

December 19, 2001

OLYMPIA, WASHINGTON

ISSUE 01-24



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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 December 2001 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

(ISSN 0164-6389) is published twice each month by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504-0552, pursuant to RCW 34.08.020. Subscription rate is \$210.60 per year, sales tax included, postpaid to points in the United States. Periodical postage paid at Olympia, Washington.

POSTMASTER: SEND ADDRESS CHANGES TO:

WASHINGTON STATE REGISTER  
Code Reviser's Office  
Legislative Building  
P.O. Box 40552  
Olympia, WA 98504-0552

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

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# STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

## ARRANGEMENT OF THE REGISTER

The Register is arranged in the following eight sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **EXPEDITED RULE MAKING**-includes the full text of the rule being proposed using the expedited rule-making process. Expedited rule makings are not consistently filed and may not appear in every issue of the register.
- (d) **PERMANENT**-includes the full text of permanently adopted rules.
- (e) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (f) **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.
- (g) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (h) **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.

## 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 ((fined 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.

## 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.

## 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.

## 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].

2001-2002

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

<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 1.12.040 and 34.05.353.



## **REGULATORY FAIRNESS ACT**

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

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

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

### **Mitigation**

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

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

When:

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

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

When:

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

There is less than minor economic impact on business;

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

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

The rule is pure restatement of state statute.



**WSR 01-24-038****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF REVENUE**

[Filed November 28, 2001, 4:00 p.m.]

Subject of Possible Rule Making: Amending WAC 458-16-115 Personal property exemption—Exceptions; and repealing WAC 458-12-090 Listing of personalty—\$300 exemption and its effect on listing, 458-12-270 Listing of property—Household goods and personal effects, 458-12-275 Listing of property—\$300—Head of family—In general, and 458-12-280 Listing of property—\$300—Head of family—Definitions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.36.865.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending WAC 458-16-115 to incorporate and update information currently contained in WAC 458-16-115, 458-12-090, 458-12-270, 458-12-275, and 458-12-280. These rules provide information about the personal property tax exemptions for the head of a family and for household goods, furnishings, and personal effects. Consolidating these rules into a single document will provide the information about these exemptions to taxpayers and county assessors in a more efficient and user-friendly manner.

Process for Developing New Rule: Modified negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of the proposed changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Mark Mullin, Tax Policy Specialist, State of Washington Department of Revenue, Legislation and Policy Division, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6112, fax (360) 664-0693, e-mail MarkM@dor.wa.gov.

Location and Date of Public Meeting: Capital Plaza Building, 4th Floor Large Conference Room, 1025 Union Avenue S.E., Olympia, WA. The meeting will take place Tuesday, on January 8, 2002, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Sandy Davis no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 570-6175.

November 28, 2001

Claire Hesselholt, Rules Manager  
Legislation and Policy Division

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 458-12-140 explains when the boundaries of a taxing district must be established for the purpose of levying property taxes. This rule also explains that county assessors are required to transmit taxing district boundary information to the Property Tax Division of the Department of Revenue when there is a change in taxing district boundaries or when a new taxing district is established. This rule needs to be updated to reflect changes to the underlying statute, RCW 84.09.030. Also, the department intends to expand the rule to incorporate information from RCW 17.28.253, 84.09.035, and 84.09.037. RCW 17.28.253 provide information regarding the establishment of the boundaries of a mosquito control district for property tax purposes. RCW 84.09.035 provides information regarding the effective date of a boundary change for a library district, metropolitan park district, fire protection district, or public hospital district that withdraws an area from its boundaries under RCW 27.12.355, 35.61.360, 52.04.056, or 70.44.235. RCW 82.09.037 provides information about the effect of school district boundary changes on excess tax levies. Incorporating the information from these statutes into WAC 458-12-140 will allow the department to address the subject of taxing district boundaries in a more comprehensive manner.

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

Process for Developing New Rule: Modified negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of the proposed changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Mark Mullin, Tax Policy Specialist, Legislation and Policy Division, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6112, fax (360) 664-0693, e-mail MarkM@dor.wa.gov.

Location and Date of Public Meeting: Capital Plaza Building, 4th Floor Large Conference Room, 1025 Union Avenue S.E., Olympia, WA. The meeting will take place on Tuesday, January 8, 2002, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Sandy Davis no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 570-6175.

November 28, 2001

Claire Hesselholt, Rules Manager  
Legislation and Policy Division

**WSR 01-24-039****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF REVENUE**

[Filed November 28, 2001, 4:00 p.m.]

Subject of Possible Rule Making: Amending WAC 458-12-140 Listing of property—Boundary changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.08.010.

**WSR 01-24-046**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF LICENSING**

[Filed November 29, 2001, 10:52 a.m.]

Subject of Possible Rule Making: Chapter 308-94 WAC, Snowmobiles, to include but not limited to WAC 308-94-050.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required as a result of this review in accordance 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 Katherine Iyall Vasquez, Rules Manager, Title and Registration Services, Vehicle Services, Mailstop 48001, P.O. Box 2957, Olympia, WA 98507-2957, or by phone (360) 902-3718, fax (360) 664-0831, TTY (360) 664-8885, e-mail kvasquez@dol.wa.gov.

November 29, 2001

D. McCurley, Administrator  
Title and Registration Services

**WSR 01-24-056**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF LICENSING**

[Filed November 29, 2001, 3:55 p.m.]

Subject of Possible Rule Making: Fee adjustment for WAC 308-13-150 Landscape architects.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.96.060 Board—Rules—Quorum. (Pursuant to RCW 43.134.055, during the 2001-03 fiscal biennium, the department may increase fees in excess of the fiscal growth factor if the increases are necessary to fully fund the costs of the licensing programs.)

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Review of current fees for the purpose of having sufficient level of revenue to defray the costs of administering the program.

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

Process for Developing New Rule: Agency study; and review of all rules pursuant to the Governor's Executive Order 97-02.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Margaret Epting, Department of Licensing, Business and Professions Division, Landscape

Architect Registration Board, P.O. Box 9045, Olympia, WA 98507-9045, phone (360) 664-1386, fax (360) 664-2551.

November 29, 2001

Margaret A. Epting  
Administrator

**WSR 01-24-064**

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

(Office of the Secretary)

[Filed November 30, 2001, 4:25 p.m.]

Subject of Possible Rule Making: Chapter 388-01 WAC, the agency proposes to adopt a new section to chapter 388-01 WAC to clarify that no provision in Title 388 WAC creates or is intended to create any right or cause of action, or adds to or intends to add to any existing right or cause of action, nor may anything in Title 388 WAC be relied upon to compel the establishment of any program or special entitlement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.250, 43.17.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule is needed to address recent court decisions in which the courts found that legislation or administrative rules implied a right of action, or compelled an agency to establish a program or entitlement, because the legislation or rule was silent on whether it created or implied a right of action or compelled the establishment of a program or entitlement.

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

Process for Developing New Rule: The Department of Social and Health Services invites the public to review and provide input on the draft language of the proposed rules. Draft rules and information about how to participate may be obtained by contacting the representative listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bernie H. Friedman, Special Assistant to the Secretary, Department of Social and Health Services, Mailstop 45010, Olympia, WA 98504-5010, phone (360) 902-7860, fax (360) 902-7848.

November 30, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**WSR 01-24-069**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
 [Filed December 1, 2001, 9:47 a.m.]

Subject of Possible Rule Making: Chapter 363-116 WAC, Pilotage rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 88.16 RCW, Pilotage Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board is undergoing a complete review of chapter 363-116 WAC, Pilotage rules, in order to create or amend language that will be more concise, clear and current. Chapter 88.16 RCW, Pilotage Act, will be reviewed as well. Modifications to one may necessitate modifications to the other.

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

Process for Developing New Rule: The board will begin considering written and oral comments from persons who may be interested in the development of new rules as described above. Stakeholder comments are welcome. Thereafter, the board will proceed with rule making. The latest versions of both the RCW and WAC can be found at <http://access.wa.gov>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written and oral comments are currently being accepted and discussed at the regular session board meetings. Some committee work may be necessary and it will be scheduled accordingly.

Public hearings will be scheduled to consider the proposed new rules pursuant to formal notice requirements.

Contact Peggy Larson, Administrator, Board of Pilotage Commissioners, 2911 Second Avenue, Suite 100, Seattle, WA 98121, phone (206) 515-3904, fax (206) 515-3969, LarsonP@wsdot.wa.gov.

November 29, 2001  
 Peggy Larson  
 Administrator

**WSR 01-24-095**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF LICENSING**  
 [Filed December 4, 2001, 1:46 p.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licenses, to include but not limited to WAC 308-96A-205, 308-96A-206, and 308-96A-220.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110, 46.16.070, 46.16.135.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required as a result of this review in accordance 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 Katherine Iyall Vasquez, Rules Manager, Title and Registration Services, Vehicle Services, Mailstop 48001, P.O. Box 2957, Olympia, WA 98507-2957, or by phone (360) 902-3718, fax (360) 664-0831, TTY (360) 664-8885, e-mail [kvasquez@dol.wa.gov](mailto:kvasquez@dol.wa.gov).

December 4, 2001  
 D. McCurley, Administrator  
 Title and Registration Services

**WSR 01-24-097**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**FORENSIC INVESTIGATIONS COUNCIL**  
 [Filed December 4, 2001, 3:30 p.m.]

Subject of Possible Rule Making: Rules defining terms and prescribing eligibility standards for funding assistance for local jurisdictions in the investigation of multiple deaths from unanticipated, extraordinary, and catastrophic events.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.103.090 (1)(d).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 142, Laws of 1999, directed the council to adopt rules for the purpose of authorizing expenditure of funds for assisting local jurisdictions in investigating certain multiple deaths. Rules are needed to define eligibility standards and to implement the legislation.

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 Fred A. Johnson, Chair, at P.O. Box 397, Cathlamet, WA 98612, phone (360) 795-3652. Written comments or inquiries may be mailed or faxed to Mr. Johnson at (360) 795-6506.

December 3, 2001  
 Fred A. Johnson  
 Chair

**WSR 01-24-099**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**  
 [Order 01-12—Filed December 4, 2001, 4:09 p.m.]

Subject of Possible Rule Making: Revision of chapter 173-50 WAC, Accreditation of environmental laboratories, the amendments will add accreditation for matrices other than water, accreditation for drinking water laboratories,

granting NELAP accreditation, make changes to the fee schedule, and add accreditation for physical tests.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.21A.230.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 173-50 WAC needs to be expanded to include granting accreditation for tests on matrices other than water, for physical tests, and for drinking water tests and allow collecting fees for these services. The amendments also include language for the department to become an accrediting authority within the National Environmental Laboratory Accreditation Program (NELAP). The primary objective of this rule revision is to allow fee collections to balance program expenditures.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Drinking Water Laboratory Accreditation Program, a federal (EPA) program, which is administered in Washington by the Department of Health. Through a memorandum of understanding, ecology will assume the drinking water lab accreditation mission from health in October 2002, coinciding with the planned effective date of this WAC revision. Health will be kept informed on all actions relative to this revision process and will be invited to all meetings of a citizens advisory group and to the public hearings.

Process for Developing New Rule: This rule-making process will include advisory groups, stakeholder forums, workshops, public hearings, and mailings (some of which is described below).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties will be invited to participate in rule development and will be informed of all compliance requirements through various media including a citizens advisory committee meetings, two public hearings, mass mailings, and association newsletters. Implementation will have statewide implications. Those public and private entities submitting water quality data to ecology and drinking water data to health, are affected by laboratory accreditation. These include publicly and privately owned water utilities and wastewater treatment plants that submit data in accordance with their discharge permits. Also included are commercial labs (whose business is to analyze environmental and/or drinking water samples) serving the wastewater dischargers and other ecology and health clients requiring support by analytical labs. Academic labs (e.g., those operated by state universities) having grants from ecology are also affected.

Ecology point of contact is Perry Brake, Lab Accreditation Unit Supervisor, Environmental Assessment Program, (360) 895-6149, fax (360) 895-6180, pbra461@ecy.wa.gov.

December 4, 2001

William H. Backous, P.E.  
Environmental Assessment  
Program Manager

WSR 01-24-102

PREPROPOSAL STATEMENT OF INQUIRY  
STATE BOARD OF HEALTH

[Filed December 5, 2001, 9:33 a.m.]

Subject of Possible Rule Making: The board will examine the duties of local health officers and local health departments as they relate to addressing public health threats including a suspected or actual terrorist attack or a naturally occurring disease outbreak. Currently, local health officer and local health department duties are listed in WAC 246-101-505 and 246-100-036.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Local health officials are required to review information received through the notifiable condition system and to determine appropriate action for instituting disease prevention and infection control, isolation, detention, and quarantine measures necessary to prevent spread of communicable disease, invoking the power of the courts to enforce these measures when necessary. Rule revisions may be needed to facilitate coordination of activities between various state and local entities (under RCW 43.20.050(4)) that have a role in emergency management operations. In addition, rules may be needed to ensure swift enforcement of a public health officer's acts when discharging their duties under state and local laws and rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The board will work with state agencies involved with the Emergency Operating Center. Many of these agencies have regulatory authority or specific responsibilities in responding to large-scale emergencies, such as a terrorist attack. These agencies may be invited to participate on the workgroup, will receive mailings, and will have the opportunity to testify at the hearing. The primary federal agencies that regulate emergency response are the Center for Disease Control and the Federal Emergency Management Agency. The board will contact share drafts of the proposed rules with these agencies.

Process for Developing New Rule: The board will consult with the Washington State Association of Local Public Health Officials, Department of Health, law enforcement agency associations 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 Craig McLaughlin, Washington State Board of Health, 1102 S.E. Quince Street, P.O. Box 47990, Olympia, WA 98504-7990, phone (360) 236-4106, fax (360) 236-4088, e-mail craig.mclaughlin@doh.wa.gov.

November 30, 2001

Don Sloma  
Executive Director

**WSR 01-24-103****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH  
(Sex Offender Treatment Provider)**

[Filed December 5, 2001, 9:34 a.m.]

Subject of Possible Rule Making: WAC 246-930-050 Education required for affiliates prior to exam, 246-930-075 Description of supervision of affiliates, 246-930-310 Standards for professional conduct and client relationships, and 246-930-320 Standards for SSOSA/SSODA assessment and evaluation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.155.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state has a critical shortage of sex offender treatment providers available to treat the increase in population seeking this specialized treatment. Rules need to be revised to allow for more qualified individuals to become credentialed in this field.

Language in rules as currently written is contradictory, grammatically incorrect and inconsistent with the statutes. A review of all WACs will allow the opportunity to revise the rules using clear rule-writing standards.

Process for Developing New Rule: Collaborative rule making, public meetings and mailings to interested persons.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Traci Troutman, Department of Health, P.O. Box 47869, Olympia, WA 98504-7869, phone (360) 236-4917, e-mail traci.troutman@doh.wa.gov, fax (360) 236-4918. Interested persons can participate through meetings and by submitting written comments.

December 4, 2001  
Mary C. Selecky  
Secretary

**WSR 01-24-107****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed December 5, 2001, 10:33 a.m.]

Subject of Possible Rule Making: Minimum wages, chapter 296-128 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 49.46 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are necessary to clarify the requirements for salary basis pay as a result of a Washington State Supreme Court decision (*Drinkwitz v. Alliant Techsystems, Inc.*, 140 Wn. 2d 291 (2000)).

Process for Developing New Rule: Parties interested in the formulation of these rules may contact the individual listed below. The public may also participate by providing written comments or giving oral testimony after these rules changes are proposed during the public hearing process.

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

lication by contacting Josh Swanson, Department of Labor and Industries, Specialty Compliance Services Division, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6411, fax (360) 902-5292, e-mail swaj235@lni.wa.gov.

December 5, 2001

Gary Moore  
Director

**WSR 01-24-111****PREPROPOSAL STATEMENT OF INQUIRY  
FOREST PRACTICES BOARD**

[Filed December 5, 2001, 11:06 a.m.]

Subject of Possible Rule Making: Clarification of State Environmental Policy Act (SEPA) guidance for wildlife conservation agreements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 76.09.040, 43.21C.060, [43.21C].120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Forest Practices Board is considering changes to State Environmental Policy Act guidelines in forest practices regulations, chapter 222-10 WAC. The changes would make this chapter consistent with existing rules concerning wildlife conservation agreements. Existing rules provide an exemption from class IV-Special classification for critical wildlife habitat under one of these agreements. The changes would make clear that the existing SEPA guidelines for threatened and endangered species do not apply to forest practices consistent with one of these agreements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Fish and Wildlife Service, National Marine Fisheries Service, Washington Department of Fish and Wildlife. These agencies will be either involved or advised during the rule development process. The Department of Ecology must approve forest practice rules pertaining to water quality.

Process for Developing New Rule: Negotiated rule making, participants who would help in the rule development process would consist of representing by timber interests, environmental interests, state agencies, local government, federal agencies, tribal governments, and other interested parties. The Forest Practices Board will consider whether to accept the negotiated proposal and proceed with rule making at its February 13th meeting. If the board decides to proceed with rule making, there will be an additional opportunity to comment on the rule proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Mail, fax, or e-mail comments to Patricia Anderson, Rules Coordinator, Forest Practices Board, Department of Natural Resources, Forest Practices Division, 1111 Washington Street, 4th Floor, P.O. Box 47012, Olympia, WA 98504-

4701, fax (360) 902-1428, e-mail forest.practicesboard@wadnr.gov.

December 5, 2001  
Bonnie B. Bunney  
for Pat McElroy  
Chair

**WSR 01-24-112**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**LIQUOR CONTROL BOARD**

[Filed December 5, 2001, 11:31 a.m.]

Subject of Possible Rule Making: Chapter 314-11 WAC, General requirements for liquor licensees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.28.100, 66.28.040, 66.28.090, 66.44.010, 66.44.070, 66.44.200, 66.44.270, 66.44.291, 66.44.292, 66.44.310, 66.44.316, 66.44.318, 66.44.340, 66.44.350.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 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. This notice concerns the board's intent to review its rules that outline general requirements for the majority of liquor licensees. This chapter, chapter 314-11 WAC, was rewritten in March of 2001, and there are several technical changes needed for clarification. In addition, the agency is considering amending WAC 314-11-025 to add that a valid driver's license issued by a territory of the United States is adequate for age verification purposes. Currently the rule indicates that a driver's license from any state or from any province of Canada are acceptable, which does not cover United States territories such as Guam and Puerto Rico.

Process for Developing New Rule: Input from retail licensees, local governments, and other interested parties will be obtained through series of notices and at least one public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1648, fax (360) 704-4920, e-mail teb@liq.wa.gov.

November 19, 2001  
Merritt D. Long  
Acting Chair



**WSR 01-23-072**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Adult Services Administration)  
[Filed November 20, 2001, 3:48 p.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 00-23-049.

Title of Rule: New WAC 388-71-05910 through 388-71-05954, Individual provider and home care agency provider qualifications; amending WAC 388-71-0500, 388-71-0520 and 388-71-0540; and repealing WAC 388-71-0525, 388-71-0530, and 388-71-0535.

Purpose: To implement SSB 6502 (chapter 121, Laws of 2000) on training requirements for individual providers and home care agency providers under Medicaid in-home services.

Statutory Authority for Adoption: RCW 74.39A.050, 34.05.020.

Statute Being Implemented: Chapter 121, Laws of 2000.

Summary: Implements requirements for staff and individual provider orientation in Medicaid home care; implements processes for approval of instructors.

Reasons Supporting Proposal: Implementing statutes referenced above.

Name of Agency Personnel Responsible for Drafting: Dotti Wilke, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2539; Implementation and Enforcement: Marta Acedo, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2549.

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 implements RCWs on training for Medicaid home care (agency and individual providers). The new requirements in the RCW is an orientation for in-home providers. The rule also describes the process for approval of instructors for certain trainings.

Proposal Changes the Following Existing Rules: This proposal moves existing rules into one new rule.

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

**Small Business Economic Impact Statement**

**SUMMARY OF PROPOSED RULES:** The Department of Social and Health Services' Aging and Adult Services Administration (AASA) is proposing to amend chapter 388-71 WAC, Social services for adults. The amendments to chapter 388-71 WAC contain the training rules for home care provided through the Medicaid personal care, COPES, or chore programs by individual providers or home care agency providers. These include new rules implementing changes in chapter 74.39A RCW, Long-term care services option—Expansion.

The purpose of this chapter is to:

- Define minimum training requirements;

- Define the types of training;
- Clarify instructor requirements; and
- Establish department procedures for approval of instructors.

The statutory authority for this chapter is RCW 74.39A.050 Long-term care services options—Expansion.

The major proposed changes are:

- Incorporating a new requirement for orientation training for new staff, as required in chapter 74.39A RCW; and
- Creating an approval system for trainers as required by the RCW.

**Background of the proposed rule:**

In 1995, as part of long-term care reform, the legislature allocated funds for training during the following year. Providers and caregivers who were trained included:

- Caregivers in boarding homes that contract with DSHS;
- All licensed adult family home providers and caregivers; and
- Home care agency providers and individual providers serving clients through the Medicaid personal care, COPES, and chore programs.

In 1997, two task forces were created under the auspices of the legislature to review caregiver training:

- The Joint Executive-Legislative Long Term Care Task Force's subcommittee on training. This task force reported to the legislature in December 1998 and January 2000.
- The training task force, which was the responsibility of DSHS, the Department of Health, and the Nursing Care Quality Assurance Commission, was directed to review caregiver training. This task force reported to the legislature in December 1998.

The new training requirements created by legislation in the 2000 session were based largely on the recommendations from the two task forces. This same legislation created the Community Long Term Care Education and Training Steering Committee to advise the department on the development of rules to implement the new law (see RCW 74.39A.190.)

**Goal for the proposed rules:** The goal for this chapter is to ensure that all caregivers have an orientation when they begin to work with clients or residents.

Training improves caregiving skills and the quality of care delivered to more than 20,000 adults receiving care through these programs.

**SMALL BUSINESS ECONOMIC IMPACT STATEMENT:** Chapter 19.85 RCW, the Regulatory Fairness Act, requires that the economic impact of proposed regulations be analyzed in relation to small businesses. This statute outlines information that must be included in a small business economic impact statement (SBEIS). Preparation of an SBEIS is required when a proposed rule has the potential of placing a disproportionate economic impact on small businesses.

Aging and Adult Services Administration has analyzed the proposed amendments to their rules and has determined that small businesses will be impacted by these changes, with some costs considered "more than minor."

PROPOSED

**INDUSTRY ANALYSIS:** The Department of Health is responsible for home care agency licensing. As part of licensing, this state agency keeps current internal databases that identify all licensed agencies. Since internal industry information can be obtained at a more accurate level than is required by chapter 19.85 RCW, it is unnecessary to conduct an industry analysis using the four-digit standard industrial classification (SIC) codes.

**INVOLVEMENT OF SMALL BUSINESSES:** The data used in this analysis was gathered from several sources:

- The statewide organizations that represent the fifty-eight home care agencies affected, and
- The Department of Health licensing information for home care agencies.

The organizations that contributed current data on wages, benefits, and cost estimates for the businesses they represent, most of which are small businesses, include: The Home Care Association of Washington and the Washington State Association of Home Care Services.

The rule has been developed with the advice of the training steering committee, which has been meeting monthly for fifteen months to consider and recommend the rules to implement these laws. The small businesses affected are represented on the committee by the statewide provider organizations listed above.

In addition, four public forums were held during the summer (in Bellevue, Lacey, Spokane, and Yakima) to discuss the rule development and take public comment on the proposed rules as recommended by the steering committee. Approximately 2000 interested parties were invited; seventy-seven people attended and commented.

AASA staff also have regularly attended meetings with home care providers for the past year to update them on the rule development and take their comments and suggestions. To reach those who could not attend meetings, the proposed

rules as recommended by the steering committee have been posted on the AASA Internet web site, with contact person information for anyone wishing to comment or make suggestions on the rule. All the input from these various groups and meetings has helped shape the development of this rule.

**COST OF COMPLIANCE:** *Costs related to record keeping:* Each business must keep on file copies of certificates showing successful completion of required trainings for each of their employees. The only new record-keeping requirement for home care agencies is orientation. Keeping orientation certificates on file will result in a minor cost to the business.

**Estimated training costs:** Expected costs include:

- The trainer's wages and benefits (on-staff trainers are used for orientation);
- The trainee's wages and benefits; and
- Costs for training materials.

See Table 1, below, for estimated costs.

To fairly consider costs of compliance, AASA has elected to look at costs per trainee. This is because there is no reliable data on the number of employees that will be required to have this training, or the rate of turnover, both of which affect total training costs.

The most costly wage scenarios were used for cost estimates. These include using a registered nurse who is on staff as the orientation trainer, and assuming a one-on-one training, rather than group training. Circumstances that may be used to mitigate these costs are noted in the section on mitigating expenses.

**Table 1: Costs of Compliance for Home Care Agencies**

Orientation is a new requirement for all home care agencies. It is always provided at the agency, by agency staff, requiring no travel or consultant costs.

Orientation	Personnel, other costs	Wages	Benefits & Taxes	Total per hour	Hours	Total Cost
	Trainer (RN)	\$24.24	\$6.14	\$30.38	2	\$60.76
	Trainee	\$7.68	\$2.19	\$9.87	2	\$19.74
	Materials					\$10.00
	<b>Total per trainee</b>					<b>\$90.50</b>

**Disproportionate Economic Impact Analysis:** When there are more than minor costs to small businesses as a result of proposed rule changes, the Regulatory Fairness Act requires an analysis to be done, comparing these costs between small businesses and ten percent of the largest businesses.

About 17% of home care agencies have more than fifty employees (Department of Health licensing data, 2001), but some are nonprofits. While the per-trainee costs do not differ between small and large businesses, the costs may be a higher proportion of overall costs for a small business. AASA elected to focus on mitigating expenses for small businesses regardless of actual figures resulting from an analysis comparing large and small businesses. AASA proposes several measures that will mitigate the cost impact for small businesses, thus helping them more easily comply with additional training requirements.

**Mitigating Expenses:** Aging and Adult Services Administration has included the following to help mitigate training costs for small businesses:

- Orientation of home care agency staff is already required under home care licensing, chapter 246-336 WAC. Many of the specific topics required in chapter 388-71 WAC may already be included in the orientation that agencies currently provide their staff.
- Orientation training costs can be significantly reduced if the person doing the orientation is not an RN (high wage rate). For instance, an RN's median hourly wage is estimated to be \$24.24. If an LPN does the orientation, the hourly wage drops to \$15.72; if a social worker does the orientation, the hourly wage is \$18.74. Both LPNs and social workers are qualified to do this training. The agency has a choice of which staff to use

for conducting the orientation training, and may save money with these other choices.

- Orientation training costs are further reduced if the agency orients more than one person at a time. This can be done any time the agency hires several new caregivers and has them start working at the same time. By doing this, the cost for the trainer's time is spread across several trainees, reducing the per trainee cost.
- Individuals who have already been oriented at another agency can have a much briefer orientation at a new agency, which is a saving for the second business. The orientation can be shorter because basic information on the required topics will be consistent across agencies. The agency will be able to spend less time on basic information, and focus primarily on information specific to the agency.

**Additional cost savings:** There are additional, overall cost savings for small businesses with the new training requirements, which are important to mention.

- The orientation reduces the time it takes new employees to begin to provide quality care to clients, translating into better care and higher satisfaction for the clients, and improved word-of-mouth publicity for the agency, which may increase income for the agency.
- Well-trained employees generally have higher job satisfaction and this leads to a lower turnover rate, significantly reducing overall costs. Turnover rates have been estimated as 50% or higher per year, for caregivers. Village Green, a Washington state boarding home, determined that monthly turnover for caregivers dropped from 21% to under 5% after implementing a thorough orientation program.

**CONCLUSION:** Aging and Adult Services Administration has given careful consideration to the impact of proposed amendments to chapter 388-71 WAC, Social services for adults, on small businesses. In accordance with the Regulatory Fairness Act, chapter 19.85 RCW, Aging and Adult Services Administration has analyzed impacts on small businesses and proposed ways to mitigate those costs associated with implementing the training requirements in these rules. The new requirements being implemented in these rules are contained in chapter 74.39A RCW. The proposed WAC amendments expand on the information in the RCW to assist providers in successfully meeting the new requirements. Training staff adequately to care for adult clients is a benefit to both the client and the provider.

A copy of the statement may be obtained by writing to Tresa Harambasic, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2548, fax (360) 725-2646.

RCW 34.05.328 applies to this rule adoption. A cost-benefit analysis has been prepared concerning these proposed rules, and may be obtained by contacting Tresa Harambasic, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2548, fax (360) 725-2646.

Hearing Location: Office Building-2 Auditorium, DSHS Headquarters, 1115 Washington, 14th and Jefferson, Olympia, WA 98504, on January 8, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by January 4, 2002, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@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 5:00 p.m., January 8, 2002.

Date of Intended Adoption: Not earlier than January 9, 2002.

November 14, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

#### NEW SECTION

**WAC 388-71-05910 What definitions apply to WAC 388-71-05911 through 388-71-05954? "Client"** means an individual receiving in-home services through Medicaid personal care, COPES, or Chore programs. As applicable, the term client also means the client's legal guardian or other surrogate decision maker.

**"Competency"** means the minimum level of information and skill trainees are required to know and be able to demonstrate.

**"DSHS"** refers to the department of social and health services.

**"Learning outcomes"** means the specific information, skills and behaviors desired of the learner as a result of a specific unit of instruction, such as what they would learn by the end of a single class or an entire course. Learning outcomes are generally identified with a specific lesson plan or curriculum.

**"Outcome based training"** means training that bases the curriculum design, content, delivery, and assessment on the specific knowledge, skills, and behaviors needed to demonstrate competency.

**"Routine interaction"** means contact with residents or clients that happens more than infrequently.

#### NEW SECTION

**WAC 388-71-05911 What is orientation?** Orientation provides basic introductory information appropriate to the in-home setting and population served. The department does not approve specific orientation programs, materials, or trainers for home care agencies. No test is required for orientation.

#### NEW SECTION

**WAC 388-71-05912 What content must be included in an orientation?** Orientation may include the use of videotapes, audiotapes, and other media if the person overseeing the orientation is available to answer questions or concerns for the person(s) receiving the orientation. Orientation must include introductory information in the following areas:

- (1) The care setting;
- (2) The characteristics and special needs of the population served;

## (3) Fire and life safety, including:

(a) Emergency communication (including phone system if one exists);

(b) Evacuation planning (including fire alarms and fire extinguishers where they exist);

(c) Ways to handle client injuries and falls or other accidents;

(d) Potential risks to clients or providers (for instance, aggressive client behaviors and how to handle them); and

(e) The location of agency policies and procedures, when orientation takes place in a home care agency.

## (4) Communication skills and information, including:

(a) Methods for supporting effective communication among the client, the provider, and family members;

(b) Use of verbal and nonverbal communication;

(c) Review of written communications and/or documentation required for the job, including the client's service plan; and

(d) Whom to contact about problems and concerns.

(5) Universal precautions and infection control, including:

(a) Proper hand washing techniques;

(b) Protection from exposure to blood and other body fluids;

(c) Appropriate disposal of contaminated/hazardous articles;

(d) Reporting exposure to contaminated articles, blood, or other body fluids; and

(e) What a provider should do if they are ill.

(6) Client rights, including:

(a) The client's right to confidentiality of information about the client;

(b) The client's right to participate in decisions about the client's care, and to refuse care;

(c) The provider's duty to refrain from interfering with the client's exercise of his or her rights;

(d) How and to whom providers should report any concerns they may have about a client's decision concerning the client's care;

(e) Providers' duty to report any suspected abuse, abandonment, neglect, or exploitation of a client;

(f) Advocates that are available to help clients (LTC ombudsmen, organizations); and

(g) Complaint lines, hot lines, and client grievance procedures.

NEW SECTION

**WAC 388-71-05913 Is competency testing required for orientation?** There is no competency testing required for orientation.

NEW SECTION

**WAC 388-71-05914 Is there a challenge test for orientation?** There is no challenge test for orientation.

NEW SECTION

**WAC 388-71-05915 What documentation is required for orientation?** The home care agency or individual pro-

vider must maintain documentation of completion of orientation that includes:

(1) A list of the specific information and skills taught;

(2) Signatures of the instructor and trainee indicating completion of the required information and skills;

(3) The trainee's date of employment;

(4) The location of the training; and

(5) The date(s) of training.

NEW SECTION

**WAC 388-71-05916 Who is required to complete orientation, and when must it be completed?** (1) Home care agency providers must complete orientation before working with the agency's clients. Orientation must be provided by appropriate agency staff.

(2) Individual providers must complete orientation no later than fourteen calendar days after beginning to work with their first DSHS client. Orientation must be provided by DSHS or area agency on aging (AAA) staff.

(3) Parents who are individual providers for their adult children are exempt from the orientation requirement.

NEW SECTION

**WAC 388-71-05917 What is basic training?** Basic training includes the core knowledge and skills that providers need to provide personal care services effectively and safely. Only the training curriculum developed by DSHS may be used for basic training.

NEW SECTION

**WAC 388-71-05918 Is there an alternative to the basic training for some health care workers?** Certain health care workers may complete the modified basic training instead of basic training if they meet the requirements in WAC 388-71-05929.

NEW SECTION

**WAC 388-71-05919 What core knowledge and skills must be taught in basic training?** Basic training must include the following core knowledge and skills:

(1) Understanding and using effective interpersonal and problem solving skills with clients, family members, and other care team members;

(2) Taking appropriate action to promote and protect client rights, dignity, and independence;

(3) Taking appropriate action to promote and protect the health and safety of the client and the caregiver;

(4) Correctly performing required personal care tasks while incorporating client preferences, maintaining the client's privacy and dignity, and creating opportunities that encourage client independence;

(5) Adhering to basic job standards and expectations.

NEW SECTION

**WAC 388-71-05920 Is competency testing required for basic training?** Competency testing is required for basic

training as provided under WAC 388-71-05940 through 388-71-05946.

#### NEW SECTION

**WAC 388-71-05921 Is there a challenge test for basic training?** Individuals may take the DSHS challenge test instead of the required training. If a person does not pass a challenge test on the first attempt, they may not re-take the challenge test and must attend a class.

#### NEW SECTION

**WAC 388-71-05922 What documentation is required for successful completion of basic training?** Basic training must be documented by a certificate of successful completion of training that includes:

- (1) The name of the trainee,
- (2) The name of the training,
- (3) The location of the training,
- (4) The instructor's name and signature, and
- (5) The date(s) of training.

The trainee must retain the original certificate. A home care agency must keep a copy of the certificate on file. An individual provider must give a copy of the certificate to DSHS or area agency on aging.

#### NEW SECTION

**WAC 388-71-05923 Who is required to complete basic training, and when?** Individual providers and home care agency providers must complete department-developed basic training and demonstrate competency within one hundred twenty days after beginning to work with their first DSHS client.

#### NEW SECTION

**WAC 388-71-05924 What is modified basic training?** Modified basic training is a subset of the basic training curriculum designed for certain health care workers whose previous training teaches many of the competencies taught in the full basic training. Only the training curriculum developed by DSHS may be used for basic training.

#### NEW SECTION

**WAC 388-71-05925 What core knowledge and skills must be included in modified basic training?** Modified basic training must include the following core knowledge and skills:

- (1) Client rights, including mandatory reporting requirements;
- (2) Medication assistance regulations;
- (3) Nurse delegation regulations;
- (4) Assessment and observations in home and community settings;
- (5) Documentation in home and community settings;
- (6) Service planning in home and community care settings;

(7) Resource information, including information on continuing education; and

(8) Self-directed care regulations.

#### NEW SECTION

**WAC 388-71-05926 Is competency testing required for modified basic training?** Competency testing is required for modified basic training as provided in WAC 388-71-05940 through 388-71-05946.

#### NEW SECTION

**WAC 388-71-05927 Is there a challenge test for modified basic training?** Individuals may take the department's challenge test instead of the required training. If a person does not pass a challenge test on the first attempt, they may not re-take the challenge test and must attend the class.

#### NEW SECTION

**WAC 388-71-05928 What documentation is required for successful completion of modified basic training?** Modified basic training must be documented by a certificate of successful completion of training that includes:

- (1) The name of the trainee,
- (2) The name of the training,
- (3) The location of the training,
- (4) The instructor's name and signature, and
- (5) The date(s) of training.

The trainee must retain the original certificate. A home care agency must keep a copy of their employees' certificates on file. An individual provider must give a copy to DSHS or area agency on aging.

#### NEW SECTION

**WAC 388-71-05929 Who may take modified basic training instead of the full basic training?** Modified basic training may be taken, instead of the full basic training, by a person who can document they have successfully completed training as a registered or licensed practical nurse, certified nursing assistant, physical therapist, occupational therapist, or Medicare-certified home health aide. In addition, modified basic training may be taken by a natural, step, or adoptive parent who is the individual provider for his or her adult child who is not receiving services through DSHS' division of developmental disabilities.

#### NEW SECTION

**WAC 388-71-05930 What are the training requirements and exemptions for parents who are individual providers for their adult children receiving services through DDD?** A natural, step, or adoptive parent who is the individual provider for his or her adult child who is receiving services through DSHS' division of developmental disabilities (DDD):

- (1) Must possess a certificate of successfully completing a six-hour DDD-approved training or a specially designed

DSHS-approved training within one hundred eighty days of beginning employment;

(2) Is exempt from the orientation, basic training, and continuing education requirements if the parent provides care only for his or her own adult child.

#### NEW SECTION

**WAC 388-71-05931 What are the training requirements and exemptions for parents who are individual providers for their adult children who do not receive services through DDD?** A natural, step, or adoptive parent who is the individual provider for his or her adult child who is not receiving services through DSHS' division of developmental disabilities:

(1) Must:

(a) Possess a certificate of successfully completing modified basic training within one hundred eighty days of beginning employment, and have documentation that the parent has received individualized or other specific instruction on the care of the adult child; or

(b) Pass the DSHS challenge test; or

(c) Possess a certificate of successfully completing basic training.

(2) Is exempt from the orientation and continuing education requirements.

#### NEW SECTION

**WAC 388-71-05932 What is continuing education?**

Continuing education is additional caregiving-related training designed to increase and keep current a person's knowledge and skills. DSHS does not pre-approve continuing education programs or instructors.

#### NEW SECTION

**WAC 388-71-05933 How many hours of continuing education are required each year?** (1) Individual providers and home care agency providers must complete at least ten hours of continuing education each calendar year (January 1 through December 31).

(2) One hour of completed classroom instruction or other form of training (such as a video or on-line course) equals one hour of continuing education.

#### NEW SECTION

**WAC 388-71-05934 What kinds of training topics are required for continuing education?** Continuing education must be on a topic relevant to the care setting and care needs of clients, including but not limited to:

(1) Client rights;

(2) Personal care (such as transfers or skin care);

(3) Mental illness;

(4) Dementia;

(5) Developmental disabilities;

(6) Depression;

(7) Medication assistance;

(8) Communication skills;

(9) Positive client behavior support;

(10) Developing or improving client centered activities;

(11) Dealing with wandering or aggressive client behaviors; and

(12) Medical conditions.

#### NEW SECTION

**WAC 388-71-05935 Is competency testing required for continuing education?** Competency testing is not required for continuing education.

#### NEW SECTION

**WAC 388-71-05936 When does the continuing education requirement start?** Continuing education is not required during the first calendar year following the year in which basic or modified basic training is successfully completed. Continuing education is required in each calendar year thereafter.

#### NEW SECTION

**WAC 388-71-05937 May basic or modified basic training be completed a second time and used to meet the continuing education requirement?** Re-taking basic or modified basic training may not be used to meet the continuing education requirement.

#### NEW SECTION

**WAC 388-71-05938 What are the documentation requirements for continuing education?** (1) The home care agency or individual provider must maintain documentation of continuing education including:

(a) The trainee's name;

(b) The title or content of the training;

(c) The instructor's name or the name of the video, on-line class, professional journal, or equivalent instruction materials completed;

(d) The number of hours of training; and

(e) The date(s) of training.

(2) Home care individual providers must provide DSHS or the area agency on aging with proof of completion of continuing education credits.

#### NEW SECTION

**WAC 388-71-05939 What is competency testing?** Competency testing is evaluating a trainee to determine if they can demonstrate the required level of skill, knowledge, and/or behavior with respect to the identified learning outcomes of a particular course.

#### NEW SECTION

**WAC 388-71-05940 What components must competency testing include?** Competency testing must include the following components:

(1) Skills demonstration of ability to perform and/or implement specific caregiving approaches, and/or activities as appropriate for the training;

(2) Written evaluation to show knowledge of the learning outcomes included in the training; and

(3) A scoring guide for the tester with clearly stated scoring criteria and minimum proficiency standards.

#### NEW SECTION

**WAC 388-71-05941 What experience or training must individuals have to be able to perform competency testing?** Individuals who perform competency testing must have documentable experience or training in assessing competencies.

#### NEW SECTION

**WAC 388-71-05942 What training must include the DSHS-developed competency test?** Basic and modified basic training must include the DSHS-developed competency test.

#### NEW SECTION

**WAC 388-71-05943 How must test administration be standardized?** To standardize test administration, testing must include the following components:

(1) An instructor for the course who meets all minimum qualifications for the course he or she teaches must oversee all testing; and

(2) The tester must follow DSHS guidelines for:

(a) The maximum length of time allowed for testing;

(b) The amount and nature of instruction given to students before beginning a test;

(c) The amount of assistance to students allowed during testing;

(d) The accommodation guidelines for students with disabilities; and

(e) Accessibility guidelines for students with limited English proficiency.

#### NEW SECTION

**WAC 388-71-05944 What form of identification must providers show a tester before taking a competency or challenge test?** Providers must show a tester photo identification before taking a competency test (or challenge test, when applicable) for basic or modified basic training.

#### NEW SECTION

**WAC 388-71-05945 How many times may a competency test be taken?** A competency test may be taken only twice for any one course. If the test is failed a second time, the person must re-take the course before any additional tests are administered.

#### NEW SECTION

**WAC 388-71-05946 What are an instructor's responsibilities?** The instructor is responsible for:

(1) Coordinating and teaching classes;

(2) Assuring that the curriculum used is taught as designed;

(3) Selecting qualified guest speakers where applicable;

(4) Administering or overseeing the administration of DSHS competency and challenge tests;

(5) Maintaining training records including student tests and attendance records for a minimum of six years;

(6) Reporting training data to DSHS in DSHS-identified time frames; and

(7) Issuing or re-issuing training certificates to students.

#### NEW SECTION

**WAC 388-71-05947 Must instructors be approved by DSHS or an AAA?** (1) DSHS must approve any instructor under contract with DSHS to conduct basic or modified basic training classes using the training curricula developed by DSHS. DSHS may select contracted instructors using any applicable contracting procedures. Contractors must meet the minimum qualifications for instructors under this chapter and any additional qualifications established through the contracting procedure.

(2) DSHS contracts with area agencies on aging (AAA) to conduct orientation, basic, modified basic, and continuing education training programs for individual providers and home care agency providers. The AAA must approve any instructor under contract with the AAA to conduct training programs. The AAA's contractors must meet the minimum qualifications for instructors under this chapter and any additional qualifications established through the AAA's contracting procedures.

#### NEW SECTION

**WAC 388-71-05948 When can DSHS or the AAA not approve an instructor?** (1) DSHS or an area agency on aging (AAA), as applicable, may determine not to accept an offer by a person or organization seeking a contract with DSHS or the AAA to conduct training programs. No administrative remedies are available to dispute DSHS' or the AAA's decision not to accept an offer.

(2) DSHS or the AAA may terminate any training contract in accordance with the terms of the contract. The contractor's administrative remedies shall be limited to those specified in the contract.

#### NEW SECTION

**WAC 388-71-05949 What is a guest speaker, and what are the minimum qualifications to be a guest speaker for basic training?** Guest speakers for basic training programs teach a specific subject in which they have expertise, under the supervision of the instructor. The guest speaker must have as minimum qualifications, an appropriate background and experience that demonstrates that the guest speaker has expertise on the topic he or she will teach. The instructor must select guest speakers that meet the minimum qualifications, and maintain documentation of this background. DSHS does not approve guest speakers.

NEW SECTION

**WAC 388-71-05950 What are the minimum qualifications for an instructor for basic or modified basic training?** An instructor for basic or modified basic training must meet the following minimum qualifications:

(1) If the person currently holds a health care or social services license or certification in Washington state, it must be in good standing. However, no license or certification is required;

(2) The instructor must meet the requirements in (a) or (b) of this subsection. The instructor:

(a) Must have at least one hundred hours experience teaching adults within the last ten years in a classroom setting, with at least fifty of those hours teaching content comparable to topics included in basic training, and with documented practice in principles of adult education theory and practice including:

- (i) Classroom facilitation skills and techniques;
- (ii) Facilitating adult learning activities; and
- (iii) Administering competency testing for both skills and written testing.

(b) Must, if the person does not meet the requirements in (a) of this subsection:

(i) Have at least thirty-two hours of classroom instruction in principles of adult education theory and practice that meets the requirements of WAC 388-71-05951; and

(ii) Observe an instructor meeting minimum instructor requirements under this section teaching the entire basic training class.

(3) Upon initial approval or hire, the instructor must have at least five hundred twenty hours (three months full time equivalent) professional work experience within the last five years in an adult family home, boarding home, supported living through DDD per chapter 388-820 WAC, or home care setting; and

(4) The instructor must be experienced in caregiving practices and capable of demonstrating competency with respect to the course content or units being taught;

(5) Instructors who will administer tests must have experience or training in assessment and competency testing; and

(6) Instructors must successfully complete basic or modified basic training prior to beginning to train, if required under WAC 388-71-05923 or 388-71-05929.

NEW SECTION

**WAC 388-71-05951 What must be included in a class on principles of adult education theory and practice?** A class on adult education theory and practice principles must include content, student practice, and evaluation of student skills by the instructor in:

- (1) Adult education theory and practice principles;
- (2) Instructor facilitation techniques;
- (3) Facilitating learning activities for adults;
- (4) Administering competency testing; and
- (5) Working with adults with special training needs (for example, English as a second language or learning and literacy issues).

NEW SECTION

**WAC 388-71-05952 What physical resources are required for basic or modified basic classroom training and testing?** (1) Classroom facilities used for basic or modified basic classroom training must be accessible to trainees and provide adequate space for learning activities, comfort, lighting, lack of disturbance, and tools for effective teaching and learning such as white boards and flip charts. Appropriate supplies and equipment must be provided for teaching and practice of caregiving skills in the class being taught.

(2) Testing sites must provide adequate space for testing, comfort, lighting, and lack of disturbance appropriate for the written or skills test being conducted. Appropriate supplies and equipment necessary for the particular test must be provided.

NEW SECTION

**WAC 388-71-05953 What standard training practices must be maintained for basic or modified basic classroom training and testing?** The following training standards must be maintained for basic or modified basic classroom training and testing:

(1) Training must not exceed eight hours within a twenty-four hour period;

(2) Training provided in short time segments must include an entire unit, skill or concept;

(3) Training must include regular breaks; and

(4) Students attending a classroom training must not be expected to leave the class to attend to job duties, except in an emergency.

AMENDATORY SECTION (Amending WSR 01-11-019, filed 5/4/01, effective 6/4/01)

**WAC 388-71-0500 What is the purpose of WAC 388-71-0500 through ((388-71-0580)) 388-71-05954?** A client/legal representative may choose an individual provider or a home care agency provider. The intent of WAC 388-71-0500 through ((388-71-0580)) 388-71-0593 is to describe the:

(1) Qualifications of an individual provider, as defined in WAC 388-15-202 (25) and (26);

(2) Qualifications of a home care agency provider, as defined in WAC 388-15-202(2) and chapter 246-336 WAC;

(3) Conditions under which the department or the area agency on aging (AAA) will pay for the services of an individual provider or a home care agency provider;

(4) Training requirements for an individual provider and home care agency provider.

AMENDATORY SECTION (Amending WSR 00-03-043, filed 1/13/00, effective 2/13/00)

**WAC 388-71-0520 Are there ((educational)) training requirements for an individual provider or a home care agency provider of an adult client? ((There are educational requirements for an)) An individual provider or a home care agency ((employee)) provider for an adult client must meet**



~~the training requirements in WAC 388-71-05910 through 388-71-05953. ((They must:~~

~~(1) Possess a certificate of successfully completing department designated fundamentals of care giving training within one hundred and twenty days after beginning employment;~~

~~(2) Complete a minimum of ten hours of continuing education credits each calendar year following the year in which the fundamentals of care giving training is taken. One hour of completed instruction equals one hour of credit on topics that pertain to services provided in an in-home setting including, but not limited to:~~

- ~~(a) Client's rights;~~
- ~~(b) Personal care (such as transfers or skin care);~~
- ~~(c) Mental illness;~~
- ~~(d) Dementia;~~
- ~~(e) Depression;~~
- ~~(f) Medication assistance;~~
- ~~(g) Communication skills;~~
- ~~(h) Alternatives to restraints;~~
- ~~(i) Activities for clients; and~~

~~(3) Provide the department/AAA with proof of completion of continuing education credits.))~~

**AMENDATORY SECTION** (Amending WSR 01-11-019, filed 5/4/01, effective 6/4/01)

**WAC 388-71-0540 When will the department or AAA deny payment for services of an individual provider or home care agency provider?** The department or AAA will deny payment for the services of an individual provider or home care agency provider who:

- (1) Is the client's spouse, per 42 C.F.A. 441.360(g), except in the case of an individual provider for a Chore services client. Note: For Chore espousal providers, the department pays a rate not to exceed the amount of a one-person standard for a continuing general assistance grant, per WAC 388-478-0030;
- (2) Is the natural/step/adoptive parent of a minor client aged seventeen or younger receiving services under this chapter;
- (3) Has been convicted of a disqualifying crime, under R.W. 43.43.830 and 43.43.842 or of a crime relating to drugs as defined in R.W. 43.43.830;
- (4) Has abused, neglected, abandoned, or exploited a minor or vulnerable adult, as defined in chapter 74.34 R.W.;
- (5) Has had a license, certification, or a contract for the care of children or vulnerable adults denied, suspended, revoked, or terminated for noncompliance with state and/or federal regulations;
- (6) Does not successfully complete the training requirements within the time limits required in WAC ((388-71-0520)) 388-71-05910 through 388-71-05953;
- (7) Is already meeting the client's needs on an informal basis, and the client's assessment or reassessment does not identify any unmet need; and/or
- (8) Is terminated by the client (in the case of an individual provider) or by the home care agency (in the case of an agency provider).

(9) In addition, the department or AAA may deny payment to or terminate the contract of an individual provider as provided under WAC 388-71-0546, 388-71-0551, and 388-71-0556.

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 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.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 388-71-0525	Are there any exemptions from the training requirements?
WAC 388-71-0530	Are there special rules about training for parents who are the individual providers of division of developmental disabilities (DID) adult children?
WAC 388-71-0535	Are there special rules about training for parents who are the individual providers of non-DID adult children?

**WSR 01-23-073  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Aging and Adult Services Administration)  
[Filed November 20, 2001, 3:50 p.m.]**

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-23-049.

Title of Rule: New WAC 388-112-0001 through 388-112-0175, Residential long-term care services—Training; amending WAC 388-76-570; 388-76-655 and 388-76-660, adult family home minimum licensing requirements; and repealing WAC 388-76-59100, 388-76-59110, and 388-76-59120, adult family home minimum licensing requirements, and WAC 388-110-110 Caregiver education and training requirements.

Purpose: To implement SSB 6502 (chapter 121, Laws of 2000) on training for adult family homes and boarding homes; combine training requirements for these settings into one WAC.

Statutory Authority for Adoption: RCW 18.20.090, 70.128.040, 74.39A.050, and 34.05.020.

Statute Being Implemented: Chapter 121, Laws of 2000.

Summary: Implements requirements for staff orientation in adult family homes and boarding homes; implements requirements for licensed boarding home administrators and

caregivers to have basic training and specialty training; moves all training requirements for these two settings into one training WAC.

Reasons Supporting Proposal: Implementing statutes referenced above.

Name of Agency Personnel Responsible for Drafting: Dotti Wilke, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2539; Implementation and Enforcement: Marta Acedo, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2549.

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 implements RCWs on training for adult family homes and boarding homes, and consolidates the current training rules for those settings into one place. New requirements in the RCW include an orientation for all staff with significant interaction with residents in adult family homes and boarding homes; requirements for licensed boarding homes for administrators or their designees, and caregivers to have basic training and specialty training.

Proposal Changes the Following Existing Rules: This proposal moves existing rules into one new rule.

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

#### Small Business Economic Impact Statement

**SUMMARY OF PROPOSED RULES:** The Department of Social and Health Services' Aging and Adult Services Administration (AASA) is proposing to create a new chapter, chapter 388-112 WAC, Home and community long-term care services—Training. The new chapter contains the training rules for:

- Adult family homes, and
- Boarding homes.

The new chapter 388-112 WAC consolidates training rules by including rules moved from:

- Chapter 388-76 WAC, Adult family homes;
- Chapter 388-78A WAC, Boarding homes; and
- Chapter 388-110 WAC, Contracted residential services.

The chapter also contains new rules implementing changes mandated by the following RCWs:

- Chapter 18.20 RCW, Boarding homes, and
- Chapter 70.128 RCW, Adult family homes.

The purpose of this chapter is to:

- Define minimum training requirements;
- Define the types of training;
- Clarify curriculum requirements and instructor requirements; and
- Establish department procedures for approval of curricula and instructors.

The statutory authority for these chapters includes RCW 18.20.270 Boarding homes and 70.128.230 Adult family homes.

The major proposed changes are:

- Incorporating a new requirement for orientation training for new staff in both settings, as required in chapters 18.20 and 70.128 RCW.
- Incorporating new training requirements for licensed boarding homes that do not contract with DSHS, including orientation, basic training, special needs (specialty) training, and continuing education, as required in RCW 18.20.270.
- Creating an approval system for alternative curricula for basic and specialty training, as required by RCW 18.20.270 Boarding homes and 70.128.230 Adult family homes.
- Creating an approval system for trainers as required by the RCWs.

**Background of the proposed rule:** In 1995, as part of long-term care reform, the legislature allocated funds for training during the following year. Providers and caregivers who were trained included:

- Caregivers in boarding homes that contract with DSHS; and
- All licensed adult family home providers and caregivers.

In 1997, two task forces were created under the auspices of the legislature, to review caregiver training:

- The Joint Executive-Legislative Long Term Care Task Force's subcommittee on training. This task force reported to the legislature in December 1998 and January 2000.
- The training task force, which DSHS, the Department of Health, and the Nursing Care Quality Assurance Commission created, under legislative directives, to review caregiver training. This task force reported to the legislature in December 1998.

Recommendations from both task forces were key in establishing new training requirements created by legislation in the 2000 session. This same legislation created the Community Long Term Care Education and Training Steering Committee to advise the department on the development of rules to implement the new law. (See RCW 74.39A.190.)

Goals for the proposed rules:

- Increase the number of caregivers who will be trained;
- Ensure that all caregivers have an orientation when they begin to work with residents; and
- Allow more boarding homes and adult family homes to teach their own staff and use their own curricula.

Training improves caregiving skills and the quality of care delivered to more than 7,000 adults receiving care through these programs.

**SMALL BUSINESS ECONOMIC IMPACT STATEMENT:** Chapter 19.85 RCW, the Regulatory Fairness Act, requires that the economic impact of proposed regulations be analyzed in relation to small businesses. This statute outlines information that must be included in a small business economic impact statement (SBEIS). Preparation of an SBEIS is required when a proposed rule has the potential of placing a disproportionate economic impact on small businesses.

Aging and Adult Services Administration has analyzed the proposed amendments to their rules and has determined

that small businesses will be impacted by these changes, with some costs considered "more than minor."

**INDUSTRY ANALYSIS:** Aging and Adult Services Administration is responsible for boarding home and adult family home licensing. As part of licensing, this state agency keeps current internal databases that identify all licensed facilities and agencies. Since internal industry information can be obtained at a more accurate level than is required by chapter 19.85 RCW, it is unnecessary to conduct an industry analysis using the four-digit standard industrial classification (SIC) codes.

**INVOLVEMENT OF SMALL BUSINESSES:** The data used in this analysis was gathered from several sources:

- The statewide organizations that represent the 2084 adult family homes, and 513 boarding homes affected by these proposed rules.
- The residential care services and management services divisions of the Aging and Adult Services Administration.

The organizations that contributed current data on wages, benefits, and cost estimates for the businesses they represent, most of which are small businesses, include: Washington State Residential Care Council (AFH), the Adult Family Home Association (AFH), Washington Health Care Association (BH), Washington Association of Housing and Services for the Aging (BH), and Northwest Assisted Living Facilities Association (BH).

This proposed chapter has been developed with the advice of the training steering committee, which has been meeting monthly for fifteen months to consider and recommend the rules to implement these laws. Represented in this committee are small business members from the statewide provider organizations mentioned above.

In addition, four public forums were held during the summer in (Bellevue, Lacey, Spokane, and Yakima) to discuss the rule development and take public comment on the proposed rules as recommended by the steering committee. Approximately 2,000 interested parties were invited; seventy-seven people attended and commented. Small businesses were represented at these forums, as well.

AASA staff have also regularly attended meetings with adult family home and boarding home providers for the past year to update them on the rule development and take their comments and suggestions. To reach those who could not attend meetings, the proposed rules as recommended by the steering committee have been posted on the AASA Internet web site, with contact person information for anyone wishing to comment or make suggestions on the rule. All the input from these various groups and meetings has helped shape the development of this rule.

**COST OF COMPLIANCE:** *Costs related to record keeping:* Each business must keep on file copies of certificates showing successful completion of required trainings for each of their employees. The only new record-keeping requirement for boarding homes that contract with DSHS and adult family homes is orientation. The new requirements for boarding homes that do not contract with DSHS include orientation, basic training, and continuing education. Boarding homes that contract with DSHS already meet these requirements under contracting rules, so they will incur no addi-

tional costs. Training costs are included in the DSHS rates paid to both boarding homes and adult family homes. Keeping these certificates on file will result in a minor cost to the business.

*Costs related to professional services:* In estimating costs, AASA has chosen to assume that staff are trained on-site for orientation, and sent off-site for other trainings, with the intent that these are probably the highest cost scenarios. However, if a boarding home or adult family home chooses to contract with a trainer to come in and provide training in their own facility, this will result in costs for the professional services of a trainer. This training strategy, however, eliminates the costs of paying tuition and paying for travel time to and from training, for each trainee.

*Estimated training costs:* Expected costs include:

- The trainer's wages and benefits (if an on-staff trainer is used, as for orientation);
- The trainee's wages and benefits; and
- Costs for training materials (if training is on site) or for tuition, if off-site.

See Tables 1 and 2 below for estimated costs for each type of provider.

To fairly consider costs of compliance, AASA has elected to look at costs per trainee. This is because there is no reliable data on the number of employees that will be required to have this training, or the rate of turnover, both of which affect total training costs.

In each setting, the most costly wage scenarios were used for cost estimates. These include:

- For orientation, using a registered nurse as the orientation trainer, and assuming a one-on-one training, rather than in a group;
- For basic training, assuming the facility will pay tuition rather than providing training at the facility.
- For continuing education, assuming the facility will pay tuition rather than providing training at the facility.

Circumstances that may be used to mitigate these costs are noted in the section on mitigating expenses, which follows the cost estimates.

Specialty training has not been included in this analysis, because the boarding home rules specifying who has to take this training are not yet developed. The Residential Care Services Division of AASA is in the process of developing these rules with the input of stakeholder workgroups.

#### **Costs of Compliance for Boarding Homes:**

- *Orientation* is a new requirement for all boarding homes. It is always provided at the facility, by facility staff.
- *Basic training* is a new requirement for boarding homes that do not contract with DSHS. It may be provided by the facility or staff may be sent to another educator for training.
- *Continuing education* is a new requirement for boarding homes that do not contract with DSHS. It includes ten hours of training on caregiving issues, per calendar year. The requirement begins the second year after the basic training is completed. It may be provided by the facility, or staff may be sent to another educator for training.

**Table 1 Boarding Homes**

Training	Personnel & other costs	Wages	Benefits & Taxes	Total per hour	Hours	Tuition (if applies)	Total Cost
<b>Orientation</b>	Trainer (RN)	\$24.24	\$6.14	\$30.38	2	N/A	\$60.76
	Trainee	\$9.15	\$2.32	\$11.475 43.86	2	N/A	\$22.94
	Materials						\$10.00
	<b>Total per trainee</b>						\$93.70
<b>Basic</b>	Trainee	\$9.15	\$2.32	\$11.47	28	\$129.00	\$450.16
	<b>Total per trainee, first year</b>						\$543.86
<b>Continuing Education</b>	Trainee	\$9.15	\$2.32	\$11.47	10	\$50.00	\$164.70
	<b>CE total per trainee per year</b>						\$164.70

**Costs of Compliance for Adult Family Homes:** *Orientation* is a new requirement for all adult family homes. It is always provided at the facility, by facility staff.

**Table 2 Adult Family Homes**

Orientation	Personnel, other costs	Wages	Benefits & Taxes	Total per hour	Hours	Tuition	Total Cost
	Trainer (RN)	\$24.24	\$6.14	\$30.38	2.00		\$60.76
	Trainee	\$9.15	\$2.32	\$11.47	2.00	\$0.00	\$22.94
	Materials						\$10.00
	<b>Total</b>						\$93.70

**Disproportionate Economic Impact Analysis:** When there are more than minor costs to small businesses as a result of proposed rule changes, the Regulatory Fairness Act requires an analysis to be done, comparing these costs between small businesses and 10% of the largest businesses.

All for-profit adult family homes are by nature small businesses; an adult family home can serve a maximum of six residents at a time, and so has a small number of employees. No data is available on the actual numbers of employees in boarding homes, but many or most boarding homes are small businesses with fewer than fifty employees. While the per-trainee costs do not differ between small and large businesses, the costs may be a higher proportion of overall costs for a small business. AASA elected to focus on mitigating expenses regardless of results of comparing large and small businesses; therefore AASA considered this type of comparative analysis unnecessary. Therefore, AASA proposes several measures that will mitigate the impact of costs for small businesses.

**Mitigating Expenses:** Aging and Adult Services Administration has included the following to help mitigate training costs for small businesses:

- Orientation training costs can be significantly reduced if the person doing the orientation is not an RN (high

wage rate), for instance, if an LPN does the orientation, the median hourly wage is estimated to be \$15.72, and a social worker's median hourly wage is \$18.74 (compared to an RN at \$24.24). for instance, an RN's median hourly wage is estimated to be \$24.24. If an LPN does the orientation, the hourly wage drops to \$15.72; if a social worker does the orientation, the hourly wage is \$18.74. Both are qualified to do this training. The organization has a choice of who to use in conducting the orientation training.

- Orientation training costs are further reduced if the facility orients more than one person at a time. This can be done any time the facility hires several new caregivers and has them start working at the same time.
- Individuals who have already been oriented at another facility can have a much briefer orientation at a new facility, which is a savings for the second business. The orientation can be shorter because basic information on the required topics will be consistent across facilities. The facility will be able to spend less time on basic information, and focus primarily on information specific to the facility.
- Basic training costs may be mitigated if the training is done on-site. The rules allow for facilities to train their own staff if the instructor(s) meet minimum qualifica-

PROPOSED

tions. This means the facility does not have to pay tuition for each student, nor pay for travel time and expenses to the training.

- Individuals who take basic, specialty training, or continuing education will not be required to take it again if hired at another business where training is required, which is a savings for the second business.
- Boarding homes with a new requirement for basic training for caregivers will have up to one hundred twenty days following the effective date of the rule to meet the requirement.
- The continuing education requirement does not start until January of the second year after an employee takes the basic training.
- Continuing education costs may be mitigated by holding this training at the facility rather than sending staff to an educator, paying for each student's tuition and travel. No pre-approval of trainer or instructor is required.

#### *Additional cost savings:*

- The orientation reduces the time it takes new employees to begin to provide quality care to residents, which translates into higher satisfaction for the clients, and better word-of-mouth publicity for the agency, which may increase income.
- Well-trained employees generally have higher job satisfaction and this leads to a lower turnover rate, significantly reducing overall costs. Turnover rates have been estimated as 50% or higher per year, for caregivers. Village Green, a Washington state boarding home, determined that monthly turnover for caregivers dropped from 21% to under 5% after implementing a thorough orientation program.

**CONCLUSION:** Aging and Adult Services Administration has given careful consideration to the impact of proposed rules in chapter 388-112 WAC, Home and community long-term care services—Training, on small businesses. In accordance with the Regulatory Fairness Act, chapter 19.85 RCW, Aging and Adult Services Administration has analyzed impacts on small businesses and proposed ways to mitigate those costs associated with implementing the training requirements in these rules. Training staff adequately to care for adult residents is a benefit to both the resident and the provider.

A copy of the statement may be obtained by writing to Tresa Harambasic, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2548, fax (360) 725-2646.

RCW 34.05.328 applies to this rule adoption. A cost-benefit analysis has been prepared concerning these proposed rules, and may be obtained by contacting Tresa Harambasic, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2548, fax (360) 725-2646.

Hearing Location: Office Building-2 Auditorium, DSHS Headquarters, 1115 Washington, 14th and Jefferson, Olympia, WA 98504, on January 8, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by January 4, 2002,

phone (360) 664-6094, TTY (360) 664-6178, e-mail [fernaax@dshs.wa.gov](mailto:fernaax@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 5:00 p.m., January 8, 2002.

Date of Intended Adoption: Not earlier than January 9, 2002.

November 14, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

## Chapter 388-112 WAC

### RESIDENTIAL LONG-TERM CARE SERVICES

#### TRAINING

#### SECTION I—PURPOSE AND DEFINITIONS

##### NEW SECTION

**WAC 388-112-0001** What is the purpose of this chapter? The residential long-term care training requirements under this chapter apply to:

- (1) All adult family homes licensed under chapter 70.128 RCW; and
- (2) All boarding homes licensed under chapter 18.20 RCW.

##### NEW SECTION

**WAC 388-112-0005** What definitions apply to this chapter? **"Caregiver"** means anyone providing hands-on personal care to another person including but not limited to cueing, reminding, or supervision of residents, on behalf of an adult family home or boarding home, except volunteers who are directly supervised.

**"Competency"** means the minimum level of information and skill trainees are required to know and be able to demonstrate.

**"Designee"** means a person in a boarding home who supervises caregivers and who is designated by a boarding home administrator to take the trainings in this chapter required of the boarding home administrator.

**"Direct supervision"** (of facility caregivers) means oversight by a person who has demonstrated competency in the basic training (and specialty training if required), or who has been exempted from the basic training requirements, is on the premises, and is quickly and easily available to the caregiver.

**"DSHS"** refers to the department of social and health services.

**"Facility"** refers to adult family homes and boarding homes.

**"Indirect supervision"** (of facility caregivers) means oversight by a person who has demonstrated competency in the basic training (and specialty training if required), or who has been exempted from the basic training requirements, and

who is quickly and easily available to the caregiver, but not necessarily on-site.

"**Learning outcomes**" means the specific information, skills and behaviors desired of the learner as a result of a specific unit of instruction, such as what they would learn by the end of single class or an entire course. Learning outcomes are generally identified with a specific lesson plan or curriculum.

"**Outcome based training**" means training that bases the curriculum design, content, instructional methods, and assessment on the specific knowledge, skills, and behaviors needed to demonstrate competency.

"**Resident**" means a person residing and receiving long-term care services at a boarding home or adult family home. As applicable, the term resident also means the resident's legal guardian or other surrogate decision maker.

"**Routine interaction**" means contact with residents that happens more than infrequently.

## SECTION II—ORIENTATION

### NEW SECTION

**WAC 388-112-0010 What is orientation?** Orientation provides basic introductory information appropriate to the residential care setting and population served. The department does not approve specific orientation programs, materials, or trainers for facilities. No test is required for orientation.

### NEW SECTION

**WAC 388-112-0015 What content must be included in an orientation?** Orientation may include the use of videotapes, audiotapes, and other media if the person overseeing the orientation is available to answer questions or concerns for the person(s) receiving the orientation. Orientation must include introductory information in the following areas:

- (1) The care setting;
- (2) The characteristics and special needs of the population served;
- (3) Fire and life safety, including:
  - (a) Emergency communication (including phone system if one exists);
  - (b) Evacuation planning (including fire alarms and fire extinguishers where they exist);
  - (c) Ways to handle resident injuries and falls or other accidents;
  - (d) Potential risks to residents or staff (for instance, aggressive resident behaviors and how to handle them); and
  - (e) The location of facility policies and procedures.
- (4) Communication skills and information, including:
  - (a) Methods for supporting effective communication among the resident, staff, and family members;
  - (b) Use of verbal and non-verbal communication;
  - (c) Review of written communications and/or documentation required for the job, including the resident's service plan;
  - (d) Expectations about communication with other facility staff; and
  - (e) Whom to contact about problems and concerns.

(5) Universal precautions and infection control, including:

- (a) Proper hand washing techniques;
  - (b) Protection from exposure to blood and other body fluids;
  - (c) Appropriate disposal of contaminated/hazardous articles;
  - (d) Reporting exposure to contaminated articles, blood, or other body fluids; and
  - (e) What staff should do if they are ill.
- (6) Resident rights, including:
- (a) The resident's right to confidentiality of information about the resident;
  - (b) The resident's right to participate in making decisions about the resident's care, and to refuse care;
  - (c) Staff's duty to refrain from interfering with the resident's exercise of his or her rights;
  - (d) How and to whom staff should report any concerns they may have about a resident's decision concerning the resident's care;
  - (e) Staff's duty to report any suspected abuse, abandonment, neglect, or exploitation of a resident;
  - (f) Advocates that are available to help residents (LTC ombudsmen, organizations); and
  - (g) Complaint lines, hot lines, and resident grievance procedures.

### NEW SECTION

**WAC 388-112-0020 Is competency testing required for orientation?** There is no competency testing required for orientation.

### NEW SECTION

**WAC 388-112-0025 Is there a challenge test for orientation?** There is no challenge test for orientation.

### NEW SECTION

**WAC 388-112-0030 What documentation is required for orientation?** The facility must maintain documentation of completion of orientation that includes:

- (1) A list of the specific information and skills taught;
- (2) Signatures of the trainer and trainee indicating completion of the required information and skills;
- (3) The trainee's date of employment or other service;
- (4) The location of the training; and
- (5) The date(s) of training.

### NEW SECTION

**WAC 388-112-0035 Who is required to complete orientation, and when must it be completed? Adult Family Home**

- (1) Adult family home providers, resident managers, and all paid or volunteer staff must complete orientation before having routine interaction with residents. Orientation must be provided at the adult family home by appropriate facility staff.

**Boarding Home**

(2) Boarding home administrators (or their designees), caregivers, and all paid or volunteer staff must complete orientation before having routine interaction with residents. Orientation must be provided at the boarding home by appropriate facility staff.

**SECTION III—BASIC TRAINING**NEW SECTION

**WAC 388-112-0040 What is basic training?** Basic training includes the core knowledge and skills that caregivers need to provide personal care services effectively and safely. DSHS must approve basic training curricula.

NEW SECTION

**WAC 388-112-0045 Is there an alternative to the basic training for some health care workers?** Certain health care workers may complete the modified basic training instead of basic training if they meet the requirements in WAC 388-112-0100.

NEW SECTION

**WAC 388-112-0050 What core knowledge and skills must be taught in basic training?** Basic training must include the following core knowledge and skills:

- (1) Understanding and using effective interpersonal and problem solving skills with residents, family members, and other care team members;
- (2) Taking appropriate action to promote and protect resident rights, dignity, and independence;
- (3) Taking appropriate action to promote and protect the health and safety of the resident and the caregiver;
- (4) Correctly performing required personal care tasks while incorporating resident preferences, maintaining the resident's privacy and dignity, and creating opportunities that encourage resident independence;
- (5) Adhering to basic job standards and expectations.

NEW SECTION

**WAC 388-112-0055 Is competency testing required for basic training?** Competency testing is required for basic training as provided under WAC 388-112-0265 through 388-112-0295.

NEW SECTION

**WAC 388-112-0060 Is there a challenge test for basic training?** Individuals may take the DSHS challenge test instead of the required training. If a person does not pass a challenge test on the first attempt, they may not re-take the challenge test and must attend a class.

NEW SECTION

**WAC 388-112-0065 What documentation is required for successful completion of basic training?** Basic training

must be documented by a certificate of successful completion of training that includes:

- (1) The name of the trainee,
- (2) The name of the training,
- (3) The location of the training,
- (4) The instructor's name and signature, and
- (5) The date(s) of training.

The trainee must retain the original certificate. A facility must keep a copy of the certificate on file.

NEW SECTION

**WAC 388-112-0070 Who is required to complete basic training, and when? Adult Family Homes**

(1) Adult family home providers must complete basic training and demonstrate competency before operating and providing services in an adult family home.

(2) Adult family home resident managers must complete basic training and demonstrate competency before providing services in an adult family home.

(3) Caregivers in adult family homes must complete basic training within one hundred twenty days of when they begin providing hands-on personal care or within one hundred twenty days of March 1, 2002, whichever is later. Until competency in the basic training has been demonstrated, caregivers may not provide hands-on personal care without direct or indirect supervision.

**Boarding Homes**

(4) Boarding home administrators (or their designees) must complete basic training and demonstrate competency within one hundred twenty days of employment or within one hundred twenty days of March 1, 2002, whichever is later.

(5) Caregivers must complete basic training within one hundred twenty days of when they begin providing hands-on personal care or within one hundred twenty days of March 1, 2002, whichever is later. Until competency in the basic training has been demonstrated, caregivers may not provide hands-on personal care without direct supervision.

**SECTION IV—MODIFIED BASIC TRAINING**NEW SECTION

**WAC 388-112-0075 What is modified basic training?** Modified basic training is a subset of the basic training curriculum designed for certain health care workers whose previous training teaches many of the outcomes taught in the full basic training. DSHS must approve modified basic training curricula.

NEW SECTION

**WAC 388-112-0080 What core knowledge and skills must be included in modified basic training?** Modified basic training must include the following core knowledge and skills:

- (1) Resident rights, including mandatory reporting requirements;
- (2) Medication assistance regulations;
- (3) Nurse delegation regulations;

- (4) Assessment and observations in home and community settings;
- (5) Documentation in home and community settings;
- (6) Service planning in home and community care settings;
- (7) Resource information, including information on continuing education; and
- (8) Self-directed care regulations for home care.

**NEW SECTION**

**WAC 388-112-0085 Is competency testing required for modified basic training?** Competency testing is required for modified basic training as provided in WAC 388-112-0265 through 388-112-0295.

**NEW SECTION**

**WAC 388-112-0090 Is there a challenge test for modified basic training?** Individuals may take the department's challenge test instead of the required training. If a person does not pass a challenge test on the first attempt, they may not re-take the challenge test and must attend the class.

**NEW SECTION**

**WAC 388-112-0095 What documentation is required for successful completion of modified basic training?** Modified basic training must be documented by a certificate of successful completion of training that includes:

- (1) The name of the trainee,
- (2) The name of the training,
- (3) The location of the training,
- (4) The instructor's name and signature, and
- (5) The date(s) of training.

The trainee must retain the original certificate. A facility must keep a copy of their employees' certificates on file.

**NEW SECTION**

**WAC 388-112-0100 Who may take modified basic training instead of the full basic training?** Modified basic training may be taken, instead of the full basic training, by a person who can document that they have successfully completed training as a registered or licensed practical nurse, certified nursing assistant, physical therapist, occupational therapist, or Medicare-certified home health aide.

**SECTION V—SPECIALTY TRAINING****NEW SECTION**

**WAC 388-112-0105 What is specialty training?** Specialty or "special needs" training provides instruction in caregiving skills that meet the special needs of people living with mental illness, dementia, or developmental disabilities. Specialty trainings are not interchangeable. Specialty training is required for each of the three populations served. Specialty training may be integrated with basic training if the complete content of each training is included. DSHS must approve specialty training curricula.

**NEW SECTION**

**WAC 388-112-0110 What specialty training is required if a resident has more than one special need?** If an individual resident has needs in more than one of the special needs areas, the facility must determine which of the specialty trainings will most appropriately address the overall needs of the person and ensure that specialty training is completed as required. If additional training beyond the specialty training is needed to meet all of the person's needs, the facility must ensure that additional training is completed.

**NEW SECTION**

**WAC 288-112-0115 What knowledge and skills must developmental disabilities specialty training include?** Developmental disabilities specialty training must include the following minimum knowledge and skills:

- (1) Introduction to developmental disabilities;
- (2) Principles and values for providing services, including residential guidelines;
- (3) Interactive planning;
- (4) Understanding behavior;
- (5) Effective communication;
- (6) Crisis intervention and prevention; and
- (7) Resident rights and other legal issues.

(8) For adult family homes, the division of developmental disabilities (DDD) will provide in-home technical assistance to the adult family home upon admission of the first resident eligible for services from DDD and, thereafter, as determined necessary by DSHS.

**Reviser's note:** The above new section was filed by the agency as WAC 288-112-0115. This section is placed among sections forming new chapter 388-112 WAC, and therefore should be numbered WAC 388-112-0115. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

**NEW SECTION**

**WAC 388-112-0120 What knowledge and skills must dementia specialty training include?** Dementia Specialty Training must include the following minimum knowledge and skills:

- (1) Overview of the definitions, types, stages, and culturally based variations of the dementias;
- (2) Ways to identify and provide specific caregiving for each type and stage of dementia;
- (3) Explanation of ways dementing diseases affect residents' needs and behaviors (including sexuality), and ways to facilitate residents' rights, uphold their dignity, meet current needs, and provide safety;

(4) Ways to differentiate, by observation of the residents, between dementia, depression, and delirium, and how to get medical assistance when needed;

(5) The causes of unwanted behaviors (such as aggression, catastrophic reactions, wandering, inappropriate sexual behavior) and ways to identify and respond using the new principles taught and practiced in the training (i.e., changing caregiver's behavior to change unwanted resident behaviors, programming to fit residents' individual needs, supporting residents' strengths, providing meaningful relationships and a caring, positive, validating environment);



(6) Dementia problem solving method, and ways to implement it correctly;

(7) Ways to respectfully use appropriate communications with people with dementia (including multi-cultural applications);

(8) Recognition of dementia-caused hallucinations and delusions and ways to correctly use intervention strategies that include culturally accurate symptom identification and responses;

(9) Ways to perceive and transform the resident's stage-related activities of daily living caregiving needs into therapeutic daily programming activities;

(10) Introduction to frequently used psychotropic medical terms and "dementia" medications, dementia contraindications, and when and how to get medical help;

(11) Ways to facilitate a resident's right to no chemical restraints, to informed consent, and to refuse medications;

(12) Understanding what community resources are available, how to interact with residents' families, and when and how to get help; and

(13) Practical self-care for caregivers.

#### NEW SECTION

**WAC 388-112-0125 What knowledge and skills must mental health specialty training include?** Mental health specialty training must include the following minimum knowledge and skills:

(1) Overview of mental illnesses, including definitions, symptom identification, decompensation, relapse, hallucinations, and delusions with special focus on thought and mood disorders and mental illness issues for older adults, and the appropriate caregiving responses;

(2) Community resources and how to effectively get the appropriate help from others;

(3) The importance of cultural identity for mental health residents and clients, and causes and meanings of mental illness from several different cultures' perspectives, and the ability to be culturally inclusive;

(4) The origin of behaviors perceived as problems and appropriate caregiving responses;

(5) Recognition of aggressive and suicidal behaviors, ways to de-escalate aggression, and provide beginning suicide crisis intervention (who to contact and how to provide safety to resident, caregiver, and other staff);

(6) Introduction to psychotropic medical terms and medications, recognition of side effects and other medication problems, and what to do if these occur, including who to contact;

(7) Respectful, nonjudgmental communications, how to appropriately initiate and conduct conversations for specific mental health conditions, and monitor and change caregiver's affect for resident's well-being;

(8) Ways to facilitate residents' rights including the right to no chemical restraints, informed consent, and to refuse medications; and

(9) Practical self-care for caregivers.

#### NEW SECTION

**WAC 388-112-0130 Is competency testing required for specialty training?** Competency testing is required for specialty training as provided under WAC 388-112-0265 through 388-112-0295.

#### NEW SECTION

**WAC 388-112-0135 Is there a challenge test for specialty training?** Individuals may take the DSHS challenge test instead of required specialty training. A person who does not pass a challenge test on the first attempt must attend the class.

#### NEW SECTION

**WAC 388-112-0140 What documentation is required for successful completion of specialty training?** Specialty training must be documented by a certificate of successful completion of training that includes:

- (1) The trainee's name,
- (2) The name of the training,
- (3) The location of the training,
- (4) The instructor's name and signature, and
- (5) The date(s) of training.

(6) The trainee must retain the original certificate. The facility must keep a copy of their employees' certificates on file.

#### NEW SECTION

**WAC 388-112-0145 Who is required to complete specialty training, and when? Adult Family Home**

(1) Adult family home providers (including entity representatives as defined under chapter 388-76 WAC) and resident managers must complete specialty training and demonstrate competency before admitting and serving residents who have special needs related to mental illness, dementia, or a developmental disability.

(2) If a resident develops special needs while living in a home without a specialty designation, the provider and resident manager have one hundred twenty days to complete specialty training and demonstrate competency.

#### **Boarding Homes**

(4) If a boarding home serves one or more residents with special needs, the boarding home administrator (or designee) must complete specialty training and demonstrate competency within one hundred twenty days of March 1, 2002. A boarding home administrator (or designee) hired after March 1, 2002, in a facility serving one or more residents with special needs, must complete specialty training before beginning work.

(5) If a resident develops special needs while living in a boarding home, the boarding home administrator (or designee) has one hundred twenty days to complete specialty training and demonstrate competency.

(6) If a boarding home serves one or more residents with special needs, caregivers must complete specialty training and demonstrate competency.

PROPOSED

(a) If specialty training is integrated with basic training, caregivers must complete specialty training within one hundred twenty days of when they begin providing hands-on personal care to a resident having special needs or within one hundred twenty days of March 1, 2002, whichever is later.

(b) If specialty training is not integrated with basic training, caregivers must complete specialty training within ninety days of completing basic training.

(c) Until competency in the core specialty areas has been demonstrated, caregivers may not provide hands-on personal care to a resident with special needs without direct supervision.

**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.

## SECTION VI—NURSE DELEGATION CORE TRAINING

### NEW SECTION

**WAC 388-112-0150 What is nurse delegation core training?** Nurse delegation core training is required before a nursing assistant may be delegated a nursing task. DSHS approves instructors for nurse delegation core training.

### NEW SECTION

**WAC 388-112-0155 What knowledge and skills must nurse delegation core training include?** Only the curricula developed by DSHS may be used for nurse delegation core training.

### NEW SECTION

**WAC 388-112-0160 Is competency testing required for nurse delegation core training?** Competency testing is required using a DSHS-developed test, as provided under WAC 388-112-0265 through 388-112-0295.

### NEW SECTION

**WAC 388-112-0165 Is there a challenge test for nurse delegation core training?** There is no challenge test for nurse delegation core training.

### NEW SECTION

**WAC 388-112-0170 What documentation is required for successful completion of nurse delegation core training?** Nurse delegation core training must be documented by a certificate of successful completion of training that includes:

- (1) The name of the trainee,
- (2) The name of the training,
- (3) The location of the training,
- (4) The instructor's name and signature, and
- (5) The date(s) of training.

The trainee must retain the original certificate. Facilities must keep copies of employees' certificates on file.

### NEW SECTION

**WAC 388-112-0175 Who is required to complete nurse delegation core training, and when? Adult Family Homes**

(1) Before performing any delegated nursing task, adult family home staff must successfully complete DSHS-designated nurse delegation core training.

#### **Boarding Homes**

(2) Before performing any delegated nursing task, boarding home staff must successfully complete DSHS-designated nurse delegation core training.

**AMENDATORY SECTION** (Amending WSR 98-11-095, filed 5/20/98, effective 7/1/98)

**WAC 388-76-570 Additional license requirements—Multiple facility providers.** (1) The department shall not issue a license to a provider to operate more than one adult family home unless:

(a) The applicant has operated an adult family home for at least one year in this state without any significant violation of the rules of this chapter; or

(b) The applicant has submitted evidence demonstrating that it has the capability to operate multiple adult family homes.

(2) An applicant that is applying to be licensed for more than one adult family home shall submit to the department for each adult family home:

(a) A twenty-four hour per day, seven days per week, staffing plan; and

(b) A plan for covering administrative responsibilities.

(3) Multiple facility providers shall have on-site at each adult family home a plan that addresses visitor parking, deliveries, and staff parking.

(4) The department may consider the applicant's credit history in determining whether to license the applicant for more than two adult family homes, when the department determines the credit history relates to an applicant's ability to provide care and services to vulnerable adults.

(5) Prior to operating two or more adult family homes, the individual provider or entity representative shall successfully complete forty-eight hours of residential care administrator's training, ~~((including training in at least the following areas:~~

~~(a) Business planning and marketing;~~

~~(b) Fiscal planning and management;~~

~~(c) Human resource planning;~~

~~(d) Resident health services;~~

~~(e) Nutrition and food service;~~

~~(f) Working with people who are elderly, chronically mentally ill, or developmentally disabled;~~

~~(g) The licensing process;~~

~~(h) Social and recreational activities;~~

~~(i) Resident rights;~~

~~(j) Legal issues;~~

~~(k) Physical maintenance and fire safety; and~~

~~(l) Housekeeping)) as specified in WAC 388-112-0245 through 388-112-0260.~~

**AMENDATORY SECTION** (Amending WSR 98-11-095, filed 5/20/98, effective 7/1/98)

**WAC 388-76-655 General management and administration.** (1) The provider shall not admit or retain any resident whose needs the provider cannot meet.

(2) The provider shall ensure all of the following:

(a) That staff are competent(;) and receive necessary training, including but not limited to any training required under chapter 388-112 WAC to perform assigned tasks;

(b) The adult family home is in compliance with the requirements of this chapter and other applicable state laws;

(c) The home employs sufficient staff to meet the needs of the residents; and

(d) That he/she is available to respond to resident needs and caregiver inquiries within a reasonable time frame. In the event a provider is unavailable (including but not limited to being on vacation), a person must be designated to respond on behalf of the provider.

(3) The provider shall maintain liability insurance of at least one hundred thousand dollars per occurrence to cover:

(a) Damage or loss of the resident's property if due to negligence of the insured; and

(b) Injury or harm to the resident resulting from:

(i) The provision of services or failure to provide needed services; or

(ii) Incidents occurring in the adult family home or on the home's premises.

(4) The provider shall ensure that all caregivers are at least eighteen years of age or older.

(5) The provider shall ensure that the provider, entity representative, resident manager and all caregivers:

(a) Are able to communicate or make provisions for communicating with the resident in his or her primary language;

(b) Have a clear understanding of job responsibilities and knowledge of residents' negotiated care plans in order to be able to provide care specific to each resident's needs; and

(c) Not engage in the illegal use of drugs or the excessive use of alcohol when providing care to residents; and

(d) Possess ((a)) valid first aid and CPR ((and prior to providing care for residents unless such care is directly supervised by a fully qualified caregiver who has a valid first aid and CPR card)) cards as required under WAC 388-112-0240.

(6) The provider shall ensure that:

(a) There is at least one caregiver present in the home whenever one or more residents are on the premises;

(b) The caregiver referred to in (a) of this subsection has valid first aid and CPR cards and is capable of understanding and speaking English well enough to be able to respond appropriately to emergency situations; and

(c) At least one caregiver is accessible by phone or beeper for emergencies when there are no residents on the ((homes')) home's premises.

(7) An adult family home shall be exempt from subsection (6)(a) of this section if:

(a) The home provides care to residents whose primary disabilities are developmental disabilities as defined by WAC 388-76-590; and

(b) It is determined and documented in a resident's current negotiated care plan that the resident is capable and will-

ing to be left alone unsupervised in the adult family home during normal awake hours. The maximum period of time a resident can be left alone must be documented in the negotiated care plan.

**AMENDATORY SECTION** (Amending WSR 98-11-095, filed 5/20/98, effective 7/1/98)

**WAC 388-76-660 Training.** ~~((1) Before operating and providing services in an)) Adult family home(;) individual providers, entity ((representative and)) representatives, resident managers ((shall successfully complete the department's:~~

~~(a) Fundamentals of caregiving training; or~~

~~(b) Modified fundamentals of caregiving training if they meet the requirements listed in subsection (3) of this section.~~

~~(2) Providers shall ensure that:~~

~~(a) All caregivers hired in the adult family home successfully complete the department designated fundamentals of caregiving training within one hundred twenty days of employment, unless he or she meets the requirements in subsections (3) or (4) below; and~~

~~(b) All caregivers complete a minimum of ten hours of continuing education credits per calendar year, on topics relevant to caregiving:~~

~~(i) Topics include, but are not limited to residents' rights, personal care, dementia, mental illness, developmental disabilities, depression, medication assistance, communication skills, alternatives to restraints, and activities for residents;~~

~~(ii) Caregivers must receive a certificate of completion to meet the requirement for continuing education credit and each hour of completed instruction will count as one hour of continuing education credit; and~~

~~(iii) The continuing education requirement begins the calendar year after the year in which the caregiver completes the fundamentals or modified fundamentals of caregiving training.~~

~~(3) A caregiver who has successfully completed training as a registered or licensed practical nurse, a physical or occupational therapist, a nursing assistant certified, a home health aid from a Medicare certified home health agency, who has successfully completed department approved adult family home training, or department approved personal care training from an area agency on aging or their subcontractor, or who is a resident manager or provider prior to July 20, 1996, is exempt from the fundamentals of caregiving training in subsection (2) of this section if the caregiver successfully completes the department designated modified fundamentals of caregiving training in accordance with the dates specified in subsection (2) of this section.~~

~~(4) Caregivers are exempt from attending the fundamentals of caregiving or modified fundamentals of caregiving trainings if they successfully pass the department's challenge test for the class they are required to take. The caregiver has only one opportunity to successfully pass the challenge test then he/she must attend the fundamentals of caregiving or modified fundamentals of caregiving trainings as required.~~

~~(5) A provider and any of their staff who have successfully completed the division of developmental disabilities ((DDD)) staff training as required by chapter 275-26 WAC is~~

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~~exempt from the fundamentals of caregiving training in subsections (1) and (2) of this section, as long as the provider continues to work for a DDD contracted agency. This exemption no longer applies if the provider or their staff leaves the DDD contracted agency.~~

~~(6) Volunteers are exempt from the training requirements listed above unless they provide unsupervised direct personal care to residents.~~

~~(7) The provider shall document that caregivers have met the education and training requirements), and caregivers must meet the training requirements under chapter 388-112 WAC.~~

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 388-76-59100 Does completion of this training substitute for any other required trainings?
- WAC 388-76-59110 For the dementia and mental health specialties can providers take a test instead of attending the training?
- WAC 388-76-59120 Are there any different training requirements for adult family homes providing services to persons with developmental disabilities?
- WAC 388-110-110 Caregiver education and training requirements.

**WSR 01-23-074  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Aging and Adult Services Administration)  
[Filed November 20, 2001, 3:52 p.m.]**

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 00-23-049.

Title of Rule: New WAC 388-112-0180 through 388-112-0375, Residential long-term care services—Training; and amending WAC 388-78A-050 and 388-78A-060, boarding homes.

Purpose: To implement SSB 6502 (chapter 121, Laws of 2000) on training for adult family homes and boarding homes; combine training requirements for these settings into one WAC.

Statutory Authority for Adoption: RCW 18.20.090, 70.128.040, 74.39A.050, and 34.05.020.

Statute Being Implemented: Chapter 121, Laws of 2000.

Summary: Implements requirements for licensed boarding home administrators and caregivers to have continuing education, moves all training requirements for these two set-

tings into one training WAC, and implement processes for approval of alternative curricula and instructors.

Reasons Supporting Proposal: Implementing statutes referenced above.

Name of Agency Personnel Responsible for Drafting: Dotti Wilke, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2539; Implementation and Enforcement: Marta Acedo, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2549.

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 implements RCWs on training for adult family homes and boarding homes, and consolidates the current training rules for those settings into one place. The rules also set the processes for approval of instructors and alternative curricula for certain trainings. New requirements in the RCW include requirements for licensed boarding homes for administrators, or their designees, and caregivers to have continuing education.

Proposal Changes the Following Existing Rules: This proposal moves existing rules into one new rule.

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

**Small Business Economic Impact Statement**

**SUMMARY OF PROPOSED RULES:** The Department of Social and Health Services' Aging and Adult Services Administration (AASA) is proposing to create a new chapter, chapter 388-112 WAC, Home and community long-term care services—Training. The new chapter contains the training rules for:

- Adult family homes, and
- Boarding homes.

The new chapter 388-112 WAC consolidates training rules by including rules moved from:

- Chapter 388-76 WAC, Adult family homes;
- Chapter 388-78A WAC, Boarding homes; and
- Chapter 388-110 WAC, Contracted residential services.

The chapter also contains new rules implementing changes mandated by the following RCWs:

- Chapter 18.20 RCW, Boarding homes, and
- Chapter 70.128 RCW, Adult family homes.

The purpose of this chapter is to:

- Define minimum training requirements;
- Define the types of training;
- Clarify curriculum requirements and instructor requirements; and
- Establish department procedures for approval of curricula and instructors.

The statutory authority for these chapters includes RCW 18.20.270 Boarding homes and 70.128.230 Adult family homes.

**PROPOSED**

The major proposed changes are:

- Incorporating a new requirement for orientation training for new staff in both settings, as required in chapters 18.20 and 70.128 RCW.
- Incorporating new training requirements for licensed boarding homes that do not contract with DSHS, including orientation, basic training, special needs (specialty) training, and continuing education, as required in RCW 18.20.270.
- Creating an approval system for alternative curricula for basic and specialty training, as required by RCW 18.20.270 Boarding homes and 70.128.230 Adult family homes.
- Creating an approval system for trainers as required by the RCWs.

**Background of the proposed rule:** In 1995, as part of long-term care reform, the legislature allocated funds for training during the following year. Providers and caregivers who were trained included:

- Caregivers in boarding homes that contract with DSHS; and
- All licensed adult family home providers and caregivers.

In 1997, two task forces were created under the auspices of the legislature, to review caregiver training:

- The Joint Executive-Legislative Long Term Care Task Force's subcommittee on training. This task force reported to the legislature in December 1998 and January 2000.
- The training task force, which DSHS, the Department of Health, and the Nursing Care Quality Assurance Commission created, under legislative directives, to review caregiver training. This task force reported to the legislature in December 1998.

Recommendations from both task forces were key in establishing new training requirements created by legislation in the 2000 session. This same legislation created the Community Long Term Care Education and Training Steering Committee to advise the department on the development of rules to implement the new law. (See RCW 74.39A.190.)

Goals for the proposed rules:

- Increase the number of caregivers who will be trained;
- Ensure that all caregivers have an orientation when they begin to work with residents; and
- Allow more boarding homes and adult family homes to teach their own staff and use their own curricula.

Training improves caregiving skills and the quality of care delivered to more than 7,000 adults receiving care through these programs.

**SMALL BUSINESS ECONOMIC IMPACT STATEMENT:** Chapter 19.85 RCW, the Regulatory Fairness Act, requires that the economic impact of proposed regulations be analyzed in relation to small businesses. This statute outlines information that must be included in a small business economic impact statement (SBEIS). Preparation of an SBEIS is required when a proposed rule has the potential of placing a disproportionate economic impact on small businesses.

Aging and Adult Services Administration has analyzed the proposed amendments to their rules and has determined

that small businesses will be impacted by these changes, with some costs considered "more than minor."

**INDUSTRY ANALYSIS:** Aging and Adult Services Administration is responsible for boarding home and adult family home licensing. As part of licensing, this state agency keeps current internal databases that identify all licensed facilities and agencies. Since internal industry information can be obtained at a more accurate level than is required by chapter 19.85 RCW, it is unnecessary to conduct an industry analysis using the four-digit standard industrial classification (SIC) codes.

**INVOLVEMENT OF SMALL BUSINESSES:** The data used in this analysis was gathered from several sources:

- The statewide organizations that represent the 2084 adult family homes, and 513 boarding homes affected by these proposed rules.
- The residential care services and management services divisions of the Aging and Adult Services Administration.

The organizations that contributed current data on wages, benefits, and cost estimates for the businesses they represent, most of which are small businesses, include: Washington State Residential Care Council (AFH), the Adult Family Home Association (AFH), Washington Health Care Association (BH), Washington Association of Housing and Services for the Aging (BH), and Northwest Assisted Living Facilities Association (BH).

This proposed chapter has been developed with the advice of the training steering committee, which has been meeting monthly for fifteen months to consider and recommend the rules to implement these laws. Represented in this committee are small business members from the statewide provider organizations mentioned above.

In addition, four public forums were held during the summer in (Bellevue, Lacey, Spokane, and Yakima) to discuss the rule development and take public comment on the proposed rules as recommended by the steering committee. Approximately 2,000 interested parties were invited; seventy-seven people attended and commented. Small businesses were represented at these forums, as well.

AASA staff have also regularly attended meetings with adult family home and boarding home providers for the past year to update them on the rule development and take their comments and suggestions. To reach those who could not attend meetings, the proposed rules as recommended by the steering committee have been posted on the AASA Internet web site, with contact person information for anyone wishing to comment or make suggestions on the rule. All the input from these various groups and meetings has helped shape the development of this rule.

**COST OF COMPLIANCE:** *Costs related to record keeping:* Each business must keep on file copies of certificates showing successful completion of required trainings for each of their employees. The only new record-keeping requirement for boarding homes that contract with DSHS and adult family homes is orientation. The new requirements for boarding homes that do not contract with DSHS include orientation, basic training, and continuing education. Boarding homes that contract with DSHS already meet these requirements under contracting rules, so they will incur no addi-

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tional costs. Training costs are included in the DSHS rates paid to both boarding homes and adult family homes. Keeping these certificates on file will result in a minor cost to the business.

**Costs related to professional services:** In estimating costs, AASA has chosen to assume that staff are trained on-site for orientation, and sent off-site for other trainings, with the intent that these are probably the highest cost scenarios. However, if a boarding home or adult family home chooses to contract with a trainer to come in and provide training in their own facility, this will result in costs for the professional services of a trainer. This training strategy, however, eliminates the costs of paying tuition and paying for travel time to and from training, for each trainee.

**Estimated training costs:** Expected costs include:

- The trainer's wages and benefits (if an on-staff trainer is used, as for orientation);
- The trainee's wages and benefits; and
- Costs for training materials (if training is on site) or for tuition, if off-site.

See Tables 1 and 2 below for estimated costs for each type of provider.

To fairly consider costs of compliance, AASA has elected to look at costs per trainee. This is because there is no reliable data on the number of employees that will be required to have this training, or the rate of turnover, both of which affect total training costs.

In each setting, the most costly wage scenarios were used for cost estimates. These include:

- For orientation, using a registered nurse as the orientation trainer, and assuming a one-on-one training, rather than in a group;
- For basic training, assuming the facility will pay tuition rather than providing training at the facility.
- For continuing education, assuming the facility will pay tuition rather than providing training at the facility.

Circumstances that may be used to mitigate these costs are noted in the section on mitigating expenses, which follows the cost estimates.

Specialty training has not been included in this analysis, because the boarding home rules specifying who has to take this training are not yet developed. The Residential Care Services Division of AASA is in the process of developing these rules with the input of stakeholder workgroups.

**Costs of Compliance for Boarding Homes:**

- *Orientation* is a new requirement for all boarding homes. It is always provided at the facility, by facility staff.
- *Basic training* is a new requirement for boarding homes that do not contract with DSHS. It may be provided by the facility or staff may be sent to another educator for training.
- *Continuing education* is a new requirement for boarding homes that do not contract with DSHS. It includes ten hours of training on caregiving issues, per calendar year. The requirement begins the second year after the basic training is completed. It may be provided by the facility, or staff may be sent to another educator for training.

**Table 1 Boarding Homes**

Training	Personnel & other costs	Wages	Benefits & Taxes	Total per hour	Hours	Tuition (if applies)	Total Cost
<b>Orientation</b>	Trainer (RN)	\$24.24	\$6.14	\$30.38	2	N/A	\$60.76
	Trainee	\$9.15	\$2.32	\$11.475	2	N/A	\$22.94
	Materials			43.86			\$10.00
	<b>Total per trainee</b>						\$93.70
<b>Basic</b>	Trainee	\$9.15	\$2.32	\$11.47	28	\$129.00	\$450.16
	<b>Total per trainee, first year</b>						\$543.86
<b>Continuing Education</b>	Trainee	\$9.15	\$2.32	\$11.47	10	\$50.00	\$164.70
	<b>CE total per trainee per year</b>						\$164.70

**Costs of Compliance for Adult Family Homes:** *Orientation* is a new requirement for all adult family homes. It is always provided at the facility, by facility staff.

Table 2 Adult Family Homes

Orientation	Personnel, other costs	Wages	Benefits & Taxes	Total per hour	Hours	Tuition	Total Cost
	Trainer (RN)	\$24.24	\$6.14	\$30.38	2.00		\$60.76
	Trainee	\$9.15	\$2.32	\$11.47	2.00	\$0.00	\$22.94
	Materials						\$10.00
	<b>Total</b>						<b>\$93.70</b>

**Disproportionate Economic Impact Analysis:** When there are more than minor costs to small businesses as a result of proposed rule changes, the Regulatory Fairness Act requires an analysis to be done, comparing these costs between small businesses and 10% of the largest businesses.

All for-profit adult family homes are by nature small businesses; an adult family home can serve a maximum of six residents at a time, and so has a small number of employees. No data is available on the actual numbers of employees in boarding homes, but many or most boarding homes are small businesses with fewer than fifty employees. While the per-trainee costs do not differ between small and large businesses, the costs may be a higher proportion of overall costs for a small business. AASA elected to focus on mitigating expenses regardless of results of comparing large and small businesses; therefore AASA considered this type of comparative analysis unnecessary. Therefore, AASA proposes several measures that will mitigate the impact of costs for small businesses.

**Mitigating Expenses:** Aging and Adult Services Administration has included the following to help mitigate training costs for small businesses:

- Orientation training costs can be significantly reduced if the person doing the orientation is not an RN (high wage rate), for instance, if an LPN does the orientation, the median hourly wage is estimated to be \$15.72, and a social worker's median hourly wage is \$18.74 (compared to an RN at \$24.24). For instance, an RN's median hourly wage is estimated to be \$24.24. If an LPN does the orientation, the hourly wage drops to \$15.72; if a social worker does the orientation, the hourly wage is \$18.74. Both are qualified to do this training. The organization has a choice of who to use in conducting the orientation training.
- Orientation training costs are further reduced if the facility orients more than one person at a time. This can be done any time the facility hires several new caregivers and has them start working at the same time.
- Individuals who have already been oriented at another facility can have a much briefer orientation at a new facility, which is a savings for the second business. The orientation can be shorter because basic information on the required topics will be consistent across facilities. The facility will be able to spend less time on basic information, and focus primarily on information specific to the facility.
- Basic training costs may be mitigated if the training is done on-site. The rules allow for facilities to train their own staff if the instructor(s) meet minimum qualifica-

tions. This means the facility does not have to pay tuition for each student, nor pay for travel time and expenses to the training.

- Individuals who take basic, specialty training, or continuing education will not be required to take it again if hired at another business where training is required, which is a savings for the second business.
- Boarding homes with a new requirement for basic training for caregivers will have up to one hundred twenty days following the effective date of the rule to meet the requirement.
- The continuing education requirement does not start until January of the second year after an employee takes the basic training.
- Continuing education costs may be mitigated by holding this training at the facility rather than sending staff to an educator, paying for each student's tuition and travel. No pre-approval of trainer or instructor is required.

**Additional cost savings:**

- The orientation reduces the time it takes new employees to begin to provide quality care to residents, which translates into higher satisfaction for the clients, and better word-of-mouth publicity for the agency, which may increase income.
- Well-trained employees generally have higher job satisfaction and this leads to a lower turnover rate, significantly reducing overall costs. Turnover rates have been estimated as 50% or higher per year, for caregivers. Village Green, a Washington state boarding home, determined that monthly turnover for caregivers dropped from 21% to under 5% after implementing a thorough orientation program.

**CONCLUSION:** Aging and Adult Services Administration has given careful consideration to the impact of proposed rules in chapter 388-112 WAC, Home and community long-term care services—Training, on small businesses. In accordance with the Regulatory Fairness Act, chapter 19.85 RCW, Aging and Adult Services Administration has analyzed impacts on small businesses and proposed ways to mitigate those costs associated with implementing the training requirements in these rules. Training staff adequately to care for adult residents is a benefit to both the resident and the provider.

A copy of the statement may be obtained by writing to Tresa Harambasic, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2548, fax (360) 725-2646.

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RCW 34.05.328 applies to this rule adoption. A cost-benefit analysis has been prepared concerning these proposed rules, and may be obtained by contacting Tresa Harambasic, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2548, fax (360) 725-2646.

Hearing Location: Office Building-2 Auditorium, DSHS Headquarters, 1115 Washington, 14th and Jefferson, Olympia, WA 98504, on January 8, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by January 4, 2002, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaa@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 5:00 p.m., January 8, 2002.

Date of Intended Adoption: Not earlier than January 9, 2002.

November 14, 2001  
Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**SECTION VII—CONTINUING EDUCATION**

NEW SECTION

**WAC 388-112-0180 What is continuing education?** Continuing education is additional caregiving-related training designed to increase and keep current a person's knowledge and skills. DSHS does not pre-approve continuing education programs or instructors.

NEW SECTION

**WAC 388-112-0185 How many hours of continuing education are required each year?** Individuals subject to a continuing education requirement must complete at least ten hours of continuing education each calendar year (January 1 through December 31). One hour of completed classroom instruction or other form of training (such as a video or on-line course) equals one hour of continuing education.

NEW SECTION

**WAC 388-112-0190 What kinds of training topics are required for continuing education?** Continuing education must be on a topic relevant to the care setting and care needs of residents, including but not limited to:

- (1) Resident rights;
- (2) Personal care (such as transfers or skin care);
- (3) Mental illness;
- (4) Dementia;
- (5) Developmental disabilities;
- (6) Depression;
- (7) Medication assistance;
- (8) Communication skills;
- (9) Positive resident behavior support;
- (10) Developing or improving resident centered activities;

(11) Dealing with wandering or aggressive resident behaviors; and

(12) Medical conditions.

NEW SECTION

**WAC 388-112-0195 Is competency testing required for continuing education?** Competency testing is not required for continuing education.

NEW SECTION

**WAC 388-112-0200 When does the continuing education requirement start?** Continuing education is not required during the first calendar year following the year in which basic or modified basic training is successfully completed. Continuing education is required in each calendar year thereafter.

NEW SECTION

**WAC 388-112-0205 May basic or modified basic training be completed a second time and used to meet the continuing education requirement?** Re-taking basic or modified basic training may not be used to meet the continuing education requirement.

NEW SECTION

**WAC 388-112-0210 May specialty training be used to meet continuing education requirements?** Specialty training may be used to meet continuing education requirements.

(1) If one or more specialty trainings are completed in the same year as basic or modified basic training, the specialty training applies toward the continuing education requirement for the two calendar years following the year of completion of the basic and specialty trainings.

(2) If one or more specialty trainings are completed in a different year than the year when basic or modified basic training was taken, the specialty training may be applied toward the continuing education requirement for the calendar year in which the specialty training is taken and the following calendar year.

NEW SECTION

**WAC 388-112-0215 May nurse delegation core training be used to meet continuing education requirements?** Nurse delegation training may be used to meet continuing education requirements.

NEW SECTION

**WAC 388-112-0220 What are the documentation requirements for continuing education?** The adult family home or boarding home must maintain documentation of continuing education including:

- (1) The trainee's name;
- (2) The title or content of the training;



(3) The instructor's name or the name of the video, on-line class, professional journal, or equivalent instruction materials completed;

(4) The number of hours of training; and

(5) The date(s) of training.

#### NEW SECTION

#### **WAC 388-112-0225 Who is required to complete continuing education training, and when? Adult Family Homes**

(1) Adult family home providers (including entity representatives as defined under chapter 388-76 WAC), resident managers, and caregivers must complete ten hours of continuing education each calendar year.

(2) Continuing education must be on a topic relevant to the care setting and care needs of residents in adult family homes.

##### **Boarding Homes**

(3) Boarding home administrators (or their designees) and caregivers must complete ten hours of continuing education each calendar year.

(4) Continuing education must be on a topic relevant to the care setting and care needs of residents in boarding homes.

### **SECTION VIII—CPR AND FIRST AID TRAINING**

#### NEW SECTION

**WAC 388-112-0230 What is CPR training?** Cardio-pulmonary resuscitation (CPR) training is training that meets the content requirements in WAC 296-800-15010.

#### NEW SECTION

**WAC 388-112-0235 What is first aid training?** First aid training is training that meets the content requirements in WAC 296-800-15010.

#### NEW SECTION

#### **WAC 388-112-0240 What are the CPR and first aid training requirements? Adult Family Homes**

(1) Adult family home providers, resident managers, and caregivers must take CPR and first aid within thirty days of employment and maintain valid cards or certificates.

##### **Boarding Homes**

(2) Boarding home administrators and caregivers must take CPR and first aid within thirty days of employment and must maintain valid cards or certificates.

### **SECTION IX—RESIDENTIAL CARE ADMINISTRATOR TRAINING**

#### NEW SECTION

**WAC 388-112-0245 What is residential care administrator training?** Residential care administrator training is a minimum of forty-eight hours of training on topics related to the management of adult family homes.

#### NEW SECTION

**WAC 388-112-0250 Who must take residential care administrator training and when?** Before operating more than one adult family home, the provider (including an entity representative as defined under chapter 388-76 WAC) must successfully complete residential care administrator training.

#### NEW SECTION

**WAC 388-112-0255 What knowledge and skills must residential care administrator training include?** Minimally, residential care administrator training must have at least forty-eight hours of class time, and include all of the following:

- (1) Business planning and marketing;
- (2) Fiscal planning and management;
- (3) Human resource planning;
- (4) Resident health services;
- (5) Nutrition and food service;
- (6) Working with people who are elderly, chronically mentally ill, or developmentally disabled;
- (7) The licensing process;
- (8) Social and recreational activities;
- (9) Resident rights;
- (10) Legal issues;
- (11) Physical maintenance and fire safety; and
- (12) Housekeeping.

#### NEW SECTION

**WAC 388-112-0260 What documentation is required for residential care administrator training?** Residential care administrator training must be documented by a certificate of successful completion of training that includes:

- (1) The trainee's name,
  - (2) The name of the training,
  - (3) The location of the training,
  - (4) The instructor's name and signature, and
  - (5) The date(s) of training.
- (6) The trainee must retain the original certificate. A copy of the certificate must be in the adult family homes' files.

### **SECTION X—COMPETENCY TESTING**

#### NEW SECTION

**WAC 388-112-0265 What is competency testing?** Competency testing is evaluating a trainee to determine if they can demonstrate the required level of skill, knowledge, and/or behavior with respect to the identified learning outcomes of a particular course.

#### NEW SECTION

**WAC 388-112-0270 What components must competency testing include?** Competency testing must include the following components:

(1) Skills demonstration of ability to perform and/or implement specific caregiving approaches, and/or activities as appropriate for the training;

(2) Written evaluation to show level of comprehension and knowledge of the learning outcomes for the training; and

(3) A scoring guide for the tester with clearly stated criteria and minimum proficiency standards.

#### NEW SECTION

**WAC 388-112-0275 What experience or training must individuals have to be able to perform competency testing?** Individuals who perform competency testing must have documentable experience or training in assessing competencies.

#### NEW SECTION

**WAC 388-112-0280 What training must include the DSHS-developed competency test?** Basic, modified basic, specialty (special needs), and nurse-delegation core training must include the DSHS-developed competency test.

#### NEW SECTION

**WAC 388-112-0285 How must test administration be standardized?** To standardize test administration, testing must include the following components:

(1) An instructor for the course who meets all minimum instructor qualifications for the course he or she teaches must oversee all testing; and

(2) The tester must follow DSHS guidelines for:

(a) The maximum length of time allowed for testing;

(b) The amount and nature of instruction given to students before beginning a test;

(c) The amount of assistance to students allowed during testing;

(d) The accommodation guidelines for students with disabilities; and

(e) Accessibility guidelines for students with limited English proficiency.

#### NEW SECTION

**WAC 388-112-0290 What form of identification must students provide before taking a competency or challenge test?** Students must provide photo identification before taking a competency test (or challenge test, when applicable) for basic, modified basic, specialty, or nurse delegation training.

#### NEW SECTION

**WAC 388-112-0295 How many times may a competency test be taken?** A competency test may be taken only twice for any one course. If the test is failed a second time, the person must re-take the course before any additional tests are administered.

## SECTION XI—CURRICULUM APPROVAL

### NEW SECTION

**WAC 388-112-0300 What trainings must be taught with a curriculum approved by DSHS?** For training to meet the requirements under this chapter, basic training, modified basic training, specialty training, and integrated basic/specialty training programs must use the DSHS curricula or other curriculum approved by DSHS. A curriculum other than the DSHS curriculum must be approved before it is used.

### NEW SECTION

**WAC 388-112-0305 What are the minimum components that an alternative curriculum must include in order to be approved?** In order to be approved, an alternative curriculum must at a minimum include:

(1) All the learning outcomes and competencies in the DSHS-developed curriculum for the course;

(2) Printed student materials that support the curriculum, a teacher's guide or manual, and learning resource materials such as learning activities, audio-visual materials, handouts, and books;

(3) The expected learning outcomes for the curriculum;

(4) The recommended sequence and delivery of the material;

(5) The teaching methods or approaches that will be used for different sections of the course, including for each lesson:

(a) The expected learning outcomes;

(b) Learning activities that incorporate adult learning principles and address the learning readiness of the student population;

(c) Practice of skills to increase competency;

(d) Feedback to the student on knowledge and skills;

(e) An emphasis on facilitation by the teacher; and

(f) An integration of knowledge and skills from previous lessons to build skills.

(6) For the teacher, a complete guide to the implementation of the curriculum;

(7) A list of the sources or references used to develop the curriculum;

(8) Methods of teaching and student evaluation for students with limited English proficiency and/or learning disabilities; and

(9) A plan for updating material. All changes to a previously approved curriculum must be approved before they are used.

### NEW SECTION

**WAC 388-112-0310 What is the curriculum approval process?** The curriculum approval process includes the following steps:

(1) A curriculum is submitted to DSHS for approval;

(2) DSHS may use DSHS-selected volunteer reviewers, if available, to assist in reviewing alternative curriculum and making recommendations to DSHS;

(3) DSHS must review and determine, using the criteria in WAC 388-112-0305, that the alternative curriculum is sub-

stantially similar to or better than the DSHS curriculum for it to be approved;

(4) DSHS sends a written response to the person or organization that submitted the curriculum, indicating approval or disapproval of the curriculum;

(5) If a curriculum does not include all the required components, the curriculum is disapproved, and returned with missing or incomplete parts noted;

(6) The curriculum with the additional components incorporated into the curriculum design may be re-submitted to DSHS for another review.

## SECTION XII—FACILITY-BASED TRAINING

### NEW SECTION

**WAC 388-112-0315 What are the requirements for a boarding home or adult family home that wishes to conduct basic, modified basic, or specialty staff training?** A boarding home or adult family home wishing to conduct basic, modified basic, or specialty staff training may do so if the facility:

(1) Verifies and documents that all instructors meet each of the minimum instructor qualifications for the course they plan to teach;

(2) Teaches using a complete DSHS-approved curriculum.

(a) A facility may request the use of a curriculum developed by DSHS;

(b) If a facility wishes to use an alternate curriculum that is not already approved, the facility must submit that curriculum and receive approval from DSHS before using it to teach.

(3) To assist DSHS in providing access to training, notifies DSHS in writing of the facility's intent to conduct staff training prior to providing training, and in the future, notify DSHS when changes occur. The notification must include:

(a) Facility name;

(b) Name of training(s) the facility will conduct;

(c) Name of curriculum(s) the facility will use; and

(d) If the facility will train only the facility's staff, or will also train staff from other facilities.

(4) Ensures that DSHS competency tests are administered as provided in WAC 388-112-0265 through 388-112-0295;

(5) Provides a certificate of completion of training to all staff that successfully complete the entire course. The certificate must include:

(a) The trainee's name,

(b) The name of the training,

(c) The location of the training,

(d) The instructor's name and signature, and

(e) The date(s) of training.

(6) Keeps a copy of student certificates on file for six years, and gives the original certificate to the trainee.

(7) Keeps attendance records and testing records of students trained and tested on file for six years.

(8) Reports training data to DSHS in DSHS-identified time frames.

### NEW SECTION

**WAC 388-112-0320 Do facilities need department approval to provide continuing education for their staff?** Facilities may provide continuing education for their staff without prior approval of curricula or instructors by the department.

## XIII—INSTRUCTOR APPROVAL

### NEW SECTION

**WAC 388-112-0325 What are an instructor's responsibilities?** The instructor is responsible for:

(1) Coordinating and teaching classes,

(2) Assuring that the curriculum used is taught as designed,

(3) Selecting qualified guest speakers where applicable,

(4) Administering or overseeing the administration of DSHS competency and challenge tests,

(5) Maintaining training records including student tests and attendance records for a minimum of six years,

(6) Reporting training data to DSHS in DSHS-identified time frames, and

(7) Issuing or re-issuing training certificates to students.

### NEW SECTION

**WAC 388-112-0330 Must instructors be approved by DSHS?** (1) DSHS must approve any instructor under contract with DSHS to conduct basic, modified basic, specialty, or nurse delegation core training classes using the training curricula developed by DSHS.

(2) DSHS may select contracted instructors through a purchased services contract procurement pursuant to chapter 236-48 WAC or through other applicable contracting procedures. Contractors must meet the minimum qualifications for instructors under this chapter and any additional qualifications established through a request for qualifications and quotations (RFQQ) or other applicable contracting procedure.

(3) Facilities conducting their own training programs using the training curricula developed by DSHS or alternative curricula approved by DSHS must ensure that their instructors meet the minimum qualifications for instructors under this chapter.

### NEW SECTION

**WAC 388-112-0335 When can DSHS withhold approval of an instructor or prohibit a facility from conducting its own training?** (1) DSHS may determine not to accept a bid or other offer by a person or organization seeking a contract with DSHS to conduct basic, modified basic, specialty, or nurse delegation core training classes using the training curricula developed by DSHS. The protest procedures under chapter 236-48 WAC, as applicable, are a bidder's exclusive administrative remedy. No administrative remedies are available to dispute DSHS' decision not to accept an offer that is not governed by chapter 236-48 WAC.

(2) DSHS may terminate any training contract in accordance with the terms of the contract. The contractor's admin-

istrative remedies shall be limited to those specified in the contract.

(3) DSHS may prohibit a facility from providing its own basic, modified basic, or specialty training when:

(a) DSHS determines that the training fails to meet the standards under this chapter;

(b) The facility's instructor has been a licensee, boarding home administrator, or adult family home resident manager, as applicable, of any facility while it was under temporary management or subject to a revocation or summary suspension of the facility's license, a stop placement of admissions order, a condition on the license related to resident care, or a civil fine of five thousand dollars or more; or

(c) The facility has been operated under temporary management or has been subject to a revocation or suspension of the facility's license, a stop placement of admissions order, a condition on the license related to resident care, or a civil fine of five thousand dollars or more.

(d) Nothing in this section shall be construed to limit DSHS' authority under chapters 388-76 or 388-78A WAC to require the immediate enforcement, pending any appeal, of a condition on the facility's license prohibiting the facility from conducting its own training programs.

#### NEW SECTION

**WAC 388-112-0340 What is a guest speaker, and what are the minimum qualifications to be a guest speaker for basic and developmental disabilities specialty training?** Guest speakers for basic and developmental disabilities specialty training teach a specific subject in which they have expertise, under the supervision of the instructor. A guest speaker must have as minimum qualifications, an appropriate background and experience that demonstrates that the guest speaker has expertise on the topic he or she will teach. The instructor must select guest speakers that meet the minimum qualifications, and maintain documentation of this background. DSHS does not approve guest speakers.

#### NEW SECTION

**WAC 388-112-0345 What are the minimum qualifications for an instructor for basic or modified basic training?** An instructor for basic or modified basic training must meet the following minimum qualifications:

(1) If the person currently holds a health care or social services license or certification in Washington state, it must be in good standing. However, no license or certification is required;

(2) The instructor must meet the requirements in (a) or (b) of this subsection. The instructor:

(a) Must have at least one hundred hours experience teaching adults within the last ten years in a classroom setting, with at least fifty of those hours teaching content comparable to topics included in basic training, and with documented practice in principles of adult education theory and practice including:

(i) Classroom facilitation skills and techniques;

(ii) Facilitating adult learning activities; and

(iii) Administering competency testing for both skills and written testing.

(b) Must, if the person does not meet the requirements in (a) of this subsection:

(i) Have at least thirty-two hours of classroom instruction in principles of adult education theory and practice that meets the requirements of WAC 388-112-0350; and

(ii) Observe an instructor meeting minimum instructor requirements under this section teaching the entire basic training class.

(3) Upon initial approval or hire, the instructor must have at least five hundred twenty hours (three months full time equivalent) professional work experience within the last five years in an adult family home, boarding home, supported living residential services contracted and certified through DDD per chapter 388-820 WAC, or home care setting;

(4) The instructor must be experienced in caregiving practices and capable of demonstrating competency with respect to the course content or units being taught;

(5) Instructors who will administer tests must have experience or training in assessment and competency testing; and

(6) Instructors must successfully complete basic or modified basic training prior to beginning teaching, if required under WAC 388-112-0075 or 388-112-0100.

#### NEW SECTION

**WAC 388-112-0350 What must be included in a class on principles of adult education theory and practice?** A class on adult education theory and practice principles must include content, student practice, and evaluation of student skills by the instructor in:

(1) Adult education theory and practice principles;

(2) Instructor facilitation techniques;

(3) Facilitating learning activities for adults;

(4) Administering competency testing; and

(5) Working with adults with special training needs (for example, English as a second language or learning and literacy issues).

#### NEW SECTION

**WAC 388-112-0355 What are the minimum qualifications for mental health specialty trainers?** The minimum qualifications for mental health specialty trainers include:

(1) The trainer must be experienced in mental health caregiving practices and capable of demonstrating competency in the entire course content;

(2) Education - Bachelor's degree and at least one year of education in psychology, mental health, education, or closely related subjects (one year of education equals twenty-four semester hours, forty-five quarter hours, or one hundred ninety-two hours of continuing education and other documented training such as seminars). Education must include:

(a) Adult mental health caregiving theories, current research, adult mental health caregiving skills development, best practices;

(b) Adult learning theory and teaching community-based adult vocational education;

(c) Written and skills performance testing procedures; and

(d) Successful completion of the mental health specialty training, prior to beginning to train, if required under WAC 388-112-0145.

(3) Work experience - Minimum of four thousand one hundred sixty hours (two years full-time equivalent) direct work experience with people who have a mental illness. This may include relevant caregiving experience; and

(4) Teaching experience - Minimum of four hundred hours experience in community-based adult education, with two hundred of the four hundred hours teaching specific course work in mental health or closely related subjects. Teaching experience must include:

(a) Using interactive learning activities to explain mental health concepts, disorders, and treatments;

(b) Teaching clinical concepts and skills to nonclinically trained people;

(c) Administering written and skills performance evaluations using standardized scoring tools and supervision of testing procedures to ensure the integrity, and confidentiality of all evaluation processes and materials (the evaluations and scoring guide/answers); and

(d) Interactive learning facilitation to actively engage student participation in brainstorming, role playing, large and small group process, brief talks, written exercises, skills demonstrations, and practice to develop problem solving, critical thinking, and caregiving skills.

#### NEW SECTION

**WAC 388-112-0360 What are the minimum qualifications for dementia specialty trainers?** The minimum qualifications for dementia specialty trainers include:

(1) The trainer must be experienced in dementia caregiving practices and capable of demonstrating competency in the entire course content;

(2) Education - Bachelor's degree and at least one year of education in psychology, dementia, education, or closely related subjects (one year of education equals twenty-four semester hours, forty-five quarter hours, or at least one hundred ninety-two hours of continuing education and other documented training such as seminars). Education must include:

(a) Dementia caregiving theories, current research, dementia caregiving skills development, best practices;

(b) Adult learning theory and teaching community-based adult vocational education;

(c) Written and skills performance testing procedures; and

(d) Successful completion of the dementia specialty training, prior to beginning to train, if required under WAC 388-112-0145.

(3) Work experience - Minimum of four thousand one hundred sixty hours (two years full-time equivalent) direct work experience with people who have dementia. This may include relevant caregiving experience; and

(4) Teaching experience - Minimum of four hundred hours experience in community-based adult education, with two hundred of the four hundred hours teaching specific course work in dementia or closely related subjects. Teaching experience must include:

(a) Using interactive learning activities to explain dementia-related diseases, concepts, types, stages, treatment, and culturally-based variants of the dementias;

(b) Teaching clinical concepts and skills to nonclinically trained people;

(c) Administering written and skills performance evaluations using standardized scoring tools and supervision of testing procedures to ensure the integrity and confidentiality of all evaluation processes and materials (the evaluations and scoring guide/answers); and

(d) Interactive learning facilitation to actively engage student participation in brainstorming, role playing, large and small group process, brief talks, written exercises, skills demonstrations, and practice to develop problem solving, critical thinking, and caregiving skills.

#### NEW SECTION

**WAC 388-112-0365 What are the minimum qualifications for developmental disabilities specialty trainers?** The minimum qualifications for developmental disabilities specialty trainers include:

(1) Education:

(a) Bachelor degree or at least four years of full-time work experience in the field of disabilities; and

(b) Successful completion of developmental disabilities specialty training;

(2) Experience - At least two years full-time direct work experience with persons who have a developmental disability; and

(3) Teaching experience - Either:

(a) Four hundred hours teaching experience; or

(b) Two hundred hours of teaching experience plus successful completion of the division of developmental disabilities' specialty train the trainer course.

(4) Instructors who will administer tests must have experience in assessment and competency testing.

### **SECTION XIV—PHYSICAL RESOURCES AND STANDARD PRACTICES FOR TRAINING**

#### NEW SECTION

**WAC 388-112-0370 What physical resources are required for basic, modified basic, specialty, or nurse delegation core classroom training and testing?** (1) Classroom facilities used for basic, modified basic, specialty, or nurse delegation core classroom training must be accessible to trainees and provide adequate space for learning activities, comfort, lighting, lack of disturbance, and tools for effective teaching and leaning such as white boards and flip charts. Appropriate supplies and equipment must be provided for teaching and practice of caregiving skills in the class being taught.

(2) Testing sites must provide adequate space for testing, comfort, lighting, and lack of disturbance appropriate for the written or skills test being conducted. Appropriate supplies and equipment necessary for the particular test must be provided.

## NEW SECTION

**WAC 388-112-0375 What standard training practices must be maintained for basic, modified basic, specialty, or nurse delegation core classroom training and testing?** The following training standards must be maintained for basic, modified basic, specialty or nurse delegation core classroom training and testing:

- (1) Training must not exceed eight hours within a twenty-four hour period;
- (2) Training provided in short time segments must include an entire unit, skill or concept;
- (3) Training must include regular breaks; and
- (4) Students attending a classroom training must not be expected to leave the class to attend to job duties, except in an emergency.

**AMENDATORY SECTION** (Amending WSR 99-15-067, filed 7/19/99, effective 8/19/99)

**WAC 388-78A-050 Staff.** (1) The licensee shall:

- (a) Develop and maintain written job descriptions for the administrator and each staff position;
- (b) Verify work references;
- (c) Verify required credentialing is current and in good standing for licensed and certified staff;
- (d) Document and retain weekly staffing schedules, as planned and worked, for the last twelve months;
- (e) Provide sufficient, trained staff in each boarding home to:
  - (i) Furnish the services and care needed by residents;
  - (ii) Maintain the boarding home free of safety hazards; and
  - (iii) Implement fire and disaster plans;
- (f) Assure one or more resident-care staff eighteen years of age or older, with current cardiopulmonary resuscitation and first-aid cards, is present to assist residents at all times:
  - (i) On the boarding home premises when one or more residents are present;
  - (ii) Off the boarding home premises during boarding home activities; and
  - (iii) When staff transport a resident;
- (g) Assure staff provide "on-premises" supervision when any resident is working for, or employed by, the boarding home; and
- (h) Provide staff orientation and appropriate training for expected duties, including:
  - (i) Organization of boarding home;
  - (ii) Physical boarding home layout;
  - (iii) Specific duties and responsibilities; and
  - (iv) Policies, procedures, and equipment necessary to perform duties.

(2) The licensee shall ensure that the administrator and staff complete any training required under chapter 388-112 WAC.

(3) The licensee shall, in addition to following WISHA requirements, protect residents from tuberculosis by requiring each staff person to have, upon employment:

- (a) A tuberculin skin test by the Mantoux method, unless the staff person:

(i) Documents a previous positive Mantoux skin test, which is ten or more millimeters of induration read at forty-eight to seventy-two hours;

(ii) Documents meeting the requirements of this subsection within the six months preceding the date of employment; or

(iii) Provides a written waiver from the department or authorized local health department stating the Mantoux skin test presents a hazard to the staff person's health;

(b) A second test one to three weeks after a negative Mantoux skin test for staff thirty-five years of age or older;

(c) A chest x-ray within seven days of any positive Mantoux skin test.

~~((3))~~ (4) The licensee shall report positive chest x-rays to the appropriate public health authority, and follow precautions ordered by a physician or public health authority.

~~((4))~~ (5) The licensee shall retain records of tuberculin test results, reports of x-ray findings, exceptions, physician or public health official orders, and waivers in the boarding home.

~~((5) The licensee shall assure that all resident care staff including those transporting residents and supervising resident activities, except licensed staff whose professional training exceeds first responder training, have within thirty days of employment:~~

~~(a) Current cardiopulmonary resuscitation cards from instructors certified by:~~

~~(i) American Red Cross;~~

~~(ii) American Heart Association;~~

~~(iii) United States Bureau of Mines; or~~

~~(iv) Washington state department of labor and industries; and~~

~~(b) Current first aid cards from instructors certified as in (a) of this subsection, except nurses do not need first aid cards.)~~

(6) The licensee shall restrict a staff person's contact with residents when the staff person has a known communicable disease in the infectious stage which is likely to be spread in the boarding home setting or by casual contact.

(7) The licensee shall assure any staff person suspected or accused of abuse does not have access to any resident until the licensee investigates and takes action to assure resident safety to the satisfaction of the department.

(8) The licensee shall not interfere with the investigation of a complaint, coerce a resident, or conceal evidence of alleged improprieties occurring within the boarding home.

(9) The licensee shall prohibit an employee from being directly employed by a resident or a resident's family during the hours the employee is working for the boarding home.

(10) The licensee shall maintain the following documentation on the boarding home premises, during employment, and at least two years following termination of employment:

(a) Staff orientation and training pertinent to duties, including but not limited to cardiopulmonary resuscitation, first-aid, tuberculin skin testing and HIV/AIDS training;

(b) Criminal history disclosure and background checks as required in WAC 388-78A-045; and

(c) Verification of contacting work references and professional licensing and certification work boards as required by subsection (1) of this section.

AMENDATORY SECTION (Amending WSR 98-20-021, filed 9/25/98, effective 9/25/98)

**WAC 388-78A-060 HIV/AIDS education and training.** The licensee shall:

(1) Verify or arrange appropriate education and training of staff within thirty days of employment on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with:

(a) The approved curriculum manual *KNOW - HIV/AIDS Prevention Education for Health Care Facility Employees*, January 1991, or subsequent editions published by the department; and

(b) WAC 296-62-08001, Bloodborne pathogens implementing WISHA.

(3) Staff who successfully complete the basic training in WAC 388-112-0040 through 388-112-0070 are considered to have met the training requirement under this section.

#### WSR 01-24-007

#### PROPOSED RULES

#### STATE BOARD OF EDUCATION

[Filed November 26, 2001, 1:47 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-19-083.

Title of Rule: Chapter 180-77 WAC, Standards for vocational certification; chapter 180-77A WAC, Approval standards for vocational-technical teacher preparation programs based on business and industry work experience; chapter 180-78A WAC, Approval standards for performance-based preparation programs for teachers, administrators, and education staff associates; chapter 180-79A WAC, Standards for teacher, administrator, and educational staff associate certificate; and chapter 180-82 WAC, Certificate endorsements and assignment of certificated personnel.

Purpose: Editorial amendments that will primarily update vocational education references to career and technical education.

Statutory Authority for Adoption: RCW 28A.410.010 and 28A.305.130 (1) through (4).

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education, 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. Not applicable.

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

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 14, 2002, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by December 31, 2002 [2001], TDD (360) 664-3631, or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by December 31, 2001.

Date of Intended Adoption: January 16, 2002.

November 20, 2001

Larry Davis

Executive Director

#### Chapter 180-77 WAC

#### STANDARDS FOR ((~~v~~OCATIONAL)) CAREER AND TECHNICAL EDUCATION CERTIFICATION

AMENDATORY SECTION (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

**WAC 180-77-002 Purpose.** The purposes of this chapter are to establish the various ((~~v~~ocational)) career and technical education certificates which must be held as a condition to employment in the Washington school system and establish the conditions and procedures governing issuance and retention of those and other ((~~v~~ocational)) career and technical education certificates.

AMENDATORY SECTION (Amending WSR 98-01-026, filed 12/8/97, effective 1/8/98)

**WAC 180-77-003 Definitions.** The following definitions shall apply to terms used in this chapter:

(1) "Approved program for training ((~~v~~ocational)) career and technical education teachers and ((~~v~~ocational)) career and technical education counselors" shall be defined as any program approved by the state board of education which complies with chapter 180-77A WAC.

(2) "((~~V~~ocational)) Career and technical education educator training" shall mean those ((~~v~~ocational)) career and technical education programs, courses, seminars and workshops offered for the purpose of ((~~v~~ocational)) career and technical education certification in compliance with chapter 180-85 WAC.

(3) "General safety" shall mean course work approved by the state board of education and/or its designee that is designed to provide skill and knowledge common to all ((~~v~~ocational)) career and technical education instructors in safety.

(4) "Specific safety requirements" shall mean completion of course work approved by the state board of education and/or its designee which is designed to provide the ((~~v~~ocational)) career and technical education instructor with the

specific skill and knowledge of safety for the occupation he or she is to teach.

(5) "Learning period" shall mean the amount of time required prior to becoming gainfully employed at the journeyman or equivalent level in the occupation being taught. In any case, this shall be no less than one year.

(6) "Management experience" shall mean work as a supervisor, foreman or manager in the occupational area in which the person will instruct.

(7) "Occupational experience" shall mean paid or unpaid work experience in the career field to be taught.

(8) "One year of occupational experience" shall equal two thousand hours of employment.

(9) "Professional education" shall mean those programs, courses, seminars and workshops that are designed to improve teaching ability.

(10) "Professional experience" shall mean employment in ((vocationa)) career and technical education in the discipline and/or specialty for which the application has been submitted.

(11) "Quarter hours or the equivalent" shall mean one quarter credit, two-thirds semester credit, ten clock hours or one hundred hours of occupational experience.

(12) "Technical education/upgrading" shall mean those ((vocationa)) career and technical education programs, courses, seminars and workshops which are designed to improve the skills and/or knowledge in the discipline in which the application is being made.

**AMENDATORY SECTION** (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

**WAC 180-77-005 Types of ((vocationa)) career and technical education certificates**. The following types of certificates shall be issued:

(1) Teacher. The teacher certificate authorizes service as a teacher in the school district(s) or skills center(s) and shall be issued in one of the following categories and/or in a specific subcategory of the major category as approved by the state board of education and/or its designee:

- (a) Agriculture education;
- (b) Business education;
- (c) Marketing education;
- (d) Family and consumer sciences education;
- (e) Technology education;
- (f) Trade and industrial;
- (g) Health occupations;
- (h) Diversified occupations;
- (i) Coordinator for work-based learning; or
- (j) New and emerging fields;

(2) Director. The director certificate authorizes service as a ((vocationa)) career and technical education director, as an assistant director, or as a ((vocationa)) career and technical education supervisor in the school district(s) or skills center(s);

(3) Counselor. The ((vocationa)) career and technical education counselor certificate authorizes service in the role of ((vocationa)) career and technical education guidance and counseling;

(4) Occupational information specialist. The occupational information specialist certificate authorizes service in the role as an occupational information specialist.

**AMENDATORY SECTION** (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

**WAC 180-77-012 Levels of ((vocationa)) career and technical education instructional certificates**. The following levels of ((vocationa)) career and technical education certificates may be issued:

(1) Initial. The initial certificate allows the holder to assume independent responsibility for working with students in ((vocationa)) career and technical education programs;

(2) Initial renewal. The initial renewal certificate allows the holder to assume independent responsibility for working with students in ((vocationa)) career and technical education programs;

(3) Continuing. The continuing certificate allows the holder to assume independent responsibility for working with students in ((vocationa)) career and technical education programs;

(4) Continuing renewal. The continuing renewal certificate allows the holder to assume independent responsibility for working with students in ((vocationa)) career and technical education programs.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77-014 Requirements for limited certification.** (1) Probationary certificate. The probationary certificate is valid for two years and is renewable one time for two additional years upon recommendation of the employing district if the individual has completed the procedures outlined for the first year in the professional growth plan and has made additional progress in meeting the requirements for the initial ((vocationa)) career and technical education certificate.

The candidate for a probationary certificate must have substantially completed requirements for the initial ((vocationa)) career and technical education certificate as set forth in WAC 180-77-031 or 180-77-041.

(a) Such a certificate may be issued upon recommendation by the employing school district.

(b) The candidate shall have developed a professional growth plan in cooperation with the ((vocationa)) career and technical education administrator. The plan must be approved by the local school district ((vocationa)) career and technical education program advisory committee, to which the candidate is assigned. The plan shall provide for orientation, prior to the commencement of the teaching assignment, in the following:

- (i) Issues related to legal liability;
- (ii) The responsibilities of professional ((vocationa)) career and technical education educators; and
- (iii) The lines of authority in the employing school district and/or building.

Within the first sixty working days, the plan shall establish procedures for the ((vocationa)) career and technical education instructor to develop competencies in the following:



(iv) ~~((vocationa))~~ Career and technical education methods; and

(v) General and specific safety.

If the candidate does not have access to the required course work within the first ninety working days, the local school district ~~((vocationa))~~ career and technical education advisory committee responsible may authorize the completion of the course work at a later date. The required course work shall be completed prior to the second year of employment.

(vi) The plan shall develop procedures and timelines for the ~~((vocationa))~~ career and technical education instructor to meet the requirements for the initial ~~((vocationa))~~ career and technical education certificate.

(vii) Provided, That candidates for probationary certificates as a coordinator of work-based learning shall have completed a course in coordination techniques and either:

(A) Possess a valid initial or continuing ~~((vocationa))~~ career and technical education teacher certificate; or

(B) Have completed five hundred hours of occupational experience within the past six years.

(2) Conditional ~~((vocationa))~~ career and technical education certificate. Notwithstanding other requirements prescribed in this chapter for eligibility for ~~((vocationa))~~ career and technical education certification in the state of Washington, the one-year conditional ~~((vocationa))~~ career and technical education certificate may be issued under specific circumstances set forth below for limited service:

(a) The issuance of the conditional ~~((vocationa))~~ career and technical education certificate may be issued only under unique and special circumstances where no regularly certificated ~~((vocationa))~~ career and technical education instructor is available and is limited to:

(i) Persons highly qualified and experienced in the knowledge and occupational skills of the ~~((vocationa))~~ career and technical education program to be certified; or

(ii) Persons who meet the occupational experience requirements for ~~((vocationa))~~ career and technical education certification; or

(iii) Persons who will be employed in new and emerging occupations as identified by the state board of education and/or its designee.

(b) The certificate is issued to individuals who are screened by the local ~~((vocationa))~~ career and technical education administrator and school district superintendent or designee. The local ~~((vocationa))~~ career and technical education administrator or superintendent will verify that the following criteria have been met when requesting the conditional ~~((vocationa))~~ career and technical education certificate:

(i) No person with ~~((vocationa))~~ career and technical education certification in the field is available as verified by the local ~~((vocationa))~~ career and technical education administrator or superintendent;

(ii) The individual is being certified for a limited assignment and responsibility in a specified ~~((vocationa))~~ career and technical education program area;

(iii) Personnel so certificated will be oriented and prepared for the specific assignment and will be apprised of any

legal liability, the lines of authority and the duration of the assignment;

(iv) The ~~((vocationa))~~ career and technical education administrator and local program advisory committee will indicate the basis on which he/she has determined that the individual is competent for the assignment;

(v) A written work and/or educational experience training plan as specified in WAC 180-77-014 (1)(b) is on file with the employing district.

(c) The certificate is valid for one year and only for the teaching area specified on the certificate. The certificate may be reissued on application and evidence that requirements continue to be met.

(3) Substitute ~~((vocationa))~~ career and technical education certificates. Substitute ~~((vocationa))~~ career and technical education certificates may be issued to candidates who meet the requirements in WAC 180-79A-231 (2) or (4).

AMENDATORY SECTION (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

**WAC 180-77-020 Certificate required.** Persons serving as ~~((vocationa))~~ career and technical education instructors, ~~((vocationa))~~ career and technical education directors and assistant directors, ~~((vocationa))~~ career and technical education supervisors, ~~((vocationa))~~ career and technical education counselors, and occupational information specialists shall hold certificates authorized by the state board of education for service in the respective roles.

AMENDATORY SECTION (Amending WSR 98-01-026, filed 12/8/97, effective 1/8/98)

**WAC 180-77-025 Personnel assignment.** ~~((vocationa))~~ Career and technical education teachers teaching other secondary school subjects and ~~((vocationa))~~ career and technical education counselors serving in addition as general counselors need to hold a valid certificate as provided for in chapter 180-79A WAC, Standards for teacher, administrator, and educational staff associate certification.

AMENDATORY SECTION (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77-031 Requirements for candidates seeking ~~((vocationa))~~ career and technical education certification who have completed approved college/university programs in a ~~((vocationa))~~ career and technical education endorsement area.** Candidates shall complete the following requirements in addition to those set forth in WAC 180-79A-150, 180-79A-155, 180-82-322, and chapter 180-78A WAC.

(1) Initial.

(a) Candidates for the initial certificate shall hold a baccalaureate degree from a regionally accredited college or university which includes a minimum of forty-five quarter hours of study in the specific ~~((vocationa))~~ career and technical education subject area for which certification is sought.

(b) Candidates for the initial certificate shall demonstrate competency in one or more of the specific endorsement areas of WAC 180-82-322.

(c) Candidates for the initial certificate shall complete a state approved ~~((vocationa))~~ career and technical education teacher training program through a regionally accredited college or university which shall include completion of student teaching in the relevant ~~((vocationa))~~ career and technical education subject area.

(d) Candidates for the initial certificate shall provide documentation of one year of paid occupational experience (two thousand hours) in the specific ~~((vocationa))~~ career and technical education field for which certification is sought. If all or part of the two thousand hours is more than six years old, candidates must complete an additional three hundred hours of recent (occurring in the last two years) occupational experience.

(e) In addition, candidates for initial certification in diversified occupations or coordinator of work based learning shall demonstrate competency in knowledge and skills described in WAC 180-77A-180.

(2) Initial renewal. Candidates for renewal of the initial certificate must complete three quarter hours of credit or thirty clock hours of ~~((vocationa))~~ career and technical education educator training in the subject area certified to teach since the initial certificate was issued or renewed.

(3) Continuing.

(a) Candidates for the continuing certificate shall have in addition to the requirements for the initial certificate at least nine quarter hours or ninety clock hours of ~~((vocationa))~~ career and technical education educator training in the ~~((vocationa))~~ career and technical education subject area to be certified completed subsequent to the conferral of the baccalaureate degree.

(b) Candidates for the continuing certificate shall provide as a condition for the issuance of a continuing certificate documentation of two years of teaching/coordination in the ~~((vocationa))~~ career and technical education subject area certified to teach with an authorized employer—i.e., school district(s) or skills center(s).

(4) Continuing certificate renewal.

(a) Candidates for renewal of the continuing certificate shall complete since the previous continuing certificate was issued one of the following:

(i) Six quarter hours or sixty clock hours of ~~((vocationa))~~ career and technical education educator training;

(ii) Three quarter hours or thirty clock hours of ~~((vocationa))~~ career and technical education educator training and three quarter hours or thirty clock hours of technical education/upgrading;

(iii) Three quarter hours or thirty clock hours of ~~((vocationa))~~ career and technical education educator training and three hundred hours of occupational experience.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77-041 Requirements for candidates seeking ~~((vocationa))~~ career and technical education certification on the basis of business and industry work experience.** Candidates for certification who have not completed approved programs set forth in WAC 180-82-322 shall complete the following requirements in addition to those set forth

in WAC 180-79A-150 (1) and (2) and 180-79A-155 (1) and (2).

(1) Initial.

(a) Candidates for the initial certificate shall provide documentation of three years (six thousand hours) of paid occupational experience in the specific ~~((vocationa))~~ career and technical education subcategory for which certification is sought. One year (two thousand hours) must be within the past six years. If all or part of the two thousand hours is more than six years old, candidates must complete an additional three hundred hours of recent (occurring in the last two years) occupational experience.

(b) Candidates for the initial certificate shall demonstrate competence in the general standards for all ~~((vocationa))~~ career and technical education teacher certificate candidates pursuant to WAC 180-77A-165, which include but are not limited to knowledge and skills in the following areas:

(i) General and specific safety;

(ii) ~~((vocationa))~~ Career and technical education teaching methods;

(iii) Occupational analysis;

(iv) Course organization and curriculum design;

(v) Philosophy of vocational education;

(vi) Personal student development and leadership techniques.

(c) Provided, until such time as two or more programs are approved by the SBE under WAC 180-77A-029, candidates shall complete a minimum of twenty-five quarter hours or two hundred fifty hours of ~~((vocationa))~~ career and technical education educator training and/or technical education/upgrading of which a minimum of ten quarter hours or one hundred clock hours of competency-based course work must be in the above areas.

(d) Candidates for the initial certificate shall also demonstrate knowledge and skills in the following areas:

(i) School law;

(ii) Issues related to abuse as specified in WAC ~~((180-78A-165-(1)(4)))~~ 180-77A-165(7).

(e) In addition, candidates for initial certification in diversified occupations or coordinator of work based learning shall demonstrate competency in knowledge and skills described in WAC 180-77A-180.

(2) Initial renewal. Candidates for renewal of the initial certificate must complete three quarter hours of credit or thirty clock hours of ~~((vocationa))~~ career and technical education educator training in the subject matter certified to teach since the initial certificate was issued or renewed.

(3) Continuing.

(a) Candidates for the continuing certificate shall have in addition to the requirements for the initial certificate at least nine quarter hours or ninety clock hours of ~~((vocationa))~~ career and technical education educator training in the ~~((vocationa))~~ career and technical education subject matter to be certified completed subsequent to the issuance of the initial certificate.

(b) Candidates for the continuing certificate shall provide as a condition for the issuance of a continuing certificate documentation of two years of teaching/coordination in the ~~((vocationa))~~ career and technical education subject matter

certified to teach with an authorized employer—i.e., school district(s) or skills center(s).

(4) Continuing certificate renewal.

(a) Candidates for renewal of the continuing certificate shall complete since the previous continuing certificate was issued one of the following:

(i) Six quarter hours or sixty clock hours of ~~((vocationa~~) career and technical education educator training;

(ii) Three quarter hours or thirty clock hours of ~~((vocationa~~) career and technical education educator training and three quarter hours or thirty clock hours of technical education/upgrading;

(iii) Three quarter hours or thirty clock hours of ~~((vocationa~~) career and technical education educator training and three hundred hours of occupational experience.

**AMENDATORY SECTION** (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

**WAC 180-77-068 Requirements for coordinator of work-based learning initial or continuing certificates.** To obtain a coordinator of work-based learning certificate, a candidate must:

(1) Possess a valid initial or continuing ~~((vocationa~~) career and technical education teaching certificate; and

(2) Have completed five hundred hours of occupational experience within the past six years; and

(3) Have completed an approved course in coordination techniques.

**AMENDATORY SECTION** (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

**WAC 180-77-070 Specific standards for certification of local ~~((vocationa~~) career and technical education administrative personnel.** (1) The local director and local assistant director and supervisor of ~~((vocationa~~) career and technical education must be eligible for a continuing ~~((vocationa~~) career and technical education certificate in one of the ~~((vocationa~~) career and technical education program areas for ~~((vocationa~~) career and technical education for initial certification as a director and must meet the following:

(a) The director must have educational requirements which are satisfactory to the local board of education;

(b) The director must have thirty quarter credits or the equivalent of ~~((vocationa~~) career and technical education educator training including a course in supervision and administration of ~~((vocationa~~) career and technical education, or equivalent experience;

(c) The director must have had three years of experience as a certificated ~~((vocationa~~) career and technical education supervisor, ~~((vocationa~~) career and technical education instructor, ~~((vocationa~~) career and technical education counselor or occupational information specialist.

(2) In order to renew the local director of ~~((vocationa~~) career and technical education certificate, six quarter credits or the equivalent of professional education or course work in ~~((vocationa~~) career and technical education supervisory or managerial subjects, or equivalent professional experience, is required.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77-075 Levels, validity and standards for certification of local ~~((vocationa~~) career and technical education counselors.** ~~((Vocationa~~) Career and technical education counselors are required to meet the following:

(1) Counselors are required to possess a valid educational staff associate—counselor certificate as provided in WAC 180-79A-221(1), in counseling and/or graduated from an institution of higher education in a counselor education program which includes study in such subjects as economics, sociology, psychology, political science and sources of occupational information in order to obtain a one-year certificate. All vocational counselors must have completed courses in the following or equivalent experiences:

(a) Techniques of counseling or counseling theory to include individual and/or group;

(b) Tests and measurements and/or individual mental measurement and/or psychological evaluation;

(c) Counseling practice;

(d) Philosophy of vocational education;

(e) Counselors must have had two years of varied work experience in the last ten years other than teaching or counseling experience;

(f) Experience is suggested in dealing with employment and personnel problems and with placement and evaluation of workers in business, industry, agriculture, education and/or government service.

(2) The requirements for a three-year certificate are as follows:

(a) The counselor must have possessed a one-year certificate in the past two years;

(b) Counselors must have had one year of ~~((vocationa~~) career and technical education counseling;

(c) Counselors must have three quarter credits or the equivalent of approved professional education since the previous certificate.

(3) The requirements for a five-year certificate are as follows:

(a) Counselors must have had two years of ~~((vocationa~~) career and technical education counseling during the previous three-year certificate;

(b) Counselors are required to have had six quarter credits or the equivalent of approved training in ~~((vocationa~~) career and technical education counseling and/or ~~((vocationa~~) career and technical education since the previous certificate.

(4) To renew a counselor certificate the following is required:

(a) The one-year certificate may be renewed two times;

(b) The three-year certificate may be renewed one time provided:

(i) The counselor has had one year of ~~((vocationa~~) career and technical education counseling during the life of the previous certificate; and

(ii) The counselor has had three quarter credits or the equivalent training in ~~((vocationa~~) career and technical education counseling and/or ~~((vocationa~~) career and technical education since the previous certificate.

(c) The five-year certificate may be renewed every five years provided:

(i) The counselor has had two years of ~~((vocationa))~~ career and technical education counseling during the previous five-year ~~((vocationa))~~ career and technical education certificate; and

(ii) The counselor has had six quarter credits or the equivalent of ~~((vocationa))~~ career and technical education training and/or equivalent experience.

**AMENDATORY SECTION** (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

**WAC 180-77-080 Levels, validity and standards for certification of occupational information specialist.** Occupational information specialists must meet the following requirements:

(1) Requirements for a one-year certificate for occupational information specialist are three years of full-time paid occupational experience of which two years shall have been in the last six years, dealing with employment or personnel problems and with placement and evaluation of workers; or two years of ~~((vocationa))~~ career and technical education teaching experience in an approved ~~((vocationa))~~ career and technical education program under the state plan for ~~((vocationa))~~ career and technical education;

(2) Requirements for a three-year certificate are as follows:

(a) The occupational information specialist must possess a one-year certificate within the preceding two years and must have one hundred twenty hours of professional experience during the life of the previous certificate;

(b) The occupational information specialist must have a total of nine quarter credits or the equivalent approved professional education;

(c) The occupational information specialist is required to have three quarter credits or the equivalent approved professional education since the last certificate.

(3) Requirements for a five-year certificate are as follows:

(a) Possession of a three-year ~~((vocationa))~~ career and technical education certificate within the preceding two years;

(b) ~~((Vocationa))~~ Career and technical education occupational information specialist experience of two years during the life of the previous certificate;

(c) A total of eighteen quarter credits or the equivalent of professional education.

(4) To renew an occupational information specialist certificate the following are required:

(a) The one-year certificate may be renewed two times;

(b) The three-year certificate may be renewed one time when the following are met:

(i) Professional experience of one hundred twenty hours as an occupational information specialist during the life of the previous certificate; and

(ii) Three quarter credits or the equivalent of professional education and/or equivalent experience since the previous certificate.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77-110 ~~((Vocationa))~~ Career and technical education instructor certification reciprocity.** The superintendent of public instruction will recognize community and technical college instructors certified under WAC 131-16-091 through 131-16-095 when these individuals provide instruction to high school students. These instructors must maintain their certification in good standing and, when employed to provide services within a public common school shall be required to have completed and have on file:

(1) Documentation of completion of the issues of abuse requirement pursuant to RCW 28A.410.035; and

(2) A background check as defined in WAC 180-79A-150(2) and RCW 28A.410.010; and

(3) Evidence of good moral character as required in WAC 180-79A-155.

**AMENDATORY SECTION** (Amending WSR 01-18-043, filed 8/29/01, effective 9/29/01)

**WAC 180-77-120 Out-of-state candidates.** Out-of-state applicants shall be eligible for Washington ~~((vocationa))~~ career and technical education certificates if they meet the standards in chapter 180-77 WAC or as follows: Provided, That candidates who apply for a ~~((vocationa))~~ career and technical education certificate who have not successfully completed course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse, must complete such course work or in-service program as a condition of the issuance of a ~~((vocationa))~~ career and technical education certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(1) Initial certificate. The initial certificate shall be issued by the superintendent of public instruction to a candidate who has two thousand hours of paid occupational experience and who meets one of the following:

(a) Qualifies under provisions of the interstate compact;

(b) Holds the appropriate degree and, if applicable, credit hours and/or licensing as set forth in this chapter and has completed a state-approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC 180-79A-150(4).

(2) Continuing certificate. The continuing certificate shall be issued on verification that the candidate has met all requirements for initial and continuing certification in the state of Washington.

**AMENDATORY SECTION** (Amending WSR 99-01-172, filed 12/23/98, effective 1/23/99)

**WAC 180-77-122 Appeal procedures.** ~~((Vocationa))~~ Career and technical education certification candidates who

apply directly to the superintendent of public instruction for a certificate, certificate renewal, or certificate reinstatement and whose application is denied shall be entitled to appeal that decision in accordance with the appeal procedures in chapter 180-86 WAC.

### Chapter 180-77A WAC

#### **APPROVAL STANDARDS FOR (~~VOCATIONAL-TECHNICAL~~) CAREER AND TECHNICAL EDUCATION TEACHER PREPARATION PROGRAMS BASED ON BUSINESS AND INDUSTRY WORK EXPERIENCE**

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-004 Overview.** These rules establish a performance-based preparation system for educators that supports the Improvement of Student Achievement Act of 1993 (1209) which will enable educators to implement the Washington state student learning goals and essential academic learning requirements. These rules also provide a framework for consistency and quality preparation of (~~vocational-technical~~) career and technical education teacher certification candidates using industry or business work experience.

Specifically, this chapter describes the procedures and standards for colleges/universities and other agencies or institutions to be approved as providers of preparation programs for (~~vocational-technical~~) career and technical education teacher certification based on business and industry work experience. In addition to colleges and universities, programs may be provided by community and technical colleges, school districts, educational service districts, or any combination of the above.

Finally, this chapter identifies the general standards which must be demonstrated by all successful applicants for (~~vocational-technical~~) career and technical education teacher certification based on business and industry work experience and the specific standards which will be demonstrated by those applying for certification in specialty areas.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-006 Purpose.** This chapter establishes procedures, standards, and criteria to be used in the development and approval of (~~vocational-technical~~) career and technical education teacher preparation programs based on business and industry work experience and identifies the knowledge and skill expected of all candidates.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-025 Program approval.** All programs leading to (~~vocational~~) career and technical education certification based on business and industry work experience offered in Washington state to prepare (~~vocational-techni-~~

~~cal~~) career and technical education teachers shall be approved pursuant to the requirements of this chapter.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-029 Procedures for initial approval of a (~~vocational-technical~~) career and technical education teacher preparation program for candidates applying under WAC 180-77-041.** Using the criteria published by the office of the superintendent of public instruction as a guideline, each program provider, which shall be a college or university, community or technical college, school district, educational service district, or any combination of the above, desiring to establish a (~~vocational-technical~~) career and technical education teacher preparation program for candidates applying under WAC 180-77-041 shall comply with the following:

(1) Advise the state board of education of the desire to establish the (~~vocational-technical~~) career and technical education teacher preparation program, identifying the agencies involved and the administrator of the program.

(2) Establish and maintain a representative program advisory committee including (~~vocational~~) career and technical education teachers from the discipline, at least one first-year teacher (if applicable) who has completed the respective program, (~~vocational~~) career and technical education administrators, and industry and/or community representatives.

The purpose of the program advisory committee is to advise, validate, and review the integrity of the respective (~~vocational-technical~~) career and technical education teacher education program.

(3) Describe the planned process that the approved (~~vocational-technical~~) career and technical education teacher preparation program will use to assess, in multiple ways, over time, its (~~vocational-technical~~) career and technical education teacher candidates knowledge and skills as required by WAC 180-77A-165, including, where appropriate, evidence related to positive impact on student learning.

(4) Describe the plan for assuring that adequate resources will be provided to support the program and that faculty will have the appropriate qualifications and work experience for the roles assigned.

(5) Present the plan to the state board of education.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-030 Length of time for which a (~~vocational-technical~~) career and technical education teacher program based on business and industry work experience shall be approved.** (1) The state board of education shall approve all programs under these program approval standards for five years unless the state board of education approves a variation.

(2) The state board of education, upon receipt of a complaint from any source or upon its initiative, may review all or any part of a program for compliance with the provisions of this chapter. If deviations are found, the state board of education is authorized to rescind program approval until the pro-

gram provider submits an acceptable compliance agreement which will bring the program into compliance as soon as reasonably practicable but no later than the commencement of the succeeding academic year or six calendar months, whichever is later.

