50-130	REP-P	00-15-093
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173-340-410	AMD-W	00-09-083	173-340-750	AMD-W	00-09-083	180- 51-003	NEW-P	00-15-092
173-340-410	AMD-P	00-16-135	173-340-750	AMD-P	00-16-135	180- 51-005	AMD-P	00-15-092
173-340-420	AMD-W	00-09-083	173-340-760	AMD-W	00-09-083	180- 51-010	REP-P	00-15-092
173-340-420	AMD-P	00-16-135	173-340-760	AMD-P	00-16-135	180- 51-025	AMD-P	00-15-092
173-340-430	AMD-W	00-09-083	173-340-800	AMD-W	00-09-083	180- 51-030	AMD-P	00-15-092
173-340-430	AMD-P	00-16-135	173-340-800	AMD-P	00-16-135	180- 51-035	AMD-P	00-15-092
173-340-440	AMD-W	00-09-083	173-340-810	AMD-W	00-09-083	180- 51-040	AMD-P	00-15-092
173-340-440	AMD-P	00-16-135	173-340-810	AMD-P	00-16-135	180- 51-045	AMD-P	00-15-092
173-340-450	AMD-W	00-09-083	173-340-820	AMD-W	00-09-083	180- 51-050	AMD-P	00-15-092
173-340-450	AMD-P	00-16-135	173-340-820	AMD-P	00-16-135	180- 51-055	REP-P	00-15-092
173-340-510	AMD-W	00-09-083	173-340-830	AMD-W	00-09-083	180- 51-060	AMD-P	00-15-092
173-340-510	AMD-P	00-16-135	173-340-830	AMD-P	00-16-135	180- 51-061	NEW-P	00-15-092
173-340-515	NEW-W	00-09-083	173-340-840	AMD-W	00-09-083	180- 51-063	NEW	00-04-047
173-340-515	NEW-P	00-16-135	173-340-840	AMD-P	00-16-135	180- 51-063	PREP	00-07-017
173-340-520	AMD-W	00-09-083	173-340-850	AMD-W	00-09-083	180- 51-063	AMD-P	00-10-018
173-340-520	AMD-P	00-16-135	173-340-850	AMD-P	00-16-135	180- 51-063	AMD	00-13-039
173-340-530	AMD-W	00-09-083	173-340-900	NEW-P	00-16-135	180- 51-064	NEW	00-04-047
173-340-530	AMD-P	00-16-135	173-340-900	NEW-W	00-09-083	180- 51-065	REP-P	00-15-092
173-340-545	NEW-W	00-09-083	173-400-030	AMD-XA	00-17-136	180- 51-070	REP-P	00-15-092
173-340-545	NEW-P	00-16-135	173-400-040	AMD-XA	00-17-136	180- 51-075	AMD	00-05-010
173-340-550	AMD-W	00-09-083	173-400-060	AMD-XA	00-17-136	180- 51-075	PREP	00-06-054
173-340-550	AMD-P	00-16-135	173-400-070	AMD-XA	00-17-136	180- 51-075	AMD-P	00-10-081
173-340-600	AMD-W	00-09-083	173-400-075	AMD-XA	00-17-136	180- 51-075	AMD-P	00-15-095
173-340-600	AMD-P	00-16-135	173-400-104	AMD-XA	00-17-136	180- 51-080	REP-P	00-15-092
173-340-610	AMD-W	00-09-083	173-400-115	AMD-XA	00-17-136	180- 51-085	AMD-P	00-15-092

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
180- 51-100	AMD-P	00-15-092	180- 78A-515	AMD	00-03-049	180- 82-342	AMD-P	00-05-083
180- 51-105	AMD-P	00-15-092	180- 78A-520	AMD	00-03-049	180- 82-342	AMD	00-09-047
180- 51-110	AMD-P	00-15-092	180- 78A-525	AMD	00-03-049	180- 82-342	AMD-P	00-15-091
180- 51-115	AMD-P	00-15-092	180- 78A-530	AMD	00-03-049	180- 82-343	AMD-P	00-05-083
180- 52-041	NEW	00-03-046	180- 78A-535	AMD	00-03-049	180- 82-343	AMD	00-09-047
180- 56-230	PREP	00-07-046	180- 78A-535	PREP	00-11-080	180- 85-030	PREP	00-05-077
180- 56-230	AMD-P	00-10-020	180- 78A-535	AMD-P	00-15-088	180- 85-030	AMD-P	00-10-082
180- 56-230	AMD	00-13-038	180- 78A-535	PREP	00-15-100	180- 85-030	AMD	00-13-065
180- 57	PREP	00-12-016	180- 78A-540	AMD	00-03-049	182- 12-119	PREP	00-12-045
180- 57-005	AMD-P	00-15-094	180- 78A-545	PREP	00-15-098	182- 12-119	PREP	00-16-069
180- 57-010	REP-P	00-15-094	180- 78A-550	PREP	00-15-098	182- 12-132	PREP	00-12-045
180- 57-020	AMD-P	00-15-094	180- 78A-555	PREP	00-15-098	182- 12-132	PREP	00-16-069
180- 57-030	REP-P	00-15-094	180- 78A-560	PREP	00-15-098	182- 16	PREP	00-10-101
180- 57-040	REP-P	00-15-094	180- 78A-565	PREP	00-15-098	182- 25-010	AMD-XA	00-14-075
180- 57-050	AMD-P	00-15-094	180- 79A	PREP	00-11-082	182- 25-020	PREP	00-16-136
180- 57-055	AMD-P	00-15-094	180- 79A	PREP	00-15-103	182- 25-030	AMD-XA	00-14-075
180- 57-070	PREP	00-07-016	180- 79A-006	AMD	00-03-048	182- 25-100	PREP	00-10-101
180- 57-070	AMD-P	00-10-019	180- 79A-007	AMD	00-03-048	182- 25-105	PREP	00-10-101
180- 57-080	REP-P	00-15-094	180- 79A-015	PREP	00-15-099	182- 25-110	PREP	00-10-101
180- 77	PREP	00-11-082	180- 79A-020	PREP	00-15-099	192- 12-025	REP	00-05-064
180- 77-004	REP-P	00-15-090	180- 79A-022	PREP	00-15-099	192- 12-072	REP	00-05-068
180- 77-014	AMD-P	00-15-090	180- 79A-123	AMD-P	00-05-080	192- 12-405	REP	00-05-069
180- 77-031	AMD-P	00-15-090	180- 79A-123	AMD	00-09-048	192- 16-011	REP-E	00-13-057
180- 77-041	AMD-P	00-15-090	180- 79A-130	AMD	00-03-048	192- 16-017	REP-E	00-05-063
180- 77-075	AMD-P	00-15-090	180- 79A-140	PREP	00-05-076	192- 16-017	REP-E	00-13-057
180- 77-106	REP-P	00-15-090	180- 79A-140	AMD-P	00-10-084	192- 16-021	REP-W	00-08-076
180- 77-110	AMD-P	00-15-090	180- 79A-140	AMD	00-13-063	192-150-005	NEW-E	00-05-063
180- 77A	PREP	00-11-082	180- 79A-145	AMD	00-03-048	192-150-005	NEW-E	00-13-057
180- 77A	AMD-P	00-15-090	180- 79A-206	AMD	00-03-048	192-150-050	NEW-E	00-13-057
180- 77A-004	AMD-P	00-15-090	180- 79A-211	PREP	00-15-104	192-150-065	NEW-E	00-13-057
180- 77A-006	AMD-P	00-15-090	180- 79A-231	PREP	00-05-076	192-150-085	NEW-E	00-05-063
180- 77A-012	REP-P	00-15-090	180- 79A-231	AMD-P	00-10-084	192-150-085	NEW-E	00-13-057
180- 77A-014	REP-P	00-15-090	180- 79A-231	AMD	00-13-063	192-170-050	NEW-W	00-08-076
180- 77A-016	REP-P	00-15-090	180- 79A-250	AMD	00-03-048	192-170-060	NEW-W	00-08-076
180- 77A-018	REP-P	00-15-090	180- 79A-257	AMD	00-03-048	192-270-005	NEW-E	00-05-063
180- 77A-020	REP-P	00-15-090	180- 79A-257	PREP	00-15-096	192-270-005	NEW-E	00-13-057
180- 77A-025	AMD-P	00-15-090	180- 79A-257	AMD-E	00-15-106	192-270-010	NEW-E	00-05-063
180- 77A-026	REP-P	00-15-090	180- 79A-260	AMD	00-03-050	192-270-010	NEW-E	00-13-057
180- 77A-028	REP-P	00-15-090	180- 79A-300	AMD-P	00-15-090	192-270-015	NEW-E	00-05-063
180- 77A-029	AMD-P	00-15-090	180- 82	PREP	00-11-081	192-270-015	NEW-E	00-13-057
180- 77A-030	AMD-P	00-15-090	180- 82	PREP	00-11-082	192-270-020	NEW-E	00-05-063
180- 77A-033	AMD-P	00-15-090	180- 82-110	PREP	00-11-083	192-270-020	NEW-E	00-13-057
180- 77A-037	AMD-P	00-15-090	180- 82-110	AMD-P	00-15-089	192-270-025	NEW-E	00-05-063
180- 77A-040	AMD-P	00-15-090	180- 82-135	PREP	00-15-097	192-270-025	NEW-E	00-13-057
180- 77A-057	AMD-P	00-15-090	180- 82-135	NEW-E	00-15-105	192-270-030	NEW-E	00-05-063
180- 77A-165	AMD-P	00-15-090	180- 82-202	AMD-P	00-15-091	192-270-030	NEW-E	00-13-057
180- 77A-170	REP-P	00-15-090	180- 82-204	AMD-P	00-05-083	192-270-035	NEW-E	00-05-063
180- 77A-180	AMD-P	00-15-090	180- 82-204	AMD	00-09-047	192-270-035	NEW-E	00-13-057
180- 77A-195	AMD-P	00-15-090	180- 82-303	NEW-P	00-15-091	192-270-040	NEW-E	00-05-063
180- 78	PREP	00-15-101	180- 82-307	NEW-P	00-15-091	192-270-040	NEW-E	00-13-057
180- 78A	PREP	00-15-103	180- 82-311	NEW-P	00-05-083	192-270-045	NEW-E	00-05-063
180- 78A-010	AMD	00-03-049	180- 82-311	NEW	00-09-047	192-270-045	NEW-E	00-13-057
180- 78A-015	PREP	00-15-098	180- 82-313	NEW-P	00-05-083	192-270-050	NEW-E	00-05-063
180- 78A-100	AMD-P	00-05-082	180- 82-313	NEW	00-09-047	192-270-050	NEW-E	00-13-057
180- 78A-100	AMD	00-09-049	180- 82-322	AMD-P	00-15-090	192-270-055	NEW-E	00-05-063
180- 78A-209	AMD-P	00-05-079	180- 82-335	NEW-P	00-05-083	192-270-055	NEW-E	00-13-057
180- 78A-209	AMD	00-09-046	180- 82-335	NEW	00-09-047	192-270-060	NEW-E	00-05-063
180- 78A-500	PREP	00-05-078	180- 82-338	NEW-P	00-15-091	192-270-060	NEW-E	00-13-057
180- 78A-500	AMD-P	00-10-083	180- 82-340	NEW-P	00-05-083	192-270-065	NEW-E	00-05-063
180- 78A-500	AMD	00-13-064	180- 82-340	NEW	00-09-047	192-270-065	NEW-E	00-13-057
180- 78A-505	AMD	00-03-049	180- 82-341	NEW-P	00-05-083	192-270-070	NEW-E	00-05-063
180- 78A-510	AMD	00-03-049	180- 82-341	NEW	00-09-047	192-270-070	NEW-E	00-13-057

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
192-300-050	NEW	00-05-068	204- 96-010	AMD-P	00-15-036	208-512-130	RECOD-X	00-13-101
192-300-170	NEW	00-05-064	204- 97-010	NEW-W	00-12-028	208-512-130	RECOD	00-17-141
192-300-190	NEW	00-05-067	204- 97-020	NEW-W	00-12-028	208-512-140	RECOD-X	00-13-101
192-320-050	NEW	00-05-068	204- 97-030	NEW-W	00-12-028	208-512-140	RECOD	00-17-141
192-320-070	NEW	00-05-069	204- 97-040	NEW-W	00-12-028	208-512-150	RECOD-X	00-13-101
192-330-100	NEW	00-05-066	208-440	PREP	00-04-074	208-512-150	RECOD	00-17-141
192-340-010	NEW	00-05-065	208-440	AMD-P	00-13-041	208-512-160	RECOD-X	00-13-101
194- 20-010	AMD	00-08-039	208-440-010	PREP	00-04-074	208-512-160	RECOD	00-17-141
194- 20-010	DECOD	00-08-039	208-440-010	AMD-P	00-13-041	208-512-170	RECOD-X	00-13-101
194- 20-020	AMD	00-08-039	208-440-020	PREP	00-04-074	208-512-170	RECOD	00-17-141
194- 20-020	DECOD	00-08-039	208-440-020	REP-P	00-13-041	208-512-180	RECOD-X	00-13-101
194- 20-030	AMD	00-08-039	208-440-040	PREP	00-04-074	208-512-180	RECOD	00-17-141
194- 20-030	DECOD	00-08-039	208-440-040	REP-P	00-13-041	208-512-190	RECOD-X	00-13-101
194- 20-040	AMD	00-08-039	208-440-050	PREP	00-04-074	208-512-190	RECOD	00-17-141
194- 20-040	DECOD	00-08-039	208-440-050	REP-P	00-13-041	208-512-200	RECOD-X	00-13-101
194- 20-050	AMD	00-08-039	208-444-050	PREP	00-16-028	208-512-200	RECOD	00-17-141
194- 20-050	DECOD	00-08-039	208-460-010	PREP	00-16-028	208-512-210	RECOD-X	00-13-101
194- 20-060	REP	00-08-039	208-460-020	PREP	00-16-028	208-512-210	RECOD	00-17-141
194- 20-070	REP	00-08-039	208-460-030	PREP	00-16-028	208-512-220	RECOD-X	00-13-101
194- 20-080	AMD	00-08-039	208-460-040	PREP	00-16-028	208-512-220	RECOD	00-17-141
194- 20-080	DECOD	00-08-039	208-460-050	PREP	00-16-028	208-512-230	RECOD-X	00-13-101
196- 09	PREP	00-15-013	208-460-060	PREP	00-16-028	208-512-230	RECOD	00-17-141
196- 12	PREP	00-16-071	208-460-070	PREP	00-16-028	208-512-240	RECOD-X	00-13-101
196- 16	PREP	00-15-013	208-460-080	PREP	00-16-028	208-512-240	RECOD	00-17-141
196- 20	PREP	00-15-013	208-460-090	PREP	00-16-028	208-512-250	RECOD-X	00-13-101
196- 21	PREP	00-15-013	208-460-100	PREP	00-16-028	208-512-250	RECOD	00-17-141
196- 24-041	PREP	00-15-013	208-460-110	PREP	00-16-028	208-512-260	RECOD-X	00-13-101
196- 24-080	PREP	00-15-013	208-460-120	PREP	00-16-028	208-512-260	RECOD	00-17-141
196- 24-105	PREP	00-15-013	208-460-130	PREP	00-16-028	208-512-270	RECOD-X	00-13-101
196- 26	PREP	00-15-013	208-460-140	PREP	00-16-028	208-512-270	RECOD	00-17-141
196- 27	PREP	00-15-013	208-460-150	PREP	00-16-028	208-512-280	RECOD-X	00-13-101
196- 31-010	NEW-P	00-04-059	208-460-160	PREP	00-16-028	208-512-280	RECOD	00-17-141
196- 31-010	NEW	00-08-042	208-460-170	PREP	00-16-028	208-512-290	RECOD-X	00-13-101
196- 31-020	NEW-P	00-04-059	208-460-180	PREP	00-16-028	208-512-290	RECOD	00-17-141
196- 31-020	NEW	00-08-042	208-512-020	RECOD-X	00-13-101	208-512-300	RECOD-X	00-13-101
196- 31-030	NEW-P	00-04-059	208-512-020	RECOD	00-17-141	208-512-300	RECOD	00-17-141
196- 31-030	NEW	00-08-042	208-512-030	RECOD-X	00-13-101	208-512-310	RECOD-X	00-13-101
196- 31-040	NEW-P	00-04-059	208-512-030	RECOD	00-17-141	208-512-310	RECOD	00-17-141
196- 31-040	NEW	00-08-042	208-512-045	RECOD-X	00-13-101	208-512-320	RECOD-X	00-13-101
196- 31-050	NEW-P	00-04-059	208-512-045	RECOD	00-17-141	208-512-320	RECOD	00-17-141
196- 31-050	NEW	00-08-042	208-512-050	RECOD-X	00-13-101	208-512-330	RECOD-X	00-13-101
196- 31-060	NEW-P	00-04-059	208-512-050	RECOD	00-17-141	208-512-330	RECOD	00-17-141
196- 31-060	NEW	00-08-042	208-512-060	RECOD-X	00-13-101	208-512-340	RECOD-X	00-13-101
196- 31-070	NEW-P	00-04-059	208-512-060	RECOD	00-17-141	208-512-340	RECOD	00-17-141
196- 31-070	NEW	00-08-042	208-512-070	RECOD-X	00-13-101	208-512-350	RECOD-X	00-13-101
196- 32-010	NEW-P	00-16-068	208-512-070	RECOD	00-17-141	208-512-350	RECOD	00-17-141
196- 32-020	NEW-P	00-16-068	208-512-080	RECOD-X	00-13-101	208-512-360	RECOD-X	00-13-101
196- 32-030	NEW-P	00-16-068	208-512-080	RECOD	00-17-141	208-512-360	RECOD	00-17-141
196- 32-040	NEW-P	00-16-068	208-512-090	RECOD-X	00-13-101	208-512-370	RECOD-X	00-13-101
196- 32-050	NEW-P	00-16-068	208-512-090	RECOD	00-17-141	208-512-370	RECOD	00-17-141
197- 11	PREP	00-07-051	208-512-100	RECOD-X	00-13-101	208-514-010	RECOD-X	00-13-101
204- 24-030	PREP	00-08-111	208-512-100	RECOD	00-17-141	208-514-010	RECOD	00-17-141
204- 24-030	AMD-P	00-11-173	208-512-110	RECOD-X	00-13-101	208-514-020	RECOD-X	00-13-101
204- 24-030	AMD	00-15-009	208-512-110	RECOD	00-17-141	208-514-020	RECOD	00-17-141
204- 24-050	AMD	00-03-081	208-512-115	RECOD-X	00-13-101	208-514-030	RECOD-X	00-13-101
204- 38-030	AMD	00-03-023	208-512-115	RECOD	00-17-141	208-514-030	RECOD	00-17-141
204- 38-040	AMD	00-03-023	208-512-116	RECOD-X	00-13-101	208-514-040	RECOD-X	00-13-101
204- 38-050	AMD	00-03-023	208-512-116	RECOD	00-17-141	208-514-040	RECOD	00-17-141
204- 41-070	PREP	00-15-008	208-512-117	RECOD-X	00-13-101	208-514-050	RECOD-X	00-13-101
204- 91A	PREP	00-16-101	208-512-117	RECOD	00-17-141	208-514-050	RECOD	00-17-141
204- 96-010	AMD-E	00-10-059	208-512-120	RECOD-X	00-13-101	208-514-060	RECOD-X	00-13-101
204- 96-010	PREP	00-11-174	208-512-120	RECOD	00-17-141	208-514-060	RECOD	00-17-141

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
208-514-070	RECOD-X	00-13-101	208-536-090	RECOD	00-17-141	208-586-020	RECOD	00-17-140
208-514-070	RECOD	00-17-141	208-536-100	RECOD-X	00-13-101	208-586-030	RECOD-X	00-13-100
208-514-080	RECOD-X	00-13-101	208-536-100	RECOD	00-17-141	208-586-030	RECOD	00-17-140
208-514-080	RECOD	00-17-141	208-536-110	RECOD-X	00-13-101	208-586-040	RECOD-X	00-13-100
208-514-090	RECOD-X	00-13-101	208-536-110	RECOD	00-17-141	208-586-040	RECOD	00-17-140
208-514-090	RECOD	00-17-141	208-536-120	RECOD-X	00-13-101	208-586-050	RECOD-X	00-13-100
208-514-100	RECOD-X	00-13-101	208-536-120	RECOD	00-17-141	208-586-050	RECOD	00-17-140
208-514-100	RECOD	00-17-141	208-544-005	RECOD-X	00-13-101	208-586-060	RECOD-X	00-13-100
208-514-110	RECOD-X	00-13-101	208-544-005	RECOD	00-17-141	208-586-060	RECOD	00-17-140
208-514-110	RECOD	00-17-141	208-544-010	RECOD-X	00-13-101	208-586-070	RECOD-X	00-13-100
208-514-120	RECOD-X	00-13-101	208-544-010	RECOD	00-17-141	208-586-070	RECOD	00-17-140
208-514-120	RECOD	00-17-141	208-544-020	RECOD-X	00-13-101	208-586-075	RECOD-X	00-13-100
208-514-130	RECOD-X	00-13-101	208-544-020	RECOD	00-17-141	208-586-075	RECOD	00-17-140
208-514-130	RECOD	00-17-141	208-544-025	RECOD-X	00-13-101	208-586-080	RECOD-X	00-13-100
208-514-140	RECOD-X	00-13-101	208-544-025	RECOD	00-17-141	208-586-080	RECOD	00-17-140
208-514-140	RECOD	00-17-141	208-544-030	RECOD-X	00-13-101	208-586-085	RECOD-X	00-13-100
208-528-010	RECOD-X	00-13-101	208-544-030	RECOD	00-17-141	208-586-085	RECOD	00-17-140
208-528-010	RECOD	00-17-141	208-544-037	RECOD-X	00-13-101	208-586-090	RECOD-X	00-13-100
208-528-020	RECOD-X	00-13-101	208-544-037	RECOD	00-17-141	208-586-090	RECOD	00-17-140
208-528-020	RECOD	00-17-141	208-544-039	RECOD-X	00-13-101	208-586-100	RECOD-X	00-13-100
208-528-030	RECOD-X	00-13-101	208-544-039	RECOD	00-17-141	208-586-100	RECOD	00-17-140
208-528-030	RECOD	00-17-141	208-544-050	RECOD-X	00-13-101	208-586-110	RECOD-X	00-13-100
208-528-040	RECOD-X	00-13-101	208-544-050	RECOD	00-17-141	208-586-110	RECOD	00-17-140
208-528-040	RECOD	00-17-141	208-544-060	RECOD-X	00-13-101	208-586-120	RECOD-X	00-13-100
208-528-050	RECOD-X	00-13-101	208-544-060	RECOD	00-17-141	208-586-120	RECOD	00-17-140
208-528-050	RECOD	00-17-141	208-548-010	RECOD-X	00-13-101	208-586-135	RECOD-X	00-13-100
208-528-060	RECOD-X	00-13-101	208-548-010	RECOD	00-17-141	208-586-135	RECOD	00-17-140
208-528-060	RECOD	00-17-141	208-548-020	RECOD-X	00-13-101	208-586-140	RECOD-X	00-13-100
208-528-070	RECOD-X	00-13-101	208-548-020	RECOD	00-17-141	208-586-140	RECOD	00-17-140
208-528-070	RECOD	00-17-141	208-548-030	RECOD-X	00-13-101	208-590-010	RECOD-X	00-13-100
208-528-990	RECOD-X	00-13-101	208-548-030	RECOD	00-17-141	208-590-010	RECOD	00-17-140
208-528-990	RECOD	00-17-141	208-548-040	RECOD-X	00-13-101	208-590-020	RECOD-X	00-13-100
208-532-010	RECOD-X	00-14-053	208-548-040	RECOD	00-17-141	208-590-020	RECOD	00-17-140
208-532-020	RECOD-X	00-14-053	208-548-050	RECOD-X	00-13-101	208-590-030	RECOD-X	00-13-100
208-532-030	RECOD-X	00-14-053	208-548-050	RECOD	00-17-141	208-590-030	RECOD	00-17-140
208-532-040	RECOD-X	00-14-053	208-548-060	RECOD-X	00-13-101	208-594-010	RECOD-X	00-13-100
208-532-050	RECOD-X	00-14-053	208-548-060	RECOD	00-17-141	208-594-010	RECOD	00-17-140
208-532-060	RECOD-X	00-14-053	208-548-070	RECOD-X	00-13-101	208-594-020	RECOD-X	00-13-100
208-532-070	RECOD-X	00-14-053	208-548-070	RECOD	00-17-141	208-594-020	RECOD	00-17-140
208-532-080	RECOD-X	00-14-053	208-548-080	RECOD-X	00-13-101	208-594-030	RECOD-X	00-13-100
208-532-090	RECOD-X	00-14-053	208-548-080	RECOD	00-17-141	208-594-030	RECOD	00-17-140
208-532-100	RECOD-X	00-14-053	208-548-090	RECOD-X	00-13-101	208-594-040	RECOD-X	00-13-100
208-532-99001	RECOD-X	00-14-053	208-548-090	RECOD	00-17-141	208-594-040	RECOD	00-17-140
208-532-99002	RECOD-X	00-14-053	208-548-100	RECOD-X	00-13-101	208-594-050	RECOD-X	00-13-100
208-532-99003	RECOD-X	00-14-053	208-548-100	RECOD	00-17-141	208-594-050	RECOD	00-17-140
208-536-010	RECOD-X	00-13-101	208-556-010	RECOD-X	00-13-101	208-594-060	RECOD-X	00-13-100
208-536-010	RECOD	00-17-141	208-556-010	RECOD	00-17-141	208-594-060	RECOD	00-17-140
208-536-020	RECOD-X	00-13-101	208-556-020	RECOD-X	00-13-101	208-594-070	RECOD-X	00-13-100
208-536-020	RECOD	00-17-141	208-556-020	RECOD	00-17-141	208-594-070	RECOD	00-17-140
208-536-030	RECOD-X	00-13-101	208-556-030	RECOD-X	00-13-101	208-594-080	RECOD-X	00-13-100
208-536-030	RECOD	00-17-141	208-556-030	RECOD	00-17-141	208-594-080	RECOD	00-17-140
208-536-040	RECOD-X	00-13-101	208-556-040	RECOD-X	00-13-101	208-594-090	RECOD-X	00-13-100
208-536-040	RECOD	00-17-141	208-556-040	RECOD	00-17-141	208-594-090	RECOD	00-17-140
208-536-050	RECOD-X	00-13-101	208-556-050	RECOD-X	00-13-101	208-598-010	RECOD-X	00-13-100
208-536-050	RECOD	00-17-141	208-556-050	RECOD	00-17-141	208-598-010	RECOD	00-17-140
208-536-060	RECOD-X	00-13-101	208-556-060	RECOD-X	00-13-101	208-598-020	RECOD-X	00-13-100
208-536-060	RECOD	00-17-141	208-556-060	RECOD	00-17-141	208-598-020	RECOD	00-17-140
208-536-070	RECOD-X	00-13-101	208-556-070	RECOD-X	00-13-101	208-598-030	RECOD-X	00-13-100
208-536-070	RECOD	00-17-141	208-556-070	RECOD	00-17-141	208-598-030	RECOD	00-17-140
208-536-080	RECOD-X	00-13-101	208-556-080	RECOD-X	00-13-101	208-660-010	AMD-P	00-17-172
208-536-080	RECOD	00-17-141	208-556-080	RECOD	00-17-141	208-660-020	AMD-P	00-17-172
208-536-090	RECOD-X	00-13-101	208-586-020	RECOD-X	00-13-100	208-660-025	AMD-P	00-17-172

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208-660-042	AMD-P	00-17-172	220- 16-590	AMD-P	00-14-022	220- 33-010	AMD	00-17-117
208-660-045	AMD-P	00-17-172	220- 16-590	AMD	00-17-106	220- 33-01000B	NEW-E	00-05-047
208-660-070	AMD-P	00-17-172	220- 16-730	NEW	00-08-038	220- 33-01000B	REP-E	00-05-047
208-660-080	AMD-P	00-17-172	220- 16-740	NEW-P	00-06-083	220- 33-01000B	REP-E	00-06-011
208-660-08015	AMD-P	00-17-172	220- 16-740	NEW-W	00-07-019	220- 33-01000C	NEW-E	00-06-011
208-660-08025	AMD-P	00-17-172	220- 16-740	NEW	00-08-038	220- 33-01000C	REP-E	00-06-036
208-660-08030	AMD-P	00-17-172	220- 16-740	AMD-P	00-14-022	220- 33-01000D	NEW-E	00-06-036
208-660-08032	NEW-P	00-17-172	220- 16-740	AMD	00-17-106	220- 33-01000E	NEW-E	00-14-014
208-660-08040	AMD-P	00-17-172	220- 16-74000A	NEW-E	00-10-069	220- 33-01000E	REP-E	00-14-014
208-660-130	AMD-P	00-17-172	220- 16-750	NEW-P	00-06-083	220- 33-01000F	NEW-E	00-16-081
208-660-140	AMD-P	00-17-172	220- 16-750	NEW-W	00-07-019	220- 33-01000F	REP-E	00-16-081
208-660-145	AMD-P	00-17-172	220- 16-750	NEW	00-08-038	220- 33-01000G	NEW-E	00-17-130
208-660-160	AMD-P	00-17-172	220- 16-750	AMD-P	00-14-022	220- 33-01000G	REP-E	00-17-130
208-680	PREP	00-10-102	220- 16-750	AMD	00-17-106	220- 33-020	AMD-XA	00-12-052
210- 01-120	AMD-P	00-03-040	220- 16-75000A	NEW-E	00-10-069	220- 33-020	AMD	00-17-117
210- 01-120	AMD	00-07-003	220- 20-010	AMD	00-08-038	220- 33-03000P	NEW-E	00-11-046
210- 02-010	NEW-P	00-08-069	220- 20-015	AMD-P	00-06-083	220- 33-03000P	REP-E	00-11-046
210- 02-010	NEW	00-11-023	220- 20-015	AMD-W	00-07-019	220- 33-03000P	REP-E	00-14-014
210- 02-020	NEW-P	00-08-069	220- 20-015	AMD-P	00-14-022	220- 33-03000Q	NEW-E	00-14-014
210- 02-020	NEW	00-11-023	220- 20-015	AMD	00-17-106	220- 33-03000Q	REP-E	00-14-014
210- 02-030	NEW-P	00-08-069	220- 20-01500A	NEW-E	00-10-069	220- 33-040	AMD-XA	00-12-052
210- 02-030	NEW	00-11-023	220- 20-020	AMD-P	00-06-083	220- 33-040	AMD-P	00-14-036
210- 02-040	NEW-P	00-08-069	220- 20-020	AMD-W	00-07-019	220- 33-040	AMD-C	00-17-094
210- 02-040	NEW	00-11-023	220- 20-020	AMD-P	00-14-022	220- 33-040	AMD	00-17-117
210- 02-050	NEW-P	00-08-069	220- 20-020	AMD	00-17-106	220- 33-04000I	REP-E	00-06-017
210- 02-050	NEW	00-11-023	220- 20-02000A	NEW-E	00-10-069	220- 33-04000J	NEW-E	00-06-017
210- 02-060	NEW-P	00-08-069	220- 20-025	AMD-P	00-06-083	220- 33-04000J	REP-E	00-06-017
210- 02-060	NEW	00-11-023	220- 20-025	AMD-W	00-07-019	220- 33-060	AMD-P	00-14-038
210- 02-070	NEW-P	00-08-069	220- 20-025	AMD-P	00-14-022	220- 33-060	AMD-C	00-17-093
210- 02-070	NEW	00-11-023	220- 20-025	AMD	00-17-106	220- 33-06000A	NEW-E	00-11-056
210- 02-080	NEW-P	00-08-069	220- 20-02500A	NEW-E	00-10-069	220- 36-023	AMD-XA	00-17-104
210- 02-080	NEW	00-11-023	220- 24-02000L	NEW-E	00-10-067	220- 36-02300A	NEW-E	00-17-139
210- 02-090	NEW-P	00-08-069	220- 24-02000L	REP-E	00-10-067	220- 36-02300A	REP-E	00-17-139
210- 02-090	NEW	00-11-023	220- 24-02000	NEW-E	00-17-001	220- 40-027	AMD-XA	00-17-104
210- 02-100	NEW-P	00-08-069	220- 24-02000	REP-E	00-17-001	220- 40-02700U	NEW-E	00-17-139
210- 02-100	NEW	00-11-023	220- 24-02000	REP-E	00-17-119	220- 40-02700U	REP-E	00-17-139
210- 02-110	NEW-P	00-08-069	220- 24-02000N	NEW-E	00-17-119	220- 44-020	AMD-P	00-14-038
210- 02-110	NEW	00-11-023	220- 32-01500S	REP-E	00-14-051	220- 44-020	AMD-C	00-17-093
210- 02-120	NEW-P	00-08-069	220- 32-05100R	NEW-E	00-04-071	220- 44-02000A	NEW-E	00-11-056
210- 02-120	NEW	00-11-023	220- 32-05100R	REP-E	00-04-071	220- 44-030	AMD-P	00-14-020
210- 02-130	NEW-P	00-08-069	220- 32-05100R	REP-E	00-07-099	220- 44-030	AMD-C	00-17-091
210- 02-130	NEW	00-11-023	220- 32-05100S	NEW-E	00-14-051	220- 44-050	AMD-XA	00-10-038
210- 02-140	NEW-P	00-08-069	220- 32-05500A	NEW-E	00-10-097	220- 44-050	AMD	00-16-033
210- 02-140	NEW	00-11-023	220- 32-05500A	REP-E	00-10-097	220- 44-05000A	NEW-E	00-04-041
210- 02-150	NEW-P	00-08-069	220- 32-05500A	REP-E	00-11-030	220- 44-05000Z	REP-E	00-04-041
210- 02-150	NEW	00-11-023	220- 32-05500B	NEW-E	00-11-030	220- 44-080	AMD-XA	00-10-038
210- 02-160	NEW-P	00-08-069	220- 32-05500B	REP-E	00-11-030	220- 44-080	AMD	00-16-033
210- 02-160	NEW	00-11-023	220- 32-05500B	REP-E	00-12-026	220- 47-304	AMD-XA	00-13-095
210- 02-170	NEW-P	00-08-069	220- 32-05500C	NEW-E	00-12-026	220- 47-311	AMD-XA	00-13-095
210- 02-170	NEW	00-11-023	220- 32-05500C	REP-E	00-12-026	220- 47-401	AMD-XA	00-13-095
210- 02-180	NEW-P	00-08-069	220- 32-05500Z	NEW-E	00-09-024	220- 47-411	AMD-XA	00-13-095
210- 02-180	NEW	00-11-023	220- 32-05500Z	REP-E	00-09-024	220- 47-427	AMD-XA	00-13-095
210- 02-190	NEW-P	00-08-069	220- 32-05500Z	REP-E	00-10-097	220- 47-428	AMD-XA	00-13-095
210- 02-190	NEW	00-11-023	220- 32-057	AMD-XA	00-12-052	220- 47-701	NEW-E	00-17-092
210- 02-200	NEW-P	00-08-069	220- 32-057	AMD	00-17-117	220- 48-005	AMD-W	00-11-086
210- 02-200	NEW	00-11-023	220- 32-05700E	NEW-E	00-07-109	220- 48-011	AMD-P	00-14-020
220- 16-257	AMD	00-08-038	220- 32-05700E	REP-E	00-13-015	220- 48-011	AMD	00-17-145
220- 16-345	AMD	00-08-038	220- 32-05700F	NEW-E	00-13-015	220- 48-015	AMD-W	00-11-086
220- 16-480	AMD-W	00-11-087	220- 32-05700F	REP-E	00-16-090	220- 48-015	AMD-P	00-14-020
220- 16-590	AMD-P	00-06-083	220- 32-05700G	NEW-E	00-17-050	220- 48-015	AMD-C	00-17-091

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220-48-01500L	NEW-E	00-14-013	220-52-068	AMD	00-17-145	220-56-116	AMD	00-16-091
220-48-016	AMD-W	00-11-086	220-52-069	AMD-P	00-11-045	220-56-123	AMD-XA	00-11-179
220-48-017	AMD-W	00-11-086	220-52-069	AMD	00-17-108	220-56-123	AMD	00-16-091
220-48-019	AMD-W	00-11-086	220-52-06900A	NEW-E	00-04-015	220-56-12300A	NEW-E	00-10-068
220-48-019	AMD-P	00-14-020	220-52-06900A	REP-E	00-11-116	220-56-128	AMD-XA	00-11-179
220-48-019	AMD	00-17-145	220-52-06900B	NEW-E	00-11-116	220-56-128	AMD	00-16-091
220-48-028	AMD-W	00-11-086	220-52-071	AMD	00-03-042	220-56-12800D	NEW-E	00-08-001
220-48-029	AMD-W	00-11-086	220-52-07100N	NEW-E	00-13-054	220-56-12800D	REP-E	00-08-001
220-48-031	AMD-W	00-11-086	220-52-07100N	REP-E	00-16-066	220-56-12800E	NEW-E	00-10-068
220-48-032	AMD-W	00-11-086	220-52-07100P	NEW-E	00-16-066	220-56-130	AMD	00-08-038
220-48-061	AMD-W	00-11-086	220-52-07100P	REP-E	00-17-020	220-56-145	AMD	00-08-038
220-48-071	AMD-W	00-11-086	220-52-07100Q	NEW-E	00-17-020	220-56-175	AMD-P	00-06-084
220-52-03000L	NEW-E	00-11-057	220-52-073	AMD	00-03-042	220-56-175	AMD	00-08-038
220-52-03000L	REP-E	00-11-057	220-52-07300Q	REP-E	00-03-006	220-56-175	AMD	00-11-178
220-52-03000L	REP-E	00-13-006	220-52-07300R	NEW-E	00-03-006	220-56-180	AMD-XA	00-11-179
220-52-03000	NEW-E	00-13-068	220-52-07300R	REP-E	00-03-006	220-56-180	AMD	00-16-091
220-52-03000	REP-E	00-13-068	220-52-07300R	REP-E	00-03-044	220-56-185	AMD	00-08-038
220-52-040	AMD-W	00-08-077	220-52-07300S	NEW-E	00-03-044	220-56-190	AMD-XA	00-11-179
220-52-040	AMD-P	00-14-037	220-52-07300S	REP-E	00-03-044	220-56-190	DECOD-X	00-11-179
220-52-04000Q	REP-E	00-04-084	220-52-07300S	REP-E	00-04-013	220-56-190	AMD	00-16-091
220-52-04000R	NEW-E	00-04-084	220-52-07300T	NEW-E	00-04-013	220-56-190	DECOD	00-16-091
220-52-04000R	REP-E	00-11-001	220-52-07300T	REP-E	00-05-041	220-56-19000C	NEW-E	00-10-068
220-52-04000S	NEW-E	00-11-001	220-52-07300U	NEW-E	00-05-041	220-56-19000C	REP-E	00-17-071
220-52-04000S	REP-E	00-11-001	220-52-07300U	REP-E	00-06-044	220-56-19000D	NEW-E	00-14-035
220-52-04000T	NEW-E	00-12-025	220-52-07300V	NEW-E	00-06-044	220-56-19000D	REP-E	00-14-035
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220-52-043	AMD-W	00-08-077	220-52-07300	NEW-E	00-07-064	220-56-19000E	NEW-E	00-17-071
220-52-043	AMD-P	00-14-037	220-52-07300	REP-E	00-07-114	220-56-19000E	REP-E	00-17-120
220-52-04600A	NEW-E	00-11-001	220-52-075	AMD	00-05-054	220-56-19000F	NEW-E	00-17-120
220-52-04600A	REP-E	00-11-001	220-52-07500A	NEW-E	00-10-051	220-56-191	AMD-XA	00-11-179
220-52-04600B	NEW-E	00-12-025	220-55-005	AMD-P	00-06-084	220-56-191	DECOD-P	00-11-179
220-52-04600B	REP-E	00-12-025	220-55-005	AMD	00-11-178	220-56-191	AMD	00-16-091
220-52-04600U	NEW-E	00-04-084	220-55-010	AMD-P	00-06-084	220-56-191	DECOD	00-16-091
220-52-04600U	REP-E	00-06-009	220-55-010	AMD	00-11-178	220-56-19100L	NEW-E	00-10-068
220-52-04600V	REP-E	00-04-084	220-55-015	AMD-P	00-06-084	220-56-19100L	REP-P	00-17-090
220-52-04600X	NEW-E	00-06-009	220-55-015	AMD	00-11-178	220-56-19100	NEW-E	00-17-090
220-52-04600X	REP-E	00-08-037	220-55-070	AMD-P	00-06-084	220-56-19100	REP-E	00-17-129
220-52-04600Y	NEW-E	00-08-037	220-55-070	AMD	00-11-178	220-56-19100N	NEW-E	00-17-129
220-52-04600Y	REP-E	00-08-037	220-55-105	AMD-P	00-06-084	220-56-19100N	REP-E	00-17-129
220-52-04600Y	REP-E	00-08-044	220-55-105	AMD	00-11-178	220-56-195	AMD-XA	00-11-179
220-52-04600Z	NEW-E	00-08-044	220-55-110	AMD-P	00-06-084	220-56-195	AMD	00-16-091
220-52-04600Z	REP-E	00-08-044	220-55-110	AMD	00-11-178	220-56-19500F	NEW-E	00-10-068
220-52-050	AMD-P	00-14-020	220-55-115	AMD-P	00-06-084	220-56-199	AMD-XA	00-11-179
220-52-050	AMD	00-17-145	220-55-115	AMD	00-11-178	220-56-199	AMD	00-16-091
220-52-05100A	NEW-E	00-09-055	220-55-132	NEW-P	00-06-084	220-56-19900A	NEW-E	00-10-068
220-52-05100A	REP-E	00-10-051	220-55-132	NEW	00-11-178	220-56-205	AMD	00-08-038
220-52-05100B	NEW-E	00-10-051	220-55-170	AMD-P	00-06-042	220-56-205	REP-XA	00-11-179
220-52-05100B	REP-E	00-12-015	220-55-170	AMD	00-11-177	220-56-205	REP	00-16-091
220-52-05100C	NEW-E	00-12-015	220-55-17000B	NEW-E	00-11-058	220-56-235	AMD	00-08-038
220-52-05100C	REP-E	00-15-006	220-55-180	AMD-P	00-06-043	220-56-235	AMD-XA	00-10-038
220-52-05100D	NEW-E	00-15-006	220-55-180	AMD	00-11-176	220-56-235	AMD	00-17-016
220-52-05100D	REP-E	00-15-033	220-56-08500U	REP-E	00-08-046	220-56-23500E	NEW-E	00-08-084
220-52-05100E	NEW-E	00-15-033	220-56-100	AMD-XA	00-11-179	220-56-23500E	REP-E	00-10-012
220-52-05100E	REP-E	00-16-025	220-56-100	AMD	00-16-091	220-56-23500F	NEW-E	00-10-012
220-52-05100F	NEW-E	00-16-025	220-56-103	AMD	00-08-038	220-56-23500G	NEW-E	00-16-061
220-52-05100F	REP-E	00-16-040	220-56-103	REP-XA	00-11-179	220-56-23500H	NEW-E	00-17-099
220-52-05100G	NEW-E	00-16-040	220-56-103	REP	00-16-091	220-56-240	AMD	00-08-038
220-52-05100G	REP-E	00-17-006	220-56-105	AMD	00-08-038	220-56-24000C	NEW-E	00-10-050
220-52-05100H	NEW-E	00-17-006	220-56-115	AMD-XA	00-11-179	220-56-24000C	REP-E	00-10-050
220-52-05100H	REP-E	00-17-051	220-56-115	AMD	00-16-091	220-56-24000D	NEW-E	00-11-059
220-52-05100I	NEW-E	00-17-051	220-56-11500D	NEW-E	00-10-068	220-56-250	AMD	00-08-038

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-56-250	AMD-XA	00-10-038	220-56-335	AMD-W	00-11-087	220-57-165	REP	00-16-091
220-56-250	AMD	00-17-016	220-56-350	AMD	00-08-038	220-57-170	REP-XA	00-11-179
220-56-25000A	REP-E	00-08-084	220-56-350	AMD-XA	00-11-179	220-57-170	REP	00-16-091
220-56-25000B	NEW-E	00-08-084	220-56-350	AMD	00-16-091	220-57-17000U	NEW-E	00-07-002
220-56-25500	NEW-E	00-10-070	220-56-35000F	NEW-E	00-08-045	220-57-17000U	REP-E	00-11-118
220-56-25500	REP-E	00-11-008	220-56-35000G	NEW-E	00-10-068	220-57-175	REP-XA	00-11-179
220-56-25500N	NEW-E	00-11-008	220-56-36000A	REP-E	00-06-010	220-57-175	REP	00-16-091
220-56-25500N	REP-E	00-12-014	220-56-36000B	NEW-E	00-06-010	220-57-17500V	NEW-E	00-11-118
220-56-25500P	NEW-E	00-12-014	220-56-36000B	REP-E	00-06-010	220-57-17500V	REP-E	00-11-118
220-56-25500P	REP-E	00-12-048	220-56-36000C	NEW-E	00-09-001	220-57-180	REP-XA	00-11-179
220-56-25500Q	NEW-E	00-12-048	220-56-36000C	REP-E	00-09-001	220-57-180	REP	00-16-091
220-56-25500Q	REP-E	00-13-059	220-56-36000D	NEW-E	00-09-054	220-57-181	REP-XA	00-11-179
220-56-25500R	NEW-E	00-13-059	220-56-36000D	REP-E	00-09-054	220-57-181	REP	00-16-091
220-56-25500R	REP-E	00-14-004	220-56-36000E	NEW-E	00-10-049	220-57-185	REP-XA	00-11-179
220-56-25500S	NEW-E	00-14-004	220-56-36000E	REP-E	00-10-049	220-57-185	REP	00-16-091
220-56-25500S	REP-E	00-16-082	220-56-372	AMD	00-08-038	220-57-187	REP-XA	00-11-179
220-56-25500T	NEW-E	00-16-082	220-56-380	AMD	00-08-038	220-57-187	REP	00-16-091
220-56-27000G	NEW-E	00-06-017	220-56-380	AMD-XA	00-11-179	220-57-18700D	NEW-E	00-07-002
220-56-27000G	REP-E	00-06-017	220-56-380	AMD	00-16-091	220-57-190	REP-XA	00-11-179
220-56-280	AMD	00-08-038	220-56-38000X	NEW-E	00-08-045	220-57-190	REP	00-16-091
220-56-28500U	NEW-E	00-08-031	220-56-38000Y	NEW-E	00-10-068	220-57-195	REP-XA	00-11-179
220-56-28500U	REP-E	00-08-031	220-57-001	REP-XA	00-11-179	220-57-195	REP	00-16-091
220-56-28500V	NEW-E	00-08-046	220-57-001	REP	00-16-091	220-57-200	REP-XA	00-11-179
220-56-28500V	REP-E	00-13-058	220-57-11900A	NEW-E	00-15-087	220-57-200	REP	00-16-091
220-56-28500	NEW-E	00-14-012	220-57-11900A	REP-E	00-15-087	220-57-205	REP-XA	00-11-179
220-56-295	AMD	00-08-038	220-57-120	REP-XA	00-11-179	220-57-205	REP	00-16-091
220-56-30500G	NEW-E	00-13-058	220-57-120	REP	00-16-091	220-57-210	REP-XA	00-11-179
220-56-310	AMD	00-08-038	220-57-125	REP-XA	00-11-179	220-57-210	REP	00-16-091
220-56-315	AMD	00-08-038	220-57-125	REP	00-16-091	220-57-215	REP-XA	00-11-179
220-56-32500D	NEW-E	00-10-011	220-57-130	REP-XA	00-11-179	220-57-215	REP	00-16-091
220-56-32500D	REP-E	00-10-011	220-57-130	REP	00-16-091	220-57-225	REP-XA	00-11-179
220-56-32500E	NEW-E	00-11-144	220-57-135	REP-XA	00-11-179	220-57-225	REP	00-16-091
220-56-32500E	REP-E	00-14-023	220-57-135	REP	00-16-091	220-57-230	REP-XA	00-11-179
220-56-32500F	NEW-E	00-12-047	220-57-137	REP-XA	00-11-179	220-57-230	REP	00-16-091
220-56-32500F	REP-E	00-12-047	220-57-137	REP	00-16-091	220-57-235	REP-XA	00-11-179
220-56-32500G	NEW-E	00-12-069	220-57-13701	REP-XA	00-11-179	220-57-235	REP	00-16-091
220-56-32500G	REP-E	00-12-069	220-57-13701	REP	00-16-091	220-57-240	REP-XA	00-11-179
220-56-32500H	NEW-E	00-13-053	220-57-138	REP-XA	00-11-179	220-57-240	REP	00-16-091
220-56-32500H	REP-E	00-13-053	220-57-138	REP	00-16-091	220-57-245	REP-XA	00-11-179
220-56-32500I	NEW-E	00-14-023	220-57-140	REP-XA	00-11-179	220-57-245	REP	00-16-091
220-56-330	AMD	00-08-038	220-57-140	REP	00-16-091	220-57-250	REP-XA	00-11-179
220-56-33000A	NEW-E	00-11-055	220-57-145	REP-XA	00-11-179	220-57-250	REP	00-16-091
220-56-33000A	REP-E	00-11-143	220-57-145	REP	00-16-091	220-57-255	REP-XA	00-11-179
220-56-33000B	NEW-E	00-11-143	220-57-150	REP-XA	00-11-179	220-57-255	REP	00-16-091
220-56-33000B	REP-E	00-13-069	220-57-150	REP	00-16-091	220-57-25500G	NEW-E	00-07-002
220-56-33000C	NEW-E	00-13-069	220-57-155	REP-XA	00-11-179	220-57-260	REP-XA	00-11-179
220-56-33000C	REP-E	00-14-034	220-57-155	REP	00-16-091	220-57-260	REP	00-16-091
220-56-33000D	NEW-E	00-14-034	220-57-160	AMD	00-08-038	220-57-265	REP-XA	00-11-179
220-56-33000D	REP-E	00-15-005	220-57-160	REP-XA	00-11-179	220-57-265	REP	00-16-091
220-56-33000E	NEW-E	00-15-005	220-57-160	REP	00-16-091	220-57-270	REP-XA	00-11-179
220-56-33000E	REP-E	00-15-032	220-57-16000A	NEW-E	00-17-064	220-57-270	REP	00-16-091
220-56-33000F	NEW-E	00-15-032	220-57-16000A	REP-E	00-17-064	220-57-275	REP-XA	00-11-179
220-56-33000F	REP-E	00-17-118	220-57-16000V	NEW-E	00-07-073	220-57-275	REP	00-16-091
220-56-33000V	REP-E	00-08-037	220-57-16000V	REP-E	00-14-015	220-57-280	REP-XA	00-11-179
220-56-33000	NEW-E	00-06-009	220-57-16000	NEW-E	00-08-006	220-57-280	REP	00-16-091
220-56-33000	REP-E	00-08-037	220-57-16000	REP-E	00-11-007	220-57-285	REP-XA	00-11-179
220-56-33000X	NEW-E	00-07-098	220-57-16000X	NEW-E	00-11-007	220-57-285	REP	00-16-091
220-56-33000X	REP-E	00-11-055	220-57-16000X	REP-E	00-11-007	220-57-290	REP-XA	00-11-179
220-56-33000Y	NEW-E	00-08-037	220-57-16000Y	NEW-E	00-14-015	220-57-290	REP	00-16-091
220-56-33000Y	REP-E	00-09-053	220-57-16000Y	REP-E	00-14-015	220-57-29000X	NEW-E	00-11-029
220-56-33000Z	NEW-E	00-09-053	220-57-16000Z	NEW-E	00-16-039	220-57-29000X	REP-E	00-11-029
220-56-33000Z	REP-E	00-11-055	220-57-165	REP-XA	00-11-179	220-57-295	REP-XA	00-11-179