(3) If an acceptable compliance agreement is not developed and approved by the state board of education, the program shall be placed on probationary status and the probationary status provision of WAC 180-77A-033 shall apply.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-033 Probationary status for a ((~~vocational-technical~~)) career and technical education teacher preparation program based on business and industry work experience.** Program providers with approved programs shall not lose official approval status until the state board of education has taken final action to disapprove the program: Provided, That programs shall be permitted for the current and one additional academic year following receipt of the formal notice of disapproval to continue as an approved preparation program on probationary status for the purpose of completing the program for those candidates for certification currently enrolled in the program and who are scheduled to complete such program within such academic years and for the purpose of regaining state board of education approval.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-037 Procedures for reestablishment of approval status for a ((~~vocational-technical~~)) career and technical education teacher preparation program based on business and industry work experience.** The procedures for the reestablishment of state board of education approval of a program shall be the same as the procedure for initial approval as provided in WAC 180-77A-029.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-040 Responsibilities of the designated program administrator.** Each provider of an approved ((~~vocational-technical~~)) career and technical education teacher preparation program based on business and industry work experience pursuant to WAC 180-77A-029 shall require the administrator to coordinate the following responsibilities:

- (1) Submit to the state board of education information required for obtaining and maintaining program approval.
- (2) Coordinate the process established for the candidate's demonstration of required knowledge and skills.
- (3) Establish procedures for providing the candidate with documentation of the successful demonstration of the required knowledge and skills.
- (4) Establish a process to counsel the candidate's application process for certification.
- (5) Coordinate management of operations and resources for the preparation program.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-057 Approval of a ((~~vocational-technical~~)) career and technical education teacher preparation program based on business and industry work experience offered by an out-of-state provider within the state applicable to certification.** No out-of-state provider shall offer a program of courses within Washington state for purposes of Washington state ((~~vocational-technical~~)) career and technical education teacher certification based on business and industry work experience without meeting all program approval requirements set forth in this chapter.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-165 General standards for all ((~~vocational-technical~~)) career and technical education teacher certification based on business and industry work experience.** All candidates shall demonstrate competence in the following standards:

- (1) State learning goals—The teacher is able to apply and integrate the state's learning goals and essential academic learning requirements in program implementation and assessment.
- (2) Learning environments—The teacher is able to create and sustain safe learning environments which prepare diverse students for the workplace, advanced training, and continued education.
- (3) Student characteristics and related instructional strategies—The teacher is able to identify the diverse needs of students and implement programs and strategies which promote student competency development and success.
- (4) Personal and professional attributes—The teacher models personal and professional attributes and leadership skills which reflect productive life and work roles.
- (5) Partnerships—The teacher implements and maintains collaborative partnerships with students, colleagues, community, business, industry, and families, which maximize resources and promote student self-sufficiency.
- (6) Law—The teacher understands school law and educational policy.
- (7) Issues of abuse—The teacher understands issues related to abuse including the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-180 ((~~Vocational-technical~~)) Career and technical education teacher preparation specialty standards.** In addition to the standards identified in WAC 182-82-332 or 180-77A-175, individuals obtaining certification in the areas of coordinator of work-based learning or

diversified occupations must demonstrate competency in the following standards.

(1) **Coordinator of work-based learning.**

(a) The work-based learning coordinator demonstrates the knowledge and ability to develop, implement, manage, and evaluate a diversified work-based learning program that utilizes local resources.

(b) The work-based learning coordinator models ethical behavior and demonstrates the ability to facilitate, supervise, and evaluate student leadership activities.

(c) The work-based learning coordinator demonstrates the ability to team with ~~((v~~o~~cational-~~t~~echnical))~~ career and technical education teachers and prospective employers to relate work-based learning with school-based learning and to measure student performance.

(d) The work-based learning coordinator demonstrates a commitment to professional development.

(e) The work-based learning coordinator demonstrates a current knowledge of the essential academic learning requirements and skills for entry level workers and uses a variety of methods to insure that students master the essential academic learning requirements.

(2) **Diversified occupations.**

(a) The diversified occupations teacher demonstrates competency in the areas of career exploration, employment acquisition, job retention, resource management (personal, community, workplace technology, consumerism), economic systems (entrepreneurship, economics), basis skills development, and leadership development.

(b) The diversified occupations teacher demonstrates the ability to link classroom learning with the world of work and coordinate work-based learning which prepares students for the world of work.

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-77A-195 Course work/internship waiver.** The provider of approved ~~((v~~o~~cational-~~t~~echnical))~~ career and technical education teacher programs based on business and industry work experience may waive required course work and/or waive or reduce in length the required internship for any candidate, based on an individual review if the college or university or approved provider determines that previous course work, work experiences, or alternative learning experiences have or will provide the candidate knowledge and skills to be otherwise gained from the required course work or internship.

**AMENDATORY SECTION** (Amending WSR 01-03-151, filed 1/24/01, effective 2/24/01)

**WAC 180-78A-209 Professional education advisory boards—Membership.** The professional education advisory boards shall at a minimum consist of the following:

(1) **TEACHER.**

(a) One-half or more of the voting members shall be classroom teachers. All, but one, will be appointed by the president of the Washington Education Association. One of these teachers shall be employed in a private school and

appointed by the Washington Federation of Independent Schools.

(b) At least one principal appointed by the president of the Association of Washington School Principals.

(c) At least one school administrator appointed by the Washington Association of School Administrators.

(d) At least one college or university representative who may serve in a voting or nonvoting role.

(e) At colleges or universities where ~~((v~~o~~cational))~~ career and technical education programs are offered, one ~~((v~~o~~cational))~~ career and technical education director or ~~((v~~o~~cational))~~ career and technical education teacher, with expertise in one of the approved ~~((v~~o~~cational))~~ career and technical education programs at the college or university, appointed by the Washington Association of Vocational Administrators in cooperation with the college or university.

(2) **ADMINISTRATOR.**

(a) One-half or more of the voting members shall be administrators. One-half of these administrators (at least one-fourth of the total voting membership) shall be appointed by the president of the Washington Association of School Administrators. All but one of the remaining administrators shall be appointed by the president of the Association of Washington School Principals. The remaining administrator shall be employed in an approved private school and appointed by the Washington Federation of Independent Schools.

(b) At least one or more classroom teachers appointed by the president of the Washington Education Association.

(c) At least one college or university representative who may serve in a voting or nonvoting role.

(3) **SCHOOL COUNSELOR.**

(a) At least one-half of the voting members shall be school counselors appointed by the president of the Washington School Counselors Association.

(b) At least one teacher appointed by the president of the Washington Education Association.

(c) At least one principal appointed by the Association of Washington School Principals.

(d) At least one administrator appointed by the Washington Association of School Administrators.

(e) At least one college or university representative who may serve in a voting or nonvoting role.

(4) **SCHOOL PSYCHOLOGIST.**

(a) At least one-half of the voting members shall be school psychologists appointed by the president of the Washington State Association of School Psychologists.

(b) At least one teacher appointed by the president of the Washington Education Association.

(c) At least one principal appointed by the Association of Washington School Principals.

(d) At least one administrator appointed by the Washington Association of School Administrators.

(e) At least one college or university representative who may serve in a voting or nonvoting role.

(5) **SCHOOL SOCIAL WORKER.**

(a) At least one-half of the voting members shall be school social workers appointed by the president of the Washington Association of School Social Workers.



(b) At least one teacher appointed by the president of the Washington Education Association.

(c) At least one principal appointed by the Association of Washington School Principals.

(d) At least one administrator appointed by the Washington Association of School Administrators.

(e) At least one college or university representative who may serve in a voting or nonvoting role.

**AMENDATORY SECTION** (Amending WSR 99-23-023, filed 11/9/99, effective 12/10/99)

**WAC 180-78A-270 Approval standard—Knowledge and skills.** Building on the mission to prepare educators who demonstrate a positive impact on student learning based on the Improvement of Student Achievement Act of 1993 (1209), the following evidence shall be evaluated to determine whether each preparation program is in compliance with the program approval standards of WAC 180-78A-220(5):

(1) **TEACHER.** Teacher candidates will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

**Foundational knowledge**

(a) The state learning goals and essential academic learning requirements.

(b) The subject matter content for the area(s) they teach, including relevant methods course work and the knowledge and skills for each endorsement area for which the candidate is applying (chapter 180-82 WAC).

(c) The social, historical, and philosophical foundations of education, including an understanding of the moral, social, and political dimensions of classrooms, teaching, and schools.

(d) The impact of technological and societal changes on schools.

(e) Theories of human development and learning.

(f) Inquiry and research.

(g) School law and educational policy.

(h) Professional ethics.

(i) The responsibilities, structure, and activities of the profession.

(j) Issues related to abuse including the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(k) The standards, criteria and other requirements for obtaining the professional certificate.

**Effective teaching**

(l) Research and experience-based principles of effective practice for encouraging the intellectual, social, and personal development of students.

(m) Different student approaches to learning for creating instructional opportunities adapted to learners from diverse cultural or linguistic backgrounds.

(n) Areas of exceptionality and learning — including, but not limited to, learning disabilities, visual and perceptual difficulties, and special physical or mental challenges.

(o) Effective instructional strategies for students at all levels of academic abilities and talents.

(p) Instructional strategies for developing reading, writing, critical thinking, and problem solving skills.

(q) The prevention and diagnosis of reading difficulties and research-based intervention strategies.

(r) Classroom management and discipline, including:

(i) Individual and group motivation for encouraging positive social interaction, active engagement in learning, and self-motivation.

(ii) Effective verbal, nonverbal, and media communication for fostering active inquiry, collaboration, and supportive interactions in the classroom.

(s) Planning and management of instruction based on knowledge of the content area, the community, and curriculum goals.

(t) Formal and informal assessment strategies for evaluating and ensuring the continuous intellectual, social, and physical development of the learner.

(u) Collaboration with school colleagues, parents, and agencies in the larger community for supporting students' learning and well-being.

(v) Effective interactions with parents to support students' learning and well-being.

**Professional development**

(w) The opportunity for candidates to reflect on their teaching and its effects on student growth and learning.

(x) Educational technology including the use of computer and other technologies in instruction, assessment and professional productivity.

(y) Strategies for effective participation in group decision making.

(2) **PRINCIPAL AND PROGRAM ADMINISTRATOR.** Effective August 31, 1997, principal and program administrator candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in an approved preparation program which shall include:

(a) Specific performance domains. An approved preparation program shall require the candidate to demonstrate in course work and the internship the following:

(i) **Leadership:** Formulating goals with individuals or groups; initiating and maintaining direction with groups and guiding them to the accomplishment of tasks; setting priorities for one's school in the context of community and district priorities and student and staff needs; integrating own and others' ideas for task accomplishment; initiating and planning organizational change.

(ii) **Information collection:** Gathering data, facts, and impressions from a variety of sources about students, parents, staff members, administrators, and community members; seeking knowledge about policies, rules, laws, precedents, or practices; managing the data flow; classifying and organizing information for use in decision making and monitoring.

(iii) **Problem analysis:** Identifying the important elements of a problem situation by analyzing relevant informa-



tion; framing problems; identifying possible causes; identifying additional needed information; framing and reframing possible solutions; exhibiting conceptual flexibility; assisting others to form reasoned opinions about problems and issues.

(iv) **Judgment:** Reaching logical conclusions and making high quality, timely decisions given the best available information.

(v) **Organizational oversight:** Planning and scheduling one's own and others' work so that resources are used appropriately, and short-term and long-term priorities and goals are met; monitoring projects to meet deadlines.

(vi) **Implementation:** Making things happen; putting programs and plans into action; applying management technologies; applying methods of organizational change including collaborative processes; facilitating tasks; establishing progress checkpoints; considering alternative approaches; providing "mid-course" corrections when actual outcomes start to diverge from intended outcomes; adapting to new conditions.

(vii) **Delegation:** Assigning projects or tasks together with clear authority to accomplish them and responsibility for their timely and acceptable completion.

(viii) **Instructional program:** Envisioning and enabling instructional and auxiliary programs for the improvement of teaching and learning; recognizing the developmental needs of students; insuring appropriate instructional methods; designing positive learning experiences; accommodating differences in cognition and achievement; mobilizing the participation of appropriate people or groups to develop these programs and to establish a positive learning environment.

(ix) **Curriculum design:** Interpreting school district curricula; planning and implementing with staff a framework for instruction that shall include the implementation of the state learning goals and essential academic learning requirements; initiating needs analyses and monitoring social and technological developments as they affect curriculum; responding to international content levels; adjusting content as needs and conditions change.

(x) **Student guidance and development:** Providing for student guidance, counseling, and auxiliary services; utilizing community organizations; responding to family needs; enlisting the participation of appropriate people and groups to design and conduct these programs and to connect schooling with plans for adult life; planning for a comprehensive program of student activities.

(xi) **Staff development:** Identifying with participants the professional needs of individuals and groups; planning and organizing programs to improve staff effectiveness; supervising individuals and groups; engaging staff and others to plan and participate in recruitment and development; initiating self-development.

(xii) **Measurement and evaluation:** Determining what diagnostic information is needed about students, staff, and the school environment; examining the extent to which outcomes meet or exceed previously defined standards, goals, or priorities for individuals or groups; drawing inferences for program revisions; interpreting measurements or evaluations for others; relating programs to desired outcomes; developing equivalent measures of competence.

(xiii) **Resource allocation:** Planning and developing the budget with appropriate staff; seeking, allocating, and adjusting fiscal, human, and material resources; utilizing the physical plant; monitoring resource use and reporting results.

(xiv) **Motivating others:** Building commitment to a course of action; creating and channeling the energy of self and others; planning and encouraging participation; supporting innovation; recognizing and rewarding effective performance; providing coaching, guidance, or correction for performance that needs improvement; serving as a role model.

(xv) **Sensitivity:** Perceiving the needs and concerns of others; dealing with others tactfully; working with others in emotionally stressful situations or in conflict; managing conflict; obtaining feedback; recognizing multicultural sensitivities.

(xvi) **Oral expression:** Making oral presentations that are clear and easy to understand; clarifying and restating questions; responding, reviewing, and summarizing for groups; utilizing appropriate communicative aids; adapting for audiences.

(xvii) **Written expression:** Expressing ideas clearly in writing; writing appropriately for different audiences such as students, teachers, and parents; preparing brief memoranda.

(xviii) **Philosophical and cultural values:** Acting with a reasoned understanding of the role of education in a democratic society and in accord with accepted ethical standards; recognizing philosophical and historical influences in education; reflecting an understanding of American culture, including current social and economic issues related to education; recognizing global influences on students and society.

(xix) **Legal and regulatory applications:** Acting in accordance with relevant federal and Washington state laws, rules, and policies; recognizing governmental influences on education; working within local rules, procedures, and directives; administering contracts.

(xx) **Policy and political influences:** Identifying relationships between public policy and education; recognizing policy issues; examining and affecting policies individually and through professional and public groups; relating policy initiatives to the welfare of students; addressing ethical issues.

(xxi) **Public and media relationships:** Developing common perceptions about school issues; interacting with parental and community opinion leaders; understanding and responding skillfully to the electronic and printed news media; initiating and reporting news through appropriate channels; enlisting public participation; recognizing and providing for market segments.

(b) Performance assessment. An approved preparation program for principals shall require that prior to the internship each candidate shall engage in a performance assessment through a process determined by each preparation program. The results of this assessment shall be utilized by the college/university supervisor, the cooperating principal, and the principal candidate to cooperatively design the internship plan.

(3) **SUPERINTENDENT.** Superintendent candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experi-

ences in an approved preparation program for superintendents which shall include specific performance domains for superintendents. An approved preparation program for superintendents shall require the candidate to demonstrate in course work and the internship the following:

(a) **Strategic leadership:** The knowledge, skills and attributes to identify contexts, develop with others vision and purpose, utilize information, frame problems, exercise leadership processes to achieve common goals, and act ethically for educational communities. This includes:

- (i) Professional and ethical leadership.
- (ii) Information management and evaluation.

(b) **Instructional leadership:** The knowledge, skills and attributes to design with others appropriate curricula and instructional programs which implement the state learning goals and essential academic learning requirements, to develop learner centered school cultures, to assess outcomes, to provide student personnel services, and to plan with faculty professional development activities aimed at improving instruction. This includes:

(i) Curriculum, instruction, supervision, and learning environment.

- (ii) Professional development and human resources.
- (iii) Student personnel services.

(c) **Organizational leadership:** The knowledge, skills and attributes to understand and improve the organization, implement operational plans, manage financial resources, and apply decentralized management processes and procedures. This includes:

- (i) Organizational management.
- (ii) Interpersonal relationships.
- (iii) Financial management and resource allocation.
- (iv) Technology and information system.

(d) **Political and community leadership:** The knowledge, skills and attributes to act in accordance with legal provisions and statutory requirements, to apply regulatory standards, to develop and apply appropriate policies, to be conscious of ethical implications of policy initiatives and political actions, to relate public policy initiatives to student welfare, to understand schools as political systems, to involve citizens and service agencies, and to develop effective staff communications and public relations programs. This includes:

- (i) Community and media relations.
- (ii) Federal and Washington state educational law, public policy and political systems.

(4) **SCHOOL COUNSELOR.** School counselor candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

(a) Human growth and development (studies that provide an understanding of the nature and needs of individuals at all developmental levels).

(b) Social and cultural foundations (studies that provide an understanding of issues and trends in a multicultural and diverse society).

(c) Helping relationships (studies that provide an understanding of counseling and consultation processes).

(d) Group work (studies that provide an understanding of group development, dynamics, counseling theories, group counseling methods and skills, and other group work approaches).

(e) Career and lifestyle development (studies that provide an understanding of career development and related life factors).

(f) Appraisal (studies that provide an understanding of individual and group approaches to assessment and evaluation), including assessment of the state learning goals and essential academic learning requirements.

(g) Research and program evaluation (studies that provide an understanding of types of research methods, basic statistics, and ethical and legal considerations in research).

(h) Professional orientation (studies that provide an understanding of all aspects of professional functioning including history, roles, organizational structures, ethics, standards, and credentialing).

(i) Foundations of school counseling including:

(i) History, philosophy, and trends in school counseling;

(ii) Role and function of the school counselor in conjunction with the roles of the professional and support personnel in the school;

(iii) Knowledge of the school setting and curriculum including the state learning goals and essential academic learning requirements;

(iv) Ethical standards and guidelines of the American School Counselor Association (ASCA);

(v) State and federal policies, laws, and legislation relevant to school counseling; and

(vi) Implications of sociocultural, demographic, and lifestyle diversity relevant to school counseling.

(j) Studies that provide an understanding of the coordination of counseling program components as they relate to the total school community including:

(i) Referral of children and adolescents for specialized help;

(ii) Coordination efforts with resource persons, specialists, businesses, and agencies outside the school to promote program objectives;

(iii) Methods of integration of guidance curriculum in the total school curriculum;

(iv) Promotion of the use of counseling and guidance activities and programs by the total school community to enhance a positive school climate; and

(v) Methods of planning and presenting guidance-related educational programs for school personnel and parents.

(k) Theory, knowledge and skills for the practice of school counseling including:

(i) Program development, implementation and evaluation. Studies in this area include:

(A) Use of surveys, interviews, and needs assessments;

(B) Design, implementation and evaluation of a comprehensive, developmental school program;

(C) Implementation and evaluation of specific strategies designed to meet program goals and objectives;

(D) Preparation of a counseling schedule reflecting appropriate time commitments and priorities in a developmental school counseling program; and

(E) Use of appropriate technology and information systems.

(ii) Counseling and guidance. Studies in this area include:

(A) Individual and group counseling and guidance approaches appropriate for the developmental stage and needs of children and adolescents;

(B) Group guidance approaches that are systematically designed to assist children and adolescents with developmental tasks;

(C) Approaches to peer helper programs;

(D) Issues which may affect the development and function of children and adolescents (e.g., abuse, eating disorders, attention deficit hyperactivity disorder, exceptionalism, substance abuse, violence, suicide, dropout);

(E) Developmental approaches to assist students and parents at points of educational transition (e.g., postsecondary education, ~~(vocational)~~ career and technical education, and career options);

(F) Crisis intervention and referral; and

(G) System dynamics, including family, school, community, etc.

(iii) Consultation. Studies in this area shall include:

(A) Methods of enhancing teamwork within the school community; and

(B) Methods of involving parents, teachers, administrators, support staff and community agency personnel.

(5) **SCHOOL PSYCHOLOGIST.** School psychologist candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

(a) Knowledge of the field. The candidate has knowledge and skill in relevant fields of study, including:

(i) Learning theory.

(ii) Personality theory and development.

(iii) Individual and group testing and assessment.

(iv) Individual and group counseling and interviewing theory and techniques.

(v) Basic statistics.

(vi) Child development.

(vii) Exceptional children.

(viii) Social and cultural factors.

(ix) Deviant personality.

(x) Curriculum, including the state learning goals and essential academic learning requirements.

(xi) Research design.

(xii) Physiological and biological factors.

(b) Assessment and diagnosis. The candidate has knowledge and skill necessary to select, administer, score, and interpret instruments and techniques in the following areas:

(i) Intellectual and cognitive assessment.

(ii) Individual and group academic skills: Standardized norm-referenced and criteria-referenced measurements and curriculum-based measurements.

(iii) Personality assessment.

(iv) Assessment of perceptual skills.

(v) Assessment of adaptive behavior; assessment of language skills.

(c) Behavioral observation and analysis. The candidate has knowledge and skill in behavior observation, including:

(i) Data taking.

(ii) Frequency measures.

(iii) Qualitative and quantitative analysis of classroom behavior.

(iv) Developmental and personality analysis, including perceptual, cognitive, social, and affective and language development in children.

(d) Counseling and interviewing. The candidate has the knowledge and skill necessary to:

(i) Provide individual and group counseling to students and parents.

(ii) Conduct interviews essential to information collecting from parents, teachers, and other professionals.

(e) Program development. The candidate has the knowledge and skill to make educational prescriptions, including specification of remedial environmental changes, both curricular and behavioral, for a particular student.

(f) Consultation. The candidate has the knowledge and skill to:

(i) Function on multidisciplinary teams in evaluating and placing students.

(ii) Confer with and make recommendations to parents, specialists, teachers, referral personnel, and others relative to student's characteristics and needs in the educational and home environments.

(g) Program evaluation and recordkeeping. The candidate has the knowledge and skill necessary to develop and implement program evaluation and maintain required records.

(h) Professionalism. The candidate has knowledge of professional standards regarding ethical and legal practices relevant to the practice of school psychology. The candidate demonstrates knowledge and skill in written and oral reporting of assessment and remedial recommendations which will meet ethical and legal standards.

(i) Research. The candidate has knowledge and skill to:

(i) Evaluate and perform research.

(ii) Apply school-oriented research.

(iii) Construct criterion-referenced instruments with reference to such educational decisions as:

(A) Retention in grade.

(B) Acceleration and early entrance.

(C) Early entrance.

(6) **SCHOOL SOCIAL WORKER.** School social worker candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

(a) Knowledge for social work practice. The candidate has knowledge and skills in relevant fields of study including:

(i) Values.

(A) Knowledge of profession including values, skills, and ethics; and

(B) National Association of Social Workers (NASW) Code of Ethics and school social work guidelines for practice.

(ii) Human behavior and the social environment.

(A) Community theory and community change (e.g., community organization and development, social planning, networking, and case management);

(B) Systems and organizational theory (e.g., school as a bureaucracy);

(C) Social disorganization (e.g., poverty, family and community violence, unemployment, addictions, multiple losses), and context of family in a changing society;

(D) Family dynamics and theories of family therapy;

(E) Human/child growth and development;

(F) Diverse populations of: Race, culture, social class, life style, age, gender and the disabled;

(G) Theories of personality; and

(H) Use of computer technology for social work practice.

(b) Service delivery and program development. The candidate will have knowledge and skills in the following activities:

(i) Direct practice.

(A) Referring, developing, and coordinating resources and services in the local education agency and community;

(B) Knowledge and skills related to families;

(C) Case management;

(D) Working with vulnerable and "hard to reach" individuals and families, including those from diverse populations;

(E) Crisis intervention, conflict resolution, stress management and decision-making skills;

(F) Individual and group counseling to improve students' self-knowledge and interactional skills for personal empowerment;

(G) Interviewing and counseling students in relation to social-personal problems adjudged to be impairing student's ability to learn;

(H) Family interventions including parent education; referral to resources; family counseling;

(I) Teaching children communication and interpersonal relationship skills through individual/group/classroom interventions;

(J) Collaborating and consulting with parents and community to assure readiness to learn for all students;

(K) Multidimensional assessment of student's social-emotional adjustment, adaptive behaviors, individual strengths, and environmental assets;

(L) Intervention case planning processes; and

(M) Career and academic guidance to students in their school to work transitions.

(ii) Indirect practice.

(A) Liaison and facilitator between and among home, school and community;

(B) Collaborate and consult with other educational staff to assure student progress;

(C) Use computer technology for practice and efficiency;

(D) Develop strategies for increased parental and community involvement with the school;

(E) Develop programs of remediation for students and their families;

(F) Design, coordinate and facilitate programs such as suicide prevention, truancy and drop-out prevention, and prevention of teenage pregnancy;

(G) Provide staff development programs;

(H) Work collaboratively with educational staff to develop programs to address school-community identified needs; and

(I) Function as change agents.

(c) Research and evaluation. The candidate will have necessary skills and knowledge to:

(i) Collect and interpret data in order to evaluate student, school, and community needs;

(ii) Evaluate own practice;

(iii) Become consumer of research findings;

(iv) Understand use of program evaluation methods; and  
(v) Utilize computer technology for research and evaluation.

(d) Context for educational system. The candidate will have necessary knowledge and skills to apply the following:

(i) State learning goals and essential academic learning requirements;

(ii) Theories of learning;

(iii) School law and professional ethics;

(iv) Computer technology in the workplace; and

(v) Understanding of policies, laws, and procedures.

**AMENDATORY SECTION** (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

**WAC 180-79A-117 Uniform expiration date.** (1) All certificates issued for one or more stated years shall expire on June 30 of the stated year and shall be calculated as follows:

(a) Certificates issued prior to June 30 of a calendar year, other than limited certificates issued pursuant to WAC ((~~180-79A-230~~) 180-79A-231), shall have the expiration date of the certificate calculated on the basis such certificate was issued on June 30 of the same calendar year regardless of the date of issuance.

(b) Certificates issued July 1 or later in the calendar year, other than limited certificates issued pursuant to WAC ((~~180-79A-230~~) 180-79A-231), shall have the expiration date of the certificate calculated on the basis such certificate was issued on June 30 of the next calendar year regardless of the date of issuance.

(c) All valid existing certificates scheduled to expire on August 31 of a given year shall be valid until June 30 of the following year.

(2) An applicant who holds a valid certificate, who submits an application for further certification prior to the expiration date of that certificate, and who meets all the requirements of WAC 180-79A-128, shall be granted a one hundred eighty-day permit as provided in chapter 180-79A WAC.

**AMENDATORY SECTION** (Amending WSR 01-09-005, filed 4/5/01, effective 5/6/01)

**WAC 180-79A-130 Fee for certification.** (1) In accordance with provisions of RCW 28A.410.060 and 28A.415.010, the fee for certificates which are valid for more than one year, issued by authority of the state of Washington

and authorizing the holder to serve in the common schools of the state, shall be as follows:

(a) The continuing certificate, seventy dollars;

(b) The reinstatement, additional endorsement on the teaching certificate, duplicate certificates, substitute certificates, and certificates issued for the purpose of showing a name change, fifteen dollars; and

(c) Any other certificate or credential or any renewal thereof, five dollars for each year of validity:

(d) Provided, That the fee for all (~~vocational~~) career and technical education certificates shall be one dollar.

(2) The fee for any other certificate/credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be five dollars.

(3) Officials authorized to collect certification fees are educational service district superintendents, local school district superintendents, deans and directors of education at colleges and universities, or their designees. The fee must accompany the application for a certificate and shall be transmitted by the receiving district, college or university, or program unit designee at least quarterly to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A.410.060. The fee shall not be refunded unless the application is withdrawn before it is finally considered (i.e., the issuance of a certificate or a written communication denying such issuance) by the superintendent of public instruction or his or her designee. Fees not refunded shall apply as credit toward certificate fees if such applicant reapplies within twenty-four months of the date of denial. Moneys accrued from certification fees within the boundaries of an educational service district shall be divided in the following manner:

(a) Local school districts employing more than one hundred teachers and other professional staff and collecting certification fees may retain one dollar of each fee in order to hold a professional training institute. If such district does not hold an institute, all such moneys shall be placed to the credit of the educational service district.

(b) No less than fifty percent of the funds accruing within the boundaries of an educational service district shall be used to support program activities related to statewide pre-certification professional preparation and evaluation.

(c) The remaining funds shall be used to support professional in-service training programs and evaluations thereof.

**AMENDATORY SECTION** (Amending WSR 00-13-063, filed 6/16/00, effective 7/17/00)

**WAC 180-79A-140 Types of certificates.** Five types of certificates shall be issued:

(1) Teacher. The teacher certificate, including teacher exchange permits as provided in WAC 180-79A-220, authorizes service as a classroom teacher.

(2) Vocational. The (~~vocational~~) career and technical education certificate authorizes service in (~~vocational~~) career and technical education programs in accordance with the provisions of chapter 180-77 WAC.

(3) Administrator.

(a) The administrator certificate for principal authorizes services as a building administrator or vice-principal. The initial principal certificate shall indicate one of the following grade levels, preschool-9, 4-12, or preschool-12, based on recommendations from the college or university in which the candidate completed an approved preparation program.

(b) The administrator certificates for superintendent or program administrator will be issued to persons who meet state board of education certification standards for service in the roles of superintendent or program administrator.

(4) Educational staff associate. The educational staff associate certificate authorizes service in the roles of school speech pathologists or audiologists, school counselors, school nurses, school occupational therapists, school physical therapists, school psychologists, and school social workers: Provided, That nothing within chapter 180-79A WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

(5) Limited certificates. The following limited certificates are issued to individuals under specific circumstances set forth in WAC 180-79A-231:

(a) Conditional certificate.

(b) Substitute certificate.

(c) Emergency certificate.

(d) Emergency substitute certificate.

(e) Intern substitute teacher certificate.

**AMENDATORY SECTION** (Amending WSR 99-23-023, filed 11/9/99, effective 12/10/99)

**WAC 180-79A-150 General requirements—Teachers, administrators, educational staff associates.** The following requirements are to be met by candidates for certification as teachers including (~~vocational~~) career and technical education teachers, administrators, or educational staff associates:

(1) Age. No person who is less than eighteen years of age shall receive a certificate to serve in the public or nonpublic schools of Washington state.

(2) Character. Applicants for certificates in Washington state who are not holders of a valid Washington state teacher's, administrator's, educational staff associate's, or (~~vocational~~) career and technical education certificate must give evidence of good moral character and personal fitness as specified in WAC 180-79A-155 and must complete a record check through the Washington state patrol criminal identification system and through the Federal Bureau of Investigation at the applicant's expense as required by RCW 28A.410.010; such record check shall include a fingerprint check using a Washington state patrol approved fingerprint card: Provided, That the superintendent of public instruction may waive the record check for an applicant who has had a record check within the two years prior to application.

(3) Degrees and course work. A candidate for certification shall hold appropriate degrees, licenses, and additional course work as prescribed in chapters 180-79A and 180-77 WAC or have qualified under WAC 180-79A-257.

(4) Approved preparation program. Applicants for certification as teachers, administrators, school counselors, school psychologists and school social workers, except as otherwise provided in WAC 180-79A-257, and 180-79A-231, (~~and 180-79A-241~~) and in chapter 180-77 WAC, in order to be certified within the state of Washington shall have completed a state approved college/university preparation program in the professional field for which certification is to be issued. In addition, candidates for principal's certificates must hold a valid teacher's certificate, excluding certificates issued under WAC 180-79A-231 (~~or 180-79A-241~~), or comparable out-of-state certificates. Candidates for superintendent's certificates must hold a valid teacher, educational staff associate, (~~or~~) program administrator, or principal certificate; excluding certificates issued under WAC 180-79A-231 (~~or 180-79A-241~~), or comparable out-of-state certificates.

**AMENDATORY SECTION** (Amending WSR 01-03-152, filed 1/24/01, effective 2/24/01)

**WAC 180-79A-211 Academic and experience requirements for certification—Administrators.** Candidates for the respective administrative certificate shall complete the following requirements in addition to those set forth in WAC 180-79A-150 and 180-79A-213.

(1) Superintendent.

(a) Initial.

(i) The candidate shall hold an approved master's degree and have completed subsequent to the baccalaureate degree at least forty-five quarter credit hours (thirty semester credit hours) of graduate level course work in education.

(ii) The candidate must meet requirements for a superintendent's certificate pursuant to WAC 180-79A-150(4).

(b) Continuing.

(i) The candidate shall hold an approved master's degree and have completed subsequent to the baccalaureate degree at least sixty quarter credit hours (forty semester credit hours) of graduate level course work in education or shall hold a doctorate in education.

(ii) The candidate must meet requirements for a superintendent's certificate pursuant to WAC 180-79A-150(4).

(iii) Candidates applying for continuing superintendent's certificate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(2) Principal:

(a) Initial.

(i) The candidate shall hold an approved master's degree and have completed an approved program for the preparation of principals.

(ii) Candidates applying for initial principal's certificates who were admitted to a principal preparation program prior to August 31, 1998, shall present documentation of one hundred eighty days or full-time equivalent or more teaching experience with an authorized employer—i.e., school district, state agency, college or university, private school system—and at least thirty days of such employment with the

same employer. Candidates applying for the initial principal's certificate who were admitted to a principal preparation program on or after August 31, 1998, shall present documentation of five hundred forty days (three school years) of full-time or more P-12 teaching in a public or private school system. No more than sixty days substitute or equivalent teaching experience may be included for this requirement.

(b) Continuing.

(i) The candidate who applies prior to August 31, 1998, shall hold an approved master's degree and completed subsequent to the baccalaureate degree at least forty-five hours (thirty semester hours) of graduate level course work in education or shall hold a doctorate in education.

(ii) The candidate who applies on or after August 31, 1998, shall hold an approved master's degree and shall have completed at least fifteen quarter (ten semester) credit hours of graduate course work offered by a college or university with a state approved principal program or one hundred fifty clock hours of study, which meet the state continuing education clock hour criteria pursuant to chapter 180-85 WAC, or a combination of credits and clock hours equivalent to the above. Such study shall:

(A) Be based on the principal performance domains included in WAC 180-78A-270(2);

(B) Be taken subsequent to the issuance of the initial principal's certificate; and

(C) Be determined in consultation with and approved by the candidate's employer or the administrator of a state approved principal preparation program.

(iii) Provided, That a candidate who held a valid initial principal's certificate on August 31, 1998, may meet the academic requirement for the continuing certificate described in WAC 180-79A-211 (2)(b)(~~(iii)~~) (i), if the candidate meets requirements for and applies for the continuing certificate by the expiration date on that initial certificate.

(iv) The candidate must meet requirements for a principal's certificate pursuant to WAC 180-79A-150(4).

(v) Candidates applying for continuing principal's certificate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer. Candidates applying for the continuing principal's certificate on or after August 31, 1998, shall provide documentation of three contracted school years of full-time employment as a principal or assistant principal.

(vi) Provided, That a candidate who held a valid initial principal's certificate on August 31, 1998, may meet the one hundred-eighty day experience requirement described in WAC 180-79A-211 (2)(b)(v), if that candidate meets requirements and applies for the continuing certificate by the expiration date on that initial certificate.

(3) Program administrator.

(a) Initial.

The candidate shall hold an approved master's degree and have completed subsequent to the baccalaureate degree at least twenty-four quarter credit hours (sixteen semester credit hours) of graduate level course work in education.

(b) Continuing.

(i) The candidate shall hold an approved master's degree and have completed subsequent to the baccalaureate degree at least thirty quarter credit hours (twenty semester credit hours) of graduate level course work in education or shall hold a doctorate in education.

(ii) Candidates applying for continuing program administrator's certificate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

**AMENDATORY SECTION** (Amending WSR 99-04-008, filed 1/21/99, effective 2/21/99)

**WAC 180-82-105 Assignment of classroom teachers within districts.** In addition to holding teaching permits or certificates as required by WAC 180-16-220(2), the assignment of classroom teachers in the basic program of education shall comply with the following:

(1) Classroom teachers with standard or unendorsed continuing teacher certificates may be assigned to any grade or subject areas for which certification is required.

(2) Classroom teachers with initial, residency, endorsed continuing, or professional teacher certificates may be assigned only to the specified grades and specified subject areas stated as endorsements upon their respective certificates or permits.

(3) Classroom teachers with initial, residency, endorsed continuing, or professional teacher certificates who have an elementary education endorsement may be assigned to teach any subject in grades K-8.

(4) Any certificated teacher who has completed twenty-four quarter hours (sixteen semester hours) of academic study in a content area that will be offered in grades four through nine may be assigned to that course even if the teacher does not hold an endorsement in that area.

(5) Any certificated teacher may be assigned to a middle school or junior high school block program, which for the purpose of this section shall be defined as the same teacher assigned to teach two or more subject areas to the same group of students, if the teacher has an endorsement in one of the subject areas and has completed or will complete within one year nine quarter hours in each of the other subject areas.

(6) Upon determination by school districts that teachers have the competencies to be effective teachers in alternative settings, individuals with initial, residency, endorsed continuing, or professional teacher certificates who have completed provisional status with a school district under RCW 28A.-405.220 may be assigned to teach in alternative schools.

(7) Any certificated teacher may be assigned to courses offered in basic education subject areas not included with the list of endorsements specified in WAC 180-79A-302.

(8) Any certificated teacher may be assigned to serve as a substitute classroom teacher at any grade level or in any subject area for a period not to exceed thirty consecutive school days in any one assignment.

(9) Any certificated person holding a limited certificate as specified in WAC 180-79A-230 or a ~~(vocational)~~ career and technical education certificate as specified in chapter 180-77 WAC may be assigned as per the provisions of such section or chapter.

(10) If a teacher is assigned to provide special education, then the district must also comply with WAC 392-172-200 and 392-172-202.

(11) For the purpose of this section, the term "specified subject areas" shall mean courses or classes with the same subject area title as specified by the classroom teachers endorsement and courses or classes which the board of directors of the district determines to substantially include the same subject area as the endorsement—e.g., a classroom teacher with a health endorsement may be assigned to any course, regardless of course title, which substantially includes health as the subject area.

(12) Exceptions to the assignment requirements of subsection (1) of this section must comply with WAC 180-82-110.

(13) School district compliance with this section shall be subject to the state staff review process specified in WAC 180-16-195(2).

**AMENDATORY SECTION** (Amending WSR 01-13-108, filed 6/20/01, effective 7/21/01)

**WAC 180-82-202 Certificate endorsements.** Teacher certificates shall be endorsed as follows, except as otherwise provided in WAC 180-79A-257 (1)(d):

(1) **All levels:**

(a) Bilingual education, (supporting).

(b) Designated arts: Dance, (primary and supporting).

(c) Designated arts: Drama, (primary and supporting).

(d) Designated arts: Music: Choral, instrumental or general, (primary and supporting).

(e) Designated arts: Visual arts, (primary and supporting).

(f) Designated world languages, (primary and supporting).

(g) English as a second language, (primary and supporting).

(h) Health/fitness, (primary and supporting).

(i) Library media, (primary and supporting).

(j) Reading, (primary and supporting).

(k) Special education, (primary).

(2) **Early childhood:**

(a) Early childhood education, (primary and supporting).

(b) Early childhood special education, (primary).

(3) **Elementary education,** (primary).

(4) **Middle level,** (primary).

(5) **Secondary level:**

(a) Designated science: Biology, (primary and supporting).

(b) Designated science: Chemistry, (primary and supporting).

(c) Designated science: Earth science, (primary and supporting).

(d) Designated science: Physics, (primary and supporting).



(e) Designated (~~((vocational/technical))~~) career and technical education: Agriculture education, business education, family and consumer sciences education, marketing education, and technology education, (primary).

(f) English, (primary and supporting).

(g) English/language arts, (primary).

(h) History, (primary and supporting).

(i) Mathematics, (primary and supporting).

(j) Science, (primary).

(k) Social studies, (primary).

(6) **Traffic safety** endorsements may be noted on certificates issued under chapter 180-79A WAC if the candidate meets the requirements of the regulations promulgated by the superintendent of public instruction pursuant to RCW 28A.220.020(3).

**AMENDATORY SECTION** (Amending WSR 00-18-064, filed 9/1/00, effective 10/2/00)

**WAC 180-82-322 Designated (~~((vocational/technical))~~) career and technical education—Secondary, primary.** In order to obtain a primary endorsement in designated (~~((vocational/technical))~~) career and technical education: Agriculture education, business education, family and consumer sciences education, marketing education, or technology education, the candidate shall have completed a state approved preparation program which shall be comprised of the appropriate pedagogy courses and field experiences/ internship, pursuant to chapter 180-78A WAC, as well as forty-five quarter credit hours (thirty semester credit hours) in one of the endorsement areas below. Through completion of this course work and/or an alternative performance based assessment acceptable to the college/university, the candidate shall have demonstrated knowledge and skills in the general areas below. In addition, the candidate shall have demonstrated the knowledge and skills identified in one of the specific endorsement areas:

(1) General areas.

(a) General and specific safety.

(b) Occupational analysis.

(c) Philosophy of vocational education.

(d) Partnerships - The (~~((vocational-technical))~~) career and technical education teacher implements and maintains collaborative partnerships with students, colleagues, community, business, industry and families, which maximize resources and promote student self-sufficiency.

(e) Personal and professional attributes - The (~~((vocational-technical))~~) career and technical education teacher models personal and professional attributes and leadership skills which reflect productive life and work roles.

(2) Specific endorsement areas.

(a) **Agriculture education.**

(i) The agriculture education teacher demonstrates essential skills and knowledge including the scientific/technical, safety and career information in the areas of: Natural resource science, agricultural economics, horticultural science, animal science, crop science, soil science, and agricultural technology and management.

(ii) The agriculture education teacher demonstrates a philosophy of education which reflects the unique student/

community and industry interaction and includes the technical, personal leadership, and school to work components which comprise a comprehensive agricultural education program.

(iii) The agriculture education teacher develops a comprehensive instructional program based on identified agriculture industry needs while recognizing the social economic, demographic, diversity of the community in consultation with an appropriate advisory committee.

(iv) The agriculture education teacher demonstrates personal and professional leadership skills as an integral part of agriculture programs and applies these competencies through the agriculture education student organization, FFA.

(v) The agriculture education teacher demonstrates the necessary skills and abilities to implement and manage a supervised agriculture experience including: Accounting practices, career experiences, entrepreneurial, and job-related skills.

(vi) The agriculture education teacher develops and maintains a safe environment while dealing with agricultural chemicals, scientific apparatus and solvents during classroom, laboratory, and supervised agricultural experiences.

(vii) The agriculture education teacher is able to develop and demonstrate the scientific process through the preparation of mechanical and research experiences in the classroom, laboratory, leadership, and supervised agriculture experiences.

(b) **Business education.**

(i) The business education teacher demonstrates workplace competencies in keyboarding and information processing, computer technology and applications, information systems and management, accounting principles and applications, business communications, and business systems, and procedures.

(ii) The business education teacher demonstrates the ability to apply the principles of business management and entrepreneurship, leadership, economics, international business, business law, and computation.

(iii) The business education teacher demonstrates teaching competence in keyboarding, information processing, and microcomputer applications; accounting and computation; specific business content areas of business management and procedures, business law, economics, business communications, career development, and work-based coordination; and integration of leadership development into the curriculum and management of Future Business Leaders of America (FBLA) activities.

(c) **Family and consumer sciences education.**

(i) The family and consumer sciences teacher demonstrates the ability to prepare students for family life and responsible participation and leadership in work and community roles.

(ii) The family and consumer sciences teacher demonstrates knowledge and skills in individual and family well-being; resource creation, access maintenance and management; and individual and family development across the life span.

(iii) The family and consumer sciences teacher creates environments and utilizes strategies which enhance student



ability to value diverse populations and their contributions to society.

(iv) The family and consumer sciences teacher demonstrates the ability to advocate for technological and societal change that benefits the family system.

(v) The family and consumer sciences teacher encourages the use of thinking skills and the planning process for problem solving and decision making through the designated ~~(vocational)~~ career and technical education student organization for family and consumer sciences.

**(d) Marketing education.**

(i) The marketing education teacher models effective leadership traits and demonstrates the ability to facilitate, supervise, and evaluate DECA student leadership activities.

(ii) The marketing education teacher demonstrates the ability to link classroom learning of work and work-based learning to prepare students for the world of marketing.

(iii) The marketing education teacher demonstrates a commitment to professional development.

(iv) The marketing education teacher applies understanding of the foundations and functions of marketing, management, and entrepreneurial competencies.

(v) The marketing education teacher is able to successfully implement and provide leadership for a school-based enterprise as an instructional strategy.

(vi) The marketing education teacher demonstrates the ability to plan and implement a marketing education program following national and state curriculum guidelines.

**(e) Technology education.**

(i) The technology education teacher demonstrates knowledge and understanding of systems and concepts related to all areas of technological study referred to as core technologies including: Power and energy, controls, materials science, problem solving, and technology in society.

(ii) The technology education teacher demonstrates knowledge and understanding of the relationship of mathematics, science, computer science, and communications to the technological process.

(iii) The technology education teacher demonstrates competency in the areas of communications, manufacturing, construction, transportation, and bio-related with a concentration in at least one of the areas.

(iv) The technology education teacher demonstrates ability to manage a traditional shop; as well as convert a traditional shop to an exemplary technology education laboratory.

(v) The technology education teacher demonstrates knowledge and understanding of communications and technological concepts related to technical systems created for encoding, transmitting, receiving, decoding, storing, retrieving, and using information.

(vi) The technology education teacher demonstrates the fundamental knowledge of manufacturing and manufacturing systems and technological concepts related to technical systems associated with research, extraction, processing, recycling, and conversion of materials for consumer and industrial goods.

(vii) The technology education teacher demonstrates fundamental knowledge of construction and construction systems, including the technological concepts related to technical systems associated with the design, creation, and main-

tenance associated with construction of residential, commercial, industrial, and civil structures; as well as consideration of economics, management, power, and energy.

(viii) The technology education teacher demonstrates knowledge and understanding of transportation systems, including technological concepts related to technical systems associated with the design, development, evaluation, and operation of subsystems, and components of terrestrial, marine, atmospheric, and space vehicles.

(ix) The technology education teacher demonstrates knowledge and understanding of biological systems in areas such as botany, environmental biology, medical, and biotechnology and zoology.

AMENDATORY SECTION (Amending WSR 99-04-008, filed 1/21/99, effective 2/21/99)

**WAC 180-82-350 Middle level, primary.** In order to obtain an endorsement in middle level, the candidate shall have completed a state approved preparation program in middle level which shall be comprised of the developmentally appropriate pedagogy courses and field experiences/internship, pursuant to chapter 180-78A WAC, as well as forty-five quarter credit hours (thirty semester credit hours) in the subject areas below:

(1) A primary area comprised of thirty quarter credit hours (twenty semester credit hours) in either:

(a) Humanities, including a minimum of ten quarter credit hours (six semester credit hours) from language arts and ten quarter credit hours (six semester credit hours) from social studies with the remaining credit hours taken from language arts and/or social studies to total thirty quarter credit hours (twenty semester credit hours); or

(b) Math-science, including a minimum of ten quarter credit hours (six semester credit hours) from math and ten quarter credit hours (six semester credit hours) from science with the remaining credit hours taken from math and/or science to total thirty quarter credit hours (twenty semester credit hours); and

(2) A supporting area comprised of fifteen quarter credit hours (ten semester credit hours) from one of the following:

(a) Humanities (available only to candidates whose primary area is math-science); or

(b) Math-science (available only to candidates whose primary area is humanities); or

(c) Designated arts; or

(d) ~~(Vocational-technical)~~ Career and technical education; or

(e) Designated world languages; or

(f) Health/fitness.

**WSR 01-24-008**

**PROPOSED RULES**

**STATE BOARD OF EDUCATION**

[Filed November 26, 2001, 1:48 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-19-081.

PROPOSED

Title of Rule: WAC 180-85-035 Lapse date—Definition and 180-85-075 Continuing education requirement.

Purpose: Editorial and clarifying amendments.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education, 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. Not applicable.

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

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 14, 2002, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by December 31, 2001, TDD (360) 664-3631, or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by December 31, 2001.

Date of Intended Adoption: January 16, 2002.

November 20, 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 01-13-111, filed 6/20/01, effective 7/21/01)

**WAC 180-85-035 Lapse date—Definition.** As used in this chapter, the term "lapse date" shall mean the date upon which the professional certificate affected by this chapter will lapse if the holder fails to complete the continuing education requirement (~~and~~), including the filing requirement of this chapter.

**AMENDATORY SECTION** (Amending WSR 01-09-004, filed 4/5/01, effective 5/6/01)

**WAC 180-85-075. Continuing education requirement.** Continuing education requirements are as follows:

(1) Each holder of a continuing or a standard certificate affected by this chapter shall be required to complete during a five-year period one hundred fifty continuing education credit hours, as defined in WAC 180-85-030, prior to his or her first lapse date and during each five-year period between subsequent lapse dates as calculated in WAC 180-85-100.

(2) Provided, That each holder of a continuing or a standard certificate affected by this chapter may present a copy of a valid certificate issued by the National Board for Professional Teaching Standards in lieu of the completion of the

continuing education credit hours required by subsection (1) of this section.

**WSR 01-24-009**

**PROPOSED RULES**

**STATE BOARD OF EDUCATION**

[Filed November 26, 2001, 1:49 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-19-082.

Title of Rule: New chapter 180-82A WAC, Performance-based teacher certificate endorsements.

Purpose: The new change establishes competencies for endorsements that further align the endorsements with the state's learning goals and essential academic learning requirements and, where appropriate, with the specialty organization standards.

Statutory Authority for Adoption: Chapter 28A.410 RCW and RCW 28A.305.130 (1) through (4).

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education, 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. Not applicable.

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

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 14, 2002, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by December 31, 2001, TDD (360) 664-3631, or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by December 31, 2001.

Date of Intended Adoption: January 16, 2002.

November 20, 2001

Larry Davis

Executive Director

PROPOSED

## Chapter 180-82A WAC

PERFORMANCE-BASED TEACHER CERTIFICATE  
ENDORSEMENTSNEW SECTION

**WAC 180-82A-002 Authority.** The authority for this chapter is chapter 28A.410 RCW which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for the certification of personnel employed in the common schools of this state. This authority is supplemented by RCW 28A.305.130(5) which authorizes the state board of education to specify the types and kinds of certificates necessary for the several departments within the common schools and by RCW 28A.150.220(4) which authorizes the state board of education to adopt rules that implement and ensure compliance with the basic program of education requirements of RCW 28A.150.250, 28A.150.260, and 28A.150.220 and such related basic program of education requirements of RCW 28A.150.250, 28A.150.260, and 28A.150.220 and such related basic program of education requirements as may be established by the state board of education.

NEW SECTION

**WAC 180-82A-004 Purposes.** The purposes of this chapter are to:

- (1) Establish policies and conditions for obtaining performance-based endorsements on teaching certificates.
- (2) Establish policies for college/university approval to offer performance-based endorsement programs.

NEW SECTION

**WAC 180-82A-200 Purposes of endorsement competencies referenced in this chapter.** (1) To align requirements for endorsements with the state's learning goals and essential academic learning requirements;

- (2) To align requirements for endorsements with the specialty organization standards where appropriate;
- (3) To maintain rigorous standards for obtaining endorsements;
- (4) To provide school districts with teachers who are able to demonstrate a positive impact on student learning; and
- (5) To complement a performance-based teacher certification system.

NEW SECTION

**WAC 180-82A-201 Grade designations for endorsements obtained after August 31, 2003.** The designation of mandatory grade levels will not appear on certificates. The state board of education does, however, wish to provide guidance to school districts in the placement of its certified staff and to colleges and universities in developing preparation programs by providing the following guidelines for grade and age designations:

- (1) Early childhood: Birth to third grade (age eight).

(2) Elementary: Kindergarten (age five) to grade eight (age fourteen).

(3) Middle level: Grade four (age nine) to grade nine (age fifteen).

(4) Secondary: Grade five (age ten) to grade twelve (age eighteen).

(5) All levels: Preschool (birth) to grade twelve (age eighteen).

NEW SECTION

**WAC 180-82A-202 Certificate endorsements.** Teacher certificates shall be endorsed as follows:

(1) **All levels:**

- (a) Bilingual education.
- (b) Designated arts: Dance.
- (c) Designated arts: Theatre arts.
- (d) Designated arts: Music: Choral, instrumental or general.

(e) Designated arts, visual arts.

(f) Designated world languages.

(g) English as a second language.

(h) Health/fitness.

(i) Library media.

(j) Reading.

(k) Special education.

(2) **Early childhood:**

(a) Early childhood education.

(b) Early childhood special education.

(3) **Elementary education.**(4) **Middle level.**(5) **Secondary level:**

(a) Designated science: Biology.

(b) Designated science: Chemistry.

(c) Designated science: Earth science.

(d) Designated science: Physics.

(e) Designated career and technical education: Agriculture education, business education, family and consumer sciences education, marketing education, and technology education.

(f) English language arts.

(g) History.

(h) Mathematics.

(i) Science.

(j) Social studies.

(k) Traffic safety.

NEW SECTION

**WAC 180-82A-204 Endorsement requirements.** (1) Candidates completing endorsements required to obtain a residency certificate, shall complete college/university teacher preparation programs approved by the state board of education pursuant to chapter 180-78A WAC, which include methodology (see WAC 180-78A-264(5)) and field experience/internship (see WAC 180-78A-264(6)) and pursuant to endorsement program approval requirements in this chapter.

(2) In order to add an additional endorsement, the candidate shall have completed a state-approved endorsement program which includes methodology (see WAC 180-78A-264(5)) and addresses all endorsement-specific competencies

adopted by the state board of education and published by the superintendent of public instruction. The requirement for field experience shall be at the discretion of the college/university. Provided, that in cases where programs require a field experience/internship, the colleges/universities should make every attempt to allow the individual to complete field-based requirements for the endorsement within the confines of the individual's teaching schedule.

(3) Candidates from out-of-state shall be required to present verification that they completed a state-approved program (equivalent to a major) in a Washington endorsement area.

(4) Course work used to meet endorsement requirements must be completed through a regionally accredited college/university.

(5) Only course work in which an individual received a grade of C (2.0) or higher or a grade of pass on a pass-fail system of grading shall be counted toward the course work required for the approved endorsement program.

(6) Nothing within this chapter precludes a college or university from adopting additional requirements as conditions for recommendation, by such college or university, to the superintendent of public instruction for a particular subject area endorsement.

#### NEW SECTION

##### **WAC 180-82A-206 Endorsement program approval.**

(1) The state board of education shall approve endorsement programs at Washington colleges and universities pursuant to the requirements of this chapter. Only colleges and universities with state board of education approved residency certificate teacher preparation programs are eligible to apply for approval to offer endorsement programs.

(2) The state board of education will establish performance/competency criteria for obtaining an endorsement. Revision in adopted endorsement competencies may occur only as approved by the state board.

(3) The superintendent of public instruction will publish, and make available, competencies for all endorsement areas identified in chapter 180-82A WAC.

(4) Each college or university desiring to establish an endorsement program shall comply with the following:

(a) Identification of opportunities for candidate to develop the capacity to demonstrate each competency;

(b) Identification of strategies that will be used to assess candidate capacity/performance on each competency;

(c) A description of evidences that candidates will provide to document candidates' positive impact on student learning in the respective endorsement area; and

(d) A description of the process by which summaries of candidates' assessment data, relative to performance on each competency, will be compiled, analyzed, and used for program improvement.

(5) The state board of education shall approve endorsement programs for a maximum of five years. Each institution shall submit endorsement programs for review when requested by the state board of education to ensure that the endorsement programs meet the competencies and to provide assessment data relative to candidate performance.

(6) The state board of education shall determine the schedule and process for endorsement program reviews.

#### NEW SECTION

**WAC 180-82A-215 Implementation policies.** (1) In order to offer an endorsement program after August 31, 2003, the endorsement program shall be reviewed and approved under the approval standards of this chapter. All teachers who obtain endorsements after September 1, 2003, shall meet the requirements in this chapter. Provided, that colleges and universities may permit an individual enrolled in programs in Washington state on or before September 1, 2003, to obtain endorsements under the requirements in chapter 180-82 WAC, if the individual completes the endorsement program on, or before August 31, 2005, and the college or university verifies endorsement program completion on or before December 31, 2005. Provided further, that the state board of education or its designee may waive this requirement on a case-by-case basis.

(2) Teachers shall be required to obtain a minimum of one endorsement.

#### **WSR 01-24-010**

#### **PROPOSED RULES**

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

[Filed November 26, 2001, 1:50 p.m.]

#### Original Notice.

Preproposal statement of inquiry was filed as WSR 01-19-058.

Title of Rule: WAC 180-82-346 Library media—All levels supporting.

Purpose: This amendment removes the requirement for a primary endorsement in elementary education or middle level as a prerequisite for a supporting endorsement in library media.

Statutory Authority for Adoption: RCW 28A.410.010 and 28A.305.130 (1) through (4).

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education, 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. Not applicable.

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

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 14, 2002, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by December 31, 2001, TDD (360) 664-3631, or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by December 31, 2001.

Date of Intended Adoption: January 16, 2002.

November 20, 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 99-04-008, filed 1/21/99, effective 2/21/99)

**WAC 180-82-346 Library media—All levels, supporting.** In order to receive a supporting endorsement in library media, the candidate (~~(shall have completed a primary endorsement in elementary education or middle level,)~~) shall have completed a state approved preparation program in library media which shall be comprised of the appropriate pedagogy courses and field experiences/internship, pursuant to chapter 180-78A WAC, as well as twenty-four quarter credit hours (sixteen semester credit hours) in the subject areas below. Through the completion of this course work and/or an alternative performance-based assessment acceptable to the college/university, the candidate shall have demonstrated knowledge and skills in the following areas:

- (1) Integration of information technologies with essential academic learnings.
- (2) Needs assessment, evaluation, and selection of diverse literature, media (print, nonprint, and electronic), and information services for children and young adults.
- (3) Understanding and utilization of existing and emerging information technologies.
- (4) Social, ethical and legal implications of information technologies.
- (5) Management of library media program-services and facilities.
- (6) Theories and accepted principles of standardized systems of cataloguing, process, and classification.

**WSR 01-24-011**

**PROPOSED RULES**

**STATE BOARD OF EDUCATION**

[Filed November 26, 2001; 1:51 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-19-057.

Title of Rule: WAC 180-79A-030 Definitions.

Purpose: This amendment establishes the validity period of an application for certification to insure that current certificate requirements are met when a certificate is issued.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education, 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. Not applicable.

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

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 14, 2002, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by December 31, 2001, TDD (360) 664-3631, or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by December 31, 2001.

Date of Intended Adoption: January 16, 2002.

November 20, 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 01-03-153, filed 1/24/01, effective 2/24/01)

**WAC 180-79A-030 Definitions.** The following definitions shall apply to terms used in this chapter:

(1) The terms, "program approval," "endorsement," "interstate compact," "college or university," and "regionally accredited institution of higher education," as defined in WAC 180-78-010 and 180-78A-010 shall apply to the provisions of this chapter.

(2) "Certificate" means the license issued by the superintendent of public instruction to teachers, administrators, and educational staff associates verifying that the individual has met the requirements set forth in this chapter.

(3) "Certificate renewal" means the process whereby the validity of a certificate, subject to expiration, is extended or regained.

(4) "Classroom teaching" means instructing pupils in an instructional setting.

(5) "Approved baccalaureate degree" for the purpose of this chapter, means a baccalaureate from a regionally accredited college or university in any of the subject areas of the endorsement listed in chapter 180-82 WAC as now or hereafter amended: Provided, That if a candidate is accepted into a program in Washington state on or before August 31, 2000, and completes the program on or before August 31, 2003, in accordance with WAC 180-79A-299, the candidate may hold a baccalaureate degree in any of the subject areas of the endorsements listed in WAC 180-79A-302. Such degrees shall require the completion of at least forty-five quarter hours (thirty semester hours) of course work in the subject

area: Provided, That a candidate who holds a baccalaureate degree in another academic field will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed the required forty-five quarter or thirty semester hours of course work in one of the subject areas of the endorsements listed in chapter 180-82 WAC: Provided further, That a candidate who holds a baccalaureate degree in early childhood education, elementary education, or special education will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed thirty quarter or twenty semester credit hours in one academic field.

(6) "Child abuse course work requirement" means completion of course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(7) "Approved master's degree" for the purpose of this chapter, means a master's or doctorate degree from a regionally accredited college or university.

(8) "Credit hour(s)" means credit (normally 100 level or above) awarded by a regionally accredited institution of higher education.

(9) "Previous standards" means a certification system in place prior to a revision in rules that results in changed names and/or validity periods for the certificates issued.

(10) "Application for certification" means an application for a certificate or endorsement that includes a signed affidavit (as specified in WAC 180-79A-157) by the applicant. Such application shall be considered valid for two years from the date of receipt by the superintendent of public instruction, or its designee.

**WSR 01-24-012**  
**PROPOSED RULES**  
**STATE BOARD OF EDUCATION**

[Filed November 26, 2001, 1:53 p.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 01-11-139.

**Title of Rule:** Various sections of chapter 180-78A WAC, Approval standards for performance-based preparation programs for teachers, administrators, and educational staff associates.

**Purpose:** The proposed amendments would update the program approval standards and align them with current standards at the National Council for Accreditation of Teacher Education (NCATE).

**Statutory Authority for Adoption:** RCW 28A.305.130 (1) through (4).

**Summary:** See Purpose above.

**Reasons Supporting Proposal:** See Purpose above.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Larry Davis, State Board of Education, Olympia, (360) 725-6024.

**Name of Proponent:** State Board of Education, 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. Not applicable.

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

**Hearing Location:** Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 14, 2002, at 8:00 a.m.

**Assistance for Persons with Disabilities:** Contact Laura Moore by December 31, 2001, TDD (360) 664-3631, or (360) 725-6027.

**Submit Written Comments to:** Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by December 31, 2001.

**Date of Intended Adoption:** January 16, 2002.

November 20, 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 99-23-023, filed 11/9/99, effective 12/10/99)

**WAC 180-78A-220 Program approval standards for approved preparation programs.** The program approval standards for approved preparation programs for teachers, administrators, and educational staff associates are as follows:

(1) **Professional education advisory boards:** The college or university, in compliance with the provisions of WAC 180-78A-250, has established and maintained a professional education advisory board to participate in and cooperate with the college or university on decisions related to the development, implementation, and revision of each preparation program—i.e., teacher, administrator, school counselor, school psychologist, and school social workers.

(2) **Accountability:** Each college or university, in compliance with the provision of WAC 180-78A-255, has established a performance-based preparation program.

(3) **Unit governance and resources:** A separate college, school, department, or other administrative unit within the college or university, in compliance with the provision of WAC 180-78A-261, is responsible for providing the resources needed to develop and maintain quality preparation programs.

(4) **Program design:** Each college or university, in compliance with the provision of WAC 180-78A-264, is responsible for establishing a collaboratively developed approved preparation program that is based on a conceptual

framework, current research and best practice that reflects the state's learning goals and essential academic learning requirements.

(5) **Knowledge and skills:** Each college or university, in compliance with the provision of WAC 180-78A-270, has established policies requiring all candidates for certification to know and demonstrate the content, pedagogical, and professional knowledge and skills required for the particular certificate and areas of endorsement (~~and~~), which reflect the state's learning goals and essential academic learning requirements, and are necessary to help all students learn.

**AMENDATORY SECTION** (Amending WSR 01-13-106, filed 6/20/01, effective 7/21/01)

**WAC 180-78A-255 Approval standard—Accountability.** Building on the mission to prepare educators who demonstrate a positive impact on student learning, the following evidence shall be evaluated to determine whether each preparation program is in compliance with the program approval standards of WAC 180-78A-220(2). Each college and university shall:

(1) Submit for (~~initial~~) approval to the state board of education a performance-based program for the preparation of teachers, administrators, and educational staff associates that identifies:

(a) A comprehensive set of learner expectations for each preparation program;

(b) An assessment system that reflects the conceptual framework(s) and state standards, and collects and analyzes data on applicant qualifications, candidate and graduate performance, unit operations and program quality;

(c) Explicit connections between professional, state, and institutional standards, and candidate assessments.

(2) During the first year following program completion, solicit feedback from program completers employed in education, and their supervisors, regarding the program's effectiveness.

(3) Maintain placement records for all program completers during the first year following program completion.

(4) Submit an annual report to the state board of education for each approved program to include:

(a) An executive summary of the activities of each professional education advisory board, including membership, meeting attendance, meeting expenditure information, PEAB recommendations, and program responses to the recommendations.

(b) The number of students completing each approved program during the period from September 1 - August 31 of the previous year.

(c) Other information related to the preparation programs requested by the state board of education.

(5) Collect and maintain exemplar candidate work samples that document a positive impact on student learning.

**AMENDATORY SECTION** (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

**WAC 180-78A-261 Approval standard—Unit governance and resources.** Building on the mission to prepare educators who demonstrate a positive impact on student

learning, the unit has the leadership, authority, budget, personnel, facilities, and resources, including information technology resources, for the preparation of candidates to meet state standards. The following evidence shall be evaluated to determine whether each preparation program is in compliance with the resources program approval standard of WAC 180-78A-220(3):

(1) A separate administrative unit supports the preparation program whose composition and organization are clearly described in writing.

(2) An officially designated administrator is responsible for the management of operations and resources for the preparation program.

~~(3) ((Administrators and faculty in the preparation program have appropriate qualifications (including masters' or doctoral degrees) and have experience for the roles to which they are assigned.~~

~~(4) The institution has and implements an explicit plan with adequate resources to ensure hiring and retaining of a diverse faculty.~~

~~(5) Specific staff and/or faculty members in the unit are assigned the responsibility of advising applicants for certification and endorsements and for maintaining certification records.~~

~~(6) Financial resources are provided to support the preparation program.~~

~~(7) Facilities are provided to support the needs of the preparation program.~~

~~(8) Library, technology, and other informational resources must be sufficient in scope, breadth, and recency to support the preparation program.)) Faculty are qualified and model best professional practices in scholarship, service, and teaching including the assessment of their own effectiveness as related to candidate performance.~~

(4) The institution has and implements an explicit plan to ensure that candidates interact with higher education faculty, school faculty, other candidates and P-12 students representing diverse populations.

(5) The unit provides a mechanism and facilitates collaboration between unit faculty and faculty in other units of the institution involved in the preparation of educators.

(6) The unit receives sufficient budgetary allocations at least proportional to other institutional units.

(7) Workload policies allow faculty members to be actively engaged in teaching, scholarship, assessment, advisement, collaborative work with P-12 schools, and service.

(8) Specific staff and/or faculty members in the unit are assigned the responsibility of advising applicants for certification and endorsements and for maintaining certification records.

(9) The unit has adequate facilities to support candidates in meeting standards.

(10) The unit has adequate information technology resources, library, and curricular resources, and electronic information to support faculty and candidates.

(11) The unit systematically evaluates faculty performance and facilitates professional development.

(12) Faculty regularly and systematically collaborate with colleagues in P-12 settings, faculty in other college or

university units, and members of the broader professional community to improve teaching, candidate learning, and the preparation of educators.

**AMENDATORY SECTION** (Amending WSR 01-03-153, filed 1/24/01, effective 2/24/01)

**WAC 180-78A-264 Approval standard—Program design.** Building on the mission to prepare educators who demonstrate a positive impact on student learning, the following evidence shall be evaluated to determine whether each preparation program is in compliance with the program design standard of WAC 180-78A-220(4):

(1) The conceptual framework establishes the shared vision for the unit's efforts in preparing educators to work effectively in P-12 schools. It provides the basis for coherence among curriculum, instruction, field experiences, clinical practice, assessment, and evaluation. The ((curriculum is guided by a) conceptual framework ((and)) is based on current research and best practice, is cohesive and integrated, ((is performance-based, and)) supports the state's student learning goals and for teacher preparation programs, and reflects the essential academic learning requirements. The conceptual framework reflects the unit's commitment to preparing candidates to support learning for all students and the unit's commitment to preparing candidates who are able to use educational technology to help all students learn.

(2) Candidates who demonstrate potential for acquiring the content and pedagogical knowledge and skills for success as educators in schools are recruited, admitted, and retained (see WAC 180-78A-200 Candidate admission policies). These candidates include members from under represented groups.

(3) ~~((Candidates attain/demonstrate academic competence in the educator role for which they are being prepared.~~

~~(4) A set of criteria/performances for program completion are established and published.~~

~~(5) The preparing institution shall assure that candidates are provided with appropriate course work and experiences in teaching methods for each endorsement area. The methods should include:~~

~~(a) Instructional strategies.~~

~~(b) Curriculum frameworks (essential academic learning requirements):~~

~~(c) Assessment strategies, including performance-based measurements of student work.~~

~~(d) Unit/lesson planning.~~

~~(6) Field experiences are integrated throughout the preparation program and include experience with diverse populations in a variety of settings.~~

~~(7) Candidates complete an internship in which they demonstrate the required knowledge and skills: Provided, That candidates for an administrator certificate shall complete an internship pursuant to WAC 180-78A-325, candidates for a school psychologist certificate shall complete an internship pursuant to WAC 180-78A-317, and candidates for a school counselor certificate shall complete an internship pursuant to WAC 180-78A-315.) Programs shall assure that candidates are provided with opportunities to learn the pedagogical and professional knowledge and skills required for~~

the particular certificate, and for teacher preparation programs, the competencies for endorsement areas.

(4) A set of learner expectations for program completion are identified and published.

(5)(a) The unit and its school partners design, implement, and evaluate field experiences and clinical practices so that candidates develop and demonstrate the knowledge and skills necessary to help all students learn. Provided, That candidates for an administrator certificate shall complete an internship pursuant to WAC 180-78A-325, candidates for a school psychologist certificate shall complete an internship pursuant to WAC 180-78A-317, and candidates for a school counselor certificate shall complete an internship pursuant to WAC 180-78A-315.

(b) Field experiences are integrated throughout the preparation program and occur in settings with students representing diverse populations.

(c) Clinical practice is sufficiently extensive and intensive for candidates to demonstrate competence in the professional roles for which they are preparing.

(6) The preparing institution shall assure that candidates are provided with appropriate course work and experiences in teaching methods for each endorsement area. The methods should include:

(a) Instructional strategies.

(b) Curriculum frameworks (essential academic learning requirements).

(c) Assessment strategies, including performance-based measurements of student work.

(d) Unit/lesson planning.

(7) Entry and exit criteria exist for candidates in clinical practice.

(8) Programs reflect ongoing collaboration with P-12 schools.

(9) Candidates for a teacher certificate shall hold/obtain a baccalaureate degree from a regionally accredited college or university pursuant to WAC 180-79A-030(5).

**WSR 01-24-020**

**PROPOSED RULES**

**SUPERINTENDENT OF  
PUBLIC INSTRUCTION**

[Filed November 27, 2001, 8:13 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-16-109.

Title of Rule: WAC 392-140-900 through 392-140-913, Finance—Special allocations—K-4 staff enhancement.

Purpose: To update the state funding formula for kindergarten through fourth grade (K-4) staff for the 2001-02 school year and thereafter.

Statutory Authority for Adoption: RCW 28A.150-.290(1).

Summary: The maximum state funded ratio of certificated instructional staff per 1000 full-time equivalent students in kindergarten through fourth grade (K-4) is increased from 53.2/1000 to 55.4/1000.



Reasons Supporting Proposal: Rule revisions are needed to implement language in the 2001-03 State Operating Appropriations Act. These revisions will provide the correct calculation of the school district's funded K-4 staffing ratio.

Name of Agency Personnel Responsible for Drafting: Linda Harrison, Office of Superintendent of Public Instruction, (360) 725-6130; Implementation: Ross Bunda, Office of Superintendent of Public Instruction, (360) 725-6308; and Enforcement: Mike Bigelow, Office of Superintendent of Public Instruction, (360) 725-6111.

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: The rules are part of the state funding formula for K-12 education. Rule revisions are needed to implement language in the 2001-03 State Operating Appropriations Act. These revisions will provide for the correct calculation of the school district's funded K-4 staff ratio. See changes described below for more information.

Proposal Changes the Following Existing Rules: The maximum state-funded K-4 staff ratio increases from 53.2 certificated instructional staff (CIS) per 1,000 FTE students to 55.4 CIS per 1,000 FTE students. This is due to the inclusion of funds previously provided in the Better Schools—Staff program.

Supplemental contracts for extended learning opportunities (additional classroom contact hours provided by teachers beyond the normal school day) for K-6 students are included in the calculation of the state-funded K-4 staff ratio. Nine hundred hours of supplemental contracts equals one FTE staff. These hours are limited to the following assignments as defined in the S-275 personnel reporting instructions: Program 01 - Basic education; and Activity 27 - Teaching; and Duty roots: 31 - Elementary teacher; or 33 - Other teacher, or 63 - Contractor teacher; and Duty suffix 4 - Extended Learning Opportunities; and K-6 Grade groups - K, E, or M.

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

RCW 34.05.328 does not apply to this rule adoption. The Superintendent of Public Instruction is not subject to RCW 34.05.328 per subsection (5)(a)(i). Additionally, this rule is not a significant legislative rule per subsection (5)(c)(iii).

Hearing Location: Old Capitol Building, Bruno Conference Room, 2nd Floor, P.O. Box 47200, Olympia, WA 98504-7200, on January 8, 2001 [2002] at 9 a.m.

Assistance for Persons with Disabilities: Contact Sheila Emery by January 2, 2001 [2002], TDD (360) 664-3631, or (360) 725-6271.

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) 753-4201, by January 7, 2001 [2002].

Date of Intended Adoption: January 9, 2001 [2002].

November 17, 2001

Dr. Terry Bergeson  
Superintendent of  
Public Instruction

AMENDATORY SECTION (Amending WSR 01-08-048, filed 3/30/01, effective 4/30/01)

**WAC 392-140-903 K-4 Staff enhancement—Definitions.** As used in WAC 392-140-900 through 392-140-913:

(1) "Report S-275" means the school district personnel report as defined in WAC 392-121-225.

(2) "Form SPI 1158" means the form provided by the superintendent of public instruction on which school districts report ~~((supplemental))~~ a net change in K-12 full-time equivalent (FTE) staff and/or ((supplemental)) K-4 FTE staff ((for the school year)) after October 1 and K-6 supplemental contracts for extended learning opportunities not reportable on Report S-275.

(3) "Report 1159" means the report produced by the superintendent of public instruction displaying the calculations of K-4 certificated instructional staffing and K-4 apportionment ratios and other information as necessary.

(4) "Form SPI 1160" means the form provided by the superintendent of public instruction on which school districts may select the period of enrollment the superintendent of public instruction shall use to calculate staffing ratios.

(5) "Form SPI 1230" means the form provided by the superintendent of public instruction on which school districts ~~((have))~~ had the option of reporting 1989-90 FTE K-3 basic education classified instructional assistants ~~((pursuant to WAC 392-140-716 and 392-140-745))~~ before September 1, 1999.

(6) "Form SPI 1230K-4" means the form provided by the superintendent of public instruction on which school districts have the option of reporting 1989-90 FTE K-4 basic education classified instructional assistants after September 1, 1999.

(7) "FTE K-4 basic education enrollment" means the school district's K-4 full-time equivalent enrollment reported for basic education funding pursuant to WAC 392-121-122 for the month of October or such other period selected by the district on optional Form SPI 1160.

(8) "FTE basic education certificated instructional employee" means the FTE calculated pursuant to WAC 392-121-215 for a basic education certificated instructional employee assigned in whole or in part to the following programs as defined in the *Accounting Manual for Public School Districts in the State of Washington*:

- (a) Basic education, program 01;
- (b) Vocational, basic, state, program 31;
- (c) Skills center, basic, state, program 45; and
- (d) District-wide support, program 97.

(9) "FTE K-4 basic education certificated instructional employee" means for a FTE basic education certificated instructional employee the following:

- (a) If the basic education certificated instructional employee serves only K-4 students, one hundred percent of the FTE assigned to basic education; or

(b) If the basic education certificated instructional employee serves K-4 students and students of one or more other grades, multiply the FTE assigned to basic education by:

- (i) The proportion of time spent serving K-4 students to all time serving students;
- (ii) The proportion of K-4 students served to all students served; or
- (iii) Any combination of (i) or (ii) of this subsection as appropriate.

(10) "FTE K-4 basic education certificated instructional staff" means the sum of FTE K-4 basic education certificated instructional employees for a school district.

(11) "Extended learning opportunities" means additional classroom contact time provided to students by teachers beyond the normal school day for more than half-day or half-year kindergarten, before-and-after school programs, week-end school programs, summer school programs, and inter-session opportunities to assist students in meeting the essential academic learning requirements and student assessment performance standards.

(12) "K-6 basic education supplemental contracts for extended learning opportunities" means time-related supplemental contracts for extended learning opportunities provided by teachers for students enrolled in grades kindergarten through six (K-6). For the purposes of this subsection, these supplemental contract hours shall include only the following staff assignments as defined in the S-275 Personnel Reporting Handbook:

(a) Program 01, basic education; and

(b) Activities 27, teaching; and

(c) Duty roots:

(i) 31, elementary teacher; or

(ii) 33, other teacher; or

(iii) 63, contractor teacher; and

(d) Duty suffix 4, extended learning opportunities; and

(e) Grade groups:

(i) K, kindergarten; or

(ii) E, elementary (grades 1, 2, 3, or 4); or

(iii) M, middle (grades 5 or 6).

(13) "Basic education classified instructional assistant" means a person who is assigned in whole or in part to:

(a) Program 01 - basic education; 31 - vocational, basic, state; or 45 - skills center, basic, state; and

(b) Activity 27 - teaching; and

(c) Duty 910 - aide.

~~((12))~~ (14) "Basic education classified instructional assistant FTE" means the number determined for a basic education classified instructional assistant as follows:

(a) Determine the hours per year that the employee is assigned as a basic education classified instructional assistant; and

(b) Divide by 2080.

~~((13))~~ (15) "District FTE K-4 basic education classified instructional assistants" means the sum of a school district's FTE K-4 basic education classified instructional assistants.

(a) If the basic education classified instructional assistant serves only K-4 students, one hundred percent of the FTE determined pursuant to ~~((WAC 392-140-903(12)))~~ subsection (14) of this section.

(b) If the basic education classified instructional assistant serves K-4 students and students of one or more other grades, multiply the FTE determined pursuant to ~~((WAC 392-140-903(12)))~~ subsection (14) of this section by:

(i) The proportion of time spent serving K-4 students to all time serving students;

(ii) The proportion of K-4 students served to all students served; or

(iii) Any combination of (b)(i) or (ii) of this subsection as appropriate.

~~((14))~~ (16) "Actual average salary for basic education classified instructional assistants" means the dollar amount determined for a school district for a school year as follows:

(a) For each basic education certificated instructional assistant reported on Report S-275 determine the assignment salary reported;

(b) Sum the dollar amounts determined pursuant to (a) of this subsection; and

(c) Divide the result of (b) of this subsection by the sum of the school district's FTE basic education classified instructional assistants as reported on Report S-275.

#### NEW SECTION

**WAC 392-140-904 K-4 Staff enhancement—School district reporting.** School districts shall report staff information to the superintendent of public instruction as follows:

(1) Required Report S-275. School districts shall report K-4 basic education certificated instructional staff employed as of October 1 of the school year on Report S-275 pursuant to instructions provided by the superintendent of public instruction. K-6 basic education supplemental contracts for extended learning opportunities provided by staff employed by the district as of October 1 shall be reported on Report S-275 and shall be updated throughout the school year as needed to reflect actual hours employed.

(2) Optional Form SPI 1158. School districts may use this form to report the following:

(a) Net changes in K-4 basic education certificated instructional staff after October 1 determined as follows:

(i) Determine the base contract K-4 basic education FTE that would be reported for each employee for the school year on Report S-275 if the current date were substituted for the October 1 snapshot date as required in S-275 instructions and subtract the base contract K-4 basic education FTE as of October 1 actually reported for the employee on the school district's most current Report S-275.

(ii) Include decreases as well as increases in FTE staff after October 1 and not reflected in Report S-275. Decreases include terminations, retirements, unpaid leave, and reassignment of staff.

(b) K-6 basic education supplemental contracts for extended learning opportunities for staff that were not employed by the district as of October 1 of the school year and not reported on Report S-275.

(3) Optional Form SPI 1160. School districts may use this form to select an enrollment period other than October:

(a) Enrollment for any month of the school year; or

(b) Annual average enrollment for the school year.

(4) Optional Form SPI 1230 K-4. School districts may use this form to report 1989-90 FTE K-4 classified instructional assistants. This is a one-time form. Once filed, the information from this form is used for all subsequent years unless revised by the district.

(5) Optional report forms for a school year must be filed with the superintendent of public instruction by September 30 following the close of the school year.

AMENDATORY SECTION (Amending WSR 00-02-063, filed 1/3/00, effective 2/3/00)

**WAC 392-140-905 K-4 Staff enhancement—Determination of the K-4 staff ratio equivalent of K-6 basic education supplemental ((FTE staff)) contracts for extended learning opportunities.** (“Supplemental FTE staff” means the school district’s net change in FTE K-4 basic education certificated instructional staff or FTE K-4 basic education classified instructional assistants after October 1 of the school year determined as follows:

(1) Determine the K-4 basic education FTE that would be reported for each employee for the school year on Report S-275 if the current date were substituted for the October 1 snapshot date as required in S-275 instructions and subtract the K-4 basic education FTE as of October 1 actually reported for the employee on the school district’s most current Report S-275.

(2) Include decreases as well as increases in staff after October 1 and not reflected in Report S-275. Decreases include terminations, retirements, unpaid leave, and reassignment of staff.) The K-4 staff ratio equivalent of K-6 basic education supplemental contracts for extended learning opportunities shall be determined as follows:

(1) Sum hours of K-6 basic education supplemental contracts for extended learning opportunities reported on Report S-275 and optional Form SPI 1158 if provided;

(2) Divide the result of subsection (1) of this section by 900;

(3) Divide the result of subsection (2) of this section by the district’s FTE K-4 basic education enrollment; and

(4) Multiply the result of subsection (3) of this section by 1000.

AMENDATORY SECTION (Amending WSR 00-02-063, filed 1/3/00, effective 2/3/00)

**WAC 392-140-907 K-4 Staff enhancement—Determination of increase in K-4 basic education classified instructional assistants.** The superintendent of public instruction shall calculate a district’s increase in K-4 basic education classified instructional assistants for a school year by determining the district’s FTE K-4 basic education classified instructional assistants for the school year reported on the district’s Report S-275 ((for the school year)) and optional Form SPI 1158, and subtracting the district’s FTE K-4 basic education classified instructional assistants in the 1989-90 school year determined pursuant to WAC 392-140-906.

AMENDATORY SECTION (Amending WSR 00-02-063, filed 1/3/00, effective 2/3/00)

**WAC 392-140-908 K-4 Staff enhancement—Determination of the K-4 certificated staff ratio equivalent of increased K-4 classified instructional assistants.** For those school districts with an increase in K-4 basic education classified instructional assistants ((and a K-4 certificated instructional staffing ratio of 51.00 or greater)), the superintendent of public instruction shall ((recognize)) calculate a K-4 certificated staff ratio equivalent ((of up to 1.30 calculated)) as follows:

(1) Sum the increase in the district’s K-4 basic education classified instructional assistants ((and any supplemental FTE K-4 classified instructional assistants)) determined pursuant to WAC ((392-140-905 and reported by the district on Form SPI 1158)) 392-140-907;

(2) Divide the result of subsection (1) of this section by the district’s FTE K-4 basic education enrollment;

(3) Multiply the result of subsection (2) of this section by the ratio of actual average salary for basic education classified instructional assistants to average basic education certificated instructional staff salary for the purpose of apportionment; and

(4) Multiply the result of subsection (3) of this section by 1000.

((5) The lesser of 1.30 or the result of subsection (4) of this section is the district’s recognized K-4 certificated staff ratio equivalent of increased K-4 classified instructional assistants.))

AMENDATORY SECTION (Amending WSR 00-02-063, filed 1/3/00, effective 2/3/00)

**WAC 392-140-910 K-4 Staff enhancement—Determination of district K-4 certificated instructional staffing ratio.** The superintendent of public instruction shall calculate each school district’s K-4 certificated instructional staffing ratio as follows:

(1) Add FTE K-4 basic education certificated instructional ((staff)) employees from Report S-275 and any ((supplemental)) net change in FTE K-4 basic education certificated instructional staff ((determined pursuant to WAC 392-140-905 and)) reported on Form SPI ((Form)) 1158 pursuant to WAC 392-140-903;

(2) Divide the result of subsection (1) of this section by FTE K-4 basic education enrollment; and

(3) Multiply the result obtained in subsection (2) of this section by 1000.

AMENDATORY SECTION (Amending WSR 00-02-063, filed 1/3/00, effective 2/3/00)

**WAC 392-140-912 K-4 Staff enhancement—Determination of K-4 apportionment ratios.** The superintendent of public instruction shall determine each school district’s ratio of state allocated certificated instructional staff units per one thousand K-4 students for state basic education apportionment as follows:

(1) For the months of September through December, the superintendent shall use the district’s estimated K-4 ratio as

PROPOSED

submitted on Report F-203 Estimates of State Revenue, or as submitted on a letter to the superintendent after submission of Report F-203.

(2) Beginning with the January apportionment payment and each month thereafter, the superintendent shall calculate the district's K-4 apportionment ratio as the greater of (a) or (b) of this subsection:

(a) The district's minimum state-funded K-4 staffing ratio, using FTE enrollment for state apportionment, and calculated as follows:

(i) Sum the district's K-3 FTE enrollment times 0.049 and the district's fourth grade FTE enrollment times 0.046;

(ii) Divide the result of (a)(i) of this subsection by the district total K-4 FTE enrollment;

(iii) Multiply the result of (a)(ii) of this subsection by 1000.

(b) The lesser of:

(i) ~~((53-2))~~ 55.4; or

(ii) The sum of the following:

(A) The district's K-4 certificated instructional staff ratio pursuant to WAC 392-140-910; and ~~((the district's K-4 certificated staff ratio equivalent of increased K-4 classified instructional assistants pursuant to WAC 392-140-908 if applicable))~~

(B) The lesser of 2.2 or the district's K-4 staff ratio equivalent of K-6 basic education supplemental contracts for extended learning opportunities pursuant to WAC 392-140-904; and

(C) If the district's K-4 basic education instructional staff ratio is 51.00 or greater, the district's K-4 certificated staff ratio equivalent of the increased K-4 classified instructional assistants pursuant to WAC 392-140-908 if applicable, otherwise zero.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 392-140-911                      K-4 Staff enhancement—  
School district reporting—  
Optional reports.

**WSR 01-24-021**  
**PROPOSED RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**  
[Filed November 27, 2001, 8:14 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-03-099.

Title of Rule: Carryover rules for categorical apportionment.

Purpose: To revise the carryover rules regarding state apportionment funding. Revisions are required to implement state budgeting language which provided for carryover of institutional funding and to revise the methodology of calcu-

lating other categorical funding carryover for changes in accounting made for the 2000-01 school year.

Other Identifying Information: WAC 392-122-900 Categorical apportionment—General provision—Carryover prohibited and 392-141-200 Transportation—State allocation—Recovery of transportation funds.

Statutory Authority for Adoption: RCW 28A.150.290.

Statute Being Implemented: Section 512, chapter 309, Laws of 1999.

Summary: Rule changes are needed to implement state budget language permitting school districts to carry over up to 10% of state allocations and institutional education programs. Changes are further required in the methodology of calculating state recoveries due to accounting changes made for the 2000-01 school year.

Name of Agency Personnel Responsible for Drafting and Implementation: Allen Jones, Office of Superintendent of Public Instruction, (360) 725-6300; and Enforcement: Michael Bigelow, Office of Superintendent of Public Instruction, (360) 725-6111.

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: Rule changes will implement:

Budget provision allowing a 10% carryover of institutional funding.

Revisions to the existing rule language for other categorical carryover to be consistent with accounting changes implemented for the 2000-01 school year. These accounting revisions eliminated program 94 and part III of the F-196. The part II was directly referred to in the rules.

Proposal Changes the Following Existing Rules: See above.

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

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, on January 8, 2001 [2002], at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Sheila Emery by January 2, 2001 [2002], TDD (360) 664-3631, or (360) 725-6271.

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) 753-4201, by January 7, 2001 [2002].

Date of Intended Adoption: January 9, 2001 [2002].

November 21, 2001

Dr. Terry Bergeson  
Superintendent of  
Public Instruction

**AMENDATORY SECTION** (Amending WSR 96-03-002, filed 1/3/96, effective 2/3/96)

**WAC 392-122-900 General provision—Indirect cost limitations, carryover ((prohibition)) limitations and**

recoveries. Categorical apportionment moneys shall ~~((not))~~ be expended for allowable categorical program costs. Indirect cost charges to categorical programs are limited as provided in this section. Categorical moneys may be carried over ~~((by a school district))~~ from one school district fiscal year to another ~~((, except for learning assistance program moneys))~~ only as provided in ~~((subsection (4) of))~~ this section.

(1) The superintendent of public instruction shall recover categorical program allocations made pursuant to this chapter ~~((which are))~~ if not expended by the school district during the school year for allowable program costs ~~((:~~

~~(a) Moneys recovered at the end of the school year beginning during the first year of each biennium shall be available for reallocation by the superintendent of public instruction:~~

~~(b) Moneys recovered at the end of the school year beginning during the second year of each biennium shall revert to the state treasurer. Provided, That if prior to recovery, insufficient moneys are available to fully fund those programs operating in the second year of the biennium, any moneys recovered shall first be allocated to fully fund these programs).~~

(2) For the 2000-01 school year and thereafter, "allowable program costs" means direct program expenditures minus abatements, if applicable, plus allowable indirect program charges.

(a) Direct program expenditures are expenditures directly traceable to the program for the school year reported consistent with the *Accounting Manual for Public School Districts in the State of Washington* and instructions provided by the superintendent of public instruction including the *Administrative Budgeting, and Financial Reporting Handbook*.

(b) For the purposes of this section, special education program expenditures shall be reduced (abated) by revenues to account 7121 special education revenues from other districts.

(c) For special education, highly capable, transitional bilingual, and traffic safety programs, allowable indirect program charges equal direct program expenditures times the percentage calculated from the school district's annual financial statements (Report F-196) for two school years prior as follows:

(i) Divide direct expenditures for program 97 districtwide support by:

(ii) Total general fund direct expenditures for all programs minus direct expenditures for program 97 districtwide support; and

(iii) Round to three decimal places.

(d) For the learning assistance program, allowable indirect program charges equal the direct program expenditures times the federal restricted indirect rate calculated by the superintendent of public instruction.

(e) For the institutional education program, allowable indirect program charges equal the state institutional education program allocation times the percentage allocated for indirect costs pursuant to the biennial operating appropriations act and the state funding formula.

(3) Commencing with the 1994-95 school year allocation, a school district may carry over from one school district fiscal year to the next up to ten percent of the state learning assistance program allocation. Carryover moneys shall be expended solely for allowable learning assistance program costs.

(4) Commencing with the 1997-98 school year allocation, a district may carry over from one school fiscal year to the next up to ten percent of state special education program allocation. Carryover moneys shall be expended solely for allowable state special education program costs.

(5) Commencing with the 1998-99 school year allocation, a district may carry over from one school district fiscal year to the next up to ten percent of the state institutional education program allocation. Carryover moneys shall be expended solely for allowable state institutional education program costs.

~~((2) Except as provided in subsection (3) of this section,))~~ (6) The amount recovered pursuant to ~~((subsection (1) of))~~ this section for special education, highly capable, bilingual, learning assistance, and traffic safety programs shall be determined as follows:

(a) ~~((Determine))~~ Sum the state allocation for the categorical program for the school year and any carryover from the prior school year if applicable;

(b) Determine the district's ~~((expenditures for the program including indirect expenditures and abatements deemed allowable by the superintendent of public instruction as reported on Year End Financial Statement F-196, Part III or such other document filed by the district pursuant to instructions provided by the superintendent of public instruction))~~ allowable program costs for the school year pursuant to this section;

(c) If the ~~((amount))~~ result of (a) of this subsection exceeds the ~~((amount))~~ result of (b) of this subsection, the difference less any allowable carryover shall be recovered.

~~((3))~~ (7) The amount recovered pursuant to ~~((subsection (1) of))~~ this section for the institutional education program ~~((for the 1992-93 school year and thereafter))~~ shall be determined as follows:

(a) ~~((Determine))~~ Sum the state allocation for the institutional education program for the school year excluding any amount provided for indirect costs, and any carryover from the prior school year if applicable;

(b) Determine the district's direct expenditures for the institutional education program as reported on ~~((Year End Financial Statement))~~ Report F-196 or such other document filed ~~((by the district))~~ pursuant to instructions provided by the superintendent of public instruction;

(c) If the amount of (a) of this subsection exceeds the amount of (b) of this subsection, the difference less any allowable carryover shall be recovered.

~~((4) Commencing with the 1994-95 school year allocation and notwithstanding other provisions of this section to the contrary, a school district may carry over from one school district fiscal year to the next school year up to ten percent of the preceding fiscal year's learning assistance program state allocation. Carryover moneys shall be expended solely for learning assistance program purposes.))~~ (8) This section applies to categorical program allocations to school districts.

educational service districts and, in the case of institutional education programs, entities contracting to provide an institutional education program funded under this chapter.

AMENDATORY SECTION (Amending Order 92-03, filed 3/23/92, effective 4/23/92)

**WAC 392-141-200 Recovery of transportation funds.**  
 ((State allocation for pupil transportation operations are subject to recovery. Each school district's Annual Financial Statement, Form F-196, Part III, district expenditures plus indirect expenditures, less abatements for Program 99, plus funds transferred to the transportation vehicle fund, will be compared to the related pupil transportation operation allocation to determine any recovery of funds.)) The superintendent of public instruction shall recover (take back) state pupil transportation allocations that are not expended for the allowable pupil transportation program costs. Effective for the 2000-01 school year and thereafter, the amount of the recovery shall be calculated as follows:

(1) Determine the district's state allocation for pupil transportation—operations for the school year.

(2) Determine the district's allowable pupil transportation costs as follows:

(a) Sum the following amounts:

(i) The school district's direct expenditures for general fund program 99 pupil transportation, and for educational service district pupil transportation operations expenditures in program 70 transportation excluding expenditures associated with the regional coordinator and bus driver training grants;

(ii) Allowable indirect charges equal to expenditures calculated pursuant to (a)(i) of this subsection times the percentage calculated pursuant to subsection (4) of this section;

(iii) For school districts, transfers into the transportation vehicle fund for the school year as reported on the district's annual financial statement, Form F-196; and for educational service districts, transfers from program 70 transportation to program 99 transportation equipment;

(b) Subtract the school district's revenues for the school year for revenue account 7199 transportation revenues from other school districts.

(3) If the allowable program costs are less than the state allocation, OSPI shall recover the difference.

(4) Allowable indirect charges for pupil transportation are nine percent for educational service districts and for school districts the percentage calculated from the school district's annual financial statement (Report F-196) for two school years prior as follows:

(a) Divide direct expenditures for program 97 district-wide support by

(b) Total general fund direct expenditures for all programs minus direct expenditures for program 97 districtwide support; and

(c) Round to three decimal places.

**WSR 01-24-022**  
**PROPOSED RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**  
 [Filed November 27, 2001, 8:15 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-17-035.

Title of Rule: WAC 392-140-600 through 392-140-685, state special education safety net funding.

Purpose: To reflect policy changes made by the state Safety Net Oversight Committee.

Statutory Authority for Adoption: RCW 28A.150.290.

Statute Being Implemented: Section 507(7), chapter 309, Laws of 1999.

Summary: Proposed changes will require a percentage applicant district to be implementing an ongoing plan of action. Other changes increase the high cost individual applicant threshold, allow school district superintendent designee to withdraw safety net application, and change state audit examination considerations from findings to issues.

Reasons Supporting Proposal: Changes are needed to clarify applicant district's responsibilities.

Name of Agency Personnel Responsible for Drafting: Shelley Vanderhoof, Office of Superintendent of Public Instruction, (360) 725-6142; Implementation: Allen H. Jones, Office of Superintendent of Public Instruction, (360) 725-6306; and Enforcement: Michael L. Bigelow, Office of Superintendent of Public Instruction, (360) 725-6111.

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: Change to rules:

Requirement that percentage applicant district is implementing an "ongoing plan of action" to contain or eliminate any unnecessary, duplicative, or ineffective enrollment practices. This will include comparative data.

Change in language to include consideration by State Safety Net Oversight Committee of state audit examination issues as well as findings.

Increase in high cost individual applicant threshold from seven thousand dollars to seven thousand three hundred fifty-eight dollars to adjust for inflation.

Change in language to allow school district superintendent designee to withdraw district safety net application, if determined necessary be district.

Proposal Changes the Following Existing Rules: As described above.

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

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Old Capitol Building, Bruno Conference Room, 2nd Floor, P.O. Box 47200, Olympia, WA 98504-7200, on January 8, 2001 [2002] at 9 a.m.

Assistance for Persons with Disabilities: Contact Sheila Emery by January 2, 2001 [2002], TDD (360) 664-3631, or (360) 725-6271.

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) 753-4201, by January 7, 2001 [2002].

Date of Intended Adoption: January 9, 2001 [2002].

November 17, 2001

Dr. Terry Bergeson  
Superintendent of  
Public Instruction

**AMENDATORY SECTION** (Amending WSR 01-04-023, filed 1/30/01, effective 1/30/01)

**WAC 392-140-605 Special education safety net—Application types, certification, worksheets.** Application for safety net funding shall be made on Form SPI 1381 - Maintenance or Form SPI 1381 - Certification published by the superintendent of public instruction as follows:

(1) School districts may make application for safety net funding on one or more of the four application types described below. Applications will be considered and awards made in the order shown until the district's eligibility is exhausted.

(a) Maintenance of effort (state revenue only) hereafter referred to as MOESR. State safety net funding may be requested when a district shows a MOESR loss calculated by the superintendent of public instruction pursuant to WAC 392-140-620.

(b) Students above the funded percentage hereafter referred to as percentage. State safety net funding may be requested if district's actual resident special education enrollment exceeds the district's funded resident special education enrollment, the district is implementing ~~((a))~~ an ongoing plan of action to contain or eliminate any unnecessary, duplicative, or ineffective enrollment practices, and all available funding, including state, federal, and local if provided in the past, is insufficient to meet the expenditure level necessary for special education. State safety net funding may be requested by a school district with unfunded special education costs due to factors beyond the district's control and not attributable to district philosophy or service delivery style. The applicant district must meet the standards of WAC 392-140-613 and 392-140-625.

(c) High-cost individual student. A school district may submit applications for federal safety net funding for high-cost individual students meeting the standards in WAC 392-140-616.

(d) Factors other than students above the funded level or high-cost individual students hereafter referred to as other factors. State safety net funding may be requested by a school district with unfunded special education costs due to factors beyond the district's control and not attributable to district philosophy or service delivery style. The applicant district must meet standards of WAC 392-140-613 and 392-140-625.

(2) The school district making application for safety net funding shall certify that:

(a) The application complies with the respective safety net application standards of WAC 392-140-610, 392-140-613, or 392-140-616;

(b) The application provides true and complete information to the best of the school district's knowledge; and

(c) The district understands that safety net funding is not an entitlement, is subject to adjustment and recovery, may not be available in future years, state safety net funding must be expended in program 21 which impacts the amount that must be maintained for the federal maintenance of effort test, and federal safety net funding must be expended in program 24, and federal Medicaid has been billed for all services to eligible students.

(3) Worksheets included with the application shall demonstrate the need for safety net funding. School districts are encouraged and may be required to submit additional information designed to assist the state oversight committee in analyzing the application.

(a) MOESR applications pursuant to subsection (1)(a) of this section do not require any worksheets. Applications for MOESR shall include certification of standards and criteria described in WAC 392-140-610.

(b) Percentage applications pursuant to subsection (1)(b) of this section require completion of worksheet "A" described in WAC 392-140-625, certification of standards and criteria pursuant to WAC 392-140-613 and percentage application ~~((narrative))~~ plan.

(c) High-cost individual student applications shall include worksheets "A" and "C" and summary published in the safety net application, and certification of standards and criteria pursuant to WAC 392-140-616.

(d) Other factors applications pursuant to subsection (1)(d) of this section require completion of application narrative, worksheet "A" described in WAC 392-140-625, and certification of standards and criteria described in WAC 392-140-613.

**AMENDATORY SECTION** (Amending WSR 01-04-023, filed 1/30/01, effective 1/30/01)

**WAC 392-140-609 Special education safety net—Standards and criteria—Appropriate and properly and efficiently prepared and formulated IEPs.** Individualized education programs (IEPs) which are appropriate, properly and efficiently prepared and formulated are those IEPs that meet all of the following criteria:

(1) The IEPs comply with federal and state procedural requirements.

(2) The delivery of specially designed instruction complies with state standards (regularly scheduled teaching or training activities provided or designed by special education qualified staff).

(3) Areas for the provision of special education services conform with areas of need identified in the students evaluation made pursuant to WAC 392-172-111.

(4) The state oversight committee determines:

(a) There are no unresolved state audit examination ~~((findings))~~ issues related to special education which are material in nature;

(b) There are no unresolved state child count verification ~~((findings))~~ issues which are material in nature; and

(c) All corrections to state enrollment reporting, required for resolution of (a) and (b) of this subsection, are completed.



AMENDATORY SECTION (Amending WSR 01-04-023, filed 1/30/01, effective 1/30/01)

**WAC 392-140-613 Special education safety net—Standards and criteria—Percentage and other factors applications.** For a school district requesting state safety net funding due to students above the funded percentage or other factors, the district shall demonstrate at a minimum that:

- (1) IEPs are appropriate and are properly and efficiently prepared and formulated.
- (2) The district is making reasonable effort to provide appropriate services for students in need of special education utilizing state funding generated by the basic education apportionment and special education funding formulas.
- (3) The district's special education services are operated in a reasonably efficient manner and the district has adopted a plan of action to contain or eliminate any unnecessary, duplicative, or inefficient practices.
- (4) Indirect costs included for purposes of determining safety net allocations do not exceed the allowable percent for the federal special education program plus one percent.
- (5) Any available state and federal funding is insufficient to address the additional needs.
- (6) The costs of any supplemental contracts are not included for purposes of determining safety net allocations. Supplemental contracts are those contracts made pursuant to RCW 28A.400.200(4) excluding extended school year contracts (ESY) required by an IEP.
- (7) The costs of any summer school instruction are not included for purposes of making safety net determinations excluding extended school year contracts (ESY) required by an IEP.

AMENDATORY SECTION (Amending WSR 01-04-023, filed 1/30/01, effective 1/30/01)

**WAC 392-140-616 Special education safety net—Standards—High-cost individual student applications.** For districts requesting safety net funding to meet the extraordinary needs of an eligible high-cost individual special education student, the district shall demonstrate at a minimum that:

- (1) The IEP for the eligible special education student is appropriate, and properly and efficiently prepared and formulated.
- (2) All of the following criteria apply to the high-cost individual student:
  - (a) Costs eligible for safety net consideration must be direct expenditures for services required in the IEP.
  - (b) In order to deliver appropriate special education to the student, the district must be providing services which incur additional costs which exceed available district annual average per-pupil revenues, including state, federal and local revenues, by seven thousand three hundred fifty-eight dollars for the 2001-02 school year. The threshold amount shall be adjusted annually thereafter based upon the increase in base salary and NERCs as budgeted in the Biennial Operating Appropriations Act and published in the Safety Net application. This threshold amount shall be adjusted pro rata for students not counted or expected to be counted for special education services on all eight enrollment count dates (October

through May). For example, for a student served and reported for only six of the eight count dates, the threshold amount shall be reduced to three-quarters of the full amount. The state safety net oversight committee may set a lower threshold for small school districts.

(c) The total cost of educational services must exceed any carryover of federal flow-through special education funding as of August 31 of the prior school year.

(d) The cost of providing special education services, as directed in the IEP, for this student would be detrimental to the school district's ability to provide necessary services to the other students being provided special education in the district.

(3) The state safety net oversight committee shall adapt the high cost individual student application as appropriate for applications prepared by the Washington state school for the blind and the Washington state school for the deaf.

AMENDATORY SECTION (Amending WSR 01-04-023, filed 1/30/01, effective 1/30/01)

**WAC 392-140-625 Special education safety net—Demonstration of percentage and other factors.** Applications for percentage or other factors shall demonstrate need for safety net funding as follows:

(1) Applications from districts with actual enrollment greater than funded enrollment pursuant to WAC 392-140-605 (1)(b) must demonstrate, through the application narrative, that the district is implementing ((\*) an ongoing plan of action to contain or eliminate any unnecessary, duplicative, or ineffective enrollment practices. The district shall demonstrate a financial need on worksheet "A" of the application. Applicants shall cooperate with the special education program audit team and shall provide the team with any information required by the team to review and verify certifications made on the safety net application.

(a) The application narrative completed by the school district shall provide any information and explanations related to students above the funded percentage as required in the published instructions.

(b) Application worksheet "A" shall demonstrate a financial need by displaying the school district's special education expenditures, revenues, and special education enrollments for the prior and current school years.

(c) Cost differences between the current and prior school years shall be explained in the application narrative. The application narrative shall detail cost differences in services to students which occurred between the current school year and the prior school year. Such details shall include costs and savings associated with each change in services.

(d) A fiscal need shall be demonstrated through the application narrative, on application worksheet "A" and other information available to the state oversight committee.

(2) Applications for other factors pursuant to WAC 392-140-605 (1)(d) must demonstrate, through application narrative and on application worksheet "A," financial need caused by factors other than the presence of students above the funded percentage or high-cost individual student(s).



(a) The narrative shall identify causal factors beyond the district's control and not attributable to the district philosophy or service delivery style, and:

- (i) Outline each causal factor asserted in the application;
- (ii) Provide a clear explanation of the impact of each factor to the district in terms of number and/or severity of students;
- (iii) Quantify the safety net funding need due to the factor. Show the assumptions and calculations used to arrive at the dollar amount of unfunded costs attributable to each factor.

(b) Provide a copy or explanation of any action plan the district has adopted to contain or eliminate any unnecessary, duplicative, or inefficient practices pursuant to WAC 392-140-613.

(c) If the district received an award in a prior year, describe the program, prior year costs, and compare and contrast to the current year program and costs.

AMENDATORY SECTION (Amending WSR 00-03-015, filed 1/7/00, effective 2/7/00)

**WAC 392-140-630 Special education safety net—Special education program audit team—Purpose, procedures.** The special education program audit team consists of staff of the state auditor's office funded in the Biennial Operating Appropriations Act to ~~((audit special education programs that exhibit unusual rates of growth, extraordinarily high costs, or other characteristics requiring the attention of the state safety net oversight committee))~~ assist the special education safety net committee when requested. When reviewing a school district's special education program, the audit team shall review and verify any certifications and supporting information provided by the district in a safety net application. The audit team shall provide the results of the review to the state oversight committee. The results of the audit team's review shall be considered by the oversight committee in determining, adjusting, or recovering safety net awards.

AMENDATORY SECTION (Amending Order 96-15, filed 9/18/96, effective 10/19/96)

**WAC 392-140-650 Special education safety net—Withdrawal of application.** If at any time a school district wishes to withdraw a submitted application, the school district superintendent ~~((should))~~ or designee must submit a letter requesting withdrawal to the state oversight committee prior to the published meeting date.

AMENDATORY SECTION (Amending WSR 00-03-015, filed 1/7/00, effective 2/7/00)

**WAC 392-140-680 Special education safety net—Recovery of state allocations to school districts.** State safety net funding is provided in revenue account 4121. Safety net funding:

- (1) Shall be recovered or reduced for the following reasons:
  - (a) Unexpended account 4121 revenues are recovered in the subsequent school year pursuant to WAC 392-122-900.

(b) Any necessary adjustments pursuant to WAC 392-140-675 were not previously made.

(c) The periodic and/or final MOESR calculation performed by the superintendent of public instruction determines that a lesser amount is needed for maintenance of effort (state revenue only).

(d) The application contains a falsification or deliberate misrepresentation, including omission of a material fact.

(e) The state auditor's financial and legal compliance audit includes ~~((findings which))~~ issues that materially affect the school district's safety net application.

(2) May be recovered or reduced for the following reasons:

(a) IEPs are determined at a later date through state audit or child count verification to be inappropriate or improperly prepared, and appropriate and proper preparation would materially affect the justification or amount of need for safety net funding.

(b) The school district has carryover of federal flow-through special education funding from the previous school year.

(c) The state oversight committee finds grounds for adjustment in the special education program audit team's review pursuant to WAC 392-140-630.

**WSR 01-24-023**  
**PROPOSED RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed November 27, 2001, 8:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-16-110.

Title of Rule: WAC 392-140-950 through 392-140-967, Finance—Special allocations—Learning improvement days.

Purpose: To revise the state funding formula for three learning improvement days for school district certificated instructional staff for the 2001-02 school year and thereafter.

Statutory Authority for Adoption: RCW 28A.150-.290(1).

Summary: Beginning in the 2001-02 school year, all school districts may qualify for state funding by adding three learning improvement days to the one hundred eighty day base contract.

Reasons Supporting Proposal: Rule revisions are needed to implement language in the 2001-03 State Operating Appropriations Act. These revisions will provide for the correct calculation of the school district's funded learning improvement days in the 2001-02 school year and thereafter.

Name of Agency Personnel Responsible for Drafting: Linda Harrison, Office of Superintendent of Public Instruction, (360) 725-6130; Implementation: Ross Bunda, Office of Superintendent of Public Instruction, (360) 725-6308; and Enforcement: Mike Bigelow, Office of Superintendent of Public Instruction, (360) 725-6111.

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: The rules are part of the state funding formula for K-12 education. Rule revisions are needed to implement language in the 2001-03 State Operating Appropriations Act. These revisions will provide for the correct calculation of the school district's funded learning improvement days in the 2001-02 school year and thereafter.

Proposal Changes the Following Existing Rules: The revised rules provide for a uniform base of one hundred eighty days for determining eligibility of learning improvement day funding. This change affects about one hundred school districts that had more than one hundred eighty days in the base contract in the 1998-99 school year, which was the previous base.

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

RCW 34.05.328 does not apply to this rule adoption. The Superintendent of Public Instruction is not subject to RCW 34.05.328 per subsection (5)(a)(i). Additionally, this rule is not a significant legislative rule per subsection (5)(c)(iii).

Hearing Location: Old Capitol Building, Bruno Conference Room, 2nd Floor, P.O. Box 47200; Olympia, WA 98504-7200, on January 8, 2001 [2002] at 10:15 a.m.

Assistance for Persons with Disabilities: Contact Sheila Emery by January 2, 2001 [2002], TDD (360) 664-3631, or (360) 725-6271.

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) 753-4201, by January 7, 2001 [2002].

Date of Intended Adoption: January 9, 2001 [2002].

November 17, 2001

Dr. Terry Bergeson

Superintendent of

Public Instruction

**AMENDATORY SECTION** (Amending Order 98-07, filed 9/28/99, effective 9/29/99)

**WAC 392-140-961 Learning improvement days—Determination of the number of funded learning improvement days in the ~~((1999-2000))~~ 2001-02 school year and thereafter.** The superintendent of public instruction shall separately determine for selected state-funded programs and for institutional education programs the number of funded learning improvement days for each school district for the ~~((1999-2000))~~ 2001-02 school year and for each school year thereafter as follows:

(1) In September through December of each school year, the superintendent will use the number of learning improvement days budgeted by the district and reported on Form F-203.

(2) Monthly, beginning in January of the school year, using current personnel data reported on the S-275 Personnel Report:

(a) Select all certificated instructional staff with assignments in the programs.

~~(b) ((Exclude staff with administrative assignments if the assignment percent is greater than zero.~~

~~(e)) For each employee, subtract one hundred eighty days from the number of days reported in the base contract (~~;( subtract the district's number of days in the base contract for the 1998-99 school year).~~~~

~~((d)) (c) Take the lesser of three days or the result of~~ ~~((e)) (b) of this subsection but not less than zero.~~

~~((e)) (d) Sum the number of days determined for all employees pursuant to~~ ~~((e)) (b) and~~ ~~((d)) (c) of this subsection.~~

~~((f)) (e) Divide the result of~~ ~~((e)) (d) of this subsection by the number of employees and round to two decimal places.~~

~~((g)) (f) The result is the number of funded learning improvement days for the district.~~

**AMENDATORY SECTION** (Amending Order 98-07, filed 9/28/99, effective 9/29/99)

**WAC 392-140-965 Learning improvement days—School district requests for review and adjustment.** A school district may at any time request that the superintendent of public instruction review and adjust data and calculations used to determine funding for learning improvement days pursuant to this chapter.

~~((1) Requests for adjustment to the number of days in the base contract in the 1998-99 school year shall be considered if the district shows that:~~

~~(a) The April 1999 S-275 data or calculations were in error;~~

~~(b) The district reported days in the base contract for services beyond the regular school calendar for a full-time certificated instructional employee of the district;~~

~~(c) The district had a signed multiyear collective bargaining agreement in April 1999 to reduce the number of days in the base contract in subsequent years; or~~

~~(d) Other bona fide adjustments are necessary.~~

~~(2)) Requests for adjustment to the number of learning improvement days provided in the 1999-2000 school year and thereafter shall be considered if the district shows that the data or calculations are in error, or other bona fide adjustments are necessary.~~

~~((3) Requests for adjustment shall be accompanied by the relevant pages of a signed collective bargaining agreement stating the number of days in the base contract in the school district.)~~

#### **REPEALER**

Effective February 1, 2002, the following section of the Washington Administrative Code is repealed:

WAC 392-140-960

Learning improvement days—Determination of the number of days in the base contract in the 1998-99 school year.

**WSR 01-24-031**  
**PROPOSED RULES**  
**HIGHER EDUCATION**  
**COORDINATING BOARD**

[Filed November 27, 2001, 3:54 p.m.]

Continuance of WSR 01-18-069.

Title of Rule: Title 250 WAC, Washington scholars.

Purpose: The purpose of this continuance is to extend the intended date of adoption of proposed rule changes filed as WSR 01-18-069 on September 4, 2001, from December 12, 2001, to February 6, 2002.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ann M. Lee and John Klacik, 917 Lakeridge Way, P.O. Box 43430, Olympia, WA 98504-3430, (360) 753-7843 or (360) 753-7851.

Name of Proponent: Education Services Division, Higher Education Coordinating Board, governmental.

Date of Intended Adoption: February 6, 2001.

November 27, 2001

John Klacik

Associate Director for  
Student Financial Aid

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

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

RCW 34.05.328 does not apply to this rule adoption. Rules relate to internal governmental operations.

Hearing Location: Western Washington University, Board Room, Old Main 340, 516 High Street, Bellingham, WA, on January 24, 2002, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Western Washington University, Office of Student Life, TDD (360) 650-3725.

Submit Written Comments to: Suzanne Baker, Rules Coordinator, Western Washington University, 516 High Street, Bellingham, WA 98225-9015, fax (360) 650-6197.

Date of Intended Adoption: February 8, 2002.

November 26, 2001

Suzanne M. Baker

Rules Coordinator

**WSR 01-24-034**  
**PROPOSED RULES**  
**WESTERN WASHINGTON UNIVERSITY**

[Filed November 28, 2001, 9:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-11-115.

Title of Rule: Chapter 516-12 WAC, Parking and traffic regulations; chapter 516-13 WAC, Bicycle traffic and parking regulations; and chapter 516-14 WAC, Appeals from parking violations.

Purpose: Amend the WAC rules pertaining to transportation issues at Western Washington University.

Statutory Authority for Adoption: RCW 28B.35-120(12).

Summary: General housekeeping of court rules, such as spelling, punctuation, and update of administrative titles; includes on-line information to update access to department; and removal of the list of parking fines which need not be included in WAC.

Reasons Supporting Proposal: To codify and communicate the changes in parking and traffic regulations and procedures at Western Washington University.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James Shaw, Director of Public Safety, Western Washington University, (360) 650-3555.

Name of Proponent: Western Washington University, governmental.

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

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

AMENDATORY SECTION (Amending WSR 97-17-052, filed 8/15/97, effective 9/15/97)

**WAC 516-12-400 Definitions.** As used in this chapter, and chapters 516-13 and 516-14 WAC, the following words and phrases mean:

(1) "Area designator": A tag affixed to a permit indicating a parking lot assignment for a vehicle.

(2) "Automobile": Any motorized vehicle having four or more wheels.

(3) "Board": The board of trustees of Western Washington University.

(4) "Campus": All state lands devoted to the educational or research activities of the university.

(5) "Disabled space": A parking space identified with a sign bearing the international disabled symbol that is restricted at all hours to use by vehicles displaying a valid WWU disabled parking permit.

(6) "Dismount zone": Any area designated by signs or symbols as a place where bicycles shall not be ridden but may be walked.

(7) "Employee": Any individual appointed to the faculty, staff, or administration of the university.

(8) "Habitual offender": The driver of a vehicle license number or permit number accruing ten or more paid or unpaid parking citations.

(9) "Holiday" or "university holiday": A day when all university offices and/or facilities are closed (e.g., Thanksgiving Day, Christmas Day, New Year's Day). Intercession or quarter breaks are not considered holidays. See definition of intercession.

(10) "Intercession": A period of time in which classes or final exams are not in session. Except for holidays that may fall within this time period, the business offices of the university are open during this time.

(11) "Impoundment": A state in which a vehicle has been seized and kept in legal custody by either being immobilized with a wheel lock device or towed from campus.

(12) "Meter feeding": Purchase of additional time beyond the time limit posted on the parking meters. This

practice is prohibited since use of meters is intended to serve short-term parking needs.

(13) "Motorcycle": Any two or three wheeled motorized vehicle.

(14) "Motor vehicle" or "vehicle": Any automobile or motorcycle.

(15) "Parking appeals board": The board which hears parking citation appeals.

(16) (~~("Parking manager")~~) "Public safety director": The person appointed (~~(("parking manager"))~~) public safety director of the university by the president or designee.

(17) "Parking space": A parking area designated by a sign, wheelstop, white-painted lines, and/or white traffic but-tons.

(18) "Permit": Any special or temporary parking permit authorized by the (~~(("parking manager"))~~) public safety director.

(19) "President": The president of Western Washington University.

(20) "Prohibited area": An area in which vehicular traf-fic and/or parking is prohibited according to the times posted.

(21) "Public safety department": The university public safety department.

(22) "Student": Any person enrolled in the university as a student.

(23) "Parking and transportation services": The parking and transportation services of the university.

(24) "Time-limited parking space": A space in which parking is allowed for a specific time period.

(25) "University": Western Washington University.

(26) "Valid permit": An unexpired parking permit authorized by the (~~(("parking manager"))~~) public safety director, properly registered and displayed on the vehicle.

(27) "Visitors": Persons who are neither employees or students and who visit the campus only on occasional basis.

(28) "Wheelstop": A cement or metal barrier approxi-mately eight inches high and six feet long used to define a parking space.

**AMENDATORY SECTION** (Amending WSR 97-17-052, filed 8/15/97, effective 9/15/97)

**WAC 516-12-420 Authority.** The board of trustees of Western Washington University is granted authority under Title 28B of the Revised Code of Washington to establish regulations to govern pedestrian and vehicular traffic and parking on the campus of the university. The administration of the parking regulations and moving violations is the responsibility of the (~~(("parking manager. Moving violations are the responsibility of the director of))~~) public safety direc-tor.

(1) All regulations in this chapter and all motor vehicle and other traffic laws of the state of Washington will apply on the campus.

(2) The traffic code of the city of Bellingham will apply on city streets which cross the campus.

(3) The (~~(("parking manager"))~~) public safety director is authorized to:

(a) Issue and/or sell parking permits to employees, stu-dents, guests, visitors, and others when necessary, and to pro-vide special parking for the physically disabled.

(b) Impose and/or suspend traffic and parking regula-tions and restrictions when appropriate to the mission of the university.

(c) Erect signs, barricades, and other structures to desig-nate and mark the various parking or no parking areas on campus; and to paint marks and other directions on the streets and roadways for the regulation of traffic and parking.

(d) Establish procedures, including time schedules and deadlines, to govern the purchase of annual, academic year, and quarterly permits, and to assign the limited parking spaces.

(4) The authority conferred upon the (~~(("parking man-ager"))~~) public safety director under this chapter may be dele-gated by the (~~(("parking manager"))~~) public safety director to other personnel within parking and transportation services under guidelines established by business and financial affairs.

(5) The university reserves the right to change or close, either temporarily or permanently, any campus parking area. Notice of change will be provided whenever practical.

**AMENDATORY SECTION** (Amending WSR 97-17-052, filed 8/15/97, effective 9/15/97)

**WAC 516-12-430 General regulations.** (1) The regis-tered owner(s) and operator of a vehicle or the person to whom a permit is issued involved in a violation of these regu-lations will be jointly and severally responsible for the vio-lation.

(2) All vehicles, attended or unattended, must display a valid Western Washington University parking permit when parked on the campus unless parked in a metered parking space (with meter payment)(;) or a time-limited space(~~(or a visitor's space (with a visitor's permit))~~).

(3) Policy on assignments to parking lots will be estab-lished by the (~~(("parking manager"))~~) public safety director.

(4) If a parking permit holder cannot locate a parking space in the assigned lot, he/she may park in the next nearest (~~(("visitor area"))~~) parking lot and then must call the parking and transportation services office. Motorcycle permit holders will go to the next nearest motorcycle lot.

(5) The university reserves the right to refuse parking privileges to anyone who has

(a) Had a permit revoked.

(b) Falsified a parking application or registration.

(c) Counterfeited or altered an area designator or permit.

(d) Failed to pay outstanding citations.

(e) Been identified as a habitual offender.

(f) Been found to be in possession of or using a lost or stolen permit.

(g) Removed a wheel lock without authorization of park-ing and transportation services.

(6) The speed limit on campus is 10 mph or as posted. Vehicles must be operated in a careful and prudent manner at all times and must be operated in compliance with estab-lished speed limits. Drivers of vehicles must obey all regula-tory signs and comply with directions given by members of parking and transportation services and officers of the public safety department in the control and regulation of parking and traffic.

(7) The operator of a vehicle must yield the right-of-way to pedestrians crossing streets and roadways within the campus, and at intersections or clearly marked crosswalks or city streets which cross the campus. Pedestrians must not cross any street or roadway except at an intersection or clearly marked crosswalk. Pedestrians must utilize sidewalks where provided on streets and roadways. If no sidewalk is provided, pedestrians will utilize the extreme left-hand side and move to their left and clear of the roadway or street upon meeting an oncoming vehicle.

(8) Vehicles owned by or assigned on a permanent basis to administrative units on campus and bearing "E," "B" or "M" license plates or a university insignia may be parked in "G" or "C" lots for brief periods while the driver is on university business. Long-term parking is not permitted, nor is any parking allowed in reserved spaces except when a space is designated for that specific vehicle. University vehicles may be parked in metered spaces provided that meter regulations are observed. Violations incurred will be the responsibility of the driver. All operators of these or other state vehicles will abide by all traffic and parking regulations.

(9) No person may utilize any vehicle parked on campus as a living unit without specific approval from the ((parking manager)) public safety director. Violators will be cited and/or towed.

(10) Vehicles are to be maintained in operating condition at all times on university property. Repairs will not be made on campus unless authorization has been received in advance from the ((parking manager)) public safety director. A vehicle which appears to be abandoned, with or without current Western Washington University registration or license plates, may be impounded after an attempt is made to locate and notify the owner of the impending action.

(11) The university rents space to individuals who wish to park on campus and who are issued a parking permit. The university assumes no responsibility or liability under any circumstances for vehicles or bicycles parked on campus nor does it assume any personal liability in connection with its parking program. No bailment of any sort is created by the issuance of a permit.

(12) The person who obtains a permit is responsible for assuring that the vehicle, regardless of who drives it, is parked in conformance with these regulations.

**AMENDATORY SECTION** (Amending WSR 96-14-006, filed 6/20/96, effective 7/21/96)

**WAC 516-12-440 Parking areas.** (1) Parking is prohibited in any area not specifically marked as a parking space, designated by a sign, wheelstop, white/painted lines, and/or white traffic buttons.

(2) Vehicles will not be parked in any parking area without a parking permit for that area except as provided in WAC 516-12-430(2). Each parking area is posted to indicate the type of permit required and the times they are required.

(3) Parking in a time-limited space is limited to the time posted or assigned.

(4) Visitors will park only where assigned by permit or in metered visitor areas with meter payment.

(5) Vehicles displaying valid permits for other parking areas on campus may not park in metered visitor lots except as provided in WAC 516-12-430(4).

(6) Meters are available to serve short-term parking needs. They are in effect at the times posted at the location. During these times the meter must be paid the correct amount posted. "Feeding" meters is prohibited. That is, additional time cannot be purchased beyond the time limit posted on the meter (e.g., a two-hour meter will allow a maximum of two hours of purchased time, and the driver may not pay the meter again to park longer than the maximum time provided).

(7) Motorcycles and moped-type vehicles will be parked in designated "M" (motorcycle) lots only and will not use space assigned to automobiles or bicycles, unless parked at a meter with payment.

(8) Automobiles will not be parked in areas assigned to motorcycles.

(9) Bicycles must be parked in bicycle racks where provided. (Chapter 516-13 WAC.)

(10) Personal notes or business cards left on vehicles describing reasons for parking without a proper and valid permit or for parking in an unauthorized manner will not be accepted.

(11) Spaces designated for specific use are restricted for that designated purpose or to assigned vehicles all hours.

(12) Resident student "R" lots are restricted to permit holders 24 hours per day.

(13) All parking spaces are defined by signs, painted surface lines, traffic "buttons," and/or wheelstops. All other areas are no parking zones. Using more than one space when parking is prohibited.

(14) The fact that other vehicles are parked improperly does not constitute a valid excuse. Should an individual parked in violation of any regulation not receive a citation, it does not indicate that such parking is authorized, that the regulation is no longer in effect, or that a future ticket is invalid.

(15) The fact that one vehicle is parked in such a manner as to occupy more than one parking space is not an acceptable excuse for another operator to do the same.

**AMENDATORY SECTION** (Amending WSR 97-17-052, filed 8/15/97, effective 9/15/97)

**WAC 516-12-450 Permits.** (1) Except as otherwise provided in this chapter, permits may be issued only to students, employees, and other members of the university community. Persons wishing to obtain parking permits are required to complete a registration form provided by parking and transportation services and pay the fee. Ownership of the parking permit remains with the university. Individuals are not allowed to transfer ownership. All permits reported lost or stolen should be returned to the parking and transportation services office immediately upon recovery. Possession or use of a lost or stolen permit or a forged permit will result in a fine, the vehicle being wheel-locked, and loss of parking privileges. Report the loss or theft of a parking permit to the parking and transportation services office immediately.

(2) A valid permit means an unexpired parking permit authorized by the ((parking manager)) public safety director, properly registered and displayed on the vehicle.

(3) Hanging parking permits are to be displayed from the rear-view mirror according to instructions on the permit. Other types of permits are to be displayed according to instructions provided by parking and transportation services personnel. A parking permit is not considered valid unless it is correctly displayed on the vehicle.

(4) Motorcycle permits will be permanently attached to the top of the taillight. If taillight does not conform to current federal law, permits must be attached so as to be easily seen from the rear of the vehicle.

(5) The theft or loss of a parking permit should be reported immediately upon discovery.

A stolen permit will be replaced the first time at no cost providing a theft report has been filed with the public safety department. The second time the replacement fee will be \$10.00; the third time \$20.00; and thereafter at the original cost of the highest priced permit plus \$5.00.

A lost permit will be replaced the first time for \$5.00; the second time \$10.00; the third time \$20.00; and thereafter at the original cost of the highest priced permit plus \$5.00.

Recovered lost or stolen permits should be returned to the parking services office immediately.

(6) To enhance the business and operation of the university "all lots" decals or (~~official~~) university business permits may be issued by the (~~parking manager~~) public safety director. Requests for all lots decals and university business permits require an annual (~~written justification~~) completed supplemental application and the signature of the dean, director, or chairperson of the department with which the person is associated. (~~Requests may also require the approval of the parking advisory committee.~~) Issuance requires purchase of a "G" parking permit and permits will be in effect the same period of time. These permits are valid for brief periods of time only when on university business and are not valid in metered lots, specifically reserved spaces, or small capacity lots.

(7) Persons with a temporary or permanent physical disability who require special parking consideration must (~~furnish to the parking manager a physician's certification of the request on forms provided by the parking and transportation services office. (This certification does not apply to persons whose vehicles bear a state issued handicapped license or permit.)~~) obtain a state disabled parking permit as well as a valid WWU disabled parking permit.

(8) All permits are the property of the university and may be recalled by the (~~parking manager~~) public safety director under the following circumstances:

(a) When the purpose for which they were issued changes or ceases to exist.

(b) Falsification of an application or registration for parking.

(c) Violations of the regulations in this chapter.

(d) Counterfeiting or altering a permit.

(e) Failure to comply with a judgment of the parking appeals board.

(f) Failure to pay outstanding citations.

(g) Removed a wheel lock without authorization of parking and transportation services.

(9) Annual, academic, and quarterly parking space assignments will be available according to a schedule deter-

mined and publicized by the (~~parking manager~~) public safety director.

(a) Annual permits are valid for 12 months.

(b) Academic permits are valid for 9 months.

(c) Quarterly permits are valid from the first day of the quarter for which issued until the first day of the succeeding quarter.

(d) Those persons desiring to consecutively renew a quarterly permit for winter, spring, and summer quarters to the same parking lot as assigned for fall quarter may do so during the two weeks prior to finals week each quarter through the first two weeks of the next quarter. (~~All spaces not renewed will go on open sale finals week of each quarter.~~) Permits may not be renewed for fall quarter.

(10) Special permits may include, but are not limited to: Guest, service/vendor, temporary assignment, visitor, and loading permits authorized by the (~~parking manager~~) public safety director.

(11) Faculty, staff, or students who have purchased a hanging parking permit but forget to place it on the vehicle they are driving to campus (~~and~~) must obtain a temporary permit from the parking office or visitor information center. Those who have not purchased a permit must obtain a temporary permit from the parking and transportation services office or the visitor information center at the cost of a daily visitor permit. Temporary permits are issued for the lot assigned or, if no permit has been purchased, for available spaces (~~, not for visitor lots~~).

(12) Faculty, staff, or students who purchase an annual, academic, or quarterly parking permit may use the permit on any vehicle they drive but may not transfer ownership of the permit. The individual to whom a permit is issued is responsible for parking violations by any vehicle bearing the permit.

**AMENDATORY SECTION** (Amending WSR 97-17-052, filed 8/15/97, effective 9/15/97)

**WAC 516-12-460 Fees.** (1) Fee schedules will be submitted by the president or his/her designee to the board of trustees for approval by motion and will thereafter be posted in the public area of the parking and transportation services office.

(2) Cost of permits will be prorated throughout the year according to type and date purchased and will be posted in the parking and transportation services office.

(3) Refunds may be made based on the valid time remaining upon application by the permit holder or upon revocation of the permit by the (~~parking manager~~) public safety director. Unpaid citation fines will be deducted from any refund.

(a) The permit holder must return the permit to the parking and transportation services office before a refund will be authorized or a payroll deduction be terminated.

(b) A service charge will be assessed for any permit returned during the first ten days of fall quarter.

(c) A service charge will be assessed for quarterly permits returned during the first ten days of the quarter for which valid.

(d) No refund will be made for a quarterly permit during the last two weeks of the quarter.

(e) No refund will be made for an academic permit during the last two weeks of spring quarter.

(f) No refund will be made for a summer permit or an annual permit after the six-week summer session.

(4) A service charge will be assessed for:

(a) Change of permit when a lot transfer is requested by the permit holder and approved by the ~~((parking manager))~~ public safety director.

(b) Replacement of permits unless the old permit is returned in identifiable condition.

(c) Change in hours issued on a part-time permit.

(5) Salaried employees have the option of paying for parking through payroll deduction.

(6) Prorated fees will be charged for part-time permits.

(7) The proper fee must be paid for all vehicles parked in metered lots unless otherwise authorized.

(8) For fees regarding lost or stolen permits, see WAC ~~((516-12-470(4)))~~ 516-12-450(5).

~~((9) Permit holders who forget their permit or any driver without a permit must purchase a temporary permit at current visitor fees.))~~

AMENDATORY SECTION (Amending WSR 97-17-052, filed 8/15/97, effective 9/15/97)

**WAC 516-12-470 Enforcement.** (1) General.

(a) A vehicle which is parked in a manner which endangers or potentially endangers members of the university community or their property, state property, and/or prevents a person having a valid permit from parking in their designated parking area, will be impounded on the first violation.

(b) Upon receiving ~~((a third parking citation with))~~ two ~~((previous))~~ unpaid parking citations outstanding for more than seventy-two hours, a vehicle is subject to impound.

(c) A student with unpaid parking citations ~~((may not be allowed to have a copy of his/her transcript released by the registrar's office))~~ may not receive their class registration and/or transcript until citations are paid.

(d) Parking permits will not be issued until all outstanding citations are paid.

(e) After identifying the registered owner of any vehicle without a parking permit or a permit number which has one or more unpaid citations, the parking and transportation services office will contact the owner in writing that payment is required. If payment for outstanding citations is not made by the date required, the matter will be referred to the appropriate collection agent and/or civil court for resolution.

(f) The operator and owner(s) of a vehicle which is involved in a violation of the university's parking regulations are jointly and severally responsible for the violation. The person to whom a permit is issued is responsible for all citations issued to that permit number.

(g) These enforcement measures are cumulative using one or more enforcement measures will not prohibit the use of additional measures.

(2) When regulations are in effect.

(a) Except as stated in (b) and (c) of this subsection, parking regulations are subject to enforcement throughout the calendar year but will not be enforced on official university

holidays unless otherwise posted. For purposes of this section, intercession is not considered a university holiday.

(b) A vehicle which is parked in a manner which endangers or potentially endangers members of the university or their property or state property will be impounded on the first violation regardless of when the violation occurs.

(c) Intercession regulations will be determined and published by the ~~((parking manager))~~ public safety director as required.

~~((Permits are required in G, C, and V parking areas Monday through Friday from 7:00 a.m. through 5:00 p.m. unless otherwise posted. Permits are required in R (student resident) lots all hours.))~~ All lots have restrictions. Refer to regulatory signs at lot entrances.

(e) Should there be a conflict between these regulations, parking maps, and on-site posted signs regarding parking information and instructions, the on-site sign takes precedence.

(3) ~~((Night parking:~~

~~((a) The hours of night parking are 5:00 p.m. to 7:00 a.m.~~

~~((b) During the hours of night parking all lots except "R" (campus resident) lots, some restricted lots, and reserved spaces in any lot are open to parking unless otherwise posted with signs or designated by the parking manager.~~

~~((c) "R" parking lots are restricted to "R" permit holders at all times.~~

~~((d) Parking is restricted during the hours of night parking in any lot reserved for a special event unless attending that event.~~

(4)) Citations. A vehicle which is in violation of the university's parking regulations will be issued a citation ~~((, and fines will be assessed for violations of these regulations according to the following schedule:~~

~~((a) \$5.00 violations:~~

~~((i) Improper display of permit.~~

~~((b) \$10.00 violations:~~

~~((i) Overtime parking;~~

~~((ii) Parking at an expired meter;~~

~~((iii) Occupying more than one space;~~

~~((iv) Parking in a no parking zone;~~

~~((v) Parking outside a designated parking space.~~

~~((e) \$15.00 violation: Parking out of assigned area.~~

~~((d) \$20.00 violations:~~

~~((i) No valid permit displayed;~~

~~((ii) Unauthorized permit transfer.~~

~~((e) \$25.00 violations:~~

~~((i) Blocking traffic;~~

~~((ii) Parking in a grass or landscaped area;~~

~~((iii) Parking in a reserved area;~~

~~((iv) Parking in prohibited area (except disabled spaces);~~

~~((v) Parking in a driveway or walkway.~~

~~((f) \$50.00 violations: Parking within fifteen feet of a fire hydrant or in a fire lane.~~

~~((g) \$100.00 violations:~~

~~((i) Display of lost permit.~~

~~((ii) Display of stolen permit.~~

~~((iii) Display of forged permit.~~

~~((h) \$175.00 violations: Parking in a disabled only space)).~~

~~((5))~~ (4) Continued violations. A vehicle which remains in violation of any regulations may receive additional citations for every four hours of the violation.

~~((6))~~ (5) Impoundment by towing or wheel lock:

(a) All violators are subject to having their vehicles impounded through the use of towing or the wheel lock device at their own risk and expense.

(b) Any vehicle may be towed away if the vehicle:

(i) Has been immobilized by wheel lock for more than twenty-four hours; or

(ii) Is parked in such a manner as to endanger the university community; or

(iii) Is parked in a fire lane blocking traffic or other posted tow-away zone; or

(iv) Is parked so as to deprive a permit holder of space in his/her assigned lot, personally reserved space or disabled space without a proper permit; or

(v) Is left under circumstances which indicate it has been abandoned; or

(vi) Is found displaying a forged or reported lost or stolen permit; or

(vii) Cannot be impounded with the wheel lock device.

(c) Any vehicle may be immobilized by use of a wheel lock device if the vehicle:

(i) Has an accumulation of two or more unpaid parking tickets (the second of which has been outstanding for more than seventy-two hours); or

(ii) Is parked at any time on campus when parking privileges have been revoked.

(d) The operator/owner of the impounded vehicle must ~~((provide positive personal identification and proof of ownership of the vehicle and))~~ pay all outstanding citations at the parking and transportation services office (or university public safety department when the parking and transportation services office is closed) and complete the required paperwork before a vehicle release is authorized ~~((, a release form completed and a copy issued to the vehicle operator/owner))~~.

(e) A fee will be assessed on vehicles immobilized by the wheel lock device.

(f) Any vehicle which remains immobilized by wheel lock for more than twenty-four hours in an area where towing is not practical or possible will be assessed a fee for each day or portion thereof over the twenty-four hours.

(g) An impound fee is charged if the driver of the tow truck or the wheel lock operator has performed any labor prior to the vehicle operator/owner returning to the vehicle before the impoundment is completed.

(h) An impounded vehicle shall be released to the operator/owner of the vehicle when:

(i) Positive identification and proof of ownership of the vehicle is provided;

(ii) All unpaid fines against the impounded vehicle or any other vehicle registered to the violator are paid at parking and transportation services (or university public safety department when parking and transportation services is closed);

(iii) A wheel lock fee is paid; and/or

(iv) All towing and storage fees are paid.

(i) The operator/owner of the towed vehicle must present an authorized release form to the towing company and pay all towing charges including any storage fees incurred.

(j) The university assumes no responsibility for damages which may result from use of the wheel lock device, storage, or attempts to move a vehicle with a wheel lock device installed.

(k) A person wishing to challenge the validity of the impound or any fines or fees imposed under the impound policy may appeal through the process provided in the chapter governing appeals (chapter 516-14 WAC). However, in order to secure release of the vehicle, the driver must pay the amount of fines and/or fees as a bond which will be refunded to the extent the appeal is approved.

~~((7))~~ (6) It is prohibited to park:

(a) Without a valid permit;

(b) Double parked;

(c) In reserved spaces without a proper permit;

(d) In no parking areas;

(e) In a disabled space without a proper permit;

(f) In fire lanes, service roads, fire exits or within 15 feet of a fire hydrant;

(g) In loading zones ~~((unless actually loading (time is limited)))~~ exceeding the time limit;

(h) In service entrances, construction sites, spaces reserved for maintenance vehicles, handicapped access areas, dumpster access;

(i) On lawns, sidewalks, crosswalks, parking lot drive-ways, straddling painted lines or buttons, or angle parking where prohibited;

(j) Exceeding time in time-limited or metered spaces;

(k) In areas where permit is not valid;

(l) Over or adjacent to yellow lines or curbs;

(m) Against the flow of traffic;

(n) In areas or spaces closed by barricades or other control devices.

~~((8))~~ (7) Payment of citations is due upon receipt.

**AMENDATORY SECTION** (Amending WSR 97-17-052, filed 8/15/97, effective 9/15/97)

**WAC 516-12-480 Appeals.** Any person who alleges being unjustly ticketed and who wishes to appeal a citation shall report to the parking and transportation services office within seven days from the date of the citation and complete an appeal form or appeal on-line at [www.park.wvu.edu](http://www.park.wvu.edu).

(1) The right to a hearing is forfeited seven days from the date of the citation.

(2) Any person dissatisfied with the decision of the ~~((parking manager))~~ public safety director or designee on appeal of a citation may request a hearing before the parking appeals board. (Chapter 516-14 WAC.)

(3) Requests for a parking appeals board review must be made in writing within fourteen days of the decision made by the ~~((parking manager))~~ public safety director or designee and after the appealed citation has been paid in full.



**AMENDATORY SECTION** (Amending WSR 96-24-016, filed 11/22/96, effective 1/1/97)

**WAC 516-13-030 Impounding of bicycles.** (1) Bicycles may be impounded for illegal parking.

(2) Bicycles will be released upon presentation of proof of ownership and payment of a \$3.00 fee if claimed within seven days. Bicycles unclaimed after seven days will be released to the university public safety department. If the owner of an impounded bicycle can be identified, they will be notified immediately after impound.

**AMENDATORY SECTION** (Amending WSR 96-24-016, filed 11/22/96, effective 1/1/97)

**WAC 516-13-080 Operation.** (1) Pedestrians have the right-of-way on all sidewalks, pathways, and plaza areas on campus. Bicyclists will use due caution when riding bicycles on campus and are encouraged to wear helmets.

(2) It is prohibited for bicycles to be ridden in areas specifically designated as permanent and/or temporary dismount zones (~~(from 8:00 a.m. to 5:00 p.m. during regular class days or at other times when so posted or as designated by the vice-president for business and financial affairs or a designee)~~). Bicyclists must dismount and walk their bicycles in designated dismount zones during the fifteen minutes prior to and fifteen minutes after each hour from 7:45 a.m. to 5:15 p.m. during regular class days, including finals week.

(3) Bicyclists are responsible for following the Bicycle Responsibility Code adopted May 21, 1996, by the student bicycle advisory coalition as amended by the central health and safety committee on June 3, 1996:

- (a) Pedestrians have right of way, always.
- (b) Stay in control.
- (c) Avoid congested areas and use back roads when possible.
- (d) Obey the dismount policy and obey all traffic laws.
- (e) Dismount and walk your bike when in crowded areas.
- (f) Minimize impact—stay off the lawns.
- (g) Park and lock bikes only at bike racks.
- (h) Know the code!

**AMENDATORY SECTION** (Amending WSR 99-07-089, filed 3/19/99, effective 4/19/99)

**WAC 516-13-090 Enforcement.** A bicycle rider who refuses to abide by these regulations set forth under chapter 516-13 WAC may be issued a university notice of infraction (NOI) for one or more of the following infractions:

- (1) Failure to yield right of way to pedestrian;
- (2) Failure to stay in control of bicycle;
- (3) Failure to obey dismount policy;
- (4) Riding on lawn or other restricted area;
- (5) Failure to use due care and caution.

**Penalties:** The penalties for violating any part of this section shall be progressive, with the monetary penalty increasing for each subsequent offense regardless of the nature of the previous offense(s). The first violation shall have a monetary penalty of ten dollars. A second violation shall have a monetary penalty of twenty-five dollars. A third

and each subsequent violation shall have a monetary penalty of fifty dollars.

Any bicycle rider who violates any portion of this section and as a result is involved in a collision with a pedestrian or an object shall have the monetary penalty for the offense(s) doubled.

Any bicycle rider who attempts to elude a uniformed police officer attempting to enforce these regulations shall have the monetary penalty for the offense(s) doubled.

Chapter 516-13 WAC notwithstanding, bicycle riders remain subject to enforcement of applicable city and state traffic laws while riding upon public roadways or sidewalks.

A bicycle rider who refuses to cooperate with a police officer or to present proof of identification will be subject to arrest for obstructing a law enforcement officer under the provisions of chapter 9A.76 RCW and/or criminal trespass under the provisions of chapter 9A.52 RCW.

**Appeal procedure.** A university notice of infraction (NOI) may be appealed by filing a completed appeal form at the parking services office or appeal on-line at [www.park.wvu.edu](http://www.park.wvu.edu) within seven days of receipt of the notice of infraction; otherwise, the right to a hearing is forfeited.

**Distribution of funds collected from monetary penalties.** Moneys collected for violations of chapter 516-13 WAC shall be applied towards the cost of enforcing this section. Moneys received in excess of these costs shall be applied towards bicycle-related projects, including bicycle parking, bicycle pathways and safe bicycling education.

**AMENDATORY SECTION** (Amending Order 6-02-83, Motion No. 6-02-83, filed 6/28/83, effective 9/19/83)

**WAC 516-14-200 Policy and procedure.** A parking appeals board has been established composed of one administrator, one faculty member, and one staff member, to be appointed by the administrators, faculty, and staff respectively, and four students to be appointed by the associated students. Each will be appointed for a one-year term. The board will choose its own chairperson from its members.

(1) The board will meet throughout the academic year dependent upon the volume of appeals.

(2) The parking appeals board has jurisdiction to hear and decide only those cases involving alleged violations of Western Washington University's parking regulations, chapters 516-12 and 516-13 WAC.

(3) Moving violations, violations of the motor vehicle and other traffic laws of the state of Washington, and traffic code of the city of Bellingham are referred to the Bellingham police department and district justice court.

(4) The parking appeals board may adopt its own bylaws. However, these bylaws may not conflict with the WAC or the policies and procedures of related offices except by recommendation in writing, and subsequent approval of the office involved, through established university channels. The board shall be considered autonomous to ~~((the))~~ the university governance system as to its judgment of appeals only. The board chairperson shall prepare an annual report for informational purposes to be submitted to the vice-president of business and financial affairs by May 31 each year.

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(a) Payment of a parking fine shall not constitute a waiver of the right to a hearing with regard to the underlying violation.

(b) Those receiving a university parking citation may appeal the citation by completing an official appeal form available at the parking services office or appeal on-line at [www.park.wvu.edu](http://www.park.wvu.edu). The form must be completed within seven days of the issuance of the citation or the citation will be considered valid. (WAC 516-12-480)

(c) The appeal form must include a full explanation of the basis for the appeal. The only proper basis for an appeal is a contention that the cited regulations were not violated.

(d) The ~~((parking manager))~~ public safety director (or designee) will review the appeal and may recommend dismissal or a reduction of the citation. If dismissal is not recommended, ~~((the appeal will be sent))~~ appellant may request the appeal be sent to the board for adjudication upon payment of the fine and the completion of a request form. The ~~((parking manager))~~ public safety director has the authority to waive completion of the appeal form.

~~((d))~~ (e) Should a personal appearance before the board be desired, it should be indicated on the form, otherwise the citation will be adjudicated on the basis of the written submission only.

~~((e))~~ (f) If a personal appearance is requested, and the appellant cannot appear on the date scheduled, the appellant must notify the transportation and parking department in writing at least 24 hours before the scheduled time and request a new date. Only one such rescheduling is permitted. If the appellant does not appear at a scheduled hearing without notification, the appeal will be adjudicated on the basis of the written appeal only.

~~((f))~~ (g) The parking appeals board operates according to the rights of due process of law. If desired, the appellant has the right to be represented by counsel, the right to cross-examine witnesses, and the right to an open and impartial hearing.

~~((g))~~ (h) The transportation and parking department has the right to be represented at hearings and to cross-examine witnesses.

~~((h))~~ (i) The appeals board may examine witnesses for either side.

~~((i))~~ (j) At the conclusion of a hearing, and in an open meeting, the board will specify the charge(s) against the alleged violator, pronounce a judgment of guilty or not guilty as to each charge, and include a rationale for each judgment. The board has the authority to deny the appeal, wave, void or refund the citation fine(s) in part or in full, and/or refund the towing charge(s) in part or in full, according to the pronounced ~~((judgement))~~ judgment of guilty or not guilty.

~~((j))~~ (k) The decision of the appeals board will be in writing and will be final.

~~((k))~~ (l) Failure to comply with a decision of the parking appeals board constitutes a ground for revocation of campus parking privileges. Any unpaid fine will be deducted from any refund due as a result of revocation of parking privileges or a judgment of the board.

~~((l))~~ (m) A written record of the judgment, rationale, and fine imposed, if any, shall be furnished to the transportation and parking department by the parking appeals board

chairperson. These records will then be maintained by the transportation and parking department.

~~((m))~~ (n) Within the Revised Code of Washington, the alleged violator may appeal the decision of the appeals board to the state district court within ten days after written notice of the final decision has been given.

## WSR 01-24-040

### PROPOSED RULES

#### DEPARTMENT OF HEALTH

(Chemical Dependency Professionals Program)

[Filed November 28, 2001, 4:24 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-15-034.

Title of Rule: WAC 246-811-200, 246-811-210, 246-811-220, 246-811-230, 246-811-240, 246-811-250, 246-811-260, and 246-811-270, continuing competency program.

Purpose: This proposed rule sets continuing competency requirements for chemical dependency professionals.

Other Identifying Information: These rules implement RCW 18.205.060(12).

Statutory Authority for Adoption: RCW 18.205.-060(12).

Statute Being Implemented: Chapter 18.205 RCW.

Summary: The proposed rules establish continuing competency definitions, requirements, scope and purpose, reporting requirements and sets the audit documentation requirements.

Reasons Supporting Proposal: The field of chemical dependency is growing and changing rapidly. There is concern that counselors working in this field need to continually seek out opportunities to keep up with current information.

Name of Agency Personnel Responsible for Drafting: Kris Waidely, Program Manager, 1300 S.E. Quince Street, Olympia, WA, (360) 236-4902; Implementation and Enforcement: Shellie Pierce, Program Manager, 1300 S.E. Quince Street, Olympia, WA, (360) 236-4902.

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: This proposal establishes the continuing competency requirements for certified chemical dependency professionals. The proposed rules implement RCW 18.205.-060(12). The proposed rules will help assure that CDPs are meeting requirements that will help them stay current with the rapidly changing information regarding chemical dependency. These rules require CDPs to complete a continuing competency enhancement plan and provide proof of twenty-eight hours of continuing education and twelve hours of other professional developmental activities every two years.

Proposal does not change existing rules.

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

Small Business Economic Impact Statement

The proposed regulations will establish requirements for certified chemical dependency professionals.

This rule has been reviewed and has been found to have a disproportionate impact on small business.

I. What does the rule or rule amendment require? Any approach to continuing education mandates that prescribe mandatory standards requires a means of enforcement. Costs passed on to the health care practitioner through their licens-

ing fees associated with the regulatory staff work done to ensure mandatory continuing education include:

- Processing renewal notices with continuing competency affidavits,
- Conducting random audits,
- Conducting investigations, and
- Taking legal actions for noncompliance with CC requirements.

II. What industries are affected? The following SIC coded industries are affected by this rule because they hire staff that may require training.

SIC	DESCRIPTION	TOTAL	TOTAL	AVERAGE EMPLOYMENT	
		UNITS	EMPLOYMENT	SMALLEST 90%	LARGEST 10%
8062	General medical & surgical hospital	146	78,593	11.07	2,027.71
8069	Specialty hospitals exc. psychiatric	23	4,106	15.36	167.67
8093	Specialty outpatient clinics, nec	245	7,530	9.28	113.54
8322	Individual and family services	1,261	29,061	8.14	180.78
8361	Residential care	1,534	20,252	8.03	97.44

III. What are the costs? The rule does not require businesses to cover the cost of training; however, some businesses pay for training, provide training on site, or pay their employees for the hours during which they are in training.

A survey was conducted to have a preliminary understanding of current salary levels among chemical dependency professionals in Washington state. It was discovered that the median gross salary for certified chemical dependency professionals is \$29,848. Approximately 96% of the reporting counselors received health benefits and leave time.

Combining a conservative wage rate of \$21.00 per hour for fourteen hours of continuing education, it amounts to a cost of \$259.00 per year. The Department of Health (DOH) used the following values to calculate the cost to chemical dependency professionals or the businesses, if they cover the costs.

IV. Does the proposed rule impose disproportionate cost on small businesses? A worst case analysis of this rule indicates that it probably could impose disproportionate costs if businesses do cover the costs of training. DOH has provided cost minimization.

For businesses that hire certified practitioners, the average percentage of employees who have certification is 4.12%.

The smallest average size of business for any SIC is 8.14.

If the smallest company provides full coverage for training of one person, the ratio of the cost to employment is  $5.36/8.14 = .66$ .

The largest average size of business for any SIC is 2027.71.

If the largest company provides for coverage for training of 4.21% of their employees, 85 employees, the ratio of cost to employment is  $1,360/2027.71 = .67$ .

V. What cost minimizing features were included?

1. Rather than submitting the records every two years, on a random basis, up to 25% may be audited.

2. The agencies that employ CDPs may provide trainings at no cost to the CDP.

VI. How did you involve small business in the rule making?

Business, public, and licensee involvement was solicited through mailings from the Department of Health.

DOH used the Chemical Dependency Professional Advisory Committee. DOH contacted a variety of stakeholders, such as: Educators, various related associations, the general public, and individuals credentialed under chapter 18.205 RCW. Opportunity for written comments was provided during different stages of the development of the rules. This effort has produced rules for a continuing competency program that included the requested cost minimizing features listed above.

A copy of the statement may be obtained by writing to Department of Health, CDP Program, Kris Waidely, Program Manager, P.O. Box 47869, Olympia, WA 98504-7869, phone (360) 236-4902, fax (360) 236-4909.

RCW 34.05.328 applies to this rule adoption. Continuing competency is necessary for CDPs to retain their certification.

Hearing Location: 1101 Eastside Street, Olympia, WA 98504, on January 9, 2002, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Kris Waidely by December 26, 2001, TDD (800) 833-6388, or (360) 236-4902.

Submit Written Comments to: Kris Waidely, Program Manager, CDP Program, P.O. Box 47869, Olympia, WA 98504-7869, fax (360) 236-4909, by December 26, 2001.

Date of Intended Adoption: January 9, 2002.

Mary C. Selecky  
Secretary

**CONTINUING COMPETENCY PROGRAM**

NEW SECTION

**WAC 246-811-200 What continuing competency definitions should I know? (1) Continuing education** means a program or course (including distance learning), seminars, or

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workshops, professional conferences approved by an industry recognized local, state, national, international organization or institution of higher learning.

(2) **Professional development activities** means addiction competencies as outlined in WAC 246-811-047, including: Clinical evaluation, individual counseling, group counseling, counseling family, couples, and significant others, professional and ethical responsibilities, understanding addiction, treatment knowledge, application to practice, professional readiness, treatment planning, referral, service coordination, client, family, and community education, screening, intake, assessment, clinical reports, clinical progress notes, discharge summaries, and other client related data.

(3) **Industry recognized** is any local, state, national, international organization, or institution of higher learning, including, but not limited to, the following organizations:

(a) National Association of Alcoholism and Drug Abuse Counselors (NAADAC);

(b) National Association of Addiction Treatment Providers (NAATP);

(c) International Certification and Reciprocity Consortium (ICRC);

(d) Northwest Indian alcohol/drug specialist certification board;

(e) Chemical dependency counselor certification board;

(f) Institutions of higher learning that are accredited by a national or regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation; or

(g) Division of alcohol and substance abuse (DASA).

(4) **Distance learning** is industry recognized education obtained to enhance proficiency in one or more of the professional development activities as outlined in subsection (2) of this section, through sources such as, internet coursework, satellite downlink resources, telecourses, or correspondence courses.

(5) **Agency sponsored training** is training provided by an agency that is **not** limited to people working within that agency and is a professional development activity as outlined in subsection (2) of this section.

(6) **In-service training** is training provided by an agency that is limited to people working within that agency and is a professional development activity as outlined in subsection (2) of this section.

(7) **Continuing competency enhancement plan** is a plan showing the goals the CDP will develop to continue proficiency in their profession. The plan will be based on core competencies as listed in WAC 246-811-047. The plan will be developed on forms provided by the department.

#### NEW SECTION

**WAC 246-811-210 What is the scope and purpose of a continuing competency program?** To enhance the professional competency of the CDP. A successful continuing competency program focuses on all aspects of professional practice to ensure that the practitioner is competent to provide safe and quality care to patients. The purpose of the professional development activities is to broaden the experience that a CDP may undertake to maintain competency.

#### NEW SECTION

**WAC 246-811-220 What are the continuing competency program requirements?** (1) CDPs must complete an enhancement plan;

(2) CDPs must complete twenty-eight hours of continuing education; and

(3) CDPs must complete twelve hours of other professional development activities as outlined in WAC 246-811-047 and 246-811-200(2).

#### NEW SECTION

**WAC 246-811-230 What is the continuing competency reporting period?** CDPs must complete the continuing competency program requirements every two years. CDPs will develop and implement the plan on their 2002 renewal date or upon initial certification. The effective date for reporting the continuing competency program requirements shall begin with the 2004 renewal cycle.

#### NEW SECTION

**WAC 246-811-240 How many continuing education hours are needed?** CDPs must complete twenty-eight hours of continuing education every two years. At least fourteen hours must be completed in one or more of the topic areas as described in WAC 246-811-030 (2)(a) through (w). At least four hours must be in professional ethics and law. The additional ten hours shall be in areas relating to the various phases of their professional career.

#### NEW SECTION

**WAC 246-811-250 What are acceptable programs or courses for continuing education?** (1) Programs having a featured instructor, speaker(s) or panel that is industry recognized;

(2) Distance learning programs;

(3) Agency sponsored trainings;

(4) Course work at institutions of higher learning that are accredited by a national or regional accrediting body recognized by the commission on recognition of postsecondary accreditation; or

(5) In-service training programs limited to seven hours per reporting period.

#### NEW SECTION

**WAC 246-811-260 How do I fulfill the twelve hours of other professional development activities?** (1) CDPs may obtain hours through the following:

(a) Practicum;

(b) Peer-review including serving on a formal peer review panel or committee, or individual review of a sole provider, where the purpose of the review is to determine whether appropriate treatment was rendered;

(c) Public presentation including preparing and presenting lectures or education that contribute to the professional competence of a CDP. The CDP may accumulate the same number of hours obtained for continuing education purposes by attendees as required in WAC 246-12-220. The hours for presenting a specific topic lecture or education may only be used for continuing education credit once during each reporting period;

(d) Publication of writings;

(e) Other activities as determined by the CDP's supervisor;

(f) Continuing education; these continuing education hours are in addition to the twenty-eight hours of continuing education as listed in WAC 246-811-240.

(2) All documentation must include the dates the continuing competency activity occurred, and if appropriate, the title of the course, the location of the course, and the name of the instructor.

**NEW SECTION**

**WAC 246-811-270 What is acceptable audit documentation for continuing education, professional development activities, and the enhancement plan?** (1) Acceptable documentation must be specific to the program completed and include:

(a) Transcripts, letters from course instructors, or certificate of completion;

(b) Written report by the CDP explaining how they achieved the competencies in WAC 246-811-047; or

(c) Signed agreement between parties involved.

(2) CDPs must comply with the requirements of chapter 246-12 WAC, part 7.

**WSR 01-24-051**

**PROPOSED RULES**

**PERSONNEL RESOURCES BOARD**

[Filed November 29, 2001, 2:28 p.m.]

Original Notice.

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

Title of Rule: WAC 356-18-100 Accrued vacation leave disposition—Computation—How made.

Purpose: The purpose of this rule is to address the disposition and computation of accrued vacation leave.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Statute Being Implemented: RCW 41.06.150.

Summary: The change to subsection (1) is needed to avoid confusion regarding the disposition of vacation leave when an employee separates from state service prior to completing six or twelve (full-time or part-time) months of continuous state service. The deletion of subsection (3) will remove the requirement of returning payment of vacation leave upon reemployment.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, WA, (360) 664-6348; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule addresses the disposition and computation of accrued vacation leave. The modification to subsection (1) would avoid confusion regarding disposition of vacation leave when an employee separates from state service prior to completing six continuous months (for full-time) or twelve continuous months (for part-time) of state service. The deletion of subsection (3) would eliminate the requirement to return payment of vacation leave upon reemployment.

Proposal Changes the Following Existing Rules: See above.

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

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on January 10, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by January 3, 2002, TDD (360) 753-4107, or (360) 586-8260.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, fax (360) 586-4694, by January 8, 2002.

Date of Intended Adoption: January 10, 2002.

November 29, 2001

E. C. Matt  
Secretary

**AMENDATORY SECTION** (Amending WSR 87-13-039 (Order 277), filed 6/15/87, effective 8/1/87)

**WAC 356-18-100 Accrued vacation leave disposition—Computation—How made.** (1) When an employee separates from service by reason of resignation with adequate notice, layoff, dismissal, retirement or death, he or she is entitled to a lump sum payment of unused vacation leave, except as provided in 356-18-110. The compensation shall be computed by using the formula published by the office of financial management. No contributions are to be made to the department of retirement systems (DRS) for lump sum payment of excess vacation leave accumulated under the provisions of WAC 356-18-095(2), nor shall such payment be reported to the DRS as compensation.

(2) Employees may defer the payment of their accumulated vacation leave for which otherwise entitled for a period of 30 working days if the separation resulted from a reduction in force and there is a reasonable probability of reemployment, or if the separation resulted from employees returning to classified positions from exempt positions under the provision of RCW 41.06.070(22), 41.06.100, or WAC 356-06-055. Seasonal career employees, as defined in WAC 356-05-380, may defer payment of their accumulated vacation leave during the period between consecutive employment cycles.

~~((3) If employees are paid for the accumulated vacation leave and are reemployed within the period of time represented by the number of days for which vacation pay was~~

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~~received, employees must return the payment for the remaining vacation days. Employees will be credited with the number of vacation days represented by the returned payments at the rate of their last salary.)~~

((4)) (3) The separation cited in subsection (2) of this section will not be regarded as a break in service for purposes of computing the rates of crediting vacation leave prescribed in WAC 356-18-090, provided the employees return to employment other than by certification from the open competitive register.

### WSR 01-24-052

#### PROPOSED RULES

#### PERSONNEL RESOURCES BOARD

[Filed November 29, 2001, 2:29 p.m.]

##### Original Notice.

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

Title of Rule: WAC 356-26-040 Registers—Name removal for cause—Grounds enumerated—Requirements.

Purpose: This rule pertains to removal of a name of an eligible from a register and/or certification.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Statute Being Implemented: RCW 41.06.150.

Summary: This modification will allow removal of an applicant/employee's name from a referral and/or register if it has been determined they are ineligible in accordance with WAC 356-30-012.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, WA, (360) 664-6348; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule pertains to removal of candidate's name off of a referral and/or register. DSHS has requested the modification to this rule. This would allow removal of an applicant/employee's name from a referral and/or register if it has been determined they are ineligible in accordance with WAC 356-30-012.

Proposal Changes the Following Existing Rules: See above.

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

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on January 10, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by January 3, 2002, TDD (360) 753-4107, or (360) 586-8260.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, fax (360) 586-4694, by January 8, 2002.

Date of Intended Adoption: January 10, 2002.

November 29, 2001

E. C. Matt  
Secretary

AMENDATORY SECTION (Amending WSR 00-10-026 [01-17-082], filed 4/24/00 [8/16/01], effective 6/1/00 [9/16/01])

**WAC 356-26-040 Registers—Name removal for cause—Grounds enumerated—Requirements.** (1) The director of personnel or designee may remove the name of an eligible from a register and/or certification for any of the following reasons:

(a) For any of the causes stipulated in the chapter on appeals (WAC 356-34-010).

(b) On evidence that the eligible cannot be located by the postal authorities.

(c) On receipt of a statement from the eligible declining an appointment and/or future interest in positions in that class.

(d) If a candidate from a reduction in force register or a dual agency reversion register has waived three offers of employment for a position in the class for which the register was established.

(e) If a candidate from a promotional or open competitive register has waived consideration three times for a position in the class for which the register was established.

(f) If an eligible fails to reply to a written inquiry as to availability after five days in addition to the time required to receive and return the inquiry.

(g) If an eligible accepts an appointment and fails to report for duty at the time and place specified without giving satisfactory reasons for the delay to the appointing authority.

(h) If an eligible was certified and reported "not satisfactory" on three occasions or if the eligible was certified and the appointing authority reported the eligible "considered but not appointed" on four separate occasions, or if the appointing authority reports either "not satisfactory" or "considered but not appointed" for a total of four times. The director of personnel or designee will monitor all name removals for adverse effect and/or disparate treatment of affected group members.

(i) If an open competitive eligible indicates availability in a specific geographic area and subsequently refuses referral or appointment to a position in that area.

(j) If the appointing authority reports that the eligible was offered employment but could not comply with the personal identification and work authorization requirements of the federal Immigration Reform and Control Act (I.R.C.A.).

(k) If an applicant/employee has been determined to be ineligible to be employed in a covered position in accordance with WAC 356-30-012, the applicant/employee's name may be removed from any referral for a covered position and/or any register where all positions in that classification are covered positions.

(2) The director of personnel or designee shall notify the eligible of this action and the reasons therefore by mail to the last known address, except in those cases in subsection (1)(b)

or (c) of this section. The director of personnel or designee will advise the eligible of the right to appeal.

(3) An eligible's name shall be reinstated on the register upon showing of cause satisfactory to the director of personnel or in accordance with the decision of the board upon appeal.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**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 01-24-053

#### PROPOSED RULES

#### PERSONNEL RESOURCES BOARD

[Filed November 29, 2001, 2:29 p.m.]

Original Notice.

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

Title of Rule: WAC 356-05-389 Selective and 356-26-130 Certification—Selective—When permitted.

Purpose: The purpose of these rules is to address selectives.

Statutory Authority for Adoption: Chapter 41.06 RCW.  
Statute Being Implemented: RCW 41.06.150.

Summary: The new rule will define the term "selective." The modification to WAC 356-26-130 will coincide with the definition of "selective."

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, WA, (360) 664-6348; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 356-05-389 defines the term "selective." WAC 356-26-130 addresses selective certification. The modification to WAC 356-26-130 will coincide with the definition of "selective."

Proposal Changes the Following Existing Rules: See above.

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

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on January 10, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by January 3, 2002, TDD (360) 753-4107, or (360) 586-8260.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, fax (360) 586-4694, by January 8, 2002.

Date of Intended Adoption: January 10, 2002.

November 29, 2001

E. C. Matt  
Secretary

#### NEW SECTION

**WAC 356-05-389 Selective.** Specialized qualifications that are required for the successful performance of the duties of a position and cannot be gained within the probationary or trial service period.

AMENDATORY SECTION (Amending WSR 87-02-038 (Order 267), filed 1/2/87)

**WAC 356-26-130 Certification—Selective—When permitted.** An appointing authority may request a selective certification of eligibles who have specialized qualifications that are required for the successful performance of the duties of the position, and cannot be gained within ~~((a reasonable time, not to exceed))~~ the probationary or trial service period. This request must be made prior to certification.

If the director of personnel determines that the facts and reasons justify the request, the highest ranking eligibles who have the specialized qualifications shall be certified.

(1) Selective certification based on gender shall not be made without a bona fide occupational qualification approved by the human rights commission.

(2) The director of personnel may selectively certify eligibles who are filling project positions to fill permanent positions. Such selective certification shall apply only from names on an open competitive register.

(3) Selective certification of eligibles who possess an appropriate, valid motor vehicle operator's license may be required for positions whose duties require specific driving skills.

### WSR 01-24-054

#### PROPOSED RULES

#### PERSONNEL RESOURCES BOARD

[Filed November 29, 2001, 2:30 p.m.]

Original Notice.

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

Title of Rule: WAC 356-05-415 Temporary employment, 356-30-025 Nonpermanent appointments—Duration, 356-30-065 Temporary appointments—From outside state service, 356-30-067 Temporary appointments from within classified service, 356-18-112 Shared leave, and 356-30-140 Intermittent employment—Rules—Regulations.

Purpose: These rules pertain to temporary appointments within state government and shared leave for state employees.

Statutory Authority for Adoption: Chapter 41.06 RCW.  
Statute Being Implemented: RCW 41.06.150.

Summary: These modifications change the standard for the amount of time an employee can work in a nonpermanent appointment. With these changes a temporary appointment

can last no longer than 1560 nonovertime hours, not exceed twelve months. This will allow a single standard to be applied to both part-time and full-time positions.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, WA, (360) 664-6348; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Currently these rules allow nonpermanent appointments to last nine months or 1560 nonovertime hours. These changes will eliminate the nine months standard and allow a single standard of 1560 nonovertime hours, not [to] exceed twelve months, to be applied to both part-time and full-time positions.

Proposal Changes the Following Existing Rules: See above.

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

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on January 10, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by January 3, 2002, TDD (360) 753-4107, or (360) 586-8260.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, fax (360) 586-4694, by January 8, 2002.

Date of Intended Adoption: January 10, 2002.

November 29, 2001

E. C. Matt  
Secretary

AMENDATORY SECTION (Amending WSR 88-18-096 (Order 308), filed 9/7/88, effective 11/1/88)

**WAC 356-05-415 Temporary employment.** Single or multiple periods of employment for not more than 1560 nonovertime hours, not to exceed twelve months from the appointment date, unless extended by the director. Temporary appointments shall only be made when there is a need to fill a position during the absence of a permanent employee, ((or)) during a workload peak, ((when there is a need to fill a position for not more than nine months or 1560 nonovertime hours)) or while recruitment is being conducted to establish a complete register.

REPEALER

WAC 356-30-025

Nonpermanent appointments—Duration.

AMENDATORY SECTION (Amending WSR 97-19-044, filed 9/11/97, effective 11/1/97)

**WAC 356-30-065 Temporary appointments—From outside state service.** (1) Temporary appointments may be made to classified positions during the absence of a permanent employee, to reduce the effects of an impending or actual reduction in force, or during a workload peak when there is a need to fill a position for not more than ~~((nine months or))~~ 1560 nonovertime hours, not to exceed twelve months from the appointment date or while recruitment is being conducted to establish a complete register.

(2) Temporary appointments may be made at a lower level than the allocation of the position being filled provided the class falls within the same or a related class series.

(3) Temporary appointments shall be approved by the director of personnel, or designee. Single or multiple temporary appointments shall last no more than ~~((nine months or))~~ 1560 nonovertime hours, ~~((within a twelve month period))~~ not to exceed twelve months from the appointment date. ~~((Time spent in emergency appointments will be counted in the 1560 hours.))~~ All nonovertime hours spent in other nonpermanent appointments will be counted in the 1560 hour limit.

(4) No temporary appointment of an employee who has worked for the agency for ~~((nine months or))~~ 1560 nonovertime hours within ~~((the last))~~ from the appointment date may be made without a three-month break in service. Consecutive nonpermanent appointments of the same person in the same agency which would cause the employee to work more than 1560 nonovertime hours ~~((in a twelve month period))~~ within twelve months from the appointment date can only be made with the approval of the director of personnel. Extensions of temporary appointments of persons from outside classified service may be granted when a permanent employee's leave extends beyond ~~((nine months or))~~ 1560 nonovertime hours or as otherwise approved by the director of personnel. Such extensions must be approved by the director of personnel.

(5) Temporary appointees must meet the minimum qualifications of the class to which they are appointed unless the director of personnel determines that program needs demand otherwise. Established registers, certification, and referral services are available and may be used when making temporary appointments. An employee given a temporary appointment following certification from the register to fill a position in the absence of a permanent employee may enter a probationary period when the permanent employee does not return to the position and the agency needs to fill the position permanently. The director must approve the change in status before it occurs. Time served in a temporary appointment will not be counted as part of the probationary period.

(6) Compensation of temporary employees shall be consistent with the rules unless exempted by RCW 41.06.070 and WAC 356-06-020.

(7) Merit system rules governing all forms of leave will apply to temporary employees unless exempted by RCW 41.06.070 and WAC 356-06-020.

(8) An employee's temporary appointment may be ended by stipulating a termination date in the appointment letter or by giving one full working day's notice prior to the effective



date. The employee receiving such notice shall not have the right of appeal or hearing.

(9) The appointing authority shall advise the temporary employee of the temporary status of the appointment. Temporary employees not appointed from within the classified service have no appeal rights.

(10) The director of personnel shall monitor temporary appointments made pursuant to this section and may revoke delegated authority where abuse is found.

**AMENDATORY SECTION** (Amending WSR 97-19-044, filed 9/11/97, effective 11/1/97)

**WAC 356-30-067 Temporary appointments from within classified service.** (1) Temporary appointments may be made with the approval of the director of personnel or designee to classified positions during the absence of a permanent employee, to reduce the effects of an impending or actual reduction in force, or during a workload peak when there is a need to fill a position for not more than ~~((nine months or))~~ 1560 nonovertime hours, not to exceed twelve months from the appointment date or while recruitment is being conducted to establish a complete register.

(2) Temporary appointments may be made at a lower level than the allocation of the position being filled provided the class falls within the same or a related class series.

(3) All temporary appointments to supervisory or managerial positions must be made from within state service unless the director determines that such action is not practicable.

(4) Established registers, certification, and referral services are available and may be used when making temporary appointments. An employee certified from the register to fill a position in the absence of a permanent employee may enter a probationary or trial service period and subsequently gain permanent status when the permanent employee does not return to the position and the agency needs to fill the position permanently. The director of personnel must approve the change in status before it occurs. Time served in a temporary appointment will not be counted as part of the probationary or trial service period.

(5) Temporary appointees must meet the minimum qualifications of the class to which they are appointed unless the director of personnel determines that program needs demand otherwise. Upon termination of such temporary appointment, permanent or probationary employees shall have the right to resume a permanent position within their permanent agency at their former status except as provided in (6) below. The employee's salary upon return will be determined as if the employee had remained in the permanent position.

(6) An employee who accepts a temporary appointment to a higher class in the same series in the same work unit shall continue the probationary or trial service period for the lower class.

(7) Temporary appointments made from within classified service will normally last no more than ~~((nine months or))~~ 1560 nonovertime hours, not to exceed twelve months from the appointment date for single or multiple appointments. An extension may be approved by the director when a temporary appointment is made to replace a permanent

employee who has been granted a leave of absence, when temporarily filling a supervisory or managerial position when there is reorganization pending, or as otherwise approved by the director. Temporary appointments may extend to thirty days after the date the permanent employee returns or the position is filled permanently. ~~((Time spent in emergency appointments will be counted in the 1560 hours-))~~ All non-overtime hours spent in other nonpermanent appointments will be counted in the 1560 hour limit.

(8) Compensation for temporary appointees shall be made in accordance with the rules governing promotions, demotions, or transfers.

(9) The director of personnel shall monitor temporary appointments made pursuant to this section and may revoke delegated authority where abuse is found.

**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 96-21-037, filed 10/10/96, effective 11/10/96)

**WAC 356-18-112 Shared leave.** (1) The purpose of the state leave sharing program is to permit state employees to donate vacation leave, sick leave, or personal holidays to a fellow state employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate his or her employment. An employee is eligible to request participation in the shared leave program when the employee is able to use accrued vacation leave, sick leave, or a personal holiday. For purposes of the Washington state leave sharing program, the following definitions apply:

(a) "Employee" means any employee who is entitled to accrue sick leave or vacation leave and for whom accurate leave records are maintained.

(b) "Employee's relative" normally shall be limited to the employee's spouse, child, stepchild, grandchild, grandparent, or parent.

(c) "Household members" is defined as persons who reside in the same home who have reciprocal duties to and do provide financial support for one another. This term shall include foster children and legal wards even if they do not live in the household. The term does not include persons sharing the same general house, when the living style is primarily that of a dormitory or commune.

(d) "Severe" or "extraordinary" condition is defined as serious or extreme and/or life threatening.

(2) An employee may be eligible to receive shared leave under the following conditions:

(a) The employee's agency head determines that the employee meets the criteria described in this section.

(b) For work related illness or injury, the employee has diligently pursued and been found to be ineligible for benefits under chapter 51.32 RCW.

(c) The employee has abided by agency policies regarding the use of sick leave.

(d) Donated leave is transferable between employees in different state agencies with the agreement of both agency heads.

(3) An employee may donate vacation leave, sick leave, or personal holiday to another employee only under the following conditions:

(a)(i) The receiving employee has exhausted, or will exhaust, his or her vacation leave, and sick leave due to an illness, injury, impairment, or physical or mental condition, which is of an extraordinary or severe nature, and involves the employee, the employee's relative or household member; and

(ii) The condition has caused, or is likely to cause, the employee to go on leave without pay or terminate state employment; and

(iii) The agency head permits the leave to be shared with an eligible employee.

(b) The donating employee may donate any amount of vacation leave provided the donation does not cause the employee's vacation leave balance to fall below eighty hours. For part-time employees, requirements for annual leave balances will be prorated.

(c) Employees may not donate excess vacation leave that the donor would not be able to take due to an approaching anniversary date.

(d) The donating employee may donate any specified amount of sick leave provided the donation does not cause the employee's sick leave balance to fall below four hundred eighty hours after the transfer. In no event will the donating employee transfer more than six days of sick leave during any 12-month period. For purposes of sick leave donation, a day equals the donor's monthly sick leave accrual.

(e) The donating employee may donate all or part of a personal holiday in accordance with WAC 356-18-025. Any portion of a personal holiday that is not used shall be returned to the donating employee.

(4) The agency head shall determine the amount of donated leave an employee may receive and may only authorize an employee to use up to a maximum of two hundred sixty one days of shared leave during total state employment, except that a nonpermanent employee who is eligible to use accrued leave or personal holiday may not use shared leave beyond the earlier date of:

(a) The termination date specified in the nonpermanent employee's appointment letter, or

(b) ~~((Nine months or))~~ 1560 nonovertime hours from date of appointment to the nonpermanent position; unless extended by the director ~~((per))~~ in accordance with WAC 356-30-065(4), 356-30-067~~((6))~~ (7), and 356-30-140(6).

(5) The agency head shall require the employee to submit, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.

(6) Any donated leave may only be used by the recipient for the purposes specified in this section.

(7) The receiving employee shall be paid his or her regular rate of pay; therefore, one hour of shared leave may cover more or less than one hour of the recipient's salary. The calculation of the recipient's leave value shall be in accordance

with office of financial management policies, regulations, and procedures. The dollar value of the leave is converted from the donor to the recipient. The leave received will be coded as shared leave and be maintained separately from all other leave balances.

(8) All forms of paid leave available for use by the recipient must be used prior to using shared leave.

(9) Any shared leave not used by the recipient during each incident/occurrence as determined by the agency director shall be returned to the donor(s). The shared leave remaining will be divided among the donors on a prorated basis based on the original donated value and returned at its original donor value and reinstated to each donor's appropriate leave balance. The return shall be prorated back based on the donor's original donation.

(10) All donated leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating leave for purposes of this program.

(11) Agencies shall maintain records which contain sufficient information to provide for legislative review.

(12) An employee who uses leave that is transferred under this section will not be required to repay the value of the leave that he or she used.

**AMENDATORY SECTION** (Amending WSR 89-14-026 (Order 320), filed 6/26/89, effective 8/1/89)

**WAC 356-30-140 Intermittent employment—Rules—Regulations.** (1) Intermittent appointments may be made with the approval of the director of personnel or designee. An intermittent appointment shall be approved when the nature of the work is intermittent in character fitting no particular pattern. An employee may not work more than 1560 nonovertime hours within any twelve-month period in an intermittent appointment. A position which is filled beyond the 1560 nonovertime hours within a twelve-month period shall be vacated for a minimum of three months. ~~((Time spent in emergency appointments will be counted in the 1560 hours.))~~ All nonovertime hours spent in other nonpermanent appointments will be counted in the 1560 hour limit.

(2) Intermittent appointments may be made at a lower level than the allocation of the position being filled provided the class falls within the same or a related class series.

(3) Intermittent appointees must meet the minimum qualifications for the class in which they are hired unless the director of personnel determines that program needs demand otherwise. Established registers may be used when making intermittent appointments.

(4) Consecutive appointments of the same person in the same agency may be made as long as the employee does not work more than 1560 nonovertime hours in a twelve-month period.

(5) No person can become a permanent employee because of time served as an intermittent employee.

(6) Intermittent employees who accept temporary appointments may return to intermittent employment and resume intermittent status without approval of the director of personnel if they have not exceeded 1560 nonovertime hours in all nonpermanent appointments within the last twelve

months. If the employee reaches 1560 nonovertime hours in the last twelve months, a mandatory three-month break must be made, unless the director of personnel determines otherwise.

(7) Agencies must review intermittent appointments on a quarterly basis to ensure that intermittent employees are employed in accordance with these rules.

(8) The director of personnel shall monitor intermittent appointments made pursuant to this section and may revoke delegated authority where abuse is found.

**WSR 01-24-059**  
**PROPOSED RULES**  
**SALMON RECOVERY**  
**FUNDING BOARD**

[Filed November 30, 2001, 11:37 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-17-096.

Title of Rule: WAC 420-12-060 Disbursement of funds.

Purpose: Under RCW 77.85.140, to further define the meaning of "*approved for funding*" and "*project completion*" and thereby create a clear expectation among project sponsors regarding when to expect reimbursement.

Statutory Authority for Adoption: RCW 77.85.120 [(1)](b).

Summary: RCW 77.85.140 states: "project sponsors who complete salmon habitat projects *approved for funding* from habitat project lists and have met grant application deadlines will be paid by the Salmon Recovery Funding Board within thirty days of *project completion*." (Emphasis added.) The proposed WAC explains the meaning of "*approved for funding*" and "*project completion*." That is, the Salmon Recovery Funding Board (SRFB) will issue reimbursement within thirty days of the sponsor's completion of the billing requirements described in the board's reimbursement policies, Manual 8.

Reasons Supporting Proposal: The above explanation clarifies the definition of "*approved for funding*" and "*project completion*".

Name of Agency Personnel Responsible for Drafting: Greg Lovelady, 1111 Washington Street, Olympia, WA 98504, (360) 902-3008; Implementation and Enforcement: Laura Eckert Johnson, 1111 Washington Street, Olympia, WA 98504, (360) 902-3000.

Name of Proponent: Salmon Recovery Funding Board.

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

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

Proposal Changes the Following Existing Rules: See Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule change is directed at one group of grant recipient, that is, governmental agencies. If approved, the changes will enhance efficiency and compliance with existing laws and procedures.

We do not believe small businesses will be impacted in any way.

RCW 34.05.328 does not apply to this rule adoption. The Interagency Committee for Outdoor Recreation, within which the Salmon Recovery Funding Board is located (RCW 77.85.110(3)), is exempted under RCW 34.05.328 (5)(a)(i).

Hearing Location: Department of Information Services, Board Room, 605 East 11th Avenue, Olympia, WA, on February 8, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Greg Lovelady by January 23, 2001, TDD (360) 902-1996 (leave message), or (360) 902-3008.

Submit Written Comments to: Greg Lovelady, Rules Coordinator, Salmon Recovery Funding Board, P.O. Box 40917, Olympia, WA 98504-0917, fax (360) 902-3026, GregL@iac.wa.gov, by January 14, 2002.

Date of Intended Adoption: February 8, 2002.

November 30, 2001

Greg Lovelady

Rules Coordinator

AMENDATORY SECTION (Amending WSR 01-04-052, filed 2/2/01, effective 3/5/01)

**WAC 420-12-060 Disbursement of funds.** Except as otherwise provided in this rule, the director will authorize disbursement of project funds only on a reimbursable basis, after the project sponsor has spent its own funds and has presented a billing showing satisfactory evidence of property rights acquired and/or compliance with partial or all provisions of the project agreement.

(1) Reimbursement method. Reimbursement shall be requested on voucher forms authorized by the director. Requests must include all documentation as detailed in the manual in effect at the time reimbursement is requested.

(2) Reimbursement level. The amount of reimbursement may never exceed the cash spent on the project by the sponsor.

(3) Partial payment. Partial reimbursements may be made during the course of a project on presentation of billings showing satisfactory evidence of partial acquisition or development by the project sponsor. The director may require written assurance that full project completion is scheduled by a specific date. In the event of appropriation reductions or terminations, the project agreement shall allow the board to suspend or terminate future obligations and payments.

(4) Direct payment. Direct payment to escrow of the board's share of the approved cost of real property may be made following board approval of an acquisition project when the project sponsor indicates a temporary lack of funds to purchase the property. Prior to release of the board's share of escrow funds, the project sponsor must provide the director with a copy of a binding sale agreement between the project sponsor and the seller and evidence of deposit of the project sponsor's share (if any) into an escrow account.

(5) Advance payments may be made in limited circumstances only, pursuant to the policy outlined in the adopted reimbursement manual.

(6) Payment deadline. As required by RCW 77.85.140, sponsors who complete salmon habitat projects approved for

PROPOSED

funding from habitat project lists will be paid by the board within thirty days of project completion. This means the board will issue a reimbursement within thirty days of the sponsor's completion of the billing requirements described in the board's reimbursement policy manual.

**PROPOSED**

**WSR 01-24-085**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**

[Filed December 4, 2001, 8:32 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-18-130.

Title of Rule: Chapter 308-93 WAC, Vessel registration and certificates of title.

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

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

Statutory Authority for Adoption: RCW 88.02.100.

Summary: Amending WAC 308-93-700, 308-93-710, 308-93-720, 308-93-730, 308-93-740, 308-93-750, 308-93-760, and 308-93-770.

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

Name of Agency Personnel Responsible for Drafting: Katherine Iyall Vasquez, 1125 Washington Street S.E., Olympia, (360) 902-4020; Implementation and Enforcement: Lynda Henriksen, 1125 Washington Street S.E., Olympia, (360) 902-3811.

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

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

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

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

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

Hearing Location: Highways-Licenses Building, Conference Room 107, 1125 Washington Street S.E., Olympia, WA 98507, on January 23, 2002, at 2:30 p.m.

Assistance for Persons with Disabilities: Contact Katherine Iyall Vasquez by January 22, 2002, TTY (360) 664-8885, or (360) 902-3718.

Submit Written Comments to: Katherine Iyall Vasquez, Rules Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, fax (360) 664-0831, by January 22, 2002.

Date of Intended Adoption: February 15, 2002.

December 3, 2001

D. McCurley, Administrator  
Title and Registration Services

**AMENDATORY SECTION** (Amending WSR 96-16-038, filed 8/1/96, effective 9/1/96)

**WAC 308-93-700 ((Purpose)) Indian tribe vessels. What is the purpose of WAC 308-93-700 through 308-93-770?** WAC 308-93-700 through 308-93-770 are adopted to implement the Consent Decree entered in *United States v. Washington*, Civ. No. 9213 - Phase I - Sub. 88-1 entered on November 28, 1994, and signed by the United States, the signatory tribes, and the state of Washington. These rules do not repeat all of the sections of the Consent Decree and are not intended to set out all of the requirements and provisions of the Consent Decree. However, the tribes and the state have agreed to an intergovernmental cooperative registration procedure. Nothing in these rules is intended to enact any rules inconsistent with the Consent Decree or to alter in any way the state of Washington's obligations under the Consent Decree. In the event of conflicting provisions, interpretations, or applications between these rules and the Consent Decree, resolution shall give precedence to the Consent Decree.

**AMENDATORY SECTION** (Amending WSR 96-16-038, filed 8/1/96, effective 9/1/96)

**WAC 308-93-710 Definitions.** The following terms used in WAC 308-93-700 through 308-93-770 ((shall)) have the meaning given to them in this section unless the context clearly indicates otherwise:

(1) "Indian tribe" and "tribal" means the Indian tribes which are signatory to the Consent Decree entered in *United State v. Washington*, Civ. No. 9213 - Phase I - Sub. 88-1 entered on November 28, 1994, including: Lower Elwha S'Klallam Tribe, Hoh Tribe, Jamestown S'Klallam Tribe, Lummi Nation, Makah Tribe, Muckleshoot Tribe, Nisqually Tribe, Nooksack Tribe, Port Gamble S'Klallam Tribe, Puyallup Tribe, Quileute Tribe, Quinault Indian Nation, Sauk-Suiattle Tribe, Skokomish Tribe, Squaxin Island Tribe, Stillaquamish Tribe, Suquamish Tribe, Swinomish Indian Tribal Community, Tulalip Tribes, Upper Skagit Tribe, and Yakama Nation.

(2) "Tribal member(s)" means those persons duly enrolled in the Indian tribes identified in subsection (1) of this section.

(3) The terms "vessels" or "boats" are synonymous and mean watercraft used in connection with the exercise of federally secured fishing rights.

(4) All other terms have the same meaning as used in chapter 88.02 RCW and chapter 308-93 WAC.

**AMENDATORY SECTION** (Amending WSR 96-16-038, filed 8/1/96, effective 9/1/96)

**WAC 308-93-720 Indian tribe exempt vessels. (1) What is an Indian tribe exempt vessel under the Consent Decree entered in *United States v. Washington*, Civ. No.**

**9213 - Phase I - Sub. 88-1 entered on November 28, 1994?** State ad valorem property (personal property) and watercraft excise taxes (~~(shall)~~ will) not be imposed upon any vessel owned by a tribal member(s) and used in connection with the exercise of federally secured fishing rights, so long as the member's tribe imposes a treaty, fishing rights-related tax. The taxes also (~~(shall)~~ will) not apply to tribally owned boats used in connection with or in activities related to the exercise of tribal fishing rights, including but not limited to, management, regulation or enforcement thereof.

(2) **Are state registration numbering and fee requirements applied to vessels recognized under Consent Decree entered in United States v. Washington, Civ. No. 9213 - Phase I - Sub. 88-1 entered on November 28, 1994?** State registration, numbering, and fee requirements otherwise applicable to a nontreaty vessel, (~~(shall)~~ will) not be applied to any tribally owned vessel or vessel owned by a tribal member(s) which is used in the exercise of treaty fishing rights and is tribally registered.

**AMENDATORY SECTION** (Amending WSR 96-16-038, filed 8/1/96, effective 9/1/96)

**WAC 308-93-730 Indian tribe vessel numbering system.** (1) **What are the specifications for an Indian tribe vessel registration number?** A tribal vessel number conforming to the specifications of 33 C.F.R. sections 173.27 and 174.23 and a certificate of number conforming to 33 C.F.R. section 174.19, (~~(shall)~~ must) be assigned, and a "decal" (~~(shall)~~ must) be issued for each Indian tribe and tribal member vessel and displayed thereon. Upon agreement of the Coast Guard and Indian tribes, different specification may be established for treaty fishing vessels.

(2) **How are Indian tribe vessel registration numbers dispersed?** Each tribe (~~(shall be)~~ is) entitled to a block of numbers with a unique tribal suffix. Each tribe may select a unique, three-letter suffix for its state or tribally produced vessel number, unless otherwise agreed upon by the Coast Guard. The vessel numbers (~~(shall otherwise)~~ must) be of the same size and placed in the same location as specified for those vessels registered (~~(pursuant to)~~ under) chapter 88.02 RCW. The department (~~(shall)~~ will) not issue a plaque, sticker, or other form of number (~~(or annual registration)~~) to affix to a numbered vessel.

(3) **Are Indian tribe vessel registration number decals unique to the tribe?** The decal may be unique to each tribe, (~~(se)~~ as) long as (~~(otherwise conforming)~~ the decal conforms) to the Coast Guard specifications regarding size and color. A tribe may choose to use decals provided by the department (~~(issued decals)~~).

(4) **When will the department supply the Indian tribe with a list of vessel numbers and decals?** By June 1st of each year, the department will provide each Indian tribe a list of vessel numbers, and state decals if the Indian tribe so requests, in the quantity, and with any particular three-letter suffix specified by the Indian tribe. Such quantity (~~(shall)~~ must) be sufficient to enable each Indian tribe to issue a vessel number to each of its tribal fishers for the vessels they use in the treaty fishery. (~~(Notwithstanding the foregoing, the department need not)~~ The department has thirty days to pro-

vide an Indian tribe the list of vessel numbers and decals (~~(sooner than thirty days)~~) after the Indian tribe has advised the department of its number and decal requirement.

(5) **What happens if the department fails to provide a list of vessel numbers requested by an Indian tribe in the time frame outlined in subsection (4) of this section?** Failure (~~(of)~~ by) the department to provide a list of vessel numbers requested by an Indian tribe in the time frames outlined in this section (~~(shall)~~ will) not (~~(preclude)~~ prohibit) the Indian tribe or tribal fishermen from lawfully fishing (~~(pursuant to)~~ under) the treaty fishing right, and (~~(shall)~~ will) be a complete defense in any action by the state to enforce its tax or vessel registration laws until the state complies with the terms of this section.

**AMENDATORY SECTION** (Amending WSR 96-16-038, filed 8/1/96, effective 9/1/96)

**WAC 308-93-740 Indian tribe vessel registration. What registration conditions must be met to satisfy the state and the Coast Guard?**

Tribal and treaty fishing vessels (~~(shall)~~ will) be deemed by the state and the Coast Guard to be properly registered (~~(so long as)~~ provided) the following conditions are met:

(1) The (~~(individual)~~) tribal member has provided information listed in subsection (3) of this section to the Indian tribe of which (~~(he or she is)~~ they are) a member, on forms satisfactory to the (~~(Indian)~~) tribe and the state (~~(information listed in subsection (3) of this section)~~); and

(2) The (~~(appropriate Indian)~~) tribe to which the individual member belongs has approved registration of the vessel and (~~(so advised)~~ has notified) the department, (~~(on agreed to forms, containing all the)~~ using forms satisfactory to the tribe and the state which contain information (~~(about the vessel and its owner which the Indian tribe is required to collect pursuant to)~~ under) subsection (3) of this section;

(3) (~~(Contents of)~~ Information required on the) form for registration of (~~(Indian tribe)~~) a tribal vessel:

- (a) Name and address of the owner, including zip code;
- (b) State in which vessel is or will be principally used;
- (c) The hull identification number previously issued by an issuing authority for the vessel, if any;

(d) Whether the application is for a new (~~(number)~~) registration, renewal (~~(of a number)~~), or transfer of ownership;

(e) Whether the vessel is used for pleasure, rent or lease, dealer or manufacturer demonstration, commercial passenger carrying, commercial fishing, or other commercial use;

(f) Make of vessel;

(g) Year vessel was manufactured or model year;

(h) Manufacturer's or department assigned hull identification number, if any;

(i) Overall length of vessel;

(j) Type of vessel (~~(f)~~), i.e., open, cabin, house, or other(~~(f)~~);

(k) (~~(Whether the hull is)~~) Hull building material, i.e., wood, steel, aluminum, fiberglass, plastic, or other;

(l) (~~(Whether)~~) The propulsion (~~(is)~~), i.e., inboard, outboard, inboard-outdrive, sail, or other;

(m) (~~(Whether)~~) The fuel (~~(is)~~), i.e., gasoline, diesel, or other;

(n) The signature of the owner;

~~(Application made by a manufacturer or dealer for a number that is to be temporarily affixed to a vessel for demonstration or test purposes may omit (f) through (m) of this subsection. An application made by a person who intends to lease or rent the vessel without propulsion machinery may omit (l) and (m) of this subsection;)~~

(4) The registering ((Indian)) tribe may issue a vessel number from the list obtained from the department, upon tribal approval of a ((tribal)) member's registration application ~~(, and such)~~. The registration, ~~((which shall be))~~ will:

(a) ~~Be valid~~ for a term of one year ~~(, shall be in immediate effect and);~~

(b) Be effective immediately; and

(c) Remain in effect until suspended or revoked by the tribe in accordance with the procedure set forth in WAC 308-93-750, or for any other reason the tribe determines appropriate.

AMENDATORY SECTION (Amending WSR 96-16-038, filed 8/1/96, effective 9/1/96)

**WAC 308-93-750 Improper Indian tribe registration.** (1) May the department either object to or seek revocation of tribal issuance of a registration contained in the tribal vessel registration maintained with the department? Yes. The department may object to and ~~(/or)~~ seek revocation of tribal issuance of a registration contained in the tribal vessel registration program maintained with the department only if it appears that:

(a) Inaccurate or false information has been submitted; or

(b) Information required pursuant to WAC 308-93-740(3) is omitted; or

(c) The department obtains information that the vessel is stolen or ~~((otherwise))~~ is not ~~((beneficially))~~ owned by the registrant.

(2) Is the department required to notify the tribe that the registration appears to be improper? Yes, the department ~~((shall serve notice upon))~~ must notify the ((Indian)) tribe that the registration appears to be improper ~~((and))~~. The department's objection ~~((thereto))~~ must be made either in person or by certified mail, return receipt requested. ~~((The Indian tribe shall))~~ Within thirty days of receipt of the notice, the tribe must provide the information requested, take the requested action, clarify any misunderstanding, or inform the department that the tribe does not intend to take the action requested or provide the requested information.

(3) Does the department have the right to request revocation of a tribally issued registration and number? Yes, the department may request a tribally issued registration and number be revoked at any time should it be determined that the information ((demonstrate the information)) originally submitted was false ~~(,)~~ or inaccurate, the vessel is stolen or not ~~((beneficially))~~ owned by the registrant. The registrant and ((Indian)) tribe ~~((shall have))~~ must be given a reasonable opportunity to correct inaccurate information.

(4) Is the revocation of a tribal vessel registration request effective immediately? No, the revocation of a tribal vessel registration from a department request will not

be effective immediately ~~((Nothing herein shall act to revoke,))~~ nor ~~((shall))~~ will any ((Indian)) tribe be required to revoke, the registration, number, and vessel decal issued by the ((Indian)) tribe to the tribal member until all dispute resolution procedures have been exhausted. If the state establishes the registration is improper, the ((Indian)) tribe ~~((shall))~~ must revoke the registration ~~(, plaque,)~~ number and decal.

AMENDATORY SECTION (Amending WSR 96-16-038, filed 8/1/96, effective 9/1/96)

**WAC 308-93-760 Indian tribe vessel computer data base.** (1) When must the tribe notify the department of a vessel registration? Each ((Indian)) tribe ~~((shall))~~ must forward the proper forms and documentation to the department ~~(, attention: Vehicle Licensing, within five working days after approval of the registration).~~ The mailing address is:

Department of Licensing

Title and Registration Services

Post Office Box 9909

Olympia, Washington 98507-9909

The department ~~((shall))~~ will store the registration data in a computer system, with twenty-four-hour availability, and have procedures ((which)) that will limit access to civil or criminal law enforcement entities seeking information for law enforcement purposes.

(2) ~~((If an Indian))~~ Shall the tribe notify the department if they find information that is not correct or is incomplete on a tribal vessel registration? Yes, if a tribe becomes aware that information regarding a vessel authorized by that tribe to participate in the treaty fishery, and contained in the department vessel identification system, or the vessel identification system of another ((Indian)) tribe, may be erroneous or incomplete and should be corrected, the tribe will promptly notify the department or the tribe which operates the identification system. The notice to the department and the other ((Indian)) tribe ~~((shall))~~ must state the reasons why it is believed the system information is incorrect or incomplete. The notifying tribe ~~((shall))~~ must also identify the correct or additional information the tribe believes should be entered into the system. The department ~~((shall))~~ will respond promptly to each ~~((such))~~ notice regarding inaccurate or incomplete information, explaining what, if any, changes or corrections have been made.

AMENDATORY SECTION (Amending WSR 96-16-038, filed 8/1/96, effective 9/1/96)

**WAC 308-93-770 Disclosure of Indian tribal vessel data.** (1) Who has access to tribal vessel data? Indian tribes and tribal member vessel registration data ~~((shall))~~ will be stored in the department's computer system, ~~((with))~~ which has twenty-four-hour availability (, and). The department has procedures ~~((which will limit))~~ limiting access to civil or criminal law enforcement entities seeking information for law enforcement purposes. Unless ordered by a court of competent jurisdiction, no access by business persons or other private individual ~~((shall))~~ will be permitted unless the treaty fisher or tribe has authorized such release of informa-

tion in writing. Release of information may be made to other persons or groups when specifically authorized in writing by all persons identified in the information to be released.

(2) **How is access to tribal vessel information obtained?** Access to Indian tribe vessel information (~~shall~~) must be available via a modem, or other suitable electronic format, to all state, tribal, federal, and foreign law enforcement agencies. Information available by computer (~~shall~~) will not be considered in the possession or control of any other (~~party~~) entity. On-line access is authorized between and among all parties' vessel registration information systems to permit state, tribal, and federal enforcement personnel to directly obtain vessel registration information from the various governments' vessel information systems, regarding treaty and nontreaty vessels. No altering of another (~~party's~~) entity's information (~~shall~~) will be made without that (~~party's~~) entity's consent.

(3) The state shall defend against any private (~~party's~~) entity's attempt to establish a legal right to obtain tribal registration data (~~shall~~). The department must notify the affected (~~Indian~~) tribe of any such private (~~party~~) entity's claim at the time the claim is made, and (~~shall~~) must keep the (~~Indian~~) tribe informed as to the status of the matter.

#### WSR 01-24-086

#### WITHDRAWAL OF PROPOSED RULES SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed December 4, 2001, 8:51 a.m.]

WAC 392-172-132, proposed by the Superintendent of Public Instruction in WSR 01-11-129, appearing in issue 01-11 of the State Register, which was distributed on June 6, 2001, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

#### WSR 01-24-091

#### PROPOSED RULES STATE BOARD OF EDUCATION

[Filed December 4, 2001, 11:39 a.m.]

#### Original Notice.

Preproposal statement of inquiry was filed as WSR 01-11-140.

Title of Rule: WAC 180-79A-140 Types of certificates and 180-79A-231 Limited certificates.

Purpose: Adopt amended language originally adopted on an emergency basis under WSR 01-18-061, August 31, 2001, on a permanent basis.

Other Identifying Information: Amend language to address transitional teaching certificate.

Statutory Authority for Adoption: RCW 28A.410.010.

Reasons Supporting Proposal: Lapsed certificate holders will have the ability to receive a transitional teaching certificate.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendments to the rule language addresses a transitional teaching certificate. A teacher whose continuing certificate has lapsed may be issued a transitional certificate to be employed on a conditional basis upon request by a school district, approved private school, or educational service district superintendent. In order to continue employment, the holder of the transitional certificate must complete any continuing certificate reinstatement requirements established by the State Board of Education. No teacher whose continuing certificate has been suspended or revoked is eligible to be employed under this section.

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

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

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, (360) 753-8850, on January 14, 2002, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 7, 2002, TDD (360) 664-3631, or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, Patty Martin, Associate Director, fax (360) 586-2357, by January 7, 2002.

Date of Intended Adoption: January 16, 2002.

November 26, 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 00-13-063, filed 6/16/00, effective 7/17/00)

**WAC 180-79A-140 Types of certificates.** Five types of certificates shall be issued:

(1) Teacher. The teacher certificate, including teacher exchange permits as provided in WAC 180-79A-220, authorizes service as a classroom teacher.

(2) Vocational. The vocational certificate authorizes service in vocational programs in accordance with the provisions of chapter 180-77 WAC.

(3) Administrator.

(a) The administrator certificate for principal authorizes services as a building administrator or vice-principal. The initial principal certificate shall indicate one of the following grade levels, preschool-9, 4-12, or preschool-12, based on recommendations from the college or university in which the candidate completed an approved preparation program.



(b) The administrator certificates for superintendent or program administrator will be issued to persons who meet state board of education certification standards for service in the roles of superintendent or program administrator.

(4) Educational staff associate. The educational staff associate certificate authorizes service in the roles of school speech pathologists or audiologists, school counselors, school nurses, school occupational therapists, school physical therapists, school psychologists, and school social workers: Provided, That nothing within chapter 180-79A WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

(5) Limited certificates. The following limited certificates are issued to individuals under specific circumstances set forth in WAC 180-79A-231:

- (a) Conditional certificate.
- (b) Substitute certificate.
- (c) Emergency certificate.
- (d) Emergency substitute certificate.
- (e) Intern substitute teacher certificate.
- (f) Transitional certificate.

**AMENDATORY SECTION** (Amending WSR 00-13-063, filed 6/16/00, effective 7/17/00)

**WAC 180-79A-231 Limited certificates.** Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited service:

(1) Conditional certificate.

(a) The purpose of the conditional certificate is to assist local school districts, approved private schools, and educational service districts in meeting the state's educational goals by giving them flexibility in hiring decisions based on shortages or the opportunity to secure the services of unusually talented individuals. The state board of education encourages in all cases the hiring of fully certificated individuals and understands that districts will employ individuals with conditional certificates only after careful review of all other options. The state board of education asks districts when reviewing such individuals for employment to consider, in particular, previous experience the individual has had working with children.

(b) Conditional certificates are issued upon application by the local school district, approved private school, or educational service district superintendent to persons who meet the age, good moral character, and personal fitness requirements of WAC 180-79A-150 (1) and (2), if one of the following conditions is verified:

(i) The applicant is highly qualified and experienced in the subject matter to be taught and has unusual distinction or exceptional talent which is able to be demonstrated through public records of accomplishments and/or awards; or

(ii) No person with regular teacher certification in the endorsement area is available as verified by the district or educational service district superintendent or approved pri-

vate school administrator, or circumstances warrant consideration of issuance of a conditional certificate.

(c) In addition, conditional certificates are issued to persons in the following categories only if no person with regular certification is available:

(i) The applicant qualifies to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3); or

(ii) The applicant is assigned instructional responsibility for intramural/interscholastic activities which are part of the district or approved private school approved program; or

(iii) The applicant possesses a state of Washington license for a registered nurse: Provided, That the district will be responsible for orienting and preparing individuals for their assignment as described in (e)(iii) of this subsection; or

(iv) The applicant has completed a baccalaureate degree level school speech pathologist or audiologist certification preparation program, who were eligible for certification at the time of program completion and who have served in the role for three of the last seven years.

(d) The educational service district or local district superintendent or administrator of an approved private school will verify that the following criteria have been met when requesting the conditional certificate:

(i) The district or educational service district superintendent or approved private school administrator has indicated the basis on which he/she has determined that the individual is competent for the assignment;

(ii) The individual is being certificated for a specific assignment and responsibility in a specified activity/field;

(e) When requesting the conditional certificate for persons who provide classroom instruction, the educational service district superintendent or local district superintendent or approved private school administrator will verify that the following additional criteria will be met:

(i) After specific inclusion on the agenda, the school board or educational service district board has authorized submission of the application.

(ii) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities with the direct assistance of a school district or approved private school mentor and will not be serving in a paraprofessional role which would not require certification;

(iii) Personnel so certificated will be oriented and prepared for the specific assignment by the employing district or approved private school. A written plan of assistance will be developed, in cooperation with the person to be employed within twenty working days from the commencement of the assignment. In addition, prior to service the person will be apprised of any legal liability; the responsibilities of a professional educator, the lines of authority, and the duration of the assignment;

(iv) Within the first sixty working days, personnel so certificated will complete sixty clock hours (six quarter hours or four semester hours) of course work in pedagogy and child/adolescent development appropriate to the assigned grade level(s) as approved by the employing school district or approved private school.

(f) The certificate is valid for two years or less, as evidenced by the expiration date which is printed on the certifi-



cate, and only for the activity specified. The certificate may be reissued for two years and for two-year intervals thereafter upon application by the employing local school district, approved private school, or educational service district and upon completion of sixty clock hours (six quarter hours or four semester hours) of course work since the issuance of the most recent certificate. The requesting local school district, approved private school, or educational service district shall verify that the sixty clock hours taken for the reissuance of the certificate shall be designed to support the participant's professional growth and enhance the participant's instructional knowledge or skills to better assist students meeting the state learning goals and/or essential academic learning requirements.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of regular Washington certificates have expired; or

(ii) Persons who have completed state approved preparation programs and baccalaureate degrees at regionally accredited colleges and universities for certificates; or

(iii) Persons applying as out-of-state applicants who qualify for certification pursuant to WAC 180-79A-257 ((2)) (1)(c) and (d).

(b) The substitute certificate is valid for life.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents or approved private school administrators to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: Provided, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate: Provided further, That a candidate for emergency certification as a school counselor, school psychologist, or social worker shall be the best qualified of the candidates for the position as verified by the employing school district and shall have completed all course work for the required master's degree with the exception of the internship: Provided further, That a candidate for emergency certification as a school psychologist shall be enrolled in an approved school psychologist preparation program and shall be participating in the required internship.

(b) The emergency certificate is valid for one year or less, as evidenced by the expiration date which is printed on the certificate.

(4) Emergency substitute certification.

(a) If the district or approved private school has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under subsection (2) of this section for use in a particular school

district or approved private school once the list of otherwise qualified substitutes has been exhausted.

(b) Such emergency substitute certificates shall be valid for three years or less, as evidenced by the expiration date which is printed on the certificate.

(5) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC 180-79A-270 and be eligible to serve as a teacher in the elementary or secondary schools of the country of residence.

(6) Intern substitute teacher certificate.

(a) School districts and approved private schools may request intern substitute teacher certificates for persons enrolled in student teaching/internships to serve as substitute teachers in the absence of the classroom teacher.

(b) The supervising college or university must approve the candidate for the intern substitute teacher certificate.

(c) Such certificated substitutes may be called at the discretion of the school district or approved private school to serve as a substitute teacher only in the classroom(s) to which the individual is assigned as a student teacher/intern.

(d) The intern substitute teacher certificate is valid for one year, or less, as evidenced by the expiration date which is printed on the certificate.

(7) Transitional certificate.

(a) A teacher whose continuing certificate has lapsed according to WAC 180-85-040 may be issued a transitional certificate to be employed on a conditional basis upon request by a school district, approved private school, or educational service district superintendent. The holder of the transitional certificate must complete any continuing certificate reinstatement requirements established by the state board of education within two years of the date the holder was issued the transitional certificate in order to continue to be employed. The transitional certificate expiration date shall not be calculated under state board policy WAC 180-79A-117.

(b) No teacher whose continuing certificate is or has been suspended or revoked shall be eligible to be employed under this section.

(c) School districts, approved private schools, and educational service districts are strongly encouraged to develop with the holder of a transitional certificate a plan of assistance to be sure the holder completes the necessary continuing certificate reinstatement requirements under WAC 180-85-130 within the two-year conditional employment period specified under subsection (a) of this section if the holder is to continue to be employed.

(d) The transitional certificate is not renewable.

**WSR 01-24-096**

**PROPOSED RULES**

**DEPARTMENT OF LICENSING**

[Filed December 4, 2001, 1:48 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-24-111.

Title of Rule: Chapter 308-93 WAC, Vessel registration and certificate of title.

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

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

Statutory Authority for Adoption: RCW 88.02.070 and 88.02.100.

Summary: Amending WAC 308-93-520 Owner deceased, 308-93-530 Owner incompetent—Release of interest, and 308-93-540 Owner bankrupt.

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

Name of Agency Personnel Responsible for Drafting: Katherine Iyall Vasquez, 1125 Washington Street S.E., Olympia, (360) 902-3718; Implementation and Enforcement: Eric Andersen, 1125 Washington Street S.E., Olympia, (360) 902-4045.

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

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

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

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

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

Hearing Location: Highways-Licenses Building, Conference Room 107, 1125 Washington Street S.E., Olympia, WA 98507, on January 24, 2002, at 11:00 a.m.

Assistance for Persons with Disabilities: Contact Katherine Iyall Vasquez by January 23, 2002, TTY (360) 664-8885, or (360) 902-3718.

Submit Written Comments to: Katherine Iyall Vasquez, Rules Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, fax (360) 664-0831, by January 23, 2002.

Date of Intended Adoption: February 15, 2002.

December 4, 2001

D. McCurley, Administrator  
Title and Registration Services

**AMENDATORY SECTION** (Amending WSR 99-07-041, filed 3/15/99, effective 4/15/99)

**WAC 308-93-520 Owner deceased**(—**Release of interest by personal representative**)). (1) (**What is a personal representative?**

A personal representative is an individual named in the last will and testament or appointed and confirmed by the court to manage the estate of a deceased person.

(2) **How is the interest of the owner of record released on a vessel ownership document if an owner is deceased?**

Interest is released by the signature of the personal representative on vessel ownership documents. Any unreleased

registered or legal owners shall remain as such on the new certificate of ownership issued by the department.

**(3) What do I need as proof of legal authority to release interest in a vessel acquired from an estate of a deceased person?**

If the estate is:

(a) Administered:

(i) Certified letters of testamentary; or

(ii) Letter of administration; or

(iii) Certificate of county clerk.

(b) Joint tenants with rights of survivorship:

Certified copy of death certificate.

(c) Community property:

(i) Certified copy of the death certificate; and

(ii) A copy of the community property agreement; or

(iii) Affidavit of inheritance.

(d) Estate not administered:

(i) Certified copy of death certificate; and

(ii) Affidavit of inheritance; or

(iii) Affidavit of succession.) **What titling options are available when a vessel owner is deceased?**

(a) The vessel can be titled in the name of the estate; or

(b) The vessel ownership may be released by a personal representative or beneficiary and transferred into the name of a new owner; or

(c) The surviving owner may transfer into their name if joint tenancy was indicated on the certificate of ownership.

**(2) How can a vessel be titled in the name of the estate of the deceased?** The signature of a personal representative as described in RCW 11.02.005(1) is required to release interest for the deceased owner. The vessel may then be titled and registered in the name of the estate of the deceased pending final settlement of the estate. A copy of the court order appointing or confirming the personal representative must be attached to the application for certificate of ownership.

**(3) How will the name of the estate be shown on the certificate of ownership?** The name will be shown as "estate of (deceased person's name)."

**(4) What do I need as documentation to release or transfer interest in a vessel acquired from an estate of a deceased person?** In addition to any other documents or releases required by law or rule.

If the estate is:

(a) Administered:

(i) Letters of testamentary; or

(ii) Letter of administration; or

(iii) Certificate of county clerk.

(b) Joint tenants with rights of survivorship:

Copy of death certificate.

(c) Community property:

(i) Copy of the death certificate; and

(ii) A copy of the community property agreement.

(d) Not administered:

(i) Copy of the death certificate; and

(ii) Affidavit of inheritance; or

(iii) Affidavit of succession.

**AMENDATORY SECTION** (Amending WSR 99-07-041, filed 3/15/99, effective 4/15/99)

**WAC 308-93-530 Owner incompetent—Release of interest. Who is eligible to release interest on a vessel ownership document if the owner is declared incompetent?**

~~((Only the court appointed guardian may release interest in a vessel owned by an individual who has been declared incompetent. The release of interest must be accompanied by a certified copy of the court order appointing the guardian.))~~  
Because laws of Washington allow for an individual to designate a person to act in his/her stead during any period of incompetency with a durable power of attorney, the release of interest may be signed by either:

- (1) The use of a durable power of attorney; or
- (2) The court appointed guardian, if one has been appointed by the court, may release interest in a vessel owned by an individual who has been declared incompetent.

The release of interest must be accompanied by a copy of the court order or the durable power of attorney appointing the guardian.

**AMENDATORY SECTION** (Amending WSR 99-07-041, filed 3/15/99, effective 4/15/99)

**WAC 308-93-540 Owner bankrupt—Release of interest. Who has the authority to release interest in a vessel when an owner has been declared bankrupt?**

A trustee appointed by the court has the authority to release interest on a vessel for the owner who has been declared bankrupt. The release of interest ~~((shall))~~ must be accompanied by a ~~((certified))~~ copy of the court order appointing the trustee.

**WSR 01-24-100  
PROPOSED RULES**

**DEPARTMENT OF ECOLOGY**

[Order 01-08—Filed December 4, 2001, 4:10 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-17-102.

Title of Rule:

- State waste discharge permit program, WAC 173-216-125 Monitoring.
- National pollutant discharge elimination system permit program, WAC 173-220-210 Monitoring, recording, and reporting.
- Waste discharge general permit program, WAC 173-226-090 Monitoring, recording, and reporting.

Purpose: This rule making will add "turbidity" to the list of parameters that do not require lab accreditation for analysis and reporting unless the laboratory is already registered or accredited.

Statutory Authority for Adoption: RCW 90.48.035.

Statute Being Implemented: Chapter 90.48 RCW.

Summary: The proposed amendments will add turbidity to the list of parameters that are exempt from lab accredita-

tion for analysis and reporting unless the laboratory is already registered or accredited for other parameters.

Reasons Supporting Proposal: The water quality program wants to provide improved options for the regulated community to comply with permit conditions with no increase in risk to the environment. Many permittees have indicated that accreditation requirements for turbidity monitoring were counterproductive. This change should decrease the cost of this monitoring for the permittee and provide "realtime" results that permittees can use to evaluate and adapt the effectiveness of their stormwater management.

Name of Agency Personnel Responsible for Drafting: Keith Johnson, Department of Ecology, Lacey, Washington, (360) 407-6442; Implementation and Enforcement: Megan White, Department of Ecology, Lacey, Washington.

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: This rule making will amend one section in three different WACs (WAC 173-216-125, 173-220-210, and 173-226-090). Chapter 173-216 WAC implements a state permit program, applicable to the discharge of waste materials from industrial, commercial, and municipal operations into ground and surface waters of the state and into municipal sewerage systems (WAC 173-216-010). Chapter 173-220 WAC establishes a state individual permit program, applicable to the discharge of pollutants and other wastes and materials to the surface waters of the state (WAC 173-220-010). Chapter 173-226 WAC establishes a state general permit program, applicable to the discharge of pollutants, wastes, and other materials to waters of the state, including discharge to municipal sewerage systems (WAC 173-226-010). The sections being amended all describe the process for monitoring the discharge authorized by the permit. In each of these sections there is a subsection that provides a list of parameters for which the data does not have to be analyzed or reported by an accredited or registered laboratory. The proposed rule amendments will add "turbidity" to the list of parameters that do not require lab accreditation for analysis and reporting. The rule making will be very narrow in focus and limited to this single revision.

As a result of these changes we anticipate that more permittees will begin to conduct their own turbidity monitoring. This change should decrease the costs associated with monitoring and provide more current results that the permittees can use to evaluate and improve the effectiveness for their stormwater management.

Proposal Changes the Following Existing Rules: The amended sections of the rule would add the following parameter to the list of parameters currently exempt from lab accreditation: Turbidity, except that turbidity shall be accredited if the laboratory must otherwise be registered or accredited.

No small business economic impact statement has been prepared under chapter 19.85 RCW. None of the entities affected by these rule amendments will have any additional economic burdens placed on them.

PROPOSED

RCW 34.05.328 does not apply to this rule adoption. The rule making does not make significant amendments to a policy or regulatory program, therefore it does not meet the definition of a "significant legislative rule" and RCW 34.05.328 does not apply.

Hearing Location: Department of Ecology, 300 Desmond Drive, P.O. Box 47600, Room ROA-36, Olympia, WA 98504-7600, on January 22, 2002, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Keith Johnson by January 14, 2002, TDD (360) 407-6006, or (360) 407-6442.

Submit Written Comments to: Keith Johnson, Ecology, Water Quality Program, 300 Desmond Drive, P.O. Box 47600, Olympia, WA 98504-7600, kjoh461@ecy.wa.gov, fax (360) 407-6426, by January 31, 2002.

Date of Intended Adoption: February 15, 2002.

December 4, 2001

Linda Hoffman

Deputy Director

**AMENDATORY SECTION** (Amending Order 92-53, filed 9/22/93, effective 10/23/93)

**WAC 173-216-125 Monitoring.** Use of registered or accredited laboratories:

(1) Except as established in subsection (3) of this section, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory accredited under the provisions of chapter 173-50 WAC no later than July 1, 1993, for all state permittees with a permitted average flow rate greater than five million gallons per day.

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(2) Except as established in subsection (3) of this section, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC no later than July 1, 1994, for all state permittees not covered under subsection (1) of this section.

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(3) The following parameters need not be accredited or registered:

(a) Flow;

(b) Temperature;

(c) Settleable solids;

(d) Conductivity, except that conductivity shall be accredited if the laboratory must otherwise be registered or accredited;

(e) pH, except that pH shall be accredited if the laboratory must otherwise be registered or accredited; ~~((and))~~

(f) Turbidity, except that turbidity shall be accredited if the laboratory must otherwise be registered or accredited; and

(g) Parameters which are used solely for internal process control.

**AMENDATORY SECTION** (Amending Order 92-53, filed 9/22/93, effective 10/23/93)

**WAC 173-220-210 Monitoring, recording and reporting.** (1) Monitoring.

(a) Any discharge authorized by a permit may be subject to such monitoring requirements as may be reasonably required by the department, including the installation, use, and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). These monitoring requirements would normally include:

(i) Flow (in gallons per day);

(ii) Pollutants (either directly or indirectly through the use of accepted correlation coefficients or equivalent measurements) which are subject to reduction or elimination under the terms and conditions of the permit;

(iii) Pollutants which the department finds could have a significant impact on the quality of surface waters; and

(iv) Pollutants specified by the administrator, in regulations issued pursuant to the FWPCA, as subject to monitoring.

(b) Each effluent flow or pollutant required to be monitored pursuant to (a) of this subsection shall be monitored at intervals sufficiently frequent to yield data which reasonably characterizes the nature of the discharge of the monitored effluent flow or pollutant.

Variable effluent flows and pollutant levels may be monitored at more frequent intervals than relatively constant effluent flows and pollutant levels which may be monitored at less frequent intervals.

(c) Monitoring of intake water, influent to treatment facilities, internal waste streams, and/or receiving waters may be required when determined necessary by the department to verify compliance with net discharge limitations or removal requirements, to verify that proper waste treatment or control practices are being maintained, or to determine the effects of the discharge on the surface waters of the state.

(2) Recording of monitoring activities and results. Any permit which requires monitoring of the authorized discharge shall require that:

(a) The permittee shall maintain records of all information resulting from any monitoring activities required of him in his permit;

(b) Any records of monitoring activities and results shall include for all samples:

(i) The date, exact place, and time of sampling;

(ii) The dates analyses were performed;

(iii) Who performed the analyses;

(iv) The analytical techniques/methods used; and

(v) The results of such analyses; and

(c) The permittee shall be required to retain for a minimum of three years any records of monitoring activities and results including all original strip chart recording for continuous monitoring instrumentation and calibration and maintenance records. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the department or regional administrator.

(3) Reporting of monitoring results.

(a) The permittee shall periodically report (at a frequency of not less than once per year) on the proper reporting form, the monitoring results obtained pursuant to monitoring requirements in a permit. In addition to the required reporting form, the department at its discretion may require submission of such other results as it determines to be necessary.

(b) Monitoring reports shall be signed by:

(i) In the case of corporations, by a responsible corporate officer or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.

(ii) In the case of a partnership, by a general partner.

(iii) In the case of a sole proprietorship, by the proprietor.

(iv) In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

(4) Use of registered or accredited laboratories:

(a) Except as established in (c) of this subsection, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory accredited under the provisions of chapter 173-50 WAC no later than indicated by the appropriate date below:

July 1, 1992, major dischargers;

July 1, 1993, all permittees with a permitted average flow rate greater than five million gallons per day.

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(b) Except as established in (c) of this subsection, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC no later than July 1, 1994, for all NPDES permittees not covered under (a) of this subsection.

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(c) The following parameters need not be accredited or registered:

(i) Flow;

(ii) Temperature;

(iii) Settleable solids;

(iv) Conductivity, except that conductivity shall be accredited if the laboratory must otherwise be registered or accredited;

(v) pH, except that pH shall be accredited if the laboratory must otherwise be registered or accredited; ~~(and)~~

(vi) Turbidity, except that turbidity shall be accredited if the laboratory must otherwise be registered or accredited; and

(vii) Parameters which are used solely for internal process control.

**AMENDATORY SECTION** (Amending Order 92-53, filed 9/22/93, effective 10/23/93)

**WAC 173-226-090 Monitoring, recording, and reporting.** (1) Monitoring.

(a) Any discharge authorized by a general permit may be subject to such monitoring requirements as may be reason-

ably required by the department, including the installation, use, and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). These monitoring requirements would normally include but are not limited to:

(i) Flow (in gallons per day or other appropriate units);

(ii) All pollutants on which limitations have been placed pursuant to WAC 173-226-070;

(iii) Pollutants (either directly or indirectly through the use of accepted correlation coefficients or equivalent measurements) that are subject to reduction or elimination under the terms and conditions of the permit;

(iv) Pollutants that the department finds could have a significant impact on the quality of waters and sediments of the state; and

(v) Pollutants specified by the administrator, in regulations issued pursuant to the FWPCA, as subject to monitoring.

(b) Each effluent flow or pollutant required to be monitored pursuant to (a) of this subsection shall be monitored at intervals sufficiently frequent to yield data that reasonably characterizes the nature of the discharge of the monitored effluent flow or pollutant.

(c) Monitoring for compliance with limitations imposed pursuant to WAC 173-226-070 shall be no less than once per year.

(d) Variable effluent flows and pollutant levels may be monitored at more frequent intervals than relatively constant effluent flows and pollutant levels, which may be monitored at less frequent intervals.

(e) Monitoring of intake water, influent to treatment facilities, internal waste streams, and/or receiving waters may be required by the department, to verify compliance with net discharge limitations or removal requirements, to verify that proper waste treatment or control practices are being maintained, or to determine the effects of the discharge on the waters and sediments of the state.

(2) Recording of monitoring activities and results. Any general permit which requires monitoring of an authorized discharge shall require that:

(a) The permittee maintain records of all information resulting from any monitoring activities required as a condition of the application for, or as a condition of coverage under a general permit;

(b) Any records of monitoring activities and results shall include for all samples:

(i) The date, exact place, and time of sampling;

(ii) The dates analyses were performed;

(iii) Who performed the analyses;

(iv) The analytical techniques/methods used; and

(v) The results of such analyses; and

(c) The permittee retain for a minimum of five years any records of monitoring activities and all results of those activities including all original strip chart recording for continuous monitoring instrumentation and calibration and maintenance records. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee, or when requested by the department or regional administrator.

(3) Reporting of monitoring results.

(a) The department may require the permittee to periodically report on the proper reporting form, the monitoring results obtained pursuant to monitoring requirements in a general permit. In addition to the required reporting form, the department may require submission of such other reports as it determines to be necessary.

(b) Monitoring reports shall be signed by:

(i) In the case of corporations, a responsible corporate officer or duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.

(ii) In the case of a partnership, a general partner.

(iii) In the case of a sole proprietorship, the proprietor.

(iv) In the case of a municipal, state, or other public facility, either a principal executive officer, ranking elected official, or other duly authorized employee.

(4) Except as provided in subsection (5) of this section, all monitoring data required as a condition of a general permit, or required as part of an application for coverage under a general permit shall be prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC within one year of first being covered under a general permit or by July 1, 1995, whichever is later.

(5) The following parameters need not be accredited or registered:

(a) Flow;

(b) Temperature;

(c) Settleable solids;

(d) Conductivity, except that conductivity shall be accredited if the laboratory must otherwise be registered or accredited;

(e) pH, except that pH shall be accredited if the laboratory must otherwise be registered or accredited; ~~(and)~~

(f) Turbidity, except that turbidity shall be accredited if the laboratory must otherwise be registered or accredited; and

(g) Parameters which are used solely for internal process control.

**WSR 01-24-101  
PROPOSED RULES**

**DEPARTMENT OF COMMUNITY,  
TRADE AND ECONOMIC DEVELOPMENT**

[Filed December 5, 2001, 8:18 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-20-104.

Title of Rule: State funding of local emergency shelter and transitional housing, operating and rent programs.

Purpose: To amend WAC 365-120-080 for the transitional housing, operating and rent (THOR) program for homeless families with children to make to changes recommended by CTED and its Homeless Families Advisory Committee.

Statutory Authority for Adoption: Chapter 43.63A RCW, RCW 43.63A.650, E2SHBa 1493 (chapter 267, Laws of 1999.)

Statute Being Implemented: Chapter 365-120 WAC.

Summary: Changes include raising the income eligibility limit for operating subsidies to 50% of the area median income and the operating subsidy limit to 50% of the project's core operating budget. This amendment has no impact on funding allocations.

Reasons Supporting Proposal: The Homeless Families Advisory Committee and all thirty-two program contractors, during a program workshop held on March 20 and 21, 2001, recommended the proposed changes. This amendment will allow for more local flexibility in the use of operating subsidies and permit more homeless families to access the THOR program.

Name of Agency Personnel Responsible for Drafting and Implementation: Jennifer Turin (THOR), Department of Community, Trade and Economic Development, (360) 725-2942; and Enforcement: Ray Price, Department of Community, Trade and Economic Development, (360) 725-2912.

Name of Proponent: Department of Community, Trade and Economic Development, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 365-120 WAC, State funding of local emergency shelter and transitional housing, operating and rent programs. The transitional housing, operating and rent program provides housing assistance for homeless families with children through rental assistance and operating subsidies for transitional housing. The proposed changes will allow more homeless families to access the program and give local contractors more flexibility in using funds.

Proposal Changes the Following Existing Rules: The following changes were made to WAC 365-120-080 Eligibility for operating assistance for transitional housing: (1) Changed the income limit for the targeted population of homeless families with children from 30% of area median to 50% of area median. This change will allow more homeless families to access THOR program assistance. (2) Changed the maximum subsidy allowed for operating expenses of transitional housing for homeless families with children from 30% to 50%. This change will give program contractors increased flexibility in the use of THOR funds.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Since the Department of Community, Trade and Economic Development has determined that there is no impact on small businesses through implementation of these changes, a small business economic impact statement is not necessary.

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

Hearing Location: Office of Community Development, 906 Columbia Street S.W., Conference Room 1, Olympia, WA 98504, on January 8, 2001 [2002], at 11:00 to 1:00 p.m.

Assistance for Persons with Disabilities: TDD (360) 753-2200.

Submit Written Comments to: Jennifer Turin, Program Manager, Department of Community, Trade and Economic Development, 906 Columbia Street S.W., P.O. Box 48300, Olympia, WA 98504-8300.

Date of Intended Adoption: January 8, 2001 [2002].  
November 27, 2001  
Martha Choe  
Director

**AMENDATORY SECTION** (Amending WSR 00-05-020, filed 2/8/00, effective 3/10/00)

**WAC 365-120-080 Eligibility for operating assistance for transitional housing.** (1) Projects must provide transitional housing in a structure designed for the targeted population of homeless families with children whose incomes are at or below ~~((thirty))~~ fifty percent of the area median income.

(2) Operating subsidies shall not exceed ~~((thirty))~~ fifty percent of the project's core operating budget for the year.

(3) Rents shall not exceed thirty percent of the income of the targeted population.

**WSR 01-24-104**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
[Filed December 5, 2001, 9:35 a.m.]

Original Notice.

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

Title of Rule: WAC 246-254-070 Fees for specialized radioactive material licenses, 246-254-080 Fees for medical and veterinary radioactive material licenses, 246-254-090 Fees for industrial radioactive material licenses, and 246-254-120 Fees for licensing and compliance actions.

Purpose: To revise the fee schedule for the radioactive materials program fees in order to address increased program costs.

Other Identifying Information: The department is authorized under section 220, chapter 7, Laws of 2001 2nd sp.s. to raise fees for this program in excess of the I-601 fiscal growth factor.

Statutory Authority for Adoption: RCW 70.98.080, 43.70.250, and 43.70.040.

Statute Being Implemented: RCW 70.98.080, 43.70.250, and section 220, chapter 7, Laws of 2001 2nd sp.s.

Summary: Fees support public health activities in the radiation protection program and need to be adjusted to compensate for the inflationary costs of administering the program.

Reasons Supporting Proposal: Fee adjustments are necessary to guarantee sufficient revenue to fulfill the department's public health protection obligations.

Name of Agency Personnel Responsible for Drafting: Kelly Cooper, Tumwater, (360) 236-3012; Implementation and Enforcement: Terry Frazee, Tumwater, (360) 236-3221.

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 rules will increase the majority of radiation materials licenses fees a range of 7.58% to 8.06%. One fee will increase from 63.50 to 70.00, an increase of 10.24%. The revenue increase is necessary to ensure that public health activities continue at current levels.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Under RCW 19.85.025(3), rules that set or adjust fees pursuant to legislative standards are exempt from the requirements of the Regulatory Fairness Act.

RCW 34.05.328 does not apply to this rule adoption. Rules that set or adjust fees pursuant to legislative standards are exempt from the analysis required in RCW 34.05.328.

Hearing Location: New Market Industrial Campus, Building 5, 7171 Cleanwater Lane, Tumwater, WA 98504, on January 8, 2002, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Jan Haywood by January 2, 2002, TDD (800) 833-6388.

Submit Written Comments to: Terry Frazee, P.O. Box 47827, Olympia, WA 98504-7827, fax (360) 236-2250, by January 8, 2002.

Date of Intended Adoption: January 9, 2002.

December 4, 2001

Mary C. Selecky

Secretary

**AMENDATORY SECTION** (Amending WSR 01-14-046, filed 6/29/01, effective 7/30/01)

**WAC 246-254-070 Fees for specialized radioactive material licenses.** (1) Persons licensed or authorized to possess or use radioactive material in the following special categories shall forward annual fees to the department as follows:

(a) ~~((Four))~~ Five thousand ~~((nine))~~ three hundred ~~((eighty-four))~~ eighty dollars for operation of a single nuclear pharmacy.

(b) ~~((Eight))~~ Nine thousand ~~((five))~~ one hundred ~~((two))~~ seventy-five dollars for operation of a single nuclear laundry.

(c) ~~((Eight))~~ Nine thousand ~~((five))~~ one hundred ~~((two))~~ seventy-five dollars for a license authorizing a single facility to use more than one curie of unsealed radioactive material in the manufacture and distribution of radioactive products or devices containing radioactive material.

(d) ~~((Two))~~ Three thousand ~~((nine))~~ two hundred ~~((eighty-three))~~ twenty dollars for a license authorizing a single facility to use less than or equal to one curie of unsealed radioactive material or any quantity of previously sealed sources in the manufacture and distribution of products or devices containing radioactive material.

(e) ~~((Seven))~~ Eight hundred ~~((seventy-five))~~ thirty-five dollars for a license authorizing the receipt and redistribution from a single facility of manufactured products or devices containing radioactive material.

(f) ~~((Five))~~ Six thousand ~~((seven))~~ one hundred ~~((four))~~ fifty-five dollars for a license authorizing decontamination services operating from a single facility.



(g) Two thousand (~~seven~~) nine hundred fifteen dollars for a license authorizing waste brokerage including the possession, temporary storage at a single facility, and over-packing only of radioactive waste.

(h) One thousand (~~two~~) three hundred (~~three~~) dollars for a license authorizing equipment servicing involving:

(i) Incidental use of calibration sources;

(ii) Maintenance of equipment containing radioactive material; or

(iii) Possession of sealed sources for purpose of sales demonstration only.

(i) Two thousand (~~two~~) four hundred (~~fifty-two~~) thirty dollars for a license authorizing health physics services, leak testing, or calibration services.

(j) One thousand (~~four~~) five hundred (~~nine~~) twenty dollars for a civil defense license.

(k) Four hundred (~~twenty-four~~) sixty dollars for a license authorizing possession of special nuclear material as pacemakers or depleted uranium as shielding.

(2) Persons licensed or authorized to possess and use radioactive material in the following broad scope categories shall forward annual fees to the department as follows:

(a) (~~Sixteen~~) Eighteen thousand (~~eight~~) two hundred (~~seventy-five~~) ten dollars for a license authorizing possession of atomic numbers three through eighty-three with maximum authorized possession of any single isotope greater than one curie.

(b) (~~Seven~~) Eight thousand (~~seven~~) four hundred (~~ninety-seven~~) fifteen dollars for a license authorizing possession of atomic numbers three through eighty-three with maximum authorized possession of any single isotope greater than 0.1 curie but less than or equal to one curie.

(c) Six thousand (~~two~~) seven hundred (~~sixty-nine~~) sixty-five dollars for a license authorizing possession of atomic numbers three through eighty-three with maximum authorized possession less than or equal to 0.1 curie.

(3) Persons licensed or authorized to possess or use radioactive material which are not covered by any of the annual license fees described in WAC 246-254-070 through 246-254-100, shall pay fees as follows:

(a) An initial application fee of one thousand dollars;

(b) Billing at the rate of (~~ninety-two~~) one hundred dollars (~~fifty-cents~~) for each hour of direct staff time associated with issuing and maintaining the license and for the inspection of the license; and

(c) Any fees for additional services as described in WAC 246-254-120.

(d) The initial application fee will be considered a credit against billings for direct staff charges but is otherwise non-refundable.

(4) Persons licensed or authorized to possess or use radioactive material in a facility for radioactive waste processing, including resource recovery, volume reduction, decontamination activities, or other waste treatment, but not permitting commercial on-site disposal, shall pay fees as follows:

(a) A nonrefundable initial application fee for a new license of sixteen thousand dollars which shall be credited to the applicant's quarterly billing described in (b) of this subsection; and

(b) Quarterly billings for actual direct and indirect costs incurred by the department including, but not limited to; license renewal, license amendments, compliance inspections, a resident inspector for time spent on the licensee's premises as deemed necessary by the department, laboratory and other support services, and travel costs associated with staff involved in the foregoing.

**AMENDATORY SECTION** (Amending WSR 01-14-046, filed 6/29/01, effective 7/30/01)

**WAC 246-254-080 Fees for medical and veterinary radioactive material licenses.** (1) Persons licensed or authorized to possess or use radioactive material in the following medical or veterinary categories shall forward annual fees to the department as follows:

(a) Four thousand (~~two~~) five hundred (~~seventeen~~) fifty dollars for operation of a mobile nuclear medicine program from a single base of operation.

(b) Three thousand (~~seventy-five~~) three hundred twenty dollars for a license authorizing groups II and III of WAC 246-235-120 for diagnostic nuclear medicine at a single facility.

(c) Two thousand (~~six~~) eight hundred (~~sixty-four~~) seventy-five dollars for a license authorizing groups IV and V of WAC 246-235-120 for medical therapy at a single facility.

(d) Four thousand (~~two~~) five hundred (~~thirty-eight~~) seventy-five dollars for a license authorizing groups II or III and groups IV or V of WAC 246-235-120 for full diagnostic and therapy services at a single facility.

(e) Two thousand (~~two~~) four hundred (~~seventy-eight~~) sixty dollars for a license authorizing group VI of WAC 246-235-120 for brachytherapy at a single facility.

(f) One thousand (~~four~~) five hundred (~~nine~~) twenty dollars for a license authorizing brachytherapy or gamma stereotactic therapy or teletherapy at a single facility.

(g) Two thousand (~~one~~) three hundred (~~forty-four~~) fifteen dollars for a license authorizing medical or veterinary possession of greater than two hundred millicuries total possession of radioactive material at a single facility.

(h) One thousand (~~seven~~) eight hundred (~~seven~~) forty dollars for a license authorizing medical or veterinary possession of greater than thirty millicuries but less than or equal to two hundred millicuries total possession of radioactive material at a single facility.

(i) One thousand (~~two~~) three hundred fifty-five dollars for a license authorizing medical or veterinary possession of less than or equal to thirty millicuries total possession of radioactive material at a single facility.

(j) One thousand one hundred (~~five~~) ninety dollars for a license authorizing group I as defined in WAC 246-235-120 or in vitro uses of radioactive material at a single facility.

(k) (~~Six~~) Seven hundred (~~ninety~~) forty-five dollars for a license authorizing medical or veterinary possession of a sealed source for diagnostic use at a single facility.

(2) Persons with licenses authorizing multiple locations of use shall increase the annual fee by fifty percent for each additional location or base of operation.



AMENDATORY SECTION (Amending WSR 01-14-046, filed 6/29/01, effective 7/30/01)

**WAC 246-254-090 Fees for industrial radioactive material licenses.** (1) Persons licensed or authorized to possess or use radioactive material in the following industrial categories shall forward annual fees to the department as follows:

(a) (~~Four~~) Five thousand (~~nine~~) three hundred (~~sixty-eight~~) sixty dollars for a license authorizing the use of radiographic exposure devices in one or more permanent radiographic vaults in a single facility.

(b) (~~Six~~) Seven thousand (~~six~~) one hundred (~~fifty-five~~) eighty dollars for a license authorizing the use of radiographic exposure devices at temporary job sites but operating from a single storage facility.

(c) Three thousand (~~two~~) five hundred (~~sixty~~) twenty dollars for a license authorizing well-logging activities including the use of radioactive tracers operating from a single storage facility.

(d) Seven hundred (~~six~~) sixty dollars for a license authorizing possession of portable sealed sources including moisture/density gauges and excluding radiographic exposure devices operating from a single storage facility.

(e) (~~Seven~~) Eight hundred (~~seventy-five~~) thirty-five dollars for a license authorizing possession of any nonportable sealed source, including special nuclear material and excluding radioactive material used in a gas chromatograph at a single facility.

(f) (~~Four~~) Five hundred (~~eighty-eight~~) twenty-five dollars for a license authorizing possession of gas chromatograph units containing radioactive material at a single facility.

(g) One thousand (~~three~~) four hundred (~~forty-two~~) fifty dollars for a license authorizing possession of any self-shielded or pool type irradiator with sealed source total quantity greater than one hundred curies at a single facility.

(h) Seven thousand (~~one~~) six hundred (~~eighteen~~) eighty dollars for a license authorizing possession of sealed sources for a walk-in type irradiator at a single facility.

(i) Six thousand (~~one~~) six hundred (~~ninety-seven~~) eighty-five dollars for a license authorizing possession of greater than one gram of unsealed special nuclear material or greater than five hundred kilograms of source material at a single facility.

(j) (~~One~~) Two thousand (~~nine~~) one hundred (~~eighty-five~~) forty dollars for a license authorizing possession of less than or equal to one gram of unsealed special nuclear material or five hundred kilograms of source material at a single facility.

(k) Three hundred (~~seventeen~~) forty dollars for a license authorizing possession of static elimination devices not covered by a general license.

(2) Persons with licenses authorizing multiple locations of permanent storage shall increase the annual fee by fifty percent for each additional location.

(3) Depleted uranium registrants required to file Form RHF-20 shall forward an annual fee of (~~sixty-three~~) seventy dollars (~~fifty-cents~~) to the department.

AMENDATORY SECTION (Amending WSR 01-14-046, filed 6/29/01, effective 7/30/01)

**WAC 246-254-100 Fees for laboratory radioactive material licenses.** (1) Persons licensed or authorized to possess or use unsealed radioactive material in the following laboratory categories shall forward annual fees to the department as follows:

(a) Three thousand (~~three~~) six hundred (~~ninety-four~~) sixty dollars for a license authorizing possession at a single facility of unsealed sources in amounts greater than:

(i) One millicurie of I-125 or I-131; or

(ii) One hundred millicuries of H-3 or C-14; or

(iii) Ten millicuries of any single isotope.

(b) One thousand (~~six~~) eight hundred (~~eighty-one~~) fifteen dollars for a license authorizing possession at a single facility of unsealed sources in amounts:

(i) Greater than 0.1 millicurie and less than or equal to one millicurie of I-125 or I-131; or

(ii) Greater than ten millicuries and less than or equal to one hundred millicuries of H-3 or C-14; or

(iii) Greater than one millicurie and less than or equal to ten millicuries of any single isotope.

(c) One thousand (~~four~~) five hundred (~~nine~~) twenty dollars for a license authorizing possession at a single facility of unsealed sources in amounts:

(i) Greater than 0.01 millicurie and less than or equal to 0.1 millicurie of I-125 or I-131; or

(ii) Greater than one millicurie and less than or equal to ten millicuries of H-3 or C-14; or

(iii) Greater than 0.1 millicurie and less than or equal to one millicurie of any other single isotope.

(d) (~~Four~~) Five hundred (~~eighty-eight~~) twenty-five dollars for a license authorizing possession at a single facility of unsealed or sealed sources in amounts:

(i) Less than or equal to 0.01 millicurie of I-125 or I-131; or

(ii) Less than or equal to one millicurie of H-3 or C-14; or

(iii) Less than or equal to 0.1 millicurie of any other single isotope.

(e) (~~Six~~) Seven hundred (~~fifty-three~~) five dollars for a license authorizing possession at a single facility of large quantities of naturally occurring radioactive material in total concentration not exceeding 0.002 microcurie per gram.

(2) Persons with licenses authorizing multiple locations of use shall increase the annual fee by fifty percent for each additional location.

(3) Persons registered to perform in vitro testing pursuant to Form RHF-15 shall forward an annual fee of (~~sixty-three~~) seventy dollars (~~fifty-cents~~) to the department.

AMENDATORY SECTION (Amending WSR 01-14-046, filed 6/29/01, effective 7/30/01)

**WAC 246-254-120 Fees for licensing and compliance actions.** (1) In addition to the fee for each radioactive material license as described under WAC 246-254-070, 246-254-080, 246-254-090, and 246-254-100, a licensee shall pay a service fee for each additional licensing and compliance action as follows:

PROPOSED

(a) For a second follow-up inspection, and each follow-up inspection thereafter, a fee of (~~ninety-two~~) one hundred dollars (~~fifty cents~~) per hour of direct staff time associated with the follow-up inspection, not to exceed (~~nine hundred twenty-five~~) one thousand dollars per follow-up inspection. Hours are calculated in half-hour increments.

(b) For each environmental cleanup monitoring visit, a fee of (~~ninety-two~~) one hundred dollars (~~fifty cents~~) per hour of direct staff time associated with the environmental cleanup monitoring visit, not to exceed two thousand (~~three hundred fourteen~~) five hundred dollars per visit. Hours are calculated in half-hour increments.

(c) For each new license application, the fee of one hundred (~~fifty~~) sixty dollars in addition to the required annual fee.

(d) For each sealed source and device evaluation, a fee of (~~ninety-two~~) one hundred dollars (~~fifty cents~~) per hour of direct staff time associated with each sealed source and device evaluation, not to exceed (~~two~~) three thousand (~~seven hundred seventy-seven~~) dollars per evaluation.

(e) For review of air emission and environmental programs and data collection and analysis of samples, and review of decommissioning activities by qualified staff in those work units, a fee of (~~ninety-two~~) one hundred dollars (~~fifty cents~~) per hour of direct staff time associated with the review. The fee does not apply to reviews conducted by the radioactive materials section staff and does not apply unless the review time would result in a special service charge exceeding ten percent of the licensee's annual fee.

(f) For expedited licensing review, a fee of (~~ninety-two~~) one hundred dollars (~~fifty cents~~) per hour of direct staff time associated with the review. This fee only applies when, by the mutual consent of licensee and affected staff, a licensing request is taken out of date order and processed by staff during nonwork hours and for which staff is paid overtime.

(2) The licensee or applicant shall pay any additional service fees at the time of application for a new license or within thirty days of the date of the billing for all other licensing and compliance actions.

(3) The department shall process an application only upon receipt of the new application fee and the annual fee.

(4) The department may take action to modify, suspend, or terminate the license or sealed source and device registration if the licensee fails to pay the fee for additional licensing and compliance actions billed by the department.

**WSR 01-24-105**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
(Medical Quality Assurance Commission)  
[Filed December 5, 2001, 9:36 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-12-093.

Title of Rule: WAC 246-919-990 Medical fees and 246-918-990 Physician assistant fees.

Purpose: These rules will clarify fees for individuals going from a limited post graduate license to a full license and clarify the applicability of the impaired monitoring surcharge.

Statutory Authority for Adoption: RCW 18.71.017, 18.71A.020, and 43.70.280.

Summary: The proposed rule amendment will clarify the fee for those transitioning from a limited license to a full license; revise the description of the "impaired physician program" fee which is confusing (not to change the fee); remove language of the "one-year renewal" that is no longer necessary; and correct a typographic error for the physician assistant expired license re-issuance fee.

Reasons Supporting Proposal: These proposed rules will lower the cost of application from a limited licensed to a full license; and general housekeeping for clear and concise rule writing.

Name of Agency Personnel Responsible for Drafting and Implementation: Beverly A. Teeter, Health, 1300 S.E. Quince Street, Olympia, WA, 236-4788; and Enforcement: Doron Maniece, 1300 S.E. Quince Street, Olympia, WA, 236-4789.

Name of Proponent: [Department of Health], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule change clarifies the fee that pays the difference between the limited license application fee and the full physician application fee. The proposed amendment will use clear and concise language regarding the "impaired physician program fees." In addition, the proposed rules will remove one-year language, which is no longer necessary, and will correct a typographic error on the physician assistant expired license reissuance physician assistant fee. As a result, the rule will be easier to understand and more accurate.

Proposal Changes the Following Existing Rules: The proposal amends WAC 246-919-990 and 246-918-990. Clarifies the fee for a limited license to full license, clarifies language regarding "impaired physician program"; removes one-year language, and corrects a typographical error.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The cost to implement is below the minor cost threshold.

RCW 34.05.328 does not apply to this rule adoption. This rule does not change requirements for licensure; it updates the rule to accurately reflect the fees the department currently collects.

Hearing Location: Department of Health Conference Center, 1101 Eastside Street, Room 6, Olympia, WA 98501, on January 10, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Beverly A. Teeter by December 21, 2001, TDD (800) 833-6388, or (360) 236-4788.

Submit Written Comments to: Beverly A. Teeter, Health Administrator, P.O. Box 47866, Olympia, WA 98504-7866, fax (360) 586-4573, by December 31, 2001.

Date of Intended Adoption: January 10, 2002.  
 December 4, 2001  
 Mary C. Selecky  
 Secretary

**AMENDATORY SECTION** (Amending WSR 99-23-090, filed 11/16/99, effective 1/1/00)

**WAC 246-919-990 Physician and surgeon fees and renewal cycle.** (1) Licenses must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2, except postgraduate training limited licenses and retired active physician licenses.

(2) Postgraduate training limited licenses must be renewed every year to correspond to program date.

(3) Retired active physician licenses shall be renewed every year.

(4) The applicants and licensees must pay the following nonrefundable fees ((will be charged)):

Title of Fee	Fee
Physicians and surgeons: Chapter 18.71 RCW	
Application*	\$300.00
Retired active physician license renewal ((which is the \$100.00 renewal fee plus \$25.00 substance abuse monitoring sur- charge))*	(( <del>125.00</del> ) <u>100.00</u> )
Retired active late renewal penalty ((One year renewal	50.00 <del>200.00</del> )
Two-year renewal*	400.00
Late renewal penalty	100.00
Expired license reissuance ((Substance abuse monitoring surcharge- (assessed at \$25.00 each year as stipu- lated in RCW 18.71.310(2)))	200.00 50.00
Certification of license	50.00
Duplicate license	15.00
Temporary permit	50.00
<u>Application fee for transitioning from a post-                  graduate training limited license*</u>	<u>100.00</u>
Postgraduate limited license fees: RCW 18.71.095	
Limited license application*	200.00
Limited license renewal* ((Substance abuse monitoring surcharge	200.00 <del>25.00</del> )
Limited duplicate license	15.00
<u>Impaired physician program *(assessed at                  \$25.00 on each application and for each year of                  the renewal period as required in RCW                  18.71.310(2))</u>	<u>25.00</u>

**AMENDATORY SECTION** (Amending WSR 99-23-090, filed 11/16/99, effective 1/1/00)

**WAC 246-918-990 Fees and renewal cycle.** (1) Licenses must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The applicant or licensee must pay the following nonrefundable fees ((will be charged)):

Title of Fee	Fee
Physician assistants, certified physician assistants, physician assistant-surgical assistants, acupuncture physician assistants:	
Application*	\$50.00
<del>((One year renewal</del>	<del>70.00))</del>
Two-year renewal*	70.00
<del>((Substance abuse monitoring surcharge-                  (assessed at \$25.00 each year as stipu-                  lated in RCW 18.71A.020(3)))</del>	<del>50.00</del>
Expired license reissuance	35.00
Duplicate license	15.00
<u>Impaired physician program surcharge                  *(assessed at \$25.00 on each application                  and for each year of the renewal period as                  required in RCW 18.71.310(2))</u>	<u>25.00</u>

**WSR 01-24-106  
 PROPOSED RULES  
 DEPARTMENT OF HEALTH  
 (Board of Optometry)  
 [Filed December 5, 2001, 9:38 a.m.]**

Original Notice.

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

Title of Rule: WAC 246-851-150 Credit for individual research, publications and small group study, 246-851-160 Credit for reports, 246-851-250 Minimum equipment requirements, 246-851-300 Renting space from and practicing on premises of commercial (mercantile) concern, 246-851-310 Proper identification of licensees, 246-851-330 Misleading titles or degrees, and 246-851-520 Contact lens prescription defined.

Purpose: The changes are intended to clarify existing language without changing its effect.

Statutory Authority for Adoption: RCW 18.54.070(2).

Statute Being Implemented: RCW 18.54.070(2).

Summary: Updates and clarifies rules related to continuing education including correcting references to professional literature. Updates equipment requirements for licensees. Deletes unnecessary language and corrects references to gender related to practicing on a commercial location proper identification and titles of licensees. Updates language related to contact lense prescriptions.

**PROPOSED**

Reasons Supporting Proposal: References in continuing education rules to optometric literature are inaccurate. Required equipment for optometrists currently in rule is outdated. Other rules contain unnecessary language and incorrect gender reference which detract from the readability clarity of the rule.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Judy Haenke, Program Manager, 1300 S.E. Quince, Olympia, WA 98504, (360) 236-4947.

Name of Proponent: Board of Optometry, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The following proposed amendments update and clarify the rules without changing the effect of the rules.

WAC 246-851-150 Credit for individual research, publications, and small group study, allows for continuing education credit for research or publication. Amendment clarifies that publication must be submitted for publication.

WAC 246-851-160 Credit for reports, updates optometric literature approved for reports.

WAC 246-851-250 Minimum equipment requirements, updates required minimum equipment.

WAC 246-851-300 Renting space from and practicing on premises of commercial (mercantile) concern, deletes unnecessary and outdated language.

WAC 246-851-310 Proper identification of licensees, clarifies language and removes gender references.

WAC 246-851-330 Misleading titles or degrees, clarifies language.

WAC 246-851-520 Contact lens prescription defined, updates language relating to a contact lens prescription.

Proposal Changes the Following Existing Rules: Clarifies existing language without changing the effect of the rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not necessary for rules that are exempt under RCW 34.05.310(4). These changes provide clarification and do not change the substance of the rules.

RCW 34.05.328 does not apply to this rule adoption. This proposal does not subject a person to a penalty or sanction; does not establish, alter or revoke a qualification or standards for optometry licensure; and does not make significant amendment to a policy or regulatory program. This proposal amends existing rules to make them clearer without changing the effect of the rules.

Hearing Location: Department of Health Administrative Office, Conference Room 2, 20435 72nd South, Second Floor, Kent, WA 98032, on March 22, 2002.

Assistance for Persons with Disabilities: Contact Judy Haenke at (360) 236-4947, by March 15, 2002, TDD (360) 753-2870, or fax (360) 586-0745.

Submit Written Comments to: Judy Haenke, Program Manager, P.O. Box 47870, Olympia, WA 98504-7870, (360) 236-4947, fax (360) 586-4359, by March 5, 2002.

Date of Intended Adoption: March 23, 2002.

November 15, 2001  
Donald H. Williams  
Executive Director  
Health Professions  
Section Four

AMENDATORY SECTION (Amending WSR 97-12-088, filed 6/4/97, effective 7/5/97)

**WAC 246-851-150 Credit for individual research, publications, and small group study.** (1) Subject to approval by the board, continuing education credit may be granted for:

(a) Participation in formal reviews and evaluations of patient care such as peer review and case conferences;

(b) Participation in small group study or individual research;

(c) Scholarly papers and articles whether or not the articles or papers are published.

Requests for credit for papers or articles should include a copy of the article(~~(, date of acceptance or publication,)~~) and the number of hours requested.

(2) Licensees must submit requests for credit (~~((must be submitted))~~) to the board at least sixty days prior to the end of the reporting period.

(3) No more than ten credit hours will be granted under this section to any licensee in any two-year reporting period.

AMENDATORY SECTION (Amending WSR 97-12-088, filed 6/4/97, effective 7/5/97)

**WAC 246-851-160 Credit for reports.** (1) Continuing education credit will be granted for reports on professional optometric literature. Licensees must submit requests for credit (~~((must be submitted))~~) at least sixty days prior to the end of the reporting period. The request (~~((should))~~) must include a copy of the article, including publication source, date and author. The report (~~((should))~~) must be typewritten and include at least ten descriptive statements from the article.

(2) Professional literature approved for (~~((such))~~) these reports are:

(a) American Journal of Optometry and Physiological Optics;

(b) American Optometric Association News;

(c) Contact Lens (~~((Forum))~~) Spectrum;

(d) (~~((Contacto~~;

(e) Insight;

(f) International Contact Lens Clinic;

(g) Journal of American Optometric Association;

(~~((h))~~) (e) Journal on Optometric Education;

(~~((i))~~) (f) Journal of Optometric Vision Development;

(~~((j))~~) OEP Monthly;

(~~((k))~~) (g) Optometric Management;

(~~((l))~~) Optometric Monthly;

(~~((m))~~) Optometric World;

(~~((n))~~) (h) Review of Optometry;

(~~((o))~~) (i) 20/20 Magazine; and

(~~((p))~~) (j) Other literature as approved by the board.

(3) Each report qualifies for one credit hour. No more than ten credit hours will be granted under this section to any licensee in any two-year reporting period.

**AMENDATORY SECTION** (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-250 Minimum equipment requirements.** (1) ~~((At the minimum, every))~~ Licensed optometrists must have ~~((immediate))~~ direct access on the premises to the following equipment and accessories, all of which must be in working condition:

- (a) Adjustable examining chair;
- (b) Phoropter/refractor;
- (c) Retinoscope;
- (d) Ophthalmoscope;
- (e) Pupillary distance measuring device;
- (f) Projector and screen; or illuminated test cabinet, or chart for distant vision testing;
- (g) Nearpoint vision testing equipment;
- (h) Lensometer ~~((/vertometer))~~;
- (i) Tonometer;
- (j) Biomicroscope/slit lamp;
- (k) A clinically accepted visual field testing instrument or equipment.

(2) ~~((In addition to the equipment and accessories listed in subsection (1) above, if a))~~ Licensed optometrists who prescribe ~~((s))~~ contact lenses ~~((he))~~ must have ~~((in his office))~~ direct access on the premises to the following equipment, all of which must be in working condition:

- (a) Diameter gauge;
- (b) Thickness gauge;
- (c) Cobalt or black light instrument;
- (d) ~~((Magnifier, which may separate or part of cobalt or black light instrument;~~
- ~~((e)))~~ Radiuscope/contactogauge type measuring instrument;
- ~~((f)))~~ ~~((g))~~ Thickness tables;
- ~~((g))~~ Diopter to millimeter conversion tables;
- ~~((h))~~ Ophthalmometer/P.E.K. corneal measurement type instrument;)) (f) Corneal measurement instrument that quantifies corneal curvature.

**AMENDATORY SECTION** (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-300 Renting space from and practicing on premises of commercial (mercantile) concern.** Where a doctor of optometry rents or buys space from and practices optometry on the premises of a commercial or mercantile concern:

(1) The practice must be owned by the doctor of optometry solely or in conjunction with other licensed doctors of optometry, and in every phase be under the exclusive control of the doctor(s) of optometry. The prescription files ~~((must be))~~ are the sole property of the doctor(s) of optometry.

(2) The space must be definite and distinct from space occupied by other occupants of the ~~((premises and by the))~~ commercial or mercantile concern ~~((itself)).~~

(3) The doctor(s) of optometry must be clearly identified to the public. Such identification must include the name of

the doctor(s) of optometry and the term "doctor of optometry" or "independent doctor of optometry" or other similar phrase.

(4) All signs, advertising and display must be separate and distinct from that of the other occupants and of the commercial or mercantile concern ~~((itself, and have the name of the doctor(s) of optometry and the words "doctor of optometry" prominently displayed in connection therewith)).~~ ~~((Any verbal or spoken))~~ All optometric practice advertisement or announcement ~~((advertising an optometrist))~~ on the premises of a commercial or mercantile concern shall not make references which could reasonably convey the impression that the optometric practice is controlled by or part of the commercial or mercantile concern.

~~((4))~~ There must be displayed on any part of the premises occupied by the doctor of optometry or in any advertising of such doctor of optometry no legends such as "optical department," "optical center," "optometrical department," or any others which could reasonably convey the impression that the optometric practice is controlled by or part of the commercial or mercantile concern.

(5) In any written advertisement or announcement which uses the name of a commercial or mercantile concern to indicate the location of an optometric practice, the name(s) of the licensed doctor(s) of optometry owning the practice must be in larger type than the name of the commercial or mercantile concern.

(6) A written notice, of a size and type reasonably expected to attract the attention of the public, shall be put in a conspicuous place where the public will be exposed to it before professional services have been contracted for; this notice shall, in plain and simple terms, explain the relationship between the doctor of optometry and the commercial concern. The notice must express that the doctor of optometry is not controlled by the commercial concern in his professional practices, and must clearly describe the amount of responsibility that the commercial concern takes for the professional services rendered by the doctor of optometry.

Examples follow; these are not exhaustive:

John Smith, O.D., is a lessee, not an employee, of the store. He is solely responsible for his professional activities.

The store accepts no responsibility for the actions of John Smith, O.D., its lessee.

John Smith, O.D., is a lessee of the store, not an employee. As a part of the lease, he has agreed to follow the store's policy of "guaranteed satisfaction or your money back." (Obviously, only if this is true.)

Washington law prohibits the store from controlling or owning the practice of a licensed doctor of optometry. Accordingly, the store can assume no responsibility for Dr. Smith's professional services.

The store is responsible for filling your optical prescription. It is not responsible for the professional services of Dr. Smith, its lessee. (If the store operates the optical dispensary--))

PROPOSED

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-310 Proper identification of licensees.**

Each person licensed (~~((pursuant to))~~ under chapter 18.53 RCW must be clearly identified to the public as a doctor of optometry at (~~(every establishment in which he is engaged in the practice of optometry))~~ all practice locations. (~~((Such))~~ The identification must include the name of the licensee (~~((in letters at least two inches high))~~) and the term "doctor of optometry" or "independent doctor of optometry" or other similar phrase, at or near the entrance to the licensee's office.

~~((If an owner of all or part of a practice does not engage in optometry on a regular basis at that location, his name and address in letters at least two inches high must be clearly visible to patients at or near the entrance to the location. To engage in optometry "on a regular basis" means to practice at a particular location at regular, periodic intervals, information of which is readily available to the public.))~~

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-330 Misleading titles or degrees.**

An optometrist shall not use misleading (~~((nor nonhealth related))~~) or unrelated degrees or titles in connection with the professional practice of optometry. The use of an optometric designation such as "optometrist" or "doctor of optometry" or other similar phrase shall not be used in connection with a business or activity that is not related to optometric care. (~~((Degrees, titles or professional identifications may not be used which have not been specifically granted to an optometrist by an approved school or college.))~~)

AMENDATORY SECTION (Amending Order 308B, filed 9/30/92, effective 10/31/92)

**WAC 246-851-520 Contact lens prescription defined.**

~~((An optometric))~~ A contact lens prescription is a written, signed order from an optometrist to another optometrist, physician, or dispensing optician describing optical and physical characteristics of the contact lenses to be dispensed. It shall be based upon a comprehensive vision and eye health examination, followed by a diagnostic or trial evaluation, and a final evaluation of the contact lens on the eye by (~~((the))~~) a prescribing doctor.

utilities; chapter 480-120 WAC, Telecommunications companies, notice to public of tariff changes; and WAC 480-121-065 Customer notice requirements—Petition for competitive classification of a service, Docket U-991301.

Purpose: The purpose of the proposed rules and rule amendments is to streamline the tariff filing process for gas, electric, telecommunications, and water companies, and to clarify requirements for customer notice, consistent with the requirements of the Governor's Executive Order 97-02.

Other Identifying Information: Docket No. U-991301.

Statutory Authority for Adoption: RCW 80.01.040 and 80.04.180.

Statute Being Implemented: Title 80 RCW, Public utilities.

Summary: The proposed rules would streamline filing and format requirements, codify current procedures and best-practice options, use clear language, offer regulated companies greater flexibility to enable them to take advantage of further efficiencies on a case-by-case basis, and eliminate unnecessary requirements. The proposed rules would also clarify requirements for customer notice.

Reasons Supporting Proposal: The proposed rules are drafted to reflect the effect of legislation regarding price lists. Other proposed rules reflect technological changes, emerging competition, and changes in market structure.

Name of Agency Personnel Responsible for Drafting: Kim Dobyms, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1242; 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 proposed rules effect the administration of tariffs, price lists, and contracts, and posting and publication requirements for regulated investor-owned electric, gas, telephone, and water companies.

See Summary and Reasons Supporting Proposal above for anticipated effects.

Proposal Changes the Following Existing Rules: The proposed rules would reduce and reorganize chapter 480-80 WAC, and clarify and streamline commission oversight of tariffs, price lists, and contracts.

The proposed rules for customer notice have been incorporated into each industry's rules for ease of use and to accommodate unique characteristics of each industry. The affected chapters are: Chapter 480-90 WAC, Natural gas utilities; chapter 480-100 WAC, Electric utilities; chapter 480-120 WAC, Telecommunications companies; and WAC 480-121-065 Customer notice requirements—Petition for competitive classification of a service.

**WSR 01-24-113**

**PROPOSED RULES**

**UTILITIES AND TRANSPORTATION  
COMMISSION**

[Filed December 5, 2001, 11:51 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-086.

Title of Rule: Chapter 480-80 WAC, Commission general—Tariffs, price lists, and contracts; chapter 480-90 WAC, Natural gas utilities; chapter 480-100 WAC, Electric

Action	WAC No.	Rule Title	Proposed Changes
<b>Chapter 480-80 WAC, Utilities general—Tariffs, price lists and contracts.</b>			
Amend	480-80-010	Application of rules.	<ol style="list-style-type: none"> <li>1. Revisions reflect common language adopted in other rule makings.</li> <li>2. Subsection (5) clarifies that any tariff, price list, or contract on file and in effect or pending when rules are adopted is not required to be refiled to comply with newly adopted rules in chapter 480-80 WAC. Rather, the expectation is that companies will make needed changes when filings are made in the normal course of business.</li> </ol>
New Section	480-80-015	Exemptions from rules in chapter 480-80 WAC.	<ol style="list-style-type: none"> <li>1. Language sets out the process used to request an exception from a rule and is consistent with language adopted in other rule makings.</li> <li>2. Subsection (6) clarifies that competitive companies previously granted exemptions to certain sections of chapter 480-80 WAC continue to have those exemptions.</li> <li>3. Part moved from WAC 480-80-310.</li> </ol>
Amend	480-80-020	Additional requirements.	<ol style="list-style-type: none"> <li>1. Revision reflects common language adopted in other rule makings.</li> </ol>
New Section	480-80-025	Severability.	<ol style="list-style-type: none"> <li>1. New language reflects common language adopted in other rule makings.</li> </ol>
Amend	480-80-030	Definitions.	<ol style="list-style-type: none"> <li>1. Adds definitions of words used throughout the chapter.</li> </ol>
New Section	480-80-031	Delivery of tariff, price list, and contract filings.	<ol style="list-style-type: none"> <li>1. Adds the option of an electronic delivery method when the commission has procedures in place.</li> <li>2. Clarifies that a fax filing must be received in its <b>entirety</b> by 5:00 p.m. Pacific time in order to be deemed received on that day.</li> <li>3. Similar requirements previously found in WAC 480-80-060 and 480-80-070.</li> </ol>
New Section	480-80-101	Tariff requirements.	<ol style="list-style-type: none"> <li>1. Subsection (1) moved from WAC 480-80-040.</li> <li>2. Subsection (2) moved from WAC 480-80-150.</li> </ol>
New Section	480-80-102	Tariff content.	<ol style="list-style-type: none"> <li>1. Subsection (1) moved from WAC 480-80-160 and 480-80-200.</li> <li>2. Subsection (2) moved from WAC 480-80-160 and 480-80-210.</li> <li>3. Subsection (3) is a new requirement to include a section of symbols in the filing and allows a company to use its own unique symbols in addition to the commission symbols.</li> <li>4. Subsection (4) moved from WAC 480-80-220 and clarifying language and cross references to related requirements in other chapters are added.</li> <li>5. Subsection (5) moved from WAC 480-80-230.</li> <li>6. Removes requirements for telegraph rate schedules and base rate area maps.</li> </ol>

PROPOSED

Action	WAC No.	Rule Title	Proposed Changes
New Section	480-80-103	Tariff format.	<ol style="list-style-type: none"> <li>1. Subsection (1) (a) moved from WAC 480-80-140.</li> <li>2. Subsection (1) (b) adds a requirement to retain a 2" x 1 1/2" blank space in the upper right hand corner of the tariff sheet for commission use.</li> <li>3. Subsection (1)(c) adds an option of allowing utilities to file electronically when the commission establishes a process.</li> <li>4. Subsection (2) moved from WAC 480-80-160.</li> <li>5. Subsection (3) moved from WAC 480-80-180 and 480-80-220(2).</li> <li>6. Subsection (3)(e) allows a utility to reuse a tariff number under certain circumstances.</li> <li>7. Subsection (4) allows the company two ways to submit authorizing signatures and eliminates the requirement for the company to keep signature cards on file with the commission.</li> <li>8. Issue dates are no longer required.</li> </ol>
New Section	480-80-104	Transmittal letter.	<ol style="list-style-type: none"> <li>1. Reference to transmittal letter moved from WAC 480-80-050 and codifies current commission practices based on instructions sent to utilities previously.</li> </ol>
New Section	480-80-105	Tariff filing instructions.	<ol style="list-style-type: none"> <li>1. Subsection (1) moved from WAC 480-80-160(2) and 480-80-050.</li> <li>2. Subsection (2) adds a cross reference to a related chapter.</li> <li>3. Subsection (3) defines expectations in a tariff filing.</li> <li>4. Subsection (4) moved from WAC 480-80-370.</li> <li>5. Subsection (5) provides the utility with an option of using unique symbols in addition to commission symbols.</li> <li>6. Subsection (6) moved from WAC 480-80-050.</li> <li>7. Subsection (7) and (8) moved from WAC 480-80-270.</li> </ol>
New Section	480-80-111	Substitute tariff filings.	<ol style="list-style-type: none"> <li>1. Defines process for submitting substitute pages consistent with commission practices.</li> </ol>
New Section	480-80-112	Banded rate tariff filings.	<ol style="list-style-type: none"> <li>1. Subsection (1) moved from WAC 480-80-045.</li> <li>2. Subsection (2) adds the criteria from filing gas and electric banded rates.</li> </ol>
New Section	480-80-121	Tariff changes with statutory notice.	<ol style="list-style-type: none"> <li>1. Moved from WAC 480-80-070.</li> </ol>
New Section	480-80-122	Tariff changes with less than statutory notice.	<ol style="list-style-type: none"> <li>1. Moved from WAC 480-80-240.</li> <li>2. Provides an option to use a commission LSN form.</li> </ol>
New Section	480-80-123	Tariff changes that do not require statutory notice.	<ol style="list-style-type: none"> <li>1. Moved from WAC 480-80-240.</li> </ol>
New Section	480-80-124	Failure to provide statutory notice.	<ol style="list-style-type: none"> <li>1. Moved from WAC 480-80-070.</li> </ol>
New Section	480-80-131	Withdrawing a tariff filing.	<ol style="list-style-type: none"> <li>1. New section added to codify current commission practices.</li> </ol>
New Section	480-80-132	Rejecting tariff changes.	<ol style="list-style-type: none"> <li>1. Moved from WAC 480-80-300.</li> </ol>

PROPOSED



Action	WAC No.	Rule Title	Proposed Changes
New Section	480-80-133	Tariff adoption notice.	1. Moved from WAC 480-80-250 and 480-80-260. 2. Removes the second company adoption restriction.
New Section	480-80-134	Discontinuing a tariffed service or services.	1. Moved from WAC 480-80-320.
New Section	480-80-141	Service contract.	1. Moved from WAC 480-80-325, 480-80-326, and 480-80-340.
New Section	480-80-142	Special contracts for noncompetitive telecommunications companies.	1. Moved from WAC 480-80-330.
New Section	480-80-143	Special contracts for gas, electric, and water companies.	1. Moved from WAC 480-80-335.
New Section	480-80-201	Use of price lists.	1. New language describes who may use price lists.
New Section	480-80-202	Interpretation and application of price lists.	1. Subsection (1) describes how the commission interprets price lists. 2. Subsection (2) describes how the commission will interpret conflicts or ambiguities in a price list.
New Section	480-80-203	Transmittal letter.	1. Moved from WAC 480-80-041. 2. Clarifies requirements for a price list transmittal letter.
New Section	480-80-204	Price lists format and content.	1. New language identifies criteria for a price list and clarifies that the rates charged to customers must cover the cost of providing the service.
New Section	480-80-205	Effective date of price list filings.	1. The price list effective date statutory requirements are codified.
New Section	480-80-206	Price list availability to customers.	1. Moved from WAC 480-80-206. 2. In addition to making a price list available to customers through a public location or upon request, a new requirement is added requiring companies to post price lists on a website and notify customers of the Internet address.
New Section	480-80-241	Filing contracts for services classified as competitive.	1. Moved from WAC 480-80-035.
New Section	480-80-242	Using contracts for services classified as competitive.	1. Moved from WAC 480-80-035.
<b>Chapter 480-90 WAC, Gas companies—Operations.</b>			
Amend	480-90-193	Posting of tariffs for public inspection and review.	1. Parts moved from WAC 480-80-080 and 480-80-090. 2. Provides new options for making a tariff available to the public and defines physical access.
New Section	480-90-194	Publication of proposed tariff changes to increase charges or restrict access to services.	1. Provides the options a utility may use to notify the public of proposed rate changes or restricted service in its tariff. The company must use at least one of the methods. 2. Provides requirements for what must be included in the public notice.
New Section	480-90-195	Notice of tariff changes other than increases in recurring charges and restrictions in access to services.	1. Provides requirements for how to notice customers of minor tariff rate changes and what must be included in the notice.

Action	WAC No.	Rule Title	Proposed Changes
New Section	480-90-197	Adjudicative proceedings where public testimony will be taken.	1. Provides the requirements for public notice and content of the notice for adjudicative proceedings where public testimony will be taken.
New Section	480-90-198	Notice verification and assistance.	1. Requires the utility to file a statement with the commission describing how it met the requirements for posting and publication.
New Section	480-90-199	Other customer notice.	1. Requires utility to provide additional notice when the commission determines additional customer education is needed.
<b>Chapter 480-100 WAC, Electric utilities.</b>			
Amend	480-100-193	Posting of tariffs for public inspection and review.	1. Parts moved from WAC 480-80-080 and 480-80-090. 2. Provides new options for making a tariff available to the public and defines physical access.
New Section	480-100-194	Publication of proposed tariff changes to increase charges or restrict access to services.	1. Provides the options a utility may use to notify the public of proposed rate changes or restricted service in its tariff. The company must use at least one of the methods. 2. Provides requirements for what must be included in the public notice.
New Section	480-100-195	Notice of tariff changes other than increases in recurring charges and restrictions in access to services.	1. Provides requirements for how to notice customers of minor tariff rate changes and what must be included in the notice.
New Section	480-100-197	Adjudicative proceedings where public testimony will be taken.	1. Provides the requirements for public notice and content of the notice for adjudicative proceedings where public testimony will be taken.
New Section	480-100-198	Notice verification and assistance.	1. Requires the utility to file a statement with the commission describing how it met the requirements for posting and publication.
New Section	480-100-199	Other customer notice.	1. Requires utility to provide additional notice when the commission determines additional customer education is needed.
<b>Chapter 480-120 WAC, Telephone companies.</b>			
New Section	480-120-193	Posting of tariffs for public inspection and review.	1. Parts moved from WAC 480-80-080 and 480-80-090. 2. Provides new options for making a tariff available to the public and defines physical access.
New Section	480-120-194	Publication of proposed tariff changes to increase charges or restrict access to services.	1. Provides the options a utility may use to notify the public of proposed rate changes or restricted service in its tariff. The company must use at least one of the methods. 2. Provides requirements for what must be included in the public notice.
New Section	480-120-195	Notice of tariff changes other than increases in recurring charges and restrictions in access to services.	1. Provides requirements for how to notice customers of minor tariff rate changes and what must be included in the notice.
New Section	480-120-196	Customer notice requirements—Competitively classified telecommunications companies or services.	1. Provides requirements for customer notice before rates or terms are changed.
New Section	480-120-197	Adjudicative proceedings where public testimony will be taken.	1. Provides the requirements for public notice and content of the notice for adjudicative proceedings where public testimony will be taken.

Action	WAC No.	Rule Title	Proposed Changes
New Section	480-120-198	Notice verification and assistance.	1. Requires the utility to file a statement with the commission describing how it met the requirements for posting and publication.
New Section	480-120-199	Other customer notice.	1. Requires utility to provide additional notice when the commission determines additional customer education is needed.
<b>Chapter 480-121 WAC, Registration, competitive classification and price lists of telecommunications companies.</b>			
New Section	480-121-065	Customer notice requirements— Petition for competitive classification of a service.	1. Provides requirements for public notice for companies seeking competitive classification.
<b>Chapter 480-80 WAC, Rules proposed for repeal.</b>			
Repeal	480-80-035	Price lists.	1. Moved to WAC 480-80-203, 480-80-241, and 480-80-242.
Repeal	480-80-040	Tariff.	1. Moved to WAC 480-80-101.
Repeal	480-80-041	Tariff.	1. Moved to WAC 480-80-203
Repeal	480-80-045	Filing of banded tariffs.	1. Moved to WAC 480-80-112.
Repeal	480-80-050	Copies of tariff to be filed.	1. Moved to WAC 480-80-104 and 480-80-105.
Repeal	480-80-060	Delivery of tariff.	1. Moved to WAC 480-80-031.
Repeal	480-80-070	Statutory notice.	1. Delivery requirements moved to WAC 480-80-031. 2. Notice requirements moved to WAC 480-80-121. 3. Failure to provide statutory notice moved to WAC 480-80-124.
Repeal	480-80-080	Tariff file at principal business office.	1. Moved to WAC 480-80-206, 480-90-193, 480-100-193, and 480-120-193.
Repeal	480-80-090	Tariff file at designated business offices.	1. Moved to WAC 480-90-193, 480-100-193, and 480-120-193.
Repeal	480-80-100	Payment agencies.	1. Repeal. Industry chapters of rules now provide company with the option of determining how to best maintain copies of its tariff available to the public.
Repeal	480-80-110	Reference to tariff file.	1. Repeal removes requirement to check tariff on file, in business office where kept, at least once every six months.
Repeal	480-80-125	Notice by utility to customers concerning hearing.	1. Moved to WAC 480-90-197, 480-100-197, and 480-120-197.
Repeal	480-80-130	Notation of receipt of tariff by agents.	1. Repeal eliminates a record-keeping requirement.
Repeal	480-80-140	Form of tariff sheets.	1. Moved to WAC 480-80-140
Repeal	480-80-150	Numbering of tariffs.	1. Moved to WAC 480-80-101(1).
Repeal	480-80-160	General arrangement of tariff.	1. Repeal removes the requirement for an issue date. 2. Other requirements moved to WAC 480-80-102, 480-80-103, and 480-80-105.
Repeal	480-80-170	Schedule designation.	1. Repeal, language unnecessary.
Repeal	480-80-180	Tariff sheet designations.	1. Moved to WAC 480-80-103(3).
Repeal	480-80-190	Numbering plan for sheets.	1. Moved to WAC 480-80-103(3).
Repeal	480-80-200	Title page.	1. Moved to WAC 480-80-102(1).
Repeal	480-80-210	Index page.	1. Moved to WAC 480-80-102(2).

Action	WAC No.	Rule Title	Proposed Changes
Repeal	480-80-220	Rules and regulations page.	1. Moved to WAC 480-80-102(4).
Repeal	480-80-230	Rate schedule page.	1. Moved to WAC 480-80-102(5). 2. Repeals requirements for base rate area maps and telegraph rate schedules.
Repeal	480-80-240	Less than statutory notice.	1. Moved to WAC 480-80-122 and 480-80-123.
Repeal	480-80-250	Adoption notice.	1. Moved to WAC 480-80-133.
Repeal	480-80-260	Tariff of acquired utility.	1. Moved to WAC 480-80-133.
Repeal	480-80-270	Reference to tariff.	1. Moved to WAC 480-80-105.
Repeal	480-80-280	Issuing agent.	1. Repeal removes record-keeping requirement.
Repeal	480-80-290	Suspension of tariffs.	1. Statute provides authority to suspend tariffs.
Repeal	480-80-300	Rejection of tariffs.	1. Moved to WAC 480-80-132.
Repeal	480-80-310	Exceptions.	1. Moved to WAC 480-80-015.
Repeal	480-80-320	Discontinuance of service.	1. Moved to WAC 480-80-134.
Repeal	480-80-325	Contract for service.	1. First paragraph moved to WAC 480-80-141. 2. Second paragraph repealed. Will be considered in Docket No. UT-990146 in WAC 480-120-089(4). 3. This rule was moved to this chapter of rules from WAC 480-120-066 in Part A of Docket No. U-991301.
Repeal	480-80-326	Contract for gas and electric service.	1. Moved to WAC 480-80-141. 2. This rule was moved to this chapter of rules from WAC 480-90-061 and 480-100-061 in Part A of Docket No. U-991301.
Repeal	480-80-330	Telecommunications contracts.	1. Moved to WAC 480-80-142.
Repeal	480-80-335	Special contracts for electric, water, and natural gas companies.	1. Moved to WAC 480-80-143.
Repeal	480-80-340	Forms.	1. Moved to WAC 480-80-141.
Repeal	480-80-350	Refiling tariffs.	1. Moved to WAC 480-80-105.
Repeal	480-80-360	Standard tariff forms.	1. Repeal, no longer needed.
Repeal	480-80-370	Symbols.	1. Moved to WAC 480-80-105.
Repeal	480-80-380	Availability of rules.	1. Repeal. Rules will be made available to the public by the commission.
<b>Chapter 480-120 WAC, Rules proposed for repeal.</b>			
Repeal	480-120-043	Notice to the public of tariff changes.	1. Repeal. Included in rewritten public notice rules in chapter 480-120 WAC.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Staff performed a cost analysis on information provided by stakeholders and determined that overall compliance with the proposed rules will not result in an increase in costs for companies and may result in a savings due to cost-efficiencies permitted by the proposed rules.

RCW 34.05.328 does not apply to this rule adoption. The commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328(5).

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, on January 9, 2002, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Mary DeYoung by Monday, January 7, 2002, TDD (360) 586-8203, or (360) 664-1133.

Submit Written Comments to: Carole J. Washburn, Secretary, P.O. Box 47250, Olympia, WA 98504, e-mail <records@wutc.wa.gov>, fax (360) 586-1150, by December 27, 2001. Please include Docket No. U-991301 in your communication.

Date of Intended Adoption: January 9, 2002:

December 5, 2001

C. Robert Wallis  
for Carole J. Washburn  
Secretary

## I. GENERAL RULES

**AMENDATORY SECTION** (Amending Docket No. U-991301, General Order No. R-481, filed 4/4/01, effective 5/5/01)

**WAC 480-80-010 Application of rules.** ~~((1) These rules shall apply to any public service company, defined as such by the laws of the state of Washington, as amended, operating a gas, electric, telecommunications, water or irrigation plant which is subject to the jurisdiction of the Washington utilities and transportation commission as to rates and service.~~

~~(2) Upon acceptable showing by any utility, the commission may waive or modify, as to that utility, the provisions of any rule herein contained, except when such provisions are fixed by statute.~~

~~(3) In no case shall any utility deviate from these rules unless authorized in writing by the commission.~~

~~(4) Competitively classified telecommunications companies previously granted exemptions from chapter 480-80 WAC Utilities general—Tariff are not exempt from WAC 480-80-035 Price lists and WAC 480-80-325 Contract for service. Exemptions from the provisions of chapter 480-80 WAC include only the provisions in effect at the time the exemption was granted.) (1) The rules in this chapter apply to any public service company that is subject to the jurisdiction of the commission as to rates and services under the provisions of RCW 80.04.010, chapters 80.28 and 80.36 RCW.~~

~~(2) The tariff, price list, and contract provisions filed by public service companies must conform with these rules. If the commission accepts a tariff, price list, or contract that conflicts with these rules, the acceptance does not constitute a waiver of these rules unless the commission specifically approves the variation consistent with WAC 480-80-015 (Exemptions from rules in chapter 480-80 WAC). Tariffs, price lists, or contracts that conflict with these rules without approval are superseded by these rules.~~

~~(3) Any affected person may ask the commission to review the interpretation of these rules by a public service company or customer by posing an informal complaint under WAC 480-09-150 (Informal complaints), or by filing a formal complaint under WAC 480-09-420 (Pleadings and briefs—Applications for authority—Protests).~~

~~(4) No deviation from these rules is permitted without written authorization by the commission. Violation will be subject to penalties as provided by law.~~

~~(5) Any tariff, price list, or contract on file and in effect or pending on the effective date of these rules, is not required to be refiled to comply with these rules.~~

### NEW SECTION

**WAC 480-80-015 Exemptions from rules in chapter 480-80 WAC.** (1) The commission may grant an exemption from the provision of any rule in this chapter, if consistent with the public interest, the purposes underlying regulation, and applicable statutes.

(2) To request a rule exemption, a person must file with the commission a written request identifying the rule for

which an exemption is sought, giving a full explanation of the reason for requesting the exemption.

(3) The commission will assign the request a docket number, if it does not arise in an existing docket, and will schedule the request for consideration at one of its regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an adjudication. The commission will notify the person requesting the exemption, and other affected persons, of the date of the hearing or open meeting when the commission will consider the request.

(4) In determining whether to grant the request, the commission may consider whether application of the rule would impose undue hardship on the petitioner, of a degree or a kind different from hardship imposed on other similarly situated persons, and whether the effect of applying the rule would be contrary to the purposes of the rule.

(5) The commission will enter an order granting or denying the request or setting it for hearing, pursuant to chapter 480-09 WAC.

(6) Competitive telecommunications companies previously granted exemptions from chapter 480-80 WAC Utilities general—Tariffs, price lists, and contracts, are not exempt from Part I. and Part III. of this chapter. Exemptions from the provisions of chapter 480-80 WAC include only the provisions in effect at the time the exemption was granted. This subsection confirms that there is no change in exemptions previously granted to telecommunications companies that have been classified as competitive as a result of:

(a) Moving rules between chapters 480-80 and 480-120 WAC; and

(b) Renumbering sections within chapters 480-80 and 480-120 WAC.

**AMENDATORY SECTION** (Amending Order R-5, filed 6/6/69, effective 10/9/69)

**WAC 480-80-020 ((Saving clause.) Additional requirements.** ~~((These rules shall not be construed as affecting the validity of any presently effective tariff provisions or pending tariff revisions. Attention shall be given by each utility to bringing presently effective tariffs into compliance with these rules so that all tariffs shall, within a reasonable period of time, conform as to tariff arrangement.)) (1) These rules do not relieve any public service company from any of its duties and obligations under the laws of the state of Washington.~~

~~(2) The commission retains the authority to impose additional or different requirements on any public service company in appropriate circumstances, consistent with the requirements of law.~~

### NEW SECTION

**WAC 480-80-025 Severability.** If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

PROPOSED

AMENDATORY SECTION (Amending Order R-238, Cause No. U-85-44, filed 9/19/85)

**WAC 480-80-030 Definitions.** ~~((1) "Utility," when used in these rules, means any person, partnership, firm or corporation operating a gas, electric, telecommunications, water or irrigation plant which is subject to the jurisdiction of the commission as to rates and service.~~

~~(2) "Commission," when used in these rules, means the Washington utilities and transportation commission.~~

~~(3) "Tariff," as used in these rules, shall mean the complete tariff or any portion thereof containing those rate schedules and rules and regulations relating to charges and service which is regularly established under and in accordance with these rules and regulations relating to charges and service which is regularly established under and in accordance with these rules and regulations and the applicable statutes and which is applied to specific groups of customers within any particular territory but shall exclude special contracts for special rates, service and facilities.~~

~~(4) "Banded tariff," as used in these rules means a tariff filed by a telecommunications company in which at least one element of the rate schedule (WAC 480-80-230) is a band consisting of a maximum and minimum rate within which the rate may vary.~~

~~(5) "Number," "numbers," "numbered" and "numbering," when used in these rules, means either a letter of the alphabet or a numeral unless otherwise specifically indicated.)~~ The definitions in this section apply throughout the chapter unless the context clearly requires otherwise:

"Advice number" means a number assigned by the applicant to a tariff filing or contract filing for internal tracking purposes.

"Banded rate" means a rate that has a minimum and maximum rate.

"Commission" means the Washington utilities and transportation commission.

"Competitive telecommunications company" means a telecommunications company that has been classified as competitive by the commission pursuant to RCW 80.36.300.

"Fax" means the transmittal of electronic signals over telephone lines for conversion into written text.

"Noncompetitive telecommunications company" means every telecommunications company that has not been classified as competitive by the commission.

"Price list" means a telecommunications company's standard offer to the general public or to other telecommunications companies of one or more intrastate telecommunications services that the commission has determined to be subject to effective competition.

"Public service company" means every gas company, electric company, telecommunications company, water company, or irrigation plant that is subject to the jurisdiction of the commission as to rates and service.

"RCW" means the Revised Code of Washington.

"Tariff" is a document that sets forth terms and conditions of regulated service, including rates, charges, tolls, rentals, rules, and equipment and facilities, and the manner in which rates and charges are assessed for regulated services provided to customers, and rules and conditions associated with offering service.

"Utility" means every public service company that has not been classified as competitive by the commission.

"WAC" means the Washington Administrative Code.

## NEW SECTION

**WAC 480-80-031 Delivery of tariff, price list, and contract filings.** (1) The commission will accept a tariff, price list, or contract filing delivered in person, by mail, fax, or (when procedures are in place) electronic means. The commission will stamp a filing received on Saturdays, Sundays, and state holidays, or after 5:00 p.m., Pacific time, as received on the next business day.

(2) In person or by mail.

(a) In order to be deemed received on a given day, the commission records center must receive an original and two copies of the filing(s) and a transmittal letter by 5:00 p.m., Pacific time.

(b) A filing delivered by mail must be free from all charges for postage. The commission records center will return any postage-due filing to the sender.

(3) Fax filing.

(a) The commission must receive an original and two copies of the filing the following business day.

(b) The commission will use the date and time the fax filing is received and printed at the records center as the official file date.

(c) The commission records center must receive a faxed filing in its entirety by 5:00 p.m., Pacific time, Monday through Friday, except on state holidays, to be considered received on that business day.

(4) Electronic filing.

(a) An electronic filing must conform to commission procedures for electronic filing.

(b) After accepting an electronic filing, the commission will return an electronic mail message noting the receipt date.

## **II. TARIFFS AND CONTRACTS: UTILITIES**

### NEW SECTION

**WAC 480-80-101 Tariff requirements.** (1) A utility that is required to have a tariff on file with the commission must file and maintain its tariff(s) as required in the RCW and WAC.

(2)(a) A utility that provides more than one kind of service, such as gas, electric, or water must file a separate tariff for each service type.

(b) Each tariff must have an official designation number, printed as WN U-number. Subsequent tariff designations must be sequentially numbered in ascending order.

### NEW SECTION

**WAC 480-80-102 Tariff content.** The tariff must include:

(1) **Title page.** The first sheet of the tariff must contain the following information:

(a) Tariff number;

(b) The canceled tariff number, when applicable;

(c) The types of services covered by the tariff;

(d) An identification of the territory to which the tariff applies;

(e) Effective date of the sheet; and

(f) The complete name, address, phone number, unified business identifier (UBI) number, and if available, the electronic mail address and web page address of the issuing utility.

(2) **Index or table of contents.** The second section of the tariff must be updated, when applicable, whenever a tariff sheet is added, revised, or canceled. It must include:

(a) Tariff number;

(b) Name of the utility issuing the tariff;

(c) Effective date of the revised index or table of contents sheet; and

(d) A complete and accurate list of the contents of the tariff.

(3) **Legend of symbols.** This section must identify all symbols used in the tariff to identify changes resulting from the filing of the specific sheet change. The list must include the required symbols and their meanings, and any other utility-specific symbol with its meaning consistent with the requirements identified in WAC 480-80-105(4).

(4) **Rules section.** The rules section sets forth the conditions governing services under the tariff.

(a) The rules section must include the following, when applicable:

(i) Application for service;

(ii) Definition of service;

(iii) Reconnection charge;

(iv) Service connection;

(v) Installation of meters;

(vi) Distribution main or line extension unless specified in a rate schedule;

(vii) Responsibility for, and maintenance of, distribution plant and service lines;

(viii) Access to premises;

(ix) Interruptions to service;

(x) Bills;

(xi) Deposits;

(xii) Delinquent accounts;

(xiii) Discontinuance of service; and

(xiv) The method the utility will use to give notice to its customers of changes within the limits of a banded rate.

(b) Gas companies must also include the requirements set out in:

(i) WAC 480-90-233 (Purchased gas adjustment) (may be included in rules section or rates section);

(ii) WAC 480-90-303 (Heating value of gas); and

(iii) WAC 480-90-343 (Statement of meter test procedures).

(c) Electric companies must also include the requirements set out in WAC 480-100-343 (Statement of meter test procedures).

(d) Rules for specific services may be included in either the rate schedule section or the rules section.

(5) **Rate schedule section.**

(a) Rate schedule sheets must include the following, when applicable:

(i) Schedule number;

(ii) A title that accurately describes the service;

(iii) Availability;

(iv) The rates to be paid for the service;

(v) Any special terms or conditions associated with the service or the calculation of rates to be paid for the service.

(b) Noncompetitive telecommunications companies must also provide the following information, when applicable, based upon the type of service offered:

(i) **Exchange service rate schedules** that include:

(A) Primary rate schedules;

(B) Private branch exchange rate schedules;

(C) Miscellaneous rate schedules; and

(D) Exchange area maps.

(ii) **Inter-exchange service rate schedules** that include:

(A) Basic rate schedules;

(B) Supplementary rate schedules; and

(C) List of toll points.

### NEW SECTION

**WAC 480-80-103 Tariff format.** (1) **Tariff sheet format.**

(a) A utility must clearly print or type all tariffs on eight and one-half inch by eleven inch paper, with at least one-half inch margins on each side.

(b) The tariff sheet must include a blank space at least two inches wide and one and one-half inches high in the upper right hand corner of the sheet for commission use.

(c) Tariff sheets filed electronically must meet the requirements set forth in the applicable commission procedures.

(2) **Sheet requirements.** Each tariff sheet must specify:

(a) The designated tariff number;

(b) The tariff sheet revision number;

(c) The name of the utility issuing the tariff; and

(d) The effective date.

(3) **Sheet numbering.** Each tariff sheet must have a unique sheet number.

(a) The utility must designate the initial tariff sheet as the "original sheet."

(b) All subsequent revisions must be in sequential order and indicate the cancellation of the superseded sheet as follows:

On the first revision, designate the sheet as:

FIRST (or 1st) REVISION OF SHEET

CANCELING

ORIGINAL SHEET

On the second revision, designate the sheet as:

SECOND (or 2nd) REVISION OF SHEET

CANCELING

FIRST REVISION OF SHEET

(c) Each tariff revision sheet must use consecutive revision numbers and indicate the cancellation of the superseded sheet.

(d) A utility may reuse revision numbers assigned to sheets that were rejected or withdrawn for subsequent tariff changes.

(e) A utility may not reuse sheet numbers assigned to tariff sheets that are canceled and removed from the tariff during

the life of the tariff unless the utility specifies that the sheet is reserved for future use.

(f) A utility may assign sheet numbers to sheets intended for future use.

(4) **Authorizing signature.**

(a) When the tariff sheets are submitted without a signature, the utility must include a statement in the transmittal letter certifying that the submitting person has authority to issue tariff revisions on behalf of the utility; or

(b) When the tariff sheets are submitted with a signature, such signature constitutes a certification that the person signing the tariff sheet has the authority to issue the tariff sheets on behalf of the utility.

### NEW SECTION

**WAC 480-80-104 Transmittal letter.** A utility must submit a transmittal letter with all tariff and contract filings. The transmittal letter must:

(1) Identify all new tariffs or contracts, or identify the tariff or contract changes;

(2) Explain in understandable terms why the tariff or contract filing is being submitted;

(3) Specify the changes requested in clear and concise terms and define any acronyms used;

(4) Refer to the commonly used name of the service, the advice number, if known, and the docket number, if applicable;

(5) Include the advice number if the utility uses consecutively numbered advice letters;

(6) Describe the general effect of, and reasons for, tariff or contract filings involving only text changes;

(7) Describe which services are affected, and the dollar amount and percentage of increase or decrease if the filing is a rate change. If a combination of changes is filed (i.e., increases and decreases), each change should be described, as well as the net effect on company revenues; and

(8) If the utility does not include an authorizing signature on the tariff sheets, include a statement certifying that the submitting person has authority to issue tariff revisions on behalf of the utility.

### NEW SECTION

**WAC 480-80-105 Tariff filing instructions.** (1) A tariff filing must:

(a) Comply with statutory notice requirements;

(b) Specify the requested effective date of the tariff sheet;

(c) Include an original and two copies of each tariff sheet unless it is filed electronically; and

(d) Be accompanied by a transmittal letter as set forth in WAC 480-80-104.

(2) Tariff filings must comply with the requirements set forth in chapter 480-09 WAC, where applicable.

(3) The tariff filing must include information sufficient to determine that the proposed tariff is fair, just, and reasonable.

(4) **Tariff symbols.** Each time a tariff sheet(s) is revised, a utility must code all changes with the tariff symbol

that best reflects the purpose and effect of the change. A utility:

(a) Must locate the symbols on the right hand side of the changed text directly across from the change;

(b) Must use the following list of symbols to signify:

**D** - discontinued rate, service, regulation or condition;

**N** - new rate, service, regulation, condition or sheet;

**I** - a rate increase;

**R** - a rate reduction;

**C** - changed condition or regulation;

**K** - that material has been transferred to another sheet in the tariff. (A footnote is required on the tariff sheet to identify the material's new sheet number);

**M** - that material has been transferred from another sheet in the tariff. (A footnote is required on the tariff sheet to identify the material's former sheet number);

**T** - a change in text for clarification;

**O** - no change. (This symbol is discretionary unless specifically requested by the commission); and

(c) May use additional symbols for other purposes when it has identified the symbols in its tariff as provided for in WAC 480-80-102(3).

(5) A utility must not give effect to revised tariff sheets until the commission approves the tariff filing by issuing an order or the new or changed provisions become effective by operation of law.

(6) When a tariff sheet(s) becomes effective, the commission will return one copy of the transmittal letter and one copy of each tariff sheet to the utility marked with the receipt date.

(7) The commission may require a utility to refile the tariff in its entirety should circumstances warrant it.

(8) If the commission issues an order directing a utility to refile all or a portion of its tariff, the utility must refile marking each affected sheet with the docket number.

### NEW SECTION

**WAC 480-80-111 Substitute tariff filings.** (1) A utility may file substitute tariff sheets within a pending tariff filing if:

(a) There is no material change to the terms and conditions of service contained in the pending tariff sheet. This restriction does not apply to changes made to address commission concerns with the filing;

(b) The change does not increase the rates contained in the pending tariff sheet; or

(c) The change is to make typographical corrections to the pending tariff sheet.

(2) The filing must include a transmittal letter as set forth in WAC 480-80-104. The substitute filing must include the notation "Do Not Redocket."

(3) The commission retains discretion to reject any substitute tariff sheets where doing so is in the public interest.

### NEW SECTION

**WAC 480-80-112 Banded rate tariff filings.** (1) **Non-competitive telecommunication companies.** Noncompetitive telecommunications companies may file banded rate tariffs. When a noncompetitive telecommunications company



files for a banded rate tariff, the filings must, at a minimum, be accompanied with the following:

- (a) A statement supporting the use of a banded rate tariff rather than a tariff with fixed rates;
- (b) A verifiable cost of service study supporting the contention that the minimum rate in the banded rate tariff covers the cost of the service. Costs will be determined under a long-run incremental cost analysis, including the price charged to other telecommunications companies for any essential function used to provide the service, or any other commission-approved cost method; and
- (c) Information detailing the revenue impact of the proposed banded rate tariff.

(2) **Gas and electric companies.** Gas and electric companies may file banded rate tariffs for any nonresidential gas or electric service that is subject to effective competition from energy suppliers not regulated by the commission. When a gas or electric company files for a banded rate tariff, the filings must, at a minimum, be accompanied with the following:

- (a) A statement supporting the use of a banded rate tariff rather than a tariff with fixed rates;
- (b) A verifiable cost of service study supporting the contention that the minimum rate in the banded rate tariff covers all costs resulting from providing the service and provides a contribution to fixed costs; and
- (c) Information detailing the revenue impact of the proposed banded rate tariff.

#### NEW SECTION

**WAC 480-80-121 Tariff changes with statutory notice.** (1) The commission must receive tariff changes not less than thirty days in advance of the requested effective date as required by RCW 80.28.060 and 80.36.110. Noncompetitive telecommunications companies that meet the requirements of RCW 80.36.110(2) may file with ten days' notice to the commission.

(2) The statutory notice period begins on the date the commission receives the tariff filing, in accordance with WAC 480-80-031.

#### NEW SECTION

**WAC 480-80-122 Tariff changes with less than statutory notice.** (1) The commission may allow tariff changes to become effective with less than statutory notice (LSN) when the utility provides good cause. A utility filing for LSN treatment may use an LSN form provided by the commission, or may submit a letter that includes the following:

- (a) Utility information:
  - (i) Name and address of utility;
  - (ii) Telephone number, e-mail address, and fax number; and
  - (iii) Name of contact person for the filing.
- (b) Tariff identification information:
  - (i) Number of the tariff being amended;
  - (ii) Title of the tariff item(s) being amended, if applicable; and
  - (iii) Number of the tariff sheet being amended.
- (c) Concise description of the changes being proposed;

- (d) Reason(s) for requesting LSN handling;
- (e) Effective date requested; and
- (f) If the utility does not include an authorizing signature on the tariff sheets, a statement certifying that the submitting person has authority to issue tariff changes on behalf of the utility.

(2) A utility requesting LSN must file tariff sheets with an effective date that reflects the required statutory notice period.

(3) If the LSN request is granted, the commission will issue an order directing that the tariff sheets be revised to reflect the authorized LSN effective date.

#### NEW SECTION

**WAC 480-80-123 Tariff changes that do not require statutory notice.** (1) A utility must file with the commission tariff changes that do not require statutory notice at least one day before the effective date.

(2) The filing must include a transmittal letter as set forth in WAC 480-80-104.

(3) Tariff changes that do not require statutory notice include:

- (a) Initial tariffs filed by a newly regulated utility;
- (b) A filing for a service not previously contained within a regulated utility's existing tariff;
- (c) A tariff change that does not affect the public; and
- (d) A change in a banded rate when notice to customers has been or will be given in accordance with tariff rules applicable to the service.

#### NEW SECTION

**WAC 480-80-124 Failure to provide statutory notice.** Except as provided under WAC 480-80-122, a tariff filing issued without the required statutory notice to the commission and the public has the same status as if the tariff filing had not been issued. A utility must give full statutory notice on any reissued tariff filing. The commission will promptly notify the utility in writing when a tariff filing is rejected for failure to provide statutory notice, but failure to notify the utility will not affect the status of the tariff filing.

#### NEW SECTION

**WAC 480-80-131 Withdrawing a tariff filing.** When withdrawing a filing, a utility must submit a letter that includes the following:

- (1) The name and address of the utility;
- (2) Docket number;
- (3) Advice number, if applicable;
- (4) The name of the contact person for the withdrawal;
- (5) An explanation of why it is requesting the withdrawal; and
- (6) A statement certifying that the submitting person has authority to withdraw the filing on behalf of the utility.

#### NEW SECTION

**WAC 480-80-132 Rejecting tariff changes.** The commission will reject any tariff change that reflects retroactive

rate treatment. The commission may reject any tariff change that does not comply with commission rules.

**NEW SECTION**

**WAC 480-80-133 Tariff adoption notice.** (1) A utility must file a tariff adoption notice with the commission when either of the following changes affects an existing tariff:

- (a) Transfer of all or part of the operating control or ownership; or
- (b) Utility name change.

(2) The acquiring utility must file the tariff adoption notice if there is a change in ownership or operating control. The surviving utility must file the tariff adoption notice if there is a name change.

(3) Content of the tariff adoption notice must contain, at a minimum, the following:

(Name of Utility) adopts and makes its own in every respect all tariffs, supplements and amendments filed with the Washington Utilities and Transportation Commission by (Name of Previous Utility or Prior Name of the Utility) prior to (Date).

(4) The tariff adoption notice may be made effective on one day's notice.

(5) In the event of a change in control or ownership, as described above, the utility adopting the tariff must file to incorporate the adopted tariff in its own tariff within sixty days of the date of the filing of the adoption notice. In the event of a name change the time limit is one year.

(6) Until the utility that adopted a tariff refiles the tariff in its own name, all changes after the adoption must include:

- (a) The name of the utility whose tariff was adopted at the top of the sheet; and
- (b) The name of the utility that adopted the tariff at the bottom of the sheet.

**NEW SECTION**

**WAC 480-80-134 Discontinuing a tariffed service or services.** When discontinuing a service or services, a utility must file to cancel the applicable tariff sheets in the same manner as required by tariff filing instructions set forth in WAC 480-80-105. The commission will handle discontinuation filings in the same manner and in accordance with the provisions governing all other tariff filings.

**NEW SECTION**

**WAC 480-80-141 Service contract.** (1) A utility may use service contracts when its tariff requires certain assurances from the customer for a specific service level such as a commitment to a minimum period of service.

(2) If the utility chooses to use service contracts, the utility must provide the commission with samples of the service contracts.

(a) Gas, electric, and water companies must provide the commission with samples of all service contracts currently in use.

(b) Noncompetitive telecommunications companies must provide the commission with samples of current service contracts within five days after a request by the commission.

**NEW SECTION**

**WAC 480-80-142 Special contracts for noncompetitive telecommunications companies.** (1) Contracts to be filed. Noncompetitive telecommunications companies must file with the commission:

(a) All contracts for retail sale to end-use customers of intrastate telecommunications services not classified as competitive that:

- (i) State rates, charges, prices, terms, or conditions that are not consistent with any existing tariff; or
- (ii) Provide for telecommunications services not specifically addressed in the noncompetitive telecommunications company's existing tariffs.

(b) Any significant modification of a previously executed contract will be treated as a new contract.

(c) A service order made pursuant to a filed contract is not itself a contract or contract amendment and need not be filed with the commission.

(2) Duration. All contracts must be for a stated time period.

(3) Ratemaking disclaimer. Unless otherwise provided by the commission, approval of contracts will not be determinative with respect to the expenses and revenues of the company for subsequent ratemaking considerations.

(4) Types of telecommunications contracts. The following types of telecommunications contracts have special or unique features, effective dates, and requirements:

- (a) Federal, state, and local government "firm bid" contracts are governed under subsection (5) of this section.
- (b) School, library, and rural health care (RHC) provider contracts entered into pursuant to 47 CFR, Part 54, are governed under subsection (6) of this section.
- (c) All other retail contracts are governed under subsection (7) of this section.

SUMMARY COMPARISON OF THE DIFFERENT TYPES OF RETAIL CONTRACTS			
Subsection	Contract Type	When to File	Effective Date
(5)	Federal, State, and Local Firm Bid	no later than fifteen days after acceptance	when filed or later as specified
(6)	47 CFR Part 54; Schools, Libraries, and RHCs	no later than fifteen days after acceptance	when filed or later as specified
(7)	All other retail contracts	no later than thirty days prior to the proposed effective date	at least thirty days after filing

(5) Federal, state, and local government "firm bid" contracts - filing requirements and effective dates. Where a government agency asserts its authority to solicit a firm offer of services, and a contract subject to this section is submitted in response to that solicitation, the noncompetitive telecommunications company must file the contract with the commission no later than fifteen days after acceptance. The filing must include the same documentation as required for

PROPOSED

approval by subsection (7)(b) of this section and, if applicable, subsection (8) of this section. The contract will become effective at the time specified in the contract, but not earlier than when filed with the commission.

(6) School, library, and RHC provider contracts - filing requirements and effective dates. A telecommunications company that enters into a contract to provide service to a school, library, or RHC provider, as part of the federal universal service program, must file the contract with the commission no later than fifteen days after acceptance by the administrator of the federal universal service program. The filing must include the same documentation as required for approval by subsection (7)(b) of this section and, if applicable, subsection (8) of this section. The contract will become effective at the time specified in the contract, but not earlier than when filed with the commission.

(7) All other retail contracts - standard filing requirements and effective dates.

(a) Contracts must be filed with the commission not less than thirty days before the proposed effective date of the contract.

(b) Each application filed for commission approval of a contract must:

(i) Include a complete copy of the proposed contract;

(ii) Show that the contract meets the requirements of RCW 80.36.170 (Prohibiting unreasonable preference) and RCW 80.36.180 (Prohibiting rate discrimination);

(iii) Demonstrate, at a minimum, that the contract charges cover the company's cost of providing the service. Costs will be determined under a long-run incremental cost analysis, including the price charged by the offering company to other telecommunications companies for any essential function used to provide the service, or any other commission-approved cost method.

(iv) Summarize the basis of the charge(s) proposed in the contract and explain the derivation of the proposed charge(s) including all cost computations involved; and

(v) Indicate the basis for using a contract rather than a filed tariff for the specific service involved.

(c) Contracts 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 may approve an earlier effective date, in which event the contract shall not become effective on a date that precedes commission approval. A request for an earlier effective date must include a complete explanation of why an earlier effective date is appropriate.

(8) Confidentiality. Filings under this section may be submitted with portions designated "confidential" pursuant to WAC 480-09-015. However, any filing that designates as "confidential" the essential terms and conditions will be rejected by the commission as not in compliance with the public inspection requirement of RCW 80.36.150(1). Essential terms and conditions are:

(a) Nature, characteristics, and quantity of the service provided;

(b) Duration of the contract, including the stated effective date, ending date, and any options to renew;

(c) Charge(s) for service, including minimum charge provisions; and

(d) Geographic location(s), such as exchange or city, where service will be provided.

#### NEW SECTION

**WAC 480-80-143 Special contracts for gas, electric, and water companies.** (1) Contracts to be filed. Gas, electric, and water companies must file with the commission all contracts for the retail sale of regulated utility services to end-use customers that:

(a) State charges or conditions that do not conform to any existing tariff; or

(b) Provide for utility services not specifically addressed in the gas, electric, or water company's existing tariffs.

(2) Any 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 are considered a part of the gas, electric, or water company's filed tariffs and are subject to enforcement, supervision, regulation, control, and public inspection as such.

(4) Filing and effective dates. The contract will become effective on the effective date stated in the contract or thirty days after the filing date, whichever occurs later, unless suspended or rejected by the commission. The commission may approve an earlier effective date, in which event the contract shall not become effective on a date that precedes commission approval. A request for an earlier effective date must include a complete explanation of why an earlier effective date is appropriate.

(5) Each application filed for commission approval of a contract must:

(a) Include a complete copy of the proposed contract;

(b) Show that the contract 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 resulting from providing the service during its term, and, in addition, provide a contribution to the gas, electric, or water company's fixed costs;

(d) Summarize the basis of the charge(s) proposed in the contract and explain the derivation of the proposed charge(s) including all cost computations involved; and

(e) Indicate the basis for 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 must be for a stated time period, except for contracts for water line extensions. The commission may approve terms and conditions that prescribe the charge(s) to be applied during the time period, if such charge(s) are found to be appropriate. Unless otherwise provided by the commission, such approval will not be determinative with respect to the expenses and revenues of the utility for subsequent rate-making 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.

### III. PRICE LISTS AND CONTRACTS: COMPETITIVE COMPANIES AND SERVICES

#### NEW SECTION

**WAC 480-80-201 Use of price lists.** (1) A competitive telecommunications company may file a price list instead of a tariff to offer any intrastate telecommunications service. A noncompetitive telecommunications company may file a price list instead of a tariff to offer any intrastate telecommunications service that has been classified as competitive under RCW 80.36.330.

(2) A telecommunications company authorized to file a price list may file a tariff for a service. If a company elects to offer a competitive service by tariff, the company and the service will be subject to all rules and laws applicable to fully regulated services, and any waivers of rule or law otherwise applicable to competitive services or competitive companies will not apply.

#### NEW SECTION

**WAC 480-80-202 Interpretation and application of price lists.** (1) A price list is not a tariff and is not reviewed or approved by the commission at the time of filing. The commission will, when appropriate, investigate a price list or complain against a price list.

(2) If the commission determines that a telecommunications company's price list or other offer of service is ambiguous or conflicts with other offers, there is a rebuttable presumption that the conflict or ambiguity should be construed in favor of the customer.

#### NEW SECTION

**WAC 480-80-203 Transmittal letter.** A telecommunications company must submit a transmittal letter with all price list and contract filings. The transmittal letter must:

- (1) Identify all new price lists or contracts, or identify the price list or contract changes;
- (2) Specify the changes requested in clear and concise terms and define any acronyms used;
- (3) Describe which services are affected, and the dollar amount and percentage of increase or decrease if the filing is a rate change; and

(4) Describe the general effect of, and reasons for, price list or contract filings involving only text changes.

#### NEW SECTION

**WAC 480-80-204 Price lists format and content.** (1) A price list must include, for each service in the price list, a description of the service, any limitations, terms, or conditions on the offering of that service, and all rates, charges, or prices at which the service is offered.

(2) A price list must:

- (a) Plainly state the places where the offered telecommunications service will be rendered;
- (b) Include the effective date clearly marked on each page;

(c) Conform to all applicable laws, rules, and orders. The filing of a nonconforming price list will not be deemed a waiver of the law, rule, or order. A company may not enforce a price list provision that conflicts with a law, rule, or order unless the commission waives that law, rule, or order.

(3) A price list of a competitive telecommunications company may state the rates, charges, or prices as maximum amounts rather than as specific prices.

(4) A price list of a noncompetitive telecommunications company offering a service classified as competitive under RCW 80.36.330 may state the rates, charges, or prices as maximum and minimum amounts rather than as specific prices. The minimum price must comply with the cost requirement in subsection (6) of this section.

(5) A transmittal letter must accompany a price list filing in compliance with the provisions of WAC 480-80-203.

(6) The rates, charges, and prices of services classified as competitive under RCW 80.36.330 must cover the cost of providing the service. Costs must be determined using a long-run incremental cost analysis, including the price charged by the offering company to other telecommunications companies for any essential function used to provide the service, or any other commission-approved cost method.

#### NEW SECTION

**WAC 480-80-205 Effective date of price list filings.**

(1) Any new price list or price list change becomes effective on the later of:

- (a) The effective date stated in the price list;
- (b) Ten days after it is filed with the commission, as required by RCW 80.36.320(2) and 80.36.330(2); or
- (c) Ten days after any existing customers are provided actual notice of the change in accordance with WAC 480-120-196.

(2) This section does not apply to the filing of initial price lists as a part of an application for registration and competitive classification under chapter 480-121 WAC.

#### NEW SECTION

**WAC 480-80-206 Price list availability to customers.**

(1) Each telecommunications company offering service under a price list must maintain a complete copy of the price list on a website accessible to the public using standard web browser software.

(2) Each telecommunications company offering service under a price list must provide to any customer making a written or oral request a copy of the price list sheets applicable to that customer's service. The telecommunications company must provide the price list at no charge to the customer. This subsection does not apply if the telecommunications company makes available for public inspection, at a location within the customer's exchange, a complete copy of the price list.

(3) Each telecommunications company offering service under a price list must include in each customer bill or notice:

(a) The Internet address (uniform resource locator) of the website containing its price list; and

(b) The toll-free telephone number to use in requesting price list copies and a statement that there is no charge for the price list copy. If a company is not required by subsection (2) of this section to provide price list copies, it must instead provide the address, telephone number, and business hours of the location within the customer's exchange at which a complete copy of the price list is available for public inspection.

#### NEW SECTION

**WAC 480-80-241 Filing contracts for services classified as competitive.** (1) This section applies to services offered by competitive telecommunications company and to any service classified as competitive under RCW 80.36.330. However, if a telecommunications company has elected, pursuant to WAC 480-80-201(2), to offer a competitive service by tariff, the contract rules in WAC 480-80-142 applicable to tariffed services apply instead.

(2) A telecommunications company must file with the commission any contract with an end-user for retail intrastate telecommunications service if the service is not included in its price list or the contract contains prices, terms, or conditions other than those in its price list. A telecommunications company is not required to file a contract with prices below the maximum prices in the price list, as provided for in WAC 480-80-204(3), or within the maximum and minimum prices in the price list, as provided for in WAC 480-80-204(4), if the contract is otherwise consistent with the price list.

(3) Any significant modification to a previously executed contract is a new contract and must be filed as required by this section.

(4) Unless the contract includes a provision allowing the commission to reject it during the first fifteen days after it is filed, any contract required by subsection (2) of this section to be filed with the commission will become effective on the later of (a) its stated effective date or (b) ten days after it is filed with the commission. The deadline for filing a contract that provides for commission rejection within fifteen days of filing is fifteen days after its stated effective date.

(5) A telecommunications company may submit filings under this section with portions designated "confidential" pursuant to WAC 480-09-015. However, the commission will reject any filing that designates as "confidential" the essential terms and conditions of a contract as defined in WAC 480-80-142(8).

(6) A telecommunications company filing a contract for a service classified as competitive under RCW 80.36.330

must provide information demonstrating that the contract prices comply with the cost requirement in WAC 480-80-204(6).

#### NEW SECTION

**WAC 480-80-242 Using contracts for services classified as competitive.** (1) If a competitive telecommunications company or a company offering a service classified as competitive makes an offer of service at prices, terms, or conditions other than those in its price list, and the customer accepts that offer, the company must provide the service at prices, terms, and conditions consistent with the offer. Except as provided in WAC 480-80-241, the company must file with the commission either a price list change or a customer contract setting out the alternative prices, terms, and conditions.

(2) All contracts will be for a stated time period.

(3) A contract will be enforceable by the contracting parties according to its terms even if the telecommunications company fails to file the contract where required by WAC 480-80-241.

(4) Any contract for a service classified as competitive under RCW 80.36.330 must comply with the cost requirement in WAC 480-80-204(6).

(5) A contract must not include both "price listed" and "tariffed" services unless the tariffed services are set forth separately (see WAC 480-80-142).

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 480-80-035	Price lists.
WAC 480-80-040	Tariff.
WAC 480-80-041	Tariff.
WAC 480-80-045	Filing of banded tariffs.
WAC 480-80-050	Copies of tariff to be filed.
WAC 480-80-060	Delivery of tariff.
WAC 480-80-070	Statutory notice.
WAC 480-80-080	Tariff file at principal business office.
WAC 480-80-090	Tariff file at designated business offices.
WAC 480-80-100	Payment agencies.
WAC 480-80-110	Reference to tariff file.
WAC 480-80-125	Notice by utility to customers concerning hearing.
WAC 480-80-130	Notation of receipt of tariff by agents.
WAC 480-80-140	Form of tariff sheets.
WAC 480-80-150	Numbering of tariffs.

WAC 480-80-160	General arrangement of tariff.
WAC 480-80-170	Schedule designation.
WAC 480-80-180	Tariff sheet designation.
WAC 480-80-190	Numbering plan for sheets.
WAC 480-80-200	Title page.
WAC 480-80-210	Index page.
WAC 480-80-220	Rules and regulations page.
WAC 480-80-230	Rate schedule page.
WAC 480-80-240	Less than statutory notice.
WAC 480-80-250	Adoption notice.
WAC 480-80-260	Tariff of acquired utility.
WAC 480-80-270	Reference to tariff.
WAC 480-80-280	Issuing agent.
WAC 480-80-290	Suspension of tariffs.
WAC 480-80-300	Rejection of tariffs.
WAC 480-80-310	Exceptions.
WAC 480-80-320	Discontinuance of service.
WAC 480-80-325	Contract for service.
WAC 480-80-326	Contract for gas and electric service.
WAC 480-80-330	Telecommunications contracts.
WAC 480-80-335	Special contracts for electric, water, and natural gas companies.
WAC 480-80-340	Forms.
WAC 480-80-350	Refiling tariffs.
WAC 480-80-360	Standard tariff forms.
WAC 480-80-370	Symbols.
WAC 480-80-380	Availability of rules.