TABLE

**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-57-295	REP	00-16-091	220-57-395	REP	00-16-091	220-57-50500G	REP-E	00-12-041
220-57-300	REP-XA	00-11-179	220-57-400	REP-XA	00-11-179	220-57-50500H	NEW-E	00-12-041
220-57-300	REP	00-16-091	220-57-400	REP	00-16-091	220-57-50500H	REP-E	00-12-041
220-57-305	REP-XA	00-11-179	220-57-405	REP-XA	00-11-179	220-57-510	REP-XA	00-11-179
220-57-305	REP	00-16-091	220-57-405	REP	00-16-091	220-57-510	REP	00-16-091
220-57-310	REP-XA	00-11-179	220-57-410	REP-XA	00-11-179	220-57-515	REP-XA	00-11-179
220-57-310	REP	00-16-091	220-57-410	REP	00-16-091	220-57-515	REP	00-16-091
220-57-313	REP-XA	00-11-179	220-57-415	REP-XA	00-11-179	220-57-51500S	NEW-E	00-08-022
220-57-313	REP	00-16-091	220-57-415	REP	00-16-091	220-57-51500S	REP-E	00-08-022
220-57-315	REP-XA	00-11-179	220-57-420	REP-XA	00-11-179	220-57-51500S	REP-E	00-11-117
220-57-315	REP	00-16-091	220-57-420	REP	00-16-091	220-57-51500T	NEW-E	00-11-117
220-57-31500J	NEW-E	00-08-022	220-57-425	REP-XA	00-11-179	220-57-520	REP-XA	00-11-179
220-57-31500J	REP-E	00-08-022	220-57-425	REP	00-16-091	220-57-520	REP	00-16-091
220-57-31500K	NEW-E	00-12-041	220-57-42500F	NEW-E	00-15-087	220-57-525	REP-XA	00-11-179
220-57-31500K	REP-E	00-12-041	220-57-42500F	REP-E	00-15-087	220-57-525	REP	00-16-091
220-57-319	REP-XA	00-11-179	220-57-427	REP-XA	00-11-179	220-57-53000C	NEW-E	00-13-016
220-57-319	REP	00-16-091	220-57-427	REP	00-16-091	220-57-53000C	REP-E	00-13-016
220-57-31900A	NEW-E	00-12-013	220-57-430	REP-XA	00-11-179	220-57A-001	REP-XA	00-11-179
220-57-31900A	REP-E	00-12-013	220-57-430	REP	00-16-091	220-57A-001	REP	00-16-091
220-57-31900Z	NEW-E	00-07-002	220-57-432	REP-XA	00-11-179	220-57A-005	REP-XA	00-11-179
220-57-31900Z	REP-E	00-12-013	220-57-432	REP	00-16-091	220-57A-005	REP	00-16-091
220-57-321	REP-XA	00-11-179	220-57-435	REP-XA	00-11-179	220-57A-010	REP-XA	00-11-179
220-57-321	REP	00-16-091	220-57-435	REP	00-16-091	220-57A-010	REP	00-16-091
220-57-32100D	NEW-E	00-08-022	220-57-440	REP-XA	00-11-179	220-57A-012	REP-XA	00-11-179
220-57-32100D	REP-E	00-08-022	220-57-440	REP	00-16-091	220-57A-012	REP	00-16-091
220-57-325	REP-XA	00-11-179	220-57-445	REP-XA	00-11-179	220-57A-015	REP-XA	00-11-179
220-57-325	REP	00-16-091	220-57-445	REP	00-16-091	220-57A-015	REP	00-16-091
220-57-326	REP-XA	00-11-179	220-57-450	REP-XA	00-11-179	220-57A-017	REP-XA	00-11-179
220-57-326	REP	00-16-091	220-57-450	REP	00-16-091	220-57A-017	REP	00-16-091
220-57-327	REP-XA	00-11-179	220-57-455	REP-XA	00-11-179	220-57A-020	REP-XA	00-11-179
220-57-327	REP	00-16-091	220-57-455	REP	00-16-091	220-57A-020	REP	00-16-091
220-57-330	REP-XA	00-11-179	220-57-460	REP-XA	00-11-179	220-57A-025	REP-XA	00-11-179
220-57-330	REP	00-16-091	220-57-460	REP	00-16-091	220-57A-025	REP	00-16-091
220-57-335	REP-XA	00-11-179	220-57-462	REP-XA	00-11-179	220-57A-030	REP-XA	00-11-179
220-57-335	REP	00-16-091	220-57-462	REP	00-16-091	220-57A-030	REP	00-16-091
220-57-340	REP-XA	00-11-179	220-57-465	REP-XA	00-11-179	220-57A-035	REP-XA	00-11-179
220-57-340	REP	00-16-091	220-57-465	REP	00-16-091	220-57A-035	REP	00-16-091
220-57-341	REP-XA	00-11-179	220-57-470	REP-XA	00-11-179	220-57A-037	REP-XA	00-11-179
220-57-341	REP	00-16-091	220-57-470	REP	00-16-091	220-57A-037	REP	00-16-091
220-57-342	REP-XA	00-11-179	220-57-473	REP-XA	00-11-179	220-57A-040	REP-XA	00-11-179
220-57-342	REP	00-16-091	220-57-473	REP	00-16-091	220-57A-040	REP	00-16-091
220-57-345	REP-XA	00-11-179	220-57-475	REP-XA	00-11-179	220-57A-045	REP-XA	00-11-179
220-57-345	REP	00-16-091	220-57-475	REP	00-16-091	220-57A-045	REP	00-16-091
220-57-34500A	NEW-E	00-03-007	220-57-480	REP-XA	00-11-179	220-57A-050	REP-XA	00-11-179
220-57-34500A	REP-E	00-03-007	220-57-480	REP	00-16-091	220-57A-050	REP	00-16-091
220-57-350	REP-XA	00-11-179	220-57-485	REP-XA	00-11-179	220-57A-055	REP-XA	00-11-179
220-57-350	REP	00-16-091	220-57-485	REP	00-16-091	220-57A-055	REP	00-16-091
220-57-355	REP-XA	00-11-179	220-57-490	REP-XA	00-11-179	220-57A-065	REP-XA	00-11-179
220-57-355	REP	00-16-091	220-57-490	REP	00-16-091	220-57A-065	REP	00-16-091
220-57-365	REP-XA	00-11-179	220-57-493	REP-XA	00-11-179	220-57A-070	REP-XA	00-11-179
220-57-365	REP	00-16-091	220-57-493	REP	00-16-091	220-57A-070	REP	00-16-091
220-57-370	REP-XA	00-11-179	220-57-495	REP-XA	00-11-179	220-57A-075	REP-XA	00-11-179
220-57-370	REP	00-16-091	220-57-495	REP	00-16-091	220-57A-075	REP	00-16-091
220-57-375	REP-XA	00-11-179	220-57-497	REP-XA	00-11-179	220-57A-080	REP-XA	00-11-179
220-57-375	REP	00-16-091	220-57-497	REP	00-16-091	220-57A-080	REP	00-16-091
220-57-380	REP-XA	00-11-179	220-57-500	REP-XA	00-11-179	220-57A-082	REP-XA	00-11-179
220-57-380	REP	00-16-091	220-57-500	REP	00-16-091	220-57A-082	REP	00-16-091
220-57-385	REP-XA	00-11-179	220-57-502	REP-XA	00-11-179	220-57A-085	REP-XA	00-11-179
220-57-385	REP	00-16-091	220-57-502	REP	00-16-091	220-57A-085	REP	00-16-091
220-57-390	REP-XA	00-11-179	220-57-505	REP-XA	00-11-179	220-57A-090	REP-XA	00-11-179
220-57-390	REP	00-16-091	220-57-505	REP	00-16-091	220-57A-090	REP	00-16-091
220-57-395	REP-XA	00-11-179	220-57-50500G	NEW-E	00-08-022	220-57A-095	REP-XA	00-11-179

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220- 57A-095	REP	00-16-091	220- 88B-030	AMD	00-17-107	222- 20-080	AMD-E	00-06-026
220- 57A-100	REP-XA	00-11-179	220- 88B-040	AMD-P	00-13-082	222- 21-005	NEW-P	00-08-104
220- 57A-100	REP	00-16-091	220- 88B-040	AMD	00-17-107	222- 21-005	NEW-E	00-12-093
220- 57A-105	REP-XA	00-11-179	220- 88B-04000	NEW-E	00-10-071	222- 21-010	NEW-P	00-08-104
220- 57A-105	REP	00-16-091	220- 88B-050	AMD-P	00-13-082	222- 21-010	NEW-E	00-12-093
220- 57A-110	REP-XA	00-11-179	220- 88B-050	AMD	00-17-107	222- 21-020	NEW-P	00-08-104
220- 57A-110	REP	00-16-091	220- 88B-05000	NEW-E	00-10-071	222- 21-020	NEW-E	00-12-093
220- 57A-112	REP-XA	00-11-179	220- 88B-05000	REP-E	00-10-071	222- 21-030	NEW-P	00-08-104
220- 57A-112	REP	00-16-091	220- 88C-010	NEW-P	00-14-038	222- 21-030	NEW-E	00-12-093
220- 57A-115	REP-XA	00-11-179	220- 88C-010	NEW-C	00-17-093	222- 21-035	NEW-P	00-08-104
220- 57A-115	REP	00-16-091	220- 88C-01000	NEW-E	00-11-056	222- 21-035	NEW-E	00-12-093
220- 57A-120	REP-XA	00-11-179	220- 88C-020	NEW-P	00-14-038	222- 21-040	NEW-P	00-08-104
220- 57A-120	REP	00-16-091	220- 88C-020	NEW-C	00-17-093	222- 21-040	NEW-E	00-12-093
220- 57A-125	REP-XA	00-11-179	220- 88C-02000	NEW-E	00-11-056	222- 21-045	NEW-P	00-08-104
220- 57A-125	REP	00-16-091	220- 88C-030	NEW-P	00-14-038	222- 21-045	NEW-E	00-12-093
220- 57A-130	REP-XA	00-11-179	220- 88C-030	NEW-C	00-17-093	222- 21-050	NEW-P	00-08-104
220- 57A-130	REP	00-16-091	220- 88C-03000	NEW-E	00-11-056	222- 21-050	NEW-E	00-12-093
220- 57A-135	REP-XA	00-11-179	220- 95-013	AMD-P	00-14-021	222- 21-060	NEW-P	00-08-104
220- 57A-135	REP	00-16-091	220- 95-013	AMD	00-17-105	222- 21-060	NEW-E	00-12-093
220- 57A-140	REP-XA	00-11-179	220- 95-018	AMD-P	00-14-021	222- 21-065	NEW-P	00-08-104
220- 57A-140	REP	00-16-091	220- 95-018	AMD	00-17-105	222- 21-065	NEW-E	00-12-093
220- 57A-145	REP-XA	00-11-179	220- 95-022	AMD-P	00-14-021	222- 21-070	NEW-P	00-08-104
220- 57A-145	REP	00-16-091	220- 95-022	AMD	00-17-105	222- 21-070	NEW-E	00-12-093
220- 57A-150	REP-XA	00-11-179	220- 95-032	AMD-P	00-14-021	222- 21-080	NEW-P	00-08-104
220- 57A-150	REP	00-16-091	220- 95-032	AMD	00-17-105	222- 21-080	NEW-E	00-12-093
220- 57A-152	REP-XA	00-11-179	220-140-020	AMD-P	00-17-171	222- 21-090	NEW-P	00-08-104
220- 57A-152	REP	00-16-091	222- 08-035	AMD-E	00-06-026	222- 21-090	NEW-E	00-12-093
220- 57A-155	REP-XA	00-11-179	222- 08-035	AMD-C	00-08-103	222- 22-010	AMD-C	00-08-103
220- 57A-155	REP	00-16-091	222- 10-010	AMD-E	00-06-026	222- 22-030	AMD-C	00-08-103
220- 57A-160	REP-XA	00-11-179	222- 10-020	NEW-C	00-08-103	222- 22-035	NEW-C	00-08-103
220- 57A-160	REP	00-16-091	222- 10-030	NEW-E	00-06-026	222- 22-040	AMD-C	00-08-103
220- 57A-165	REP-XA	00-11-179	222- 10-030	NEW-C	00-08-103	222- 22-050	AMD-C	00-08-103
220- 57A-165	REP	00-16-091	222- 10-035	NEW-E	00-06-026	222- 22-060	AMD-C	00-08-103
220- 57A-170	REP-XA	00-11-179	222- 12-010	AMD-E	00-06-026	222- 22-065	NEW-C	00-08-103
220- 57A-170	REP	00-16-091	222- 12-020	AMD-P	00-08-104	222- 22-070	AMD-E	00-06-026
220- 57A-175	REP-XA	00-11-179	222- 12-020	AMD-E	00-12-093	222- 22-070	AMD-C	00-08-103
220- 57A-175	REP	00-16-091	222- 12-041	NEW-E	00-06-026	222- 22-075	NEW-E	00-06-026
220- 57A-17500	NEW-E	00-14-050	222- 12-044	NEW-E	00-06-026	222- 22-075	NEW-C	00-08-103
220- 57A-17500	REP-E	00-14-050	222- 12-044	NEW-C	00-08-103	222- 22-076	NEW-E	00-06-026
220- 57A-17500	REP-E	00-14-060	222- 12-045	AMD-E	00-06-026	222- 22-076	NEW-C	00-08-103
220- 57A-17500	NEW-E	00-14-060	222- 12-045	AMD-C	00-08-103	222- 22-080	AMD-E	00-06-026
220- 57A-17500	REP-E	00-14-060	222- 12-090	AMD-E	00-06-026	222- 22-090	AMD-E	00-06-026
220- 57A-17500	REP-E	00-15-034	222- 12-090	AMD-C	00-08-103	222- 22-090	AMD-C	00-08-103
220- 57A-17500	NEW-E	00-15-034	222- 12-090	AMD-P	00-08-104	222- 22-090	AMD-C	00-08-103
220- 57A-17500	REP-E	00-15-034	222- 12-090	AMD-E	00-12-093	222- 24-010	AMD-E	00-06-026
220- 57A-180	REP-XA	00-11-179	222- 16-010	AMD-E	00-06-026	222- 24-010	AMD-C	00-08-103
220- 57A-180	REP	00-16-091	222- 16-010	AMD-C	00-08-103	222- 24-015	NEW-E	00-06-026
220- 57A-183	REP-XA	00-11-179	222- 16-030	AMD-E	00-06-026	222- 24-020	AMD-E	00-06-026
220- 57A-183	REP	00-16-091	222- 16-030	AMD-C	00-08-103	222- 24-020	AMD-C	00-08-103
220- 57A-185	REP-XA	00-11-179	222- 16-035	AMD-E	00-06-026	222- 24-025	REP-E	00-06-026
220- 57A-185	REP	00-16-091	222- 16-035	AMD-E	00-06-026	222- 24-026	NEW-E	00-06-026
220- 57A-190	REP-XA	00-11-179	222- 16-036	NEW-E	00-06-026	222- 24-026	NEW-E	00-06-026
220- 57A-190	REP	00-16-091	222- 16-050	AMD-E	00-06-026	222- 24-030	AMD-E	00-06-026
220- 69-236	AMD-P	00-06-084	222- 16-050	AMD-E	00-06-026	222- 24-030	AMD-C	00-08-103
220- 69-236	AMD	00-11-178	222- 16-050	AMD-C	00-08-103	222- 24-035	AMD-E	00-06-026
220- 69-24000P	NEW-E	00-10-051	222- 16-080	AMD-E	00-06-026	222- 24-035	AMD-C	00-08-103
220- 69-24000P	REP-E	00-12-015	222- 20-010	AMD-E	00-06-026	222- 24-040	AMD-E	00-06-026
220- 69-24000Q	NEW-E	00-12-015	222- 20-010	AMD-C	00-08-103	222- 24-040	AMD-C	00-08-103
220- 69-24000R	NEW-E	00-13-054	222- 20-015	NEW-E	00-06-026	222- 24-050	AMD-E	00-06-026
220- 77-090	NEW-P	00-14-008	222- 20-015	NEW-C	00-08-103	222- 24-050	AMD-C	00-08-103
220- 77-090	NEW	00-17-146	222- 20-020	AMD-E	00-06-026	222- 24-051	NEW-E	00-06-026
220- 88B-030	AMD-P	00-13-082	222- 20-020	AMD-C	00-08-103	222- 24-052	NEW-E	00-06-026
			222- 20-055	NEW-E	00-06-026	222- 24-060	AMD-E	00-06-026
			222- 20-070	AMD-C	00-08-103	222- 24-060	AMD-C	00-08-103



**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
222- 30-010	AMD-E	00-06-026	230- 04-124	AMD-P	00-11-114	230- 25-100	AMD	00-15-048
222- 30-010	AMD-C	00-08-103	230- 04-124	AMD	00-15-039	230- 25-110	AMD-P	00-12-097
222- 30-020	AMD-E	00-06-026	230- 04-140	AMD-P	00-05-101	230- 25-110	AMD	00-15-048
222- 30-020	AMD-C	00-08-103	230- 04-140	AMD	00-09-052	230- 25-120	AMD-P	00-12-097
222- 30-021	NEW-E	00-06-026	230- 04-142	REP-P	00-05-101	230- 25-120	AMD	00-15-048
222- 30-022	NEW-E	00-06-026	230- 04-203	AMD-P	00-05-101	230- 25-150	AMD-P	00-12-097
222- 30-023	NEW-E	00-06-026	230- 04-203	AMD-P	00-11-114	230- 25-150	AMD	00-15-048
222- 30-040	AMD-E	00-06-026	230- 04-203	AMD	00-15-039	230- 25-200	AMD-P	00-12-097
222- 30-045	NEW-E	00-06-026	230- 04-204	AMD-P	00-05-101	230- 25-200	AMD	00-15-048
222- 30-060	AMD-E	00-06-026	230- 04-207	NEW-P	00-05-101	230- 25-220	AMD-P	00-12-097
222- 30-070	AMD-E	00-06-026	230- 04-207	NEW	00-09-052	230- 25-220	AMD	00-15-048
222- 30-070	AMD-C	00-08-103	230- 04-255	AMD-P	00-05-101	230- 25-310	AMD-P	00-12-097
222- 30-070	AMD-E	00-12-093	230- 04-255	AMD	00-09-052	230- 25-310	AMD	00-15-048
222- 38-010	AMD-E	00-06-026	230- 04-450	AMD-P	00-05-101	230- 25-315	AMD-P	00-12-097
222- 38-020	AMD-E	00-06-026	230- 04-450	AMD	00-09-052	230- 25-315	AMD	00-15-048
222- 38-020	AMD-C	00-08-103	230- 08-027	NEW-P	00-05-101	230- 25-325	NEW-P	00-12-097
222- 38-030	AMD-E	00-06-026	230- 08-027	NEW	00-09-052	230- 25-325	NEW	00-15-048
222- 38-030	AMD-C	00-08-103	230- 08-040	AMD-P	00-05-101	230- 30-212	REP-P	00-11-114
222- 38-040	AMD-E	00-06-026	230- 08-040	AMD	00-09-052	230- 30-212	REP	00-15-039
222- 46-012	NEW-E	00-06-026	230- 08-080	AMD-P	00-04-099	230- 30-213	REP-P	00-11-114
222- 46-055	NEW-C	00-08-103	230- 08-080	AMD	00-07-140	230- 30-213	REP	00-15-039
222- 46-060	AMD-E	00-06-026	230- 08-090	AMD-P	00-05-101	230- 40-010	AMD-P	00-05-101
222- 46-060	AMD-C	00-08-103	230- 08-090	AMD	00-09-052	230- 40-010	AMD	00-09-052
222- 46-065	AMD-C	00-08-103	230- 08-100	REP-P	00-04-099	230- 40-015	REP-P	00-05-101
222- 46-070	AMD-E	00-06-026	230- 08-100	REP	00-07-140	230- 40-015	REP	00-09-052
224- 12	PREP	00-11-181	230- 08-105	AMD-P	00-04-099	230- 40-030	AMD-P	00-05-101
224- 12-010	AMD-P	00-15-069	230- 08-105	AMD	00-07-140	230- 40-030	AMD	00-09-052
224- 12-030	AMD-P	00-15-069	230- 08-160	AMD-P	00-05-101	230- 40-040	NEW-P	00-05-101
224- 12-070	AMD-P	00-15-069	230- 08-160	AMD	00-09-052	230- 40-040	NEW	00-09-052
224- 12-080	AMD-P	00-15-069	230- 12-050	AMD-P	00-04-099	230- 40-050	AMD-P	00-05-101
230- 02-108	AMD-P	00-04-099	230- 12-050	AMD-P	00-05-101	230- 40-050	AMD	00-09-052
230- 02-108	AMD	00-07-140	230- 12-050	AMD	00-07-140	230- 40-055	AMD-P	00-07-139
230- 02-109	NEW-P	00-05-101	230- 12-050	AMD	00-09-052	230- 40-055	AMD	00-11-054
230- 02-109	NEW	00-09-052	230- 12-072	NEW-P	00-05-101	230- 40-060	REP-P	00-05-101
230- 02-110	AMD-P	00-05-101	230- 12-072	NEW	00-09-052	230- 40-060	REP	00-09-052
230- 02-110	AMD	00-09-052	230- 12-073	NEW-P	00-05-101	230- 40-070	AMD-P	00-05-101
230- 02-123	AMD-P	00-04-099	230- 12-073	NEW	00-09-052	230- 40-070	AMD	00-09-052
230- 02-123	AMD	00-07-140	230- 12-074	NEW-P	00-11-113	230- 40-120	AMD-P	00-05-101
230- 02-183	AMD-P	00-04-099	230- 12-074	NEW	00-15-038	230- 40-120	AMD	00-09-052
230- 02-183	AMD	00-07-140	230- 12-078	AMD-P	00-04-099	230- 40-125	REP-P	00-05-101
230- 02-205	AMD	00-05-102	230- 12-078	AMD	00-07-140	230- 40-125	AMD	00-09-052
230- 02-206	AMD	00-05-102	230- 12-310	AMD-P	00-05-103	230- 40-125	AMD	00-09-087
230- 02-380	AMD-W	00-02-067	230- 12-310	AMD	00-09-051	230- 40-130	AMD-P	00-05-101
230- 02-400	REP-P	00-05-101	230- 12-335	NEW-P	00-11-114	230- 40-130	AMD	00-09-052
230- 02-400	REP	00-09-052	230- 12-335	NEW	00-15-039	230- 40-150	REP-P	00-05-101
230- 02-412	NEW-P	00-11-114	230- 20-110	REP-P	00-04-099	230- 40-150	REP	00-09-052
230- 02-412	NEW	00-15-039	230- 20-110	REP	00-07-140	230- 40-160	REP-P	00-05-101
230- 02-415	AMD-P	00-05-101	230- 20-120	REP-P	00-04-099	230- 40-160	REP	00-09-052
230- 02-415	AMD	00-09-052	230- 20-120	REP	00-07-140	230- 40-200	AMD-P	00-05-101
230- 02-425	REP-P	00-05-101	230- 20-220	AMD-P	00-04-099	230- 40-200	AMD	00-09-052
230- 02-425	REP	00-09-052	230- 20-220	AMD	00-07-140	230- 40-225	AMD-P	00-05-101
230- 02-504	NEW-P	00-12-097	230- 20-243	AMD-P	00-04-099	230- 40-225	AMD	00-09-052
230- 02-504	NEW	00-15-048	230- 20-243	AMD	00-07-140	230- 40-400	AMD-P	00-05-101
230- 04-022	AMD-P	00-05-101	230- 20-244	AMD-P	00-04-099	230- 40-400	AMD	00-09-052
230- 04-022	AMD	00-09-052	230- 20-244	AMD	00-07-140	230- 40-550	NEW-P	00-05-101
230- 04-110	AMD-P	00-11-114	230- 25-030	AMD-P	00-12-097	230- 40-550	NEW	00-09-052
230- 04-110	AMD	00-15-039	230- 25-030	AMD	00-15-048	230- 40-552	NEW-P	00-05-101
230- 04-115	AMD-P	00-11-114	230- 25-040	AMD-P	00-12-097	230- 40-552	NEW	00-09-052
230- 04-115	AMD	00-15-039	230- 25-040	AMD	00-15-048	230- 40-554	NEW-P	00-05-101
230- 04-119	AMD	00-05-102	230- 25-070	AMD-P	00-12-097	230- 40-554	NEW	00-09-052
230- 04-120	AMD-P	00-11-114	230- 25-070	AMD	00-15-048	230- 40-556	NEW-P	00-05-101
230- 04-120	AMD	00-15-039	230- 25-100	AMD-P	00-12-097	230- 40-556	NEW	00-09-052

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
230-40-558	NEW-P	00-05-101	230-46-020	AMD-W	00-07-070	232-28-262	REP	00-04-017
230-40-558	NEW	00-09-052	230-46-035	NEW-W	00-07-070	232-28-263	REP	00-04-017
230-40-560	NEW-P	00-05-101	230-50-010	AMD-P	00-05-101	232-28-264	REP-P	00-14-080
230-40-560	NEW	00-09-052	230-50-010	AMD	00-09-052	232-28-266	AMD-P	00-06-096
230-40-562	NEW-P	00-05-101	232-12-001	AMD-XA	00-11-179	232-28-266	AMD	00-11-137
230-40-562	NEW	00-09-052	232-12-001	AMD	00-16-091	232-28-269	REP	00-04-017
230-40-600	NEW-P	00-05-101	232-12-011	AMD	00-04-017	232-28-270	REP	00-04-017
230-40-600	NEW	00-09-052	232-12-011	AMD-P	00-06-083	232-28-271	AMD	00-04-017
230-40-610	NEW-P	00-05-101	232-12-011	AMD-P	00-06-100	232-28-272	AMD-P	00-06-099
230-40-610	NEW	00-09-052	232-12-011	AMD-W	00-07-019	232-28-272	AMD	00-11-137
230-40-615	NEW-P	00-05-101	232-12-011	AMD	00-10-001	232-28-272	AMD-P	00-16-154
230-40-615	NEW	00-09-052	232-12-011	AMD-P	00-14-022	232-28-273	AMD-P	00-06-092
230-40-800	NEW-P	00-05-101	232-12-011	AMD	00-17-106	232-28-273	AMD	00-11-137
230-40-800	NEW	00-09-052	232-12-01100A	NEW-E	00-10-069	232-28-274	REP-P	00-14-080
230-40-803	NEW-P	00-05-101	232-12-014	AMD	00-04-017	232-28-275	AMD	00-04-017
230-40-803	NEW	00-09-052	232-12-018	REP	00-08-038	232-28-276	NEW-P	00-06-086
230-40-805	NEW-P	00-05-101	232-12-047	AMD-P	00-06-088	232-28-276	NEW	00-11-137
230-40-805	NEW	00-09-052	232-12-047	AMD	00-11-137	232-28-27600A	NEW-E	00-16-009
230-40-810	NEW-P	00-05-101	232-12-051	AMD-P	00-06-089	232-28-277	NEW	00-04-017
230-40-810	NEW	00-09-052	232-12-051	AMD	00-11-137	232-28-278	NEW-P	00-06-087
230-40-815	NEW-P	00-05-101	232-12-054	AMD-P	00-06-090	232-28-278	NEW	00-11-137
230-40-815	NEW	00-09-052	232-12-054	AMD	00-11-137	232-28-27800A	NEW-E	00-16-062
230-40-820	NEW-P	00-05-101	232-12-068	AMD-P	00-06-091	232-28-279	NEW-P	00-06-085
230-40-820	NEW	00-09-052	232-12-068	AMD	00-11-137	232-28-279	NEW	00-11-137
230-40-823	NEW-P	00-05-101	232-12-106	NEW-P	00-14-083	232-28-423	REP-P	00-14-082
230-40-823	NEW	00-09-052	232-12-141	AMD-P	00-14-081	232-28-424	NEW-P	00-14-082
230-40-825	NEW-P	00-05-101	232-12-161	REP-XR	00-08-027	232-28-515	AMD-P	00-14-081
230-40-825	NEW	00-09-052	232-12-161	REP	00-13-090	232-28-619	AMD	00-08-038
230-40-830	NEW-P	00-05-101	232-12-168	AMD	00-08-038	232-28-619	AMD-XA	00-11-179
230-40-830	NEW	00-09-052	232-12-18700A	NEW-E	00-16-060	232-28-619	AMD	00-16-091
230-40-833	NEW-P	00-05-101	232-12-257	AMD-W	00-02-066	232-28-61900D	NEW-E	00-03-041
230-40-833	NEW	00-09-052	232-12-257	AMD-P	00-06-094	232-28-61900D	REP-E	00-03-041
230-40-835	NEW-P	00-05-101	232-12-257	AMD	00-11-137	232-28-61900D	REP-E	00-03-055
230-40-835	NEW	00-09-052	232-12-31500G	NEW-E	00-04-014	232-28-61900E	NEW-E	00-03-055
230-40-840	NEW-P	00-05-101	232-12-619	AMD	00-08-038	232-28-61900E	REP-E	00-03-055
230-40-840	NEW	00-09-052	232-12-619	AMD-XA	00-11-179	232-28-61900E	REP-E	00-05-085
230-40-845	NEW-P	00-05-101	232-12-619	AMD	00-16-091	232-28-61900F	NEW-E	00-05-085
230-40-845	NEW	00-09-052	232-12-61900L	NEW-E	00-10-068	232-28-61900F	REP-E	00-05-085
230-40-850	NEW-P	00-05-101	232-12-61900L	REP-E	00-16-067	232-28-61900G	NEW-E	00-06-008
230-40-850	NEW	00-09-052	232-12-61900	NEW-E	00-11-002	232-28-61900H	NEW-E	00-07-001
230-40-855	NEW-P	00-05-101	232-12-61900	REP-E	00-11-002	232-28-61900I	NEW-E	00-07-073
230-40-855	NEW	00-09-052	232-12-61900N	NEW-E	00-16-067	232-28-61900I	REP-E	00-07-073
230-40-860	NEW-P	00-05-101	232-12-61900N	REP-E	00-17-049	232-28-61900J	NEW-E	00-08-006
230-40-860	NEW	00-09-052	232-12-61900P	NEW-E	00-17-049	232-28-61900J	REP-E	00-11-007
230-40-865	NEW-P	00-05-101	232-16-700	AMD-P	00-06-093	232-28-61900K	NEW-E	00-08-001
230-40-865	NEW	00-09-052	232-16-700	AMD	00-11-137	232-28-61900K	REP-E	00-08-001
230-40-870	NEW-P	00-05-101	232-28-02201	AMD	00-04-017	232-28-61900L	NEW-E	00-12-041
230-40-870	NEW	00-09-052	232-28-02202	AMD	00-04-017	232-28-61900L	REP-E	00-12-041
230-40-875	NEW-P	00-05-101	232-28-02202	AMD-P	00-06-097	232-28-61900	NEW-E	00-13-089
230-40-875	NEW	00-09-052	232-28-02202	AMD	00-11-137	232-28-61900	REP-E	00-13-089
230-40-880	NEW-P	00-05-101	232-28-02203	AMD	00-04-017	232-28-61900N	NEW-E	00-14-050
230-40-880	NEW	00-09-052	232-28-02204	AMD	00-04-017	232-28-61900N	REP-E	00-14-050
230-40-885	NEW-P	00-05-101	232-28-02205	AMD	00-04-017	232-28-61900N	REP-E	00-15-034
230-40-885	NEW	00-09-052	232-28-02206	AMD	00-04-017	232-28-61900P	NEW-E	00-15-031
230-40-890	NEW-P	00-05-101	232-28-02220	AMD	00-04-017	232-28-61900P	REP-E	00-15-031
230-40-890	NEW	00-09-052	232-28-02240	AMD	00-04-017	232-28-61900Q	NEW-E	00-16-026
230-40-895	NEW-P	00-05-101	232-28-24102	REP	00-04-017	232-28-61900Q	REP-E	00-16-026
230-40-895	NEW	00-09-052	232-28-248	AMD-P	00-06-095	232-28-61900S	NEW-E	00-16-059
230-40-897	NEW-P	00-05-101	232-28-248	AMD	00-11-137	232-28-61900S	REP-E	00-16-059
230-40-897	NEW	00-09-052	232-28-255	REP	00-04-017	232-28-620	RECOD-X	00-11-179
230-40-900	REP-P	00-05-101	232-28-26000A	NEW-E	00-03-025	232-28-620	RECOD	00-16-091
230-40-900	REP	00-09-052	232-28-261	REP	00-04-017	232-28-621	RECOD-X	00-11-179

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232- 28-621	RECOD	00-16-091	246-100-217	REP-P	00-12-101	246-130-080	NEW-P	00-14-063
236- 18-040	AMD	00-06-052	246-100-218	REP-P	00-12-101	246-130-090	NEW-P	00-14-063
236- 18-070	AMD	00-06-052	246-100-231	REP-P	00-12-101	246-220-007	AMD-P	00-04-088
236- 18-080	AMD	00-06-052	246-100-236	REP-P	00-12-101	246-220-007	AMD	00-08-013
236- 70-040	AMD	00-08-040	246-100-241	REP-P	00-12-101	246-220-010	AMD-P	00-04-088
236- 70-050	AMD	00-08-040	246-101-001	NEW-P	00-12-101	246-220-010	AMD	00-08-013
236- 70-060	AMD	00-08-040	246-101-005	NEW-P	00-12-101	246-221-020	AMD-P	00-04-088
236- 70-080	AMD	00-08-040	246-101-010	NEW-P	00-12-101	246-221-020	AMD	00-08-013
236-200-010	RECOD	00-08-039	246-101-015	NEW-P	00-12-101	246-221-270	AMD	00-07-085
236-200-020	RECOD	00-08-039	246-101-101	NEW-P	00-12-101	246-232-060	AMD	00-07-085
236-200-030	RECOD	00-08-039	246-101-105	NEW-P	00-12-101	246-235-075	AMD	00-07-085
236-200-040	RECOD	00-08-039	246-101-110	NEW-P	00-12-101	246-235-080	AMD-P	00-04-088
236-200-050	RECOD	00-08-039	246-101-115	NEW-P	00-12-101	246-235-080	AMD	00-08-013
236-200-060	RECOD	00-08-039	246-101-120	NEW-P	00-12-101	246-235-084	NEW-P	00-04-088
242- 02-052	AMD-P	00-05-021	246-101-201	NEW-P	00-12-101	246-235-084	NEW	00-08-013
242- 02-052	AMD	00-09-094	246-101-205	NEW-P	00-12-101	246-235-086	NEW-P	00-04-088
242- 02-255	NEW-P	00-05-021	246-101-210	NEW-P	00-12-101	246-235-086	NEW	00-08-013
242- 02-255	NEW	00-09-094	246-101-215	NEW-P	00-12-101	246-235-090	AMD-P	00-04-088
242- 02-522	AMD-P	00-05-021	246-101-220	NEW-P	00-12-101	246-235-090	AMD	00-08-013
242- 02-522	AMD	00-09-094	246-101-225	NEW-P	00-12-101	246-243-020	AMD-P	00-04-088
242- 02-832	AMD-P	00-05-021	246-101-230	NEW-P	00-12-101	246-243-020	AMD	00-08-013
242- 02-832	AMD	00-09-094	246-101-301	NEW-P	00-12-101	246-243-030	AMD-P	00-04-088
242- 02-834	AMD-P	00-05-021	246-101-305	NEW-P	00-12-101	246-243-030	AMD	00-08-013
242- 02-834	AMD	00-09-094	246-101-310	NEW-P	00-12-101	246-243-042	NEW-P	00-04-088
242- 04-030	AMD-P	00-05-021	246-101-315	NEW-P	00-12-101	246-243-042	NEW	00-08-013
242- 04-030	AMD	00-09-094	246-101-320	NEW-P	00-12-101	246-243-044	NEW-P	00-04-088
242- 04-050	AMD-P	00-05-021	246-101-401	NEW-P	00-12-101	246-243-044	NEW	00-08-013
242- 04-050	AMD	00-09-094	246-101-405	NEW-P	00-12-101	246-243-047	NEW-P	00-04-088
246- 14-010	NEW	00-10-114	246-101-410	NEW-P	00-12-101	246-243-047	NEW	00-08-013
246- 14-020	NEW	00-10-114	246-101-415	NEW-P	00-12-101	246-243-050	AMD-P	00-04-088
246- 14-030	NEW	00-10-114	246-101-420	NEW-P	00-12-101	246-243-050	AMD	00-08-013
246- 14-040	NEW	00-10-114	246-101-425	NEW-P	00-12-101	246-243-060	AMD-P	00-04-088
246- 14-050	NEW	00-10-114	246-101-501	NEW-P	00-12-101	246-243-060	AMD	00-08-013
246- 14-060	NEW	00-10-114	246-101-505	NEW-P	00-12-101	246-243-080	AMD-P	00-04-088
246- 14-070	NEW	00-10-114	246-101-510	NEW-P	00-12-101	246-243-080	AMD	00-08-013
246- 14-080	NEW	00-10-114	246-101-515	NEW-P	00-12-101	246-243-090	AMD-P	00-04-088
246- 14-090	NEW	00-10-114	246-101-520	NEW-P	00-12-101	246-243-090	AMD	00-08-013
246- 14-100	NEW	00-10-114	246-101-525	NEW-P	00-12-101	246-243-100	AMD-P	00-04-088
246- 14-110	NEW	00-10-114	246-101-601	NEW-P	00-12-101	246-243-100	AMD	00-08-013
246- 14-120	NEW	00-10-114	246-101-605	NEW-P	00-12-101	246-243-110	AMD-P	00-04-088
246- 25-990	PREP-W	00-16-104	246-101-610	NEW-P	00-12-101	246-243-110	AMD	00-08-013
246-100-011	AMD-P	00-12-101	246-101-615	NEW-P	00-12-101	246-243-120	AMD-P	00-04-088
246-100-016	REP-P	00-12-101	246-101-620	NEW-P	00-12-101	246-243-120	AMD	00-08-013
246-100-021	AMD-P	00-12-101	246-101-625	NEW-P	00-12-101	246-243-130	AMD-P	00-04-088
246-100-026	REP-P	00-12-101	246-101-630	NEW-P	00-12-101	246-243-130	AMD	00-08-013
246-100-031	REP-P	00-12-101	246-101-635	NEW-P	00-12-101	246-243-140	AMD-P	00-04-088
246-100-036	AMD-P	00-12-101	246-101-640	NEW-P	00-12-101	246-243-140	AMD	00-08-013
246-100-041	REP-P	00-12-101	246-101-701	NEW-P	00-12-101	246-243-141	NEW-P	00-04-088
246-100-042	REP-P	00-12-101	246-101-705	NEW-P	00-12-101	246-243-141	NEW	00-08-013
246-100-043	REP-P	00-12-101	246-101-710	NEW-P	00-12-101	246-243-150	AMD-P	00-04-088
246-100-046	REP-P	00-12-101	246-101-715	NEW-P	00-12-101	246-243-150	AMD	00-08-013
246-100-071	REP-P	00-12-101	246-101-720	NEW-P	00-12-101	246-243-160	AMD-P	00-04-088
246-100-076	REP-P	00-12-101	246-101-725	NEW-P	00-12-101	246-243-160	AMD	00-08-013
246-100-081	REP-P	00-12-101	246-101-730	NEW-P	00-12-101	246-243-170	AMD-P	00-04-088
246-100-086	REP-P	00-12-101	246-130-001	AMD-P	00-14-063	246-243-170	AMD	00-08-013
246-100-091	REP-P	00-12-101	246-130-010	AMD-P	00-14-063	246-243-180	AMD-P	00-04-088
246-100-171	REP-P	00-12-101	246-130-020	AMD-P	00-14-063	246-243-180	AMD	00-08-013
246-100-176	REP-P	00-12-101	246-130-028	NEW-P	00-14-063	246-243-190	AMD-P	00-04-088
246-100-181	REP-P	00-12-101	246-130-030	AMD-P	00-14-063	246-243-190	AMD	00-08-013
246-100-196	REP-P	00-12-101	246-130-040	AMD-P	00-14-063	246-243-195	AMD-P	00-04-088
246-100-201	AMD-P	00-12-101	246-130-060	AMD-P	00-14-063	246-243-195	AMD	00-08-013
246-100-216	REP-P	00-12-101	246-130-070	REP-P	00-14-063	246-243-200	AMD-P	00-04-088

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246-243-200	AMD	00-08-013	246-338-024	NEW	00-06-079	246-361-055	NEW	00-06-082
246-243-203	NEW-P	00-04-088	246-338-026	NEW-P	00-03-073	246-361-065	NEW	00-06-082
246-243-203	NEW	00-08-013	246-338-026	NEW	00-06-079	246-361-070	NEW	00-06-082
246-243-210	REP-P	00-04-088	246-338-028	NEW-P	00-03-073	246-361-075	NEW	00-06-082
246-243-210	REP	00-08-013	246-338-028	NEW	00-06-079	246-361-080	NEW	00-06-082
246-243-220	AMD-P	00-04-088	246-338-030	REP-P	00-03-073	246-361-090	NEW	00-06-082
246-243-220	AMD	00-08-013	246-338-030	REP	00-06-079	246-361-095	NEW	00-06-082
246-243-230	AMD-P	00-04-088	246-338-040	AMD-P	00-03-073	246-361-100	NEW	00-06-082
246-243-230	AMD	00-08-013	246-338-040	AMD	00-06-079	246-361-125	NEW	00-06-082
246-243-250	NEW-P	00-04-088	246-338-050	AMD-P	00-03-073	246-361-135	NEW	00-06-082
246-243-250	NEW	00-08-013	246-338-050	AMD	00-06-079	246-361-145	NEW	00-06-082
246-246	PREP-W	00-16-105	246-338-060	AMD-P	00-03-073	246-361-155	NEW	00-06-082
246-246-001	NEW	00-07-085	246-338-060	AMD	00-06-079	246-361-165	NEW	00-06-082
246-246-010	NEW	00-07-085	246-338-070	AMD-P	00-03-073	246-361-175	NEW	00-06-082
246-246-020	NEW	00-07-085	246-338-070	AMD	00-06-079	246-361-990	NEW	00-06-082
246-246-030	NEW	00-07-085	246-338-080	AMD-P	00-03-073	246-420-001	REP-P	00-12-101
246-246-040	NEW	00-07-085	246-338-080	AMD	00-06-079	246-420-010	REP-P	00-12-101
246-246-050	NEW	00-07-085	246-338-090	AMD-P	00-03-073	246-420-020	REP-P	00-12-101
246-246-060	NEW	00-07-085	246-338-090	AMD	00-06-079	246-420-030	REP-P	00-12-101
246-252-001	AMD-P	00-04-088	246-338-100	AMD-P	00-03-073	246-420-040	REP-P	00-12-101
246-252-001	AMD	00-08-013	246-338-100	AMD	00-06-079	246-420-050	REP-P	00-12-101
246-252-030	AMD-P	00-04-088	246-338-110	AMD-P	00-03-073	246-420-060	REP-P	00-12-101
246-252-030	AMD	00-08-013	246-338-110	AMD	00-06-079	246-490-010	NEW-P	00-05-098
246-254-150	AMD-P	00-04-088	246-358-001	AMD	00-06-082	246-490-010	NEW	00-11-169
246-254-150	AMD	00-08-013	246-358-010	AMD	00-06-082	246-490-020	NEW-P	00-05-098
246-290-72001	NEW-P	00-11-164	246-358-020	REP	00-06-082	246-490-020	NEW	00-11-169
246-290-72001	NEW	00-15-080	246-358-025	AMD	00-06-082	246-490-030	NEW-P	00-05-098
246-290-72002	NEW-P	00-11-164	246-358-027	NEW	00-06-082	246-490-030	NEW	00-11-169
246-290-72002	NEW	00-15-080	246-358-029	NEW	00-06-082	246-490-055	NEW-P	00-05-098
246-290-72003	NEW-P	00-11-164	246-358-030	REP	00-06-082	246-490-055	NEW	00-11-169
246-290-72003	NEW	00-15-080	246-358-040	NEW	00-06-082	246-490-065	NEW-P	00-05-098
246-290-72004	NEW-P	00-11-164	246-358-045	AMD	00-06-082	246-490-065	NEW	00-11-169
246-290-72004	NEW	00-15-080	246-358-055	AMD	00-06-082	246-490-070	NEW-P	00-05-098
246-290-72005	NEW-P	00-11-164	246-358-065	AMD	00-06-082	246-490-070	NEW	00-11-169
246-290-72005	NEW	00-15-080	246-358-070	NEW	00-06-082	246-562-010	AMD-P	00-11-165
246-290-72006	NEW-P	00-11-164	246-358-075	AMD	00-06-082	246-562-010	AMD	00-15-082
246-290-72006	NEW	00-15-080	246-358-090	AMD	00-06-082	246-562-020	AMD-P	00-11-165
246-290-72007	NEW-P	00-11-164	246-358-095	AMD	00-06-082	246-562-020	AMD	00-15-082
246-290-72007	NEW	00-15-080	246-358-100	AMD	00-06-082	246-562-060	AMD-P	00-11-165
246-290-72008	NEW-P	00-11-164	246-358-125	AMD	00-06-082	246-562-060	AMD	00-15-082
246-290-72008	NEW	00-15-080	246-358-135	AMD	00-06-082	246-562-080	AMD-P	00-11-165
246-290-72009	NEW-P	00-11-164	246-358-140	REP	00-06-082	246-562-080	AMD	00-15-082
246-290-72009	NEW	00-15-080	246-358-145	AMD	00-06-082	246-562-110	AMD-P	00-11-165
246-290-72010	NEW-P	00-11-164	246-358-155	AMD	00-06-082	246-562-110	AMD	00-15-082
246-290-72010	NEW	00-15-080	246-358-165	AMD	00-06-082	246-562-120	AMD-P	00-11-165
246-290-72011	NEW-P	00-11-164	246-358-175	AMD	00-06-082	246-562-120	AMD	00-15-082
246-290-72011	NEW	00-15-080	246-358-600	REP	00-06-082	246-562-140	AMD-P	00-11-165
246-290-72012	NEW-P	00-11-164	246-358-610	REP	00-06-082	246-562-140	AMD	00-15-082
246-290-72012	NEW	00-15-080	246-358-620	REP	00-06-082	246-562-150	AMD-P	00-11-165
246-292	PREP	00-10-112	246-358-630	REP	00-06-082	246-562-150	AMD	00-15-082
246-323	PREP	00-05-097	246-358-640	REP	00-06-082	246-562-160	NEW-P	00-11-165
246-325	PREP	00-05-097	246-358-650	REP	00-06-082	246-562-160	NEW	00-15-082
246-326	PREP	00-05-097	246-358-660	REP	00-06-082	246-780-001	AMD-P	00-03-074
246-338-001	AMD-P	00-03-073	246-358-670	REP	00-06-082	246-780-001	AMD	00-07-129
246-338-001	AMD	00-06-079	246-358-680	REP	00-06-082	246-780-010	AMD-P	00-03-074
246-338-010	AMD-P	00-03-073	246-361-001	NEW	00-06-082	246-780-010	AMD	00-07-129
246-338-010	AMD	00-06-079	246-361-010	NEW	00-06-082	246-780-020	AMD-P	00-03-074
246-338-020	AMD-P	00-03-073	246-361-020	NEW	00-06-082	246-780-020	AMD	00-07-129
246-338-020	AMD	00-06-079	246-361-025	NEW	00-06-082	246-780-022	NEW-P	00-03-074
246-338-022	NEW-P	00-03-073	246-361-030	NEW	00-06-082	246-780-022	NEW	00-07-129
246-338-022	NEW	00-06-079	246-361-035	NEW	00-06-082	246-780-025	NEW-P	00-03-074
246-338-024	NEW-P	00-03-073	246-361-045	NEW	00-06-082	246-780-025	NEW	00-07-129