**AMENDATORY SECTION** (Amending Docket No. U-991301, General Order No. R-481, filed 4/4/01, effective 5/5/01)

**WAC 480-90-193 ((Notice to the public of tariff changes.)) Posting of tariffs for public inspection and review.** ~~(((1) Except as to variations between the prescribed maximum and minimum rates in banded tariffs previously authorized by the commission, every utility desiring to change, modify, cancel or annul any rate, must place on file the tariff containing such modification or change at its listed business offices in the territory affected thereby for a period of at least thirty days prior to the expiration of statutory notice in connection therewith. A notice, coincident with or immediately prior to the date of such filing, that such tariff is~~

~~on file at said offices shall be posted at the cashier's windows or other places where the customers pay their bills at the aforesaid offices. Said posted notice shall give anyone viewing same a brief summary as to the content of the tariff; state that the tariff is being submitted to the Washington utilities and transportation commission at Olympia; indicate the inserted effective date thereof; and relate that a copy of the tariff is available for inspection.~~

~~(2) If there is no listed business office in the territory to be affected by a tariff proposal subject to this notification but there is a payment agency therein, posted notice with the same content and timing as set forth above shall be employed at each such agency which notice, in addition thereto, shall give the name, address and telephone number of the nearest listed business office responsible for that service area at which such tariff may be examined in person without assigning any reason therefor.~~

~~(3) In lieu of the above posted notice, insofar as payment agencies are concerned, the utility may stamp or print on each bill or envelope in which such bill is mailed, enclose therewith or separately mail, with the same content as set forth above with respect to the posted notice in payment agencies and at the earliest practicable date subsequent to filing, a notice to each subscriber to be affected by the tariff proposal. Commencing ninety days or earlier from July 31, 1959, the latter procedure must be followed in those instances where a utility does not have a listed business office or a payment agency in the service area where notice, as set forth above, could otherwise be employed in a service area subject to a tariff proposal falling within this notification procedure.~~

~~(4) Whenever the alternative provision is chosen or must be used, the utility shall use such other adequate and appropriate means of notification, on or by the filing date, that will reasonably insure notice to the public of tariff revisions proposed and the effect on the public in the service area or areas involved. Such other notification may include personal contacts, letters or mailing pieces, newspaper articles or advertisements and radio and television announcements.~~

~~(5) The commission may require such other notification to the public as may be necessary in any particular case of tariff filing. Provided, That where a tariff or a part of a tariff is filed involving no increase in charges to its patrons; where the users to be affected by a tariff change are so few in number the utility chooses to advise each by direct mail or contact; or where there is no one to be affected by the tariff proposal, the utility may forego posting of notice relative thereto and will not be required to have a copy of the proposed tariff available for inspection.~~

~~(6) The inserted effective date, unless otherwise directed, shall be a date not less than thirty days after the date the commission receives the tariff. Also, if the commission permits the tariff to become effective without statutory notice, the period of notice to the public shall still be for at least thirty days after the date the commission receives the tariff.) Each natural gas utility offering service under tariff must make available for public inspection and review all tariffs governing its provision of service, as required by RCW 80.28.050. To comply with this requirement, a utility must fulfill the provisions of either subsection (1) or (2) of this section.~~

**(1) Web, telephone, and mail access.** The utility must:

(a) Maintain a complete copy of its tariff or tariffs and all proposed tariff changes on an Internet website accessible to the public using generally available browser software;

(b) Provide a toll-free telephone number by which customers and applicants can obtain assistance during normal business hours from a company agent qualified to assist the customer in locating, interpreting, and applying tariff provisions;

(c) Upon written or oral request by any customer or applicant, deliver at no charge a copy of any current, proposed or most recently canceled tariff page that relates to the customer's or applicant's service; and

(d) Include on each customer bill and notice the address of the tariff website and the toll-free telephone number.

**(2) Physical access.** The utility must make available for public inspection and copying a complete copy of its tariff or tariffs, all most recently canceled tariff sheets, and all proposed tariff changes at one or more offices in each county where it offers service, except: A single office may serve more than one county if the office is within twenty miles of all customers in the county where no tariff is posted. The utility must provide at each office either an agent qualified to assist the customer in locating, interpreting, and applying tariff provisions or access to such an agent by a toll-free telephone number.

## NEW SECTION

**WAC 480-90-194 Publication of proposed tariff changes to increase charges or restrict access to services.** Each natural gas utility offering service under tariff must publish all proposed changes to its tariff for at least thirty days, as required by RCW 80.28.060. For any proposed tariff change that would increase recurring charges, except purchased gas adjustment (PGA) filings as provided in subsection (5) of this section, or restrict access to services (e.g., discontinue a service, or limit access to service by imposing a new usage level on existing services), a utility must fulfill the requirements of subsection (1), (2), or (3) of this section. For any other proposed tariffs, the utility must fulfill the requirements of WAC 480-90-195. The utility will not be required to accomplish publication under this section if it has agreed to suspend its tariff filing and to provide notice as provided under WAC 480-90-197.

(1) **Thirty-day notice to individual customers.** To comply under this method, the utility must, at least thirty days before the stated effective date of the proposed change, mail the posting to each customer that would be affected by the proposed change. The posting must include the information listed in subsection (4) of this section.

(2) **Published notice.** To comply under this method, the utility must, at least thirty days before the stated effective date of the proposed change, publish notice of the proposed change within the geographical areas where it offers service. To meet minimum publication requirements, a utility must:

(a) Distribute copies of the published notice to community agencies and organizations in the geographic area where it offers service for posting and publication by the agency or

organization. The utility must include in its distribution list any agency or organization that requests these notices;

(b) Cause to be printed in large print, as a paid advertisement, a complete copy of the published notice in the daily newspaper of general circulation with the greatest number of subscribers in each geographic area or each of the areas affected by the proposed tariff;

(c) Provide to the news editor of every newspaper, television station, and radio station, in the geographic area within which it offers service a news release or public service announcement summarizing the published notice. The release or announcement must include a toll-free number that customers can use to obtain more information from the natural gas utility. The commission will maintain a list of area newspapers, television and radio stations and will provide it on request to any utility; and

(d) Post a complete copy of the published notice on an Internet website accessible to the public using generally available browser software.

(3) **Reduced publication with shortened notice to individual customers.** To comply under this method, the utility must:

(a) Mail the posting to each customer that would be affected by the proposed change at least fifteen days before the stated effective date of the proposed change;

(b) At the time of the utility's filing with the commission, distribute copies of the published notice in the same manner as provided in subsection (2)(a) of this section;

(c) At the time of the utility's filing with the commission, provide news media notice in the same manner as provided in subsection (2)(c) of this section; and

(d) At the time of the utility's filing with the commission, post a complete copy of the published notice in the same manner as provided in subsection (2)(d) of this section.

(4) **Content of postings.** The published notice required by this rule must include, when applicable:

(a) The date the notice is issued;

(b) The utility's name and address;

(c) A brief explanation of the reason(s) the utility has requested the rate change (e.g., increase in labor costs, recovery of new plant investment, and increased office expenses, such as postage and customer billing);

(d) A comparison of current and proposed rates by service;

(e) An example showing the monthly increase of the average customer's bill based on the proposed rates (e.g., "based on the proposed rates, a typical gas customer using an average of eighty therms per month would see an average monthly increase of \$2.74.");

(f) When the rates will be billed (i.e., monthly or bimonthly);

(g) The requested effective date and, if different, the implementation date;

(h) A statement that the commission has the authority to set final rates that may vary from the utility's request, which may be either higher or lower depending on the results of the investigation;

(i) A description of how customers may contact the utility if they have specific questions or need additional information about the proposal; and

(j) Public involvement language. A utility may choose from:

- (i) Commission-suggested language that is available from the commission's designated public affairs officer; or
- (ii) Utility-developed language that must include the commission's mailing address, toll-free number, and docket number, if known, and a brief explanation:

(A) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail; and

(B) How to contact the commission for process questions or to be notified of the scheduled open meeting at which the proposal will be considered by the commission.

(5) **Optional method of publication for purchase gas adjustment (PGA).** A utility that publishes notice of a PGA filing pursuant to this subsection is not required to publish notice of the filing pursuant to subsection (1), (2), or (3) of this section.

(a) The utility must provide notice to affected customers before and after final commission disposition. Notice before commission disposition is to educate customers of a potential increase in natural gas prices. Notice after commission disposition is to inform customers of the new rates.

(b) Prior PGA notice. The notice must:

- (i) Clearly define what a PGA is and explain how it works;
- (ii) State whether the utility expects an increase or decrease in the upcoming filing; and
- (iii) Include a utility contact phone number for additional information.

(c) The utility must mail the notice to each affected customer. The utility must also send the notice or a press release about the increase to every daily paper within its service territory.

(d) Method permitted for prior notice: A newsletter, bill insert, bill message, or separate mailing to customers.

(e) Post notice. Customer notice after final commission disposition is provided pursuant to WAC 480-90-195.

#### NEW SECTION

**WAC 480-90-195 Notice of tariff changes other than increases in recurring charges and restrictions in access to services.** (1) This section applies to tariff changes for other than those that are subject to WAC 480-90-194.

(2) A utility that files a tariff change to increase any charge that a customer may incur without being quoted a rate or price (e.g., late payment fees, insufficient fund charges, or a one-time charge) must provide notice to each affected customer on or with the first bill after the change becomes effective.

(a) Content of notice. At a minimum, the notice must include the effective date, a clear description of changes to rates or services and a utility contact number where customers may seek additional information.

(b) Methods of notice permitted include: Bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by e-mail.

(3) A utility that files a tariff change that decreases rates, including promotions that temporarily waive recurring or

nonrecurring charges, or that changes terms or conditions without restricting access to the service, must publish the change in the manner it posts tariffs under WAC 480-90-193.

#### NEW SECTION

**WAC 480-90-197 Adjudicative proceedings where public testimony will be taken.** (1) For adjudicated proceedings, when scheduling a hearing to take testimony from the public, the timing, location, and amount of notice to the public or to customers will be addressed in the prehearing conference order.

(2) Content of notice. The notice must include all information contained in WAC 480-90-194(4), except the public involvement information in WAC 480-90-194(4)(j). A utility must include either of the following public involvement language:

(a) Commission-suggested language that is available from the commission's designated public affairs officer; or

(b) Utility-developed language that must include the commission's mailing address, toll-free number, docket number, and a brief explanation:

(i) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail;

(ii) How to contact the commission for process questions; and

(iii) The date, time and location of the public hearing.

(3) Methods of notice. Methods of notice permitted include: Bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by e-mail.

(4) Who must receive notice. In addition to each affected customer, a utility must notify at least one newspaper of general circulation, and at least one radio station and at least one television station in the area or each of the areas affected.

#### NEW SECTION

**WAC 480-90-198 Notice verification and assistance.** (1) Customer notice verification. Within ten days of making a filing requiring posting, publication, or customer notice under WAC 480-90-194, 480-90-195, or 480-90-197, but no sooner than when the tariff is filed with the commission, a utility must file a statement with the commission's records center that the required notice has been posted, published, and/or mailed. The declaration must include:

(a) The methods used to post, publish, and/or give notice to customers;

(b) When and how the notice was posted, published, and/or issued to customers;

(c) How many customers are affected; and

(d) A copy of the notice.

(2) Commission assistance. A utility may request assistance from the commission's designated public affairs officer with efforts to comply with WAC 480-90-193 through 480-90-197.



NEW SECTION

**WAC 480-90-199 Other customer notice.** The commission may require notice to customers of tariff changes other than those described in these rules when the commission determines that additional customer education is needed.

**AMENDATORY SECTION** (Amending Docket No. U-991301, General Order No. R-481, filed 4/4/01, effective 5/5/01)

**WAC 480-100-193 ((Notice to the public of tariff changes.)) Posting of tariffs for public inspection and review.** ~~((1) Except as to variations between the prescribed maximum and minimum rates in banded tariffs previously authorized by the commission, every utility desiring to change, modify, cancel or annul any rate, must place on file the tariff containing such modification or change at its listed business offices in the territory affected thereby for a period of at least thirty days prior to the expiration of statutory notice in connection therewith. A notice, coincident with or immediately prior to the date of such filing, that such tariff is on file at said offices shall be posted at the cashier's windows or other places where the customers pay their bills at the aforesaid offices. Said posted notice shall give anyone viewing same a brief summary as to the content of the tariff; state that the tariff is being submitted to the Washington utilities and transportation commission at Olympia; indicate the inserted effective date thereof; and relate that a copy of the tariff is available for inspection.~~

~~(2) If there is no listed business office in the territory to be affected by a tariff proposal subject to this notification but there is a payment agency therein, posted notice with the same content and timing as set forth above shall be employed at each such agency which notice, in addition thereto, shall give the name, address and telephone number of the nearest listed business office responsible for that service area at which such tariff may be examined in person without assigning any reason therefor.~~

~~(3) In lieu of the above posted notice, insofar as payment agencies are concerned, the utility may stamp or print on each bill or envelope in which such bill is mailed, enclose therewith or separately mail, with the same content as set forth above with respect to the posted notice in payment agencies and at the earliest practicable date subsequent to filing, a notice to each subscriber to be affected by the tariff proposal. Commencing ninety days or earlier from July 31, 1959, the latter procedure must be followed in those instances where a utility does not have a listed business office or a payment agency in the service area where notice, as set forth above, could otherwise be employed in a service area subject to a tariff proposal falling within this notification procedure.~~

~~(4) Whenever the alternative provision is chosen or must be used, the utility shall use such other adequate and appropriate means of notification, on or by the filing date, that will reasonably insure notice to the public of tariff revisions proposed and the effect on the public in the service area or areas involved. Such other notification may include personal contacts, letters or mailing pieces, newspaper articles or advertisements and radio and television announcements.~~

(5) The commission may require such other notification to the public as may be necessary in any particular case of tariff filing. ~~Provided, That where a tariff or a part of a tariff is filed involving no increase in charges to its patrons; where the users to be affected by a tariff change are so few in number the utility chooses to advise each by direct mail or contact; or where there is no one to be affected by the tariff proposal, the utility may forego posting of notice relative thereto and will not be required to have a copy of the proposed tariff available for inspection.~~

~~(6) The inserted effective date, unless otherwise directed, shall be a date not less than thirty days after the date the commission receives the tariff. Also, if the commission permits the tariff to become effective without statutory notice, the period of notice to the public shall still be for at least thirty days after the date the commission receives the tariff.)~~ Each electric utility offering service under tariff must make available for public inspection and review all tariffs governing its provision of service, as required by RCW 80.28.050. To comply with this requirement, a utility must fulfill the provisions of either subsection (1) or (2) of this section.

(1) Web, telephone, and mail access. The utility must:

(a) Maintain a complete copy of its tariff or tariffs and all proposed tariff changes on an Internet website accessible to the public using generally available browser software;

(b) Provide a toll-free telephone number by which customers and applicants can obtain assistance during normal business hours from a company agent qualified to assist the customer in locating, interpreting, and applying tariff provisions;

(c) Upon written or oral request by any customer or applicant, deliver at no charge a copy of any current, proposed or most recently canceled tariff page that relates to the customer's or applicant's service; and

(d) Include on each customer bill and notice the address of the tariff website and the toll-free telephone number.

(2) Physical access. The utility must make available for public inspection and copying a complete copy of its tariff or tariffs, all most recently canceled tariff sheets, and all proposed tariff changes at one or more offices in each county where it offers service, except that: A single office may serve more than one county if the office is within twenty miles of all customers in the county where no tariff is posted. The utility must provide at each office either an agent qualified to assist the customer in locating, interpreting, and applying tariff provisions or access to such an agent by a toll-free telephone number.

NEW SECTION

**WAC 480-100-194 Publication of proposed tariff changes to increase charges or restrict access to services.** Each electric utility offering service under tariff must publish all proposed changes to its tariff for at least thirty days, as required by RCW 80.28.060. For any proposed tariff change that would increase recurring or per-occurrence charges or restrict access to services (e.g., discontinue a service, or limit access to service by imposing a new usage level on existing services), a utility must fulfill the requirements of subsection

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(1), (2), or (3) of this section. For any other proposed tariffs, the utility must fulfill the requirements of WAC 480-100-195. The utility will not be required to accomplish publication under this section if it has agreed to suspend its tariff filing and to provide notice as provided under WAC 480-100-197.

(1) **Thirty-day notice to individual customers.** To comply under this method, the utility must, at least thirty days before the stated effective date of the proposed change, mail the posting to each customer that would be affected by the proposed change. The posting must include the information listed in subsection (4) of this section.

(2) **Published notice.** To comply under this method, the utility must, at least thirty days before the stated effective date of the proposed change, publish notice of the proposed change within the geographical areas where it offers service. To meet minimum publication requirements, a utility must:

(a) Distribute copies of the published notice to community agencies and organizations in the geographic area where it offers service for posting and publication by the agency or organization. The utility must include in its distribution list any agency or organization that requests these notices;

(b) Cause to be printed in large print, as a paid advertisement, a complete copy of the published notice in the daily newspaper of general circulation with the greatest number of subscribers in each geographic area or each of the areas affected by the proposed tariff;

(c) Provide to the news editor of every newspaper, television station, and radio station, in the geographic area within which it offers service a news release or public service announcement summarizing the published notice. The release or announcement must include a toll-free number that customers can use to obtain more information from the electric utility. The commission will maintain a list of area newspapers, television and radio stations and will provide it on request to any utility; and

(d) Post a complete copy of the published notice on an Internet website accessible to the public using generally available browser software.

(3) **Reduced publication with shortened notice to individual customers.** To comply under this method, the utility must:

(a) Mail the posting to each customer that would be affected by the proposed change at least fifteen days before the stated effective date of the proposed change;

(b) At the time of the utility's filing with the commission, distribute copies of the published notice in the same manner as provided in subsection (2)(a) of this section;

(c) At the time of the utility's filing with the commission, provide news media notice in the same manner as provided in subsection (2)(c) of this section; and

(d) At the time of the utility's filing with the commission, post a complete copy of the published notice in the same manner as provided in subsection (2)(d) of this section.

(4) **Content of postings.** The published notice required by this rule must include, when applicable:

(a) The date the notice is issued;

(b) The utility's name and address;

(c) A brief explanation of the reason(s) the utility has requested the rate change (e.g., increase in labor costs, recov-

ery of new plant investment, and increased office expenses, such as postage and customer billing);

(d) A comparison of current and proposed rates by service;

(e) An example showing the monthly increase of the average customer's bill based on the proposed rates (e.g., "based on the proposed rates, a typical electric customer using an average of 1,500 kwhs per month would see an average monthly increase of \$10.38.");

(f) When the rates will be billed (i.e., monthly or bimonthly);

(g) The requested effective date and, if different, the implementation date;

(h) A statement that the commission has the authority to set final rates that may vary from the utility's request, which may be either higher or lower depending on the results of the investigation;

(i) A description of how customers may contact the utility if they have specific questions or need additional information about the proposal; and

(j) Public involvement language. A utility may choose from:

(i) Commission-suggested language that is available from the commission's designated public affairs officer; or

(ii) Utility-developed language that must include the commission's mailing address, toll-free number, and docket number, if known, and a brief explanation:

(A) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail; and

(B) How to contact the commission for process questions or to be notified of the scheduled open meeting at which the proposal will be considered by the commission.

#### NEW SECTION

**WAC 480-100-195 Notice of tariff changes other than increases in recurring charges and restrictions in access to services.** (1) This section applies to tariff changes for other than those that are subject to WAC 480-100-194.

(2) A utility that files a tariff change to increase any charge that a customer may incur without being quoted a rate or price (e.g., late payment fees, insufficient fund charges, or a one-time charge) must provide notice to each affected customer on or with the first bill after the change becomes effective.

(a) **Content of notice.** At a minimum, the notice must include the effective date, a clear description of changes to rates or services and a utility contact number where customers may seek additional information.

(b) **Methods of notice permitted include:** Bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by e-mail.

(3) A utility that files a tariff change that decreases rates, including promotions that temporarily waive recurring or nonrecurring charges, or that changes terms or conditions without restricting access to the service, must publish the change in the manner it posts tariffs under WAC 480-100-193.

NEW SECTION

**WAC 480-100-197 Adjudicative proceedings where public testimony will be taken.** (1) For adjudicated proceedings, when scheduling a hearing to take testimony from the public, the timing, location, and amount of notice to the public or to customers will be addressed in the prehearing conference order.

(2) Content of notice. The notice must include all information contained in WAC 480-100-194(4), except the public involvement information in WAC 480-100-194 (4)(j). A utility must include either of the following public involvement language: (a) Commission-suggested language that is available from the commission's designated public affairs officer; or

(b) Utility-developed language that must include the commission's mailing address, toll-free number, docket number, and a brief explanation:

(i) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail;

(ii) How to contact the commission for process questions; and

(iii) The date, time and location of the public hearing.

(3) Methods of notice. Methods of notice permitted include: Bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by e-mail.

(4) Who must receive notice. In addition to each affected customer, a utility must notify at least one newspaper of general circulation, and at least one radio station and at least one television station in the area or each of the areas affected.

NEW SECTION

**WAC 480-100-198 Notice verification and assistance.**

(1) Customer notice verification. Within ten days of making a filing requiring posting, publication, or customer notice under WAC 480-100-194, 480-100-195, or 480-100-197, but no sooner than when the tariff is filed with the commission, a utility must file a statement with the commission's records center that the required notice has been posted, published, and/or mailed. The declaration must include:

(a) The methods used to post, publish, and/or give notice to customers;

(b) When and how the notice was posted, published, and/or issued to customers;

(c) How many customers are affected; and

(d) A copy of the notice.

(2) Commission assistance. A utility may request assistance from the commission's designated public affairs officer with efforts to comply with WAC 480-100-193 through 480-100-197.

NEW SECTION

**WAC 480-100-199 Other customer notice.** The commission may require notice to customers of tariff changes other than those described in these rules when the commission determines that additional customer education is needed.

NEW SECTION

**WAC 480-120-193 Posting of tariffs for public inspection and review.** Each telecommunications company offering intrastate telecommunications service under tariff must make available for public inspection and review all tariffs governing its provision of service, as required by RCW 80.36.100. To comply with this requirement, a company must fulfill the provisions of either subsection (1) or (2) of this section.

(1) **Web, telephone, and mail access.** The company must:

(a) Maintain a complete copy of its tariff or tariffs and all proposed tariff changes on an Internet website accessible to the public using generally available browser software;

(b) Provide a toll-free telephone number by which customers and applicants can obtain assistance during normal business hours from a company agent qualified to assist the customer in locating, interpreting, and applying tariff provisions;

(c) Upon written or oral request by any customer or applicant, deliver at no charge a copy of any current, proposed or most recently canceled tariff page that relates to the customer's or applicant's service; and

(d) Include on each customer bill and notice the address of the tariff website and the toll-free telephone number.

(2) **Physical access.** The company must make available for public inspection and copying a complete copy of its tariff or tariffs, all most recently canceled tariff sheets, and all proposed tariff changes at one or more offices in each county where it offers service, except that: A single office may serve more than one county if the office is within twenty miles of all customers in the county where no tariff is posted. The company must provide at each office either an agent qualified to assist the customer in locating, interpreting, and applying tariff provisions or access to such an agent by a toll-free telephone number.

NEW SECTION

**WAC 480-120-194 Publication of proposed tariff changes to increase charges or restrict access to services.**

Each telecommunications company offering intrastate telecommunications service under tariff must publish all proposed changes to its tariff for at least thirty days, as required by RCW 80.36.110. For any proposed tariff change that would increase recurring or per-occurrence charges or restrict access to services (e.g., discontinue a service, or limit access to service by imposing a new usage level on existing services), a company must fulfill the requirements of subsection (1), (2), or (3) of this section. For any other proposed tariffs, the company must fulfill the requirements of WAC 480-120-195. The company will not be required to accomplish publication under this section if it has agreed to suspend its tariff filing and to provide notice as provided under WAC 480-120-197.

(1) **Thirty-day notice to individual customers.** To comply under this method, the company must, at least thirty days before the stated effective date of the proposed change, mail the posting to each customer that would be affected by

the proposed change. The posting must include the information listed in subsection (4) of this section.

(2) **Published notice.** To comply under this method, the company must, at least thirty days before the stated effective date of the proposed change, publish notice of the proposed change within the geographical areas where it offers service. To meet minimum publication requirements, a company must:

(a) Distribute copies of the published notice to community agencies and organizations in the geographic area where it offers service for posting and publication by the agency or organization. The company must include in its distribution list any agency or organization that requests these notices;

(b) Cause to be printed in large print, as a paid advertisement, a complete copy of the published notice in the daily newspaper of general circulation with the greatest number of subscribers in each geographic area or each of the areas affected by the proposed tariff;

(c) Provide to the news editor of every newspaper, television station, and radio station, in the geographic area within which it offers service a news release or public service announcement summarizing the published notice. The release or announcement must include a toll-free number that customers can use to obtain more information from the telecommunications company. The commission will maintain a list of area newspapers, television and radio stations and will provide it on request to any company; and

(d) Post a complete copy of the published notice on an Internet website accessible to the public using generally available browser software.

(3) **Reduced publication with shortened notice to individual customers.** To comply under this method, the company must:

(a) Mail the posting to each customer that would be affected by the proposed change at least fifteen days before the stated effective date of the proposed change;

(b) At the time of the company's filing with the commission, distribute copies of the published notice in the same manner as provided in subsection (2)(a) of this section;

(c) At the time of the company's filing with the commission, provide news media notice in the same manner as provided in subsection (2)(c) of this section; and

(d) At the time of the company's filing with the commission, post a complete copy of the published notice in the same manner as provided in subsection (2)(d) of this section.

(4) **Content of postings.** The published notice required by this rule must include, when applicable:

(a) The date the notice is issued;

(b) The company's name and address;

(c) A brief explanation of the reason(s) the company has requested the rate change (e.g., increase in labor costs, recovery of new plant investment, and increased office expenses, such as postage and customer billing);

(d) A comparison of current and proposed rates by service;

(e) An example showing the monthly increase of the average customer's bill based on the proposed rates (e.g., "based on the proposed rates, a typical telephone customer using an average of twenty minutes of local toll service would see an average monthly increase of \$0.85.");

(f) When the rates will be billed (i.e., monthly or bimonthly);

(g) The requested effective date and, if different, the implementation date;

(h) A statement that the commission has the authority to set final rates that may vary from the company's request, which may be either higher or lower depending on the results of the investigation;

(i) A description of how customers may contact the company if they have specific questions or need additional information about the proposal; and

(j) Public involvement language. A company may choose from:

(i) Commission-suggested language that is available from the commission's designated public affairs officer; or

(ii) Company-developed language that must include the commission's mailing address, toll-free number, and docket number, if known, and a brief explanation:

(A) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail; and

(B) How to contact the commission for process questions or to be notified of the scheduled open meeting at which the proposal will be considered by the commission.

#### NEW SECTION

**WAC 480-120-195 Notice of tariff changes other than increases in recurring charges and restrictions in access to services.** (1) This section applies to tariff changes for other than those that are subject to WAC 480-120-194.

(2) A company that files a tariff change to increase any charge that a customer may incur without being quoted a rate or price (e.g., late payment fees, insufficient fund charges, or a one-time charge) must provide notice to each affected customer on or with the first bill after the change becomes effective.

(a) Content of notice. At a minimum, the notice must include the effective date, a clear description of changes to rates or services and a company contact number where customers may seek additional information.

(b) Methods of notice permitted include: Bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the company has the capability and the customer has authorized, by e-mail.

(3) A company that files a tariff change that decreases rates, including promotions that temporarily waive recurring or nonrecurring charges, or that changes terms or conditions without restricting access to the service, must publish the change in the manner it posts tariffs under WAC 480-120-193.

#### NEW SECTION

**WAC 480-120-196 Customer notice requirements—Competitively classified telecommunications companies or services.** This rule sets out requirements in specific circumstances for notices that companies must provide to customers when services are provided under price list.

(1) Prior notice. Customer notice before the effective date of changes to the price list for competitively classified companies or competitively classified services.

(a) Amount of prior notice. The company must provide notice to each affected customer at least ten days before the effective date when a company proposes to:

- (i) Increase rates;
- (ii) Decrease rates; or
- (iii) Change terms or conditions.

The company must measure the ten-day period from the time the notice is mailed to all customers or appears in the newspaper or on the website.

(b) Content of notice. Each customer notice must include, at a minimum:

- (i) The effective date;
- (ii) A clear description of changes to rates and services; and
- (iii) A company contact number where customers can seek additional information.

(c) Methods of notice permitted for increase in rates or a material change of terms and conditions. A company must provide notice by bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers, or, if a company has the capability and the customer has authorized, by e-mail.

(d) Methods of notice permitted for changes not covered by (c) of this subsection. A company must provide notice by:

- (i) Any method listed in (c) of this subsection;
- (ii) Publishing the notice in one or more newspapers of general circulation for the affected areas; or
- (iii) Posting the notice on the website on which the price list is available to the public.

(2) Commission assistance. A company may request assistance from the commission's designated public affairs officer with efforts to comply with this section.

(3) Alternative form of notice permitted with prior approval. As an alternative to the customer notice required by this rule, a company may propose another form of customer notice. The commission's public affairs officer must approve any such notice in advance.

(4) Customer notice verification. Within ten days of making a filing requiring posting, publication, or customer notice required by this rule, a company must file a statement with the commission records center that the required notice has been posted, published, and/or mailed. The statement must include:

- (a) The methods used to post, publish, and/or give notice to customers;
- (b) When the notice was first posted, published, and/or issued to customers; and
- (c) A copy of the notice.

#### NEW SECTION

**WAC 480-120-197 Adjudicative proceedings where public testimony will be taken.** (1) For adjudicated proceedings, when scheduling a hearing to take testimony from the public, the timing, location, and amount of notice to the public or to customers will be addressed in the prehearing conference order.

(2) Content of notice. The notice must include all information contained in WAC 480-120-194(4), except the public involvement information in WAC 480-120-194 (4)(j). A

company must include either of the following public involvement language:

(a) Commission-suggested language that is available from the commission's designated public affairs officer; or

(b) Company-developed language that must include the commission's mailing address, toll-free number, docket number, and a brief explanation:

(i) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail;

(ii) How to contact the commission for process questions; and

(iii) The date, time and location of the public hearing.

(3) Methods of notice. Methods of notice permitted include: Bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the company has the capability and the customer has authorized, by e-mail.

(4) Who must receive notice. In addition to each affected customer, a company must notify at least one newspaper of general circulation, and at least one radio station and at least one television station in the area or each of the areas affected.

#### NEW SECTION

##### **WAC 480-120-198 Notice verification and assistance.**

(1) Customer notice verification. Within ten days of making a filing requiring posting, publication, or customer notice under WAC 480-120-194, 480-120-195, or 480-120-197, but no sooner than when the tariff is filed with the commission, a company must file a statement with the commission's records center that the required notice has been posted, published, and/or mailed. The declaration must include:

(a) The methods used to post, publish, and/or give notice to customers;

(b) When and how the notice was posted, published, and/or issued to customers;

(c) How many customers are affected; and

(d) A copy of the notice.

(2) Commission assistance. A company may request assistance from the commission's designated public affairs officer with efforts to comply with WAC 480-120-193 through 480-120-197.

#### NEW SECTION

**WAC 480-120-199 Other customer notice.** The commission may require notice to customers of tariff changes other than those described in these rules when the commission determines that additional customer education is needed.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 480-120-043

Notice to the public of tariff changes.

NEW SECTION**WAC 480-121-065 Customer notice requirements—  
Petition for competitive classification of a service.** (1)

When a company petitions for competitive classification of a telecommunications service(s), the company must provide notice to each affected customer at least thirty days before the requested effective date.

(2) Content of notice. Each customer notice must include, at a minimum:

(a) The date the notice is issued and the proposed effective date of the competitive classification;

(b) The company name and address;

(c) A clear explanation of the proposal to give customers the basis for understanding the proposal and the potential impact of the change. The company may satisfy this requirement with its own explanation or by using commission-developed language available from the commission's designated public affairs officer;

(d) A description of how customers may contact the company if they have specific questions or need additional information about the proposal; and

(e) Public involvement language. A company may choose from:

(i) Commission-suggested language that is available from the commission's designated public affairs officer; or

(ii) Company-developed language that must include the commission's mailing address, toll-free number, and docket number, if known, and a brief explanation:

(A) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail; and

(B) How to contact the commission for process questions or to be notified of the scheduled open meeting at which the proposal will be considered by the commission.

(3) Methods of notice. Methods of notice permitted include: Bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the company has the capability and the customer has authorized, by e-mail.

(4) Customer notice verification. Within ten days of making a filing requiring posting, publication, or customer notice, a company must file a declaration with the commission's records center that the required notice has been posted, published, and/or mailed. The declaration must include:

(a) The methods used to post, publish, and/or give notice to customers;

(b) When the notice was first posted, published, and/or issued to customers;

(c) How many customers are affected; and

(d) A copy of the notice.

(5) Commission assistance. A company may request assistance from the commission's designated public affairs officer with efforts to comply with this section.

(6) Other customer notice. The commission may require notice to customers other than those described in this rule when the commission determines that additional customer education is needed.

PROPOSED

## WSR 01-24-088

## EXPEDITED RULES

## DEPARTMENT OF ECOLOGY

[Order 01-11—Filed December 4, 2001, 11:19 a.m.]

Title of Rule: Chapter 173-312 WAC, Coordinated prevention grant program, WAC 173-312-010, 173-312-020, 173-312-040, 173-312-050, 173-312-060, 173-312-070, 173-312-080, 173-312-090, and 173-312-100.

Purpose: The rule amendments are designed to clean up outdated language, simplify to application, grant, and reporting requirements. Additionally, matching requirement language has been changed to be consistent with the statute (chapter 70.105D RCW, Model Toxics Control Act).

Statutory Authority for Adoption: Chapters 43.21 and 70.105D RCW.

Statute Being Implemented: Chapter 70.105D RCW, Model Toxics Control Act.

Summary: The amended rule will repeal portions of the rule that are no longer applicable (i.e. references to fund sources that no longer exist, deadlines for the first round local solid waste plan updates, etc.), streamline the application and reporting requirements and standardize the local matching requirements to the statutory minimum of 25%.

Reasons Supporting Proposal: The rule is being amended to cleanup language no longer applicable, eliminate unnecessary ecology oversight of local government grant oversight, and provide consistent local government matching requirements with the statute.

Name of Agency Personnel Responsible for Drafting and Implementation: Steve Loftness, Olympia, 407-6060; and Enforcement: Grant officers, Olympia, Bellevue, Yakima, and Spokane.

Name of Proponent: Department of Ecology, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule provides a structure for local governments to apply for grant funds to implement the priorities of chapter 70.105D RCW, Model Toxics Control Act. Specifically, this amendment will repeal outdated language no long applicable, simplify the application and reporting requirements, and make the matching requirements consistent with the statute.

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

## NOTICE

THIS RULE IS BEING PROPOSED UNDER 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 THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Jerry Thielen, Department

of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, AND RECEIVED BY February 5, 2002.

November 30, 2001

Linda Hoffman

Deputy Director

AMENDATORY SECTION (Amending Order 00-19, filed 9/8/00, effective 10/9/00)

**WAC 173-312-010 Purpose and authority.** (1) The purpose of this chapter is to set forth requirements for the conduct of a financial assistance program to provide grants to local governments for local hazardous waste plans and programs and solid waste plans and programs, under the Model Toxics Control Act, RCW 70.105D.070(3). The plans and programs referenced in RCW 70.105D.070(3) are designed to prevent or minimize environmental contamination. Therefore, the grants are designated "coordinated prevention grants" under this chapter.

(2) A further purpose of this chapter is to establish a structure for the administration of coordinated prevention grants funded from the local toxics control account authorized by RCW 82.21.030. The administrative structure may be extended to other waste management grant programs using other funding sources including ~~((the 1972 waste disposal facilities bonds authorized by chapter 43.83A RCW, the 1980 waste disposal facilities bonds authorized by chapter 43.99 RCW,))~~ the litter control account authorized by chapter 70.93 RCW, ~~((the vehicle tire recycling account authorized by chapter 70.95 RCW, the solid waste management account authorized by chapter 70.95 RCW,))~~ the hazardous waste assistance account authorized by chapter 70.95E RCW, and other waste management funding sources that may be established in the future by the legislature.

(3) The purposes of the coordinated prevention grants program are to:

(a) Consolidate all grant programs funded from the local toxics control account, and other programs in subsection (2) of this section that may be selected, into a single program, except for remedial action, public participation, and citizen proponent negotiations grants.

(b) Promote regional solutions and intergovernmental cooperation.

(c) Prevent or minimize environmental contamination by providing financial assistance to local governments to help them comply with state solid and hazardous waste laws and rules.

(d) Provide funding assistance for local solid and hazardous waste planning and for implementation of some programs and projects in those plans.

(e) Encourage local responsibility for solid and hazardous waste management.

(f) Improve efficiency, consistency, reliability, and accountability of grant administration.

Note: Copies of all cited statutes, rules, and guidelines are available at the Department of Ecology, Records Management, P.O. Box 47600, Olympia, Washington 98504-7600.

EXPEDITED

AMENDATORY SECTION (Amending Order 00-19, filed 9/8/00, effective 10/9/00)

**WAC 173-312-020 Definitions.** "Cash expenditure" means any cash outlay by the recipient, regardless of the source of funds, for direct costs of goods and/or services; salaries and benefits of recipient employees, including force account; overhead cash; and payments made to contractors.

~~("Class one areas" means the counties of Spokane, Snohomish, King, Pierce, and Kitsap and all the cities therein.~~

~~"Class two areas" means the counties located west of the crest of the Cascade Mountains and all the cities therein, except Snohomish, King, Pierce, and Kitsap counties.~~

~~"Class three areas" means the counties east of the crest of the Cascade Mountains and all the cities therein, except Spokane County-)~~

"Department" means the department of ecology.

"Grant" means the portion of the project costs borne by the department.

"In-kind contributions" are property or services that benefit a project and that are contributed by a third party, without direct monetary compensation, to the recipient (or to any contractor under the agreement). In-kind contributions include donated or loaned real or personal property, volunteer services, and employee services donated by a third party.

"Incineration" means a process of reducing the volume of solid waste by use of an enclosed device using controlled flame combustion, operating under federal and state environmental laws and rules.

"Interlocal costs" are in-kind contributions made to a project by another local government under a valid written agreement between the recipient and the other government that details the work to be accomplished, the goods and services to be provided, and the value thereof. If the recipient reimburses another governmental entity for any portion of its contributions, the amount paid to the other entity is not an interlocal cost. It is a cash expenditure on the part of the recipient. Only the nonreimbursed portion of the other governmental entity's contributions is an interlocal cost.

"Landfill" means a disposal facility or part of a facility at which solid waste is permanently placed in or on land and which is not a landspreading disposal facility.

"Lead implementation agency" means the agency designated in the adopted local solid or hazardous waste plan as having the principal responsibility for the execution of all or most of the plan, and/or the coordinating agency that delegates responsibility to other agencies to execute portions of the plan.

"Local government" means any political subdivision, regional governmental unit, district, municipal or public corporation, including cities, towns, and counties. The term encompasses but does not refer specifically to the departments within a city, town, or county.

"Local hazardous waste plan" means the plan to manage moderate-risk waste that a local government is required to prepare under RCW 70.105.220.

"Match" means that portion of the cash expenditures borne by recipient funds and interlocal costs.

"Moderate-risk waste" means (a) any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under chapter 70.105 RCW solely because the

waste is generated in quantities below the threshold for regulation, and (b) any household wastes that are generated from the disposal of substances identified by the department as hazardous household substances or substances that exhibit any of the properties of hazardous waste.

"Recipient" means the entity to which the funding is awarded and that is accountable for the use of the funds provided. The recipient is the entire legal entity even if only one component or department is designated in the agreement document.

"Recyclable materials" means those solid wastes separated for recycling or reuse, such as papers, metals and glass, that are identified as recyclable material under a local comprehensive solid waste plan.

"Recycling" means transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration.

"Solid waste" or "wastes" means all putrescible and non-putrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials.

AMENDATORY SECTION (Amending Order 00-19, filed 9/8/00, effective 10/9/00)

**WAC 173-312-040 Applicant eligibility.** (1) Eligibility for solid waste planning grants. Counties that are required by chapter 70.95 RCW to adopt or update local solid waste plans are eligible to apply for coordinated prevention grants to help pay for those plans. This eligibility extends to cities that have submitted an independent city plan, a joint city plan, or joint city-county plan to the department by the effective date of this rule. This eligibility also extends to any city subsequently requesting funding for the preparation of an independent plan, if the city provides for disposal sites wholly within its jurisdiction.

(2) Eligibility for solid waste enforcement grants. Jurisdictional health departments/districts are eligible to apply for coordinated prevention grants to pay for the enforcement of rules adopted under chapter 70.95 RCW.

(3) Eligibility for solid waste implementation grants. Counties whose solid waste plans are adopted ~~(, and approved)~~ and approved by the department as required by chapter 70.95 RCW are eligible to apply for coordinated prevention grants to help pay for the implementation of waste reduction and recycling projects in the most recently approved and adopted plan: Provided, That those projects are eligible as defined in WAC 173-312-050. This eligibility also extends to cities that are eligible for funding to do local solid waste plans or updates as provided by subsection (1) of this section.

If the adopted plans designate lead implementation agencies to implement the plans, those agencies are also eligible to apply for coordinated prevention grants.

~~((Solid waste plan updates must be submitted to the department no later than July 1, 1991, for class one areas; July 1, 1992, for class two areas; and July 1, 1994, for class three areas; unless an extension is granted by the department. Local governments that do not comply will not be eligible for~~



coordinated prevention grant funding for solid waste project implementation until the required plan updates are submitted to the department.)

(4) Eligibility for hazardous waste planning grants. Local governments that are required by chapter 70.105 RCW to adopt or update local hazardous waste plans are eligible to apply for coordinated prevention grants to help pay for those plans.

(5) Eligibility for hazardous waste plan implementation grants. Local governments with department-approved local hazardous waste plans as required by chapter 70.105 RCW are eligible to apply for coordinated prevention grants to help pay for the implementation of projects in the plan. If the plans designate lead implementation agencies to implement the plans, those agencies are also eligible to apply for coordinated prevention grants.

(6) Any grant-eligible entities as defined in this section may submit their requests in a ~~((unified))~~ coordinated application as described in WAC 173-312-060 (4)(a), or may submit separate applications ~~((in a package application))~~ as provided in WAC 173-312-060 (4)(b).

AMENDATORY SECTION (Amending Order 00-19, filed 9/8/00, effective 10/9/00)

**WAC 173-312-050 Project eligibility.** (1) Eligible project costs are those costs which are necessary and reasonable to fund required local planning and the implementation of some projects and programs contained in those plans, including innovative approaches implementing policies of the plan. These are:

(a) Local hazardous waste planning as required by chapter 70.105 RCW.

(b) Local solid waste planning as required by chapter 70.95 RCW.

(c) Local hazardous waste plan implementation projects.

(d) Local solid waste enforcement by the jurisdictional health departments and districts.

(e) Local solid waste plan implementation projects, which are limited to(~~:-~~

~~(i) Projects that implement the requirements of chapter 173-304 WAC for closure of publicly owned municipal solid waste landfills will be eligible for grant funding if all of the following criteria are met:~~

~~(A) The jurisdictional health department/district has required the landfill to reach post closure no later than September 30, 1995;~~

~~(B) Financial assurance accounts for closure and post closure have been established and maintained as required by chapter 173-304 WAC for landfills closed after November 27, 1989;~~

~~(C) The landfill has an approved closure plan as required by chapter 173-304 WAC;~~

~~(D) Local governments that have disposed of significant quantities of waste at the landfill make reasonable financial contribution to the costs of closure and post closure; and~~

~~(E) The landfill is not eligible for remedial action grants under chapter 173-322 WAC or identified by the department as potentially requiring remedial action.~~

The total amount expended from the local toxics control account for solid waste landfill closure may not exceed fifteen million dollars and no funds may be expended for this purpose after December 31, 1995. No single landfill closure project may receive more than five hundred thousand dollars from the local toxics control account.

(ii) Ground water monitoring well projects to meet the requirements of WAC 173-304-490.

(iii) waste reduction and recycling projects and programs.

(2) Eligible project costs do not include:

(a) Solid waste incinerator feasibility studies, construction, maintenance, or operation.

~~(b) ((Landfill closure as required by chapter 173-304 WAC, except for ground water monitoring wells or projects that meet the requirements of subsection (1)(e)(i) of this section.~~

~~(e))~~ New landfill construction or landfill expansion, or landfill upgrading at an operating facility to meet the requirements of chapters ((173-304)) 173-350 and 173-351 WAC.

(c) Landfill closure as required by chapters 173-350 and 173-351 WAC.

(d) Garbage collection and disposal, except start-up and operational costs for waste reduction and recycling programs.

(e) Solid and hazardous waste expenses not directly related to compliance with state solid and hazardous waste laws and rules.

AMENDATORY SECTION (Amending Order 00-19, filed 9/8/00, effective 10/9/00)

**WAC 173-312-060 Application process.** (1) The department shall set forth in its grant guidelines the base funding levels estimated to be available for each county for coordinated prevention grants and the process by which applications will be submitted.

(2) The application must be submitted by the county agency or department having responsibility for solid waste, unless the county executive department selects another agency or department to submit the application.

(3) Coordinated prevention grant applications must:

(a) Include a commitment by the applicants to use local funds to match grant funds according to the requirements of WAC 173-312-090.

(b) Be for eligible projects as defined in WAC 173-312-050.

(c) Include a scope of work that is sufficiently detailed for the department to monitor grant performance.

(d) Include documentation that all cities in the county and lead implementation agencies that have approved the adopted local hazardous waste plan or solid waste plan have had the opportunity to request that projects that meet the requirements of WAC 173-312-050 be included in the application.

(4) To obtain coordinated prevention grant funding, a county shall submit ~~((either a unified))~~ an application ~~((or a package application))~~, as defined herein:

(a) A ~~((unified))~~ coordinated grant application means that the county, the health department or district and any other grant eligible entities as defined in WAC 173-312-040

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have reached agreement regarding the requested projects and funding allocations for both local solid and local hazardous waste plans and projects. ~~((The submittal will consist of a single county application with specific projects identified to be executed by the county and other local governments. Unified))~~ Coordinated applications will receive financial incentives for administrative coordination set forth in WAC ~~((173-312-090))~~ 173-312-080.

The ~~((unified))~~ coordinated application shall include a maximum grant request for no more than the base funding level for the county, plus the ~~((selected))~~ financial incentive.

(b) In the event a county fails to submit a coordinated application, indicating grant eligible entities have not reached agreement regarding projects and funding allocations, they will lose the incentive as set forth in WAC 173-312-080. This money shall be made available for supplemental funding as specified in WAC 173-312-080.

(5) The application must be signed, indicating approval by responsible officials from the county, local health department or district and any other grant-eligible entities as defined in WAC 173-312-040.

~~((b) A package application means that the county, the local health department or district and any other grant-eligible entities as defined in WAC 173-312-040 have not reached agreement regarding the requested projects and funding allocations, or choose to submit individual applications. The maximum grant request may exceed the base funding level. A package application is not eligible for the financial incentives for administrative coordination set forth in WAC 173-312-090. A package application must be submitted by the county. A package application may consist of individual signed applications from the county, the health department or district and other grant-eligible entities as defined in WAC 173-312-040; requests from other cities will be submitted as part of the county application.))~~

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

**WAC 173-312-070 Application evaluation.** (1) In evaluating coordinated prevention grant applications, the department may require that funding of certain projects take precedence over other projects. The department will refer to the following priority order in evaluating projects:

(a) Required hazardous waste planning under chapter 70.105 RCW and required solid waste planning under chapter 70.95 RCW.

(b) Programs and projects to implement adopted local hazardous waste plans, including waste reduction and recycling.

(c) Solid waste enforcement programs.

(d) Programs and projects to implement adopted local solid waste plans, including waste reduction and recycling ~~((; ground-water monitoring wells meeting the requirements of WAC 173-304-490, and publicly owned municipal solid waste landfill closure meeting the requirements of WAC 173-312-050(1)(e)(i)))~~.

(2) The department will evaluate each application according to the extent to which it:

(a) Conforms to the adopted local hazardous waste and solid waste plans.

(b) Advances regional solutions and intergovernmental cooperation.

(c) Supports the state's goal to achieve a fifty percent recycling rate ~~((by 1995))~~.

(d) Confers broad benefit on residents of the county, whether they reside in incorporated areas or unincorporated areas.

(e) Meets the needs of local government for projects that prevent environmental contamination from solid and hazardous waste.

(f) Uses the state's resources efficiently.

(g) For solid waste enforcement funding, takes into account the number of disposal sites and the geographic area requiring enforcement activity.

(3) The department may fund all or portions of a coordinated prevention grant application.

(4) The department may award grants to any local government in order to execute all or portions of a coordinated prevention grant program.

AMENDATORY SECTION (Amending Order 00-19, filed 9/8/00, effective 10/9/00)

**WAC 173-312-080 Allocation of grant funding.** (1)

The department shall consider the following factors in calculating base funding levels, supplemental grant levels, and ~~((maximum))~~ grant amounts for recipients:

(a) Projected and actual revenue to the local toxics control account, and other funding sources cited in WAC 173-312-010(2), as determined by the department.

(b) The number of people served by a local government.

(2) Grants that may be awarded to eligible cities under WAC 173-312-040 may not exceed a city's proportionate share, based on population, of a county's base funding level as defined in subsection (3)(a) of this section, unless the department, the county, the health department or district and the grant-eligible entities as defined in WAC 173-312-040 agree otherwise.

(3) Projected revenues to the local toxics control account that are available each biennium for coordinated prevention grant purposes must be divided into two portions, one for solid waste enforcement grants, and one for solid and hazardous waste implementation grants. ~~((After administrative costs have been deducted,))~~ Allocations will be calculated as follows:

(a) ~~((The base funding level must be calculated for each county))~~ For solid waste enforcement grants, an amount sufficient to provide each single-county jurisdictional health department with one hundred thousand dollars and each multi-county jurisdictional health department with one hundred fifty thousand dollars will be set aside. In future biennia the amount set aside for solid waste enforcement will be twenty percent of the total coordinated prevention grant allocation, and the single-county and multi-county solid waste enforcement grant allocation will be increased or decreased proportionately.

(b) For solid and hazardous waste implementation grants, the remaining eighty percent is divided among counties by means of a formula that shall consist of two elements:

(i) A fixed amount for each county, regardless of size; and

(ii) A per capita amount based on county population size as determined by the United States census data or by the official estimates of the state office of financial management.

((b) The smaller portion, as well as unused funds in (a) of this subsection;)) (c) Counties that submit a coordinated application as defined in WAC 173-312-060 shall receive a ten percent increase if base level funding as defined in (b) of this subsection is an incentive.

(d) After initial grant amounts have been determined for both categories of coordinated prevention grants based upon the applications, the unallocated funds shall become supplemental funds ((and must be)) used ((for the following purposes:

(i) Financial incentives to local governments for administrative centralization and efficiency;

(ii) Remedial action grants issued under chapter 173-322 WAC, if the need exceeds administrative allocations;

(iii) Landfill closure projects that meet the requirements of WAC 173-312-050 (1)(e)(i);

(iv) Reserve funds for grants to deal with unanticipated or immediate threats to human health and the environment; and

(v) Supplemental grants, to be awarded based on the criteria set forth in WAC 173-312-070(2)) to promote strategic initiatives that meet needs defined by the state solid waste planning process. Supplemental funds for solid and hazardous waste implementation grants will first be awarded within the initial solid and hazardous waste implementation coordinated prevention grant portion. Supplemental funds for solid waste enforcement grants will first be awarded within the initial solid waste enforcement coordinated prevention grant portion. Only when supplemental funds still remain in either category after the initial supplemental awards have been given shall the funds be awarded to the other portion.

(4) Applicants must meet the requirements of this chapter to the satisfaction of the department in order to secure grant awards.

**AMENDATORY SECTION** (Amending Order 00-19, filed 9/8/00, effective 10/9/00)

**WAC 173-312-090 State assistance share and local cash match.** (1) Costs eligible under WAC 173-312-050 will be considered for grant funding ((of up to sixty)) at a level of seventy-five percent. ((At least forty)) Twenty-five percent of eligible costs must be provided as local cash match. ((Counties that submit unified applications as defined in WAC 173-312-060 (4)(a) either will be considered for grant funding of up to sixty-five percent if at least thirty-five percent of eligible costs is provided as local cash match, or will be eligible for a grant amount level ten percent greater than the base funding level.

(2) Counties, and grant-eligible jurisdictions within counties, that are determined to be economically disadvantaged will be eligible for an increased state share and a

reduced local cash match. For projects proposed by those jurisdictions, costs eligible under WAC 173-312-050 will be considered for grant funding of up to seventy-five percent. At least twenty-five percent of eligible costs must be provided as local cash match.

Economically disadvantaged counties that submit unified grant applications as defined in WAC 173-312-060 (4)(a) will be eligible for a grant amount ten percent greater than the base funding level.

(3) A county is considered economically disadvantaged if it meets both of the following criteria:

(a) Per capita income, as measured by the latest official estimate of the state office of financial management, is in the lower twenty counties in the state; and

(b) Economic distress exists as defined by chapter 43.165 RCW.

(4) The department will include a list of economically disadvantaged counties as defined in this section in the guidelines for coordinated prevention grants.

(5)) (2) Local cash match may be met by cash expenditures and interlocal costs. Interlocal costs are the only type of in-kind contributions that may be used for local cash match.

**AMENDATORY SECTION** (Amending Order 00-19, filed 9/8/00, effective 10/9/00)

**WAC 173-312-100 Grant administration.** (1) The department shall prepare guidelines to facilitate compliance with and interpretation of this rule.

(2) ((The)) Coordinated prevention grants shall operate on a biennial funding cycle. ((That cycle will consist of:

(a) A base grant phase, during which eligible applicant governments apply for grant funds up to the base funding level set forth in WAC 173-312-080 (3)(a) plus the selected administrative incentives; and

(b) A supplemental grant phase, during which grant recipients request grant amendments including supplemental funding requests for additional funds to assist ongoing or new projects. The supplemental grant phase will be contingent on the availability of funds to the local toxics control account.))

Applications will be due in the first quarter of the biennium. Eligible applicant governments will apply for grant funds up to the base funding level set forth in WAC 173-312-080 plus the incentive, and at the same time shall submit requests for additional funds to assist ongoing or new projects. Supplemental funds, if awarded, shall be supplied as part of the new grant. New grants will begin in the third quarter of the biennium, and will run for two calendar years.

(3) The department will obligate coordinated prevention grant funds to a recipient for a maximum period of two years. If the recipient has not accomplished the scope of work in the time period set forth in the agreement, the recipient must use a portion of its next biennial base funding level to complete the project(s).

(4) No costs incurred before the effective date of a grant agreement are eligible unless specific provision is made in the grant agreement for those costs.

(5) All grants under this chapter must be consistent with Administrative Requirements for Ecology Grants and Loans WDOE #91-18 (Revised October 2000).



**WSR 01-24-002**  
**PERMANENT RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**  
 [Filed November 21, 2001, 2:46 p.m.]

Date of Adoption: September 26, 2001.

Purpose: The state institution funding rules at chapter 392-122 WAC are amended to clarify that only students confined to a juvenile detention facility by a court order may be counted for the institution education funding. Students under electronic monitored or subject to day reporting restrictions would qualify for the institutional education funding if under court order and if all other requirements are met.

Citation of Existing Rules Affected by this Order: Repealing WAC 392-122-207; and amending WAC 392-122-205, 392-122-220, and 392-122-221.

Statutory Authority for Adoption: RCW 28A.150.290.

Adopted under notice filed as WSR 01-17-013 on September 5 [August 2], 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, 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: Thirty-one days after filing.

November 1, 2001

Dr. Terry Bergeson  
 Superintendent of  
 Public Instruction

**AMENDATORY SECTION** (Amending Order 98-09, filed 10/20/98, effective 11/20/98)

**WAC 392-122-205 State institutional education program—Eligible programs.** Programs supported as state institutional education programs include those provided in:

(1) State operated group homes—i.e., facilities maintained by the division of juvenile rehabilitation of the department of social and health services to house adjudicated youth twenty-four hours a day;

(2) Juvenile detention centers—i.e., facilities (~~maintained by counties for treatment and education of juveniles who have been placed under protective custody or have committed a criminal offense~~) meeting the definition of a "detention facility" in RCW 13.40.030.

(3) Institutions for juvenile delinquents—i.e., facilities maintained by the division of juvenile rehabilitation of the department of social and health services for the diagnosis,

confinement and rehabilitation of juveniles committed by the courts.

(4) Residential habilitation centers—i.e., facilities maintained by the division of developmental disabilities of the department of social and health services for care and treatment of persons with exceptional needs by reason of mental and/or physical deficiency.

(5) Adult correctional facilities housing juveniles—i.e., facilities maintained by the state department of corrections for juvenile inmates under eighteen years of age.

**AMENDATORY SECTION** (Amending Order 98-09, filed 10/20/98, effective 11/20/98)

**WAC 392-122-220 Definition—State institutional education program—Enrolled institutional education program student.** "Enrolled institutional education program student" means a person who:

(1)(a) Is in a program in a department of corrections facility and is under eighteen years of age or is eighteen years of age and is continuing in the institutional education program with the permission of the department of corrections and the education provider; or

(b) Is (~~in a residential institution other than the department of corrections and is~~) under twenty-one years of age at the beginning of the school year and is either:

(i) In a residential school as defined in RCW 28A.190.020; or

(ii) Confined in a county detention center within the meaning of confinement provided in RCW 13.40.020;

(2) Is scheduled to engage in educational activity in the institutional education program during the current week;

(3) During the current school year, has engaged in educational activity in the institutional education program provided or supervised by educational certificated staff; and

(4) Does not qualify for any of the enrollment exclusions in WAC 392-122-221.

**AMENDATORY SECTION** (Amending Order 98-09, filed 10/20/98, effective 11/20/98)

**WAC 392-122-221 Definition—State institutional education program—Enrollment exclusions.** The following may not be counted as an enrolled institutional education program student:

(1) A person whose educational activity has terminated.

(2) A person who has transferred to another institution or school district.

(3) (~~A residential~~) An institution student who:

(a) Has not engaged in educational activity in the past five school days, excluding days of excused absence;

(b) Has not engaged in educational activity in the past ten school days including days of excused absence; or

(c) Is claimed by any school district as an enrolled student eligible for state basic education support pursuant to chapter 392-121 WAC.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 392-122-207      Definition—State institutional education program—Residential institution.

**WSR 01-24-004****PERMANENT RULES****TACOMA COMMUNITY COLLEGE**

[Filed November 21, 2001, 3:18 p.m.]

Date of Adoption: November 15, 2001.

Purpose: Revise existing chapter 132V-120 WAC, Code of student rights and responsibilities.

BACKGROUND: Chapter 132V-120 WAC defines the rights and responsibilities of students enrolled at Tacoma Community College, establishes disciplinary procedures for student violations of those rights and responsibilities, and defines the grievance process for students who feel their rights have been violated.

Currently, students who allegedly violate the code of student rights and responsibilities, which could result in a suspension or expulsion, are taken through a hearing process before the Student Rights and Responsibilities Committee. The committee, consisting of faculty, administration, staff and student representation, hears the case and makes a recommendation to the college president. A student may appeal the recommendation to the president. The president's decision is final. The proposed change allows for an additional process, especially useful for cases where the situation is straightforward (i.e. all parties agree that a violation has occurred). In such situations, the hearing would be before the chief student services officer with all evidence and witnesses coming forth from both the college and the student who has allegedly violated the code. A decision would be made at the conclusion of the hearing. The student may appeal the decision to the Student Rights and Responsibilities Committee (same composition - faculty, administration, staff, student representation). The decision would become final after the appeal process. For cases that are not straightforward, the case is referred directly to the Student Rights and Responsibilities Committee. Appeals regarding procedural errors would be made to the chief student services officer or designee if there is concern about possible prior knowledge of the case at hand. The decision is final after the appeal process.

The above-described change is being proposed as a result of requests that decisions in some situations be made through a quicker process so that students can move forward with their plans. The proposed revision to the process has been reviewed by students, faculty, administration and staff who feel that the changes are positive, particularly for students involved in this type of situation. It allows for two options: A hearing before the chief student services officer which can be done relatively quickly with an appeal option before the Student Rights and Responsibilities Committee;

or, in cases that are more involved, a hearing before the committee.

STATUS: The revised language to chapter 132V-120 WAC is attached for your review. A public hearing for final approval of this revision would be made at the November 15, 2001, board of trustees meeting.

RECOMMENDATION: The president recommends that the board approve for study the revision of chapter 132V-120 WAC, Code of student rights and responsibilities, to reflect changes described above and as noted below.

Citation of Existing Rules Affected by this Order: Chapter 132V-120 WAC.

Statutory Authority for Adoption: RCW 28B.50-140(13).

Adopted under notice filed as WSR 01-20-082 on October 2, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 23, Repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 23, Repealed 3.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 15, 2001

Laurie Jenkins, Chair  
Board of Trustees

**AMENDATORY SECTION** (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-020 Definitions.** As used in this chapter the following words and phrases shall be defined as follows:

(1) "District" shall mean Community College District 22.

(2) "College" shall mean Tacoma Community College main campus and any other campus or college facility which may be created by the board.

(3) "College facilities" shall include real property, buildings and improvements thereon owned, leased, or used by or on behalf of the college or the associated students.

(4) "Board" shall mean the board of trustees of Community College District No. 22, state of Washington.

(5) "President" shall mean the duly appointed chief executive officer of any campus of ~~((the district, or in his or her absence, the acting chief executive officer))~~ Tacoma Community College or designee.

(6) "Dean ~~((of students))~~ for student services" shall mean the administrator responsible for student services or designee.

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(7) "Chief academic affairs officer" shall mean the administrator responsible for the instructional program or designee.

(8) "Officer of the college" shall mean and include all administrative exempt employees, exclusive of the president, and any faculty member whose primary assignment is that of division (~~(chairperson)) administrator.~~

(9) "Faculty" shall mean and include any full-time or part-time academic employee of the district whose assignment is one or a combination of instruction, counseling, or library services.

(10) "College (~~(staff)) employee" shall mean and include any classified staff employee, exempt employee or faculty either full time or part time, whose primary assignment is a job position under the jurisdiction of the Washington higher education personnel board. Also included are student employees of the district and employees whose status is either full-time or part-time "exempt-temporary."~~

(11) "Student" shall mean any person who is registered for classes in the college.

(12) "Associated students" shall mean the student body and such authorized groups organized under the provisions of the Constitution and bylaws of the associated students of the college.

(13) "Assembly" shall mean any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person or group of persons.

(14) "Disciplinary action" shall mean and include a written warning to, the suspension or expulsion of, or placement on probation of any student by an appropriate officer of the college for the violation of any provision of this chapter.

(15) "Instructional day" shall mean any regularly scheduled instructional day designated in the academic year calendar, including summer quarter, as a day when classes are held or during final examination week. Saturdays and Sundays are not regularly scheduled instructional days.

(16) "College community" shall mean any employee, student or guest of Tacoma Community College.

**AMENDATORY SECTION** (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-030 Jurisdiction.** (1) (~~All rules herein adopted shall apply to each student whenever said student is present upon or in any college facility or whenever said student is present at or engaged in any college sponsored activity or function.)~~ The college may apply sanctions for violation of student rights or responsibilities as described in this chapter when student conduct substantially interferes with the college's educational responsibility of ensuring the opportunity for all members of the college community to attain their educational objectives or subsidiary responsibilities, such as providing miscellaneous services and sponsoring out-of-class activities such as lectures, concerts, athletic events, student club events and social functions.

(2) (~~Faculty members, other college employees, students, and members of the public who violate or aid or abet another in the violation of any provision of this chapter shall be subject to prosecution under civil or criminal laws or reg-~~

~~ulations of Washington in addition to any sanctions imposed pursuant to this chapter.)~~ These rules apply to students engaged in or present at any on-campus or off-campus college-related activity. A student's off-campus conduct at a college-related activity may be considered in determining discipline, particularly if it impedes the rights of other student(s) or the educational process.

(3) Students and members of the public or college community who violate or aid or abet another in the violation of any provision of this chapter shall be subject to prosecution under civil or criminal laws or regulations of Washington in addition to any sanctions imposed pursuant to this chapter.

(4) Provisions of the Revised Code of Washington cited in this document are on file and available in the office of the dean for student services and in the college library.

**AMENDATORY SECTION** (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-040 Student rights.** (~~The following enumerated rights are guaranteed to each student.)~~ Within the limitations of statutory law and college policy which are deemed necessary to achieve the educational goals of the college, all students have the following rights:

(1) Academic freedom.

(a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public and pursuant to established procedures available in the office of student programs and activities.

(b) Students are free to pursue educational objectives from among the college's curricula, programs and services subject to the provisions of this chapter.

(c) Students shall be protected from arbitrary academic evaluation (~~which is arbitrary, prejudiced or capricious,)~~ but are responsible for meeting the standards of academic performance established by each of their instructors.

(d) Students have the right to a learning environment which is free from unlawful discriminatory, inappropriate, and disrespectful conduct and free from sexual harassment.

(2) Due process.

(a) The rights of students to be secure in their persons, quarters, papers and effects against unreasonable searches and seizures (~~is guaranteed)~~ are protected.

(b) (~~No disciplinary sanctions may be imposed upon any student without notice to the accused of the nature of the charges.)~~ Students will receive notice of the nature of charges against him/her prior to disciplinary sanctions being imposed except in cases of summary suspension (WAC 132V-120-070 and 132V-120-080) and in cases of no trespass (WAC 132V-120-060).

(c) A student accused of violating this code of student rights and responsibilities is entitled, upon request, to procedural due process as set forth in the provisions of this chapter.

(3) Distribution and posting. Students may distribute or post printed or published material subject to official procedures available in the office of student programs and activities.

(4) Demonstrations. Students may organize a demonstration subject to official procedures available in the office of student programs and activities.

(5) Off-campus speakers. Student organizations sanctioned by an officer of the college or faculty or authorized by the associated students shall have the right to invite outside speakers to speak on campus subject to the availability of campus facilities, funding resources, and compliance with the official college procedures available in the office of student programs and activities.

(6) Student complaints. A complaint is an oral or written expression of dissatisfaction with the performance of a college employee or procedure or a challenge of the student's education record. The students who have a complaint should use the appropriate process set forth by the college.

(a) Nonacademic. The purpose of this section is to notify students that the college has an established process where a student or students may express and resolve misunderstandings, complaints or grievances with any college employee or college procedure in a fair and equitable manner. This process emphasizes an informal resolution. A copy of that process is available in the office of the dean for student services.

(b) Academic.

(i) Students who believe that information contained in their education records is inaccurate may obtain information on the process to request a correction from the offices of the dean for student services, the registrar or the associate dean of the academic area.

(ii) In instances involving grade disputes, an academic grievance process has been established by the college. A copy is available in the offices of the dean for student services and the chief academic officer and other administrative offices. This process emphasizes an informal resolution.

**AMENDATORY SECTION** (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-050 Student responsibilities.** Admission to Tacoma Community College carries with it the presumption that the student will conduct himself/herself as a responsible member of the college community. Thus, when a student enrolls at Tacoma Community College, the student likewise assumes the obligation to observe standards of conduct which are appropriate to the pursuit of educational goals. Any student who violates any provision of ((this chapter)) the code of student rights and responsibilities or who ((as a principal)) aids, abets, encourages, or procures another person to materially and substantially interfere with the personal rights or privileges of others or the educational process of the college shall be subject to disciplinary action as provided in ((this chapter)) WAC 132V-120-160. Grounds for disciplinary action include the following:

(1) Physical and/or verbal abuse of any person on college facilities or at a college ((sponsored)) related event or conduct which threatens bodily harm or endangers the health or safety of any such person, including reckless driving;

(2) Disorderly ((or drunken)) conduct; lewd, indecent or obscene conduct or expression; breach of the peace on college facilities or at college ((sponsored)) related events;

(3) An illegal assembly, disruption, obstruction or other act which materially and substantially interferes with vehicular or pedestrian traffic, classes, hearings, meetings, the educational and administrative functions of the college, or the private rights and privileges of others;

(4) Refusal to comply with any lawful order to leave the college campus or any portion thereof;

(5) Knowingly filing a formal complaint falsely accusing another student or college employee with violating a provision of this code;

(6) Falsely setting off or otherwise tampering with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or college facilities;

(7) Sexual harassment which is defined as engaging in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when such behavior offends the recipient, causes discomfort or humiliation, or interferes with ((job or)) school-related performance;

(8) Theft or conversion of property owned, leased or used by the college, the associated students, a member of the college community or of a visitor to the college;

(9) Intentional or grossly negligent damage or destruction of any property owned, leased or used by the college, the associated students, a member of the college community or of a visitor to the college including technology systems used for college functions;

(10) Unauthorized use of college or associated students' equipment, computer software or supplies;

(11) Cheating, plagiarism or tendering to a faculty member any work product that the student fraudulently represents to the faculty member as the student's work ((product)) for the purpose of fulfilling or partially fulfilling any assignment or task required by the faculty member as part of the student's program of instruction;

(12) Forgery or alteration of college documents or records, including, but not limited to, student identification cards and financial aid attendance forms, or the fraudulent use thereof whether in written or electronic form;

(13) Failure to comply with directions of college ((officials)) employees acting in the performance of their duties;

(14) Unauthorized entry or occupancy of college facilities or blocking access to or egress from such areas;

(15) Smoking (or use of other tobacco products), eating or drinking in any classroom, laboratory, library, or in any college facility or office designated as "NO SMOKING," "NO FOOD," "NO DRINKS";

(16) Use, possession, or distribution of alcoholic beverages on college facilities or at college-related events without a permit from the state liquor control board and approval by the president ((Use or possession of alcoholic beverages on college facilities or at college sponsored events by minors));

(17) Using, possessing, selling or being under the influence of any narcotic drug or controlled substance as defined in RCW 69.50.101 or any dangerous drug as defined in RCW 69.50.308 while on college facilities or at any college sponsored event except when the use or possession of such a drug is specifically prescribed as medication by an authorized medical doctor or dentist. The term "sale" shall have the meaning as defined in RCW 69.04.005;



(18) Being under the influence of liquor or alcoholic beverages while on college facilities or at college sponsored events;

(19) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-060 Authority of the president to prohibit trespass.** The president or designee shall have authority and power to prohibit the entry or withdraw the license or privilege of any person or group of persons to enter into or remain in any college property or facility. Such power and authority may be exercised whenever the president deems any of the following conditions exist:

(1) Events or activities disruptive of the lawful business of the college.

(2) Events or activities which disrupt or threaten to disrupt the lawful movement of any person into or out of any college facility.

(3) For the purpose of determining the identity of a person as a student, where identification as a student is a prerequisite to admission or the charge for admission to any college activity or where identification as a student is required in a case of alleged violation of this code, any college employee may demand that any person on college property or at a college activity produce evidence of student enrollment at the college. Tender of a current valid student identification card will satisfy this requirement. Refusal by a student to produce identification as required (~~shall~~) may subject the student to disciplinary action.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-070 Summary suspension proceedings.** If the dean (~~(of students)~~) for student services:

(1) Has cause to believe that any student has violated any provision of WAC 132V-120-050 or has committed a felony; and

(2) Has further cause to believe that the student presents an imminent danger to himself/herself or other persons on college facilities or to the educational process of the college, then the dean shall have, pursuant to the rules herein, authority to suspend the student from the college until such time as the dean is satisfied the student's dangerous nature has ceased. The duration of summary suspension shall not exceed ten instructional days, except that the (~~president~~) dean may continue summary suspension beyond ten instructional days in circumstances where the student continues to present an imminent danger to people, facilities, or the educational process and disciplinary proceedings provided for in the provisions of this chapter, WAC 132V-120-100 through 132V-120-180.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-080 Notice of summary proceedings.**

(1) If the dean (~~(of students desires)~~) for student services elects to exercise the authority to summarily suspend a student, the dean shall notify the student either by (~~regular United States~~) certified mail at the student's address as shown on college records, or cause personal service of such notice upon said student.

(2) The notice shall be entitled "Notice of summary suspension proceeding" and shall state:

(a) The charges against the student including reference to the provisions of this chapter, and

(b) That the student charged must appear before the dean (~~(of students)~~) for student services at a time specified in the notice for (~~(a formal)~~) an informal hearing. This hearing shall be held (~~(as soon as practicable)~~) within five instructional days after the summary suspension unless waived by the student and the college. If the hearing extends past the ten-day timeline outlined in WAC 132V-120-070, the summary suspension will continue in effect through the administrative appeal process. The student may elect to be accompanied by a personal advisor at the (~~(conference)~~) informal hearing with the dean.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-090 Procedures of summary suspension hearing.** (1) At the summary suspension hearing, the student against whom the violation or violations are alleged shall have the opportunity of proving to the dean (~~(of students)~~) for student services that there is no cause to believe that the violation stated on the notice of summary suspension proceedings to the student did occur, and that there exists no cause to believe that immediate suspension of said student is necessary.

(2) The student may offer oral testimony of any person, submit any statement or affidavit on his or her own behalf, examine any affidavit or statement and cross-examine any witness who may appear against the student, and submit any matter in extenuation or mitigation of the offense or offenses charged.

(3) The dean (~~(of students)~~) for student services shall, at the time of the summary suspension proceeding, determine whether there is probable cause to believe that a violation of this chapter has occurred and whether there is cause to believe that continued suspension is necessary. In the course of making such a decision, the dean may only consider the affidavits or oral testimony of persons who have alleged that the student charged has committed a violation of WAC 132V-120-050 and the oral testimony and affidavits submitted by the student charged.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-100 Decision by dean (~~(of students)~~) for student services.** If the dean (~~(of students)~~) for student services, following the conclusion of the summary suspen-

sion proceeding, finds that there is probable cause to believe that:

(1) The student against whom specific violations of WAC 132V-120-050 are alleged has committed one or more such violations upon any college facility; and

(2) Summary suspension of said student is necessary for the safety of the student, other students or persons on college facilities, or the educational process of the institution; and

(3) Such violation or violations constitute grounds for disciplinary action as provided for in the code of student rights and responsibilities; then the dean ~~((of students))~~ for student services may continue to enforce the suspension of the student from college until further disciplinary hearings or review proceedings are concluded as set forth below.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-110 Notice of suspension.** (1) If a student is summarily suspended pursuant to the above rules, the student will be provided with a written notice of suspension including the dean ~~((of students))~~ for student services' findings of fact and conclusions which lead the dean to believe that the summary suspension of the student should continue in force.

(2) The student summarily suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by ~~((regular United States))~~ certified mail at the student's ~~((last known))~~ address as shown on college records within three calendar days following the conclusion of the hearing with the dean ~~((of students))~~ for student services.

(3) The notice of summary suspension shall stipulate the duration of the suspension and conditions under which the suspension may be terminated.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-120 Suspension for failure to appear.** If the student against whom specific violations of this chapter have been alleged has been served pursuant to the notice required fails to appear at the time designated for the summary suspension proceeding, the dean ~~((of students))~~ for student services is authorized to enforce the suspension of the student from college.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-130 Appeal of summary suspension.**

(1) Any student aggrieved by an order issued at the summary suspension proceeding may appeal the same to the ~~((president))~~ student rights and responsibilities committee. No such appeal shall be entertained, however, unless and/or until:

(a) The student has first appeared before the dean ~~((of students))~~ for student services at the hearing called for in this chapter as outlined in WAC 132V-120-070 through 132V-120-110;

(b) The student has been officially notified of the outcome of this hearing;

(c) Summary suspension or a lesser disciplinary sanction has been upheld by the dean for student services; and

(d) The appeal conforms to the standards set forth in this chapter.

(2) ~~((The president))~~ If the criteria in subsection (1)(a) through (d) have been met, the committee shall review, as soon as reasonably possible, the allegations contained within the notice of appeal, along with the findings of the dean ~~((of students))~~ for student services, the ~~((record))~~ appropriate documentation of the summary suspension proceeding, and determine therefrom whether the summary suspension order is justified.

(3) After completion of ~~((this))~~ the committee's review, the ~~((president))~~ committee shall promptly notify the appealing student by certified ~~((and regular United States))~~ mail whether the summary suspension shall be maintained, stayed, a lesser sanction imposed, or no sanction imposed. The decision of the ~~((president))~~ student rights and responsibilities committee shall be final and not reviewable.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-150 Purpose of disciplinary actions.** ~~((Disciplinary action, up to and including expulsion from the college, may be imposed upon a student for violation of the provisions of this chapter.))~~ Disciplinary action proceedings shall determine whether and under what conditions the violator may continue as a student at the college. In keeping with the educational purposes of the college, disciplinary action other than those requiring suspension or expulsion are intended to be remedial rather than punitive. Often disciplinary proceedings will be conducted informally between the student and the dean for student services.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-160 Disciplinary action.** The following disciplinary actions are hereby established as the sanctions which may be imposed upon violators of ~~((the code of student rights and responsibilities))~~ this chapter. These sanctions are intended to be progressive, but each stands alone:

(1) ~~((Disciplinary))~~ Warning. ~~((This is formal action censuring a student for violation of this chapter. Disciplinary warnings shall be made in writing to the student and shall state that the continuation or repetition of the specific violation involved))~~ Written notice to a student that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct may result in one of the more serious disciplinary actions described below.

(2) ~~((Disciplinary probation. This is formal action placing conditions upon the student's continued attendance for violation of this chapter. Notice shall be made in writing and specify the period of probation and the conditions, such as limiting the student's participation in extracurricular activities. Disciplinary probation may be for a specific term or for an indefinite period which may extend to graduation or other~~

~~termination of the student's enrollment in the college-)) Reprimand. Written action censuring a student for violation of college rules or regulations or otherwise failing to meet the college's standards of conduct. The written reprimand will be filed in the office of the dean for student services for the duration of the student's attendance at the college. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct may result in one of the more serious disciplinary actions described below.~~

~~(3) Probation. Conditions placed upon the student's continued attendance for violation of this chapter. Notice shall be made in writing and specify the period of probation and the conditions to be met by the student. Disciplinary probation may be for a specific term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college. Violation of the terms of the probation or the breaking of any college provision during the probation period may be grounds for additional sanctions imposed upon the student by the college.~~

~~(4) Suspension. ((This is)) Temporary dismissal from the college and termination of the person's student status for violation of this chapter. ((Written notice shall be given which will specify the duration of the suspension and any special conditions which must be met before readmission.~~

~~(4)) (5) Expulsion. ((This is)) Indefinite or permanent dismissal from the college and termination of the student status of a student for violation of this chapter. Written notice shall be given which will specify any special conditions which must be met before readmission after indefinite dismissal.~~

#### (6) Sanctions for conduct in class.

(a) Each faculty member is responsible for conduct in class and is authorized to take such steps as are necessary when behavior of a student interrupts the normal class procedure. When behavior is disruptive, the faculty member may dismiss the student from class for that one class period and make every reasonable effort to resolve the situation. However, if the matter becomes so serious as to result in removing the student from the class for two consecutive class periods or when a pattern of periodic misconduct occurs, the faculty member is expected to report the incident to the dean for student services in order to seek resolution to the situation and allow for due process.

(b) Consequences for academic cheating or plagiarism or dishonesty or abetting in academic dishonesty may be imposed at the discretion of a faculty member by the award of a failing grade. Students should refer to each of their faculty's course syllabus.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

WAC 132V-120-170 Initiation of disciplinary proceedings. ((Any student, officer of the college or college staff shall have the authority to request the commencement of the disciplinary proceedings provided for in this chapter if there is reasonable cause to believe that a student has violated the provisions of this code. Requests to initiate disciplinary proceedings must be submitted in writing to the dean of students

within ten instructional days of the date the petitioner became aware or reasonably can be expected to have become aware of the alleged violation of the code-)) Any member of the college community may report alleged violations of the code of student rights and responsibilities to the dean for student services. Alleged violations should be reported to the dean for student services within ten instructional days of the date the person became aware or reasonably can be expected to have become aware of the alleged violation of code.

During the investigation of the matter, the status of the student who has allegedly violated the code shall remain unaltered and his or her right to be present on campus and to attend classes will remain unchanged except for students placed on summary suspension.

All disciplinary proceedings will be initiated by the dean for student services if there is reasonable cause to believe that a student has violated any provision of this code.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

WAC 132V-120-180 ((Initial)) Disciplinary proceedings. ((1) All disciplinary proceedings will be initiated by the dean of students.

(2) Any student charged by the dean of students with a violation of any provision of this code will be so informed by regular United States mail or by personal service of the charges and of the time, date and place of a conference between the dean and the student. The notice shall be sent to the student's last known address as shown on college records.

(3) The student may elect to be accompanied by a personal advisor of his/her choice at the conference with the dean.

(4) After considering the evidence in the case, the dean of students may take any of the following actions:

(a) Terminate the proceeding;

(b) Dismiss the case after whatever counseling and advice the dean deems appropriate;

(c) Impose minor sanctions directly (disciplinary warning, disciplinary probation) subject to the student's right of appeal described below;

(d) Refer the matter to the student rights and responsibilities committee for a recommendation as to appropriate action.

(5) A student accused of violating any provision of this chapter shall be given prompt notice by personal service or regular United States mail of any action taken by the dean of students-)) (1) Written notification: Any student charged with a violation shall receive written notification delivered to the student personally or by certified mail to the student's address as shown on college records no later than fourteen calendar days after a reported violation. Notice shall:

(a) Inform the student that a complaint has been filed and specify the alleged violation(s) and the date of the alleged violation(s);

(b) Specify the time, date, and place of a required conference between the student and dean for student services or designee;

(2) Conference with the dean for student services or designee. At an initial meeting with the dean/designee, the stu-

dent will be informed of the alleged violations of the code of student rights and responsibilities, the possible consequences, and an explanation of the hearing process in the event that disciplinary proceedings are taken. This is also an opportunity for the accused student to present his/her information regarding the allegation. Upon review of all available information, the following actions may be taken by the dean for student services:

- (a) Terminate the proceedings, exonerating the student;
- (b) Dismiss the case either due to insufficient and/or conflicting evidence or after appropriate advising of the accused student;
- (c) Continue to investigate the matter further until resolution is reached;
- (d) Impose a disciplinary warning or reprimand on the student;
- (e) Inform the student that disciplinary action as outlined in the chapter will be sought, in which case the student will receive written notification of the hearing process, date, time and location of the hearing, possible sanctions that may be imposed for the alleged violations.

(3) Continue with disciplinary proceedings. If it is determined that disciplinary probation, suspension or expulsion will be considered, the accused student will have five calendar days to submit all evidence pertaining to the alleged violation to the dean. After considering the evidence and interviewing persons as appropriate, the dean may take one of the following actions:

- (a) Terminate the proceedings, exonerating the student;
- or
- (b) Impose disciplinary sanctions as provided for in this chapter; or
- (c) Refer the matter to the student rights and responsibilities committee.
- (4) If the student against whom specific violations of this chapter have been alleged has been served pursuant to the notice required and fails to appear or fails to follow the process set forth in this chapter, the dean or designee is authorized to proceed with making findings of fact, conclusions or decisions as set forth in the established process.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-200 Composition of student rights and responsibilities committee.** (1) Composition. The college shall have a student rights and responsibilities committee composed of ~~((six))~~ five members, who shall be chosen and appointed ~~((no later than))~~ by October ~~((15))~~ 1 of each year. The membership of the committee shall consist of ~~((two))~~ one member(s) of the administration, excepting the dean ~~((of students))~~ for student services, chosen by the president; two faculty members chosen by the chief academic affairs officer; and two students chosen by the ~~((student senate))~~ president of the associated student(s) body.

(2) Chairperson. The committee shall elect its own chairperson for each case brought before it.

(3) Quorum. A quorum shall consist of no less than three members, provided that such quorum shall include at least one student, one faculty member and one administrator.

~~((3) The committee shall elect its own chairperson for each case brought before it.))~~

(4) Substitutes.

(a) Any member of the committee having direct knowledge or involvement in a case under consideration may be excused from participation in the hearing or appeal and a substitute appointed.

(b) Substitutes may be appointed to form a quorum.

(5) Advisory capabilities. The committee may use the services of an assistant attorney general to advise it ~~((so long as the assistant attorney general has not been previously involved with the issue brought before the committee)).~~

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

**WAC 132V-120-210 Hearing procedures before the student rights and responsibilities committee.** (1) The student rights and responsibilities committee shall hear, *de novo*, ~~((and make recommendations to the president on all disciplinary cases appealed to the committee by the student or referred to it by the dean of students in accordance with the provisions of this chapter))~~ any disciplinary cases referred to it by the dean for student services or designee or appealed to it by a student against whom disciplinary action has been taken.

~~((2) The student has the right to a fair and impartial hearing before the committee. The student's failure to cooperate with the hearing procedures, however, shall not preclude a quorum of the committee from making its findings of fact, conclusions and recommendations as provided below.~~

(3) Written notice of the hearing before the committee shall be mailed or given to the student at least ten calendar days in advance, except in cases of summary suspension where notice shall be given at least five calendar days in advance of the hearing. Said notice shall contain:

(a) A statement of the time and place of the hearing;

(b) A statement of the specific charges including reference to the particular sections of this chapter which are involved; and

(c) To the extent known, a list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the hearing.

(4) The student shall be entitled to hear and examine the evidence to be offered by the college and be informed of the identity of its source; the student shall be entitled to present evidence in his or her own behalf and to cross-examine witnesses testifying on behalf of the college.

(5) The student may be represented by counsel of his or her choice at the disciplinary hearing. If the student elects to choose a duly licensed attorney admitted to practice in the state of Washington as counsel, notice thereof must be tendered by the student to the dean of students at least five calendar days prior to the hearing.

(6) In all disciplinary proceedings, the college may be represented by the dean of students who will present the college's case against the student accused of violating provisions of this chapter; provided, that in those cases in which the student elects to be represented by a licensed attorney, the dean

~~of students may elect to have the college represented by an assistant attorney general.~~

~~(7) The dean of students shall designate a recorder to take notes during the hearing and to prepare a written summary of all evidence, facts, and testimony presented to the committee during the course of the hearing. The proceedings of the hearing shall also be tape recorded.~~

~~(8) All records of disciplinary proceedings shall be maintained in the office of the dean of students and shall be available only during the course of the disciplinary proceedings to the committee, the student, and his/her attorney, the dean, and any other college official designated by the president.~~

~~(9) Following the final disposition and any appeals of the disciplinary proceedings, access to records of the case and hearing files will be limited to persons designated by the president.~~

~~(10) Following final disposition of the case and any appeals therefrom, the president may direct the destruction of any records of disciplinary proceedings, provided that such destruction is in conformance with the requirements of chapter 40.14 RCW.~~

~~(11) The time of the hearing may be changed by the committee at the request of any party for good cause.)) (2) At least seven calendar days in advance, written notice of the hearing shall be delivered to the student personally or sent by certified mail to the student's address as shown on college records. Such notification shall contain the time, date and location of the hearing; the specific charges against him/her; and, upon request, reasonable access to the list of witnesses who will appear or provide written testimony and a summary of the description of any document or other physical evidence that will be presented by the college at the hearing.~~

~~(3) The student has the right to a fair and impartial hearing before the committee. The student's failure to cooperate with the hearing procedures, however, shall not preclude a quorum of the committee from making its findings of fact, conclusions and decisions as provided below.~~

~~(4) The student may be advised by counsel of his or her choice at the disciplinary hearing. If the student elects to choose a duly licensed attorney admitted to practice in the state of Washington as counsel, notice thereof must be tendered by the student to the dean for student services at least five calendar days prior to the hearing.~~

~~(5) In all disciplinary proceedings, the college will be represented by the dean for student services who will present the college's case against the student accused of violating provisions of this chapter; provided, that in those cases in which the student elects to be represented by a licensed attorney, the dean for student services may elect to have the college represented by an assistant attorney general.~~

~~(6) The student shall be entitled to present evidence in their own behalf and to cross-examine witnesses testifying on behalf of the other party.~~

~~(7) The student shall be limited to calling two character witnesses.~~

~~(8) The dean for student services shall designate a recorder to take notes during the hearing and to prepare a written summary of all evidence, facts, and testimony presented to the committee during the course of the hearing. The proceedings of the hearing shall also be tape recorded.~~

(9) All records of disciplinary proceedings shall be maintained in the office of the dean for student services and shall be available only during the course of the disciplinary proceedings to the committee, the student, and his/her attorney, the dean, and any other college official deemed appropriate by the dean for student services.

(10) Following the final disposition and any appeals of the disciplinary proceedings, access to records of the case and hearing files will be limited to persons designated by the dean for student services.

(11) Following final disposition of the case and any appeals therefrom, the dean for student services may direct the destruction of any records of disciplinary proceedings, provided that such destruction is in conformance with the requirements of chapter 40.14 RCW.

(12) The time of the hearing may be changed by the committee at the request of any party for good cause.

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

WAC 132V-120-220 Conduct of hearings. (1) Hearings will be held in closed session. The ~~((accused))~~ student who is charged with violation of this chapter may invite a personal advisor to attend the hearings. ~~((If, at any time during the conduct of a hearing, any person is disruptive of the proceedings, the chairperson of the hearing committee may exclude any such person from the hearing room.))~~ All parties shall be excluded during the committee's deliberation.

~~(2) ((Any person attending the committee hearing who continues to disrupt said proceedings after the chairman of the committee has asked the person to cease and desist therefrom, shall be subject to disciplinary action.))~~ The chairperson shall exercise control over the hearing. Any person, including the student, who disrupts a hearing or who fails to adhere to the rulings of the chairperson may be excluded from the proceedings and may be subject to disciplinary action as set forth in this chapter.

~~(3) The college may elect to have security in attendance at the hearing.~~

AMENDATORY SECTION (Amending Order 88-1, filed 11/17/88)

WAC 132V-120-240 Decision by the committee. ~~((1))~~ Upon conclusion of the disciplinary hearing, the committee or a quorum thereof shall consider all the evidence and decide by majority vote which of the following actions to recommend:

~~(a) That the proceedings be terminated; or~~

~~(b) That the president impose minor sanctions such as a written disciplinary warning or reprimand; or~~

~~(c) That the president suspend the student from college, including a recommendation on the duration of such action; or~~

~~(d) That the president expel the student from college.~~

~~(2) Within seven calendar days of the conclusion of the hearing, the student shall be notified of the committee's recommendations based on findings of fact and conclusions of law regarding whether the student did violate any rule or rules of this code. The committee shall also advise the student~~

~~in writing of his or her right to present, within seven calendar days of the notification of the committee's recommendation, a written statement to the president of the college appealing the recommendation of the committee.)) After considering the evidence in the case and hearing the testimony of the student or students involved and witnesses, if any, the committee shall decide by majority vote whether to:~~

- ~~(1) Exonerate the student and terminate the proceedings;~~  
~~or~~  
~~(2) Uphold the decision of the dean for student services;~~  
~~or~~  
~~(3) Conclude that the student has violated the code of student rights and responsibilities as described in WAC 132V-120-050.~~

#### NEW SECTION

**WAC 132V-120-241 Notification of decision and sanctions imposed.** (1) Final decision of the committee, including findings of fact or reasons for the decision, shall be delivered to the student personally or by certified mail to the student's address as shown on college records and a copy filed with the office of the dean for student services. The committee shall also advise the student in writing of his or her right to appeal the decision.

(2) Based on the final decision of the committee, including findings of fact or reasons for the decision, the dean for student services will impose disciplinary sanctions as provided in WAC 132V-120-160 and based on established guidelines. The student will receive written notice either delivered personally or by certified mail to the student's address as shown on college records.

#### NEW SECTION

**WAC 132V-120-245 Appeal process.** (1) Any appeal pursuant to this chapter must be in writing and clearly state the alleged errors or other matters which justify the appeal; and

(2) Said appeal must be filed with the dean for student services within seven calendar days from the date of the notice of disciplinary action.

(3) Appeals of disciplinary action(s) shall be taken in the following order:

(a) Disciplinary action taken by the dean for student services may be appealed to the student rights and responsibilities committee;

(b) The dean for student services may defer the alleged violation to the student rights and responsibilities committee, in which case any decision made by the student rights and responsibilities committee shall be final except for the procedural appeal described in subsection (4) of this section.

(4) Any student who has had disciplinary sanctions placed on him/her, other than summary suspension, may request a procedural review of the disciplinary process by the president to insure the student has been afforded due process as outlined in this chapter.

**AMENDATORY SECTION** (Amending WSR 93-20-029, filed 9/27/93, effective 10/28/93)

**WAC 132V-120-270 Student grievances.** The purpose of this section is to protect each student's freedom of expression in the classroom; to protect each student against improper disclosure of the student's views, beliefs and political associations; ~~((to protect each student from improper, arbitrary or capricious academic evaluation as evidenced by the student's final course grade;))~~ and to afford each student reasonable protection against arbitrary or capricious actions taken by employees of the college community. In instances involving final grade disputes, an academic grievance process has been established by the college. A copy is available in the offices of the dean for student services and the chief academic officer and other administrative offices. This process emphasizes an informal resolution.

**AMENDATORY SECTION** (Amending WSR 93-20-029, filed 9/27/93, effective 10/28/93)

**WAC 132V-120-280 Grievances excluded from this section.** (1) A student may not use the provisions of this section as the basis for filing a grievance based on the outcome of summary or other disciplinary proceedings described in earlier sections of this student rights and responsibilities code.

(2) Federal and state laws, rules and regulations, in addition to policies, regulations and procedures adopted by the state board for community and technical colleges or the board of trustees of Community College District 22, shall not be grievable matters.

(3) ~~((Academic evaluations, other than final course grades, shall not be grievable matters.))~~ For the purpose of final grade disputes, a student shall use the established academic grievance process. A copy is available in the office of the dean for student services and the chief academic officer and other administrative offices.

(4) For the purpose of filing a grievance due to sexual harassment, sex discrimination, or handicapped discrimination, a student shall use the provisions of the established college grievance procedures on sexual harassment, sex discrimination, and handicapped discrimination, WAC 132V-300-010 to 132V-300-030, not the provisions of this section.

**AMENDATORY SECTION** (Amending WSR 93-20-029, filed 9/27/93, effective 10/28/93)

**WAC 132V-120-290 Grievance procedures.** Internal review and consultative processes have proven to be a desirable means of resolving problems. If a student believes he or she has been unfairly treated by a faculty member, member of the college staff, or administrator, the student is encouraged to resolve the complaint with the individual toward whom the grievance is directed. The student shall take this action within five instructional days. If the complaint is not resolved, the student is encouraged to seek informal resolution through the appropriate division manager. The student may choose to lodge a formal grievance according to the following procedures:

Step 1: The student may, within ten instructional days following the incident, present his/her complaint in writing to the appropriate division manager. The student shall present a written, signed statement of the nature of the grievance, a summary of actions taken by the student to resolve the grievance up to that point, and any proposed solution to the problem the grievant may wish to offer.

Step 2: Within ten instructional days of receiving the grievance, the appropriate division manager shall hold a meeting to hear the complaint. It shall be at the discretion of the division manager to determine whether he/she will meet with the grievant and the person to whom the complaint has been directed separately or in a joint meeting.

At this step and all subsequent steps in the grievance procedure, the grievant may elect to be represented by an attorney in preparing and presenting the grievance. The grievant shall notify the appropriate division manager at least five instructional days in advance of such action. In such cases, the college may choose to be assisted by an assistant attorney general.

Following the meeting or meetings, and within ten instructional days, the division manager will report his/her findings and the actions, where appropriate, to be implemented to resolve the grievance in writing to the grievant and the person to whom the complaint is directed.

Step 3: If the grievance is not satisfactorily resolved in Step 2, either the grievant or the person to whom the complaint is directed has the right to request a hearing conducted by the appropriate vice-president/dean.

The vice-president/dean will convene a hearing committee no later than ten instructional days from the time of the request. The committee will be chosen and appointed no later than October 15 of each year. The committee shall consist of the following membership: Three student representatives, chosen by the senate of the associated students; two faculty or staff representatives (dependent upon the nature of the grievance), appointed by the vice-president/dean; two administrators, appointed by the president.

A quorum shall consist of no less than three members, provided that such quorum include at least one student, one faculty or staff member, and one administrator.

The committee shall elect its own chairperson for each case brought before it. The committee shall hear testimony regarding the grievance, deliberate, and decide the issue by majority vote. The hearing may be recessed and reconvened at a time convenient to all parties for the purpose of presenting witnesses, depositions, affidavits or other materials which the division manager/vice-president/dean deems vital to a fair resolution of the grievance.

Step 4: Within three instructional days after concluding the hearing process, the committee will render a decision by majority vote and so inform all parties to the grievance of that decision. Findings of fact will be included when informing all parties.

Step 5: Should any of the parties to the grievance find the hearing committee's solution to the grievance to be unsatisfactory, the decision may be appealed to the president of the college, provided that any such appeal be presented in writing within five instructional days following notification of the

committee's decision. Such an appeal shall clearly and specifically set forth the reasons upon which the appeal is based.

Within five instructional days of receiving the appeal request, the college president will review the record of the hearing and the appeal and will provide his/her final decision in writing to both the grievant and the person to whom the complaint is directed. Evidence not in the record will not be considered by the president.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 132V-120-190 Appeals.
- WAC 132V-120-250 Final decision regarding disciplinary action.
- WAC 132V-120-330 Pregnancy policy.

**WSR 01-24-005  
PERMANENT RULES  
TACOMA COMMUNITY COLLEGE**

[Filed November 21, 2001, 3:21 p.m.]

Date of Adoption: November 15, 2001.

Purpose: Revise existing chapter 132V-300 WAC, Grievance procedure—Sexual harassment, sex discrimination and disability discrimination.

BACKGROUND: Chapter 132V-300 WAC establishes the college's policy and grievance procedure for sexual harassment, sex discrimination and disability discrimination.

The proposed revisions would provide the option of a more informal process to occur when handling a complaint. The current process is very formal and requires a hearing with witnesses and parties being taped through an interview process. It is very invasive and is not sensitive to all individuals involved. This revision would provide an option that would be more responsive to the sensitive nature of these cases. By providing an opportunity to resolve the situation informally, students who have filed the complaint can have greater involvement in how the situation gets resolved. This would maintain a formal process but also give students the option of handling it informally should that be determined as more desirable.

The proposed changes eliminates the process of appealing the findings of the college officer to the president and instead gives the option of appealing procedural concerns to the Student Rights and Responsibilities Hearing Committee.

The proposed revisions will also modify the rule so that it is applicable to students and prospective students of the college only. Grievance procedures for employees have been developed by human resources.

STATUS: The revised language to chapter 132V-300 WAC is shown below for your review. A public hearing for final approval of this revision would be made at the November 15, 2001, board of trustees meeting.

RECOMMENDATION: The president recommends that the board approve for study the revision of chapter 132V-300

PERMANENT



WAC, Grievance procedure—Sexual harassment, sex discrimination and disability discrimination, to reflect changes described above and as noted below.

Citation of Existing Rules Affected by this Order: Amending chapter 132V-300 WAC.

Statutory Authority for Adoption: RCW 28B.50-140(13).

Adopted under notice filed as WSR 01-20-083 on October 2, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 3, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 15, 2001

Laurie Jenkins, Chair

Board of Trustees

**AMENDATORY SECTION** (Amending WSR 93-20-028, filed 9/27/93, effective 10/28/93)

**WAC 132V-300-010 Statement of policy.** Tacoma Community College is covered by Title IX of the Education Amendments of 1972 prohibiting sex discrimination in education and Section 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of a documented disability. The college is committed to protecting the rights and dignity of each individual in the campus community and so will not tolerate discrimination of any kind, at any level.

~~((Further,))~~ It is the policy of Tacoma Community College to provide an environment in which ~~((employees can work))~~ students and applicants for admission can attend the college free from sexual harassment or sexual intimidation and discrimination on the basis of a documented disability. ~~((Sexual harassment is a form of sex discrimination. As such it is a violation of Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Education Amendments.))~~ Persons found to have engaged in discriminatory acts will be subject to corrective action up to and including termination, suspension or expulsion from the college pursuant to appropriate procedures depending on their status as an employee or a student.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's ~~((employment or))~~ academic standing; or

(2) Submission to or rejection of such conduct by an individual is used as the basis for ~~((employment or))~~ academic decision affecting such individual; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's ~~((work or))~~ academic performance or creating an intimidating, hostile, or offensive ~~((working or))~~ educational environment.

As an institution of higher education, Tacoma Community College shall ensure that students with documented disabilities are reasonably accommodated with appropriate core services and services necessary to ensure equal success. Such accommodating will be provided in a timely manner.

**AMENDATORY SECTION** (Amending WSR 93-03-078, filed 1/19/93, effective 2/19/93)

**WAC 132V-300-020 Jurisdiction.** This chapter shall serve as a Title IX/Section 504 grievance procedure for all ~~((employees of Tacoma Community College including classified staff, faculty, and administrators, applicants for employment, and))~~ enrolled students of and applicants for admission to Tacoma Community College.

**AMENDATORY SECTION** (Amending WSR 93-20-028, filed 9/27/93, effective 10/28/93)

**WAC 132V-300-030 Grievance procedure.** Internal review and consultative processes have proven to be a desirable means of resolving problems. Any ~~((employee, applicant for employment,))~~ enrolled student~~((s))~~ or applicant for admission to Tacoma Community College who believes he/she has been discriminated against on the basis of sex or on the basis of a disability is encouraged to resolve the complaint with the individual believed to have committed the discriminatory act. ~~((If the complaint is not resolved, the individual may lodge a formal institutional grievance according to the following procedures))~~ The dean for student services or designee is available to assist in resolving the complaint. At any point in the grievance process where resolution is obtained the process will be stopped. The process could also be stopped if the complainant makes such a request. Flexibility in the grievance process is important due to the sensitivity of the issues and the individuality of each situation. The following steps are guidelines useful in proceeding with the grievance process:

~~((a))~~ (1) Step 1: ((Official hearing.)) Filing the complaint with the college official.

~~((b))~~ (a) Sexual discrimination/harassment complaints shall be lodged with the Title IX officer ((or the affirmative action officer)). Disability discrimination complaints shall be lodged with the 504 officer ((or the affirmative action officer. The complainant shall request a meeting with the designated college officer as the first step in the grievance process)).

~~((ii))~~ To request an official hearing, (b) The complainant shall file a written complaint with the designated college officer describing the specific grievance(s), including dates, times, places, circumstances, and any witnesses. A copy of the written complaint will be provided to the person to whom the grievance is directed, referred to as the respondent.

~~((iii))~~ (2) Step 2: Within ten instructional days of receiving the written ((request)) complaint, the designated



college officer shall arrange a meeting to hear the complaint and initiate an investigation if warranted. It shall be at the discretion of the ((complainant)) college official to determine whether the officer will meet with the complainant and the ((person to whom the complaint has been directed)) respondent separately or in a single meeting. ((If the complainant requests a single meeting, unless otherwise mutually agreed by the parties, attendance shall be limited to the complainant, the person to whom the complaint is directed, and the college officer, who shall chair the meeting. Either the complainant or the person to whom the complaint is directed may call witnesses at the discretion of the person presiding.)) Throughout the investigation, the college official may call witnesses, including those persons identified by the complainant and by the respondent, as well as any other persons who may have information relevant to the investigation.

At this step and all subsequent steps in the grievance procedure, the complainant may elect to be ((represented)) advised by an attorney or other advocate in preparing and presenting the grievance. The respondent may choose to be represented by his/her union if a member of a recognized union with the college or may be advised by an attorney in preparing and responding to the grievance. The complainant or respondent shall notify the appropriate college officer at least five instructional days in advance ((of such action)) if he/she is being advised by an attorney. In ((such)) any case(s), the college may choose to be assisted by an assistant attorney general.

((iv)) (3) Step 3: Following the ((hearing)) investigation and within thirty calendar days of receiving the written request, the college officer will report his/her findings, conclusions and any actions taken by the college to resolve the complaint in writing to both the complainant and the ((person to whom the complaint has been directed)) respondent. This decision is final ((absent appeal to the college president)). The complainant or student respondent may, however, appeal concerns to the student rights and responsibilities hearing committee.

((v) The affirmative action officer and Title IX office are to be informed of any sex discrimination/harassment complaint or 504 complaint lodged, as well as the resolutions of such complaints.

~~(b) Step 2: Presidential appeal.~~

~~(i) Either the complainant or the person to whom the complaint is directed has a right to present a statement to the college president appealing the findings of the designated college officer.~~

~~(ii) The request must be made in writing within ten days of written notification of the results of the official hearing.~~

~~(iii) Within ten instructional days of receiving the appeal request, the college president or the president's designee will review the record of the hearing and the appeal and report the findings in writing to both the complainant and the person to whom the complaint is directed.~~

~~(iv) The written findings of the presidential appeal will be considered final. No further intra-institutional appeal exists.~~

~~(v) If the findings indicate that the person against whom the complaint is lodged engaged in sexual harassment or other discriminatory acts, disciplinary proceedings may be~~

~~commenced against the person pursuant to appropriate procedures, depending on whether the person is a student, a member of classified staff, administrative exempt, or faculty.~~

~~If desired, inquiries or appeals beyond the institutional level may be directed to:~~

~~(a) United States Department of Education, Office of Civil Rights, 1915 2nd Avenue, Room 3310, Seattle, Washington 98174-1099.~~

~~(b) United States Equal Opportunity Commission, 2815 2nd Avenue, Suite 500, Seattle, Washington 98121.~~

~~(c) The Washington State Human Rights Commission, 711 South Capitol Way, Suite 402, PO Box 42490, FJ 41, Olympia, Washington 98504-2490.~~

~~(d) City of Tacoma, Human Rights Department, 747 Market Street, Room 808, Tacoma, Washington 98402.)~~

## NEW SECTION

**WAC 132V-300-035 Procedural appeal to the student rights and responsibilities hearing committee.** Either the complainant or the student respondent may appeal a procedural concern(s) to the student rights and responsibilities hearing committee.

(1) Step 1: The appeal must be submitted in writing through the office of the dean for student services within ten calendar days of written notification of the results of the investigation by the college official.

(2) Step 2: Within ten calendar days of receiving the appeal request, the student rights and responsibilities hearing committee will review the investigation process and report in writing a recommendation to the college official with a copy to both the complainant and the respondent.

(3) Step 3: Within ten calendar days the college official shall review the recommendation of the student rights and responsibilities hearing committee and make a final determination whether to uphold or reopen the investigation. The decision of the college officer shall be final.

If desired, inquiries or appeals beyond the institutional level may be directed to:

(a) United States Department of Education, Office of Civil Rights, 915 2nd Avenue, Room 3310, Seattle, Washington 98174-1099.

(b) United States Equal Employment Opportunity Commission, 909 First Avenue, Suite 404, Seattle, Washington 98104.

(c) The Washington State Human Rights Commission, 711 South Capitol Way, Suite 402, PO Box 42490, FJ-41, Olympia, Washington 98504-2490.

(d) City of Tacoma, Human Rights Department, 747 Market Street, Room 808, Tacoma, Washington 98402.

(e) Current telephone numbers for the above agencies are available in the office of the dean for student services.

**WSR 01-24-006**

**PERMANENT RULES**

**TACOMA COMMUNITY COLLEGE**

[Filed November 21, 2001, 3:24 p.m.]

Date of Adoption: November 15, 2001.

PERMANENT

Purpose: Revise existing chapter 132V-400 WAC, Loss of eligibility—Student athletic participation.

BACKGROUND: Chapter 132V-400 WAC establishes grounds for ineligibility of students to participate in intercollegiate sports based on misuse of prescription, or "legend" drugs. It also sets forth the process for ineligibility proceedings and final decision-making authority.

The current WAC provides for the college president to designate a presiding officer for the ineligibility proceedings. It also designates that the president will hear any appeal by the student of the decision by the presiding officer and will be the final decision of the college in the matter.

The proposed changes to the WAC will provide for the chief student services officer to designate a presiding officer over the ineligibility proceedings and will designate the chief student services officer to hear any appeal by the student of the decision by the presiding officer and to be the final decision of the college in the matter.

The proposed changes will also set a timeline of "within ten calendar days" of receiving a request for ineligibility proceedings for the presiding officer to conduct the ineligibility hearing.

STATUS: The revised language to chapter 132V-400 WAC is shown below for your review. A public hearing for final approval of this revision would be made at the November 15, 2001, board of trustees meeting.

RECOMMENDATION: The president recommends that the board approve for study the revision of chapter 132V-400 WAC, Loss of eligibility—Student athletic participation, to reflect changes described above and as noted below.

Citation of Existing Rules Affected by this Order: Amending chapter 132V-400 WAC.

Statutory Authority for Adoption: RCW 28B.50-140(13).

Adopted under notice filed as WSR 01-20-084 on October 2, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 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 4, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 15, 2001

Laurie Jenkins, Chair  
Board of Trustees

AMENDATORY SECTION (Amending WSR 90-07-038, filed 3/16/90, effective 4/16/90)

**WAC 132V-400-010 Grounds for ineligibility.** Any student found to have violated chapter 69.41 RCW, legend drugs, by virtue of a criminal conviction or by decision of the college's designated presiding officer, shall be disqualified from participation in any school-sponsored athletic events or activities.

AMENDATORY SECTION (Amending WSR 90-07-038, filed 3/16/90, effective 4/16/90)

**WAC 132V-400-020 Initiation of ineligibility proceedings.** Any officer of the college or college staff shall have authority to request the commencement of athletic ineligibility hearing proceedings whenever he or she has reasonable cause to believe that the student has violated chapter 69.41 RCW or upon receipt of notice from any source that the student has been convicted of violating chapter 69.41 RCW. Requests to initiate athletic ineligibility hearing proceedings should be submitted to the dean ((~~of~~) for student services within ten instructional days of the date the person ((~~became~~) becomes aware of the alleged violation or conviction of chapter 69.41 RCW.

AMENDATORY SECTION (Amending WSR 90-07-038, filed 3/16/90, effective 4/16/90)

**WAC 132V-400-030 Ineligibility proceedings.** The ((~~president of the college~~) dean for student services shall designate a presiding officer who shall be a college officer who is not involved with the athletic program to conduct ((~~the~~) a brief adjudicative hearing. Within ten calendar days the presiding officer shall ((~~promptly~~) conduct the hearing and permit the affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05-482-34.05.494.

AMENDATORY SECTION (Amending WSR 90-07-038, filed 3/16/90, effective 4/16/90)

**WAC 132V-400-040 Decision.** Within ten calendar days of the conclusion of the brief adjudicative proceedings, the presiding officer shall give each party a written decision which shall include a brief statement of the reasons for the decision and, in the event of a decision adverse to the student, the period of loss of eligibility to participate in college-supervised athletic events or activities. Any party shall have the right to present, within five calendar days of notification of the presiding officer's decision, a written request for review directed to the ((~~president of the college~~) dean for student services appealing the decision or the period of loss of eligibility. The request for review shall explain the party's view of the matter. The ((~~president's~~) dean's decision on the appeal will be in writing, including a brief statement of the reasons for the decision((, and a notice that judicial review may be available)) and will be the final decision of the college.

**WSR 01-24-014****PERMANENT RULES****UNIVERSITY OF WASHINGTON**

[Filed November 26, 2001, 2:03 p.m.]

Date of Adoption: November 16, 2001.

Purpose: To repeal WAC 478-156-014 Assignment priority, from chapter 478-156 WAC, Rules for the University of Washington residence halls and family housing apartments. Repeal will ensure that the University of Washington allocates the scarce resource of residence hall housing in a manner that best reflects the emerging priorities of the University of Washington and its students.

Citation of Existing Rules Affected by this Order: Repealing WAC 478-156-014.

Statutory Authority for Adoption: RCW 28B.20.130.

Adopted under notice filed as WSR 01-19-060 on September 18, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 20, 2001

Rebecca Goodwin Deardorff

Director, Administrative Procedures

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 478-156-014      Assignment priority.

**WSR 01-24-029****PERMANENT RULES****DEPARTMENT OF REVENUE**

[Filed November 27, 2001, 3:28 p.m.]

Date of Adoption: November 27, 2001.

Purpose: RCW 84.33.091 requires that the department designate areas containing timber having similar growing harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. WAC 458-40-640 contains a map of Washington broken into eight stumpage value areas. This map is used with the tables contained in WAC 458-40-660 to calculate the stumpage value

of any timber harvested in Washington. The rule is being amended to correct a telephone number and darken existing lines on the map.

Citation of Existing Rules Affected by this Order: Amending WAC 458-40-640 Timber excise tax—Stumpage value area (map).

Statutory Authority for Adoption: RCW 82.32.300 and 84.33.096.

Adopted under notice filed as WSR 01-19-008 on September 7, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

November 27, 2001

Russell W. Brubaker

Assistant Director

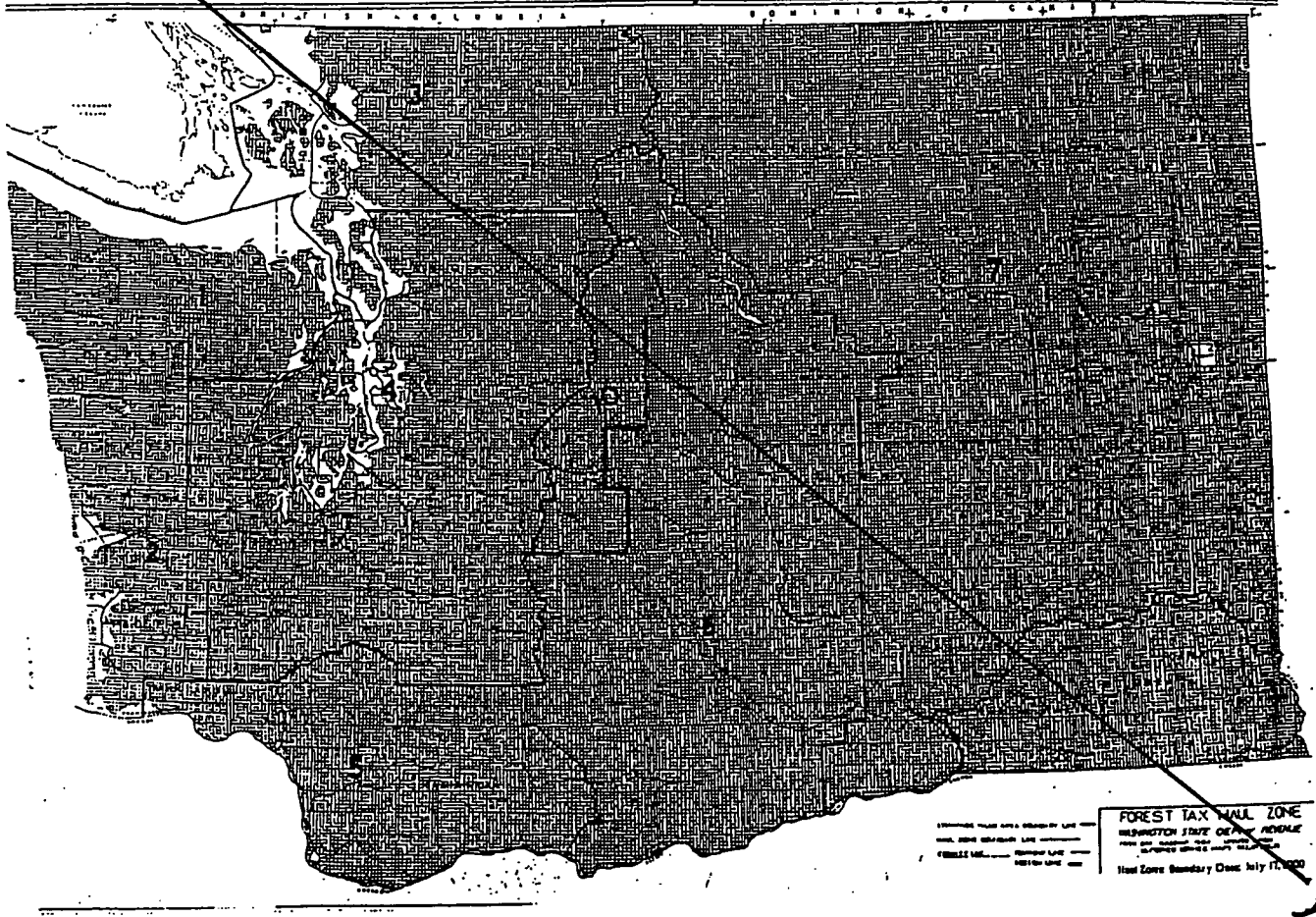
Legislation and Policy Division

**AMENDATORY SECTION** (Amending WSR 01-02-019, filed 12/21/00, effective 1/1/01)

**WAC 458-40-640 Timber excise tax—Stumpage value area (map).** The stumpage value area and hauling distance zone map contained in this rule must be used to determine the proper stumpage value table and haul zone to be used in calculating the taxable stumpage value of timber harvested from private land.

WAC 458-40-640 Stumpage value area and hauling zone—Map

Harvesters may obtain a larger scale map by writing to the Washington State Department of Revenue, Special Programs Division, Forest Tax Section, Post Office Box 47472, Olympia, Washington 98504-7472; or by calling (206) 753-1396.

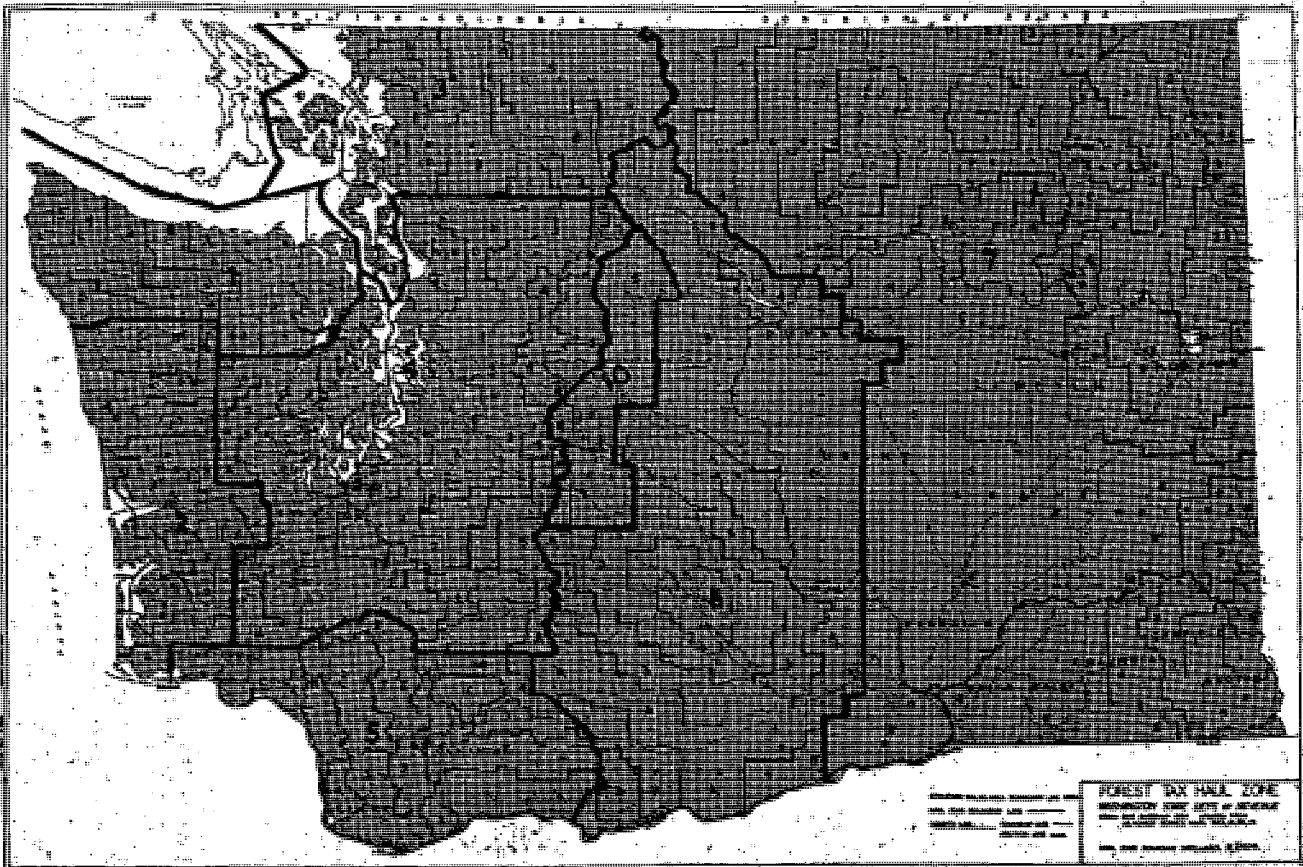


PERMANENT

WAC 458-40-640 Stumpage value area and hauling zone—Map

Harvesters may obtain a larger scale map by writing to the Washington State Department of Revenue, Special Programs Division, Forest Tax Section, Post Office Box 47472, Olympia, Washington 98504-7472; or by calling 1-800-548-8829.

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PERMANENT

**WSR 01-24-030**  
**PERMANENT RULES**  
**DEPARTMENT OF REVENUE**

[Filed November 27, 2001, 3:31 p.m.]

Date of Adoption: November 27, 2001.

**Purpose:** These rules explain the terms used in the current use or open space taxation program, codified as chapter 84.34 RCW. The rules describe the procedures used to withdraw or remove land from current use classification, to reclassify land into a different current use classification, and the duties of county auditors and treasurers relative to classified current use land.

**Citation of Existing Rules Affected by this Order:** Amending WAC 458-30-200 Definitions, 458-30-275 Continuing classification upon sale or transfer of ownership of classified land—Actions of landowner and county officials to be taken prior to recording a conveyance of classified land, 458-30-285 Withdrawal from classification, 458-30-295 Removal of classification, 458-30-300 Additional tax—Withdrawal or removal from classification, 458-30-305 Due

date of additional tax, ((applicable)) interest, and penalty upon withdrawal or removal, 458-30-310 County recording authority—County financial authority—Duties, and 458-30-325 Transfers between classifications—Application for reclassification; and repealing WAC 458-30-315 County financial authority—Duties and 458-30-350 Reclassification of lands classified under chapter 84.34 RCW prior to 1973.

Statutory Authority for Adoption: RCW 84.34.141.

Adopted under notice filed as WSR 01-18-093 on September 5, 2001.

**Changes Other than Editing from Proposed to Adopted Version:** WAC 458-30-200: Subsections (1) and (2) were rewritten to clearly state that the definitions provided in the rule apply only to land classified under chapter 84.34 RCW, Open Space Taxation Act.

WAC 458-30-295: Some of the information provided in subsection (3) of the proposed rule, titled "Circumstances that cause removal of land from classification" was split into a subsection (4), titled "Procedure when an assessor discovers a change in use." The subsequent subsections were renumbered accordingly.

Subsection (3)(h)(iv) of the proposed rule (now subsection (4)(a)) explained that an owner must respond to an assessor's inquiry about the use of classified land no later than thirty calendar days after the inquiry was mailed or given to the owner. This language was revised to clarify that the owner must respond no later than thirty calendar days following the date the inquiry was postmarked.

A new subsection (subsection (5)) was added to explain the procedure for the partial removal of classified land.

WAC 458-30-300: Subsection (2) discusses the duties of county assessors and treasurers with respect to the removal and notice processes. This subsection has been rewritten to match the explanation of the duties explained in subsection (4) of WAC 458-30-295.

Subsection (5) identifies the circumstances under which additional tax, interest, or penalty is not imposed when land is withdrawn or removed from classification. Subsection (5)(d) explains that one of the exceptions is when land is withdrawn or removed from classification due to an official action by the state, county, or city under certain ordinances or acts. The language in the proposed rule inadvertently misnamed the two acts. "Shoreline Protection Act" has been changed to "Shoreline Management Act" and "Environmental Protection Act" has been changed to "Environmental Policy Act."

Additional language has been added to subsection (5)(m) and (7) to clarify that reclassifications are done at the request of the landowner.

Editorial changes were also made to WAC 458-30-200, 458-30-295, 458-30-300, 458-30-305, and 458-30-310.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 8, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 8, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 8, Repealed 2.

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

November 27, 2001

Russell W. Brubaker

Assistant Director

Legislation and Policy Division

**AMENDATORY SECTION** (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-200 Definitions.** (1) **Introduction.** This ~~((section))~~ rule provides definitions for the terms used ~~((throughout chapter 458-30 WAC))~~ in conjunction with land classified under the Open Space Taxation Act, codified as chapter 84.34 RCW. The terms listed in this ~~((section))~~ rule

are intended to act in concert with each other as appropriate ~~((and with other definitions as they appear in the several sections of this chapter)).~~

(2) **Definitions.** For purposes of ~~((chapter 458-30 WAC))~~ land classified under chapter 84.34 RCW, the following definitions apply:

(a) "Additional tax" means the ~~((tax))~~ additional property taxes that will be collected when classification is withdrawn or removed from land ~~((that is))~~ classified ~~((according to the provisions of))~~ under chapter 84.34 RCW.

(b) "Affidavit" means the real estate excise tax affidavit required by chapter 82.45 RCW and chapter 458-61 WAC. ~~((See WAC 458-30-275 for a more detailed definition.))~~ The affidavit will be prescribed by the department and furnished to county treasurers. This form is used by landowners to report sales or transfers of classified land. The owner or transferor and the purchaser or transferee, or agents of each, must sign the affidavit under penalty of perjury.

(c) "Agreement" means an agreement executed between an owner and the granting authority regarding the classification of land ~~((in accordance with))~~ as either open space or timber land under chapter 84.34 RCW.

(d) "Applicant" means the owner who submits an application for classification of land ~~((in accordance with))~~ under chapter 84.34 RCW.

(e) "Application" means an application for classification of land ~~((in accordance with))~~ under chapter 84.34 RCW.

(f) "Approval" means a determination by the granting authority that ~~((the))~~ land qualifies for classification under chapter 84.34 RCW.

(g) "Appurtenance" refers to something used with, and related to or dependent upon another thing; that is, something that belongs to something else, an adjunct. The thing appurtenant is strictly necessary and essential to the proper use and enjoyment of the land, as well as useful or necessary for carrying out the purposes for which the land was classified under chapter 84.34 RCW.

(i) In terms of farm and agricultural land, an appurtenance is something used for a particular sort of farm and ~~((the thing))~~ is widely and routinely used in the operation of the commercial agricultural enterprise.

(ii) For example, an appurtenance may be an outhouse, barn, or tool shed attached to or adjoining a dwelling or it may be equipment used for a particular purpose or task, such as tools, instruments, or ~~((clothing))~~ machinery.

(h) "Aquaculture" means the growing and harvesting of marine or fresh water flora or fauna in a soil or water medium for commercial agricultural ~~((purposes))~~ activities.

(i) "Assessor" means the county assessor or any agency or person who is authorized to act on behalf of the assessor.

(j) "Assessment year" means the year ~~((when))~~ in which the property is listed and valued by the assessor and precedes the year ~~((when))~~ in which the ~~((tax is))~~ taxes on the property are due and payable.

(k) "Change in use" means a direct action taken by an owner that actually changes the use of, or has started changing the use of, classified land to a use that is not in compliance with the conditions of the agreement executed between the owner and the granting authority or to a use that is other-



wise not in compliance with the provisions of chapter 84.34 RCW (see WAC 458-30-295).

(l) "Classified land" means a parcel(s) of land that has been approved by the appropriate granting authority for taxation under chapter 84.34 RCW.

(m) "Commercial agricultural ~~((purposes))~~ activities" means the use of land on a continuous and regular basis, prior to and subsequent to application for classification, that demonstrates that the owner or lessee intends to obtain through lawful means, a monetary profit from cash income received by:

(i) Raising, harvesting, and selling lawful crops;

(ii) Feeding, breeding, managing, and selling of live-stock, poultry, fur-bearing animals, or honey bees, or any products thereof;

(iii) Dairying or selling of dairy products;

(iv) Animal husbandry;

(v) Aquaculture;

(vi) Horticulture;

(vii) Participating in a government-funded crop reduction or acreage set-aside program; or

(viii) Cultivating Christmas trees or short-rotation hardwoods on land that has been prepared by intensive cultivation and tilling, such as by plowing or turning over the soil, and on which all unwanted plant growth is controlled continuously for the exclusive purpose of ~~((raising))~~ growing such trees.

(n) "Contiguous" means land that adjoins other land ~~((that is))~~ owned by the same owner or held under the same ownership. Land that is an integral part of a farming operation is considered contiguous even though the land may be separated by a public road, railroad, right of way, or waterway.

(o) "County financial authority" and "financial authority" mean the ~~((county))~~ treasurer or any agency or person charged with the responsibility of billing and collecting property taxes.

(p) "County legislative authority" means the county commission, council, or other ~~((county))~~ legislative body.

(q) "County recording authority" means the ~~((county))~~ auditor or any agency or person charged with the recording of documents.

(r) "Current" and "currently" means as of the date on which property is to be listed and valued by the assessor.

(s) "Current use value" means the taxable value of a parcel of land placed on the assessment rolls following its classification under ~~((the provisions of))~~ chapter 84.34 RCW.

(t) "Department" means the department of revenue.

(u) "Farm woodlot" means an area of land within a parcel(s) of classified farm and agricultural land that is used in a manner compatible with commercial agricultural ~~((purposes))~~ activities including, but not limited to, the growing and cutting of trees for the use of the owner or the sheltering of livestock.

(v) "Granting authority" means the appropriate agency or official ~~((who))~~ that acts on an application for classification ~~((in accordance with the provisions of))~~ under chapter 84.34 RCW. The granting authority for:

(i) Open space classification under RCW 84.34.020(1) and 84.34.037 is the county legislative authority. However, for applications within an incorporated area of a county, the

granting authority is made up of three members of the county legislative body and three members of the city legislative body in the county in which the land is located;

(ii) Farm and agricultural classification under RCW 84.34.020(2) and 84.34.035 is the assessor or the assessor's designee; and

(iii) Timber land classification under RCW 84.34.020(3) and 84.34.041 is the county legislative authority. However, for applications within an incorporated area of a county, the granting authority is made up of three members of the county legislative body and three members of the city legislative body in the county in which the land is located.

(w) "Gross income" means cash income derived from commercial agricultural ~~((purposes))~~ activities, including payments received from the United States Department of Agriculture for participating in a crop reduction or acreage set-aside program when such payments are based on the productive capacity of the land. The term shall not include the following:

(i) The value of any products produced on the land and consumed by the owner or lessee;

(ii) Cash income derived from leases for the use of the land for ~~((other than commercial))~~ noncommercial agricultural ~~((purposes))~~ activities; or

(iii) Payments for soil conservation programs.

(x) "Incidental use" means a use of land classified as farm and agricultural land that is compatible with commercial agricultural ~~((purposes))~~ activities if it does not exceed twenty percent of the classified land. An incidental use may include, but is not limited to, wetland preservation, a gravel pit, a farm woodlot, or a produce stand.

(y) "Integral" means that which is central to or inherent in the use or operation of classified farm and agricultural land for commercial agricultural ~~((purposes))~~ activities.

(z) "Interest" means the amount of applicable interest upon additional tax.

((aa)) (aa) "Net cash rental" means the earning or productive capacity of farm and agricultural land less the production costs customarily or typically paid by an owner or landlord. See WAC 458-30-260 for a more detailed explanation.

((ab)) (bb) "Notice of continuance" means the notice signed when land classified under chapter 84.34 RCW is sold or transferred if the new owner of the land intends to continue the classified use of the land and elects to have the land remain classified under chapter 84.34 RCW. This notice is part of the real estate excise tax affidavit or may be a separate document prepared by the department and attached to this affidavit.

(cc) "Owner" means:

(i) Any person(s) having a fee interest in a parcel of land, ~~((except when the land is subject to a real estate contract));~~ ~~((and))~~ or

(ii) The contract vendee when the land is subject to a real estate contract.

((bb)) (dd) "Parcel of land" means a property identified as such on the assessment roll. For purposes of chapter 84.34 RCW and this WAC chapter, a parcel shall not include any land area not owned by the applicant including, but not limited to, a public road, right of way, railroad, or waterway.

~~((ee))~~ (ee) "Penalty" means ~~((an))~~ the amount due when land is removed from classification ~~((in accordance with))~~ under chapter 84.34 RCW. The amount of the penalty is equal to twenty percent of the additional tax and ~~((applicable))~~ interest calculated ~~((according to the provisions of))~~ in accordance with RCW 84.34.080 or 84.34.108.

~~((dd))~~ (ff) "Planning authority" means the local government agency empowered by the appropriate legislative authority to develop policies and proposals relating to land use.

~~((ee))~~ (gg) "Primary use" means the existing use of a parcel or parcels of land so prevalent that when the characteristic use of the land is evaluated a conflicting or unrelated use ~~((is))~~ appears to be very limited or excluded.

~~((ff))~~ (hh) "Qualification of land" means the approval of an application for classification of land by ~~((the))~~ a granting authority in accordance with ~~((the provisions of))~~ chapter 84.34 RCW.

~~((gg))~~ (ii) "Rating system" means a public benefit rating system adopted for ~~((the))~~ classified open space ~~((classification))~~ land according to RCW 84.34.055.

~~((hh))~~ (jj) "Reclassification" means the process by which land classified under chapter 84.34 or 84.33 RCW is changed from one classification to ~~((another))~~ a different classification established by chapter 84.34 RCW or into forest land as described in chapter 84.33 RCW. For example, land classified as farm and agricultural land under RCW 84.34.020(2) may be reclassified as ~~((either timber or))~~ open space land under ~~((the provisions of chapter 84.34 RCW or as forest land under the provisions of chapter 84.33 RCW))~~ RCW 84.34.020(1).

(kk) "Removal" means land classified under chapter 84.34 RCW is removed from classification by the assessor either because the owner requests removal or because the land is no longer being used for the purpose for which it was granted classification.

~~((ii))~~ (ll) "Sale of ownership" means the conveyance of the ownership of a parcel of land in exchange for ~~((a))~~ valuable consideration.

~~((jj))~~ (mm) "Tax year" means the year when property tax is due and payable.

~~((kk))~~ (nn) "Timber management plan" means the plan filed with the county legislative authority or ~~((with))~~ the assessor when classified timber land is sold or transferred ~~((that)).~~ It is synonymous with a "forest management plan" and details an owner's plan regarding the management of classified timber land including, but not limited to, the planting, growing and/or harvesting of ~~((forest crops))~~ timber. Some of the elements of such a plan are set forth in WAC 458-30-232.

~~((ll))~~ (oo) "Transfer" means the conveyance of the ownership of a parcel of land without an exchange of valuable consideration and may include situations where classified land is donated to an owner, corporation, partnership, or limited liability corporation.

~~((mm))~~ (pp) "True and fair value" is the value of a parcel of land placed on the assessment rolls at its highest and best use without regard to its current use. The term also refers to market value, that is, the amount of money a buyer of property willing, but not obligated to buy ~~((, purchaser))~~ would

pay a seller of property willing ~~((,))~~ but not obligated to sell, ~~((owner for the property))~~ taking into consideration all uses to which the property is adapted and might reasonably be applied.

(qq) "Withdrawal" or "withdrawn" means action taken by the owner of land classified under chapter 84.34 RCW in filing a notice of request to withdraw the land from classification under the current use program in compliance with RCW 84.34.070. Once land has been classified under chapter 84.34 RCW, it shall remain so classified for at least ten years from the date of classification. At any time after eight years of the initial ten-year classification period have elapsed, the owner may file a notice of request to withdraw all or a portion of the land from classification with the assessor of the county in which the land is located. Land is withdrawn from classification as a result of a voluntary act by the owner.

AMENDATORY SECTION (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-275 Continuing classification upon sale or transfer of ownership of classified land—Actions of landowner and county officials to be taken prior to recording a conveyance of classified land.** (1) **Introduction.** ~~((When land classified under chapter 84.34 RCW is sold or transferred certain procedures must be followed if the new owner wishes to keep the land in its present classified status. This section explains the required procedures and forms:~~

(2) **Definitions.** For purposes of this section, the following definitions apply:

(a) "Affidavit" means the real estate excise tax affidavit that the department prescribes and furnishes to county treasurers for use by the owner in reporting sales and/or transfers of classified land. The form will require the signature, under the penalty of perjury, of the owner and purchaser or transferee or agents of each. See chapter 82.45 RCW and chapter 458-61 WAC for more specific details.

(b) "Notice of continuance" means the notice signed when land classified as open space, farm and agricultural, or timber land under the provisions of chapter 84.34 RCW is sold or transferred and when the new owner of the classified land wishes to have the land remain classified under the provisions of chapter 84.34 RCW. This notice may be either part of the real estate excise tax affidavit or a separate document created by the department.

(c) "Owner" means any person or persons having a fee interest in a parcel of land, except when the land is subject to a real estate contract and the vendee when the land is subject to a real estate contract. For purposes of this section, the owner or owners of classified land must all sign the notice of classification continuance and/or real estate excise tax affidavit.

(3) **General requirements.** When a parcel(s) of land classified as open space, farm and agricultural, or timber land under chapter 84.34 RCW is sold or transferred and the new owner wishes to keep the land in its classified status, the new owner must:



(a) Sign a notice of classification continuance that is part of a real estate tax affidavit. (See subsection (8) of this section for a discussion regarding this affidavit); and

(b) Provide the assessor with a signed statement that explains how the owner will use the parcel(s) of land so as to continue its eligibility for classification under the provisions of chapter 84.34 RCW; and

(c) Sign a separate notice of continuance prepared by the department if the county has decided that it will require new owners to submit such a form.

~~(4) Assessor's duties and authority related to sale or transfers.~~ When land classified under chapter 84.34 RCW is in the process of being sold or transferred, the new owner must sign a notice of continuance and the statement described in subsection (3) of this section if he or she wishes the land to remain classified. This notice of continuance and signed statement shall be presented to the assessor who must determine if the land will continue to be used in a manner approved for classified status or if the land will not be used in a manner consistent with the current use program. The assessor shall be allowed a reasonable amount of time to determine whether the classified use of the land will be continued by the new owner.

(a) Upon receipt of the notice of classification continuance, the assessor may require the new owner to submit additional information including, but not limited to, the types of data listed in WAC 458-30-270.

(b) Within fifteen calendar days of receiving the notice of classification continuance, the signed statement, and all requested information, the assessor shall determine whether the land qualifies for continued classification as of the date of conveyance.

(c) The assessor may consult with the granting authority to determine if the land will qualify for continued classification. The assessor and/or the granting authority may ask the owner to submit additional information and pertinent data to ensure that the land will continue to be used for a classified use.

(d) No instrument of conveyance may be filed with the county auditor or recorded unless:

(i) The assessor has determined that the land will be used for current use purposes and can continue to be classified within the current use program;

(ii) If the land is no longer eligible to be classified within the current use program, the seller or transferor has paid the additional tax, applicable interest, and penalty;

(iii) The land will be removed from classification and the removal results solely from one of the exceptions listed in RCW 84.34.108(5) to the imposition of additional tax, applicable interest, and penalty. See also WAC 458-30-300 that implements this statute; or

(iv) In the case of a sale, a completed real estate excise tax affidavit has been submitted to the treasurer of the county in which the classified land is located. To be complete the real estate excise tax affidavit must indicate whether the land is classified under the provisions of chapter 84.34 RCW.

(e) If land must be removed from classification because it was sold or transferred as a result of any of the occurrences or actions listed in RCW 84.34.108(5), the assessor shall:

(i) Follow the standard procedures set forth in WAC 458-30-295 and 458-30-300 for removing the land from classification;

(ii) Notify the county treasurer and the seller or transferor that no additional tax, applicable interest, or penalty are due as a result of the sale or transfer because RCW 84.34.108(5) specifically exempts the transaction from the imposition of additional tax, applicable interest, and penalty; and

(iii) In the case of land acquired for conservation purposes by any of the entities listed in RCW 84.34.108 (5)(f), inform the new owner or transferee that if the land ceases to be used for the purposes enumerated in RCW 84.34.210 or 64.04.130, the additional tax, applicable interest, and penalty will be due.

~~(5) Timber land.~~ When a parcel(s) of classified timber land is sold or transferred, the new owner must submit a timber management plan to the assessor in order to continue the classification, in addition to the general requirements listed in subsection (3) of this section. The assessor shall send a copy of the timber management plan to the county legislative authority of the county in which the classified land is located. WAC 458-30-232 contains a list of the types of additional information an assessor may require the new owner to submit so that the assessor can determine if the land will continue to be used to grow and harvest forest crops for commercial purposes.

~~(6) Farm and agricultural land.~~ When a parcel(s) of classified farm and agricultural land is sold or transferred, the new owner must comply with the general requirements set forth in subsection (3) of this section. The size of the parcel(s) of farm and agricultural land sold or transferred will determine whether any additional requirements must also be satisfied. A parcel(s) of land that is less than twenty acres must produce a specified amount of income to remain classified as farm and agricultural land. After all required information is submitted, the assessor shall determine whether the land qualifies for continued classification:

(a) Twenty acres or more. If the parcel(s) sold or transferred is twenty acres or more, the new owner must satisfy the general requirements listed in subsection (3) of this section.

(b) Less than twenty acres. In a sale or transfer involving less than twenty acres, the new owner will be required to comply with the general requirements of subsection (3) of this section and may be asked to provide gross income data relating to the productivity of the farm or agricultural operation for three of the past five years. This information regarding the earning or productive capacity of the classified land will be used to determine if the land meets the income criteria listed in chapter 84.34 RCW and this WAC chapter.

~~(i) Minimum income limits are set forth in RCW 84.34.020 (2)(b)(i) and (ii) for parcels that are at least five but less than twenty acres in size and in RCW 84.34.020 (2)(c)(i) and (ii) for parcels that are less than five acres in size. Any sale or transfer of classified land, except to a surviving spouse, subject to these income limits. See WAC 458-30-210(3) and 458-30-317 for further information and details.~~

~~(ii) If, after January 1, 1993, classified land is sold by an owner who applied for and was granted classification prior to January 1, 1993, to a new owner, the minimum income~~

requirements specified in RCW 84.34.020 (2)(b)(ii) and (e)(ii) will be deferred for a period of three years. The new owner must meet these minimum income limits at least once during the three calendar years immediately following the sale or transfer of the classified farm and agricultural land. For example, if classification was granted in 1978 to a fifteen acre parcel that produced a gross income of one hundred thirty dollars per acre per year and the land is sold on April 15, 1993, the minimum income requirements will be deferred until 1996. By the end of 1996, the new owner must provide proof that the parcel produced two hundred dollars per acre at least one year during the three-year period between 1993 and 1996. If the land has produced a gross income of two hundred dollars per acre the land will remain classified as farm and agricultural land. If the land has not produced this amount at least once during this three-year period, the land shall be removed from classification and the owner will be required to pay an additional tax, interest, and penalty.

(iii) If, after January 1, 1993, classified land is sold by an owner who applied for and was granted classification after January 1, 1993, the assessor will review the information regarding the productivity of the land for three out of the past five years to determine whether the minimum income limits set forth in RCW 84.34.020 (2)(b)(ii) or (e)(ii) have been met. For example, if a ten acre parcel was granted classification on May 1, 1993, and it is sold on February 23, 1994, the assessor will ask the seller and/or buyer of the classified land to provide information about the earning or production capacity of the land for at least the five calendar years preceding the sale (i.e., 1989 through 1993). To retain the current use classification, the land must have produced a minimum of two hundred dollars per acre per year at least three out of the five calendar years preceding the date of sale.

(e) Segregation of land. In a sale or transfer involving a land segregation, the owner of the newly created parcel(s), and the owner of the parcel(s) of land from which the segregated land was taken must comply with the requirements of (a) or (b) of this subsection before the assessor determines if the land qualifies for continued classification.

(7) **New owner's warranty.** The new owner, upon signing the notice of continuance, warrants that future use of the land will conform to the provisions of chapter 84.34 RCW and this WAC chapter.

(8) **Real estate excise tax.** Under the provisions of chapter 82.45 RCW whenever real property is sold or transferred an excise tax is imposed; the amount of this tax is related to the selling price of the real property. Real estate excise tax is due at the time of sale. This tax is paid to and collected by the treasurer of the county where the real property is located.

(a) The seller or the buyer, or the agent of either, of the real property must pay the excise tax and must submit a signed real estate excise tax affidavit to the treasurer of the county where the real property is located.

(b) When the ownership of classified land is sold or transferred to a new owner who intends to continue classification of the land under the provisions of chapter 84.34 RCW, the new owner must make a notation of this intent on the affidavit.

(e) No instrument of sale or conveyance evidencing a sale subject to the real estate excise tax may be accepted by the county auditor for filing or recording until a stamp is affixed to the affidavit by the treasurer that shows the tax has been paid. The county treasurer shall not stamp the instrument of sale or conveyance unless the assessor has determined that the classified use of the land will be continued or that the additional tax, interest, and/or penalty required under RCW 84.34.080 and 84.34.108, except as exempted under RCW 84.34.070 or 84.34.108(5), have been collected. If land classified under chapter 84.34 RCW is sold or transferred and the new owner wants to retain the classified status of the land, certain procedures must be followed before the conveyance may be recorded or filed. This rule explains the necessary procedures and required forms.

**(2) General requirements - new owner elects to have the land remain classified.** The county recording authority shall not accept an instrument conveying ownership of land classified under chapter 84.34 RCW unless certain conditions are satisfied. When land classified under chapter 84.34 RCW is sold or transferred and the new owner elects to have the land retain its classified status, prior to recording or filing the conveyance, the new owner or the new owner's agent must:

(a) Sign the notice of continuance that is part of the real estate excise tax (REET) affidavit or sign a separate notice of continuance. (Subsection (9) of this rule contains an explanation about REET.) Both the REET affidavit and the notice of continuance are forms prepared by the department of revenue and supplied to the counties. Both forms are available from the department by sending a written request to:

Department of Revenue

Taxpayer Services

P.O. Box 47478

Olympia, WA 98504-7478.

A copy of the notice of continuance may be obtained from the county assessor or it may be downloaded from the internet at <http://dor.wa.gov/index.asp> under property tax, "forms." A copy of the REET affidavit may be obtained from the county treasurer. If the classified land is owned by multiple owners, all owners or their agent(s) must sign the notice of continuance on the affidavit or the separate notice of continuance; and

(b) Provide the assessor with a signed statement that explains how the new owner intends to use the classified land and any other information the assessor deems necessary to determine whether the land will continue to be eligible for classification under chapter 84.34 RCW. (See RCW 84.34.121 and WAC 458-30-270.)

**(3) Required duties of the assessor before a conveyance of classified land may be filed or recorded.** The new owner must supply the assessor with the information outlined in subsection (2) of this rule if the new owner elects to have the land remain classified under chapter 84.34 RCW.

(a) After receiving all required documentation, the assessor is allowed up to fifteen calendar days to determine whether the land should retain its classified status or whether the land should be removed from classification as of the date of conveyance.

(b) To make this determination, the assessor may, but is not required to, consult with the county legislative authority

if the land is classified as either open space or timber land or a combination of the county and city legislative bodies if the classified open space land is within an incorporated part of the county. Both the assessor and the granting authority may require the new owner to submit additional information about the use of the classified land after the sale or transfer is complete. This information will be used to determine whether the land should remain classified under chapter 84.34 RCW.

**(4) When may a county recording authority accept an instrument conveying ownership of classified land?** A county recording authority shall not accept an instrument of conveyance regarding the sale or transfer of land classified under chapter 84.34 RCW for filing or recording until the new owner signs a notice of continuance and the assessor determines that the land will or will not continue to qualify for classification. If the assessor decides that the land must be removed from classification, the assessor will note that the land does not qualify for continuance on the REET affidavit and begin the removal procedures set forth in WAC 458-30-295.

(a) If the new owner signs the notice of continuance and the assessor agrees that the land should remain classified, the assessor checks the box on the REET affidavit that the land qualifies for continued classified current use status. The completed affidavit is then presented to the county recording authority so that it may record or file the conveyance. A completed REET affidavit includes a stamp, placed on it by the treasurer, indicating that any REET or additional tax, interest, and penalty owed as a result of the sale or transfer has been paid. (See subsection (9) of this rule for a more detailed explanation of the real estate excise tax.)

(b) If the assessor decides that the land must be removed or the owner submits a written request to remove the land from classification, the assessor will check the appropriate box on the REET affidavit that the land does not qualify for continuance, sign the REET affidavit, and begin the removal procedures set forth in WAC 458-30-295.

**(5) Land removed from classification with no back taxes imposed.** If the removal results solely from one of the circumstances or actions listed in RCW 84.34.108(6), no additional tax, interest, or penalty is imposed. The assessor shall:

(a) Follow the procedures set forth in WAC 458-30-295 and 458-30-300 for removing land from classification;

(b) Notify the treasurer and the seller or transferor that no additional tax, interest, or penalty will be imposed; and

(c) If the land is acquired for conservation purposes by any of the entities listed in RCW 84.34.108 (6)(f), inform the new owner that a lien equal to the amount of additional tax, interest, and penalty has been placed on the land, even though the additional tax, interest, and penalty will not be collected at this time. This lien becomes due and payable if and when the land ceases to be used for one of the purposes outlined in RCW 64.04.130 or 84.34.210.

**(6) Sales or transfers of timber land.** When a parcel(s) of classified timber land is sold or transferred, the new owner must submit a timber management plan to the assessor and comply with the general requirements listed in subsection (2) of this rule to retain the land's classified status. The assessor sends a copy of the timber management plan to the granting

authority of the county in which the classified land is located. WAC 458-30-232 contains a list of the types of additional information an assessor may require the new owner to submit to enable the assessor to determine whether the land will be used to grow and harvest timber for commercial purposes.

**(7) Sales or transfers of farm and agricultural land.** When a parcel(s) of classified farm and agricultural land is sold or transferred, the new owner must comply with the general requirements listed in subsection (2) of this rule. The size of the classified land dictates whether any additional requirements must also be satisfied. After all required information is submitted, the assessor determines whether the land qualifies for continued classification.

(a) If the classified land sold or transferred is twenty acres or more, the new owner must satisfy the general requirements listed in subsection (2) of this rule.

(b) If the sale or transfer involves less than twenty contiguous acres, the new owner will be required to comply with the general requirements of subsection (2) of this rule and the seller or buyer may be asked to provide gross income data relating to the productivity of the farm or agricultural operation for three of the past five years. This income data is used to determine whether the land meets the income production requirements listed in RCW 84.34.020 (2)(b) and (c) for classification. However, if the income data is unavailable but the new owner is willing to sign the notice of continuance and accept the responsibility for any additional tax and interest owed for prior years that will be due if the land is later found to be ineligible for continued classification, the classified status of the land will continue until the assessor determines that the use of the land has changed or has not produced the requisite minimum income.

(i) RCW 84.34.020 (2)(b) and (c) set forth the minimum income production requirements for classified farm and agricultural land of less than twenty acres. Any sale or transfer of classified land is subject to these income limits. However, the income production requirements will not be examined when classified land is being transferred to a surviving spouse, but such land is subject to the same production requirements that were applicable before the spouse's death. For example, a sixteen acre parcel of classified farm and agricultural land, which was classified in 1998, is still required to produce a minimum of two hundred dollars per acre per year even though the assessor is not required to review the income production data at the time of sale or transfer.

(ii) Sale or transfer of land classified prior to January 1, 1993. As of January 1, 1993, the legislature imposed higher income production requirements on classified farm and agricultural land of less than twenty acres. When land classified prior to January 1, 1993, is sold or transferred to a new owner, the higher minimum income requirements set forth in RCW 84.34.020 (2)(b)(ii) and (c)(ii) will be deferred for a period of three years. The new owner is required to produce either two hundred dollars per acre per year if the parcel is five acres or more or fifteen hundred dollars per year if the parcel is less than five acres at least once during the three calendar years immediately following the sale or transfer. For example, if classification was granted in 1978 to a fifteen acre parcel that produced a gross income of one hundred thirty dollars per acre per year until it was sold on April 15,

1999, the minimum income requirements will be deferred until 2002. By the end of 2002, the new owner must show that the parcel produced two hundred dollars per acre at least one year during the three-year period between 2000 and 2002. If the land produced a gross income of two hundred dollars per acre, the land remains classified as farm and agricultural land. If the land failed to produce this amount at least once during this three-year period, the land will be removed from classification and the owner will be required to pay additional tax, interest, and penalty.

(iii) Sale or transfer of land classified after January 1, 1993. The higher minimum income production requirements of RCW 84.34.020 (2)(b)(ii) and (c)(ii) apply to all land classified after January 1, 1993. When such land is sold or transferred, the assessor may ask the seller or buyer to provide gross income data relating to the productivity of the farm or agricultural operation for three of the past five years. This information will be used to determine whether the land should retain its status as classified farm and agricultural land. For example, a ten acre parcel that was classified as farm and agricultural land on May 1, 1995, is sold on February 23, 2001. The assessor asks the seller of the classified land to provide information about the income the land produced during the five calendar years preceding the sale (i.e., 1995 through 2000). To retain the farm and agricultural classification, the land must have produced a minimum income of two hundred dollars per acre per year at least three of the five calendar years preceding the date of sale. However, if the income data is unavailable but the new owner is willing to sign the notice of continuance and accept the responsibility for any additional tax and interest owed for prior years that will be due if the land is later found to be ineligible for continued classification, the classified status of the land will continue until the assessor determines that the use of the land has changed or has not produced the requisite minimum income.

(c) Segregation of land. If the sale or transfer of classified land involves a segregation, the owner of the newly created parcel(s) and the owner of the parcel from which the land was segregated must comply with the requirements for classification, including the production of minimum income, to enable the assessor to continue the classified status of the land.

(8) New owner's acknowledgement. The new owner, by signing the notice of continuance, acknowledges that future use of the land must conform to the provisions of chapter 84.34 RCW.

(9) Real estate excise tax (REET). An excise tax is generally imposed in accordance with chapter 82.45 RCW whenever real property is sold or transferred. The amount of this tax is based upon the selling price of the real property. Real estate excise tax is due at the time of sale. This tax is paid to and collected by the treasurer of the county in which the real property is located. (See RCW 82.45.010 for a listing of transactions that are not considered a sale or transfer upon which REET is imposed.)

AMENDATORY SECTION (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-285 Withdrawal from classification.** (1) **Introduction.** RCW 84.34.070(1) states that once land has been classified under chapter 84.34 RCW, it must remain so classified for a minimum of ten years from the date of classification. The land will remain classified until and unless the owner submits to the assessor a notice of request for withdrawal of all or a portion of the land from classification. After a request to withdraw classification is received, the assessor is required to make a series of determinations. This ((section)) rule explains the procedures the assessor must follow upon receipt of a request for withdrawal.

(2) ((Definition. For purposes of this section, the following definition applies: "Withdrawal" or "withdrawn" occurs when the owner of land classified under the provisions of chapter 84.34 RCW has filed a notice of request to withdraw all or a portion of the land from classification. In order to qualify for withdrawal, the parcel(s) of land must have been classified for a minimum of ten years and the owner must have filed a notice of request to withdraw with the assessor at least two years prior to the assessment year when the parcel will be valued at the assessed value as determined in accordance with the county's approved revaluation cycle. Land is withdrawn from classified status by a voluntary act of the owner.

(3) ~~Complete or partial~~) Withdrawal process. Land ((that has been)) classified under chapter 84.34 RCW must be applied to the classified use and remain in its classified status for at least ten years from the date of classification. During the ninth or later year of classification, ((if)) the owner ((decides)) may request to have all or a portion of the land withdrawn from the current use program ((he or she)). The owner must submit a written request to withdraw classification to the assessor of the county in which the land is located. The land will be withdrawn from classification two assessment years after the request to withdraw is received.

(a) A parcel of land may be withdrawn from classification in whole or in part. See RCW 84.34.070(1).

(b) The additional tax and ((applicable)) interest ((set forth in)) imposed by RCW 84.34.108 are due when land is withdrawn from classification if the land has been classified under chapter 84.34 RCW for a minimum of ten assessment years. ((When)) If a request to withdraw classification ((has been)) is received by the assessor's office and an intervening act causes the current use classification to be removed before the two assessment years have elapsed, the penalty described in RCW 84.34.108 ((3)) (4)(c) is also due. However, if the removal is a result of one of the circumstances ((set forth)) listed in RCW 84.34.108((5)) (6) no additional tax, interest, or penalty will be imposed. (See WAC 458-30-300.)

((4)) (c) Within seven days of receiving a notice to withdraw classification, the assessor forwards a copy of this notice to the legislative body that approved the initial application for classification.

(d) A request to withdraw classification may be revoked by the owner at any time before the land is actually withdrawn from classification.

(3) Procedure for partial withdrawal. RCW 84.34.070 allows an owner to withdraw all or only a portion

of the land from classification as long as the owner submits a notice of request for withdrawal two assessment years in advance of the effective date of the withdrawal. If only a portion of the classified land is to be withdrawn from classification, the remaining parcel must ~~((meet))~~ satisfy the same requirements the entire parcel was required to meet when the land was originally granted classification unless ~~((the remaining parcel has))~~ different criteria are required by statute. For example, if ~~((a thirty acre parcel of land was previously classified as farm and agricultural land and))~~ the owner ~~((now))~~ of a thirty acre parcel of classified farm and agricultural land wishes to withdraw fifteen acres, ~~((the land that remains classified))~~ the remaining fifteen acres must meet the income production requirements ~~((set forth))~~ listed in RCW 84.34.020 (2)(b)(i) or (ii) to remain classified even though the thirty acre parcel was not required to meet any minimum income production requirements under RCW 84.34.020 (2)(a).

(a) The assessor may ask the owner of the ~~((remaining))~~ parcel ~~((of))~~ that will remain classified ~~((and))~~ to submit information relevant to its continuing eligibility ~~((of the land))~~ under chapter 84.34 RCW. See WAC 458-30-270 for more details ~~((about such a request))~~ for the types of information that may be requested.

(b) If the parcel is classified ~~((as))~~ farm and agricultural land, the assessor ~~((shall))~~ will verify that the remaining portion meets the requirements of RCW 84.34.020(2) ~~((and this WAC chapter))~~.

(c) If the parcel is classified ~~((as))~~ open space or timber land, the assessor ~~((shall))~~ will consult with the granting authority before determining whether the remaining portion meets the requirements of RCW 84.34.020 (1) ~~((and))~~ or (3) ~~((and this WAC chapter))~~. The granting authority may ask the owner to submit ~~((pertinent))~~ any data that it considers necessary to assist it in making this determination.

(d) The assessor may segregate the portion of land from which classification is being withdrawn for valuation and taxation purposes.

~~((5))~~ (4) **Date of withdrawal and notice to owner.** ~~((According to))~~ RCW 84.34.070(1) requires the assessor ~~((shall))~~ to withdraw land from classification when two assessment years have elapsed following receipt of the owner's request to withdraw ~~((classification))~~. In other words, land ~~((shall be))~~ is withdrawn from classification as of January 1st of the third assessment year after the request to withdraw classification is received by the assessor's office.

(a) Method for counting assessment years. The year in which the request to withdraw is received ~~((shall))~~ counts as the first assessment year; the second assessment year ~~((shall))~~ begins on January 1 of the year immediately following the year in which the request ~~((was))~~ is received; and the third assessment year ~~((shall))~~ begins on January 1 of the following year. (For example, if a request to withdraw classification is received on November 1, ~~((1995))~~ 1999, the first assessment year is ~~((1995))~~ 1999, the second assessment year is ~~((1996))~~ 2000, and the third assessment year is ~~((1997))~~ 2001. The land is withdrawn from classification as of January 1, ~~((1997))~~ 2001.)

(b) Notice to owner. No later than thirty days after withdrawing the land from classification, the assessor ~~((shall))~~

must notify the owner in writing that classification has been withdrawn ~~((from the parcel(s)))~~.

(c) Valuation of land withdrawn from classification. When land has been withdrawn from classification, it shall be placed on the assessment roll at ~~((the assessed))~~ its true and fair value ~~((as))~~ determined in accordance with the county's approved revaluation ~~((cycle))~~ plan.

(d) Example. An application for classification as open space land was submitted in April ~~((1980))~~ 1990 and approved effective assessment year ~~((1984))~~ 1991. In ~~((1989))~~ 1999, the owner submits a notice of request to withdraw all the land from classification. The assessor ~~((shall))~~ withdraws the land from classification as of January 1, ~~((1994))~~ 2001, which is the third assessment year after the request to withdraw ~~((classification))~~ was received ~~((the land value shall be the assessed value as determined in accordance with the county's approved revaluation cycle on January 1 of assessment year 1994))~~. This land is placed on the assessment roll at its true and fair value as of January 1, 2001, in accordance with the county's approved revaluation plan.

**AMENDATORY SECTION** (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-295 Removal of classification.** (1) **Introduction.** ~~((This section discusses the occurrences that may cause land to be removed from classification and the actions taken by an assessor relative to a removal. Classified land may be removed if it is no longer used for the purpose for which classification was granted or if the owner has sought reclassification of the land and the land does not meet the criteria for classification under chapter 84.34 or 84.33 RCW.))~~ This rule discusses the circumstances that may cause land to be removed from classification and the actions an assessor takes to remove the land, in whole or in part, from classification under chapter 84.34 RCW.

(2) ~~((Definitions. For purposes of this section, the following definitions apply:~~

(a) "Reclassification" means the process by which land classified under chapter 84.34 or 84.33 RCW is changed from one classification to another classification established by chapter 84.34 RCW or into forest land as described in chapter 84.33 RCW. For example, land classified as farm and agricultural land under RCW 84.34.020(2) may be reclassified as either timber or open space land under the provisions of chapter 84.34 RCW or as forest land under the provisions of chapter 84.33 RCW.

(b) "Removal" means that all or a portion of land classified under the provisions on chapter 84.34 RCW must be removed from classification because the land is no longer being used for the purpose for which classification was granted or for any other classified use within the current use program. The change in use may occur because of the sale or transfer of the classified land, the request by the owner to remove the land from current use program, the determination by the assessor that the classified land no longer meets the criteria for classification under chapter 84.34 RCW, or any of the other occurrences listed in subsection (4) of this section.

(3) **General requirement - removal process.** If land classified under chapter 84.34 RCW is applied to a use other

than the one for which classification is granted, the owner ~~((shall))~~ must notify the assessor of the change in use within ~~((thirty))~~ sixty days of the change. ~~((An))~~ If the new use of the land does not qualify for classification under chapter 84.34 RCW, the land must be removed from classification and, in most cases, additional ((property)) tax, ((applicable)) interest, and a penalty ((shall be)) are imposed ((upon the land when it is removed from classification due to this change in use)). Land may be totally or partially removed from classification depending on the reason(s) for the removal. See WAC 458-30-300 for details about the additional tax, interest, and ~~((of))~~ penalty imposed when land is removed.

~~((4))~~ Actions ~~((3))~~ Circumstances that cause removal of land from classification. When any of the following actions occur, the assessor shall remove all or a portion of the land from classification ((all or a portion of the parcel)):

(a) Receipt of a written notice from the owner directing ~~((removal of))~~ the assessor to remove the land from classification;

(b) Sale or transfer of the land to an owner that makes the land exempt from ((paying)) property taxes, except a transfer ((that resulted)) resulting from a default in loan payments made to or secured by a governmental agency that intends to or is required by law or regulation to resell the land for the same use as before;

(c) Any change in use that occurs after a request to withdraw classification is made ~~((in accordance with the provisions of WAC 458-30-285))~~ under RCW 84.34.070 and before the actual withdrawal of the classification occurs;

(d) Sale or transfer of ~~((all or a portion of))~~ classified land to a new owner who is ((not exempt from paying)) required to pay property ((taxes)) tax and who ((has not signed a)) does not sign the notice of classification continuance, except a transfer to an owner who is an heir or devisee of a deceased owner;

(e) Failure of an owner to respond to a request from the assessor for data ((pursuant to WAC 458-30-270)) regarding the use of the land, productivity of typical crops, and similar information pertinent to continued classification and assessment of the land (see RCW 84.34.121 and WAC 458-30-270);

(f) ~~((When the owner has sought a reclassification of the land because the land no longer meets the criteria of the classification under which it is classified or the owner has decided to change the use of the classified land thereby requiring a change in classification and the land does not meet the requirements of the new classification; or~~

~~((g) A determination by))~~ The assessor denies an owner's request for reclassification and the land no longer meets the criteria under which it was originally classified; or

~~((g))~~ The assessor determines, based on field inspections, analysis of income and expense data, or any other reasonable evidence, that ((all or a portion of)) the ((parcel(s) of)) land no longer meets the criteria for classification under chapter 84.34 RCW.

(i) Example 1. During an on-site inspection ~~((of a parcel of classified farm and agricultural land)),~~ the assessor discovers that ~~((the))~~ classified farm and agricultural land ((is no longer being used for commercial agricultural purposes

~~because the five-acre parcel))~~ has been paved over and is ~~((currently being))~~ used as a parking lot for school buses.

(ii) Example 2. Based on information released at a public meeting of the county planning commission, the assessor learns that an owner of classified timber land has harvested all ~~((forest crops))~~ timber from the ~~((classified))~~ land, the land has been platted, public services such as roads, sewers, and domestic water supply have ~~((at))~~ been made available to the platted land, and ((at least six)) houses have been built on the ((classified timber)) land. This information has led the assessor to conclude that the use of the land has changed or that the land no longer meets the criteria for classification as timber land.

~~((iii))~~ (4) Procedure when an assessor discovers a change in use. If the assessor determines that the land is not being used for a classified use, the assessor must notify the owner in writing regarding this determination ~~((, but))~~ and may not remove the land from classification until the owner has had an opportunity to respond to the assessor's determination.

~~((iv))~~ (a) The owner must respond, in writing, to the assessor's inquiry about the use of the classified land no later than thirty calendar days following the postmark date ((this)) the assessor's inquiry was mailed to the owner.

~~((v))~~ (b) If the parcel ((of land)) in question is classified ((as)) open space land or timber land, the assessor may ask, but is not required to ask, the granting authority to provide reasonable assistance in determining whether the classified land continues to meet the criteria for classification. The granting authority shall provide this assistance within thirty days of receiving the assessor's request for assistance (see RCW 84.34.108(1)).

~~((vi))~~ (c) Unless the owner demonstrates to the assessor that the classified use of the land has not changed, the assessor will remove the land from classification and impose additional tax, interest, and penalty from the date of the change in use (see RCW 84.34.080 and 84.34.108).

~~((vii))~~ (5) Procedure for partial removal. If the use of only a portion of the classified land has changed and it no longer qualifies for classification under chapter 84.34 RCW, the assessor will remove the nonqualifying portion of the classified land. The remaining parcel must satisfy the same requirements the entire parcel was required to meet when the land was originally granted classification unless different criteria are required by statute because of the reduced size of the land that remains classified.

~~((viii))~~ (a) The assessor may ask the owner of the parcel that will remain classified to submit information relevant to its continuing eligibility under chapter 84.34 RCW. See WAC 458-30-270 for more details.

~~((ix))~~ (b) If the parcel is classified farm and agricultural land, the assessor will verify that the remaining portion meets the requirements of RCW 84.34.020(2).

~~((x))~~ (c) If the parcel is classified open space or timber land, the assessor will consult with the granting authority before determining whether the remaining portion meets the requirements of RCW 84.34.020 (1) or (3). The granting authority and assessor may ask the owner to submit pertinent data for this determination.



(d) The assessor may segregate the portion of land from which classification is being removed for valuation and taxation purposes.

((5)) (6) Transactions that do not cause land to be removed from classification. Land cannot be removed from classification solely because of:

(a) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or

(b) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

(7) Notice to owner. Within thirty days ((after)) of the removal ((of all or a portion)) of ((the)) land from classification, the assessor ((shall)) must notify the owner in writing of the reason(s) for ((the)) removal.

((6)) (8) Right of appeal. The seller, transferor, or owner of classified land may appeal the removal ((of land)) from classification to the board of equalization of the county in which the land is located. The appeal must be filed within thirty calendar days ((following)) or up to sixty days if such a time limit has been adopted by the county legislative authority of the date the notice of removal was mailed by the assessor or given to the owner, or on or before July 1st of the year of removal, whichever is later (RCW 84.40.038).

((7)) (9) Assessor's duty after removal. Unless the removal is reversed on appeal, the assessor ((shall revalue the previously classified land by consulting the existing assessment rolls that contain both the current use and the true and fair value of the land. After the effective date of the removal, the assessor will list only the true and fair value of the land on the assessment roll)) places the land on the assessment roll at its true and fair value determined in accordance with the county's approved revaluation plan. The value on the date of removal is the true and fair value as of January 1st of the year of removal. The assessment roll ((with)) lists both the assessed ((valuation)) value of the land before and after the removal of classification. Taxes ((will be)) for the current tax year are prorated according to the portion of the year to which each assessed ((valuation)) value applies.

((8)) (10) Possible segregation after removal. If only a portion of the land is being removed from classification, the assessor ((may)) must segregate the affected portion for valuation and tax purposes.

((9) Penalties) (11) Additional tax, interest, and penalty are due when land is removed. The additional tax, ((applicable)) interest, and penalty ((set forth in)) imposed by RCW 84.34.080 and 84.34.108 ((will be)) are due when land is removed from classification unless the removal is the result ((of)) of one of the exempt circumstances or transactions ((exempt under that statute)) listed in RCW 84.34.108(6). (See WAC 458-30-300.)

AMENDATORY SECTION (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

WAC 458-30-300 Additional tax—Withdrawal or removal from classification. (1) Introduction. ((When land is withdrawn or removed from classification an additional tax and applicable interest are due. A penalty is also due when land is removed. This section explains how the

additional tax, applicable interest, and, if appropriate, penalty are calculated. It also sets forth the situations under which no additional tax, applicable interest, and/or penalty are due if land is withdrawn or removed from classification. The provisions of RCW 84.34.108 and 84.34.070(2) are outlined in this section.

(2) Definitions. For purposes of this section, the following definitions apply:

(a) "Reclassification" means the process by which land classified under chapter 84.34 or 84.33 RCW is changed from one classification to another classification established by chapter 84.34 RCW or into forest land as described in chapter 84.33 RCW. The process of reclassification is a voluntary act taken on the part of an owner of classified land when the land must either be removed from classification or transferred to another classification to remain eligible under chapter 84.34 or 84.33 RCW. For example, land classified as farm and agricultural land under RCW 84.34.020(2) may be reclassified as either timber or open space land under the provisions of chapter 84.34 RCW or as forest land under the provisions of chapter 84.33 RCW.

(b) "Removal" means that all or a portion of land classified under the provisions of chapter 84.34 RCW must be removed from classification because the land is no longer being used for the purpose for which classification was granted or for any other classified use within the current use program. The change in use may occur because of the sale or transfer of the classified land, the request by the owner to remove the land from the current use program, the determination by the assessor that the classified land no longer meets the criteria for classification under chapter 84.34 RCW, or any of the other occurrences listed in WAC 458-30-295.

(c) "Withdrawal" or "withdrawn" occurs when the owner of land classified under the provisions of chapter 84.34 RCW has filed a notice of request to withdraw all or a portion of the land from classification. In order to qualify for withdrawal, the parcel(s) of land must have been classified for a minimum of ten years and the owner must have filed a notice of request to withdraw with the assessor at least two years prior to the assessment year when the parcel will be valued at the assessed value as determined in accordance with the county's approved revaluation cycle. Land is withdrawn from classified status by a voluntary act of the owner.

(3) Duties of assessor and county treasurer. When land is withdrawn from classification the assessor shall compute an additional tax and applicable interest and when land is removed from classification the assessor shall compute an additional tax, applicable interest, and penalty. As soon as possible after determining that the land is to be withdrawn or removed from classification, the assessor shall compute the amount of the additional tax, applicable interest, and, if appropriate, penalty, except as provided in subsection (6) of this section. The county treasurer shall mail a notice to the owner regarding the additional tax, applicable interest, and penalty due and the date on which the total amount is due. The additional tax, applicable interest, and penalty shall be due and payable to the county treasurer thirty days after the notice is mailed to the owner.

(4) **Amount of additional tax, applicable interest, and penalty.** The amount of additional tax, applicable interest, and penalty shall be determined as follows:

(a) The amount of additional tax shall be equal to the difference between the property tax that was levied on the land based on its classified current use value and the tax that would have been levied on its true and fair value for the seven tax years preceding the withdrawal or removal, in addition to the portion of the tax year when the withdrawal or removal takes place;

(b) The amount of applicable interest shall be equal to the interest on the amount of additional tax determined under (a) of this subsection at the statutory rate, specified in RCW 84.56.020, charged on delinquent property taxes starting from the date the tax could have been paid without interest to the date the additional tax is paid; and

(c) The amount of penalty shall be twenty percent of the additional tax and applicable interest; that is, twenty percent of the total amount computed in (a) and (b) of this subsection. A penalty is not imposed when:

(i) The land has been classified for at least ten years at the time of declassification and the owner has given the assessor a request to withdraw classification two years in advance of the date the classified land will be withdrawn, in accordance with RCW 84.34.070; or

(ii) The change in use was the result of one of the circumstances listed in RCW 84.34.108(5). See subsection (6) of this section for a detailed list of these circumstances.

(5) **Failure to sign notice of continuance.** If a new owner fails to sign the notice of classification continuance when classified land is sold or transferred, an additional tax, applicable interest, and penalty shall be calculated according to subsection (4) of this section.

(6) **Exceptions—no additional tax, applicable interest, or penalty are due.** When all or a portion of classified land is withdrawn or removed from classification, no additional tax, applicable interest, or penalty shall be imposed if the withdrawal or removal is the result of one or more of the following circumstances:

(a) Transfer to a governmental entity in exchange for other land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain or the sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of this power, said entity having manifested its intent to exercise the power of eminent domain in writing or by other official action;

(c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property;

(d) Official action by an agency of the state of Washington or by the county or city in which the land is located disallowing the current use of classified land. For the purposes of this section, "official action" may include, but is not limited to, city ordinances, zoning restrictions, Growth Management Act, Shoreline Protection Act, and Environmental Protection Act(s);

(e) Transfer of land to a church when the land would qualify for property tax exemption pursuant to RCW 84.36.020. The conditions set forth in RCW 84.36.020 shall

only apply to the affected parcel of land and shall not relieve any portion not so affected from the potential tax liability;

(f) Acquisition of property interests by public agencies or private organizations qualified under RCW 84.34.210 or 64.04.130 for the purposes specified therein. See subsection (7) of this section for a listing of these agencies, organizations, and purposes. However, when the property interests are not used for the purposes enumerated in these statutes, the additional tax, applicable interest, and penalty specified in subsection (4) of this section shall be imposed;

(g) Removal of land that was granted classification as farm and agricultural land under RCW 84.34.020(2)(d) because the principal residence of the farm operator or owner and/or housing for farm and agricultural employees was situated on it; or

(h) The result of one of the following changes in classification:

(i) ~~Reclassification from farm and agricultural land under RCW 84.34.020(2) to timber land under RCW 84.34.020(3), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;~~

(ii) ~~Reclassification from timber land under RCW 84.34.020(3) to farm and agricultural land under RCW 84.34.020(2), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;~~

(iii) ~~Reclassification from open space/farm and agricultural conservation land under RCW 84.34.020(1)(c) to farm and agricultural land under RCW 84.34.020(2) if the land was previously classified as farm and agricultural land; or~~

(iv) ~~Reclassification from forest land under chapter 84.33 RCW to open space land under RCW 84.34.020(1).~~

(7) **Land acquired by agencies or organizations qualified under RCW 84.34.210 or 64.04.130.** If the purpose for acquiring classified land is to protect, preserve, maintain, improve, restore, limit the future use of, or conserve the land for open space purposes and otherwise conserve the land for public use or enjoyment and the classified land is acquired by any of the following entities, no additional tax, applicable interest, or penalty are due as long as the property is used for one of the purposes listed in this subsection:

(a) State agency;

(b) Federal agency;

(c) County;

(d) City;

(e) Town;

(f) Metropolitan park district;

(g) Metropolitan municipal corporation;

(h) ~~Nonprofit historic preservation corporation as defined in RCW 64.04.130; or~~

(i) ~~Nonprofit nature conservancy corporation or association as defined in RCW 84.34.250.~~

(8) **Removal of classification from land that was previously classified or designated forest land under chapter 84.33 RCW.** Land that was previously classified or designated as forest land under chapter 84.33 RCW may be reclassified under RCW 84.34.020. If the current use classification is subsequently removed before the land has been classified for at least ten assessment years under chapter 84.34 RCW, a combination of compensating tax and additional tax shall be due. RCW 84.33.145 explains the way in which these taxes



are calculated.)) This rule outlines the withdrawal and removal procedures, events that trigger removal, and how to calculate the additional property tax ("additional tax"), interest, and penalty that may be imposed because land is withdrawn or removed from classification. When land is withdrawn or removed additional tax and interest are due. A twenty percent penalty is also due when land is removed from classification (see RCW 84.34.108 and 84.34.070(2)).

(2) Duties of assessor and treasurer. As soon as possible after determining that the land no longer qualifies for classification under chapter 84.34 RCW or the use of the land has changed, the assessor must notify the owner in writing regarding this determination and of his or her intent to remove the land from classification. The assessor may not remove the land from classification until the owner has had an opportunity to be heard on the issue of removal.

(a) The owner has thirty calendar days following the postmark date on the assessor's notice of intent to remove to respond, in writing, to the assessor about the removal of the land from classification. After giving the owner an opportunity to be heard and unless sufficient information or evidence is presented as to why the land should not be removed from classified status, the land will be removed from classification as of the date the land no longer qualified for classification or the use of the land changed.

(b) Within thirty days of removing land from classification, the assessor notifies the owner, in writing, about the reasons for the removal. The owner, seller, or transferor may appeal the removal to the county board of equalization.

(c) Unless the removal is reversed on appeal, the assessor revalues the affected land with reference to its true and fair value on the date of removal from classification. The assessment roll will list the assessed value of the land before and after the removal from classification. Taxes will be allocated to the part of the year to which each assessed value applies; that is, current use and true and fair value.

(d) The assessor computes the amount of additional tax, interest, and penalty, unless the removal is the result of one of the circumstances listed in subsection (5) of this rule.

(e) The assessor notifies the treasurer of the amount of additional tax, interest, and penalty due.

(f) The treasurer mails or gives the owner written notice about the amount of the additional tax, interest, and, if required, penalty due and the date on which the total amount must be paid.

(g) The total amount is due and payable to the treasurer thirty days after the owner is notified of the amount of additional tax, interest, and penalty due.

(3) Amount of additional tax, interest, and penalty. The amount of additional tax, interest, and penalty will be determined as follows:

(a) The amount of additional tax is equal to the difference between the property tax paid on the land because of its classified status and the property tax that would have been paid on the land based on its true and fair value for the seven tax years preceding the withdrawal or removal. And in the case of a removal, the taxes owed for the balance of the current tax year;

(b) The amount of interest, calculated at the same statutory rate charged on delinquent property taxes specified in

RCW 84.56.020, is based upon the amount of additional tax determined under (a) of this subsection, starting from the date the additional tax could have been paid without interest until the date the tax is paid; and

(c) A penalty amounting to twenty percent of the additional tax and interest; that is, twenty percent of the total amount computed in (a) and (b) of this subsection. A penalty is not imposed when:

(i) The land has been classified for at least ten years at the time it is withdrawn from classification and the owner submitted a request to withdraw classification to the assessor at least two assessment years prior to the date the land is withdrawn from classification; or

(ii) The use of the land has changed and the change in use was the result of one of the circumstances listed in RCW 84.34.108(6). See subsection (5) of this rule for a detailed list of these circumstances.

(4) Failure to sign notice of continuance. Land will be removed from current use classification if a new owner fails to sign the notice of continuance when the classified land is sold or transferred. Additional tax, interest, and penalty will be imposed in accordance with RCW 84.34.108(4) because of this removal. A notice of continuance is not required when classified land is transferred to a new owner who is the heir or devisee of a deceased owner and the new owner wishes to continue classified use (see RCW 84.34.108 (1)(c)). If the heir or devisee elects not to continue classified use, the land will be removed from classification and additional tax, interest, and penalty are due.

(5) Exceptions. No additional tax, interest, or penalty will be imposed if the withdrawal or removal from classification was the result of one or more of the following circumstances:

(a) Transfer to a governmental entity in exchange for other land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain or the sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of this power. This entity must have declared its intent to exercise the power of eminent domain in writing or by some other official action;

(c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than an act of the landowner changing the use of the property;

(d) Official action by an agency of the state of Washington or by the county or city in which the land is located disallowing the current use of classified land. For the purposes of this rule, "official action" includes: City ordinances, zoning restrictions, Growth Management Act, Shoreline Management Act, and Environmental Policy Act;

(e) Transfer of land to a church when the land would qualify for a property tax exemption under RCW 84.36.020. Only the land that would qualify for exemption under RCW 84.36.020 is included within this exception. Additional tax, interest, and, if appropriate, the penalty will be assessed upon the remainder of the land withdrawn or removed from classification;

(f) Acquisition of property interests by public agencies or private organizations qualified under RCW 84.34.210 or 64.04.130 for the conservation purposes specified therein.

See subsection (6) of this rule for a listing of these agencies, organizations, and purposes. However, when the property interests are no longer used for one of the purposes enumerated in RCW 84.34.210 or 64.04.130, additional tax, interest, and penalty will be imposed on the owner of the property at that time;

(g) Removal of land granted classification as farm and agricultural land under RCW 84.34.020 (2)(d) because the principal residence of the farm operator or owner and/or housing for farm and agricultural employees was situated on it. This exception applies only to the land upon which the housing is located even if this portion of the agricultural enterprise has not been allocated a separate parcel number for assessment and tax purposes;

(h) Removal of classification after a statutory exemption is enacted that would exempt the land from property tax and the landowner submits a written request to the assessor to remove the land from classification. This exception applies only to newly enacted exemptions that would cause classified land to go from taxable to exempt status. For example, in 1999 the legislature created a new property tax exemption for property used for agricultural research and education programs. Subsequently, the owner of such land requests removal of the land from classification, no additional tax, interest or penalty are imposed because of this new property tax exemption authorized by RCW 84.36.570.

(i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;

(j) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040;

(k) The sale or transfer of land within two years of the death of an owner who held at least a fifty percent interest in the land if:

(i) The individual(s) or entity(ies) who received the land from the deceased owner is selling or transferring the land; and

(ii) The land has been continuously assessed and valued as classified or designated forest land under chapter 84.33 RCW or classified under chapter 84.34 RCW since 1993. The date of death shown on the death certificate begins the two-year period for sale or transfer;

(l) The sale or transfer of classified land between July 22, 2001, and July 22, 2003, if:

(i) An owner who held at least a fifty percent interest in the land died after January 1, 1991;

(ii) The individual(s) or entity(ies) who received the land from the deceased owner is selling or transferring the land; and

(iii) The land has been continuously assessed and valued as classified or designated forest land under chapter 84.33 RCW or classified under chapter 84.34 RCW since 1993. The date of death shown on the death certificate is the date used to determine the deceased owner's date of death; or

(m) The result of one of the following changes in classification because of the owner's request:

(i) Reclassification from farm and agricultural land under RCW 84.34.020(2) to: Timber land under RCW 84.34.020(3), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(ii) Reclassification from timber land under RCW 84.34.020(3) to: Farm and agricultural land under RCW 84.34.020(2), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(iii) Reclassification from open space/farm and agricultural conservation land under RCW 84.34.020 (1)(c) to farm and agricultural land under RCW 84.34.020(2) if the land was previously classified as farm and agricultural land; or

(iv) Reclassification from forest land under chapter 84.33 RCW to open space land under RCW 84.34.020(1).

(6) Land acquired by agencies or organizations qualified under RCW 84.34.210 or 64.04.130. If the purpose for acquiring classified land is to protect, preserve, maintain, improve, restore, limit the future use of, or conserve the land for public use or enjoyment and the classified land is acquired by any of the following entities, no additional tax, interest, or penalty will be imposed as long as the property is used for one of these purposes:

(a) State agency;

(b) Federal agency;

(c) County;

(d) City;

(e) Town;

(f) Metropolitan park district (see RCW 35.61.010);

(g) Metropolitan municipal corporation (see RCW 35.58.020);

(h) Nonprofit historic preservation corporation as defined in RCW 64.04.130; or

(i) Nonprofit nature conservancy corporation or association as defined in RCW 84.34.250.

(7) Removal of classification from land that was previously classified or designated forest land under chapter 84.33 RCW. Land that was previously classified or designated as forest land under chapter 84.33 RCW may be reclassified under chapter 84.34 RCW at the request of the land owner. If such land is subsequently removed from the current use program before the land has been classified under chapter 84.34 RCW for at least ten assessment years, a combination of compensating tax imposed under chapter 84.33 RCW and additional tax, interest, and penalty imposed under chapter 84.34 RCW is due. RCW 84.33.145 explains the way in which these taxes are to be calculated.

**AMENDATORY SECTION** (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-305 Due date of additional tax, ((applicable)) interest, and penalty upon withdrawal or removal.**

**(1) Introduction.** This ((section)) rule specifies the date upon which the additional tax, ((applicable)) interest, and, if appropriate, penalty are due when land is withdrawn or removed from classification under chapter 84.34 RCW. This ((section)) rule also explains the consequences of failure to timely pay these charges.

**(2) ((Definitions.** For purposes of this section, the following definitions apply:

**(a) "Removal"** means that all or a portion of land classified under the provisions of chapter 84.34 RCW must be removed from classification because the land is no longer being used for the purpose for which classification was

granted or for any other classified use within the current use program. The change in use may occur because of the sale or transfer of the classified land, the request by the owner to remove the land from the current use program, the determination by the assessor that the classified land no longer meets the criteria for classification under chapter 84.34 RCW, or any of the other occurrences listed in WAC 458-30-295.

(b) "Withdrawal" or "withdrawn" occurs when the owner of land classified under the provisions of chapter 84.34 RCW has filed a notice of request to withdraw all or a portion of the land from classification. In order to qualify for withdrawal, the parcel(s) of land must have been classified for a minimum of ten years and the owner must have filed a notice of request to withdraw with the assessor at least two years prior to the assessment year when the parcel will be valued at the assessed value as determined in accordance with the county's approved revaluation cycle. Land is withdrawn from classified status by a voluntary act of the owner.

(3) ~~Result of a sale or transfer.~~ If a parcel of land is withdrawn or removed from classification because of a sale or transfer, the additional tax, applicable interest, and penalty, if owed, are due and payable at the time of the sale or transfer.

(4) ~~General rule - ((withdrawal or removal due to all other circumstances)) payable within thirty days of removal or withdrawal.~~ Except for a sale or transfer, the additional tax, applicable interest, and penalty, if owed, are due no later than thirty days after the date the county treasurer mails the written notice to the owner regarding the amounts owed. This notice shall also state the date upon which the amounts owed are due.) No later than thirty days after the date the treasurer mails or gives the owner written notice that the land will be removed from classification with the amount of additional tax, interest, and penalty due, the total amount owing must be paid, except in the case of a sale or transfer. The notice must list the amount of additional tax, interest, and penalty owed, as well as the date on which the total amount must be paid.

~~((5))~~ (3) Exception to general rule - payable on date of sale or transfer. If classified land is to be removed because of a sale or transfer, additional tax, interest, and penalty, if owed, must be paid at the time of sale or transfer.

(4) Failure to timely pay - delinquency. Any additional tax, ~~((applicable))~~ interest, or penalty that is unpaid on its due date is delinquent. Interest ~~((shall be))~~ is charged on the total amount due at the same rate ~~((as))~~ that is applied by law to delinquent property taxes (see RCW 84.56.020). Interest accrues from the date of the delinquency until the date the total amount is paid in full.

~~((6))~~ (5) Additional tax, ~~((applicable))~~ interest, and penalty constitute a lien. When land is withdrawn or removed from classification ~~((is withdrawn or removed from a parcel of land))~~, the amount of additional tax, ~~((applicable))~~ interest, and ~~((or))~~ penalty ~~((shall))~~ becomes a lien on the ~~((parcel of))~~ land ~~((as of))~~ that attaches on the date of withdrawal or removal.

(a) This lien ~~((shall have))~~ has priority to and ~~((shall))~~ must be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which ~~((this))~~ the land may become charged or liable.

(b) The lien may be foreclosed at the same time and in ~~the same manner ((provided by law for foreclosure of))~~ as liens for delinquent real property taxes ~~((as set forth in))~~ are foreclosed under RCW 84.64.050.

AMENDATORY SECTION (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

WAC 458-30-310 County recording authority—County financial authority—Duties. (1) Introduction. This ~~((section))~~ rule explains the conditions under which documents conveying ownership of land classified under chapter 84.34 RCW will be accepted by the county recording authority ~~((under the provisions of chapter 84.34 RCW))~~. It also describes the duties of the treasurer in the withdrawal and removal processes.

(2) County recording authority—Limited documents may be accepted. The county recording authority ~~((shall))~~, usually the auditor, will not ~~((accept for recording))~~ record any instrument of conveyance involving ~~((a parcel of))~~ land classified ~~((according to))~~ under chapter 84.34 RCW unless:

(a) Any required additional tax, ~~((applicable))~~ interest, and ~~((or))~~ penalty has been paid to the treasurer and the treasurer has affixed a stamp on the REET affidavit showing this payment;

(b) The notice of continuance on or attached to the ~~((real estate excise tax))~~ REET affidavit is signed by the new owner or transferee, the assessor agrees that the land should remain classified, and the assessor checks the box on the REET affidavit that the land qualifies for continued classified current use status; or

(c) The land is to be removed from classification ~~((and the removal results solely from))~~ because of one of the exceptions listed in RCW 84.34.108 ~~((5) to the imposition of))~~ (6) and is exempt from additional tax, ~~((applicable))~~ interest, and penalty. ~~((See also WAC 458-30-300 that implements this statute.))~~

(3) Treasurer's duties. The treasurer has a number of responsibilities relative to land classified under chapter 84.34 RCW and to land that is to be withdrawn or removed from classification.

(a) Withdrawal. Upon receipt of a request for withdrawal from classification, the assessor prepares a statement listing the amount of additional tax and interest due as a result of the withdrawal, the date on which this sum must be paid, and the effective date of the withdrawal. The assessor sends a copy of this statement to the treasurer's office. The treasurer's office collects the total amount of additional tax and interest listed on the date specified.

(b) Removal. As soon as possible after determining that land must be removed from classification, the assessor prepares a notice of removal of classification and statement containing additional tax, interest, and penalty calculations. This notice and statement lists the reason(s) for removing the land from classification and the assessor's calculations of the total amount of additional tax, interest, and penalty due. The assessor sends or gives a copy of this notice and statement to the treasurer's office and to the taxpayer. The treasurer's office collects the total amount due on the date specified.

(c) Collection and distribution. The additional tax, interest, and, if any, penalty imposed under RCW 84.34.080 or 84.34.108 must be paid in full to the treasurer's office thirty days after the date the statement was mailed to the owner. When classified land is sold or transferred and real estate excise tax must be paid, the treasurer will affix a stamp on the REET affidavit as proof that the REET and additional tax, interest, and if any, penalty have been paid so the conveyance may be recorded. The additional tax collected is distributed to taxing districts in the same manner as current taxes applicable to the land are distributed. The treasurer distributes the interest and penalty collected to the county's current expense fund.

(d) The treasurer treats any additional tax, interest, and penalty not paid on the due date as delinquent property taxes.

**AMENDATORY SECTION** (Amending WSR 95-21-002, filed 10/4/95, effective 11/4/95)

**WAC 458-30-325 Transfers between classifications—Application for reclassification.** (1) **Introduction.** This ~~((section))~~ rule discusses the process ~~((by which classified))~~ used when land is reclassified ~~((under another))~~ into a different classification ~~((of))~~ under chapter 84.34 ~~((RCW))~~ or ~~((under chapter))~~ 84.33 RCW.

(2) ~~((Definitions. For purposes of this section the following definitions apply:~~

(a) ~~"Reclassification" means the process by which land classified under chapter 84.34 or 84.33 RCW is changed from one classification to another classification established by chapter 84.34 RCW or into forest land as described in chapter 84.33 RCW. The process of reclassification is a voluntary act taken on the part of an owner of classified land when the land must either be removed from classification or transferred to another classification to remain eligible under chapter 84.34 RCW or 84.33 RCW. For example, land classified as farm and agricultural land under RCW 84.34.020(2) may be reclassified as either timber or open space land under the provisions of chapter 84.34 RCW or as forest land under the provisions of chapter 84.33 RCW.~~

(b) ~~"Removal" means that all or a portion of land classified under the provisions on chapter 84.34 RCW must be removed from classification because the land is no longer being used for the purpose for which classification was granted or for any other classified use within the current use program. The change in use may occur because of the sale or transfer of the classified land, the request by the owner to remove the land from the current use program, the determination by the assessor that the classified land no longer meets the criteria for classification under chapter 84.34 RCW, or any of the other occurrences listed in WAC 458-30-295.~~

~~((3))~~ **General information - when reclassification is required.** ~~((When the current use program was revised in 1992, the statutes were changed to allow a transfer or reclassification))~~ In 1992, the legislature created an opportunity for owners of classified land to change the classification under which their land is classified under chapter 84.34 RCW or designated under chapter 84.33 RCW. The name given to this process is "reclassification." It is now possible to switch between the different classifications of chapter 84.34 RCW

and forest land under chapter 84.33 RCW. The following circumstances may cause an owner of classified land to seek reclassification ((to be sought)):

(a) The classified land is no longer being used for the purpose for which it was granted classification;

(b) The owner or new owner of classified land has decided to change the use of classified land;

(c) The classified land no longer meets the requirements of the classification under which it was ~~((granted classification))~~ originally classified; for example, farm and agricultural land that ~~((does not))~~ no longer produces the minimum income required by RCW 84.34.020 (2)(b) and (c) must either be reclassified or removed from the current use program;

(d) The new owner is an heir or devisee of a deceased owner who held classified land and the new owner either does not choose to meet or cannot meet the requirements of the classification under which ~~((it))~~ the land was ~~((granted classification))~~ originally classified; or

(e) The assessor has determined ~~((that))~~ the classified land is no longer eligible under the existing classification and the land must either be reclassified or removed from ~~((classification))~~ the current use program.

~~((4))~~ **(3) Reclassification process if land is subject to removal.** Within thirty days of receiving notice from the assessor that ~~((the))~~ classified land is to be removed from the current use program, the owner must submit an application for reclassification ~~((to))~~ into another classification under chapter 84.34 or 84.33 RCW if the owner elects to have the land remain classified. The removal notice ~~((shall))~~ must include a statement ~~((that informs))~~ informing the owner of the classified land ~~((that he or she may seek))~~ about the reclassification option. If ~~((the))~~ an application for reclassification is submitted within thirty days, the ~~((classified))~~ land ~~((shall))~~ is not ~~((be))~~ removed from classification until the application for reclassification is approved or denied.

~~((5))~~ **(4) Reclassification ((when)) process if an owner seeks change of classification.** An owner of classified land ~~((classified under 84.34 RCW))~~ may seek ~~((reclassification of that))~~ to have the land reclassified under a different current use classification under chapter 84.34 RCW or may seek ~~((classification or))~~ designation as forest land under chapter 84.33 RCW. ~~((The owner of classified land may seek reclassification because of a desire to change the use of the classified land or because he or she does not want to meet or cannot meet the requirements of the classification under which the land is currently classified.))~~

(a) If an owner elects to have land reclassified, the owner must submit an application for reclassification to the assessor of the county in which the land is located. This ((form shall)) application form will be ((designed)) prepared by the department and supplied to ((county)) assessors or it may be obtained on the internet at <http://dor.wa.gov/index.asp> under property tax, "forms."

(b) Within seven days of ~~((receipt of))~~ receiving this request, the assessor ~~((shall))~~ must forward a copy of ~~((this))~~ the application for reclassification to the appropriate granting authority (see the definition of "granting authority" in WAC 458-30-200 for more details). The assessor ~~((shall))~~ retains a copy of all applications for reclassification.

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(c) ~~((The status of classified land for which))~~ When an application for reclassification is ((sought shall)) submitted, the classified status of the land is not ((be)) changed until the application ((for reclassification)) is approved or denied.

~~((6))~~ **(5) Application procedure.** An application for reclassification ~~((shall be handled))~~ is processed in the same manner as an initial application for classification, which may include payment of an application fee if the county requires one. All classification requirements of RCW 84.34.035 for farm and agricultural land, RCW 84.34.037 for open space land, RCW 84.34.041 for timber land, and chapter 84.33 RCW for forest land must be satisfied in order to reclassify land. (These requirements are also described in WAC 458-30-225, 458-30-230, 458-30-232, 458-30-242, and chapter 458-40 WAC.)

(a) ~~((When evaluating an application for reclassification, the granting authority will follow the same procedures it has for processing an initial application for classification under chapter 84.34 or))~~ The granting authority must process an application for reclassification in the same manner as it processes an initial application for classification under chapter 84.34 RCW or for designation as forest land under chapter 84.33 RCW.

(b) An application for reclassification may be approved or denied, in whole or in part.

(i) The granting authority ~~((shall))~~ must notify the applicant in writing of the extent to which the application for reclassification is approved or denied.

(ii) The applicant ~~((shall have))~~ has the same appeal rights in relation to a denial of an application for reclassification as ~~((he or she))~~ the applicant has in regard ~~((s))~~ to an initial application for classification.

(iii) If an application for reclassification is denied, the assessor ~~((shall))~~ removes the land from classification and ~~((shall))~~ calculates ~~((the))~~ additional tax, ((applicable)) interest, and penalty in ((the manner set forth in WAC 458-30-300)) accordance with RCW 84.34.108.

~~((7))~~ **(6) Reclassifications exempt from additional tax.** No additional tax, ~~((applicable))~~ interest, ((and)) or penalty are due when ((the)) reclassification is a result of any of the following transfers between classifications:

(a) Reclassification from farm and agricultural land under RCW 84.34.020(2) to: Timber land under RCW 84.34.020(3), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(b) Reclassification from timber land under RCW 84.34.020(3) to: Farm and agricultural land under RCW 84.34.020(2), open space land under RCW 84.34.020(1), or forest land under chapter 84.33 RCW;

(c) Reclassification from open space/farm and agricultural conservation land under RCW 84.34.020 (1)(c) to farm and agricultural land under RCW 84.34.020(2) if the land was previously classified as farm and agricultural land; or

(d) Reclassification from forest land under chapter 84.33 RCW to open space land under RCW 84.34.020(1).

~~((8))~~ **(7) Income ~~((criteria))~~ production requirements of land to be reclassified.** The income ~~((criteria))~~ production requirements relating to the following reclassifications may be deferred for a period of up to five years from the effective date of reclassification when:

(a) Land classified as open space/farm and agricultural conservation land under RCW 84.34.020 (1)(c) or timber land under RCW 84.34.020(3) is reclassified as farm and agricultural land under RCW 84.34.020 (2)(b) ~~((and))~~ or (c); or

(b) Land classified or designated as forest land under chapter 84.33 RCW is reclassified as farm and agricultural land under RCW 84.34.020 (2)(b) ~~((and))~~ or (c).

~~((9))~~ **(8) Valuation of reclassified land.** The ~~((assessed))~~ value of ((land that has been)) reclassified ((shall reflect)) land will be based on the new classification as of January 1 of the assessment year following ~~((the))~~ approval of the request for reclassification. For example, if an application for reclassification from farm and agricultural land to open space/farm and agricultural conservation land is submitted on February 15, ~~((1993))~~ 1999, and approved effective June 1, ~~((1993))~~ 1999, the land ~~((shall))~~ will be valued and assessed as open space/farm and agricultural conservation land on January 1, ~~((1994))~~ 2000, and the owner ~~((shall))~~ is required to pay taxes on this new assessed value in ((1995)) 2001.

## WSR 01-24-035

### PERMANENT RULES

#### DEPARTMENT OF AGRICULTURE

[Filed November 28, 2001, 1:32 p.m.]

Date of Adoption: November 28, 2001.

Purpose: The state Noxious Weed Control Board adopts its annual amendment to the state noxious weed list to delete a species (dwarf snapdragon) from the Class B noxious weed list, to change the designation area for one Class B noxious weed species (rush skeletonweed), and to add four entries to the Class C noxious weed list (yellow flag iris, fragrant water lily, four cultivars of English ivy, and all hawkweeds that are nonnative and not currently listed as Class A or Class B noxious weeds).

Citation of Existing Rules Affected by this Order: Amending WAC 16-750-011 and 16-750-015.

Statutory Authority for Adoption: Chapter 17.10 RCW.

Adopted under notice filed as WSR 01-20-115 on October 3, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 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 2, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
 November 28, 2001  
 Ray H. Fann  
 Chairman

**AMENDATORY SECTION** (Amending WSR 00-24-017, filed 11/28/00, effective 1/2/01)

**WAC 16-750-011 State noxious weed list—Class B noxious weeds.**

Name	Will be a "Class B designate" in all lands lying within:
(1) blackgrass <i>Alopecurus myosuroides</i>	(a) regions 1, 2, 3, 5, 6, 8, 9, 10  (b) Ferry, Stevens, Pend Oreille counties of region 4 (c) Adams County of region 7.
(2) blueweed <i>Echium vulgare</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream along the Little Spokane River to the first Rutter Parkway Bridge; thence south along the Rutter Parkway to the intersection of Rutter Parkway and Indian Trail Road; thence southerly along Indian Trail Road to a point three miles south (on section line between sections 22 and 27, T-26N, R-42E); thence due west to a point intersecting the line between Ranges 41 and 42; thence north along this line to a point 1/4 mile south of Charles Road; thence northwesterly parallel to Charles Road to a point 1/4 miles south of the intersection of Charles Road and West Shore Road; thence northerly along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.
(3) broom, Scotch <i>Cytisus scoparius</i>	(a) regions 3, 4, 6, 7, 9, 10.
(4) bryony, white <i>Bryonia alba</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9  (b) region 7 except Whitman County (c) Franklin County of region 10.
(5) bugloss, common <i>Anchusa officinalis</i>	(a) regions 1, 2, 3, 5, 6, 8, 9, 10

Name	Will be a "Class B designate" in all lands lying within:
(6) bugloss, annual <i>Anchusa arvensis</i>	(b) region 4 except Stevens and Spokane counties (c) Lincoln, Adams, and Whitman counties of region 7. (a) regions 1, 2, 3, 4, 5, 6, 8, 9  (b) Lincoln and Adams counties (c) Whitman County except ranges 43 through 46 East of Townships 16 through 20 North.
(7) camelthorn <i>Alhagi maurorum</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, 9  (b) region 6 except those portions of Sections 23, 24, 25, and 29 through 36, T16N, R27E, W.M. lying outside Intercounty Weed District No. 52 and except Sections 1 through 12, T15N, R27E, W.M. in Grant County and except the area west of Highway 17 and north of Highway 26 in Adams County (c) Franklin, Columbia, Garfield, and Asotin counties of region 10 (d) an area beginning at the Washington—Oregon border at the southwest portion of section 5, R32E, T6N, then north to the northwest corner of section 3, R32E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington—Oregon border, then west along the Washington—Oregon border to the point of beginning.
(8) carrot, wild <i>Daucus carota</i>	(a) regions 3, 7 (except where intentionally cultivated) (b) Spokane and Ferry counties of region 4 (except where intentionally cultivated) (c) region 6, except Yakima County (except where intentionally cultivated) (d) region 9, except Yakima County (except where intentionally cultivated) (e) region 10, except Walla Walla County (except where intentionally cultivated).
(9) catsear, common <i>Hypochaeris radicata</i>	(a) regions 3, 4, 6, 7, 10  (b) region 9 except Klickitat County.

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Name	Will be a "Class B designate" in all lands lying within:
(10) chervil, wild <i>Anthriscus sylvestris</i>	(a) regions 1, 3, 4, 6, 7, 9, 10  (b) region 5 except those portions of Thurston County within T15, 16, 17N, R2, 3, 4W  (c) region 2 except Guemes Island in Skagit County  (d) region 8 except Clark County.
(11) cinquefoil, sulfur <i>Potentilla recta</i>	(a) regions 1, 3, 8, 10  (b) region 2 except Skagit County  (c) region 4 except Stevens, Ferry, and Pend Oreille counties  (d) region 5 except Thurston County  (e) region 6 except Yakima County  (f) region 7 except Spokane County  (g) region 8 except Lewis County  (h) region 9 except Klickitat County.
(12) cordgrass, smooth <i>Spartina alterniflora</i>	(a) regions 1, 3, 4, 5, 6, 7, 9, 10  (b) region 2 except Padilla Bay of Skagit County  (c) region 8 except bays and estuaries of Pacific County.
(13) cordgrass, common <i>Spartina anglica</i>	(a) regions 1, 3, 4, 5, 6, 7, 8, 9, 10  (b) region 2 except bays and estuaries of Skagit and Island counties and except bays and estuaries north of Everett in Snohomish County.
(14) daisy, oxeye <i>Leucanthemum vulgare</i>	(a) regions 7, 10  (b) region 9 except those areas lying within Klickitat and Yakima counties west of Range 13 East  (c) region 6 except those areas lying within Yakima and Kittitas counties west of Range 13 E.
(15) elodea, Brazilian <i>Egeria densa</i>	(a) regions 3, 4, 6, 7, 9, 10  (b) Lewis County of region 8  (c) Clallam County of region 1.
(16) fanwort <i>Cabomba caroliniana</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10

Name	Will be a "Class B designate" in all lands lying within:
(17) fieldcress, Austrian <i>Rorippa austriaca</i>	(b) region 8 except T8N, R3W of Cowlitz County.  (a) regions 1, 2, 3, 4, 5, 6, 8, 9  (b) regions 7 and 10 except within the Palouse River Canyon from Big Palouse Falls to the Snake River.
(18) floating heart, yellow <i>Nymphoides peltata</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10  (b) region 4 except the Spokane River between Long Lake Dam and Nine Mile Dam.
(19) gorse <i>Ulex europaeus</i>	(a) regions 3, 4, 6, 7, 9, 10  (b) Skagit and Whatcom counties of region 2  (c) Thurston, Pierce, and King counties of region 5  (d) Wahkiakum, Cowlitz, and Lewis counties of region 8  (e) Clallam County of region 1.
(20) hawkweed, mouseear <i>Hieracium pilosella</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10  (b) region 5 except Thurston County  (c) Thurston County lying within T17N, R1W, S31; T16N, R2W, S30 W1/2; T16N, R3W, S25, SE1/4; T16N, R3W, S36, N1/2; T16N, R2W, S31, NW1/4.
(21) hawkweed, orange <i>Hieracium aurantiacum</i>	(a) regions 3, 6, 9, 10  (b) Clallam County of region 1  (c) Skagit County of region 2  (d) Ferry County of region 4  (e) Thurston and King counties of region 5  (f) Lincoln and Adams counties of region 7  (g) Lewis County of region 8.
(22) hawkweed, polar <i>Hieracium atratum</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10  (b) region 5 outside the boundaries of Mt. Rainier National Park.
(23) hawkweed, smooth <i>Hieracium laevigatum</i>	(a) regions 1, 3, 4, 5, 6, 7, 8, 9, 10  (b) San Juan, Island, and Skagit counties of region 2.
(24) hawkweed, yellow <i>Hieracium caespitosum</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 10  (b) region 4 except north of T32N in Pend Oreille County and east Highway 395 and north of Highway 20 in Stevens County

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Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
(25) hedgeparsley <i>Torilis arvensis</i>	(c) region 9 except sections 32, 33 and 34 of T6N, R12E, and sections 4, 5, 6, and 7 of T5N, R12E, and section 12 of T5N, R11E, of Klickitat County. (a) regions 1, 2, 3, 4, 5, 6, 7, 8, 10 (b) Yakima, Benton, Franklin counties (c) Klickitat County except those lands lying within T4N, R10E, R11E, R12E, R13E, R14E; T3N, R10E, R11E, R12E, R13E; T2N, R12E, R13E.		Range 27E.; T21N, Ranges 28 through 30 E.; those portions of Townships 22 through 28N, Ranges 28 through 30 E.; those portions of Township 22 through 28N., Ranges 23 through 30E. lying in Grant County; all W.M. (c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22, 26, 27, 28, 31, 32, 33 and 34; T15N, R37E, western half of Sections 23, 24 and 25; T15N, R38E, Sections 2, 10, 11, 14, 15, 19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6
(26) helmet, policeman's <i>Impatiens glandulifera</i>	(a) regions 1, 3, 4, 6, 7, 8, 9, 10 (b) region 2 except Whatcom County (c) region 5 except Pierce and Thurston counties.		(d) Franklin County of regions 9 and 10. (a) regions 1, 2, 3, 4, 5, 7, 9, 10
(27) herb-Robert <i>Geranium robertianum</i>	(a) regions 3, 4, 6, 7, 9, 10	(33) knapweed, meadow <i>Centaurea jacea x nigra</i>	(b) region 6 except Kittitas County (c) region 8 except Clark County.
(28) houndstongue <i>Cynoglossum officinale</i>	(a) Kittitas County of region 6.		(a) regions 1, 2, 5, 7, 8 (b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County (c) Adams County of region 6 except for the area west of Highway 17 and North of Highway 26 (d) Intercounty Weed District No. 52 (e) region 10 except Franklin County.
(29) indigobush <i>Amorpha fruticosa</i>	(a) regions 1, 2, 3, 4, 5, 6 (b) regions 7 and 10 except within 200 feet of the Snake River from Central Ferry downstream (c) regions 8, 9, and 10 except within 200 feet of the Columbia River.	(34) knapweed, Russian <i>Acroptilon repens</i>	(a) regions 1, 2, 3, 4, 5, 7, 9, 10 (b) region 6 except Kittitas County (c) region 8 except Clark County.
(30) knapweed, black <i>Centaurea nigra</i>	(a) regions 1, 2, 3, 4, 5, 7, 9, 10 (b) region 6 except Kittitas County (c) region 8 except Clark County.		(a) regions 1, 2, 3, 5, 6, 8, 9 (b) Ferry County of region 4 (c) Adams and Whitman counties of region 7 (d) region 10 except Garfield County. (a) Kittitas County of region 6.
(31) knapweed, brown <i>Centaurea jacea</i>	(a) regions 1, 2, 3, 4, 5, 7, 9, 10 (b) region 6 except Kittitas County (c) region 8 except Clark County.	(35) knapweed, spotted <i>Centaurea biebersteinii</i>	(a) regions 1, 2, 3, 5, 6, 8, 9 (b) Ferry County of region 4 (c) Adams and Whitman counties of region 7 (d) region 10 except Garfield County. (a) Kittitas County of region 6.
(32) knapweed, diffuse <i>Centaurea diffusa</i>	(a) regions 1, 2, 5, 8 (b) Grant County lying in Townships 13 through 16 North, Ranges 25 through 27 East; Townships 17 and 18 N., Ranges 25 through 30 East; Townships 19 and 20 North, Ranges 29 and 30 East; T21N, R23E, Sections 1 through 30; T21N, R26E., Sections 5, 6, 7, 8, 17, and 18; East 1/2 Township 21N,	(36) knotweed, giant <i>Polygonum sachalinense</i> (37) knotweed, Japanese <i>Polygonum cuspidatum</i> (38) kochia <i>Kochia scoparia</i>	(a) Kittitas County of region 6. (a) Kittitas County of region 6. (a) Clallam County of region 1 (b) Skagit and Whatcom counties of region 2 (c) Pend Oreille County of region 4



Name	Will be a "Class B designate" in all lands lying within:
(39) lepyrodiclis <i>Lepyrodiclis holosteoides</i>	(d) King County of region 5
	(e) Kittitas County of region 6.
(40) loosestrife, garden <i>Lysimachia vulgaris</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10
	(b) region 7 except an area within Whitman County east of the Pullman—Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.
(41) loosestrife, purple <i>Lythrum salicaria</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10
	(b) region 5 except King County
	(c) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line.
	(a) regions 1, 4, 7, 8
	(b) region 2 except Snohomish County
	(c) region 3 except within 100 feet of the ordinary highway mark of the Okanogan River from the Canadian border south to Riverside
	(d) Grays Harbor, Mason, Kitsap, and Thurston counties of region 5
(e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line	
(f) Pierce County, except those areas lying within T2D, 21, 22N, R1W and R1E, all sections	
(g) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed	

Name	Will be a "Class B designate" in all lands lying within:
(42) loosestrife, wand <i>Lythrum virgatum</i>	(h) region 9 except Benton County
	(i) region 10 except Walla Walla County
(43) nutsedge, yellow <i>Cyperus esculentus</i>	(j) Intercounty Weed Districts No. 51 and No. 52.
	(a) regions 1, 4, 7, 8
	(b) region 2 except Snohomish County
	(c) region 3 except within 100 feet of the ordinary highway mark of the Okanogan River from the Canadian border south to Riverside
	(d) region 5 except King County
	(e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line
	(f) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed
(g) region 9 except Benton County	
(h) region 10 except Walla Walla County	
(i) Intercounty Weed Districts No. 51 and No. 52.	
(a) regions 1, 2, 3, 4, 5, 7, 8	
(b) region 6 except those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except S 1/2, Sec. 2, T20N, R25E., W.M.	
(c) region 9 except:	
(i) except those areas lying within the following boundary description within Yakima County: Beginning at the intersection of Highway 12 and Parker Heights Road and continuing easterly to Konnowac Pass Road follow said road north	

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Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	to the intersection of Konnowac Pass Road and Nightingale Road. The northern boundary shall be the Roza Canal, continuing from the established point at Nightingale Road. The boundaries will follow the Roza Canal easterly to the County Line Road. The east boundaries will be the Yakima/Benton County Line from a point beginning at the County Line and Highway 22 (near Byron) continuing westerly along Highway 22 (to near the city of Mabton) to the intersection of Highway 22 and the Reservation Boundary (Division Road) and continuing north to the Yakima River. Then it will follow the river northwest to the Wapato-Donald Road continuing north along said road to Highway 12 then Highway 12 to Parker Heights Road.		(d) Clallam County of region 1.
	(ii) an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E of Klickitat County	(49) ragwort, tansy <i>Senecio jacobaea</i>	(a) regions 3, 4, 6, 7, 9, 10
	(d) region 10 except Walla Walla County.		(b) region 5, that portion of Pierce County lying south or east of a boundary beginning at the White River and State Highway 410, then west along State Highway 410 to intersection with State Highway 162 (Orting) to intersection with Orville Road, then south along Orville Road to intersection with Kapowsin Highway (304th Street East), then west following Kapowsin Highway to intersection with State Route 7, then south along State Route 7 to intersection with State Route 702, then west along State Route 702 to intersection with State Route 507, then southwest along State Route 507 to intersection with the Nisqually River.
(44) oxtongue, hawkweed <i>Picris hieracioides</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10	(50) sandbur, longspine <i>Cenchrus longispinus</i>	(a) regions 1, 2, 3, 4, 5, 7, 8
	(b) region 8 except Skamania County.		(b) Adams County of region 6 except for that area lying within Intercounty Weed District No. 52
(45) parrotfeather <i>Myriophyllum aquaticum</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10	(51) skeletonweed, rush <i>Chondrilla juncea</i>	(c) Intercounty Weed District No. 51
	(b) region 8 except Clark, Cowlitz, and Wahkiakum counties.		(d) Kittitas County of region 6.
(46) pepperweed, perennial <i>Lepidium latifolium</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, 10		(a) regions 1, 2, 3, 5, 8, 9
	(b) Intercounty Weed Districts No. 51 and 52		(b) Franklin County except T13N, R36E; and T14N, R36E
	(c) Kittitas County of region 6		(c) Adams County except those areas lying east of a line running north from Franklin County along the western boundary of Range 36 East to State Highway 26 then north on Sage Road until it intersects Lee Road, then due north until intersection with Providence Road, then east to State Highway 261, then north along State Highway 261 to its intersection with Interstate 90, henceforth on a due north line to intersection with Bauman Road, then north along Bauman Road to its terminus, then due north to the Lincoln County line.
	(d) Adams County of region 6 except for the area west of Highway 17 and north of Highway 26.		
(47) primrose, water <i>Ludwigia hexmetala</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10		
	(b) region 8 except T8N, R3W, S14 of Cowlitz County.		
(48) puncturevine <i>Tribulus terrestris</i>	(a) Skagit County of region 2		
	(b) Kittitas County of region 6		
	(c) Adams County		

Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
<p><del>((52))</del> snapdragon, dwarf <i>Chaenorrhinum minus</i></p>	<p>(d) region 6 except that portion lying within Grant County that is southerly of State Highway 28, northerly of Interstate Highway 90 and easterly of Grant County Road ((E)) 1 Northwest</p> <p>(e) Stevens County north of Township 33 North of region 4</p> <p>(f) Ferry and Pend Oreille counties of region 4</p> <p>(g) Asotin County of region 10</p> <p>(h) Garfield County south of Highway 12</p> <p>(i) Columbia County from the Walla Walla County line on Highway 12, all areas south of Turner Road; at Turner Road to the Garfield county line, all areas south and east of Turner Road</p> <p>(j) Whitman County lying in Ranges 43 through 46 East of Townships 15 through 20 North; T14N, Ranges 44 through 46 East; and T13N, Ranges 45 and 46 East.</p>	<p><del>((55))</del></p> <p>(54) starthistle, yellow <i>Centaurea solstitialis</i></p>	<p>(a) regions 1, 2, 3, 5, 6, 8</p> <p>(b) region 4 except those areas within Stevens County bounded by a line beginning at the intersection of State Highway 20 and State Highway 25, then north to intersection with Pinkston Creek Road, then east along Pinkston Creek Road to intersection with Highland Loop Road, then south along Highland Loop Road to intersection with State Highway 20, then west along State Highway 20 to intersection with State Highway 25</p> <p>(c) region 7 except those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border</p>
<p>(53))</p> <p>(52) sowthistle, perennial <i>Sonchus arvensis</i> <i>ssp. arvensis</i></p>	<p>(a) regions 1, 2, 3, 5, 6, 8, 9, 10</p> <p>(b) region 4 except Spokane County</p> <p>(c) region 7 except Spokane County</p> <p>(a) regions 1, 2, 3, 4, 7, 8, 9, 10</p> <p>(b) Adams County of region 6</p> <p>(c) region 5 except for sections 28, 29, 30, 31, 32, and 33 in T19N, R1E of Thurston and Pierce counties.</p>	<p>(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10</p> <p>(b) region 7 except as follows:</p> <p>(i) T27N, R37E, Sections 34, 35, 36; T27N, R38E, Sections 31, 32, 33; T26N, R37E, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 26; T26N, R38E, Sections 5, 6, 7, 8 of Lincoln County</p> <p>(ii) T24N, R43E, Section 12, Qtr. Section 3, Parcel No. 9068 of Spokane County.</p>	<p>(d) Franklin County</p> <p>(e) region 9 except Klickitat County</p> <p>(f) in all lands lying within Asotin County, Region 10, except as follows: T11N, R44E, Sections 25, 26, 27, 28, 29, 31, 32, 33, 34, and 35; T11N, R45E, Sections 21, 22, 23, and 25; T11N, R36E, Sections 19, 20, 21, 28, 29, 30, 31, 32, and 33; T10N, R44E, Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 15, and 16; T10N, R45E, Sections 23 and 24; T10N, R46E, Sections 7, 8, 17, 18, 19, 20, 21, 22, 27, 34, and 35; T9N, R46E, Sections 1, 2, 12, 13, 14, 23, 24, 25, 26, 35, and 36; T9N, R47E, Sections 18, 19, 30, and 31; T8N, R46E, Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 23, and 24; T8N, R47E, Sections 8, 17, 18, 19, 20, 29, 30, 31, and 32.</p>
<p><del>((54))</del></p> <p>(53) spurge, leafy <i>Euphorbia esula</i></p>	<p>(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10</p> <p>(b) region 7 except as follows:</p> <p>(i) T27N, R37E, Sections 34, 35, 36; T27N, R38E, Sections 31, 32, 33; T26N, R37E, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 26; T26N, R38E, Sections 5, 6, 7, 8 of Lincoln County</p> <p>(ii) T24N, R43E, Section 12, Qtr. Section 3, Parcel No. 9068 of Spokane County.</p>	<p><del>((56))</del></p> <p>(55) Swainsonpea <i>Sphaerophysa salsula</i></p>	<p>(a) regions 1, 2, 3, 4, 5, 7, 8</p> <p>(b) Columbia, Garfield, Asotin, and Franklin counties</p>

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Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	(c) an area beginning at the Washington—Oregon border at the southwest portion of Section 15, R32E, T6N, then north to the northwest corner of Section 3, R32E, T7N, then east to the northeast corner of Section 3, R36E, T7N, then south to the southeast portion of Section 15, R36E, T6N, at the Washington—Oregon border, then west along the Washington—Oregon border to the point of beginning		(d) Kittitas, Chelan, Douglas, and Adams counties of region 6
	(d) Weed District No. 3 of Grant County		(e) Intercounty Weed District No. 51
	(e) Adams County of region 6.		(f) Weed District No. 3 of Grant County
((57)) (56) thistle, musk <i>Carduus nutans</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10		(g) Lincoln and Adams counties
	(b) Spokane and Pend Oreille counties.		(h) The western two miles of Spokane County of region 7
((58)) (57) thistle, plumeless <i>Carduus acanthoides</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10		(i) region 9 except as follows:
	(b) region 4 except those areas within Stevens County lying north of State Highway 20.		(i) those areas lying within Yakima County
	(a) regions 1, 2, 3, 4, 5, 6, 8, 9	((64)) (60) watermilfoil, Eurasian <i>Myriophyllum spicatum</i>	(ii) those areas lying west of the Klickitat River and within Klickitat County.
	(b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border		(a) regions 1, 9, 10
((59)) (58) thistle, Scotch <i>Onopordum acanthium</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9		(b) region 7 except Spokane County
	(b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border		(c) region 8 except within 200 feet of the Columbia River
	(c) Franklin County.		(d) Adams County of region 6
	(a) regions 1, 2, 5, 8, 10		(e) in all water bodies of public access, except the Pend Oreille River, in Pend Oreille County of region 4.
((60)) (59) toadflax, Dalmatian <i>Linaria dalmatica ssp. dalmatica</i>	(b) Douglas County of region 3 lying south of T25N, west of R25E, and east of R28E		
	(c) Okanogan County lying within T 33, 34, 35N, R19, 20, 21, 22E, except the southwest, southeast, and northeast quarters of the northeast quarter of section 27, T35N, R21E; and the northeast quarter of the southeast quarter of section 27, T35N, R21E		

**AMENDATORY SECTION** (Amending WSR 00-24-017, filed 11/28/00, effective 1/2/01)

**WAC 16-750-015 State noxious weed list—Class C noxious weeds.**

Common Name	Scientific Name
babysbreath	<i>Gypsophila paniculata</i>
beard, old man's	<i>Clematis vitalba</i>
bindweed, field	<i>Convolvulus arvensis</i>
canarygrass, reed	<i>Phalaris arundinacea</i>
cockle, white	<i>Silene latifolia ssp. alba</i>
cocklebur, spiny	<i>Xanthium spinosum</i>
cress, hoary	<i>Cardaria draba</i>
dodder, smoothseed alfalfa	<i>Cuscuta approximata</i>
goatgrass, jointed	<i>Aegilops cylindrica</i>
<u>hawkweed, nonnative species</u>	<u><i>Heiracium sp.</i>, except species designated in the note in the left-hand column</u>

**Note:**  
This listing includes all species of *Heiracium*, except the following:  
 • Species designated as Class A noxious weeds in WAC 16-750-005;  
 • Species designated as Class B noxious weeds in WAC 16-750-011;

**Common Name**  
 • native species designated below:  
 – Canada hawkweed (H. canadense)  
 – houndstongue hawkweed (H. cynoglossoides)  
 – long-beaked hawkweed (H. longiberbe)  
 – narrow-leaved hawkweed (H. umbellatum)  
 – slender hawkweed (H. gracile)  
 – western hawkweed (H. albertinum)  
 – white-flowered hawkweed (H. albiflorum)  
 – woolley-weed (H. scouleri)  
 henbane, black  
iris, yellow flag  
ivy, English, 4 cultivars only:  
  
 mayweed, scentless  
 poison-hemlock  
 rye, cereal  
 spikeweed  
 St. Johnswort, common  
 tansy, common  
 thistle, bull  
 thistle, Canada  
 toadflax, yellow  
water lily, fragrant  
 whitetop, hairy  
 wormwood, absinth

**Scientific Name**  
 Hyoscyamus niger  
Iris pseudocorus  
Hedera hibernica 'Hibernica'  
Hedera helix 'Baltica'  
Hedera helix 'Pittsburgh'  
Hedera helix 'Star'  
 Matricaria perforata  
 Conium maculatum  
 Secale cereale  
 Hemizonia pungens  
 Hypericum perforatum  
 Tanacetum vulgare  
 Cirsium vulgare  
 Cirsium arvense  
 Linaria vulgaris  
Nymphaea odorata  
 Cardaria pubescens  
 Artemisia absinthium

pus or college purposes, and principally designed to further the educational functions of the institution.

Citation of Existing Rules Affected by this Order: Amending WAC 458-16-260 Nonprofit day care centers, libraries, orphanages, homes for the sick or infirm, hospitals, outpatient dialysis facilities and 458-16-270 Schools and colleges.

Statutory Authority for Adoption: RCW 84.36.865.  
 Other Authority: RCW 84.36.040 and 84.36.050.

Adopted under notice filed as WSR 01-19-063 on September 18, 2001.

Changes Other than Editing from Proposed to Adopted Version: Only minor editorial changes were made to WAC 458-16-260.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 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 2, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
 November 28, 2001  
 Russell W. Brubaker  
 Assistant Director  
 Legislation and Policy

**WSR 01-24-037**  
**PERMANENT RULES**  
**DEPARTMENT OF REVENUE**  
 [Filed November 28, 2001, 3:59 p.m.]

Date of Adoption: November 28, 2001.

Purpose: WAC 458-16-260 explains the property tax exemption available under the provisions of RCW 84.36.040 for property used by nonprofit day care centers, libraries, orphanages, homes for the sick or infirm, hospitals, outpatient dialysis facilities. WAC 458-16-270 explains the property tax exemption available under the provisions of RCW 84.36.050 to nonprofit schools and colleges.

These rules are being amended to reflect legislative changes to RCW 84.36.040 and 84.36.050, codified as sections 1 and 2, chapter 126, Laws of 2001. The amendments to WAC 458-16-260 include new statutory provisions that expand the exemption to property leased to and used by a hospital that is owned and operated by a public hospital district established under chapter 70.44 RCW. The amendments to WAC 458-16-270 describe the expanded exemption to property owned by a not-for-profit foundation but leased to an institution of higher education, exclusively used for cam-

**AMENDATORY SECTION** (Amending WSR 94-07-008, filed 3/3/94, effective 4/3/94)

**WAC 458-16-260 Nonprofit day care centers, libraries, orphanages, homes for sick or infirm, hospitals, outpatient dialysis facilities.** (1) **Introduction.** This ~~((section))~~ rule explains the property tax exemption available under the provisions of RCW 84.36.040 to property used by nonprofit day care centers, libraries, orphanages, homes for the sick or infirm, hospitals, ~~((and))~~ outpatient dialysis facilities, and to property leased to and used by a hospital that is owned and operated by a public hospital district for hospital purposes.

(2) **Definitions.** For purposes of this ~~((section))~~ rule, the following definitions apply:

(a) "Convalescent and chronic care" means any or all procedures commonly employed in caring for the sick including, but not limited to, administering medicines, preparing special diets, providing bedside nursing care, applying dressings and bandages, and carrying out any treatment prescribed by a duly licensed practitioner of the healing arts.

(b) "Day care center" means a facility that regularly provides care for a group of children for periods of less than twenty-four consecutive hours.

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(c) "Home for the sick or infirm" means any home, place, or institution that operates or maintains facilities to provide convalescent or chronic care, or both, for three or more persons not related by blood or marriage to the operator, who by reason of illness or infirmity, are unable to properly care for themselves.

(i) The services must be provided to persons over a continuous period of twenty-four hours or more.

(ii) A boarding home, guest home, hotel, or similar institution that is held forth to the public as providing and supplying only room, board, or laundry services to persons who do not need medical or nursing treatment or supervision is not considered a "home for the sick or infirm" for purposes of this ~~(section)~~ rule.

(d) "Hospital" means a nonprofit organization, association, or corporation or public hospital established in accordance with chapter 70.44 RCW engaged in providing medical, surgical, nursing or related health care services for the prevention, diagnosis or treatment of human disease, pain, injury, disability, deformity, mental illness, or retardation, as well as the equipment and facilities used by a nonprofit organization, association, or corporation or hospital established in accordance with chapter 70.44 RCW to deliver such services to inpatients. These services must be provided over a continuous period of twenty-four hours or more.

(i) "Hospital" also means any portion of a hospital building, or other buildings used in connection therewith, and the equipment therein operated as a part of a hospital unit or used as a residence for persons engaged or employed in the operation of a hospital including, but not limited to, a nurse's home or a residence for hospital employees.

(ii) "Hospital" does not mean:

(A) Hotels or similar places that furnish only food and lodging or simple domiciliary care;

(B) Clinics or physician's offices where patients are not regularly kept as bed patients for twenty-four hours or more;

(C) Nursing homes as defined in chapter 18.51 RCW; and

(D) Maternity homes as defined in 18.46 RCW.

(e) "Hospital unit" means all buildings or properties that are part of an integrated, interrelated, homogeneous unit exclusively used for exempt hospital purposes. The term includes residential units exclusively used to temporarily house families of inpatients in an integrated program of hospital therapy.

(f) "Property" means real or personal property used by a nonprofit organization, association, or corporation or leased to and used by a hospital that is owned and operated by a public hospital district established under chapter 70.44 RCW.

(3) **Exemption for exclusively used property.** All real and personal property exclusively used by a nonprofit organization, association, or corporation for the following institutions ~~(shall be)~~ is exempt from taxation:

(a) Day care centers;

(b) Preschools;

(c) Free public libraries;

(d) Orphanages and orphan asylums;

(e) Homes for the sick or infirm;

(f) Hospitals for the sick; and

(g) Outpatient dialysis facilities.

(4) **Exemption for loaned or rented property.** Property loaned ~~((to))~~ or rented ~~((by))~~ to an institution listed in subsections (3) (a) through (g) of this ~~(section shall)~~ rule is also ~~((be))~~ exempt from taxation if:

(a) The property is exclusively used by the nonprofit organization, association, or corporation;

(b) The benefit of the exemption inures to the user; and

(c) The property was specifically identified as loaned or rented when the application for exemption was made.

(5) **Property leased to and used by a hospital that is owned and operated by a public hospital district.** All real and personal property leased to and used by a hospital owned and operated by a public hospital district established under chapter 70.44 RCW for hospital purposes is exempt from taxation. The benefit of the exemption must inure to the entity using the exempt property.

(6) **Exclusive use required.** Any portion of property exempt under ~~((either))~~ subsections (3) ~~((or(4)))~~ through (5) of this ~~(section)~~ rule that is not exclusively used in a manner furthering the exempt purposes of the nonprofit organization, association, or corporation or the hospital purposes of public hospital district must be segregated and taxed. For example, hospital property used by a physician to conduct his private practice must be segregated and taxed.

~~((6))~~ (7) **Actual use and irrevocable dedication required.** To be exempt from taxation under this ~~(section)~~ rule, all property owned by a nonprofit organization, association, or corporation or owned and operated by a public hospital district established under chapter 70.44 RCW must be:

(a) In use; and

(b) Irrevocably dedicated to the exempt purpose of the nonprofit organization, association, or corporation.

~~((7))~~ (8) **Additional requirements.** Any organization or association that applies for a property tax exemption under this ~~(section)~~ rule must also comply with the provisions of WAC 458-16-165. WAC 458-16-165 sets forth additional conditions and requirements that must be complied with to obtain a property tax exemption ~~((pursuant to))~~ under RCW 84.36.040.

**AMENDATORY SECTION** (Amending WSR 94-07-008, filed 3/3/94, effective 4/3/94)

**WAC 458-16-270 Schools and colleges.** (1) **Introduction.** This ~~(section)~~ rule explains the two property tax exemptions available under the provisions of RCW 84.36.050 to property owned by or used for a nonprofit school or college and to property owned by a not-for-profit foundation established for the exclusive support of an institution of higher education, as defined in RCW 28B.10.016, that is leased to and used by the institution.

(2) **Definitions.** For purposes of this ~~(section)~~ rule, the following definitions apply:

(a) "Campus or college purposes" means property that is only needed because of the presence of the nonprofit school or college and is principally designed to further the educational purposes and functions of a nonprofit school or college or an institution of higher education, as defined in RCW 28B.10.016.

(b) "Cultural or art education program" includes and is limited to:

(i) An exhibition or presentation of works of art or objects of cultural or historical significance, such as those commonly displayed in art or history museums;

(ii) A musical or dramatic performance or series of performances; or

(iii) An educational seminar or program, or series of such programs, offered by a nonprofit school or college to the general public on an artistic, cultural, or historical subject.

(c) "Educational purposes" means systematic instruction, either formal or informal, in any and all branches of learning directed to an indefinite class of persons and from which a substantial public benefit is derived. The term includes all purposes that seek to promote or advance education.

(d) "Schools and colleges" means:

(i) Nonprofit educational institutions that are approved by the superintendent of public instruction or whose students and credentials are accepted without examination by schools and colleges established under either Title 28A or 28B RCW and offer students an educational program of a general academic nature;

(ii) An institution of higher education, as defined in RCW 28B.10.016; or

~~((#))~~ (iii) Nonprofit institutions that meet the following criteria:

(A) They have a definable curriculum and measurable outcomes for a specific group of students;

(B) They have a qualified or certified faculty;

(C) They have facilities and equipment that are designed for the primary purpose of the educational program;

(D) They have an attendance policy and requirement;

(E) They have a schedule or course of study that supports the instructional curriculum; and

(F) They are accredited, recognized, or approved by an external agency that certifies educational institutions and the transferability of courses.

(e) "Revenue" means income received from the loan or rental of exempt property when the income exceeds the amount of the maintenance and operation expenses attributable to the portion of the property loaned or rented.

(3) **Exemption - nonprofit schools or colleges.** Property owned or used by any nonprofit school or college within this state ~~((shall be))~~ is exempt to the extent that it is used exclusively for educational purposes or cultural or art educational programs.

(a) Real property exempt under this ~~((section shall not))~~ rule cannot exceed four hundred acres and ~~((shall))~~ must be used exclusively for school, college, or campus purposes. The property ~~((shall))~~ includes, but is not limited to:

(i) Buildings and grounds principally designed for the educational, athletic, or social programs of the nonprofit school or college and the need for which would be nonexistent except for the existence of the school or college;

(ii) Buildings that house part-time or full-time students;

(iii) Buildings that house religious faculty; and

(iv) Buildings that house the chief administrator.

(b) The use of exempt property by professional organizations for conferences, seminars, or other activities that

enhance the reputation of the nonprofit school or college will not nullify the exemption. Similarly, the use of exempt property owned by a nonprofit school or college for any education purpose will not nullify the exemption.

(c) All property that is not part of the main campus of a school or college and for which the institution wishes to obtain an exemption under this ~~((section))~~ rule, the department may require said institution to provide, in detail, the following information:

(i) The names of courses taught at the off-campus site;

(ii) A calendar of dates and times that shows how the subject property was used; and

(iii) The number of students that participated in the educational activities conducted at the off-campus site.

(d) To be eligible to receive this exemption, the nonprofit school or college must be open to all persons regardless of race, color, national origin, or ancestry. However, there is no limitation on the type of courses the institution may offer.

(4) **Property leased to a nonprofit school or college.** If property is leased to a nonprofit school or college, in order to be exempt, the property must be:

(a) Irrevocably dedicated to the purpose for which exemption has been granted; and

(b) The benefit of the exemption must inure to the user.

(c) For example, if a ~~((nonprofit foundation))~~ private citizen leases real or personal property to a nonprofit school or college to be used for educational purposes or cultural or art educational programs, the leased property may qualify for exemption if it meets the requirements of subsection (3)(a), (b), and (c) of this ~~((section))~~ rule.

(5) **Production of financial records - nonprofit schools or colleges.** In addition to the financial records that must be produced to comply with the requirements of WAC 458-16-165, a nonprofit school or college claiming exemption under this ~~((section shall))~~ rule must annually submit a detailed summary containing the following information regarding the previous calendar year:

(a) A list of all property that it claimed was exempt;

(b) The purpose for which the property was used;

(c) The income derived from the property;

(d) The manner in which the income received was applied;

(e) The number of students who attended the school or college;

(f) The total income of the school or college and the sources from which it was derived; and

(g) The purposes to which the total income of the school or college was applied including, but not limited to, all income received and expenditures made.

(6) **Exemption - property owned by a not-for-profit foundation that is leased to and used by an institution of higher education.** RCW 84.36.050 also provides a property tax exemption to real or personal property owned by a not-for-profit foundation that is established for the exclusive support of an institution of higher education, as defined in RCW 28B.10.016, if it is leased to and used by the institution exclusively for campus or college purposes and is principally designed to further the educational functions of the institution.

(a) An institution of higher education is defined in RCW 28B.10.016 as synonymous with "postsecondary institutions" and means the University of Washington, Washington State University, Western Washington University at Bellingham, Central Washington University at Ellensburg, Eastern Washington University at Cheney, The Evergreen State College, the community colleges, and the technical colleges.

(b) The exemption can only be obtained for property actively utilized by currently enrolled students.

(c) The benefit of the exemption must inure to the educational institution using the exempt property.

(7) **Additional requirements.** Any organization, association, ~~((or))~~ corporation, or foundation that applies for a property tax exemption under this ~~((section))~~ rule must also comply with the provisions of WAC 458-16-165. WAC 458-16-165 sets forth additional conditions and requirements that must be complied with to obtain a property tax exemption ~~((pursuant to))~~ under RCW 84.36.050.

Statutory Authority for Adoption: RCW 51.04.020, 51.04.030, 51.36.080, 51.36.085.

Adopted under notice filed as WSR 01-18-082 on September 5, 2001.

Changes Other than Editing from Proposed to Adopted Version: WAC 296-23A-0220, information added concerning critical access hospitals; WAC 296-23A-0221, added a word inadvertently left out of the WAC; WAC 296-23A-0700, added clarifying terminology that the Center for Medicare and Medicaid Services system had been modified; WAC 296-23A-0710, clarified the definition of "Blended rate"; WAC 296-23A-0750, clarified exclusionary language to give the department additional flexibility; and WAC 296-23A-0780, clarified the language concerning the printed guidelines.

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 8, 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 8, Amended 1, Repealed 0.

Effective Date of Rule: January 1, 2002.

November 29, 2001

Gary Moore  
Director

**WSR 01-24-045**

**PERMANENT RULES**

**DEPARTMENT OF**

**LABOR AND INDUSTRIES**

[Filed November 29, 2001, 10:13 a.m., effective January 1, 2002]

Date of Adoption: November 29, 2001.

Purpose: The purpose of the rule changes is to allow the department to implement an outpatient prospective payment system (OPPS) in order to better manage outpatient expenditures, improve consistency of payment policies, improve consistency between payment levels and actual costs of service, establish greater uniformity between state agencies regarding reimbursement methodologies, allow for greater analysis and prediction of utilization and costs, and allow for rate adjustments to be based on more consistent and applicable data.

Citation of Existing Rules Affected by this Order: New WAC 296-23A-0221, 296-23A-0700, 296-23A-0710, 296-23A-0720, 296-23A-0730, 296-23A-0740, 296-23A-0750, 296-23A-0770 and 296-23A-0780; and amending WAC 296-23A-0220.

**AMENDATORY SECTION** (Amending WSR 00-06-027, filed 2/24/00, effective 3/26/00)

**WAC 296-23A-0220** How does the department ~~((or self-insurer))~~ pay for hospital outpatient services? The department ~~((or self-insurer))~~ will pay for hospital outpatient services according to the following table:

<i>((Hospital Type or Location</i>	<i>Do percent of allowed charges (POAC) payment methods apply?</i>	<i>Does the department's Medical Aid Rules and Fee Schedules apply to hospital outpatient radiology, laboratory, pathology and physical therapy services?</i>
Children's Hospitals	Yes, paid 100% of allowed charges	Yes
Chronic Pain Management Program	Exempt, paid per department agreement	Exempt, paid per department agreement
Health Maintenance Organizations	Yes, paid 100% of allowed charges	Yes
Military	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
Veterans Administration	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
State psychiatric facility	Yes, paid 100% of allowed charges	Yes
Washington rural (Peer Group A)	Yes, applies to hospital outpatient services except radiology, laboratory, pathology and physical therapy	Yes
All other Washington hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology and physical therapy	Yes))

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<u>Hospital Type or Service Location</u>	<u>Does the Ambulatory Payment Classification System apply?</u>	<u>Do percent of allowed charges (POAC) payment methods apply?</u>	<u>Do the department's Medical Aid Rules and Fee Schedules apply to hospital outpatient radiology, laboratory, pathology, occupational therapy, and physical therapy services?</u>
<u>Children's hospitals</u>	No	Yes, paid 100% of allowed charges	Yes
<u>Chronic Pain Management Program</u>	No	Exempt, paid per department agreement	Exempt, paid per department agreement
<u>Health Maintenance Organizations</u>	Yes, paid statewide average per APC rate	Yes, applies to certain hospital outpatient services excluded from OPSS except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
<u>Military</u>	No	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
<u>Veterans Administration</u>	No	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
<u>State psychiatric facility</u>	No	Yes, paid 100% of allowed charges	Yes
<u>Other psychiatric hospitals</u>	No	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
<u>Rehabilitation hospitals</u>	No	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
<u>Cancer hospitals</u>	No	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
<u>Washington rural (Peer Group 1)</u>	No	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
<u>Critical access hospitals</u>	No	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
<u>All other Washington hospitals</u>	Yes	Yes, applies to certain hospital outpatient services excluded from OPSS except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes

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Hospitals are reimbursed only for the technical component of rates listed in the fee schedules, for outpatient radiology, pathology and laboratory services.

See chapter 296-23 WAC for rules on radiology, pathology, laboratory, physical therapy, occupational therapy, and work hardening services.

See WAC 296-23A-700 for rules on prospective payment system for hospital outpatient services.

See WAC 296-20-132 and 296-20-135 for information on the conversion factor used for certain hospital outpatient services.

**NEW SECTION**

**WAC 296-23A-0221 How does the self-insurer pay for hospital outpatient services?** The self-insurer will pay for hospital outpatient services according to the following table:

Hospital Type or Service Location	Do percent of allowed charges (POAC) payment methods apply?	Do the department's Medical Aid Rules and Fee Schedules apply to hospital outpatient radiology, laboratory, pathology, occupational therapy, and physical therapy services?
Children's hospitals	Yes, paid 100% of allowed charges	Yes
Chronic Pain Management Program	Not Applicable	Not Applicable
Health Maintenance Organizations	Yes, paid 100% of allowed charges	Yes
Military	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
Veterans Administration	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
State psychiatric facility	Yes, paid 100% of allowed charges	Yes
Other psychiatric hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
Rehabilitation hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
Cancer hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
Washington rural (Peer Group 1)	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes
All other Washington hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology, occupational therapy, and physical therapy	Yes

Hospitals are reimbursed only for the technical component of rates listed in the fee schedules, for outpatient radiology, pathology and laboratory services.

See chapter 296-23 WAC for rules on radiology, pathology, laboratory, physical therapy, occupational therapy, and work hardening services.

See WAC 296-23A-700 for rules on the prospective payment system for hospital outpatient services.

See WAC 296-20-132 and 296-20-135 for information on the conversion factor used for certain hospital outpatient services.

**PART 4 - AMBULATORY PAYMENT CLASSIFICATION PAYMENT METHODS AND POLICIES**

**NEW SECTION**

**WAC 296-23A-0700 What is the "ambulatory payment classification" (APC) payment system?** The APC outpatient prospective payment system (OPPS) is a reimbursement method that categorizes outpatient visits into groups according to the clinical characteristics, the typical resource use, and the costs associated with the diagnoses and the procedures performed. The groups are called Ambulatory Payment Classifications (APCs). The department uses a modified version of the Centers for Medicare and Medicaid

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Services' (CMS) Prospective Payment System for Hospital Outpatient Department Services to pay some hospitals for covered outpatient services provided to injured workers. The department will utilize CMS' current outpatient code editor to categorize outpatient visits.

The payment system methodology uses CMS' outpatient prospective payment system's relative weight factor for each APC group and a blend of statewide and hospital-specific rates for each APC.

For a complete description of CMS' Prospective Payment System for Hospital Outpatient Department Services see 42 CFR, Chapter IV, Part 419, et al.

## NEW SECTION

**WAC 296-23A-0710 Definitions. "Alternate outpatient payment."** A payment for proper and necessary services calculated using a method other than the APC method, such as the outpatient hospital rate or fee schedule.

**"Ambulatory payment classification (APC) bill."** An outpatient bill for hospital services that are grouped and paid using APCs.

**"Ambulatory payment classification (APC) weight."** The relative value assigned to each APC by CMS. For information on calculating the APC weights, please see 42 CFR, Chapter IV, Part 419, et al. Medicare Program; Prospective Payment System for Hospital Outpatient Services.

**"Ambulatory payment classification (APC)."** A grouping for outpatient visits which are similar both clinically and in the resources used.

**"Ambulatory surgery centers (ASCs)."** Ambulatory surgery centers as defined by the department. ASCs are excluded from the APC payment system.

**"Blended rate."** The dollar amount used to determine APC payments.

**"Bundling."** Including the costs of supplies and certain other items with the costs of APCs. Bundled services will not be paid separately.

**"Cancer hospitals."** Freestanding hospitals specializing in the treatment of individuals who have a neoplasm diagnosis.

**"Children's hospitals."** Freestanding hospitals specializing in the treatment of individuals less than fourteen years of age.

**"CMS."** Centers for Medicare and Medicaid Services, formerly the Health Care Financing Administration (HCFA).

**"Correct coding initiative."** A process to encourage hospitals to code the most appropriate diagnosis and procedure for the services rendered.

**"Critical access hospitals."** Critical access hospitals as defined by the department of health.

**"Current procedural terminology (CPT)."** A systematic listing of descriptive terms and identifying codes for reporting medical services, procedures, interventions performed by physicians; the American Medical Association (AMA) publishes it annually.

**"Discount factor."** The percentage applied to additional significant procedures when a claim has multiple significant procedures or when the same procedure is performed multiple times.

**"Exempt services."** Services and hospitals that have been identified by CMS and/or L&I as exempt from the APC-based payment system.

**"Health care financing administration's common procedure coding system (HCPCS)."** Medicare's procedure coding system, which consists of Level 1 CPT Codes, Level 2 National Codes, and Level 3 Local Codes.

**"Incidental services."** Proper and necessary services that are integral to the delivery of the significant procedure or medical visit and are not separately reimbursable.

**"Inpatient only procedures."** Certain procedures designated by CMS as being of sufficient resource intensity that an inpatient setting is always required.

**"Modifier."** A two-digit alphabetic and/or numeric identifier that is added to the procedure code to indicate the type of service performed. Modifiers add clarification to procedures and can affect payment. Modifiers are listed in the current CPT and HCPCS manuals.

**"Non-APC services."** Services specifically excluded by CMS or by L&I from APC payment.

**"Out-of-state hospitals."** Any hospital not physically located within the state of Washington.

**"Outpatient code editor."** A prepayment analysis program designed to exclude certain diagnostic and procedure codes from being classified within the APC payment system.

**"Outpatient prospective payment system (OPPS)."** A payment system that groups hospital outpatient visits into APCs and multiplies the relative weight factor by the OPSS conversion rate to determine the appropriate payment.

**"Outpatient services."** Proper and necessary health-care services and treatment ordinarily furnished by a hospital in which the injured worker is not admitted as an inpatient.

**"Outpatient."** A patient who receives proper and necessary health-care services or supplies in a hospital-type setting but is not admitted as an inpatient.

**"Partial hospitalization."** Mental health services provided in an inpatient setting without the traditional inpatient overnight stay.

**"Pediatric services."** Proper and necessary health-care services and treatment ordinarily furnished by a hospital in which the injured worker is under the age of fourteen.

**"Peer group."** Categories of hospitals adopted by the department of health for rate setting purposes. The categories are:

- Group 1 - Usually rural hospitals.
- Group 2 - Usually urban hospitals without a medical education program.
- Group 3 - Hospitals with a medical education program.

**"Psychiatric hospitals."** Freestanding hospitals specializing in the treatment of individuals with a mental health disease.

**"Rehabilitation hospitals."** Freestanding hospitals specializing in the treatment of individuals in need of rehabilitative services.

**"Related encounters or related services."** Multiple encounters which are:

- Provided within the same window of service; and
- By the same provider (hospital).

**"Single visit."** A single visit includes all related services that are combined for reimbursement when they occur with the same hospital during the window of service.

**"Special programs."** Programs specifically designated by the department.

**"Transitional pass-through."** Certain drugs, devices and biologicals, as identified by CMS that are entitled to a specified payment until CMS assigns and reimburses them under their own APC.

**"Window of service."** A single date of service. All services associated with the visit for that date constitute a single visit, even when those services are provided on different days.

#### NEW SECTION

**WAC 296-23A-0720 How does the department calculate the hospital-specific per APC rate used for paying outpatient services under the outpatient prospective payment system (OPPS)?** (1) OPPS payment rates are calculated with a formula that blends a hospital-specific rate and a statewide rate. Each hospital's historic labor and industries' reimbursement level in combination with the department's statewide payments will determine payment rates.

(2) For the statewide rate, the department:

(a) Determines the total number of APC procedures that the department paid the covered hospitals. The relative weights for all of these APCs are summed.

(b) Determines the total dollar amount the department paid for those APCs.

(c) Determines the total dollar amount the department paid as outlier payments.

(d) Subtracts the total outlier payments in (c) of this subsection from the total dollar amount in (b) of this subsection and then divides the adjusted dollar amount by the APC relative weight total from (a) of this subsection.

$$\frac{(\text{Sum of APC payments} - \text{Sum of outlier payments})}{\text{Sum of APC relative weights}} = \text{Statewide rate}$$

(3) For the hospital-specific rate, the department:

(a) Segregates all the APCs for each hospital and totals the relative weights for each hospital.

(b) Determines the total dollar amount the department historically paid each hospital for those APCs.

(c) Determines the total dollar amount the department historically paid each hospital as an outlier payment for those APCs.

(d) Subtracts the total hospital-specific outlier payments in (c) of this subsection from the total hospital-specific APC payments in (b) of this subsection and then divides the hospital's adjusted dollar amount by the hospital-specific APC relative weight total from (a) of this subsection.

$$\frac{(\text{Sum of hospital-specific APC payment} - \text{Sum of hospital-specific outlier payments})}{\text{Sum of the hospital-specific APC relative weights}} = \text{Hospital-specific rate}$$

(4) The final per APC rate paid to a hospital is a blended combination of the hospital-specific and statewide rates.

#### NEW SECTION

**WAC 296-23A-0730 How does the department determine the APC relative weights?** The relative weight for each APC is the current relative weight listed by CMS for the corresponding APC.

#### NEW SECTION

**WAC 296-23A-0740 How does the department calculate payments for covered outpatient services through the outpatient prospective payment system (OPPS)?** (1) Billed services that are reimbursed by the OPPS are grouped into one or more APCs using the outpatient code editor software.

(2) Additional payment may be made for services classified by CMS as transitional pass-through.

(3) Incidental services are grouped within an APC and are not paid separately.

(4) The OPPS APC payment method uses an APC relative weight for each classification group (APC) and the current hospital-specific blended rate to determine the APC payment for an individual service.

(5) For each additional APC listed on a single claim for services, the payment is calculated with the same formula and then discounted. L&I follows all discounting policies used by CMS for the Medicare Prospective Payment System for Hospital Outpatient Department Services.

(6) 
$$\text{APC payment for each APC} = (\text{APC relative weight} \times \text{hospital-specific blended rate}) \times \text{discount factor (if applicable)} \times \text{units (if applicable)}$$

(7) The total payment on an APC claim is determined mathematically as follows:

(a) Sum of APC payments for each APC +

(b) Additional payment for each transitional pass-through (if applicable) +

(c) Additional outlier payment (if applicable).

(8) L&I follows all billing policies used by CMS for the Medicare Prospective Payment System for Hospital Outpatient Department Services with respect to:

(a) Billing of units of service;

(b) Outlier claims;

(c) Use of modifiers;

(d) Distinguishing between single and multiple visits during a span of time and reporting a single visit on one claim, but multiple visits with unrelated medical conditions on multiple claims; and

(e) For paying terminated procedures based on services actually provided and documented in the medical record, and properly indicated by the hospital through the CPT codes and modifiers submitted on the claim.

#### NEW SECTION

**WAC 296-23A-0750 What exclusions and exceptions apply to ambulatory-payment-classification (APC) payments for hospital services?** (1) Peer Group 1 (rural) hospitals as identified by the Washington state department of health (DOH).

(2) Critical access hospitals as identified by the Washington state department of health (DOH).

- (3) All out-of-state hospitals.
- (4) Military/veterans hospitals.
- (5) Psychiatric hospitals.
- (6) Rehabilitation hospitals.
- (7) Cancer hospitals.
- (8) Children's hospitals.
- (9) Ambulatory surgery centers.
- (10) Any outpatient service or special program identified by the department or by CMS as being a non-APC service.
- (11) Any inpatient-only procedures as identified by CMS.
- (12) Any APCs identified by the department as a non-APC service.

#### NEW SECTION

**WAC 296-23A-0770 How will excluded outpatient services and hospitals be paid?** Services excluded from APC-payment, if deemed appropriate for reimbursement, will be reimbursed using an alternate outpatient payment method, such as a specific fee schedule and/or using the hospital-specific or the statewide average percent of allowed charges (POAC).

#### NEW SECTION

**WAC 296-23A-0780 What information needs to be submitted for the hospital to be paid for outpatient services?** Each claim for services must include the required elements as described within the current L&I hospital billing and administrative guidelines.

Note: Includes Provider General Billing Manual; Billing Instructions for Hospital Services; Provider Bulletins; and Provider Updates.

**WSR 01-24-047**

**PERMANENT RULES**

**HEALTH CARE AUTHORITY**

[Order 01-04—Filed November 29, 2001, 11:52 a.m.]

Date of Adoption: November 28, 2001.

Purpose: Adds a new section WAC 182-12-118 which defines insurance eligibility and establishes rules for participation for surviving dependents of emergency service personnel killed in the line of duty as enacted by the 2001 legislature.

Citation of Existing Rules Affected by this Order: Adds a new section WAC 182-12-118.

Statutory Authority for Adoption: RCW 41.05.160.

Other Authority: RCW 41.05.065.

Adopted under notice filed as WSR 01-21-142 on October 24, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 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 1, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

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

November 29, 2001

Melodie Bankers

Rules Coordinator

#### NEW SECTION

**WAC 182-12-118 Insurance eligibility for surviving dependents of emergency service personnel killed in the line of duty.** Surviving dependents of emergency service personnel who were killed in the line of duty on or after January 1, 1998, are eligible to participate in medical and dental coverage administered by the health care authority and sponsored by the public employee's benefits board.

(1) This rule applies to the dependents of emergency service personnel "killed in the line of duty" as determined consistent with Title 51 RCW by the department of labor and industries.

(2) "Emergency service personnel" is defined as law enforcement officers, fire fighters and reserve officers, fire fighters as defined in RCW 41.26.030 and 41.24.010.

(3) "Surviving dependent" is defined as:

(a) A lawful spouse or ex-spouse as defined in RCW 41.26.162; and

(b) Dependent children. The term "children" includes unmarried natural children, stepchildren and legally adopted children under the age of twenty or under the age of twenty-four for a dependent student attending high school or an accredited secondary school full-time. Disabled dependents as defined in RCW 41.26.020(7) are eligible at any age.

(4) Premium rates will be subsidized consistent with rates established by the health care authority for non-Medicare retirees under RCW 41.05.022 and for Medicare-eligible retirees under RCW 41.05.085.

(5) Surviving dependents that are Medicare-eligible must enroll in both parts A and B of Medicare.

(6) The surviving dependent must send a completed enrollment application to the health care authority no later than sixty days after:

(a) The last day of any coverage extended by the employing agency of the emergency service employee who died in the line of duty; or

(b) The last day of coverage extended through the Consolidated Omnibus Budget Reconciliation Act (COBRA) from any employing agency.

(7) Surviving dependents must choose one of the following two options for maintaining eligibility for participation under public employee's benefits board sponsored medical and dental coverage:

(a) Enroll in coverage:

(i) Enrollment in a medical plan is required.

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(ii) Enrollment in dental coverage is optional. Once enrolled in dental the member must maintain enrollment in a dental plan for a minimum of two years before dental can be dropped.

(iii) Dental only coverage is not available.

(b) Waive enrollment:

(i) Surviving dependents may waive enrollment in public employee's benefits board sponsored medical and dental coverage if they are enrolled in employer sponsored medical through their employment.

(ii) Surviving dependents may enroll in public employee's benefits board sponsored medical and dental when their employer sponsored coverage ends. Proof of their continuous enrollment in employer sponsored coverage must be submitted with their application for enrollment to the health care authority within sixty days of the date that their coverage ended.

(8) Enrollees may change their medical or dental plan selection during the annual open enrollment period held by the health care authority. In addition to the annual open enrollment period, enrollees may change plans if they move out of their plan's service area or into a service area where a plan that was not previously offered is now available.

(9) Surviving dependents will forfeit their right to enroll in public employee's benefits board sponsored medical and dental coverage if they:

(a) Do not make application to the health care authority before the date specified in subsection (6) of this section; or

(b) Do not maintain continuous medical coverage during the waiver period enrollment for public employee's benefits board sponsored medical, as provided in subsection (7)(a)(ii) of this section.

### WSR 01-24-048

#### PERMANENT RULES

#### HEALTH CARE AUTHORITY

[Order 01-05—Filed November 29, 2001, 11:53 a.m.]

Date of Adoption: November 28, 2001.

Purpose: WAC 182-08-095 is revised by striking the words "and dependents." As a result, eligible PEBB active employees will have the ability to waive dental coverage for eligible dependents.

A new section WAC 182-08-125 is added. This section limits enrollment in medical and dental coverages to one enrollment, thereby eliminating "dual eligibility." As a result, eligible employees of state government, higher education, and PEBB-participating K-12 school districts, educational service districts, political subdivisions and employee organizations representing state civil service workers, will not be eligible for coverage as both an employee and a dependent of an employee for persons eligible for PEBB-sponsored health coverages. These changes were necessary to effectuate this eligibility change based on 2001 legislation and the vote at the August 7, 2001, PEBB board meeting, which eliminated "dual eligibility."

Citation of Existing Rules Affected by this Order: Amending WAC 182-08-095 and added new section WAC 182-08-125.

Statutory Authority for Adoption: RCW 41.05.160.

Other Authority: RCW 41.05.065.

Adopted under notice filed as WSR 01-21-143 on October 24, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, 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 1, Amended 1, Repealed 0.

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

November 29, 2001

Melodie Bankers

Rules Coordinator

AMENDATORY SECTION (Amending Order 99-03, filed 9/8/99, effective 10/9/99)

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

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

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

**NEW SECTION**

**WAC 182-08-125 PEBB-sponsored medical and dental benefit is limited to one enrollment per individual member.** (1) Effective January 1, 2002, individuals that have more than one source of eligibility for enrollment in PEBB-sponsored medical and dental benefits (called "dual eligibility") are limited to one enrollment.

(2) The following three examples describe typical situations of dual eligibility. These are not the only situations where dual eligibility may arise and are provided as illustrations only.

(a) A husband and wife who are both employed by PEBB-participating employers, such as state agencies, may enroll only in medical or dental as an employee and not also as a dependent. That is, the husband may enroll only under his employing agency and the wife may enroll only under her employing agency.

(b) A dependent child that is eligible for coverage under two or more parents or stepparents who are employed by PEBB-participating employers, may be enrolled as a dependent under the coverage of one parent or stepparent, but not more than one.

(c) An employee employed in an insurance-eligible position by more than one PEBB-participating employer may enroll only under one employer. The employee may choose to enroll in insurance under the employer that:

- (i) Offers the most favorable cost-sharing arrangement; or
- (ii) Employed the employee for the longer period of time.

**WSR 01-24-049**

**PERMANENT RULES  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION**

[Filed November 29, 2001, 11:56 a.m.]

Date of Adoption: November 29, 2001.

Purpose: These rules are adopted to include changes required by the United States Department of Education for federal eligibility and funding. They include: Eligibility rules for students incarcerated in adult correctional facilities; clarification of parent consent for initial services; clarification of evaluation and reevaluation; and services to private school students. In addition changes were made to clarify services to children birth to three, and address monitoring, citizen complaint and nonpublic agency approval processes. Other changes were made for clarity to address errors.

Citation of Existing Rules Affected by this Order: Repealing WAC 392-172-188 and 392-172-238; and amending WAC 392-172-020, 392-172-030, 392-172-035, 392-172-045, 392-172-105, 392-172-10900, 392-172-111, 392-172-114, 392-172-15700, 392-172-159, 392-172-160, 392-172-170, 392-172-180, 392-172-182, 392-172-186, 392-172-190, 392-172-200, 392-172-202, 392-172-220, 392-172-222, 392-172-224, 392-172-232, 392-172-23600, 392-172-23605, 392-172-23610, 392-172-239, 392-172-242, 392-172-304, 392-172-338, 392-172-344, 392-172-377, 392-172-38410,

392-172-404, 392-172-424, 392-172-426, 392-172-504, and 392-172-507.

Statutory Authority for Adoption: 20 U.S.C. 1400 et seq., chapter 28A.155 RCW and RCW 28A.300.070.

Adopted under notice filed as WSR 01-11-129 on May 22, 2001.

Changes Other than Editing from Proposed to Adopted Version: Proposed amendments for WAC 392-172-132 were not adopted. WAC 392-172-170 was further clarified to address parent consent. All changes are addressed in the concise explanatory statement.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 1, Amended 21, 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 15, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 29, 2001

Dr. Terry Bergeson  
Superintendent of  
Public Instruction

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-020 Purposes.** (1) The purposes of this chapter are to:

(a) Implement chapter 28A.155 RCW consistent with the Individuals with Disabilities Education Act, 20 United States Code section 1400 et seq.;

(b) Ensure that all special education students as defined in this chapter have available a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living;

(c) Ensure that the rights of special education students and their parents are protected;

(d) Assist school districts and other public agencies to provide special education and related services; and

(e) Assess and ensure effectiveness of the public agencies responsible for providing special education pursuant to chapter 28A.155 RCW, including state residential (~~school~~) education programs (~~which are~~) established and operated pursuant to chapter 28A.190 RCW (~~28A.190.020 et seq., RCW 13.04.145 and~~), state schools for the deaf and blind established and operated pursuant to chapter 72.40 RCW, and education programs for juvenile inmates established and operated pursuant to chapter 28A.193 RCW.

(2) School districts and other public agencies must be aware that there are additional federal and state civil rights regulations (29 US Code 764, RCW 49.60.030, 43 USC 12101 et seq.) that apply to students who have a disability regardless of the student's eligibility for special education and related services. If a student has a physical, sensory, or mental impairment which substantially limits one or more major life activities, the district or other public agency has an obligation to provide that student appropriate educational services. Such services must be designed to meet the needs of the student with a disability to the same extent the needs of students without disabilities are met. A school district and other public agency's obligation to provide appropriate educational services to meet the needs of a student who has a disability exists separate and apart from the obligation to provide a free appropriate public education to a student who qualifies for special education and any necessary related services under these regulations.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-030 Students' rights to special education programs.** (1) Each school district ~~((or)),~~ other public agency, and residential schools operated pursuant to chapters 28A.190 and 72.40 RCW shall provide every eligible special education student between the age of three and twenty-one years, a free appropriate public education program, including special education for students who have been suspended or expelled from school. A free appropriate public education is also available to any eligible student even though the student is advancing from grade to grade. The right to special education for eligible students commences on their third birthday with an individualized education program (IEP) in effect by that date. If an eligible student's third birthday occurs during the summer, the student's individualized education program team shall determine the date when services under the individualized education program will begin.

(2) Every eligible special education student residing in a state education correctional facility is eligible for special education and related services pursuant to chapter 28A.193 RCW. The department of corrections is the agency assigned supervisory responsibility by the governor's office for any student not served pursuant to chapter 28A.193 RCW.

(3) School districts or other public agencies may provide ~~((special education and related))~~ early intervention services to ~~((students))~~ eligible children with a disability ~~((who meet the eligibility criteria under WAC 392-172-114(1) in the birth through two years age group. If a school district or other public agency provides an education to any student who is not disabled in the birth through two years age group, the district or other public agency shall make any required special education and related services available pursuant to this chapter to all its special education students of the same age)).~~ If school districts opt to serve eligible children in this age group, they must do so in the birth through two years age group under regulations implementing Part C of the IDEA. The department of social and health services is the lead state agency responsible for early intervention services to children with a disability in the birth through two years age group.

Eligibility criteria for early intervention services is contained in Part C of the IDEA and WAC 392-172-114(1).

~~((3))~~ (4) Any student referred for special education and related services shall qualify pursuant to eligibility criteria set forth in this chapter.

~~((4))~~ (5) A special education student shall remain eligible for special education and any necessary related services until one of the following occurs:

(a) A group of qualified professionals and the parent of the student, based on a reevaluation determines the student is no longer in need of special education; ~~((In this case, while a disability may continue, and individual accommodations in the general education classroom may be necessary for educational benefit, such services would not represent special education services as defined in this chapter.))~~ or

(b) The special education student has met high school graduation requirements established by the school district or other public agency pursuant to rules of the state board of education, and the student has graduated from high school with a regular high school diploma. Graduation from high school with a regular diploma constitutes a change in placement, requiring written prior notice in accordance with WAC 392-172-302; or

(c) The special education student enrolled in the common school system or receiving services pursuant to chapter 28A.190 or 72.40 RCW has reached age twenty-one. The student whose twenty-first birthday occurs on or before August 31 would no longer be eligible for special education. The student whose twenty-first birthday occurs after August 31, shall continue to be eligible for special education and any necessary related services for the remainder of the school year.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-035 Definitions of "free appropriate public education," "adult student," "special education student," "parent," and "public agency."** As used in this chapter:

(1) "Free appropriate public education" or FAPE means special education and related services which:

(a) Are provided at public expense, under local school district or other public agency supervision and direction, and without charge to parents;

(b) Meet the standards of the state educational agency and the state board of education, including the requirements of this chapter;

(c) Include preschool, elementary school, or secondary school education in the state; and

(d) Are provided in conformance with individualized education program (IEP) requirements of this chapter.

(2) "Special education student" means:

(a) Any student, enrolled in school or not, (i) who has been identified as having a disability, (ii) whose disability adversely affects the student's educational performance, (iii) and whose unique needs cannot be addressed exclusively through education in general education classes with or without individual accommodations and is determined to be eligible for special education services; ~~((or))~~ including



(b) A student (~~((under the age of twenty-one))~~) who qualifies under (a) of this subsection who (~~((resides))~~) is served in a residential school ((serving students with a disability)) because of adjudication or medical necessity, in accordance with chapter 28A.190 RCW ((28A.190.020 et seq., 13.04.145 and)); residential and day students receiving education services at the state schools for the deaf and blind in accordance with chapter 72.40 RCW; ((who also qualifies pursuant to (a) of this subsection)) and students who are juvenile inmates, receiving education services in accordance with chapter 28A.193 RCW.

(3) If it is determined through an appropriate evaluation that a student has one of the disabilities identified in WAC 392-172-114 through 392-172-148, but only needs a related service and not specially designed instruction, the student is not a special education student under this chapter.

(4) "Adult student" means a special education student eligible under this chapter, who is eighteen years of age or older and who has not been judged incapacitated by a court of law. A student shall assume and be entitled to exercise all rights, duties and responsibilities otherwise granted to parents by this chapter upon attaining the age of eighteen consistent with WAC 392-172-309. The adult student shall retain and be entitled to exercise the same until he or she has been judged incapable of exercising these rights by a court of law.

(5) "Parent" means a natural or adoptive parent, a guardian, an adult person acting as a parent, or a surrogate parent who has been appointed in accordance with WAC 392-172-308. The term includes a person acting in the place of a parent, such as a grandparent or stepparent with whom a special education student lives, as well as persons who are legally responsible for the student's welfare. The term does not include the state if the special education student is a ward of the state. It does include a foster parent if appointed as a surrogate parent.

(6) As used in this chapter, "public agency" means:

(a) Each public school district in the state;

(b) Each educational service district that provides special education or related services to one or more students with a disability;

(c) Each state operated program identified in WAC 392-172-020 (1)(e); and

(d) Each public organization or entity, including other political subdivisions of the state providing special education and/or related services to one or more special education students regardless of whether the organization or entity receives funds under the Individuals with Disabilities Education Act.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-045 Definition of "special education" and other terms.** (1) As used in this chapter "special education" means specially designed instruction provided to an eligible student as defined in WAC 392-172-035(2) (~~((and (3)))~~). Specially designed instruction as defined in subsection (4)(a) of this section shall be provided at no cost to the parents, in conformance with the student's IEP, and designed to meet the unique needs of the student. Specially designed instruction

includes instruction conducted in the classrooms, in the home, in hospitals and institutions, and in other settings; and instruction in physical education.

(2) The term does not include individual accommodations within general education that alone would be sufficient and effective to meet the learning needs of the student; nor does it include the educational services necessary to meet the needs of those students identified under WAC 392-172-020(2).

(3) Travel training, vocational training, speech and language services, physical and occupational therapy, orientation and mobility instruction, behavioral intervention instruction, transition services, and audiological services are considered special education under this chapter if they are provided as specially designed instruction as defined in subsection (4) of this section. They are considered related services under WAC 392-172-055 if they are required to assist a special education student to benefit from special education, and not provided as specially designed instruction.

(4) The terms used in this section are defined as follows:

(a) "Specially designed instruction" means organized and planned instructional activities which adapt, as appropriate, to the needs of eligible students under this chapter, the content, methodology or delivery of instruction:

(i) To address the unique needs that result from the student's disability;

(ii) To ensure access of the student to the general curriculum so that the student can meet the educational standards of the school district or other public agency that apply to all students; and

(iii) ~~((Be))~~ That is provided by appropriately qualified special education certificated staff, or designed and supervised by this staff and carried out by general education certificated personnel or trained classified staff pursuant to a properly formulated IEP consistent with WAC 392-172-160 (1)(c), so that the needs of the student and services provided to the student will be clear to the parents and other IEP service providers. Student progress must be monitored and evaluated by special education certificated staff.

(b) "At no cost" means that all specially designed instruction is provided without charge, but does not preclude incidental fees that are normally charged to nondisabled students or their parents as part of the general education program.

(c) "Audiology" means the provision of habilitative instruction related to a hearing impairment.

(d) "Behavioral intervention instruction" means providing instruction which addresses student behavior that impedes involvement and/or progress in the general curriculum.

(e) "Occupational therapy" is instruction designed to improve, develop or restore functions impaired or lost through illness, injury, or deprivation, or improve ability to perform tasks for independent function if functions are impaired or lost.

(f) "Orientation and mobility instruction" means the provision of training/instruction in orientation and mobility for students who are visually impaired, including travel training.

(g) "Physical education" means:

(i) The development of physical and motor fitness; fundamental motor skills and patterns; and skills in aquatics, dance, and individual and group games and sport (including intramural and lifetime sports); and

(ii) Special physical education, adapted physical education, movement education, and motor development.

(h) "Physical therapy" means developing or restoring motor function and maintaining appropriate performance commensurate with the student's unique needs.

(i) "Speech and language services" means the provision of instruction for the habilitation of communication disorders.

(j) "Transition services" means a coordinated set of activities for a special education student that:

(i) Is designed within an outcome-oriented process that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

(ii) Is based on the individual student's needs, taking into account the student's preferences and interests; and

(iii) Includes:

(A) Specially designed instruction;

(B) Related services;

(C) Community experiences;

(D) The development of employment and other post-school adult living objectives; and

(E) If appropriate, acquisition of daily living skills and functional vocational evaluation.

(k) "Travel training" means providing instruction, as appropriate, to students with significant cognitive disabilities, and other eligible students with disabilities who require this instruction, to enable them to:

(i) Develop an awareness of the environment in which they live; and

(ii) Learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in the school, in the home, at work, and in the community).

(l) "Vocational education" means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

#### NEW SECTION

**WAC 392-172-080 Proper functioning of hearing aids.** Each school district or other public agency shall ensure that the hearing aids worn in school by special education students with hearing impairments, including deafness, are functioning properly.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-105 Parent participation in meetings and notice.** (1) Parents shall be afforded an opportunity to participate in meetings with respect to the identification, evaluation, educational placement and provision of a free appropriate public education to the student.

(2) For meetings other than IEP or educational placement meetings each public agency shall notify parents consistent with WAC 392-172-15700 (1)(a) and (2) to ensure that parents have the opportunity to participate in the meetings ((described in this section)). The school district or public agency will notify parents consistent with WAC 392-172-15700 for IEP meetings and WAC 392-172-15705 for placement meetings.

(3) A meeting does not include informal or unscheduled conversations involving public agency personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision if those issues are not addressed in the student's IEP. A meeting also does not include preparatory activities that public agency personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-10900 Determination of needed evaluation data for an initial evaluation.** (1) As part of an initial evaluation, if appropriate, a group that includes the individuals described in WAC 392-172-153, and other qualified professionals, as appropriate, shall:

Review existing evaluation data on the student, including:

(a) Evaluations and information provided by the parents of the student;

(b) Current classroom-based assessment and observations; and

(c) Observations by teachers and related services providers.

(2) Based on the above review and input from the student's parents, identify what additional data, if any, are needed to determine:

(a) Whether the student has a particular category of disability as described in this chapter;

(b) The present levels of performance and educational needs of the student; and

(c) Whether the student needs special education and related services.

(3) The public agency shall administer tests and any other evaluation materials, pursuant to WAC 392-172-108 as may be needed to produce the data required to make the determinations listed in subsection (2) of this section.

(4) The group described in subsection (1) of this section may conduct its review without a meeting. If the school district or other public agency conducts a meeting for the purposes under this section, parents must have an opportunity to participate in the meeting consistent with WAC 392-172-105.

~~((5) If no additional data are needed to make the determination listed in subsection (2) of this section, the public agency shall notify the student's parents of this fact and the reasons for this decision, consistent with WAC 392-172-302-))~~

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-111 Determination of eligibility and parental notification.** (1) Upon completing the administration of tests and other evaluation materials:

(a) Consistent with WAC 392-172-105 (~~and 392-172-15705~~), a group of qualified professionals and the parent of the student shall determine whether the student is a special education student in need of special education and any necessary related services, as defined in this chapter; and

(b) The public agency must provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.

(2) If a determination is made that a student has a disability and needs special education and related services, an IEP must be developed for the student in accordance with this chapter.

(3) If the decision is that the student is not eligible for special education, the parent(s) of the student shall be informed in writing of the evaluation findings in compliance with the notice requirements of WAC 392-172-302, within ten school days following the completion of the evaluation.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-114 Definition and eligibility criteria for developmentally delayed.** Definition and eligibility criteria for developmentally delayed are as follows:

(1) As used in this chapter, the term "developmentally delayed, birth to three years" shall mean those children under three years of age who:

(a) (~~Demonstrate a 1.5 standard deviation or twenty-five percent delay in cognitive development, communication development, physical development, social or emotional development, or adaptive development as defined in WAC 392-172-116~~) Meet the eligibility criteria established in Part C of IDEA; or

(b) Qualify for one of the other eligibility categories specified in this chapter; and

(c) Are in need of (~~special education and any necessary related services~~) early intervention services under Part C of IDEA. Children who qualify for (~~special education services under this category~~) early intervention services must be (~~reevaluated~~) evaluated prior to age three in order to (~~continue to be eligible~~) determine eligibility for special education and related services.

(2) As used in this chapter, the term "developmentally delayed, three to six years" shall mean those children between three and six years of age who demonstrate a delay on a standardized norm referenced test, with a test-retest or split-half reliability of .80 that is at least:

(a) Two standard deviations below the mean in one or more of the five developmental areas defined in WAC 392-172-116; or

(b) One and one-half standard deviations below the mean in two or more of the five developmental areas defined in WAC 392-172-116; or

(c) Qualify for one of the other eligibility categories specified in this chapter; and

(d) Are in need of special education and any necessary related services.

(e) Children aged six to nine years who previously qualified as "developmentally delayed, three to six years," may at the option of the school district or other public agency, continue to be eligible under the criteria for "developmentally delayed, three to six years" until they are reevaluated, but not later than three years after the eligibility decision for "developmentally delayed, three to six years" was initially made.

(3) As used in this chapter, the term "developmentally delayed, six to nine years" shall mean those children between six and nine years of age who either continue to qualify under subsection (2)(e) of this section, or demonstrate a delay on a standardized norm referenced test, with a test-retest or split-half reliability of .80 that is at least:

(a) Two standard deviations below the mean in one or more of the five developmental areas defined in WAC 392-172-116; or

(b) Qualify for one of the other eligibility categories specified in this chapter; and

(c) Are in need of special education and any necessary related services.

(4) Children who qualify for special education as "developmentally delayed, six to nine years" must be reevaluated prior to the age of nine consistent with WAC 392-172-182 et seq. and a determination made that the child either:

(a) Qualifies under the provisions of one of the other disabling conditions in this chapter; or

(b) Is no longer in need of special education and related services.

(5) A school district or other public agency is not required to adopt and use the category "developmentally delayed" for children, three to nine, within its jurisdiction.

(6) If a school district or other public agency uses the category "developmentally delayed," the district or public agency must conform to both the definition and age range of three to nine, established under this section.

(7) School districts or other public agencies who use the category "developmentally delayed," may also use any other eligibility category at any time.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-15700 Parent and general education teacher participation in IEP meetings.** (1) Each school district or other public agency shall take steps to ensure (in the case of nonadult students) that one or both parents of the special education student are present at each IEP meeting or are afforded the opportunity to participate, by:

(a) Notifying the parent(s) of the meeting early enough to ensure that they will have an opportunity to attend; and

(b) Scheduling the meeting at a mutually agreed upon place and time.

(2) The notice to the parent(s) shall include the purpose, time, location of the meeting and who will be in attendance. If the purpose of the meeting is to develop, review or revise an IEP, the notice shall also inform the parents of the provisions relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the

student. If the purpose of the meeting is the consideration of transition needs or services, the provisions in WAC 392-172-164 and 392-172-166 apply.

(3) If neither parent can attend the IEP meeting, the district or other public agency shall use other methods to ensure participation, including individual or conference telephone calls, or video conferencing.

(4) If neither parent can attend (in the case of a nonadult student), ((a)) an IEP meeting may be conducted without a parent if the district or other public agency is unable to convince the parents that they should attend. In such a case the school district or other public agency must have a record of its attempts to arrange a mutually agreed upon time and place. The record shall contain such information as:

(a) Detailed records of telephone calls made or attempted and the results of those calls;

(b) Copies of correspondence sent to the parents and any responses received; and

(c) Detailed records of visits made to the parent's home or place of employment and the results of those visits.

(5) The school district or other public agency shall take whatever action is necessary to ensure that the parent or adult student understands the proceedings at an IEP meeting, or any other meeting, including arranging for an interpreter for parents (or adult students) who are deaf or whose native language is other than English.

(6) The general education teacher of a special education student (or preschool education provider), as a member of the individualized education program team, must, to the extent appropriate, participate in the development, review, and revision of the student's individualized education program, including assisting in:

(a) The determination of appropriate positive behavioral interventions and strategies for the student; and

(b) The determination of supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student consistent with WAC 392-172-160 (1)(c).

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-159 Development, review, and revision of individualized education program-consideration of special factors.** (1) In developing, reviewing and revising each student's individualized education program, the team shall consider:

(a) The strengths of the student and the concerns of the parents for enhancing the education of their student; and

(b) The results of the initial or most recent evaluation of the student; and

(c) As appropriate, the results of the student's performance on any general state or district-wide assessment programs.

(2) The individualized education program team also shall:

(a) In the case of a student whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior;

(b) In the case of a student with limited English proficiency, consider the language needs of the student as these needs relate to the student's individualized education program;

(c) In the case of a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student;

(d) Consider the communication needs of the student, and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode; and

(e) Consider whether the student requires assistive technology devices and services.

(3) If, in considering the special factors described above, the IEP team determines that a student needs a particular device or service (including an intervention, accommodation, or other program modification) in order for the student to receive a free appropriate public education, the IEP team must include a statement to that effect in the student's individualized education program.

(4) Nothing in this section requires the team to include information under one component of a student's individualized education program that is already contained under another component of the student's individualized education program.

(5) Notwithstanding subsections (1) through (3) of this section, an IEP team of a special education student convicted as an adult and receiving services under chapter 28A.193 RCW, may modify the student's IEP if there is a demonstrated bona fide security or compelling penological interest that cannot otherwise be accommodated.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-160 Individualized education program.** (1) Each student's individualized education program shall include:

(a) A statement of the student's present levels of educational performance, including:

(i) How the student's disability affects the student's involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students); or

(ii) For preschool students, as appropriate, how the disability affects the student's participation in appropriate activities.

(b) A statement of measurable annual goals, including benchmarks or short-term objectives, related to:

(i) Meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum (i.e., the same curriculum

as for nondisabled students), or for preschool students, as appropriate, to participate in appropriate activities; and

(ii) Meeting each of the student's other educational needs that result from the student's disability.

(c) A statement of the special education and any necessary related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student consistent with WAC 392-172-045 (4)(a):

(i) To advance appropriately toward attaining the annual goals;

(ii) To be involved and progress in the general curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and

(iii) To be educated and participate with other special education students and nondisabled students in the activities described in this section.

(d) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the general class and in activities described in this section.

(e) A statement of any individual modifications in the administration of state or district-wide assessments of student achievement that are needed in order for the student to participate in the assessment. If the individualized education program team determines that the student will not participate in a particular state or district-wide assessment of student achievement (or part of an assessment), a statement of:

(i) Why that assessment is not appropriate for the student; and

(ii) How the student will be assessed.

Provided, students incarcerated in adult correctional facilities and served pursuant to chapter 28A.193 RCW are not required to participate in assessments described in this subsection.

(f) The projected date for the beginning of the services and modification described in this section and the anticipated frequency, location, and duration of those services and modifications.

(g) A statement of:

(i) How the student's progress toward the annual goals described in this section will be measured; and

(ii) How the student's parents will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their nondisabled student's progress of:

(A) The annual goals; and

(B) The extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year.

(h) For each special education student beginning at age fourteen (or younger, if determined appropriate by the IEP team), and updated annually, a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study (such as participation in advanced placement courses or a vocational education program).

(i) For each student beginning at age sixteen (or younger, if determined appropriate by the IEP team), a statement of needed transition services for the student, including, if appropriate, a statement of the interagency responsibilities or any

needed linkages. Consistent with chapter 28A.193 RCW, transition needs and services do not need to be considered or provided under (h) and (i) of this subsection, if a student's eligibility for special education services will end because of age before he/she will be eligible to be released from the adult correctional facility based on consideration of his/her sentence and eligibility for early release.

(j) If a participating agency, other than the public agency, fails to provide the transition services described in the IEP, the public agency shall reconvene the IEP team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.

(k) Beginning at least one year before a student reaches age eighteen, consistent with WAC 392-172-309, the student's individualized education program must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority.

(l) Aversive interventions, if applicable, consistent with WAC 392-172-388 through 392-172-398. The individualized education program shall describe the positive interventions attempted by the district or other public agency prior to the use of aversive interventions.

(m) Extended school year services, pursuant to WAC 392-172-163.

(2) Nothing in this chapter relieves any participating agency, including a state vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to special education students who meet the eligibility criteria of that agency.

(3) The school district or other public agency shall provide the parent or the adult student a copy of the individualized education program at no cost.

(4) Each public agency must:

(a) Provide special education and related services to a special education student in accordance with an individualized education program; and

(b) Make a good faith effort to assist the student to achieve the goals and objectives or benchmarks listed in the IEP.

(i) Part B of the Individuals with Disabilities Education Act does not require that any agency, teacher, or other person be held accountable if a student does not achieve the growth projected in the annual goals and benchmarks or objectives.

(ii) Nothing in this section limits a parent's right to ask for revisions of the student's IEP or to invoke due process procedures if the parent feels that the efforts required in this subsection are not being made.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-170 Initial service delivery—Parental consent for initial placement—Notice required.** (1) Written consent of the parent(s) or adult student shall be requested and obtained, consistent with WAC 392-172-304 before initial special education and related services are provided.

(2) Each school district or other public agency shall provide prior written notice of the proposal for initial provision

of special education services to the student, consistent with WAC 392-172-302.

(3) The student's proposed special education and related services shall begin when((=

~~(a))~~ written consent has been given by the parent(s) or the adult student (using mediation if appropriate)((=or

~~(b) The refusal of a student's parent(s) or adult student to grant consent has been overridden by the school district or other public agency pursuant to a hearing (or appeal) conducted in accordance with WAC 392-172-350 et seq).~~

(4) The school district may not override a parent's or adult student's refusal to grant consent for initial special education services.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-180 Procedures for establishing educational placement.** (1) The educational placement of each special education student, including a preschool student, shall be determined at least annually at a meeting conducted pursuant to WAC ~~((392-172-156))~~ 392-172-15700 and 392-172-15705.

(2) The selection of the appropriate placement for each special education student shall be based upon:

(a) The student's individualized education program;

(b) The least restrictive environment requirements of WAC 392-172-172;

(c) The placement option(s) that provides a reasonably high probability of assisting the student to attain his or her annual goals; and

(d) A consideration of any potential harmful effect on the student or on the quality of services which he or she needs.

(3) Unless the IEP of a special education student requires some other arrangement, the student shall be educated in the school that he or she would attend if nondisabled. The placement shall be as close as possible to the student's home, unless the parents otherwise agree.

(4) The decision on the educational placement shall be made by a group of persons, including the parents, and other persons knowledgeable about the student, the evaluation data, and the placement options.

(5) A special education student is not removed from education in age-appropriate general classrooms solely because of needed modifications in the general curriculum.

(6) Notwithstanding subsections (1) through (5) of this section, an IEP team, or other team making placement decisions for a student convicted as an adult and receiving educational services under chapter 28A.193 RCW, may modify the student's placement if there is a demonstrated bona fide security or compelling penological interest that cannot otherwise be accommodated.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-182 Reevaluation—Requirement.** Each school district or other public agency shall ensure:

(1) That the IEP of each special education student is reviewed in accordance with this chapter; ~~((and))~~

(2) That a reevaluation of each student is conducted in accordance with the evaluation and reevaluation procedures contained in this chapter if conditions warrant a reevaluation, or if the student's parent or teacher requests a reevaluation, but at least once every three years; and

(3) That the results of any reevaluations are addressed by the IEP team when reviewing and as appropriate revising the IEP.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-186 Reevaluation—~~((Procedures))~~ Review of existing data and need for additional data.** (1)

As part of any reevaluation, a group that includes the individuals described in WAC 392-172-153, and other qualified professionals, as appropriate, shall review existing evaluation data on the student, including:

(a) Evaluations and information provided by the parents of the student;

(b) Current classroom-based assessment and observations; and

(c) Observations by teachers and related services providers.

(2) Based on the above review and input from the student's parents, identify what additional data, if any, are needed to determine:

(a) Whether the student continues to be a special education student and continues to need special education and any necessary related services;

(b) The present levels of performance and educational needs of the student; and

(c) If any additions or modifications to the special education and any necessary related services are needed to enable the student to meet the measurable annual goals set out in the student's individualized education program and to participate, as appropriate, in the general curriculum.

(3) If no additional data are needed to determine whether the student continues to be a special education student, the school district or other public agency shall notify the student's parents, consistent with WAC 392-172-302, (a) of that determination and the reasons for it; and (b) of the right of the parents to request an assessment to determine, for purposes of services under this chapter, the continuing eligibility of the student.

The school district or other public agency is not required to conduct the assessment unless requested to do so by the parents.

(4) The group described in subsection (1) of this section may conduct its review without a meeting. If the school district or other public agency conducts a meeting for the purposes under this section, parents must have an opportunity to participate in the meeting consistent with WAC 392-172-105.

~~((4))~~ (5) A public agency must evaluate a special education student in accordance with this chapter before determining that the student is no longer a special education student.

~~((5))~~ (6) The evaluation described in subsection ~~((4))~~ (5) of this section is not required before the termination of a

student's eligibility under this chapter due to graduation with a regular high school diploma, or exceeding the age eligibility for FAPE under state law. Prior written notice is required, consistent with WAC 392-172-302.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-190 Reevaluation—Notice of results.**

Within ten (~~(calendar)~~) school days of the completion of the reevaluation, and determination of continuing eligibility the district or other public agency superintendent or designee shall notify the parent or adult student, pursuant to WAC 392-172-302, (~~(of one or more of the following decisions:~~

~~(1))~~ whether or not the student continues to be eligible and in need of special education.

If the student continues to be eligible and in need of special education(~~(:)~~), the district or other public agency will address:

~~((2))~~ (1) The present levels of performance and educational needs of the student; and

~~((3))~~ (2) Whether any additions or modifications to the special education and any necessary related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general curriculum.

~~((When a determination is made that the individualized education program is no longer appropriate))~~ If the evaluation report recommends changes, an individualized education program team meeting shall be convened in accordance with WAC 392-172-153 through 392-172-166.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-200 Staff qualifications for special education funding.** All employees of a school district or other public agency funded in whole or part with state or federal special education excess cost funds shall be qualified as follows:

(1) All employees shall hold such credentials, certificates, endorsements or permits as are now or hereafter required by the state board of education for the particular position of employment and shall meet such supplemental standards as may be established by the school district or other public agency of employment. Supplemental standards established by a district or other public agency may exceed, but not be less than, those established by the state board of education in accordance with chapter 180-82 WAC and this section.

~~((Pursuant to WAC 180-82-110, after August 31, 2000, a teacher who has completed twenty-four quarter hours (sixteen semester credit hours) of the required special education course work shall be eligible for a pre-endorsement waiver which will allow that person to be employed as a special education teacher. The remaining credits and all endorsement requirements shall be completed within three years of service as a special education teacher.))~~ Teachers who meet state board criteria pursuant to WAC 180-82-110(3) as now or hereafter amended, are eligible for a preendorsement waiver. Application for the special education (~~(or early childhood special education)~~) preendorsement waiver shall be made to

the special education section at the office of superintendent of public instruction.

(2) In addition to the requirement of subsection (1) of this section, all special education teachers providing, designing, supervising, monitoring or evaluating the provision of special education shall possess "substantial professional training." "Substantial professional training" as used in this section shall be evidenced by issuance of an appropriate special education endorsement on an individual teaching certificate issued by the superintendent of public instruction, professional education and certification section.

(3) Other certificated instructional personnel providing specially designed instruction or related services as defined in this chapter, shall meet standards established under the educational staff associate rules of the state board of education, as now or hereafter amended.

(4) Employees with only an early childhood special education endorsement (~~(shall)~~) may be assigned to programs that serve students birth through age eight. Preference for an early childhood special education assignment must (~~(always)~~) be given first to employees having early childhood special education endorsement.

(5) Certified and/or classified staff assigned to provide instruction in Braille, the use of Braille, or the production of Braille must demonstrate competency with grade two standard literary Braille code by successful completion of a test approved by the state board of education pursuant to WAC 180-82-130.

(6) Classified staff shall present evidence of skills and knowledge necessary to meet the needs of students with disabilities, and shall be supervised consistent with WAC 392-172-045 (4)(a)(iii). Districts shall have procedures that ensure that classified staff receive training to meet state recommended core competencies pursuant to RCW 28A.415.-310.

(7) General education classroom personnel providing specially designed instruction defined in WAC 392-172-045 (4)(a)(iii) pursuant to a properly formulated individual education program may be paid from state or federal special education excess cost funds if the district has in place a cost allocation plan which meets the requirements established by the superintendent of public instruction.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-202 Emergency—Temporary out-of-endorsement assignment.** In order to temporarily assign classroom teacher without a special education endorsement to a special education position, the district or other public agency must keep written documentation on the following:

(1) The district or other public agency must make one or more of the following factual determinations:

(a) The district or other public agency was unable to recruit a teacher with the proper endorsement who was qualified for the position;

(b) The need for a teacher with such an endorsement could not have been reasonably anticipated and the recruitment of such a classroom teacher at the time of assignment was not reasonably practicable; and/or



(c) The reassignment of another teacher within the district or other public agency with the appropriate endorsement to such assignment would be unreasonably disruptive to the current assignments of other classroom teachers or would have an adverse effect on the educational program of the students assigned such other classroom teachers.

(2) Upon determination by a school district that one or more of these criteria can be documented, and the district determines that a teacher has the competencies to be an effective special education teacher but does not have endorsement in special education, the district can so assign the teacher to special education. The teacher so assigned must have completed six semester hours or nine quarter hours of course work which are applicable to an endorsement in special education. The following requirements apply:

(a) A designated representative of the district and any such teacher shall mutually develop a written plan which provides for necessary assistance to the teacher, and which provides for a reasonable amount of planning and study time associated specifically with the out-of-endorsement assignment;

(b) Such teachers shall not be subject to nonrenewal or probation based on evaluations of their teaching effectiveness in the out-of-endorsement assignments;

(c) Such teaching assignments shall be approved by a formal vote of the local school board for each teacher so assigned; and

(d) The assignment of such teachers for the previous school year shall be reported annually to the state board of education by the employing school district as required by WAC 180-16-195. Included in the report shall be the number of teachers in out-of-endorsement assignments and the specific assistance being given to the teacher.

~~((3) An emergency out-of-endorsement assignment by the district or other public agency is only valid for one school year.))~~

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-220 Contractual services.** School districts ~~((shall be))~~ are authorized to:

(1) Enter into interdistrict agreements with ~~((another))~~ other school ~~((district(s) or other public agencies))~~ districts pursuant to chapter 392-135 WAC; or

(2) Contract with nonpublic agencies pursuant to this chapter and WAC 392-121-188 and public agencies for special education and related services for special education students if the school district establishes that it cannot provide an appropriate education for the special education student within the district.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-222 Approval of nonpublic agencies.**

(1) A school district ~~((or other public agency))~~ shall not award a contract to a nonpublic agency to provide special education to a special education student until the state board of education approves the nonpublic agency.

(2) The school district ~~((or other public agency))~~ shall notify the special education section of the office of superintendent of public instruction, in writing, of their intent to ~~((enroll))~~ serve a student ~~((and/or))~~ through contract with a nonpublic agency.

(3) The office of superintendent of public instruction shall provide the school district and the nonpublic agency ~~((named))~~ with the procedures/application for nonpublic agency approval, which ~~((shall consist of))~~ includes a description of the agency and services provided, assurances, personnel records, and fire and health inspection forms. The school district proposing the nonpublic agency for approval will conduct an on-site visit of the nonpublic agency as part of the application process.

(4) Upon review of the completed application ~~((and an on-site visitation))~~ which includes the results of the on-site visit, the superintendent of public instruction or designee may conduct an independent on-site visit, if appropriate, and shall recommend approval or disapproval of the agency to the state board of education.

(5) The superintendent of public instruction or designee shall make information regarding currently approved nonpublic agencies available to all school districts.

(6) School districts shall ensure that an approved nonpublic agency is able to provide the services required to meet the unique needs of any special education student placed under this section.

**AMENDATORY SECTION** (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-224 School district ~~((or other public agency))~~ responsibility when contracting for the delivery of services in a public agency or approved nonpublic agency.** Any school district ~~((or other public agency))~~ contracting with a public or approved nonpublic agency for special education and related services shall:

(1) Initiate and conduct a meeting with appropriate personnel and the student's parent(s) to develop the student's individualized education program. The district ~~((or other public agency))~~ shall ensure that a representative of the approved nonpublic or public agency either attends the meeting or ~~((in some other way assure participation))~~ participates through other means. Meetings to review or revise the student's individualized education program after the student has been placed shall be initiated and conducted by either the approved nonpublic agency or public agency at the discretion of the school district ~~((or other public agency))~~. The district ~~((or other public agency))~~ shall assure that both the parent(s) or the adult student and the public agency or approved nonpublic agency are represented in any decision concerning the student's individualized education program ~~((and agree to proposed changes in the program before those changes are implemented))~~. The responsibility for compliance with this section lies with the school district ~~((or other public agency))~~.

(2) Develop a written contract which shall include, but not be limited to, the following elements:

(a) Names of the parties involved;

(b) The name(s) of the special education student(s) for whom the contract is drawn;



- (c) Location and setting of the services to be provided;
- (d) Description of services provided, program administration and supervision;
- (e) Designation of responsible parties;
- (f) Charges and reimbursement—Billing and payment procedures;
- (g) Total contract cost;
- (h) School district (~~and other public agency's~~) responsibility for compliance with due process, individualized education program, (~~and~~) yearly review and determination of placement requirements; and
- (i) Other contractual elements including those identified in WAC 392-121-188 that may be necessary to assure compliance with state and federal rules.

### Students Unilaterally Enrolled in Private Schools by Parent

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-232 Definition**—"Private school special education student(s)." For the purpose of WAC 392-172-23300 through 392-172-248 "private school special education student(s)" means special education students who are not full or part time enrolled in the public school or other public agency for the purpose of receiving special education and related services, who are enrolled in private schools or agencies, and whose private school enrollment is not the result of a contractual arrangement between a public school district or other public agency and the private school or agency. Consistent with this section, "resident special education students" means those students who reside within school district or other public agency boundaries, consistent with chapter 28A.225 RCW, WAC 392-121-111, and 392-137-115.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-23600 Determination (of needs, numbers of students and types) of services.** (1) No private school special education student, as defined in WAC 392-172-232, has an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school. Decisions about the services that will be provided to private school special education students under WAC 392-172-232 through 392-172-248 must be made in accordance with this section.

(2) Each school district or other public agency shall consult, in a timely and meaningful way, with appropriate representatives of private school special education students in light of the funding under WAC 392-172-23305, the number of private school special education students, the needs of private school special education students, and their location to decide:

- (a) Which students will receive services;
- (b) What services will be provided;
- (c) How and where the services will be provided; and
- (d) How the services provided will be evaluated.

(3) Each school district or other public agency shall give appropriate representatives of private school special education students a genuine opportunity to express their views regarding each matter that is subject to the consultation requirements in this section.

(4) The consultation required by this section shall occur before the school district or other public agency makes any decision that affects the opportunities of private school special education students to participate in services under WAC 392-172-232 through (~~392-172-248~~) 392-172-23610.

(5) The school district or other public agency shall make the final decision with respect to the services to be provided to eligible private school students.

(6) If a special education student is enrolled in a religious or other private school and will receive special education or related services from a school district or other public agency, the district or agency shall:

(a) Initiate and conduct meetings to develop, review, and revise a services plan for the student, in accordance with WAC 392-172-23605; and

(b) Ensure that a representative of the religious or other private school attends each meeting. If the representative cannot attend, the school district or other public agency shall use other methods to ensure participation by the private school, including individual or conference telephone calls.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-23605 Services provided.** (1) The services provided to private school special education students, as defined in WAC 392-172-232, must be provided by personnel meeting the same standards as personnel providing services in the public schools.

(2) Private school special education students may receive a different amount of services than special education students in public schools.

(3) No private school special education student is entitled to any service or to any amount of a service the student would receive if enrolled in a public school.

(4) Each private school special education student who has been designated to receive services under WAC 392-172-23600 must have a services plan that describes the specific special education and related services that the school district or other public agency will provide to the student in light of the services that the district or agency has determined, through the process described in WAC 392-172-23300 and 392-172-23600, it will make available to private school special education students.

(5) The services plan must, to the extent appropriate:

(a) Meet the requirements of WAC 392-172-160 with respect to the services provided;

(b) Be developed(~~, reviewed, and revised~~) and implemented consistent with WAC 392-172-156, 392-172-158, and 392-172-161.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-23610 Location of services and transportation.** (1) Services provided to private school special

education students, as defined in WAC 392-172-232, may be provided on-site at a student's private school, consistent with WAC ((392-172-238)) 392-172-240 through 392-172-248.

(2) If necessary for the student to benefit from or participate in the services provided under this section, a unilaterally placed private school special education student must be provided transportation:

(a) From the student's school or the student's home to a site other than the private school; and

(b) From the service site to the private school, or to the student's home.

(3) School districts or other public agencies are not required to provide transportation from the student's home to the private school.

(4) The cost of the transportation described in subsection (2) of this section may be included in calculating whether the school district or other public agency has met the requirement of WAC 392-172-23305.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-239 Complaints.** (1) The procedures under WAC 392-172-350 et seq., do not apply to complaints that a school district or other public agency has failed to meet the requirements of WAC 392-172-232 through ((392-172-248)) 392-172-23610, including the provision of services indicated on the student's ((individualized education program)) services plan.

(2) The procedures under WAC 392-172-350 et seq. do apply to complaints that a school district or other public agency has failed to meet the requirements under child find, including evaluation and reevaluation procedures under this chapter.

(3) Complaints that the state, or a school district or other public agency, has failed to meet the requirements of WAC 392-172-232 through 392-172-248 may be filed under the procedures in WAC 392-172-324 et seq.

### Personnel, Funds, Equipment and Part-time Enrollment Options

#### NEW SECTION

**WAC 392-172-241 Service arrangements.** (1) In addition to services to private school students who are unilaterally enrolled by their parents, special education services may be provided to private school students and home schooled students who are enrolled in public schools on a part-time basis pursuant to chapter 392-134 WAC.

(2) No services, material, or equipment of any nature shall be provided to any private school or agency subject to sectarian (i.e., religious) control or influence.

(3) No services, material, or equipment of any nature shall be provided to students on the site of any private school or agency subject to sectarian control or influence.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-242 Equipment, property and supplies—Construction.** (1) Equipment and supplies used with special education students in a private school or agency may be placed on nonsectarian private school or agency premises for the period of time necessary for the program, but title to and administrative control over all equipment property and supplies must be retained and exercised by the school district or other public agency. Equipment and supplies placed on private school premises will be used only for Part B purposes.

(2) Records shall be kept of equipment and supplies and an accounting made of the equipment and supplies which shall assure that the equipment is used solely for the purposes of the program. Equipment and supplies placed in private schools must be able to be removed from the private school without remodeling the private school facility.

(3) The equipment and supplies shall be removed from the private school or agency if necessary to avoid its being used for other purposes or if it is no longer needed for the purposes of the program or project.

(4) Funds shall not be used for repairs, minor remodeling, or to construct facilities for private schools or agencies.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-338 Investigation of and response to complaints against a school district or other public agency, educational service district, or other subgrantee.** Investigation of and response to a complaint shall be as follows:

(1) Upon receipt of a properly filed complaint, the superintendent of public instruction shall send a copy of the complaint to the educational entity, for their investigation of the alleged violations.

(2) The educational entity shall investigate the complaint. The responsible official of the educational entity shall respond in writing to the superintendent of public instruction, and include documentation of the investigation, no later than twenty calendar days after the date of receipt by the entity of such complaint.

(3) The response to the superintendent of public instruction shall clearly state either:

(a) That the educational entity denies the allegations contained in the complaint and the basis for such denial; or

(b) Proposes reasonable corrective action(s) deemed necessary to correct the violation.

(4) ((Upon request)) The superintendent of public instruction shall provide the complainant a copy of the entity's response to the complaint.

(5) The superintendent of public instruction will provide the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint.

(6) ((Within thirty calendar days, and)) Upon review of all relevant information including, if necessary, information obtained through an independent on-site investigation by the superintendent of public instruction, the superintendent of public instruction will make an independent determination as

to whether the public agency is violating a requirement of Part B of the Individuals with Disabilities Education Act or of this chapter.

(7) ~~((Consistent with the provisions of WAC 392-172-320 through 392-172-346,))~~ The superintendent of public instruction shall issue a written decision to the complainant that addresses each allegation in the complaint including findings of fact, conclusions and the reasonable corrective measures deemed necessary to correct any violation. Corrective measures necessary to resolve a complaint shall be instituted as soon as possible but in no event later than thirty calendar days following the date of the decision, unless otherwise agreed to, or for good cause.

(8) If compliance by a local school district or other public agency, educational service district, or other subgrantee is not achieved pursuant to subsection (7) of this section, the superintendent of public instruction shall initiate fund withholding, fund recovery, or any other sanction deemed appropriate.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

**WAC 392-172-344 Complaints against the superintendent of public instruction—Investigation of and response to complaints.** (1) Upon receipt of a complaint against the superintendent of public instruction, the superintendent will designate an investigator within ten days. The ~~((staff responsible for investigating the alleged violation))~~ investigator shall commence investigation ~~((within ten days of receipt))~~ of the complaint ~~((by the superintendent of public instruction))~~.

(2) Investigation by the superintendent of public instruction may include on-site investigations as appropriate.

(3) Upon completion of the investigation, ~~((investigating staff))~~ the investigator shall provide the superintendent of public instruction with a written report on the results of the investigation~~((-~~

~~((4) The superintendent of public instruction))~~ and shall respond in writing to the complainant as soon as possible but in no event later than sixty calendar days after the date of receipt of such complaint by the superintendent of public instruction.

~~((5))~~ (4) The response shall clearly state either:

(a) That the complaint is without merit, the allegations are denied, and the basis for such denial; or

(b) The reasonable corrective measures deemed necessary to correct any violation. Any such corrective measures deemed necessary shall be instituted as soon as possible but in no event later than thirty calendar days following the date of the response to the complainant.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-377 Functional behavioral assessment and intervention plan.** Within ten business days after first removing a student for more than ten school days in a school year, including weapons violations, drugs violations, or behavior that is substantially likely to result in injury to the student or to others, or commencing any removal that consti-

tutes a change of placement under WAC 392-172-373 the following actions shall be taken by the school district or other public agency:

(1) If the district or other public agency did not conduct a functional behavioral assessment and implement a behavioral intervention plan for the student before the behavior that resulted in the removal occurred, the district or other public agency shall convene an individualized education program meeting to develop an assessment plan.

(2) If the student already has a behavioral intervention plan, the individualized education program team shall meet to review the plan and its implementation and modify it, as necessary, to address the behavior.

(3) As soon as practicable after developing the plan described in subsection (1) of this section, and completing the assessments required by the plan, the district or other public agency shall convene an IEP meeting to develop appropriate behavioral interventions to address that behavior and shall implement those interventions.

(4) If subsequently, a special education student who has a behavioral intervention plan and who has been removed from the student's current educational placement for more than ten school days in a school year is subjected to a removal that does not constitute a change of placement under WAC 392-172-373, the IEP team members shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more of the team members believe that modifications are needed, the team shall meet to modify the plan and its implementation, to the extent the team determines necessary.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-38410 Protections for students not yet eligible for special education and related services.** (1) A student who has not been determined to be eligible for special education and any necessary related services under this chapter and who has engaged in behavior that violated any rule or code of conduct of the school district or other public agency, including any behavior described in this section, may assert any of the protections provided for in this section if the school district or other public agency had knowledge that the student was a special education student before the behavior that precipitated the disciplinary action occurred. A school district or other public agency must be deemed to have knowledge that a student is a special education student if:

(a) The parent of the student has expressed concern in writing (or orally if the parent does not know how to write or has a disability that prevents a written statement) to personnel of the appropriate educational or other public agency that the student is in need of special education and related services;

(b) The behavior or performance of the student demonstrates the need for these services in accordance with this chapter;

(c) The parent of the student has requested an evaluation of the student pursuant to this chapter; or

(d) The teacher of the student, or other personnel of the district or other public agency, has expressed concern about

the behavior or performance of the student to the director of special education of the district or other public agency or to other personnel of the district or other public agency in accordance with their established child find or special education referral system.

(2) A district or other public agency would not be deemed to have knowledge under subsection (1) of this section, if as a result of receiving the information, the district or other public agency:

(a) Either:

(i) Conducted an evaluation consistent with this chapter and determined that the student was not a special education student; or

(ii) Determined that an evaluation was not necessary; and

(b) Provided notice to the student's parents of its determination consistent with this chapter.

(3) If the district or other public agency does not have knowledge that a student is a special education student prior to taking disciplinary measures against the student (in accordance with subsections (1) and (2) of this section), the student may be subjected to the same disciplinary measures as measures applied to students without disabilities who engaged in comparable behaviors consistent with this section((-);

((4)) (a) If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures under this section, the evaluation must be conducted in an expedited manner.

((5)) (b) Until the evaluation is completed, the student remains in the educational placement determined by school or other public agency which can include suspension or expulsion without educational services.

((6)) (c) If the student is determined to be a special education student taking into consideration information from the evaluation conducted by the district or other public agency and information provided by the parents, the district or other public agency shall provide special education and any necessary related services in accordance with the provisions of this chapter, including the discipline procedures and free appropriate public education requirements.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-404 Notice to parents.** (1) Parents of special education students and adult students have rights regarding the protection of the confidentiality of any personally identifiable information collected, used, or maintained under WAC 392-172-400 through 392-172-426, the Family Educational Rights and Privacy Act of 1974, as amended, chapter 28A.155 RCW, and other Washington state law.

(2) State (~~(publications))~~ forms, procedural safeguards and parent handbooks regarding special education are available in (~~(alternative languages and formats))~~ Spanish, Vietnamese, Russian, Cambodian, and Korean, and alternate formats (braille and tape) on request.

(3) Personally identifiable information about students for use by the state may be contained in citizen's complaints, safety net applications, due process hearings and mediation agreements. The state may also receive personally identifiable

information as a result of grant evaluation performance. This information is removed before forwarding information to other agencies or individuals requesting the information, unless the parent or adult student consents to release the information or the information is allowed to be released without parent consent under the regulations implementing the Family Educational Rights and Privacy Act, 34 CFR Part 99.

(4) Before undertaking any major identification, location, or evaluation activity, the state, at a minimum, publishes notice in newspapers with circulation adequate to notify parents throughout the state of the activity and posts information on its web site.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-424 Safeguards.** (1) Each participating agency shall protect the confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages. The same privacy provisions provided to parents are extended to special education students with consideration given to the age of the student and the type and severity of the student's disability.

(2) One official at each participating agency shall be designated as the individual responsible for assuring the confidentiality of any personally identifiable information.

(3) All persons collecting or using personally identifiable information shall receive training or instruction regarding:

(a) The procedures on protection of the confidentiality of personally identifiable information, contained in this chapter, state law, the regulations implementing the Family Educational Rights and Privacy Act (34 CFR Part 99), and the school district's or other public agency's procedures.

(4) Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-426 Destruction of information.** (1) Each school district or other public agency shall inform parent(s) (and adult students) when personally identifiable information collected, maintained, or used in compliance with this chapter is no longer needed to provide educational services to the student. State law regarding records retention is contained in chapter (~~(40-24))~~ 40.12 RCW. State procedures for school district records retention is published by the secretary of state, division of archives and records management.

(2) The information shall thereafter be destroyed at the request of the parent(s) or adult student. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-504 Monitoring.** (1) The superintendent of public instruction or designee shall annually monitor selected local school districts or other public agency special education programs, so that all districts or other public agencies are monitored at least once every four years. The purpose of monitoring is to determine the school district's and other public agency's compliance with this chapter, chapter 28A.155 RCW, federal regulations implementing 20 USC Section 1400, et seq. (Part B of the Individuals with Disabilities Education Act) and other federal and state education laws necessary to validate compliance with this chapter, including validation of information included in school district or other public agency requests for federal funds.

(2) Procedures for monitoring school districts and other public agencies include:

- (a) Collection of previsit data;
- (b) Conduct of on-site visits; and
- (c) Comparison of a sampling of evaluation reports and individualized education programs with the services (~~(actually)~~) provided.

(3) Following a monitoring visit, (~~(an interim)~~) a monitoring report(~~(including a proposed corrective action plan)~~) shall be submitted to the school district or other public agency. The monitoring report shall include, but not be limited to:

- (a) Findings of noncompliance, if any; (~~(and)~~)
- (b) Required student specific corrective actions (~~(for remediation of any such instance(s) of noncompliance)~~); and
- (c) Areas that will require a corrective action plan to address any systemic issues determined through the monitoring.

(4) The school district or other public agency shall have thirty calendar days after the date of its receipt of the (~~(interim)~~) monitoring report to provide the office of superintendent of public instruction with:

- (a) (~~(Acceptance of the report; or~~)
- (~~b~~)) Supplemental arguments and/or facts which may serve as a basis for alteration of the monitoring report (if any); and

(~~(e)~~) Any revisions to the (b) Submission of a proposed corrective action plan which sets forth the measures the district or other public agency shall take and time period(s) within which the district or other public agency shall act in order to remediate the instance(s) of noncompliance.

(5) In the event that the district or other public agency submits supplemental arguments and/or facts which may serve as a basis for alteration of the monitoring report, or submits a corrective action plan that is not approved, the office of superintendent of public instruction shall (~~(provide the district or other public agency with a)~~) determine whether or not any revisions are necessary, and the extent to which the proposed action is acceptable and issue final monitoring report within thirty calendar days after receipt of the (~~(supplemental arguments and/or facts)~~) response.

(6) If the school district or other public agency (~~(fails to))~~ does not comply with a corrective action plan approved pursuant to subsections (4)(b) and (5) of this section, the superintendent of public instruction or designee shall institute pro-

cedures to ensure (~~(corrective action))~~ compliance with applicable state and federal rules. Such procedures may include one or more of the following:

- (a) Verification visits by office of superintendent of public instruction staff, or its designee, to:
  - (i) Determine whether the school district or other public agency is taking the required corrective action;
  - (ii) Expedite the school district and other public agency's response to the final monitoring report; and
  - (iii) Provide any necessary technical assistance to the school district or other public agency in its efforts to comply.
- (b) Withholding, in whole or part, a specified amount of state and/or federal special education funds, in compliance with the provisions of WAC 392-172-590 and 392-172-514.
- (c) Initiating an audit of the school district or other public agency consistent with WAC 392-172-512.

AMENDATORY SECTION (Amending WSR 99-24-137, filed 12/1/99, effective 1/1/00)

**WAC 392-172-507 State level nonsupplanting and maintenance of effort.** (1) Except as provided under WAC (~~(392-172-606)~~) 392-172-506, federal funds available for special education students under Part B of the Individuals with Disabilities Education Act, shall be used to supplement, and in no case supplant, federal, state and local funds (including funds that are not under the direct control of the state or local education agencies) expended for special education and related services provided to special education students.

(2) On either a total or per-capita basis, the state will not reduce the amount of state financial support for special education and related services for special education students, or otherwise made available because of the excess costs of educating those students, below the amount of that support for the preceding fiscal year.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 392-172-188                      Reevaluation—Purposes.
- WAC 392-172-238                      Service arrangements.

**WSR 01-24-061**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed November 30, 2001, 1:21 p.m.]

Date of Adoption: November 30, 2001.  
 Purpose: The Board of Boiler Rules is adopting a new boiler and pressure vessel permit process and fee to increase compliance with the Board of Boiler Rules and to ensure boilers and pressure vessels are inspected and installed safely. The new fee is identical to the current, first-day penalty of \$50.00 that may be assessed if the rules for installing boilers and pressure vessels are not complied with - which

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has become far too common. Also, the Board of Boiler Rules is proposing other changes to further clarify the rules and to adopt the most recent edition of nationally accepted codes and standards. All of these proposed changes are the result of the actions and requests of the Board of Boiler Rules.

**WAC 296-104-010 Administration—What are the definitions of terms used in this chapter?** A new definition was added for "boiler and pressure vessel installation permit." This definition is necessary in conjunction with the new permit process that has been established by the Board of Boiler Rules.

Clarification changes were made to "hot water heaters" and "pool heaters" to ensure consistency with the construction requirements and the ASME codes for boilers and pressure vessels. Also, the reference to "or internationally" (referencing a recognized testing laboratory) was removed from the type of pool heaters that may be approved because there are no international testing laboratories that approve pool heaters.

**WAC 296-104-020 Administration—What are the filing requirements for boilers and pressure vessels before their installation?** This section was changed to reflect the new permit process that has been created and to clarify that "manufacturers' data reports" be registered with the National Board of Boilers and Pressure Vessels Inspectors. Currently, this information must be "filed by the owner or his agent" with the chief inspector or the National Board of Boiler and Pressure Vessel Inspectors.

**WAC 296-104-040 Administration—When should inspectors submit inspection reports and on what forms?** A change was made to allow inspectors to submit inspection reports via appropriate forms "or media." Also, a clarification change was made to remove "employed by the in-service inspection agency" when referencing who must submit reports of reinspection.

**WAC 296-104-045 Administration—What are the insurance companies' responsibilities?** Clarification changes were made to ensure "that proper documentation" be completed and submitted as required by the "National Board Inspection Code (NBIC) as adopted in WAC 296-104-102."

**WAC 296-104-060 Administration—When shall inspectors' commissions be issued, suspended, or revoked?** Clarification changes were made to specify the type of commissions that are issued by the chief inspector in accordance with RCW 70.79.120 and 70.79.130. Also, "department" was replaced with "chief inspector" when referring to who may suspend or revoke a certificate of competency and commission issued to an inspector upon "~~ten days~~ written" notice to the inspector and the inspector's employer.

**WAC 296-104-065 Administration—How should a certified or commissioned inspector obtain a Washington state commission?** Changes were made to add an exemption for certified API-510 inspectors to operate in the state on a temporary basis. Also, a change was made to clarify that "a commission as a special inspector of boilers and/or unfired pressure vessels shall be issued by the chief inspector to an inspector in the employ and supervision of such company provided the inspector has had the experience prescribed in RCW 70.79.130 and..."

**WAC 296-104-100 Inspection—How often must boilers and unfired pressure vessels be inspected?** Clarified that this section is "In accordance with RCW 70.79.080, 70.79.090, and 70.79.240" in reference to "inspection requirements" that shall apply. Also, updated/adopted to the "eight edition with supplements" of the API-510, the "1999 edition" of the "FIS TIP" 0402-16, and made necessary reference changes.

**WAC 296-104-102 Inspection—What are the standards for in-service inspection?** Updated/adopted to the 2001 edition of the National Board Inspection Code (NBIC) and the 1999 edition of the "FIS TIP" 0402-16.

**WAC 296-104-130 Inspection—When are inspection certificates valid?** Removed "Tacoma" from a city that an agreement exists between the state and the city jurisdictions because the city of Tacoma has relinquished this jurisdiction.

**WAC 296-104-151 Inspection—What are the requirements for rental boilers?** Made clarification changes to reflect current practice and added references to applicable rules in the chapter that must be met.

**WAC 296-104-200 Construction—What are the standards for new construction?** Updated/adopted the 1997 edition of ASME/ANSI PVHO-1 (Standard for Pressure Vessels for Human Occupancy). Added that standards for construction must be "approved by the chief inspector." Also, removed "Revision 2, provided they are registered with the National Board" for purposes of clarification and consistency with current practice.

**WAC 296-104-205 Construction—What are the requirements for nonstandard new construction?** Made a typographical correction.

**WAC 296-104-256 Installation—What are required for reinstalled standard boilers or unfired pressure vessels?** Changed the title for purposes of ease of understanding and use. Clarified the requirements that must [be] met and inspected and made changes based on the new permit process that has been established.

**WAC 296-104-265 Installations—What control and limit devices are required on boilers?** Added "shall have the following additional requirements" to subsection (3) for purposes of clarification.