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246-780-028	NEW	00-07-129	246-830-485	NEW	00-07-086	246-886-025	NEW-E	00-11-168
246-780-030	AMD-P	00-03-074	246-840-299	NEW-P	00-16-107	246-887-100	AMD-P	00-17-178
246-780-030	AMD	00-07-129	246-840-300	AMD-P	00-16-107	246-887-160	AMD-P	00-06-080
246-780-040	AMD-P	00-03-074	246-840-305	AMD-P	00-16-107	246-887-160	AMD	00-10-113
246-780-040	AMD	00-07-129	246-840-310	AMD-P	00-16-107	246-901	AMD-P	00-08-101
246-780-050	REP-P	00-03-074	246-840-315	REP-P	00-16-107	246-901	AMD	00-15-081
246-780-050	REP	00-07-129	246-840-320	AMD-P	00-16-107	246-901-010	AMD-P	00-08-101
246-780-060	AMD-P	00-03-074	246-840-330	AMD-P	00-16-107	246-901-010	AMD	00-15-081
246-780-060	AMD	00-07-129	246-840-360	AMD-P	00-16-107	246-901-020	AMD-P	00-08-101
246-780-070	REP-P	00-03-074	246-840-410	AMD-P	00-16-107	246-901-020	AMD	00-15-081
246-780-070	REP	00-07-129	246-840-430	REP-P	00-16-107	246-901-030	AMD-P	00-08-101
246-790	AMD-P	00-07-084	246-840-440	REP-P	00-16-107	246-901-030	AMD	00-15-081
246-790	AMD	00-13-009	246-840-500	PREP	00-11-163	246-901-035	AMD-P	00-08-101
246-790-010	AMD-P	00-07-084	246-840-505	PREP	00-11-163	246-901-035	AMD	00-15-081
246-790-010	AMD	00-13-009	246-840-510	PREP	00-11-163	246-901-040	AMD-P	00-08-101
246-790-050	AMD-P	00-07-084	246-840-520	PREP	00-11-163	246-901-040	AMD	00-15-081
246-790-050	AMD	00-13-009	246-840-525	PREP	00-11-163	246-901-050	AMD-P	00-08-101
246-790-060	AMD-P	00-07-084	246-840-530	PREP	00-11-163	246-901-050	AMD	00-15-081
246-790-060	AMD	00-13-009	246-840-535	PREP	00-11-163	246-901-060	AMD-P	00-08-101
246-790-065	NEW-P	00-07-084	246-840-540	PREP	00-11-163	246-901-060	AMD	00-15-081
246-790-065	NEW	00-13-009	246-840-545	PREP	00-11-163	246-901-065	AMD-P	00-08-101
246-790-070	AMD-P	00-07-084	246-840-550	PREP	00-11-163	246-901-065	AMD	00-15-081
246-790-070	AMD	00-13-009	246-840-555	PREP	00-11-163	246-901-070	AMD-P	00-08-101
246-790-080	AMD-P	00-07-084	246-840-560	PREP	00-11-163	246-901-070	AMD	00-15-081
246-790-080	AMD	00-13-009	246-840-565	PREP	00-11-163	246-901-080	AMD-P	00-08-101
246-790-085	AMD-P	00-07-084	246-840-570	PREP	00-11-163	246-901-080	AMD	00-15-081
246-790-085	AMD	00-13-009	246-840-575	PREP	00-11-163	246-901-090	AMD-P	00-08-101
246-790-090	AMD-P	00-07-084	246-840-700	AMD-P	00-14-062	246-901-090	AMD	00-15-081
246-790-090	AMD	00-13-009	246-840-705	AMD-P	00-14-062	246-901-100	AMD-P	00-08-101
246-790-100	AMD-P	00-07-084	246-840-710	AMD-P	00-14-062	246-901-100	AMD	00-15-081
246-790-100	AMD	00-13-009	246-840-715	REP-P	00-14-062	246-901-110	REP-P	00-08-101
246-790-120	AMD-P	00-07-084	246-840-830	AMD-P	00-11-166	246-901-110	REP	00-15-081
246-790-120	AMD	00-13-009	246-840-830	AMD	00-17-179	246-901-120	AMD-P	00-08-101
246-790-130	AMD-P	00-07-084	246-840-910	PREP	00-11-158	246-901-120	AMD	00-15-081
246-790-130	AMD	00-13-009	246-840-920	PREP	00-11-158	246-901-130	AMD-P	00-08-101
246-808-105	PREP	00-10-110	246-840-930	PREP	00-11-158	246-901-130	AMD	00-15-081
246-808-105	AMD-P	00-13-094	246-840-940	PREP	00-11-158	246-901-140	NEW-P	00-08-101
246-808-105	AMD	00-17-180	246-840-950	PREP	00-11-158	246-901-140	NEW	00-15-081
246-808-115	PREP	00-10-110	246-840-960	PREP	00-11-158	246-919-475	NEW-P	00-16-109
246-808-115	AMD-P	00-13-094	246-840-970	PREP	00-11-158	246-930-010	PREP	00-08-099
246-808-115	AMD	00-17-180	246-840-980	PREP	00-11-158	246-930-030	PREP	00-08-099
246-808-120	PREP	00-10-110	246-840-990	PREP-W	00-11-153	246-930-040	PREP	00-08-099
246-808-120	REP-P	00-13-094	246-841-400	PREP	00-03-072	246-930-200	PREP	00-08-099
246-808-120	REP	00-17-180	246-841-405	PREP	00-11-158	246-930-410	PREP	00-08-099
246-808-135	PREP	00-10-110	246-841-410	PREP	00-03-072	246-939	PREP	00-11-159
246-808-135	AMD-P	00-13-094	246-841-420	PREP	00-03-072	246-939-010	NEW-P	00-11-167
246-808-135	AMD	00-17-180	246-841-430	PREP	00-03-072	246-939-030	NEW-P	00-11-167
246-808-700	REP-XR	00-04-087	246-841-440	PREP	00-03-072	246-939-050	NEW-P	00-11-167
246-810-600	NEW	00-03-075A	246-841-450	PREP	00-03-072	246-976-001	AMD-P	00-03-075
246-810-610	NEW	00-03-075A	246-841-460	PREP	00-03-072	246-976-001	AMD	00-08-102
246-810-620	NEW	00-03-075A	246-841-470	PREP	00-03-072	246-976-010	AMD-P	00-03-075
246-810-630	NEW	00-03-075A	246-841-480	PREP	00-03-072	246-976-010	AMD	00-08-102
246-810-640	NEW	00-03-075A	246-841-490	PREP	00-03-072	246-976-020	REP-P	00-03-075
246-810-650	NEW	00-03-075A	246-841-500	PREP	00-03-072	246-976-020	REP	00-08-102
246-810-660	NEW	00-03-075A	246-841-510	PREP	00-03-072	246-976-021	NEW-P	00-03-075
246-811-090	NEW-P	00-08-100	246-843-072	REP-XR	00-15-078	246-976-021	NEW	00-08-102
246-811-090	NEW	00-12-102	246-843-074	REP-XR	00-15-078	246-976-025	REP-P	00-03-075
246-811-100	NEW-P	00-08-100	246-843-150	PREP	00-13-093	246-976-025	REP	00-08-102
246-811-100	NEW	00-12-102	246-843-180	PREP	00-13-093	246-976-030	REP-P	00-03-075
246-811-110	NEW-P	00-08-100	246-843-330	PREP	00-13-093	246-976-030	REP	00-08-102
246-811-110	NEW	00-12-102	246-869-220	AMD-P	00-16-108	246-976-031	NEW-P	00-03-075

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-976-031	NEW	00-08-102	246-976-200	REP	00-08-102	246-976-970	AMD	00-08-102
246-976-035	REP-P	00-03-075	246-976-210	REP-P	00-03-075	246-976-990	AMD-P	00-03-075
246-976-035	REP	00-08-102	246-976-210	REP	00-08-102	246-976-990	AMD	00-08-102
246-976-040	REP-P	00-03-075	246-976-220	REP-P	00-03-075	248-554-001	REP-P	00-17-160
246-976-040	REP	00-08-102	246-976-220	REP	00-08-102	248-554-005	REP-P	00-17-160
246-976-041	NEW-P	00-03-075	246-976-230	REP-P	00-03-075	248-554-010	REP-P	00-17-160
246-976-041	NEW	00-08-102	246-976-230	REP	00-08-102	248-554-015	REP-P	00-17-160
246-976-045	REP-P	00-03-075	246-976-240	REP-P	00-03-075	248-554-018	REP-P	00-17-160
246-976-045	REP	00-08-102	246-976-240	REP	00-08-102	248-554-020	REP-P	00-17-160
246-976-050	REP-P	00-03-075	246-976-260	AMD-P	00-03-075	248-554-030	REP-P	00-17-160
246-976-050	REP	00-08-102	246-976-260	AMD	00-08-102	250- 44	PREP	00-15-054
246-976-055	REP-P	00-03-075	246-976-270	AMD-P	00-03-075	250- 66-020	AMD	00-08-081
246-976-055	REP	00-08-102	246-976-270	AMD	00-08-102	250- 66-030	AMD	00-08-081
246-976-060	REP-P	00-03-075	246-976-280	REP-P	00-03-075	250- 66-040	AMD	00-08-081
246-976-060	REP	00-08-102	246-976-280	REP	00-08-102	250- 66-045	NEW	00-08-081
246-976-065	REP-P	00-03-075	246-976-290	AMD-P	00-03-075	250- 66-050	AMD	00-08-081
246-976-065	REP	00-08-102	246-976-290	AMD	00-08-102	250- 80-010	NEW	00-08-082
246-976-070	REP-P	00-03-075	246-976-300	AMD-P	00-03-075	250- 80-010	NEW-E	00-08-083
246-976-070	REP	00-08-102	246-976-300	AMD	00-08-102	250- 80-020	NEW	00-08-082
246-976-075	REP-P	00-03-075	246-976-310	AMD-P	00-03-075	250- 80-020	NEW-E	00-08-083
246-976-075	REP	00-08-102	246-976-310	AMD	00-08-102	250- 80-030	NEW	00-08-082
246-976-076	REP-P	00-03-075	246-976-320	AMD-P	00-03-075	250- 80-030	NEW-E	00-08-083
246-976-076	REP	00-08-102	246-976-320	AMD	00-08-102	250- 80-040	NEW	00-08-082
246-976-077	REP-P	00-03-075	246-976-320	PREP	00-10-111	250- 80-040	NEW-E	00-08-083
246-976-077	REP	00-08-102	246-976-320	AMD-P	00-17-181	250- 80-050	NEW	00-08-082
246-976-080	REP-P	00-03-075	246-976-330	AMD-P	00-03-075	250- 80-050	NEW-E	00-08-083
246-976-080	REP	00-08-102	246-976-330	AMD	00-08-102	250- 80-060	NEW	00-08-082
246-976-085	REP-P	00-03-075	246-976-340	AMD-P	00-03-075	250- 80-060	NEW-E	00-08-083
246-976-085	REP	00-08-102	246-976-340	AMD	00-08-102	250- 80-070	NEW	00-08-082
246-976-110	REP-P	00-03-075	246-976-350	REP-P	00-03-075	250- 80-070	NEW-E	00-08-083
246-976-110	REP	00-08-102	246-976-350	REP	00-08-102	250- 80-080	NEW	00-08-082
246-976-120	REP-P	00-03-075	246-976-370	REP-P	00-03-075	250- 80-080	NEW-E	00-08-083
246-976-120	REP	00-08-102	246-976-370	REP	00-08-102	250- 80-090	NEW	00-08-082
246-976-140	REP-P	00-03-075	246-976-390	AMD-P	00-03-075	250- 80-090	NEW-E	00-08-083
246-976-140	REP	00-08-102	246-976-390	AMD	00-08-102	250- 80-100	NEW	00-08-082
246-976-141	NEW-P	00-03-075	246-976-390	PREP	00-10-111	250- 80-100	NEW-E	00-08-083
246-976-141	NEW	00-08-102	246-976-390	AMD-P	00-17-181	250- 81-010	NEW-P	00-05-084
246-976-150	REP-P	00-03-075	246-976-400	AMD-P	00-03-075	250- 81-010	NEW	00-08-080
246-976-150	REP	00-08-102	246-976-400	AMD	00-08-102	250- 81-020	NEW-P	00-05-084
246-976-151	NEW-P	00-03-075	246-976-420	AMD-P	00-03-075	250- 81-020	NEW	00-08-080
246-976-151	NEW	00-08-102	246-976-420	AMD	00-08-102	250- 81-030	NEW-P	00-05-084
246-976-160	REP-P	00-03-075	246-976-430	AMD-P	00-03-075	250- 81-030	NEW	00-08-080
246-976-160	REP	00-08-102	246-976-430	AMD	00-08-102	250- 81-040	NEW-P	00-05-084
246-976-161	NEW-P	00-03-075	246-976-440	REP-P	00-03-075	250- 81-040	NEW	00-08-080
246-976-161	NEW	00-08-102	246-976-440	REP	00-08-102	250- 81-050	NEW-P	00-05-084
246-976-165	REP-P	00-03-075	246-976-450	REP-P	00-03-075	250- 81-050	NEW	00-08-080
246-976-165	REP	00-08-102	246-976-450	REP	00-08-102	250- 81-060	NEW-P	00-05-084
246-976-170	REP-P	00-03-075	246-976-890	AMD-P	00-03-075	250- 81-060	NEW	00-08-080
246-976-170	REP	00-08-102	246-976-890	AMD	00-08-102	251- 01-175	AMD-P	00-12-072
246-976-171	NEW-P	00-03-075	246-976-910	AMD-P	00-03-075	251- 01-175	AMD-C	00-16-003
246-976-171	NEW	00-08-102	246-976-910	AMD	00-08-102	251- 01-345	AMD-P	00-04-053
246-976-180	REP-P	00-03-075	246-976-920	AMD-P	00-03-075	251- 01-345	AMD-W	00-05-060
246-976-180	REP	00-08-102	246-976-920	AMD	00-08-102	251- 01-345	AMD-C	00-06-051
246-976-181	REP-P	00-03-075	246-976-930	AMD-P	00-03-075	251- 01-345	AMD	00-10-027
246-976-181	REP	00-08-102	246-976-930	AMD	00-08-102	251- 08-075	NEW-P	00-12-074
246-976-182	NEW-P	00-03-075	246-976-940	AMD-P	00-03-075	251- 08-075	NEW	00-16-004
246-976-182	NEW	00-08-102	246-976-940	AMD	00-08-102	251- 08-115	AMD-P	00-04-052
246-976-190	REP-P	00-03-075	246-976-950	AMD-P	00-03-075	251- 08-115	AMD-C	00-06-050
246-976-190	REP	00-08-102	246-976-950	AMD	00-08-102	251- 08-115	AMD	00-10-026
246-976-191	NEW-P	00-03-075	246-976-960	AMD-P	00-03-075	251- 09-080	AMD-P	00-04-052
246-976-191	NEW	00-08-102	246-976-960	AMD	00-08-102	251- 09-080	AMD-C	00-06-050
246-976-200	REP-P	00-03-075	246-976-970	AMD-P	00-03-075	251- 09-080	AMD	00-10-026

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
251- 17-150	AMD-P	00-12-072	263- 12-056	PREP	00-12-056	275- 30-060	DECOD-P	00-13-074
251- 17-150	AMD-C	00-16-003	263- 12-056	REP-P	00-17-144	275- 30-060	DECOD	00-17-046
251- 19-085	NEW-P	00-06-048	263- 12-057	PREP	00-12-056	275- 30-070	DECOD-P	00-13-074
251- 19-085	NEW	00-11-121	263- 12-057	REP-P	00-17-144	275- 30-070	DECOD	00-17-046
251- 20-020	AMD-P	00-04-053	263- 12-058	PREP	00-12-056	275- 33-020	DECOD	00-16-078
251- 20-020	AMD-W	00-05-060	263- 12-058	REP-P	00-17-144	275- 33-030	DECOD	00-16-078
251- 20-020	AMD-C	00-06-051	263- 12-059	PREP	00-12-056	275- 33-040	DECOD	00-16-078
251- 20-020	AMD	00-10-027	263- 12-059	REP-P	00-17-144	275- 33-050	DECOD	00-16-078
251- 20-030	AMD-P	00-04-053	263- 12-060	PREP	00-12-057	275- 33-060	DECOD	00-16-078
251- 20-030	AMD-W	00-05-060	263- 12-060	AMD-P	00-17-143	275- 35	PREP	00-03-028
251- 20-030	AMD-C	00-06-051	263- 12-090	PREP	00-12-058	275- 35-010	REP-P	00-12-103
251- 20-030	AMD	00-10-027	263- 12-090	AMD-P	00-17-143	275- 35-010	REP	00-16-032
251- 23-040	AMD-P	00-04-052	263- 12-093	PREP	00-12-059	275- 35-020	REP-P	00-12-103
251- 23-040	AMD-C	00-06-050	263- 12-093	AMD-P	00-17-143	275- 35-020	REP	00-16-032
251- 23-040	AMD	00-10-026	263- 12-095	PREP	00-12-060	275- 35-030	REP-P	00-12-103
260- 12-180	AMD-P	00-13-004	263- 12-095	AMD-P	00-17-143	275- 35-030	REP	00-16-032
260- 24-650	AMD-P	00-13-004	263- 12-097	PREP	00-12-061	275- 35-040	REP-P	00-12-103
260- 28-230	AMD	00-06-072	263- 12-097	NEW-P	00-17-142	275- 35-040	REP	00-16-032
260- 34-030	AMD-P	00-03-088	263- 12-100	PREP	00-12-062	275- 35-050	REP-P	00-12-103
260- 34-030	AMD	00-07-038	263- 12-100	AMD-P	00-17-143	275- 35-050	REP	00-16-032
260- 34-080	AMD-P	00-03-088	263- 12-115	PREP	00-12-063	275- 35-060	REP-P	00-12-103
260- 34-080	AMD	00-07-038	263- 12-115	AMD-P	00-17-143	275- 35-060	REP	00-16-032
260- 34-090	AMD-P	00-03-088	263- 12-120	PREP	00-12-064	275- 35-070	REP-P	00-12-103
260- 34-090	AMD	00-07-038	263- 12-120	AMD-P	00-17-143	275- 35-070	REP	00-16-032
260- 34-100	AMD-P	00-03-088	263- 12-130	PREP	00-12-065	275- 35-080	REP-P	00-12-103
260- 34-100	AMD	00-07-038	263- 12-130	REP-P	00-17-144	275- 35-080	REP	00-16-032
260- 34-140	AMD-P	00-03-088	263- 12-135	PREP	00-12-066	275- 35-100	REP-P	00-12-103
260- 34-140	AMD-W	00-07-037	263- 12-135	AMD-P	00-17-143	275- 35-100	REP	00-16-032
260- 34-150	AMD-P	00-03-088	263- 12-140	PREP	00-12-067	275- 37-010	REP-P	00-11-139
260- 34-150	AMD-W	00-07-037	263- 12-140	AMD-P	00-17-143	275- 37-020	REP-P	00-11-139
260- 40-100	AMD-P	00-03-089	263- 12-145	PREP	00-12-068	275- 37-030	REP-P	00-11-139
260- 40-100	AMD	00-07-039	263- 12-145	AMD-P	00-17-143	275- 46-010	DECOD-P	00-17-187
260- 44-070	AMD	00-06-071	275- 16-010	DECOD-P	00-17-157	275- 46-015	DECOD-P	00-17-187
260- 48-600	AMD	00-06-070	275- 16-015	AMD-P	00-17-157	275- 46-020	DECOD-P	00-17-187
260- 48-620	AMD	00-06-070	275- 16-015	DECOD-P	00-17-157	275- 46-030	DECOD-P	00-17-187
260- 52-010	AMD	00-06-069	275- 16-030	DECOD-P	00-17-157	275- 46-040	DECOD-P	00-17-187
260- 52-020	AMD-P	00-13-004	275- 16-035	AMD-P	00-17-157	275- 46-050	DECOD-P	00-17-187
260- 52-030	AMD	00-06-069	275- 16-035	DECOD-P	00-17-157	275- 46-060	AMD-P	00-17-187
260- 52-040	AMD	00-06-069	275- 16-045	AMD-P	00-17-157	275- 46-060	DECOD-P	00-17-187
260- 52-060	AMD-P	00-03-091	275- 16-045	DECOD-P	00-17-157	275- 46-065	DECOD-P	00-17-187
260- 52-060	AMD	00-07-041	275- 16-055	AMD-P	00-17-157	275- 46-070	AMD-P	00-17-187
260- 52-080	AMD-P	00-13-003	275- 16-055	DECOD-P	00-17-157	275- 46-070	DECOD-P	00-17-187
260- 70-700	AMD-P	00-03-092	275- 16-065	AMD-P	00-17-157	275- 46-080	AMD-P	00-17-187
260- 70-700	AMD	00-07-042	275- 16-065	DECOD-P	00-17-157	275- 46-080	DECOD-P	00-17-187
260- 72-020	AMD-P	00-13-005	275- 16-075	DECOD-P	00-17-157	275- 46-090	AMD-P	00-17-187
260- 75-020	NEW-P	00-03-090	275- 16-075	DECOD-P	00-17-157	275- 46-090	DECOD-P	00-17-187
260- 75-020	NEW	00-07-040	275- 16-085	AMD-P	00-17-157	275- 46-100	REP-P	00-17-187
260- 75-030	NEW-P	00-03-090	275- 16-085	DECOD-P	00-17-157	275- 47-010	DECOD-P	00-17-187
260- 75-030	NEW	00-07-040	275- 16-095	DECOD-P	00-17-157	275- 47-020	DECOD-P	00-17-187
260- 88-010	AMD-P	00-03-093	275- 16-105	DECOD-P	00-17-157	275- 47-030	AMD-P	00-17-187
260- 88-010	AMD	00-07-043	275- 20-010	DECOD	00-17-151	275- 47-030	DECOD-P	00-17-187
262- 01-140	NEW	00-06-030	275- 20-030	DECOD	00-17-151	275- 47-040	DECOD-P	00-17-187
263- 12-016	PREP	00-12-053	275- 20-035	DECOD	00-17-151	275- 47-040	DECOD-P	00-17-187
263- 12-016	AMD-P	00-17-143	275- 20-080	DECOD	00-17-151	275- 47-050	AMD-P	00-17-187
263- 12-020	PREP	00-12-054	275- 30-010	AMD-E	00-10-065	275- 47-050	DECOD-P	00-17-187
263- 12-020	AMD-P	00-17-143	275- 30-010	AMD-P	00-13-074	275- 54	PREP	00-08-048
263- 12-045	PREP	00-12-055	275- 30-010	DECOD-P	00-13-074	275- 55	PREP	00-08-048
263- 12-045	AMD-P	00-17-143	275- 30-010	AMD	00-17-046	275- 57	PREP	00-08-048
263- 12-050	PREP	00-12-056	275- 30-010	DECOD	00-17-046	275- 59-010	DECOD-P	00-17-156
263- 12-050	AMD-P	00-17-143	275- 30-030	DECOD-P	00-13-074	275- 59-020	AMD-P	00-17-156
263- 12-051	PREP	00-12-056	275- 30-030	DECOD	00-17-046	275- 59-020	DECOD-P	00-17-156
263- 12-051	REP-P	00-17-144	275- 30-040	DECOD-P	00-13-074	275- 59-030	AMD-P	00-17-156
			275- 30-040	DECOD	00-17-046	275- 59-030	DECOD-P	00-17-156

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
275- 59-041	DECOD-P	00-17-156	296- 17-501	AMD-P	00-07-138	296- 17-690	AMD-P	00-07-138
275- 59-050	DECOD-P	00-17-156	296- 17-501	AMD	00-14-052	296- 17-690	AMD	00-14-052
275- 59-060	AMD-P	00-17-156	296- 17-50601	AMD-P	00-07-138	296- 17-694	AMD-P	00-07-138
275- 59-060	DECOD-P	00-17-156	296- 17-50601	AMD	00-14-052	296- 17-694	AMD	00-14-052
275- 59-071	DECOD-P	00-17-156	296- 17-510	AMD-P	00-07-138	296- 17-695	AMD-P	00-07-138
275- 59-072	DECOD-P	00-17-156	296- 17-510	AMD	00-14-052	296- 17-695	AMD	00-14-052
275- 59-080	DECOD-P	00-17-156	296- 17-521	AMD-P	00-07-138	296- 17-712	AMD-P	00-07-138
275- 59-090	DECOD-P	00-17-156	296- 17-521	AMD	00-14-052	296- 17-712	AMD	00-14-052
275-110	PREP	00-12-034	296- 17-52102	AMD-P	00-07-138	296- 17-713	AMD-P	00-07-138
284- 02-070	AMD-E	00-08-011	296- 17-52102	AMD	00-14-052	296- 17-713	AMD	00-14-052
284- 30-600	AMD-P	00-13-113	296- 17-52106	AMD-P	00-07-138	296- 17-729	AMD-P	00-07-138
284- 30-610	AMD-P	00-13-113	296- 17-52106	AMD	00-14-052	296- 17-729	AMD	00-14-052
284- 43-120	AMD	00-04-034	296- 17-527	AMD-P	00-07-138	296- 17-740	AMD-P	00-07-138
284- 43-125	NEW	00-04-034	296- 17-527	AMD	00-14-052	296- 17-740	AMD	00-14-052
284- 43-130	AMD-P	00-16-125	296- 17-529	AMD-P	00-07-138	296- 17-748	AMD-P	00-07-138
284- 43-200	AMD	00-04-034	296- 17-529	AMD	00-14-052	296- 17-748	AMD	00-14-052
284- 43-210	AMD	00-04-034	296- 17-537	AMD-P	00-07-138	296- 17-749	AMD-P	00-07-138
284- 43-220	AMD	00-04-034	296- 17-537	AMD	00-14-052	296- 17-749	AMD	00-14-052
284- 43-250	AMD	00-04-034	296- 17-53803	AMD-P	00-07-138	296- 17-751	AMD-P	00-07-138
284- 43-710	AMD	00-04-034	296- 17-53803	AMD	00-14-052	296- 17-751	AMD	00-14-052
284- 43-710	AMD-E	00-08-011	296- 17-542	AMD-P	00-07-138	296- 17-779	AMD-P	00-07-138
284- 43-720	AMD	00-04-034	296- 17-542	AMD	00-14-052	296- 17-779	AMD	00-14-052
284- 43-720	AMD-E	00-08-011	296- 17-544	AMD-P	00-07-138	296- 17-855	AMD-P	00-07-138
284- 43-730	AMD-E	00-08-011	296- 17-544	AMD	00-14-052	296- 17-855	AMD	00-14-052
284- 43-815	NEW-P	00-16-125	296- 17-54401	AMD-P	00-07-138	296- 17-885	AMD-P	00-07-138
284- 43-915	AMD-E	00-08-011	296- 17-54401	AMD	00-14-052	296- 17-885	AMD	00-14-052
284- 43-930	AMD-E	00-08-011	296- 17-54403	NEW-P	00-07-138	296- 17-895	AMD-P	00-07-138
284- 43-945	AMD-E	00-08-011	296- 17-54403	NEW	00-14-052	296- 17-895	AMD	00-14-052
284- 74-300	NEW-P	00-04-090	296- 17-545	AMD-P	00-07-138	296- 17-90401	NEW	00-11-060
284- 74-300	NEW	00-07-069	296- 17-545	AMD	00-14-052	296- 17-90402	NEW	00-11-060
284- 74-310	NEW-P	00-04-090	296- 17-546	AMD-P	00-07-138	296- 17-90403	NEW	00-11-060
284- 74-310	NEW	00-07-069	296- 17-546	AMD	00-14-052	296- 17-90406	NEW	00-11-060
284- 74-320	NEW-P	00-04-090	296- 17-562	AMD-P	00-07-138	296- 17-90408	NEW	00-11-060
284- 74-320	NEW	00-07-069	296- 17-562	AMD	00-14-052	296- 17-90409	NEW	00-11-060
284- 74-330	NEW-P	00-04-090	296- 17-57001	AMD-P	00-07-138	296- 17-90412	NEW	00-11-060
284- 74-330	NEW	00-07-069	296- 17-57001	AMD	00-14-052	296- 17-90415	NEW	00-11-060
284- 74-340	NEW-P	00-04-090	296- 17-583	AMD-P	00-07-138	296- 17-90418	NEW	00-11-060
284- 74-340	NEW	00-07-069	296- 17-583	AMD	00-14-052	296- 17-90421	NEW	00-11-060
284- 74-350	NEW-P	00-04-090	296- 17-58503	AMD-P	00-07-138	296- 17-90424	NEW	00-11-060
284- 74-350	NEW	00-07-069	296- 17-58503	AMD	00-14-052	296- 17-90427	NEW	00-11-060
284- 74-360	NEW-P	00-04-090	296- 17-597	AMD-P	00-07-138	296- 17-90430	NEW	00-11-060
284- 74-360	NEW	00-07-069	296- 17-597	AMD	00-14-052	296- 17-90433	NEW	00-11-060
284- 74-370	NEW-P	00-04-090	296- 17-615	AMD-P	00-07-138	296- 17-90434	NEW	00-11-060
284- 74-370	NEW	00-07-069	296- 17-615	AMD	00-14-052	296- 17-90436	NEW	00-11-060
284- 74-380	NEW-P	00-04-090	296- 17-618	AMD-P	00-07-138	296- 17-90439	NEW	00-11-060
284- 74-380	NEW	00-07-069	296- 17-618	AMD	00-14-052	296- 17-90442	NEW	00-11-060
284- 90-010	AMD-XA	00-16-126	296- 17-643	AMD-P	00-07-138	296- 17-90445	NEW	00-11-060
284- 90-020	AMD-XA	00-16-126	296- 17-643	AMD	00-14-052	296- 17-90448	NEW	00-11-060
284- 90-030	REP-XA	00-16-126	296- 17-649	AMD-P	00-07-138	296- 17-90451	NEW	00-11-060
286- 40-020	AMD	00-05-008	296- 17-649	AMD	00-14-052	296- 17-90463	NEW	00-11-060
296- 15-500	NEW-P	00-10-106	296- 17-66003	AMD-P	00-07-138	296- 17-90466	NEW	00-11-060
296- 15-500	NEW-C	00-14-074	296- 17-66003	AMD	00-14-052	296- 17-90469	NEW	00-11-060
296- 15-510	NEW-P	00-10-106	296- 17-675	AMD-P	00-07-138	296- 17-90472	NEW	00-11-060
296- 15-510	NEW-C	00-14-074	296- 17-675	AMD	00-14-052	296- 17-90475	NEW	00-11-060
296- 17	PREP	00-02-090	296- 17-678	AMD-P	00-07-138	296- 17-90478	NEW	00-11-060
296- 17	PREP	00-11-135	296- 17-678	AMD	00-14-052	296- 17-90481	NEW	00-11-060
296- 17-31011	AMD-P	00-07-138	296- 17-679	AMD-P	00-07-138	296- 17-90484	NEW	00-11-060
296- 17-31011	AMD	00-14-052	296- 17-679	AMD	00-14-052	296- 17-90490	NEW	00-11-060
296- 17-31012	AMD-P	00-07-138	296- 17-686	AMD-P	00-07-138	296- 17-90491	NEW	00-11-060
296- 17-31012	AMD	00-14-052	296- 17-686	AMD	00-14-052	296- 17-90492	NEW	00-11-060
296- 17-31021	AMD-P	00-07-138	296- 17-689	AMD-P	00-07-138	296- 17-90493	NEW	00-11-060
296- 17-31021	AMD	00-14-052	296- 17-689	AMD	00-14-052	296- 17-90494	NEW	00-11-060

TABLE



**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-17-90495	NEW	00-11-060	296-19A-140	NEW-P	00-10-106	296-24-82507	REP	00-08-078
296-17-90496	NEW	00-11-060	296-19A-170	NEW-P	00-10-106	296-24-82509	REP	00-08-078
296-17-90497	NEW	00-11-060	296-19A-180	NEW-P	00-10-106	296-24-82511	REP	00-08-078
296-17-90501	NEW-E	00-16-038	296-19A-190	NEW-P	00-10-106	296-24-82513	REP	00-08-078
296-17-91201	REP	00-11-060	296-19A-200	NEW-P	00-10-106	296-24-82515	REP	00-08-078
296-17-91202	REP	00-11-060	296-19A-210	NEW-P	00-10-106	296-24-82517	REP	00-08-078
296-17-91203	REP	00-11-060	296-19A-220	NEW-P	00-10-106	296-24-82519	REP	00-08-078
296-17-91204	REP	00-11-060	296-19A-230	NEW-P	00-10-106	296-24-82521	REP	00-08-078
296-17-91205	REP	00-11-060	296-19A-240	NEW-P	00-10-106	296-24-82523	REP	00-08-078
296-17-91206	REP	00-11-060	296-19A-250	NEW-P	00-10-106	296-24-82525	REP	00-08-078
296-17-91207	REP	00-11-060	296-19A-260	NEW-P	00-10-106	296-24-82527	REP	00-08-078
296-17-91208	REP	00-11-060	296-19A-270	NEW-P	00-10-106	296-24-82529	REP	00-08-078
296-17-91209	REP	00-11-060	296-19A-280	NEW-P	00-10-106	296-24-82531	REP	00-08-078
296-17-91210	REP	00-11-060	296-19A-290	NEW-P	00-10-106	296-24-82533	REP	00-08-078
296-17-91211	REP	00-11-060	296-19A-300	NEW-P	00-10-106	296-24-82535	REP	00-08-078
296-17-91212	REP	00-11-060	296-19A-310	NEW-P	00-10-106	296-24-82537	REP	00-08-078
296-17-91213	REP	00-11-060	296-19A-320	NEW-P	00-10-106	296-24-82539	REP	00-08-078
296-17-91214	REP	00-11-060	296-19A-330	NEW-P	00-10-106	296-24-82541	REP	00-08-078
296-17-91215	REP	00-11-060	296-19A-340	NEW-P	00-10-106	296-24-82543	REP	00-08-078
296-17-91216	REP	00-11-060	296-19A-350	NEW-P	00-10-106	296-24-82545	REP	00-08-078
296-17-91219	REP	00-11-060	296-19A-360	NEW-P	00-10-106	296-24-840	REP	00-08-078
296-17-91220	REP	00-11-060	296-19A-370	NEW-P	00-10-106	296-24-84001	REP	00-08-078
296-17-91221	REP	00-11-060	296-19A-380	NEW-P	00-10-106	296-24-84003	REP	00-08-078
296-17-91222	REP	00-11-060	296-19A-390	NEW-P	00-10-106	296-24-84005	REP	00-08-078
296-17-91223	REP	00-11-060	296-19A-400	NEW-P	00-10-106	296-24-84007	REP	00-08-078
296-17-91224	REP	00-11-060	296-19A-410	NEW-P	00-10-106	296-24-84009	REP	00-08-078
296-17-91225	REP	00-11-060	296-19A-420	NEW-P	00-10-106	296-24-84011	REP	00-08-078
296-17-91250	REP	00-11-060	296-19A-430	NEW-P	00-10-106	296-24-84013	REP	00-08-078
296-17-914	REP	00-11-060	296-19A-440	NEW-P	00-10-106	296-24-860	NEW	00-08-078
296-17-91402	REP	00-11-060	296-19A-450	NEW-P	00-10-106	296-24-86005	NEW	00-08-078
296-17-91403	REP	00-11-060	296-19A-460	NEW-P	00-10-106	296-24-86010	NEW	00-08-078
296-17-91404	REP	00-11-060	296-19A-470	NEW-P	00-10-106	296-24-86015	NEW	00-08-078
296-17-91405	REP	00-11-060	296-19A-480	NEW-P	00-10-106	296-24-86020	NEW	00-08-078
296-17-91406	REP	00-11-060	296-20-022	AMD-P	00-05-111	296-24-861	NEW	00-08-078
296-17-919	REP	00-11-060	296-20-022	AMD	00-09-078	296-24-86105	NEW	00-08-078
296-18A	PREP	00-05-002	296-20-12401	NEW-P	00-05-111	296-24-86110	NEW	00-08-078
296-18A-420	REP-P	00-10-106	296-20-12401	NEW	00-09-078	296-24-86115	NEW	00-08-078
296-18A-440	REP-P	00-10-106	296-20-135	AMD-P	00-05-112	296-24-86120	NEW	00-08-078
296-18A-445	REP-P	00-10-106	296-20-135	AMD	00-09-077	296-24-86125	NEW	00-08-078
296-18A-450	REP-P	00-10-106	296-21-290	AMD-P	00-05-111	296-24-86130	NEW	00-08-078
296-18A-460	REP-P	00-10-106	296-21-290	AMD	00-09-078	296-24-862	NEW	00-08-078
296-18A-470	REP-P	00-10-106	296-23-220	AMD-P	00-05-112	296-24-870	REP	00-08-078
296-18A-480	REP-P	00-10-106	296-23-220	AMD	00-09-077	296-24-87001	REP	00-08-078
296-18A-490	REP-P	00-10-106	296-23-230	AMD-P	00-05-112	296-24-87009	REP	00-08-078
296-18A-500	REP-P	00-10-106	296-23-230	AMD	00-09-077	296-24-87011	REP	00-08-078
296-18A-510	REP-P	00-10-106	296-23A-0200	AMD	00-06-027	296-24-87013	REP	00-08-078
296-18A-515	REP-P	00-10-106	296-23A-0210	AMD	00-06-027	296-24-87015	REP	00-08-078
296-18A-520	REP-P	00-10-106	296-23A-0220	AMD	00-06-027	296-24-87017	REP	00-08-078
296-19A	NEW-C	00-14-074	296-23A-0230	AMD-P	00-05-111	296-24-87019	REP	00-08-078
296-19A-010	NEW-P	00-10-106	296-23A-0230	AMD	00-09-078	296-24-87031	REP	00-08-078
296-19A-020	NEW-P	00-10-106	296-23A-0240	AMD	00-06-027	296-24-87033	REP	00-08-078
296-19A-030	NEW-P	00-10-106	296-23B	PREP	00-14-072	296-24-87035	REP	00-08-078
296-19A-040	NEW-P	00-10-106	296-24	PREP	00-05-057	296-24-87037	REP	00-08-078
296-19A-050	NEW-P	00-10-106	296-24	PREP	00-10-046	296-24-875	NEW	00-08-078
296-19A-060	NEW-P	00-10-106	296-24	PREP	00-12-099	296-24-87505	NEW	00-08-078
296-19A-070	NEW-P	00-10-106	296-24-14519	AMD	00-08-078	296-24-87510	NEW	00-08-078
296-19A-080	NEW-P	00-10-106	296-24-23027	AMD	00-08-078	296-24-87515	NEW	00-08-078
296-19A-090	NEW-P	00-10-106	296-24-23533	AMD	00-08-078	296-24-880	NEW	00-08-078
296-19A-100	NEW-P	00-10-106	296-24-825	REP	00-08-078	296-24-88005	NEW	00-08-078
296-19A-110	NEW-P	00-10-106	296-24-82501	REP	00-08-078	296-24-88010	NEW	00-08-078
296-19A-120	NEW-P	00-10-106	296-24-82503	REP	00-08-078	296-24-88015	NEW	00-08-078
296-19A-130	NEW-P	00-10-106	296-24-82505	REP	00-08-078	296-24-88020	NEW	00-08-078

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-24-88025	NEW	00-08-078	296-31-055	NEW	00-03-056	296-62-05170	NEW-W	00-12-029
296-24-88030	NEW	00-08-078	296-31-056	NEW	00-03-056	296-62-05172	NEW-C	00-04-075
296-24-88035	NEW	00-08-078	296-31-057	NEW	00-03-056	296-62-05172	NEW	00-12-024
296-24-88040	NEW	00-08-078	296-31-058	NEW	00-03-056	296-62-05174	NEW-C	00-04-075
296-24-88045	NEW	00-08-078	296-31-070	AMD	00-03-056	296-62-05174	NEW	00-12-024
296-24-88050	NEW	00-08-078	296-31-074	NEW	00-03-056	296-62-05176	NEW-C	00-04-075
296-24-88055	NEW	00-08-078	296-31-090	REP	00-03-056	296-62-05176	NEW	00-12-024
296-24-885	REP	00-08-078	296-32-240	PREP	00-14-073	296-62-07105	AMD-XA	00-16-151
296-24-88501	REP	00-08-078	296-45-52530	PREP	00-14-073	296-62-07117	AMD-XA	00-16-151
296-24-88503	REP	00-08-078	296-46	PREP	00-10-116	296-62-07131	AMD-XA	00-16-151
296-24-88505	REP	00-08-078	296-46-930	AMD-E	00-06-076	296-62-07150	AMD-XA	00-16-151
296-24-90001	AMD	00-08-078	296-46-930	AMD-E	00-13-102	296-62-07155	AMD-XA	00-16-151
296-24-90003	AMD	00-08-078	296-56-60005	AMD-XA	00-16-150	296-62-07156	AMD-XA	00-16-151
296-24-90005	AMD	00-08-078	296-56-60057	AMD-XA	00-16-150	296-62-07162	AMD-XA	00-16-151
296-24-90007	AMD	00-08-078	296-56-60073	AMD-XA	00-16-150	296-62-07190	AMD-XA	00-16-151
296-24-90009	AMD	00-08-078	296-56-60077	AMD-XA	00-16-150	296-62-07255	AMD-XA	00-16-151
296-27-150	REP-P	00-05-058	296-56-60083	AMD-XA	00-16-150	296-62-07515	AMD	00-06-075
296-27-150	REP	00-11-098	296-56-60098	AMD-XA	00-16-150	296-62-07709	AMD	00-06-075
296-27-160	REP-P	00-05-058	296-56-60103	AMD-XA	00-16-150	296-62-07713	AMD	00-06-075
296-27-160	REP	00-11-098	296-56-60107	AMD-XA	00-16-150	296-62-07722	AMD	00-06-075
296-27-16001	REP-P	00-05-058	296-56-60109	AMD-XA	00-16-150	296-62-07727	AMD	00-06-075
296-27-16001	REP	00-11-098	296-56-60111	AMD-XA	00-16-150	296-62-07745	AMD	00-06-075
296-27-16002	REP-P	00-05-058	296-56-60115	AMD-XA	00-16-150	296-65-003	AMD	00-06-075
296-27-16002	REP	00-11-098	296-56-60123	AMD-XA	00-16-150	296-67	PREP	00-10-045
296-27-16003	REP-P	00-05-058	296-56-60133	AMD-XA	00-16-150	296-79	PREP	00-10-045
296-27-16003	REP	00-11-098	296-56-60209	AMD-XA	00-16-150	296-81-005	REP-P	00-14-041
296-27-16004	REP-P	00-05-058	296-56-60211	AMD-XA	00-16-150	296-81-006	REP-P	00-14-041
296-27-16004	REP	00-11-098	296-56-60215	AMD-XA	00-16-150	296-81-007	REP-P	00-14-041
296-27-16004	REP	00-11-098	296-56-60217	AMD-XA	00-16-150	296-81-008	REP-P	00-14-041
296-27-16007	REP-P	00-05-058	296-56-60219	AMD-XA	00-16-150	296-81-009	REP-P	00-14-041
296-27-16007	REP	00-11-098	296-56-60223	AMD-XA	00-16-150	296-81-200	REP-P	00-14-041
296-27-16011	REP-P	00-05-058	296-56-60233	AMD-XA	00-16-150	296-81-240	REP-P	00-14-041
296-27-16011	REP	00-11-098	296-56-60235	AMD-XA	00-16-150	296-81-275	REP-P	00-14-041
296-27-16018	REP-P	00-05-058	296-56-60237	AMD-XA	00-16-150	296-81-277	REP-P	00-14-041
296-27-16018	REP	00-11-098	296-56-60243	AMD-XA	00-16-150	296-81-280	REP-P	00-14-041
296-27-16020	REP-P	00-05-058	296-62	PREP	00-10-045	296-81-290	REP-P	00-14-041
296-27-16020	REP	00-11-098	296-62	PREP	00-10-046	296-81-300	REP-P	00-14-041
296-27-16022	REP-P	00-05-058	296-62	PREP	00-13-091	296-81-306	REP-P	00-14-041
296-27-16022	REP	00-11-098	296-62	PREP	00-13-092	296-81-310	REP-P	00-14-041
296-27-16026	REP-P	00-05-058	296-62-051	NEW-C	00-04-075	296-81-315	REP-P	00-14-041
296-27-16026	REP	00-11-098	296-62-051	NEW	00-12-024	296-81-320	REP-P	00-14-041
296-30-010	AMD-P	00-02-091	296-62-05101	NEW-C	00-04-075	296-81-325	REP-P	00-14-041
296-30-010	AMD	00-10-003	296-62-05101	NEW	00-12-024	296-81-330	REP-P	00-14-041
296-30-080	AMD	00-03-056	296-62-05103	NEW-C	00-04-075	296-81-335	REP-P	00-14-041
296-30-081	AMD	00-03-056	296-62-05103	NEW	00-12-024	296-81-340	REP-P	00-14-041
296-30-085	NEW	00-03-056	296-62-05105	NEW-C	00-04-075	296-81-345	REP-P	00-14-041
296-30-090	NEW	00-03-056	296-62-05105	NEW	00-12-024	296-81-350	REP-P	00-14-041
296-30-095	NEW	00-03-056	296-62-05110	NEW-C	00-04-075	296-81-355	REP-P	00-14-041
296-30-100	NEW	00-03-056	296-62-05110	NEW	00-12-024	296-81-360	REP-P	00-14-041
296-30-105	NEW	00-03-056	296-62-05120	NEW-C	00-04-075	296-81-365	REP-P	00-14-041
296-30-120	AMD	00-03-056	296-62-05120	NEW	00-12-024	296-81-370	REP-P	00-14-041
296-30-130	AMD-P	00-02-091	296-62-05122	NEW-C	00-04-075	296-81-990	REP-P	00-14-041
296-30-130	AMD	00-10-003	296-62-05122	NEW	00-12-024	296-81-991	REP-P	00-14-041
296-30-170	AMD	00-03-056	296-62-05130	NEW-C	00-04-075	296-82-010	REP-P	00-14-041
296-30-180	AMD	00-03-056	296-62-05130	NEW	00-12-024	296-82-016	REP-P	00-14-041
296-31-012	AMD-P	00-02-091	296-62-05140	NEW-C	00-04-075	296-82-019	REP-P	00-14-041
296-31-012	AMD	00-10-003	296-62-05140	NEW	00-12-024	296-82-022	REP-P	00-14-041
296-31-020	REP-P	00-02-091	296-62-05150	NEW-C	00-04-075	296-82-025	REP-P	00-14-041
296-31-020	REP	00-10-003	296-62-05150	NEW	00-12-024	296-82-028	REP-P	00-14-041
296-31-030	AMD	00-03-056	296-62-05160	NEW-C	00-04-075	296-82-031	REP-P	00-14-041
296-31-035	NEW	00-03-056	296-62-05160	NEW	00-12-024	296-82-034	REP-P	00-14-041
296-31-045	NEW	00-03-056	296-62-05170	NEW-C	00-04-075	296-82-037	REP-P	00-14-041
296-31-050	REP	00-03-056						







Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-96-23414	NEW-P	00-14-041	296-104-502	PREP	00-10-002	296-127-01322	NEW-P	00-11-136
296-96-23416	NEW-P	00-14-041	296-104-502	AMD-P	00-16-149	296-127-01322	NEW	00-15-077
296-96-23418	NEW-P	00-14-041	296-104-700	PREP	00-10-002	296-127-01323	NEW-E	00-07-123
296-96-23420	NEW-P	00-14-041	296-104-700	AMD-P	00-16-149	296-127-01323	NEW-P	00-11-136
296-96-23422	NEW-P	00-14-041	296-104-701	PREP	00-10-002	296-127-01323	NEW	00-15-077
296-96-23424	NEW-P	00-14-041	296-104-701	AMD-P	00-16-149	296-127-01325	NEW-E	00-07-123
296-96-23427	NEW-P	00-14-041	296-115-001	AMD-XA	00-12-100	296-127-01325	NEW-P	00-11-136
296-96-23429	NEW-P	00-14-041	296-115-005	AMD-XA	00-12-100	296-127-01325	NEW	00-15-077
296-96-23431	NEW-P	00-14-041	296-115-010	AMD-XA	00-12-100	296-127-01327	NEW-E	00-07-123
296-96-23432	NEW-P	00-14-041	296-115-015	AMD-XA	00-12-100	296-127-01327	NEW-P	00-11-136
296-96-23434	NEW-P	00-14-041	296-115-025	AMD-XA	00-12-100	296-127-01327	NEW	00-15-077
296-96-23436	NEW-P	00-14-041	296-115-030	AMD-XA	00-12-100	296-127-01328	NEW-E	00-07-123
296-96-23438	NEW-P	00-14-041	296-115-035	AMD-XA	00-12-100	296-127-01328	NEW-P	00-11-136
296-96-23440	NEW-P	00-14-041	296-115-040	AMD-XA	00-12-100	296-127-01328	NEW	00-15-077
296-96-23442	NEW-P	00-14-041	296-115-050	AMD-XA	00-12-100	296-127-01329	NEW-E	00-07-123
296-96-23444	NEW-P	00-14-041	296-115-060	AMD-XA	00-12-100	296-127-01329	NEW-P	00-11-136
296-96-23446	NEW-P	00-14-041	296-115-070	AMD-XA	00-12-100	296-127-01329	NEW	00-15-077
296-96-23448	NEW-P	00-14-041	296-115-100	AMD-XA	00-12-100	296-127-01331	NEW-E	00-07-123
296-96-23450	NEW-P	00-14-041	296-127	PREP	00-07-122	296-127-01331	NEW-P	00-11-136
296-96-23500	NEW-P	00-14-041	296-127	PREP	00-15-074	296-127-01331	NEW	00-15-077
296-96-23510	NEW-P	00-14-041	296-127-013	AMD-E	00-07-123	296-127-01332	NEW-E	00-07-123
296-96-23540	NEW-P	00-14-041	296-127-013	AMD-P	00-11-136	296-127-01332	NEW-P	00-11-136
296-96-23600	NEW-P	00-14-041	296-127-013	AMD	00-15-077	296-127-01332	NEW	00-15-077
296-96-23610	NEW-P	00-14-041	296-127-01301	NEW-E	00-07-123	296-127-01333	NEW-E	00-07-123
296-96-23620	NEW-P	00-14-041	296-127-01301	NEW-P	00-11-136	296-127-01333	NEW-P	00-11-136
296-96-23630	NEW-P	00-14-041	296-127-01301	NEW	00-15-077	296-127-01333	NEW	00-15-077
296-96-23700	NEW-P	00-14-041	296-127-01303	NEW-E	00-07-123	296-127-01335	NEW-E	00-07-123
296-96-23710	NEW-P	00-14-041	296-127-01303	NEW-P	00-11-136	296-127-01335	NEW-P	00-11-136
296-96-23800	NEW-P	00-14-041	296-127-01303	NEW	00-15-077	296-127-01335	NEW	00-15-077
296-96-23810	NEW-P	00-14-041	296-127-01305	NEW-E	00-07-123	296-127-01337	NEW-E	00-07-123
296-100-001	REP-P	00-14-041	296-127-01305	NEW-P	00-11-136	296-127-01337	NEW-P	00-11-136
296-100-010	REP-P	00-14-041	296-127-01305	NEW	00-15-077	296-127-01337	NEW	00-15-077
296-100-020	REP-P	00-14-041	296-127-01306	NEW-E	00-07-123	296-127-01339	NEW-E	00-07-123
296-100-030	REP-P	00-14-041	296-127-01306	NEW-P	00-11-136	296-127-01339	NEW-P	00-11-136
296-100-040	REP-P	00-14-041	296-127-01306	NEW	00-15-077	296-127-01339	NEW	00-15-077
296-100-050	REP-P	00-14-041	296-127-01308	NEW-E	00-07-123	296-127-01340	NEW-E	00-07-123
296-100-060	REP-P	00-14-041	296-127-01308	NEW-P	00-11-136	296-127-01340	NEW-P	00-11-136
296-104	PREP	00-10-002	296-127-01308	NEW	00-15-077	296-127-01340	NEW	00-15-077
296-104-010	PREP	00-10-002	296-127-01309	NEW-E	00-07-123	296-127-01342	NEW-E	00-07-123
296-104-010	AMD-P	00-16-149	296-127-01309	NEW-P	00-11-136	296-127-01342	NEW-P	00-11-136
296-104-102	PREP	00-10-002	296-127-01309	NEW	00-15-077	296-127-01342	NEW	00-15-077
296-104-180	PREP	00-10-002	296-127-01310	NEW-E	00-07-123	296-127-01344	NEW-E	00-07-123
296-104-200	PREP	00-10-002	296-127-01310	NEW-P	00-11-136	296-127-01344	NEW-P	00-11-136
296-104-200	AMD-P	00-16-149	296-127-01310	NEW	00-15-077	296-127-01344	NEW	00-15-077
296-104-205	PREP	00-10-002	296-127-01312	NEW-E	00-07-123	296-127-01346	NEW-E	00-07-123
296-104-205	AMD-P	00-16-149	296-127-01312	NEW-P	00-11-136	296-127-01346	NEW-P	00-11-136
296-104-210	PREP	00-10-002	296-127-01312	NEW	00-15-077	296-127-01346	NEW	00-15-077
296-104-210	AMD-P	00-16-149	296-127-01313	NEW-P	00-11-136	296-127-01347	NEW-E	00-07-123
296-104-215	PREP	00-10-002	296-127-01313	NEW	00-15-077	296-127-01347	NEW-P	00-11-136
296-104-215	AMD-P	00-16-149	296-127-01315	NEW-E	00-07-123	296-127-01347	NEW	00-15-077
296-104-220	PREP	00-10-002	296-127-01315	NEW-P	00-11-136	296-127-01349	NEW-E	00-07-123
296-104-220	AMD-P	00-16-149	296-127-01315	NEW	00-15-077	296-127-01349	NEW-P	00-11-136
296-104-230	PREP	00-10-002	296-127-01317	NEW-E	00-07-123	296-127-01349	NEW	00-15-077
296-104-230	AMD-P	00-16-149	296-127-01317	NEW-P	00-11-136	296-127-01351	NEW-E	00-07-123
296-104-235	PREP	00-10-002	296-127-01317	NEW	00-15-077	296-127-01351	NEW-P	00-11-136
296-104-235	AMD-P	00-16-149	296-127-01318	NEW-E	00-07-123	296-127-01351	NEW	00-15-077
296-104-240	PREP	00-10-002	296-127-01318	NEW-P	00-11-136	296-127-01352	NEW-E	00-07-123
296-104-240	AMD-P	00-16-149	296-127-01318	NEW	00-15-077	296-127-01352	NEW-P	00-11-136
296-104-245	PREP	00-10-002	296-127-01320	NEW-E	00-07-123	296-127-01352	NEW	00-15-077
296-104-265	PREP	00-10-002	296-127-01320	NEW-P	00-11-136	296-127-01354	NEW-E	00-07-123
296-104-265	AMD-P	00-16-149	296-127-01320	NEW	00-15-077	296-127-01354	NEW-P	00-11-136
296-104-307	AMD-P	00-16-149	296-127-01322	NEW-E	00-07-123	296-127-01354	NEW	00-15-077

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-127-01356	NEW-E	00-07-123	296-127-01391	NEW	00-15-077	296-155-24505	AMD-XA	00-08-079
296-127-01356	NEW-P	00-11-136	296-127-018	PREP	00-15-075	296-155-24505	AMD	00-14-058
296-127-01356	NEW	00-15-077	296-150C	PREP	00-06-077	296-155-24510	AMD-XA	00-08-079
296-127-01358	NEW-E	00-07-123	296-150C-0140	AMD-P	00-13-103	296-155-24510	AMD	00-14-058
296-127-01358	NEW-P	00-11-136	296-150C-0140	AMD	00-17-148	296-155-24515	AMD-XA	00-08-079
296-127-01358	NEW	00-15-077	296-150C-0200	AMD-P	00-13-103	296-155-24515	AMD	00-14-058
296-127-01360	NEW-E	00-07-123	296-150C-0200	AMD	00-17-148	296-155-24520	AMD-XA	00-08-079
296-127-01360	NEW-P	00-11-136	296-150C-0910	AMD-P	00-13-103	296-155-24520	AMD	00-14-058
296-127-01360	NEW	00-15-077	296-150C-0910	AMD	00-17-148	296-155-24521	AMD-XA	00-08-079
296-127-01362	NEW-E	00-07-123	296-150C-0970	AMD-P	00-13-103	296-155-24521	AMD	00-14-058
296-127-01362	NEW-P	00-11-136	296-150C-0970	AMD	00-17-148	296-155-24525	AMD-XA	00-08-079
296-127-01362	NEW	00-15-077	296-150C-1070	AMD-P	00-13-103	296-155-24525	AMD	00-14-058
296-127-01364	NEW-E	00-07-123	296-150C-1070	AMD	00-17-148	296-155-305	AMD-E	00-12-018
296-127-01364	NEW-P	00-11-136	296-150C-1175	NEW-P	00-13-103	296-155-305	PREP	00-14-073
296-127-01364	NEW	00-15-077	296-150C-1175	NEW	00-17-148	296-155-483	AMD-XA	00-08-079
296-127-01367	NEW-E	00-07-123	296-150C-1346	NEW-P	00-13-103	296-155-483	AMD	00-14-058
296-127-01367	NEW-P	00-11-136	296-150C-1346	NEW	00-17-148	296-155-505	AMD-XA	00-08-079
296-127-01367	NEW	00-15-077	296-150F	PREP	00-06-077	296-155-505	AMD	00-14-058
296-127-01369	NEW-E	00-07-123	296-150F-0140	AMD-P	00-13-103	296-155-526	NEW-P	00-06-056
296-127-01369	NEW-P	00-11-136	296-150F-0140	AMD	00-17-148	296-155-526	NEW	00-15-028
296-127-01369	NEW	00-15-077	296-150F-0500	AMD-P	00-13-103	296-155-625	PREP	00-14-073
296-127-01370	NEW-E	00-07-123	296-150F-0500	AMD	00-17-148	296-155-680	AMD-XA	00-08-079
296-127-01370	NEW-P	00-11-136	296-150F-0630	NEW-P	00-13-103	296-155-680	AMD	00-14-058
296-127-01370	NEW	00-15-077	296-150F-0630	NEW	00-17-148	296-155-682	AMD-P	00-15-076
296-127-01372	NEW-E	00-07-123	296-150M	PREP	00-06-077	296-305	PREP	00-10-045
296-127-01372	NEW-P	00-11-136	296-150M-0020	AMD-P	00-13-103	296-307	PREP	00-10-046
296-127-01372	NEW	00-15-077	296-150M-0020	AMD	00-17-148	296-307-160	REP	00-06-081
296-127-01374	NEW-E	00-07-123	296-150M-0140	AMD-P	00-13-103	296-307-16001	REP	00-06-081
296-127-01374	NEW-P	00-11-136	296-150M-0140	AMD	00-17-148	296-307-16003	REP	00-06-081
296-127-01374	NEW	00-15-077	296-150M-0306	AMD-P	00-13-103	296-307-16004	REP	00-06-081
296-127-01375	NEW-E	00-07-123	296-150M-0306	AMD	00-17-148	296-307-16005	REP	00-06-081
296-127-01375	NEW-P	00-11-136	296-150M-3000	AMD-P	00-13-103	296-307-16007	REP	00-06-081
296-127-01375	NEW	00-15-077	296-150M-3000	AMD	00-17-148	296-307-16009	REP	00-06-081
296-127-01376	NEW-E	00-07-123	296-150P	PREP	00-06-077	296-307-16011	REP	00-06-081
296-127-01376	NEW-P	00-11-136	296-150P-0140	AMD-P	00-13-103	296-307-16013	REP	00-06-081
296-127-01376	NEW	00-15-077	296-150P-0140	AMD	00-17-148	296-307-16015	REP	00-06-081
296-127-01377	NEW-E	00-07-123	296-150P-3000	AMD-P	00-13-103	296-307-16017	REP	00-06-081
296-127-01377	NEW-P	00-11-136	296-150P-3000	AMD	00-17-148	296-307-16019	REP	00-06-081
296-127-01377	NEW	00-15-077	296-150R	PREP	00-06-077	296-307-16021	REP	00-06-081
296-127-01378	NEW-E	00-07-123	296-150R-0140	AMD-P	00-13-103	296-307-16023	REP	00-06-081
296-127-01378	NEW-P	00-11-136	296-150R-0140	AMD	00-17-148	296-307-161	NEW	00-06-081
296-127-01378	NEW	00-15-077	296-150R-3000	AMD-P	00-13-103	296-307-16101	NEW	00-06-081
296-127-01379	NEW-E	00-07-123	296-150R-3000	AMD	00-17-148	296-307-16103	NEW	00-06-081
296-127-01379	NEW-P	00-11-136	296-150V	PREP	00-06-077	296-307-16105	NEW	00-06-081
296-127-01379	NEW	00-15-077	296-150V-0140	AMD-P	00-13-103	296-307-16110	NEW	00-06-081
296-127-01382	NEW-E	00-07-123	296-150V-0140	AMD	00-17-148	296-307-16115	NEW	00-06-081
296-127-01382	NEW-P	00-11-136	296-150V-0530	AMD-P	00-13-103	296-307-16120	NEW	00-06-081
296-127-01382	NEW	00-15-077	296-150V-0530	AMD	00-17-148	296-307-16125	NEW	00-06-081
296-127-01384	NEW-E	00-07-123	296-150V-1180	AMD-P	00-13-103	296-307-16130	NEW	00-06-081
296-127-01384	NEW-P	00-11-136	296-150V-1180	AMD	00-17-148	296-307-16135	NEW	00-06-081
296-127-01384	NEW	00-15-077	296-150V-1220	AMD-P	00-13-103	296-307-16140	NEW	00-06-081
296-127-01386	NEW-E	00-07-123	296-150V-1220	AMD	00-17-148	296-307-16145	NEW	00-06-081
296-127-01386	NEW-P	00-11-136	296-155	PREP	00-04-002	296-307-16150	NEW	00-06-081
296-127-01386	NEW	00-15-077	296-155	PREP	00-05-057	296-307-16155	NEW	00-06-081
296-127-01387	NEW-E	00-07-123	296-155	PREP	00-12-099	296-307-16160	NEW	00-06-081
296-127-01387	NEW-P	00-11-136	296-155	PREP	00-13-091	296-307-16165	NEW	00-06-081
296-127-01387	NEW	00-15-077	296-155-110	AMD	00-08-078	296-307-16170	NEW	00-06-081
296-127-01389	NEW-E	00-07-123	296-155-205	PREP	00-14-073	296-307-16175	NEW	00-06-081
296-127-01389	NEW-P	00-11-136	296-155-24501	AMD-XA	00-08-079	296-307-16180	NEW	00-06-081
296-127-01389	NEW	00-15-077	296-155-24501	AMD	00-14-058	296-307-16185	NEW	00-06-081
296-127-01391	NEW-E	00-07-123	296-155-24503	AMD-XA	00-08-079	296-307-16190	NEW	00-06-081
296-127-01391	NEW-P	00-11-136	296-155-24503	AMD	00-14-058	296-307-163	NEW	00-06-081

**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-307-16301	NEW	00-06-081	296-350-15020	NEW	00-11-098	296-350-70020	NEW	00-11-098
296-307-16303	NEW	00-06-081	296-350-15025	NEW-P	00-05-058	296-350-70025	NEW-P	00-05-058
296-307-16305	NEW	00-06-081	296-350-15025	NEW	00-11-098	296-350-70025	NEW	00-11-098
296-307-16310	NEW	00-06-081	296-350-15030	NEW-P	00-05-058	296-350-70030	NEW-P	00-05-058
296-307-16315	NEW	00-06-081	296-350-15030	NEW	00-11-098	296-350-70030	NEW	00-11-098
296-307-16320	NEW	00-06-081	296-350-15035	NEW-P	00-05-058	296-350-70035	NEW-P	00-05-058
296-307-16325	NEW	00-06-081	296-350-15035	NEW	00-11-098	296-350-70035	NEW	00-11-098
296-307-16330	NEW	00-06-081	296-350-15040	NEW-P	00-05-058	296-350-70040	NEW-P	00-05-058
296-307-16335	NEW	00-06-081	296-350-15040	NEW	00-11-098	296-350-70040	NEW	00-11-098
296-307-16340	NEW	00-06-081	296-350-15045	NEW-P	00-05-058	296-350-70045	NEW-P	00-05-058
296-307-16345	NEW	00-06-081	296-350-15045	NEW	00-11-098	296-350-70045	NEW	00-11-098
296-307-16350	NEW	00-06-081	296-350-200	REP-P	00-05-058	296-350-70050	NEW-P	00-05-058
296-307-16355	NEW	00-06-081	296-350-200	REP	00-11-098	296-350-70050	NEW	00-11-098
296-307-16360	NEW	00-06-081	296-350-210	REP-P	00-05-058	296-350-70055	NEW-P	00-05-058
296-307-16365	NEW	00-06-081	296-350-210	REP	00-11-098	296-350-70055	NEW	00-11-098
296-307-16370	NEW	00-06-081	296-350-230	REP-P	00-05-058	296-350-70060	NEW-P	00-05-058
296-307-16375	NEW	00-06-081	296-350-230	REP	00-11-098	296-350-70060	NEW	00-11-098
296-307-16380	NEW	00-06-081	296-350-240	REP-P	00-05-058	296-350-70065	NEW-P	00-05-058
296-307-16385	NEW	00-06-081	296-350-240	REP	00-11-098	296-350-70065	NEW	00-11-098
296-307-16390	NEW	00-06-081	296-350-250	REP-P	00-05-058	296-350-70070	NEW-P	00-05-058
296-307-16395	NEW	00-06-081	296-350-250	REP	00-11-098	296-350-70070	NEW	00-11-098
296-350	AMD-P	00-05-058	296-350-255	REP-P	00-05-058	296-401A	PREP	00-10-116
296-350	AMD	00-11-098	296-350-255	REP	00-11-098	296-401A-140	AMD-E	00-06-076
296-350-010	AMD-P	00-05-058	296-350-260	REP-P	00-05-058	296-401A-140	AMD-E	00-13-102
296-350-010	AMD	00-11-098	296-350-260	REP	00-11-098	296-402-010	REP-P	00-07-137
296-350-020	REP-P	00-05-058	296-350-270	REP-P	00-05-058	296-402-010	REP	00-11-115
296-350-020	REP	00-11-098	296-350-270	REP	00-11-098	296-402-020	REP-P	00-07-137
296-350-030	REP-P	00-05-058	296-350-280	REP-P	00-05-058	296-402-020	REP	00-11-115
296-350-030	REP	00-11-098	296-350-280	REP	00-11-098	296-402-030	REP-P	00-07-137
296-350-040	REP-P	00-05-058	296-350-400	REP-P	00-05-058	296-402-030	REP	00-11-115
296-350-040	REP	00-11-098	296-350-400	REP	00-11-098	296-402-040	REP-P	00-07-137
296-350-050	REP-P	00-05-058	296-350-450	REP-P	00-05-058	296-402-040	REP	00-11-115
296-350-050	REP	00-11-098	296-350-450	REP	00-11-098	296-402-050	REP-P	00-07-137
296-350-060	REP-P	00-05-058	296-350-460	REP-P	00-05-058	296-402-050	REP	00-11-115
296-350-060	REP	00-11-098	296-350-460	REP	00-11-098	296-402-060	REP-P	00-07-137
296-350-070	REP-P	00-05-058	296-350-470	REP-P	00-05-058	296-402-060	REP	00-11-115
296-350-070	REP	00-11-098	296-350-470	REP	00-11-098	296-402-070	REP-P	00-07-137
296-350-080	REP-P	00-05-058	296-350-600	NEW-P	00-05-058	296-402-070	REP	00-11-115
296-350-080	REP	00-11-098	296-350-600	NEW	00-11-098	296-402-080	REP-P	00-07-137
296-350-090	REP-P	00-05-058	296-350-60010	NEW-P	00-05-058	296-402-080	REP	00-11-115
296-350-090	REP	00-11-098	296-350-60010	NEW	00-11-098	296-402-090	REP-P	00-07-137
296-350-095	REP-P	00-05-058	296-350-60015	NEW-P	00-05-058	296-402-090	REP	00-11-115
296-350-095	REP	00-11-098	296-350-60015	NEW	00-11-098	296-402-100	REP-P	00-07-137
296-350-100	NEW-P	00-05-058	296-350-60020	NEW-P	00-05-058	296-402-100	REP	00-11-115
296-350-100	NEW	00-11-098	296-350-60020	NEW	00-11-098	296-402-110	REP-P	00-07-137
296-350-10010	NEW-P	00-05-058	296-350-60025	NEW-P	00-05-058	296-402-110	REP	00-11-115
296-350-10010	NEW	00-11-098	296-350-60025	NEW	00-11-098	296-402-120	REP-P	00-07-137
296-350-10020	NEW-P	00-05-058	296-350-60030	NEW-P	00-05-058	296-402-120	REP	00-11-115
296-350-10020	NEW	00-11-098	296-350-60030	NEW	00-11-098	296-402-130	REP-P	00-07-137
296-350-10030	NEW-P	00-05-058	296-350-60035	NEW-P	00-05-058	296-402-130	REP	00-11-115
296-350-10030	NEW	00-11-098	296-350-60035	NEW	00-11-098	296-402-140	REP-P	00-07-137
296-350-10040	NEW-P	00-05-058	296-350-60040	NEW-P	00-05-058	296-402-140	REP	00-11-115
296-350-10040	NEW	00-11-098	296-350-60040	NEW	00-11-098	296-402-150	REP-P	00-07-137
296-350-10050	NEW-P	00-05-058	296-350-60045	NEW-P	00-05-058	296-402-150	REP	00-11-115
296-350-10050	NEW	00-11-098	296-350-60045	NEW	00-11-098	296-402-160	REP-P	00-07-137
296-350-150	NEW-P	00-05-058	296-350-700	NEW-P	00-05-058	296-402-160	REP	00-11-115
296-350-150	NEW	00-11-098	296-350-700	NEW	00-11-098	296-402-170	REP-P	00-07-137
296-350-15010	NEW-P	00-05-058	296-350-70010	NEW-P	00-05-058	296-402-170	REP	00-11-115
296-350-15010	NEW	00-11-098	296-350-70010	NEW	00-11-098	296-402-180	REP-P	00-07-137
296-350-15015	NEW-P	00-05-058	296-350-70015	NEW-P	00-05-058	296-402-180	REP	00-11-115
296-350-15015	NEW	00-11-098	296-350-70015	NEW	00-11-098	296-402-190	REP-P	00-07-137
296-350-15020	NEW-P	00-05-058	296-350-70020	NEW-P	00-05-058	296-402-190	REP	00-11-115



Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-402-200	REP-P	00-07-137	296-402A-330	NEW-P	00-07-137	296-402A-640	NEW-P	00-07-137
296-402-200	REP	00-11-115	296-402A-330	NEW	00-11-115	296-402A-640	NEW	00-11-115
296-402A-010	NEW-P	00-07-137	296-402A-340	NEW-P	00-07-137	296-402A-650	NEW-P	00-07-137
296-402A-010	NEW	00-11-115	296-402A-340	NEW	00-11-115	296-402A-650	NEW	00-11-115
296-402A-020	NEW-P	00-07-137	296-402A-350	NEW-P	00-07-137	296-402A-660	NEW-P	00-07-137
296-402A-020	NEW	00-11-115	296-402A-350	NEW	00-11-115	296-402A-660	NEW	00-11-115
296-402A-030	NEW-P	00-07-137	296-402A-360	NEW-P	00-07-137	296-402A-670	NEW-P	00-07-137
296-402A-030	NEW	00-11-115	296-402A-360	NEW	00-11-115	296-402A-670	NEW	00-11-115
296-402A-040	NEW-P	00-07-137	296-402A-370	NEW-P	00-07-137	296-402A-675	NEW	00-11-115
296-402A-040	NEW	00-11-115	296-402A-370	NEW	00-11-115	296-402A-680	NEW-P	00-07-137
296-402A-050	NEW-P	00-07-137	296-402A-380	NEW-P	00-07-137	296-402A-680	NEW	00-11-115
296-402A-050	NEW	00-11-115	296-402A-380	NEW	00-11-115	296-402A-690	NEW-P	00-07-137
296-402A-060	NEW-P	00-07-137	296-402A-390	NEW-P	00-07-137	296-402A-690	NEW	00-11-115
296-402A-060	NEW	00-11-115	296-402A-390	NEW	00-11-115	296-403	PREP	00-10-116
296-402A-070	NEW-P	00-07-137	296-402A-400	NEW-P	00-07-137	304- 12-030	AMD	00-11-028
296-402A-070	NEW	00-11-115	296-402A-400	NEW	00-11-115	304- 12-035	REP	00-11-028
296-402A-080	NEW-P	00-07-137	296-402A-410	NEW-P	00-07-137	304- 12-040	REP	00-11-028
296-402A-080	NEW	00-11-115	296-402A-410	NEW	00-11-115	304- 12-047	NEW	00-11-028
296-402A-090	NEW-P	00-07-137	296-402A-420	NEW-P	00-07-137	304- 12-050	REP	00-11-028
296-402A-090	NEW	00-11-115	296-402A-425	NEW-P	00-07-137	304- 12-070	REP	00-11-028
296-402A-100	NEW-P	00-07-137	296-402A-430	NEW-P	00-07-137	304- 12-125	AMD	00-11-028
296-402A-100	NEW	00-11-115	296-402A-430	NEW	00-11-115	304- 12-140	REP	00-11-028
296-402A-110	NEW-P	00-07-137	296-402A-440	NEW-P	00-07-137	304- 12-145	REP	00-11-028
296-402A-110	NEW	00-11-115	296-402A-440	NEW	00-11-115	304- 12-275	REP	00-11-028
296-402A-130	NEW-P	00-07-137	296-402A-450	NEW-P	00-07-137	304- 12-290	REP	00-11-028
296-402A-130	NEW	00-11-115	296-402A-450	NEW	00-11-115	304- 12-360	REP	00-11-028
296-402A-140	NEW-P	00-07-137	296-402A-460	NEW-P	00-07-137	304- 12-370	REP	00-11-028
296-402A-140	NEW	00-11-115	296-402A-460	NEW	00-11-115	304- 12-380	REP	00-11-028
296-402A-150	NEW-P	00-07-137	296-402A-470	NEW-P	00-07-137	304- 20	AMD	00-11-028
296-402A-150	NEW	00-11-115	296-402A-470	NEW	00-11-115	304- 20-005	NEW	00-11-028
296-402A-160	NEW-P	00-07-137	296-402A-480	NEW-P	00-07-137	304- 20-010	AMD	00-11-028
296-402A-160	NEW	00-11-115	296-402A-480	NEW	00-11-115	304- 20-020	REP	00-11-028
296-402A-170	NEW-P	00-07-137	296-402A-490	NEW-P	00-07-137	304- 20-030	REP	00-11-028
296-402A-170	NEW	00-11-115	296-402A-490	NEW	00-11-115	304- 20-040	REP	00-11-028
296-402A-180	NEW-P	00-07-137	296-402A-500	NEW-P	00-07-137	304- 20-050	AMD	00-11-028
296-402A-180	NEW	00-11-115	296-402A-500	NEW	00-11-115	304- 20-060	AMD	00-11-028
296-402A-190	NEW-P	00-07-137	296-402A-510	NEW-P	00-07-137	304- 20-065	NEW	00-11-028
296-402A-190	NEW	00-11-115	296-402A-510	NEW	00-11-115	304- 20-070	AMD	00-11-028
296-402A-200	NEW-P	00-07-137	296-402A-520	NEW-P	00-07-137	304- 20-090	REP	00-11-028
296-402A-200	NEW	00-11-115	296-402A-520	NEW	00-11-115	304- 20-100	REP	00-11-028
296-402A-210	NEW-P	00-07-137	296-402A-530	NEW-P	00-07-137	304- 20-990	REP	00-11-028
296-402A-210	NEW	00-11-115	296-402A-530	NEW	00-11-115	308- 04-020	AMD-P	00-05-014
296-402A-220	NEW-P	00-07-137	296-402A-540	NEW-P	00-07-137	308- 04-020	AMD	00-08-032
296-402A-220	NEW	00-11-115	296-402A-540	NEW	00-11-115	308- 12-321	PREP	00-11-172
296-402A-230	NEW-P	00-07-137	296-402A-550	NEW-P	00-07-137	308- 12-321	AMD-P	00-16-030
296-402A-230	NEW	00-11-115	296-402A-550	NEW	00-11-115	308- 12-322	PREP	00-11-172
296-402A-240	NEW-P	00-07-137	296-402A-560	NEW-P	00-07-137	308- 12-322	AMD-P	00-16-030
296-402A-240	NEW	00-11-115	296-402A-560	NEW	00-11-115	308- 12-323	PREP	00-11-172
296-402A-250	NEW-P	00-07-137	296-402A-570	NEW-P	00-07-137	308- 12-323	AMD-P	00-16-030
296-402A-250	NEW	00-11-115	296-402A-570	NEW	00-11-115	308- 12-324	PREP	00-11-172
296-402A-260	NEW-P	00-07-137	296-402A-580	NEW-P	00-07-137	308- 12-324	AMD-P	00-16-030
296-402A-260	NEW	00-11-115	296-402A-580	NEW	00-11-115	308- 12-325	PREP	00-11-172
296-402A-270	NEW-P	00-07-137	296-402A-590	NEW-P	00-07-137	308- 12-325	AMD-P	00-16-030
296-402A-270	NEW	00-11-115	296-402A-590	NEW	00-11-115	308- 29-010	PREP	00-12-002
296-402A-290	NEW-P	00-07-137	296-402A-600	NEW-P	00-07-137	308- 29-020	PREP	00-12-002
296-402A-290	NEW	00-11-115	296-402A-600	NEW	00-11-115	308- 29-025	PREP	00-12-002
296-402A-300	NEW-P	00-07-137	296-402A-610	NEW-P	00-07-137	308- 29-030	PREP	00-12-002
296-402A-300	NEW	00-11-115	296-402A-610	NEW	00-11-115	308- 29-050	PREP	00-12-002
296-402A-310	NEW-P	00-07-137	296-402A-620	NEW-P	00-07-137	308- 29-060	PREP	00-12-002
296-402A-310	NEW	00-11-115	296-402A-620	NEW	00-11-115	308- 29-070	PREP	00-12-002
296-402A-320	NEW-P	00-07-137	296-402A-630	NEW-P	00-07-137	308- 29-080	PREP	00-12-002
296-402A-320	NEW	00-11-115	296-402A-630	NEW	00-11-115	308- 29-090	PREP	00-12-002

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308- 29-100	PREP	00-12-002	308- 57-135	REP-P	00-09-019	308- 65-060	AMD-P	00-09-071
308- 29-110	PREP	00-12-002	308- 57-135	REP-W	00-11-041	308- 65-060	AMD	00-13-020
308- 29-120	PREP	00-12-002	308- 57-140	PREP	00-06-001	308- 65-080	AMD-P	00-09-071
308- 56A	PREP	00-07-092	308- 57-140	REP-P	00-09-019	308- 65-080	AMD	00-13-020
308- 56A-010	AMD-P	00-16-115	308- 57-140	REP-W	00-11-041	308- 65-090	AMD-P	00-09-071
308- 56A-015	REP-P	00-16-115	308- 57-210	PREP	00-06-001	308- 65-090	AMD	00-13-020
308- 56A-020	PREP	00-07-092	308- 57-210	REP-P	00-09-019	308- 65-100	AMD-P	00-09-071
308- 56A-020	AMD-P	00-16-115	308- 57-210	REP-W	00-11-041	308- 65-100	AMD	00-13-020
308- 56A-021	PREP	00-07-092	308- 57-230	PREP	00-06-001	308- 65-110	AMD-P	00-09-071
308- 56A-021	AMD-P	00-16-115	308- 57-230	REP-P	00-09-019	308- 65-110	AMD	00-13-020
308- 56A-022	PREP	00-07-092	308- 57-230	REP-W	00-11-041	308- 65-130	AMD-P	00-09-071
308- 56A-022	REP-P	00-16-115	308- 57-240	PREP	00-06-001	308- 65-130	AMD	00-13-020
308- 56A-023	PREP	00-07-092	308- 57-240	REP-P	00-09-019	308- 65-140	AMD-P	00-09-071
308- 56A-023	REP-P	00-16-115	308- 57-240	REP-W	00-11-041	308- 65-140	AMD	00-13-020
308- 56A-090	PREP	00-07-092	308- 57-500	PREP	00-06-001	308- 65-150	AMD-P	00-09-071
308- 56A-090	AMD-P	00-16-115	308- 57-500	REP-P	00-09-019	308- 65-150	AMD	00-13-020
308- 56A-335	PREP	00-09-018	308- 57-500	REP-W	00-11-041	308- 65-170	AMD-P	00-09-071
308- 56A-355	PREP	00-09-018	308- 58-010	REP	00-06-025	308- 65-170	AMD	00-13-020
308- 56A-450	AMD	00-04-046	308- 58-020	REP	00-06-025	308- 65-180	REP-P	00-09-071
308- 56A-455	AMD	00-04-046	308- 58-030	REP	00-06-025	308- 65-180	REP	00-13-020
308- 56A-460	AMD	00-06-025	308- 58-040	REP	00-06-025	308- 65-190	AMD-P	00-09-071
308- 56A-465	REP	00-04-046	308- 58-050	REP	00-06-025	308- 65-190	AMD	00-13-020
308- 56A-470	REP	00-04-046	308- 63	PREP	00-06-007	308- 72-500	PREP	00-08-063
308- 56A-500	AMD	00-06-004	308- 63-020	AMD-P	00-09-069	308- 72-665	PREP	00-08-063
308- 56A-500	AMD-P	00-09-007	308- 63-020	AMD	00-13-019	308- 72-690	PREP	00-08-063
308- 56A-500	AMD	00-13-083	308- 63-030	AMD-P	00-09-069	308- 72-700	PREP	00-08-063
308- 56A-505	AMD	00-06-004	308- 63-030	AMD	00-13-019	308- 72-710	PREP	00-08-063
308- 56A-510	REP	00-06-004	308- 63-040	AMD-P	00-09-069	308- 72-720	NEW-P	00-05-014
308- 56A-515	REP	00-06-004	308- 63-040	AMD	00-13-019	308- 72-720	NEW	00-08-032
308- 56A-520	REP	00-06-004	308- 63-050	AMD-P	00-09-069	308- 77	PREP	00-03-037
308- 56A-610	REP	00-06-020	308- 63-050	AMD	00-13-019	308- 77-045	PREP	00-03-037
308- 56A-620	AMD	00-06-020	308- 63-060	AMD-P	00-09-069	308- 77-045	REP-P	00-11-037
308- 56A-620	REP-P	00-09-007	308- 63-060	AMD	00-13-019	308- 77-045	REP	00-16-045
308- 56A-620	REP	00-13-083	308- 63-070	AMD-P	00-09-069	308- 77-155	PREP	00-03-037
308- 56A-640	AMD	00-06-020	308- 63-070	AMD	00-13-019	308- 77-155	AMD-P	00-11-037
308- 56A-650	REP	00-06-020	308- 63-080	AMD-P	00-09-069	308- 77-155	AMD	00-16-045
308- 56A-660	REP	00-06-020	308- 63-080	AMD	00-13-019	308- 77-165	PREP	00-03-037
308- 56A-670	REP	00-06-020	308- 63-090	AMD-P	00-09-069	308- 77-165	AMD-P	00-11-037
308- 56A-680	REP	00-06-020	308- 63-090	AMD	00-13-019	308- 77-165	AMD	00-16-045
308- 56A-690	REP	00-06-020	308- 63-100	AMD-P	00-09-069	308- 77-170	PREP	00-03-037
308- 57-005	PREP	00-06-001	308- 63-100	AMD	00-13-019	308- 77-170	AMD-P	00-11-037
308- 57-005	REP-P	00-09-019	308- 63-110	AMD-P	00-09-069	308- 77-170	AMD	00-16-045
308- 57-005	REP-W	00-11-041	308- 63-110	AMD	00-13-019	308- 77-180	PREP	00-03-037
308- 57-010	PREP	00-06-001	308- 63-120	AMD-P	00-09-069	308- 77-180	AMD-P	00-11-037
308- 57-010	REP-P	00-09-019	308- 63-120	AMD	00-13-019	308- 77-180	AMD	00-16-045
308- 57-010	REP-W	00-11-041	308- 63-130	AMD-P	00-09-069	308- 77-215	PREP	00-08-062
308- 57-020	PREP	00-06-001	308- 63-130	AMD	00-13-019	308- 77-240	PREP	00-03-037
308- 57-020	REP-P	00-09-019	308- 63-140	AMD-P	00-09-069	308- 77-240	AMD-P	00-11-037
308- 57-020	REP-W	00-11-041	308- 63-140	AMD	00-13-019	308- 77-240	AMD	00-16-045
308- 57-030	PREP	00-06-001	308- 63-150	REP-P	00-09-069	308- 77-265	PREP	00-03-037
308- 57-030	REP-P	00-09-019	308- 63-150	REP	00-13-019	308- 77-265	AMD-P	00-11-037
308- 57-030	REP-W	00-11-041	308- 63-160	AMD-P	00-09-069	308- 77-265	AMD	00-16-045
308- 57-110	PREP	00-06-001	308- 63-160	AMD	00-13-019	308- 77-270	PREP	00-03-037
308- 57-110	REP-P	00-09-019	308- 65	PREP	00-06-031	308- 77-270	REP-P	00-11-037
308- 57-110	REP-W	00-11-041	308- 65-020	AMD-P	00-09-071	308- 77-270	REP	00-16-045
308- 57-120	PREP	00-06-001	308- 65-020	AMD	00-13-020	308- 77-280	PREP	00-03-037
308- 57-120	REP-P	00-09-019	308- 65-030	AMD-P	00-09-071	308- 77-280	AMD-P	00-11-037
308- 57-120	REP-W	00-11-041	308- 65-030	AMD	00-13-020	308- 77-280	AMD	00-16-045
308- 57-130	PREP	00-06-001	308- 65-040	AMD-P	00-09-071	308- 77-290	NEW-P	00-05-014
308- 57-130	REP-P	00-09-019	308- 65-040	AMD	00-13-020	308- 77-290	NEW	00-08-032
308- 57-130	REP-W	00-11-041	308- 65-050	AMD-P	00-09-071	308- 78-010	PREP	00-08-064
308- 57-135	PREP	00-06-001	308- 65-050	AMD	00-13-020	308- 78-010	PREP	00-17-122

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308-78-020	PREP	00-17-122	308-93-285	PREP	00-07-105	308-96A-202	AMD-W	00-11-041
308-78-040	PREP	00-17-122	308-93-295	PREP	00-07-106	308-96A-203	PREP	00-06-001
308-78-045	PREP	00-17-122	308-93-350	PREP	00-07-105	308-96A-203	AMD-P	00-09-019
308-78-050	PREP	00-17-122	308-93-360	PREP	00-07-105	308-96A-203	AMD-W	00-11-041
308-78-060	PREP	00-17-122	308-93-440	PREP	00-07-093	308-96A-306	PREP	00-08-043
308-78-070	PREP	00-17-122	308-93-440	AMD-P	00-12-084	308-96A-306	AMD-P	00-11-120
308-78-080	PREP	00-17-122	308-93-440	AMD-W	00-14-019	308-96A-306	AMD	00-16-056
308-78-100	NEW-P	00-05-014	308-93-450	PREP	00-07-093	308-96A-311	PREP	00-08-043
308-78-100	NEW	00-08-032	308-93-450	AMD-P	00-12-084	308-96A-312	PREP	00-08-043
308-80	PREP	00-06-032	308-93-450	AMD-W	00-14-019	308-96A-313	PREP	00-08-043
308-80-015	AMD-P	00-09-070	308-93-460	PREP	00-07-093	308-96A-314	PREP	00-08-043
308-80-015	AMD	00-13-018	308-93-460	AMD-P	00-12-084	308-96A-316	PREP	00-08-043
308-80-020	AMD-P	00-09-070	308-93-460	AMD-W	00-14-019	308-96A-345	AMD	00-03-057
308-80-020	AMD	00-13-018	308-93-470	PREP	00-07-093	308-96A-350	AMD	00-03-057
308-88-010	REP	00-06-024	308-93-470	AMD-P	00-12-084	308-96A-355	AMD	00-03-057
308-88-020	AMD	00-06-024	308-93-470	AMD-W	00-14-019	308-96A-360	REP	00-03-057
308-88-030	REP	00-06-024	308-93-640	PREP	00-07-105	308-96A-365	AMD	00-03-057
308-88-040	REP	00-06-024	308-93-650	AMD-P	00-05-049	308-96A-370	REP	00-03-057
308-88-050	REP	00-06-024	308-93-650	AMD	00-09-065	308-96A-375	REP	00-03-057
308-88-170	REP	00-06-024	308-93-660	PREP	00-16-034	308-96A-380	REP	00-03-057
308-90	PREP	00-06-033	308-94	PREP	00-06-034	308-96A-400	PREP	00-06-001
308-91-090	PREP	00-03-038	308-94-010	REP-P	00-05-050	308-96A-400	REP-P	00-09-019
308-91-090	AMD-P	00-11-037	308-94-010	REP	00-09-066	308-96A-400	REP-W	00-11-041
308-91-090	AMD	00-16-045	308-94-030	PREP	00-07-094	308-96A-410	PREP	00-06-001
308-91-150	AMD-P	00-05-014	308-94-050	PREP	00-07-094	308-96A-410	REP-P	00-09-019
308-91-150	AMD	00-08-032	308-94-080	PREP	00-07-094	308-96A-410	REP-W	00-11-041
308-93-010	AMD-P	00-07-065	308-94-100	PREP	00-07-094	308-96A-550	PREP	00-07-108
308-93-010	PREP	00-07-107	308-94-160	REP-P	00-05-050	308-96A-560	PREP	00-07-108
308-93-010	AMD	00-11-131	308-94-160	REP	00-09-066	308-97-011	NEW	00-07-053
308-93-030	PREP	00-07-107	308-96A-005	AMD-P	00-03-094	308-97-230	PREP	00-06-001
308-93-050	PREP	00-07-107	308-96A-005	AMD	00-09-008	308-97-230	AMD-P	00-09-019
308-93-055	PREP	00-07-107	308-96A-065	PREP	00-07-108	308-97-230	AMD-W	00-11-041
308-93-056	PREP	00-07-107	308-96A-066	PREP	00-07-108	308-99-010	REP-P	00-07-126
308-93-060	PREP	00-07-105	308-96A-067	PREP	00-07-108	308-99-010	REP-W	00-09-009
308-93-069	PREP	00-07-105	308-96A-068	PREP	00-07-108	308-99-010	REP-P	00-16-041
308-93-070	PREP	00-07-105	308-96A-070	PREP	00-07-108	308-99-020	AMD-P	00-07-126
308-93-071	PREP	00-07-105	308-96A-071	PREP	00-07-108	308-99-020	AMD-W	00-09-009
308-93-073	PREP	00-07-105	308-96A-072	PREP	00-07-108	308-99-020	AMD-P	00-16-041
308-93-078	PREP	00-07-105	308-96A-073	PREP	00-07-108	308-99-021	REP-P	00-07-126
308-93-079	PREP	00-07-107	308-96A-074	PREP	00-07-108	308-99-021	REP-W	00-09-009
308-93-086	PREP	00-16-034	308-96A-099	PREP	00-06-001	308-99-021	REP-P	00-16-041
308-93-087	PREP	00-16-034	308-96A-099	AMD-P	00-09-019	308-99-025	REP-P	00-07-126
308-93-090	PREP	00-07-107	308-96A-099	AMD-W	00-11-041	308-99-025	REP-W	00-09-009
308-93-140	PREP	00-16-042	308-96A-135	PREP	00-06-001	308-99-025	REP-P	00-16-041
308-93-145	AMD-P	00-05-056	308-96A-135	REP-P	00-09-019	308-99-030	REP-P	00-07-126
308-93-145	AMD	00-09-065	308-96A-135	REP-W	00-11-041	308-99-030	REP-W	00-09-009
308-93-145	PREP	00-16-042	308-96A-145	PREP	00-06-001	308-99-030	REP-P	00-16-041
308-93-165	REP-P	00-05-049	308-96A-145	AMD-P	00-09-019	308-99-040	AMD-P	00-07-126
308-93-165	REP	00-09-065	308-96A-145	AMD-W	00-11-041	308-99-040	AMD-W	00-09-009
308-93-200	PREP	00-07-106	308-96A-175	PREP	00-06-001	308-99-040	AMD-P	00-16-041
308-93-220	PREP	00-07-106	308-96A-175	PREP	00-07-108	308-99-050	REP-P	00-07-126
308-93-230	PREP	00-07-106	308-96A-175	AMD-P	00-09-019	308-99-050	REP-W	00-09-009
308-93-241	PREP	00-07-104	308-96A-175	AMD-W	00-11-041	308-99-050	REP-P	00-16-041
308-93-241	AMD-P	00-16-094	308-96A-176	PREP	00-06-001	308-99-060	NEW-P	00-07-126
308-93-242	PREP	00-07-104	308-96A-176	PREP	00-07-108	308-99-060	NEW-W	00-09-009
308-93-242	AMD-P	00-16-094	308-96A-176	AMD-P	00-09-019	308-99-060	NEW-P	00-16-041
308-93-243	PREP	00-07-104	308-96A-176	AMD-W	00-11-041	308-100-010	AMD-P	00-15-084
308-93-243	AMD-P	00-16-094	308-96A-180	PREP	00-06-001	308-100-020	AMD-P	00-15-084
308-93-244	PREP	00-07-104	308-96A-180	AMD-P	00-09-019	308-100-040	AMD-P	00-15-084
308-93-244	AMD-P	00-16-094	308-96A-180	AMD-W	00-11-041	308-100-050	AMD-P	00-15-084
308-93-245	PREP	00-07-104	308-96A-202	PREP	00-06-001	308-100-090	AMD-P	00-15-084
308-93-245	REP-P	00-16-094	308-96A-202	AMD-P	00-09-019	308-100-100	AMD-P	00-15-084

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308-100-110	AMD-P	00-15-084	308-124H-051	AMD	00-08-035	308-300-110	PREP	00-08-067
308-100-130	AMD-P	00-15-084	308-124H-061	AMD-P	00-03-063	308-300-120	PREP	00-08-067
308-100-140	AMD-P	00-15-084	308-124H-061	AMD	00-08-035	308-300-130	PREP	00-08-067
308-100-150	AMD-P	00-15-084	308-124H-062	AMD-P	00-03-063	308-300-140	PREP	00-08-067
308-100-190	AMD-P	00-15-084	308-124H-062	AMD	00-08-035	308-300-150	PREP	00-08-067
308-104-004	AMD-P	00-15-085	308-124H-210	AMD-P	00-03-063	308-300-160	PREP	00-08-067
308-104-006	AMD-P	00-15-085	308-124H-210	AMD	00-08-035	308-300-170	PREP	00-08-067
308-104-008	AMD-P	00-15-085	308-124H-220	REP-P	00-03-063	308-300-180	PREP	00-08-067
308-104-012	AMD-P	00-15-085	308-124H-220	REP	00-08-035	308-300-190	PREP	00-08-067
308-104-014	AMD-P	00-15-086	308-124H-221	NEW-P	00-03-063	308-300-200	PREP	00-08-067
308-104-015	REP-P	00-15-086	308-124H-221	NEW	00-08-035	308-320	PREP	00-10-029
308-104-025	AMD-P	00-15-085	308-124H-230	AMD-P	00-03-063	308-320-010	PREP	00-10-029
308-104-035	AMD-P	00-15-085	308-124H-230	AMD	00-08-035	308-320-020	PREP	00-10-029
308-104-040	AMD-P	00-15-086	308-124H-240	REP-P	00-03-063	308-320-030	PREP	00-10-029
308-104-047	AMD-P	00-15-085	308-124H-240	REP	00-08-035	308-320-040	PREP	00-10-029
308-104-056	AMD-P	00-15-085	308-124H-245	NEW-P	00-03-063	308-320-050	PREP	00-10-029
308-104-060	REP-P	00-15-085	308-124H-245	NEW	00-08-035	308-320-060	PREP	00-10-029
308-104-070	AMD-P	00-15-085	308-124H-246	NEW-P	00-03-063	308-320-070	PREP	00-10-029
308-104-080	AMD-P	00-15-085	308-124H-246	NEW	00-08-035	308-320-080	PREP	00-10-029
308-104-090	AMD-P	00-15-085	308-124H-260	AMD-P	00-03-063	308-320-090	PREP	00-10-029
308-104-100	AMD-P	00-15-086	308-124H-260	AMD	00-08-035	308-330-307	AMD-P	00-15-083
308-104-105	AMD-P	00-15-086	308-124H-270	AMD-P	00-03-063	308-330-316	AMD-P	00-15-083
308-104-109	REP-P	00-15-086	308-124H-270	AMD	00-08-035	308-330-325	AMD-P	00-15-083
308-104-120	REP-P	00-15-085	308-124H-290	AMD-P	00-03-063	308-330-406	AMD-P	00-15-083
308-104-130	AMD-P	00-15-086	308-124H-290	AMD	00-08-035	308-330-415	AMD-P	00-15-083
308-104-150	AMD-P	00-15-086	308-124H-300	AMD-P	00-03-063	308-330-421	AMD-P	00-15-083
308-104-155	AMD-P	00-15-086	308-124H-300	AMD	00-08-035	308-330-423	AMD-P	00-15-083
308-104-160	AMD-P	00-15-086	308-124H-310	AMD-P	00-03-063	314- 02-005	NEW	00-07-091
308-104-170	AMD-P	00-15-086	308-124H-310	AMD	00-08-035	314- 02-010	NEW	00-07-091
308-124-021	AMD-P	00-03-063	308-124H-320	AMD-P	00-03-063	314- 02-015	NEW	00-07-091
308-124-021	AMD	00-08-035	308-124H-320	AMD	00-08-035	314- 02-020	NEW	00-07-091
308-124E-013	AMD-P	00-03-063	308-124H-510	AMD-P	00-03-063	314- 02-025	NEW	00-07-091
308-124E-013	AMD	00-08-035	308-124H-510	AMD	00-08-035	314- 02-030	NEW	00-07-091
308-124H-011	AMD-P	00-03-063	308-124H-520	REP-P	00-03-063	314- 02-035	NEW	00-07-091
308-124H-011	AMD	00-08-035	308-124H-520	REP	00-08-035	314- 02-040	NEW	00-07-091
308-124H-012	NEW-P	00-03-063	308-124H-525	NEW-P	00-03-063	314- 02-045	NEW	00-07-091
308-124H-012	NEW	00-08-035	308-124H-525	NEW	00-08-035	314- 02-050	NEW	00-07-091
308-124H-013	NEW-P	00-03-063	308-124H-530	AMD-P	00-03-063	314- 02-055	NEW	00-07-091
308-124H-013	NEW	00-08-035	308-124H-530	AMD	00-08-035	314- 02-060	NEW	00-07-091
308-124H-021	REP-P	00-03-063	308-124H-551	NEW-P	00-03-063	314- 02-065	NEW	00-07-091
308-124H-021	REP	00-08-035	308-124H-551	NEW	00-08-035	314- 02-070	NEW	00-07-091
308-124H-025	AMD-P	00-03-063	308-124H-580	AMD-P	00-03-063	314- 02-075	NEW	00-07-091
308-124H-025	AMD	00-08-035	308-124H-580	AMD	00-08-035	314- 02-080	NEW	00-07-091
308-124H-026	NEW-P	00-03-063	308-124H-800	AMD-P	00-03-063	314- 02-085	NEW	00-07-091
308-124H-026	NEW	00-08-035	308-124H-800	AMD	00-08-035	314- 02-090	NEW	00-07-091
308-124H-027	NEW-P	00-03-063	308-125-120	PREP	00-13-072	314- 02-095	NEW	00-07-091
308-124H-027	NEW	00-08-035	308-125-200	AMD	00-04-057	314- 02-100	NEW	00-07-091
308-124H-028	NEW-P	00-03-063	308-129-100	AMD-P	00-08-005	314- 02-105	NEW	00-07-091
308-124H-028	NEW	00-08-035	308-129-100	AMD	00-11-047	314- 02-110	NEW	00-07-091
308-124H-029	NEW-P	00-03-063	308-129-230	REP-P	00-08-005	314- 02-115	NEW	00-07-091
308-124H-029	NEW	00-08-035	308-129-230	REP	00-11-047	314- 02-120	NEW	00-07-091
308-124H-031	NEW-P	00-03-063	308-300-010	PREP	00-08-067	314- 02-125	NEW	00-07-091
308-124H-031	NEW	00-08-035	308-300-020	PREP	00-08-067	314- 02-130	NEW	00-07-091
308-124H-034	NEW-P	00-03-063	308-300-030	PREP	00-08-067	314- 13-005	NEW-P	00-17-182
308-124H-034	NEW	00-08-035	308-300-040	PREP	00-08-067	314- 13-010	NEW-P	00-17-182
308-124H-039	NEW-P	00-03-063	308-300-050	PREP	00-08-067	314- 13-015	NEW-P	00-17-182
308-124H-039	NEW	00-08-035	308-300-060	PREP	00-08-067	314- 13-020	NEW-P	00-17-182
308-124H-041	AMD-P	00-03-063	308-300-070	PREP	00-08-067	314- 13-025	NEW-P	00-17-182
308-124H-041	AMD	00-08-035	308-300-075	PREP	00-08-067	314- 13-030	NEW-P	00-17-182
308-124H-042	NEW-P	00-03-063	308-300-080	PREP	00-08-067	314- 13-035	NEW-P	00-17-182
308-124H-042	NEW	00-08-035	308-300-090	PREP	00-08-067	314- 13-040	NEW-P	00-17-182
308-124H-051	AMD-P	00-03-063	308-300-100	PREP	00-08-067	314- 13-045	NEW-P	00-17-182