**WAC 296-104-502 Repairs—What are the requirements for nonnuclear boilers and unfired pressure vessel repairs and alterations?** Clarified the documentation requirements of repairs that must be submitted to the department.

**WAC 296-104-700 What are the inspection fees—Certificate fees—Expenses?** Added a new fee of \$50.00 for the new boiler and pressure vessel inspection process (excluding inspection). Also, reversed the fees for pressure vessels "For each additional 100 square feet or any portion thereof" to address a longstanding mistake that has existed in the fee schedule.

Citation of Existing Rules Affected by this Order: See Purpose above.

Statutory Authority for Adoption: RCW 70.79.030, 70.79.040, 70.79.150, 70.79.290, 70.79.330, and 70.79.350.

Other Authority: Chapter 70.79 RCW.

Adopted under notice filed as WSR 01-16-158 on August 1, 2001.

Changes Other than Editing from Proposed to Adopted Version: **WAC 296-104-020 Administration—What are the filing requirements for boilers and pressure vessels before their installation?** Clarified that "manufacturers' data reports" must be registered with the National Board of Boiler and Pressure Vessel Inspectors.

**WAC 296-104-065 Administration—How should a certified or commissioned inspector obtain a Washington state commission?** Clarified that "a commission as a special inspector of boilers and/or unfired pressure vessels shall be issued by the chief inspector to an inspector in the employ and supervision of such company provided the inspector has had the experience prescribed in RCW 70.79.130 and..."

**WAC 296-104-151 Inspection—What are the requirements for rental boilers?** Clarified that "They" refers to "Rental boilers."

**WAC 296-104-200 Construction—What are the standards for new construction?** Removed "Revision 2, provided they are registered with the National Board" for purposes of clarification and consistency with current practice.

**WAC 296-104-700 What are the inspection fees—Certificate fees—Expenses?** Clarified that the new fee of \$50.00 for the new boiler and pressure vessel inspection process excludes the inspection.

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 16, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 16, 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 16, Repealed 0.

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

November 30, 2001

Kenneth E. Eshleman, Chair  
Board of Boiler Rules

**AMENDATORY SECTION** (Amending WSR 00-21-024, filed 10/10/00, effective 11/13/00)

**WAC 296-104-010 Administration—What are the definitions of terms used in this chapter? "Agriculture purposes"** shall mean any act performed on a farm in production of crops or livestock, and shall include the storage of such crops and livestock in their natural state, but shall not be construed to include the processing or sale of crops or livestock.

**"Attendant"** shall mean the person in charge of the operation of a boiler or unfired pressure vessel.

**"Automatic operation of a boiler"** shall mean unattended control of feed water and fuel in order to maintain the pressure and temperature within the limits set. Controls must

be such that the operation follows the demand without interruption. Manual restart may be required when the burner is off because of low water, flame failure, power failure, high temperatures or pressures.

**"Board of boiler rules"** or **"board"** shall mean the board created by law and empowered under RCW 70.79.010.

**"Boiler and pressure vessel installation permit,"** shall mean a permit approved by the chief inspector before starting installation of any boiler and pressure vessel in this state.

Owner/user inspection agency's, Washington specials and rental boilers are exempt from "boiler and pressure vessel installation permit."

**"Boilers and/or pressure vessels"** - below are definitions for types of boilers and pressure vessels used in these regulations:

- **"Condemned boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel that has been inspected and declared unsafe or disqualified by legal requirements by an inspector who has applied a stamping or marking designating its condemnation.
- **"Hot water heater"** shall mean a closed vessel designed to supply hot water for external use to the system. All vessels must be listed by a nationally recognized testing agency and shall not exceed any of the following limits:
  - \* Pressure of 160 psi (1100 kpa);
  - \* Temperature of 210 degrees F (99°C);
  - \* Capacity of 120 U.S. gallons (454 liters);
  - \* Input of 200,000 BTU/hr (58.58 kw).
  - \* Hot water heaters exceeding 200,000 BTU/hr (58.58 kw) must be ASME code stamped.
  - \* Each vessel shall be protected with an approved temperature and pressure safety relief valve.
- **"Low pressure heating boiler"** shall mean a steam or vapor boiler operating at a pressure not exceeding 15 psig or a boiler in which water or other fluid is heated and intended for operation at pressures not exceeding 160 psig or temperatures not exceeding 250 degrees F by the direct application of energy from the combustion of fuels or from electricity, solar or nuclear energy including lined potable water heaters.
- **"Nonstandard boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel that does not bear marking of the codes adopted in WAC 296-104-200.
- **"Pool heaters"** shall be considered a boiler or unfired pressure vessel unless it meets all of the following criteria:
  - \* Appliance used to heat water for swimming pools and spas.
  - ~~(\*) Operates at pump pressure but in no case exceed 15 psig;~~
  - \* ~~Appliance is equipped with a flow switch, or a pressure switch set at a maximum of 15 psig.)~~
  - \* A flow switch shall be wired to shut off the heating source under a condition of low flow.
  - \* There are no intervening stop valves on the inlet or ~~((discharge))~~ outlet side of the unit. Any valves used



for maintaining the appliance must be locked open during operation (~~(in accordance with a written program that is acceptable to the inspector).~~)

~~((# Discharge piping is not reduced from the engineered sizing of the unit.))~~

- \* Appliance is equipped with an ASME approved pressure relief device (~~(set at 15 psig or lower)~~), with no intervening stop valves, set not to exceed the maximum allowable working pressure (MAWP) of the appliance.
- \* Unit is rated at less than ~~((400,000))~~ 200,000 BTU/hr, and is operated at pressure and temperature no greater than 160 psig (1100 kpa) and 210°F (99°C), respectively.
- \* Heating source operation is wired in series with the circulating pump.
- \* Unit is built to the ASME code or approved by a nationally (~~(or internationally)~~) recognized testing laboratory.
- **"Power boiler"** shall mean a boiler in which steam or other vapor is generated at a pressure of more than 15 psig for use external to itself or a boiler in which water or other fluid is heated and intended for operation at pressures in excess of 160 psig and/or temperatures in excess of 250 degrees F by the direct application of energy from the combustion of fuels or from electricity, solar or nuclear energy.
- **"Reinstalled boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel removed from its original setting and reset at the same location or at a new location without change of ownership.
- **"Rental boiler"** shall mean any power or low pressure heating boiler that is under a rental contract between owner and user.
- **"Second hand boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel of which both the location and ownership have changed after primary use.
- **"Standard boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel which bears the marking of the codes adopted in WAC 296-104-200.
- **"Unfired pressure vessel"** shall mean a closed vessel under pressure excluding:
  - \* Fired process tubular heaters;
  - \* Pressure containers which are integral parts of components of rotating or reciprocating mechanical devices where the primary design considerations and/or stresses are derived from the functional requirements of the device;
  - \* Piping whose primary function is to transport fluids from one location to another;
  - \* Those vessels defined as low pressure heating boilers or power boilers.
- **"Unfired steam boiler"** shall mean a pressure vessel in which steam is generated by an indirect application of heat. It shall not include pressure vessels known as evaporators, heat exchangers, or vessels in which steam is generated by the use of heat resulting from the operation of a processing system contain-

ing a number of pressure vessels, such as used in the manufacture of chemical and petroleum products, which will be classed as unfired pressure vessels.

**"Certificate of competency"** shall mean a certificate issued by the state board of boiler rules to a person who has passed an examination prescribed by the board of boiler rules.

**"Code, API-510"** shall mean the Pressure Vessel Inspection Code of the American Petroleum Institute with addenda and revisions, thereto made and approved by the institute which have been adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

**"Code, ASME"** shall mean the boiler and pressure vessel code of the American Society of Mechanical Engineers with amendments thereto made and approved by the council of the society which have been adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

**"Code, NBIC"** shall mean the National Board Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors with addenda and revisions, thereto made and approved by the National Board of Boiler and Pressure Vessel Inspectors and adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

**"Commission"** shall mean an annual state commission/commission card issued to a person in the employ of the state, an insurance company or a company owner/user inspection agency holding a certificate of competency which authorizes them to perform inspections of boilers and/or unfired pressure vessels.

**"Department"** as used herein shall mean the department of labor and industries of the state of Washington.

**"Director"** shall mean the director of the department of labor and industries.

**"Domestic and/or residential purposes"** shall mean serving a private residence or an apartment house of less than six families.

**"Existing installations"** shall mean any boiler or unfired pressure vessel constructed, installed, placed in operation, or contracted for before January 1, 1952.

**"Inspection, external"** shall mean an inspection made while a boiler or unfired pressure vessel is in operation and includes the inspection and demonstration of controls and safety devices required by these rules.

**"Inspection, internal"** shall mean an inspection made when a boiler or unfired pressure vessel is shut down and handholes, manholes, or other inspection openings are open or removed for examination of the interior. An external ultrasonic examination of unfired pressure vessels less than 36" inside diameter shall constitute an internal inspection.

**"Inspector"** shall mean the chief boiler inspector, a deputy inspector, or a special inspector.

- **"Chief inspector"** shall mean the inspector appointed under RCW 70.79.100 who serves as the secretary to the board without a vote.
- **"Deputy inspector"** shall mean an inspector appointed under RCW 70.79.120.
- **"Special inspector"** shall mean an inspector holding a Washington commission identified under RCW 70.79.130.



"**Nationwide engineering standard**" shall mean a nationally accepted design method, formulae and practice acceptable to the board.

"**Owner**" or "**user**" shall mean a person, firm, or corporation owning or operating any boiler or unfired pressure vessel within the state.

"**Owner/user inspection agency**" shall mean an owner or user of boilers and/or pressure vessels that maintains an established inspection department, whose organization and inspection procedures meet the requirements of a nationally recognized standard acceptable to the department.

"**Place of public assembly**" or "**assembly hall**" shall mean a building or portion of a building used for the gathering together of 50 or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking, or dining or waiting transportation. This shall also include child care centers (those agencies which operate for the care of thirteen or more children), public and private hospitals, nursing and boarding homes.

"**Special design**" shall mean a design using nationwide engineering standards other than the codes adopted in WAC 296-104-200 or other than allowed in WAC 296-104-230.

AMENDATORY SECTION (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

**WAC 296-104-020 Administration—What are the filing requirements for boilers and pressure vessels before their installation?** (~~Manufacturers data reports on boilers and pressure vessels as required by the provisions of the construction codes shall be filed by the owner or his agent with the chief inspector or the National Board of Boiler and Pressure Vessel Inspectors before installation. When the boilers or pressure vessel are of special design or construction not covered by the construction codes (unless otherwise exempted by the rules and regulations), the owner or user shall apply to the board of boiler rules in writing for permission to install such boilers or pressure vessels and shall supply such details of design and construction as may be required by the board of boiler rules and approval shall be secured before construction is started. When second hand boilers or pressure vessels are to be reinstalled, the owner or user shall file a data report or construction details, as required, and secure approval from the chief inspector before starting installation.~~) "**Boiler and pressure vessel installation permit,**" shall be submitted by the owner or agent and approved by the chief inspector. Manufacturers' data reports on boilers and pressure vessels shall be registered with the National Board of Boiler and Pressure Vessel Inspectors.

AMENDATORY SECTION (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

**WAC 296-104-040 Administration—When should inspectors submit inspection reports and on what forms?** Inspectors shall submit reports of inspections of boilers and unfired pressure vessels on appropriate forms or media approved by the chief inspector. Routine reports of inspections shall be submitted within thirty days of inspection. Reports of reinspection after suspension of an inspection certificate shall be submitted by an inspector (~~employed by the~~

~~in-service inspection agency~~) as soon as notice of corrective action has been received.

AMENDATORY SECTION (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

**WAC 296-104-045 Administration—What are the insurance companies' responsibilities?** All insurance companies shall notify the chief inspector within thirty days of all boiler and/or unfired pressure vessel risks written, canceled, not renewed or suspended because of unsafe conditions. Special inspectors shall perform all in-service inspections of boilers and unfired pressure vessels insured by their employer. After a repair or alteration the in-service inspector is responsible to assure (~~a Record of Welded Repair form~~) that proper documentation is completed and submitted to the department in accordance with the rules of the National Board Inspection Code (NBIC) as adopted in WAC 296-104-102.

AMENDATORY SECTION (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

**WAC 296-104-060 Administration—When shall inspectors' commissions be issued, suspended, or revoked?** (~~Upon the request of any company authorized to insure and insuring against loss from explosion of boilers and/or unfired pressure vessels in this state, or upon the request of any company with an owner/user inspection agency operating boilers and/or unfired pressure vessels in this state, the chief inspector shall issue a commission as a special inspector and an identifying commission card to any inspector actively engaged in boiler and/or unfired pressure vessel inspection in this state as long as he/she:~~

- Is employed by the requesting company; and
- Has passed the written examination, and holds a certificate of competency as set forth in WAC 296-104-050.)

The chief inspector shall issue a commission as a deputy or special inspector in accordance with RCW 70.79.120 and 70.79.130.

The fee for the special inspector commission is twenty-five dollars. The special inspector commission shall be held at the home office of the employing company and shall be valid for one year and may be renewed annually at the request of the employing company for a fee of ten dollars. The deputy inspector commission shall be held by the chief inspector. The deputy inspector commission shall be valid for one year and may be renewed annually at the request of the chief inspector. Inspectors shall carry identifying commission cards while they are inspecting. (~~A commission shall be valid for one year and may be renewed annually at the request of the employing company for a fee of ten dollars.~~) The state or employing company shall return the commission and the identifying commission card at once to the chief inspector when the inspector to whom the commission was issued is no longer in its employ, or at the request of the chief inspector.

The (~~department~~) chief inspector may suspend or revoke a certificate of competency and commission issued to

an inspector upon ~~((ten days))~~ written notice to the inspector and to the inspector's employer for:

- Incompetency or untrustworthiness;
- Willful falsification of any matter or statement contained in the application, or in the report of any inspection; or
- For other sufficient reason.

The holder of a certificate of competency is entitled to a hearing before the board prior to the revocation or suspension of the certificate of competency. A person whose commission has been suspended, except for untrustworthiness, may apply to the board for reinstatement. A person whose commission has been revoked, except for untrustworthiness, may apply to the board to take a new examination for a commission after ninety days from the date of the revocation.

**AMENDATORY SECTION** (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

**WAC 296-104-065 Administration—How should a certified or commissioned inspector obtain a Washington state commission?** Upon the request of a boiler insurance company authorized to insure and insuring against loss from explosion of boilers and/or unfired pressure vessels in this state, or a company with an owner/user inspection agency, a commission as a special inspector of boilers and/or unfired pressure vessels shall be issued by the chief inspector to an inspector in the employ and supervision of such company provided the inspector has had the experience prescribed in RCW 70.79.130 and:

(1) Passed an examination covering the Washington state boilers and unfired pressure vessels law, chapters 70.79 RCW and 296-104 WAC; and

(2) Holds a certificate of competency or commission issued by a state which has adopted one or more sections of the ASME Code, or a national board commission, in either case having taken and passed a written examination equivalent to that required by the state of Washington; or

(3) Is certified by the American Petroleum Institute in accordance with API-510, having taken and passed a written examination equivalent to that required by the state of Washington. Certified API-510 inspectors who are specifically and temporarily in the direct employ of an owner/user inspection agency as set forth in RCW 70.79.130 are exempted from the exam requirement set forth in WAC 296-104-065(1).

~~((Application for a reciprocal commission shall be made on a form to be furnished by the chief inspector, and shall be accompanied by a copy of the applicant's certificate of competency or a National Board Commission, or an API certificate and evidence of having passed the API examination.))~~

**AMENDATORY SECTION** (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

**WAC 296-104-100 Inspection—How often must boilers and unfired pressure vessels be inspected?** In accordance with RCW 70.79.080, 70.79.090, and 70.79.240 the following inspection requirements shall apply:

- (1) **Power boilers** shall be inspected:

(a) Internally and externally while not under pressure - Annually.

(b) Externally while under pressure - Annually.

(2) **Organic vapor boilers** shall be inspected:

(a) Internally and externally while not under pressure - Biennially.

(b) Externally while under pressure - Annually.

(3) **Low pressure heating boilers** shall be inspected:

(a) Externally while under pressure - Biennially.

(b) Internally while not under pressure (except where construction does not permit an internal) - Every 4th year.

(c) Internally, all steam heating boilers will have as a minimum, an internal of their low water fuel cutoff - Biennially.

(d) Internally, none required for nonvapor boilers using glycol, oil or adequately treated with a corrosion inhibitor.

(4) **Hot water heaters** shall be inspected:

(a) Externally - Biennially.

(b) Internally - None required.

(5) **Unfired pressure vessels** shall be inspected:

(a) Externally - Biennially.

(b) Internally:

(i) When subject to corrosion and construction permits - Biennially(~~(; or~~

~~(; or~~)). Vessels in an owner/user inspection program may follow intervals established by the NBIC or API-510 eighth edition with supplements, provided nondestructive examination (NDE) is performed at the biennial external inspection(~~(; or~~)).

~~((; or~~)) (ii) Pulp or paper dryer rolls may be inspected on a five-year basis in accordance with TAPPI (~~(TIS)~~) TIP 0402-16 1999 edition, provided the owner has established a written inspection program accepted by the inspector that requires the minimums in section 8 of TAPPI (~~(TIS)~~) TIP 0402-16(~~(; or~~)) 1999 edition.

~~((; or~~)) (iii) Vessels not subject to corrosion do not require an internal.

**AMENDATORY SECTION** (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

**WAC 296-104-102 Inspection—What are the standards for in-service inspection?** (1) Where a conflict exists between the requirements of the standards listed below and this chapter, this chapter shall prevail.

(2) The standard for inspection of nonnuclear boilers, unfired pressure vessels, and safety devices is the National Board Inspection Code (NBIC), ~~((1998))~~ 2001 edition, with addenda. This code may be used on or after the date of issue and becomes mandatory twelve months after adoption by the board as specified in RCW 70.79.050(2).

(3) The standard for inspection of nuclear items is ASME section XI. The ASME Code edition and addenda shall be as specified in the owner in-service inspection program plan.

(4) Where a petroleum or chemical process industry owner/user inspection agency so chooses, the standard for inspection of unfired pressure vessels used by the owner shall be the API-510 Pressure Vessel Inspection Code, eighth edi-

tion, with supplements. This code may be used on or after the date of issue.

(5) TAPPI ((TIS)) TIP 0402-16, dated ((1995)) 1999 may be used for both pulp dryers and paper machine dryers when requested by the owner. When requested by the owner, this document becomes a requirement and not a guideline.

**AMENDATORY SECTION** (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

**WAC 296-104-130 Inspection—When are inspection certificates valid?** An inspection certificate, issued in accordance with RCW 70.79.290, shall be valid until expiration unless some defect or condition affecting the safety of the boiler or unfired pressure vessel is disclosed or the conditions of RCW 70.79.300 apply.

When an agreement exists between the state and the city jurisdictions of Spokane(;) or Seattle ((~~or Tacoma~~)), the certificates for portable boilers and unfired pressure vessels will be considered valid.

**AMENDATORY SECTION** (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

**WAC 296-104-151 Inspection—What are the requirements for rental boilers?** Every rental boiler used in the state of Washington will have an internal inspection completed once a year. An operating inspection under pressure shall be conducted by ((the chief inspector, a deputy inspector, or a special)) an inspector at each and every rental location before being placed into service. Rental boilers shall also meet the requirements of WAC 296-104-265.

A rental boiler, which has never been in rental service in the state of Washington, ((will have a satisfactory hydrostatic test completed along with an initial internal inspection prior to having a state number issued)) shall meet the requirements of WAC 296-104-256. Each operating inspection will be reported to the state of Washington using the standard inspection form and a copy of this report will be posted on the rental boiler.

Inspections will be the responsibility of the rental boiler owner but may be completed by the user's special inspector.

**AMENDATORY SECTION** (Amending WSR 00-21-024, filed 10/10/00, effective 11/13/00)

**WAC 296-104-200 Construction—What are the standards for new construction?** The standards for new construction are:

(1) ASME Boiler and Pressure Vessel Code, ((1998)) 2001 edition, with addenda Sections I, III, IV, VIII, X, and CSD-1 (as referenced in WAC 296-104-265(3));

(2) ASME/ANSI PVHO-1 (Standard for Pressure Vessels for Human Occupancy), ((1987)) 1997 edition; and

(3) Standards of construction approved by the chief inspector and meeting the National Board Criteria for Registration of Boilers, Pressure Vessels and Other Pressure Retaining Items((, Revision 2, provided they are registered with the National Board)).

These codes and standards may be used on or after the date of issue and become mandatory twelve months after

adoption by the board as specified in RCW 70.79.050(2). The board recognizes that the ASME Code states that new editions of the code become mandatory on issue and that subsequent addenda become mandatory six months after the date of issue. For nuclear systems, components and parts the time period for addenda becoming mandatory is defined in the Code of Federal Regulations.

**AMENDATORY SECTION** (Amending WSR 00-21-024, filed 10/10/00, effective 11/13/00)

**WAC 296-104-205 Construction—What are the requirements for nonstandard new construction?** Those boilers and unfired pressure vessels that are exempted by the codes adopted in WAC 296-104-200 due to volume, temperature or pressure requirements, and are not to be constructed to those codes, must be certified ((by)) to a nationally recognized testing agency or constructed to WAC 296-104-230. See WAC 296-104-307 for safety pressure relief devices.

Other boilers and unfired pressure vessels that are not to be constructed to the codes adopted in WAC 296-104-200 may be treated as special designs at the discretion of the board. Nonstandard construction shall not be permitted to avoid standard construction.

**AMENDATORY SECTION** (Amending WSR 96-21-081, filed 10/16/96, effective 11/16/96)

**WAC 296-104-256 Installation—What inspections are required for reinstalled standard boilers or unfired pressure ((vessel)) vessels?** When a stationary standard boiler or unfired pressure vessel is moved and reinstalled it must be inspected by an inspector. The following will be required:

(1) The fittings and appliances must comply with the latest codes adopted in WAC 296-104-200.

(2) ((For standard vessels moved to Washington state a complete history of inspection, operation and repairs shall be available for all boilers exceeding 200,000 btu/hr and any pressure vessels exceeding 100 cubic feet.

(3) ~~For any power boiler an evaluation by a Washington state professional engineer or an organization holding a valid ASME Certificate of Authorization is required.~~

The following are required unless waived by the inspector:)) An installation permit must be submitted in accordance with WAC 296-104-020.

(3) For any boiler or unfired pressure vessel the following are required to be documented and submitted:

(a) A hydrostatic test up to 150% of the maximum allowable working pressure, MAWP.

(b) ((Nondestructive testing of any parts:)) An internal inspection.

(c) An operational test.

(d) Any repairs deemed necessary.

(e) A complete history of inspection, operation and repairs.

(4) The following are required unless waived by the inspector:

(a) Additional examination or nondestructive testing.

(b) A written evaluation by a professional engineer knowledgeable with boilers and pressure vessels, an ASME certificateholder, or a National Board R certificateholder.

AMENDATORY SECTION (Amending WSR 00-21-024, filed 10/10/00, effective 11/13/00)

**WAC 296-104-265 Installation—What control and limit devices are required on boilers?** (1) Installations prior to June 1989: All automatically fired steam, vapor, or hot water boilers except boilers having a constant attendant who has no other duties while the boiler is in operation, shall be equipped with:

- (a) An automatic low-water fuel cut-off; and
- (b) An automatic water feeding device.
- (c) All devices shall be designed so that they may be readily tested at frequent intervals.

(2) Installations after June 1989:

(a) All boilers that are automatically fired low pressure steam heating boilers, small power boilers, and power steam boilers without a constant attendant who has no other duties shall be equipped with:

- (i) Two high steam pressure limit controls, the highest of which shall be provided with a manual reset.
- (ii) Two low-water fuel cut-offs, one of which shall be provided with a manual reset device and independent of the feed water controller.
- (iii) Coil type flash steam boilers may use two high-temperature limit controls, one of which shall have a manual reset. This is instead of the low-water fuel cut-off.

(iv) All control and limit devices shall be independently connected and electrically wired in series.

(b) All automatically fired hot water supply, low-pressure hot water heating boilers, and power hot water boilers shall be equipped with:

- (i) Two high-temperature limit controls, the highest of which shall be provided with a manual reset.
- (ii) One low-water fuel cut-off with a manual reset and independent of the feed water controller.
- (iii) For coil type hot water boilers a low-water flow limit control installed in the circulating water line may be used instead of a low-water fuel cut-off.

(iv) All control and limit devices shall be independently connected and electrically wired in series.

(3) Installations or refits of gas, oil, or combinations of gas or oil after December 1998 shall have the following additional requirements:

(a) All boilers excluding lined potable water heaters of all BTU input installed or refitted after December 1998, with fuel input ratings of less than 12,500,000 BTU/hr which are fired by gas, oil, or a combination of gas or oil shall comply with the fuel train requirements defined in ASME CSD-1, as adopted in WAC 296-104-200 where applicable.

(b) Verification of fuel train compliance will be per CSD-1. A CSD-1 report will be filled out and signed by an authorized representative of the manufacturer and/or the installing contractor.

(c) The CSD-1 report must be made available to the authorized inspection agency or the inspector after which a

certificate of operation may be issued. The report shall remain in the possession of the boiler owner.

AMENDATORY SECTION (Amending WSR 00-21-024, filed 10/10/00, effective 11/13/00)

**WAC 296-104-502 Repairs—What are the requirements for nonnuclear boilers and unfired pressure vessel repairs and alterations?** Repairs and alterations to nonnuclear boilers and pressure vessels shall be made in accordance with the rules of the National Board Inspection Code (NBIC) as adopted in WAC 296-104-102.

Repairs/alterations may be made by:

(1) An organization authorized by the jurisdiction and in possession of a valid Certificate of Authorization for use of the "R" symbol stamp, issued by the National Board provided such repairs/alterations are within the scope of the authorization.

(2) An organization authorized by the chief inspector and in possession of a valid ASME Certificate of Authorization provided such repairs/alterations are within the scope of the organization's Quality Control System. The chief inspector may limit or restrict repairs/alterations for cause.

Owner/user special inspectors may only accept repairs/alterations to boilers and unfired pressure vessels operated by their respective companies per RCW 70.79.130.

~~((Where required, a record of welded repairs/alterations, signed by the organization and a commissioned inspector shall be submitted to the chief inspector.))~~ Documentation of repairs and alterations, in accordance with the requirements of the National Board Inspection Code (NBIC) as adopted in WAC 296-104-102, shall be submitted to the department.

AMENDATORY SECTION (Amending WSR 01-12-034, filed 5/29/01, effective 6/29/01)

**WAC 296-104-700 What are the inspection fees—Certificate fees—Expenses?** The following fees shall be paid by, or on behalf of, the owner or user upon the completion of the inspection. The inspection fees apply to inspections made by inspectors employed by the state.

	Internal	External
<b>Heating boilers:</b>		
Cast iron—All sizes	27.80	22.20
All other boilers less than 500 sq. ft.	33.40	22.20
500 sq. ft. to 2500 sq. ft.	55.70	27.80
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	22.20	11.10
<b>Power boilers:</b>		
Less than 100 sq. ft.	27.80	22.20
100 sq. ft. to less than 500 sq. ft.	33.40	22.20
500 sq. ft. to 2500 sq. ft.	55.70	27.80
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	22.20	11.10

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Pressure vessels:

Automatic utility hot water supply heaters per RCW 70.79.090 5.50

All other pressure vessels:

Square feet shall be determined by multiplying the length of the shell by its diameter.

	Internal	External
Less than 15 sq. ft.	22.20	16.70
15 sq. ft. to less than 50 sq. ft.	33.40	16.70
50 sq. ft. to 100 sq. ft.	38.90	22.20
For each additional 100 sq. ft. or any portion thereof	<del>((11.10))</del> 38.90	<del>((38.90))</del> 11.10

Certificate of inspection fees: For objects inspected, the certificate of inspection fee is \$16.70 per object.

Boiler and pressure vessel installation/reinstallation permit (excludes inspection) \$50.00

Nonnuclear shop inspections, field construction inspections, and special inspection services:

For each hour or part of an hour up to 8 hours	33.40
For each hour or part of an hour in excess of 8 hours	50.10

Nuclear shop inspections, nuclear field construction inspections, and nuclear triennial shop survey and audit:

For each hour or part of an hour up to 8 hours	50.10
For each hour or part of an hour in excess of 8 hours	77.90

Nonnuclear triennial shop survey and audit:

When state is authorized inspection agency:	
For each hour or part of an hour up to 8 hours	33.40
For each hour or part of an hour in excess of 8 hours	50.10
When insurance company is authorized inspection agency:	
For each hour or part of an hour up to 8 hours	50.10
For each hour or part of an hour in excess of 8 hours	77.90

Expenses shall include:

Travel time and mileage: The department shall charge for its inspectors' travel time from their offices to the inspection sites and return. The travel time shall be charged for at the same rate as that for the inspection, audit, or survey. The department shall also charge the

current Washington office of financial management accepted mileage cost fees or the actual cost of purchased transportation. Hotel and meals: Actual cost not to exceed the office of financial management approved rate.

Reinspection fee: Same as the fee for the previous inspection during which discrepancies were reported. The fee will be charged only if the discrepancies are not corrected before the reinspection. The fee shall not exceed \$ 26.70. Washington state specials: For each vessel to be considered by the board for a Washington state special certificate, a fee of \$ 308.60 must be paid to the department before the board meets to consider the vessel. The board may, at its discretion, prorate the fee when a number of vessels that are essentially the same are to be considered.

**WSR 01-24-066**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)

[Filed November 30, 2001, 4:28 p.m., effective January 2, 2002]

Date of Adoption: November 27, 2001.

Purpose: The department is establishing a new WAC 388-530-1260 Therapeutic consultation service, and amending WAC 388-530-1050 Definitions, to incorporate into rule section 210(14), chapter 1, Laws of 2000 2nd sp.s. (EHB 2487), which provides funds to develop a therapeutic consultation program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-530-1050 Definitions.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050.

Adopted under notice filed as WSR 01-20-109 on October 3, 2001, and WSR 01-22-095 on November 6, 2001.

Changes Other than Editing from Proposed to Adopted Version: The text of the proposed rule varies from the text of the proposed [adopted] rule. The changes follow (text additions are indicated by underlining, and deletions are indicated by ~~strikeouts~~):

**WAC 388-530-1260 (5)(b)(i)**, when the pharmacy provider contacts the client's...the prescriber or prescriber designee contacts the MAA designee (MAA-designated clinical pharmacist) to begin the TCS;

**WAC 388-530-1260 (5)(b)(ii)**, after the prescriber or prescriber designee and the ~~MAA-designated clinical pharmacist~~ MAA designee review...

**WAC 388-530-1260 (5)(b)(ii)(B)**, proves the MAA designee with adequate medical justification...

**WAC 388-530-1260 (5)(b)(ii)(C)**, does not agree to prescribe...and does not provide adequate medical justification...

**WAC 388-530-1260 (5)(c)(i)**, notifies the following, ~~in writing, or by facsimile, electronic mail, or telephone call~~, the results of the TCS:

**WAC 388-530-1260 (5)(c)(i)(C)**, MAA for notification to the client. When the TCS indicates a need for a change,

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limitation, or denial of the requested drug, MAA notifies the client according to WAC 388-501-0165(7).

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 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 1, Amended 1, Repealed 0.

Effective Date of Rule: January 2, 2002.

November 27, 2001

Brian Lindgren, Manager

Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 01-01-028, filed 12/7/00, effective 1/7/01)

**WAC 388-530-1050 Definitions.** The following definitions and abbreviations and those found in WAC 388-500-0005, Medical definitions, apply to this chapter.

"**Actual acquisition cost (AAC)**" means the actual price a provider paid for a drug marketed in the package size of drug purchased, or sold by a particular manufacturer or labeler. Actual acquisition cost is calculated based on factors including, but not limited to:

- (1) Invoice price, including other invoice-based considerations;
- (2) Order quantity and periodic purchase volume discount policies of suppliers (wholesalers and/or manufacturers);
- (3) Membership/participation in purchasing cooperatives;
- (4) Advertising and other promotion/display allowances, free merchandise deals; and
- (5) Transportation or freight allowances.

"**Administer**" means the direct application of a prescription drug by injection, inhalation, ingestion, or any other means, to the body of a patient by a practitioner, or at the direction of the practitioner.

"**Automated maximum allowable cost (AMAC)**" means the rate established for all multiple-source drugs designated by three or more products at least one of which must be under a federal drug rebate contract and which are not on the maximum allowable cost (MAC) list.

"**Average wholesale price (AWP)**" means the average price of a drug product from wholesalers nationwide at a point in time.

"**Compendia of drug information**" includes the following:

- (1) The American Hospital Formulary Service Drug Information;

(2) The United States Pharmacopeia Drug Information; and

(3) DRUGDEX Information System.

"**Compounding**" means the act of combining two or more active ingredients or adjusting therapeutic strengths in the preparation of a prescription.

"**Contract drugs**" means drugs manufactured or distributed by manufacturers/labelers who signed a drug rebate agreement with the federal Department of Health and Human Services (DHHS).

"**Deliver or delivery**" means the transfer of a drug or device from one person to another.

"**Department**" means the department of social and health services (DSHS).

"**Dispense as written (DAW)**" means an instruction to the pharmacist forbidding substitution of a generic drug or a therapeutically equivalent product for the specific drug product prescribed.

"**Dispensing fee**" means the fee MAA sets to reimburse pharmacy providers in addition to ingredient costs, for expenses that include but are not limited to, information provided to the client as required by state laws and federal regulations, compounding time, and overhead expenses incurred in filling medical assistance prescriptions.

"**Drug file**" means a list of drugs provided to the medical assistance administration's (MAA's) drug data base and maintained by a drug file contractor.

"**Drug file contractor**" also referred to as "**drug pricing file contractor**," means the entity which has contracted to provide MAA, at specified intervals, the latest information and/or data base on drugs and related supplies produced, prepared, processed, packaged, labeled, distributed, marketed, or sold in the marketplace. Contractor-provided information includes, but is not limited to, identifying characteristics of the drug (national drug code, drug name, manufacturer/labeler, dosage form, and strength) for the purpose of identifying and facilitating payment for drugs billed to MAA.

"**Drug rebates**" means payments provided by pharmaceutical manufacturers to state Medicaid programs under the terms of the manufacturers' agreements with the Department of Health and Human Services.

"**Drug-related supplies**" means nonpharmaceutical items necessary for administration or delivery of a drug.

"**Drug utilization review (DUR)**" means a quality review for covered outpatient drugs that assures prescriptions are appropriate, medically necessary, and not likely to result in adverse medical outcomes.

"**Emergency kit**" means a set of limited pharmaceuticals furnished to a nursing facility by the pharmacy that provides prescription dispensing services to that facility. Each kit is specifically set up to meet the emergency needs of an individual nursing facility.

"**Estimated acquisition cost (EAC)**" means MAA's estimate of the price providers generally and currently pay for a drug marketed or sold by a particular manufacturer or labeler.

"**Expedited prior authorization**" means the process for authorizing selected drugs in which providers use a set of numeric codes to indicate to MAA the acceptable indications/

conditions/diagnoses/criteria that are applicable to a particular request for drug authorization.

**"Experimental drugs"** means drugs the FDA has not approved, or approved drugs when used for medical indications other than those listed by the FDA.

**"Federal upper limit (FUL)"** means the maximum allowable payment set by the Health Care Financing Administration (HCFA) for a multiple source drug.

**"Four brand name prescriptions per calendar month limit"** means the maximum number of paid prescription claims for brand name drugs that MAA allows for each client in a calendar month without a complete review of the client's drug profile.

**"Generic drug"** means a nonproprietary drug that is required to meet the same bioequivalency tests as the original brand name drug.

**"Ingredient cost"** means the portion of a prescription's cost attributable to the drug ingredients, chemical components, and/or substances.

**"Less than effective drug"** or **"DESI"** means a drug for which:

(1) Effective approval of the drug application has been withdrawn by the Food and Drug Administration (FDA) for safety or efficacy reasons as a result of the drug efficacy study implementation (DESI) review; or

(2) The secretary of the department of health and human services (DHHS) has issued a notice of an opportunity for a hearing under section 505(e) of the federal Food, Drug, and Cosmetic Act on a proposed order of the secretary to withdraw approval of an application for such drug under such section because the secretary has determined the drug is less than effective for some or all conditions of use prescribed, recommended, or suggested in its labeling.

**"Long-term therapy"** means treatment a client receives or will receive continuously through and beyond ninety days.

**"Maximum allowable cost (MAC)"** means the maximum amount that MAA will pay for a specific dosage form and strength of a multiple source drug product.

**"Medically accepted indication"** means any indicated use for a covered outpatient drug:

(1) Approved under the federal Food, Drug, and Cosmetic Act;

(2) Which appears in peer-reviewed medical literature; or

(3) Which is accepted by one or more of the references listed in the compendia of drug information.

**"Modified unit dose delivery system"** (also known as blister packs or "bingo/punch cards") means a method in which each patient's medication is delivered to a nursing facility:

(1) In individually sealed, single dose packages or "blisters"; and

(2) In quantities for one month's supply, unless the prescriber specifies short-term therapy.

**"Multiple-source drug"** means a drug marketed or sold by:

(1) Two or more manufacturers or labelers; or

(2) The same manufacturer or labeler:

(a) Under two or more different proprietary names; or

(b) Under a proprietary name and a generic name.

**"National drug code (NDC)"** means the eleven-digit number the manufacturer or labeler assigns to a pharmaceutical product and attaches to the product container at the time of packaging that identifies the product's manufacturer, dose form and strength, and package size.

**"Noncontract drugs"** are drugs manufactured or distributed by manufacturers/labelers who have not signed a drug rebate agreement with the federal Department of Health and Human Services.

**"Nonprescription drugs"** means drugs that may be lawfully sold without a prescription.

**"Obsolete NDC"** means a national drug code replaced or discontinued by the manufacturer or labeler.

**"Over-the-counter (OTC) drugs"** means drugs that do not require a prescription before they can be dispensed.

**"Pharmacist"** means a person licensed in the practice of pharmacy by the state in which the prescription is filled.

**"Pharmacy research specialist"** means a licensed pharmacist employed by MAA.

**"Pharmacy"** means every location licensed by the State Board of Pharmacy in the state where the practice of pharmacy is conducted.

**"Point-of-sale (POS)"** means a pharmacy claims processing system capable of receiving and adjudicating claims on-line.

**"Practice of pharmacy"** means the practice of and responsibility for:

(1) Accurately interpreting prescription orders;

(2) Compounding, dispensing, labeling, administering, and distributing of drugs and devices;

(3) Providing drug information to the client that includes, but is not limited to, the advising of therapeutic values, hazards, and the uses of drugs and devices;

(4) Monitoring of drug therapy and use;

(5) Proper and safe storage of drugs and devices;

(6) Documenting and maintaining records;

(7) Initiating or modifying drug therapy in accordance with written guidelines or protocols previously established and approved for a pharmacist's practice by a practitioner authorized to prescribe drugs; and

(8) Participating in drug utilization reviews.

**"Practitioner"** means an individual who has met the professional and legal requirements necessary to provide a health care service, such as a physician, nurse, dentist, physical therapist, pharmacist or other person authorized by state law as a practitioner.

**"Preferred drug"** means MAA's drug(s) of choice within a selected therapeutic class.

**"Prescriber"** means a physician, osteopathic physician/surgeon, dentist, nurse, physician assistant, optometrist, pharmacist, or other person authorized by law or rule to prescribe drugs. See WAC 246-863-100 for pharmacists' prescriptive authority.

**"Prescription"** means an order for drugs or devices issued by a practitioner authorized by state law or rule to prescribe drugs or devices in the course of the practitioner's professional practice for a legitimate medical purpose.

**"Prescription drugs"** means drugs required by any applicable federal or state law or regulation to be dispensed

by prescription only or that are restricted to use by practitioners only.

**"Prior authorization program"** means a medical assistance administration (MAA) program, subject to the requirements of 42 U.S.C. 1396r-8 (d)(5), that may require, as condition of payment, that a drug on MAA's drug file be prior authorized. See WAC 388-530-1200.

**"Prospective drug utilization review (Pro-DUR)"** means a process in which a request for a drug product for a particular patient is screened, before the product is dispensed, for potential drug therapy problems.

**"Reconstitution"** means the process of returning a single active ingredient, previously altered for preservation and storage, to its approximate original state.

**"Retrospective drug utilization review (Retro-DUR)"** means the process in which patient drug utilization is reviewed on a periodic basis to identify patterns of fraud, abuse, gross overuse, or inappropriate or unnecessary care.

**"Risk/benefit ratio"** means the result of assessing the side effects compared to the positive therapeutic outcome of therapy.

**"Single source drug"** means a drug produced or distributed under an original new drug application approved by the FDA.

**"Substitute"** means to replace, with the prescriber's authorization:

- (1) An equivalent generic drug product of the identical base or salt as the specific drug product prescribed; or
- (2) A therapeutically equivalent drug other than the identical base or salt.

**"TCS"** See **"therapeutic consultation service."**

**"Terminated drug product"** means a product for which the shelf life expiration date has been met, per manufacturer notification.

**"Therapeutic alternative"** means a drug product that contains a different therapeutic agent than the drug in question, but is the same pharmacological or therapeutic class and can be expected to have a similar therapeutic effect when administered to patients in a therapeutically equivalent dosage.

**"Therapeutic class"** means a group of drugs used for the treatment, remediation, or cure of a specific disorder or disease.

**"Therapeutic consultation service (TCS)"** means the prescriber and an MAA-designated clinical pharmacist jointly review prescribing activity when drug claims for a medical assistance client exceed program limitations.

**"Therapeutically equivalent"** means chemically dissimilar prescription drugs with the same efficacy and safety when administered to an individual, as determined by:

- (1) Information from the FDA;
- (2) Published and peer-reviewed scientific data;
- (3) Randomized controlled clinical trials; and
- (4) Other scientific evidence.

**"Tiered dispensing fee system"** means a system of paying pharmacies different dispensing fee rates, based on the individual pharmacy's total annual prescription volume and/or drug delivery system used.

**"True unit dose delivery"** means a method in which each patient's medication is delivered to the nursing facility in quantities sufficient only for the day's required dosage.

**"Unit dose drug delivery"** means true unit dose or modified unit dose delivery systems.

**"Usual and customary charge"** means the fee that the provider typically charges the general public for the product or service.

## NEW SECTION

**WAC 388-530-1260 Therapeutic consultation service.** (1) The medical assistance administration (MAA) provides a therapeutic consultation service (TCS) to aid appropriate utilization of prescription drugs, improve quality of care and health care outcomes for medical assistance clients, and promote cost effectiveness.

(2) A TCS occurs when a drug claim:

- (a) Exceeds the four brand name prescriptions per calendar month limit; or
- (b) Is for a nonpreferred drug within selected therapeutic classes.

(3) Through TCS, MAA:

- (a) Provides a complete drug profile review for each client whose claims exceed four brand name prescriptions in a calendar month. MAA excludes the following from the four brand name prescriptions per calendar month limit:

- (i) Generic drugs; and
- (ii) The following drugs:
  - (A) Antidepressants;
  - (B) Antipsychotics;
  - (C) Chemotherapy;
  - (D) Contraceptives;
  - (E) HIV;
  - (F) Immunosuppressants; and
  - (G) Hypoglycemia rescue agents.

(b) Publishes a list of preferred drugs within selected therapeutic classes. MAA chooses a drug or drugs from a selected therapeutic class for placement on the preferred list when:

- (i) The drugs in the class are essentially equal in terms of safety and efficacy; and
- (ii) The selected drug or drugs may be the least costly in the therapeutic class.

(4) When a pharmacy provider submits a claim that exceeds TCS limitations for a client, MAA notifies the pharmacy provider that a TCS is required.

(5) The TCS process includes all of the following:

- (a) Pharmacy provider requirements:
  - (i) The pharmacy provider notifies the prescriber that the prescriber or prescriber designee must call the TCS toll-free telephone number to begin a TCS; and
  - (ii) If the TCS cannot take place due to the prescriber's or prescriber designee's unavailability, the pharmacy provider has the option to dispense an emergency supply of the requested drug only when:

(A) Given in an emergency;

(B) MAA receives justification within seventy-two hours of the fill date, excluding weekends and Washington state holidays; and



(C) MAA agrees with the justification and approves the request.

(b) Prescriber requirements:

(i) When the pharmacy provider contacts the client's prescriber as described in subsection (5)(a)(i) of this section, the prescriber or prescriber designee contacts the MAA designee (MAA-designated clinical pharmacist) to begin a TCS;

(ii) After the prescriber or prescriber designee and the MAA (~~(designated clinical pharmacist)~~ designee) review the client's drug profile and discuss clinically sound options and cost effective alternative drug(s), the prescriber does one of the following:

(A) Changes the prescription to an alternate drug or preferred drug and contacts the client's pharmacy with the new prescription;

(B) Provides the MAA designee with (~~(adequate)~~) medical justification for the requested drug and the MAA designee authorizes the drug under the provisions of medical necessity as defined in WAC 388-500-0005; or

(C) Does not agree to prescribe an alternate drug or preferred drug and does not provide (~~(adequate)~~) medical justification for the requested drug, then:

(I) The MAA designee authorizes only a one-month supply of the requested drug with no refills and sends the initiating prescriber a copy of the client's drug profile and a therapy authorization turnaround form;

(II) The prescriber signs the therapy authorization turnaround form and returns it to the MAA designee; and

(III) Upon receipt of the therapy authorization turnaround form, the MAA designee authorizes six additional months of the requested drug.

(c) MAA designee responsibilities:

(i) Notifies the following (~~(in writing, of)~~) by facsimile, electronic mail, or telephone call, the results of the TCS:

(A) Prescriber;

(B) Pharmacy provider; and

(C) MAA for notification to the client. When the TCS indicates a need for a change, limitation, or denial of the requested drug, MAA notifies the client according to WAC 388-501-0165(7).

(ii) Notifies MAA clinical program staff when concerns for client safety are identified during the TCS. See WAC 388-530-1100(2) for how MAA determines restrictions on drug coverage based on, but not limited to, client safety.

(iii) Contacts other prescribers identified during the TCS when opportunities to further improve the client's healthcare outcome are discovered.

(6) A client who does not agree with a TCS decision has a right to a fair hearing under chapter 388-02 WAC. After receiving a request for a fair hearing, MAA may request additional information from the client, the prescriber, or the pharmacy provider. 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.

**Reviser's note:** The unnecessary strike through and underscoring 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 01-24-074**  
**PERMANENT RULES**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**

[Filed December 3, 2001, 12:26 p.m.]

Date of Adoption: October 18, 2001.

Purpose: Amendments to WAC 136-16-022 Day labor limit and 136-18-020 Definitions.

Citation of Existing Rules Affected by this Order: Amending Title 136 WAC.

Statutory Authority for Adoption: Chapter 36.79 RCW.

Other Authority: SSB 5733.

Adopted under notice filed as WSR 01-17-103 on August 21, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 29, 2001

Jay P. Weber

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-021, filed 12/7/98, effective 1/7/99)

**WAC 136-16-022 Day labor limit.** The statutory day labor limit shall be computed in accordance with RCW 36.77.065 in the following manner for counties with populations equal to or exceeding 50,000:

(1) When the total annual county road construction budget is four million dollars or more, the day labor limit is eight hundred thousand dollars or fifteen percent of the total annual county road construction budget, whichever is greater.

(2) When the total annual county road construction budget is (~~(in excess of)~~) one million five hundred thousand dollars or more and less than four million dollars, the day labor limit is five hundred twenty-five thousand dollars or twenty percent of the total annual county road construction budget, whichever is greater.

(3) When the total annual county road construction budget is (~~(in excess of)~~) five hundred thousand dollars or more and less than one million five hundred thousand dollars, the day labor limit is two hundred and fifty thousand dollars or thirty-five percent of the total annual county road construction budget, whichever is greater.

(4) When the total annual county road construction budget is less than five hundred thousand dollars, the day labor

PERMANENT

limit shall be two hundred and fifty thousand dollars, unless the county legislative authority, by resolution, elects the alternate procedure set forth in RCW 36.77.065. When such alternate procedure is chosen, an individual project limit of thirty-five thousand dollars shall apply, and each project shall be administered in accordance with chapter 136-18 WAC.

(5) The statutory day labor limit shall be computed in accordance with RCW 36.77.065 in the following manner for counties with populations less than 50,000:

(a) When the total annual county road construction budget is four million dollars or more, the day labor limit is eight hundred eighty thousand dollars or twenty-five percent of the total annual county road construction budget, whichever is greater.

(b) When the total annual county road construction budget is one million five hundred thousand dollars or more and less than four million dollars, the day labor limit is five hundred seventy-seven thousand dollars or thirty percent of the total annual county road construction budget, whichever is greater.

(c) When the total annual county road construction budget is five hundred thousand dollars or more and less than one million five hundred thousand dollars, the day labor limit is two hundred seventy-five thousand dollars or forty-five percent of the total annual county road construction budget, whichever is greater.

(d) When the total annual county road construction budget is less than five hundred thousand dollars, the day labor limit shall be two hundred seventy-five thousand dollars, unless the county legislative authority, by resolution, elects the alternate procedure set forth in RCW 36.77.065. When such alternate procedure is chose, an individual project limit of thirty-eight thousand five hundred dollars shall apply, and each project shall be administered in accordance with chapter 136-18 WAC.

Determination by the county road administration board that a violation of RCW 36.77.065 has occurred shall be cause for issuance of a conditional certificate of good practice by the board as specified in WAC 136-04-060 on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-18-020 Definitions.** For purposes of implementing statutory requirements relative to day labor construction work, the following definitions shall apply:

(1) Construction - the building of a new road facility or improvement of an existing facility to a higher geometric or structural standard.

(2) Day labor construction - construction work performed by personnel carried on the county payroll using county owned, leased or rented equipment.

(3) Authorization date - the date that construction is authorized.

(4) Start of construction - the date that construction work commences.

(5) End of construction - the date that construction work is completed.

(6) Completion date - the date on which a county road project is closed in the accounting records.

(7) Estimated construction costs - the county engineer's estimate of the cost of contemplated construction work, not including preliminary engineering and right of way acquisition costs.

(8) Estimated project costs - the county engineer's estimate of the cost of engineering, right of way acquisition, and construction.

(9) True and complete construction costs - the accounting record of all construction costs attributed to a county road project from the authorization date to the completion date.

(10) True and complete project costs - the accounting record of all engineering, right of way acquisition, and construction costs attributed to a county road project from the authorization date to the completion date.

(11) Day labor county road project - day labor construction authorized by action of the county legislative authority in those counties where a cumulative dollar limit applies to all day labor construction.

(12) Special day labor county road project - day labor construction which will result in a facility with independent utility, authorized by action of the county legislative authority in those counties:

(a) With populations equal to or exceeding 50,000 and where the total construction budget is less than five hundred thousand dollars and the legislative authority has by resolution elected to perform day labor construction in an amount not to exceed thirty-five thousand dollars including labor, equipment and materials on any one project.

(b) With populations less than 50,000 and where the total construction budget is less than five hundred thousand dollars and the legislative authority has by resolution elected to perform day labor construction in an amount not to exceed thirty-eight thousand five hundred dollars including labor, equipment and materials on any one project.

## WSR 01-24-076

### PERMANENT RULES

### UTILITIES AND TRANSPORTATION COMMISSION

[General Order No. R-495, Docket No. UE-990473—Filed December 3, 2001, 3:51 p.m.]

In the matter of adopting and repealing rules in chapter 480-100 WAC, relating to rules establishing requirements for electric companies.

**1 STATUTORY OR OTHER AUTHORITY:** The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 01-11-147, filed with the code reviser on May 23, 2001. The commission brings this proceeding pursuant to RCW 80.01.040 and 80.04.160.

**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 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

**3 DATE OF ADOPTION:** The commission adopts this rule on the date that this order is entered.

**4 CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE:** RCW 34.05.325 requires that the commission prepare and provide to commenters a concise explanatory statement about an adopted rule. The statement must include the identification of the reasons for adopting the rule, a summary of the comments received regarding the proposed rule, and responses reflecting the commission's consideration of the comments.

5 The commission often includes a discussion of those matters in its rule adoption order. In addition, most rule-making proceedings involve extensive work by commission staff that includes summaries in memoranda of stakeholder comments, commission decisions, and staff recommendations in each of those areas.

6 In this docket, to avoid unnecessary duplication, the commission designates the discussion in this order as its concise explanatory statement, supplemented where not inconsistent by the staff memoranda presented at the adoption hearing and at the open meetings where the commission considered whether to begin this rule making and whether to adopt the specific language proposed by staff. Together, the documents provide a complete but concise explanation of the agency's actions and the agency's reasons for taking those actions.

**7 REFERENCE TO AFFECTED RULES:** This order repeals and adopts the following sections of the Washington Administrative Code:

**WAC 480-100-056 Refusal of service.** *Repealed, subject addressed in WAC 480-100-123.*

**WAC 480-100-116 Responsibility for delinquent accounts.** *Repealed, subject addressed in WAC 480-100-123.*

**WAC 480-100-123 Refusal of service.** *New section that combines WAC 480-100-056 and 480-100-116.*

**8 PREPROPOSAL STATEMENT OF INQUIRY:** The commission filed a preproposal statement of inquiry (CR-101) on April 7, 1999, at WSR 99-08-105.

**9 ADDITIONAL NOTICE AND ACTIVITY PURSUANT TO PREPROPOSAL STATEMENT:** The preproposal statement of inquiry advised interested persons that the commission was considering entering a rule making on rules relating to electric companies to review them for content and readability pursuant to Executive Order 97-02, with attention to the rules' need, effectiveness and efficiency, clarity, intent and statutory authority, coordination, cost, and fairness. The review included consideration of whether substantive changes or additions were required.

10 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) or who appeared on lists of interested persons in Docket No. UE-990473. Pursuant to the notice, the commission:

- Held four interested person/stakeholder meetings.
- Created interinstitutional discussion and drafting subgroups to prepare initial rules drafts.

- Developed draft rules using the information gathered from stakeholders.
- Circulated three working drafts to stakeholders for comment.
- Updated drafts to incorporate comments received.

**11 NOTICE OF PROPOSED RULE MAKING:** The commission filed a supplemental notice of proposed rule making (Supplemental CR-102) on May 23, 2001, at WSR 01-11-147.

**12 MEETINGS OR WORKSHOPS; ORAL COMMENTS:** Before filing the notice of proposed rule making, the commission held four workshops at its headquarters in Olympia on June 3, June 24, October 14-15, 1999, and May 25, 2000. Representatives from the following companies, agencies and organizations attended all or some of the workshops: Avista Utilities (Avista), Puget Sound Energy (PSE), Northwest Natural Gas (NW Natural), Office of Public Counsel (Public Counsel), PacifiCorp, Cascade Natural Gas (Cascade), The Energy Project, Energy Advocates, Cost Management Services, the Energy Office of the Department of Community, Trade, and Economic Development, International Brotherhood of Electric Workers, and the Washington State Building Code Council. During the workshops, attendees provided oral comments about all the sections under review. Most of the discussions focused on consumer related issues, including refusal of service, prior obligation, and disclosure of private information. The commission incorporated in its rules many of the suggestions offered by various stakeholders.

**13 COMMENTERS (WRITTEN COMMENTS):** The commission received written comments, and in some cases, several rounds of written comments from Avista, Cascade, Mr. Jay Lei, Northwest Industrial Gas Users (NWIGU), NW Natural, PacifiCorp, Public Counsel, PSE, The Boeing Company (Boeing), The Energy Project, TrizecHahn Office Properties, Ltd., and Washington Health Care Association. The commission accepted many of the proposals contained in these written comments.

**14 RULE-MAKING HEARINGS:** The commission originally scheduled this matter for oral comment and adoption under Notice No. WSR 01-11-147 at 9:30 a.m., at a rule-making hearing scheduled during the commission's regularly scheduled open public meeting on Wednesday, June 27, 2001, at the commission's offices in Olympia, Washington. The notice also provided interested persons an opportunity to submit written comments to the commission. The commission continued the rule adoption hearing on June 27, July 11, July 25, and August 8, 2001. On September 12, 2001, Chairwoman Marilyn Showalter, Commissioner Richard Hemstad, and Commissioner Patrick J. Oshie considered the rule proposal for adoption, pursuant to notice during the commission's regularly scheduled open public meeting. The commission heard oral comments from representatives of PSE, Boeing, Public Counsel, NWIGU, Avista, and Htech.

**15 SUGGESTIONS FOR CHANGE THAT ARE REJECTED:** The commission rejected PSE's and PacifiCorp's proposals to include language in WAC 480-100-123 regarding "economic feasibility" and "adverse impacts" from WAC 480-100-056 as reasons for refusal of service, or to provide examples of economic feasibility and adverse impacts. The commission does not believe that the rule language should contain spe-

cific examples of reasons to refuse service. The language should be left flexible and open, consistent with the language in RCW 80.28.110. Instead the commission includes conditions in subsections (1) and (2) under which a utility may refuse to provide service, and provides a "catch all" in subsection (5) that would require a utility to file for commission approval if the utility proposes to refuse service to a customer for reasons other than those listed in subsections (1) and (2).

16 The commission also rejected the proposals of Cascade, NW Natural, and PacifiCorp to eliminate or specify the number of prior obligations a residential customer or applicant can incur in one calendar year before a utility may refuse service. The commission believes that more accurate data about the use and consequences of prior obligation is needed to support a substantial change to this rule.

17 **COMMISSION ACTION:** After considering all of the information regarding this proposal, the commission repealed and adopted the rules as proposed in the Supplemental CR-102 at WSR 01-11-147 with the changes described below.

18 **CHANGES FROM PROPOSAL:** The commission adopted the proposal with the following changes from the text noticed at WSR 01-11-147:

19 **Subsection (2)(d).** The commission revised this subsection and made it more general to include all possibilities in response to PacifiCorp's concern that the proposed language implied that the utility is responsible for securing all rights-of-way, easements, and other permits. Most utilities' line extension tariffs address the responsibility of the applicant to obtain the necessary rights-of-way and easements. It is not the commission's intent to make the utility responsible for actually obtaining, paying for, or holding all rights-of-way, easements, approvals, and permits up to the customer's point of attachment. The rule simply recognizes that if all necessary rights-of-way, easements, approvals, and permits are not in place, after reasonable efforts to secure them, the utility may not be required to provide service.

20 **Subsection (3).** Based on the comments of Public Counsel and The Energy Project concerning prior obligations, the commission determined that for the present it will restate the existing rule, which does not limit the number of prior obligations a residential customer or applicant can incur before a utility may refuse service. The commission believes that more accurate data about the use and consequences of prior obligation is needed to support a substantial change to this rule.

21 **Subsection (4).** The commission revised this subsection to address NWIGU's request that the commission extend the applicability of this subsection beyond residential applicants and customers. In NWIGU's opinion, to limit this subsection to residential applicants or customers only creates an inequitable obligation on all other customers. The commission agrees that this subsection should not be restricted to residential applicants or customers and extends the applicability of subsection (4) to all applicants and customers.

22 **Subsection (5).** The commission replaced the existing subsection (3) with this subsection to address the concerns expressed by TrizecHahn Office Properties, Ltd. and Boeing's request that the commission repeal this subsection's original language that permitted a utility to refuse new or additional service if "such service will adversely affect ser-

vice being rendered to other customers" or if to provide service would be "economically unfeasible," in order to preclude a utility from having discretion to refuse service with no effective recourse for the potential customer.

23 Boeing suggested that revision of the existing rule was needed for two reasons. First, revision was necessary for the continued vitality of the economy in Washington. Boeing commented that the obligation of electric utilities to serve has been critical to economic development in the state because it has contributed to the region's dependable supply of low-cost electric power. According to Boeing, if utilities are permitted to refuse new or additional service, this source of economic strength would be imperiled. Second, Boeing believes that the current refusal of service rule is inconsistent with the statutory and common law obligation of an electric utility to provide service: RCW 80.28.010(2); *National Union Insurance Co. v. Puget Sound Power & Light Co.*, 94 Wn. App. 163; 972 P.2d 481 (1999). Boeing commented that the commission has jurisdiction to require an electric utility to provide service. *In re Tanner Elec. Co.* 1991 Wash. UTC LEXIS 17 (WUTC 1991). Contrary to these principles, according to Boeing, the current rule could give a utility untrammelled discretion to refuse service with no opportunity for commission oversight and no redress for a customer denied service.

24 Boeing asserts that the obligation to serve is a well established principle in utility regulation. The utility has the opportunity to earn a reasonable rate of return and, in exchange, it has the obligation to serve. The presumption should be that the utility has the obligation to serve unless there are reasonable exceptions. The exceptions included in the revised rule fall in the zone of reasonableness.

25 The commission observes that existing language in the rule permits a utility to refuse new or additional service if "such service will adversely affect service being rendered to other customers" or if to provide service would be "economically unfeasible." These terms are too general and vague to be useful. Commission resolution of obligation to serve issues is likely to be based on fact-specific analysis. So resolution of such issues is not amenable to the prescriptive language of a rule. Obligation to serve issues, when they arise and cannot be resolved otherwise, should be brought to the commission for resolution.

26 The commission has removed the original subsection (3) language that permitted a utility to refuse new or additional service if "such service will adversely affect service being rendered to other customers" or if to provide service would be "economically unfeasible." The revised rule includes conditions in subsections (1) and (2) under which a utility may refuse to provide service, and provides a "catch all" in subsection (5) that would require a utility to file for commission approval if the utility proposes to refuse service to a customer for reasons other than those listed in subsections (1) and (2).

27 The commission also revised subsection (5) and added subsection (6) to address the process issues raised by Public Counsel, PSE, TrizecHahn Office Properties, Ltd., Boeing, and Mr. Jay Lei. Subsection (5) requires the utility to work with the customer requesting service to resolve the issues before coming to the commission. Subsection (6) informs applicants and customers about options available

under chapter 480-09 WAC, the commission's procedural rules.

**28 STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE:** In reviewing the entire record, the commission determines that WAC 480-100-056 and 480-100-116 should be repealed, and WAC 480-100-123 should be adopted 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 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

#### ORDER

**29 THE COMMISSION ORDERS That:**

**30** WAC 480-100-056 and 480-100-116 are repealed, and WAC 480-100-123 is adopted to read 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).

**31** This order and the rules 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.

DATED at Olympia, Washington, this 3rd day of December, 2001.

Washington Utilities and Transportation Commission  
Richard Hemstad, Commissioner  
Patrick J. Oshie, Commissioner

**32** Marilyn Showalter, Dissenting:

**33** I cannot agree with the majority's decision to adopt the so-called "prior obligation rule," WAC 480-100-123(3). Under this rule, a residential customer who has been disconnected for failing to pay prior bills (i.e., who has a "prior obligation") is entitled to be reconnected and to receive electric service upon payment of a deposit and reconnection fee. The underlying amounts owed for prior service need never be paid to receive future service. The rule applies to any residential customer regardless of income or other circumstances. Further, the rule allows an unlimited number of prior defaults and disconnections over an unlimited number of months or years with unlimited amounts owing.

**34** The most basic principle underlying all commerce is that people must pay for the goods or services they receive, and cannot expect to continue to receive those goods or services if they have not paid their bills. This universal principle is as important to the operation of public service companies as it is in the broader world. Utilities are obligated to provide service in return for compensation from customers that is fair, just, reasonable and sufficient. In short, the company must serve, but in return, the customer must pay—or at least, that is what our general rule *should* provide.

**35** Not surprisingly, there appear to be no other jurisdictions with a rule like the one being adopted. Some jurisdictions require the prior obligation to be paid in full before the utility must reconnect (e.g., Seattle City Light, Snohomish Public Utility District, Tacoma Power, Clark Public Utility District). Others allow thirty days (e.g., the state of Oregon, but only once—after a second disconnection for nonpayment, all overdue obligations must be paid in full before reconnection is required). Others allow a longer period for full payment, but these provisions are limited to low-income customers and/or seasonally related to allow winter service to continue pending full payment. All jurisdictions, as far as I know, ultimately require full payment of prior amounts owed as a condition of the right to receive continued service.

**36** An entirely valid concern is the plight of low-income customers who have difficulty paying their energy bills. The rule adopted by the majority, however, is not tailored to them (since it has no means test) and even appears to discriminate against them, as I will discuss shortly.

**37** There are several programs devoted to low-income needs, all of which I support. Most broadly, there are state and federal income-assistance (welfare) programs. More specifically, there are state and federal programs that provide money to help low-income customers pay their electric and gas bills. These programs are outside the direct purview of this commission.

**38** There are two state statutes, however, that relate more directly to our regulatory authority to address the needs of low-income customers. RCW 80.28.010, the "winter moratorium" law, prohibits defaulting low-income customers from being disconnected during the winter months (November 15 through March 15) if they agree to pay their bills in full by the following October 15. This law only makes sense if it is premised (reasonably) on the existence of a general requirement to pay one's bills in order to continue to receive service, to which the law provides a circumscribed exception. The rule being adopted, however, negates this premise. As a result, the winter moratorium law is far more demanding of participating low-income customers (they must ultimately pay their bills) than the adopted rule is for all customers (who need never pay their bills). Moreover, the rule actually excludes from its protection anyone who defaults while participating in the winter moratorium program, so it actually discriminates against those low-income customers who are naive enough but also responsible enough to agree to pay their bills under that program.

**39** A second law, RCW 80.28.068, allows public service companies to propose, and the commission to approve, discounted rates for low-income customers. The costs of the discount are borne by the other ratepayers. The commission

is not authorized to order a discounted rate on its own initiative; it can only respond to a proposal by the company. This law, too, only makes sense if the legislature assumes (reasonably) that without it, all ratepayers, including low-income ratepayers, will otherwise be paying a uniform residential rate. But the rule being adopted has no income test and allows unlimited amounts to go unpaid—in effect creating a much deeper discount than would ever be achieved under the low-income discount law.

40 The rule raises other fairness questions. Those who take advantage of the rule receive its "discount," but those in identical (or worse) circumstances who do manage to pay their bills will not. The majority says it wants more data to evaluate the effects of the rule. But the data being collected will not tell us the income levels or personal circumstances of those who use the rule. Nor will the data tell us the income levels or personal circumstances of those who do *not* use the rule.

41 Of course, in one sense the rule is "fair" in that all residential ratepayers are entitled to take advantage of it. But if large numbers of people were to stop paying their bills and yet continue to receive service, the resulting costs would cut into the revenue requirements of the utility and drive up costs for the rest of the ratepayers. So the rule is not sustainable if used on a broad basis. Regardless of whether the current, similar rule has been broadly or sparingly used, a rule like the one being adopted poses too much risk of misuse or broad use, especially in the absence of any well-articulated purpose. I believe in programs and policies that focus clearly on the needs of those who are unable to pay their energy bills, but the rule adopted here has a much more diffuse focus and potentially more diffuse and unsound effects.

42 The general principle that one is obligated to pay for the services one receives is deeply understood and fundamental to a functioning economy. Instead of abandoning and undermining this principle, our rules should reinforce it, and carve out exceptions to it carefully and fairly.

43 For these reasons, I respectfully dissent.

Marilyn Showalter, Chairwoman

## NEW SECTION

**WAC 480-100-123 Refusal of service.** (1) An electric utility may refuse requests to provide service to a master meter in a building with permanent occupants when all of the following conditions exist:

- (a) The building or property has more than one dwelling unit;
- (b) The occupants control a significant part of the electricity used in the individual units; and
- (c) It is cost-effective for the occupants to have the utility purchase and install individual meters considering the long-run benefits of measuring and billing each occupant's electric use separately.

(2) The utility may refuse to provide new or additional service if:

- (a) Providing service does not comply with government regulations or the electric industry accepted standards concerning the provision of service;

(b) In the utility's reasonable judgment, the applicant's or customer's installation of wiring or electrical equipment is considered hazardous or of such a nature that safe and satisfactory service cannot be provided;

(c) The applicant or customer does not comply with the utility's request that the applicant or customer provide and install protective devices, when the utility, in its reasonable judgment deems such protective devices are necessary to protect the utility's or other customers' properties from theft or damage;

(d) After reasonable efforts by the responsible party, all necessary rights of way, easements, approvals, and permits have not been secured; or

(e) The customer is known by the utility to have tampered with or stolen the utility's property, used service through an illegal connection, or fraudulently obtained service and the utility has complied with WAC 480-100-128(2), disconnection of service.

(3) An electric utility may not refuse to provide new or additional service to a residential applicant or residential customer who has a prior obligation. A prior obligation is the dollar amount, excluding deposit amounts owed, the utility has billed to the customer and for which the utility has not received payment at the time the service has been disconnected for nonpayment. The utility must provide service once the customer or applicant has paid all appropriate deposit and reconnection fees. This subsection does not apply to customers that have been disconnected for failure to honor the terms of a winter low-income payment program.

(4) The utility may not refuse to provide service to an applicant or customer because there are outstanding amounts due from a prior customer at the same premises, unless the utility can determine, based on objective evidence, that a fraudulent act is being committed, such that the applicant or customer is acting in cooperation with the prior customer with the intent to avoid payment.

(5) The utility may refuse to provide new or additional service for reasons not expressed in subsections (1) and (2) of this section, upon prior approval of the commission. The commission may grant the request upon determining that the utility has no obligation to provide the requested service under RCW 80.28.110. Prior to seeking commission approval, the utility must work with the applicant or customer requesting service to seek resolution of the issues involved.

(6) Any applicant or customer who has been refused new or additional service may file with the commission an informal complaint under WAC 480-09-150, Informal complaints; or a formal complaint under WAC 480-09-420, Pleadings and briefs—Applications for authority—Protests; and 480-09-425, Pleadings—Verification, time for filing, responsive pleadings, liberal construction, amendments.

## REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 480-100-056	Refusal of service.
WAC 480-100-116	Responsibility for delinquent accounts.

**WSR 01-24-077**  
**PERMANENT RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[General Order No. R-496, Docket No. UG-990294—Filed December 3, 2001, 3:52 p.m.]

In the matter of adopting and repealing rules in chapter 480-90 WAC, relating to rules establishing requirements for natural gas companies.

**1 STATUTORY OR OTHER AUTHORITY:** The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 01-11-148 and Notice No. WSR 01-15-088, filed with the code reviser on May 23, and July 8 [18], 2001, respectively. The commission brings this proceeding pursuant to RCW 80.01.040 and 80.04.160.

**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 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

**3 DATE OF ADOPTION:** The commission adopts this rule on the date that this order is entered.

**4 CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE:** RCW 34.05.325 requires that the commission prepare and provide to commenters a concise explanatory statement about an adopted rule. The statement must include the identification of the reasons for adopting the rule, a summary of the comments received regarding the proposed rule, and responses reflecting the commission's consideration of the comments.

**5** The commission often includes a discussion of those matters in its rule adoption order. In addition, most rule-making proceedings involve extensive work by commission staff that includes summaries in memoranda of stakeholder comments, commission decisions, and staff recommendations in each of those areas.

**6** In this docket, to avoid unnecessary duplication, the commission designates the discussion in this order as its concise explanatory statement, supplemented where not inconsistent by the staff memoranda presented at the adoption hearing and at the open meetings where the commission considered whether to begin this rule making and whether to adopt the specific language proposed by staff. Together, the documents provide a complete but concise explanation of the agency's actions and the agency's reasons for taking those actions.

**7 REFERENCE TO AFFECTED RULES:** This order repeals and adopts the following sections of the Washington Administrative Code:

**WAC 480-90-056 Refusal of service.** *Repealed, subject addressed in WAC 480-90-123.*

**WAC 480-90-121 Responsibility for delinquent accounts.** *Repealed, subject addressed in WAC 480-90-123.*

**WAC 480-90-123 Refusal of service.** *New section that combines WAC 480-90-056 and WAC 480-90-121.*

**8 PREPROPOSAL STATEMENT OF INQUIRY:** The commission filed a preproposal statement of inquiry (CR-101) on April 1, 1999, at WSR 99-08-052.

**9 ADDITIONAL NOTICE AND ACTIVITY PURSUANT TO PREPROPOSAL STATEMENT:** The preproposal statement of inquiry advised interested persons that the commission was considering entering a rule making on rules relating to natural gas companies to review them for content and readability pursuant to Executive Order 97-02, with attention to the rules' need, effectiveness and efficiency, clarity, intent and statutory authority, coordination, cost, and fairness. The review included consideration of whether substantive changes or additions were required.

**10** 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) or who appeared on lists of interested persons in Docket No. UG-990294. Pursuant to the notice, the commission:

- Held four interested person/stakeholder meetings.
- Created interinstitutional discussion and drafting subgroups to prepare initial rules drafts.
- Developed draft rules using the information gathered from stakeholders.
- Circulated three working drafts to stakeholders for comment.
- Updated drafts to incorporate comments received.

**11 NOTICE OF PROPOSED RULE MAKING:** The commission filed a supplemental notice of proposed rule making (Supplemental CR-102) on May 23, 2001, at WSR 01-11-148 to propose a new rule, WAC 480-90-123. On July 8, 2001, the commission filed a Supplemental CR-102 to propose the repeal of WAC 480-90-121, which would be replaced by the new proposed WAC 480-90-123.

**12 MEETINGS OR WORKSHOPS; ORAL COMMENTS:** Before filing the notice of proposed rule making, the commission held four workshops at its headquarters in Olympia on June 3, June 24, October 14-15, 1999, and May 25, 2000. Representatives from the following companies, agencies and organizations attended all or some of the workshops: Avista Utilities (Avista), Puget Sound Energy (PSE), Northwest Natural Gas (NW Natural), Office of Public Counsel (Public Counsel), PacifiCorp, Cascade Natural Gas (Cascade), The Energy Project, Energy Advocates, Cost Management Services, the Energy Office of the Department of Community, Trade, and Economic Development, International Brotherhood of Natural Gas Workers, and the Washington State Building Code Council. During the workshops, attendees provided oral comments about all the sections under review. Most of the discussions focused on consumer related issues, including refusal of service, prior obligation, and disclosure of private information. The commission incorporated in its rules many of the suggestions offered by various stakeholders.

**13 COMMENTERS (WRITTEN COMMENTS):** The commission received written comments, and in some cases, several rounds of written comments from Avista, Cascade, Mr. Jay Lei, Northwest Industrial Gas Users (NWIGU), NW Natural, PacifiCorp, Public Counsel, PSE, The Boeing Company (Boeing), The Energy Project, TrizecHahn Office Properties, Ltd., and Washington Health Care Association. The commission accepted many of the proposals contained in these written comments.



**14 RULE-MAKING HEARINGS:** The commission originally scheduled this matter for oral comment and adoption under Notice No. WSR 01-11-148 at 9:30 a.m., at a rule-making hearing scheduled during the commission's regularly scheduled open public meeting on Wednesday, June 27, 2001, at the commission's offices in Olympia, Washington. The notice also provided interested persons an opportunity to submit written comments to the commission. The commission continued the rule adoption hearing on June 27, July 11, July 25, and August 8, 2001. On September 12, 2001, Chairwoman Marilyn Showalter, Commissioner Richard Hemstad, and Commissioner Patrick J. Oshie considered the rule proposal for adoption, pursuant to notice during the commission's regularly scheduled open public meeting. The commission heard oral comments from representatives of PSE, Boeing, Public Counsel, NWIGU, Avista, and Htech.

**15 SUGGESTIONS FOR CHANGE THAT ARE REJECTED:** The commission rejected PSE's and PacifiCorp's proposals to include language in WAC 480-90-123 regarding "economic feasibility" and "adverse impacts" from WAC 480-90-056 as reasons for refusal of service, or to provide examples of economic feasibility and adverse impacts. The commission does not believe that the rule language should contain specific examples of reasons to refuse service. The language should be left flexible and open, consistent with the language in RCW 80.28.110. Instead the commission includes conditions in subsection (1) under which a utility may refuse to provide service, and provides a "catch all" in subsection (4) that would require a utility to file for commission approval if the utility proposes to refuse service to a customer for reasons other than those listed in subsection (1).

**16** The commission also rejected the proposals of Cascade, NW Natural, and PacifiCorp to eliminate or specify the number of prior obligations a residential customer or applicant can incur in one calendar year before a utility may refuse service. The commission believes that more accurate data about the use and consequences of prior obligation is needed to support a substantial change to this rule.

**17 COMMISSION ACTION:** After considering all of the information regarding this proposal, the commission repealed and adopted the rules as proposed in the Supplemental CR-102 at WSR 01-11-148 with the changes described below.

**18 CHANGES FROM PROPOSAL:** The commission adopted the proposal with the following changes from the text noticed at WSR 01-11-148:

**19 Subsection (1)(d).** The commission revised this subsection and made it more general to include all possibilities in response to PacifiCorp's concern that the proposed language implied that the utility is responsible for securing all rights-of-way, easements, and other permits. Most utilities' line extension tariffs address the responsibility of the applicant to obtain the necessary rights-of-way and easements. It is not the commission's intent to make the utility responsible for actually obtaining, paying for, or holding all rights-of-way, easements, approvals, and permits up to the customer's burner tip. The rule simply recognizes that if all necessary rights-of-way, easements, approvals, and permits are not in place, after reasonable efforts to secure them, the utility may not be required to provide service.

**20 Subsection (2).** Based on the comments of Public Counsel and The Energy Project concerning prior obligations, the commission determined that for the present it will restate the existing rule, which does not limit the number of prior obligations a residential customer or applicant can incur before a utility may refuse service. The commission believes that more accurate data about the use and consequences of prior obligation is needed to support a substantial change to this rule.

**21 Subsection (3).** The commission revised this subsection to address NWIGU's request that the commission extend the applicability of this subsection beyond residential applicants and customers. In NWIGU's opinion, to limit this subsection to residential applicants or customers only creates an inequitable obligation on all other customers. The commission agrees that this subsection should not be restricted to residential applicants or customers and extends the applicability of subsection (3) to all applicants and customers.

**22 Subsection (4).** The commission replaced the existing subsection (2) with this subsection to address the concerns expressed by TrizecHahn Office Properties, Ltd. and Boeing's request that the commission repeal this subsection's original language that permitted a utility to refuse new or additional service if "such service will adversely affect service being rendered to other customers" or if to provide service would be "economically unfeasible," in order to preclude a utility from having discretion to refuse service with no effective recourse for the potential customer.

**23** Boeing suggested that revision of the existing rule was needed for two reasons. First, revision was necessary for the continued vitality of the economy in Washington. Boeing commented that the obligation of utilities to serve has been critical to economic development in the state because it has contributed to the region's dependable supply of low-cost natural gas power. According to Boeing, if utilities are permitted to refuse new or additional service, this source of economic strength would be imperiled. Second, Boeing believes that the current refusal of service rule is inconsistent with the statutory and common law obligation of a utility to provide service: RCW 80.28.010(2); *National Union Insurance Co. v. Puget Sound Power & Light Co.*, 94 Wn. App. 163; 972 P.2d 481 (1999). Boeing commented that the commission has jurisdiction to require a natural gas utility to provide service. *In re Tanner Elec. Co.* 1991 Wash. UTC LEXIS 17 (WUTC 1991). Contrary to these principles, according to Boeing, the current rule could give a utility untrammelled discretion to refuse service with no opportunity for commission oversight and no redress for a customer denied service.

**24** Boeing asserts that the obligation to serve is a well established principle in utility regulation. The utility has the opportunity to earn a reasonable rate of return and, in exchange, it has the obligation to serve. The presumption should be that the utility has the obligation to serve unless there are reasonable exceptions. The exceptions included in the revised rule fall in the zone of reasonableness.

**25** The commission observes that existing language in the rule permits a utility to refuse new or additional service if "such service will adversely affect service being rendered to other customers" or if to provide service would be "economically unfeasible." These terms are too general and vague to



be useful. Commission resolution of obligation to serve issues is likely to be based on fact-specific analysis. So resolution of such issues is not amenable to the prescriptive language of a rule. Obligation to serve issues, when they arise and cannot be resolved otherwise, should be brought to the commission for resolution.

26 The commission has removed the original subsection (2) language that permitted a utility to refuse new or additional service if "such service will adversely affect service being rendered to other customers" or if to provide service would be "economically unfeasible." The revised rule includes conditions in subsection (1) under which a utility may refuse to provide service, and provides a "catch all" in subsection (4) that would require a utility to file for commission approval if the utility proposes to refuse service to a customer for reasons other than those listed in subsection (1).

27 The commission also revised subsection (4) and added subsection (5) to address the process issues raised by Public Counsel, PSE, TrizecHahn Office Properties, Ltd., Boeing, and Mr. Jay Lei. Subsection (4) requires the utility to work with the customer requesting service to resolve the issues before coming to the commission. Subsection (5) informs applicants and customers about options available under chapter 480-09 WAC, the commission's procedural rules.

28 **STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE:** In reviewing the entire record, the commission determines that WAC 480-90-056 and 480-90-121 should be repealed, and WAC 480-90-123 should be adopted 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 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

#### ORDER

29 **THE COMMISSION ORDERS That:**

30 WAC 480-90-056 and 480-90-121 are repealed, and WAC 480-90-123 is adopted to read 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).

31 This order and the rules 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.

DATED at Olympia, Washington, this 3rd day of December, 2001.

Washington Utilities And Transportation Commission  
Richard Hemstad, Commissioner  
Patrick J. Oshie, Commissioner

32 MARILYN SHOWALTER, Dissenting:

33 I cannot agree with the majority's decision to adopt the so-called "prior obligation rule," WAC 480-90-123(2). Under this rule, a residential customer who has been disconnected for failing to pay prior bills (i.e., who has a "prior obligation") is entitled to be reconnected and to receive gas service upon payment of a deposit and reconnection fee. The underlying amounts owed for prior service need never be paid to receive future service. The rule applies to any residential customer regardless of income or other circumstances. Further, the rule allows an unlimited number of prior defaults and disconnections over an unlimited number of months or years with unlimited amounts owing.

34 The most basic principle underlying all commerce is that people must pay for the goods or services they receive, and cannot expect to continue to receive those goods or services if they have not paid their bills. This universal principle is as important to the operation of public service companies as it is in the broader world. Utilities are obligated to provide service in return for compensation from customers that is fair, just, reasonable and sufficient. In short, the company must serve, but in return, the customer must pay—or at least, that is what our general rule *should* provide.

35 Not surprisingly, there appear to be no other jurisdictions with a rule like the one being adopted. Some jurisdictions require the prior obligation to be paid in full before the utility must reconnect (e.g., Seattle City Light, Snohomish Public Utility District, Tacoma Power, Clark Public Utility District). Others allow thirty days (e.g., the state of Oregon, but only once—after a second disconnection for nonpayment, all overdue obligations must be paid in full before reconnection is required). Others allow a longer period for full payment, but these provisions are limited to low-income customers and/or seasonally related to allow winter service to continue pending full payment. All jurisdictions, as far as I know, ultimately require full payment of prior amounts owed as a condition of the right to receive continued service.

36 An entirely valid concern is the plight of low-income customers who have difficulty paying their energy bills. The rule adopted by the majority, however, is not tailored to them (since it has no means test) and even appears to discriminate against them, as I will discuss shortly.

37 There are several programs devoted to low-income needs, all of which I support. Most broadly, there are state and federal income-assistance (welfare) programs. More specifically, there are state and federal programs that provide money to help low-income customers pay their electric and gas bills. These programs are outside the direct purview of this commission.

38 There are two state statutes, however, that relate more directly to our regulatory authority to address the needs of low-income customers. RCW 80.28.010, the "winter mora-

torium" law, prohibits defaulting low-income customers from being disconnected during the winter months (November 15 through March 15) if they agree to pay their bills in full by the following October 15. This law only makes sense if it is premised (reasonably) on the existence of a general requirement to pay one's bills in order to continue to receive service, to which the law provides a circumscribed exception. The rule being adopted, however, negates this premise. As a result, the winter moratorium law is far more demanding of participating low-income customers (they must ultimately pay their bills) than the adopted rule is for all customers (who need never pay their bills). Moreover, the rule actually excludes from its protection anyone who defaults while participating in the winter moratorium program, so it actually discriminates against those low-income customers who are naive enough but also responsible enough to agree to pay their bills under that program.

39 A second law, RCW 80.28.068, allows public service companies to propose, and the commission to approve, discounted rates for low-income customers. The costs of the discount are borne by the other ratepayers. The commission is not authorized to order a discounted rate on its own initiative; it can only respond to a proposal by the company. This law, too, only makes sense if the legislature assumes (reasonably) that without it, all ratepayers, including low-income ratepayers, will otherwise be paying a uniform residential rate. But the rule being adopted has no income test and allows unlimited amounts to go unpaid—in effect creating a much deeper discount than would ever be achieved under the low-income discount law.

40 The rule raises other fairness questions. Those who take advantage of the rule receive its "discount," but those in identical (or worse) circumstances who do manage to pay their bills will not. The majority says it wants more data to evaluate the effects of the rule. But the data being collected will not tell us the income levels or personal circumstances of those who use the rule. Nor will the data tell us the income levels or personal circumstances of those who do *not* use the rule.

41 Of course, in one sense the rule is "fair" in that all residential ratepayers are entitled to take advantage of it. But if large numbers of people were to stop paying their bills and yet continue to receive service, the resulting costs would cut into the revenue requirements of the utility and drive up costs for the rest of the ratepayers. So the rule is not sustainable if used on a broad basis. Regardless of whether the current, similar rule has been broadly or sparingly used, a rule like the one being adopted poses too much risk of misuse or broad use, especially in the absence of any well-articulated purpose. I believe in programs and policies that focus clearly on the needs of those who are unable to pay their energy bills, but the rule adopted here has a much more diffuse focus and potentially more diffuse and unsound effects.

42 The general principle that one is obligated to pay for the services one receives is deeply understood and fundamental to a functioning economy. Instead of abandoning and undermining this principle, our rules should reinforce it, and carve out exceptions to it carefully and fairly.

43 For these reasons, I respectfully dissent.

Marilyn Showalter, Chairwoman

## NEW SECTION

**WAC 480-90-123 Refusal of service.** (1) A gas utility may refuse to provide new or additional service if:

(a) Providing service does not comply with government regulations or accepted natural gas industry standards;

(b) In the utility's reasonable judgment, the applicant's or customer's installation of piping or gas burning equipment is considered hazardous or of such a nature that safe and satisfactory service cannot be provided;

(c) The applicant or customer does not comply with the utility's request that the applicant or customer provide and install protective devices, when the utility, in its reasonable judgment deems such protective devices are necessary to protect the utility's or other customers' properties from theft or damage;

(d) After reasonable efforts by the responsible party, all necessary rights of way, easements, approvals, and permits have not been secured; or

(e) The customer is known by the utility to have tampered with or stolen the utility's property, used service through an illegal connection, or fraudulently obtained service and the utility has complied with WAC 480-90-128(2), disconnection of service.

(2) A gas utility may not refuse to provide new or additional service to a residential applicant or residential customer who has a prior obligation. A prior obligation is the dollar amount, excluding deposit amounts owed, the utility has billed to the customer and for which the utility has not received payment at the time the service has been disconnected for nonpayment. The utility must provide service once the customer or applicant has paid all appropriate deposit and reconnection fees. This subsection does not apply to customers that have been disconnected for failure to honor the terms of a winter low-income payment program.

(3) The utility may not refuse to provide service to an applicant or customer because there are outstanding amounts due from a prior customer at the same premises, unless the utility can determine, based on objective evidence, that a fraudulent act is being committed, such that the applicant or customer is acting in cooperation with the prior customer with the intent to avoid payment.

(4) The utility may refuse to provide new or additional service for reasons not expressed in subsection (1) of this section, upon prior approval of the commission. The commission may grant the request upon determining that the utility has no obligation to provide the requested service under RCW 80.28.110. Prior to seeking commission approval, the utility must work with the applicant or customer requesting service to seek resolution of the issues involved.

(5) Any applicant or customer who has been refused new or additional service may file with the commission an informal complaint under WAC 480-09-150, Informal complaints; or a formal complaint under WAC 480-09-420, Pleadings and briefs—Applications for authority—Protests; and 480-09-425, Pleadings—Verification, time for filing, responsive pleadings, liberal construction, amendments.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 480-90-056	Refusal of service.
WAC 480-90-121	Responsibility for delinquent accounts.

**WSR 01-24-078****PERMANENT RULES****DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

(Division of Child Support)

[Filed December 3, 2001, 3:59 p.m.]

Date of Adoption: November 29, 2001.

Purpose: The Division of Child Support (DCS) seeks to clarify these rules and add provisions dealing with automated enforcement of interstate (AEI) payments.

Citation of Existing Rules Affected by this Order: Amending WAC 388-14A-5001 What procedures does DCS follow to distribute support payments?, 388-14A-5003 How does DCS distribute money in an assistance case?, 388-14A-5006 How does DCS distribute support money when the paying parent has more than one case?, and 388-14A-5007 If the paying parent has more than one case, can DCS apply support money to only one specific case?

Statutory Authority for Adoption: RCW 26.23.035, 74.08.090, 74.20A.188, 74.20A.310, 42 U.S.C. 666(a)14.

Adopted under notice filed as WSR 01-21-104 on October 23, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 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 4, 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 4, Repealed 0.

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

November 30, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

**WAC 388-14A-5001 What procedures does DCS follow to distribute support payments?** When distributing support money, the division of child support (DCS) does the following:

(1) Records payments in exact amounts (~~((without rounding))~~ of dollars and cents;

(2) Distributes support money within two days of the date DCS receives the money, unless ~~((it))~~ DCS is unable to distribute the payment for one or more of the following reasons:

(a) The location of the payee is unknown;

(b) DCS does not have sufficient information to identify the accounts against which or to which it should apply the money;

(c) An action is pending before a court or agency which has jurisdiction over the issue to determine whether support money is owed or how DCS should distribute the money.

(d) DCS receives prepaid support money (~~((which it))~~ and is holding for distribution in future months under subsection (2)(e) of this section;

(e) DCS mails a notice of intent to distribute support money to the custodial parent (CP) under WAC 388-14A-5050;

(f) DCS may hold funds and not issue a check to the family for amounts under one dollar. DCS must give credit for the payment, but may delay disbursement of that amount until a future payment is received which increases the amount of the payment to the family to at least one dollar. If no future payments are received which increase the payment to the family of at least one dollar, DCS transfers the amount to the department of revenue under RCW 63.29.130. This subsection does not apply to disbursements which can be made by electronic funds transfer (EFT), or to refunds of intercepted federal income tax refunds; or

(g) Other circumstances exist which make a proper and timely distribution of the money impossible through no fault or lack of diligence of DCS.

(3) Distribute support money based on the date DCS receives the money, except as provided under WAC 388-14A-5005:

**AMENDATORY SECTION** (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

**WAC 388-14A-5003 How does DCS distribute money in an assistance case?** (1) An assistance case is one where the family is currently receiving a cash public assistance grant.

(2) The division of child support (DCS) applies support money within each Title IV-D assistance case:

(a) First, to satisfy the current support obligation for the month DCS received the money (this money is kept by the state under WAC 388-14A-2035);

(b) Second, to satisfy support debts which are permanently assigned to the department to reimburse the cumulative amount of assistance which has been paid to the family (this money is kept by the state under WAC 388-14A-2035);

PERMANENT

(c) Third, to satisfy support debts which are temporarily assigned to the department to reimburse the cumulative amount of assistance paid to the family (this money is kept by the state under WAC 388-14A-2035);

~~((d) Fourth, ((to satisfy support debts which are permanently assigned to the department to reimburse the cumulative amount of assistance which has been paid to the family;~~

~~(e) Fifth,))~~ to satisfy support debts which exceed the cumulative amount of unreimbursed assistance which has been paid to the family (this money goes to the family);

~~((~~f) Sixth~~))~~ (e) Fifth, to prepaid support as provided for under WAC 388-14A-5008.

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

**WAC 388-14A-5006 How does DCS distribute support money when the paying parent has more than one case?** Except as provided in WAC ~~((388-14A-005))~~ 388-14A-5005, when the NCP has more than one Title IV-D case, the division of child support (DCS) distributes support money:

(1) First, to the current support obligation on each Title IV-D case, in proportion to the amount of the current support order on each case; and

(2) Second, to the total of the support debts whether owed to the family or to the department for the reimbursement of public assistance on each Title IV-D case, in proportion to the amount of support debt owed by the NCP on each case; and

(3) Third, within each Title IV-D case according to WAC 388-14A-5002 or 388-14A-5003.

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

**WAC 388-14A-5007 If the paying parent has more than one case, can DCS apply support money to only one specific case?** (1) The division of child support (DCS) applies amounts to a support debt owed for one family or household and distributes the amounts accordingly, rather than make a proportionate distribution between support debts owned to different families, when:

~~((1))~~ (a) Proportionate distribution is administratively inefficient; or

~~((2))~~ (b) The collection resulted from the sale or disposition of a specific piece of property against which a court awarded the custodial parent (CP) a judgment lien for child support; or

~~((3))~~ (c) The collection is the result of a contempt order which provides that DCS must distribute the amounts to a particular case.

(2) If the collection is the result of an automated enforcement of interstate (AEI) transaction under RCW 74.20A.188, DCS applies the payment as provided in WAC 388-14A-5006, even if the requesting state wants the payment applied to a specific case.

**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 01-24-079**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

(Division of Child Support)

[Filed December 3, 2001, 4:03 p.m.]

Date of Adoption: November 29, 2001.

Purpose: The Division of Child Support (DCS) seeks to expand the definition of what kinds of accounts and property are subject to collection action and thus give rise to hearing or conference board rights. For instance, DCS takes collection action against inmate accounts when noncustodial parents are incarcerated at Department of Corrections (DOC) facilities, but the prior version of the rules do not include this kind of account. DCS also revised the rules for clarity and readability.

Citation of Existing Rules Affected by this Order: Amending WAC 388-14A-6200 What remedies are available to contest the division of child support's seizure of my bank account?

Statutory Authority for Adoption: RCW 74.08.090, 26.23.035, 34.05.220, 74.20A.310, 45 C.F.R. 303.106.

Adopted under notice filed as WSR 01-21-101 on October 23, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 4, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 4, 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 4, Amended 1, Repealed 0.

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

November 30, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

**WAC 388-14A-6200 What ~~((are my hearing rights when))~~ remedies are available to contest the division of child ~~((support takes collection action against))~~ support's seizure of my bank account?** (1) If the division of child support (DCS) takes collection action against a bank account, safe deposit box, or other property held by a bank, credit union or savings and loan (collectively, "the account"), the noncustodial parent (NCP) or the joint owner of record of the ~~((bank))~~ account ~~((safe deposit box or other property))~~ may contest the action in a hearing.

(2) The effective date of a hearing request or objection is the date DCS receives the request.

(3) The NCP or the joint owner must file the objection within twenty days of the date DCS mailed a copy of the order to withhold and deliver to the NCP's last known address.

(4) The NCP or joint owner of record must state in the objection the facts supporting the allegation by the NCP or the joint owner that the ~~((funds or property))~~ account, or a portion of the ~~((funds or property, are))~~ account is exempt from satisfaction of the NCP's child support obligation.

(5) If either the NCP or the joint owner of record objects to the collection action, DCS schedules a hearing solely for the purpose of determining whether or not one of the following exemptions applies to the ~~((funds in the bank))~~ account ~~(; or to the other property))~~ attached by the order to withhold and deliver:

(a) Pursuant to RCW 26.16.200 and 74.20A.120, the property or funds in the community bank account, joint bank account, or safe deposit box, or a portion of the property or funds which can be identified as the earnings of the NCP's spouse who does not owe a support obligation to the NCP's child or children, are exempt from satisfaction of the child support obligation of the NCP.

(b) The funds in a bank account, or a portion of those funds ~~((which))~~ can be identified as ~~((AFDC;))~~ TANF, GA-U, GA-X, SSI benefits, or other kinds of funds which are legally exempt from collection action; or

(c) The funds or property attached by the order to withhold and deliver which can be identified as being solely owned by the joint owner of record of the bank account or safe deposit box who does not owe a child support obligation to the child or children of the NCP, are exempt from satisfaction of the NCP's child support obligation.

~~((6) The person challenging the collection action has the burden of tracing the funds and proving the property or funds in the bank account, or property in a safe deposit box, are exempt from satisfaction of the NCP's child support obligation.~~

~~(7) DCS holds money or property withheld as a result of collection action taken against a bank account or safe deposit box and delivered to DCS at the time of an objection, pending the final administrative order or during any appeal to the courts.~~

~~(8) If the final decision of the department or courts on appeal is that DCS has caused money or property that is exempt from satisfaction of the NCP's child support obligation to be withheld by the bank or delivered to the department, DCS must:~~

~~(a) Promptly release the order to withhold and deliver; or  
(b) Refund the proportionate share of the funds having been identified as being exempt. The department is not liable for any interest accrued on any money withheld under RCW 74.20A.080.)~~

#### NEW SECTION

**WAC 388-14A-6205 What happens at a hearing on an objection to seizure of a bank account?** (1) If either the noncustodial parent (NCP) or the joint owner of record

objects to a division of child support (DCS) collection action against a bank account, DCS schedules a hearing solely for the purpose of determining whether or not one of the following exemptions applies to the funds in the bank account, or to the other property attached by the order to withhold and deliver:

(a) Pursuant to RCW 26.16.200 and 74.20A.120, the property or funds in the community bank account, joint bank account, or safe deposit box, or a portion of the property or funds which can be identified as the earnings of the NCP's spouse who does not owe a support obligation to the NCP's child or children, are exempt from satisfaction of the child support obligation of the NCP.

(b) The funds in the bank account, or a portion of those funds can be identified as TANF, GA-U, GA-X, SSI benefits, or other kinds of funds which are legally exempt from collection action; or

(c) The funds or property attached by the order to withhold and deliver can be identified as being solely owned by the joint owner of record of the bank account or safe deposit box who does not owe a child support obligation to the child or children of the NCP and are exempt from satisfaction of the NCP's child support obligation.

(2) The person challenging the collection action has the burden of tracing the funds and proving the property or funds in the bank account, or property in a safe deposit box, are exempt from satisfaction of the NCP's child support obligation.

(3) The administrative law judge (ALJ) is limited to the determination of whether the funds in the bank account, or the other property attached by the order to withhold and deliver is exempt from satisfaction of the NCP's child support obligation.

#### NEW SECTION

**WAC 388-14A-6210 What happens to the seized money once an objection is filed?** The division of child support (DCS) holds money or property withheld as a result of collection action taken against a bank account or safe deposit box and delivered to DCS at the time of an objection, pending the final administrative order or during any appeal to the courts.

#### NEW SECTION

**WAC 388-14A-6215 What happens if the judge decides the seized money was exempt?** If the final decision of the department or courts on appeal is that the division of child support (DCS) has caused money or property that is exempt from satisfaction of the NCP's child support obligation to be withheld by the bank or delivered to the department, DCS must:

(1) Promptly release the order to withhold and deliver; or  
(2) Refund the proportionate share of the funds having been identified as being exempt. The department is not liable for any interest accrued on any money withheld under RCW 74.20A.080.

**NEW SECTION**

**WAC 388-14A-6220 What remedies are available to contest the division of child support's seizure of my DOC inmate account?** If the division of child support (DCS) takes collection action against the inmate account of a noncustodial parent (NCP) who is an inmate of a department of corrections (DOC) facility, the NCP may contest the seizure of the inmate account in the same way an NCP could challenge a bank account seizure, as provided in WAC 388-14A-6200 through 388-14A-6215.

**WSR 01-24-080****PERMANENT RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

(Division of Child Support)

[Filed December 3, 2001, 4:05 p.m.]

Date of Adoption: November 29, 2001.

Purpose: Amending chapter 388-14A WAC to provide same policy as existed before conversion of the Division of Child Support (DCS) WAC to the new chapter. Amending WAC 388-14A-1025 What are the responsibilities of the division of child support?, to clarify that DCS does not provide funding under Title IV-D to a prosecutor's office which pursues paternity against DCS wishes when the custodial parent claims good cause level A; and amending WAC 388-14A-2065 to provide that, if DCS has referred a case for paternity establishment, DCS advises the prosecutor if good cause level A is granted.

Citation of Existing Rules Affected by this Order: Amending WAC 388-14A-1025 What are the responsibilities of the division of child support? and 388-14A-2065 Does the division of child support provide support enforcement services if the CSO decides I have "good cause level A"?

Statutory Authority for Adoption: RCW 74.08.090, 74.20A.310.

Adopted under notice filed as WSR 01-21-103 on October 23, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

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

November 30, 2001

Brian H. Lindgren, Manager,  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

**WAC 388-14A-1025 What are the responsibilities of the division of child support?** (1) The division of child support (DCS) provides support enforcement services when:

(a) The department of social and health services pays public assistance or provides foster care services;

(b) A former recipient of public assistance is eligible for services, as provided in WAC 388-14A-2000 (2)(c);

(c) A custodial parent (CP) or noncustodial parent (NCP) requests nonassistance support enforcement services under RCW 74.20.040 and WAC 388-14A-2000;

(d) A support order or wage assignment order under chapter 26.18 RCW directs the NCP to make support payments through the Washington state support registry (WSSR);

(e) A support order under which there is a current support obligation for dependent children is submitted to the WSSR;

(f) A former custodial parent (CP) requests services to collect a support debt accrued under a court or administrative support order while the child(ren) resided with the CP;

(g) A child support enforcement agency in another state or foreign country requests support enforcement services; or

(h) A child support agency of an Indian tribe requests support enforcement services.

(2) DCS takes action under chapters 26.23 and 74.20A RCW to establish, enforce and collect child support obligations.

(a) DCS refers cases to the county prosecuting attorney or attorney general's office when judicial action is required.

(b) If DCS has referred a case to the county prosecuting attorney or attorney general's office and the CP has been granted good cause level A, DCS does not share funding under Title IV-D for any actions taken by the prosecutor or attorney general's office once DCS advises them of the good cause finding.

(3) DCS does not take action on cases where the community services office (CSO) has granted the CP good cause not to cooperate under WAC 388-422-0020, when the CSO grants "level A good cause." If the CSO grants "level B good cause," DCS proceeds to establish and/or enforce support obligations but does not require the CP to cooperate with DCS. WAC 388-14A-2065 and 388-14A-2070 describe the way DCS handles cases with good cause issues.

(4) DCS establishes, maintains, retains and disposes of case records in accordance with the department's records management and retention policies and procedures adopted under chapter 40.14 RCW.

(5) DCS establishes, maintains, and monitors support payment records.

(6) DCS receives, accounts for and distributes child support payments required under court or administrative orders for support.

(7) DCS files a satisfaction of judgment when we determine that a support obligation is either paid in full or no longer legally enforceable. WAC 388-14A-2099 describes the procedures for filing a satisfaction of judgment. WAC 388-14A-2099(4) describes how DCS determines a support obligation is satisfied or no longer legally enforceable.

**AMENDATORY SECTION** (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

**WAC 388-14A-2065 Does the division of child support provide support enforcement services if the CSO decides I have "good cause level A"?** If the community services office (CSO) grants you good cause level A:

(1) The division of child support (DCS) closes the case and does not take any action to establish or enforce support for the children covered by the good cause finding.

(2) If the noncustodial parent (NCP) applies for paternity establishment or support enforcement services, DCS denies the NCP's application for services.

(3) If the community services office grants good cause level A after the case has been referred to the county prosecuting attorney or attorney general's office, DCS advises the prosecutor or attorney general's office of the good cause finding.

(4) When DCS advises the prosecutor or attorney general's office that good cause level A applies in a case, DCS requests that the prosecutor or attorney general's office dismiss any action that has been filed and cease all activities to establish or enforce a child support obligation for the children covered by the good cause finding.

#### WSR 01-24-081

#### PERMANENT RULES

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Child Support)

[Filed December 3, 2001, 4:06 p.m.]

Date of Adoption: November 29, 2001.

Purpose: To clarify the procedures for petitioning to vacate a default order. Clarifying that an unsuccessful petition to vacate may be treated as a petition to modify the support order.

Citation of Existing Rules Affected by this Order: Amending WAC 388-14A-3131 What happens if neither parent appears for the hearing? and 388-14A-3132 What happens if only one parent appears for the hearing?

Statutory Authority for Adoption: RCW 34.05.220(1), 74.08.090, 74.20A.055, 74.20A.056.

Adopted under notice filed as WSR 01-21-102 on October 23, 2001.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-14A-6150(4) was revised to require that the administrative law judge consider all four factors in the civil rule 60 analysis instead of only concentrating on the issue of prejudice to the party who appeared. A concise

explanatory statement explaining these changes may [be] obtained by contacting Nancy Koptur, DCS Headquarters, P.O. Box 49162, Olympia, WA 98504-9162, phone (360) 664-5065, or e-mail nkoptur@dshs.wa.gov.

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 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 2, Repealed 0.

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

November 30, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 00-15-016 and 00-20-022, filed 7/10/00 and 9/25/00, effective 11/6/00)

**WAC 388-14A-3131 What happens if neither parent appears for the hearing?** (1) If neither parent appears at the scheduled hearing after being sent a notice of hearing, the administrative law judge (ALJ) enters an initial decision and order on default, declaring the support establishment notice's claim for support to be final and subject to collection action.

(2) The initial decision and order on default is subject to collection action on the twenty-second day after the order of default was mailed by the office of administrative hearings.

(3) A parent that did not appear may petition to vacate the default order pursuant to WAC ((388-11-120 (or as later amended))) 388-14A-6150.

(a) If the ALJ vacates the order of default, the ALJ then conducts a full hearing on the merits of the NFFR, NFPR or NFMR. All parties may participate in the hearing.

(b) If the parent who did not appear at the hearing is unsuccessful in the motion to vacate the default order, the ALJ may treat the petition as a petition to modify the support order.

**AMENDATORY SECTION** (Amending WSR 00-15-016 and 00-20-022, filed 7/10/00 and 9/25/00, effective 11/6/00)

**WAC 388-14A-3132 What happens if only one parent appears for the hearing?** (1) If one parent appears at the hearing, but the other parent fails to appear after being sent a notice of hearing, the administrative law judge (ALJ) enters an order of default against the parent that did not appear. The hearing proceeds as described in WAC 388-14A-3140.

(2) The division of child support (DCS) and the parent that did appear may enter a consent order, but not an agreed settlement. The obligation in the consent order may be higher



or lower, or different from, the terms set forth in the notice, without further notice to the nonappearing parent, if necessary for an accurate support order. The terms of the consent order become final on the twenty-second day after the mailing of the order of default to the parent that did not appear.

(3) DCS and the parent that did appear may proceed to hearing. The ALJ may enter an initial decision setting an obligation which is higher or lower, or different from, the terms set forth in the notice, without further notice to the nonappearing parent, if necessary for an accurate support order.

(4) The parent that did not appear may petition to vacate the order of default pursuant to WAC ((~~388-11-120 (or as later amended)~~). The ALJ must consider the prejudice to the party that appeared for hearing before vacating an order of default)) 388-14A-6150.

(5) If the ALJ vacates the order of default, the ALJ then conducts a full hearing on the merits of the notice and finding of financial responsibility (NFFR), notice and finding of parental responsibility (NFPR) or notice and finding of medical responsibility (NFMR). All parties may participate in the hearing.

(6) If the parent who did not appear at the hearing is unsuccessful in the motion to vacate the default order, the ALJ may treat the petition as a petition to modify the support order.

#### NEW SECTION

**WAC 388-14A-6150 What can I do if there was a default order entered against me in an administrative hearing?** (1) Any party against whom the administrative law judge (ALJ) has entered an initial decision and order on default may petition the DSHS board of appeals for vacation of the default order, subject to the provisions, including time limits, of civil rule 60.

(2) Specific rules on administrative support establishment notices are in WAC 388-14A-3700.

(3) Upon receipt of a request to vacate a default order, the department must ask the office of administrative hearings (OAH) to:

(a) Schedule a hearing to determine whether or not the petitioner has good cause for vacating the default order; and

(b) Give any other parties to the hearing notice of the time and date of the hearing. The notice is sent to the party's last known address.

(4) In a hearing under this section, the ALJ must first determine if the petitioner has good cause for vacating the default order by applying civil rule 60 to determine whether the petition has good cause. In making this determination, the ALJ must consider the following factors:

(a) Whether there is substantial evidence to support a prima facie defense to the notice which was the subject of the hearing;

(b) Whether the petitioner's failure to appear at the hearing was due to mistake, inadvertance, surprise or excusable neglect;

(c) Whether the petition to vacate has been brought in a timely manner; and

(d) Whether vacating the initial decision would result in a substantial hardship to the parent who did appear for hearing.

(5) If the ALJ finds good cause to vacate the default order, the ALJ:

(a) Must conduct a hearing on the merits of the petitioner's objection to the notice that was the basis for the hearing at which the petitioner failed to appear; and

(b) May stay any further collection to the extent provided for under the rules governing the notice the party originally objected to.

(6) If the parent who did not appear at the hearing is unsuccessful in the motion to vacate the default order, the ALJ may treat the petition as a petition to modify the support order.

**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 01-24-082**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Division of Child Support)  
[Filed December 3, 2001, 4:08 p.m.]

Date of Adoption: November 29, 2001.

Purpose: WAC 388-14A-3600 is being amended to provide that an administrative law judge can sign a consent order on behalf of a person appearing by phone.

Citation of Existing Rules Affected by this Order: Amending WAC 388-14A-3600 The parties may resolve any child support case by entering a consent order or an agreed settlement.

Statutory Authority for Adoption: RCW 74.08.090, 34.05.220(1).

Adopted under notice filed as WSR 01-21-100 on October 23, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

November 30, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit



AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

**WAC 388-14A-3600** The parties may resolve any child support case by entering a consent order or an agreed settlement. (1) The division of child support (DCS) may enter a consent order or agreed settlement to finalize any dispute in which a party requests a hearing. DCS attempts to settle matters through agreement when possible.

(a) An agreed settlement is signed only by the parties (DCS, the custodial parent and the noncustodial parent).

(b) A consent order must be signed by the parties and by an administrative law judge (ALJ)(-(-)) provided that:

(i) In a telephone hearing, the ALJ may sign on behalf of any party if that party gives their consent on the record; and

(ii) The ALJ approves a consent order without requiring testimony or a hearing, unless entry of the order would be unlawful.

(2) An agreed settlement or consent order is final and enforceable on:

(a) The date the last party signs the agreed settlement, if all parties signed the agreed settlement;

(b) The date the ALJ signs the consent order; or

(c) If the ALJ defaults one of the parties to the proceeding, the latest of the following dates:

(i) The date the ALJ signed the consent order;

(ii) The date the last party signed the agreed settlement;

or

(iii) The date the order of default is final.

(3) A party to a consent order or an agreed settlement may:

(a) Not petition for review of the settlement or order under WAC 388-02-0560;

(b) Petition for modification under WAC 388-14A-3925; and

(c) Petition to vacate the settlement or consent order under WAC 388-14A-3700. However, the ALJ may only vacate a settlement or consent order after making a finding of fraud by a party, or on any other basis that would result in manifest injustice.

(4) If a hearing has been scheduled, DCS files a copy of the agreed settlement or consent order with the office of administrative hearings (OAH), and OAH issues an order dismissing the hearing. There are no hearing rights on the order dismissing the hearing.

### WSR 01-24-083

#### PERMANENT RULES

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Child Support)

[Filed December 3, 2001, 4:11 p.m.]

Date of Adoption: November 29, 2001.

Purpose: Currently the noncustodial parent must owe at least \$10,000 in support debt to qualify for posting. The Division of Child Support (DCS) is lowering that amount to \$5,000 at the request of custodial parents.

Citation of Existing Rules Affected by this Order: Amending WAC 388-14A-4605 Whose picture can go on the division of child support's DCS most wanted Internet site?

Statutory Authority for Adoption: RCW 26.23.120(2), 74.08.090.

Adopted under notice filed as WSR 01-21-099 on October 23, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

November 30, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

**WAC 388-14A-4605** Whose picture can go on the division of child support's DCS most wanted Internet site? (1) If the child's custodial parent (CP) requests DCS to post the NCP to the DCS most wanted Internet site (also called the "site"), the CP must:

(a) Give written permission to DCS to post the NCP on the site; and

(b) Provide a photograph of the NCP.

(2) Only the NCP's photograph appears on the site. If the CP submits a group photograph, DCS edits out everyone except the NCP.

(3) DCS may post an NCP to the site when:

(a) The NCP:

(i) Has made no payments in at least six months (intercepted IRS refunds are not considered to be payments for purposes of this section); and

(ii) Owes at least ~~((ten))~~ five thousand dollars in back child support(-(-)); or

(b) DCS has been unable to locate the NCP after trying other means for at least twelve months, and:

(i) There is a valid support order; or

(ii) There is a valid paternity affidavit filed for a child on the case, or

(iii) The NCP is:

(A) The mother of the child(ren) on the case; or

(B) The presumed father under RCW 26.26.040.

**WSR 01-24-092**  
**PERMANENT RULES**  
**STATE BOARD OF EDUCATION**

[Filed December 4, 2001, 11:43 a.m.]

Date of Adoption: October 26, 2001.

Purpose: Rule changes made to align with statutory changes.

Citation of Existing Rules Affected by this Order: Repealing WAC 180-16-205 and 180-18-080; and amending WAC 180-16-200, 180-16-215, 180-18-030, and 180-18-060.

Statutory Authority for Adoption: Chapter 28A.630 RCW.

Adopted under notice filed as WSR 01-19-043 on September 14, 2001.

Changes Other than Editing from Proposed to Adopted Version: WAC 19-80-57-055, subsection (2) word change and subsection (4)(b) word change and clarifying language.

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 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 4, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 4, Repealed 2; 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.

December 5 [4], 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 95-20-086, filed 10/4/95, effective 11/4/95)

**WAC 180-16-200 Total ((~~program~~) instructional hour ((~~offering—Basic skills and work skills requirements—Waiver~~) requirement. ((1) Total program hour offering—Definition.**

(a) Each school district shall make available to students enrolled at least a total program hour offering as set forth in subsections (2) through (6) of this section. For the purpose of this section, "total program hour offering" shall mean those hours of sixty minutes each, inclusive of intermissions for class changes, recess and teacher/parent guardian conferences which are planned and scheduled by the district for purposes of discussing students' educational needs or progress—exclusive of time actually spent for eating lunchtime meals—when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district.

For special education/handicapped programs operating in separate facilities in a school district, do not exclude the time actually spent for eating lunchtime meals if that time is specifically identified and utilized as instructional meal training for each student in the program.

(b) Adjustments of program hour offerings between grade level groupings. Any school district may petition the state board of education for a reduction in the total program hour offering requirements for one or more of the grade level groupings specified in subsections (2) through (6) of this section. The state board of education shall grant all such petitions that are accompanied by an assurance that the minimum total program hour offering requirements in one or more other grade level groupings will be exceeded concurrently by no less than the number of hours of the reduction.

(c) Each school district shall make available to students enrolled at least an instructional hour offering as set forth in subsections (3) through (6) of this section. For the purpose of this section, "instructional hour offering" shall mean those hours of sixty minutes each—exclusive of recess time, passing time, total lunch intermission time, and nouncountable release time on early dismissal days—when students are provided the opportunity to engage in the basic skills and/or work skills offered by and under the direction of school district staff, as directed by the administration and board of directors of the district.

(d) A school district has "provided the opportunity to engage in" the basic skills and work skills activities required by this section when the district actually conducts basic skills and work skills instruction for students. If a district is not actually conducting the percentage(s) of basic skills and/or work skills required by this section, such district nevertheless shall be deemed to be in compliance with such requirements if such district's instructional time offered to students in basic skills and work skills instruction equals or exceeds the minimum instructional hour requirements in each grade level grouping as specified in subsections (3) through (6) of this section. A school district that makes a reasonable and good faith effort through the first day of the school term to provide students the opportunity to take the section(s) or course(s) necessary to comply with the basic skills and work skills percentages, as specified in subsections (3) through (6) of this section and no student enrolled in such section(s) or course(s), may count that section(s) or course(s) toward the total basic skills and work skills percentages offered to students that term. Each of the basic skills areas specified in subsections (2) through (6) of this section for a particular grade level grouping must be offered each school year to students at one or more of the grade levels within the particular grade level grouping. Instruction in at least one of the following work skills must be offered each school year to students at one or more of the grade levels within each of the grade level groupings specified in subsections (5) and (6) of this section: Industrial arts, home and family life education, business and office education, distributive education, agricultural education, health occupations education, vocational education, trade and industrial education, technical education and career education.

(e) Five percent variation—Basic skills and work skills requirements. A school district may establish minimum

course mix percentages that deviate within any grade level grouping by up to five percentage points above or below the minimums established by subsections (3) through (6) of this section, provided the total program hour offering requirement for the grade level grouping is met.

(2) ~~Kindergarten.~~ Each school district shall make available to students in kindergarten at least a total program offering of four hundred fifty hours each school year. The program shall include reading, arithmetic, language skills and such other subjects and activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program.

(3) ~~Grades 1 through 3.~~ Each school district shall make available to students in grades one through three at least a total program hour offering of two thousand seven hundred hours each school year. A minimum of ninety five percent (ninety percent with the five percent variation included, or 2,430 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include a language other than English), mathematics, social studies, science, music, art, health and physical education. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(4) ~~Grades 4 through 6.~~ Each school district shall make available to students in grades four through six at least a total program offering of two thousand nine hundred seventy hours each school year. A minimum of ninety percent (eighty five percent with the five percent variation included, or 2,524.5 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include a language other than English), mathematics, social studies, science, music, art, health and physical education. The remaining ten percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(5) ~~Grades 7 through 8.~~ Each school district shall make available to students in grades seven through eight at least a total program hour offering of one thousand nine hundred eighty hours each school year. A minimum of eighty five percent (eighty percent with the five percent variation included, or 1,584 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include a language other than English), mathematics, social studies, science, music, art, health and physical education. A minimum of ten percent (five percent with the five percent variation included, or 99 instructional hours) of the total program offerings shall be in the instruction of work skills. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

~~(6) Grades 9 through 12.~~

(a) Each school district shall make available to students in grades nine through twelve at least a total program hour

offering of four thousand three hundred twenty hours each school year. A minimum of sixty percent (fifty five percent with the five percent variation included, or 2,376 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of language arts, a language other than English, mathematics, social studies, science, music, art, health and physical education. A minimum of twenty percent (fifteen percent with the five percent variation included, or 648 instructional hours) of the total program hour offerings shall be in the instruction of work skills. The remainder of the total program hour offerings may include traffic safety or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades: Provided, That, whether or not the five percent deviations in course mix percentages allowed by subsection (2)(d) of this section are applied, not less than four hundred and thirty two instructional hours (*i.e.*, ten percent of the total program hour requirement) of such remaining instructional hours shall consist of basic skills and/or work skills: Provided, That any program hours and/or instructional hours not achieved due to the implementation of WAC 180-16-215(4) relating to students graduating from high school, shall not be deducted from the total program hours calculated.

(b) ~~Grade nine option.~~ Each school district shall have the option of including grade nine within the program hour offering requirements of grades seven and eight so long as such requirements for grades seven through nine are increased to two thousand nine hundred seventy hours and such requirements for grades ten through twelve are decreased to three thousand two hundred forty hours. Each school district shall state which option is in use when providing compliance documentation to the superintendent of public instruction.

~~(7) Basis and means for determining compliance with basic skills and work skills percentage requirements.~~

(a) Each school district shall adopt a written policy and procedure for establishing the basis and means for determining and monitoring compliance with the basic skills and work skills percentages, the course requirements and instructional hour minimums as established by this section. Written documentation of such annual determinations and monitoring activities shall be maintained on file by each school district.

(b) ~~Handicapped education programs, vocational technical institute programs, state institution, state residential school programs and alternative education programs where students are provided access to the basic skills/work skills offered in the regular program, all of which programs are conducted for the common school age, kindergarten through secondary school program students encompassed by this section, shall be exempt from the basic skills and work skills percentage and course requirements of this section in order that the unique needs, abilities or limitations of such students may be met.~~

~~(8) Waiver option, application and renewal procedures.~~ See WAC 180-18-050 for waiver process:)) (1)(a) Kindergarten total instructional hour requirement - four hundred fifty hours annual minimum. (See RCW 28A.150.220 (1)(a).)

(b) Grades 1-12 total instructional hour requirement - district-wide annual average of one thousand hours. (See

RCW 28A.150.220 (1)(b). In grades one through twelve school districts may arrange their calendars in any way they determine as long as the district-wide annual average instructional hour requirement is at least one thousand hours.

(2) The basic education program requirements shall be as described under RCW 28A.150.220(1).

AMENDATORY SECTION (Amending WSR 95-20-086, filed 10/4/95, effective 11/4/95)

**WAC 180-16-215 Minimum one hundred eighty school day year.** (1)(a) **One hundred eighty school day requirement.** Each school district shall conduct no less than a one hundred eighty school day program each school year in such grades as are conducted by such school district, and one hundred eighty half-days of instruction, or the equivalent, in kindergarten. If a school district schedules a kindergarten program other than one hundred eighty half-days, the district shall attach an explanation of its kindergarten schedule when providing compliance documentation to the ~~((superintendent of public instruction))~~ state board of education.

(b) **Waiver option, application and renewal procedures.** See WAC 180-18-050 for waiver process.

(2) **School day defined.** A school day shall mean each day of the school year on which pupils enrolled in the common schools of a school district are engaged in educational activity planned by and under the direction of the school district staff, as directed by the administration, and pursuant to written policy and board of directors of the district.

(3) **Accessibility of program.** Each school district's program shall be accessible to all legally eligible students, including ~~((handicapped))~~ students of disability, who are five years of age and under twenty-one years of age who have not completed high school graduation requirements.

(4) **Five-day flexibility - Students graduating from high school.** A school district may schedule the last five school days of the one hundred eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-16-205 Classroom teacher contact hours requirement—Waiver.

AMENDATORY SECTION (Amending WSR 95-20-054, filed 10/2/95, effective 11/2/95)

**WAC 180-18-030 Waiver((s)) from total ((program)) instructional hour ((offerings, teacher contact hours requirements, and self study)) requirements.** ~~((+))~~ A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for all students may apply to the state board of education for a waiver from the total ~~((program))~~ instructional hour ((offerings)) requirements ~~((and basic skills/work~~

skills percentages/instructional hours requirements pursuant to RCW 28A.150.200 through 28A.150.220 and WAC 180-16-200 (2) through (6). If a school district intends to waive total program hour offerings requirements under this subsection, it shall make available to students enrolled in kindergarten at least a total instructional offering of four hundred fifty hours, and to students enrolled in grades one through twelve at least a district-wide annual average total instructional hour offering of one thousand hours)). The state board of education ~~((shall))~~ may grant said ~~((initial))~~ initial waiver requests pursuant to RCW 28A.305.140 and WAC 180-18-050 for up to three school years.

~~((2))~~ A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for all students may apply to the state board of education for a waiver from the classroom teacher contact hours requirement pursuant to RCW 28A.305.140 and WAC 180-16-205(5). In the event that a district develops an educational excellence component(s) which consists of less than the twenty five hours of average teacher contact and the district determines but for the inclusion of this component(s) that it would meet the twenty five-hour average teacher contact requirement, the district may apply for a waiver of the inclusion of this component(s) within the calculations. The state board of education shall ~~said initial waiver request pursuant to RCW 28A.305.140 and WAC 180-18-050 for three school years.~~

(3) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for all students may apply to the state board of education for a waiver from the self study requirements pursuant to RCW 28A.305.140 and WAC 180-53-070 (1) through (3). The state board of education shall ~~said initial waiver requests pursuant to RCW 28A.305.140 and WAC 180-18-050 for three school years.)~~

AMENDATORY SECTION (Amending WSR 95-20-054, filed 10/2/95, effective 11/2/95)

**WAC 180-18-060 Waiver renewal procedure.** ~~((+))~~ Waiver requests related to WAC 180-18-030 which are granted by the state board of education pursuant to WAC 180-18-030 and 180-18-050 shall be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. Before filing the request, the school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

~~((2))~~ Waiver requests related to WAC 180-18-040 which are granted by the state board of education pursuant to WAC 180-18-030 and 180-18-050 may be renewed ~~((every))~~ up to three years upon the state board of education receiving a renewal request from the school district board of directors. Before filing the request, the school district shall conduct at least one public meeting to evaluate the educational programs

that were implemented as a result of the waivers. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 180-18-080 Alternative waiver application procedure.

**WSR 01-24-093  
PERMANENT RULES  
STATE BOARD OF EDUCATION**  
[Filed December 4, 2001, 11:46 a.m.]

Date of Adoption: October 26, 2001.

Purpose: The primary purpose of the proposed changes is to make clear that a student's optimal academic performance is reflected in their grade point average.

Citation of Existing Rules Affected by this Order: Amending WAC 180-57-050 and 180-57-055.

Statutory Authority for Adoption: RCW 28A.305.220.

Adopted under notice filed as WSR 01-19-045 on September 14, 2001.

Changes Other than Editing from Proposed to Adopted Version: WAC 180-57-055, subsection (2) word change and subsection (4)(b) word change and clarifying language.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 20, 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending Order 15-88, filed 6/7/88)

**WAC 180-57-050 Grade reporting and calculation system.** (1) The standardized high school transcript shall report the marks/grades earned by students in courses as fol-

lows; provided, that there is no requirement to adopt a marking/grading system that uses minuses or pluses or, if adopted, to report minuses or pluses on standardized transcripts:

<del>((+))</del> (a)	A	=	4.0
<del>((2))</del> (b)	A-	=	3.7
<del>((3))</del> (c)	B+	=	3.3
<del>((4))</del> (d)	B	=	3.0
<del>((5))</del> (e)	B-	=	2.7
<del>((6))</del> (f)	C+	=	2.3
<del>((7))</del> (g)	C	=	2.0
<del>((8))</del> (h)	C-	=	1.7
<del>((9))</del> (i)	D+	=	1.3
<del>((10))</del> (j)	D	=	1.0
<del>((11))</del> (k)	E or F	=	0.0

(2) The minimal passing mark/grade is D = 1.0. Nonnumerical marks/grades such as pass/fail, credit/no credit, and satisfactory/unsatisfactory marks also may be used~~((; however, notwithstanding the provisions of WAC 180-57-055, these nonnumerical marks/grades shall be clearly identified and excluded from the calculation of grade point average)).~~

(3) If high school credit is awarded on a competency basis as authorized under state board of education policy WAC 180-51-050(2), the district may use either of the following options for noting the students' performance on the state standardized transcript under state board of education policy WAC 180-57-070:

(a) Determine locally the equivalent passing mark/grade as listed under subsection (1) of this section; or

(b) Designate "pass" or "fail" in the appropriate manner on the transcript.

**AMENDATORY SECTION** (Amending Order 18-84, filed 12/10/84)

**WAC 180-57-055 Definition—Grade point average.**

(1) Each student's "grade point average" shall be the sum of the point values, as defined in WAC 180-57-050, of all the marks/grades received for all courses attempted divided by the sum of the credits for all courses attempted.

(2) The grade point value shall be ~~((calculated))~~ rounded by multiplying the numerical value of the mark/grade earned by the number of credits assigned to the course: ~~((Except as provided in WAC 180-57-050, all marks/grades for all courses taken shall be included in the calculation of grade point averages.))~~

(3) Grade point averages shall be calculated to two decimal places and reported for each trimester/semester or other term and for the cumulative credits earned for all courses attempted in high school.

(4) All marks/grades for all courses taken shall be included in the calculation of grade point averages except for:

(a) Nonnumerical marks/grades shall be excluded from the calculation of grade point averages; and

(b) The lowest mark/grade earned for a class/course taken more than once to improve a mark/grade shall be excluded from the calculation of grade point averages.

PERMANENT

This exception shall not apply to recurring courses. Recurring courses are not considered repeated courses taken for the purpose of improving a mark/grade. Recurring courses are those taken by a student to further develop their understanding and skills in the subject (e.g., journalism, advanced art or drama, concert band, etc.), or is taken by the student more than once to satisfy different credit requirements (e.g., advanced drama taken three times to meet an elective requirement, an art requirement, and the occupational education requirement).

**WSR 01-24-114**  
**PERMANENT RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[General Order No. R-494, Docket No. UT-010558—Filed December 5, 2001, 11:54 a.m.]

In the matter of adopting WAC 480-120-083, relating to cessation of telecommunications services.

**1 STATUTORY OR OTHER AUTHORITY:** The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 01-18-098, filed with the code reviser on September 5, 2001. The commission brings this proceeding pursuant to RCW 80.04.160 and 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 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

**3 DATE OF ADOPTION:** The commission adopts this rule on the date that this order is entered.

**4 EMERGENCY RULES:** An emergency rule governing cessation of telecommunications services was filed with the code reviser under Notice No. WSR 01-11-048 and effective May 10, 2001. The notice and workshop, and the written comments received before the adoption of the emergency rule are described in the order filed under Notice No. WSR 01-11-048. An identical emergency rule was filed with the code reviser under Notice No. WSR 01-19-009 and effective September 7, 2001.

**5 CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE:** RCW 34.05.325 requires that the commission prepare and provide to commenters a concise explanatory statement about an adopted rule. The statement must include the identification of the reasons for adopting the rule, a summary of the comments received regarding the proposed rule, and responses reflecting the commission's consideration of the comments.

**6** The commission often includes a discussion of those matters in its rule adoption order. In addition, most rule-making proceedings involve extensive work by commission staff that includes summaries in memoranda of stakeholder comments, commission decisions, and staff recommendations in each of those areas.

**7** In this docket, to avoid unnecessary duplication, the commission designates the discussion in this order as its concise explanatory statement, supplemented where not incon-

sistent by the staff memoranda presented at the adoption hearing and at the open meetings where the commission considered whether to begin a rule making and whether to propose adoption of specific language. Together, the documents provide a complete but concise explanation of the agency's actions and of the agency's reasons for taking those actions.

**8 REFERENCE TO AFFECTED RULES:** This rule adopts the following section of the Washington Administrative Code: **WAC 480-120-083 Cessation of telecommunications services.** *New section to eliminate or reduce severe personal, economic, and social disruptions resulting from unannounced cessation of telecommunications services.*

**9 PREPROPOSAL STATEMENT OF INQUIRY:** The commission filed a preproposal statement of inquiry (CR-101) on June 6, 2001, at WSR 01-12-102.

**10 ADDITIONAL NOTICE AND ACTIVITY PURSUANT TO PREPROPOSAL STATEMENT:** The statement advised interested persons that the commission was considering entering a rule making to examine the need to adopt rules relating to cessation of telecommunications services. 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 registered telecommunication companies and the commission's list of telecommunications attorneys. Pursuant to the notice, the commission held a rule-making workshop on June 28, 2001. The workshop was attended by representatives of a diverse group of telecommunications companies and public counsel. The commission developed draft rules using the information gathered from stakeholders.

**11** On August 24, 2001, the commission provided notice to interested persons of its intent to consider authorization of a CR-102 at its open meeting scheduled for August 29, 2001. On July 30, 2001, the commission issued a questionnaire necessary for staff to prepare a small business economic impact statement (SBEIS), and the rule to be considered for advancement from draft to proposed rule.

**12** At the open meeting of August 29, 2001, Public Counsel, Qwest Corporation, (Qwest), and Sally Johnston, Assistant Attorney General commented on the rule. The commission authorized filing a CR-102.

**13 NOTICE OF PROPOSED RULE MAKING:** The commission filed a notice of proposed rule making (CR-102) on September 5, 2001, at WSR 01-18-098. The commission scheduled this matter for oral comment and adoption under Notice No. WSR 01-18-098 at 9:30 a.m., Friday, November 16, 2001, 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.

**14 WRITTEN COMMENTS:** Comments were received in October from Sprint Communications, Inc. (Sprint), Public Counsel, Qwest, Verizon Northwest Inc. (Verizon), and Julie Stormes. The commission accepted many of the proposals contained in these written comments. In particular:

**15** Verizon commented that the draft rule uses language that is unclear or does not appear to target the situation anticipated by the commission. In particular, subsections (1) and

(2) used the term "reduce" which is used in the FCC's rules but is largely arcane. Verizon suggested that this term be removed, and a phrase such as, "...cease, in all or any portion of the state, the provision of..." be inserted.

16 The commission agreed and modified the language in subsections (1) and (2). Subsections (1) and (2) are revised to read "...cease, the provision of any telecommunications service, in all or any portion of the state." The new language will more clearly cover a telecommunications company's partial discontinuance of service.

17 Qwest commented that the draft language of the rule will require companies to comply with the thirty day notice requirements for the cessation of services that have no subscribers.

18 The commission added subsection (1)(d) to specify that the rule does not apply to discontinued services that have no subscribers.

19 Qwest commented that the prohibition on using the information included in the notice required in subsection (5)(b), i.e., the circuit identification number/UNE components for marketing efforts, should apply equally to CLECs and resellers.

20 In response to Qwest's comments, the commission deleted the language in subsection (5)(b).

21 Verizon, Qwest, and Sprint voiced concerns with the oral notice requirement in subsection (4)(d)(ii). This requirement would cause an inconvenience or annoyance to customers. This requirement should be removed or modified to be less intrusive.

22 The commission eliminated the oral notice requirement option in subsection (4)(d)(ii), and replaced it with the option of sending a second written notice.

23 Julie Stormes, an interested person, expressed her support for permanent adoption of WAC 480-120-083.

24 **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 meeting on November 16, 2001, before Chairwoman Marilyn Showalter, Commissioner Richard Hemstad, and Commissioner Patrick Oshie. The commission heard oral comments from Kristen Russell, representing commission staff, and Dr. Glenn Blackmon, Assistant Director of Telecommunications.

25 Theresa Jensen of Qwest was the only stakeholder who testified at the hearing. Qwest expressed concerns with the current draft language of the rule. In particular, Qwest questioned the notice requirements of subsection (4)(d)(i) and (ii). Qwest objected that the last line of subsection (4)(d)(i) eliminates the subsection as a viable option because the affected company may not be able to reach a customer.

26 The commission does not share Qwest's concerns. The language is intended to clarify/define what the commission means by a "direct call." The language will assist companies in understanding their responsibility if they choose to use the option of subsection (4)(d)(i). Subsection (4)(d)(i) merely provides one option - companies are not required to make a direct call if they choose to use the revised option of subsection (4)(d)(ii).

27 Qwest also argued that the cost to comply with proposed subsection (4)(d)(ii), which proposed that exiting tele-

communications companies must provide oral notice of cessation of service at the beginning of each call originated by a customer, would be excessive. Due in part to Qwest's testimony, as well as the commission's concern that the rule may create a potential interruption of facsimile transmissions and computer connections to the Internet, the commission deleted former subsection (4)(d)(ii) in its entirety and substituted the following language: "At least ten days before cessation of service, the exiting telecommunications company must provide a second written notice of cessation of service, including the date of cessation of service and a number to call for more information, if necessary." The rule will still require companies choosing the option to provide a second notice; however, the substituted language will be less costly for companies to comply with, and will be less annoying for many customers.

28 **SUGGESTIONS FOR CHANGE THAT ARE REJECTED:** Public counsel asked the commission to include the commission's toll-free number in the notice to customers.

29 The commission rejects public counsel's request because it does not believe that providing the commission's toll-free number would significantly benefit the customers and could add to customer confusion, as shown by experience in similar situations.

30 Verizon and Qwest believe that the rule is too broad and should be limited to companies completely exiting the Washington market, and then only to discontinuance of basic local service.

31 The commission rejects this suggestion. It is in the public interest for companies that plan to discontinue any telecommunications service, or exit a particular geographic area within the state, to give their affected customers thirty days' notice in order to allow customers the opportunity to obtain service from another provider.

32 Verizon commented that the rule creates excessive market exit regulations that may impede market entry. Verizon observes that the FCC has modified its discontinuance rules to reduce regulatory exit burdens and suggests the commission do the same.

33 The commission rejects this suggestion and determines that the rule is consistent with 47 C.F.R. § 63.71, which requires carriers to file an application for discontinuance with the FCC on or after the carriers have given notice to their affected customers. The application is normally granted on the 31st day for nondominant carriers and on the 60th day for dominant carriers. The commission's rule would require the shorter period - a minimum of thirty days notice to affected customers and the commission.

34 Qwest also expressed concern that the proposed language of subsection (1)(c) is not qualified in any fashion and is too restrictive in that it is limited to requirements of the same provider. If a customer selects comparable service from the same provider, no notice is required, but if a customer replaces the discontinued service with another provider's service, notice is required.

35 The commission's rule is aimed at carriers that are permanently discontinuing a service to their customers. Companies that plan to discontinue any telecommunications service, without replacing it with a comparable service, should give their affected customers thirty days' notice in order to allow customers the opportunity to replace the dis-



continued service with comparable service from another provider. The rule does not apply to situations where a customer chooses to drop service with one ongoing provider and switch to a different ongoing provider.

36 Qwest asserts that the information required in subsection (8) is unnecessary for a subsequent provider. Qwest argues that that provider will order service from the reseller or another provider. In addition, it is possible that the "supplier" may not receive the required notices as mandated in subsection (8).

37 The commission decides that to the extent that the subsequent provider is not the supplier, this information may be needed to provide a smooth transition of service. Subsection (8) is revised to include the phrase "if received" to address the possibility that the supplier does not receive the required notices and does not have the information to give the subsequent provider.

38 Qwest proposed changing the use of "voice" throughout subsection (4)(d) to "local exchange service, PBX, Centrex or private line service" unless the commission intended something else.

39 The commission eliminates the word "voice" from subsection (4)(d), but does not limit the notice requirements to the services suggested by Qwest. The commission determines that it is imperative that customers of all telecommunications services being discontinued be given adequate notices of the discontinuance of their service in order to obtain service from another provider. The notice requirements in this rule accomplish the objective sought.

40 COMMISSION ACTION: After considering all of the information regarding this proposal, the commission adopts the proposed rule, with the changes described below.

41 CHANGES FROM PROPOSAL: The commission adopts the proposal with the following changes from the text noticed at WSR 01-18-098. Certain language is rewritten or reorganized for clarity. The notice requirements in subsection (4)(d) are modified. Two optional forms of "second notice" replace the original format for a second notice, which required a recorded message to customers. Companies may now provide "second notice" either by a direct call to the customer or by a second written notice to the customer. Subsection (4)(e) is added, allowing companies to seek the commission's assistance in preparing notices.

42 STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE: In reviewing the entire record, the commission determines that WAC 480-120-083 should be adopted to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380(2) on the thirty-first day after filing with the code reviser.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 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.

#### ORDER

#### 43 THE COMMISSION ORDERS:

44 WAC 480-120-083 is adopted to read 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). When adopted this rule will replace this emergency rule adopted under Notice No. WSR 01-19-009 and effective September 7, 2001.

45 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.

DATED at Olympia, Washington, this 5th day of December, 2001.

Washington Utilities and Transportation Commission  
Marilyn Showalter, Chairwoman,  
Patrick J. Oshie, Commissioner

#### Appendix A

#### NEW SECTION

**WAC 480-120-083 Cessation of telecommunications services.** (1) This rule applies to any telecommunications company that ceases the provision of any telecommunications service in all or any portion of the state (exiting telecommunications company). This rule does not apply to:

(a) Services offered by tariff that are subject to the statutory notice requirements of RCW 80.36.110 (Tariff Changes – Statutory Notice – Exception);

(b) Discontinuance of service to an individual customer in compliance with WAC 480-120-081 (Discontinuance of Service);

(c) Cessation of a service when the provider replaces the terminated service with comparable service without interruption. For example, the notice requirements of this rule do not apply when a local exchange carrier (LEC) providing Centrex-type service with one group of features replaces that service, without interruption, with a version of Centrex-type service that has a different group of features; and

(d) A service being discontinued that has no subscribers. Changes in customers' service providers for local exchange and intrastate toll services when there is a cessation of service are also subject to WAC 480-120-139 (changes in local exchange and intrastate toll services).

(2) No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service:



- (a) The commission;
  - (b) The state 911 program, in the instance of local exchange service, private branch exchange service (PBX), Centrex-type service, or private line service used in the provision of emergency services related to the state 911 program;
  - (c) Each of its customers, including customers that are telecommunications companies;
  - (d) Incumbent local exchange carriers (ILECs) providing the exiting telecommunications company with unbundled network elements (UNEs) pursuant to the Telecommunications Act of 1996, 47 U.S.C. Section 151 *et seq.*, if UNEs or combinations of UNEs are part of a telecommunications service provided to some or all of the exiting telecommunications company's customers;
  - (e) Each telecommunications company providing the exiting telecommunications company with resold telecommunications service, if resold service is part of a telecommunications service provided to some or all of the exiting telecommunications company's customers;
  - (f) The national number administrator authorizing the release of all assigned telephone numbers to other telecommunications companies and releasing all unassigned telephone numbers to the number administrator.
- (3) The notice to the commission and the state 911 program required in subsections (2)(a) and (b) must include:
- (a) The name of the exiting telecommunications company;
  - (b) For each category of service, the date each telecommunications service will cease; and
  - (c) The number of customers for each telecommunications service and their location, described by exchange or by city and county for each telecommunications service being ceased.
- (4) The notice to customers required in subsection (2)(c) must include:
- (a) The date telecommunications service will cease;
  - (b) Information on how to contact the exiting telecommunications company by telephone in order to obtain information needed to establish service with another provider;
  - (c) An explanation of how customers may receive a refund on any unused service. The exiting telecommunications company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.
  - (d) A second notice provided by one of the two options listed below:
    - (i) Between ten and thirty days before cessation of service, the exiting telecommunications company must complete one direct call advising every customer of the cessation of service, including the date of cessation of service and a number to call for more information, if necessary. A direct call means a call in which the company leaves a recorded voice message for or speaks directly to the responsible party or its agent on the billing account; or
    - (ii) At least ten days before cessation of service, the exiting telecommunications company must provide a second written notice of cessation of service including the date of

cessation of service and a number to call for more information, if necessary; and

(e) A company may seek the commission's assistance in drafting the customer notices.

(5) The notice to ILECs required in subsection (2)(d) must include:

- (a) The date telecommunications service will cease;
- (b) Identification of the UNE components in relationship to the service information provided to the customer when such information differs from the ILEC's identification information as billed to the exiting telecommunications company. For example, if the ILEC identifies a UNE loop with a circuit identification number, the exiting telecommunications company must provide the ILEC with the customer telephone number assigned to the ILEC's UNE loop circuit identification number; and
- (c) The telephone contact information to enable the ILEC or new provider to obtain UNE service and circuit identification information needed to establish service for a customer who will no longer receive service from the exiting telecommunications company.

(6) The notice to suppliers required in subsection (2)(e) must include:

- (a) The date telecommunications service will cease;
- (b) Identification of the resold service element components in relationship to the service information provided to the customer, when such information differs from the supplier's identification information as billed to the exiting telecommunications company; and
- (c) Telephone contact information to enable the regulated supplier or new provider to obtain underlying service and circuit identification information needed to establish comparable replacement service for a customer who will no longer receive service from the exiting telecommunications company.

(7) The notice to the national number administrator required in subsection (2)(f) must include:

- (a) Identification of all working telephone numbers assigned to customers;
- (b) Identification of all unassigned or administrative numbers available for reassignment to other providers and the date such unassigned telephone numbers will be available for reassignment; and
- (c) Authorization of the release of each individual assigned customer's telephone number(s) to subsequent providers selected by the customer.

(8) ILECs and telecommunications companies that are suppliers under subsection (6) must provide the information in the required notice(s) (if received) to the subsequent provider upon a request authorized by the customer.

(9) A telecommunications company ceasing a local exchange service, a PBX service, a Centrex-type service, or a private line service used in the provision of emergency services related to the state 911 program must inform the commission and the state 911 program within twenty-four hours of the cessation of telecommunications service of the number of customers and their location, listed by exchange or by city and county, that remained as customers for the telecommunications service when service ceased.



**WSR 01-24-001  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-261—Filed November 21, 2001, 1:49 p.m., effective November 25, 2001, 11:59 p.m.]

Date of Adoption: November 21, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-806; and amending chapter 220-47 WAC.

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 catch estimates indicate that the harvestable nontreaty share of 8A chum has been taken. Closure of the fishery is necessary to prevent exceeding the targeted nontreaty harvest goal. Area 8D is being allowed to reopen on its original schedule because the egg take goal for Tulalip Hatchery is expected to be reached this week and there is a nontreaty harvestable share of chum salmon remaining in Area 8D. There is insufficient time to use the permanent regulation process to effect these changes.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: November 25, 2001, 11:59 p.m.  
November 21, 2001

J. P. Koenings  
Director  
by Larry Peck

NEW SECTION

**WAC 220-47-807 Puget Sound all-citizen commercial salmon fishery.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 11:59 p.m. on November 25, 2001 until further notice it is unlawful to take, fish for or possess salmon taken for commercial purposes in all Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods, gears, mesh size and species restrictions.

**Area 8D:** Open as follows:

**Purse Seine** - Open to purse seines using 5-inch strip from 7:00 a.m. to 5:00 p.m. each day November 27, through November 29, 2001. It is unlawful to retain chinook salmon taken with purse seine gear in Area 8D, and any chinook salmon caught with purse seine gear must be released immediately.

**Gill Nets** - Open to gill nets 6 1/4 inch minimum mesh from 7:00 a.m. to 8:00 p.m. each day November 26, through November 28, 2001.

All other saltwater and freshwater areas are closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. November 25, 2001:

WAC 220-47-806 Puget Sound all-citizen commercial salmon fishery. (01-258)

**WSR 01-24-015  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed November 26, 2001, 4:02 p.m., effective January 1, 2002]

Date of Adoption: November 20, 2001.

Purpose: WAC 388-478-0055 SSI standards, is being amended to pass along the federal 2.6% cost-of-living adjustment (COLA) for the SSI program effective January 1, 2002.

Citation of Existing Rules Affected by this Order: Amending WAC 388-478-0055 SSI standards.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.057.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Notification of the exact amount of the federal COLA increase was received in late October, which was too late for the regular rule adoption process.

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.

EMERGENCY

Effective Date of Rule: January 1, 2002.

November 20, 2001

Andy Fernando

for Brian Lindgren, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 01-19-024, filed 9/12/01, effective 11/1/01)

**WAC 388-478-0055 SSI payment standards for eligible recipients.** (1) Supplemental Security Income (SSI) is a cash assistance program for needy individuals and couples who meet federal disability guidelines as aged, blind or dis-

abled. Since the SSI program began in January 1974, the state of Washington has added to the federal benefit level with state funds, known as the SSI state supplement. If you are found eligible for SSI, you will receive cash assistance based on the combined federal and state supplement benefit levels, minus countable income. An essential person is someone who lives with you and provides care and personal services that enable you to live in either your own home or the home of the essential person.

(2) The federal, state and combined benefit levels for an eligible individual and couple are:

(a) If you are living alone in area 1: King, Pierce, Snohomish, Thurston, and Kitsap Counties.

LIVING ALONE - In own household or alternate care, except nursing homes or medical institutions

	Federal Benefit Level	State Supplement Benefit Level	Combined Federal/State Benefit Level
Individual	\$ <del>((531.00))</del> <u>545.00</u>	\$ 25.90	\$ <del>((556.90))</del> <u>570.90</u>
Individual with: One essential person	\$ <del>((797.00))</del> <u>818.00</u>	\$ 19.90	\$ <del>((816.90))</del> <u>837.90</u>
Individual with: Multiple essential persons	\$ <del>((531))</del> <u>545</u> for the eligible individual plus \$ <del>((266))</del> <u>273</u> for each essential person (no state supplement)		
Individual with an ineligible spouse	\$ <del>((531.00))</del> <u>545.00</u>	\$ 166.10	\$ <del>((697.10))</del> <u>711.10</u>
Couple	\$ <del>((796.00))</del> <u>817.00</u>	\$ 19.90	\$ <del>((815.90))</del> <u>836.90</u>
Couple with one or more essential persons	\$ <del>((796))</del> <u>817</u> for eligible couple plus \$ <del>((266))</del> <u>273</u> for each essential person (no state supplement)		

(b) If you are living alone in area 2: All other counties.

LIVING ALONE - In own household or alternate care, except nursing homes or medical institutions

	Federal Benefit Level	State Supplement Benefit Level	Combined Federal/State Benefit Level
Individual	\$ <del>((531.00))</del> <u>545.00</u>	\$ 5.45	\$ <del>((536.45))</del> <u>550.45</u>
Individual with: One essential person	\$ <del>((797.00))</del> <u>818.00</u>	\$ 0.00	\$ <del>((797.00))</del> <u>818.00</u>
Individual with: Multiple essential persons	\$ <del>((531))</del> <u>545</u> for the eligible individual plus \$ <del>((266))</del> <u>273</u> for each essential person (no state supplement)		
Individual with an ineligible spouse	\$ <del>((531.00))</del> <u>545.00</u>	\$ 136.15	\$ <del>((667.15))</del> <u>681.15</u>
Couple	\$ <del>((796.00))</del> <u>817.00</u>	\$ 0.00	\$ <del>((796.00))</del> <u>817.00</u>
Couple with one or more essential persons	\$ <del>((796))</del> <u>817</u> for eligible couple plus \$ <del>((266))</del> <u>273</u> for each essential person (no state supplement)		

(c) If you are in shared living in either Area 1 or 2.

	Federal Benefit Level	State Supplement Benefit Level	Combined Federal/State Benefit Level
SHARED LIVING - In the home of another person			
Individual	\$ <del>((354.00))</del> <u>363.34</u>	\$ 3.71	\$ <del>((357.71))</del> <u>367.05</u>
Individual with: One essential person	\$ <del>((531.34))</del> <u>545.34</u>	\$ 4.20	\$ <del>((535.54))</del> <u>549.54</u>

EMERGENCY

	Federal Benefit Level	State Supplement Benefit Level	Combined Federal/State Benefit Level
SHARED LIVING - In the home of another person			
Individual with: Multiple essential persons	<del>\$(354.00)</del> <u>363.34</u>	for the eligible individual plus	<del>\$(177.00)</del> <u>182.00</u> for each essential person (no state supplement)
Individual with an ineligible spouse	<del>\$(354.00)</del> <u>363.34</u>	\$ 101.66	<del>\$(455.66)</del> <u>465.00</u>
Couple	<del>\$(530.67)</del> <u>544.67</u>	\$ 4.20	<del>\$(534.87)</del> <u>548.87</u>
Couple with one or more essential persons	<del>\$(530.67)</del> <u>544.67</u>	for eligible couple plus	<del>\$(177.00)</del> <u>182.00</u> for each essential person (no state supplement)

(d) If you are 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. You are "grandfathered" if you qualified for assistance from the state as aged, blind, or disabled, were converted from the state to federal disability assistance under SSI in January 1974, and have remained continuously eligible for SSI since that date.

If you are a MIL client, your combined federal/state SSI benefit level is the higher of the following:

- (i) The state assistance standard you received in December 1973, except if you resided in a medical institution at the time of conversion, plus the federal cost-of-living adjustments (COLA) since then; or
- (ii) The current standard.

States Code of Federal Regulations. The changes in this filing are to implement the new requirements.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 1, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: December 1, 2001.

November 21, 2001

Andy Fernando

for Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**WSR 01-24-016  
EMERGENCY RULES  
DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

(Division of Employment and Assistance Programs)

[Filed November 26, 2001, 4:04 p.m., effective December 1, 2001]

Date of Adoption: November 21, 2001.

Purpose: Amend WAC 388-450-0140 to implement federal regulations on the impact of the income and expenses of an ineligible assistance unit member.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0140 How does the income of an ineligible assistance unit member affect my eligibility and benefits for food assistance?

Statutory Authority for Adoption: RCW 74.04.057, 74.04.500, 74.04.510.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: The United States Department of Agriculture, Food and Nutrition Service (FNS) changed how the department must consider the income and resources of certain ineligible people who live with food assistance clients. The change in rules was incorporated into the United

AMENDATORY SECTION (Amending WSR 01-21-060, filed 10/16/01, effective 12/1/01)

**WAC 388-450-0140 How does the income of an ineligible assistance unit member affect my eligibility and benefits for food assistance?** The department decides who must be in your assistance unit (AU) under WAC 388-408-0035. If someone who is in your AU is an ineligible AU member, we decide how this affects your AU's eligibility and benefits as follows:

(1) We do not count the ineligible member to determine your AU size for the gross monthly income limit, net monthly income limit, or maximum allotment under WAC 388-478-0060.

(2) If the AU member is ineligible because they are disqualified for an intentional program violation (IPV), they failed to meet work requirements under chapter 388-444 WAC, or they are ineligible felons under WAC 388-442-0010:

**EMERGENCY**

(a) We count all of the ineligible member's gross income as a part of your AU's income; and

(b) We count all of the ineligible member's allowable expenses as part of your AU's expenses.

(3) If the AU member is ineligible because they are an ineligible ABAWD under WAC 388-444-0030, ineligible due to their alien status, they failed to sign the application to state their citizenship or alien status, or they refuse to get or provide us a Social Security number:

(a) We prorate the ~~((ineligible member's gross income by:-~~

~~(i) Dividing the ineligible member's income by the total number of people in the AU;~~

~~(ii) Subtracting the ineligible member's share of the income; and~~

~~(iii) Counting the remaining income to the other members of the AU; and~~

~~(iv) Allowing the twenty percent earned income deduction for the ineligible member's countable earned income.~~

~~(b) If the AU is eligible for a utility allowance under WAC 388-450-0195, we include the ineligible member to determine the allowance. This includes using the ineligible member to determine the standard utility allowance (SUA).~~

~~(c) We prorate the ineligible member's expenses other than utilities by:-~~

~~(i) Dividing the ineligible member's allowable expenses by the total number of people in the AU;~~

~~(ii) Subtracting the ineligible member's share of the expenses; and~~

~~(iii) Counting the remaining expenses to the other members of the AU)) income of the ineligible person among all the AU members by excluding the ineligible member's share and counting the remainder as income to the eligible members;~~

~~(b) We allow the twenty percent earned income disregard to the ineligible member's earned income we count to the eligible members; and~~

~~(c) We divide the portion of the AU's allowable expenses evenly among all members of the AU when the ineligible members have income.~~

notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: In-season catch estimates indicate that the harvestable nontreaty share of 8A and 8D chum have been taken. Closure of the fishery is necessary to prevent exceeding the targeted nontreaty harvest goal. There is insufficient time to use the permanent regulation process to effect these changes.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: November 26, 2001, 11:59 p.m.

November 26, 2001

J. P. Koenings

Director

by Larry Peck

#### NEW SECTION

**WAC 220-47-808 Puget Sound all-citizen commercial salmon fishery.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 11:59 p.m. November 26, 2001 through 8:00 p.m. December 7, 2001, it is unlawful to take, fish for or possess salmon taken for commercial purposes in all Puget Sound Salmon Management and Catch Reporting Areas.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. November 26, 2001:

WAC 220-47-807	Puget Sound all-citizen commercial salmon fishery. (01-261)
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The following section of the Washington Administrative Code is repealed effective 8:00 p.m. December 7, 2001:

WAC 220-47-808	Puget Sound all-citizen commercial salmon fishery.
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**WSR 01-24-019  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-262—Filed November 26, 2001, 4:38 p.m., effective November 26, 2001, 11:59 p.m.]

Date of Adoption: November 26, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-807; and amending chapter 220-47 WAC.

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

**WSR 01-24-024**  
**EMERGENCY RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed November 27, 2001, 10:44 a.m.]

Date of Adoption: November 27, 2001.

Purpose: Adoption of regulatory mechanisms necessary to prevent citrus longhorned beetle establishment in the state. Currently there are no rules in place specific to the nonnative insect citrus longhorned beetle and closely related species. Establishment and/or spread of this pest would cause significant environmental and economic loss to the state.

Statutory Authority for Adoption: Chapter 17.24 RCW.

Other Authority: Chapter 15.13 RCW.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Citrus longhorned beetle is an exotic pest which has escaped into a wooded area of Tukwila, Washington. It attacks and kills otherwise healthy hardwood trees, and it is extremely difficult to control. If the insect is not eradicated, it will be extremely harmful from both an economic and an environmental standpoint. Left to itself, the beetle is likely to spread slowly, affording time to eradicate it. However, any movement of live hardwood trees or other untreated wood containing concealed beetles presents a significant risk of rapidly spreading them beyond our ability to eradicate them. Such items are commonly dumped or moved at this time of year, and this emergency rule is intended to confine these items to a restricted area.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 27, 2001

Jim Jesernig

Director

**LONGHORNED BEETLE QUARANTINE**

**NEW SECTION**

**WAC 16-470-800 Establishing quarantine for longhorned beetles of the genus *Anoplophora*.** Beetles of the genus *Anoplophora* include the citrus longhorned beetle

(*Anoplophora chinensis*) and the Asian longhorned beetle (*Anoplophora glabripennis*). There are no species of *Anoplophora* native to North America. These beetles are serious pests in their native ranges in Asia and are highly invasive species which have entered and may become established in Washington State. The establishment of any species of *Anoplophora* beetle in Washington would cause reduction in native vegetation and ornamental plants and great economic loss to the forestry, nursery and agricultural industries of the state. The director of agriculture, pursuant to authorities in RCW 17.24 and RCW 15.13, has determined that the regulation and exclusion of all life stages of beetles of the genus *Anoplophora* and of any potentially infested host material is necessary to protect the environmental quality, forests and agricultural crops of the state of Washington.

**NEW SECTION**

**WAC 16-470-810 Prohibiting possession, transportation or distribution of living beetles of the genus *Anoplophora*.** Possession of any living life stage of any beetle of the genus *Anoplophora*, including but not limited to citrus longhorned beetle (*Anoplophora chinensis*) and Asian longhorned beetle (*Anoplophora glabripennis*), is prohibited. Transportation or distribution of any living life stage of any beetle of the genus *Anoplophora* into or between points within the state of Washington is prohibited. Any *Anoplophora* beetle eggs, larvae, pupae, or adults should be killed at the site of discovery. Trained employees of the department are available to assist the public in identifying *Anoplophora* beetle life stages and can be reached at toll-free telephone number (800) 443-6684 or email [pestprogram@agr.wa.gov](mailto:pestprogram@agr.wa.gov).

**NEW SECTION**

**WAC 16-470-820 What is the area under quarantine for citrus longhorned beetle?** The boundaries of the area under order are within the City of Tukwila in King County. The area under order consists of all properties lying primarily within a circle with a radius of a half mile, centered at the property immediately southwest of the intersection of Macadam Rd. S. and S. 144th St. Any property on the border of the circle, which lies at least 50% outside the circle, is excluded from the area under quarantine for citrus longhorned beetle. A map of the area under quarantine can be obtained through a request to the department at toll-free number (800) 443-6684 or email [pestprogram@agr.wa.gov](mailto:pestprogram@agr.wa.gov).

**NEW SECTION**

**WAC 16-470-830 Prohibition on moving living plants from the area under quarantine for citrus longhorned beetle.** (1) All species of the following genera of plants are declared to be potential host plants for citrus longhorned beetle:

- (a) *Acer* (maple)
- (b) *Albizzia* (silk tree)
- (c) *Alnus* (alder)
- (d) *Betula* (birch)
- (e) *Camellia*
- (f) *Carya* (hickory, pecan)

- (g) Castanea (chestnut)
- (h) Citrus (orange, lemon)
- (i) Cryptomeria (Japanese cedar)
- (j) Elaeagnus (wild olive)
- (k) Fagus (beech)
- (l) Ficus (fig)
- (m) Fraxinus (ash)
- (n) Hibiscus (rose of sharon, mallow)
- (o) Ilex (holly)
- (p) Juglans (walnut)
- (q) Lindera (spicebush)
- (r) Maackia (amur)
- (s) Malus (apple, crabapple)
- (t) Morus (mulberry)
- (u) Photinia
- (v) Platanus (sycamore, plane tree)
- (w) Populus (poplar)
- (x) Prunus (cherry, peach, apricot, plum)
- (y) Pyracantha (firethorn)
- (z) Pyrus (pear)
- (aa) Quercus (oak)
- (bb) Rhus (sumac)
- (cc) Robinia (locust)
- (dd) Rosa (rose)
- (ee) Rubus (blackberry, raspberry)
- (ff) Salix (willow)
- (gg) Sophora (pagoda tree)
- (hh) Stranvaesia
- (ii) Styx (snowbell tree)
- (jj) Ulmus (elm)

(2) The following species are declared to be potential host plants for citrus longhorned beetle:

- (a) Eriobotrya japonicus
- (b) Fortunella marginata
- (c) Poncirus trifoliata

(3) Movement of living potential host plants with a diameter of greater than one quarter inch at soil level from the area under quarantine for citrus longhorned beetle to outside the area is prohibited, unless a permit has been issued by the department pursuant to WAC 16-470-870 below.

#### NEW SECTION

**WAC 16-470-840 Prohibition on moving wood and prunings from the area under quarantine for citrus longhorned beetle.** (1) The following articles are declared to be potential host material for citrus longhorned beetle, and their movement or transportation from the area under quarantine is prohibited:

- (a) untreated hardwood grown within the area under quarantine
- (b) firewood from hardwood species
- (c) deadwood, stumps, tree trunks and similar portions of trees from hardwood species
- (d) prunings

(2) Lumber not grown in the area under quarantine, softwood (that is, wood from coniferous plants such as pine or Douglas fir), fruit, nuts, leaves, wreaths, finished wood products such as furniture, and wood chipped to a maximum size of five eighths of an inch are excluded from this section.

#### NEW SECTION

**WAC 16-470-850 Exemption for articles in transit.** Articles declared in WAC 16-470-830 and WAC 16-470-840 to be potential host material for citrus longhorned beetle are exempt from the requirements of WAC 16-470-820 through WAC 16-470-870 if all the following conditions are met:

(1) The articles originate outside the quarantine area for citrus longhorned beetle,

(2) They enter the quarantine area for citrus longhorned beetle as an incidental portion of transportation to a location outside the quarantine area, and

(3) They are not unloaded or parked overnight within the quarantine area for citrus longhorned beetle.

#### NEW SECTION

**WAC 16-470-860 Disposal of articles regulated under longhorned beetle quarantine.** Any regulated articles that are in violation of this longhorned beetle quarantine are subject to destruction or other disposition in a manner prescribed by the department.

#### NEW SECTION

**WAC 16-470-870 Special permits - longhorned beetle.** The department may issue special permits for actions otherwise forbidden under provisions of WAC 16-470-800 through WAC 16-470-860. These special permits shall be conditioned to minimize the risk of spreading longhorned beetle.

#### **WSR 01-24-026**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF FISH AND WILDLIFE**

[Order 01-259—Filed November 27, 2001, 2:31 p.m., effective November 28, 2001, 8:00 a.m.]

Date of Adoption: November 26, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-52-046.

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 state may not authorize commercial shellfish harvest absent agreed planning or compliance with a process. The provisions of this rule are in conformity with agreed plans with applicable tribes which have been entered as required by the court order. The provisions of this rule reflect industry agreements on fishing plans and are made in conformity with the intent of permanent rules regarding the use of nondesignated vessels sixty-four hours



prior to season openings, and forty-eight hours afterward. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 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: November 28, 2001, 8:00 a.m.  
November 26, 2001

J. P. Koenings  
Director  
by Larry Peck

**NEW SECTION**

**WAC 220-52-04600Y Coastal crab fishery—Special management areas.** Notwithstanding the provisions of WAC 220-52-046, effective immediately until further notice, it is unlawful for non-Indian commercial fishers to fish for or take crab for commercial purposes, or place gear, in the following areas during the periods indicated:

1) The following areas are closed from December 1, 2001 through March 15, 2002:

(a) Coastal waters between 47° 40.50 N and 48° 07.50 N, and east of a line described by the following points:

Southern point:	47°40.50'N	124°40.50'W
La Push (west entrance)	47°54.00'N	124°47.00'N
La Push (east entrance)	47°54.00'N	124°45.80'W
Central point	48°00.00'N	124°49.50'W
Northern point	48°07.50'N	124°51.50'N

2) The following area is closed from December 29, 2001 through March 31, 2002:

(a) Coastal waters between 48° 07.50 N and 48° 20.00 N, and east of a line described by the following points:

Southern point:	48°07.50'N	124°51.50'W
Northern point:	48°20.00'N	124°50.00'W
Cape Flattery:	48°22.86'N	124°43.83'W

**NEW SECTION**

**WAC 220-52-04700G Barging of crab pots by un-designated vessels extended.** Notwithstanding the provisions of WAC 220-52-046, effective immediately until further notice:

(1) It is lawful for a vessel not designated on a Dungeness crab-coastal fishery license to be used to deploy shell-

fish pot gear beginning 8:00 a.m. November 28, 2001 until 4:00 p.m. December 3, 2001 provided that:

(a) Such a vessel may not carry aboard more than 250 shellfish pots at any one time.

(b) The lawful owner of the shellfish pot gear must be aboard the vessel when the gear is being deployed.

**WSR 01-24-027  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-263—Filed November 27, 2001, 2:32 p.m., effective December 3, 2001]

Date of Adoption: November 27, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-07300K; and amending WAC 220-52-073.

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: Harvestable amounts of red and green sea urchins exist in the areas described. This increases the days per week for green sea urchins to maximize market opportunity for the industry. Prohibition of all diving within two days of scheduled sea urchin openings discourages the practice of fishing on closed days and hiding the unlawful catch underwater until the legal opening. The closures at Eagle Harbor and Sinclair Inlet protect public health and promote an orderly fishery. 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: December 3, 2001.

November 27, 2001  
J. P. Koenings  
Director  
by Larry Peck

EMERGENCY

NEW SECTION

**WAC 220-52-07300L Sea urchins.** Notwithstanding the provisions of WAC 220-52-073, effective December 3, 2001 until further notice, it is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section:

(1) Green sea urchins: Sea Urchin Districts 1, 2, 3, 4 and Marine Fish/Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 26B, 26C, 26D, and 28A are open only on Monday, Tuesday and Wednesday of each week. The minimum size for green sea urchins is 2.25 inches (size in largest test diameter exclusive of the spines).

(2) Red sea urchins: Sea Urchin Districts 1 and 2 are open only on Monday, Tuesday and Wednesday of each week. It is unlawful to harvest red sea urchins larger than 5.5 inches or smaller than 4.0 inches (size in largest test diameter exclusive of spines):

(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 Saturdays and Sundays of each week.

(4) The following areas are closed to the harvest of sea urchins at all times:

(a) Those waters of Eagle Harbor west of a line projected from Wing Point to Eagle Harbor Creosote Light Number 1, then due west to the shore on Bainbridge Island.

(b) The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner to landfall directly below the Veteran's Home in Annapolis.

REPEALER

The following section of the Washington Administrative Code is repealed effective December 3, 2001:

WAC 220-52-07300K Sea urchins. (01-234)

**WSR 01-24-028  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-264—Filed November 27, 2001, 2:33 p.m., effective November 29, 2001, 8:00 a.m.]

Date of Adoption: November 27, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04000E and 220-52-04600X; and amending WAC 220-52-040 and 220-52-046.

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: This regulation carries over the adjustments of the Useless Bay and Cultus Bay commer-

cial zones to reflect current state/tribal management plans. Carries over the closure in Crab Management Region 2E until it reopens on January 2, 2002, repeals the eighty pot limit in Crab Management Region 1 on November 29, 2001, and imposes a fifty pot limit in Crab Region 2E on January 2, 2002, when it reopens. Pot limits and closures are in season adjustments to maintain commercial harvest allocation 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 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: November 29, 2001, 8:00 a.m.

November 27, 2001

J. P. Koenings

Director

by Larry Peck

NEW SECTION

**WAC 220-52-04000F Commercial crab fishery—Exceptions to permanent rules for pot limits.** Notwithstanding the provisions of WAC 220-52-040, effective 8:00 a.m. January 2, 2002 until further notice it is unlawful for any person to fish for crabs for commercial purposes with more than 50 pots per license, per buoy tag number in all waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, and that portion of 26A north of a line that extends 110° true from Possession Point to the Shipwreck.

NEW SECTION

**WAC 220-52-04600Z Crab fishery—Seasons and areas.** Notwithstanding the provisions of WAC 220-52-046, it will be lawful to fish for Dungeness Crab for commercial purposes except as provided herein:

(1) Effective immediately until further notice, commercial crab harvest is allowed in those waters of Marine Fish-Shellfish Management and Catch Reporting Area 26A within a line that extends due north from the green number 1 buoy at Scatchet Head to Scatchet Head, thence from the green number 1 buoy at Scatchet Head to the green number 1 buoy at Possession Point, thence due north from the green number 1 buoy at Possession Point to Possession Point.

(2) Effective immediately until further notice, commercial crab harvest is allowed in those waters of 26A north and east of a line from the south end of the Double Bluff State

EMERGENCY

Park seawall (47° 58.78'N, 122° 30.84'W) projected 110° true to the boulder on shore (47° 57.69'N, 122° 26.74'W).

(3) Effective immediately until 8:00 a.m. January 2, 2002, commercial crab fishing will be closed in all waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, and those waters of Possession Sound in Marine Fish-Shellfish Management and Catch Reporting Area 26A north of a line that extends 110° true from Possession Point to the shipwreck.

#### REPEALER

The following sections of the Washington Administrative Code are repealed effective 8:00 a.m. November 29, 2001:

- |                   |  |
|-------------------|--|
| WAC 220-52-04000E | Crab pot limits. (01-255)                |
| WAC 220-52-04600X | Crab fishery—Seasons and areas. (01-255) |

**WSR 01-24-041**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 01-266—Filed November 28, 2001, 4:42 p.m., effective November 28, 2001, 6:00 p.m.]

Date of Adoption: November 28, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-05100X; and amending WAC 220-52-051.

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 2001 state/tribal Puget Sound shrimp harvest management plan requires adoption of harvest seasons, including a general closure on October 15. However, it was agreed with the tribes that the trawl season in Crustacean Region 3 could be extended until November 30th, or until the quotas are reached. The trawl season in Crustacean Region 3 is being closed at this time because of the state/tribal agreement and due to a lack of market for pink shrimp. 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: November 28, 2001, 6:00 p.m.

November 28, 2001

J. P. Koenings

Director

by Larry Peck

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 6:00 p.m. November 28, 2001:

- |                   |   |
|-------------------|---|
| WAC 220-52-05100X | Puget Sound shrimp pot and bean trawl fishery—Seasons and weekly trip limits. |
|-------------------|---|

**WSR 01-24-042**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 01-265—Filed November 28, 2001, 4:42 p.m., effective December 1, 2001, 12:01 a.m.]

Date of Adoption: November 28, 2001.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900G; and amending WAC 232-28-619.

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 2001/2002 wild winter steelhead runs for the Skagit, Snohomish, and Stillaguamish River systems are forecasted to be well below escapement needs. Wild steelhead release regulations will allow harvestable hatchery steelhead to [be] caught while minimizing impacts to wild fish. It is anticipated all fisheries on the Snohomish and Stillaguamish River systems will be closed by emergency regulation, March 1, 2001. 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: December 1, 2001, 12:01 a.m.

November 28, 2001

J. P. Koenings

Director

by Larry Peck

NEW SECTION

**WAC 232-28-61900G Exceptions to statewide rules—Snohomish River, Snoqualmie River, Skykomish River (mainstem, North Fork & South Fork), Wallace River, Sultan River, Pilchuck River, Tolt River, Raging River, Tokul Creek, Stillaguamish River (mainstem, North Fork, & South Fork), Canyon Creek, Pilchuck Creek, Skagit River, Cascade River, and Sauk River and Fisher Slough.** Notwithstanding the provisions of WAC 232-28-619, effective December 1, 2001 the following regulations apply:

- Item 1: Snohomish River From mouth (Burlington Northern Railroad bridges (including all channels, sloughs and inter-connected waterways) upstream to the confluence of the Skykomish and Snoqualmie rivers (all channels): Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 2: Snoqualmie River From mouth to Snoqualmie Falls: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 3: Skykomish River (Mainstem) From mouth to the forks: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 4: Skykomish River (North Fork) From its mouth to 1000' downstream from Bear Creek Falls: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 5: Skykomish River (South Fork) From its mouth to 600' downstream from the Sunset Falls Fishway: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 6: Wallace River From the mouth to mouth of Olney Creek: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 7: Sultan River From its mouth to a point 400' downstream from the diversion dam at river mile 9.7: Wild steelhead release December 1, 2001 through February 28, 2002.

- Item 8: Pilchuck River From its mouth to 500' downstream from the Snohomish City diversion dam: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 9: Tolt River From its mouth to the USGS trolley cable near the confluence of the North and South Forks: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 10: Raging River From its mouth to the Highway 18 Bridge (three miles upstream from Preston): Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 11: Tokul Creek From mouth to posted cable boundary marker (approximately 700 feet upstream of the mouth). Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 12: Stillaguamish River All sloughs downstream of Warm Beach-Stanwood Highway: Wild steelhead release December 1, 2001 through February 28, 2002. From Warm Beach-Stanwood Highway upstream to forks: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 13: Stillaguamish River (North Fork) From mouth to Swede Heaven Bridge: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 14: Stillaguamish River (South Fork) From mouth to 400' below fishway outlet: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 15: Canyon Creek From mouth to Forks: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 16: Pilchuck Creek From mouth to Highway 9 Bridge: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 17: Skagit River From mouth to Gorge Powerhouse at Newhalem: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 18: Sauk River From mouth to Whitechuck River: Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 19: Cascade River From mouth upstream (entire river): Wild steelhead release December 1, 2001 through February 28, 2002.
- Item 20: Fisher Slough From mouth to Highway 530 Bridge: Wild steelhead release December 1, 2001 through February 28, 2002.

**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.

EMERGENCY

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. March 1, 2002:

WAC 232-28-61900G Exceptions to statewide rules—Snohomish River, Snoqualmie River, Skykomish River (mainstem, North Fork & South Fork), Wallace River, Sultan River, Pilchuck River, Tolt River, Raging River, Tokul Creek, Stillaguamish River (mainstem, North Fork, & South Fork), Canyon Creek, Pilchuck Creek, Skagit River, Cascade River, and Sauk River and Fisher Slough.

**WSR 01-24-057**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 01-267—Filed November 29, 2001, 4:36 p.m.]

Date of Adoption: November 29, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05700L and 220-32-05700M; and amending WAC 220-32-057.

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: Opens sturgeon gill net fishery in Bonneville and John Day pools. The set line season in Bonneville and John Day pools remains open. Harvestable numbers of sturgeon are available on the guidelines in the two pools. Consistent with compact action of November 21, 2001. Conforms state rules with tribal rules. There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 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.

November 29, 2001

Evan Jacoby  
for Jeff Koenings  
Director

**NEW SECTION**

**WAC 220-32-05700M 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 under the following provisions:

1) Dates: Immediately through 6:00 p.m. December 31, 2001.

a) Open area: 1F and 1H.

b) Gear: Set line gear.

c) 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.

2) Dates: Immediately through 6:00 p.m. November 30, 2001.

a) Open area: Open area: 1F.

b) Gear: 8 1/2 inch minimum mesh gill net gear. Diver gill nets only.

c) Allowable sale: Sturgeon between 4 and 5 feet in length and incidentally taken walleye. Salmon and steelhead may be retained for subsistence purposes only.

3) Dates: Immediately through 6:00 p.m. December 7, 2001.

a) Open area: Open area: 1H.

b) Gear: 8 1/2 inch minimum mesh gill net gear. Diver gill nets only.

c) Allowable sale: Sturgeon between 4 and 5 feet in length and incidentally taken walleye. Salmon and steelhead may be retained for subsistence purposes only.

4) During the seasons specified above, 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 77.65, or to sell or barter sturgeon eggs at retail.

c) deliver to a wholesale dealer licensed under chapter RCW 75.65 any sturgeon that are not in the round with the head and tail intact.

5) All standard dam and river mouth sanctuaries remain in effect.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05700L Columbia River sturgeon seasons above Bonneville Dam. (01-257)

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. December 31, 2001:

WAC 220-32-05700M Columbia River sturgeon seasons above Bonneville Dam.

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 20, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 30, 2001

Brian H. Lindgren, Manager  
Rules and Policies Assistance Unit

**EMERGENCY RESPITE CENTER—EMERGENCY WAC**

**WSR 01-24-065**

**EMERGENCY RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Children's Administration)

[Filed November 30, 2001, 4:26 p.m.]

Date of Adoption: November 30, 2001.

Purpose: To implement chapter 230, Laws of 2001. The purpose of the proposed emergency rule for emergency respite centers (ERC) is to establish licensing standards immediately for programs providing out-of-home placement to children at risk of child abuse/neglect. Licensing standards do not currently exist for ERC. The emergency rules would provide protection to the children placed by their parents or legal guardians in an ERC while permanent rules are being developed.

Statutory Authority for Adoption: RCW 74.15.280.

Other Authority: Chapter 230, Laws of 2001.

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: There are emergency respite centers sometimes called crisis nurseries in operation across the state. Several agencies have built new facilities that have not received certificates of compliance from the Department of Health or Office of State Fire Marshal. Children's Administration is proposing the emergency rules to provide for the safety of any child placed in an emergency respite center while permanent rules are developed.

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 20, 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 20, Amended 0, Repealed 0.

NEW SECTION

**WAC 388-148-1205 What is an emergency respite center?** An emergency respite center is a licensed facility sometimes called a crisis nursery that provides emergency and crisis care for up to seventy-two hours to children who are admitted by their parents or guardians to prevent abuse or neglect.

NEW SECTION

**WAC 388-148-1210 What services may be provided or arranged for by the emergency respite center?** An emergency respite center must maintain current information on community services or provide referral services that are needed by the families they serve. The services also may include:

- (1) An intake assessment and referral; and
- (2) The provision of direct child care.

NEW SECTION

**WAC 388-148-1215 What services must emergency respite centers not provide?** An emergency respite center may not provide services that substitute for crisis residential centers, HOPE centers, or any other services required under chapter 13.32A (Family reconciliation services) or 13.34 RCW (Child welfare dependencies).

NEW SECTION

**WAC 388-148-1220 Who may provide emergency respite services?** Emergency respite centers may provide emergency respite services to children who are admitted by their parents or legal guardians to prevent abuse or neglect.

NEW SECTION

**WAC 388-148-1225 May a facility be licensed as an emergency respite center and a child care center?** A licensed emergency respite center may also be licensed as a child care center.

EMERGENCY

NEW SECTION

**WAC 388-148-1230 Who may an emergency respite center serve?** (1) Emergency respite centers may provide care for children from birth through seventeen years.

(2) There is one situation when an emergency respite centers may provide care for a person eighteen through twenty years of age. That situation is when an eighteen through twenty-year old person is developmentally disabled and admitted by their parent or legal guardian with a sibling who is under eighteen.

NEW SECTION

**WAC 388-148-1235 What hours are emergency respite centers open?** An emergency respite center may be open twenty-four hours a day, seven days a week.

NEW SECTION

**WAC 388-148-1240 Who may place children in emergency respite center?** A parent or legal guardian of a child may place a child in an emergency respite center.

NEW SECTION

**WAC 388-148-1245 How long may a child stay in an emergency respite center?** A child may be placed in an emergency respite center for up to seventy-two hours.

NEW SECTION

**WAC 388-148-1250 What written information is needed before a child is admitted to an emergency respite center?** An emergency respite center must obtain the following written consent and information from the parent or guardian before a child may be accepted for emergency respite care:

(1) Permission from the child's parent or guardian authorizing the placement of their child in an emergency respite center;

(2) Permission to seek emergency medical care on behalf of their child;

(3) Basic family information, including address, telephone numbers, and emergency contact; and

(4) Basic medical information, including current medication, known allergies, and at-risk behaviors of the child.

NEW SECTION

**WAC 388-148-1255 Is a health history required upon admission to an emergency respite center?** Emergency respite centers are not required, but may obtain a health history upon admission from the parent, legal guardian, or child-placing agency placing a child for emergency respite services.

NEW SECTION

**WAC 388-148-1260 Must all children accepted for care in an emergency respite center have current immunizations?** Emergency respite centers may accept a child

who is not current with immunizations for care in an emergency respite center.

NEW SECTION

**WAC 388-148-1265 What are the qualifications for an executive director or an emergency respite center?** The executive director of an emergency respite center must meet the qualifications for a group care executive director (WAC 388-148-0700), except that a degree in early childhood education may substitute for a degree in social science.

NEW SECTION

**WAC 388-148-1270 What are the qualifications for the on-site program manager for an emergency respite center?** The on-site program manager for an emergency respite center must meet the qualifications for the group care on-site program manager (WAC 388-148-0720), except that a degree in early childhood education may be substituted for a degree in social science.

NEW SECTION

**WAC 388-148-1275 Are professional consultants needed for an emergency respite center?** (1) Emergency respite centers must have consultants available, as needed to work with your staff, the children you serve, and the children's families. The consultants must meet the full professional competency requirements in their respective fields. The consultant or consultants must have:

(a) The training, experience, knowledge and demonstrated skills in each area that he or she will be supervising;

(b) The ability to ensure your staff develop their skills and understanding needed to effectively manage their cases;

(c) Knowledge of mandatory child abuse and neglect reporting requirements; and

(d) Training and experience in early childhood education.

(2) Consultants may be hired as staff or operate under a contract with an emergency respite center.

NEW SECTION

**WAC 388-148-1280 What is the ratio of child care staff to children in an emergency respite center?** (1) At all times, emergency respite centers must have the following minimum staffing ratios:

(a) At least two staff on duty when children are present;

(b) One child care staff providing visual or auditory supervision;

(c) One staff for every two children when children are birth through two years old;

(d) One staff for every three children when children are three through five years old;

(e) One staff for every eight children when children are six through seventeen years old.

(2) You must have relief staff so that all staff can have the equivalent of two days off a week.

NEW SECTION

**WAC 388-148-1285 What are the requirements for supervision of children placed in an emergency respite center?** (1) Emergency respite centers must provide or arrange for care and supervision that is appropriate for the child's age, developmental level, and condition.

(2) Emergency respite centers must supervise children who help with food preparation in the kitchen, based on their age and skills.

(3) Preschool children and children with severe developmental disabilities must not be left unattended in a bathtub or shower.

(4) Staff, volunteers, and others caring for children at an emergency respite center must provide the children with appropriate adult supervision, emotional support, personal attention, and structured daily routines and living experiences.

(5) In emergency respite centers, children must be within visual or auditory range at all times.

(6) When a child exhibits behavior that poses a safety risk to other children in care, the child must not share a bedroom with other children.

NEW SECTION

**WAC 388-148-1290 What fire safety requirements must I follow to receive a license as an emergency respite center?** An emergency respite center must comply with the requirements for fire and life safety of the office of the State Fire Marshal under chapter 212-12 WAC.

NEW SECTION

**WAC 388-148-1295 Does an emergency respite center need approval from the department of health?** An emergency respite center must receive a certificate of compliance from the department of health before the department (DSHS) will issue an emergency respite center license.

NEW SECTION

**WAC 388-148-1300 What licensing requirements in chapter 388-148 WAC must I follow to be licensed as an emergency respite center?** (1) An emergency respite center must comply with the group care licensing requirements and the following sections of chapter 388-148 WAC:

- (a) WAC 388-148-0005 through 388-148-0215;
- (b) WAC 388-148-0260 through 388-148-0330;
- (c) WAC 388-148-0345 through 388-148-0450;
- (d) WAC 388-148-0465 through 388-148-0490;
- (e) WAC 388-148-0565;
- (f) WAC 388-148-0575 through 388-148-0605;
- (g) WAC 388-148-0660 through 388-148-0690;
- (h) WAC 388-148-0700 through 388-148-0720; and
- (i) WAC 388-148-0730 through 388-148-0740.

(2) To be licensed as an emergency respite center you must comply with the specific section of chapter 388-148 WAC that applies to emergency respite centers WAC 388-148-1205 through 388-148-1300, in addition of the subsection (1) above.

**WSR 01-24-067**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 01-268—Filed November 30, 2001, 4:54 p.m., effective December 2, 2001, 11:59 p.m.]

Date of Adoption: November 30, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-808; and amending chapter 220-47 WAC.

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: Tulalip Hatchery chum egg take goal has been assured and harvestable nontreaty share of 8D chum is available. There is insufficient time to use the permanent regulation process to effect these changes.

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: December 2, 2001, 11:59 p.m.  
 November 30, 2001

J. P. Koenings  
 Director

NEW SECTION

**WAC 220-47-809 Puget Sound all-citizen commercial salmon fishery.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 11:59 P.M. December 2, 2001 until further notice it is unlawful to take, fish for or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods, gears, mesh size, species restrictions, and catch reporting requirements:

**Area 8D:** Open as follows:

**Purse Seine** - Open to purse seines using the 5-inch strip from 7:00 A.M. to 5:00 P.M. daily Monday, December 3, 2001 through Friday, December 7, 2001. It is unlawful to retain chinook salmon taken with purse seine gear in Area 8D and any chinook salmon caught with purse seine gear must be released immediately



**Gill Nets** - Open to gill nets 6 1/4 inch minimum mesh from 7:00 A.M. to 8:00 P.M. daily Monday, December 3, 2001 through Friday, December 7, 2001.

All fishers participating in the 8D fishery must report each day's catch and by-catch by 10:00 A.M. the following morning. The report shall include the date of catch, the fisher's name, the boat name, gear type, the number of salmon caught by species, and numbers of by-catch by species, including steelhead. Reports may be made to any of the following means:

- i) By telephone at the toll-free number 1-866-791-1279
- ii) By e-mail message to the following address: [psfish-tickets@dfw.wa.gov](mailto:psfish-tickets@dfw.wa.gov)
- or, iii) By facsimile transmission (FAX) to: (360) 902-2949

All other saltwater and freshwater areas are closed

**REPEALER**

The following section of Washington Administrative Code is repealed effective 11:59 P.M. December 2, 2001:

WAC 220-47-808 Puget Sound all-citizen commercial salmon fishery. (01-262)

**WSR 01-24-084  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 01-260—Filed December 3, 2001, 4:14 p.m., effective December 8, 2001]

Date of Adoption: December 3, 2001.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900F; and amending WAC 232-28-619.

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 lakes will be planted with surplus rainbow trout hatchery broodstock and/or surplus adult steelhead in late November or December. This rule change will spread the harvest of "trophy-size" fish among more anglers and help sustain fishing for larger trout for a longer period of time. 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: December 8, 2001.

December 3, 2001

J. P. Koenings  
Director  
by Larry Peck

**NEW SECTION**

**WAC 232-28-61900F Exceptions to statewide rules—Columbia Park Family Fishing Pond, Dalton Lake, Railroad Pond, North Fio Rito Lake, South Fio Rito Lake, Mattoon Lake, McCabe Pond, Rotary Lake, I-82 Pond #4, I-82 Pond #6, North Elton Pond.** Notwithstanding the provisions of WAC 232-28-619, effective December 8, 2001 through March 31, 2002 the following regulations apply:

- Item 1: Columbia Park Family Fishing Pond (Benton County)  
The daily limit for trout (including steelhead) is five fish, not more than one may be over 20 inches in length.
- Item 2: Dalton Lake (Franklin County)  
The daily limit for trout (including steelhead) is five fish, not more than one may be over 20 inches in length.
- Item 3: Railroad Pond (Franklin County)  
The daily limit for trout (including steelhead) is two fish, not more than one may be over 20 inches in length.
- Item 4: North Fio Rito Lake, South Fio Rito Lake, Mattoon Lake and McCabe Pond (Kittitas County)  
The daily limit for trout (including steelhead) is five fish, not more than one may be over 20 inches in length.
- Item 5: Rotary Lake, I-82 Pond #4, I-82 Pond #6 (Yakima County)  
The daily limit for trout (including steelhead) is five fish, not more than one may be over 20 inches in length.
- Item 6: North Elton Pond (Yakima County)  
The daily limit for trout (including steelhead) is two fish, not more than one may be over 20 inches in length.

**REPEALER**

The following section of the Washington Administrative code is repealed effective 12:01 a.m. April 1, 2002:

WAC 232-28-61900F Exceptions to statewide rules—Columbia Park Family Fishing Pond, Dalton

**EMERGENCY**

Lake, Railroad Pond, North Fio Rito Lake, South Fio Rito Lake, Mattoon Lake, McCabe Pond, Rotary Lake, I-82 Pond #4, I-82 Pond #6, North Elton Pond.

Effective Date of Rule: December 31, 2001.

December 4, 2001  
 Russell W. Brubaker  
 Assistant Director  
 Legislation and Policy Division

**WSR 01-24-089**  
**EMERGENCY RULES**  
**DEPARTMENT OF REVENUE**

[Filed December 4, 2001, 11:29 a.m., effective December 31, 2001]

Date of Adoption: December 4, 2001.

Purpose: To provide county assessors with the rate of interest and property tax component used in valuing farm and agricultural land classified under chapter 84.34 RCW (the open space program) during assessment year 2002.

This rule is being amended to update the interest rate and property tax component used to value farm and agricultural land classified under chapter 84.34 RCW.

The department filed a CR-105 notice of expedited rule making on October 26, 2001, with the intention of adopting a permanent rule on January 8th (see WSR 01-22-005). The department still anticipates adopting a permanent rule on this date. The department is at this time adopting this rule, which is the same as that proposed in WSR 01-22-005, on an emergency basis to satisfy RCW 84.34.065 requirement that an adopted rule providing the rate of interest be published in the state register not later than January 1st.

Citation of Existing Rules Affected by this Order: Amending WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component.

Statutory Authority for Adoption: RCW 84.34.065.

Other Authority: RCW 84.34.141.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: RCW 84.34.065 requires the department to annually determine a rate of interest and property tax component by rule which is to be published in the state register not later than the January 1st assessment date.

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.

**AMENDATORY SECTION** (Amending WSR 00-24-105, filed 12/6/00, effective 1/1/01)

**WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component.** For assessment year ((2001)) 2002, the interest rate and the property tax component that are to be used to value classified farm and agricultural lands are as follows:

- (1) The interest rate is ((9.49)) 9.35 percent; and
- (2) The property tax component for each county is:

COUNTY	PERCENT	COUNTY	PERCENT
Adams	((+40)) <u>1.37</u>	Lewis	((+23)) <u>1.21</u>
Asotin	((+48)) <u>1.44</u>	Lincoln	((+43)) <u>1.41</u>
Benton	((+48)) <u>1.46</u>	Mason	((+26)) <u>1.25</u>
Chelan	1.32	Okanogan	((+28)) <u>1.27</u>
Clallam	((+17)) <u>1.18</u>	Pacific	((+20)) <u>1.27</u>
Clark	((+35)) <u>1.37</u>	Pend Oreille	((+37)) <u>1.34</u>
Columbia	((+43)) <u>1.40</u>	Pierce	((+57)) <u>1.53</u>
Cowlitz	((+24)) <u>1.20</u>	San Juan	((+83)) <u>0.84</u>
Douglas	((+33)) <u>1.43</u>	Skagit	((+28)) <u>1.27</u>
Ferry	((+14)) <u>1.12</u>	Skamania	((+06)) <u>1.05</u>
Franklin	((+59)) <u>1.53</u>	Snohomish	((+40)) <u>1.39</u>
Garfield	((+62)) <u>1.60</u>	Spokane	((+45)) <u>1.48</u>
Grant	((+48)) <u>1.44</u>	Stevens	((+10)) <u>1.16</u>
Grays Harbor	((+29)) <u>1.30</u>	Thurston	((+55)) <u>1.53</u>
Island	((+04)) <u>1.02</u>	Wahkiakum	((+02)) <u>1.03</u>
Jefferson	((+24)) <u>1.22</u>	Walla Walla	((+49)) <u>1.46</u>
King	((+27)) <u>1.19</u>	Whatcom	((+34)) <u>1.30</u>
Kitsap	((+47)) <u>1.32</u>	Whitman	((+44)) <u>1.47</u>
Kittitas	((+08)) <u>1.07</u>	Yakima	1.33
Klickitat	((+13)) <u>1.18</u>		

**WSR 01-24-094**  
**EMERGENCY RULES**  
**STATE BOARD OF EDUCATION**

[Filed December 4, 2001, 11:49 a.m.]

Date of Adoption: October 26, 2001.

Purpose: Readopt on an emergency basis the implementing rules for a new type of limited certificate, the transitional certificate, which will allow a teacher with a lapsed continuing certificate to teach for up to two years before having to complete the continuing education requirement.

Citation of Existing Rules Affected by this Order: Amending WAC 180-79A-140 Types of certificates and 180-79A-231 Limited certificates.

Statutory Authority for Adoption: Title 28A RCW.

Other Authority: RCW 28A.410.010.

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

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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 lapsed certificate law was passed by the 2001 legislature and took effect July 22, 2001. The State Board of Education could not adopt implementing rules prior to that date and its next meeting was August 22-24, 2001. If the state board had adopted the rules on a non-emergency basis they would not have taken effect until about the end of November. In the meantime, lapsed certificate holders needed the ability to receive a transitional certificate immediately. Subsequent to emergency adoption in August, the necessary paperwork was not filed in time to allow the state board to adopt the emergency rule on a permanent basis at its October 24-26, 2001, meeting. At that meeting, to continue to allow the issuance of transitional certificates, the board again adopted the rules on an emergency basis.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2; Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 14, 2001

Larry Davis

Executive Director

**AMENDATORY SECTION** (Amending WSR 00-13-063, filed 6/16/00, effective 7/17/00)

**WAC 180-79A-140 Types of certificates.** Five types of certificates shall be issued:

(1) Teacher. The teacher certificate, including teacher exchange permits as provided in WAC 180-79A-220, authorizes service as a classroom teacher.

(2) Vocational. The vocational certificate authorizes service in vocational programs in accordance with the provisions of chapter 180-77 WAC.

(3) Administrator.

(a) The administrator certificate for principal authorizes services as a building administrator or vice-principal. The initial principal certificate shall indicate one of the following grade levels, preschool-9, 4-12, or preschool-12, based on recommendations from the college or university in which the candidate completed an approved preparation program.

(b) The administrator certificates for superintendent or program administrator will be issued to persons who meet state board of education certification standards for service in the roles of superintendent or program administrator.

(4) Educational staff associate. The educational staff associate certificate authorizes service in the roles of school speech pathologists or audiologists, school counselors, school nurses, school occupational therapists, school physical therapists, school psychologists, and school social workers: Provided, That nothing within chapter 180-79A WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

(5) Limited certificates. The following limited certificates are issued to individuals under specific circumstances set forth in WAC 180-79A-231:

(a) Conditional certificate.

(b) Substitute certificate.

(c) Emergency certificate.

(d) Emergency substitute certificate.

(e) Intern substitute teacher certificate.

(f) Transitional teaching certificate.

**AMENDATORY SECTION** (Amending WSR 00-13-063, filed 6/16/00, effective 7/17/00)

**WAC 180-79A-231 Limited certificates.** Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited service:

(1) Conditional certificate.

(a) The purpose of the conditional certificate is to assist local school districts, approved private schools, and educational service districts in meeting the state's educational goals by giving them flexibility in hiring decisions based on shortages or the opportunity to secure the services of unusually talented individuals. The state board of education encourages in all cases the hiring of fully certificated individuals and understands that districts will employ individuals with conditional certificates only after careful review of all other options. The state board of education asks districts when reviewing such individuals for employment to consider, in particular, previous experience the individual has had working with children.

(b) Conditional certificates are issued upon application by the local school district, approved private school, or educational service district superintendent to persons who meet the age, good moral character, and personal fitness requirements of WAC 180-79A-150 (1) and (2), if one of the following conditions is verified:

(i) The applicant is highly qualified and experienced in the subject matter to be taught and has unusual distinction or exceptional talent which is able to be demonstrated through public records of accomplishments and/or awards; or

(ii) No person with regular teacher certification in the endorsement area is available as verified by the district or educational service district superintendent or approved private school administrator, or circumstances warrant consideration of issuance of a conditional certificate.

(c) In addition, conditional certificates are issued to persons in the following categories only if no person with regular certification is available:

(i) The applicant qualifies to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3); or

(ii) The applicant is assigned instructional responsibility for intramural/interscholastic activities which are part of the district or approved private school approved program; or

(iii) The applicant possesses a state of Washington license for a registered nurse: Provided, That the district will be responsible for orienting and preparing individuals for their assignment as described in (e)(iii) of this subsection; or

(iv) The applicant has completed a baccalaureate degree level school speech pathologist or audiologist certification preparation program, who were eligible for certification at the time of program completion and who have served in the role for three of the last seven years.

(d) The educational service district or local district superintendent or administrator of an approved private school will verify that the following criteria have been met when requesting the conditional certificate:

(i) The district or educational service district superintendent or approved private school administrator has indicated the basis on which he/she has determined that the individual is competent for the assignment;

(ii) The individual is being certificated for a specific assignment and responsibility in a specified activity/field;

(e) When requesting the conditional certificate for persons who provide classroom instruction, the educational service district superintendent or local district superintendent or approved private school administrator will verify that the following additional criteria will be met:

(i) After specific inclusion on the agenda, the school board or educational service district board has authorized submission of the application.

(ii) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities with the direct assistance of a school district or approved private school mentor and will not be serving in a paraprofessional role which would not require certification;

(iii) Personnel so certificated will be oriented and prepared for the specific assignment by the employing district or approved private school. A written plan of assistance will be developed, in cooperation with the person to be employed within twenty working days from the commencement of the assignment. In addition, prior to service the person will be apprised of any legal liability, the responsibilities of a professional educator, the lines of authority, and the duration of the assignment;

(iv) Within the first sixty working days, personnel so certificated will complete sixty clock hours (six quarter hours or four semester hours) of course work in pedagogy and child/adolescent development appropriate to the assigned grade level(s) as approved by the employing school district or approved private school.

(f) The certificate is valid for two years or less, as evidenced by the expiration date which is printed on the certificate, and only for the activity specified. The certificate may be reissued for two years and for two-year intervals thereafter upon application by the employing local school district, approved private school, or educational service district and upon completion of sixty clock hours (six quarter hours or

four semester hours) of course work since the issuance of the most recent certificate. The requesting local school district, approved private school, or educational service district shall verify that the sixty clock hours taken for the reissuance of the certificate shall be designed to support the participant's professional growth and enhance the participant's instructional knowledge or skills to better assist students meeting the state learning goals and/or essential academic learning requirements.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of regular Washington certificates have expired; or

(ii) Persons who have completed state approved preparation programs and baccalaureate degrees at regionally accredited colleges and universities for certificates; or

(iii) Persons applying as out-of-state applicants who qualify for certification pursuant to WAC 180-79A-257 ((2)) (1)(c) and (d).

(b) The substitute certificate is valid for life.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents or approved private school administrators to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: Provided, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate: Provided further, That a candidate for emergency certification as a school counselor, school psychologist, or social worker shall be the best qualified of the candidates for the position as verified by the employing school district and shall have completed all course work for the required master's degree with the exception of the internship: Provided further, That a candidate for emergency certification as a school psychologist shall be enrolled in an approved school psychologist preparation program and shall be participating in the required internship.

(b) The emergency certificate is valid for one year or less, as evidenced by the expiration date which is printed on the certificate.

(4) Emergency substitute certification.

(a) If the district or approved private school has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under subsection (2) of this section for use in a particular school district or approved private school once the list of otherwise qualified substitutes has been exhausted.

(b) Such emergency substitute certificates shall be valid for three years or less, as evidenced by the expiration date which is printed on the certificate.

(5) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC 180-79A-270 and be eligible to serve as a teacher in the elementary or secondary schools of the country of residence.

(6) Intern substitute teacher certificate.

(a) School districts and approved private schools may request intern substitute teacher certificates for persons enrolled in student teaching/internships to serve as substitute teachers in the absence of the classroom teacher.

(b) The supervising college or university must approve the candidate for the intern substitute teacher certificate.

(c) Such certificated substitutes may be called at the discretion of the school district or approved private school to serve as a substitute teacher only in the classroom(s) to which the individual is assigned as a student teacher/intern.

(d) The intern substitute teacher certificate is valid for one year, or less, as evidenced by the expiration date which is printed on the certificate.

(7) Transitional teaching certificate.

(a) A teacher whose continuing certificate has lapsed according to WAC 180-85-040 may be issued a transitional certificate to be employed on a conditional basis upon request by a school district, approved private school, or educational service district superintendent. Within two years of the date the holder was issued the transitional certificate, in order to continue to be employed the holder of the transitional certificate must complete any continuing certificate reinstatement requirements established by the state board of education. The transitional certificate expiration date shall not be calculated under state board policy WAC 180-79A-117.

(b) No teacher whose continuing certificate has been suspended or revoked shall be eligible to be employed under this section.

(c) School districts, approved private schools, and educational service districts are strongly encouraged to develop with the holder of a transitional certificate a plan of assistance to be sure the holder completes the necessary continuing certificate reinstatement requirements under WAC 180-85-130 within the two-year conditional employment period specified under (a) of this subsection if the holder is to continue to be employed.



**WSR 01-24-003**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**  
 (Mortgage Broker Commission)  
 (Escrow Commission)  
 [Memorandum—November 20, 2001]

**Mortgage Broker Commission meetings**

2nd Wednesday of the 2nd month of the quarter for 2002 (normally): Washington Interactive Television (WIT). Lacey, Renton, Spokane, Vancouver and alternating between Yakima and Tri-Cities sites.

Wednesday, February 6, 2002	9 a.m. - 11 a.m. (Yakima)
Wednesday, May 8, 2002	9 a.m. - 11 a.m. (Tri-Cities)
Wednesday, August 14, 2002	9 a.m. - 11 a.m. (Yakima)
Wednesday, November 13, 2002	9 a.m. - 11 a.m. (Tri-Cities)

**Escrow Commission meetings**

2nd Tuesday of 1st month of each quarter for 2002 (normally):

Tuesday, January 8, 2002	9 a.m. - 12 noon	Highline Community College, Des Moines
Tuesday, April 9, 2002	9 a.m. - 12 noon	Highline Community College, Des Moines
Tuesday, July 9, 2002	9 a.m. - 12 noon	Highline Community College, Des Moines
Tuesday, October 8, 2002	9 a.m. - 12 noon	Highline Community College, Des Moines

**WSR 01-24-017**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Filed November 26, 2001, 4:06 p.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: Numbered Memorandum 01-66 MAA.  
 Subject: Billing for laboratory services for TAKE CHARGE clients.

Effective Date: November 1, 2001.

Document Description: The purpose of this memorandum is to provide clarification to TAKE CHARGE family planning providers concerning billing practices for laboratory procedures for TAKE CHARGE clients.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Numbered Memorandum link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

November 19, 2001

E. A. Myers, Manager  
 Rules and Publications Section

**WSR 01-24-018**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Filed November 26, 2001, 4:07 p.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: Numbered Memorandum 01-65 MAA.

Subject: Revised fee schedule for "Other" DME.

Effective Date: November 1, 2001.

Document Description: This memorandum contains updates to the maximum allowables listed in the "Other" DME Fee Schedule in the Medical Assistance Administration's (MAA) Wheelchairs, Durable Medical Equipment, and Supplies Billing Instructions, dated September 2001.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Numbered Memorandum link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

November 19, 2001

E. A. Myers, Manager  
 Rules and Publications Section

**WSR 01-24-025**  
**POLICY STATEMENT**  
**WASHINGTON STATE LOTTERY**  
 [Filed November 27, 2001, 1:54 p.m.]

The Washington State Lottery has recently adopted or revised the following policies:

**POL 110.002 - Code of Ethics (Revised)**

Clarified that, in addition to not being able to engage in an outside business activity, employees cannot engage in an outside business "relationship." (The definition of "Outside Employment or Business Relationship" is included in POL 120.012.)

Signed August 1, 2001.

**POL 110.013 - Cellular Telephones (Revised)**

Added a definition of "cellular telephone."

Added the option of authorizing that employees be reimbursed for making state calls on a personal line. Before the authorization is made, the information services manager or designee performs a cost analysis to determine if this service would be in the best interest of the lottery. The employee must maintain records monitoring usage; managers review the reimbursement worksheet and notify supervisors of misuse; supervisors immediately correct misuse.

Accounts payable and the supply officer no longer have any responsibility for inventory, etc. of state phone/lines. Information services—Customer support maintains inventory, etc.

Removed the requirement for placing all official long distance calls on the SCAN system; however, calls are made on the phone or line only when the employee does not have access to a less costly alternative that is safe, convenient, and readily available.

Signed July 11, 2001.

**POL 110.026 - Retailer Compliance with the American[s with] Disability Act (ADA) (New)**

This policy ensures that licensed lottery retailers provide equal access to, and effective communication regarding, lottery products and services to all individuals with disabilities, pursuant to state and federal laws. Before receiving a lottery license, retailers must certify compliance or submit a plan for compliance that includes a date for completion that is no longer than ninety days after receiving the license. If a retailer proves that compliance would be an undue burden, the ADA coordinator can approve using alternative methods.

The ADA coordinator handles complaints received, as well as inspects sites randomly selected via a computerized program. (2% of retailers in each region will be inspected the first year after implementation; 3% will be inspected each subsequent year.)

Signed July 26, 2001.

**POL 110.551 - On-Line Drawings Disaster Recovery Plan (Revised)**

Added new form to aid with conducting Daily Keno test drawings.

The drawing coordinator may now authorize that the camera operator will attend/record the drawing. The director or deputy director may authorize the internal audit manager to witness the drawing.

Adds information about what to do if the management terminal is not available for use. Clarifies that there are three ball sets for Daily Game - added choosing the order the sets are loaded.

Other minor housekeeping to bring disaster recovery procedures in line with daily procedures.

Signed September 5, 2001.

**POL 110.552 - Wednesday and Saturday Daily Game, Daily Keno, Quinto, Lucky for Life, and Lotto Drawings (Revised)**

The Lucky for Life matrix is now "012" through "82." Updated Lotto language to indicate how the drawing is performed with a new machine; eliminated the Lotto cell test. Daily Keno is no longer aired as a split screen with Daily Game.

For the new Daily Keno machines, the drawing coordinator and external auditor rotate the program used every four to five months, as determined necessary by the drawing coordinator. The external auditors now have passwords to allow them to access the maintenance portion only of the ADMs.

Specifies that the lottery drawing official (LDO) must use twenty separate key strokes (does not hold the key down) to generate the twenty seeds for the Daily Keno drawing.

The lottery security official (LSO) does not return the last balls drawn to the mixing chamber (done by the LDO before he/she counts the balls).

The announcer, LSO, and external auditor no longer enter/verify the winning numbers line. The headquarters drawing official (HDO) calls the LDO to say the process is complete.

The Lucky for Life and Quinto buttons are pushed 3-6 seconds (rather than 2-3 seconds) after pushing the mix button.

Signed August 31, 2001.

**POL 110.554 - On-Line Drawing Contingencies (Revised)**

Removed references throughout that the TV station may broadcast fouled drawings live (or that numbers may be crawled). There are times the broadcast station may be able to splice.

If the Daily Keno ADMs or toteboards fail and the drawings must be conducted with the ball set, pre- and post-air test drawings are now performed. New forms were developed to aid this process.

For "Inability of HDO to retrieve Daily Keno number automatically," showed that the external auditor verifies the numbers read by the LDO and HDO are correct (to correlate with regular drawing procedures).

Added that the HDO coordinator is also notified when there is a bomb threat, fire alarm, or power failure that affects the drawings.

Signed September 4, 2001.

**POL 110.555 - Monday, Tuesday, Thursday, Friday and Sunday Daily Keno, Daily Game, and Lucky for Life Drawings (Revised)**

See changes to 110.552, except that POL 110.555 does not include Quinto or Lotto. Also developed instructions for reducing the Lucky for Life matrix from "00" through "99" to "01" through "82" via an addendum memo.

Policy signed September 4, 2001; addendum memo signed August 20, 2001.

**POL 120.001 - Tuition Reimbursement (Revised)**

Added that tuition reimbursement is for off-hours development only (classes not taken during work time). However, managers may approve the employee adjusting his/her work week to accommodate the class, if doing so would not conflict with the quality of the employee's work or service provided.

Signed July 11, 2001.

**POL 120.012 - Outside Employment or Business Activity/Relationship (Revised)**

Clarified that, in addition to not being able to engage in an outside business activity, employees cannot engage in an outside business "relationship."

Added a definition of "Outside Employment or Business Activity/Relationship" as: "Includes but is not limited to physically working for another individual or business, whether or not the employee receives a salary or other compensation (includes intellectual property rights, such as creating something or owning an idea for/with the individual or business, where there is a potential for profit), or owning or operating a private or in-house business (e.g. selling Avon or Amway)."



Signed August 1, 2001.

**POL 130.003 - Certifying On-Line Balls (Revised)**

Updated to indicate the Lucky for Life matrix is now "00" through "82" and other minor housekeeping changes.

Signed September 6, 2001.

**POL 220.010 - Petty Cash (Revised)**

Information on regional and headquarters petty cash funds was incorporated into one document. (Headquarters does not currently have a petty cash fund, but the policy allows the financial services manager to establish one.)

Checking accounts are no longer part of the petty cash boxes. The boxes will contain cash only - the financial services manager determines the amount.

Eliminated references to the internal audit manager. The general accounting manager now initiates frequent, periodic audits, in the time frame he/she determines appropriate.

Other housekeeping changes related to the above changes.

Signed July 11, 2001.

**POL 230.001 - Inventorying Instant Tickets (Revised)**

Biweekly inventories and supply officer responsibilities were eliminated.

Added that if packs are missing during a quarterly inventory, security is contacted and an investigation conducted. Accounts receivable does not research noted discrepancies.

Signed July 1, 2001.

**POL 240.004 - Terminating Retailers (who voluntarily terminate) (Revised)**

In addition to picking up all unsold tickets, district sales representatives (DSRs) pick up all lottery products. DSRs no longer discuss the final settlement process with a retailer. Added a note referring to another policy, to clarify that the lottery encourages retailers in a change of ownership situation to sell any tickets in activated or settled status to the new owners.

Signed August 9, 2001.

**POL 240.007 - Lotto ... To Go! Player Express (PLEX) Terminals (New)**

This policy establishes guidelines for placing and removing PLEX terminals in lottery retail locations.

Signed September 6, 2001.

**POL 250.003 - Receipt of Cash (Revised)**

Added information on sending billings. (Accounts receivable sends all billings for miscellaneous services or reimbursements, except for installation fees and rejection/penalties. Before the event (if at all possible), or as soon as possible after the event, contract managers advise accounts receivable of the need for reimbursement. After the event, they provide accounts receivable with the billing information by completing an accounts receivable invoice.)

Cash/checks received for services not provided or provided free of charge are no longer deposited and a check written for the amount to return. Checks are stamped "void" and returned with a letter. Cash is returned with a letter.

Added a reference to the mail administration policy regarding items received outside the normal mail delivery system (see also POL 410.002 - Mail administration below).

Signed July 3, 2001.

**POL 310.014 - Instant Ticket Vending Machine (ITVM) Placement (Revised)**

Added categories that the retailer must fall into to receive an ITVM. Added that we give preference to locations with higher sales. Added specific criteria for retaining the ITVM.

Added that accounts must agree to installation requirements, provide power, place the ITVM in a location that the lottery agrees to, and carry as many games as the ITVM will allow. However, locations with an in-counter dispenser must carry all games available.

Signed September 11, 2001; effective October 1, 2001.

**POL 320.005 - Promotional On-Line Ticket Acquisition and Processing (New)**

This policy establishes guidelines for approving promotions using on-line tickets. The procedure outlines the process used to request, print, and document the promotional tickets.

Signed September 11, 2001.

**POL 410.002 - Mail Administration (Revised)**

Two people (from different divisions) must now open all headquarters mail. Most mail is opened by an administrative services designee and a financial services designee. Customer service mail is opened by a customer service designee and a retailer services designee.

Mail received outside the regular mail delivery system must be opened by the recipient and an employee outside the recipient's work unit. If a negotiable item is found, the two employees take the item to accounts payable. (If no employee outside of the recipient's work unit is available, the guard may witness opening the item.)

Signed July 3, 2001.

**POL 410.003 - Receiving and Distributing Scratch Tickets (Revised)**

The seal on the delivery truck is no longer required to be broken by a security designee or the internal auditor manager (although they remain on the list of people designated to be the "second designee" for verifying the seal number, etc.).

Added that verification of the seal number is documented on the bill of lading.

Deleted the section on inspecting packs.

The financial services designee no longer ensures the analysis of the variance report agrees with the load report.

Other minor housekeeping.

Signed September 29, 2001.

**POL 420.015 - Forms Management (Revised)**

Clarified that a form may be electronic and/or a template in Microsoft Word.

Managers do not need to approve changing or designing a form if they have designated someone to work with the forms/records analyst; however, managers must continue to

approve the final form. The forms/records analyst will work with information services to post revised forms on the Intranet.

Signed July 25, 2001.

**POL 420.004 - Recycling and Waste Reduction (Revised)**

Deleted references to recycling "hard acrylics." Updated definition of cardboard to indicate "corrugated." Clarified that carbonless multi-part forms are recyclable.

Deleted that "sample ticket and other items with a foil covering cannot be recycled at this time."

Deleted that RSMs send recyclable items to headquarters if a regional vendor is not available. Also deleted sending styrofoam, shrink-wrap and hard acrylics to administrative services. Deleted requirements for employees to turn in shrink-wrap, styrofoam and hard acrylics to administrative services.

Signed August 29, 2001.

**POL 420.006 - Parking (Headquarters) (Revised)**

Added references to carpools being able to use spots marked "vanpool." Clarified the definition of a "reserved space," as well as clarifying the language regarding requesting and approving reserved spots due to medical disability (but not using a "disabled" spot).

Signed September 29, 2001.

**POL 420.008 - Inventorying Supplies and Postage (Revised)**

Deleted: Inventorying forms, reference to the internal audit manager receiving information on discrepancies or determining to perform extended audits, and the banking accountant reviewing listing and updating prices. Clarified in the procedures that regions have postage meters (no stamps); headquarters has stamps (no postage meter).

Signed September 12, 2001.

**POL 420.010 - Occupational Injury and Illness Reporting Requirements (Revised)**

Clarified that the accident reports completed by physicians are forwarded to lottery employee services, rather than administrative services. When an accident involves a vehicle, form SF 137 is used instead of OSHA 101.

Eliminates an executive committee making final determinations of actions to take to prevent recurrence of accidents involving minor and/or major injuries - the decision is not made by the director of deputy director. However, the safety committee continues to make a recommendation to the director/deputy director.

Signed August 31, 2001.

**POL 440.005 - Electronic Mail Use (Revised)**

Deleted the statement that the director, deputy director, an assistant director or a manager has to approve sending a written communication via hard copy rather than e-mail.

Attachment A - E-Mail Etiquette - was updated to eliminate reference to Lott-o-Scoop, and suggests posting personal messages (items for sale, etc.) in the break room or other location(s). If in doubt whether a message should be sent to

"All Headquarters" or "All Employees," employees should consult with their supervisors.

Attachment B - Electronic Mail Recommendations - was updated for terms used with the current e-mail system. Added a note re: retaining e-mail message via retention schedule.

Signed September 6, 2001.

To receive a copy of any of these policies, contact Becky Zopolis, Washington State Lottery, P.O. Box 43000, Olympia, WA 98504-3000, phone (360) 664-4816, fax (360) 664-4817.

November 26, 2001

Becky L. Zopolis

**WSR 01-24-032**

**RULES COORDINATOR**

**DAIRY PRODUCTS COMMISSION**

[Filed November 28, 2001, 9:25 a.m.]

Please be advised the following individual is appointed as the rules review coordinator for the Washington State Dairy Products Commission: Celeste Piette, Washington Dairy Products Commission, 4201 198th Street S.W., Suite 101, Lynnwood, WA 98036, phone (425) 672-0687, fax (425) 672-0674, celeste@havemilk.com.

If you have any questions please contact Steve Matzen at (425) 672-0687.

Steve Matzen  
General Manager

**WSR 01-24-033**

**NOTICE OF PUBLIC MEETINGS**

**WINE COMMISSION**

[Memorandum—November 26, 2001]

Pursuant to RCW 42.17.260 listed below are the Washington Wine Commission's public meeting dates for 2002.

January 16, 2002	9:00 a.m.	Commissioners retreat in Portland Vintage Plaza Hotel
February 7, 2002	9:00 a.m.	Yakima Sagelands Vineyard 71 Gangl Road Wapato, WA 98951
March 1, 2002	9:00 a.m.	Seattle The Goodwin Library 93 Pike Street Seattle, WA 98101
April 5, 2002	9:00 a.m.	Yakima Sagelands Vineyard 71 Gangl Road Wapato, WA 98951

- May 3, 2002 9:00 a.m. Seattle  
The Goodwin Library  
93 Pike Street  
Seattle, WA 98101
- June 7, 2002 9:00 a.m. Yakima  
Sagelands Vineyard  
71 Gangl Road  
Wapato, WA 98951
- July 12, 2002 9:00 a.m. Seattle  
The Goodwin Library  
93 Pike Street  
Seattle, WA 98101
- August 2, 2002 9:00 a.m. Seattle  
The Goodwin Library  
93 Pike Street  
Seattle, WA 98101
- September 6, 2002 9:00 a.m. Pasco  
Gordon Brothers Cellars  
5960 Burden Boulevard  
Pasco, WA 99301
- November 1, 2002 9:00 a.m. Seattle  
The Goodwin Library  
93 Pike Street  
Seattle, WA 98101
- December 6, 2002 9:00 a.m. Seattle  
The Goodwin Library  
93 Pike Street  
Seattle, WA 98101

**WSR 01-24-036**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**  
 (Capitol Campus Design Advisory Committee)  
 [Memorandum—November 27, 2001]

Following are the quarterly Capitol Campus Design Advisory Committee (CCDAC) meetings for the 2002 calendar year:

- February 21, Thursday
- May 16, Thursday
- September 19, Thursday
- November 21, Thursday

The CCDAC meetings are held in the General Administration Building, 210 11th Avenue S.W., Olympia, WA, Conference Room 207, at 10:00 a.m.

If you have any questions, please contact Kim Taylor at (360) 902-0959.

**WSR 01-24-043**  
**NOTICE OF PUBLIC MEETINGS**  
**PUGET SOUND**  
**CLEAN AIR AGENCY**  
 [Memorandum—November 27, 2001]

Following is our agency's list of meeting dates for the year 2002. If you have any questions, please call Carol Pogers at (206) 689-4080.

- PUGET SOUND CLEAN AIR AGENCY**  
**BOARD OF DIRECTORS**  
**MEETING DATES FOR YEAR 2002**  
**REGULAR MONTHLY MEETINGS**
- January 10, 2002
  - February 14, 2002
  - March 14, 2002
  - April 11, 2002
  - May 9, 2002
  - June 13, 2002
  - July 11, 2002
  - August (No Meeting)
  - September 12, 2002
  - October 10, 2002
  - November 14, 2002
  - December 12, 2002

**WSR 01-24-044**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
 (Natural Heritage Advisory Council)  
 [Memorandum—November 28, 2001]

Following is a notice for the 2002 meetings of the Natural Heritage Advisory Council.

**NOTICE OF MEETINGS**  
**FOR THE**  
**NATURAL HERITAGE ADVISORY COUNCIL**

The Natural Heritage Advisory Council will meet on the following dates:

- January 16, 2002 9:30 a.m. to 4:30 p.m.  
United Churches, Room 106  
110 11th Avenue S.E.  
Olympia, WA
- March 6, 2002 9:30 a.m. to 4:30 p.m.  
Natural Resources Building  
Room 172  
1111 Washington Street S.E.  
Olympia, WA
- May 30 and 31, 2002 To be announced

MISC.

October 23, 2002 9:30 a.m. to 4:30 p.m.  
Natural Resources Building  
Room 172  
1111 Washington Street S.E.  
Olympia, WA

Regular council business will include consideration of proposals for natural area preserves, natural area preserve management plans, and other items relating to the management of the natural heritage and natural areas programs.

For additional information contact Department of Natural Resources, Natural Heritage Program, 1111 Washington Street S.E., Olympia, WA 98504-7014, (360) 902-1661.

**WSR 01-24-050**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF PERSONNEL**

(Personnel Resources Board)  
[Memorandum—November 29, 2001]

**WASHINGTON PERSONNEL RESOURCES BOARD  
MEETING FOR 2002**

The following is a schedule of the 2002 regular meetings of the Washington Personnel Resources Board. All regular meetings will be held at 10:00 a.m., Department of Personnel Board Room, 521 Capitol Way South, Olympia, WA.

- Thursday, January 10
- Thursday, March 14
- Thursday, April 11
- Thursday, May 9
- Thursday, July 11
- Thursday, September 12
- Thursday, November 14

Should you have any questions regarding this matter, please contact Donna Parker at (360) 664-6347.

**WSR 01-24-055**

**NOTICE OF PUBLIC MEETINGS  
COMMISSION ON  
HISPANIC AFFAIRS**

[Memorandum—November 29, 2001]

**MEETING SCHEDULE 2002**

MONTH	DATE	LOCATION
January	24/25	Olympia
March	8/9	Bellevue
May	10/11	Spokane
July	12/13	Pasco
September	13/14	Yakima
November	8/9	Shelton

**MEETING SCHEDULE 2003**

MONTH	DATE	LOCATION
January	23/24	Olympia
March	7/8	Monroe
May	9/10	Wenatchee
July	11/12	Moses Lake
September	12/13	Tacoma

**WSR 01-24-058**

**NOTICE OF PUBLIC MEETINGS  
COUNTY ROAD  
ADMINISTRATION BOARD**

[Memorandum—November 26, 2001]

MEETING NOTICE: January 10, 2002  
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: January 11, 2002  
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 can call 1-800-833-6384.

**WSR 01-24-060**

**INTERPRETIVE AND POLICY STATEMENT  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed November 30, 2001, 1:20 p.m.]

In accordance with RCW 34.05.230(12), enclosed is a list of Policy and Interpretive Statements issued by the department of September, October and November 2001. If you have questions or need additional information, please call Christine Swanson at (360) 902-4216.

Insurance Services Services Division

Insurance Services Policy #7.61 "HIV Testing and AIDS" has been repealed. The information contained in this policy is obsolete and is no longer needed. Current information was provided to medical providers in the Provider Bulletin 01-06 published in June 2001. This policy does not affect the Crime Victims' Compensation Program and was repealed on October 31, 2001.

Contact Linda Norris, Mailstop 4310, phone (360) 902-4999.

Doug Connell  
Assistant Director

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Insurance Services Policy #7.62 "Hepatitis B" has been repealed. The information contained in this policy is obsolete and is no longer needed. Current information was provided to medical providers in Provider Bulletin 01-06 published in June 2001. This policy does not affect the Crime Victims' Compensation Program and was repealed on October 31, 2001.

Contact Linda Norris, Mailstop 4310, phone (360) 902-4999.

Doug Connell  
Assistant Director

Insurance Services Policy #64.01 "Method of Reporting Hours," is amended to clarify the methods employers may use in reporting workers hours on a quarterly basis for the purpose of industrial insurance benefits. This policy was updated to clarify that there are two methods that can be used to report worker hours. This policy does not affect the Crime Victims' Compensation Program and was issued on October 31, 2001.

Contact Linda Norris, Mailstop 4310, phone (360) 902-4999.

Doug Connell  
Assistant Director

#### Specialty Compliance Services Division

Specialty Compliance Policy #01-05 "Interpretation of RCW 19.28.091 (2)(a) Utility exemption from Chapter 19.28 RCW requirements for lighting installations" is a new policy issued on October 26, 2001. This policy clarifies the utility exemption for installation of street and area lighting.

Contact Angie Wharton, Mailstop 4460, phone (360) 902-5259.

Patrick Woods  
Assistant Director

Specialty Compliance Policy #01-06 "Systems & Circuits of kV & over (high voltage), neutral conductor-neutral insulation & multipoint grounded neutral systems" is a new policy intended to clear guidelines and requirements regarding the installation, repair and grounding of high voltage systems to ensure safety. This policy was issued on October 26, 2001.

Contact Angie Wharton, Mailstop 4460, phone (360) 902-5259.

Patrick Woods  
Assistant Director

Specialty Compliance Policy #01-07 "Household-type appliances" is a new policy that will clearly define household appliances to determine how to enforce the requirements and exemptions of chapter 19.28 RCW. This policy was issued on October 26, 2001.

Contact Angie Wharton, Mailstop 4460, phone (360) 902-5259.

Patrick Woods  
Assistant Director

Specialty Compliance Policy #01-08 "Electrical board agenda" is a new policy that will clearly outline the process necessary to request an informal hearing before the Electrical Board. This policy was issued on October 26, 2001.

Contact Angie Wharton, Mailstop 4460, phone (360) 902-5259.

Patrick Woods  
Assistant Director

#### WISHA Services Division

WISHA Regional Directive (WRD) #33.72 "Shepherd Housing," is a new policy that provides guidance to WISHA enforcement and consultation staff whenever they must assess temporary worker housing provided to shepherders as a condition of employment. This policy supersedes any previous guidance, whether formal or informal. This policy was issued on November 26, 2001.

Contact Marcia Benn, Mailstop 4648, phone (360) 902-5503.

Michael Silverstein  
Assistant Director

WISHA Regional Directive (WRD) #97-5-A "Determining whether to reassume jurisdiction over a WISHA appeal," has been repealed. This policy confirmed previous guidance given staff regarding when to reassume jurisdiction over a WISHA appeal. This policy was repealed on October 25, 2001.

Contact Marcia Benn, Mailstop 4648, phone (360) 902-5503.

Michael Silverstein  
Assistant Director

WISHA Interim Memorandum (WIM) #97-5-B, "Summary of WISHA Reassumption Hearings Process," has been repealed. This policy provided guidance to staff involved in WISHA reassumptions regarding reassumptions hearings and the basic expectations related to them. This guidance is included in the WISHA Administrative Manual. This policy was repealed on October 25, 2001.

Contact Marcia Benn, Mailstop 4648, phone (360) 902-5503.

Michael Silverstein  
Assistant Director

WISHA Interim Memorandum (WIM) #97-5-C, "Settlement Agreements During Reassumptions," has been repealed. This policy provided guidance to staff involved in WISHA reassumptions regarding settlements. This guidance is included in the WISHA Administrative Manual. This policy was repealed on October 25, 2001.

Contact Marcia Benn, Mailstop 4648, phone (360) 902-5503.

Michael Silverstein  
Assistant Director

WISHA Interim Memorandum (WIM) #97-5-D, "Reduction of Penalties During WISHA Reassumption," has been repealed. This policy provided guidance to regional hearings officers and other staff involved in reassumptions regarding reduction of WISHA penalties. This guidance is included in the WISHA Administrative Manual. This policy was repealed on October 25, 2001.

Contact Marcia Benn, Mailstop 4648, phone (360) 902-5503.

Michael Silverstein  
Assistant Director

Christine Swanson  
Legislative and  
Governmental Affairs Office

P.O. Box 45533, Olympia, WA 98504, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Billing Instructions link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail [mailto:sullikm@dshs.wa.gov](mailto:mailto:sullikm@dshs.wa.gov).

November 27, 2001

E. A. Myers, Acting Manager  
Regulatory Improvement Project

**WSR 01-24-062**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed November 30, 2001, 4:23 p.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: Numbered Memorandum 01-71 MAA.  
Subject: Clarification of policy regarding out-of-state services.

Effective Date: With date of memo - November 26, 2001.

Document Description: This numbered memorandum is a reminder of Medical Assistance Administration (MAA) regulations that govern out-of-state medical care for MAA clients under fee-for-service programs.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Numbered Memorandum link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

November 27, 2001

E. A. Myers, Manager

Rules and Publications Section

**WSR 01-24-063**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed November 30, 2001, 4:24 p.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: Billing Instructions.  
Subject: Physician-related services (RBRVS).  
Effective Date: November 1, 2001.

Document Description: These are billing instructions for physicians to use when billing for services rendered to medical assistance clients. Included in this document are definitions, noncovered services, programs (guidelines and limitations), sterilization/hysterectomy info, authorization, fee schedules, injections/modifiers, and billing claim form instructions.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support,

**WSR 01-24-068**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**

[Memorandum—November 30, 2001]

Schedule of Board of Natural Resources Regular Meetings  
for the Year of 2002

<u>Date</u>	<u>Time</u>	<u>Location</u>
January 2	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
February 5	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
March 5	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
April 2	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
May 7	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
June 4	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
July 2	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
August	No August Meeting	
September 3	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
October 1	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
November 5	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington
December 3	9:00 a.m.	Natural Resources Building Room 172 Olympia, Washington

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**NOTE: Meeting locations are subject to change.** For confirmation of meeting details, call the secretary to the Board of Natural Resources at (360) 902-1007.

**WSR 01-24-070**  
**NOTICE OF PUBLIC MEETINGS**  
**PIERCE COLLEGE**  
 [Memorandum—December 1, 2001]

**PIERCE COLLEGE BOARD OF TRUSTEES**  
**2002 REGULAR MEETING SCHEDULE**

The board of trustees of Community College District Number Eleven will hold their regular meetings on the second Wednesday of each month. These meetings will be open to the public and advertised accordingly (RCW 42.30.075). The president shall file, with the code reviser, a schedule of the time and place of such meetings on or before January of each year for publication in the Washington State Register.

**2002 REGULAR MEETING SCHEDULE**

DATE	TIME	LOCATION
January 9	12:30 p.m.	Lakewood City Hall
February 6	12:30 p.m.	Pierce College Puyallup <i>(Joint Lunch with Foundation Board)</i>
March 13	12:30 p.m.	Pierce College Fort Steilacoom
April 10	12:30 p.m.	Pierce College at McChord
May 8	12:30 p.m.	Puyallup City Operations Facility
June	(Date, time, and location to be announced at least twenty days prior)	
July 10	12:30 p.m.	Pierce College Fort Steilacoom
August	(No meeting is scheduled)	
September 11	12:30 p.m.	Pierce College Puyallup
October 9	12:30 p.m.	Pierce College Fort Steilacoom
November 13	12:30 p.m.	Pierce College Puyallup
December	(No meeting is scheduled)	

**PLEASE NOTE:** Special meetings may be called at any time by the chairperson or a majority vote of the board. All special meetings will be publicly advertised at least twenty-four hours prior to being convened. A lunch and study session will take place at 11:30 a.m. prior to each board meeting.

**WSR 01-24-071**  
**NOTICE OF PUBLIC MEETINGS**  
**EASTERN WASHINGTON UNIVERSITY**  
 [Memorandum—December 1, 2001]

**EASTERN WASHINGTON UNIVERSITY**  
**BOARD OF TRUSTEES**  
**December 7, 2001**  
**Executive Session at 12:00 p.m.**  
**Open Public Meeting at 1:15 p.m.**

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 01-24-072**  
**NOTICE OF PUBLIC MEETINGS**  
**THE EVERGREEN STATE COLLEGE**  
 [Memorandum—December 1, 2001]

**2002 BOARD OF TRUSTEES MEETING SCHEDULE**

The board of trustees of The Evergreen State College will hold regular meetings on the following dates in 2002 at 9:00 a.m. in Room 3112 of the Daniel J. Evans Library Building on The Evergreen State College Campus (unless otherwise specified).

BOARD MEETINGS DATES	ADJACENT ACTIVITY
All meetings begin at 9 a.m. unless otherwise noted	Education/planning sessions begin at 10 a.m. unless otherwise noted
Wednesday, January 9, 2002	Educational/planning session on Tuesday, January 8, 2002
Wednesday, March 13, 2002	Educational/planning session on Tuesday, March 12 on the TESC Tacoma campus located at 1210 6th Avenue, Tacoma
Wednesday, May 8, 2002	Educational/planning session on Tuesday, May 7
Thursday, June 13, 2002	
Wednesday, July 10, 2002	Executive session evaluation for presidential review at 3:00 p.m. on July 9
Wednesday, September 18, 2002	
Wednesday, November 13, 2002	Educational/planning session on Tuesday, November 12

Notices of special meetings called, if any, will be published on campus and in the local newspapers.

**WSR 01-24-073**  
**ATTORNEY GENERAL'S OFFICE**  
 [Filed December 3, 2001, 10:51 a.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION**  
**WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by December 26, 2001. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are

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interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

**01-11-01 Request by Mike Kreidler, State Insurance Commissioner**

1. Does OIC (office of insurance commissioner) have authority to regulate whether a carrier may charge the enrollee/employee who desires prescription contraceptive coverage for the coverage and the authority to regulate the amount of such charge? 2. May OIC require that a carrier recover the cost of a conscientiously objecting employer's enrollee/employees' prescription contraceptive coverage by including that cost as an administrative expense component in its rate setting actuarial analysis rather than charging a separate amount to each enrollee/employee who desires the coverage? Or does the carrier have the right to charge each enrollee/employee who desires the coverage for the cost of that coverage? 3. If carriers have the right to charge each enrollee/employee for the cost of their prescription contraceptive coverage, can OIC prohibit any such charge until and unless the carrier establishes that the total revenue from its charges to individual enrollees for such coverage exceeds its total costs from imposing and collecting such individual sums? 4. If carriers have the right to charge each enrollee/employee the cost of their prescription contraceptive coverage, does OIC have the authority to: (a) disapprove a charge to enrollee/employees unless it is supported by appropriate and sufficient actuarial data and analysis establishing the need for and amount of such charge? (b) disapprove a charge to enrollee/employees unless it reaches the actuarial level of certainty necessary to support and justify a rate increase by the charging health carrier? (c) where the cost to a carrier of providing coverage of prescription contraceptives to the enrollee/employees of its conscientiously objecting employer/purchasers is sufficiently de minimis as to not justify a rate increase for that carrier, may OIC prohibit the carrier from charging each enrollee/employee the cost of their prescription contraceptive coverage?

The meetings are scheduled to begin at 1:00 p.m. on the third Thursday of February, May, August, and November at the Labor and Industries Headquarters Building, Room S130, 7273 Linderson Way S.W., Tumwater, WA.

The dates are as follows:

- February 21, 2002
- May 16, 2002
- August 15, 2002
- November 21, 2002

If you need further information, please contact Candy Peppard, Administrative Secretary, at (360) 902-5245 or pepp235@lni.wa.gov.

**WSR 01-24-087**

**DEPARTMENT OF ECOLOGY**

[Filed December 4, 2001, 11:18 a.m.]

**Commercial Low-Level Radioactive Waste Site Use Permit Fees**

In accordance with chapter 173-326 WAC, Commercial low-level radioactive waste disposal—Site use permits, the Department of Ecology is providing notice of the site use permit fees for the period of March 1, 2002, through February 28, 2003. The annual base fee, 1x, has been set at \$411. Site use permit fees for each category are as follows:

<u>CATEGORY</u>	<u>FACTOR</u>	<u>FEE</u>
< 50 cubic feet	1x	\$411
≥50 < 500 cubic feet	2x	\$822
≥500 < 1,000 cubic feet	5x	\$2,055
≥1,000 < 2,500 cubic feet	10x	\$4,110
≥2,500 cubic feet	35x	\$14,385
Nuclear Utilities	100x	\$41,100

For further information please contact Mike Garner at (360) 407-7102.

**WSR 01-24-075**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

(Factory Assembled Structures Advisory Board)

[Memorandum—December 3, 2001]

**Factory Assembled Structures Board Meetings - 2002**

In accordance with chapter 42.30 RCW, Open Public Meetings Act, the time and place of regular meetings for the FAS Advisory Board for 2002 have been scheduled.

**WSR 01-24-090**

**NOTICE OF PUBLIC MEETINGS  
SHORELINE COMMUNITY COLLEGE**

[Memorandum—November 30, 2001]

The board of trustees of Shoreline Community College will hold a special meeting on Wednesday, December 12, 2001, beginning at 3:00 p.m. in the Administration Building (1000) Board Room.

Please call (206) 546-4552 or e-mail Michele Foley at mfoley@ctc.edu if you have further information.

MISC.



**WSR 01-24-098**  
**NOTICE OF PUBLIC MEETINGS**  
**EXECUTIVE ETHICS BOARD**

[Memorandum—December 3, 2001]

**Executive Ethics Board 2002 Meeting Schedule**

The following is the Executive Ethics Board meeting schedule for the year 2002. The Executive Ethics Board will hold regular monthly meetings on the second Friday of each month beginning at 10:30 a.m., with the exceptions of August and December, when no meetings are scheduled, or indicated otherwise.

January 11	Tukwila	12806 Gateway Drive (L&I field service location)
February 8	Lacey	4224 6th Avenue S.E. Building 1 (AGO Conference Center)
March 8	Olympia	2425 Bristol Court S.W. (Conference Room 148)
April 12	Tukwila	12806 Gateway Drive (L&I field service location)
May 10	Olympia	2425 Bristol Court S.W. (Conference Room 148)
June 14	Tukwila	12806 Gateway Drive (L&I field service location)
July 12	Olympia	2425 Bristol Court S.W. (Conference Room 148)
September 13	Tukwila	12806 Gateway Drive (L&I field service location)
October 11	Olympia	2425 Bristol Court S.W. (Conference Room 148)
November 8	Tukwila	12806 Gateway Drive (L&I field service location)

Meeting agendas and other information may be accessed five to seven days prior to the meeting at <http://www.wa.gov/ethics>.

For additional information or reasonable accommodations to attend meetings, please contact board staff at (360) 586-3265. Reasonable accommodation requests should be made at least ten working days prior to the scheduled meeting date.

**WSR 01-24-108**  
**NOTICE OF PUBLIC MEETINGS**  
**CONSERVATION COMMISSION**

[Memorandum—November 29, 2001]

WAC 135-04-020 provides that the Washington State Conservation Commission shall hold regular bimonthly meetings on the third Thursday of the month at various locations in the state of Washington. The schedule for 2002 was adopted by the Conservation Commission at its November 28, 2001, regular meeting held in Bellingham, Washington.

The 2002 regular meeting schedule for the Conservation Commission will be:

- Wednesday, January 16, 2002
- Thursday, March 21, 2002
- Thursday, May 16, 2002
- Thursday, July 18, 2002
- Thursday, September 19, 2002
- Wednesday, December 4, 2002

For further information, contact Vicki Flynn, Conservation Commission, P.O. Box 47721, Olympia, WA 98504-7721, phone (360) 407-6202.

**WSR 01-24-109**  
**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**

[Memorandum—November 30, 2001]

**EDMONDS COMMUNITY COLLEGE**  
**BOARD OF TRUSTEES**  
**NOTICE OF SPECIAL MEETINGS**  
**TO MEDIA/OTHER**

- December 5, 2001\* Edmonds Community College Board of Trustees and Federation of Teachers Joint Dinner, EdCC, Brier Hall, 20000 68th Avenue West, Lynnwood, WA, 5:30 - 7:30 p.m. *Purpose: Joint Dinner for Board of Trustees and Federation of Teachers Officers.*
- December 7, 2001\* Edmonds Community College Holiday Social, at the home of Jack Oharah, 1219 183rd Street S.W., Lynnwood, WA. *Purpose: Holiday social for EdCC staff and Board of Trustees.*
- December 9, 2001\* Holiday Open House at the home of EdCC Trustee Mary Helen Roberts, 6710 128th Street S.W., Edmonds, WA. *Purpose: Open House for invited EdCC staff and Board of Trustees.*
- December 13, 2001\* Edmonds Community College Board of Trustees and President's Cabinet Study Session, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 1:30 - 3:30 p.m. *Purpose: To discuss enrollment trends.*

MISC.

December 13, 2001      Edmonds Community College  
 Board of Trustees Special Board  
 Meeting, EdCC, Snohomish Hall,  
 Room 304, 20226 68th Avenue  
 West, Lynnwood, WA, 4:00 p.m.  
*Purpose: To address routine col-  
 lege business.*

\*This event is schedule scheduled as a special meeting,  
 which is a study session where no action will be taken.

**WSR 01-24-110**  
**NOTICE OF PUBLIC MEETINGS**  
**WALLA WALLA**  
**COMMUNITY COLLEGE**  
 [Memorandum—November 30, 2001]

The following schedule of regular meetings of the board  
 of trustees of Walla Walla Community College for 2002 was  
 adopted at their meeting on November 21, 2001. Time of the  
 meetings will be 9:30 a.m. unless otherwise advised.

2002 MEETING SCHEDULE  
 FOR  
 WALLA WALLA COMMUNITY COLLEGE  
 BOARD OF TRUSTEES

WWCC Board Room  
 (Meeting times are at 9:30 a.m. unless otherwise advised)

- Wednesday, January 16, 2002
- Wednesday, February 20, 2002
- Wednesday, March 13, 2002
- Wednesday, April 17, 2002; **10 a.m.... Clarkston**
- Wednesday, May 15, 2002
- Wednesday, June 26, 2002
- Wednesday, July 17, 2002....(optional)
- Wednesday, August 21, 2002....(optional)
- Wednesday, September 18, 2002
- Wednesday, October 16, 2002
- Wednesday, November 13, 2002
- Wednesday, December 11, 2002

MISC.

**Table of WAC Sections Affected**

**KEY TO TABLE**

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

**Symbols:**

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJECT = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind of existing section
- REVIEW = Review of previously adopted rule
- SUSP = Suspending an existing section

**Suffixes:**

- C = Continuance of previous proposal
- E = Emergency action
- P = Proposed action
- S = Supplemental notice
- W = Withdrawal of proposed action
- X = Expedited rule making
- 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- 21-010	AMD-X	01-16-107	4- 25-610	AMD-P	01-15-087	4- 25-721	AMD-S	01-23-088
1- 21-010	AMD	01-20-090	4- 25-610	AMD-S	01-23-088	4- 25-722	REP-P	01-07-043
1- 21-015	NEW-X	01-16-107	4- 25-620	REP-P	01-07-037	4- 25-722	REP-W	01-11-123
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16-602-045	REP-P	01-08-087	51- 04-040	AMD-C	01-18-042	51- 11-1412	AMD-P	01-16-120
16-602-045	REP	01-11-146	51- 11	AMD-C	01-18-042	51- 11-1413	AMD-P	01-16-120
16-602-050	AMD-P	01-08-087	51- 11-0101	AMD	01-03-010	51- 11-1414	AMD	01-03-010
16-602-050	AMD	01-11-146	51- 11-0201	AMD	01-03-010	51- 11-1415	AMD	01-03-010
16-662-105	AMD-P	01-11-045	51- 11-0502	AMD	01-03-010	51- 11-1416	NEW	01-03-010
16-662-105	AMD	01-16-005	51- 11-0502	AMD-P	01-16-120	51- 11-1423	AMD	01-03-010
16-662-110	AMD-P	01-11-045	51- 11-0503	AMD	01-03-010	51- 11-1423	AMD-P	01-16-120
16-662-110	AMD	01-16-005	51- 11-0503	AMD-P	01-16-120	51- 11-1433	AMD	01-03-010
16-695	PREP	01-20-099	51- 11-0504	AMD	01-03-010	51- 11-1433	AMD-P	01-16-120
16-750	PREP	01-12-078	51- 11-0505	AMD	01-03-010	51- 11-1435	AMD	01-03-010
16-750-011	AMD-P	01-20-115	51- 11-0530	AMD	01-03-010	51- 11-1437	AMD-P	01-16-120
16-750-011	AMD	01-24-035	51- 11-0530	AMD-P	01-16-120	51- 11-1438	AMD	01-03-010
16-750-015	AMD-P	01-20-115	51- 11-0533	AMD-P	01-16-120	51- 11-1439	NEW	01-03-010
16-750-015	AMD	01-24-035	51- 11-0534	AMD-P	01-16-120	51- 11-1443	NEW	01-03-010
24- 12-010	AMD-E	01-18-063	51- 11-0535	AMD-P	01-16-120	51- 11-1452	AMD-P	01-16-120
36- 12	PREP	01-22-061	51- 11-0536	AMD-P	01-16-120	51- 11-1454	AMD	01-03-010
36- 12-010	REP-P	01-23-085	51- 11-0537	AMD-P	01-16-120	51- 11-1454	AMD-P	01-16-120
36- 12-011	AMD-P	01-23-085	51- 11-0601	AMD	01-03-010	51- 11-1512	AMD	01-03-010
36- 12-020	AMD-P	01-23-085	51- 11-0601	AMD-P	01-16-120	51- 11-1513	AMD	01-03-010
36- 12-030	AMD-P	01-23-085	51- 11-0602	AMD-W	01-07-073	51- 11-1521	AMD	01-03-010
36- 12-040	AMD-P	01-23-085	51- 11-0602	AMD-P	01-16-120	51- 11-1530	AMD	01-03-010
36- 12-050	AMD-P	01-23-085	51- 11-0603	AMD-P	01-16-120	51- 11-1531	AMD	01-03-010
36- 12-060	REP-P	01-23-085	51- 11-0604	AMD	01-03-010	51- 11-1532	AMD	01-03-010
36- 12-070	AMD-P	01-23-085	51- 11-0605	AMD	01-03-010	51- 11-1701	REP	01-03-010
36- 12-080	REP-P	01-23-085	51- 11-0625	AMD	01-03-010	51- 11-2000	REP	01-03-010
36- 12-100	AMD-P	01-23-085	51- 11-0625	AMD-P	01-16-120	51- 11-2001	REP	01-03-010
36- 12-110	AMD-P	01-23-085	51- 11-0626	AMD	01-03-010	51- 11-2002	REP	01-03-010
36- 12-120	REP-P	01-23-085	51- 11-0626	AMD-P	01-16-120	51- 11-2003	REP	01-03-010
36- 12-130	AMD-P	01-23-085	51- 11-0627	AMD	01-03-010	51- 11-2004	REP	01-03-010
36- 12-140	AMD-P	01-23-085	51- 11-0627	AMD-P	01-16-120	51- 11-2005	REP	01-03-010
36- 12-150	AMD-P	01-23-085	51- 11-0628	AMD	01-03-010	51- 11-2007	REP	01-03-010
36- 12-160	REP-P	01-23-085	51- 11-0628	AMD-P	01-16-120	51- 11-2008	REP	01-03-010
36- 12-170	AMD-P	01-23-085	51- 11-0629	AMD-P	01-16-120	51- 11-2009	REP	01-03-010
36- 12-190	AMD-P	01-23-085	51- 11-0630	AMD	01-03-010	51- 11-99902	AMD	01-03-010
36- 12-195	AMD-P	01-17-093	51- 11-0630	AMD-P	01-16-120	51- 11-99903	AMD	01-03-010
36- 12-195	AMD	01-22-029	51- 11-0701	AMD	01-03-010	51- 11-99904	AMD	01-03-010
36- 12-196	NEW-P	01-17-093	51- 11-0900	AMD-P	01-16-120	51- 13-101	AMD	01-02-099
36- 12-196	NEW	01-22-029	51- 11-1001	AMD	01-03-010	51- 13-301	AMD	01-02-099
36- 12-200	AMD-P	01-23-085	51- 11-1002	AMD	01-03-010	51- 13-302	AMD	01-02-099
36- 12-210	REP-P	01-23-085	51- 11-1003	AMD	01-03-010	51- 13-303	AMD	01-02-099
36- 12-220	REP-P	01-23-085	51- 11-1004	AMD	01-03-010	51- 13-304	AMD	01-02-099
36- 12-240	AMD-P	01-23-085	51- 11-1005	AMD	01-03-010	51- 13-503	AMD	01-02-099
36- 12-250	AMD-P	01-23-085	51- 11-1006	AMD	01-03-010	51- 40-0200	AMD	01-02-095
36- 12-260	AMD-P	01-23-085	51- 11-1006	AMD-P	01-16-120	51- 40-0202	PREP	01-23-039
36- 12-270	AMD-P	01-23-085	51- 11-1007	AMD	01-03-010	51- 40-0310	AMD	01-02-095
36- 12-280	AMD-P	01-23-085	51- 11-1008	AMD	01-03-010	51- 40-0310	PREP	01-23-039
36- 12-285	NEW-P	01-23-085	51- 11-1009	AMD	01-03-010	51- 40-0313	AMD	01-02-095
36- 12-290	AMD-P	01-23-085	51- 11-1132	AMD	01-03-010	51- 40-0403	AMD-W	01-05-028
36- 12-300	AMD-P	01-23-085	51- 11-1201	REP	01-03-010	51- 40-0804	AMD-W	01-05-028
36- 12-310	AMD-P	01-23-085	51- 11-1210	REP	01-03-010	51- 40-0902	AMD	01-02-095
36- 12-320	AMD-P	01-23-085	51- 11-1312	AMD	01-03-010	51- 40-1003	AMD	01-02-095
36- 12-330	REP-P	01-23-085	51- 11-1313	AMD	01-03-010	51- 40-1004	AMD	01-02-095
36- 12-340	REP-P	01-23-085	51- 11-1322	AMD	01-03-010	51- 40-1103	AMD-W	01-05-028

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-40-1104	AMD	01-02-095	51-46-003	REP-P	01-16-122	51-46-0514	REP-P	01-16-122
51-40-1105	AMD	01-02-095	51-46-007	REP-W	01-05-029	51-46-0515	REP-W	01-05-029
51-40-1106	AMD	01-02-095	51-46-007	REP-P	01-16-122	51-46-0515	REP-P	01-16-122
51-40-1202	NEW	01-02-095	51-46-008	REP-W	01-05-029	51-46-0516	REP-W	01-05-029
51-40-1203	AMD	01-02-095	51-46-008	REP-P	01-16-122	51-46-0516	REP-P	01-16-122
51-40-1505	NEW-W	01-05-028	51-46-0100	REP-W	01-05-029	51-46-0517	REP-W	01-05-029
51-40-1600	NEW-W	01-05-028	51-46-0100	REP-P	01-16-122	51-46-0517	REP-P	01-16-122
51-40-1616	AMD-W	01-05-028	51-46-0101	REP-W	01-05-029	51-46-0518	REP-W	01-05-029
51-40-1700	NEW-W	01-05-028	51-46-0101	REP-P	01-16-122	51-46-0518	REP-P	01-16-122
51-40-1800	NEW-W	01-05-028	51-46-0102	REP-W	01-05-029	51-46-0519	REP-W	01-05-029
51-40-1900	NEW-W	01-05-028	51-46-0102	REP-P	01-16-122	51-46-0519	REP-P	01-16-122
51-40-2000	NEW-W	01-05-028	51-46-0103	REP-W	01-05-029	51-46-0520	REP-W	01-05-029
51-40-2100	NEW-W	01-05-028	51-46-0103	REP-P	01-16-122	51-46-0520	REP-P	01-16-122
51-40-2106	NEW-W	01-05-028	51-46-0200	AMD	01-02-097	51-46-0521	REP-W	01-05-029
51-40-2200	NEW-W	01-05-028	51-46-0200	REP-P	01-16-122	51-46-0521	REP-P	01-16-122
51-40-2300	NEW-W	01-05-028	51-46-0205	REP-W	01-05-029	51-46-0522	REP-W	01-05-029
51-40-2900	AMD	01-02-095	51-46-0205	REP-P	01-16-122	51-46-0522	REP-P	01-16-122
51-40-2929	AMD-W	01-05-028	51-46-0215	REP-W	01-05-029	51-46-0523	REP-W	01-05-029
51-40-3102	AMD	01-02-095	51-46-0215	REP-P	01-16-122	51-46-0523	REP-P	01-16-122
51-40-31200	AMD	01-02-095	51-46-0218	REP-W	01-05-029	51-46-0524	REP-W	01-05-029
51-42-0405	NEW	01-02-098	51-46-0218	REP-P	01-16-122	51-46-0524	REP-P	01-16-122
51-42-1101	AMD-W	01-05-030	51-46-0300	REP-W	01-05-029	51-46-0525	REP-W	01-05-029
51-42-1103	AMD	01-02-098	51-46-0300	REP-P	01-16-122	51-46-0525	REP-P	01-16-122
51-42-1105	AMD	01-02-098	51-46-0301	REP-W	01-05-029	51-46-0600	REP-W	01-05-029
51-42-1109	NEW	01-02-098	51-46-0301	REP-P	01-16-122	51-46-0600	REP-P	01-16-122
51-42-1110	NEW	01-02-098	51-46-0310	REP-W	01-05-029	51-46-0603	AMD	01-02-097
51-42-1111	NEW	01-02-098	51-46-0310	REP-P	01-16-122	51-46-0603	REP-P	01-16-122
51-42-1112	NEW	01-02-098	51-46-0311	REP-W	01-05-029	51-46-0604	REP-W	01-05-029
51-42-1113	NEW	01-02-098	51-46-0311	REP-P	01-16-122	51-46-0604	REP-P	01-16-122
51-42-1114	NEW	01-02-098	51-46-0313	REP-W	01-05-029	51-46-0608	REP-W	01-05-029
51-42-1115	NEW	01-02-098	51-46-0313	REP-P	01-16-122	51-46-0608	REP-P	01-16-122
51-42-1116	NEW	01-02-098	51-46-0314	REP-W	01-05-029	51-46-0609	REP-W	01-05-029
51-42-1117	NEW	01-02-098	51-46-0314	REP-P	01-16-122	51-46-0609	REP-P	01-16-122
51-42-1118	NEW	01-02-098	51-46-0316	REP-W	01-05-029	51-46-0610	REP-W	01-05-029
51-42-1119	NEW	01-02-098	51-46-0316	REP-P	01-16-122	51-46-0610	REP-P	01-16-122
51-42-1120	NEW	01-02-098	51-46-0392	REP-W	01-05-029	51-46-0700	REP-W	01-05-029
51-42-1121	NEW	01-02-098	51-46-0392	REP-P	01-16-122	51-46-0700	REP-P	01-16-122
51-42-1122	NEW	01-02-098	51-46-0400	REP-W	01-05-029	51-46-0701	REP-W	01-05-029
51-42-1123	NEW	01-02-098	51-46-0400	REP-P	01-16-122	51-46-0701	REP-P	01-16-122
51-42-1124	NEW	01-02-098	51-46-0402	REP-W	01-05-029	51-46-0704	REP-W	01-05-029
51-42-1126	NEW	01-02-098	51-46-0402	REP-P	01-16-122	51-46-0704	REP-P	01-16-122
51-42-1301	NEW	01-02-098	51-46-0412	REP-W	01-05-029	51-46-0710	REP-W	01-05-029
51-44-0103	AMD	01-02-096	51-46-0412	REP-P	01-16-122	51-46-0710	REP-P	01-16-122
51-44-0105	NEW	01-02-096	51-46-0413	REP-W	01-05-029	51-46-0713	REP-W	01-05-029
51-44-0200	AMD	01-02-096	51-46-0413	REP-P	01-16-122	51-46-0713	REP-P	01-16-122
51-44-1007	AMD	01-02-096	51-46-0500	REP-W	01-05-029	51-46-0793	REP-W	01-05-029
51-44-1102	NEW	01-02-096	51-46-0500	REP-P	01-16-122	51-46-0793	REP-P	01-16-122
51-44-1109	AMD	01-02-096	51-46-0501	REP-W	01-05-029	51-46-0800	REP-W	01-05-029
51-44-2500	AMD	01-02-096	51-46-0501	REP-P	01-16-122	51-46-0800	REP-P	01-16-122
51-44-5200	AMD	01-02-096	51-46-0502	REP-W	01-05-029	51-46-0810	REP-W	01-05-029
51-44-6100	AMD-W	01-05-031	51-46-0502	REP-P	01-16-122	51-46-0810	REP-P	01-16-122
51-44-6300	AMD-W	01-05-031	51-46-0505	REP-W	01-05-029	51-46-0814	REP-W	01-05-029
51-44-7900	AMD	01-02-096	51-46-0505	REP-P	01-16-122	51-46-0814	REP-P	01-16-122
51-44-8000	AMD-W	01-05-031	51-46-0507	REP-W	01-05-029	51-46-0815	REP-W	01-05-029
51-44-8102	NEW-S	01-05-031	51-46-0507	REP-P	01-16-122	51-46-0815	REP-P	01-16-122
51-45-10100	NEW-W	01-05-031	51-46-0509	REP-W	01-05-029	51-46-0900	REP-W	01-05-029
51-46	REP-C	01-18-042	51-46-0509	REP-P	01-16-122	51-46-0900	REP-P	01-16-122
51-46-001	REP-W	01-05-029	51-46-0512	REP-W	01-05-029	51-46-0903	REP-W	01-05-029
51-46-001	REP-P	01-16-122	51-46-0512	REP-P	01-16-122	51-46-0903	REP-P	01-16-122
51-46-002	REP-W	01-05-029	51-46-0513	REP-W	01-05-029	51-46-1000	REP-W	01-05-029
51-46-002	REP-P	01-16-122	51-46-0513	REP-P	01-16-122	51-46-1000	REP-P	01-16-122
51-46-003	REP-W	01-05-029	51-46-0514	REP-W	01-05-029	51-46-1003	REP-W	01-05-029

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-46-1003	REP-P	01-16-122	51-56-008	NEW-P	01-16-122	72-120-300	NEW-P	01-09-057
51-46-1012	REP-W	01-05-029	51-56-0100	NEW-W	01-05-029	72-120-300	NEW	01-16-023
51-46-1012	REP-P	01-16-122	51-56-0100	NEW-P	01-16-122	72-120-301	NEW-P	01-09-057
51-46-1300	REP-W	01-05-029	51-56-0200	NEW-W	01-05-029	72-120-301	NEW	01-16-023
51-46-1300	REP-P	01-16-122	51-56-0200	NEW-P	01-16-122	72-120-302	NEW-P	01-09-057
51-46-1301	REP-W	01-05-029	51-56-0300	NEW-W	01-05-029	72-120-302	NEW	01-16-023
51-46-1301	REP-P	01-16-122	51-56-0300	NEW-P	01-16-122	72-120-303	NEW-P	01-09-057
51-46-1302	REP-W	01-05-029	51-56-0400	NEW-W	01-05-029	72-120-303	NEW	01-16-023
51-46-1302	REP-P	01-16-122	51-56-0400	NEW-P	01-16-122	72-120-304	NEW-P	01-09-057
51-46-1303	REP-W	01-05-029	51-56-0500	NEW-W	01-05-029	72-120-304	NEW	01-16-023
51-46-1303	REP-P	01-16-122	51-56-0500	NEW-P	01-16-122	72-120-305	NEW-P	01-09-057
51-46-1304	REP-W	01-05-029	51-56-0600	NEW-W	01-05-029	72-120-305	NEW	01-16-023
51-46-1304	REP-P	01-16-122	51-56-0600	NEW-P	01-16-122	72-120-306	NEW-P	01-09-057
51-46-1305	REP-W	01-05-029	51-56-0700	NEW-W	01-05-029	72-120-306	NEW	01-16-023
51-46-1305	REP-P	01-16-122	51-56-0700	NEW-P	01-16-122	72-120-307	NEW-P	01-09-057
51-46-1400	REP-W	01-05-029	51-56-0800	NEW-W	01-05-029	72-120-307	NEW	01-16-023
51-46-1400	REP-P	01-16-122	51-56-0800	NEW-P	01-16-122	72-120-308	NEW-P	01-09-057
51-46-1401	REP-W	01-05-029	51-56-0900	NEW-W	01-05-029	72-120-308	NEW	01-16-023
51-46-1401	REP-P	01-16-122	51-56-0900	NEW-P	01-16-122	72-120-309	NEW-P	01-09-057
51-46-1491	REP-W	01-05-029	51-56-1300	NEW-W	01-05-029	72-120-309	NEW	01-16-023
51-46-1491	REP-P	01-16-122	51-56-1300	NEW-P	01-16-122	72-120-310	NEW-P	01-09-057
51-46-97120	REP-W	01-05-029	51-56-1400	NEW-W	01-05-029	72-120-310	NEW	01-16-023
51-46-97120	REP-P	01-16-122	51-56-1400	NEW-P	01-16-122	72-120-311	NEW-P	01-09-057
51-46-97121	REP-W	01-05-029	51-56-1500	NEW-W	01-05-029	72-120-311	NEW	01-16-023
51-46-97121	REP-P	01-16-122	51-56-1500	NEW-P	01-16-122	72-120-312	NEW-P	01-09-057
51-46-97122	REP-W	01-05-029	51-56-201300	NEW-W	01-05-029	72-120-312	NEW	01-16-023
51-46-97122	REP-P	01-16-122	51-56-201300	NEW-P	01-16-122	72-120-313	NEW-P	01-09-057
51-46-97123	REP-W	01-05-029	51-57	AMD-C	01-18-042	72-120-313	NEW	01-16-023
51-46-97123	REP-P	01-16-122	51-57-001	NEW-W	01-05-029	72-120-314	NEW-P	01-09-057
51-46-97124	REP-W	01-05-029	51-57-001	NEW-P	01-16-122	72-120-314	NEW	01-16-023
51-46-97124	REP-P	01-16-122	51-57-002	NEW-W	01-05-029	72-171-001	AMD-P	01-09-019
51-46-97125	REP-W	01-05-029	51-57-002	NEW-P	01-16-122	72-171-001	AMD	01-16-022
51-46-97125	REP-P	01-16-122	51-57-003	NEW-W	01-05-029	72-171-010	AMD-P	01-09-019
51-46-97126	REP-W	01-05-029	51-57-003	NEW-P	01-16-122	72-171-010	AMD	01-16-022
51-46-97126	REP-P	01-16-122	51-57-007	NEW-W	01-05-029	72-171-015	AMD-P	01-09-019
51-46-97127	REP-W	01-05-029	51-57-007	NEW-P	01-16-122	72-171-015	AMD	01-16-022
51-46-97127	REP-P	01-16-122	51-57-008	NEW-W	01-05-029	72-171-016	AMD-P	01-09-019
51-46-97128	REP-W	01-05-029	51-57-008	NEW-P	01-16-122	72-171-016	AMD	01-16-022
51-46-97128	REP-P	01-16-122	51-57-790000	NEW-W	01-05-029	72-171-100	REP-P	01-09-019
51-46-97129	REP-W	01-05-029	51-57-790000	NEW-P	01-16-122	72-171-100	REP	01-16-022
51-46-97129	REP-P	01-16-122	51-57-895000	NEW-W	01-05-029	72-171-110	AMD-P	01-09-019
51-47	REP-C	01-18-042	51-57-895000	NEW-P	01-16-122	72-171-110	AMD	01-16-022
51-47-001	REP-W	01-05-029	67-25-460	NEW-P	01-14-064	72-171-120	AMD-P	01-09-019
51-47-001	REP-P	01-16-122	67-25-460	NEW	01-21-073	72-171-120	AMD	01-16-022
51-47-002	REP-W	01-05-029	67-25-470	NEW-P	01-14-064	72-171-130	REP-P	01-09-019
51-47-002	REP-P	01-16-122	67-25-470	NEW	01-21-073	72-171-130	REP	01-16-022
51-47-003	REP-W	01-05-029	67-25-480	NEW-P	01-14-064	72-171-131	NEW-P	01-09-019
51-47-003	REP-P	01-16-122	67-25-480	NEW	01-21-073	72-171-131	NEW	01-16-022
51-47-007	REP-W	01-05-029	72-120-100	AMD-P	01-09-057	72-171-140	AMD-P	01-09-019
51-47-007	REP-P	01-16-122	72-120-100	AMD	01-16-023	72-171-140	AMD	01-16-022
51-47-008	REP-W	01-05-029	72-120-200	AMD-P	01-09-057	72-171-150	AMD-P	01-09-019
51-47-008	REP-P	01-16-122	72-120-200	AMD	01-16-023	72-171-150	AMD	01-16-022
51-56	AMD-C	01-18-042	72-120-220	AMD-P	01-09-057	72-171-200	REP-P	01-09-019
51-56-001	NEW-W	01-05-029	72-120-220	AMD	01-16-023	72-171-200	REP	01-16-022
51-56-001	NEW-P	01-16-122	72-120-225	AMD-P	01-09-057	72-171-210	AMD-P	01-09-019
51-56-002	NEW-W	01-05-029	72-120-225	AMD	01-16-023	72-171-210	AMD	01-16-022
51-56-002	NEW-P	01-16-122	72-120-230	AMD-P	01-09-057	72-171-220	AMD-P	01-09-019
51-56-003	NEW-W	01-05-029	72-120-230	AMD	01-16-023	72-171-220	AMD	01-16-022
51-56-003	NEW-P	01-16-122	72-120-234	AMD-P	01-09-057	72-171-230	AMD-P	01-09-019
51-56-007	NEW-W	01-05-029	72-120-234	AMD	01-16-023	72-171-230	AMD	01-16-022
51-56-007	NEW-P	01-16-122	72-120-236	AMD-P	01-09-057	72-171-240	AMD-P	01-09-019
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72-171-244	NEW-P	01-09-019	131- 28-005	AMD	01-22-010	132L- 25	PREP	01-20-009
72-171-244	NEW	01-16-022	131- 28-010	AMD-P	01-16-119	132L- 26	PREP	01-20-009
72-171-400	REP-P	01-09-019	131- 28-010	AMD	01-22-010	132L-108	PREP	01-20-009
72-171-400	REP	01-16-022	131- 28-015	AMD-P	01-16-119	132L-117	PREP	01-20-009
72-171-410	AMD-P	01-09-019	131- 28-015	AMD	01-22-010	132L-120	PREP	01-20-009
72-171-410	AMD	01-16-022	131- 28-021	AMD-P	01-16-119	132L-133-020	PREP	01-20-009
72-171-420	REP-P	01-09-019	131- 28-021	AMD	01-22-010	132L-136	PREP	01-20-009
72-171-420	REP	01-16-022	131- 28-025	AMD-E	01-14-017	132L-140	PREP	01-20-009
72-171-430	REP-P	01-09-019	131- 28-025	AMD-P	01-16-119	132L-276	PREP	01-20-009
72-171-430	REP	01-16-022	131- 28-025	AMD	01-22-010	132L-280	PREP	01-20-009
72-171-500	AMD-P	01-09-019	131- 28-02501	AMD-P	01-16-119	132L-300	PREP	01-20-009
72-171-500	AMD	01-16-022	131- 28-02501	AMD	01-22-010	132N-144	PREP	01-18-026
72-171-510	AMD-P	01-09-019	131- 28-029	NEW-P	01-16-119	132N-144-010	REP-P	01-22-016
72-171-510	AMD	01-16-022	131- 28-029	NEW	01-22-010	132N-144-020	REP-P	01-22-016
72-171-512	NEW-P	01-09-019	132A-120-011	AMD-P	01-03-116	132N-150	PREP	01-18-026
72-171-512	NEW	01-16-022	132A-120-011	AMD	01-08-071	132N-150-010	NEW-P	01-22-016
72-171-514	NEW-P	01-09-019	132A-120-021	AMD-P	01-03-116	132N-150-020	NEW-P	01-22-016
72-171-514	NEW	01-16-022	132A-120-021	AMD	01-08-071	132N-150-030	NEW-P	01-22-016
72-171-550	NEW-P	01-09-019	132G-120-010	AMD-P	01-08-082	132N-150-040	NEW-P	01-22-016
72-171-550	NEW	01-16-022	132G-120-010	AMD	01-13-065	132N-150-050	NEW-P	01-22-016
72-171-600	REP-P	01-09-019	132G-120-015	NEW-P	01-08-082	132N-150-060	NEW-P	01-22-016
72-171-600	REP	01-16-022	132G-120-015	NEW	01-13-065	132N-150-070	NEW-P	01-22-016
72-171-601	NEW-P	01-09-019	132G-120-020	REP-P	01-08-082	132N-150-080	NEW-P	01-22-016
72-171-601	NEW	01-16-022	132G-120-020	REP	01-13-065	132N-150-090	NEW-P	01-22-016
72-171-605	NEW-P	01-09-019	132G-120-030	AMD-P	01-08-082	132N-150-100	NEW-P	01-22-016
72-171-605	NEW	01-16-022	132G-120-030	AMD	01-13-065	132N-150-110	NEW-P	01-22-016
72-171-610	REP-P	01-09-019	132G-120-040	AMD-P	01-08-082	132N-150-120	NEW-P	01-22-016
72-171-610	REP	01-16-022	132G-120-040	AMD	01-13-065	132N-150-130	NEW-P	01-22-016
72-171-620	REP-P	01-09-019	132G-120-060	AMD-P	01-08-082	132N-150-140	NEW-P	01-22-016
72-171-620	REP	01-16-022	132G-120-060	AMD	01-13-065	132N-150-150	NEW-P	01-22-016
72-171-630	REP-P	01-09-019	132G-120-061	AMD-P	01-08-082	132N-150-160	NEW-P	01-22-016
72-171-630	REP	01-16-022	132G-120-061	AMD	01-13-065	132N-150-170	NEW-P	01-22-016
72-171-640	REP-P	01-09-019	132G-120-062	AMD-P	01-08-082	132N-150-180	NEW-P	01-22-016
72-171-640	REP	01-16-022	132G-120-062	AMD	01-13-065	132N-150-190	NEW-P	01-22-016
72-171-650	AMD-P	01-09-019	132G-120-063	AMD-P	01-08-082	132N-150-200	NEW-P	01-22-016
72-171-650	AMD	01-16-022	132G-120-063	AMD	01-13-065	132N-150-210	NEW-P	01-22-016
72-171-700	REP-P	01-09-019	132G-120-064	AMD-P	01-08-082	132N-150-220	NEW-P	01-22-016
72-171-700	REP	01-16-022	132G-120-064	AMD	01-13-065	132N-150-230	NEW-P	01-22-016
72-171-710	NEW-P	01-09-019	132G-120-065	AMD-P	01-08-082	132N-150-240	NEW-P	01-22-016
72-171-710	NEW-W	01-10-018	132G-120-065	AMD	01-13-065	132N-150-250	NEW-P	01-22-016
72-171-710	NEW	01-16-022	132G-120-070	AMD-P	01-08-082	132N-150-260	NEW-P	01-22-016
82- 05-050	AMD-X	01-21-121	132G-120-070	AMD	01-13-065	132N-150-270	NEW-P	01-22-016
82- 50-021	AMD-P	01-09-085	132G-120-080	AMD-P	01-08-082	132N-150-280	NEW-P	01-22-016
82- 50-021	AMD	01-12-007	132G-120-080	AMD	01-13-065	132V-120-020	AMD-P	01-20-082
118- 68-010	NEW	01-09-045	132G-120-090	AMD-P	01-08-082	132V-120-020	AMD	01-24-004
118- 68-020	NEW	01-09-045	132G-120-090	AMD	01-13-065	132V-120-030	AMD-P	01-20-082
118- 68-030	NEW	01-09-045	132G-120-100	AMD-P	01-08-082	132V-120-030	AMD	01-24-004
118- 68-040	NEW	01-09-045	132G-120-100	AMD	01-13-065	132V-120-040	AMD-P	01-20-082
118- 68-050	NEW	01-09-045	132G-120-110	AMD-P	01-08-082	132V-120-040	AMD	01-24-004
118- 68-060	NEW	01-09-045	132G-120-110	AMD	01-13-065	132V-120-050	AMD-P	01-20-082
118- 68-070	NEW	01-09-045	132G-120-120	REP-P	01-08-082	132V-120-050	AMD	01-24-004
118- 68-080	NEW	01-09-045	132G-120-120	REP	01-13-065	132V-120-060	AMD-P	01-20-082
118- 68-090	NEW	01-09-045	132G-120-130	AMD-P	01-08-082	132V-120-060	AMD	01-24-004
130- 14-010	PREP	01-22-100	132G-120-130	AMD	01-13-065	132V-120-070	AMD-P	01-20-082
130- 14-020	PREP	01-22-100	132G-120-140	AMD-P	01-08-082	132V-120-070	AMD	01-24-004
130- 14-030	PREP	01-22-100	132G-120-140	AMD	01-13-065	132V-120-080	AMD-P	01-20-082
130- 14-040	PREP	01-22-100	132K-122-020	PREP	01-03-125	132V-120-080	AMD	01-24-004
130- 14-050	PREP	01-22-100	132K-122-020	AMD-P	01-07-062	132V-120-090	AMD-P	01-20-082
130- 14-060	PREP	01-22-100	132K-122-020	AMD	01-11-068	132V-120-090	AMD	01-24-004
130- 14-070	PREP	01-22-100	132K-122-100	PREP	01-03-126	132V-120-100	AMD-P	01-20-082

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132V-120-110	AMD-P	01-20-082	132W-104-040	REP	01-07-059	132W-108-250	REP-P	01-04-004
132V-120-110	AMD	01-24-004	132W-104-050	REP-P	01-04-004	132W-108-250	REP	01-07-059
132V-120-120	AMD-P	01-20-082	132W-104-050	REP	01-07-059	132W-108-260	REP-P	01-04-004
132V-120-120	AMD	01-24-004	132W-104-060	REP-P	01-04-004	132W-108-260	REP	01-07-059
132V-120-130	AMD-P	01-20-082	132W-104-060	REP	01-07-059	132W-108-270	REP-P	01-04-004
132V-120-130	AMD	01-24-004	132W-104-070	REP-P	01-04-004	132W-108-270	REP	01-07-059
132V-120-150	AMD-P	01-20-082	132W-104-070	REP	01-07-059	132W-108-280	REP-P	01-04-004
132V-120-150	AMD	01-24-004	132W-104-080	REP-P	01-04-004	132W-108-280	REP	01-07-059
132V-120-160	AMD-P	01-20-082	132W-104-080	REP	01-07-059	132W-108-290	REP-P	01-04-004
132V-120-160	AMD	01-24-004	132W-104-090	REP-P	01-04-004	132W-108-290	REP	01-07-059
132V-120-170	AMD-P	01-20-082	132W-104-090	REP	01-07-059	132W-108-300	REP-P	01-04-004
132V-120-170	AMD	01-24-004	132W-104-100	REP-P	01-04-004	132W-108-300	REP	01-07-059
132V-120-180	AMD-P	01-20-082	132W-104-100	REP	01-07-059	132W-108-310	REP-P	01-04-004
132V-120-180	AMD	01-24-004	132W-104-110	REP-P	01-04-004	132W-108-310	REP	01-07-059
132V-120-190	REP-P	01-20-082	132W-104-110	REP	01-07-059	132W-108-320	REP-P	01-04-004
132V-120-190	REP	01-24-004	132W-104-111	REP-P	01-04-004	132W-108-320	REP	01-07-059
132V-120-200	AMD-P	01-20-082	132W-104-111	REP	01-07-059	132W-108-330	REP-P	01-04-004
132V-120-200	AMD	01-24-004	132W-104-120	REP-P	01-04-004	132W-108-330	REP	01-07-059
132V-120-210	AMD-P	01-20-082	132W-104-120	REP	01-07-059	132W-108-340	REP-P	01-04-004
132V-120-210	AMD	01-24-004	132W-104-130	REP-P	01-04-004	132W-108-340	REP	01-07-059
132V-120-220	AMD-P	01-20-082	132W-104-130	REP	01-07-059	132W-108-350	REP-P	01-04-004
132V-120-220	AMD	01-24-004	132W-105-010	NEW-P	01-07-058	132W-108-350	REP	01-07-059
132V-120-240	AMD-P	01-20-082	132W-105-010	NEW	01-12-015	132W-108-360	REP-P	01-04-004
132V-120-240	AMD	01-24-004	132W-105-020	NEW-P	01-07-058	132W-108-360	REP	01-07-059
132V-120-241	NEW-P	01-20-082	132W-105-020	NEW	01-12-015	132W-108-400	REP-P	01-04-004
132V-120-241	NEW	01-24-004	132W-105-030	NEW-P	01-07-058	132W-108-400	REP	01-07-059
132V-120-245	NEW-P	01-20-082	132W-105-030	NEW	01-12-015	132W-108-410	REP-P	01-04-004
132V-120-245	NEW	01-24-004	132W-105-040	NEW-P	01-07-058	132W-108-410	REP	01-07-059
132V-120-250	REP-P	01-20-082	132W-105-040	NEW	01-12-015	132W-108-420	REP-P	01-04-004
132V-120-250	REP	01-24-004	132W-105-050	NEW-P	01-07-058	132W-108-420	REP	01-07-059
132V-120-270	AMD-P	01-20-082	132W-105-050	NEW	01-12-015	132W-108-430	REP-P	01-04-004
132V-120-270	AMD	01-24-004	132W-105-060	NEW-P	01-07-058	132W-108-430	REP	01-07-059
132V-120-280	AMD-P	01-20-082	132W-105-060	NEW	01-12-015	132W-108-440	REP-P	01-04-004
132V-120-280	AMD	01-24-004	132W-105-070	NEW-P	01-07-058	132W-108-440	REP	01-07-059
132V-120-290	AMD-P	01-20-082	132W-105-070	NEW	01-12-015	132W-108-450	REP-P	01-04-004
132V-120-290	AMD	01-24-004	132W-105-080	NEW-P	01-07-058	132W-108-450	REP	01-07-059
132V-120-330	REP-P	01-20-082	132W-105-080	NEW	01-12-015	132W-108-460	REP-P	01-04-004
132V-120-330	REP	01-24-004	132W-108	PREP	01-03-103	132W-108-460	REP	01-07-059
132V-300-010	AMD-P	01-20-083	132W-108-001	REP-P	01-04-004	132W-108-470	REP-P	01-04-004
132V-300-010	AMD	01-24-005	132W-108-001	REP	01-07-059	132W-108-470	REP	01-07-059
132V-300-020	AMD-P	01-20-083	132W-108-005	REP-P	01-04-004	132W-108-480	REP-P	01-04-004
132V-300-020	AMD	01-24-005	132W-108-005	REP	01-07-059	132W-108-480	REP	01-07-059
132V-300-030	AMD-P	01-20-083	132W-108-010	REP-P	01-04-004	132W-109-010	NEW-P	01-07-058
132V-300-030	AMD	01-24-005	132W-108-010	REP	01-07-059	132W-109-010	NEW	01-12-015
132V-300-035	NEW-P	01-20-083	132W-108-080	REP-P	01-04-004	132W-109-020	NEW-P	01-07-058
132V-300-035	NEW	01-24-005	132W-108-080	REP	01-07-059	132W-109-020	NEW	01-12-015
132V-400-010	AMD-P	01-20-084	132W-108-090	REP-P	01-04-004	132W-109-030	NEW-P	01-07-058
132V-400-010	AMD	01-24-006	132W-108-090	REP	01-07-059	132W-109-030	NEW	01-12-015
132V-400-020	AMD-P	01-20-084	132W-108-100	REP-P	01-04-004	132W-109-040	NEW-P	01-07-058
132V-400-020	AMD	01-24-006	132W-108-100	REP	01-07-059	132W-109-040	NEW	01-12-015
132V-400-030	AMD-P	01-20-084	132W-108-110	REP-P	01-04-004	132W-109-050	NEW-P	01-07-058
132V-400-030	AMD	01-24-006	132W-108-110	REP	01-07-059	132W-109-050	NEW	01-12-015
132V-400-040	AMD-P	01-20-084	132W-108-120	REP-P	01-04-004	132W-109-060	NEW-P	01-07-058
132V-400-040	AMD	01-24-006	132W-108-120	REP	01-07-059	132W-109-060	NEW	01-12-015
132W-104	PREP	01-03-103	132W-108-130	REP-P	01-04-004	132W-109-070	NEW-P	01-07-058
132W-104-010	REP-P	01-04-004	132W-108-130	REP	01-07-059	132W-109-070	NEW	01-12-015
132W-104-010	REP	01-07-059	132W-108-140	REP-P	01-04-004	132W-109-085	NEW-P	01-07-058
132W-104-020	REP-P	01-04-004	132W-108-140	REP	01-07-059	132W-109-085	NEW	01-12-015
132W-104-020	REP	01-07-059	132W-108-230	REP-P	01-04-004	132W-112	PREP	01-03-103
132W-104-030	REP-P	01-04-004	132W-108-230	REP	01-07-059	132W-112-001	NEW-P	01-07-058
132W-104-030	REP	01-07-059	132W-108-240	REP-P	01-04-004	132W-112-001	NEW	01-12-015

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132W-112-010	NEW	01-12-015	132W-115-180	NEW-P	01-07-058	132W-117-210	NEW	01-12-015
132W-112-020	NEW-P	01-07-058	132W-115-180	NEW	01-12-015	132W-117-220	NEW-P	01-07-058
132W-112-020	NEW	01-12-015	132W-115-190	NEW-P	01-07-058	132W-117-220	NEW	01-12-015
132W-112-030	NEW-P	01-07-058	132W-115-190	NEW	01-12-015	132W-117-230	NEW-P	01-07-058
132W-112-030	NEW	01-12-015	132W-115-200	NEW-P	01-07-058	132W-117-230	NEW	01-12-015
132W-112-040	NEW-P	01-07-058	132W-115-200	NEW	01-12-015	132W-117-240	NEW-P	01-07-058
132W-112-040	NEW	01-12-015	132W-115-210	NEW-P	01-07-058	132W-117-240	NEW	01-12-015
132W-112-050	NEW-P	01-07-058	132W-115-210	NEW	01-12-015	132W-117-250	NEW-P	01-07-058
132W-112-050	NEW	01-12-015	132W-115-220	NEW-P	01-07-058	132W-117-250	NEW	01-12-015
132W-112-060	NEW-P	01-07-058	132W-115-220	NEW	01-12-015	132W-117-260	NEW-P	01-07-058
132W-112-060	NEW	01-12-015	132W-116	PREP	01-03-103	132W-117-260	NEW	01-12-015
132W-112-070	NEW-P	01-07-058	132W-116-010	REP-P	01-04-004	132W-117-270	NEW-P	01-07-058
132W-112-070	NEW	01-12-015	132W-116-010	REP	01-07-059	132W-117-270	NEW	01-12-015
132W-112-080	NEW-P	01-07-058	132W-116-020	REP-P	01-04-004	132W-117-280	NEW-P	01-07-058
132W-112-080	NEW	01-12-015	132W-116-020	REP	01-07-059	132W-117-280	NEW	01-12-015
132W-112-090	NEW-P	01-07-058	132W-116-040	REP-P	01-04-004	132W-120-010	REP-P	01-04-004
132W-112-090	NEW	01-12-015	132W-116-040	REP	01-07-059	132W-120-010	REP	01-07-059
132W-112-100	NEW-P	01-07-058	132W-116-050	REP-P	01-04-004	132W-120-030	REP-P	01-04-004
132W-112-100	NEW	01-12-015	132W-116-050	REP	01-07-059	132W-120-030	REP	01-07-059
132W-112-110	NEW-P	01-07-058	132W-116-065	REP-P	01-04-004	132W-120-040	REP-P	01-04-004
132W-112-110	NEW	01-12-015	132W-116-065	REP	01-07-059	132W-120-040	REP	01-07-059
132W-112-120	NEW-P	01-07-058	132W-117-010	NEW-P	01-07-058	132W-120-050	REP-P	01-04-004
132W-112-120	NEW	01-12-015	132W-117-010	NEW	01-12-015	132W-120-050	REP	01-07-059
132W-112-130	NEW-P	01-07-058	132W-117-020	NEW-P	01-07-058	132W-120-060	REP-P	01-04-004
132W-112-130	NEW	01-12-015	132W-117-020	NEW	01-12-015	132W-120-060	REP	01-07-059
132W-112-140	NEW-P	01-07-058	132W-117-030	NEW-P	01-07-058	132W-120-070	REP-P	01-04-004
132W-112-140	NEW	01-12-015	132W-117-030	NEW	01-12-015	132W-120-070	REP	01-07-059
132W-115	PREP	01-03-103	132W-117-040	NEW-P	01-07-058	132W-120-100	REP-P	01-04-004
132W-115-010	NEW-P	01-07-058	132W-117-040	NEW	01-12-015	132W-120-100	REP	01-07-059
132W-115-010	NEW	01-12-015	132W-117-050	NEW-P	01-07-058	132W-120-130	REP-P	01-04-004
132W-115-020	NEW-P	01-07-058	132W-117-050	NEW	01-12-015	132W-120-130	REP	01-07-059
132W-115-020	NEW	01-12-015	132W-117-060	NEW-P	01-07-058	132W-120-300	REP-P	01-04-004
132W-115-030	NEW-P	01-07-058	132W-117-060	NEW	01-12-015	132W-120-300	REP	01-07-059
132W-115-030	NEW	01-12-015	132W-117-070	NEW-P	01-07-058	132W-120-310	REP-P	01-04-004
132W-115-040	NEW-P	01-07-058	132W-117-070	NEW	01-12-015	132W-120-310	REP	01-07-059
132W-115-040	NEW	01-12-015	132W-117-080	NEW-P	01-07-058	132W-120-320	REP-P	01-04-004
132W-115-050	NEW-P	01-07-058	132W-117-080	NEW	01-12-015	132W-120-320	REP	01-07-059
132W-115-050	NEW	01-12-015	132W-117-090	NEW-P	01-07-058	132W-120-330	REP-P	01-04-004
132W-115-060	NEW-P	01-07-058	132W-117-090	NEW	01-12-015	132W-120-330	REP	01-07-059
132W-115-060	NEW	01-12-015	132W-117-100	NEW-P	01-07-058	132W-120-400	REP-P	01-04-004
132W-115-070	NEW-P	01-07-058	132W-117-100	NEW	01-12-015	132W-120-400	REP	01-07-059
132W-115-070	NEW	01-12-015	132W-117-110	NEW-P	01-07-058	132W-125-010	NEW-P	01-07-058
132W-115-080	NEW-P	01-07-058	132W-117-110	NEW	01-12-015	132W-125-010	NEW	01-12-015
132W-115-080	NEW	01-12-015	132W-117-120	NEW-P	01-07-058	132W-125-020	NEW-P	01-07-058
132W-115-090	NEW-P	01-07-058	132W-117-120	NEW	01-12-015	132W-125-020	NEW	01-12-015
132W-115-090	NEW	01-12-015	132W-117-130	NEW-P	01-07-058	132W-125-030	NEW-P	01-07-058
132W-115-100	NEW-P	01-07-058	132W-117-130	NEW	01-12-015	132W-125-030	NEW	01-12-015
132W-115-100	NEW	01-12-015	132W-117-140	NEW-P	01-07-058	132W-129	PREP	01-06-011
132W-115-110	NEW-P	01-07-058	132W-117-140	NEW	01-12-015	132W-129-001	REP-P	01-10-016
132W-115-110	NEW	01-12-015	132W-117-150	NEW-P	01-07-058	132W-129-001	REP	01-13-073
132W-115-120	NEW-P	01-07-058	132W-117-150	NEW	01-12-015	132W-130	PREP	01-06-010
132W-115-120	NEW	01-12-015	132W-117-160	NEW-P	01-07-058	132W-131-010	NEW-P	01-10-015
132W-115-130	NEW-P	01-07-058	132W-117-160	NEW	01-12-015	132W-131-010	NEW	01-14-016
132W-115-130	NEW	01-12-015	132W-117-170	NEW-P	01-07-058	132W-131-020	NEW-P	01-10-015
132W-115-140	NEW-P	01-07-058	132W-117-170	NEW	01-12-015	132W-131-020	NEW	01-14-016
132W-115-140	NEW	01-12-015	132W-117-180	NEW-P	01-07-058	132W-131-030	NEW-P	01-10-015
132W-115-150	NEW-P	01-07-058	132W-117-180	NEW	01-12-015	132W-131-030	NEW	01-14-016
132W-115-150	NEW	01-12-015	132W-117-190	NEW-P	01-07-058	132W-134	PREP	01-06-010
132W-115-160	NEW-P	01-07-058	132W-117-190	NEW	01-12-015	132W-134-010	NEW-P	01-10-015
132W-115-160	NEW	01-12-015	132W-117-200	NEW-P	01-07-058	132W-134-010	NEW	01-14-016
132W-115-170	NEW-P	01-07-058	132W-117-200	NEW	01-12-015	132W-135-010	REP-P	01-04-004

**TABLE**

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132W-135-010	REP	01-07-059	132W-276-070	REP	01-07-059	132Z-116-060	NEW-E	01-21-008
132W-140	PREP	01-06-010	132W-276-080	REP-P	01-04-004	132Z-116-070	NEW-E	01-21-008
132W-140	PREP	01-06-011	132W-276-080	REP	01-07-059	132Z-116-080	NEW-E	01-21-008
132W-140-010	REP-P	01-10-016	132W-276-090	REP-P	01-04-004	132Z-116-090	NEW-E	01-21-008
132W-140-010	REP	01-13-073	132W-276-090	REP	01-07-059	132Z-116-100	NEW-E	01-21-008
132W-140-011	REP-P	01-10-016	132W-276-100	REP-P	01-04-004	132Z-116-110	NEW-E	01-21-008
132W-140-011	REP	01-13-073	132W-276-100	REP	01-07-059	132Z-116-200	NEW-E	01-21-008
132W-140-012	REP-P	01-10-016	132W-276-110	REP-P	01-04-004	132Z-116-210	NEW-E	01-21-008
132W-140-012	REP	01-13-073	132W-276-110	REP	01-07-059	132Z-116-220	NEW-E	01-21-008
132W-140-013	REP-P	01-10-016	132W-277-010	NEW-P	01-07-058	132Z-116-230	NEW-E	01-21-008
132W-140-013	REP	01-13-073	132W-277-010	NEW	01-12-015	132Z-116-240	NEW-E	01-21-008
132W-141-010	NEW-P	01-10-015	132W-277-020	NEW-P	01-07-058	132Z-116-250	NEW-E	01-21-008
132W-141-010	NEW	01-14-016	132W-277-020	NEW	01-12-015	132Z-116-260	NEW-E	01-21-008
132W-141-020	NEW-P	01-10-015	132W-277-030	NEW-P	01-07-058	132Z-116-270	NEW-E	01-21-008
132W-141-020	NEW	01-14-016	132W-277-030	NEW	01-12-015	132Z-116-280	NEW-E	01-21-008
132W-141-030	NEW-P	01-10-015	132W-277-040	NEW-P	01-07-058	132Z-116-300	NEW-E	01-21-008
132W-141-030	NEW	01-14-016	132W-277-040	NEW	01-12-015	132Z-116-310	NEW-E	01-21-008
132W-141-040	NEW-P	01-10-015	132W-277-050	NEW-P	01-07-058	132Z-116-320	NEW-E	01-21-008
132W-141-040	NEW	01-14-016	132W-277-050	NEW	01-12-015	132Z-116-400	NEW-E	01-21-008
132W-141-050	NEW-P	01-10-015	132W-277-060	NEW-P	01-07-058	132Z-116-410	NEW-E	01-21-008
132W-141-050	NEW	01-14-016	132W-277-060	NEW	01-12-015	136-16-022	AMD-P	01-17-103
132W-141-060	NEW-P	01-10-015	132W-277-070	NEW-P	01-07-058	136-16-022	AMD	01-24-074
132W-141-060	NEW	01-14-016	132W-277-070	NEW	01-12-015	136-18-020	AMD-P	01-17-103
132W-141-070	NEW-P	01-10-015	132W-277-080	NEW-P	01-07-058	136-18-020	AMD	01-24-074
132W-141-070	NEW	01-14-016	132W-277-080	NEW	01-12-015	136-130-030	AMD	01-05-009
132W-141-080	NEW-P	01-10-015	132W-277-090	NEW-P	01-07-058	136-130-040	AMD-P	01-06-017
132W-141-080	NEW	01-14-016	132W-277-090	NEW	01-12-015	136-130-040	AMD	01-09-077
132W-141-090	NEW-P	01-10-015	132W-277-100	NEW-P	01-07-058	136-130-050	AMD	01-05-009
132W-141-090	NEW	01-14-016	132W-277-100	NEW	01-12-015	136-130-060	AMD	01-05-009
132W-149	PREP	01-06-011	132W-277-110	NEW-P	01-07-058	136-130-070	AMD	01-05-009
132W-149-010	REP-P	01-10-016	132W-277-110	NEW	01-12-015	136-150-020	AMD-P	01-12-051
132W-149-010	REP	01-13-073	132W-277-120	NEW-P	01-07-058	136-150-020	AMD	01-17-104
132W-164	PREP	01-06-011	132W-277-120	NEW	01-12-015	136-150-022	AMD-P	01-12-051
132W-164-010	REP-P	01-10-016	132W-277-130	NEW-P	01-07-058	136-150-022	AMD	01-17-104
132W-164-010	REP	01-13-073	132W-277-130	NEW	01-12-015	136-150-023	AMD-P	01-12-051
132W-164-011	REP-P	01-10-016	132W-277-140	NEW-P	01-07-058	136-150-023	AMD	01-17-104
132W-164-011	REP	01-13-073	132W-277-140	NEW	01-12-015	136-150-024	AMD-P	01-12-051
132W-164-012	REP-P	01-10-016	132W-300	PREP	01-06-056	136-150-024	AMD	01-17-104
132W-164-012	REP	01-13-073	132W-300-001	NEW-P	01-10-015	136-150-030	AMD-P	01-12-051
132W-164-013	REP-P	01-10-016	132W-300-001	NEW	01-14-016	136-150-030	AMD	01-17-104
132W-164-013	REP	01-13-073	132W-300-010	NEW-P	01-10-015	136-150-040	AMD-P	01-12-051
132W-164-020	REP-P	01-10-016	132W-300-010	NEW	01-14-016	136-150-040	AMD	01-17-104
132W-164-020	REP	01-13-073	132W-300-020	NEW-P	01-10-015	136-161-020	AMD	01-05-009
132W-168	PREP	01-06-010	132W-300-020	NEW	01-14-016	136-161-030	AMD	01-05-009
132W-168-010	NEW-P	01-10-015	132W-300-030	NEW-P	01-10-015	136-161-040	AMD	01-05-009
132W-168-010	NEW	01-14-016	132W-300-030	NEW	01-14-016	136-161-050	AMD	01-05-009
132W-168-020	NEW-P	01-10-015	132W-300-040	NEW-P	01-10-015	136-161-070	AMD	01-05-009
132W-168-020	NEW	01-14-016	132W-300-040	NEW	01-14-016	136-163-050	AMD	01-05-009
132W-168-030	NEW-P	01-10-015	132W-300-050	NEW-P	01-10-015	136-167-040	AMD-P	01-06-017
132W-168-030	NEW	01-14-016	132W-300-050	NEW	01-14-016	136-167-040	AMD	01-09-077
132W-168-040	NEW-P	01-10-015	132W-300-060	NEW-P	01-10-015	136-170-030	AMD	01-05-008
132W-168-040	NEW	01-14-016	132W-300-060	NEW	01-14-016	136-210-020	AMD-P	01-12-051
132W-276	PREP	01-03-103	132W-325	PREP	01-03-103	136-210-020	AMD	01-17-104
132W-276-001	REP-P	01-04-004	132W-325-010	NEW-P	01-07-058	136-210-030	AMD	01-05-009
132W-276-001	REP	01-07-059	132W-325-010	NEW	01-12-015	136-210-040	AMD	01-05-009
132W-276-005	REP-P	01-04-004	132Z-116	PREP	01-23-030	136-210-050	AMD	01-05-009
132W-276-005	REP	01-07-059	132Z-116-005	NEW-E	01-21-008	137-04-010	AMD	01-03-079
132W-276-010	REP-P	01-04-004	132Z-116-010	NEW-E	01-21-008	137-04-020	AMD	01-03-079
132W-276-010	REP	01-07-059	132Z-116-020	NEW-E	01-21-008	137-28-220	AMD	01-22-094
132W-276-060	REP-P	01-04-004	132Z-116-030	NEW-E	01-21-008	137-28-240	AMD	01-22-094
132W-276-060	REP	01-07-059	132Z-116-040	NEW-E	01-21-008	137-28-260	AMD	01-22-094
132W-276-070	REP-P	01-04-004	132Z-116-050	NEW-E	01-21-008	137-52-010	AMD	01-04-001

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
137-104-010	NEW	01-04-044	148-120-312	NEW-P	01-12-062	148-171-610	REP-P	01-12-061
137-104-020	NEW	01-04-044	148-120-312	NEW	01-16-100	148-171-610	REP	01-16-101
137-104-030	NEW	01-04-044	148-120-313	NEW-P	01-12-062	148-171-620	REP-P	01-12-061
137-104-040	NEW	01-04-044	148-120-313	NEW	01-16-100	148-171-620	REP	01-16-101
137-104-050	NEW	01-04-044	148-120-314	NEW-P	01-12-062	148-171-630	REP-P	01-12-061
137-104-060	NEW	01-04-044	148-120-314	NEW	01-16-100	148-171-630	REP	01-16-101
137-104-070	NEW	01-04-044	148-171-001	AMD-P	01-12-061	148-171-640	REP-P	01-12-061
137-104-080	NEW	01-04-044	148-171-001	AMD	01-16-101	148-171-640	REP	01-16-101
137-150-010	NEW	01-17-004	148-171-010	AMD-P	01-12-061	148-171-650	AMD-P	01-12-061
137-150-020	NEW	01-17-004	148-171-010	AMD	01-16-101	148-171-650	AMD	01-16-101
137-150-030	NEW	01-17-004	148-171-015	AMD-P	01-12-061	148-171-700	REP-P	01-12-061
137-150-040	NEW	01-17-004	148-171-015	AMD	01-16-101	148-171-700	REP	01-16-101
139-01	PREP	01-17-119	148-171-110	AMD-P	01-12-061	173-09-010	REP	01-05-035
139-01-400	NEW-P	01-19-036	148-171-110	AMD	01-16-101	173-09-020	REP	01-05-035
139-01-405	NEW-P	01-19-036	148-171-120	AMD-P	01-12-061	173-09-030	REP	01-05-035
139-01-411	NEW-P	01-19-036	148-171-120	AMD	01-16-101	173-09-040	REP	01-05-035
139-01-421	NEW-P	01-19-036	148-171-130	REP-P	01-12-061	173-18	PREP-W	01-08-061
139-05	PREP	01-08-033	148-171-130	REP	01-16-101	173-20	PREP-W	01-08-061
139-05-810	AMD-P	01-19-036	148-171-131	NEW-P	01-12-061	173-22	PREP-W	01-08-061
139-05-820	NEW-P	01-19-036	148-171-131	NEW	01-16-101	173-50	PREP	01-24-099
139-05-925	AMD-P	01-19-036	148-171-140	AMD-P	01-12-061	173-151	PREP-W	01-17-015
142-30-010	AMD-P	01-12-058	148-171-140	AMD	01-16-101	173-166-085	NEW-E	01-11-046
142-30-010	AMD	01-21-054	148-171-150	AMD-P	01-12-061	173-167-010	NEW-E	01-10-004
148-120-100	AMD-P	01-12-062	148-171-150	AMD	01-16-101	173-167-010	REP-E	01-12-067
148-120-100	AMD-S	01-16-099	148-171-200	REP-P	01-12-061	173-167-015	NEW-E	01-12-068
148-120-100	AMD	01-20-032	148-171-200	REP	01-16-101	173-167-020	NEW-E	01-10-004
148-120-200	AMD-P	01-12-062	148-171-210	AMD-P	01-12-061	173-167-020	REP-E	01-12-067
148-120-200	AMD	01-16-100	148-171-210	AMD	01-16-101	173-167-025	NEW-E	01-12-068
148-120-220	AMD-P	01-12-062	148-171-220	AMD-P	01-12-061	173-167-030	NEW-E	01-10-004
148-120-220	AMD	01-16-100	148-171-220	AMD	01-16-101	173-167-030	REP-E	01-12-067
148-120-225	AMD-P	01-12-062	148-171-230	AMD-P	01-12-061	173-167-035	NEW-E	01-12-068
148-120-225	AMD	01-16-100	148-171-230	AMD	01-16-101	173-167-040	NEW-E	01-10-004
148-120-230	AMD-P	01-12-062	148-171-240	AMD-P	01-12-061	173-167-040	REP-E	01-12-067
148-120-230	AMD	01-16-100	148-171-240	AMD	01-16-101	173-167-045	NEW-E	01-12-068
148-120-234	AMD-P	01-12-062	148-171-242	NEW-P	01-12-061	173-167-050	NEW-E	01-10-004
148-120-234	AMD	01-16-100	148-171-242	NEW	01-16-101	173-167-050	REP-E	01-12-067
148-120-236	AMD-P	01-12-062	148-171-244	NEW-P	01-12-061	173-167-055	NEW-E	01-12-068
148-120-236	AMD	01-16-100	148-171-244	NEW	01-16-101	173-167-060	NEW-E	01-10-004
148-120-300	NEW-P	01-12-062	148-171-400	REP-P	01-12-061	173-167-060	REP-E	01-12-067
148-120-300	NEW	01-16-100	148-171-400	REP	01-16-101	173-167-065	NEW-E	01-12-068
148-120-301	NEW-P	01-12-062	148-171-410	AMD-P	01-12-061	173-167-070	NEW-E	01-10-004
148-120-301	NEW	01-16-100	148-171-410	AMD	01-16-101	173-167-070	REP-E	01-12-067
148-120-302	NEW-P	01-12-062	148-171-420	REP-P	01-12-061	173-167-075	NEW-E	01-12-068
148-120-302	NEW	01-16-100	148-171-420	REP	01-16-101	173-167-080	NEW-E	01-10-004
148-120-303	NEW-P	01-12-062	148-171-430	REP-P	01-12-061	173-167-080	REP-E	01-12-067
148-120-303	NEW	01-16-100	148-171-430	REP	01-16-101	173-167-085	NEW-E	01-12-068
148-120-304	NEW-P	01-12-062	148-171-500	AMD-P	01-12-061	173-167-090	NEW-E	01-10-004
148-120-304	NEW	01-16-100	148-171-500	AMD	01-16-101	173-167-090	REP-E	01-12-067
148-120-305	NEW-P	01-12-062	148-171-510	AMD-P	01-12-061	173-167-095	NEW-E	01-12-068
148-120-305	NEW	01-16-100	148-171-510	AMD	01-16-101	173-173-010	NEW-P	01-16-131
148-120-306	NEW-P	01-12-062	148-171-512	NEW-P	01-12-061	173-173-020	NEW-P	01-16-131
148-120-306	NEW	01-16-100	148-171-512	NEW	01-16-101	173-173-030	NEW-P	01-16-131
148-120-307	NEW-P	01-12-062	148-171-514	NEW-P	01-12-061	173-173-040	NEW-P	01-16-131
148-120-307	NEW	01-16-100	148-171-514	NEW	01-16-101	173-173-050	NEW-P	01-16-131
148-120-308	NEW-P	01-12-062	148-171-550	NEW-P	01-12-061	173-173-060	NEW-P	01-16-131
148-120-308	NEW	01-16-100	148-171-550	NEW	01-16-101	173-173-070	NEW-P	01-16-131
148-120-309	NEW-P	01-12-062	148-171-600	REP-P	01-12-061	173-173-080	NEW-P	01-16-131
148-120-309	NEW	01-16-100	148-171-600	REP	01-16-101	173-173-090	NEW-P	01-16-131
148-120-310	NEW-P	01-12-062	148-171-601	NEW-P	01-12-061	173-173-100	NEW-P	01-16-131
148-120-310	NEW	01-16-100	148-171-601	NEW	01-16-101	173-173-110	NEW-P	01-16-131
148-120-311	NEW-P	01-12-062	148-171-605	NEW-P	01-12-061	173-173-120	NEW-P	01-16-131
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180- 78A	PREP	01-19-083	180- 79A-250	AMD-P	01-04-019	182- 08-095	AMD-P	01-21-143
180- 78A-010	AMD-E	01-09-010	180- 79A-250	AMD	01-09-004	182- 08-095	AMD	01-24-048
180- 78A-010	PREP	01-10-039	180- 79A-250	AMD-P	01-10-095	182- 08-125	NEW-P	01-21-143
180- 78A-010	AMD-P	01-10-101	180- 79A-250	AMD	01-13-111	182- 08-125	NEW	01-24-048
180- 78A-010	AMD	01-19-080	180- 79A-257	PREP	01-05-126	182- 12-117	PREP	01-09-083
180- 78A-015	REP	01-04-021	180- 79A-257	AMD-E	01-08-041	182- 12-117	AMD-P	01-12-092
180- 78A-125	REP-P	01-10-096	180- 79A-257	AMD-P	01-10-093	182- 12-117	AMD-C	01-16-080
180- 78A-125	REP	01-13-106	180- 79A-257	AMD	01-13-108	182- 12-117	AMD	01-17-042
180- 78A-209	AMD	01-03-151	180- 79A-257	AMD-P	01-15-098	182- 12-118	NEW-P	01-21-142
180- 78A-209	AMD-P	01-24-007	180- 79A-257	AMD	01-18-043	182- 12-118	NEW	01-24-047
180- 78A-220	PREP	01-15-101	180- 79A-265	PREP	01-05-147	182- 12-119	PREP	01-18-095
180- 78A-220	AMD-P	01-24-012	180- 79A-265	REP-E	01-08-041	182- 12-200	PREP	01-09-084
180- 78A-225	PREP	01-15-101	180- 79A-265	REP-P	01-10-093	182- 12-200	AMD-P	01-12-091
180- 78A-250	AMD-P	01-10-096	180- 79A-265	REP	01-13-108	182- 12-200	AMD-C	01-16-079
180- 78A-250	AMD	01-13-106	180- 79A-311	REP-P	01-10-097	182- 12-200	AMD	01-17-041
180- 78A-255	AMD-P	01-10-096	180- 79A-311	REP	01-13-107	182- 20-001	AMD	01-04-080
180- 78A-255	AMD	01-13-106	180- 82	PREP	01-19-083	182- 20-010	AMD	01-04-080
180- 78A-255	AMD-P	01-24-012	180- 82-105	AMD-P	01-24-007	182- 20-100	AMD	01-04-080
180- 78A-261	PREP	01-15-101	180- 82-130	AMD-P	01-05-091	182- 20-160	AMD	01-04-080
180- 78A-261	AMD-P	01-24-012	180- 82-130	AMD-C	01-10-100	182- 20-200	AMD	01-04-080
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182-25-010	AMD	01-09-001	192-180-012	NEW-P	01-05-117	196-23-070	NEW	01-09-017
182-25-105	AMD-P	01-20-089	192-180-012	NEW-W	01-18-067	196-26	PREP	01-22-001
182-25-105	AMD	01-23-095	192-180-012	NEW-P	01-21-123	196-33-100	NEW-P	01-05-033
182-25-110	AMD-P	01-20-089	192-210-005	PREP	01-10-117	196-33-100	NEW	01-11-102
182-25-110	AMD	01-23-095	192-210-005	AMD-E	01-12-010	196-33-200	NEW-P	01-05-033
183-04-010	NEW-P	01-04-033	192-210-005	AMD-E	01-20-064	196-33-200	NEW	01-11-102
183-04-010	NEW	01-12-002	192-210-015	PREP	01-10-117	196-33-300	NEW-P	01-05-033
183-04-020	NEW-P	01-04-033	192-210-015	AMD-E	01-12-010	196-33-300	NEW	01-11-102
183-04-020	NEW	01-12-002	192-210-015	AMD-E	01-20-064	196-33-400	NEW-P	01-05-033
183-04-030	NEW-P	01-04-033	192-210-020	NEW-E	01-12-010	196-33-400	NEW	01-11-102
183-04-030	NEW	01-12-002	192-210-020	NEW-E	01-20-064	196-33-500	NEW-P	01-05-033
183-04-040	NEW-P	01-04-033	192-270-005	NEW-E	01-05-071	196-33-500	NEW	01-11-102
183-04-040	NEW	01-12-002	192-270-005	NEW-P	01-05-118	197-11	PREP-W	01-22-035
183-04-050	NEW-P	01-04-033	192-270-005	NEW	01-11-085	204-24-030	AMD-E	01-21-030
183-04-050	NEW	01-12-002	192-270-010	NEW-E	01-05-071	204-24-030	PREP	01-22-103
183-04-060	NEW-P	01-04-033	192-270-010	NEW-P	01-05-118	204-24-050	AMD-E	01-21-030
183-04-060	NEW	01-12-002	192-270-010	NEW	01-11-085	204-24-050	PREP	01-22-103
183-04-070	NEW-P	01-04-033	192-270-015	NEW-E	01-05-071	204-36	PREP	01-11-117
183-04-070	NEW	01-12-002	192-270-015	NEW-P	01-05-118	204-36-030	AMD-P	01-18-088
183-04-080	NEW-P	01-04-033	192-270-015	NEW	01-11-085	204-36-040	AMD-P	01-18-088
183-04-080	NEW	01-12-002	192-270-015	NEW	01-11-085	204-36-060	AMD-P	01-18-088
183-04-080	NEW	01-12-002	192-270-020	NEW-E	01-05-071	204-38-030	AMD-P	01-05-097
183-04-090	NEW-P	01-04-033	192-270-020	NEW-P	01-05-118	204-38-030	AMD	01-11-118
183-04-090	NEW	01-12-002	192-270-020	NEW	01-11-085	204-38-040	AMD-P	01-05-097
183-04-100	NEW-P	01-04-033	192-270-025	NEW-E	01-05-071	204-38-040	AMD	01-11-118
183-04-100	NEW	01-12-002	192-270-025	NEW-P	01-05-118	204-38-050	AMD-P	01-05-097
183-04-110	NEW-P	01-04-033	192-270-025	NEW	01-11-085	204-38-050	AMD	01-11-118
183-04-110	NEW	01-12-002	192-270-030	NEW-E	01-05-071	204-82A-060	PREP	01-13-051
183-06-010	NEW-P	01-04-033	192-270-030	NEW-P	01-05-118	204-91A	PREP	01-11-116
183-06-010	NEW	01-12-002	192-270-030	NEW	01-11-085	204-91A-010	AMD-W	01-10-083
183-06-020	NEW-P	01-04-033	192-270-035	NEW-E	01-05-071	204-91A-010	AMD-P	01-18-089
183-06-020	NEW	01-12-002	192-270-035	NEW-P	01-05-118	204-91A-030	AMD-W	01-10-083
183-06-030	NEW-P	01-04-033	192-270-035	NEW	01-11-085	204-91A-030	AMD-P	01-18-089
183-06-030	NEW	01-12-002	192-270-040	NEW-E	01-05-071	204-91A-060	AMD-W	01-10-083
192-16-011	REP-E	01-05-071	192-270-040	NEW-P	01-05-118	204-91A-060	AMD-P	01-18-089
192-16-011	REP-P	01-05-118	192-270-040	NEW	01-11-085	204-91A-090	AMD-W	01-10-083
192-16-011	REP	01-11-085	192-270-045	NEW-E	01-05-071	204-91A-090	AMD-P	01-18-089
192-16-017	REP-E	01-05-071	192-270-045	NEW-P	01-05-118	204-91A-090	AMD-P	01-18-089
192-16-017	REP-P	01-05-118	192-270-045	NEW	01-11-085	204-91A-120	AMD-W	01-10-083
192-16-017	REP	01-11-085	192-270-050	NEW-E	01-05-071	204-91A-120	AMD-P	01-18-089
192-16-021	REP-P	01-05-117	192-270-050	NEW-P	01-05-118	204-91A-130	AMD-W	01-10-083
192-16-021	REP-W	01-18-067	192-270-050	NEW	01-11-085	204-91A-130	AMD-P	01-18-089
192-16-021	REP-P	01-21-123	192-270-055	NEW-E	01-05-071	204-91A-140	AMD-W	01-10-083
192-16-061	REP	01-03-009	192-270-055	NEW-P	01-05-118	204-91A-140	AMD-P	01-18-089
192-16-070	REP-P	01-04-082	192-270-055	NEW	01-11-085	204-91A-170	AMD-W	01-10-083
192-16-070	REP	01-12-009	192-270-060	NEW-E	01-05-071	204-91A-170	AMD-P	01-18-089
192-150-050	NEW-E	01-05-071	192-270-060	NEW-P	01-05-118	204-91A-180	AMD-W	01-10-083
192-150-050	NEW-P	01-05-118	192-270-060	NEW	01-11-085	204-91A-180	AMD-P	01-18-089
192-150-050	NEW	01-11-085	192-270-065	NEW-E	01-05-071	204-96-010	AMD-E	01-03-078
192-150-060	NEW-P	01-05-117	192-270-065	NEW-P	01-05-118	204-96-010	AMD	01-05-098
192-150-060	NEW-W	01-18-067	192-270-065	NEW	01-11-085	208-418-010	NEW-P	01-07-082
192-150-060	NEW-P	01-21-123	192-270-070	NEW-E	01-05-071	208-418-010	NEW	01-12-004
192-150-065	NEW-E	01-05-071	192-270-070	NEW-P	01-05-118	208-418-020	AMD-P	01-07-082
192-150-065	NEW-P	01-05-118	192-270-070	NEW	01-11-085	208-418-020	AMD	01-12-004
192-150-065	NEW	01-11-085	192-320-075	NEW-P	01-05-117	208-418-040	AMD-P	01-07-082
192-150-085	NEW-E	01-05-071	192-320-075	NEW-W	01-18-067	208-418-040	AMD	01-12-004
192-150-085	NEW-P	01-05-118	196-12-020	AMD-P	01-20-013	208-418-050	AMD-P	01-07-082
192-150-085	NEW	01-11-085	196-12-030	AMD-P	01-04-094	208-418-050	AMD	01-12-004
192-150-100	NEW-P	01-04-082	196-12-030	AMD	01-09-016	208-418-060	REP-P	01-07-082
192-150-100	NEW	01-12-009	196-12-030	AMD-P	01-20-013	208-418-060	REP	01-12-004
192-170-050	NEW-P	01-05-117	196-12-035	NEW-P	01-04-094	208-418-070	AMD-P	01-07-082
192-170-050	NEW-W	01-18-067	196-12-035	NEW	01-09-016	208-418-070	AMD	01-12-004