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
314- 13-050	NEW-P	00-17-182	314- 19-010	NEW-P	00-09-095	315- 11A-165	REP	00-07-131
314- 13-055	NEW-P	00-17-182	314- 19-010	NEW	00-17-065	315- 11A-187	REP-XR	00-02-055
314- 13-060	NEW-P	00-17-182	314- 19-015	NEW-P	00-09-095	315- 11A-187	REP	00-07-131
314- 13-065	NEW-P	00-17-182	314- 19-015	NEW	00-17-065	315- 11A-188	REP-XR	00-02-055
314- 13-070	NEW-P	00-17-182	314- 19-020	NEW-P	00-09-095	315- 11A-188	REP	00-07-131
314- 13-075	NEW-P	00-17-182	314- 19-020	NEW	00-17-065	315- 11A-189	REP-XR	00-02-055
314- 13-080	NEW-P	00-17-182	314- 19-025	NEW-P	00-09-095	315- 11A-189	REP	00-07-131
314- 13-085	NEW-P	00-17-182	314- 19-025	NEW	00-17-065	315- 11A-190	REP-XR	00-02-055
314- 13-090	NEW-P	00-17-182	314- 19-030	NEW-P	00-09-095	315- 11A-190	REP	00-07-131
314- 13-095	NEW-P	00-17-182	314- 19-030	NEW	00-17-065	315- 11A-191	REP-XR	00-02-055
314- 13-100	NEW-P	00-17-182	314- 19-035	NEW-P	00-09-095	315- 11A-191	REP	00-07-131
314- 13-105	NEW-P	00-17-182	314- 19-035	NEW	00-17-065	315- 11A-192	REP-XR	00-02-055
314- 13-110	NEW-P	00-17-182	314- 19-040	NEW-P	00-09-095	315- 11A-192	REP	00-07-131
314- 13-115	NEW-P	00-17-182	314- 19-040	NEW	00-17-065	315- 11A-193	REP-XR	00-02-055
314- 14	REP-P	00-17-182	314- 20-010	REP-P	00-09-095	315- 11A-193	REP	00-07-131
314- 14-010	REP-P	00-17-182	314- 20-010	REP	00-17-065	315- 11A-194	REP-XR	00-02-055
314- 14-020	REP-P	00-17-182	314- 20-015	AMD-P	00-09-095	315- 11A-194	REP	00-07-131
314- 14-030	REP-P	00-17-182	314- 20-015	AMD	00-17-065	315- 11A-195	REP-XR	00-02-055
314- 14-040	REP-P	00-17-182	314- 20-040	REP-P	00-09-095	315- 11A-195	REP	00-07-131
314- 14-050	REP-P	00-17-182	314- 20-040	REP	00-17-065	315- 11A-196	REP-XR	00-02-055
314- 14-060	REP-P	00-17-182	314- 20-060	REP-P	00-09-095	315- 11A-196	REP	00-07-131
314- 14-070	REP-P	00-17-182	314- 20-060	REP	00-17-065	315- 11A-197	REP-XR	00-02-055
314- 14-080	REP-P	00-17-182	314- 20-150	REP-P	00-09-095	315- 11A-197	REP	00-07-131
314- 14-090	REP-P	00-17-182	314- 20-150	REP	00-17-065	315- 11A-198	REP-XR	00-02-055
314- 14-100	REP-P	00-17-182	314- 20-160	AMD-P	00-09-095	315- 11A-198	REP	00-07-131
314- 14-110	REP-P	00-17-182	314- 20-160	AMD	00-17-065	315- 11A-199	REP-XR	00-02-055
314- 14-120	REP-P	00-17-182	314- 20-170	AMD-P	00-09-095	315- 11A-199	REP	00-07-131
314- 14-130	REP-P	00-17-182	314- 20-170	AMD	00-17-065	315- 11A-200	REP-XR	00-02-055
314- 14-140	REP-P	00-17-182	314- 20-180	REP-P	00-09-095	315- 11A-200	REP	00-07-131
314- 14-150	REP-P	00-17-182	314- 20-180	REP	00-17-065	315- 11A-201	REP-XR	00-02-055
314- 14-160	REP-P	00-17-182	314- 24-095	REP-P	00-09-095	315- 11A-201	REP	00-07-131
314- 14-165	REP-P	00-17-182	314- 24-095	REP	00-17-065	315- 11A-202	REP-XR	00-02-055
314- 14-170	REP-P	00-17-182	314- 24-110	REP-P	00-09-095	315- 11A-202	REP	00-07-131
314- 15-010	REP	00-07-117	314- 24-110	REP	00-17-065	315- 11A-203	REP-XR	00-02-055
314- 15-020	REP	00-07-117	314- 24-120	AMD-P	00-09-095	315- 11A-203	REP	00-07-131
314- 15-030	REP	00-07-117	314- 24-120	AMD	00-17-065	315- 11A-204	REP-XR	00-02-055
314- 15-040	REP	00-07-117	314- 24-160	AMD-P	00-09-095	315- 11A-204	REP	00-07-131
314- 15-050	REP	00-07-117	314- 24-160	AMD	00-17-065	315- 11A-205	REP-XR	00-02-055
314- 16-040	AMD-XA	00-07-116	314- 26-010	REP-P	00-09-095	315- 11A-205	REP	00-07-131
314- 16-040	AMD	00-12-051	314- 26-010	REP	00-17-065	315- 11A-206	REP-XR	00-02-055
314- 16-055	REP	00-07-117	314- 37	PREP	00-02-087	315- 11A-206	REP	00-07-131
314- 16-115	REP	00-07-117	314- 42-010	NEW-P	00-02-089	315- 11A-207	REP-XR	00-02-055
314- 16-130	REP-P	00-09-095	314- 42-010	NEW	00-06-016	315- 11A-207	REP	00-07-131
314- 16-130	REP-W	00-12-030	314- 48-010	PREP	00-02-087	315- 11A-208	REP-XR	00-02-055
314- 16-130	REP	00-17-065	314- 56-010	REP-XR	00-02-086	315- 11A-208	REP	00-07-131
314- 16-140	REP	00-07-117	314- 56-010	REP	00-12-012	315- 11A-209	REP-XR	00-02-055
314- 16-180	REP	00-07-117	314- 56-020	REP-XR	00-02-086	315- 11A-209	REP	00-07-131
314- 16-190	AMD-XA	00-07-116	314- 56-020	REP	00-12-012	315- 11A-210	REP-XR	00-02-055
314- 16-190	REP-W	00-12-030	314- 60	PREP	00-02-088	315- 11A-210	REP	00-07-131
314- 16-190	AMD	00-12-051	314- 62	PREP	00-02-088	315- 11A-211	REP-XR	00-02-055
314- 16-196	AMD-XA	00-07-116	314- 64	PREP	00-02-087	315- 11A-211	REP	00-07-131
314- 16-196	REP-W	00-12-030	314- 76-010	PREP	00-02-087	315- 11A-212	REP-XR	00-02-055
314- 16-196	AMD	00-12-051	314- 78-010	REP-XR	00-02-086	315- 11A-212	REP	00-07-131
314- 16-197	REP	00-07-117	314- 78-010	REP	00-12-012	315- 11A-213	REP-XR	00-02-055
314- 16-199	REP	00-07-117	315- 04	PREP	00-16-044	315- 11A-213	REP	00-07-131
314- 16-200	REP	00-07-117	315- 04	PREP	00-16-092	315- 11A-214	REP-XR	00-02-055
314- 16-205	REP	00-07-117	315- 04-020	PREP	00-11-016	315- 11A-214	REP	00-07-131
314- 16-210	REP	00-07-117	315- 04-120	PREP	00-14-049	315- 11A-215	REP-XR	00-14-057
314- 16-240	REP	00-07-117	315- 06-120	PREP	00-05-059	315- 11A-216	REP-XR	00-14-057
314- 16-250	REP	00-12-011	315- 06-120	AMD-P	00-07-130	315- 11A-217	REP-XR	00-14-057
314- 19-005	NEW-P	00-09-095	315- 06-120	AMD	00-12-032	315- 36-100	PREP	00-17-101
314- 19-005	NEW	00-17-065	315- 11A-165	REP-XR	00-02-055	317- 10	PREP	00-05-096

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
317- 21-130	REP-XR	00-12-091	352- 32-045	AMD	00-13-070	352- 32-330	AMD-P	00-10-117
317- 21-130	REP	00-16-134	352- 32-050	AMD-P	00-10-117	352- 32-330	AMD	00-13-070
317- 21-200	REP-XR	00-12-091	352- 32-050	AMD	00-13-070	352- 37	PREP	00-16-157
317- 21-200	REP	00-16-134	352- 32-053	AMD-P	00-10-117	352- 40	PREP	00-16-157
317- 21-205	REP-XR	00-12-091	352- 32-053	AMD	00-13-070	352- 44	PREP	00-16-157
317- 21-205	REP	00-16-134	352- 32-056	AMD-P	00-10-117	352- 48	PREP	00-16-157
317- 21-210	REP-XR	00-12-091	352- 32-056	AMD	00-13-070	352- 52	PREP	00-16-157
317- 21-210	REP	00-16-134	352- 32-060	AMD-P	00-10-117	352- 56	PREP	00-16-157
317- 21-215	REP-XR	00-12-091	352- 32-060	AMD	00-13-070	352- 60	PREP	00-16-157
317- 21-215	REP	00-16-134	352- 32-070	AMD-P	00-10-117	352- 64	PREP	00-12-095
317- 21-220	REP-XR	00-12-091	352- 32-070	AMD	00-13-070	352- 64	PREP	00-16-157
317- 21-220	REP	00-16-134	352- 32-075	AMD-P	00-10-117	352- 65	PREP	00-12-095
317- 21-225	REP-XR	00-12-091	352- 32-075	AMD	00-13-070	352- 65	PREP	00-16-157
317- 21-225	REP	00-16-134	352- 32-080	AMD-P	00-10-117	352- 66	PREP	00-16-157
317- 21-230	REP-XR	00-12-091	352- 32-080	AMD	00-13-070	352- 67	PREP	00-16-157
317- 21-230	REP	00-16-134	352- 32-085	AMD-P	00-10-117	352- 68	PREP	00-16-157
317- 21-235	REP-XR	00-12-091	352- 32-085	AMD	00-13-070	352- 70	PREP	00-12-094
317- 21-235	REP	00-16-134	352- 32-090	AMD-P	00-10-117	352- 70	PREP	00-16-157
317- 21-240	REP-XR	00-12-091	352- 32-090	AMD	00-13-070	352- 70	AMD-P	00-16-158
317- 21-240	REP	00-16-134	352- 32-100	AMD-P	00-10-117	352- 70-010	AMD-P	00-16-158
317- 21-245	REP-XR	00-12-091	352- 32-100	AMD	00-13-070	352- 70-020	AMD-P	00-16-158
317- 21-245	REP	00-16-134	352- 32-110	AMD-P	00-10-117	352- 70-030	AMD-P	00-16-158
317- 21-250	REP-XR	00-12-091	352- 32-110	AMD	00-13-070	352- 70-035	NEW-P	00-16-158
317- 21-250	REP	00-16-134	352- 32-120	AMD-P	00-10-117	352- 70-040	AMD-P	00-16-158
317- 21-255	REP-XR	00-12-091	352- 32-120	AMD	00-13-070	352- 70-050	AMD-P	00-16-158
317- 21-255	REP	00-16-134	352- 32-130	AMD-P	00-10-117	352- 70-060	AMD-P	00-16-158
317- 21-260	REP-XR	00-12-091	352- 32-130	AMD	00-13-070	352- 74	PREP	00-16-157
317- 21-260	REP	00-16-134	352- 32-150	AMD-P	00-10-117	352- 75	PREP	00-16-157
317- 21-265	REP-XR	00-12-091	352- 32-150	AMD	00-13-070	352- 76	PREP	00-12-095
317- 21-265	REP	00-16-134	352- 32-15001	AMD-P	00-10-117	352- 76	PREP	00-16-157
317- 21-540	REP-XR	00-12-091	352- 32-15001	AMD	00-13-070	356- 14-045	AMD-P	00-04-052
317- 21-540	REP	00-16-134	352- 32-155	AMD-P	00-10-117	356- 14-045	AMD-C	00-06-050
326- 30-041	PREP	00-10-105	352- 32-155	AMD	00-13-070	356- 14-045	AMD	00-10-026
326- 30-041	AMD-P	00-13-112	352- 32-157	AMD-P	00-10-117	356- 14-070	AMD-P	00-12-074
326- 30-041	AMD	00-17-059	352- 32-157	AMD	00-13-070	356- 14-070	AMD	00-16-004
332- 30-118	REP-XR	00-15-057	352- 32-165	AMD-P	00-10-117	356- 14-140	AMD-P	00-12-073
332- 30-134	REP-XR	00-15-058	352- 32-165	AMD	00-13-070	356- 14-140	AMD	00-16-005
332- 30-142	REP-XR	00-15-059	352- 32-195	AMD-P	00-10-117	356- 15-100	AMD-W	00-10-025
332- 30-154	REP-XR	00-15-060	352- 32-195	AMD	00-13-070	356- 15-110	AMD-W	00-10-025
332- 30-161	REP-XR	00-15-061	352- 32-200	AMD-P	00-10-117	356- 22-220	AMD-P	00-12-072
332- 30-169	REP-XR	00-15-062	352- 32-200	AMD	00-13-070	356- 22-220	AMD-C	00-16-003
332-130-050	AMD-P	00-08-034	352- 32-210	AMD-P	00-10-117	356- 26-040	AMD-P	00-04-052
332-130-050	AMD	00-17-063	352- 32-210	AMD	00-13-070	356- 26-040	AMD-C	00-06-050
352- 04	PREP	00-12-096	352- 32-215	AMD-P	00-10-117	356- 26-040	AMD	00-10-026
352- 04	PREP	00-16-157	352- 32-215	AMD	00-13-070	356- 30-075	AMD-P	00-04-052
352- 11	PREP	00-16-157	352- 32-230	AMD-P	00-10-117	356- 30-075	AMD-C	00-06-050
352- 12	PREP	00-16-157	352- 32-230	AMD	00-13-070	356- 30-075	AMD	00-10-026
352- 16	PREP	00-16-157	352- 32-235	AMD-P	00-10-117	356- 30-331	AMD-P	00-06-047
352- 20	PREP	00-16-157	352- 32-235	AMD	00-13-070	356- 30-331	AMD	00-11-122
352- 24	PREP	00-16-157	352- 32-250	AMD-P	00-10-117	359- 14-010	NEW-P	00-04-054
352- 28	PREP	00-16-157	352- 32-250	AMD	00-13-070	359- 14-010	NEW-C	00-06-049
352- 32	PREP	00-04-081	352- 32-251	AMD-P	00-10-117	359- 14-010	NEW	00-10-028
352- 32	PREP	00-16-157	352- 32-251	AMD	00-13-070	359- 14-020	NEW-P	00-04-054
352- 32-010	AMD-P	00-10-117	352- 32-255	AMD-P	00-10-117	359- 14-020	NEW-C	00-06-049
352- 32-010	AMD	00-13-070	352- 32-255	AMD	00-13-070	359- 14-020	NEW	00-10-028
352- 32-011	AMD-P	00-10-117	352- 32-280	AMD-P	00-10-117	359- 14-030	NEW-P	00-04-054
352- 32-011	AMD	00-13-070	352- 32-280	AMD	00-13-070	359- 14-030	NEW-C	00-06-049
352- 32-030	AMD-P	00-10-117	352- 32-285	PREP	00-04-081	359- 14-030	NEW	00-10-028
352- 32-030	AMD	00-13-070	352- 32-285	AMD-P	00-10-117	359- 14-050	NEW-P	00-04-054
352- 32-040	AMD-P	00-10-117	352- 32-285	AMD	00-13-070	359- 14-050	NEW-C	00-06-049
352- 32-040	AMD	00-13-070	352- 32-290	AMD-P	00-10-117	359- 14-050	NEW	00-10-028
352- 32-045	AMD-P	00-10-117	352- 32-290	AMD	00-13-070	359- 14-070	NEW-P	00-04-054

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
359-14-070	NEW-C	00-06-049	365-195-925	NEW-P	00-03-066	388-02-0225	NEW-P	00-10-034
359-14-070	NEW	00-10-028	365-195-925	NEW	00-16-064	388-02-0230	NEW-P	00-10-034
359-14-080	NEW-P	00-04-054	365-197-010	NEW-P	00-03-067	388-02-0235	NEW-P	00-10-034
359-14-080	NEW-C	00-06-049	365-197-010	NEW-W	00-16-097	388-02-0240	NEW-P	00-10-034
359-14-080	NEW	00-10-028	365-197-020	NEW-P	00-03-067	388-02-0245	NEW-P	00-10-034
359-14-100	NEW-P	00-04-054	365-197-020	NEW-W	00-16-097	388-02-0250	NEW-P	00-10-034
359-14-100	NEW-C	00-06-049	365-197-030	NEW-P	00-03-067	388-02-0255	NEW-P	00-10-034
359-14-100	NEW	00-10-028	365-197-030	NEW-W	00-16-097	388-02-0260	NEW-P	00-10-034
359-14-130	NEW-P	00-04-054	365-197-040	NEW-P	00-03-067	388-02-0265	NEW-P	00-10-034
359-14-130	NEW-C	00-06-049	365-197-040	NEW-W	00-16-097	388-02-0270	NEW-P	00-10-034
359-14-130	NEW	00-10-028	365-197-050	NEW-P	00-03-067	388-02-0275	NEW-P	00-10-034
359-40-010	NEW-P	00-04-054	365-197-050	NEW-W	00-16-097	388-02-0280	NEW-P	00-10-034
359-40-010	NEW-C	00-06-049	365-197-060	NEW-P	00-03-067	388-02-0285	NEW-P	00-10-034
359-40-010	NEW	00-10-028	365-197-060	NEW-W	00-16-097	388-02-0290	NEW-P	00-10-034
359-40-020	NEW-P	00-04-054	365-197-070	NEW-P	00-03-067	388-02-0295	NEW-P	00-10-034
359-40-020	NEW-C	00-06-049	365-197-070	NEW-W	00-16-097	388-02-0300	NEW-P	00-10-034
359-40-020	NEW	00-10-028	365-197-080	NEW-P	00-03-067	388-02-0305	NEW-P	00-10-034
359-40-050	NEW-P	00-04-054	365-197-080	NEW-W	00-16-097	388-02-0310	NEW-P	00-10-034
359-40-050	NEW-C	00-06-049	388-02-0005	NEW-P	00-10-034	388-02-0315	NEW-P	00-10-034
359-40-050	NEW	00-10-028	388-02-0010	NEW-P	00-10-034	388-02-0320	NEW-P	00-10-034
359-40-060	NEW-P	00-04-054	388-02-0015	NEW-P	00-10-034	388-02-0325	NEW-P	00-10-034
359-40-060	NEW-C	00-06-049	388-02-0020	NEW-P	00-10-034	388-02-0330	NEW-P	00-10-034
359-40-060	NEW	00-10-028	388-02-0025	NEW-P	00-10-034	388-02-0335	NEW-P	00-10-034
363-116-080	PREP	00-13-098	388-02-0030	NEW-P	00-10-034	388-02-0340	NEW-P	00-10-034
363-116-082	PREP	00-13-098	388-02-0035	NEW-P	00-10-034	388-02-0345	NEW-P	00-10-034
363-116-185	AMD-P	00-10-074	388-02-0040	NEW-P	00-10-034	388-02-0350	NEW-P	00-10-034
363-116-185	AMD	00-13-097	388-02-0045	NEW-P	00-10-034	388-02-0355	NEW-P	00-10-034
363-116-300	AMD-P	00-08-106	388-02-0050	NEW-P	00-10-034	388-02-0360	NEW-P	00-10-034
363-116-300	AMD	00-11-119	388-02-0055	NEW-P	00-10-034	388-02-0365	NEW-P	00-10-034
365-18-010	NEW	00-09-060	388-02-0060	NEW-P	00-10-034	388-02-0370	NEW-P	00-10-034
365-18-020	NEW	00-09-060	388-02-0065	NEW-P	00-10-034	388-02-0375	NEW-P	00-10-034
365-18-030	NEW	00-09-060	388-02-0070	NEW-P	00-10-034	388-02-0380	NEW-P	00-10-034
365-18-040	NEW	00-09-060	388-02-0075	NEW-P	00-10-034	388-02-0385	NEW-P	00-10-034
365-18-050	NEW	00-09-060	388-02-0080	NEW-P	00-10-034	388-02-0390	NEW-P	00-10-034
365-18-060	NEW	00-09-060	388-02-0085	NEW-P	00-10-034	388-02-0395	NEW-P	00-10-034
365-18-070	NEW	00-09-060	388-02-0090	NEW-P	00-10-034	388-02-0400	NEW-P	00-10-034
365-18-080	NEW	00-09-060	388-02-0095	NEW-P	00-10-034	388-02-0405	NEW-P	00-10-034
365-18-090	NEW	00-09-060	388-02-0100	NEW-P	00-10-034	388-02-0410	NEW-P	00-10-034
365-18-100	NEW	00-09-060	388-02-0105	NEW-P	00-10-034	388-02-0415	NEW-P	00-10-034
365-18-110	NEW	00-09-060	388-02-0110	NEW-P	00-10-034	388-02-0420	NEW-P	00-10-034
365-18-120	NEW	00-09-060	388-02-0115	NEW-P	00-10-034	388-02-0425	NEW-P	00-10-034
365-120	AMD	00-05-020	388-02-0120	NEW-P	00-10-034	388-02-0430	NEW-P	00-10-034
365-120-010	AMD	00-05-020	388-02-0125	NEW-P	00-10-034	388-02-0435	NEW-P	00-10-034
365-120-020	AMD	00-05-020	388-02-0130	NEW-P	00-10-034	388-02-0440	NEW-P	00-10-034
365-120-030	AMD	00-05-020	388-02-0135	NEW-P	00-10-034	388-02-0445	NEW-P	00-10-034
365-120-040	AMD	00-05-020	388-02-0140	NEW-P	00-10-034	388-02-0450	NEW-P	00-10-034
365-120-050	AMD	00-05-020	388-02-0145	NEW-P	00-10-034	388-02-0455	NEW-P	00-10-034
365-120-060	AMD	00-05-020	388-02-0150	NEW-P	00-10-034	388-02-0460	NEW-P	00-10-034
365-120-070	NEW	00-05-020	388-02-0155	NEW-P	00-10-034	388-02-0465	NEW-P	00-10-034
365-120-080	NEW	00-05-020	388-02-0160	NEW-P	00-10-034	388-02-0470	NEW-P	00-10-034
365-120-090	NEW	00-05-020	388-02-0165	NEW-P	00-10-034	388-02-0475	NEW-P	00-10-034
365-135-020	AMD	00-02-061	388-02-0170	NEW-P	00-10-034	388-02-0480	NEW-P	00-10-034
365-195-900	NEW-P	00-03-066	388-02-0175	NEW-P	00-10-034	388-02-0485	NEW-P	00-10-034
365-195-900	NEW	00-16-064	388-02-0180	NEW-P	00-10-034	388-02-0490	NEW-P	00-10-034
365-195-905	NEW-P	00-03-066	388-02-0185	NEW-P	00-10-034	388-02-0495	NEW-P	00-10-034
365-195-905	NEW	00-16-064	388-02-0190	NEW-P	00-10-034	388-02-0500	NEW-P	00-10-034
365-195-910	NEW-P	00-03-066	388-02-0195	NEW-P	00-10-034	388-02-0505	NEW-P	00-10-034
365-195-910	NEW	00-16-064	388-02-0200	NEW-P	00-10-034	388-02-0510	NEW-P	00-10-034
365-195-915	NEW-P	00-03-066	388-02-0205	NEW-P	00-10-034	388-02-0515	NEW-P	00-10-034
365-195-915	NEW	00-16-064	388-02-0210	NEW-P	00-10-034	388-02-0520	NEW-P	00-10-034
365-195-920	NEW-P	00-03-066	388-02-0215	NEW-P	00-10-034	388-02-0525	NEW-P	00-10-034
365-195-920	NEW	00-16-064	388-02-0220	NEW-P	00-10-034	388-02-0530	NEW-P	00-10-034

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-02-0535	NEW-P	00-10-034	388-08-437	REP-P	00-10-094	388-11-215	REP-P	00-16-114
388-02-0540	NEW-P	00-10-034	388-08-440	REP-P	00-10-094	388-11-220	PREP	00-06-039
388-02-0545	NEW-P	00-10-034	388-08-446	REP-P	00-10-094	388-11-220	REP-P	00-16-114
388-02-0550	NEW-P	00-10-034	388-08-449	REP-P	00-10-094	388-11-280	PREP	00-06-039
388-02-0555	NEW-P	00-10-034	388-08-452	REP-P	00-10-094	388-11-280	REP-P	00-16-114
388-02-0560	NEW-P	00-10-034	388-08-461	REP-P	00-10-094	388-11-285	PREP	00-06-039
388-02-0565	NEW-P	00-10-034	388-08-462	REP-P	00-10-094	388-11-285	REP-P	00-10-096
388-02-0570	NEW-P	00-10-034	388-08-464	REP-P	00-10-094	388-11-285	REP	00-15-016
388-02-0575	NEW-P	00-10-034	388-08-466	REP-P	00-10-094	388-11-290	PREP	00-06-039
388-02-0580	NEW-P	00-10-034	388-08-470	REP-P	00-10-094	388-11-290	REP-P	00-10-096
388-02-0585	NEW-P	00-10-034	388-08-515	REP-P	00-10-094	388-11-290	REP	00-15-016
388-02-0590	NEW-P	00-10-034	388-08-525	REP-P	00-10-094	388-11-295	PREP	00-06-039
388-02-0595	NEW-P	00-10-034	388-08-535	REP-P	00-10-094	388-11-295	REP-P	00-10-096
388-02-0600	NEW-P	00-10-034	388-08-545	REP-P	00-10-094	388-11-295	REP	00-15-016
388-02-0605	NEW-P	00-10-034	388-08-555	REP-P	00-10-094	388-11-300	PREP	00-06-039
388-02-0610	NEW-P	00-10-034	388-08-565	REP-P	00-10-094	388-11-300	REP-P	00-16-114
388-02-0615	NEW-P	00-10-034	388-08-575	REP-P	00-10-094	388-11-305	PREP	00-06-039
388-02-0620	NEW-P	00-10-034	388-08-585	REP-P	00-10-094	388-11-305	AMD-P	00-10-096
388-02-0625	NEW-P	00-10-034	388-11-011	PREP	00-06-039	388-11-305	AMD	00-15-016
388-02-0630	NEW-P	00-10-034	388-11-011	AMD-P	00-10-096	388-11-305	REP-P	00-16-114
388-02-0635	NEW-P	00-10-034	388-11-011	AMD	00-15-016	388-11-310	PREP	00-06-039
388-02-0640	NEW-P	00-10-034	388-11-011	REP-P	00-16-114	388-11-310	AMD-P	00-10-096
388-02-0645	NEW-P	00-10-034	388-11-015	PREP	00-06-039	388-11-310	AMD	00-15-016
388-02-0650	NEW-P	00-10-034	388-11-015	REP-P	00-16-114	388-11-310	REP-P	00-16-114
388-03-010	NEW	00-06-014	388-11-045	PREP	00-06-039	388-11-315	PREP	00-06-039
388-03-020	NEW	00-06-014	388-11-045	REP-P	00-16-114	388-11-315	REP-P	00-06-068
388-03-030	NEW	00-06-014	388-11-048	PREP	00-06-039	388-11-315	REP	00-09-076
388-03-050	NEW	00-06-014	388-11-048	REP-P	00-16-114	388-11-320	PREP	00-06-039
388-03-060	NEW	00-06-014	388-11-065	PREP	00-06-039	388-11-320	REP-P	00-16-114
388-03-110	NEW	00-06-014	388-11-065	REP-P	00-16-114	388-11-325	PREP	00-06-039
388-03-112	NEW	00-06-014	388-11-067	PREP	00-06-039	388-11-325	REP-P	00-16-114
388-03-114	NEW	00-06-014	388-11-067	REP-P	00-16-114	388-11-330	PREP	00-06-039
388-03-115	NEW	00-06-014	388-11-100	PREP	00-06-039	388-11-330	REP-P	00-16-114
388-03-116	NEW	00-06-014	388-11-100	AMD-P	00-10-096	388-11-335	PREP	00-06-039
388-03-117	NEW	00-06-014	388-11-100	AMD	00-15-016	388-11-335	REP-P	00-16-114
388-03-118	NEW	00-06-014	388-11-100	REP-P	00-16-114	388-11-340	PREP	00-06-039
388-03-120	NEW	00-06-014	388-11-120	PREP	00-06-039	388-11-340	REP-P	00-16-114
388-03-122	NEW	00-06-014	388-11-120	AMD-P	00-10-096	388-11-400	PREP	00-06-039
388-03-123	NEW	00-06-014	388-11-120	AMD	00-15-016	388-11-400	REP-P	00-10-096
388-03-124	NEW	00-06-014	388-11-120	REP-P	00-16-114	388-11-400	REP	00-15-016
388-03-125	NEW	00-06-014	388-11-135	PREP	00-06-039	388-11-410	PREP	00-06-039
388-03-126	NEW	00-06-014	388-11-135	REP-P	00-16-114	388-11-410	REP-P	00-10-096
388-03-130	NEW	00-06-014	388-11-140	PREP	00-06-039	388-11-410	REP	00-15-016
388-03-132	NEW	00-06-014	388-11-140	REP-P	00-16-114	388-11-415	PREP	00-06-039
388-03-133	NEW	00-06-014	388-11-143	REP-P	00-16-114	388-11-415	REP-P	00-10-096
388-03-135	NEW	00-06-014	388-11-145	PREP	00-06-039	388-11-415	REP	00-15-016
388-03-138	NEW	00-06-014	388-11-145	REP-P	00-16-114	388-11-420	PREP	00-06-039
388-03-140	NEW	00-06-014	388-11-150	PREP	00-06-039	388-11-420	REP-P	00-10-096
388-03-150	NEW	00-06-014	388-11-150	AMD-P	00-10-096	388-11-420	REP	00-15-016
388-03-152	NEW	00-06-014	388-11-150	AMD	00-15-016	388-11-425	PREP	00-06-039
388-03-154	NEW	00-06-014	388-11-150	REP-P	00-16-114	388-11-425	REP-P	00-10-096
388-03-156	NEW	00-06-014	388-11-155	PREP	00-06-039	388-11-425	REP	00-15-016
388-03-170	NEW	00-06-014	388-11-155	REP-P	00-16-114	388-11-430	PREP	00-06-039
388-03-172	NEW	00-06-014	388-11-170	PREP	00-06-039	388-11-430	REP-P	00-10-096
388-03-174	NEW	00-06-014	388-11-170	REP-P	00-16-114	388-11-430	REP	00-15-016
388-03-176	NEW	00-06-014	388-11-180	PREP	00-06-039	388-13	PREP	00-06-039
388-08-410	REP-P	00-10-094	388-11-180	REP-P	00-16-114	388-13-010	REP-P	00-16-114
388-08-413	REP-P	00-10-094	388-11-205	PREP	00-06-039	388-13-020	REP-P	00-16-114
388-08-425	REP-P	00-10-094	388-11-205	REP-P	00-16-114	388-13-030	REP-P	00-16-114
388-08-428	REP-P	00-10-094	388-11-210	PREP	00-06-039	388-13-040	REP-P	00-16-114
388-08-431	REP-P	00-10-094	388-11-210	REP-P	00-16-114	388-13-050	REP-P	00-16-114
388-08-434	REP-P	00-10-094	388-11-215	PREP	00-06-039	388-13-060	REP-P	00-16-114

TABLE



Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-13-070	REP-P	00-16-114	388-14-370	PREP	00-06-039	388-14-560	PREP	00-06-039
388-13-085	REP-P	00-16-114	388-14-370	REP-P	00-16-114	388-14-560	REP-P	00-16-114
388-13-090	REP-P	00-16-114	388-14-376	PREP	00-06-039	388-14-570	PREP	00-06-039
388-13-100	REP-P	00-16-114	388-14-376	REP-P	00-16-114	388-14-570	REP-P	00-16-114
388-13-110	REP-P	00-16-114	388-14-385	PREP	00-06-039	388-14A-1000	NEW-P	00-16-114
388-13-120	REP-P	00-16-114	388-14-385	REP-P	00-16-114	388-14A-1005	NEW-P	00-16-114
388-14-010	PREP	00-06-039	388-14-386	PREP	00-06-039	388-14A-1010	NEW-P	00-16-114
388-14-010	REP-P	00-16-114	388-14-386	REP-P	00-16-114	388-14A-1015	NEW-P	00-16-114
388-14-020	PREP	00-06-039	388-14-387	PREP	00-06-039	388-14A-1020	NEW-P	00-16-114
388-14-020	REP-P	00-16-114	388-14-387	REP-P	00-16-114	388-14A-1025	NEW-P	00-16-114
388-14-030	PREP	00-06-039	388-14-388	PREP	00-06-039	388-14A-1030	NEW-P	00-16-114
388-14-030	REP-P	00-16-114	388-14-388	REP-P	00-16-114	388-14A-1035	NEW-P	00-16-114
388-14-035	PREP	00-06-039	388-14-390	PREP	00-06-039	388-14A-1040	NEW-P	00-16-114
388-14-035	REP-P	00-16-114	388-14-390	REP-P	00-16-114	388-14A-1045	NEW-P	00-16-114
388-14-040	PREP	00-06-039	388-14-395	PREP	00-06-039	388-14A-1050	NEW-P	00-16-114
388-14-040	REP-P	00-16-114	388-14-395	REP-P	00-16-114	388-14A-1055	NEW-P	00-16-114
388-14-045	PREP	00-06-039	388-14-410	PREP	00-06-039	388-14A-1060	NEW-P	00-16-114
388-14-045	REP-P	00-16-114	388-14-410	REP-P	00-16-114	388-14A-2000	NEW-P	00-16-114
388-14-050	PREP	00-06-039	388-14-415	PREP	00-06-039	388-14A-2005	NEW-P	00-16-114
388-14-050	REP-P	00-16-114	388-14-415	REP-P	00-16-114	388-14A-2010	NEW-P	00-16-114
388-14-100	PREP	00-06-039	388-14-420	PREP	00-06-039	388-14A-2015	NEW-P	00-16-114
388-14-100	REP-P	00-16-114	388-14-420	REP-P	00-16-114	388-14A-2020	NEW-P	00-16-114
388-14-200	PREP	00-06-039	388-14-421	PREP	00-06-039	388-14A-2025	NEW-P	00-16-114
388-14-200	REP-P	00-16-114	388-14-421	REP-P	00-16-114	388-14A-2030	NEW-P	00-16-114
388-14-201	PREP	00-06-039	388-14-422	PREP	00-06-039	388-14A-2035	NEW-P	00-16-114
388-14-201	REP-P	00-16-114	388-14-422	REP-P	00-16-114	388-14A-2036	NEW-P	00-16-114
388-14-202	PREP	00-06-039	388-14-423	PREP	00-06-039	388-14A-2037	NEW-P	00-16-114
388-14-202	REP-P	00-16-114	388-14-423	REP-P	00-16-114	388-14A-2038	NEW-P	00-16-114
388-14-203	PREP	00-06-039	388-14-424	PREP	00-06-039	388-14A-2040	NEW-P	00-16-114
388-14-203	REP-P	00-16-114	388-14-424	REP-P	00-16-114	388-14A-2041	NEW-P	00-16-114
388-14-205	PREP	00-06-039	388-14-427	PREP	00-06-039	388-14A-2045	NEW-P	00-16-114
388-14-205	REP-P	00-16-114	388-14-427	REP-P	00-16-114	388-14A-2050	NEW-P	00-16-114
388-14-210	PREP	00-06-039	388-14-435	PREP	00-06-039	388-14A-2060	NEW-P	00-16-114
388-14-210	REP-P	00-16-114	388-14-435	REP-P	00-16-114	388-14A-2065	NEW-P	00-16-114
388-14-220	PREP	00-06-039	388-14-440	PREP	00-06-039	388-14A-2070	NEW-P	00-16-114
388-14-220	REP-P	00-16-114	388-14-440	REP-P	00-16-114	388-14A-2075	NEW-P	00-16-114
388-14-250	PREP	00-06-039	388-14-445	PREP	00-06-039	388-14A-2080	NEW-P	00-16-114
388-14-250	REP-P	00-16-114	388-14-445	REP-P	00-10-096	388-14A-2085	NEW-P	00-16-114
388-14-260	PREP	00-06-039	388-14-445	REP	00-15-016	388-14A-2090	NEW-P	00-16-114
388-14-260	REP-P	00-16-114	388-14-450	PREP	00-06-039	388-14A-2095	NEW-P	00-16-114
388-14-270	PREP	00-06-039	388-14-450	REP-P	00-16-114	388-14A-2097	NEW-P	00-16-114
388-14-270	REP-P	00-16-114	388-14-460	PREP	00-06-039	388-14A-2099	NEW-P	00-16-114
388-14-271	PREP	00-06-039	388-14-460	REP-P	00-16-114	388-14A-2105	NEW-P	00-16-114
388-14-271	REP-P	00-16-114	388-14-480	PREP	00-06-039	388-14A-2110	NEW-P	00-16-114
388-14-272	PREP	00-06-039	388-14-480	REP-P	00-16-114	388-14A-2115	NEW-P	00-16-114
388-14-272	REP-P	00-16-114	388-14-490	PREP	00-06-039	388-14A-2120	NEW-P	00-16-114
388-14-273	PREP	00-06-039	388-14-490	REP-P	00-16-114	388-14A-2125	NEW-P	00-16-114
388-14-273	REP-P	00-16-114	388-14-495	PREP	00-06-039	388-14A-2150	NEW-P	00-16-114
388-14-274	PREP	00-06-039	388-14-495	REP-P	00-16-114	388-14A-2155	NEW-P	00-16-114
388-14-274	REP-P	00-16-114	388-14-496	REP-P	00-16-114	388-14A-2160	NEW-P	00-16-114
388-14-276	PREP	00-06-039	388-14-500	PREP	00-06-039	388-14A-3100	NEW-P	00-10-096
388-14-276	REP-P	00-16-114	388-14-500	REP-P	00-16-114	388-14A-3100	NEW	00-15-016
388-14-300	PREP	00-06-039	388-14-510	PREP	00-06-039	388-14A-3102	NEW-P	00-10-096
388-14-300	REP-P	00-16-114	388-14-510	REP-P	00-16-114	388-14A-3102	NEW	00-15-016
388-14-310	PREP	00-06-039	388-14-520	PREP	00-06-039	388-14A-3105	NEW-P	00-10-096
388-14-310	REP-P	00-16-114	388-14-520	REP-P	00-16-114	388-14A-3105	NEW	00-15-016
388-14-350	PREP	00-06-039	388-14-530	PREP	00-06-039	388-14A-3110	NEW-P	00-10-096
388-14-350	REP-P	00-16-114	388-14-530	REP-P	00-16-114	388-14A-3110	NEW	00-15-016
388-14-360	PREP	00-06-039	388-14-540	PREP	00-06-039	388-14A-3115	NEW-P	00-10-096
388-14-360	REP-P	00-16-114	388-14-540	REP-P	00-16-114	388-14A-3115	NEW	00-15-016
388-14-365	PREP	00-06-039	388-14-550	PREP	00-06-039	388-14A-3120	NEW-P	00-10-096
388-14-365	REP-P	00-16-114	388-14-550	REP-P	00-16-114	388-14A-3120	NEW	00-15-016

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 14A-3125	NEW-P	00-10-096	388- 14A-4510	NEW-P	00-16-114	388- 15-069	NEW-P	00-17-188
388- 14A-3125	NEW	00-15-016	388- 14A-4515	NEW-P	00-16-114	388- 15-073	NEW-P	00-17-188
388- 14A-3130	NEW-P	00-10-096	388- 14A-4520	NEW-P	00-16-114	388- 15-077	NEW-P	00-17-188
388- 14A-3130	NEW	00-15-016	388- 14A-4525	NEW-P	00-16-114	388- 15-081	NEW-P	00-17-188
388- 14A-3131	NEW-P	00-10-096	388- 14A-4530	NEW-P	00-16-114	388- 15-085	NEW-P	00-17-188
388- 14A-3131	NEW	00-15-016	388- 14A-4600	NEW-P	00-16-114	388- 15-089	NEW-P	00-17-188
388- 14A-3132	NEW-P	00-10-096	388- 14A-4605	NEW-P	00-16-114	388- 15-093	NEW-P	00-17-188
388- 14A-3132	NEW	00-15-016	388- 14A-4610	NEW-P	00-16-114	388- 15-097	NEW-P	00-17-188
388- 14A-3133	NEW-P	00-10-096	388- 14A-4615	NEW-P	00-16-114	388- 15-101	NEW-P	00-17-188
388- 14A-3133	NEW	00-15-016	388- 14A-4620	NEW-P	00-16-114	388- 15-105	NEW-P	00-17-188
388- 14A-3135	NEW-P	00-10-096	388- 14A-5000	NEW-P	00-16-114	388- 15-109	NEW-P	00-17-188
388- 14A-3135	NEW	00-15-016	388- 14A-5050	NEW-P	00-16-114	388- 15-113	NEW-P	00-17-188
388- 14A-3140	NEW-P	00-10-096	388- 14A-5100	NEW-P	00-16-114	388- 15-117	NEW-P	00-17-188
388- 14A-3140	NEW	00-15-016	388- 14A-5200	NEW-P	00-16-114	388- 15-120	REP	00-03-029
388- 14A-3200	NEW-P	00-10-096	388- 14A-5300	NEW-P	00-16-114	388- 15-121	NEW-P	00-17-188
388- 14A-3200	NEW	00-15-016	388- 14A-5400	NEW-P	00-16-114	388- 15-125	NEW-P	00-17-188
388- 14A-3205	NEW-P	00-10-096	388- 14A-5500	NEW-P	00-16-114	388- 15-129	NEW-P	00-17-188
388- 14A-3205	NEW	00-15-016	388- 14A-5505	NEW-P	00-16-114	388- 15-130	REP-P	00-17-188
388- 14A-3275	NEW-P	00-16-114	388- 14A-5510	NEW-P	00-16-114	388- 15-131	REP-P	00-17-188
388- 14A-3300	NEW-P	00-16-114	388- 14A-5515	NEW-P	00-16-114	388- 15-132	REP-P	00-17-188
388- 14A-3304	NEW-P	00-16-114	388- 14A-5520	NEW-P	00-16-114	388- 15-133	NEW-P	00-17-188
388- 14A-3310	NEW-P	00-16-114	388- 14A-5525	NEW-P	00-16-114	388- 15-134	REP-P	00-17-188
388- 14A-3315	NEW-P	00-16-114	388- 14A-5530	NEW-P	00-16-114	388- 15-135	NEW-P	00-17-188
388- 14A-3320	NEW-P	00-16-114	388- 14A-5535	NEW-P	00-16-114	388- 15-141	NEW-P	00-17-188
388- 14A-3350	NEW-P	00-16-114	388- 14A-5540	NEW-P	00-16-114	388- 15-145	REP	00-04-056
388- 14A-3370	NEW-P	00-16-114	388- 14A-6000	NEW-P	00-16-114	388- 15-150	REP-P	00-17-189
388- 14A-3375	NEW-P	00-16-114	388- 14A-6100	NEW-P	00-16-114	388- 15-160	REP-P	00-17-189
388- 14A-3400	NEW-P	00-16-114	388- 14A-6200	NEW-P	00-16-114	388- 15-194	PREP	00-11-092
388- 14A-3500	NEW-P	00-16-114	388- 14A-6300	NEW-P	00-16-114	388- 15-196	REP	00-03-043
388- 14A-3600	NEW-P	00-16-114	388- 14A-6400	NEW-P	00-16-114	388- 15-19600	REP	00-03-043
388- 14A-3700	NEW-P	00-16-114	388- 14A-6405	NEW-P	00-16-114	388- 15-19610	REP	00-03-043
388- 14A-3800	NEW-P	00-16-114	388- 14A-6410	NEW-P	00-16-114	388- 15-19620	REP	00-03-043
388- 14A-3810	NEW-P	00-16-114	388- 14A-6415	NEW-P	00-16-114	388- 15-19630	REP	00-03-043
388- 14A-3850	NEW-P	00-06-068	388- 14A-6500	NEW-P	00-16-114	388- 15-19640	REP	00-03-043
388- 14A-3850	NEW	00-09-076	388- 14A-7100	NEW-P	00-16-114	388- 15-19650	REP	00-03-043
388- 14A-3850	NEW-P	00-16-114	388- 14A-7200	NEW-P	00-16-114	388- 15-19660	REP	00-03-043
388- 14A-3855	NEW-P	00-06-068	388- 14A-8100	NEW-P	00-16-114	388- 15-19670	REP	00-03-043
388- 14A-3855	NEW	00-09-076	388- 14A-8105	NEW-P	00-16-114	388- 15-19680	REP	00-03-043
388- 14A-3860	NEW-P	00-06-068	388- 14A-8110	NEW-P	00-16-114	388- 15-198	REP	00-03-043
388- 14A-3860	NEW	00-09-076	388- 14A-8120	NEW-P	00-16-114	388- 15-200	REP	00-04-056
388- 14A-3865	NEW-P	00-06-068	388- 14A-8200	NEW-P	00-16-114	388- 15-201	REP	00-04-056
388- 14A-3865	NEW	00-09-076	388- 14A-8300	NEW-P	00-16-114	388- 15-202	PREP	00-11-092
388- 14A-3870	NEW-P	00-06-068	388- 14A-8400	NEW-P	00-16-114	388- 15-203	PREP	00-11-092
388- 14A-3870	NEW	00-09-076	388- 14A-8500	NEW-P	00-16-114	388- 15-204	PREP	00-11-092
388- 14A-3875	NEW-P	00-06-068	388- 15	AMD-P	00-17-188	388- 15-205	PREP	00-11-092
388- 14A-3875	NEW	00-09-076	388- 15-001	NEW-P	00-17-188	388- 15-206	REP	00-04-056
388- 14A-3900	NEW-P	00-16-114	388- 15-005	NEW-P	00-17-188	388- 15-207	REP	00-04-056
388- 14A-3925	NEW-P	00-16-114	388- 15-009	NEW-P	00-17-188	388- 15-209	REP	00-04-056
388- 14A-4000	NEW-P	00-16-114	388- 15-013	NEW-P	00-17-188	388- 15-214	REP	00-04-056
388- 14A-4010	NEW-P	00-16-114	388- 15-017	NEW-P	00-17-188	388- 15-215	REP	00-04-056
388- 14A-4020	NEW-P	00-16-114	388- 15-021	NEW-P	00-17-188	388- 15-219	REP	00-04-056
388- 14A-4030	NEW-P	00-16-114	388- 15-025	NEW-P	00-17-188	388- 15-220	REP-P	00-17-189
388- 14A-4040	NEW-P	00-16-114	388- 15-029	NEW-P	00-17-188	388- 15-222	REP	00-04-056
388- 14A-4100	NEW-P	00-16-114	388- 15-033	NEW-P	00-17-188	388- 15-360	REP-P	00-16-087
388- 14A-4110	NEW-P	00-16-114	388- 15-037	NEW-P	00-17-188	388- 15-548	REP	00-04-056
388- 14A-4115	NEW-P	00-16-114	388- 15-041	NEW-P	00-17-188	388- 15-551	REP	00-04-056
388- 14A-4120	NEW-P	00-16-114	388- 15-045	NEW-P	00-17-188	388- 15-552	REP	00-04-056
388- 14A-4130	NEW-P	00-16-114	388- 15-049	NEW-P	00-17-188	388- 15-553	REP	00-04-056
388- 14A-4200	NEW-P	00-16-114	388- 15-053	NEW-P	00-17-188	388- 15-554	REP	00-04-056
388- 14A-4300	NEW-P	00-16-114	388- 15-057	NEW-P	00-17-188	388- 15-555	REP	00-04-056
388- 14A-4500	NEW-P	00-16-114	388- 15-061	NEW-P	00-17-188	388- 15-560	REP	00-04-056
388- 14A-4505	NEW-P	00-16-114	388- 15-065	NEW-P	00-17-188	388- 15-562	REP	00-04-056



Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 27-0110	NEW-P	00-17-189	388- 31-030	REP-P	00-12-083	388- 61A-0170	NEW-P	00-17-160
388- 27-0115	NEW-P	00-17-189	388- 31-035	REP-P	00-12-083	388- 61A-0175	NEW-P	00-17-160
388- 27-0120	NEW-P	00-17-189	388- 32-0005	NEW-P	00-17-189	388- 61A-0180	NEW-P	00-17-160
388- 27-0125	NEW-P	00-17-189	388- 32-0010	NEW-P	00-17-189	388- 61A-0185	NEW-P	00-17-160
388- 27-0130	NEW-P	00-17-189	388- 32-0015	NEW-P	00-17-189	388- 61A-0190	NEW-P	00-17-160
388- 27-0135	NEW-P	00-17-189	388- 32-0020	NEW-P	00-17-189	388- 61A-0195	NEW-P	00-17-160
388- 27-0140	NEW-P	00-17-189	388- 32-0025	NEW-P	00-17-189	388- 70-010	REP-P	00-17-189
388- 27-0145	NEW-P	00-17-189	388- 32-0030	NEW-P	00-17-189	388- 70-012	REP-P	00-17-189
388- 27-0150	NEW-P	00-17-189	388- 39A-010	NEW-P	00-17-186	388- 70-013	REP-P	00-17-189
388- 27-0155	NEW-P	00-17-189	388- 39A-030	NEW-P	00-17-186	388- 70-022	REP-P	00-17-189
388- 27-0160	NEW-P	00-17-189	388- 39A-035	NEW-P	00-17-186	388- 70-024	REP-P	00-17-189
388- 27-0165	NEW-P	00-17-189	388- 39A-040	NEW-P	00-17-186	388- 70-031	REP-P	00-17-189
388- 27-0170	NEW-P	00-17-189	388- 39A-045	NEW-P	00-17-186	388- 70-032	REP-P	00-17-189
388- 27-0175	NEW-P	00-17-189	388- 39A-050	NEW-P	00-17-186	388- 70-033	REP-P	00-17-189
388- 27-0180	NEW-P	00-17-189	388- 39A-055	NEW-P	00-17-186	388- 70-034	REP-P	00-17-189
388- 27-0185	NEW-P	00-17-189	388- 39A-060	NEW-P	00-17-186	388- 70-035	REP-P	00-17-189
388- 27-0190	NEW-P	00-17-189	388- 41-020	REP-P	00-17-161	388- 70-036	REP-P	00-17-189
388- 27-0195	NEW-P	00-17-189	388- 45-010	REP-P	00-17-003	388- 70-037	REP-P	00-17-189
388- 27-0200	NEW-P	00-17-189	388- 46-010	PREP	00-13-061	388- 70-041	REP-P	00-17-189
388- 27-0205	NEW-P	00-17-189	388- 46-010	REP-P	00-17-045	388- 70-042	REP-P	00-17-189
388- 27-0210	NEW-P	00-17-189	388- 46-100	PREP	00-13-061	388- 70-044	REP-P	00-17-189
388- 27-0215	NEW-P	00-17-189	388- 46-100	REP-P	00-17-045	388- 70-048	REP-P	00-17-189
388- 27-0220	NEW-P	00-17-189	388- 46-110	PREP	00-13-061	388- 70-051	REP-P	00-17-189
388- 27-0225	NEW-P	00-17-189	388- 46-110	REP-P	00-17-045	388- 70-054	REP-P	00-17-189
388- 27-0230	NEW-P	00-17-189	388- 46-120	PREP	00-13-061	388- 70-058	REP-P	00-17-189
388- 27-0235	NEW-P	00-17-189	388- 46-120	REP-P	00-17-045	388- 70-062	REP-P	00-17-189
388- 27-0240	NEW-P	00-17-189	388- 55-024	REP-P	00-16-087	388- 70-066	REP-P	00-17-189
388- 27-0245	NEW-P	00-17-189	388- 55-027	REP-P	00-16-087	388- 70-068	REP-P	00-17-189
388- 27-0250	NEW-P	00-17-189	388- 55-050	REP-P	00-16-087	388- 70-069	REP-P	00-17-189
388- 27-0255	NEW-P	00-17-189	388- 61A-0005	NEW-P	00-17-160	388- 70-075	REP-P	00-17-189
388- 27-0260	NEW-P	00-17-189	388- 61A-0010	NEW-P	00-17-160	388- 70-078	REP-P	00-17-189
388- 27-0265	NEW-P	00-17-189	388- 61A-0015	NEW-P	00-17-160	388- 70-080	REP-P	00-17-189
388- 27-0270	NEW-P	00-17-189	388- 61A-0020	NEW-P	00-17-160	388- 70-082	REP-P	00-17-189
388- 27-0275	NEW-P	00-17-189	388- 61A-0025	NEW-P	00-17-160	388- 70-084	REP-P	00-17-189
388- 27-0280	NEW-P	00-17-189	388- 61A-0030	NEW-P	00-17-160	388- 70-170	REP-P	00-17-189
388- 27-0285	NEW-P	00-17-189	388- 61A-0035	NEW-P	00-17-160	388- 70-410	REP-P	00-17-189
388- 27-0290	NEW-P	00-17-189	388- 61A-0040	NEW-P	00-17-160	388- 70-420	REP-P	00-17-189
388- 27-0295	NEW-P	00-17-189	388- 61A-0045	NEW-P	00-17-160	388- 70-430	REP-P	00-17-189
388- 27-0300	NEW-P	00-17-189	388- 61A-0050	NEW-P	00-17-160	388- 70-440	REP-P	00-17-189
388- 27-0305	NEW-P	00-17-189	388- 61A-0055	NEW-P	00-17-160	388- 70-460	REP-P	00-17-189
388- 27-0310	NEW-P	00-17-189	388- 61A-0060	NEW-P	00-17-160	388- 70-470	REP-P	00-17-189
388- 27-0315	NEW-P	00-17-189	388- 61A-0065	NEW-P	00-17-160	388- 70-480	REP-P	00-17-189
388- 27-0320	NEW-P	00-17-189	388- 61A-0070	NEW-P	00-17-160	388- 70-510	REP-P	00-17-189
388- 27-0325	NEW-P	00-17-189	388- 61A-0075	NEW-P	00-17-160	388- 70-520	REP-P	00-17-189
388- 27-0330	NEW-P	00-17-189	388- 61A-0080	NEW-P	00-17-160	388- 70-530	REP-P	00-17-189
388- 27-0335	NEW-P	00-17-189	388- 61A-0085	NEW-P	00-17-160	388- 70-540	REP-P	00-17-189
388- 27-0340	NEW-P	00-17-189	388- 61A-0090	NEW-P	00-17-160	388- 70-550	REP-P	00-17-189
388- 27-0345	NEW-P	00-17-189	388- 61A-0095	NEW-P	00-17-160	388- 70-560	REP-P	00-17-189
388- 27-0350	NEW-P	00-17-189	388- 61A-0100	NEW-P	00-17-160	388- 70-570	REP-P	00-17-189
388- 27-0355	NEW-P	00-17-189	388- 61A-0105	NEW-P	00-17-160	388- 70-580	REP-P	00-17-189
388- 27-0360	NEW-P	00-17-189	388- 61A-0110	NEW-P	00-17-160	388- 70-590	REP-P	00-17-189
388- 27-0365	NEW-P	00-17-189	388- 61A-0115	NEW-P	00-17-160	388- 70-595	REP-P	00-17-189
388- 27-0370	NEW-P	00-17-189	388- 61A-0120	NEW-P	00-17-160	388- 70-700	REP-P	00-17-189
388- 27-0375	NEW-P	00-17-189	388- 61A-0125	NEW-P	00-17-160	388- 71-0100	NEW	00-03-029
388- 27-0380	NEW-P	00-17-189	388- 61A-0130	NEW-P	00-17-160	388- 71-0105	NEW	00-03-029
388- 27-0385	NEW-P	00-17-189	388- 61A-0135	NEW-P	00-17-160	388- 71-0110	NEW	00-03-029
388- 27-0390	NEW-P	00-17-189	388- 61A-0140	NEW-P	00-17-160	388- 71-0115	NEW	00-03-029
388- 31	PREP	00-09-034	388- 61A-0145	NEW-P	00-17-160	388- 71-0120	NEW	00-03-029
388- 31-010	REP-P	00-12-083	388- 61A-0150	NEW-P	00-17-160	388- 71-0150	NEW	00-03-029
388- 31-015	REP-P	00-12-083	388- 61A-0155	NEW-P	00-17-160	388- 71-0155	NEW	00-03-029
388- 31-020	REP-P	00-12-083	388- 61A-0160	NEW-P	00-17-160	388- 71-0400	NEW	00-04-056
388- 31-025	REP-P	00-12-083	388- 61A-0165	NEW-P	00-17-160	388- 71-0400	PREP	00-17-153

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 71-0405	NEW	00-04-056	388- 71-0545	NEW	00-03-043	388- 73-056	REP-P	00-17-133
388- 71-0405	PREP	00-17-153	388- 71-0545	PREP	00-17-154	388- 73-057	REP-P	00-17-133
388- 71-0410	NEW	00-04-056	388- 71-0550	NEW	00-03-043	388- 73-058	REP-P	00-17-133
388- 71-0410	PREP	00-11-092	388- 71-0550	PREP	00-17-154	388- 73-060	REP-P	00-17-133
388- 71-0410	PREP	00-17-153	388- 71-0555	NEW	00-03-043	388- 73-062	REP-P	00-17-133
388- 71-0415	NEW	00-04-056	388- 71-0555	PREP	00-17-154	388- 73-064	REP-P	00-17-133
388- 71-0415	PREP	00-17-153	388- 71-0560	NEW	00-03-043	388- 73-066	REP-P	00-17-133
388- 71-0420	NEW	00-04-056	388- 71-0560	PREP	00-17-154	388- 73-068	REP-P	00-17-133
388- 71-0420	PREP	00-17-153	388- 71-0580	NEW	00-03-043	388- 73-069	REP-P	00-17-133
388- 71-0425	NEW	00-04-056	388- 71-0600	NEW	00-04-056	388- 73-070	REP-P	00-17-133
388- 71-0425	PREP	00-17-153	388- 71-0600	PREP	00-17-153	388- 73-072	REP-P	00-17-133
388- 71-0430	NEW	00-04-056	388- 71-0605	NEW	00-04-056	388- 73-074	REP-P	00-17-133
388- 71-0430	AMD-P	00-10-033	388- 71-0605	PREP	00-17-153	388- 73-076	REP-P	00-17-133
388- 71-0430	AMD	00-13-077	388- 71-0610	NEW	00-04-056	388- 73-077	REP-P	00-17-133
388- 71-0430	PREP	00-17-153	388- 71-0610	PREP	00-17-153	388- 73-078	REP-P	00-17-133
388- 71-0435	NEW-P	00-10-033	388- 71-0615	NEW	00-04-056	388- 73-080	REP-P	00-17-133
388- 71-0435	NEW	00-13-077	388- 71-0615	PREP	00-17-153	388- 73-100	REP-P	00-17-133
388- 71-0435	PREP	00-17-153	388- 71-0620	NEW	00-04-056	388- 73-101	REP-P	00-17-133
388- 71-0440	NEW	00-04-056	388- 71-0620	PREP	00-17-153	388- 73-102	REP-P	00-17-133
388- 71-0440	PREP	00-11-092	388- 71-1000	NEW	00-04-056	388- 73-103	REP-P	00-17-133
388- 71-0440	PREP	00-17-153	388- 71-1005	NEW	00-04-056	388- 73-104	REP-P	00-17-133
388- 71-0445	NEW	00-04-056	388- 71-1010	NEW	00-04-056	388- 73-106	REP-P	00-17-133
388- 71-0445	PREP	00-07-100	388- 71-1010	NEW	00-04-056	388- 73-108	REP-P	00-17-133
388- 71-0445	PREP	00-11-092	388- 71-1015	NEW	00-04-056	388- 73-110	REP-P	00-17-133
388- 71-0445	AMD-P	00-12-035	388- 71-1020	NEW	00-04-056	388- 73-112	REP-P	00-17-133
388- 71-0445	PREP	00-17-153	388- 71-1025	NEW	00-04-056	388- 73-114	REP-P	00-17-133
388- 71-0450	NEW	00-04-056	388- 71-1030	NEW	00-04-056	388- 73-116	REP-P	00-17-133
388- 71-0450	PREP	00-17-153	388- 71-1035	NEW	00-04-056	388- 73-118	REP-P	00-17-133
388- 71-0455	NEW	00-04-056	388- 71-1065	NEW	00-04-056	388- 73-120	REP-P	00-17-133
388- 71-0455	PREP	00-17-153	388- 71-1070	NEW	00-04-056	388- 73-122	REP-P	00-17-133
388- 71-0460	NEW	00-04-056	388- 71-1075	NEW	00-04-056	388- 73-124	REP-P	00-17-133
388- 71-0460	PREP	00-17-153	388- 71-1080	NEW	00-04-056	388- 73-126	REP-P	00-17-133
388- 71-0465	NEW	00-04-056	388- 71-1085	NEW	00-04-056	388- 73-128	REP-P	00-17-133
388- 71-0465	PREP	00-17-153	388- 71-1090	NEW	00-04-056	388- 73-130	REP-P	00-17-133
388- 71-0470	NEW	00-04-056	388- 71-1095	NEW	00-04-056	388- 73-132	REP-P	00-17-133
388- 71-0470	PREP	00-07-100	388- 71-1100	NEW	00-04-056	388- 73-134	REP-P	00-17-133
388- 71-0470	AMD-P	00-12-035	388- 71-1105	NEW	00-04-056	388- 73-136	REP-P	00-17-133
388- 71-0470	PREP	00-17-153	388- 71-1110	NEW	00-04-056	388- 73-138	REP-P	00-17-133
388- 71-0475	NEW	00-04-056	388- 73-010	REP-P	00-17-133	388- 73-140	REP-P	00-17-133
388- 71-0475	PREP	00-17-153	388- 73-012	REP-P	00-17-133	388- 73-142	REP-P	00-17-133
388- 71-0480	NEW	00-04-056	388- 73-014	REP-P	00-17-133	388- 73-144	REP-P	00-17-133
388- 71-0480	PREP	00-07-100	388- 73-016	REP-P	00-17-133	388- 73-146	REP-P	00-17-133
388- 71-0480	AMD-P	00-12-035	388- 73-018	REP-P	00-17-133	388- 73-200	REP-P	00-17-133
388- 71-0480	PREP	00-17-153	388- 73-019	REP-P	00-17-133	388- 73-202	REP-P	00-17-133
388- 71-0500	NEW	00-03-043	388- 73-01950	REP-P	00-17-133	388- 73-204	REP-P	00-17-133
388- 71-0500	PREP	00-17-154	388- 73-020	REP-P	00-17-133	388- 73-206	REP-P	00-17-133
388- 71-0505	NEW	00-03-043	388- 73-022	REP-P	00-17-133	388- 73-208	REP-P	00-17-133
388- 71-0505	PREP	00-17-154	388- 73-024	REP-P	00-17-133	388- 73-210	REP-P	00-17-133
388- 71-0510	NEW	00-03-043	388- 73-026	REP-P	00-17-133	388- 73-212	REP-P	00-17-133
388- 71-0510	PREP	00-17-154	388- 73-028	REP-P	00-17-133	388- 73-213	REP-P	00-17-133
388- 71-0515	NEW	00-03-043	388- 73-030	REP-P	00-17-133	388- 73-214	REP-P	00-17-133
388- 71-0515	PREP	00-17-154	388- 73-032	REP-P	00-17-133	388- 73-216	REP-P	00-17-133
388- 71-0520	NEW	00-03-043	388- 73-034	REP-P	00-17-133	388- 73-300	REP-P	00-17-133
388- 71-0520	PREP	00-17-154	388- 73-036	REP-P	00-17-133	388- 73-302	REP-P	00-17-133
388- 71-0525	NEW	00-03-043	388- 73-038	REP-P	00-17-133	388- 73-304	REP-P	00-17-133
388- 71-0525	PREP	00-17-154	388- 73-040	REP-P	00-17-133	388- 73-306	REP-P	00-17-133
388- 71-0530	NEW	00-03-043	388- 73-042	REP-P	00-17-133	388- 73-308	REP-P	00-17-133
388- 71-0530	PREP	00-17-154	388- 73-044	REP-P	00-17-133	388- 73-310	REP-P	00-17-133
388- 71-0535	NEW	00-03-043	388- 73-046	REP-P	00-17-133	388- 73-312	REP-P	00-17-133
388- 71-0535	PREP	00-17-154	388- 73-048	REP-P	00-17-133	388- 73-351	REP-P	00-17-133
388- 71-0540	NEW	00-03-043	388- 73-050	REP-P	00-17-133	388- 73-353	REP-P	00-17-133
388- 71-0540	PREP	00-17-154	388- 73-052	REP-P	00-17-133			
			388- 73-054	REP-P	00-17-133			

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-73-355	REP-P	00-17-133	388-76-640	PREP	00-07-057	388-87-011	REP	00-15-050
388-73-357	REP-P	00-17-133	388-78A	PREP	00-15-014	388-87-012	REP-P	00-09-043
388-73-361	REP-P	00-17-133	388-81	PREP	00-07-055	388-87-012	REP	00-15-050
388-73-363	REP-P	00-17-133	388-81-175	REP-P	00-17-161	388-87-015	REP-P	00-09-042
388-73-365	REP-P	00-17-133	388-81-175	REP-P	00-17-162	388-87-015	REP	00-14-067
388-73-367	REP-P	00-17-133	388-81-200	REP-P	00-17-162	388-87-019	REP-P	00-11-138
388-73-369	REP-P	00-17-133	388-86	PREP	00-03-011	388-87-019	REP	00-16-031
388-73-371	REP-P	00-17-133	388-86-005	DECOD	00-11-183	388-87-027	PREP	00-03-011
388-73-373	REP-P	00-17-133	388-86-011	REP-P	00-12-080	388-87-027	REP-P	00-17-081
388-73-375	REP-P	00-17-133	388-86-012	PREP	00-03-011	388-87-035	REP-P	00-17-096
388-73-377	REP-P	00-17-133	388-86-012	REP-XR	00-08-057	388-87-036	REP-P	00-17-125
388-73-379	REP-P	00-17-133	388-86-012	REP	00-11-142	388-87-045	REP-XR	00-09-040
388-73-381	REP-P	00-17-133	388-86-017	PREP	00-05-108	388-87-045	REP	00-13-013
388-73-383	REP-P	00-17-133	388-86-017	REP-P	00-17-082	388-87-048	DECOD	00-11-183
388-73-385	REP-P	00-17-133	388-86-018	DECOD	00-11-183	388-87-060	REP-P	00-17-095
388-73-387	REP-P	00-17-133	388-86-019	PREP	00-03-011	388-87-062	REP-P	00-17-097
388-73-389	REP-P	00-17-133	388-86-019	REP-P	00-11-138	388-87-067	REP	00-05-039
388-73-391	REP-P	00-17-133	388-86-019	REP	00-16-031	388-87-075	REP-P	00-12-080
388-73-393	REP-P	00-17-133	388-86-024	REP-P	00-09-041	388-87-077	REP	00-05-039
388-73-395	REP-P	00-17-133	388-86-024	REP	00-14-068	388-87-079	REP-P	00-14-064
388-73-500	REP-P	00-17-133	388-86-027	DECOD	00-11-183	388-87-090	REP	00-04-019
388-73-502	REP-P	00-17-133	388-86-030	REP-P	00-17-097	388-87-095	REP-P	00-12-080
388-73-504	REP-P	00-17-133	388-86-035	PREP	00-07-056	388-87-110	REP-P	00-13-008
388-73-506	REP-P	00-17-133	388-86-035	REP-P	00-11-093	388-87-200	PREP	00-07-056
388-73-508	REP-P	00-17-133	388-86-035	REP	00-14-066	388-87-200	REP-P	00-09-043
388-73-510	REP-P	00-17-133	388-86-04001	REP-P	00-17-165	388-87-200	REP	00-15-050
388-73-512	REP-P	00-17-133	388-86-055	REP-P	00-12-080	388-90-010	REP	00-07-045
388-73-600	REP-P	00-17-133	388-86-059	REP-P	00-14-064	388-96	PREP	00-12-077
388-73-602	REP-P	00-17-133	388-86-067	REP	00-05-039	388-96-779	NEW-P	00-09-080
388-73-604	REP-P	00-17-133	388-86-071	PREP	00-09-033	388-96-779	NEW-E	00-10-035
388-73-606	REP-P	00-17-133	388-86-071	REP-P	00-17-079	388-96-779	NEW	00-12-098
388-73-610	REP-P	00-17-133	388-86-085	REP-P	00-17-096	388-96-780	NEW-P	00-09-080
388-73-700	REP-P	00-17-133	388-86-086	REP-P	00-17-125	388-96-780	NEW-E	00-10-035
388-73-702	REP-P	00-17-133	388-86-087	PREP	00-07-056	388-96-780	NEW	00-12-098
388-73-704	REP-P	00-17-133	388-86-087	REP-P	00-13-104	388-96-781	NEW-P	00-09-080
388-73-706	REP-P	00-17-133	388-86-087	REP	00-17-057	388-96-781	NEW-E	00-10-035
388-73-708	REP-P	00-17-133	388-86-090	REP	00-04-019	388-96-781	NEW	00-12-098
388-73-710	REP-P	00-17-133	388-86-095	REP-P	00-12-080	388-96-782	NEW-P	00-09-080
388-73-712	REP-P	00-17-133	388-86-09601	REP-P	00-12-080	388-96-782	NEW-E	00-10-035
388-73-714	REP-P	00-17-133	388-86-100	REP-P	00-13-008	388-96-782	NEW	00-12-098
388-73-718	REP-P	00-17-133	388-86-100	AMD-P	00-17-096	388-96-901	AMD-P	00-09-080
388-73-720	REP-P	00-17-133	388-86-105	REP-XR	00-09-039	388-96-901	AMD-E	00-10-035
388-73-722	REP-P	00-17-133	388-86-105	REP	00-13-014	388-96-901	AMD	00-12-098
388-73-800	REP-P	00-17-133	388-86-110	PREP	00-03-011	388-97-005	AMD	00-06-028
388-73-802	REP-P	00-17-133	388-86-110	REP-P	00-12-080	388-97-010	REP	00-06-028
388-73-803	REP-P	00-17-133	388-86-115	PREP	00-03-011	388-97-012	NEW	00-06-028
388-73-804	REP-P	00-17-133	388-86-115	REP-P	00-17-055	388-97-015	REP	00-06-028
388-73-805	REP-P	00-17-133	388-86-120	PREP	00-03-011	388-97-017	NEW	00-06-028
388-73-810	REP-P	00-17-133	388-86-120	REP-P	00-17-053	388-97-020	REP	00-06-028
388-73-815	REP-P	00-17-133	388-86-200	AMD-P	00-14-064	388-97-022	NEW	00-06-028
388-73-820	REP-P	00-17-133	388-86-300	PREP	00-03-011	388-97-022	PREP	00-11-105
388-73-821	REP-P	00-17-133	388-86-300	REP-P	00-14-045	388-97-025	REP	00-06-028
388-73-822	REP-P	00-17-133	388-87	PREP	00-03-011	388-97-027	NEW	00-06-028
388-73-823	REP-P	00-17-133	388-87-005	REP-P	00-09-043	388-97-027	PREP	00-11-105
388-73-825	REP-P	00-17-133	388-87-005	REP	00-15-050	388-97-030	REP	00-06-028
388-73-900	REP-P	00-17-133	388-87-007	REP-P	00-09-043	388-97-032	NEW	00-06-028
388-73-901	REP-P	00-17-133	388-87-007	REP	00-15-050	388-97-035	REP	00-06-028
388-73-902	REP-P	00-17-133	388-87-008	REP-P	00-09-043	388-97-037	NEW	00-06-028
388-73-904	REP-P	00-17-133	388-87-008	REP	00-15-050	388-97-040	REP	00-06-028
388-74-010	REP-P	00-17-186	388-87-010	REP-P	00-09-043	388-97-042	NEW	00-06-028
388-74-030	REP-P	00-17-186	388-87-010	REP	00-15-050	388-97-043	NEW	00-06-028
388-76-61510	PREP	00-07-057	388-87-011	REP-P	00-09-043	388-97-045	REP	00-06-028

**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-97-047	NEW	00-06-028	388-97-175	AMD	00-06-028	388-97-33560	NEW	00-06-028
388-97-050	REP	00-06-028	388-97-180	AMD	00-06-028	388-97-33570	NEW	00-06-028
388-97-051	NEW	00-06-028	388-97-185	AMD	00-06-028	388-97-33580	NEW	00-06-028
388-97-052	NEW	00-06-028	388-97-190	AMD	00-06-028	388-97-340	AMD	00-06-028
388-97-053	NEW	00-06-028	388-97-195	AMD	00-06-028	388-97-34010	NEW	00-06-028
388-97-055	AMD	00-06-028	388-97-200	REP	00-06-028	388-97-34020	NEW	00-06-028
388-97-060	AMD	00-06-028	388-97-202	NEW	00-06-028	388-97-345	AMD	00-06-028
388-97-065	AMD	00-06-028	388-97-205	AMD	00-06-028	388-97-347	NEW	00-06-028
388-97-070	REP	00-06-028	388-97-210	REP	00-06-028	388-97-350	AMD	00-06-028
388-97-07005	NEW	00-06-028	388-97-212	NEW	00-06-028	388-97-35010	NEW	00-06-028
388-97-07010	NEW	00-06-028	388-97-215	REP	00-06-028	388-97-35020	NEW	00-06-028
388-97-07015	NEW	00-06-028	388-97-220	AMD	00-06-028	388-97-35030	NEW	00-06-028
388-97-07020	NEW	00-06-028	388-97-225	REP	00-06-028	388-97-35040	NEW	00-06-028
388-97-07025	NEW	00-06-028	388-97-230	REP	00-06-028	388-97-35050	NEW	00-06-028
388-97-07030	NEW	00-06-028	388-97-235	REP	00-06-028	388-97-35060	NEW	00-06-028
388-97-07035	NEW	00-06-028	388-97-240	REP	00-06-028	388-97-352	NEW	00-06-028
388-97-07040	NEW	00-06-028	388-97-245	REP	00-06-028	388-97-353	NEW	00-06-028
388-97-07045	NEW	00-06-028	388-97-247	NEW	00-06-028	388-97-355	AMD	00-06-028
388-97-07050	NEW	00-06-028	388-97-249	NEW	00-06-028	388-97-357	NEW	00-06-028
388-97-07055	NEW	00-06-028	388-97-250	REP	00-06-028	388-97-35710	NEW	00-06-028
388-97-07060	NEW	00-06-028	388-97-251	NEW	00-06-028	388-97-35720	NEW	00-06-028
388-97-07065	NEW	00-06-028	388-97-253	NEW	00-06-028	388-97-360	AMD	00-06-028
388-97-07070	NEW	00-06-028	388-97-255	REP	00-06-028	388-97-36010	NEW	00-06-028
388-97-075	AMD	00-06-028	388-97-260	AMD	00-06-028	388-97-36020	NEW	00-06-028
388-97-076	NEW	00-06-028	388-97-265	REP	00-06-028	388-97-36030	NEW	00-06-028
388-97-077	NEW	00-06-028	388-97-270	REP	00-06-028	388-97-36040	NEW	00-06-028
388-97-080	REP	00-06-028	388-97-275	REP	00-06-028	388-97-36050	NEW	00-06-028
388-97-08010	NEW	00-06-028	388-97-280	REP	00-06-028	388-97-36060	NEW	00-06-028
388-97-08020	NEW	00-06-028	388-97-285	NEW	00-06-028	388-97-36070	NEW	00-06-028
388-97-08030	NEW	00-06-028	388-97-295	AMD	00-06-028	388-97-365	AMD	00-06-028
388-97-08040	NEW	00-06-028	388-97-29510	NEW	00-06-028	388-97-36510	NEW	00-06-028
388-97-08050	NEW	00-06-028	388-97-29520	NEW	00-06-028	388-97-36520	NEW	00-06-028
388-97-08060	NEW	00-06-028	388-97-29530	NEW	00-06-028	388-97-36530	NEW	00-06-028
388-97-08070	NEW	00-06-028	388-97-29540	NEW	00-06-028	388-97-370	AMD	00-06-028
388-97-085	AMD	00-06-028	388-97-29550	NEW	00-06-028	388-97-37010	NEW	00-06-028
388-97-090	AMD	00-06-028	388-97-29560	NEW	00-06-028	388-97-37020	NEW	00-06-028
388-97-095	REP	00-06-028	388-97-300	REP	00-06-028	388-97-375	AMD	00-06-028
388-97-097	NEW	00-06-028	388-97-305	REP	00-06-028	388-97-380	REP	00-06-028
388-97-100	REP	00-06-028	388-97-310	AMD	00-06-028	388-97-385	AMD	00-06-028
388-97-105	REP	00-06-028	388-97-315	AMD	00-06-028	388-97-390	REP	00-06-028
388-97-110	AMD	00-06-028	388-97-320	REP	00-06-028	388-97-395	REP	00-06-028
388-97-115	AMD	00-06-028	388-97-325	AMD	00-06-028	388-97-400	AMD	00-06-028
388-97-120	AMD	00-06-028	388-97-32510	NEW	00-06-028	388-97-40010	NEW	00-06-028
388-97-12010	NEW	00-06-028	388-97-32520	NEW	00-06-028	388-97-401	NEW	00-06-028
388-97-12020	NEW	00-06-028	388-97-32530	NEW	00-06-028	388-97-402	NEW	00-06-028
388-97-12030	NEW	00-06-028	388-97-32540	NEW	00-06-028	388-97-403	NEW	00-06-028
388-97-12040	NEW	00-06-028	388-97-32550	NEW	00-06-028	388-97-405	AMD	00-06-028
388-97-12050	NEW	00-06-028	388-97-32560	NEW	00-06-028	388-97-410	AMD	00-06-028
388-97-12060	NEW	00-06-028	388-97-32570	NEW	00-06-028	388-97-415	AMD	00-06-028
388-97-12070	NEW	00-06-028	388-97-32580	NEW	00-06-028	388-97-420	AMD	00-06-028
388-97-125	AMD	00-06-028	388-97-330	AMD	00-06-028	388-97-425	AMD	00-06-028
388-97-130	AMD	00-06-028	388-97-33010	NEW	00-06-028	388-97-430	AMD	00-06-028
388-97-135	AMD	00-06-028	388-97-33020	NEW	00-06-028	388-97-43010	NEW	00-06-028
388-97-140	AMD	00-06-028	388-97-33030	NEW	00-06-028	388-97-43020	NEW	00-06-028
388-97-145	REP	00-06-028	388-97-33040	NEW	00-06-028	388-97-43030	NEW	00-06-028
388-97-147	NEW	00-06-028	388-97-33050	NEW	00-06-028	388-97-43040	NEW	00-06-028
388-97-150	REP	00-06-028	388-97-335	AMD	00-06-028	388-97-43050	NEW	00-06-028
388-97-155	AMD	00-06-028	388-97-33510	NEW	00-06-028	388-97-435	REP	00-06-028
388-97-160	AMD	00-06-028	388-97-33520	NEW	00-06-028	388-97-440	REP	00-06-028
388-97-162	NEW	00-06-028	388-97-33530	NEW	00-06-028	388-97-445	REP	00-06-028
388-97-165	AMD	00-06-028	388-97-33540	NEW	00-06-028	388-97-450	REP	00-06-028
388-97-170	AMD	00-06-028	388-97-33550	NEW	00-06-028	388-97-455	AMD	00-06-028





Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-148-0655	NEW-P	00-17-133	388-148-0965	NEW-P	00-17-133	388-151-170	AMD-P	00-17-124
388-148-0660	NEW-P	00-17-133	388-148-0970	NEW-P	00-17-133	388-151-180	AMD-P	00-17-124
388-148-0665	NEW-P	00-17-133	388-148-0975	NEW-P	00-17-133	388-151-190	AMD-P	00-17-124
388-148-0670	NEW-P	00-17-133	388-148-0980	NEW-P	00-17-133	388-151-200	AMD-P	00-17-124
388-148-0675	NEW-P	00-17-133	388-148-0985	NEW-P	00-17-133	388-151-210	AMD-P	00-17-124
388-148-0680	NEW-P	00-17-133	388-148-0990	NEW-P	00-17-133	388-151-220	AMD-P	00-17-124
388-148-0685	NEW-P	00-17-133	388-148-0995	NEW-P	00-17-133	388-151-230	AMD-P	00-17-124
388-148-0690	NEW-P	00-17-133	388-148-1000	NEW-P	00-17-133	388-151-240	AMD-P	00-17-124
388-148-0695	NEW-P	00-17-133	388-148-1005	NEW-P	00-17-133	388-151-250	AMD-P	00-17-124
388-148-0700	NEW-P	00-17-133	388-148-1010	NEW-P	00-17-133	388-151-260	AMD-P	00-17-124
388-148-0705	NEW-P	00-17-133	388-148-1015	NEW-P	00-17-133	388-151-280	AMD-P	00-17-124
388-148-0710	NEW-P	00-17-133	388-148-1020	NEW-P	00-17-133	388-151-290	AMD-P	00-17-124
388-148-0715	NEW-P	00-17-133	388-148-1025	NEW-P	00-17-133	388-151-310	AMD-P	00-17-124
388-148-0720	NEW-P	00-17-133	388-148-1030	NEW-P	00-17-133	388-151-320	AMD-P	00-17-124
388-148-0725	NEW-P	00-17-133	388-148-1035	NEW-P	00-17-133	388-151-330	AMD-P	00-17-124
388-148-0730	NEW-P	00-17-133	388-148-1040	NEW-P	00-17-133	388-151-340	AMD-P	00-17-124
388-148-0735	NEW-P	00-17-133	388-148-1045	NEW-P	00-17-133	388-151-380	AMD-P	00-17-124
388-148-0740	NEW-P	00-17-133	388-148-1050	NEW-P	00-17-133	388-151-390	AMD-P	00-17-124
388-148-0745	NEW-P	00-17-133	388-148-1055	NEW-P	00-17-133	388-151-410	AMD-P	00-17-124
388-148-0750	NEW-P	00-17-133	388-148-1060	NEW-P	00-17-133	388-151-420	AMD-P	00-17-124
388-148-0755	NEW-P	00-17-133	388-148-1065	NEW-P	00-17-133	388-151-430	AMD-P	00-17-124
388-148-0760	NEW-P	00-17-133	388-148-1070	NEW-P	00-17-133	388-151-440	AMD-P	00-17-124
388-148-0765	NEW-P	00-17-133	388-148-1075	NEW-P	00-17-133	388-151-450	AMD-P	00-17-124
388-148-0770	NEW-P	00-17-133	388-148-1080	NEW-P	00-17-133	388-151-460	AMD-P	00-17-124
388-148-0775	NEW-P	00-17-133	388-148-1085	NEW-P	00-17-133	388-151-470	AMD-P	00-17-124
388-148-0780	NEW-P	00-17-133	388-148-1090	NEW-P	00-17-133	388-151-480	AMD-P	00-17-124
388-148-0785	NEW-P	00-17-133	388-148-1095	NEW-P	00-17-133	388-151-490	AMD-P	00-17-124
388-148-0790	NEW-P	00-17-133	388-148-1100	NEW-P	00-17-133	388-151-500	AMD-P	00-17-124
388-148-0795	NEW-P	00-17-133	388-148-1105	NEW-P	00-17-133	388-155-010	AMD	00-06-040
388-148-0800	NEW-P	00-17-133	388-148-1110	NEW-P	00-17-133	388-155-020	AMD	00-06-040
388-148-0805	NEW-P	00-17-133	388-148-1115	NEW-P	00-17-133	388-155-040	AMD-XA	00-09-089
388-148-0810	NEW-P	00-17-133	388-148-1120	NEW-P	00-17-133	388-155-050	AMD-XA	00-09-089
388-148-0815	NEW-P	00-17-133	388-148-1125	NEW-P	00-17-133	388-155-060	AMD-XA	00-09-089
388-148-0820	NEW-P	00-17-133	388-148-1130	NEW-P	00-17-133	388-155-070	AMD	00-06-040
388-148-0825	NEW-P	00-17-133	388-148-1135	NEW-P	00-17-133	388-155-083	NEW-P	00-17-127
388-148-0830	NEW-P	00-17-133	388-148-1140	NEW-P	00-17-133	388-155-085	AMD-XA	00-09-089
388-148-0835	NEW-P	00-17-133	388-148-1145	NEW-P	00-17-133	388-155-090	AMD-XA	00-09-089
388-148-0840	NEW-P	00-17-133	388-150-070	AMD-P	00-17-127	388-155-092	AMD-XA	00-09-089
388-148-0845	NEW-P	00-17-133	388-151-010	AMD-P	00-17-124	388-155-093	AMD-XA	00-09-089
388-148-0850	NEW-P	00-17-133	388-151-020	AMD-P	00-17-124	388-155-094	AMD-XA	00-09-089
388-148-0855	NEW-P	00-17-133	388-151-040	AMD-P	00-17-124	388-155-095	AMD-XA	00-09-089
388-148-0860	NEW-P	00-17-133	388-151-045	NEW-P	00-17-124	388-155-098	AMD	00-06-040
388-148-0865	NEW-P	00-17-133	388-151-050	REP-P	00-17-124	388-155-100	AMD	00-06-040
388-148-0870	NEW-P	00-17-133	388-151-070	AMD-P	00-17-124	388-155-110	AMD	00-06-040
388-148-0875	NEW-P	00-17-133	388-151-075	NEW-P	00-17-124	388-155-120	AMD	00-06-040
388-148-0880	NEW-P	00-17-133	388-151-080	AMD-P	00-17-124	388-155-130	AMD	00-06-040
388-148-0885	NEW-P	00-17-133	388-151-085	AMD-P	00-17-124	388-155-140	AMD	00-06-040
388-148-0890	NEW-P	00-17-133	388-151-090	AMD-P	00-17-124	388-155-150	AMD	00-06-040
388-148-0895	NEW-P	00-17-133	388-151-092	AMD-P	00-17-124	388-155-160	AMD-XA	00-09-089
388-148-0900	NEW-P	00-17-133	388-151-093	AMD-P	00-17-124	388-155-165	AMD	00-06-040
388-148-0905	NEW-P	00-17-133	388-151-094	AMD-P	00-17-124	388-155-170	AMD	00-06-040
388-148-0910	NEW-P	00-17-133	388-151-095	AMD-P	00-17-124	388-155-180	AMD	00-06-040
388-148-0915	NEW-P	00-17-133	388-151-096	AMD-P	00-17-124	388-155-190	AMD-XA	00-09-089
388-148-0920	NEW-P	00-17-133	388-151-097	AMD-P	00-17-124	388-155-200	AMD	00-06-040
388-148-0925	NEW-P	00-17-133	388-151-098	AMD-P	00-17-124	388-155-210	REP	00-06-040
388-148-0930	NEW-P	00-17-133	388-151-100	AMD-P	00-17-124	388-155-220	AMD	00-06-040
388-148-0935	NEW-P	00-17-133	388-151-110	AMD-P	00-17-124	388-155-230	AMD	00-06-040
388-148-0940	NEW-P	00-17-133	388-151-120	AMD-P	00-17-124	388-155-240	AMD	00-06-040
388-148-0945	NEW-P	00-17-133	388-151-130	AMD-P	00-17-124	388-155-250	AMD	00-06-040
388-148-0950	NEW-P	00-17-133	388-151-150	AMD-P	00-17-124	388-155-260	REP	00-06-040
388-148-0955	NEW-P	00-17-133	388-151-160	AMD-P	00-17-124	388-155-270	AMD	00-06-040
388-148-0960	NEW-P	00-17-133	388-151-165	AMD-P	00-17-124	388-155-270	AMD-XA	00-09-089

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-155-280	AMD	00-06-040	388-160-0265	NEW-P	00-17-158	388-160-260	REP-P	00-17-158
388-155-290	AMD	00-06-040	388-160-0275	NEW-P	00-17-158	388-160-270	REP-P	00-17-158
388-155-295	AMD	00-06-040	388-160-0285	NEW-P	00-17-158	388-160-280	REP-P	00-17-158
388-155-310	AMD	00-06-040	388-160-0295	NEW-P	00-17-158	388-160-290	REP-P	00-17-158
388-155-320	AMD	00-06-040	388-160-030	REP-P	00-17-158	388-160-300	REP-P	00-17-158
388-155-330	AMD-XA	00-09-089	388-160-0305	NEW-P	00-17-158	388-160-310	REP-P	00-17-158
388-155-340	AMD	00-06-040	388-160-0315	NEW-P	00-17-158	388-160-320	REP-P	00-17-158
388-155-350	AMD	00-06-040	388-160-0325	NEW-P	00-17-158	388-160-340	REP-P	00-17-158
388-155-360	AMD	00-06-040	388-160-0335	NEW-P	00-17-158	388-160-350	REP-P	00-17-158
388-155-370	AMD-XA	00-09-089	388-160-0345	NEW-P	00-17-158	388-160-360	REP-P	00-17-158
388-155-380	AMD-XA	00-09-089	388-160-0355	NEW-P	00-17-158	388-160-370	REP-P	00-17-158
388-155-390	AMD	00-06-040	388-160-0365	NEW-P	00-17-158	388-160-380	REP-P	00-17-158
388-155-400	AMD	00-06-040	388-160-0375	NEW-P	00-17-158	388-160-390	REP-P	00-17-158
388-155-410	AMD	00-06-040	388-160-0385	NEW-P	00-17-158	388-160-400	REP-P	00-17-158
388-155-420	AMD-XA	00-09-089	388-160-0395	NEW-P	00-17-158	388-160-410	REP-P	00-17-158
388-155-430	AMD	00-06-040	388-160-040	REP-P	00-17-158	388-160-420	REP-P	00-17-158
388-155-440	AMD	00-06-040	388-160-0405	NEW-P	00-17-158	388-160-430	REP-P	00-17-158
388-155-450	AMD	00-06-040	388-160-0415	NEW-P	00-17-158	388-160-440	REP-P	00-17-158
388-155-460	AMD	00-06-040	388-160-0425	NEW-P	00-17-158	388-160-460	REP-P	00-17-158
388-155-470	AMD	00-06-040	388-160-0435	NEW-P	00-17-158	388-160-470	REP-P	00-17-158
388-155-480	AMD-XA	00-09-089	388-160-0445	NEW-P	00-17-158	388-160-480	REP-P	00-17-158
388-155-490	AMD	00-06-040	388-160-0455	NEW-P	00-17-158	388-160-490	REP-P	00-17-158
388-155-500	AMD	00-06-040	388-160-0465	NEW-P	00-17-158	388-160-500	REP-P	00-17-158
388-155-600	AMD	00-06-040	388-160-0475	NEW-P	00-17-158	388-160-510	REP-P	00-17-158
388-155-605	AMD-XA	00-09-089	388-160-0485	NEW-P	00-17-158	388-160-520	REP-P	00-17-158
388-155-610	AMD-XA	00-09-089	388-160-0495	NEW-P	00-17-158	388-160-530	REP-P	00-17-158
388-155-620	AMD-XA	00-09-089	388-160-050	REP-P	00-17-158	388-160-540	REP-P	00-17-158
388-155-630	AMD-XA	00-09-089	388-160-0505	NEW-P	00-17-158	388-160-550	REP-P	00-17-158
388-155-640	AMD-XA	00-09-089	388-160-0515	NEW-P	00-17-158	388-160-560	REP-P	00-17-158
388-155-650	AMD-XA	00-09-089	388-160-0525	NEW-P	00-17-158	388-200-1050	REP-P	00-17-004
388-155-660	AMD-XA	00-09-089	388-160-0535	NEW-P	00-17-158	388-200-1160	REP	00-03-035
388-155-670	AMD-XA	00-09-089	388-160-0545	NEW-P	00-17-158	388-200-1300	PREP	00-04-036
388-155-680	AMD-XA	00-09-089	388-160-0555	NEW-P	00-17-158	388-200-1300	AMD-P	00-17-004
388-160	AMD-P	00-17-158	388-160-0565	NEW-P	00-17-158	388-200-1350	PREP	00-04-036
388-160-0005	NEW-P	00-17-158	388-160-0575	NEW-P	00-17-158	388-200-1350	AMD-P	00-17-004
388-160-0015	NEW-P	00-17-158	388-160-0585	NEW-P	00-17-158	388-200-1400	REP-P	00-17-003
388-160-0025	NEW-P	00-17-158	388-160-0595	NEW-P	00-17-158	388-222-001	PREP	00-16-112
388-160-0035	NEW-P	00-17-158	388-160-060	REP-P	00-17-158	388-222-010	PREP	00-16-112
388-160-0045	NEW-P	00-17-158	388-160-0605	NEW-P	00-17-158	388-222-020	PREP	00-16-112
388-160-0055	NEW-P	00-17-158	388-160-0615	NEW-P	00-17-158	388-235	PREP	00-08-051
388-160-0065	NEW-P	00-17-158	388-160-0625	NEW-P	00-17-158	388-235-1500	REP-P	00-11-129
388-160-0075	NEW-P	00-17-158	388-160-0635	NEW-P	00-17-158	388-235-1500	REP	00-16-113
388-160-0085	NEW-P	00-17-158	388-160-0645	NEW-P	00-17-158	388-235-5000	REP-P	00-11-129
388-160-0095	NEW-P	00-17-158	388-160-070	REP-P	00-17-158	388-235-5000	REP	00-16-113
388-160-010	REP-P	00-17-158	388-160-080	REP-P	00-17-158	388-235-5050	REP-P	00-11-129
388-160-0105	NEW-P	00-17-158	388-160-090	REP-P	00-17-158	388-235-5050	REP	00-16-113
388-160-0115	NEW-P	00-17-158	388-160-100	REP-P	00-17-158	388-235-5060	REP-P	00-11-129
388-160-0125	NEW-P	00-17-158	388-160-110	REP-P	00-17-158	388-235-5060	REP	00-16-113
388-160-0135	NEW-P	00-17-158	388-160-120	REP-P	00-17-158	388-235-5070	REP-P	00-11-129
388-160-0145	NEW-P	00-17-158	388-160-130	REP-P	00-17-158	388-235-5070	REP	00-16-113
388-160-0155	NEW-P	00-17-158	388-160-140	REP-P	00-17-158	388-235-5080	REP-P	00-11-129
388-160-0165	NEW-P	00-17-158	388-160-150	REP-P	00-17-158	388-235-5080	REP	00-16-113
388-160-0175	NEW-P	00-17-158	388-160-160	REP-P	00-17-158	388-235-5090	REP-P	00-11-129
388-160-0185	NEW-P	00-17-158	388-160-170	REP-P	00-17-158	388-235-5090	REP	00-16-113
388-160-0195	NEW-P	00-17-158	388-160-180	REP-P	00-17-158	388-235-5100	REP-P	00-11-129
388-160-020	REP-P	00-17-158	388-160-190	REP-P	00-17-158	388-235-5100	REP	00-16-113
388-160-0205	NEW-P	00-17-158	388-160-200	REP-P	00-17-158	388-235-5200	REP-P	00-11-129
388-160-0215	NEW-P	00-17-158	388-160-210	REP-P	00-17-158	388-235-5200	REP	00-16-113
388-160-0225	NEW-P	00-17-158	388-160-220	REP-P	00-17-158	388-235-5300	REP-P	00-11-129
388-160-0235	NEW-P	00-17-158	388-160-230	REP-P	00-17-158	388-235-5300	REP	00-16-113
388-160-0245	NEW-P	00-17-158	388-160-240	REP-P	00-17-158	388-235-5400	REP-P	00-11-129
388-160-0255	NEW-P	00-17-158	388-160-250	REP-P	00-17-158	388-235-5400	REP	00-16-113

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-235-5500	REP-P	00-11-129	388-240-2450	REP	00-16-077	388-280-1060	REP-P	00-16-086
388-235-5500	REP	00-16-113	388-240-2500	REP-P	00-11-107	388-280-1070	REP-P	00-16-086
388-235-5600	REP-P	00-11-129	388-240-2500	REP	00-16-077	388-280-1080	REP-P	00-16-086
388-235-5600	REP	00-16-113	388-240-2550	REP-P	00-11-107	388-280-1090	REP-P	00-16-086
388-235-5700	REP-P	00-11-129	388-240-2550	REP	00-16-077	388-280-1100	REP-P	00-16-086
388-235-5700	REP	00-16-113	388-240-2570	REP-P	00-11-107	388-280-1110	REP-P	00-16-086
388-235-5800	REP-P	00-11-129	388-240-2570	REP	00-16-077	388-280-1120	REP-P	00-16-086
388-235-5800	REP	00-16-113	388-240-2600	REP-P	00-11-107	388-280-1130	REP-P	00-16-086
388-235-5900	REP-P	00-11-129	388-240-2600	REP	00-16-077	388-280-1140	REP-P	00-16-086
388-235-5900	REP	00-16-113	388-240-3100	REP-P	00-11-107	388-280-1150	REP-P	00-16-086
388-235-6000	REP-P	00-11-129	388-240-3100	REP	00-16-077	388-280-1160	REP-P	00-16-086
388-235-6000	REP	00-16-113	388-240-4100	REP-P	00-11-107	388-290-015	AMD-P	00-10-089
388-235-7000	REP-P	00-11-129	388-240-4100	REP	00-16-077	388-290-015	AMD-E	00-10-090
388-235-7000	REP	00-16-113	388-240-4200	REP-P	00-11-107	388-290-015	AMD	00-17-005
388-235-7100	REP-P	00-11-129	388-240-4200	REP	00-16-077	388-290-280	AMD-P	00-10-089
388-235-7100	REP	00-16-113	388-240-4400	REP-P	00-11-107	388-290-280	AMD-E	00-10-090
388-235-7200	REP-P	00-11-129	388-240-4400	REP	00-16-077	388-290-280	AMD	00-17-005
388-235-7200	REP	00-16-113	388-240-4600	REP-P	00-11-107	388-290-350	AMD-P	00-10-089
388-235-7300	REP-P	00-11-129	388-240-4600	REP	00-16-077	388-290-350	AMD-E	00-10-090
388-235-7300	REP	00-16-113	388-240-5100	REP-P	00-11-107	388-290-350	AMD	00-17-005
388-235-7400	REP-P	00-11-129	388-240-5100	REP	00-16-077	388-290-450	AMD-P	00-10-089
388-235-7400	REP	00-16-113	388-240-6100	REP-P	00-11-107	388-290-450	AMD-E	00-10-090
388-235-7500	REP-P	00-11-129	388-240-6100	REP	00-16-077	388-290-450	AMD	00-17-005
388-235-7500	REP	00-16-113	388-255	PREP	00-08-054	388-290-475	AMD-P	00-10-089
388-235-7600	REP-P	00-11-129	388-255-1020	REP-P	00-12-081	388-290-475	AMD-E	00-10-090
388-235-7600	REP	00-16-113	388-255-1020	REP	00-15-053	388-290-475	AMD	00-17-005
388-235-8000	REP-P	00-11-129	388-255-1050	REP-P	00-12-081	388-290-550	REP-P	00-10-089
388-235-8000	REP	00-16-113	388-255-1050	REP	00-15-053	388-290-550	REP-E	00-10-090
388-235-8100	REP-P	00-11-129	388-255-1100	REP-P	00-12-081	388-290-550	REP	00-17-005
388-235-8100	REP	00-16-113	388-255-1100	REP	00-15-053	388-290-600	AMD-P	00-10-089
388-235-8130	REP-P	00-11-129	388-255-1150	REP-P	00-12-081	388-290-600	AMD-E	00-10-090
388-235-8130	REP	00-16-113	388-255-1150	REP	00-15-053	388-290-600	AMD	00-17-005
388-235-8140	REP-P	00-11-129	388-255-1200	REP-P	00-12-081	388-290-650	AMD-P	00-10-089
388-235-8140	REP	00-16-113	388-255-1200	REP	00-15-053	388-290-650	AMD-E	00-10-090
388-235-8150	REP-P	00-11-129	388-255-1250	REP-P	00-12-081	388-290-650	AMD	00-17-005
388-235-8150	REP	00-16-113	388-255-1250	REP	00-15-053	388-290-850	AMD-E	00-08-061
388-235-8200	REP-P	00-11-129	388-255-1300	REP-P	00-12-081	388-290-850	AMD-P	00-13-105
388-235-8200	REP	00-16-113	388-255-1300	REP	00-15-053	388-290-850	AMD	00-16-100
388-235-9000	AMD	00-05-007	388-265-1650	PREP	00-07-101	388-290-854	NEW-E	00-08-061
388-235-9000	REP-P	00-11-129	388-265-1650	AMD-P	00-16-088	388-290-854	NEW-P	00-13-105
388-235-9000	REP	00-16-113	388-265-1750	PREP	00-07-101	388-290-854	NEW	00-16-100
388-235-9100	REP-P	00-11-129	388-265-1750	REP-P	00-16-088	388-290-858	NEW-E	00-08-061
388-235-9100	REP	00-16-113	388-273-0010	NEW-P	00-12-083	388-290-858	NEW-P	00-13-105
388-235-9200	REP-P	00-11-129	388-273-0020	NEW-P	00-12-083	388-290-858	NEW	00-16-100
388-235-9200	REP	00-16-113	388-273-0025	NEW-P	00-12-083	388-290-862	NEW-E	00-08-061
388-235-9300	REP-P	00-11-129	388-273-0030	NEW-P	00-12-083	388-290-862	NEW-P	00-13-105
388-235-9300	REP	00-16-113	388-273-0035	NEW-P	00-12-083	388-290-862	NEW	00-16-100
388-240-0010	REP-P	00-11-107	388-275-0010	REP-P	00-15-070	388-290-866	NEW-E	00-08-061
388-240-0010	REP	00-16-077	388-275-0040	REP-P	00-15-070	388-290-866	NEW-P	00-13-105
388-240-0020	REP-P	00-11-107	388-275-0080	REP-P	00-15-070	388-290-866	NEW	00-16-100
388-240-0020	REP	00-16-077	388-280	AMD-P	00-16-086	388-290-870	NEW-E	00-08-061
388-240-1100	REP-P	00-11-107	388-280-0010	NEW-P	00-16-086	388-290-870	NEW-P	00-13-105
388-240-1100	REP	00-16-077	388-280-0020	NEW-P	00-16-086	388-290-870	NEW	00-16-100
388-240-1200	REP-P	00-11-107	388-280-0030	NEW-P	00-16-086	388-290-874	NEW-E	00-08-061
388-240-1200	REP	00-16-077	388-280-0040	NEW-P	00-16-086	388-290-874	NEW-P	00-13-105
388-240-2100	REP-P	00-11-107	388-280-0050	NEW-P	00-16-086	388-290-874	NEW	00-16-100
388-240-2100	REP	00-16-077	388-280-0060	NEW-P	00-16-086	388-290-878	NEW-E	00-08-061
388-240-2300	REP-P	00-11-107	388-280-1010	REP-P	00-16-086	388-290-878	NEW-P	00-13-105
388-240-2300	REP	00-16-077	388-280-1020	REP-P	00-16-086	388-290-878	NEW	00-16-100
388-240-2400	REP-P	00-11-107	388-280-1030	REP-P	00-16-086	388-290-882	NEW-E	00-08-061
388-240-2400	REP	00-16-077	388-280-1040	REP-P	00-16-086	388-290-882	NEW-P	00-13-105
388-240-2450	REP-P	00-11-107	388-280-1050	REP-P	00-16-086	388-290-882	NEW	00-16-100

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-290-886	NEW-E	00-08-061	388-330-030	REP-P	00-17-159	388-444-0065	AMD	00-04-006
388-290-886	NEW-P	00-13-105	388-330-035	REP-P	00-17-159	388-444-0075	AMD	00-04-006
388-290-886	NEW	00-16-100	388-330-040	REP-P	00-17-159	388-448-0001	PREP	00-08-055
388-290-888	NEW-E	00-08-061	388-330-050	REP-P	00-17-159	388-448-0001	AMD-P	00-11-127
388-290-888	NEW-P	00-13-105	388-330-060	REP-P	00-17-159	388-448-0001	AMD	00-15-018
388-290-888	NEW	00-16-100	388-400	PREP	00-11-182	388-448-0005	PREP	00-08-055
388-290-905	AMD-E	00-08-061	388-400-0005	AMD	00-05-007	388-448-0005	REP-P	00-12-040
388-290-905	AMD-P	00-13-105	388-400-0010	AMD	00-05-007	388-448-0005	REP	00-15-051
388-290-905	AMD	00-16-100	388-400-0015	AMD-E	00-13-075	388-448-0010	NEW-P	00-11-129
388-290-910	AMD-E	00-08-061	388-400-0025	PREP	00-08-056	388-448-0010	NEW	00-16-113
388-290-910	AMD-P	00-13-105	388-400-0025	AMD-P	00-11-128	388-448-0020	NEW-P	00-11-129
388-290-910	AMD	00-16-100	388-400-0025	AMD	00-15-017	388-448-0020	NEW	00-16-113
388-290-920	AMD-P	00-10-089	388-400-0035	REP-E	00-15-071	388-448-0030	NEW-P	00-11-129
388-290-920	AMD-E	00-10-090	388-404	PREP	00-11-182	388-448-0030	NEW	00-16-113
388-290-920	AMD	00-17-005	388-404-0005	AMD	00-05-007	388-448-0035	NEW-P	00-11-129
388-290-925	AMD-E	00-08-061	388-406-0015	AMD	00-06-015	388-448-0035	NEW	00-16-113
388-290-925	AMD-P	00-13-105	388-406-0060	PREP	00-06-060	388-448-0040	NEW-P	00-11-129
388-290-925	AMD	00-16-100	388-406-0060	AMD-P	00-10-093	388-448-0040	NEW	00-16-113
388-290-940	AMD-E	00-08-061	388-406-0060	AMD	00-13-076	388-448-0050	NEW-P	00-11-129
388-290-940	AMD-P	00-13-105	388-408	PREP	00-11-182	388-448-0050	NEW	00-16-113
388-290-940	AMD	00-16-100	388-408-0020	AMD	00-05-007	388-448-0060	NEW-P	00-11-129
388-290-945	AMD-E	00-08-061	388-408-0025	PREP	00-08-050	388-448-0060	NEW	00-16-113
388-290-945	AMD-P	00-13-105	388-408-0035	PREP	00-08-052	388-448-0070	NEW-P	00-11-129
388-290-945	AMD	00-16-100	388-412-0025	PREP	00-13-060	388-448-0070	NEW	00-16-113
388-290-950	AMD-P	00-10-089	388-412-0040	PREP	00-13-060	388-448-0080	NEW-P	00-11-129
388-290-950	AMD-E	00-10-090	388-414-0001	AMD-P	00-07-076	388-448-0080	NEW	00-16-113
388-290-950	AMD	00-17-005	388-414-0001	AMD	00-11-035	388-448-0090	NEW-P	00-11-129
388-310	PREP	00-16-024	388-414-0001	AMD-E	00-15-042	388-448-0090	NEW	00-16-113
388-310-0200	AMD-P	00-03-051	388-416-0015	AMD-P	00-04-045	388-448-0100	NEW-P	00-11-129
388-310-0200	AMD	00-06-062	388-416-0015	AMD	00-08-002	388-448-0100	NEW	00-16-113
388-310-0200	PREP	00-07-102	388-418	PREP	00-16-051	388-448-0110	NEW-P	00-11-129
388-310-0200	AMD-P	00-11-140	388-418-0012	REP-P	00-03-062	388-448-0110	NEW	00-16-113
388-310-0200	AMD	00-16-055	388-418-0012	REP	00-07-077	388-448-0120	NEW-P	00-11-129
388-310-0300	AMD-P	00-03-051	388-418-0025	AMD-P	00-04-045	388-448-0120	NEW	00-16-113
388-310-0300	AMD	00-06-062	388-418-0025	AMD	00-08-002	388-448-0130	NEW-P	00-11-129
388-310-0400	AMD-P	00-03-051	388-422	PREP	00-11-182	388-448-0130	NEW	00-16-113
388-310-0400	AMD	00-06-062	388-424	PREP	00-11-182	388-448-0140	NEW-P	00-11-129
388-310-0400	PREP	00-07-102	388-424-0015	AMD-P	00-05-110	388-448-0140	NEW	00-16-113
388-310-0500	PREP	00-07-102	388-424-0015	AMD	00-08-060	388-448-0150	NEW-P	00-11-129
388-310-0600	PREP	00-07-102	388-424-0025	AMD-E	00-08-004	388-448-0150	NEW	00-16-113
388-310-0600	AMD-P	00-11-140	388-424-0025	AMD-P	00-09-082	388-448-0160	NEW-P	00-11-129
388-310-0600	AMD	00-16-055	388-424-0025	AMD	00-13-036	388-448-0160	NEW	00-16-113
388-310-0700	AMD-P	00-03-051	388-426	PREP	00-09-032	388-448-0170	NEW-P	00-11-129
388-310-0700	AMD	00-06-062	388-430-0001	REP	00-05-007	388-448-0170	NEW	00-16-113
388-310-0800	PREP	00-05-109	388-430-0005	REP	00-05-007	388-448-0180	NEW-P	00-11-129
388-310-0800	AMD-E	00-06-061	388-430-0010	REP	00-05-007	388-448-0180	NEW	00-16-113
388-310-0800	AMD-P	00-08-089	388-430-0015	REP	00-05-007	388-448-0190	NEW-P	00-11-129
388-310-0800	AMD-S	00-10-091	388-430-0020	REP	00-05-007	388-448-0190	NEW	00-16-113
388-310-0800	AMD	00-13-106	388-430-0025	REP	00-05-007	388-448-0200	NEW-P	00-11-129
388-310-1400	AMD-P	00-03-051	388-432-0005	PREP	00-16-112	388-448-0200	NEW	00-16-113
388-310-1400	AMD	00-06-062	388-436-0002	AMD-E	00-16-089	388-448-0210	NEW-P	00-11-129
388-310-1450	NEW-P	00-03-051	388-436-0010	REP-P	00-06-067	388-448-0210	NEW	00-16-113
388-310-1450	NEW	00-06-062	388-436-0010	REP	00-10-036	388-450	PREP	00-10-031
388-310-1800	PREP	00-07-102	388-438-0110	PREP	00-14-043	388-450	PREP	00-11-182
388-310-1800	AMD-P	00-11-140	388-440	PREP	00-09-032	388-450-0005	PREP	00-12-079
388-310-1800	AMD	00-16-055	388-440-0001	AMD	00-03-034	388-450-0015	PREP	00-03-060
388-310-1850	AMD-E	00-03-013	388-440-0005	AMD	00-03-034	388-450-0015	AMD-E	00-06-023
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388-310-1850	AMD	00-08-021	388-444-0015	AMD	00-04-006	388-450-0015	AMD-E	00-13-062
388-310-1850	REP-E	00-14-046	388-444-0020	AMD-P	00-17-102	388-450-0020	PREP	00-12-079
388-330-010	REP-P	00-17-159	388-444-0035	AMD	00-04-006	388-450-0035	AMD-E	00-02-062
388-330-020	REP-P	00-17-159	388-444-0055	AMD	00-04-006	388-450-0035	AMD-P	00-10-087

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-450-0035	AMD-E	00-10-088	388-501-0125	AMD-P	00-14-065	388-530-1000	AMD-P	00-17-080
388-450-0045	PREP	00-17-152	388-501-0130	REP-P	00-17-161	388-530-1050	PREP	00-07-087
388-450-0070	PREP	00-16-052	388-501-0150	REP-XR	00-09-038	388-530-1050	AMD-P	00-17-080
388-450-0150	PREP	00-12-079	388-501-0150	REP	00-14-047	388-530-1100	PREP	00-07-087
388-450-0210	PREP	00-12-079	388-501-0160	AMD	00-03-035	388-530-1100	AMD-P	00-17-080
388-452-0005	PREP	00-16-053	388-501-0165	AMD	00-03-035	388-530-1125	NEW-P	00-17-056
388-454	PREP	00-11-182	388-501-0180	AMD-P	00-17-055	388-530-1125	NEW-C	00-17-128
388-458	PREP	00-17-002	388-501-0200	AMD-XA	00-07-044	388-530-1150	PREP	00-07-087
388-466-0007	NEW-E	00-15-071	388-501-0200	AMD	00-11-141	388-530-1150	AMD-P	00-17-080
388-466-0030	NEW-P	00-16-087	388-502-0010	NEW-P	00-09-043	388-530-1200	PREP	00-07-087
388-470	PREP	00-12-078	388-502-0010	NEW	00-15-050	388-530-1200	AMD-P	00-17-080
388-470-0005	PREP	00-12-079	388-502-0020	NEW-P	00-09-043	388-530-1250	PREP	00-07-087
388-470-0020	PREP	00-12-079	388-502-0020	NEW	00-15-050	388-530-1250	AMD-P	00-17-080
388-470-0040	PREP	00-12-079	388-502-0020	AMD-E	00-17-103	388-530-1300	PREP	00-07-087
388-470-0075	PREP	00-16-054	388-502-0030	NEW-P	00-09-043	388-530-1300	AMD-P	00-17-056
388-473-0010	NEW-P	00-12-081	388-502-0030	NEW	00-15-050	388-530-1300	AMD-C	00-17-128
388-473-0010	NEW	00-15-053	388-502-0100	NEW-P	00-09-043	388-530-1350	PREP	00-07-087
388-473-0010	PREP	00-17-077	388-502-0100	NEW	00-15-050	388-530-1350	AMD-P	00-17-056
388-473-0020	NEW-P	00-12-081	388-502-0110	NEW-P	00-09-043	388-530-1350	AMD-C	00-17-128
388-473-0020	NEW	00-15-053	388-502-0110	NEW	00-15-050	388-530-1400	PREP	00-07-087
388-473-0030	NEW-P	00-12-081	388-502-0150	NEW-P	00-09-042	388-530-1400	AMD-P	00-17-056
388-473-0030	NEW	00-15-053	388-502-0150	NEW	00-14-067	388-530-1400	AMD-C	00-17-128
388-473-0040	NEW-P	00-12-081	388-502-0160	NEW-P	00-09-075	388-530-1410	NEW-P	00-17-056
388-473-0040	NEW	00-15-053	388-502-0160	NEW	00-14-069	388-530-1410	NEW-C	00-17-128
388-473-0050	NEW-P	00-12-081	388-502-0205	PREP	00-06-022	388-530-1425	NEW-P	00-17-056
388-473-0050	NEW	00-15-053	388-502-0205	REP-P	00-09-043	388-530-1425	NEW-C	00-17-128
388-473-0060	NEW-P	00-12-081	388-502-0205	REP	00-15-050	388-530-1450	PREP	00-07-087
388-473-0060	NEW	00-15-053	388-502-0210	AMD-P	00-10-064	388-530-1450	AMD-P	00-17-056
388-474-0001	AMD-P	00-17-084	388-502-0210	AMD	00-15-049	388-530-1450	AMD-C	00-17-128
388-478	PREP	00-11-182	388-502-0230	PREP	00-09-037	388-530-1500	PREP	00-07-087
388-478-0026	PREP	00-10-030	388-502-0230	AMD-P	00-17-163	388-530-1500	AMD-P	00-17-056
388-478-0026	NEW-P	00-17-054	388-502-0240	NEW-P	00-17-161	388-530-1500	AMD-C	00-17-128
388-478-0050	PREP	00-08-053	388-502-0260	NEW-P	00-17-162	388-530-1550	PREP	00-07-087
388-478-0050	AMD-P	00-12-082	388-505-0110	PREP	00-12-079	388-530-1550	AMD-P	00-17-056
388-478-0050	AMD	00-15-052	388-505-0595	PREP	00-12-078	388-530-1550	AMD-C	00-17-128
388-478-0055	AMD-P	00-08-058	388-505-0595	REP-P	00-17-126	388-530-1600	AMD-P	00-17-056
388-478-0055	AMD-E	00-08-059	388-506-0620	PREP	00-12-079	388-530-1600	AMD-C	00-17-128
388-478-0055	AMD	00-11-130	388-511-1105	PREP	00-12-079	388-530-1625	NEW-P	00-17-056
388-478-0055	PREP	00-13-035	388-511-1130	PREP	00-12-079	388-530-1625	NEW-C	00-17-128
388-478-0055	PREP	00-15-015	388-511-1130	AMD-P	00-17-083	388-530-1650	PREP	00-07-087
388-478-0055	AMD-P	00-17-155	388-512-1210	REP-P	00-17-084	388-530-1650	AMD-P	00-17-056
388-478-0056	PREP	00-17-078	388-512-1215	REP-P	00-17-084	388-530-1650	AMD-C	00-17-128
388-478-0070	AMD-P	00-07-075	388-512-1220	REP-P	00-17-084	388-530-1700	PREP	00-07-087
388-478-0070	AMD	00-10-095	388-512-1225	REP-P	00-17-084	388-530-1700	AMD-P	00-17-056
388-478-0075	PREP	00-07-054	388-512-1230	REP-P	00-17-084	388-530-1700	AMD-C	00-17-128
388-478-0075	AMD-E	00-07-089	388-512-1235	REP-P	00-17-084	388-530-1750	PREP	00-07-088
388-478-0075	AMD-P	00-14-044	388-512-1240	REP-P	00-17-084	388-530-1750	AMD-P	00-11-106
388-478-0075	AMD-E	00-15-041	388-512-1245	REP-P	00-17-084	388-530-1750	AMD	00-14-071
388-478-0075	AMD	00-17-085	388-512-1250	REP-P	00-17-084	388-530-1850	PREP	00-07-087
388-478-0080	AMD-P	00-07-075	388-512-1255	REP-P	00-17-084	388-530-1850	AMD-P	00-17-080
388-478-0080	AMD	00-10-095	388-512-1260	REP-P	00-17-084	388-530-1900	PREP	00-07-087
388-478-0085	PREP	00-07-054	388-512-1265	REP-P	00-17-084	388-530-1900	AMD-P	00-17-080
388-478-0085	AMD-E	00-07-089	388-512-1275	REP-P	00-17-084	388-530-1950	PREP	00-07-087
388-478-0085	AMD-P	00-14-044	388-513-1380	AMD-E	00-08-003	388-530-1950	AMD-P	00-17-080
388-478-0085	AMD-E	00-15-041	388-513-1380	AMD-P	00-13-107	388-530-2050	AMD-P	00-17-080
388-478-0085	AMD	00-17-085	388-513-1380	AMD	00-17-058	388-531-0050	NEW-P	00-12-080
388-480-0001	AMD	00-05-007	388-517-0400	NEW-P	00-17-095	388-531-0100	NEW-P	00-12-080
388-490-0005	AMD-P	00-04-092	388-519-0100	PREP	00-12-079	388-531-0150	NEW-P	00-12-080
388-490-0005	AMD	00-08-091	388-526-2610	AMD-P	00-17-164	388-531-0200	NEW-P	00-12-080
388-492	PREP	00-08-088	388-529-2940	REP	00-05-039	388-531-0250	NEW-P	00-12-080
388-501-0050	PREP	00-10-032	388-529-2950	REP	00-05-039	388-531-0300	NEW-P	00-12-080
388-501-0125	PREP	00-03-011	388-530-1000	PREP	00-07-087	388-531-0350	NEW-P	00-12-080

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-531-0400	NEW-P	00-12-080	388-539-001	REP-P	00-11-062	388-544-0600	NEW-P	00-17-097
388-531-0450	NEW-P	00-12-080	388-539-001	REP	00-14-070	388-544-1010	NEW-P	00-17-165
388-531-0500	NEW-P	00-12-080	388-539-0200	NEW-P	00-11-062	388-544-1100	NEW-P	00-17-165
388-531-0550	NEW-P	00-12-080	388-539-0200	NEW	00-14-070	388-544-1200	NEW-P	00-17-165
388-531-0600	NEW-P	00-12-080	388-539-0300	NEW-P	00-17-082	388-544-1300	NEW-P	00-17-165
388-531-0650	NEW-P	00-12-080	388-539-0350	NEW-P	00-17-082	388-544-1400	NEW-P	00-17-165
388-531-0700	NEW-P	00-12-080	388-539-050	REP-P	00-11-062	388-545-0500	PREP	00-08-020
388-531-0750	NEW-P	00-12-080	388-539-050	REP	00-14-070	388-545-500	NEW	00-04-019
388-531-0800	NEW-P	00-12-080	388-539-0500	RECOD	00-11-183	388-545-500	AMD-P	00-12-039
388-531-0850	NEW-P	00-12-080	388-539-0550	RECOD	00-11-183	388-545-500	AMD-W	00-17-113
388-531-0900	NEW-P	00-12-080	388-539-100	REP-P	00-11-062	388-546-0001	NEW-P	00-17-125
388-531-0950	NEW-P	00-12-080	388-539-100	REP	00-14-070	388-546-0100	NEW-P	00-17-125
388-531-1000	NEW-P	00-12-080	388-539-150	REP-P	00-11-062	388-546-0150	NEW-P	00-17-125
388-531-1050	NEW-P	00-12-080	388-539-150	REP	00-14-070	388-546-0200	NEW-P	00-17-125
388-531-1100	NEW-P	00-12-080	388-542-0050	NEW-P	00-03-061	388-546-0250	NEW-P	00-17-125
388-531-1150	NEW-P	00-12-080	388-542-0050	NEW	00-07-103	388-546-0300	NEW-P	00-17-125
388-531-1200	NEW-P	00-12-080	388-542-0100	NEW-P	00-03-061	388-546-0400	NEW-P	00-17-125
388-531-1250	NEW-P	00-12-080	388-542-0100	NEW	00-07-103	388-546-0450	NEW-P	00-17-125
388-531-1300	NEW-P	00-12-080	388-542-0125	NEW-P	00-03-061	388-546-0500	NEW-P	00-17-125
388-531-1350	NEW-P	00-12-080	388-542-0125	NEW	00-07-103	388-546-0600	NEW-P	00-17-125
388-531-1400	NEW-P	00-12-080	388-542-0150	NEW-P	00-03-061	388-546-0700	NEW-P	00-17-125
388-531-1450	NEW-P	00-12-080	388-542-0150	NEW	00-07-103	388-546-0800	NEW-P	00-17-125
388-531-1500	NEW-P	00-12-080	388-542-0200	NEW-P	00-03-061	388-546-1000	NEW-P	00-17-125
388-531-1550	NEW-P	00-12-080	388-542-0200	NEW	00-07-103	388-546-5000	NEW-P	00-17-096
388-531-1600	NEW-P	00-12-080	388-542-0250	NEW-P	00-03-061	388-546-5100	NEW-P	00-17-096
388-531-1650	NEW-P	00-12-080	388-542-0250	NEW	00-07-103	388-546-5200	NEW-P	00-17-096
388-531-1700	NEW-P	00-12-080	388-542-0275	NEW-P	00-03-061	388-546-5300	NEW-P	00-17-096
388-531-1750	NEW-P	00-12-080	388-542-0275	NEW	00-07-103	388-546-5400	NEW-P	00-17-096
388-531-1800	NEW-P	00-12-080	388-542-0300	NEW-P	00-03-061	388-546-5500	NEW-P	00-17-096
388-531-1850	NEW-P	00-12-080	388-542-0300	NEW	00-07-103	388-547	PREP	00-03-010
388-531-1900	NEW-P	00-12-080	388-543-1000	NEW-P	00-13-008	388-548-0100	PREP	00-11-034
388-532	PREP	00-07-056	388-543-1100	NEW-P	00-13-008	388-548-0500	PREP	00-11-034
388-532	PREP	00-16-023	388-543-1200	NEW-P	00-13-008	388-548-0500	NEW-E	00-11-036
388-532-050	NEW-P	00-11-093	388-543-1300	NEW-P	00-13-008	388-550-4500	AMD-W	00-06-046
388-532-050	NEW	00-14-066	388-543-1400	NEW-P	00-13-008	388-551-3000	NEW-P	00-17-079
388-532-100	NEW-P	00-11-093	388-543-1500	NEW-P	00-13-008	388-556-0100	NEW-P	00-14-045
388-532-100	NEW	00-14-066	388-543-1600	NEW-P	00-13-008	388-556-0200	NEW-P	00-11-138
388-533-0300	NEW-P	00-09-041	388-543-1700	NEW-P	00-13-008	388-556-0200	NEW	00-16-031
388-533-0300	NEW	00-14-068	388-543-1800	NEW-P	00-13-008	388-556-0300	NEW-P	00-13-104
388-533-0350	NEW-P	00-17-082	388-543-1900	NEW-P	00-13-008	388-556-0300	NEW	00-17-057
388-533-0400	NEW-P	00-14-064	388-543-2000	NEW-P	00-13-008	388-556-0400	RECOD	00-11-183
388-533-0500	NEW-P	00-14-064	388-543-2100	NEW-P	00-13-008	388-556-0500	NEW-P	00-17-053
388-533-0600	NEW-P	00-14-064	388-543-2200	NEW-P	00-13-008	388-557-0100	NEW-W	00-10-078
388-534-0100	RECOD	00-11-183	388-543-2300	NEW-P	00-13-008	388-561-0001	NEW-P	00-17-126
388-538-001	REP	00-04-080	388-543-2400	NEW-P	00-13-008	388-561-0100	NEW-P	00-17-126
388-538-050	AMD	00-04-080	388-543-2500	NEW-P	00-13-008	388-561-0200	NEW-P	00-17-126
388-538-060	AMD	00-04-080	388-543-2600	NEW-P	00-13-008	388-561-0300	NEW-P	00-17-126
388-538-065	NEW	00-04-080	388-543-2700	NEW-P	00-13-008	388-700-0005	NEW-P	00-11-139
388-538-066	NEW	00-04-080	388-543-2800	NEW-P	00-13-008	388-700-0010	NEW-P	00-11-139
388-538-070	AMD	00-04-080	388-543-2900	NEW-P	00-13-008	388-700-0015	NEW-P	00-11-139
388-538-080	AMD	00-04-080	388-543-3000	NEW-P	00-13-008	388-700-0020	NEW-P	00-11-139
388-538-090	REP	00-04-080	388-544-0050	NEW-P	00-17-097	388-700-0025	NEW-P	00-11-139
388-538-095	AMD	00-04-080	388-544-0100	NEW-P	00-17-097	388-700-0030	NEW-P	00-11-139
388-538-100	AMD	00-04-080	388-544-0150	NEW-P	00-17-097	388-700-0035	NEW-P	00-11-139
388-538-110	AMD	00-04-080	388-544-0200	NEW-P	00-17-097	388-700-0040	NEW-P	00-11-139
388-538-120	AMD	00-04-080	388-544-0250	NEW-P	00-17-097	388-700-0045	NEW-P	00-11-139
388-538-130	AMD	00-04-080	388-544-0300	NEW-P	00-17-097	388-700-0050	NEW-P	00-11-139
388-538-140	AMD	00-04-080	388-544-0350	NEW-P	00-17-097	388-710-0005	NEW-P	00-12-103
388-538-150	REP	00-04-080	388-544-0400	NEW-P	00-17-097	388-710-0005	NEW	00-16-032
388-539	PREP	00-05-038	388-544-0450	NEW-P	00-17-097	388-710-0010	NEW-P	00-12-103
388-539	AMD-P	00-11-062	388-544-0500	NEW-P	00-17-097	388-710-0010	NEW	00-16-032
388-539	AMD	00-14-070	388-544-0550	NEW-P	00-17-097	388-710-0015	NEW-P	00-12-103

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-710-0015	NEW	00-16-032	388-800-0057	NEW-P	00-11-107	388-805-140	NEW-P	00-13-073
388-710-0020	NEW-P	00-12-103	388-800-0057	NEW	00-16-077	388-805-145	NEW-P	00-13-073
388-710-0020	NEW	00-16-032	388-800-0060	NEW-P	00-11-107	388-805-150	NEW-P	00-13-073
388-710-0025	NEW-P	00-12-103	388-800-0060	NEW	00-16-077	388-805-155	NEW-P	00-13-073
388-710-0025	NEW	00-16-032	388-800-0065	NEW-P	00-11-107	388-805-200	NEW-P	00-13-073
388-710-0030	NEW-P	00-12-103	388-800-0065	NEW	00-16-077	388-805-205	NEW-P	00-13-073
388-710-0030	NEW	00-16-032	388-800-0070	NEW-P	00-11-107	388-805-210	NEW-P	00-13-073
388-710-0035	NEW-P	00-12-103	388-800-0070	NEW	00-16-077	388-805-220	NEW-P	00-13-073
388-710-0035	NEW	00-16-032	388-800-0075	NEW-P	00-11-107	388-805-225	NEW-P	00-13-073
388-710-0040	NEW-P	00-12-103	388-800-0075	NEW	00-16-077	388-805-230	NEW-P	00-13-073
388-710-0040	NEW	00-16-032	388-800-0080	NEW-P	00-11-107	388-805-240	NEW-P	00-13-073
388-720-0010	RECOD-P	00-17-187	388-800-0080	NEW	00-16-077	388-805-250	NEW-P	00-13-073
388-720-0020	RECOD-P	00-17-187	388-800-0085	NEW-P	00-11-107	388-805-260	NEW-P	00-13-073
388-720-0030	RECOD-P	00-17-187	388-800-0085	NEW	00-16-077	388-805-300	NEW-P	00-13-073
388-720-0040	RECOD-P	00-17-187	388-800-0090	NEW-P	00-11-107	388-805-305	NEW-P	00-13-073
388-720-0050	RECOD-P	00-17-187	388-800-0090	NEW	00-16-077	388-805-310	NEW-P	00-13-073
388-730-0010	RECOD-P	00-17-187	388-800-0100	NEW-P	00-11-107	388-805-315	NEW-P	00-13-073
388-730-0015	RECOD-P	00-17-187	388-800-0100	NEW	00-16-077	388-805-320	NEW-P	00-13-073
388-730-0020	RECOD-P	00-17-187	388-800-0110	NEW-P	00-11-107	388-805-325	NEW-P	00-13-073
388-730-0030	RECOD-P	00-17-187	388-800-0110	NEW	00-16-077	388-805-330	NEW-P	00-13-073
388-730-0040	RECOD-P	00-17-187	388-800-0115	NEW-P	00-11-107	388-805-350	NEW-P	00-13-073
388-730-0050	RECOD-P	00-17-187	388-800-0115	NEW	00-16-077	388-805-400	NEW-P	00-13-073
388-730-0060	RECOD-P	00-17-187	388-800-0120	NEW-P	00-11-107	388-805-410	NEW-P	00-13-073
388-730-0065	RECOD-P	00-17-187	388-800-0120	NEW	00-16-077	388-805-500	NEW-P	00-13-073
388-730-0070	RECOD-P	00-17-187	388-800-0130	NEW-P	00-11-107	388-805-510	NEW-P	00-13-073
388-730-0080	RECOD-P	00-17-187	388-800-0130	NEW	00-16-077	388-805-520	NEW-P	00-13-073
388-730-0090	RECOD-P	00-17-187	388-800-0135	NEW-P	00-11-107	388-805-530	NEW-P	00-13-073
388-740-0010	RECOD-P	00-13-074	388-800-0135	NEW	00-16-077	388-805-540	NEW-P	00-13-073
388-740-0010	RECOD	00-17-046	388-800-0140	NEW-P	00-11-107	388-805-550	NEW-P	00-13-073
388-740-0030	RECOD-P	00-13-074	388-800-0140	NEW	00-16-077	388-805-600	NEW-P	00-13-073
388-740-0030	RECOD	00-17-046	388-800-0145	NEW-P	00-11-107	388-805-610	NEW-P	00-13-073
388-740-0040	RECOD-P	00-13-074	388-800-0145	NEW	00-16-077	388-805-620	NEW-P	00-13-073
388-740-0040	RECOD	00-17-046	388-800-0150	NEW-P	00-11-107	388-805-630	NEW-P	00-13-073
388-740-0060	RECOD-P	00-13-074	388-800-0150	NEW	00-16-077	388-805-640	NEW-P	00-13-073
388-740-0060	RECOD	00-17-046	388-800-0155	NEW-P	00-11-107	388-805-700	NEW-P	00-13-073
388-740-0070	RECOD-P	00-13-074	388-800-0155	NEW	00-16-077	388-805-710	NEW-P	00-13-073
388-740-0070	RECOD	00-17-046	388-800-0160	NEW-P	00-11-107	388-805-720	NEW-P	00-13-073
388-745-0020	RECOD	00-16-078	388-800-0160	NEW	00-16-077	388-805-730	NEW-P	00-13-073
388-745-0030	RECOD	00-16-078	388-800-0165	NEW-P	00-11-107	388-805-740	NEW-P	00-13-073
388-745-0040	RECOD	00-16-078	388-800-0165	NEW	00-16-077	388-805-750	NEW-P	00-13-073
388-745-0050	RECOD	00-16-078	388-805-001	NEW-P	00-13-073	388-805-800	NEW-P	00-13-073
388-745-0060	RECOD	00-16-078	388-805-005	NEW-P	00-13-073	388-805-810	NEW-P	00-13-073
388-800-0005	NEW-P	00-11-107	388-805-010	NEW-P	00-13-073	388-805-815	NEW-P	00-13-073
388-800-0005	NEW	00-16-077	388-805-015	NEW-P	00-13-073	388-805-820	NEW-P	00-13-073
388-800-0020	NEW-P	00-11-107	388-805-020	NEW-P	00-13-073	388-805-830	NEW-P	00-13-073
388-800-0020	NEW	00-16-077	388-805-030	NEW-P	00-13-073	388-805-840	NEW-P	00-13-073
388-800-0025	NEW-P	00-11-107	388-805-060	NEW-P	00-13-073	388-805-850	NEW-P	00-13-073
388-800-0025	NEW	00-16-077	388-805-065	NEW-P	00-13-073	388-805-900	NEW-P	00-13-073
388-800-0030	NEW-P	00-11-107	388-805-070	NEW-P	00-13-073	388-805-905	NEW-P	00-13-073
388-800-0030	NEW	00-16-077	388-805-075	NEW-P	00-13-073	388-805-910	NEW-P	00-13-073
388-800-0035	NEW-P	00-11-107	388-805-080	NEW-P	00-13-073	388-805-915	NEW-P	00-13-073
388-800-0035	NEW	00-16-077	388-805-085	NEW-P	00-13-073	388-805-920	NEW-P	00-13-073
388-800-0040	NEW-P	00-11-107	388-805-090	NEW-P	00-13-073	388-805-925	NEW-P	00-13-073
388-800-0040	NEW	00-16-077	388-805-095	NEW-P	00-13-073	388-805-930	NEW-P	00-13-073
388-800-0045	NEW-P	00-11-107	388-805-100	NEW-P	00-13-073	388-805-935	NEW-P	00-13-073
388-800-0045	NEW	00-16-077	388-805-105	NEW-P	00-13-073	388-825-226	AMD-P	00-05-107
388-800-0048	NEW-P	00-11-107	388-805-110	NEW-P	00-13-073	388-825-226	AMD	00-08-090
388-800-0048	NEW	00-16-077	388-805-115	NEW-P	00-13-073	388-825-228	AMD-P	00-05-107
388-800-0050	NEW-P	00-11-107	388-805-120	NEW-P	00-13-073	388-825-228	AMD	00-08-090
388-800-0050	NEW	00-16-077	388-805-125	NEW-P	00-13-073	388-825-254	AMD-P	00-05-107
388-800-0055	NEW-P	00-11-107	388-805-130	NEW-P	00-13-073	388-825-254	AMD	00-08-090
388-800-0055	NEW	00-16-077	388-805-135	NEW-P	00-13-073	388-853-010	RECOD	00-17-151

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388-853-030	RECOD	00-17-151	391-25-270	AMD	00-14-048	391-45-330	AMD-P	00-10-107
388-853-035	RECOD	00-17-151	391-25-350	AMD-P	00-10-107	391-45-330	AMD	00-14-048
388-853-080	RECOD	00-17-151	391-25-350	AMD	00-14-048	391-45-350	AMD-P	00-10-107
388-855-0010	RECOD-P	00-17-157	391-25-590	AMD-P	00-10-107	391-45-350	AMD	00-14-048
388-855-0015	RECOD-P	00-17-157	391-25-590	AMD	00-14-048	391-45-390	AMD-P	00-10-107
388-855-0030	RECOD-P	00-17-157	391-25-650	AMD-P	00-10-107	391-45-390	AMD	00-14-048
388-855-0035	RECOD-P	00-17-157	391-25-650	AMD	00-14-048	391-45-410	AMD-P	00-10-107
388-855-0045	RECOD-P	00-17-157	391-25-660	AMD-P	00-10-107	391-45-410	AMD	00-14-048
388-855-0055	RECOD-P	00-17-157	391-25-660	AMD	00-14-048	391-45-430	AMD-P	00-10-107
388-855-0065	RECOD-P	00-17-157	391-25-670	AMD-P	00-10-107	391-45-430	AMD	00-14-048
388-855-0075	RECOD-P	00-17-157	391-25-670	AMD	00-14-048	391-45-550	AMD-P	00-10-107
388-855-0085	RECOD-P	00-17-157	391-35-030	AMD-P	00-10-107	391-45-550	AMD	00-14-048
388-855-0095	RECOD-P	00-17-157	391-35-030	AMD	00-14-048	391-45-552	AMD-P	00-10-107
388-855-0105	RECOD-P	00-17-157	391-35-170	AMD-P	00-10-107	391-45-552	AMD	00-14-048
388-875-0010	RECOD-P	00-17-156	391-35-170	AMD	00-14-048	391-55-030	AMD-P	00-10-107
388-875-0020	RECOD-P	00-17-156	391-35-210	AMD-P	00-10-107	391-55-030	AMD	00-14-048
388-875-0030	RECOD-P	00-17-156	391-35-210	AMD	00-14-048	391-55-350	AMD-P	00-10-107
388-875-0040	RECOD-P	00-17-156	391-35-250	AMD-P	00-10-107	391-55-350	AMD	00-14-048
388-875-0050	RECOD-P	00-17-156	391-35-250	AMD	00-14-048	391-65-070	AMD-P	00-10-107
388-875-0060	RECOD-P	00-17-156	391-45	PREP	00-04-070	391-65-070	AMD	00-14-048
388-875-0070	RECOD-P	00-17-156	391-45-001	AMD-P	00-10-107	391-95	PREP	00-04-070
388-875-0080	RECOD-P	00-17-156	391-45-001	AMD	00-14-048	391-95-001	AMD-P	00-10-107
388-875-0090	RECOD-P	00-17-156	391-45-002	AMD-P	00-10-107	391-95-001	AMD	00-14-048
388-875-0100	RECOD-P	00-17-156	391-45-002	AMD	00-14-048	391-95-010	AMD-P	00-10-107
388-875-0110	NEW-P	00-17-156	391-45-010	AMD-P	00-10-107	391-95-010	AMD	00-14-048
388-890-0735	NEW-W	00-02-065	391-45-010	AMD	00-14-048	391-95-030	AMD-P	00-10-107
388-890-0740	NEW-W	00-02-065	391-45-030	AMD-P	00-10-107	391-95-030	AMD	00-14-048
388-890-0865	NEW-W	00-02-065	391-45-030	AMD	00-14-048	391-95-050	AMD-P	00-10-107
390-05-400	AMD	00-04-058	391-45-050	AMD-P	00-10-107	391-95-050	AMD	00-14-048
390-13-010	PREP	00-16-137	391-45-050	AMD	00-14-048	391-95-070	AMD-P	00-10-107
390-16-011	AMD-E	00-14-030	391-45-070	AMD-E	00-03-053	391-95-070	AMD	00-14-048
390-16-011	PREP	00-16-147	391-45-070	AMD-P	00-10-107	391-95-090	AMD-P	00-10-107
390-16-012	AMD-E	00-14-031	391-45-070	AMD-E	00-11-024	391-95-090	AMD	00-14-048
390-16-012	PREP	00-16-138	391-45-070	AMD	00-14-048	391-95-110	AMD-P	00-10-107
390-16-044	PREP	00-16-140	391-45-090	AMD-P	00-10-107	391-95-110	AMD	00-14-048
390-18-010	PREP	00-16-142	391-45-090	AMD	00-14-048	391-95-130	AMD-P	00-10-107
390-20-0101	PREP	00-16-139	391-45-110	AMD-E	00-03-053	391-95-130	AMD	00-14-048
390-24-010	PREP	00-16-145	391-45-110	AMD-P	00-10-107	391-95-150	AMD-P	00-10-107
390-24-020	PREP	00-16-146	391-45-110	AMD-E	00-11-024	391-95-150	AMD	00-14-048
391-08	PREP	00-04-070	391-45-110	AMD	00-14-048	391-95-170	AMD-P	00-10-107
391-08-001	AMD-P	00-10-107	391-45-130	AMD-E	00-03-053	391-95-170	AMD	00-14-048
391-08-001	AMD	00-14-048	391-45-130	AMD-P	00-10-107	391-95-190	AMD-P	00-10-107
391-08-010	AMD-P	00-10-107	391-45-130	AMD-E	00-11-024	391-95-190	AMD	00-14-048
391-08-010	AMD	00-14-048	391-45-130	AMD	00-14-048	391-95-230	AMD-P	00-10-107
391-08-120	AMD-P	00-10-107	391-45-170	AMD-P	00-10-107	391-95-230	AMD	00-14-048
391-08-120	AMD	00-14-048	391-45-170	AMD	00-14-048	391-95-250	AMD-P	00-10-107
391-08-180	AMD-P	00-10-107	391-45-190	AMD-P	00-10-107	391-95-250	AMD	00-14-048
391-08-180	AMD	00-14-048	391-45-190	AMD	00-14-048	391-95-260	AMD-P	00-10-107
391-08-230	REP-P	00-10-107	391-45-210	AMD-P	00-10-107	391-95-260	AMD	00-14-048
391-08-230	REP	00-14-048	391-45-210	AMD	00-14-048	391-95-270	AMD-P	00-10-107
391-08-310	AMD-P	00-10-107	391-45-230	REP-P	00-10-107	391-95-270	AMD	00-14-048
391-08-310	AMD	00-14-048	391-45-230	REP	00-14-048	391-95-290	AMD-P	00-10-107
391-08-670	PREP	00-15-067	391-45-250	AMD-P	00-10-107	391-95-290	AMD	00-14-048
391-25-050	AMD-P	00-10-107	391-45-250	AMD	00-14-048	391-95-310	AMD-P	00-10-107
391-25-050	AMD	00-14-048	391-45-260	AMD-P	00-10-107	391-95-310	AMD	00-14-048
391-25-090	AMD-P	00-10-107	391-45-260	AMD	00-14-048	392-117-045	AMD-P	00-09-072
391-25-090	AMD	00-14-048	391-45-270	AMD-P	00-10-107	392-117-045	AMD	00-12-037
391-25-230	AMD-P	00-10-107	391-45-270	AMD	00-14-048	392-122-200	PREP	00-17-089
391-25-230	AMD	00-14-048	391-45-290	AMD-P	00-10-107	392-122-201	PREP	00-17-089
391-25-250	AMD-P	00-10-107	391-45-290	AMD	00-14-048	392-122-202	PREP	00-17-089
391-25-250	AMD	00-14-048	391-45-310	AMD-P	00-10-107	392-122-205	PREP	00-17-089
391-25-270	AMD-P	00-10-107	391-45-310	AMD	00-14-048	392-122-206	PREP	00-17-089



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392-122-207	PREP	00-17-089	392-139-661	REP	00-09-017	392-140-922	NEW-E	00-13-007
392-122-208	PREP	00-17-089	392-139-670	AMD-P	00-05-061	392-140-924	NEW-E	00-13-007
392-122-210	PREP	00-17-089	392-139-670	AMD	00-09-017	392-140-925	NEW-E	00-13-007
392-122-211	PREP	00-17-089	392-139-676	AMD-P	00-05-061	392-140-926	NEW-E	00-13-007
392-122-212	PREP	00-17-089	392-139-676	AMD	00-09-017	392-140-927	NEW-E	00-13-007
392-122-213	PREP	00-17-089	392-140-600	AMD	00-03-015	392-140-928	NEW-E	00-13-007
392-122-220	PREP	00-17-089	392-140-601	AMD	00-03-015	392-140-929	NEW-E	00-13-007
392-122-221	PREP	00-17-089	392-140-605	AMD	00-03-015	392-140-930	NEW-E	00-13-007
392-122-225	PREP	00-17-089	392-140-613	AMD	00-03-015	392-140-935	NEW-E	00-13-007
392-122-230	PREP	00-17-089	392-140-625	AMD	00-03-015	392-140-937	NEW-E	00-13-007
392-122-235	PREP	00-17-089	392-140-626	NEW	00-03-015	392-140-938	NEW-E	00-13-007
392-122-255	PREP	00-17-089	392-140-630	AMD	00-03-015	392-172-107	NEW-W	00-06-045
392-122-265	PREP	00-17-089	392-140-660	AMD	00-03-015	392-172-109	NEW-W	00-06-045
392-122-270	PREP	00-17-089	392-140-665	REP	00-03-015	392-172-161	NEW-W	00-06-045
392-122-275	PREP	00-17-089	392-140-675	AMD	00-03-015	392-300-070	NEW-E	00-05-099
392-127-011	AMD	00-02-064	392-140-680	AMD	00-03-015	392-300-070	PREP	00-09-023
392-127-015	AMD	00-02-064	392-140-700	REP	00-02-063	392-300-070	NEW-P	00-17-037
392-127-030	REP	00-02-064	392-140-701	REP	00-02-063	399-30-030	PREP	00-04-096
392-127-035	REP	00-02-064	392-140-702	REP	00-02-063	399-30-030	AMD-E	00-04-097
392-127-040	REP	00-02-064	392-140-710	REP	00-02-063	399-30-030	AMD-P	00-08-010
392-127-050	REP	00-02-064	392-140-711	REP	00-02-063	399-50-010	NEW-C	00-04-100
392-127-055	REP	00-02-064	392-140-712	REP	00-02-063	399-50-010	NEW	00-11-021
392-127-060	REP	00-02-064	392-140-713	REP	00-02-063	399-50-020	NEW-C	00-04-100
392-127-065	AMD	00-02-064	392-140-714	REP	00-02-063	399-50-020	NEW	00-11-021
392-127-070	AMD	00-02-064	392-140-715	REP	00-02-063	399-50-030	NEW-C	00-04-100
392-127-085	AMD	00-02-064	392-140-716	REP	00-02-063	399-50-030	NEW	00-11-021
392-127-095	REP	00-02-064	392-140-720	REP	00-02-063	399-50-040	NEW-C	00-04-100
392-127-101	REP	00-02-064	392-140-721	REP	00-02-063	399-50-040	NEW	00-11-021
392-127-106	REP	00-02-064	392-140-722	REP	00-02-063	415-02-010	AMD-P	00-04-025
392-127-111	AMD	00-02-064	392-140-723	REP	00-02-063	415-02-010	AMD	00-10-016
392-127-112	NEW	00-02-064	392-140-724	REP	00-02-063	415-02-020	AMD-P	00-04-025
392-127-810	REP	00-02-064	392-140-725	REP	00-02-063	415-02-020	AMD	00-10-016
392-138	PREP	00-16-001	392-140-726	REP	00-02-063	415-02-030	AMD-P	00-04-025
392-139-001	AMD-P	00-05-061	392-140-727	REP	00-02-063	415-02-030	AMD	00-10-016
392-139-001	AMD	00-09-017	392-140-728	REP	00-02-063	415-02-040	REP-P	00-04-025
392-139-005	AMD-P	00-05-061	392-140-730	REP	00-02-063	415-02-040	REP	00-10-016
392-139-005	AMD	00-09-017	392-140-731	REP	00-02-063	415-02-050	AMD-P	00-04-025
392-139-007	AMD-P	00-05-061	392-140-732	REP	00-02-063	415-02-050	AMD	00-10-016
392-139-007	AMD	00-09-017	392-140-733	REP	00-02-063	415-02-060	AMD-P	00-04-025
392-139-008	NEW-P	00-05-061	392-140-735	REP	00-02-063	415-02-060	AMD	00-10-016
392-139-008	NEW	00-09-017	392-140-736	REP	00-02-063	415-02-070	REP-P	00-04-025
392-139-310	AMD-P	00-05-061	392-140-740	REP	00-02-063	415-02-070	REP	00-10-016
392-139-310	AMD	00-09-017	392-140-741	REP	00-02-063	415-02-080	AMD-P	00-04-025
392-139-320	AMD-P	00-05-061	392-140-742	REP	00-02-063	415-02-080	AMD	00-10-016
392-139-320	AMD	00-09-017	392-140-743	REP	00-02-063	415-02-100	AMD-P	00-04-025
392-139-605	REP-P	00-05-061	392-140-744	REP	00-02-063	415-02-100	AMD	00-10-016
392-139-605	REP	00-09-017	392-140-745	REP	00-02-063	415-02-120	NEW-P	00-04-025
392-139-610	AMD-P	00-05-061	392-140-746	REP	00-02-063	415-02-120	NEW	00-10-016
392-139-610	AMD	00-09-017	392-140-747	REP	00-02-063	415-02-130	NEW-P	00-04-025
392-139-615	AMD-P	00-05-061	392-140-900	NEW	00-02-063	415-02-130	NEW	00-10-016
392-139-615	AMD	00-09-017	392-140-901	NEW	00-02-063	415-04	PREP	00-04-061
392-139-620	AMD-P	00-05-061	392-140-902	NEW	00-02-063	415-08	PREP	00-04-061
392-139-620	AMD	00-09-017	392-140-903	NEW	00-02-063	415-10	PREP	00-04-062
392-139-622	REP-P	00-05-061	392-140-905	NEW	00-02-063	415-10-010	AMD-P	00-16-155
392-139-622	REP	00-09-017	392-140-906	NEW	00-02-063	415-10-020	AMD-P	00-16-155
392-139-623	REP-P	00-05-061	392-140-907	NEW	00-02-063	415-10-030	AMD-P	00-16-155
392-139-623	REP	00-09-017	392-140-908	NEW	00-02-063	415-10-040	AMD-P	00-16-155
392-139-625	AMD-P	00-05-061	392-140-910	NEW	00-02-063	415-10-050	AMD-P	00-16-155
392-139-625	AMD	00-09-017	392-140-911	NEW	00-02-063	415-10-080	AMD-P	00-16-155
392-139-660	AMD-P	00-05-061	392-140-912	NEW	00-02-063	415-10-100	AMD-P	00-16-155
392-139-660	AMD	00-09-017	392-140-913	NEW	00-02-063	415-10-110	NEW-P	00-16-155
392-139-661	REP-P	00-05-061	392-140-920	NEW-E	00-13-007	415-103-215	NEW-P	00-08-085

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415-103-215	NEW	00-11-103	415-501-170	RECOD	00-11-104	415-501-500	RECOD	00-11-104
415-104-450	NEW-P	00-04-023	415-501-180	RECOD-P	00-08-092	415-501-510	RECOD-P	00-08-092
415-104-450	NEW	00-10-017	415-501-180	RECOD	00-11-104	415-501-510	RECOD	00-11-104
415-108-315	NEW-P	00-04-024	415-501-190	RECOD-P	00-08-092	415-501-520	RECOD-P	00-08-092
415-108-315	NEW	00-10-015	415-501-190	RECOD	00-11-104	415-501-520	RECOD	00-11-104
415-108-710	AMD-W	00-12-027	415-501-200	RECOD-P	00-08-092	415-501-530	RECOD-P	00-08-092
415-108-720	AMD-W	00-12-027	415-501-200	RECOD	00-11-104	415-501-530	RECOD	00-11-104
415-112-025	NEW-W	00-12-027	415-501-210	RECOD-P	00-08-092	415-501-540	RECOD-P	00-08-092
415-112-125	AMD-P	00-04-024	415-501-210	RECOD	00-11-104	415-501-540	RECOD	00-11-104
415-112-125	AMD	00-10-015	415-501-300	RECOD-P	00-08-092	415-501-550	RECOD-P	00-08-092
415-112-140	AMD-P	00-04-024	415-501-300	RECOD	00-11-104	415-501-550	RECOD	00-11-104
415-112-140	AMD	00-10-015	415-501-305	RECOD-P	00-08-092	415-501-560	RECOD-P	00-08-092
415-112-145	AMD-P	00-04-024	415-501-305	RECOD	00-11-104	415-501-560	RECOD	00-11-104
415-112-145	AMD	00-10-015	415-501-310	RECOD-P	00-08-092	415-501-570	RECOD-P	00-08-092
415-112-155	AMD-P	00-04-024	415-501-310	RECOD	00-11-104	415-501-570	RECOD	00-11-104
415-112-155	AMD	00-10-015	415-501-315	NEW-P	00-08-092	415-501-580	RECOD-P	00-08-092
415-112-330	AMD-P	00-04-024	415-501-315	NEW	00-11-104	415-501-580	RECOD	00-11-104
415-112-330	AMD	00-10-015	415-501-320	RECOD-P	00-08-092	415-501-590	RECOD-P	00-08-092
415-112-415	AMD-XA	00-08-030	415-501-320	RECOD	00-11-104	415-501-590	RECOD	00-11-104
415-112-415	AMD	00-13-001	415-501-330	RECOD-P	00-08-092	415-501-600	RECOD-P	00-08-092
415-112-460	AMD-P	00-04-024	415-501-330	RECOD	00-11-104	415-501-600	RECOD	00-11-104
415-112-460	AMD	00-10-015	415-501-340	RECOD-P	00-08-092	415-501-610	RECOD-P	00-08-092
415-112-4605	AMD-P	00-04-024	415-501-340	RECOD	00-11-104	415-501-610	RECOD	00-11-104
415-112-4605	AMD	00-10-015	415-501-350	RECOD-P	00-08-092	415-501-710	RECOD-P	00-08-092
415-112-4608	AMD-P	00-04-024	415-501-350	RECOD	00-11-104	415-501-710	RECOD	00-11-104
415-112-4608	AMD	00-10-015	415-501-360	RECOD-P	00-08-092	415-501-720	RECOD-P	00-08-092
415-112-471	AMD-P	00-04-024	415-501-360	RECOD	00-11-104	415-501-720	RECOD	00-11-104
415-112-471	AMD	00-10-015	415-501-370	RECOD-P	00-08-092	415-504-010	AMD-P	00-08-092
415-112-473	AMD-P	00-04-024	415-501-370	RECOD	00-11-104	415-504-010	DECOD-P	00-08-092
415-112-473	AMD	00-10-015	415-501-380	RECOD-P	00-08-092	415-504-010	AMD	00-11-104
415-112-475	AMD-P	00-04-024	415-501-380	RECOD	00-11-104	415-504-010	DECOD	00-11-104
415-112-475	AMD	00-10-015	415-501-390	RECOD-P	00-08-092	415-504-020	DECOD-P	00-08-092
415-112-477	AMD-P	00-04-024	415-501-390	RECOD	00-11-104	415-504-020	DECOD	00-11-104
415-112-477	AMD	00-10-015	415-501-410	RECOD-P	00-08-092	415-504-030	DECOD-P	00-08-092
415-112-510	REP-P	00-04-024	415-501-410	RECOD	00-11-104	415-504-030	DECOD	00-11-104
415-112-510	REP	00-10-015	415-501-415	RECOD-P	00-08-092	415-504-040	DECOD-P	00-08-092
415-112-540	AMD	00-11-053	415-501-415	RECOD	00-11-104	415-504-040	DECOD	00-11-104
415-112-545	AMD	00-11-053	415-501-420	RECOD-P	00-08-092	415-504-050	DECOD-P	00-08-092
415-112-548	NEW-W	00-12-027	415-501-420	RECOD	00-11-104	415-504-050	DECOD	00-11-104
415-112-705	NEW-P	00-04-024	415-501-430	RECOD-P	00-08-092	415-504-060	DECOD-P	00-08-092
415-112-705	NEW	00-10-015	415-501-430	RECOD	00-11-104	415-504-060	DECOD	00-11-104
415-112-920	NEW-P	00-04-024	415-501-440	RECOD-P	00-08-092	415-504-070	DECOD-P	00-08-092
415-112-920	NEW	00-10-015	415-501-440	RECOD	00-11-104	415-504-070	DECOD	00-11-104
415-112-950	NEW-P	00-04-024	415-501-450	RECOD-P	00-08-092	415-504-080	DECOD-P	00-08-092
415-112-950	NEW	00-10-015	415-501-450	RECOD	00-11-104	415-504-080	DECOD	00-11-104
415-501-010	AMD-P	00-08-092	415-501-470	RECOD-P	00-08-092	415-504-090	AMD-P	00-08-092
415-501-010	AMD	00-11-104	415-501-470	RECOD	00-11-104	415-504-090	DECOD-P	00-08-092
415-501-020	AMD-P	00-08-092	415-501-475	RECOD-P	00-08-092	415-504-090	AMD	00-11-104
415-501-020	AMD	00-11-104	415-501-475	RECOD	00-11-104	415-504-090	DECOD	00-11-104
415-501-110	RECOD-P	00-08-092	415-501-480	RECOD-P	00-08-092	415-504-100	AMD-P	00-08-092
415-501-110	RECOD	00-11-104	415-501-480	RECOD	00-11-104	415-504-100	DECOD-P	00-08-092
415-501-120	RECOD-P	00-08-092	415-501-485	RECOD-P	00-08-092	415-504-100	AMD	00-11-104
415-501-120	RECOD	00-11-104	415-501-485	RECOD	00-11-104	415-504-100	DECOD	00-11-104
415-501-130	RECOD-P	00-08-092	415-501-486	RECOD-P	00-08-092	415-504-110	AMD-P	00-08-092
415-501-130	RECOD	00-11-104	415-501-486	RECOD	00-11-104	415-504-110	DECOD-P	00-08-092
415-501-140	RECOD-P	00-08-092	415-501-487	RECOD-P	00-08-092	415-504-110	AMD	00-11-104
415-501-140	RECOD	00-11-104	415-501-487	RECOD	00-11-104	415-504-110	DECOD	00-11-104
415-501-150	RECOD-P	00-08-092	415-501-490	RECOD-P	00-08-092	415-508-010	AMD-P	00-08-092
415-501-150	RECOD	00-11-104	415-501-490	RECOD	00-11-104	415-508-010	DECOD-P	00-08-092
415-501-160	RECOD-P	00-08-092	415-501-495	RECOD-P	00-08-092	415-508-010	AMD	00-11-104
415-501-160	RECOD	00-11-104	415-501-495	RECOD	00-11-104	415-508-010	DECOD	00-11-104
415-501-170	RECOD-P	00-08-092	415-501-500	RECOD-P	00-08-092	415-508-020	DECOD-P	00-08-092

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
415-508-020	DECOD	00-11-104	415-512-095	DECOD-P	00-08-092	415-564-050	DECOD	00-11-104
415-508-030	DECOD-P	00-08-092	415-512-095	AMD	00-11-104	415-564-060	DECOD-P	00-08-092
415-508-030	DECOD	00-11-104	415-512-095	DECOD	00-11-104	415-564-060	DECOD	00-11-104
415-508-040	DECOD-P	00-08-092	415-512-110	AMD-P	00-08-092	415-568-010	DECOD-P	00-08-092
415-508-040	DECOD	00-11-104	415-512-110	DECOD-P	00-08-092	415-568-010	DECOD	00-11-104
415-508-050	AMD-P	00-08-092	415-512-110	AMD	00-11-104	415-568-020	DECOD-P	00-08-092
415-508-050	DECOD-P	00-08-092	415-512-110	DECOD	00-11-104	415-568-020	DECOD	00-11-104
415-508-050	AMD	00-11-104	415-524-010	AMD-P	00-08-092	419- 14-020	AMD-XA	00-13-100
415-508-050	DECOD	00-11-104	415-524-010	DECOD-P	00-08-092	419- 14-020	DECOD-X	00-13-100
415-512-010	AMD-P	00-08-092	415-524-010	AMD	00-11-104	419- 14-020	AMD	00-17-140
415-512-010	DECOD-P	00-08-092	415-524-010	DECOD	00-11-104	419- 14-020	DECOD	00-17-140
415-512-010	AMD	00-11-104	415-528-010	DECOD-P	00-08-092	419- 14-030	AMD-XA	00-13-100
415-512-010	DECOD	00-11-104	415-528-010	DECOD	00-11-104	419- 14-030	DECOD-X	00-13-100
415-512-015	AMD-P	00-08-092	415-532-010	AMD-P	00-08-092	419- 14-030	AMD	00-17-140
415-512-015	DECOD-P	00-08-092	415-532-010	DECOD-P	00-08-092	419- 14-030	DECOD	00-17-140
415-512-015	AMD	00-11-104	415-532-010	AMD	00-11-104	419- 14-040	DECOD-X	00-13-100
415-512-015	DECOD	00-11-104	415-532-010	DECOD	00-11-104	419- 14-040	DECOD	00-17-140
415-512-020	AMD-P	00-08-092	415-532-020	AMD-P	00-08-092	419- 14-050	DECOD-X	00-13-100
415-512-020	DECOD-P	00-08-092	415-532-020	DECOD-P	00-08-092	419- 14-050	DECOD	00-17-140
415-512-020	AMD	00-11-104	415-532-020	AMD	00-11-104	419- 14-060	DECOD-X	00-13-100
415-512-020	DECOD	00-11-104	415-532-020	DECOD	00-11-104	419- 14-060	DECOD	00-17-140
415-512-030	AMD-P	00-08-092	415-536-010	AMD-P	00-08-092	419- 14-070	AMD-XA	00-13-100
415-512-030	DECOD-P	00-08-092	415-536-010	DECOD-P	00-08-092	419- 14-070	DECOD-X	00-13-100
415-512-030	AMD	00-11-104	415-536-010	AMD	00-11-104	419- 14-070	AMD	00-17-140
415-512-030	DECOD	00-11-104	415-536-010	DECOD	00-11-104	419- 14-070	DECOD	00-17-140
415-512-040	AMD-P	00-08-092	415-540-010	AMD-P	00-08-092	419- 14-075	DECOD-X	00-13-100
415-512-040	DECOD-P	00-08-092	415-540-010	DECOD-P	00-08-092	419- 14-075	DECOD	00-17-140
415-512-040	AMD	00-11-104	415-540-010	AMD	00-11-104	419- 14-080	DECOD-X	00-13-100
415-512-040	DECOD	00-11-104	415-540-010	DECOD	00-11-104	419- 14-080	DECOD	00-17-140
415-512-050	AMD-P	00-08-092	415-544-010	AMD-P	00-08-092	419- 14-085	AMD-XA	00-13-100
415-512-050	DECOD-P	00-08-092	415-544-010	DECOD-P	00-08-092	419- 14-085	DECOD-X	00-13-100
415-512-050	AMD	00-11-104	415-544-010	AMD	00-11-104	419- 14-085	AMD	00-17-140
415-512-050	DECOD	00-11-104	415-544-010	DECOD	00-11-104	419- 14-085	DECOD	00-17-140
415-512-070	AMD-P	00-08-092	415-548-010	DECOD-P	00-08-092	419- 14-090	DECOD-X	00-13-100
415-512-070	DECOD-P	00-08-092	415-548-010	DECOD	00-11-104	419- 14-090	DECOD	00-17-140
415-512-070	AMD	00-11-104	415-552-010	AMD-P	00-08-092	419- 14-100	AMD-XA	00-13-100
415-512-070	DECOD	00-11-104	415-552-010	DECOD-P	00-08-092	419- 14-100	DECOD-X	00-13-100
415-512-075	AMD-P	00-08-092	415-552-010	AMD	00-11-104	419- 14-100	AMD	00-17-140
415-512-075	DECOD-P	00-08-092	415-552-010	DECOD	00-11-104	419- 14-100	DECOD	00-17-140
415-512-075	AMD	00-11-104	415-556-010	AMD-P	00-08-092	419- 14-110	DECOD-X	00-13-100
415-512-075	DECOD	00-11-104	415-556-010	DECOD-P	00-08-092	419- 14-110	DECOD	00-17-140
415-512-080	AMD-P	00-08-092	415-556-010	AMD	00-11-104	419- 14-120	AMD-XA	00-13-100
415-512-080	DECOD-P	00-08-092	415-556-010	DECOD	00-11-104	419- 14-120	DECOD-X	00-13-100
415-512-080	AMD	00-11-104	415-560-010	DECOD-P	00-08-092	419- 14-120	AMD	00-17-140
415-512-080	DECOD	00-11-104	415-560-010	DECOD	00-11-104	419- 14-120	DECOD	00-17-140
415-512-085	AMD-P	00-08-092	415-564-010	AMD-P	00-08-092	419- 14-135	DECOD-X	00-13-100
415-512-085	DECOD-P	00-08-092	415-564-010	DECOD-P	00-08-092	419- 14-135	DECOD	00-17-140
415-512-085	AMD	00-11-104	415-564-010	AMD	00-11-104	419- 14-140	DECOD-X	00-13-100
415-512-085	DECOD	00-11-104	415-564-010	DECOD	00-11-104	419- 14-140	DECOD	00-17-140
415-512-086	AMD-P	00-08-092	415-564-020	AMD-P	00-08-092	419- 52-010	AMD-XA	00-13-100
415-512-086	DECOD-P	00-08-092	415-564-020	DECOD-P	00-08-092	419- 52-010	DECOD-X	00-13-100
415-512-086	AMD	00-11-104	415-564-020	AMD	00-11-104	419- 52-010	AMD	00-17-140
415-512-086	DECOD	00-11-104	415-564-020	DECOD	00-11-104	419- 52-010	DECOD	00-17-140
415-512-087	AMD-P	00-08-092	415-564-030	DECOD-P	00-08-092	419- 52-020	AMD-XA	00-13-100
415-512-087	DECOD-P	00-08-092	415-564-030	DECOD	00-11-104	419- 52-020	DECOD-X	00-13-100
415-512-087	AMD	00-11-104	415-564-040	AMD-P	00-08-092	419- 52-020	AMD	00-17-140
415-512-087	DECOD	00-11-104	415-564-040	DECOD-P	00-08-092	419- 52-020	DECOD	00-17-140
415-512-090	AMD-P	00-08-092	415-564-040	AMD	00-11-104	419- 52-030	AMD-XA	00-13-100
415-512-090	DECOD-P	00-08-092	415-564-040	DECOD	00-11-104	419- 52-030	DECOD-X	00-13-100
415-512-090	AMD	00-11-104	415-564-050	AMD-P	00-08-092	419- 52-030	AMD	00-17-140
415-512-090	DECOD	00-11-104	415-564-050	DECOD-P	00-08-092	419- 52-030	DECOD	00-17-140
415-512-095	AMD-P	00-08-092	415-564-050	AMD	00-11-104	419- 56-010	AMD-XA	00-13-100

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419-56-010	DECOD-X	00-13-100	434-219-180	AMD	00-03-003	434-381-080	REP-E	00-09-028
419-56-010	AMD	00-17-140	434-219-185	NEW	00-03-003	434-381-090	REP-E	00-09-028
419-56-010	DECOD	00-17-140	434-219-210	AMD	00-03-003	434-381-100	REP-E	00-09-028
419-56-020	AMD-XA	00-13-100	434-219-220	AMD	00-03-003	434-381-110	NEW-E	00-09-028
419-56-020	DECOD-X	00-13-100	434-219-230	AMD	00-03-003	434-381-120	NEW-E	00-09-028
419-56-020	AMD	00-17-140	434-219-240	AMD	00-03-003	434-381-130	NEW-E	00-09-028
419-56-020	DECOD	00-17-140	434-219-250	AMD	00-03-003	434-381-140	NEW-E	00-09-028
419-56-030	AMD-XA	00-13-100	434-219-255	NEW	00-03-003	434-381-150	NEW-E	00-09-028
419-56-030	DECOD-X	00-13-100	434-219-260	AMD	00-03-003	434-381-160	NEW-E	00-09-028
419-56-030	AMD	00-17-140	434-219-270	AMD	00-03-003	434-381-170	NEW-E	00-09-028
419-56-030	DECOD	00-17-140	434-219-280	AMD	00-03-003	434-381-180	NEW-E	00-09-028
419-56-040	AMD-XA	00-13-100	434-219-280	AMD-E	00-05-093	434-663-100	AMD-P	00-04-083
419-56-040	DECOD-X	00-13-100	434-219-285	NEW	00-03-003	434-663-100	AMD-S	00-13-108
419-56-040	AMD	00-17-140	434-219-290	AMD	00-03-003	434-663-100	RECOD-S	00-13-108
419-56-040	DECOD	00-17-140	434-219-300	NEW	00-03-003	434-663-270	NEW-P	00-04-083
419-56-050	AMD-XA	00-13-100	434-219-310	AMD	00-03-003	434-663-270	NEW-S	00-13-108
419-56-050	DECOD-X	00-13-100	434-219-320	AMD	00-03-003	434-663-280	NEW-P	00-04-083
419-56-050	AMD	00-17-140	434-230-170	AMD-S	00-07-052	434-663-280	AMD-W	00-17-088
419-56-050	DECOD	00-17-140	434-230-170	AMD	00-11-042	434-663-300	AMD-P	00-04-083
419-56-060	AMD-XA	00-13-100	434-230-210	AMD-S	00-07-052	434-663-300	AMD-S	00-13-108
419-56-060	DECOD-X	00-13-100	434-230-210	AMD	00-11-042	434-663-305	NEW-P	00-04-083
419-56-060	AMD	00-17-140	434-230-220	NEW-S	00-07-052	434-663-305	NEW-S	00-13-108
419-56-060	DECOD	00-17-140	434-230-220	NEW	00-11-042	434-663-310	AMD-P	00-04-083
419-56-070	AMD-XA	00-13-100	434-240-202	NEW-E	00-03-036	434-663-310	REP-S	00-13-108
419-56-070	DECOD-X	00-13-100	434-257	AMD-E	00-04-010	434-663-315	NEW-S	00-13-108
419-56-070	AMD	00-17-140	434-257-010	AMD-E	00-04-010	434-663-320	AMD-P	00-04-083
419-56-070	DECOD	00-17-140	434-257-020	AMD-E	00-04-010	434-663-320	REP-S	00-13-108
419-56-080	DECOD-X	00-13-100	434-257-030	AMD-E	00-04-010	434-663-325	NEW-S	00-13-108
419-56-080	DECOD	00-17-140	434-257-050	REP-E	00-04-010	434-663-400	AMD-P	00-04-083
419-56-090	AMD-XA	00-13-100	434-257-070	AMD-E	00-04-010	434-663-400	DECOD-P	00-04-083
419-56-090	DECOD-X	00-13-100	434-257-080	REP-E	00-04-010	434-663-400	AMD-S	00-13-108
419-56-090	AMD	00-17-140	434-257-090	AMD-E	00-04-010	434-663-400	DECOD-S	00-13-108
419-56-090	DECOD	00-17-140	434-257-100	AMD-E	00-04-010	434-663-405	NEW-P	00-04-083
419-60-010	AMD-XA	00-13-100	434-257-120	REP-E	00-04-010	434-663-405	AMD-W	00-17-088
419-60-010	DECOD-X	00-13-100	434-257-130	AMD-E	00-04-010	434-663-410	AMD-P	00-04-083
419-60-010	AMD	00-17-140	434-257-150	AMD-E	00-04-010	434-663-410	DECOD-P	00-04-083
419-60-010	DECOD	00-17-140	434-262-080	AMD-P	00-05-095	434-663-410	AMD-S	00-13-108
419-60-020	AMD-XA	00-13-100	434-262-080	AMD	00-10-010	434-663-410	DECOD-S	00-13-108
419-60-020	DECOD-X	00-13-100	434-262-110	AMD-P	00-05-095	434-663-420	AMD-P	00-04-083
419-60-020	AMD	00-17-140	434-262-110	AMD	00-10-010	434-663-420	DECOD-P	00-04-083
419-60-020	DECOD	00-17-140	434-262-120	AMD-P	00-05-095	434-663-420	AMD-S	00-13-108
419-60-030	AMD-XA	00-13-100	434-262-120	AMD	00-10-010	434-663-420	DECOD-S	00-13-108
419-60-030	DECOD-X	00-13-100	434-334-090	AMD-P	00-05-094	434-663-430	AMD-P	00-04-083
419-60-030	AMD	00-17-140	434-334-090	AMD	00-10-009	434-663-430	DECOD-P	00-04-083
419-60-030	DECOD	00-17-140	434-334-110	AMD-P	00-05-094	434-663-430	REP-S	00-13-108
434-55-015	AMD-XA	00-16-118	434-334-110	AMD	00-10-009	434-663-440	AMD-P	00-04-083
434-110-020	AMD-XA	00-16-119	434-334-127	NEW-P	00-05-094	434-663-440	DECOD-P	00-04-083
434-110-030	AMD-XA	00-16-119	434-334-127	NEW	00-10-009	434-663-440	REP-S	00-13-108
434-110-040	AMD-XA	00-16-119	434-334-140	AMD-P	00-05-094	434-663-450	DECOD-P	00-04-083
434-110-050	AMD-XA	00-16-119	434-334-140	AMD	00-10-009	434-663-450	DECOD-S	00-13-108
434-120-015	AMD-XA	00-16-116	434-334-160	AMD-P	00-05-094	434-663-460	REP-P	00-04-083
434-130-020	AMD-XA	00-16-117	434-334-160	AMD	00-10-009	434-663-460	REP-S	00-13-108
434-135-020	AMD-XA	00-16-120	434-334-165	AMD-P	00-05-094	434-663-470	REP-P	00-04-083
434-166-030	AMD-XA	00-16-121	434-334-165	AMD	00-10-009	434-663-470	REP-S	00-13-108
434-180-110	AMD-XA	00-16-122	434-381	PREP	00-09-027	434-663-480	REP-P	00-04-083
434-180-440	AMD-XA	00-17-173	434-381-010	REP-E	00-09-028	434-663-480	REP-S	00-13-108
434-219-020	AMD	00-03-003	434-381-020	REP-E	00-09-028	434-663-490	AMD-P	00-04-083
434-219-120	AMD	00-03-003	434-381-030	REP-E	00-09-028	434-663-490	DECOD-P	00-04-083
434-219-160	AMD	00-03-003	434-381-040	REP-E	00-09-028	434-663-490	REP-S	00-13-108
434-219-160	AMD-E	00-03-036	434-381-050	REP-E	00-09-028	434-663-510	REP-P	00-04-083
434-219-165	NEW	00-03-003	434-381-060	REP-E	00-09-028	434-663-510	REP-S	00-13-108
434-219-170	NEW	00-03-003	434-381-070	REP-E	00-09-028	434-663-520	REP-P	00-04-083

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434-663-520	REP-S	00-13-108	440- 22-160	REP-P	00-13-073	446- 30-010	AMD	00-02-069
434-663-530	AMD-P	00-04-083	440- 22-165	REP-P	00-13-073	446- 85-005	NEW-P	00-06-037
434-663-530	AMD-S	00-13-108	440- 22-175	REP-P	00-13-073	446- 85-005	NEW	00-10-092
434-663-600	AMD-P	00-04-083	440- 22-180	REP-P	00-13-073	446- 85-010	NEW-P	00-06-037
434-663-600	AMD-S	00-13-108	440- 22-200	REP-P	00-13-073	446- 85-010	NEW	00-10-092
434-663-610	AMD-P	00-04-083	440- 22-210	REP-P	00-13-073	458- 12-125	REP-XR	00-17-007
434-663-610	REP-S	00-13-108	440- 22-220	REP-P	00-13-073	458- 12-315	REP-P	00-05-033
434-663-615	NEW-S	00-13-108	440- 22-225	REP-P	00-13-073	458- 12-315	REP	00-09-003
434-663-620	AMD-P	00-04-083	440- 22-230	REP-P	00-13-073	458- 12-320	AMD-P	00-05-033
434-663-620	REP-S	00-13-108	440- 22-240	REP-P	00-13-073	458- 12-320	AMD	00-09-003
434-663-640	NEW-P	00-04-083	440- 22-250	REP-P	00-13-073	458- 12-390	REP-XR	00-17-007
434-663-640	NEW-S	00-13-108	440- 22-253	REP-P	00-13-073	458- 16-080	AMD-P	00-05-032
434-663-700	RECOD-P	00-04-083	440- 22-255	REP-P	00-13-073	458- 16-080	AMD	00-09-004
434-663-700	RECOD-S	00-13-108	440- 22-257	REP-P	00-13-073	458- 16-081	REP-P	00-05-032
434-663-705	NEW-S	00-13-108	440- 22-260	REP-P	00-13-073	458- 16-081	REP	00-09-004
434-663-710	RECOD-P	00-04-083	440- 22-270	REP-P	00-13-073	458- 16A-010	AMD-P	00-06-073
434-663-710	RECOD-S	00-13-108	440- 22-280	REP-P	00-13-073	458- 16A-010	AMD	00-09-086
434-663-720	RECOD-P	00-04-083	440- 22-300	REP-P	00-13-073	458- 16A-020	AMD-P	00-06-073
434-663-720	RECOD-S	00-13-108	440- 22-310	REP-P	00-13-073	458- 16A-020	AMD	00-09-086
434-663-730	RECOD-P	00-04-083	440- 22-320	REP-P	00-13-073	458- 20-130	REP-XR	00-17-009
434-663-730	NEW-S	00-13-108	440- 22-325	REP-P	00-13-073	458- 20-135	AMD-E	00-04-026
434-663-740	RECOD-P	00-04-083	440- 22-330	REP-P	00-13-073	458- 20-135	AMD-P	00-04-029
434-663-740	NEW-S	00-13-108	440- 22-335	REP-P	00-13-073	458- 20-135	AMD	00-11-096
434-663-750	RECOD-P	00-04-083	440- 22-350	REP-P	00-13-073	458- 20-13501	PREP	00-04-027
434-663-750	RECOD-S	00-13-108	440- 22-355	REP-P	00-13-073	458- 20-136	AMD-E	00-04-026
434-663-760	RECOD-P	00-04-083	440- 22-400	REP-P	00-13-073	458- 20-136	AMD-P	00-04-029
434-663-760	NEW-S	00-13-108	440- 22-405	REP-P	00-13-073	458- 20-136	AMD	00-11-096
434-663-770	NEW-P	00-04-083	440- 22-406	REP-P	00-13-073	458- 20-13601	NEW-E	00-04-026
434-663-770	NEW-S	00-13-108	440- 22-410	REP-P	00-13-073	458- 20-13601	NEW-P	00-04-029
434-663-780	NEW-P	00-04-083	440- 22-420	REP-P	00-13-073	458- 20-13601	NEW	00-11-096
434-663-780	NEW-S	00-13-108	440- 22-430	REP-P	00-13-073	458- 20-161	REP-XR	00-17-008
437- 20-010	NEW-C	00-07-124	440- 22-450	REP-P	00-13-073	458- 20-18801	PREP	00-08-072
437- 20-010	NEW-W	00-11-050	440- 22-455	REP-P	00-13-073	458- 20-190	PREP	00-13-040
437- 20-010	NEW-C	00-11-051	440- 22-460	REP-P	00-13-073	458- 20-191	PREP	00-13-040
437- 20-010	NEW	00-11-052	440- 22-465	REP-P	00-13-073	458- 20-192	AMD-P	00-16-014
440- 22-001	REP-P	00-13-073	440- 22-500	REP-P	00-13-073	458- 20-195	PREP	00-08-110
440- 22-005	REP-P	00-13-073	440- 22-505	REP-P	00-13-073	458- 20-195	AMD-P	00-12-075
440- 22-010	REP-P	00-13-073	440- 22-510	REP-P	00-13-073	458- 20-195	AMD	00-16-015
440- 22-015	REP-P	00-13-073	440- 22-515	REP-P	00-13-073	458- 20-213	REP-XR	00-17-009
440- 22-020	REP-P	00-13-073	440- 22-520	REP-P	00-13-073	458- 20-217	PREP	00-05-073
440- 22-025	REP-P	00-13-073	440- 22-525	REP-P	00-13-073	458- 20-217	AMD-P	00-12-038
440- 22-030	REP-P	00-13-073	440- 22-530	REP-P	00-13-073	458- 20-217	AMD	00-16-016
440- 22-035	REP-P	00-13-073	440- 22-550	REP-P	00-13-073	458- 20-228	AMD	00-04-028
440- 22-040	REP-P	00-13-073	440- 22-560	REP-P	00-13-073	458- 20-228	AMD-XA	00-17-010
440- 22-045	REP-P	00-13-073	440- 22-565	REP-P	00-13-073	458- 20-234	REP-XR	00-17-008
440- 22-050	REP-P	00-13-073	440- 22-600	REP-P	00-13-073	458- 20-237	REP-XR	00-17-009
440- 22-055	REP-P	00-13-073	440- 22-610	REP-P	00-13-073	458- 20-238	PREP	00-10-115
440- 22-060	REP-P	00-13-073	440- 22-620	REP-P	00-13-073	458- 20-239	AMD-XA	00-05-015
440- 22-065	REP-P	00-13-073	440- 22-900	REP-P	00-13-073	458- 20-239	AMD	00-09-092
440- 22-070	REP-P	00-13-073	440- 22-905	REP-P	00-13-073	458- 20-260	PREP	00-15-004
440- 22-075	REP-P	00-13-073	440- 22-910	REP-P	00-13-073	458- 20-261	AMD-XA	00-03-001
440- 22-080	REP-P	00-13-073	440- 22-915	REP-P	00-13-073	458- 20-261	AMD	00-11-097
440- 22-085	REP-P	00-13-073	440- 22-920	REP-P	00-13-073	458- 20-264	PREP	00-13-027
440- 22-090	REP-P	00-13-073	440- 22-925	REP-P	00-13-073	458- 30-200	PREP	00-05-074
440- 22-100	REP-P	00-13-073	440- 22-930	REP-P	00-13-073	458- 30-200	AMD-P	00-11-026
440- 22-105	REP-P	00-13-073	440- 22-935	REP-P	00-13-073	458- 30-275	PREP	00-05-074
440- 22-110	REP-P	00-13-073	440- 44-020	REP-P	00-13-073	458- 30-275	AMD-P	00-11-026
440- 22-115	REP-P	00-13-073	440- 44-025	PREP	00-10-062	458- 30-285	PREP	00-05-074
440- 22-120	REP-P	00-13-073	440- 44-025	REP-P	00-17-127	458- 30-285	AMD-P	00-11-026
440- 22-125	REP-P	00-13-073	440- 44-026	PREP	00-10-061	458- 30-295	PREP	00-05-074
440- 22-150	REP-P	00-13-073	440- 44-026	REP-P	00-17-127	458- 30-295	AMD-P	00-11-026
440- 22-155	REP-P	00-13-073	440- 44-028	REP	00-07-045	458- 30-300	PREP	00-05-074

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
458- 30-300	AMD-P	00-11-026	460- 46A-025	REP	00-04-095	468-300-010	PREP	00-04-086
458- 30-305	PREP	00-05-074	460- 46A-030	REP	00-04-095	468-300-020	PREP	00-04-086
458- 30-305	AMD-P	00-11-026	460- 46A-040	REP	00-04-095	468-300-040	PREP	00-04-086
458- 30-310	PREP	00-05-074	460- 46A-050	REP	00-04-095	468-300-220	PREP	00-04-086
458- 30-310	AMD-P	00-11-026	460- 46A-055	REP	00-04-095	474- 02-010	AMD	00-11-084
458- 30-315	PREP	00-05-074	460- 46A-061	REP	00-04-095	474- 02-020	AMD	00-11-084
458- 30-325	PREP	00-05-074	460- 46A-065	REP	00-04-095	478-132-010	AMD	00-04-038
458- 30-325	AMD-P	00-11-026	460- 46A-071	REP	00-04-095	478-132-030	AMD	00-04-038
458- 30-350	PREP	00-05-074	460- 46A-072	REP	00-04-095	478-324-020	AMD	00-04-039
458- 30-700	PREP	00-09-085	460- 46A-090	REP	00-04-095	478-324-030	AMD	00-04-039
458- 30-710	PREP	00-09-085	460- 46A-091	REP	00-04-095	478-324-040	AMD	00-04-039
458- 40-500	PREP	00-13-116	460- 46A-092	REP	00-04-095	478-324-045	NEW	00-04-039
458- 40-510	PREP	00-13-116	460- 46A-095	REP	00-04-095	478-324-050	REP	00-04-039
458- 40-520	PREP	00-13-116	460- 46A-100	REP	00-04-095	478-324-060	AMD	00-04-039
458- 40-530	PREP	00-13-116	460- 46A-105	REP	00-04-095	478-324-070	AMD	00-04-039
458- 40-535	PREP	00-13-116	460- 46A-110	REP	00-04-095	478-324-090	AMD	00-04-039
458- 40-600	PREP	00-13-116	460- 46A-115	REP	00-04-095	478-324-110	AMD	00-04-039
458- 40-610	PREP	00-13-116	460- 46A-145	REP	00-04-095	478-324-120	AMD	00-04-039
458- 40-615	PREP	00-13-116	460- 46A-150	REP	00-04-095	478-324-130	AMD	00-04-039
458- 40-620	PREP	00-13-116	460- 46A-155	REP	00-04-095	478-324-140	AMD	00-04-039
458- 40-622	PREP	00-13-116	460- 46A-160	REP	00-04-095	478-324-150	AMD	00-04-039
458- 40-624	PREP	00-13-116	460- 46A-165	REP	00-04-095	478-324-170	AMD	00-04-039
458- 40-626	PREP	00-13-116	468- 14-010	REP-XR	00-07-027	478-324-180	AMD	00-04-039
458- 40-628	PREP	00-13-116	468- 14-010	REP	00-11-133	478-324-190	AMD	00-04-039
458- 40-630	PREP	00-13-116	468- 14-020	REP-XR	00-07-027	478-324-200	AMD	00-04-039
458- 40-632	PREP	00-13-116	468- 14-020	REP	00-11-133	478-324-210	AMD	00-04-039
458- 40-634	PREP	00-13-116	468- 14-030	REP-XR	00-07-027	479- 05-190	AMD-E	00-16-124
458- 40-636	PREP	00-13-116	468- 14-030	REP	00-11-133	479- 14-130	AMD-E	00-16-124
458- 40-640	PREP	00-13-116	468- 14-040	REP-XR	00-07-027	479- 14-200	NEW-E	00-13-067
458- 40-650	PREP	00-08-108	468- 14-040	REP	00-11-133	479- 14-200	NEW-P	00-13-081
458- 40-650	AMD-P	00-13-115	468- 14-050	REP-XR	00-07-027	480- 15-010	AMD-P	00-09-079
458- 40-660	PREP	00-06-053	468- 14-050	REP	00-11-133	480- 15-010	AMD	00-14-010
458- 40-660	PREP	00-08-109	468- 16-080	PREP	00-07-026	480- 15-020	AMD-P	00-09-079
458- 40-660	AMD-P	00-10-055	468- 16-080	AMD-P	00-11-134	480- 15-020	AMD	00-14-010
458- 40-660	AMD-P	00-13-119	468- 16-080	AMD	00-14-055	480- 15-030	REP-P	00-09-079
458- 40-660	AMD	00-14-011	468- 16-100	PREP	00-07-026	480- 15-030	REP	00-14-010
458- 40-670	PREP	00-13-116	468- 16-100	AMD-P	00-11-134	480- 15-035	NEW-P	00-09-079
458- 40-680	PREP	00-13-116	468- 16-100	AMD	00-14-055	480- 15-035	NEW	00-14-010
458- 40-682	PREP	00-13-116	468- 16-150	PREP	00-07-026	480- 15-260	AMD-P	00-09-079
458- 40-684	PREP	00-13-116	468- 16-150	AMD-P	00-11-134	480- 15-260	AMD	00-14-010
458- 40-686	PREP	00-13-116	468- 16-150	AMD	00-14-055	480- 15-490	AMD-P	00-09-079
458- 40-690	PREP	00-13-116	468- 38-070	PREP	00-04-068	480- 15-490	AMD	00-14-010
458- 57-035	AMD-XA	00-14-028	468- 38-070	AMD-P	00-07-072	480- 15-560	AMD-P	00-09-079
458- 57-045	AMD-XA	00-14-028	468- 38-070	AMD	00-11-019	480- 15-560	AMD	00-14-010
458- 61-230	AMD-P	00-04-055	468- 38-090	REP-P	00-07-072	480- 15-570	AMD-P	00-09-079
458- 61-230	AMD	00-09-002	468- 38-090	REP	00-11-019	480- 15-570	AMD	00-14-010
460- 21C-005	NEW-P	00-02-068	468- 38-100	PREP	00-14-001	480- 15-620	AMD-P	00-09-079
460- 21C-005	NEW	00-05-055	468- 38-110	AMD-S	00-07-071	480- 15-620	AMD	00-14-010
460- 21C-010	NEW-P	00-02-068	468- 38-110	AMD	00-11-020	480- 15-650	AMD-P	00-09-079
460- 21C-010	NEW	00-05-055	468- 38-290	AMD-E	00-05-087	480- 15-650	AMD	00-14-010
460- 21C-020	NEW-P	00-02-068	468- 38-290	PREP	00-05-088	480- 15-660	AMD-P	00-09-079
460- 21C-020	NEW	00-05-055	468- 38-290	AMD-P	00-08-047	480- 15-660	AMD	00-14-010
460- 21C-030	NEW-P	00-02-068	468- 38-290	AMD	00-11-038	480- 15-740	AMD-P	00-09-079
460- 21C-030	NEW	00-05-055	468- 38-290	AMD-E	00-12-022	480- 15-740	AMD	00-14-010
460- 21C-040	NEW-P	00-02-068	468- 38-290	AMD-XA	00-12-023	480- 60-010	AMD	00-04-011
460- 21C-040	NEW	00-05-055	468- 38-290	AMD-XA	00-17-060	480- 60-012	NEW	00-04-011
460- 24A	PREP	00-17-019	468-100-002	AMD-XA	00-17-061	480- 60-014	NEW	00-04-011
460- 44A-500	AMD	00-04-094	468-100-102	AMD-XA	00-17-061	480- 60-020	AMD	00-04-011
460- 44A-504	AMD	00-04-094	468-100-203	AMD-XA	00-17-061	480- 60-030	AMD	00-04-011
460- 44A-504	AMD-XA	00-16-102	468-100-208	AMD-XA	00-17-061	480- 60-035	NEW	00-04-011
460- 46A-010	REP	00-04-095	468-100-209	NEW-XA	00-17-061	480- 60-040	AMD	00-04-011
460- 46A-020	REP	00-04-095	468-100-306	AMD-XA	00-17-061	480- 60-050	AMD	00-04-011

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-60-060	AMD	00-04-011	495A-120-043	REP	00-11-148	495A-121-048	NEW	00-11-147
480-60-070	REP	00-04-011	495A-120-045	REP	00-11-148	495A-121-049	NEW-P	00-05-017
480-60-080	AMD	00-04-011	495A-120-050	REP	00-11-148	495A-121-049	NEW	00-11-147
480-60-090	AMD	00-04-011	495A-120-060	REP	00-11-148	495A-121-060	NEW-P	00-05-017
480-60-99002	REP	00-04-011	495A-120-070	REP	00-11-148	495A-121-060	NEW	00-11-147
480-60-99003	REP	00-04-011	495A-120-080	REP	00-11-148	495A-121-061	NEW-P	00-05-017
480-62-235	NEW-E	00-12-009	495A-120-090	REP	00-11-148	495A-121-061	NEW	00-11-147
480-66-010	REP	00-04-011	495A-120-100	REP	00-11-148	495A-121-062	NEW-P	00-05-017
480-66-020	REP	00-04-011	495A-120-110	REP	00-11-148	495A-121-062	NEW	00-11-147
480-66-030	REP	00-04-011	495A-120-120	REP	00-11-148	495A-121-063	NEW-P	00-05-017
480-66-040	REP	00-04-011	495A-120-130	REP	00-11-148	495A-121-063	NEW	00-11-147
480-66-050	REP	00-04-011	495A-120-135	REP	00-11-148	495A-121-064	NEW-P	00-05-017
480-66-060	REP	00-04-011	495A-120-140	REP	00-11-148	495A-121-064	NEW	00-11-147
480-66-070	REP	00-04-011	495A-120-150	REP	00-11-148	495A-121-065	NEW-P	00-05-017
480-66-100	NEW	00-04-011	495A-120-160	REP	00-11-148	495A-121-065	NEW	00-11-147
480-66-110	NEW	00-04-011	495A-120-170	REP	00-11-148	495A-121-066	NEW-P	00-05-017
480-66-120	NEW	00-04-011	495A-120-180	REP	00-11-148	495A-121-066	NEW	00-11-147
480-66-140	NEW	00-04-011	495A-120-190	REP	00-11-148	495A-121-070	NEW-P	00-05-017
480-66-150	NEW	00-04-011	495A-120-200	REP	00-11-148	495A-121-070	NEW	00-11-147
480-66-160	NEW	00-04-011	495A-121-010	NEW-P	00-05-017	495A-121-090	NEW-P	00-05-017
480-66-170	NEW	00-04-011	495A-121-010	NEW	00-11-147	495A-121-090	NEW	00-11-147
480-66-200	NEW	00-04-011	495A-121-011	NEW-P	00-05-017	495A-121-091	NEW-P	00-05-017
480-66-210	NEW	00-04-011	495A-121-011	NEW	00-11-147	495A-121-091	NEW	00-11-147
480-66-220	NEW	00-04-011	495A-121-012	NEW-P	00-05-017	495A-121-092	NEW-P	00-05-017
480-66-230	NEW	00-04-011	495A-121-012	NEW	00-11-147	495A-121-092	NEW	00-11-147
480-66-300	NEW	00-04-011	495A-121-020	NEW-P	00-05-017	495A-121-093	NEW-P	00-05-017
480-66-310	NEW	00-04-011	495A-121-020	NEW	00-11-147	495A-121-093	NEW	00-11-147
480-66-320	NEW	00-04-011	495A-121-021	NEW-P	00-05-017	495A-121-094	NEW-P	00-05-017
480-66-330	NEW	00-04-011	495A-121-021	NEW	00-11-147	495A-121-094	NEW	00-11-147
480-66-400	NEW	00-04-011	495A-121-022	NEW-P	00-05-017	495C-104-010	AMD-P	00-08-105
480-66-410	NEW	00-04-011	495A-121-022	NEW	00-11-147	495C-104-010	AMD	00-12-019
480-66-420	NEW	00-04-011	495A-121-023	NEW-P	00-05-017	495C-108-040	AMD-P	00-08-105
480-66-430	NEW	00-04-011	495A-121-023	NEW	00-11-147	495C-108-040	AMD	00-12-019
480-66-440	NEW	00-04-011	495A-121-024	NEW-P	00-05-017	495C-116-100	AMD-P	00-08-105
480-66-450	NEW	00-04-011	495A-121-024	NEW	00-11-147	495C-116-100	AMD	00-12-019
480-66-460	NEW	00-04-011	495A-121-025	NEW-P	00-05-017	495C-116-110	AMD-P	00-08-105
480-66-470	NEW	00-04-011	495A-121-025	NEW	00-11-147	495C-116-110	AMD	00-12-019
480-66-480	NEW	00-04-011	495A-121-026	NEW-P	00-05-017	495C-116-130	AMD-P	00-08-105
480-66-490	NEW	00-04-011	495A-121-026	NEW	00-11-147	495C-116-130	AMD	00-12-019
480-66-500	NEW	00-04-011	495A-121-027	NEW-P	00-05-017	495C-116-160	AMD-P	00-08-105
480-66-510	NEW	00-04-011	495A-121-027	NEW	00-11-147	495C-116-160	AMD	00-12-019
480-66-520	NEW	00-04-011	495A-121-028	NEW-P	00-05-017	495C-116-170	AMD-P	00-08-105
480-66-600	NEW	00-04-011	495A-121-028	NEW	00-11-147	495C-116-170	AMD	00-12-019
480-66-620	NEW	00-04-011	495A-121-029	NEW-P	00-05-017	495C-116-190	AMD-P	00-08-105
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