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208-418-090	NEW	01-12-004	208-544-025	AMD	01-06-024	208-680B-082	NEW	01-12-029
208-418-100	NEW-P	01-07-082	208-544-037	AMD-P	01-03-107	208-680B-090	AMD	01-08-055
208-418-100	NEW	01-12-004	208-544-037	AMD	01-06-024	208-680B-100	NEW	01-08-055
208-460-010	NEW-P	01-05-072	208-544-037	REP-P	01-07-081	208-680B-110	NEW	01-08-055
208-460-010	NEW	01-10-084	208-544-037	REP	01-12-003	208-680B-120	NEW	01-08-055
208-460-020	NEW-P	01-05-072	208-544-039	AMD-P	01-03-107	208-680C-020	AMD	01-08-055
208-460-020	NEW	01-10-084	208-544-039	AMD	01-06-024	208-680C-040	AMD	01-08-055
208-460-030	NEW-P	01-05-072	208-544-039	AMD-P	01-07-081	208-680C-045	AMD	01-08-055
208-460-030	NEW	01-10-084	208-544-039	AMD	01-12-003	208-680C-050	AMD	01-08-055
208-460-040	NEW-P	01-05-072	208-544-039	AMD	01-20-086	208-680D-010	AMD	01-08-055
208-460-040	NEW	01-10-084	208-544-050	REP-P	01-07-081	208-680D-020	AMD	01-08-055
208-460-050	NEW-P	01-05-072	208-544-050	REP	01-12-003	208-680D-030	AMD	01-08-055
208-460-050	NEW	01-10-084	208-544-065	NEW-P	01-07-081	208-680D-040	AMD	01-08-055
208-460-060	NEW-P	01-05-072	208-544-065	NEW-W	01-20-079	208-680D-050	AMD	01-08-055
208-460-060	NEW	01-10-084	208-556-080	AMD-P	01-03-107	208-680D-060	AMD	01-08-055
208-460-070	NEW-P	01-05-072	208-556-080	AMD	01-06-024	208-680D-080	AMD	01-08-055
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208-460-080	NEW-P	01-05-072	208-586-135	AMD	01-06-024	208-680D-100	NEW-W	01-08-067
208-460-080	NEW	01-10-084	208-586-135	REP-P	01-07-081	208-680E-011	AMD-W	01-08-067
208-460-090	NEW-P	01-05-072	208-586-135	REP	01-12-003	208-680F-010	AMD	01-08-055
208-460-090	NEW	01-10-084	208-586-140	AMD-P	01-03-107	208-680F-020	AMD	01-08-055
208-460-100	NEW-P	01-05-072	208-586-140	AMD	01-06-024	208-680F-040	AMD	01-08-055
208-460-100	NEW	01-10-084	208-586-140	AMD-P	01-07-081	208-680F-060	AMD	01-08-055
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208-460-120	NEW-P	01-05-072	208-586-150	NEW-W	01-20-079	208-680G-020	NEW	01-08-055
208-460-120	NEW	01-10-084	208-620-190	AMD-P	01-07-083	208-680G-030	NEW	01-08-055
208-460-130	NEW-P	01-05-072	208-620-190	AMD	01-12-029	208-680G-040	NEW	01-08-055
208-460-130	NEW	01-10-084	208-620-191	NEW-P	01-07-083	208-680G-050	NEW	01-08-055
208-460-140	NEW-P	01-05-072	208-620-191	NEW	01-12-029	210-03-010	NEW-P	01-06-060
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208-460-150	NEW-P	01-05-072	208-620-192	NEW	01-12-029	210-03-020	NEW-P	01-06-060
208-460-150	NEW	01-10-084	208-630-021	AMD-P	01-07-083	210-03-020	NEW	01-11-062
208-460-160	NEW-P	01-05-072	208-630-021	AMD	01-12-029	210-03-030	NEW-P	01-06-060
208-460-160	NEW	01-10-084	208-630-022	AMD-P	01-07-083	210-03-030	NEW	01-11-062
208-460-170	NEW-P	01-05-072	208-630-022	AMD	01-12-029	210-03-040	NEW-P	01-06-060
208-460-170	NEW	01-10-084	208-630-023	AMD-P	01-07-083	210-03-040	NEW	01-11-062
208-512	PREP-W	01-03-106	208-630-023	AMD	01-12-029	210-03-050	NEW-P	01-06-060
208-512-045	AMD-P	01-03-107	208-630-02303	NEW-P	01-07-083	210-03-050	NEW	01-11-062
208-512-045	AMD	01-06-024	208-630-02303	NEW	01-12-029	210-03-060	NEW-P	01-06-060
208-512-110	AMD-P	01-03-107	208-630-02305	NEW-P	01-07-083	210-03-060	NEW	01-11-062
208-512-110	AMD	01-06-024	208-630-02305	NEW	01-12-029	210-03-070	NEW-P	01-06-060
208-512-115	AMD-P	01-03-107	208-660-010	AMD-P	01-07-083	210-03-070	NEW	01-11-062
208-512-115	AMD	01-06-024	208-660-010	AMD	01-12-029	210-03-080	NEW-P	01-06-060
208-512-116	AMD-P	01-03-107	208-660-060	AMD-P	01-07-083	210-03-080	NEW	01-11-062
208-512-116	AMD	01-06-024	208-660-060	AMD	01-12-029	220-16-028	AMD-P	01-21-126
208-512-117	AMD-P	01-03-107	208-660-061	NEW-P	01-07-083	220-16-260	AMD	01-03-016
208-512-117	AMD	01-06-024	208-660-061	NEW	01-12-029	220-16-270	AMD	01-03-016
208-512-240	AMD-P	01-03-107	208-660-062	NEW-P	01-07-083	220-16-410	AMD-P	01-16-148
208-512-240	AMD	01-06-024	208-660-062	NEW	01-12-029	220-16-760	NEW-P	01-21-126
208-512-280	AMD-P	01-03-107	208-680A-040	AMD	01-08-055	220-16-770	NEW-P	01-21-126
208-512-280	AMD	01-06-024	208-680B-010	AMD	01-08-055	220-16-780	NEW-P	01-21-126
208-512-290	PREP	01-20-085	208-680B-015	NEW	01-08-055	220-16-790	NEW-P	01-21-126
208-512-300	AMD-P	01-03-107	208-680B-020	AMD	01-08-055	220-16-800	NEW-P	01-21-126
208-512-300	AMD	01-06-024	208-680B-030	AMD	01-08-055	220-20-010	AMD-P	01-21-126
208-514-140	AMD-P	01-03-107	208-680B-050	AMD	01-08-055	220-20-016	AMD-P	01-02-085
208-514-140	AMD	01-06-024	208-680B-070	AMD	01-08-055	220-20-016	AMD	01-07-015
208-528-040	AMD-P	01-03-107	208-680B-080	AMD-P	01-07-083	220-20-020	AMD-P	01-21-117
208-528-040	AMD	01-06-024	208-680B-080	AMD	01-12-029	220-20-025	AMD-P	01-21-126
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220-20-100	NEW-P	01-21-126	220-32-05700I	REP-E	01-16-083	220-36-021	AMD	01-13-055
220-22-40000B	NEW-E	01-20-012	220-32-05700J	NEW-E	01-16-083	220-36-023	AMD-P	01-10-116
220-22-40000B	REP-E	01-22-028	220-32-05700J	REP-E	01-16-083	220-36-023	AMD	01-13-055
220-22-40000C	NEW-E	01-22-028	220-32-05700K	NEW-E	01-20-053	220-40-021	AMD-P	01-10-116
220-24-020	AMD-P	01-10-108	220-32-05700K	REP-E	01-20-053	220-40-021	AMD	01-13-055
220-24-020	AMD	01-13-006	220-32-05700K	REP-E	01-23-034	220-40-027	AMD-P	01-10-116
220-24-02000Q	NEW-E	01-10-058	220-32-05700L	NEW-E	01-23-034	220-40-027	AMD	01-13-055
220-24-02000Q	REP-E	01-10-058	220-32-05700L	REP-E	01-23-034	220-40-02700V	NEW-E	01-19-025
220-24-02000Q	REP-E	01-11-066	220-32-05700L	REP-E	01-24-057	220-40-02700V	REP-E	01-19-025
220-24-02000R	NEW-E	01-11-023	220-32-05700M	NEW-E	01-24-057	220-40-02700W	NEW-E	01-20-026
220-24-02000R	REP-E	01-11-066	220-32-05700M	REP-E	01-24-057	220-40-02700W	REP-E	01-20-026
220-24-02000R	REP-E	01-13-050	220-33-01000A	NEW-E	01-18-022	220-40-02700W	REP-E	01-20-069
220-24-02000S	NEW-E	01-13-050	220-33-01000A	REP-E	01-18-022	220-40-02700X	NEW-E	01-20-069
220-24-02000S	REP-E	01-15-018	220-33-01000B	NEW-E	01-18-065	220-40-02700X	REP-E	01-20-069
220-24-02000T	NEW-E	01-15-018	220-33-01000B	REP-E	01-18-065	220-40-02700Y	NEW-E	01-21-095
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220-24-02000U	REP-E	01-17-014	220-33-01000C	REP-E	01-20-006	220-44-020	AMD	01-07-016
220-24-02000V	NEW-E	01-17-014	220-33-01000D	NEW-E	01-20-006	220-44-035	NEW-P	01-21-141
220-24-02000V	REP-E	01-17-065	220-33-01000D	REP-E	01-20-014	220-44-045	NEW-P	01-13-094
220-24-02000W	NEW-E	01-17-065	220-33-01000E	NEW-E	01-20-014	220-44-045	NEW-W	01-17-045
220-24-02000W	REP-E	01-18-058	220-33-01000E	REP-E	01-21-012	220-44-050	AMD-P	01-10-115
220-24-02000X	NEW-E	01-18-058	220-33-01000F	NEW-E	01-21-012	220-44-050	AMD	01-13-002
220-24-040	NEW-P	01-10-108	220-33-01000F	REP-E	01-22-018	220-44-050	AMD-P	01-21-141
220-24-040	NEW	01-13-006	220-33-01000G	NEW-E	01-22-018	220-44-05000C	NEW-E	01-03-088
220-32-05000D	NEW-E	01-16-092	220-33-01000G	REP-E	01-22-018	220-44-05000C	REP-E	01-11-024
220-32-05000D	REP-E	01-16-092	220-33-01000Q	NEW-E	01-05-069	220-44-05000D	NEW-E	01-09-056
220-32-05100A	NEW-E	01-11-042	220-33-01000Q	REP-E	01-05-069	220-44-05000D	REP-E	01-17-044
220-32-05100A	REP-E	01-12-006	220-33-01000Q	REP-E	01-06-004	220-44-05000E	NEW-E	01-11-024
220-32-05100B	NEW-E	01-12-006	220-33-01000R	NEW-E	01-06-004	220-44-05000E	REP-E	01-15-002
220-32-05100B	REP-E	01-12-006	220-33-01000R	REP-E	01-10-021	220-44-05000F	NEW-E	01-15-002
220-32-05100C	NEW-E	01-14-014	220-33-01000S	NEW-E	01-10-021	220-44-05000G	NEW-E	01-17-044
220-32-05100C	REP-E	01-14-014	220-33-01000S	REP-E	01-11-016	220-47-301	AMD-P	01-02-085
220-32-05100D	NEW-E	01-14-030	220-33-01000T	NEW-E	01-11-016	220-47-301	AMD	01-07-015
220-32-05100D	REP-E	01-14-030	220-33-01000T	REP-E	01-14-018	220-47-304	REP-P	01-10-118
220-32-05100E	NEW-E	01-16-015	220-33-01000U	NEW-E	01-14-018	220-47-304	REP	01-13-056
220-32-05100E	REP-E	01-16-015	220-33-01000U	REP-E	01-14-018	220-47-311	AMD-P	01-10-118
220-32-05100F	NEW-E	01-17-089	220-33-01000U	REP-E	01-14-029	220-47-311	AMD	01-13-056
220-32-05100F	REP-E	01-18-003	220-33-01000V	NEW-E	01-14-029	220-47-401	AMD-P	01-10-118
220-32-05100G	NEW-E	01-18-003	220-33-01000V	REP-E	01-14-029	220-47-401	AMD	01-13-056
220-32-05100G	REP-E	01-19-016	220-33-01000W	NEW-E	01-16-082	220-47-40100C	NEW-E	01-21-001
220-32-05100H	NEW-E	01-19-016	220-33-01000W	REP-E	01-16-082	220-47-40100C	REP-E	01-21-001
220-32-05100H	REP-E	01-19-016	220-33-01000X	NEW-E	01-17-037	220-47-411	AMD-P	01-10-118
220-32-05100I	NEW-E	01-20-005	220-33-01000X	REP-E	01-17-037	220-47-411	AMD	01-13-056
220-32-05100I	REP-E	01-20-005	220-33-01000Y	NEW-E	01-17-100	220-47-41100B	NEW-E	01-17-076
220-32-05100I	REP-E	01-20-052	220-33-01000Y	REP-E	01-17-100	220-47-41100B	REP-E	01-17-076
220-32-05100J	NEW-E	01-20-052	220-33-01000Y	REP-E	01-18-004	220-47-428	AMD-P	01-10-118
220-32-05100J	REP-E	01-20-052	220-33-01000Z	NEW-E	01-18-004	220-47-428	AMD	01-13-056
220-32-05100J	REP-E	01-21-013	220-33-01000Z	REP-E	01-18-004	220-47-42800B	NEW-E	01-17-106
220-32-05100K	NEW-E	01-21-013	220-33-03000R	NEW-E	01-11-041	220-47-42800B	REP-E	01-17-106
220-32-05100W	NEW-E	01-04-042	220-33-03000R	REP-E	01-11-041	220-47-50000A	NEW-E	01-21-036
220-32-05100W	REP-E	01-04-042	220-33-040	AMD-W	01-03-015	220-47-50000A	REP-E	01-21-036
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220-32-05100Y	REP-E	01-11-002	220-33-04000M	REP-E	01-07-047	220-47-803	NEW-E	01-22-017
220-32-05100Z	NEW-E	01-11-002	220-33-050	REP-P	01-21-117	220-47-804	NEW-E	01-22-083
220-32-05100Z	REP-E	01-11-042	220-33-060	AMD-S	01-02-082	220-47-804	REP-E	01-23-026
220-32-05700I	NEW-E	01-12-024	220-33-060	AMD	01-07-016	220-47-805	NEW-E	01-23-026

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
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220-47-806	NEW-E	01-23-049	220-52-04600T	NEW-E	01-21-028	220-52-07300B	REP-E	01-03-014
220-47-806	REP-E	01-24-001	220-52-04600T	REP-E	01-22-028	220-52-07300C	NEW-E	01-03-014
220-47-807	NEW-E	01-24-001	220-52-04600U	NEW-E	01-22-028	220-52-07300C	REP-E	01-03-043
220-47-807	REP-E	01-24-019	220-52-04600U	REP-E	01-22-069	220-52-07300D	NEW-E	01-03-043
220-47-808	NEW-E	01-24-019	220-52-04600V	NEW-E	01-22-069	220-52-07300D	REP-E	01-03-062
220-47-808	REP-E	01-24-019	220-52-04600V	REP-E	01-23-012	220-52-07300E	NEW-E	01-03-062
220-47-808	REP-E	01-24-067	220-52-04600W	NEW-E	01-23-012	220-52-07300E	REP-E	01-03-093
220-47-809	NEW-E	01-24-067	220-52-04600W	REP-E	01-23-033	220-52-07300F	NEW-E	01-03-093
220-48-00500H	NEW-E	01-08-073	220-52-04600X	NEW-E	01-23-033	220-52-07300F	REP-E	01-04-010
220-48-015	AMD-P	01-05-070	220-52-04600X	REP-E	01-24-028	220-52-07300G	NEW-E	01-04-010
220-48-015	AMD	01-10-001	220-52-04600Y	NEW-E	01-24-026	220-52-07300G	REP-E	01-04-049
220-48-01500M	NEW-E	01-08-011	220-52-04600Z	NEW-E	01-24-028	220-52-07300H	NEW-E	01-04-049
220-48-01500N	NEW-E	01-19-026	220-52-04700D	NEW-E	01-20-012	220-52-07300H	REP-E	01-05-011
220-52-00300N	REP-E	01-14-042	220-52-04700D	REP-E	01-22-028	220-52-07300I	NEW-E	01-05-011
220-52-03000N	NEW-E	01-14-003	220-52-04700E	NEW-E	01-22-028	220-52-07300J	NEW-E	01-20-051
220-52-03000N	REP-E	01-14-003	220-52-04700E	REP-E	01-22-069	220-52-07300J	REP-E	01-21-029
220-52-03000P	NEW-E	01-15-060	220-52-04700F	NEW-E	01-22-069	220-52-07300K	NEW-E	01-21-029
220-52-03000P	REP-E	01-15-060	220-52-04700F	REP-E	01-22-069	220-52-07300K	REP-E	01-24-027
220-52-03000P	REP-E	01-16-128	220-52-04700G	NEW-E	01-24-026	220-52-07300L	NEW-E	01-24-027
220-52-03000Q	NEW-E	01-16-128	220-52-050	AMD-P	01-21-127	220-52-07500C	NEW-E	01-10-040
220-52-03000Q	REP-E	01-16-128	220-52-051	AMD	01-03-016	220-55-115	AMD-P	01-05-112
220-52-040	AMD	01-11-009	220-52-051	AMD-P	01-21-114	220-55-115	AMD	01-10-030
220-52-040	AMD-P	01-13-081	220-52-05100K	NEW-E	01-09-054	220-56-100	AMD-P	01-21-126
220-52-040	AMD-P	01-16-148	220-52-05100K	REP-E	01-10-040	220-56-10000A	NEW-E	01-22-087
220-52-040	AMD	01-18-005	220-52-05100L	NEW-E	01-10-040	220-56-105	AMD-P	01-10-109
220-52-040	AMD	01-20-066	220-52-05100L	REP-E	01-13-072	220-56-105	AMD	01-14-001
220-52-04000A	NEW-E	01-17-036	220-52-05100M	NEW-E	01-13-072	220-56-105	AMD-P	01-21-126
220-52-04000A	REP-E	01-17-050	220-52-05100M	REP-E	01-14-041	220-56-10500C	NEW-E	01-07-022
220-52-04000B	NEW-E	01-17-050	220-52-05100N	NEW-E	01-14-041	220-56-115	AMD	01-06-036
220-52-04000C	NEW-E	01-21-084	220-52-05100N	REP-E	01-15-003	220-56-115	AMD-P	01-21-126
220-52-04000C	REP-E	01-22-028	220-52-05100P	NEW-E	01-15-003	220-56-116	AMD-P	01-21-126
220-52-04000D	NEW-E	01-22-028	220-52-05100P	REP-E	01-15-033	220-56-123	AMD	01-06-036
220-52-04000D	REP-E	01-23-033	220-52-05100Q	NEW-E	01-15-033	220-56-124	AMD-P	01-10-109
220-52-04000E	NEW-E	01-23-033	220-52-05100Q	REP-E	01-16-024	220-56-124	AMD	01-14-001
220-52-04000E	REP-E	01-24-028	220-52-05100R	NEW-E	01-16-024	220-56-12400G	NEW-E	01-10-038
220-52-04000F	NEW-E	01-24-028	220-52-05100R	REP-E	01-16-094	220-56-126	AMD	01-06-036
220-52-04000V	NEW-E	01-04-009	220-52-05100S	NEW-E	01-16-094	220-56-128	AMD-P	01-21-126
220-52-04000W	NEW-E	01-04-030	220-52-05100S	REP-E	01-16-102	220-56-145	AMD	01-06-036
220-52-04000W	REP-E	01-04-030	220-52-05100T	NEW-E	01-16-102	220-56-14500A	NEW-E	01-11-087
220-52-04000W	REP-E	01-04-076	220-52-05100T	REP-E	01-16-129	220-56-150	AMD-W	01-11-074
220-52-04000X	NEW-E	01-04-076	220-52-05100U	NEW-E	01-16-129	220-56-175	AMD	01-06-036
220-52-04000X	REP-E	01-05-044	220-52-05100U	REP-E	01-17-040	220-56-195	AMD-P	01-10-109
220-52-04000Y	NEW-E	01-05-044	220-52-05100V	NEW-E	01-17-040	220-56-195	AMD	01-14-001
220-52-04000Y	REP-E	01-05-044	220-52-05100V	REP-E	01-18-061	220-56-19500H	NEW-E	01-10-038
220-52-04000Z	NEW-E	01-12-064	220-52-05100W	NEW-E	01-18-061	220-56-210	AMD	01-06-051
220-52-043	AMD-P	01-13-081	220-52-05100W	REP-E	01-21-027	220-56-210	AMD-P	01-21-126
220-52-043	AMD	01-18-005	220-52-05100X	NEW-E	01-21-027	220-56-235	AMD	01-06-036
220-52-046	AMD	01-11-009	220-52-05100X	REP-E	01-24-041	220-56-235	AMD-P	01-21-126
220-52-04600I	REP-E	01-04-030	220-52-071	AMD-P	01-02-086	220-56-23500K	NEW-E	01-07-009
220-52-04600K	NEW-E	01-04-030	220-52-071	AMD	01-07-021	220-56-240	AMD	01-06-036
220-52-04600K	REP-E	01-04-076	220-52-07100R	NEW-E	01-13-030	220-56-24000E	NEW-E	01-03-044
220-52-04600M	NEW-E	01-04-076	220-52-07100R	REP-E	01-16-014	220-56-25000C	NEW-E	01-07-009
220-52-04600M	REP-E	01-05-044	220-52-07100S	NEW-E	01-16-014	220-56-25500U	NEW-E	01-12-005
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220-52-04600N	REP-E	01-12-064	220-52-07100T	NEW-E	01-17-049	220-56-25500V	NEW-E	01-12-044
220-52-04600P	NEW-E	01-12-064	220-52-07100T	REP-E	01-17-075	220-56-25500V	REP-E	01-13-021
220-52-04600Q	NEW-E	01-13-031	220-52-07100U	NEW-E	01-17-075	220-56-25500W	NEW-E	01-13-021
220-52-04600Q	REP-E	01-13-031	220-52-07100U	REP-E	01-18-002	220-56-265	AMD-P	01-21-126
220-52-04600R	NEW-E	01-20-012	220-52-07100V	NEW-E	01-18-002	220-56-270	AMD-P	01-21-126
220-52-04600R	REP-E	01-20-068	220-52-07100V	REP-E	01-20-025	220-56-27000H	REP-E	01-06-005
220-52-04600S	NEW-E	01-20-068	220-52-073	AMD-P	01-02-086	220-56-27000I	NEW-E	01-06-005

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220-56-27000I	REP-E	01-06-005	220-56-33000K	NEW-E	01-08-072	220-69-24000W	NEW-E	01-18-001
220-56-27000I	REP-E	01-06-050	220-56-33000K	REP-E	01-10-006	220-69-24000W	REP-E	01-18-001
220-56-27000J	NEW-E	01-06-050	220-56-33000L	NEW-E	01-10-006	220-69-24000X	NEW-E	01-18-014
220-56-27000J	REP-E	01-06-050	220-56-33000L	REP-E	01-11-094	220-69-24000X	REP-E	01-19-050
220-56-27000J	REP-E	01-07-046	220-56-33000M	NEW-E	01-11-094	220-69-24000Y	NEW-E	01-20-012
220-56-27000K	NEW-E	01-07-046	220-56-33000M	REP-E	01-12-027	220-69-24000Y	REP-E	01-22-028
220-56-27000K	REP-E	01-07-046	220-56-33000N	NEW-E	01-12-027	220-69-24000Z	NEW-E	01-22-028
220-56-282	AMD	01-06-036	220-56-33000N	REP-E	01-12-065	220-77-010	AMD-W	01-15-061
220-56-282	AMD-P	01-21-126	220-56-33000P	NEW-E	01-12-065	220-77-010	AMD-P	01-21-129
220-56-28200A	NEW-E	01-13-032	220-56-33000P	REP-E	01-13-007	220-77-020	AMD-W	01-15-061
220-56-28200A	REP-E	01-13-032	220-56-33000Q	NEW-E	01-13-007	220-77-020	AMD-P	01-21-129
220-56-28200B	NEW-E	01-16-084	220-56-33000Q	REP-E	01-13-092	220-77-030	AMD-W	01-15-061
220-56-28200C	NEW-E	01-18-021	220-56-33000R	NEW-E	01-13-092	220-77-030	AMD-P	01-21-129
220-56-285	AMD	01-06-036	220-56-33000R	REP-E	01-14-002	220-77-070	AMD-W	01-15-061
220-56-285	AMD-P	01-21-126	220-56-33000R	NEW-E	01-14-002	220-77-070	AMD-P	01-21-129
220-56-28500A	NEW-E	01-10-023	220-56-33000S	NEW-E	01-14-002	220-77-080	AMD-W	01-15-061
220-56-28500A	REP-E	01-10-023	220-56-33000S	REP-E	01-14-028	220-77-080	AMD-P	01-21-129
220-56-28500Y	NEW-E	01-07-007	220-56-33000S	REP-E	01-14-050	220-77-080	AMD-P	01-21-129
220-56-28500Y	REP-E	01-07-007	220-56-33000T	NEW-E	01-14-028	220-77-090	AMD-P	01-13-121
220-56-28500Y	REP-E	01-10-002	220-56-33000T	REP-E	01-14-050	220-77-090	AMD	01-17-097
220-56-28500Z	NEW-E	01-09-003	220-56-33000U	NEW-E	01-14-050	220-77-095	NEW-P	01-13-121
220-56-28500Z	REP-E	01-16-084	220-56-33000U	REP-E	01-17-007	220-77-095	NEW-W	01-15-061
220-56-290	REP	01-06-036	220-56-33000V	NEW-E	01-17-007	220-77-095	NEW	01-17-097
220-56-295	REP	01-06-036	220-56-33000V	REP-E	01-17-073	220-77-100	NEW-W	01-15-061
220-56-305	REP	01-06-036	220-56-33000W	NEW-E	01-17-073	220-77-100	NEW-P	01-21-129
220-56-307	REP-P	01-21-126	220-56-33000W	REP-E	01-18-060	220-77-105	NEW-P	01-21-129
220-56-310	AMD-P	01-21-126	220-56-33000X	NEW-E	01-18-060	220-88B-030	AMD-P	01-21-113
220-56-31000R	NEW-E	01-18-060	220-56-33000X	REP-E	01-19-064	220-88B-040	AMD-P	01-21-113
220-56-31000R	REP-E	01-20-067	220-56-33000Y	NEW-E	01-19-064	220-88B-050	AMD-P	01-21-113
220-56-31000S	NEW-E	01-20-067	220-56-33000Y	REP-E	01-20-054	220-88C-010	NEW-S	01-02-082
220-56-31000S	REP-E	01-21-037	220-56-33000Z	NEW-E	01-20-054	220-88C-010	NEW	01-07-016
220-56-31000T	NEW-E	01-21-037	220-56-33000Z	REP-E	01-20-067	220-88C-020	NEW-S	01-02-082
220-56-31000T	REP-E	01-21-076	220-56-335	AMD-P	01-21-126	220-88C-020	NEW	01-07-016
220-56-315	AMD	01-07-024	220-56-350	AMD	01-06-036	220-88C-030	NEW-S	01-02-082
220-56-315	AMD-W	01-07-080	220-56-350	AMD-P	01-21-126	220-88C-030	NEW	01-07-016
220-56-315	AMD-P	01-21-126	220-56-35000H	REP-E	01-06-035	220-88C-040	NEW-S	01-02-082
220-56-320	AMD	01-06-036	220-56-35000I	NEW-E	01-06-035	220-88C-040	NEW	01-07-016
220-56-325	AMD	01-06-036	220-56-355	AMD-P	01-21-126	220-88C-050	NEW-S	01-02-082
220-56-32500K	NEW-E	01-11-001	220-56-36000G	NEW-E	01-04-046	220-88C-050	NEW	01-07-016
220-56-32500K	REP-E	01-11-040	220-56-36000G	REP-E	01-04-046	220-95-013	AMD-P	01-05-120
220-56-32500L	NEW-E	01-11-040	220-56-36000H	NEW-E	01-10-041	220-95-013	AMD	01-10-031
220-56-32500L	REP-E	01-12-043	220-56-36000H	REP-E	01-10-041	220-95-018	AMD-P	01-05-120
220-56-32500M	NEW-E	01-12-043	220-56-36000I	NEW-E	01-11-036	220-95-018	AMD	01-10-031
220-56-32500M	REP-E	01-14-013	220-56-36000I	REP-E	01-11-036	220-95-01800B	NEW-E	01-10-032
220-56-32500N	NEW-E	01-12-049	220-56-36000J	NEW-E	01-11-131	220-95-022	AMD-P	01-05-120
220-56-32500N	REP-E	01-12-049	220-56-36000J	REP-E	01-11-131	220-95-022	AMD	01-10-031
220-56-32500P	NEW-E	01-14-013	220-56-36000K	NEW-E	01-20-055	220-95-022	AMD	01-10-031
220-56-32500P	REP-E	01-16-093	220-56-36000K	REP-E	01-20-055	220-95-02200C	NEW-E	01-10-032
220-56-32500Q	NEW-E	01-16-093	220-56-380	AMD	01-06-036	220-95-027	AMD-P	01-05-120
220-56-32500Q	REP-E	01-17-039	220-56-380	AMD-P	01-21-126	220-95-027	AMD	01-10-031
220-56-32500R	NEW-E	01-17-039	220-56-38000A	NEW-E	01-06-035	220-95-032	AMD-P	01-05-120
220-56-32500R	REP-E	01-17-107	220-56-38000A	REP-E	01-06-035	220-95-032	AMD	01-10-031
220-56-32500S	NEW-E	01-17-107	220-56-38000A	REP-E	01-07-006	220-95-034	NEW-P	01-05-120
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220-56-33000A	NEW-E	01-20-067	220-56-38000B	REP-E	01-14-028	220-95-110	NEW-P	01-21-128
220-56-33000A	REP-E	01-21-037	220-56-38000Z	REP-E	01-07-006	220-130-040	AMD-P	01-13-083
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220-56-33000C	REP-E	01-22-070	220-69-240	AMD-W	01-15-066	222-08-020	AMD	01-12-042
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222-10-010	AMD	01-12-042	222-16-105	AMD	01-12-042	222-22-070	AMD-C	01-07-117
222-10-020	NEW-W	01-09-071	222-20-010	AMD-C	01-07-117	222-22-070	AMD	01-12-042
222-10-030	NEW-C	01-07-117	222-20-010	AMD	01-12-042	222-22-075	NEW-C	01-07-117
222-10-030	NEW	01-12-042	222-20-015	NEW-C	01-07-117	222-22-075	NEW	01-12-042
222-10-035	NEW-C	01-07-117	222-20-015	NEW	01-12-042	222-22-076	NEW-C	01-07-117
222-10-035	AMD	01-12-042	222-20-020	AMD-C	01-07-117	222-22-076	NEW	01-12-042
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222-10-041	AMD	01-12-042	222-20-040	AMD-C	01-07-117	222-22-080	AMD	01-12-042
222-10-125	NEW-C	01-07-117	222-20-040	AMD	01-12-042	222-22-090	AMD-C	01-07-117
222-10-125	NEW	01-12-042	222-20-050	AMD-C	01-07-117	222-22-090	AMD	01-12-042
222-12-010	AMD-C	01-07-117	222-20-050	AMD	01-12-042	222-22-100	AMD-C	01-07-117
222-12-010	AMD	01-12-042	222-20-055	NEW-C	01-07-117	222-22-100	AMD	01-12-042
222-12-020	AMD-C	01-07-117	222-20-055	NEW	01-12-042	222-23-010	NEW-C	01-07-117
222-12-020	AMD	01-12-042	222-20-070	AMD-C	01-07-117	222-23-010	NEW	01-12-042
222-12-030	AMD-C	01-07-117	222-20-070	AMD	01-12-042	222-23-020	NEW-C	01-07-117
222-12-030	AMD	01-12-042	222-20-080	AMD-C	01-07-117	222-23-020	NEW	01-12-042
222-12-040	AMD-C	01-07-117	222-20-080	AMD	01-12-042	222-23-025	NEW-C	01-07-117
222-12-040	AMD	01-12-042	222-20-100	AMD-C	01-07-117	222-23-025	NEW	01-12-042
222-12-0401	NEW-C	01-07-117	222-20-100	AMD	01-12-042	222-23-030	NEW-C	01-07-117
222-12-0401	NEW	01-12-042	222-21-005	NEW-C	01-07-117	222-23-030	NEW	01-12-042
222-12-0402	NEW-C	01-07-117	222-21-005	NEW	01-12-042	222-24-010	AMD-C	01-07-117
222-12-0402	NEW	01-12-042	222-21-010	NEW-C	01-07-117	222-24-010	AMD	01-12-042
222-12-0403	NEW-C	01-07-117	222-21-010	NEW	01-12-042	222-24-015	NEW-C	01-07-117
222-12-0403	NEW	01-12-042	222-21-010	AMD-E	01-18-010	222-24-015	NEW	01-12-042
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222-12-0404	NEW	01-12-042	222-21-020	NEW-C	01-07-117	222-24-020	AMD	01-12-042
222-12-0405	NEW-C	01-07-117	222-21-020	NEW	01-12-042	222-24-025	REP-C	01-07-117
222-12-0405	NEW	01-12-042	222-21-020	AMD-E	01-18-010	222-24-025	REP	01-12-042
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222-12-044	NEW-C	01-07-117	222-21-030	NEW	01-12-042	222-24-030	AMD-C	01-07-117
222-12-044	NEW	01-12-042	222-21-035	NEW-C	01-07-117	222-24-030	AMD	01-12-042
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222-12-045	AMD	01-12-042	222-21-040	NEW-C	01-07-117	222-24-035	AMD	01-12-042
222-12-046	AMD-C	01-07-117	222-21-040	NEW	01-12-042	222-24-040	AMD-C	01-07-117
222-12-046	AMD	01-12-042	222-21-045	NEW-C	01-07-117	222-24-040	AMD	01-12-042
222-12-050	AMD-C	01-07-117	222-21-045	NEW	01-12-042	222-24-050	AMD-C	01-07-117
222-12-050	AMD	01-12-042	222-21-045	AMD-E	01-18-010	222-24-050	AMD	01-12-042
222-12-070	AMD-C	01-07-117	222-21-045	AMD-P	01-23-087	222-24-051	NEW-C	01-07-117
222-12-070	AMD	01-12-042	222-21-050	NEW-C	01-07-117	222-24-051	NEW	01-12-042
222-12-090	AMD-C	01-07-117	222-21-050	NEW	01-12-042	222-24-052	NEW-C	01-07-117
222-12-090	AMD	01-12-042	222-21-050	AMD-E	01-18-010	222-24-052	NEW	01-12-042
222-16-010	AMD-C	01-07-117	222-21-050	AMD-P	01-23-087	222-24-060	AMD-C	01-07-117
222-16-010	AMD	01-12-042	222-21-060	NEW-C	01-07-117	222-24-060	AMD	01-12-042
222-16-030	AMD-C	01-07-117	222-21-060	NEW	01-12-042	222-30-010	AMD-C	01-07-117
222-16-030	AMD	01-12-042	222-21-061	NEW-E	01-18-010	222-30-010	AMD	01-12-042
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222-16-035	AMD	01-12-042	222-21-070	NEW-C	01-07-117	222-30-021	NEW	01-12-042
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222-16-036	NEW	01-12-042	222-21-080	NEW-C	01-07-117	222-30-022	NEW	01-12-042
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222-16-050	AMD	01-12-042	222-21-090	NEW-C	01-07-117	222-30-023	NEW	01-12-042
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222- 30-060	AMD-C	01-07-117	230- 04-203	AMD-P	01-19-035	230- 40-610	AMD-P	01-10-122
222- 30-060	AMD	01-12-042	230- 04-203	AMD	01-23-056	230- 40-610	AMD	01-13-091
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222- 34-040	AMD	01-12-042	230- 08-017	AMD	01-23-056	230- 40-803	AMD	01-15-053
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222- 38-010	AMD	01-12-042	230- 08-027	DECOD-P	01-10-122	230- 40-805	AMD	01-13-091
222- 38-020	AMD-C	01-07-117	230- 08-027	AMD	01-13-091	230- 40-808	RECOD-P	01-10-122
222- 38-020	AMD	01-12-042	230- 08-027	DECOD	01-13-091	230- 40-808	RECOD	01-13-091
222- 38-030	AMD-C	01-07-117	230- 08-090	AMD-P	01-10-122	230- 40-815	AMD-P	01-10-122
222- 38-030	AMD	01-12-042	230- 08-090	DECOD-P	01-10-122	230- 40-815	AMD	01-13-091
222- 38-040	AMD-C	01-07-117	230- 08-090	AMD	01-13-091	230- 40-820	REP-P	01-10-122
222- 38-040	AMD	01-12-042	230- 08-090	DECOD	01-13-091	230- 40-820	REP	01-13-091
222- 46-012	NEW-C	01-07-117	230- 12-072	AMD-P	01-10-122	230- 40-821	RECOD-P	01-10-122
222- 46-012	NEW	01-12-042	230- 12-072	DECOD-P	01-10-122	230- 40-821	RECOD	01-13-091
222- 46-030	AMD-C	01-07-117	230- 12-072	AMD	01-13-091	230- 40-825	AMD-P	01-10-122
222- 46-030	AMD	01-12-042	230- 12-072	DECOD	01-13-091	230- 40-825	AMD	01-13-091
222- 46-040	AMD-C	01-07-117	230- 12-073	AMD-P	01-10-122	230- 40-830	AMD-P	01-10-122
222- 46-040	AMD	01-12-042	230- 12-073	DECOD-P	01-10-122	230- 40-830	AMD	01-13-091
222- 46-060	AMD-C	01-07-117	230- 12-073	AMD	01-13-091	230- 40-833	AMD-P	01-10-122
222- 46-060	AMD	01-12-042	230- 12-073	DECOD	01-13-091	230- 40-833	AMD	01-13-091
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222- 46-070	AMD	01-12-042	230- 20-059	AMD	01-05-020	230- 40-865	AMD-P	01-10-122
222- 46-090	NEW-C	01-07-117	230- 20-060	REP	01-05-020	230- 40-865	AMD	01-13-091
222- 46-090	NEW	01-12-042	230- 20-062	REP	01-05-020	230- 40-870	AMD-P	01-10-122
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222- 50-060	AMD	01-12-042	230- 40-010	AMD-P	01-07-092	232- 12-001	AMD	01-10-048
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232- 12-147	REP-P	01-21-126	232- 28-280	REP	01-10-048	232- 28-61900J	REP-E	01-12-066
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232- 28-02203	AMD	01-10-048	232- 28-42500A	REP-E	01-22-039	232- 28-61900S	REP-E	01-06-007
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246-08-400	AMD	01-16-009	246-254-100	AMD-P	01-11-160	246-296-120	NEW-P	01-14-092
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246-100	PREP	01-08-088	246-254-120	AMD-P	01-24-104	246-296-140	NEW	01-21-137
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246-102-010	NEW	01-04-086	246-282-005	AMD	01-04-054	246-296-160	NEW	01-21-137
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246-102-030	NEW	01-04-086	246-282-012	NEW	01-04-054	246-296-170	NEW	01-21-137
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246-102-050	NEW	01-04-086	246-282-016	NEW	01-04-054	246-296-180	NEW	01-21-137
246-102-060	NEW	01-04-086	246-282-020	AMD	01-04-054	246-296-190	NEW-P	01-14-092
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246-205-990	AMD	01-14-047	246-282-034	NEW	01-04-054	246-305-010	NEW	01-08-023
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246-220-010	AMD-P	01-02-087	246-282-040	REP	01-04-054	246-305-030	NEW	01-08-023
246-220-010	AMD	01-05-110	246-282-042	NEW	01-04-054	246-305-040	NEW	01-08-023
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246-221-005	AMD	01-05-110	246-282-060	AMD	01-04-054	246-305-060	NEW	01-08-023
246-221-010	AMD-P	01-02-087	246-282-070	AMD	01-04-054	246-305-070	NEW	01-08-023
246-221-010	AMD	01-05-110	246-282-080	AMD	01-04-054	246-305-080	NEW	01-08-023
246-221-015	AMD-P	01-02-087	246-282-082	NEW	01-04-054	246-305-090	NEW	01-08-023
246-221-015	AMD	01-05-110	246-282-090	REP	01-04-054	246-305-100	NEW	01-08-023
246-221-030	AMD-P	01-02-087	246-282-092	NEW	01-04-054	246-305-110	NEW	01-08-023
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246-221-055	AMD-P	01-02-087	246-282-102	NEW	01-04-054	246-310-990	AMD	01-15-094
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246-221-090	AMD-P	01-02-087	246-282-110	AMD	01-04-054	246-320-990	PREP	01-10-124
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246-221-100	AMD-P	01-02-087	246-282-130	AMD	01-04-054	246-320-990	AMD	01-20-119
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246-221-110	AMD-P	01-02-087	246-282-990	AMD-P	01-11-158	246-322-990	AMD	01-15-092
246-221-110	AMD	01-05-110	246-282-990	AMD	01-14-047	246-323-990	AMD-P	01-11-157
246-221-113	AMD-P	01-02-087	246-290	PREP	01-17-111	246-323-990	AMD	01-15-091
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246-327-990	AMD-P	01-16-151	246-810-520	REP-X	01-20-117	246-840-910	AMD-P	01-19-078
246-327-990	AMD	01-22-062	246-810-521	REP-X	01-20-117	246-840-920	AMD-P	01-19-078
246-329-990	AMD-P	01-11-155	246-810-532	REP-X	01-20-117	246-840-930	AMD-P	01-19-078
246-329-990	AMD	01-15-090	246-810-540	REP-X	01-20-117	246-840-940	AMD-P	01-19-078
246-331-990	PREP	01-10-125	246-810-600	REP-X	01-22-064	246-840-950	AMD-P	01-19-078
246-331-990	AMD-P	01-16-151	246-810-610	REP-X	01-22-064	246-840-960	AMD-P	01-19-078
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246-336-990	PREP	01-10-125	246-810-630	REP-X	01-22-064	246-840-980	REP-P	01-19-078
246-336-990	AMD-P	01-16-151	246-810-640	REP-X	01-22-064	246-843-072	REP	01-03-114
246-336-990	AMD	01-22-062	246-810-650	REP-X	01-22-064	246-843-074	REP	01-03-114
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246-360-990	AMD	01-15-093	246-810-720	REP-X	01-20-117	246-851-160	AMD-P	01-24-106
246-430-001	REP	01-04-086	246-810-721	REP-X	01-20-117	246-851-250	AMD-P	01-24-106
246-430-010	REP	01-04-086	246-810-721	REP-X	01-20-117	246-851-300	AMD-P	01-24-106
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246-430-040	REP	01-04-086	246-811-081	NEW-P	01-23-100	246-851-520	AMD-P	01-24-106
246-430-050	REP	01-04-086	246-811-082	NEW-P	01-23-100	246-853-221	NEW-P	01-10-128
246-430-060	REP	01-04-086	246-811-200	NEW-P	01-24-040	246-853-221	NEW	01-16-008
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246-650	PREP-W	01-17-027	246-811-220	NEW-P	01-24-040	246-853-222	NEW	01-16-008
246-650	PREP	01-17-028	246-811-230	NEW-P	01-24-040	246-853-222	NEW	01-16-008
246-680	PREP	01-08-091	246-811-240	NEW-P	01-24-040	246-853-223	NEW-P	01-10-128
246-680	PREP	01-08-093	246-811-250	NEW-P	01-24-040	246-853-223	NEW	01-16-008
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246-809-080	NEW	01-17-113	246-811-990	AMD-P	01-23-100	246-853-225	NEW-P	01-10-128
246-809-120	NEW-P	01-13-118	246-817-440	NEW-P	01-11-164	246-853-225	NEW	01-16-008
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246-809-121	NEW	01-17-113	246-817-990	AMD-C	01-09-086	246-853-227	NEW-P	01-10-128
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246-809-140	NEW-P	01-13-118	246-826-301	NEW-P	01-23-099	246-887-040	PREP	01-23-097
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246-809-230	NEW	01-17-113	246-840-421	NEW-P	01-10-127	246-918-005	AMD-P	01-12-095
246-809-240	NEW-P	01-13-118	246-840-421	NEW	01-16-011	246-918-005	AMD	01-18-085
246-809-240	NEW	01-17-113	246-840-422	NEW-P	01-10-127	246-918-007	AMD-P	01-12-095
246-809-320	NEW-P	01-13-118	246-840-422	NEW	01-16-011	246-918-007	AMD	01-18-085
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246-809-600	NEW-X	01-22-064	246-840-425	NEW	01-16-011	246-918-990	AMD-P	01-24-105
246-809-610	NEW-X	01-22-064	246-840-426	NEW-P	01-10-127	246-919-330	AMD-P	01-12-098
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246-809-630	NEW-X	01-22-064	246-840-427	NEW-P	01-10-127	246-919-340	AMD-P	01-12-096
246-809-640	NEW-X	01-22-064	246-840-427	NEW	01-16-011	246-919-340	AMD	01-18-086
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246-809-990	NEW-P	01-13-118	246-840-700	AMD-P	01-21-135	246-919-840	NEW-P	01-10-129
246-809-990	NEW-E	01-13-119	246-840-705	AMD-W	01-15-063	246-919-840	NEW	01-16-010
246-809-990	NEW	01-17-113	246-840-705	AMD-P	01-21-135	246-919-841	NEW-P	01-10-129
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246-919-843	NEW-P	01-10-129	246-928-430	NEW-P	01-07-086	246-935-990	AMD	01-23-101
246-919-843	NEW	01-16-010	246-928-430	NEW	01-11-165	246-937-990	AMD-P	01-19-077
246-919-844	NEW-P	01-10-129	246-928-440	NEW-P	01-13-117	246-937-990	AMD	01-23-101
246-919-844	NEW	01-16-010	246-928-440	NEW	01-21-136	246-939-005	NEW-P	01-06-054
246-919-845	NEW-P	01-10-129	246-928-441	NEW-P	01-13-117	246-939-005	NEW	01-14-044
246-919-845	NEW	01-16-010	246-928-441	NEW	01-21-136	246-939-020	NEW-P	01-06-054
246-919-846	NEW-P	01-10-129	246-928-442	NEW-P	01-13-117	246-939-020	NEW	01-14-044
246-919-846	NEW	01-16-010	246-928-442	NEW	01-21-136	246-939-040	NEW-P	01-06-054
246-919-990	AMD-P	01-24-105	246-928-443	NEW-P	01-13-117	246-939-040	NEW	01-14-044
246-922-990	AMD-P	01-19-077	246-928-443	NEW	01-21-136	246-976-031	PREP	01-11-162
246-922-990	AMD	01-23-101	246-928-443	NEW	01-21-136	246-976-330	AMD-P	01-22-065
246-924-990	AMD-P	01-19-077	246-928-450	NEW-P	01-07-086	246-976-420	AMD-P	01-22-065
246-924-990	AMD	01-23-101	246-928-450	NEW	01-11-165	246-976-430	AMD-P	01-22-065
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246-928-015	REP-P	01-07-086	246-928-510	NEW	01-11-165	246-976-500	PREP	01-10-131
246-928-015	REP	01-11-165	246-928-520	NEW-P	01-07-086	246-976-510	PREP	01-10-131
246-928-020	REP-P	01-07-086	246-928-520	NEW	01-11-165	246-976-550	PREP	01-10-131
246-928-020	REP	01-11-165	246-928-530	NEW-P	01-07-086	246-976-560	PREP	01-10-131
246-928-030	REP-P	01-07-086	246-928-530	NEW	01-11-165	246-976-600	PREP	01-10-131
246-928-030	REP	01-11-165	246-928-540	NEW-P	01-07-086	246-976-610	PREP	01-10-131
246-928-040	REP-P	01-07-086	246-928-540	NEW	01-11-165	246-976-650	PREP	01-10-131
246-928-040	REP	01-11-165	246-928-540	NEW	01-11-165	246-976-720	PREP	01-10-131
246-928-050	REP-P	01-07-086	246-928-550	NEW-P	01-07-086	246-976-730	PREP	01-10-131
246-928-050	REP	01-11-165	246-928-550	NEW	01-11-165	246-976-770	PREP	01-10-131
246-928-060	REP-P	01-07-086	246-928-560	NEW-P	01-07-086	246-976-780	PREP	01-10-131
246-928-060	REP	01-11-165	246-928-560	NEW	01-11-165	246-976-810	PREP	01-10-131
246-928-080	REP-P	01-07-086	246-928-570	NEW-P	01-07-086	246-976-820	PREP	01-10-131
246-928-080	REP	01-11-165	246-928-570	NEW	01-11-165	246-976-885	PREP	01-10-131
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246-928-085	REP	01-11-165	246-928-610	NEW-W	01-20-080	246-976-935	AMD-P	01-22-063
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246-928-120	REP-P	01-07-086	246-928-710	NEW-P	01-07-086	248-554-005	REP	01-07-053
246-928-120	REP	01-11-165	246-928-710	NEW	01-11-165	248-554-010	REP	01-07-053
246-928-130	REP-P	01-07-086	246-928-720	NEW-P	01-07-086	248-554-015	REP	01-07-053
246-928-130	REP	01-11-165	246-928-720	NEW	01-11-165	248-554-018	REP	01-07-053
246-928-140	REP-P	01-07-086	246-928-730	NEW-P	01-07-086	248-554-020	REP	01-07-053
246-928-140	REP	01-11-165	246-928-730	NEW	01-11-165	248-554-030	REP	01-07-053
246-928-150	REP-P	01-07-086	246-928-740	NEW-P	01-07-086	250-44-100	AMD-P	01-06-065
246-928-150	REP	01-11-165	246-928-740	NEW	01-11-165	250-44-100	AMD	01-10-020
246-928-160	REP-P	01-07-086	246-928-750	NEW-P	01-07-086	250-44-110	AMD-P	01-06-065
246-928-160	REP	01-11-165	246-928-750	NEW	01-11-165	250-44-110	AMD	01-10-020
246-928-170	REP-P	01-07-086	246-928-760	NEW-P	01-07-086	250-44-120	AMD-P	01-06-065
246-928-170	REP	01-11-165	246-928-760	NEW	01-11-165	250-44-120	AMD	01-10-020
246-928-180	REP-P	01-07-086	246-928-990	AMD-P	01-07-086	250-63-010	NEW	01-08-017
246-928-180	REP	01-11-165	246-928-990	AMD	01-11-165	250-63-020	NEW	01-08-017
246-928-190	REP-P	01-07-086	246-930-050	PREP	01-24-103	250-63-030	NEW	01-08-017
246-928-190	REP	01-11-165	246-930-075	PREP	01-24-103	250-63-040	NEW	01-08-017
246-928-200	REP-P	01-07-086	246-930-310	PREP	01-24-103	250-63-050	NEW	01-08-017
246-928-200	REP	01-11-165	246-930-320	PREP	01-24-103	250-63-060	NEW	01-08-017
246-928-210	REP-P	01-07-086	246-933-990	AMD-P	01-19-077	250-63-070	NEW	01-08-017
246-928-210	REP	01-11-165	246-933-990	AMD	01-23-101	250-63-080	NEW	01-08-017
246-928-220	REP-P	01-07-086	246-935	AMD-X	01-23-098	250-66	PREP	01-15-076
246-928-220	REP	01-11-165	246-935-010	AMD-X	01-23-098	250-66-030	AMD-P	01-18-069
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246-928-310	NEW	01-11-165	246-935-030	AMD-X	01-23-098	251-01-415	AMD-P	01-08-063
246-928-320	NEW-P	01-07-086	246-935-040	AMD-P	01-21-134	251-01-415	AMD	01-11-112
246-928-320	NEW	01-11-165	246-935-050	AMD-P	01-21-134	251-12-600	AMD-P	01-08-063
246-928-410	NEW-P	01-07-086	246-935-060	AMD-P	01-21-134	251-12-600	AMD	01-11-112
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259- 04-070	AMD-P	01-20-016	284- 18A-430	NEW-E	01-18-039	286- 06-110	AMD	01-17-056
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262- 01-110	AMD-P	01-07-028	284- 18A-950	NEW-E	01-18-039	286- 13-085	AMD-E	01-23-057
262- 01-110	AMD	01-11-034	284- 18A-960	NEW-E	01-18-039	286- 40-020	AMD-P	01-09-025
262- 01-120	PREP	01-03-144	284- 22	PREP	01-21-074	286- 40-020	AMD	01-17-056
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262- 01-130	AMD-P	01-07-028	284- 43-130	AMD	01-03-032	292- 09-050	AMD-P	01-14-025
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263- 12-059	NEW-P	01-06-059	284- 43-410	NEW	01-03-033	292-100-010	AMD-P	01-08-080
263- 12-059	NEW	01-09-032	284- 43-610	REP	01-03-033	292-100-010	AMD	01-13-033
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284- 04-120	AMD-E	01-14-053	284- 43-815	NEW	01-03-032	292-100-030	AMD	01-13-033
284- 04-200	NEW	01-03-034	284- 43-820	NEW	01-03-033	292-100-040	AMD-P	01-08-080
284- 04-205	NEW	01-03-034	284- 43-821	NEW	01-03-035	292-100-040	AMD	01-13-033
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284- 04-215	NEW	01-03-034	284- 43-821	REP	01-19-001	292-100-041	NEW	01-13-033
284- 04-220	NEW	01-03-034	284- 43-822	NEW-W	01-12-083	292-100-042	NEW-P	01-08-080
284- 04-225	NEW	01-03-034	284- 43-822	NEW-P	01-15-084	292-100-042	NEW	01-13-033
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284- 04-305	NEW	01-03-034	284- 43-823	NEW	01-03-035	292-100-045	NEW	01-13-033
284- 04-310	NEW	01-03-034	284- 43-823	REP-P	01-15-084	292-100-046	NEW-P	01-08-080
284- 04-400	NEW	01-03-034	284- 43-823	REP	01-19-001	292-100-046	NEW	01-13-033
284- 04-405	NEW	01-03-034	284- 43-824	NEW	01-03-035	292-100-047	NEW-P	01-08-080
284- 04-410	NEW	01-03-034	284- 43-824	AMD-E	01-04-087	292-100-047	NEW	01-13-033
284- 04-500	NEW	01-03-034	284- 43-824	AMD-E	01-14-054	292-100-050	AMD-P	01-08-080
284- 04-505	NEW	01-03-034	284- 43-824	REP-P	01-15-084	292-100-050	AMD	01-13-033
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284- 04-605	NEW	01-03-034	284- 66-066	AMD-W	01-12-084	292-100-080	AMD	01-13-033
284- 04-610	NEW	01-03-034	284- 66-077	AMD-W	01-12-084	292-100-100	AMD-P	01-08-080
284- 04-615	NEW	01-03-034	284- 66-092	AMD-W	01-12-084	292-100-100	AMD	01-13-033
284- 04-620	NEW	01-03-034	284- 66-110	AMD-W	01-12-084	292-100-110	AMD-P	01-08-080
284- 04-900	NEW	01-03-034	284- 66-120	AMD-W	01-12-084	292-100-110	AMD	01-13-033
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284- 07-050	AMD	01-11-077	284- 66-170	AMD-W	01-12-084	292-100-130	AMD	01-13-033
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284- 18A-320	NEW-E	01-18-039	286- 06-060	AMD-P	01-09-025	292-100-160	AMD	01-13-033
284- 18A-330	NEW-E	01-18-039	286- 06-060	AMD	01-17-056	292-100-170	AMD-P	01-08-080
284- 18A-340	NEW-E	01-18-039	286- 06-065	AMD-P	01-09-025	292-100-170	AMD	01-13-033
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292-100-200	AMD-P	01-08-080	296-04-270	REP-P	01-16-159	296-05-105	NEW-P	01-16-159
292-100-200	AMD	01-13-033	296-04-270	REP	01-22-055	296-05-105	NEW	01-22-055
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292-100-210	AMD	01-13-033	296-04-275	REP	01-22-055	296-05-107	NEW	01-22-055
292-100-220	NEW	01-13-033	296-04-280	REP-P	01-16-159	296-05-109	NEW-P	01-16-159
292-110-010	PREP	01-11-120	296-04-280	REP	01-22-055	296-05-109	NEW	01-22-055
292-110-010	AMD-P	01-20-088	296-04-295	REP-P	01-16-159	296-05-200	NEW-P	01-16-159
292-110-050	AMD-P	01-08-080	296-04-295	REP	01-22-055	296-05-200	NEW	01-22-055
292-110-050	AMD	01-13-080	296-04-300	REP-P	01-16-159	296-05-203	NEW-P	01-16-159
292-110-060	AMD-P	01-08-080	296-04-300	REP	01-22-055	296-05-203	NEW	01-22-055
292-110-060	AMD	01-13-080	296-04-310	REP-P	01-16-159	296-05-205	NEW-P	01-16-159
292-120	PREP	01-11-121	296-04-310	REP	01-22-055	296-05-205	NEW	01-22-055
292-120-030	AMD-P	01-20-087	296-04-330	REP-P	01-16-159	296-05-207	NEW-P	01-16-159
292-120-035	NEW-P	01-20-087	296-04-330	REP	01-22-055	296-05-207	NEW	01-22-055
292-130-020	AMD-P	01-08-080	296-04-340	REP-P	01-16-159	296-05-209	NEW-P	01-16-159
292-130-020	AMD	01-13-033	296-04-340	REP	01-22-055	296-05-209	NEW	01-22-055
292-130-030	AMD-P	01-08-080	296-04-350	REP-P	01-16-159	296-05-211	NEW-P	01-16-159
292-130-030	AMD	01-13-033	296-04-350	REP	01-22-055	296-05-211	NEW	01-22-055
292-130-040	AMD-P	01-08-080	296-04-351	REP-P	01-16-159	296-05-213	NEW-P	01-16-159
292-130-040	AMD	01-13-033	296-04-351	REP	01-22-055	296-05-213	NEW	01-22-055
292-130-060	AMD-P	01-08-080	296-04-360	REP-P	01-16-159	296-05-300	NEW-P	01-16-159
292-130-060	AMD	01-13-033	296-04-360	REP	01-22-055	296-05-300	NEW	01-22-055
292-130-065	NEW-P	01-08-080	296-04-370	REP-P	01-16-159	296-05-302	NEW-P	01-16-159
292-130-065	NEW	01-13-033	296-04-370	REP	01-22-055	296-05-302	NEW	01-22-055
292-130-070	AMD-P	01-08-080	296-04-380	REP-P	01-16-159	296-05-303	NEW-P	01-16-159
292-130-070	AMD	01-13-033	296-04-380	REP	01-22-055	296-05-303	NEW	01-22-055
292-130-080	AMD-P	01-08-080	296-04-390	REP-P	01-16-159	296-05-305	NEW-P	01-16-159
292-130-080	AMD	01-13-033	296-04-390	REP	01-22-055	296-05-305	NEW	01-22-055
292-130-130	AMD-P	01-08-080	296-04-400	REP-P	01-16-159	296-05-307	NEW-P	01-16-159
292-130-130	AMD	01-13-033	296-04-400	REP	01-22-055	296-05-307	NEW	01-22-055
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296-04-001	REP	01-22-055	296-04-410	REP	01-22-055	296-05-309	NEW	01-22-055
296-04-005	REP-P	01-16-159	296-04-420	REP-P	01-16-159	296-05-311	NEW-P	01-16-159
296-04-005	REP	01-22-055	296-04-420	REP	01-22-055	296-05-311	NEW	01-22-055
296-04-010	REP-P	01-16-159	296-04-430	REP-P	01-16-159	296-05-313	NEW-P	01-16-159
296-04-010	REP	01-22-055	296-04-430	REP	01-22-055	296-05-313	NEW	01-22-055
296-04-015	REP-P	01-16-159	296-04-440	REP-P	01-16-159	296-05-315	NEW-P	01-16-159
296-04-015	REP	01-22-055	296-04-440	REP	01-22-055	296-05-315	NEW	01-22-055
296-04-040	REP-P	01-16-159	296-04-460	REP-P	01-16-159	296-05-316	NEW-P	01-16-159
296-04-040	REP	01-22-055	296-04-460	REP	01-22-055	296-05-316	NEW	01-22-055
296-04-042	REP-P	01-16-159	296-04-470	REP-P	01-16-159	296-05-317	NEW-P	01-16-159
296-04-042	REP	01-22-055	296-04-470	REP	01-22-055	296-05-317	NEW	01-22-055
296-04-045	REP-P	01-16-159	296-04-480	REP-P	01-16-159	296-05-318	NEW-P	01-16-159
296-04-045	REP	01-22-055	296-04-480	REP	01-22-055	296-05-318	NEW	01-22-055
296-04-05001	REP-P	01-16-159	296-05-001	NEW-P	01-16-159	296-05-319	NEW-P	01-16-159
296-04-05001	REP	01-22-055	296-05-001	NEW	01-22-055	296-05-319	NEW	01-22-055
296-04-060	REP-P	01-16-159	296-05-003	NEW-P	01-16-159	296-05-321	NEW-P	01-16-159
296-04-060	REP	01-22-055	296-05-003	NEW	01-22-055	296-05-321	NEW	01-22-055
296-04-090	REP-P	01-16-159	296-05-005	NEW-P	01-16-159	296-05-323	NEW-P	01-16-159
296-04-090	REP	01-22-055	296-05-005	NEW	01-22-055	296-05-323	NEW	01-22-055
296-04-105	REP-P	01-16-159	296-05-007	NEW-P	01-16-159	296-05-325	NEW-P	01-16-159
296-04-105	REP	01-22-055	296-05-007	NEW	01-22-055	296-05-325	NEW	01-22-055
296-04-115	REP-P	01-16-159	296-05-009	NEW-P	01-16-159	296-05-327	NEW-P	01-16-159
296-04-115	REP	01-22-055	296-05-009	NEW	01-22-055	296-05-327	NEW	01-22-055
296-04-125	REP-P	01-16-159	296-05-011	NEW-P	01-16-159	296-05-400	NEW-P	01-16-159
296-04-125	REP	01-22-055	296-05-011	NEW	01-22-055	296-05-400	NEW	01-22-055
296-04-160	REP-P	01-16-159	296-05-013	NEW-P	01-16-159	296-05-402	NEW-P	01-16-159
296-04-160	REP	01-22-055	296-05-013	NEW	01-22-055	296-05-402	NEW	01-22-055
296-04-165	REP-P	01-16-159	296-05-100	NEW-P	01-16-159	296-05-403	NEW-P	01-16-159
296-04-165	REP	01-22-055	296-05-100	NEW	01-22-055	296-05-403	NEW	01-22-055

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296-05-405	NEW	01-22-055	296-17-52120	REP-P	01-19-069	296-20-03001	AMD-P	01-08-092
296-05-407	NEW-P	01-16-159	296-17-52120	REP	01-23-059	296-20-03001	AMD-C	01-13-079
296-05-407	NEW	01-22-055	296-17-52121	REP-P	01-19-069	296-20-03001	AMD	01-18-041
296-05-409	NEW-P	01-16-159	296-17-52121	REP	01-23-059	296-20-091	AMD-P	01-08-092
296-05-409	NEW	01-22-055	296-17-52122	REP-P	01-19-069	296-20-091	AMD-C	01-13-079
296-05-411	NEW-P	01-16-159	296-17-52122	REP	01-23-059	296-20-091	AMD	01-18-041
296-05-411	NEW	01-22-055	296-17-52123	REP-P	01-19-069	296-20-135	AMD-P	01-05-113
296-05-413	NEW-P	01-16-159	296-17-52123	REP	01-23-059	296-20-135	AMD	01-10-026
296-05-413	NEW	01-22-055	296-17-52124	REP-P	01-19-069	296-20-303	NEW-P	01-08-092
296-05-415	NEW-P	01-16-159	296-17-52124	REP	01-23-059	296-20-303	NEW-C	01-13-079
296-05-415	NEW	01-22-055	296-17-52125	REP-P	01-19-069	296-20-303	NEW	01-18-041
296-05-417	NEW-P	01-16-159	296-17-52125	REP	01-23-059	296-23	PREP	01-02-091
296-05-417	NEW	01-22-055	296-17-52126	REP-P	01-19-069	296-23	PREP	01-14-084
296-05-419	NEW-P	01-16-159	296-17-52126	REP	01-23-059	296-23-165	AMD-P	01-08-092
296-05-419	NEW	01-22-055	296-17-52140	NEW-P	01-19-069	296-23-165	AMD-C	01-13-079
296-05-427	NEW-P	01-16-159	296-17-52140	NEW	01-23-059	296-23-165	AMD	01-18-041
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296-05-429	NEW-P	01-16-159	296-17-52141	NEW	01-23-059	296-23-170	AMD-C	01-13-079
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296-05-433	NEW-P	01-16-159	296-17-855	AMD-P	01-19-070	296-23-230	AMD	01-10-026
296-05-433	NEW	01-22-055	296-17-855	AMD	01-23-061	296-23-245	AMD-P	01-08-092
296-05-435	NEW-P	01-16-159	296-17-875	AMD-P	01-19-070	296-23-245	AMD-C	01-13-079
296-05-435	NEW	01-22-055	296-17-875	AMD	01-23-061	296-23-245	AMD	01-18-041
296-05-437	NEW-P	01-16-159	296-17-880	AMD-P	01-19-070	296-23A	PREP	01-14-084
296-05-437	NEW	01-22-055	296-17-880	AMD	01-23-061	296-23A-0220	AMD-P	01-18-082
296-05-439	NEW-P	01-16-159	296-17-885	AMD-P	01-19-070	296-23A-0220	AMD	01-24-045
296-05-439	NEW	01-22-055	296-17-885	AMD	01-23-061	296-23A-0221	NEW-P	01-18-082
296-05-441	NEW-P	01-16-159	296-17-890	AMD-P	01-19-070	296-23A-0221	NEW	01-24-045
296-05-441	NEW	01-22-055	296-17-890	AMD	01-23-061	296-23A-0700	NEW-P	01-18-082
296-05-443	NEW-P	01-16-159	296-17-895	AMD-P	01-19-070	296-23A-0700	NEW	01-24-045
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296-05-449	NEW-P	01-16-159	296-17-90421	AMD-P	01-19-072	296-23A-0730	NEW	01-24-045
296-05-449	NEW	01-22-055	296-17-90421	AMD	01-23-058	296-23A-0740	NEW-P	01-18-082
296-05-451	NEW-P	01-16-159	296-17-90447	NEW-P	01-19-072	296-23A-0740	NEW	01-24-045
296-05-451	NEW	01-22-055	296-17-90447	NEW	01-23-058	296-23A-0750	NEW-P	01-18-082
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296-05-457	NEW-P	01-16-159	296-17-90494	AMD-P	01-19-070	296-23A-0780	NEW	01-24-045
296-05-457	NEW	01-22-055	296-17-90494	AMD	01-23-061	296-23B	PREP	01-14-084
296-14	PREP	01-20-091	296-17-90495	AMD-P	01-19-070	296-23B-0100	NEW-P	01-14-085
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296-17	PREP	01-11-150	296-17-90496	AMD	01-23-061	296-23B-0110	NEW	01-21-140
296-17	PREP	01-23-079	296-17-90497	AMD-P	01-19-070	296-23B-0120	NEW-P	01-14-085
296-17-31013	AMD-P	01-19-069	296-17-90497	AMD	01-23-061	296-23B-0120	NEW	01-21-140
296-17-31013	AMD	01-23-059	296-17-920	AMD-P	01-19-070	296-23B-0130	NEW-P	01-14-085
296-17-35203	AMD-P	01-19-069	296-17-920	AMD	01-23-061	296-23B-0130	NEW	01-21-140
296-17-35203	AMD	01-23-059	296-19A	REVIEW	01-21-019	296-23B-0140	NEW-P	01-14-085
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296-17-52116	REP	01-23-059	296-20	PREP	01-14-084	296-23C	PREP	01-14-084
296-17-52118	REP-P	01-19-069	296-20-01002	AMD-P	01-08-092	296-24	PREP	01-07-102
296-17-52118	REP	01-23-059	296-20-01002	AMD-C	01-13-079	296-24	PREP	01-09-093
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296-24-006	REP	01-11-038	296-24-31505	AMD-W	01-11-039	296-24-63103	REP	01-17-033
296-24-007	REP	01-11-038	296-24-32003	AMD-W	01-11-039	296-24-63105	REP-P	01-12-103
296-24-008	REP	01-11-038	296-24-33009	AMD-P	01-12-103	296-24-63105	REP	01-17-033
296-24-010	REP	01-11-038	296-24-33009	AMD	01-17-033	296-24-63107	REP-P	01-12-103
296-24-015	REP	01-11-038	296-24-33011	AMD-W	01-11-039	296-24-63107	REP	01-17-033
296-24-020	REP	01-11-038	296-24-33015	AMD-W	01-11-039	296-24-63109	REP-P	01-12-103
296-24-025	REP	01-11-038	296-24-33015	AMD-P	01-12-103	296-24-63109	REP	01-17-033
296-24-040	REP	01-11-038	296-24-33015	AMD	01-17-033	296-24-63199	REP-P	01-12-103
296-24-045	REP	01-11-038	296-24-33017	AMD-W	01-11-039	296-24-63199	REP	01-17-033
296-24-055	REP	01-11-038	296-24-37005	AMD-W	01-11-039	296-24-65001	REP	01-11-038
296-24-061	REP	01-11-038	296-24-37019	AMD-W	01-11-039	296-24-65501	AMD	01-11-038
296-24-06105	REP	01-11-038	296-24-37023	AMD-W	01-11-039	296-24-67515	AMD	01-11-038
296-24-06110	REP	01-11-038	296-24-40513	AMD	01-11-038	296-24-68215	AMD-P	01-12-103
296-24-06115	REP	01-11-038	296-24-47505	AMD-W	01-11-039	296-24-68215	AMD	01-17-033
296-24-06120	REP	01-11-038	296-24-47509	AMD-P	01-12-103	296-24-68503	AMD	01-11-038
296-24-06125	REP	01-11-038	296-24-47509	AMD	01-17-033	296-24-68505	AMD	01-11-038
296-24-06130	REP	01-11-038	296-24-47513	AMD-P	01-12-103	296-24-69001	AMD	01-11-038
296-24-06135	REP	01-11-038	296-24-47513	AMD	01-17-033	296-24-70003	AMD	01-11-038
296-24-06140	REP	01-11-038	296-24-47517	AMD-P	01-12-103	296-24-70005	AMD	01-11-038
296-24-06145	REP	01-11-038	296-24-47517	AMD	01-17-033	296-24-73503	REP	01-11-038
296-24-06150	REP	01-11-038	296-24-550	REP	01-11-038	296-24-73509	REP	01-11-038
296-24-06155	REP	01-11-038	296-24-55001	AMD-P	01-12-103	296-24-73513	REP	01-11-038
296-24-06160	REP	01-11-038	296-24-55001	AMD	01-17-033	296-24-75001	AMD-W	01-11-039
296-24-073	REP	01-11-038	296-24-55003	REP	01-11-038	296-24-75003	REP-W	01-11-039
296-24-075	REP	01-11-038	296-24-55005	REP	01-11-038	296-24-75003	AMD-P	01-12-103
296-24-07501	REP	01-11-038	296-24-55007	REP	01-11-038	296-24-75003	AMD	01-17-033
296-24-078	REP	01-11-038	296-24-55009	REP	01-11-038	296-24-75005	AMD-W	01-11-039
296-24-07801	REP	01-11-038	296-24-565	REP	01-11-038	296-24-75007	AMD-P	01-12-103
296-24-084	REP	01-11-038	296-24-56501	REP	01-11-038	296-24-75007	AMD	01-17-033
296-24-086	REP	01-11-038	296-24-56503	REP	01-11-038	296-24-75009	REP-P	01-12-103
296-24-088	REP	01-11-038	296-24-56505	REP	01-11-038	296-24-75009	REP	01-17-033
296-24-090	REP	01-11-038	296-24-56507	REP	01-11-038	296-24-76505	REP	01-11-038
296-24-092	REP	01-11-038	296-24-56509	REP	01-11-038	296-24-76507	REP-W	01-11-039
296-24-094	REP	01-11-038	296-24-56511	REP	01-11-038	296-24-76509	REP-W	01-11-039
296-24-096	REP	01-11-038	296-24-56513	REP	01-11-038	296-24-76517	REP	01-11-038
296-24-098	REP	01-11-038	296-24-56515	REP	01-11-038	296-24-780	AMD-W	01-11-039
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296-24-12005	REP	01-11-038	296-24-56523	REP	01-11-038	296-24-78005	AMD	01-17-033
296-24-12006	AMD-W	01-11-039	296-24-56529	REP	01-11-038	296-24-78009	AMD-P	01-12-103
296-24-12007	REP	01-11-038	296-24-56531	REP	01-11-038	296-24-78009	AMD	01-17-033
296-24-12009	REP	01-11-038	296-24-567	AMD	01-11-038	296-24-79501	AMD-W	01-11-039
296-24-12010	NEW	01-11-038	296-24-58513	AMD	01-11-038	296-24-79507	REP	01-11-038
296-24-12019	REP	01-11-038	296-24-58517	AMD	01-11-038	296-24-81003	AMD-W	01-11-039
296-24-12021	REP	01-11-038	296-24-59201	AMD	01-11-038	296-24-95605	AMD-W	01-11-039
296-24-14007	AMD	01-11-038	296-24-59203	REP-P	01-12-103	296-24-95607	AMD	01-11-038
296-24-20700	AMD-W	01-11-039	296-24-59203	REP	01-17-033	296-24-980	AMD	01-11-038
296-24-21503	REP	01-11-038	296-24-59205	REP	01-11-038	296-27	PREP	01-16-144
296-24-21505	REP	01-11-038	296-24-59207	REP	01-11-038	296-27-00101	NEW-P	01-19-066
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296-24-23505	AMD-P	01-12-103	296-24-59215	AMD	01-11-038	296-27-010	REP-P	01-19-066
296-24-23505	AMD	01-17-033	296-24-61705	AMD	01-11-038	296-27-011	NEW-P	01-19-066
296-24-23507	AMD	01-11-038	296-24-62203	AMD	01-11-038	296-27-01101	NEW-P	01-19-066
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296-27-01113	NEW-P	01-19-066	296-31-06903	AMD	01-22-105	296-52-453	REP-P	01-16-145
296-27-01115	NEW-P	01-19-066	296-32	PREP	01-07-102	296-52-457	REP-P	01-16-145
296-27-01117	NEW-P	01-19-066	296-32	PREP	01-09-093	296-52-461	REP-P	01-16-145
296-27-01119	NEW-P	01-19-066	296-32-200	AMD	01-11-038	296-52-465	AMD	01-11-038
296-27-020	REP-P	01-19-066	296-32-220	AMD	01-11-038	296-52-465	REP-P	01-16-145
296-27-021	NEW-P	01-19-066	296-32-230	AMD	01-11-038	296-52-469	REP-P	01-16-145
296-27-02101	NEW-P	01-19-066	296-32-240	AMD-E	01-04-090	296-52-477	REP-P	01-16-145
296-27-02103	NEW-P	01-19-066	296-32-240	AMD-P	01-04-091	296-52-481	REP-P	01-16-145
296-27-02105	NEW-P	01-19-066	296-32-240	AMD	01-07-075	296-52-485	REP-P	01-16-145
296-27-02107	NEW-P	01-19-066	296-32-250	AMD	01-11-038	296-52-487	REP-P	01-16-145
296-27-02109	NEW-P	01-19-066	296-32-250	AMD-X	01-18-083	296-52-489	AMD	01-11-038
296-27-02111	NEW-P	01-19-066	296-32-250	AMD	01-23-060	296-52-489	REP-P	01-16-145
296-27-02113	NEW-P	01-19-066	296-32-260	AMD	01-11-038	296-52-493	REP-P	01-16-145
296-27-02117	NEW-P	01-19-066	296-33-010	NEW-P	01-23-080	296-52-497	AMD	01-11-038
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296-302	PREP	01-07-102	296-307-55025	NEW-P	01-12-103	296-800-13005	NEW	01-11-038
296-302-010	AMD	01-11-038	296-307-55025	NEW	01-17-033	296-800-13005	AMD-X	01-18-083
296-302-02501	AMD	01-11-038	296-307-55030	NEW-P	01-12-103	296-800-13005	AMD	01-23-060
296-302-050	AMD	01-11-038	296-307-55030	NEW	01-17-033	296-800-13010	NEW	01-11-038
296-302-060	AMD	01-11-038	296-307-55035	NEW-P	01-12-103	296-800-13010	AMD-X	01-18-083
296-302-06513	AMD	01-11-038	296-307-55035	NEW	01-17-033	296-800-13010	AMD	01-23-060
296-303	PREP	01-07-102	296-307-55040	NEW-P	01-12-103	296-800-13015	NEW	01-11-038
296-303-01001	AMD	01-11-038	296-307-55040	NEW	01-17-033	296-800-140	NEW	01-11-038
296-304	PREP	01-07-102	296-307-55045	NEW-P	01-12-103	296-800-14005	NEW	01-11-038
296-304-010	AMD	01-11-038	296-307-55045	NEW	01-17-033	296-800-14015	NEW-W	01-14-071
296-304-06013	AMD	01-11-038	296-307-55050	NEW-P	01-12-103	296-800-14020	NEW	01-11-038
296-305	PREP	01-07-102	296-307-55050	NEW	01-17-033	296-800-14025	NEW	01-11-038
296-305	PREP	01-20-092	296-307-55055	NEW-P	01-12-103	296-800-150	NEW	01-11-038
296-305-01003	AMD	01-11-038	296-307-55055	NEW	01-17-033	296-800-15005	NEW	01-11-038
296-305-01005	AMD	01-11-038	296-307-55060	NEW-P	01-12-103	296-800-15005	AMD-X	01-18-083
296-305-01009	AMD	01-11-038	296-307-55060	NEW	01-17-033	296-800-15005	AMD	01-23-060
296-305-01509	AMD	01-11-038	296-307-570	NEW-P	01-12-103	296-800-15010	NEW	01-11-038
296-305-01515	AMD	01-11-038	296-307-570	NEW	01-17-033	296-800-15010	AMD-X	01-18-083
296-305-01517	AMD	01-11-038	296-307-57005	NEW-P	01-12-103	296-800-15010	AMD	01-23-060
296-305-04511	AMD	01-11-038	296-307-57005	NEW	01-17-033	296-800-15015	NEW	01-11-038
296-305-05503	AMD	01-11-038	296-307-590	NEW-P	01-12-103	296-800-15020	NEW	01-11-038
296-305-06005	AMD	01-11-038	296-307-590	NEW	01-17-033	296-800-15025	NEW	01-11-038
296-305-06007	AMD	01-11-038	296-307-59005	NEW-P	01-12-103	296-800-160	NEW	01-11-038
296-305-06503	AMD	01-11-038	296-307-59005	NEW	01-17-033	296-800-160	AMD-X	01-18-083
296-305-06511	AMD	01-11-038	296-307-59010	NEW-P	01-12-103	296-800-160	AMD	01-23-060
296-305-06515	AMD	01-11-038	296-307-59010	NEW	01-17-033	296-800-16005	NEW	01-11-038
296-307	PREP	01-09-093	296-350	PREP	01-09-093	296-800-16010	NEW	01-11-038
296-307	PREP	01-20-092	296-350-60025	REP-P	01-12-103	296-800-16015	NEW	01-11-038
296-307-018	AMD-P	01-12-103	296-350-60025	REP	01-17-033	296-800-16015	AMD-X	01-18-083
296-307-018	AMD	01-17-033	296-400A	PREP	01-05-116	296-800-16015	AMD	01-23-060
296-307-039	AMD-P	01-12-103	296-400A	PREP	01-13-099	296-800-16020	NEW	01-11-038
296-307-039	AMD	01-17-033	296-401B	PREP	01-05-116	296-800-16020	AMD-X	01-18-083
296-307-03905	NEW-P	01-12-103	296-401B	PREP	01-15-104	296-800-16020	AMD	01-23-060
296-307-03905	NEW	01-17-033	296-401B-700	AMD-P	01-09-090	296-800-16025	NEW	01-11-038
296-307-03910	NEW-P	01-12-103	296-401B-700	AMD	01-12-035	296-800-16025	AMD-X	01-18-083
296-307-03910	NEW	01-17-033	296-402A	PREP	01-15-103	296-800-16025	AMD	01-23-060
296-307-03915	NEW-P	01-12-103	296-403	PREP	01-15-103	296-800-16030	NEW	01-11-038
296-307-03915	NEW	01-17-033	296-800	PREP	01-09-093	296-800-16035	NEW	01-11-038
296-307-03920	NEW-P	01-12-103	296-800-100	NEW	01-11-038	296-800-16040	NEW	01-11-038
296-307-03920	NEW	01-17-033	296-800-100	AMD-X	01-18-083	296-800-16045	NEW	01-11-038
296-307-03925	NEW-P	01-12-103	296-800-100	AMD	01-23-060	296-800-16050	NEW	01-11-038
296-307-03925	NEW	01-17-033	296-800-110	NEW	01-11-038	296-800-16050	AMD-X	01-18-083
296-307-042	REP-P	01-12-103	296-800-110	AMD-X	01-18-083	296-800-16050	AMD	01-23-060
296-307-042	REP	01-17-033	296-800-110	AMD	01-23-060	296-800-16055	NEW	01-11-038
296-307-07013	AMD-P	01-12-103	296-800-11005	NEW	01-11-038	296-800-16060	NEW	01-11-038
296-307-07013	AMD	01-17-033	296-800-11005	AMD-X	01-18-083	296-800-16065	NEW	01-11-038
296-307-12040	AMD-P	01-12-103	296-800-11005	AMD	01-23-060	296-800-16070	NEW	01-11-038
296-307-12040	AMD	01-17-033	296-800-11010	NEW	01-11-038	296-800-170	NEW	01-11-038
296-307-13025	AMD-P	01-12-103	296-800-11015	NEW	01-11-038	296-800-170	AMD-X	01-18-083
296-307-13025	AMD	01-17-033	296-800-11020	NEW	01-11-038	296-800-170	AMD	01-23-060
296-307-14505	AMD-P	01-12-103	296-800-11020	AMD-X	01-18-083	296-800-17005	NEW	01-11-038
296-307-14505	AMD	01-17-033	296-800-11020	AMD	01-23-060	296-800-17005	AMD-X	01-18-083
296-307-550	NEW-P	01-12-103	296-800-11025	NEW	01-11-038	296-800-17005	AMD	01-23-060
296-307-550	NEW	01-17-033	296-800-11030	NEW	01-11-038	296-800-17010	NEW	01-11-038
296-307-55005	NEW-P	01-12-103	296-800-11035	NEW	01-11-038	296-800-17010	AMD-X	01-18-083
296-307-55005	NEW	01-17-033	296-800-120	NEW	01-11-038	296-800-17010	AMD	01-23-060
296-307-55010	NEW-P	01-12-103	296-800-120	AMD-X	01-18-083	296-800-17015	NEW	01-11-038
296-307-55010	NEW	01-17-033	296-800-120	AMD	01-23-060	296-800-17015	AMD-X	01-18-083
296-307-55015	NEW-P	01-12-103	296-800-12005	NEW	01-11-038	296-800-17015	AMD	01-23-060
296-307-55015	NEW	01-17-033	296-800-12005	AMD-X	01-18-083	296-800-17020	NEW	01-11-038

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-800-17020	AMD-X	01-18-083	296-800-23025	AMD-X	01-18-083	296-800-29015	AMD	01-23-060
296-800-17020	AMD	01-23-060	296-800-23025	AMD	01-23-060	296-800-29020	NEW	01-11-038
296-800-17025	NEW	01-11-038	296-800-23030	NEW	01-11-038	296-800-29025	NEW	01-11-038
296-800-17025	AMD-X	01-18-083	296-800-23035	NEW	01-11-038	296-800-29025	AMD-X	01-18-083
296-800-17025	AMD	01-23-060	296-800-240	NEW	01-11-038	296-800-29025	AMD	01-23-060
296-800-17030	NEW	01-11-038	296-800-24005	NEW	01-11-038	296-800-29030	NEW	01-11-038
296-800-17030	AMD-X	01-18-083	296-800-24010	NEW	01-11-038	296-800-29030	AMD-X	01-18-083
296-800-17030	AMD	01-23-060	296-800-24010	AMD-X	01-18-083	296-800-29030	AMD	01-23-060
296-800-17035	NEW	01-11-038	296-800-24010	AMD	01-23-060	296-800-29035	NEW	01-11-038
296-800-17035	AMD-X	01-18-083	296-800-250	NEW	01-11-038	296-800-29040	NEW	01-11-038
296-800-17035	AMD	01-23-060	296-800-250	AMD-X	01-18-083	296-800-29045	NEW-W	01-14-071
296-800-17040	NEW	01-11-038	296-800-250	AMD	01-23-060	296-800-300	NEW	01-11-038
296-800-17040	AMD-X	01-18-083	296-800-25005	NEW	01-11-038	296-800-300	AMD-X	01-18-083
296-800-17040	AMD	01-23-060	296-800-25005	AMD-X	01-18-083	296-800-300	AMD	01-23-060
296-800-17045	NEW	01-11-038	296-800-25005	AMD	01-23-060	296-800-30005	NEW	01-11-038
296-800-17050	NEW	01-11-038	296-800-25010	NEW	01-11-038	296-800-30010	NEW	01-11-038
296-800-17055	NEW	01-11-038	296-800-25015	NEW	01-11-038	296-800-30010	AMD-X	01-18-083
296-800-180	NEW	01-11-038	296-800-25015	AMD-X	01-18-083	296-800-30010	AMD	01-23-060
296-800-180	AMD-X	01-18-083	296-800-25015	AMD	01-23-060	296-800-30015	NEW	01-11-038
296-800-180	AMD	01-23-060	296-800-260	NEW	01-11-038	296-800-30020	NEW	01-11-038
296-800-18005	NEW	01-11-038	296-800-26005	NEW	01-11-038	296-800-30020	AMD-X	01-18-083
296-800-18010	NEW	01-11-038	296-800-26010	NEW	01-11-038	296-800-30020	AMD	01-23-060
296-800-18015	NEW	01-11-038	296-800-26010	AMD-X	01-18-083	296-800-30025	NEW	01-11-038
296-800-18015	AMD-X	01-18-083	296-800-26010	AMD	01-23-060	296-800-310	NEW	01-11-038
296-800-18015	AMD	01-23-060	296-800-270	NEW	01-11-038	296-800-310	AMD-X	01-18-083
296-800-18020	NEW	01-11-038	296-800-27005	NEW	01-11-038	296-800-310	AMD	01-23-060
296-800-18020	AMD-X	01-18-083	296-800-27010	NEW	01-11-038	296-800-31005	NEW	01-11-038
296-800-18020	AMD	01-23-060	296-800-27015	NEW	01-11-038	296-800-31010	NEW	01-11-038
296-800-190	NEW	01-11-038	296-800-27020	NEW	01-11-038	296-800-31010	AMD-X	01-18-083
296-800-19005	NEW	01-11-038	296-800-27020	AMD-X	01-18-083	296-800-31010	AMD	01-23-060
296-800-200	NEW	01-11-038	296-800-27020	AMD	01-23-060	296-800-31015	NEW	01-11-038
296-800-20005	NEW	01-11-038	296-800-27025	NEW-W	01-14-071	296-800-31020	NEW	01-11-038
296-800-20005	AMD-X	01-18-083	296-800-280	NEW	01-11-038	296-800-31025	NEW	01-11-038
296-800-20005	AMD	01-23-060	296-800-280	AMD-X	01-18-083	296-800-31030	NEW	01-11-038
296-800-210	NEW	01-11-038	296-800-280	AMD	01-23-060	296-800-31035	NEW	01-11-038
296-800-21005	NEW	01-11-038	296-800-28005	NEW	01-11-038	296-800-31035	AMD-X	01-18-083
296-800-21005	AMD-X	01-18-083	296-800-28005	AMD-X	01-18-083	296-800-31035	AMD	01-23-060
296-800-21005	AMD	01-23-060	296-800-28005	AMD	01-23-060	296-800-31040	NEW	01-11-038
296-800-220	NEW	01-11-038	296-800-28010	NEW	01-11-038	296-800-31045	NEW	01-11-038
296-800-22005	NEW	01-11-038	296-800-28010	AMD-X	01-18-083	296-800-31050	NEW	01-11-038
296-800-22010	NEW	01-11-038	296-800-28010	AMD	01-23-060	296-800-31053	NEW	01-11-038
296-800-22015	NEW	01-11-038	296-800-28015	NEW	01-11-038	296-800-31055	NEW	01-11-038
296-800-22020	NEW	01-11-038	296-800-28020	NEW	01-11-038	296-800-31060	NEW	01-11-038
296-800-22020	AMD-X	01-18-083	296-800-28020	AMD-X	01-18-083	296-800-31065	NEW	01-11-038
296-800-22020	AMD	01-23-060	296-800-28020	AMD	01-23-060	296-800-31067	NEW	01-11-038
296-800-22022	NEW	01-11-038	296-800-28022	NEW	01-11-038	296-800-31070	NEW	01-11-038
296-800-22025	NEW	01-11-038	296-800-28025	NEW	01-11-038	296-800-31075	NEW	01-11-038
296-800-22030	NEW	01-11-038	296-800-28025	AMD-X	01-18-083	296-800-31080	NEW	01-11-038
296-800-22035	NEW	01-11-038	296-800-28025	AMD	01-23-060	296-800-320	NEW	01-11-038
296-800-22040	NEW	01-11-038	296-800-28030	NEW	01-11-038	296-800-320	AMD-X	01-18-083
296-800-230	NEW	01-11-038	296-800-28030	AMD-X	01-18-083	296-800-320	AMD	01-23-060
296-800-230	AMD-X	01-18-083	296-800-28030	AMD	01-23-060	296-800-32005	NEW	01-11-038
296-800-230	AMD	01-23-060	296-800-28035	NEW	01-11-038	296-800-32005	AMD-X	01-18-083
296-800-23005	NEW	01-11-038	296-800-28040	NEW	01-11-038	296-800-32005	AMD	01-23-060
296-800-23005	AMD-X	01-18-083	296-800-28040	AMD-X	01-18-083	296-800-32010	NEW	01-11-038
296-800-23005	AMD	01-23-060	296-800-28040	AMD	01-23-060	296-800-32015	NEW	01-11-038
296-800-23010	NEW	01-11-038	296-800-28045	NEW	01-11-038	296-800-32020	NEW	01-11-038
296-800-23010	AMD-X	01-18-083	296-800-290	NEW	01-11-038	296-800-32025	NEW	01-11-038
296-800-23010	AMD	01-23-060	296-800-29005	NEW	01-11-038	296-800-32030	NEW-W	01-14-071
296-800-23015	NEW	01-11-038	296-800-29010	NEW	01-11-038	296-800-330	NEW	01-11-038
296-800-23020	NEW	01-11-038	296-800-29015	NEW	01-11-038	296-800-340	NEW	01-11-038
296-800-23025	NEW	01-11-038	296-800-29015	AMD-X	01-18-083	296-800-350	NEW	01-11-038

TABLE

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-800-350	AMD-X	01-18-083	296-800-370	NEW	01-11-038	308-29-010	AMD-P	01-03-130
296-800-350	AMD	01-23-060	296-800-370	AMD-X	01-18-083	308-29-010	AMD	01-11-132
296-800-35002	NEW	01-11-038	296-800-370	AMD	01-23-060	308-29-020	AMD-P	01-03-130
296-800-35004	NEW	01-11-038	308-08-085	AMD	01-03-129	308-29-020	AMD	01-11-132
296-800-35006	NEW	01-11-038	308-08-600	AMD-P	01-21-109	308-29-025	NEW-P	01-03-130
296-800-35008	NEW	01-11-038	308-13-150	AMD	01-04-002	308-29-025	NEW	01-11-132
296-800-35010	NEW	01-11-038	308-13-150	PREP	01-09-026	308-29-030	AMD-P	01-03-130
296-800-35010	AMD-X	01-18-083	308-13-150	AMD-P	01-12-063	308-29-030	AMD	01-11-132
296-800-35010	AMD	01-23-060	308-13-150	AMD	01-15-034	308-29-045	AMD-P	01-03-130
296-800-35012	NEW	01-11-038	308-13-150	PREP	01-24-056	308-29-045	AMD	01-11-132
296-800-35012	AMD-X	01-18-083	308-14	PREP	01-20-102	308-29-050	AMD-P	01-03-130
296-800-35012	AMD	01-23-060	308-15-010	NEW-P	01-07-101	308-29-050	AMD	01-11-132
296-800-35016	NEW	01-11-038	308-15-010	NEW	01-12-023	308-29-060	AMD-P	01-03-130
296-800-35018	NEW	01-11-038	308-15-020	NEW-P	01-07-101	308-29-060	AMD	01-11-132
296-800-35020	NEW	01-11-038	308-15-020	NEW	01-12-023	308-29-070	AMD-P	01-03-130
296-800-35022	NEW	01-11-038	308-15-030	NEW-P	01-07-101	308-29-070	AMD	01-11-132
296-800-35024	NEW	01-11-038	308-15-030	NEW	01-12-023	308-29-080	AMD-P	01-03-130
296-800-35026	NEW	01-11-038	308-15-040	NEW-P	01-07-101	308-29-080	AMD	01-11-132
296-800-35026	AMD-X	01-18-083	308-15-040	NEW	01-12-023	308-29-090	NEW-P	01-03-130
296-800-35026	AMD	01-23-060	308-15-050	NEW-P	01-07-101	308-29-090	NEW	01-11-132
296-800-35028	NEW	01-11-038	308-15-050	NEW	01-12-023	308-29-100	NEW-P	01-03-130
296-800-35028	NEW	01-11-038	308-15-060	NEW-P	01-07-101	308-29-100	NEW	01-11-132
296-800-35030	NEW	01-11-038	308-15-060	NEW	01-12-023	308-29-110	NEW-P	01-03-130
296-800-35030	AMD-X	01-18-083	308-15-070	NEW-P	01-07-101	308-29-110	NEW	01-11-132
296-800-35030	AMD	01-23-060	308-15-070	NEW	01-12-023	308-29-120	NEW-P	01-03-130
296-800-35032	NEW	01-11-038	308-15-070	NEW	01-12-023	308-29-120	NEW	01-11-132
296-800-35038	NEW	01-11-038	308-15-075	NEW-P	01-07-101	308-29-120	REP	01-03-065
296-800-35040	NEW	01-11-038	308-15-075	NEW	01-12-023	308-32-100	REP	01-03-065
296-800-35040	AMD-X	01-18-083	308-15-080	NEW-P	01-07-101	308-32-110	REP	01-03-065
296-800-35040	AMD	01-23-060	308-15-080	NEW	01-12-023	308-32-120	REP	01-03-065
296-800-35042	NEW	01-11-038	308-15-090	NEW-P	01-07-101	308-56A	PREP	01-17-060
296-800-35044	NEW	01-11-038	308-15-090	NEW	01-12-023	308-56A-021	AMD-P	01-03-072
296-800-35046	NEW	01-11-038	308-15-100	NEW-P	01-07-101	308-56A-021	AMD	01-08-022
296-800-35048	NEW	01-11-038	308-15-100	NEW	01-12-023	308-56A-065	AMD-P	01-03-072
296-800-35048	AMD-X	01-18-083	308-15-101	NEW-P	01-07-101	308-56A-065	AMD	01-08-022
296-800-35048	AMD	01-23-060	308-15-101	NEW	01-12-023	308-56A-090	AMD-P	01-21-086
296-800-35049	NEW	01-11-038	308-15-102	NEW-P	01-07-101	308-56A-095	REP-P	01-21-086
296-800-35050	NEW	01-11-038	308-15-102	NEW	01-12-023	308-56A-115	AMD-E	01-14-062
296-800-35050	AMD-X	01-18-083	308-15-103	NEW-P	01-07-101	308-56A-115	AMD-P	01-15-083
296-800-35050	AMD	01-23-060	308-15-103	NEW	01-12-023	308-56A-115	AMD	01-20-010
296-800-35052	NEW	01-11-038	308-15-150	NEW-P	01-07-100	308-56A-150	PREP	01-11-083
296-800-35056	NEW	01-11-038	308-15-150	NEW	01-12-022	308-56A-150	AMD-E	01-14-062
296-800-35062	NEW	01-11-038	308-20	PREP	01-14-089	308-56A-150	AMD-P	01-15-083
296-800-35062	AMD-X	01-18-083	308-20	PREP	01-20-100	308-56A-150	AMD	01-20-010
296-800-35062	AMD	01-23-060	308-20	PREP	01-22-058	308-56A-270	AMD-P	01-21-086
296-800-35063	NEW	01-11-038	308-20-010	AMD-P	01-23-086	308-56A-310	AMD-P	01-03-072
296-800-35064	NEW	01-11-038	308-20-030	REP-P	01-23-086	308-56A-310	AMD	01-08-022
296-800-35064	AMD-X	01-18-083	308-20-040	AMD-P	01-23-086	308-56A-310	AMD-P	01-17-086
296-800-35064	AMD	01-23-060	308-20-045	REP-P	01-23-086	308-56A-310	AMD	01-21-071
296-800-35065	NEW	01-11-038	308-20-080	AMD-P	01-23-086	308-56A-335	AMD	01-03-002
296-800-35066	NEW	01-11-038	308-20-090	AMD-P	01-23-086	308-56A-355	REP	01-03-002
296-800-35066	AMD-X	01-18-083	308-20-105	AMD-P	01-23-086	308-56A-460	AMD-E	01-14-062
296-800-35066	AMD	01-23-060	308-20-107	AMD-P	01-23-086	308-56A-460	AMD-P	01-15-083
296-800-35072	NEW	01-11-038	308-20-110	AMD-P	01-23-086	308-56A-460	AMD	01-20-010
296-800-35076	NEW	01-11-038	308-20-120	AMD-P	01-23-086	308-56A-500	PREP	01-17-060
296-800-35078	NEW	01-11-038	308-20-122	NEW-P	01-23-086	308-56A-505	AMD-P	01-06-018
296-800-35080	NEW	01-11-038	308-20-130	REP-P	01-23-086	308-56A-505	AMD	01-11-069
296-800-35082	NEW	01-11-038	308-20-150	REP-P	01-23-086	308-57-005	AMD-P	01-05-106
296-800-35084	NEW	01-11-038	308-20-155	REP-P	01-23-086	308-57-005	AMD-W	01-07-029
296-800-35084	AMD-X	01-18-083	308-20-171	REP-P	01-23-086	308-57-005	AMD-P	01-08-051
296-800-35084	AMD	01-23-060	308-20-172	REP-P	01-23-086	308-57-005	AMD	01-12-099
296-800-360	NEW	01-11-038	308-20-310	REP-P	01-23-086	308-57-010	AMD-P	01-05-106
296-800-36005	NEW	01-11-038	308-20-590	REP-P	01-23-086	308-57-010	AMD-W	01-07-029

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308-57-010	AMD-P	01-08-051	308-72-512	REP	01-22-072	308-72-855	NEW	01-22-072
308-57-010	AMD	01-12-099	308-72-540	REP-P	01-17-011	308-72-860	NEW-P	01-17-011
308-57-020	AMD-P	01-05-106	308-72-540	REP	01-22-072	308-72-860	NEW	01-22-072
308-57-020	AMD-W	01-07-029	308-72-542	REP-P	01-17-011	308-72-865	NEW-P	01-17-011
308-57-020	AMD-P	01-08-051	308-72-542	REP	01-22-072	308-72-865	NEW	01-22-072
308-57-020	AMD	01-12-099	308-72-550	REP-P	01-17-011	308-72-870	NEW-P	01-17-011
308-57-030	AMD-P	01-05-106	308-72-550	REP	01-22-072	308-72-870	NEW	01-22-072
308-57-030	AMD-W	01-07-029	308-72-555	REP-P	01-17-011	308-72-880	NEW-P	01-17-011
308-57-030	AMD-P	01-08-051	308-72-555	REP	01-22-072	308-72-880	NEW	01-22-072
308-57-030	AMD	01-12-099	308-72-557	REP-P	01-17-011	308-72-885	NEW-P	01-17-011
308-57-110	AMD-P	01-05-106	308-72-557	REP	01-22-072	308-72-885	NEW	01-22-072
308-57-110	AMD-W	01-07-029	308-72-560	REP-P	01-17-011	308-72-890	NEW-P	01-17-011
308-57-110	AMD-P	01-08-051	308-72-560	REP	01-22-072	308-72-890	NEW	01-22-072
308-57-110	AMD	01-12-099	308-72-570	REP-P	01-17-011	308-72-895	NEW-P	01-17-011
308-57-120	REP-P	01-05-106	308-72-570	REP	01-22-072	308-72-895	NEW	01-22-072
308-57-120	REP-W	01-07-029	308-72-610	REP-P	01-17-011	308-72-900	NEW-P	01-17-011
308-57-120	REP-P	01-08-051	308-72-610	REP	01-22-072	308-72-900	NEW	01-22-072
308-57-120	REP	01-12-099	308-72-615	REP-P	01-17-011	308-72-905	NEW-P	01-17-011
308-57-130	REP-P	01-05-106	308-72-615	REP	01-22-072	308-72-905	NEW	01-22-072
308-57-130	REP-W	01-07-029	308-72-620	REP-P	01-17-011	308-72-910	NEW-P	01-17-011
308-57-130	REP-P	01-08-051	308-72-620	REP	01-22-072	308-72-910	NEW	01-22-072
308-57-130	REP	01-12-099	308-72-630	REP-P	01-17-011	308-72-915	NEW-P	01-17-011
308-57-135	REP-P	01-05-106	308-72-630	REP	01-22-072	308-72-915	NEW	01-22-072
308-57-135	REP-W	01-07-029	308-72-640	REP-P	01-17-011	308-72-920	NEW-P	01-17-011
308-57-135	REP-P	01-08-051	308-72-640	REP	01-22-072	308-72-920	NEW	01-22-072
308-57-135	REP	01-12-099	308-72-650	REP-P	01-17-011	308-72-925	NEW-P	01-17-011
308-57-140	AMD-P	01-05-106	308-72-650	REP	01-22-072	308-72-925	NEW	01-22-072
308-57-140	AMD-W	01-07-029	308-72-660	REP-P	01-17-011	308-72-930	NEW-P	01-17-011
308-57-140	AMD-P	01-08-051	308-72-660	REP	01-22-072	308-72-930	NEW	01-22-072
308-57-140	AMD	01-12-099	308-72-665	REP-P	01-17-011	308-77-005	NEW-P	01-17-010
308-57-210	A/R-P	01-05-106	308-72-665	REP	01-22-072	308-77-005	NEW	01-22-073
308-57-210	AMD-W	01-07-029	308-72-670	REP-P	01-17-011	308-77-010	REP-P	01-17-010
308-57-210	AMD-P	01-08-051	308-72-670	REP	01-22-072	308-77-010	REP	01-22-073
308-57-210	AMD	01-12-099	308-72-680	REP-P	01-17-011	308-77-015	NEW-P	01-17-010
308-57-230	AMD-P	01-05-106	308-72-680	REP	01-22-072	308-77-015	NEW	01-22-073
308-57-230	AMD-W	01-07-029	308-72-690	REP-P	01-17-011	308-77-020	REP-P	01-17-010
308-57-230	AMD-P	01-08-051	308-72-690	REP	01-22-072	308-77-020	REP	01-22-073
308-57-230	AMD	01-12-099	308-72-700	REP-P	01-17-011	308-77-025	NEW-P	01-17-010
308-57-240	AMD-P	01-05-106	308-72-700	REP	01-22-072	308-77-025	NEW	01-22-073
308-57-240	AMD-W	01-07-029	308-72-710	REP-P	01-17-011	308-77-035	NEW-P	01-17-010
308-57-240	AMD-P	01-08-051	308-72-710	REP	01-22-072	308-77-035	NEW	01-22-073
308-57-240	AMD	01-12-099	308-72-800	NEW-P	01-17-011	308-77-040	REP-P	01-17-010
308-57-500	REP-P	01-05-106	308-72-800	NEW	01-22-072	308-77-040	REP	01-22-073
308-57-500	REP-W	01-07-029	308-72-805	NEW-P	01-17-011	308-77-0401	NEW-X	01-20-070
308-57-500	REP-P	01-08-051	308-72-805	NEW	01-22-072	308-77-050	REP-P	01-17-010
308-57-500	REP	01-12-099	308-72-810	NEW-P	01-17-011	308-77-050	REP	01-22-073
308-63-010	AMD	01-03-141	308-72-810	NEW	01-22-072	308-77-075	NEW-P	01-17-010
308-63-040	AMD	01-03-141	308-72-815	NEW-P	01-17-011	308-77-075	NEW	01-22-073
308-63-070	AMD	01-03-141	308-72-815	NEW	01-22-072	308-77-085	NEW-P	01-17-010
308-63-100	AMD	01-03-141	308-72-820	NEW-P	01-17-011	308-77-085	NEW	01-22-073
308-72-500	REP-P	01-17-011	308-72-820	NEW	01-22-072	308-77-091	REP-P	01-17-010
308-72-500	REP	01-22-072	308-72-830	NEW-P	01-17-011	308-77-091	REP	01-22-073
308-72-501	REP-P	01-17-011	308-72-830	NEW	01-22-072	308-77-092	NEW-P	01-17-010
308-72-501	REP	01-22-072	308-72-835	NEW-P	01-17-011	308-77-092	NEW	01-22-073
308-72-503	REP-P	01-17-011	308-72-835	NEW	01-22-072	308-77-093	NEW-P	01-17-010
308-72-503	REP	01-22-072	308-72-840	NEW-P	01-17-011	308-77-093	NEW	01-22-073
308-72-505	REP-P	01-17-011	308-72-840	NEW	01-22-072	308-77-095	REP-P	01-17-010
308-72-505	REP	01-22-072	308-72-845	NEW-P	01-17-011	308-77-095	REP	01-22-073
308-72-509	REP-P	01-17-011	308-72-845	NEW	01-22-072	308-77-097	NEW-P	01-17-010
308-72-509	REP	01-22-072	308-72-850	NEW-P	01-17-011	308-77-097	NEW	01-22-073
308-72-50901	NEW-X	01-20-070	308-72-850	NEW	01-22-072	308-77-099	NEW-P	01-17-010
308-72-512	REP-P	01-17-011	308-72-855	NEW-P	01-17-011	308-77-099	NEW	01-22-073

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308-77-101	NEW-P	01-17-010	308-78-070	AMD-P	01-03-083	308-93-445	NEW	01-21-071
308-77-101	NEW	01-22-073	308-78-070	AMD	01-08-083	308-93-490	AMD-P	01-17-086
308-77-102	NEW-P	01-17-010	308-78-075	NEW-P	01-03-083	308-93-490	AMD	01-21-071
308-77-102	NEW	01-22-073	308-78-075	NEW	01-08-083	308-93-500	AMD-P	01-17-086
308-77-103	NEW-P	01-17-010	308-78-080	AMD-P	01-03-083	308-93-500	AMD	01-21-071
308-77-103	NEW	01-22-073	308-78-080	AMD	01-08-083	308-93-510	AMD-P	01-17-086
308-77-104	NEW-P	01-17-010	308-78-090	AMD-P	01-03-083	308-93-510	AMD	01-21-071
308-77-104	NEW	01-22-073	308-78-090	AMD	01-08-083	308-93-520	AMD-P	01-24-096
308-77-105	REP-P	01-17-010	308-90	PREP	01-19-002	308-93-530	AMD-P	01-24-096
308-77-105	REP	01-22-073	308-93	PREP	01-05-076	308-93-540	AMD-P	01-24-096
308-77-106	NEW-P	01-17-010	308-93-010	AMD	01-03-128	308-93-640	AMD-P	01-03-017
308-77-106	NEW	01-22-073	308-93-010	PREP	01-14-078	308-93-640	AMD	01-08-021
308-77-107	NEW-P	01-17-010	308-93-010	AMD-P	01-17-087	308-93-660	REP-P	01-11-084
308-77-107	NEW	01-22-073	308-93-010	AMD	01-21-072	308-93-660	REP	01-16-105
308-77-109	NEW-P	01-17-010	308-93-030	AMD	01-03-128	308-93-700	AMD-P	01-24-085
308-77-109	NEW	01-22-073	308-93-050	AMD	01-03-128	308-93-710	AMD-P	01-24-085
308-77-110	REP-P	01-17-010	308-93-055	AMD	01-03-128	308-93-720	AMD-P	01-24-085
308-77-110	REP	01-22-073	308-93-056	AMD	01-03-128	308-93-730	AMD-P	01-24-085
308-77-112	NEW-P	01-17-010	308-93-060	AMD-P	01-03-017	308-93-740	AMD-P	01-24-085
308-77-112	NEW	01-22-073	308-93-060	AMD	01-08-021	308-93-750	AMD-P	01-24-085
308-77-114	NEW-P	01-17-010	308-93-069	AMD-P	01-03-017	308-93-760	AMD-P	01-24-085
308-77-114	NEW	01-22-073	308-93-069	AMD	01-08-021	308-93-770	AMD-P	01-24-085
308-77-115	REP-P	01-17-010	308-93-070	AMD-P	01-03-017	308-94-030	AMD-P	01-06-049
308-77-115	REP	01-22-073	308-93-070	AMD	01-08-021	308-94-030	AMD	01-11-070
308-77-116	NEW-P	01-17-010	308-93-071	AMD-P	01-03-017	308-94-050	AMD-P	01-06-049
308-77-116	NEW	01-22-073	308-93-071	AMD	01-08-021	308-94-050	AMD	01-11-070
308-77-150	REP-P	01-17-010	308-93-073	REP-P	01-03-017	308-94-050	PREP	01-24-046
308-77-150	REP	01-22-073	308-93-073	REP	01-08-021	308-94-080	AMD-P	01-06-049
308-77-160	REP-P	01-17-010	308-93-078	AMD-P	01-03-017	308-94-080	AMD	01-11-070
308-77-160	REP	01-22-073	308-93-078	AMD	01-08-021	308-94-100	AMD-P	01-06-049
308-77-165	REP-P	01-17-010	308-93-079	AMD	01-03-128	308-94-100	AMD	01-11-070
308-77-165	REP	01-22-073	308-93-087	AMD-P	01-11-084	308-94-105	NEW-P	01-06-049
308-77-190	REP-P	01-17-010	308-93-087	AMD	01-16-105	308-94-105	NEW	01-11-070
308-77-190	REP	01-22-073	308-93-088	AMD-P	01-11-084	308-94A-005	AMD-P	01-08-050
308-77-215	REP-P	01-17-010	308-93-088	AMD	01-16-105	308-94A-005	AMD	01-13-008
308-77-215	REP	01-22-073	308-93-089	NEW-P	01-11-084	308-94A-010	AMD-P	01-08-050
308-77-220	REP-P	01-17-010	308-93-089	NEW	01-16-105	308-94A-010	AMD	01-13-008
308-77-220	REP	01-22-073	308-93-090	AMD	01-03-128	308-94A-015	AMD-P	01-08-050
308-77-225	REP-P	01-17-010	308-93-145	PREP	01-05-076	308-94A-015	AMD	01-13-008
308-77-225	REP	01-22-073	308-93-145	AMD-P	01-08-052	308-94A-020	AMD-P	01-08-050
308-77-230	REP-P	01-17-010	308-93-145	AMD	01-11-100	308-94A-020	AMD	01-13-008
308-77-230	REP	01-22-073	308-93-160	AMD	01-03-128	308-94A-020	AMD	01-13-008
308-77-250	REP-P	01-17-010	308-93-230	AMD-P	01-23-050	308-94A-025	AMD-P	01-08-050
308-77-250	REP	01-22-073	308-93-250	REP-P	01-23-050	308-94A-025	AMD	01-13-008
308-77-260	REP-P	01-17-010	308-93-270	AMD-P	01-23-050	308-94A-030	AMD-P	01-08-050
308-77-260	REP	01-22-073	308-93-275	NEW-P	01-23-050	308-94A-030	AMD	01-13-008
308-78-010	AMD-P	01-03-083	308-93-280	AMD-P	01-23-050	308-96A	PREP	01-24-095
308-78-010	AMD	01-08-083	308-93-285	AMD-P	01-03-017	308-96A-005	AMD-P	01-11-090
308-78-020	AMD-P	01-03-083	308-93-285	AMD	01-08-021	308-96A-005	AMD	01-17-017
308-78-020	AMD	01-08-083	308-93-350	AMD-P	01-03-017	308-96A-015	AMD-P	01-11-090
308-78-030	AMD-P	01-03-083	308-93-350	AMD	01-08-021	308-96A-015	AMD	01-17-017
308-78-030	AMD	01-08-083	308-93-360	AMD-P	01-03-017	308-96A-026	AMD-P	01-11-090
308-78-035	NEW-P	01-03-083	308-93-360	AMD	01-08-021	308-96A-026	AMD	01-17-017
308-78-035	NEW	01-08-083	308-93-370	AMD-P	01-17-086	308-96A-065	AMD-P	01-04-017
308-78-040	AMD-P	01-03-083	308-93-370	AMD	01-21-071	308-96A-065	AMD	01-10-069
308-78-040	AMD	01-08-083	308-93-380	AMD-P	01-17-086	308-96A-066	REP-P	01-04-017
308-78-045	AMD-P	01-03-083	308-93-380	AMD	01-21-071	308-96A-066	REP	01-10-069
308-78-045	AMD	01-08-083	308-93-390	AMD-P	01-03-072	308-96A-067	REP-P	01-04-017
308-78-046	NEW-P	01-03-083	308-93-390	AMD	01-08-022	308-96A-067	REP	01-10-069
308-78-046	NEW	01-08-083	308-93-400	AMD-P	01-17-086	308-96A-068	REP-P	01-04-017
308-78-060	REP-P	01-03-083	308-93-400	AMD	01-21-071	308-96A-068	REP	01-10-069
308-78-060	REP	01-08-083	308-93-445	NEW-P	01-17-086	308-96A-070	AMD-P	01-04-017
						308-96A-070	AMD	01-10-069



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308-96A-071	AMD-P	01-04-017	308-96A-410	REP-W	01-07-029	308-390-103	NEW-P	01-07-084
308-96A-071	AMD	01-10-069	308-96A-410	REP-P	01-08-051	308-390-103	NEW	01-10-056
308-96A-072	AMD-P	01-04-017	308-96A-410	REP	01-12-099	308-390-104	NEW-P	01-07-084
308-96A-072	AMD	01-10-069	308-96A-550	AMD-P	01-04-017	308-390-104	NEW	01-10-056
308-96A-073	AMD-P	01-04-017	308-96A-550	AMD	01-10-069	308-390-105	NEW-P	01-07-084
308-96A-073	AMD	01-10-069	308-96A-560	AMD-P	01-04-017	308-390-105	NEW	01-10-056
308-96A-074	AMD-P	01-04-017	308-96A-560	AMD	01-10-069	308-390-106	NEW-P	01-07-084
308-96A-074	AMD	01-10-069	308-97-230	AMD-P	01-05-106	308-390-106	NEW	01-10-056
308-96A-099	AMD-P	01-05-106	308-97-230	AMD-W	01-07-029	308-390-107	NEW-P	01-07-084
308-96A-099	AMD-W	01-07-029	308-97-230	AMD-P	01-13-061	308-390-107	NEW	01-10-056
308-96A-099	AMD-P	01-08-051	308-97-230	AMD	01-17-085	308-390-108	NEW-P	01-07-084
308-96A-099	AMD	01-12-099	308-100-140	AMD-P	01-04-075	308-390-108	NEW	01-10-056
308-96A-135	REP-P	01-05-106	308-100-140	AMD	01-09-062	308-390-109	NEW-P	01-07-084
308-96A-135	REP-W	01-07-029	308-100-140	AMD-P	01-21-112	308-390-109	NEW	01-10-056
308-96A-135	AMD-P	01-08-051	308-103-010	NEW-P	01-21-109	308-390-200	NEW-P	01-07-084
308-96A-135	AMD	01-12-099	308-103-020	NEW-P	01-21-109	308-390-200	NEW	01-10-056
308-96A-145	AMD-P	01-05-106	308-103-030	NEW-P	01-21-109	308-390-201	NEW-P	01-07-084
308-96A-145	AMD-W	01-07-029	308-103-040	NEW-P	01-21-109	308-390-201	NEW	01-10-056
308-96A-145	AMD-P	01-08-051	308-103-050	NEW-P	01-21-109	308-390-202	NEW-P	01-07-084
308-96A-145	AMD	01-12-099	308-103-060	NEW-P	01-21-109	308-390-202	NEW	01-10-056
308-96A-175	AMD-P	01-04-017	308-103-070	NEW-P	01-21-109	308-390-203	NEW-P	01-07-084
308-96A-175	AMD	01-10-069	308-103-080	NEW-P	01-21-109	308-390-203	NEW	01-10-056
308-96A-176	AMD-P	01-04-017	308-103-090	NEW-P	01-21-109	308-390-204	NEW-P	01-07-084
308-96A-176	AMD	01-10-069	308-103-100	NEW-P	01-21-109	308-390-204	NEW	01-10-056
308-96A-177	NEW-P	01-04-017	308-103-110	NEW-P	01-21-109	308-390-300	NEW-P	01-07-084
308-96A-177	NEW	01-10-069	308-103-120	NEW-P	01-21-109	308-390-300	NEW	01-10-056
308-96A-202	AMD-P	01-05-106	308-103-130	NEW-P	01-21-109	308-390-301	NEW-P	01-07-084
308-96A-202	AMD-W	01-07-029	308-103-140	NEW-P	01-21-109	308-390-301	NEW	01-10-056
308-96A-202	AMD-P	01-08-051	308-103-150	NEW-P	01-21-109	308-390-302	NEW-P	01-07-084
308-96A-202	AMD	01-12-099	308-103-160	NEW-P	01-21-109	308-390-302	NEW	01-10-056
308-96A-203	AMD-P	01-05-106	308-103-170	NEW-P	01-21-109	308-390-303	NEW-P	01-07-084
308-96A-203	AMD-W	01-07-029	308-103-180	NEW-P	01-21-109	308-390-303	NEW	01-10-056
308-96A-203	AMD-P	01-08-051	308-103-190	NEW-P	01-21-109	308-390-304	NEW-P	01-07-084
308-96A-203	AMD	01-12-099	308-104-018	AMD-P	01-21-110	308-390-304	NEW	01-10-056
308-96A-205	PREP	01-24-095	308-124A-460	PREP	01-17-058	308-390-305	NEW-P	01-07-084
308-96A-206	PREP	01-24-095	308-124A-460	AMD-P	01-23-006	308-390-305	NEW	01-10-056
308-96A-220	PREP	01-24-095	308-124A-600	AMD-P	01-23-004	308-390-306	NEW-P	01-07-084
308-96A-260	AMD-P	01-11-090	308-124A-605	NEW-P	01-23-004	308-390-306	NEW	01-10-056
308-96A-260	AMD	01-17-017	308-124B-050	PREP	01-08-095	308-390-307	NEW-P	01-07-084
308-96A-295	AMD-P	01-04-062	308-124B-150	AMD-P	01-23-003	308-390-307	NEW	01-10-056
308-96A-295	AMD	01-09-079	308-124H-014	NEW-P	01-23-004	308-390-308	NEW-P	01-07-084
308-96A-300	AMD-P	01-11-090	308-124H-025	AMD-P	01-23-004	308-390-308	NEW	01-10-056
308-96A-300	AMD	01-17-017	308-124H-061	PREP	01-08-096	308-390-309	NEW-P	01-07-084
308-96A-306	AMD-P	01-23-028	308-124H-061	AMD-P	01-23-005	308-390-309	NEW	01-10-056
308-96A-311	AMD-P	01-23-028	308-124H-062	AMD-P	01-23-005	308-390-310	NEW-P	01-07-084
308-96A-312	AMD-P	01-23-028	308-125-120	PREP	01-16-004	308-390-310	NEW	01-10-056
308-96A-313	AMD-P	01-23-028	308-125-120	AMD-P	01-23-081	308-390-311	NEW-P	01-07-084
308-96A-314	AMD-P	01-23-028	308-125-200	AMD-P	01-21-024	308-390-311	NEW	01-10-056
308-96A-316	AMD-P	01-23-028	308-127	PREP	01-20-101	308-390-312	NEW-P	01-07-084
308-96A-345	REP-P	01-11-090	308-127-160	PREP	01-22-059	308-390-312	NEW	01-10-056
308-96A-345	REP	01-17-017	308-330-305	AMD-P	01-21-111	308-390-313	NEW-P	01-07-084
308-96A-350	AMD-P	01-13-060	308-330-307	AMD-P	01-21-111	308-390-313	NEW	01-10-056
308-96A-350	AMD	01-17-091	308-330-320	AMD-P	01-21-111	308-390-314	NEW-P	01-07-084
308-96A-355	AMD-P	01-13-060	308-330-464	AMD-P	01-21-111	308-390-314	NEW	01-10-056
308-96A-355	AMD	01-17-091	308-330-481	AMD-P	01-21-111	308-390-315	NEW-P	01-07-084
308-96A-365	AMD-P	01-13-060	308-330-705	AMD-P	01-21-111	308-390-315	NEW	01-10-056
308-96A-365	AMD	01-17-091	308-390-100	NEW-P	01-07-084	308-390-400	NEW-P	01-07-084
308-96A-400	AMD-P	01-05-106	308-390-100	NEW	01-10-056	308-390-400	NEW	01-10-056
308-96A-400	AMD-W	01-07-029	308-390-101	NEW-P	01-07-084	308-390-401	NEW-P	01-07-084
308-96A-400	AMD-P	01-08-051	308-390-101	NEW	01-10-056	308-390-401	NEW	01-10-056
308-96A-400	AMD	01-12-099	308-390-102	NEW-P	01-07-084	308-390-402	NEW-P	01-07-084
308-96A-410	REP-P	01-05-106	308-390-102	NEW	01-10-056	308-390-402	NEW	01-10-056

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308-390-403	NEW-P	01-07-084	308-410-040	REP-P	01-07-084	314- 08-260	REP-S	01-06-062
308-390-403	NEW	01-10-056	308-410-040	REP	01-10-056	314- 08-260	REP	01-11-058
308-390-500	NEW-P	01-07-084	308-410-060	REP-P	01-07-084	314- 08-270	REP-S	01-06-062
308-390-500	NEW	01-10-056	308-410-060	REP	01-10-056	314- 08-270	REP	01-11-058
308-390-501	NEW-P	01-07-084	308-410-070	REP-P	01-07-084	314- 08-280	REP-S	01-06-062
308-390-501	NEW	01-10-056	308-410-070	REP	01-10-056	314- 08-280	REP	01-11-058
308-390-502	NEW-P	01-07-084	308-420	PREP	01-20-103	314- 08-290	REP-S	01-06-062
308-390-502	NEW	01-10-056	308-420	PREP	01-22-060	314- 08-290	REP	01-11-058
308-390-503	NEW-P	01-07-084	314- 01-005	NEW	01-06-016	314- 08-300	REP-S	01-06-062
308-390-503	NEW	01-10-056	314- 04-005	REP	01-03-086	314- 08-300	REP	01-11-058
308-390-504	NEW-P	01-07-084	314- 04-006	REP	01-03-086	314- 08-310	REP-S	01-06-062
308-390-504	NEW	01-10-056	314- 04-007	REP	01-03-086	314- 08-310	REP	01-11-058
308-390-505	NEW-P	01-07-084	314- 08-001	REP-S	01-06-062	314- 08-320	REP-S	01-06-062
308-390-505	NEW	01-10-056	314- 08-001	REP	01-11-058	314- 08-320	REP	01-11-058
308-390-600	NEW-P	01-07-084	314- 08-010	REP-S	01-06-062	314- 08-330	REP-S	01-06-062
308-390-600	NEW	01-10-056	314- 08-010	REP	01-11-058	314- 08-330	REP	01-11-058
308-390-601	NEW-P	01-07-084	314- 08-020	REP-S	01-06-062	314- 08-340	REP-S	01-06-062
308-390-601	NEW	01-10-056	314- 08-020	REP	01-11-058	314- 08-340	REP	01-11-058
308-390-602	NEW-P	01-07-084	314- 08-030	REP-S	01-06-062	314- 08-350	REP-S	01-06-062
308-390-602	NEW	01-10-056	314- 08-030	REP	01-11-058	314- 08-350	REP	01-11-058
308-390-603	NEW-P	01-07-084	314- 08-040	REP-S	01-06-062	314- 08-360	REP-S	01-06-062
308-390-603	NEW	01-10-056	314- 08-040	REP	01-11-058	314- 08-360	REP	01-11-058
308-400	REP-P	01-07-084	314- 08-050	REP-S	01-06-062	314- 08-370	REP-S	01-06-062
308-400-010	REP-P	01-07-084	314- 08-050	REP	01-11-058	314- 08-370	REP	01-11-058
308-400-010	REP	01-10-056	314- 08-070	REP-S	01-06-062	314- 08-380	REP-S	01-06-062
308-400-020	REP-P	01-07-084	314- 08-070	REP	01-11-058	314- 08-380	REP	01-11-058
308-400-020	REP	01-10-056	314- 08-080	REP-S	01-06-062	314- 08-390	REP-S	01-06-062
308-400-025	REP-P	01-07-084	314- 08-080	REP	01-11-058	314- 08-390	REP	01-11-058
308-400-025	REP	01-10-056	314- 08-090	REP-S	01-06-062	314- 08-400	REP-S	01-06-062
308-400-030	REP-P	01-07-084	314- 08-090	REP	01-11-058	314- 08-400	REP	01-11-058
308-400-030	REP	01-10-056	314- 08-100	REP-S	01-06-062	314- 08-410	REP-S	01-06-062
308-400-053	REP-P	01-07-084	314- 08-100	REP	01-11-058	314- 08-410	REP	01-11-058
308-400-053	REP	01-10-056	314- 08-110	REP-S	01-06-062	314- 08-415	REP-S	01-06-062
308-400-056	REP-P	01-07-084	314- 08-110	REP	01-11-058	314- 08-415	REP	01-11-058
308-400-056	REP	01-10-056	314- 08-120	REP-S	01-06-062	314- 08-420	REP-S	01-06-062
308-400-058	REP-P	01-07-084	314- 08-120	REP	01-11-058	314- 08-420	REP	01-11-058
308-400-058	REP	01-10-056	314- 08-130	REP-S	01-06-062	314- 08-430	REP-S	01-06-062
308-400-059	REP-P	01-07-084	314- 08-130	REP	01-11-058	314- 08-430	REP	01-11-058
308-400-059	REP	01-10-056	314- 08-140	REP-S	01-06-062	314- 08-440	REP-S	01-06-062
308-400-060	REP-P	01-07-084	314- 08-140	REP	01-11-058	314- 08-440	REP	01-11-058
308-400-060	REP	01-10-056	314- 08-150	REP-S	01-06-062	314- 08-450	REP-S	01-06-062
308-400-062	REP-P	01-07-084	314- 08-150	REP	01-11-058	314- 08-450	REP	01-11-058
308-400-062	REP	01-10-056	314- 08-160	REP-S	01-06-062	314- 08-460	REP-S	01-06-062
308-400-080	REP-P	01-07-084	314- 08-160	REP	01-11-058	314- 08-460	REP	01-11-058
308-400-080	REP	01-10-056	314- 08-170	REP-S	01-06-062	314- 08-470	REP-S	01-06-062
308-400-092	REP-P	01-07-084	314- 08-170	REP	01-11-058	314- 08-470	REP	01-11-058
308-400-092	REP	01-10-056	314- 08-180	REP-S	01-06-062	314- 08-480	REP-S	01-06-062
308-400-095	REP-P	01-07-084	314- 08-180	REP	01-11-058	314- 08-480	REP	01-11-058
308-400-095	REP	01-10-056	314- 08-190	REP-S	01-06-062	314- 08-490	REP-S	01-06-062
308-400-100	REP-P	01-07-084	314- 08-190	REP	01-11-058	314- 08-490	REP	01-11-058
308-400-100	REP	01-10-056	314- 08-200	REP-S	01-06-062	314- 08-500	REP-S	01-06-062
308-400-110	REP-P	01-07-084	314- 08-200	REP	01-11-058	314- 08-500	REP	01-11-058
308-400-110	REP	01-10-056	314- 08-210	REP-S	01-06-062	314- 08-510	REP-S	01-06-062
308-400-120	REP-P	01-07-084	314- 08-210	REP	01-11-058	314- 08-510	REP	01-11-058
308-400-120	REP	01-10-056	314- 08-220	REP-S	01-06-062	314- 08-520	REP-S	01-06-062
308-410	REP-P	01-07-084	314- 08-220	REP	01-11-058	314- 08-520	REP	01-11-058
308-410-010	REP-P	01-07-084	314- 08-230	REP-S	01-06-062	314- 08-530	REP-S	01-06-062
308-410-010	REP	01-10-056	314- 08-230	REP	01-11-058	314- 08-530	REP	01-11-058
308-410-020	REP-P	01-07-084	314- 08-240	REP-S	01-06-062	314- 08-540	REP-S	01-06-062
308-410-020	REP	01-10-056	314- 08-240	REP	01-11-058	314- 08-540	REP	01-11-058
308-410-030	REP-P	01-07-084	314- 08-250	REP-S	01-06-062	314- 08-550	REP-S	01-06-062
308-410-030	REP	01-10-056	314- 08-250	REP	01-11-058	314- 08-550	REP	01-11-058

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
314-08-560	REP-S	01-06-062	314-14-160	REP	01-03-085	314-42-065	NEW-S	01-06-062
314-08-560	REP	01-11-058	314-14-165	REP	01-03-085	314-42-065	NEW	01-11-058
314-08-570	REP-S	01-06-062	314-14-170	REP	01-03-085	314-42-070	NEW-S	01-06-062
314-08-570	REP	01-11-058	314-16-020	AMD	01-06-014	314-42-070	NEW	01-11-058
314-08-580	REP-S	01-06-062	314-16-025	REP	01-06-014	314-42-075	NEW-S	01-06-062
314-08-580	REP	01-11-058	314-16-030	REP	01-06-014	314-42-075	NEW	01-11-058
314-08-590	REP-S	01-06-062	314-16-040	AMD	01-06-014	314-42-080	NEW-S	01-06-062
314-08-590	REP	01-11-058	314-16-050	REP	01-06-014	314-42-080	NEW	01-11-058
314-09-005	NEW	01-03-087	314-16-060	REP	01-06-014	314-42-085	NEW-S	01-06-062
314-09-010	NEW	01-03-087	314-16-070	REP	01-06-014	314-42-085	NEW	01-11-058
314-09-015	NEW	01-03-087	314-16-075	REP	01-06-014	314-42-090	NEW-S	01-06-062
314-10-020	REP	01-06-014	314-16-090	REP	01-06-014	314-42-090	NEW	01-11-058
314-11	PREP	01-24-112	314-16-120	REP	01-06-014	314-42-100	NEW-S	01-06-062
314-11-005	NEW	01-06-014	314-16-122	REP	01-06-014	314-42-100	NEW	01-11-058
314-11-015	NEW	01-06-014	314-16-125	REP	01-06-014	314-42-105	NEW-S	01-06-062
314-11-020	NEW	01-06-014	314-16-145	REP	01-06-014	314-42-105	NEW	01-11-058
314-11-025	NEW	01-06-014	314-16-150	REP-W	01-12-082	314-60-040	PREP	01-21-147
314-11-030	NEW	01-06-014	314-16-160	AMD	01-06-014	314-70-020	REP	01-06-014
314-11-035	NEW	01-06-014	314-17-005	NEW	01-03-085	314-70-040	REP	01-06-014
314-11-040	NEW	01-06-014	314-17-010	NEW	01-03-085	314-70-050	REP	01-06-014
314-11-045	NEW	01-06-014	314-17-015	NEW	01-03-085	315-04-085	NEW-S	01-08-037
314-11-050	NEW	01-06-014	314-17-020	NEW	01-03-085	315-04-085	NEW	01-12-039
314-11-055	NEW	01-06-014	314-17-025	NEW	01-03-085	315-06-040	PREP	01-04-040
314-11-060	NEW	01-06-014	314-17-030	NEW	01-03-085	315-06-040	AMD-P	01-08-038
314-11-065	NEW	01-06-014	314-17-035	NEW	01-03-085	315-06-040	AMD	01-12-040
314-11-070	NEW	01-06-014	314-17-040	NEW	01-03-085	315-20	PREP	01-18-023
314-11-080	NEW	01-06-014	314-17-045	NEW	01-03-085	315-20-010	AMD-P	01-22-021
314-11-085	NEW	01-06-014	314-17-050	NEW	01-03-085	315-34	PREP	01-07-013
314-11-090	NEW	01-06-014	314-17-055	NEW	01-03-085	315-34	PREP	01-21-079
314-11-095	NEW	01-06-014	314-17-060	NEW	01-03-085	315-34-040	AMD-P	01-11-082
314-11-100	NEW	01-06-014	314-17-065	NEW	01-03-085	315-34-040	AMD	01-17-022
314-11-105	NEW	01-06-014	314-17-070	NEW	01-03-085	315-34-050	AMD-P	01-11-082
314-11-110	NEW	01-06-014	314-17-075	NEW	01-03-085	315-34-050	AMD	01-17-022
314-12-020	AMD	01-03-087	314-17-080	NEW	01-03-085	315-34-057	AMD-P	01-11-082
314-12-115	REP	01-06-014	314-17-085	NEW	01-03-085	315-34-057	AMD	01-17-022
314-12-120	REP	01-06-014	314-17-090	NEW	01-03-085	315-36	PREP	01-07-004
314-12-125	REP	01-06-014	314-17-095	NEW	01-03-085	315-36-010	AMD-P	01-11-081
314-12-130	REP	01-06-014	314-17-100	NEW	01-03-085	315-36-010	AMD	01-17-021
314-12-140	AMD	01-06-015	314-17-105	NEW	01-03-085	315-36-030	AMD-P	01-11-081
314-12-195	REP	01-06-014	314-17-110	NEW	01-03-085	315-36-030	AMD	01-17-021
314-13-005	NEW	01-06-015	314-17-115	NEW	01-03-085	315-36-050	AMD-P	01-11-081
314-13-010	NEW	01-06-015	314-24-170	REP	01-06-015	315-36-050	AMD	01-17-021
314-13-015	NEW	01-06-015	314-29-005	NEW	01-03-086	315-36-090	AMD-P	01-11-081
314-13-020	NEW	01-06-015	314-29-010	NEW	01-03-086	315-36-090	AMD	01-17-021
314-13-025	NEW	01-06-015	314-42-010	PREP	01-06-061	315-36-110	AMD-P	01-11-081
314-13-030	NEW	01-06-015	314-42-010	AMD-P	01-11-059	315-36-110	AMD	01-17-021
314-13-040	NEW	01-06-015	314-42-010	AMD	01-15-049	317-21-010	REP	01-05-036
314-14-010	REP	01-03-085	314-42-020	NEW-S	01-06-062	317-21-020	REP	01-05-036
314-14-020	REP	01-03-085	314-42-020	NEW	01-11-058	317-21-030	REP	01-05-036
314-14-030	REP	01-03-085	314-42-025	NEW-S	01-06-062	317-21-040	REP	01-05-036
314-14-040	REP	01-03-085	314-42-025	NEW	01-11-058	317-21-050	REP	01-05-036
314-14-050	REP	01-03-085	314-42-030	NEW-S	01-06-062	317-21-060	REP	01-05-036
314-14-060	REP	01-03-085	314-42-030	NEW	01-11-058	317-21-070	REP	01-05-036
314-14-070	REP	01-03-085	314-42-040	NEW-S	01-06-062	317-21-100	REP	01-05-036
314-14-080	REP	01-03-085	314-42-040	NEW	01-11-058	317-21-110	REP	01-05-036
314-14-090	REP	01-03-085	314-42-045	NEW-S	01-06-062	317-21-120	REP	01-05-036
314-14-100	REP	01-03-085	314-42-045	NEW	01-11-058	317-21-140	REP	01-05-036
314-14-110	REP	01-03-085	314-42-050	NEW-S	01-06-062	317-21-300	REP	01-05-036
314-14-120	REP	01-03-085	314-42-050	NEW	01-11-058	317-21-305	REP	01-05-036
314-14-130	REP	01-03-085	314-42-055	NEW-W	01-11-075	317-21-310	REP	01-05-036
314-14-140	REP	01-03-085	314-42-060	NEW-S	01-06-062	317-21-315	REP	01-05-036
314-14-150	REP	01-03-085	314-42-060	NEW	01-11-058	317-21-320	REP	01-05-036

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317- 21-325	REP	01-05-036	356- 22-160	AMD-P	01-12-074	356- 56-220	AMD	01-03-003
317- 21-330	REP	01-05-036	356- 22-160	AMD	01-17-081	356- 56-600	AMD-E	01-18-051
317- 21-335	REP	01-05-036	356- 22-170	REP-P	01-12-074	356- 56-600	AMD-P	01-18-097
317- 21-340	REP	01-05-036	356- 22-170	REP	01-17-081	356- 56-600	AMD	01-21-051
317- 21-345	REP	01-05-036	356- 22-220	AMD-W	01-07-056	359- 07	AMD-P	01-20-105
317- 21-400	REP	01-05-036	356- 26-030	AMD-P	01-16-095	359- 07	AMD	01-23-016
317- 21-410	REP	01-05-036	356- 26-030	AMD-E	01-16-096	359- 09	AMD-P	01-20-105
317- 21-500	REP	01-05-036	356- 26-030	AMD	01-19-032	359- 09	AMD	01-23-016
317- 21-510	REP	01-05-036	356- 26-040	AMD-P	01-12-075	359- 14	AMD-P	01-20-105
317- 21-520	REP	01-05-036	356- 26-040	AMD	01-17-082	359- 14	AMD	01-23-016
317- 21-530	REP	01-05-036	356- 26-040	AMD-P	01-24-052	359- 39	AMD-P	01-20-105
317- 21-550	REP	01-05-036	356- 26-130	AMD-P	01-24-053	359- 39	AMD	01-23-016
317- 21-560	REP	01-05-036	356- 26-140	AMD-P	01-16-095	359- 40	AMD-P	01-20-105
317- 21-900	REP	01-05-036	356- 26-140	AMD-E	01-16-096	359- 40	AMD	01-23-016
317- 21-910	REP	01-05-036	356- 26-140	AMD	01-19-032	359- 48	AMD-P	01-20-105
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326- 40-020	REP-X	01-16-156	356- 30-012	NEW	01-19-032	363-116-185	AMD-P	01-10-072
326- 40-020	REP	01-23-042	356- 30-025	REP-P	01-16-130	363-116-185	AMD	01-13-066
332- 10-020	AMD-P	01-04-061	356- 30-025	REP-C	01-19-031	363-116-185	AMD-P	01-14-086
332- 10-020	AMD	01-07-049	356- 30-025	REP-W	01-21-050	363-116-185	AMD-P	01-14-087
332- 10-040	AMD-P	01-04-061	356- 30-025	REP-P	01-24-054	363-116-185	AMD-W	01-18-048
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356- 05-415	AMD-P	01-16-130	356- 30-067	AMD-W	01-21-050	365-120-080	AMD-E	01-14-035
356- 05-415	AMD-C	01-19-031	356- 30-067	AMD-P	01-24-054	365-120-080	AMD-E	01-17-063
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356- 06-045	AMD	01-07-055	356- 30-140	AMD-P	01-24-054	365-197-010	NEW-P	01-03-165
356- 10-040	AMD-C	01-02-089	356- 30-140	AMD-P	01-12-076	365-197-010	NEW	01-13-039
356- 10-040	AMD	01-07-057	356- 30-260	AMD-W	01-17-080	365-197-020	NEW-P	01-03-165
356- 14-067	AMD-C	01-02-089	356- 30-260	AMD-P	01-20-104	365-197-020	NEW	01-13-039
356- 14-067	AMD	01-07-057	356- 30-260	AMD	01-23-014	365-197-030	NEW-P	01-03-165
356- 14-075	AMD-C	01-02-089	356- 30-305	AMD-P	01-12-076	365-197-030	NEW	01-13-039
356- 14-075	AMD	01-07-057	356- 30-305	AMD-W	01-17-080	365-197-040	NEW-P	01-03-165
356- 14-085	AMD-C	01-02-089	356- 30-305	AMD-P	01-20-104	365-197-040	NEW	01-13-039
356- 14-085	AMD	01-07-057	356- 30-305	AMD	01-23-014	365-197-050	NEW-P	01-03-165
356- 14-110	AMD-C	01-02-089	356- 30-320	AMD-C	01-02-088	365-197-050	NEW	01-13-039
356- 14-110	AMD	01-07-057	356- 30-320	AMD	01-07-055	365-197-060	NEW-P	01-03-165
356- 14-120	AMD-C	01-02-089	356- 30-330	AMD-P	01-16-095	365-197-060	NEW	01-13-039
356- 14-120	AMD	01-07-057	356- 30-330	AMD-E	01-16-096	365-197-070	NEW-P	01-03-165
356- 15-061	AMD-P	01-20-107	356- 30-330	AMD	01-19-032	365-197-070	NEW	01-13-039
356- 15-061	AMD	01-23-015	356- 30-331	AMD-C	01-02-088	365-197-080	NEW-P	01-03-165
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356- 15-125	AMD	01-08-005	356- 30-331	AMD	01-11-113	365-220-010	NEW-P	01-22-111
356- 15-140	AMD-C	01-02-089	356- 34-090	AMD-P	01-16-095	365-220-015	NEW-P	01-22-111
356- 15-140	AMD	01-07-057	356- 34-090	AMD-E	01-16-096	365-220-020	NEW-P	01-22-111
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356- 18-112	AMD-C	01-19-031	356- 46-150	NEW	01-11-113	365-220-035	NEW-P	01-22-111
356- 18-112	AMD-W	01-21-050	356- 49-040	AMD-C	01-02-089	365-220-040	NEW-P	01-22-111
356- 18-112	AMD-P	01-24-054	356- 49-040	AMD	01-07-057	365-220-045	NEW-P	01-22-111
356- 18-140	AMD-C	01-02-089	356- 56-203	NEW-E	01-18-051	365-220-050	NEW-P	01-22-111
356- 18-140	AMD	01-07-057	356- 56-203	NEW-P	01-18-097	365-220-055	NEW-P	01-22-111
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365-220-080	NEW-P	01-22-111	388-06-0230	NEW-P	01-10-062	388-13-120	REP	01-03-089
365-220-085	NEW-P	01-22-111	388-06-0230	NEW	01-18-025	388-14-010	REP	01-03-089
365-220-090	NEW-P	01-22-111	388-06-0240	NEW-P	01-10-062	388-14-020	REP	01-03-089
365-220-095	NEW-P	01-22-111	388-06-0240	NEW	01-18-025	388-14-030	REP	01-03-089
365-220-100	NEW-P	01-22-111	388-06-0250	NEW-P	01-10-062	388-14-035	REP	01-03-089
365-220-105	NEW-P	01-22-111	388-06-0250	NEW	01-18-025	388-14-040	REP	01-03-089
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365-220-115	NEW-P	01-22-111	388-06-0260	NEW	01-18-025	388-14-050	REP	01-03-089
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365-220-125	NEW-P	01-22-111	388-06-0500	NEW	01-15-019	388-14-200	REP	01-03-089
365-220-130	NEW-P	01-22-111	388-06-0510	NEW-P	01-10-064	388-14-201	REP	01-03-089
365-220-135	NEW-P	01-22-111	388-06-0510	NEW	01-15-019	388-14-202	REP	01-03-089
365-220-140	NEW-P	01-22-111	388-06-0520	NEW-P	01-10-064	388-14-203	REP	01-03-089
365-220-145	NEW-P	01-22-111	388-06-0520	NEW	01-15-019	388-14-205	REP	01-03-089
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365-220-155	NEW-P	01-22-111	388-06-0525	NEW	01-15-019	388-14-220	REP	01-03-089
365-220-160	NEW-P	01-22-111	388-06-0530	NEW-P	01-10-064	388-14-250	REP	01-03-089
365-220-165	NEW-P	01-22-111	388-06-0530	NEW	01-15-019	388-14-260	REP	01-03-089
365-220-170	NEW-P	01-22-111	388-06-0535	NEW-P	01-10-064	388-14-270	REP	01-03-089
365-220-175	NEW-P	01-22-111	388-06-0535	NEW	01-15-019	388-14-271	REP	01-03-089
365-220-180	NEW-P	01-22-111	388-06-0540	NEW-P	01-10-064	388-14-272	REP	01-03-089
365-220-185	NEW-P	01-22-111	388-06-0540	NEW	01-15-019	388-14-273	REP	01-03-089
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388-05-0001	NEW	01-12-071	388-11-067	REP	01-03-089	388-14-360	REP	01-03-089
388-05-0005	NEW-P	01-08-077	388-11-100	REP	01-03-089	388-14-365	REP	01-03-089
388-05-0005	NEW	01-12-071	388-11-120	REP	01-03-089	388-14-370	REP	01-03-089
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388-05-0010	NEW	01-12-071	388-11-140	REP	01-03-089	388-14-385	REP	01-03-089
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388-06-0010	NEW	01-18-025	388-11-145	REP	01-03-089	388-14-387	REP	01-03-089
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388-06-0020	NEW	01-18-025	388-11-155	REP	01-03-089	388-14-390	REP	01-03-089
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388-06-0100	NEW	01-18-025	388-11-180	REP	01-03-089	388-14-410	REP	01-03-089
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388-06-0120	NEW	01-18-025	388-11-220	REP	01-03-089	388-14-422	REP	01-03-089
388-06-0130	NEW-P	01-10-062	388-11-280	REP	01-03-089	388-14-423	REP	01-03-089
388-06-0130	NEW	01-18-025	388-11-300	REP	01-03-089	388-14-424	REP	01-03-089
388-06-0140	NEW-P	01-10-062	388-11-305	REP	01-03-089	388-14-427	REP	01-03-089
388-06-0140	NEW	01-18-025	388-11-310	REP	01-03-089	388-14-435	REP	01-03-089
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388-06-0150	NEW	01-18-025	388-11-325	REP	01-03-089	388-14-450	REP	01-03-089
388-06-0160	NEW-P	01-10-062	388-11-330	REP	01-03-089	388-14-460	REP	01-03-089
388-06-0160	NEW	01-18-025	388-11-335	REP	01-03-089	388-14-480	REP	01-03-089
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388-06-0180	NEW	01-18-025	388-13-030	REP	01-03-089	388-14-500	REP	01-03-089
388-06-0190	NEW-P	01-10-062	388-13-040	REP	01-03-089	388-14-510	REP	01-03-089
388-06-0190	NEW	01-18-025	388-13-050	REP	01-03-089	388-14-520	REP	01-03-089
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388-14A-1005	NEW	01-03-089	388-14A-2125	AMD-P	01-21-105	388-14A-4200	NEW	01-03-089
388-14A-1010	NEW	01-03-089	388-14A-2130	NEW-P	01-21-105	388-14A-4300	NEW	01-03-089
388-14A-1015	NEW	01-03-089	388-14A-2135	NEW-P	01-21-105	388-14A-4301	NEW	01-03-089
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388-14A-1025	NEW	01-03-089	388-14A-2150	NEW	01-03-089	388-14A-4303	NEW	01-03-089
388-14A-1025	PREP	01-13-049	388-14A-2150	AMD-P	01-21-105	388-14A-4304	NEW	01-03-089
388-14A-1025	AMD-P	01-21-103	388-14A-2155	NEW	01-03-089	388-14A-4500	NEW	01-03-089
388-14A-1025	AMD	01-24-080	388-14A-2160	NEW	01-03-089	388-14A-4505	NEW	01-03-089
388-14A-1030	NEW	01-03-089	388-14A-3130	PREP	01-22-082	388-14A-4510	NEW	01-03-089
388-14A-1035	NEW	01-03-089	388-14A-3131	PREP	01-13-048	388-14A-4515	NEW	01-03-089
388-14A-1036	NEW	01-03-089	388-14A-3131	AMD-P	01-21-102	388-14A-4520	NEW	01-03-089
388-14A-1040	NEW	01-03-089	388-14A-3131	AMD	01-24-081	388-14A-4525	NEW	01-03-089
388-14A-1045	NEW	01-03-089	388-14A-3132	PREP	01-13-048	388-14A-4530	NEW	01-03-089
388-14A-1050	NEW	01-03-089	388-14A-3132	AMD-P	01-21-102	388-14A-4600	NEW	01-03-089
388-14A-1055	NEW	01-03-089	388-14A-3132	AMD	01-24-081	388-14A-4605	NEW	01-03-089
388-14A-1060	NEW	01-03-089	388-14A-3275	NEW	01-03-089	388-14A-4605	PREP	01-13-047
388-14A-2000	NEW	01-03-089	388-14A-3300	NEW	01-03-089	388-14A-4605	AMD-P	01-21-099
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388-14A-2015	NEW	01-03-089	388-14A-3315	NEW	01-03-089	388-14A-4615	NEW	01-03-089
388-14A-2020	NEW	01-03-089	388-14A-3320	NEW	01-03-089	388-14A-4620	NEW	01-03-089
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388-14A-2030	NEW	01-03-089	388-14A-3370	NEW	01-03-089	388-14A-5000	PREP	01-09-043
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388-14A-2036	NEW	01-03-089	388-14A-3400	NEW	01-03-089	388-14A-5001	PREP	01-09-043
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388-14A-2041	NEW	01-03-089	388-14A-3600	AMD-P	01-21-100	388-14A-5002	PREP	01-09-043
388-14A-2045	NEW	01-03-089	388-14A-3600	AMD	01-24-082	388-14A-5003	NEW	01-03-089
388-14A-2050	NEW	01-03-089	388-14A-3700	NEW	01-03-089	388-14A-5003	PREP	01-09-043
388-14A-2060	NEW	01-03-089	388-14A-3800	NEW	01-03-089	388-14A-5003	AMD-P	01-21-104
388-14A-2065	NEW	01-03-089	388-14A-3810	NEW	01-03-089	388-14A-5003	AMD	01-24-078
388-14A-2065	PREP	01-13-049	388-14A-3900	NEW	01-03-089	388-14A-5004	NEW	01-03-089
388-14A-2065	AMD-P	01-21-103	388-14A-3900	PREP	01-13-020	388-14A-5004	PREP	01-09-043
388-14A-2065	AMD	01-24-080	388-14A-3901	NEW	01-03-089	388-14A-5005	NEW	01-03-089
388-14A-2070	NEW	01-03-089	388-14A-3901	PREP	01-13-020	388-14A-5005	PREP	01-09-043
388-14A-2075	NEW	01-03-089	388-14A-3902	NEW	01-03-089	388-14A-5006	NEW	01-03-089
388-14A-2080	NEW	01-03-089	388-14A-3902	PREP	01-13-020	388-14A-5006	PREP	01-09-043
388-14A-2085	NEW	01-03-089	388-14A-3903	NEW	01-03-089	388-14A-5006	AMD-P	01-21-104
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388-14A-2095	NEW	01-03-089	388-14A-3904	NEW	01-03-089	388-14A-5007	NEW	01-03-089
388-14A-2097	NEW	01-03-089	388-14A-3904	PREP	01-13-020	388-14A-5007	PREP	01-09-043
388-14A-2099	NEW	01-03-089	388-14A-3905	NEW	01-03-089	388-14A-5007	AMD-P	01-21-104
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388-14A-2105	PREP	01-09-027	388-14A-3906	NEW	01-03-089	388-14A-5008	NEW	01-03-089
388-14A-2105	AMD-P	01-21-105	388-14A-3906	PREP	01-13-020	388-14A-5050	NEW	01-03-089
388-14A-2107	NEW-P	01-21-105	388-14A-3907	NEW	01-03-089	388-14A-5100	NEW	01-03-089
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388-14A-2110	AMD-P	01-21-105	388-14A-3925	PREP	01-13-020	388-14A-5400	NEW	01-03-089
388-14A-2112	NEW-P	01-21-105	388-14A-3925	PREP	01-22-082	388-14A-5500	NEW	01-03-089
388-14A-2114	NEW-P	01-21-105	388-14A-4000	NEW	01-03-089	388-14A-5505	NEW	01-03-089
388-14A-2115	NEW	01-03-089	388-14A-4010	NEW	01-03-089	388-14A-5510	NEW	01-03-089
388-14A-2115	PREP	01-09-027	388-14A-4020	NEW	01-03-089	388-14A-5515	NEW	01-03-089
388-14A-2115	AMD-P	01-21-105	388-14A-4030	NEW	01-03-089	388-14A-5520	NEW	01-03-089
388-14A-2116	NEW-P	01-21-105	388-14A-4040	NEW	01-03-089	388-14A-5520	PREP	01-22-082
388-14A-2120	NEW	01-03-089	388-14A-4100	NEW	01-03-089	388-14A-5525	NEW	01-03-089
388-14A-2120	PREP	01-09-027	388-14A-4110	NEW	01-03-089	388-14A-5525	PREP	01-22-082
388-14A-2120	AMD-P	01-21-105	388-14A-4115	NEW	01-03-089	388-14A-5530	NEW	01-03-089

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-14A-5530	PREP	01-22-082	388-15-105	NEW-W	01-07-072	388-25-0230	NEW	01-08-047
388-14A-5535	NEW	01-03-089	388-15-109	NEW-W	01-07-072	388-25-0235	NEW	01-08-047
388-14A-5540	NEW	01-03-089	388-15-113	NEW-W	01-07-072	388-25-0240	NEW	01-08-047
388-14A-6000	NEW	01-03-089	388-15-117	NEW-W	01-07-072	388-25-0245	NEW	01-08-047
388-14A-6100	NEW	01-03-089	388-15-121	NEW-W	01-07-072	388-25-0250	NEW	01-08-047
388-14A-6150	PREP	01-13-048	388-15-125	NEW-W	01-07-072	388-25-0255	NEW	01-08-047
388-14A-6150	NEW-P	01-21-102	388-15-129	NEW-W	01-07-072	388-25-0260	NEW	01-08-047
388-14A-6150	NEW	01-24-081	388-15-130	REP-W	01-07-072	388-25-0265	NEW	01-08-047
388-14A-6200	NEW	01-03-089	388-15-131	REP-W	01-07-072	388-25-0270	NEW	01-08-047
388-14A-6200	PREP	01-09-041	388-15-132	REP-W	01-07-072	388-25-0275	NEW	01-08-047
388-14A-6200	AMD-P	01-21-101	388-15-133	NEW-W	01-07-072	388-25-0280	NEW	01-08-047
388-14A-6200	AMD	01-24-079	388-15-134	REP-W	01-07-072	388-25-0285	NEW	01-08-047
388-14A-6205	NEW-P	01-21-101	388-15-135	NEW-W	01-07-072	388-25-0290	NEW	01-08-047
388-14A-6205	NEW	01-24-079	388-15-141	NEW-W	01-07-072	388-25-0295	NEW	01-08-047
388-14A-6210	NEW-P	01-21-101	388-15-150	REP	01-08-047	388-25-0300	NEW	01-08-047
388-14A-6210	NEW	01-24-079	388-15-160	REP	01-08-047	388-25-0305	NEW	01-08-047
388-14A-6215	NEW-P	01-21-101	388-15-220	REP	01-08-047	388-25-0310	NEW	01-08-047
388-14A-6215	NEW	01-24-079	388-15-570	REP	01-08-047	388-25-0315	NEW	01-08-047
388-14A-6220	NEW-P	01-21-101	388-25-0005	NEW	01-08-047	388-25-0320	NEW	01-08-047
388-14A-6220	NEW	01-24-079	388-25-0010	NEW	01-08-047	388-25-0325	NEW	01-08-047
388-14A-6300	NEW	01-03-089	388-25-0015	NEW	01-08-047	388-25-0330	NEW	01-08-047
388-14A-6400	NEW	01-03-089	388-25-0020	NEW	01-08-047	388-25-0335	NEW	01-08-047
388-14A-6405	NEW	01-03-089	388-25-0025	NEW	01-08-047	388-25-0340	NEW	01-08-047
388-14A-6410	NEW	01-03-089	388-25-0030	NEW	01-08-047	388-25-0345	NEW	01-08-047
388-14A-6415	NEW	01-03-089	388-25-0035	NEW	01-08-047	388-25-0350	NEW	01-08-047
388-14A-6500	NEW	01-03-089	388-25-0040	NEW	01-08-047	388-25-0355	NEW	01-08-047
388-14A-7100	NEW	01-03-089	388-25-0045	NEW	01-08-047	388-25-0360	NEW	01-08-047
388-14A-7200	NEW	01-03-089	388-25-0050	NEW	01-08-047	388-25-0365	NEW	01-08-047
388-14A-8100	NEW	01-03-089	388-25-0055	NEW	01-08-047	388-25-0370	NEW	01-08-047
388-14A-8105	NEW	01-03-089	388-25-0060	NEW	01-08-047	388-25-0375	NEW	01-08-047
388-14A-8110	NEW	01-03-089	388-25-0065	NEW	01-08-047	388-25-0380	NEW	01-08-047
388-14A-8120	NEW	01-03-089	388-25-0070	NEW	01-08-047	388-25-0385	NEW	01-08-047
388-14A-8200	NEW	01-03-089	388-25-0075	NEW	01-08-047	388-25-0390	NEW	01-08-047
388-14A-8300	NEW	01-03-089	388-25-0080	NEW	01-08-047	388-25-0395	NEW	01-08-047
388-14A-8400	NEW	01-03-089	388-25-0085	NEW	01-08-047	388-25-0400	NEW	01-08-047
388-14A-8500	NEW	01-03-089	388-25-0090	NEW	01-08-047	388-25-0405	NEW	01-08-047
388-15-001	NEW-W	01-07-072	388-25-0095	NEW	01-08-047	388-25-0410	NEW	01-08-047
388-15-005	NEW-W	01-07-072	388-25-0100	NEW	01-08-047	388-25-0415	NEW	01-08-047
388-15-009	NEW-W	01-07-072	388-25-0105	NEW	01-08-047	388-25-0420	NEW	01-08-047
388-15-013	NEW-W	01-07-072	388-25-0110	NEW	01-08-047	388-25-0425	NEW	01-08-047
388-15-017	NEW-W	01-07-072	388-25-0115	NEW	01-08-047	388-25-0430	NEW	01-08-047
388-15-021	NEW-W	01-07-072	388-25-0120	NEW	01-08-047	388-25-0435	NEW	01-08-047
388-15-025	NEW-W	01-07-072	388-25-0125	NEW	01-08-047	388-25-0440	NEW	01-08-047
388-15-029	NEW-W	01-07-072	388-25-0130	NEW	01-08-047	388-25-0445	NEW	01-08-047
388-15-033	NEW-W	01-07-072	388-25-0135	NEW	01-08-047	388-25-0450	NEW	01-08-047
388-15-037	NEW-W	01-07-072	388-25-0140	NEW	01-08-047	388-25-0455	NEW	01-08-047
388-15-041	NEW-W	01-07-072	388-25-0145	NEW	01-08-047	388-25-0460	NEW	01-08-047
388-15-045	NEW-W	01-07-072	388-25-0150	NEW	01-08-047	388-27-0005	NEW	01-08-047
388-15-049	NEW-W	01-07-072	388-25-0155	NEW	01-08-047	388-27-0010	NEW	01-08-047
388-15-053	NEW-W	01-07-072	388-25-0160	NEW	01-08-047	388-27-0015	NEW	01-08-047
388-15-057	NEW-W	01-07-072	388-25-0170	NEW	01-08-047	388-27-0020	NEW	01-08-047
388-15-061	NEW-W	01-07-072	388-25-0175	NEW	01-08-047	388-27-0025	NEW	01-08-047
388-15-065	NEW-W	01-07-072	388-25-0180	NEW	01-08-047	388-27-0030	NEW	01-08-047
388-15-069	NEW-W	01-07-072	388-25-0185	NEW	01-08-047	388-27-0035	NEW	01-08-047
388-15-073	NEW-W	01-07-072	388-25-0190	NEW	01-08-047	388-27-0040	NEW	01-08-047
388-15-077	NEW-W	01-07-072	388-25-0195	NEW	01-08-047	388-27-0045	NEW	01-08-047
388-15-081	NEW-W	01-07-072	388-25-0200	NEW	01-08-047	388-27-0050	NEW	01-08-047
388-15-085	NEW-W	01-07-072	388-25-0205	NEW	01-08-047	388-27-0055	NEW	01-08-047
388-15-089	NEW-W	01-07-072	388-25-0210	NEW	01-08-047	388-27-0060	NEW	01-08-047
388-15-093	NEW-W	01-07-072	388-25-0215	NEW	01-08-047	388-27-0065	NEW	01-08-047
388-15-097	NEW-W	01-07-072	388-25-0220	NEW	01-08-047	388-27-0070	NEW	01-08-047
388-15-101	NEW-W	01-07-072	388-25-0225	NEW	01-08-047	388-27-0075	NEW	01-08-047

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 27-0080	NEW	01-08-047	388- 31-010	REP-P	01-04-070	388- 60-0325	NEW	01-08-046
388- 27-0085	NEW	01-08-047	388- 31-010	REP	01-09-023	388- 60-0335	NEW	01-08-046
388- 27-0090	NEW	01-08-047	388- 31-015	REP-P	01-04-070	388- 60-0345	NEW	01-08-046
388- 27-0100	NEW	01-08-047	388- 31-015	REP	01-09-023	388- 60-0355	NEW	01-08-046
388- 27-0105	NEW	01-08-047	388- 31-020	REP-P	01-04-070	388- 60-0365	NEW	01-08-046
388- 27-0110	NEW	01-08-047	388- 31-020	REP	01-09-023	388- 60-0375	NEW	01-08-046
388- 27-0115	NEW	01-08-047	388- 31-025	REP-P	01-04-070	388- 60-0385	NEW	01-08-046
388- 27-0120	NEW	01-08-045	388- 31-025	REP	01-09-023	388- 60-0395	NEW	01-08-046
388- 27-0125	NEW	01-08-045	388- 31-030	REP-P	01-04-070	388- 60-0405	NEW	01-08-046
388- 27-0130	NEW	01-08-045	388- 31-030	REP	01-09-023	388- 60-0415	NEW	01-08-046
388- 27-0135	NEW	01-08-045	388- 31-035	REP-P	01-04-070	388- 60-0425	NEW	01-08-046
388- 27-0140	NEW	01-08-045	388- 31-035	REP	01-09-023	388- 60-0435	NEW	01-08-046
388- 27-0145	NEW	01-08-045	388- 32-0005	NEW	01-08-047	388- 60-0445	NEW	01-08-046
388- 27-0150	NEW	01-08-045	388- 32-0010	NEW	01-08-047	388- 60-0455	NEW	01-08-046
388- 27-0155	NEW	01-08-045	388- 32-0015	NEW	01-08-047	388- 60-0465	NEW	01-08-046
388- 27-0160	NEW	01-08-045	388- 32-0020	NEW	01-08-047	388- 60-0475	NEW	01-08-046
388- 27-0165	NEW	01-08-045	388- 32-0025	NEW	01-08-047	388- 60-0485	NEW	01-08-046
388- 27-0170	NEW	01-08-045	388- 32-0030	NEW	01-08-047	388- 60-0495	NEW	01-08-046
388- 27-0175	NEW	01-08-045	388- 39A-010	NEW	01-06-041	388- 60-0505	NEW	01-08-046
388- 27-0180	NEW	01-08-045	388- 39A-030	NEW	01-06-041	388- 60-0515	NEW	01-08-046
388- 27-0185	NEW	01-08-045	388- 39A-035	NEW	01-06-041	388- 60-0525	NEW	01-08-046
388- 27-0190	NEW	01-08-045	388- 39A-040	NEW	01-06-041	388- 60-0535	NEW	01-08-046
388- 27-0195	NEW	01-08-045	388- 39A-045	NEW	01-06-041	388- 60-0545	NEW	01-08-046
388- 27-0200	NEW	01-08-045	388- 39A-050	NEW	01-06-041	388- 60-0555	NEW	01-08-046
388- 27-0205	NEW	01-08-045	388- 39A-055	NEW	01-06-041	388- 60-0565	NEW	01-08-046
388- 27-0210	NEW	01-08-045	388- 39A-060	NEW	01-06-041	388- 60-0575	NEW	01-08-046
388- 27-0215	NEW	01-08-045	388- 46-010	REP	01-06-044	388- 60-0585	NEW	01-08-046
388- 27-0220	NEW	01-08-045	388- 46-100	REP	01-06-044	388- 60-0595	NEW	01-08-046
388- 27-0225	NEW	01-08-045	388- 46-110	REP	01-06-044	388- 60-0605	NEW	01-08-046
388- 27-0230	NEW	01-08-045	388- 46-120	REP	01-06-044	388- 60-0615	NEW	01-08-046
388- 27-0235	NEW	01-08-045	388- 60-0015	NEW	01-08-046	388- 60-0625	NEW	01-08-046
388- 27-0240	NEW	01-08-045	388- 60-0025	NEW	01-08-046	388- 60-0635	NEW	01-08-046
388- 27-0245	NEW	01-08-045	388- 60-0035	NEW	01-08-046	388- 60-0645	NEW	01-08-046
388- 27-0250	NEW	01-08-045	388- 60-0045	NEW	01-08-046	388- 60-0655	NEW	01-08-046
388- 27-0255	NEW	01-08-045	388- 60-005	REP	01-08-046	388- 60-0665	NEW	01-08-046
388- 27-0260	NEW	01-08-045	388- 60-0055	NEW	01-08-046	388- 60-0675	NEW	01-08-046
388- 27-0265	NEW	01-08-045	388- 60-0065	NEW	01-08-046	388- 60-0685	NEW	01-08-046
388- 27-0270	NEW	01-08-045	388- 60-0075	NEW	01-08-046	388- 60-0695	NEW	01-08-046
388- 27-0275	NEW	01-08-045	388- 60-0085	NEW	01-08-046	388- 60-0705	NEW	01-08-046
388- 27-0280	NEW	01-08-045	388- 60-0095	NEW	01-08-046	388- 60-0715	NEW	01-08-046
388- 27-0285	NEW	01-08-045	388- 60-0105	NEW	01-08-046	388- 60-0725	NEW	01-08-046
388- 27-0290	NEW	01-08-045	388- 60-0115	NEW	01-08-046	388- 60-0735	NEW	01-08-046
388- 27-0295	NEW	01-08-045	388- 60-0125	NEW	01-08-046	388- 60-0745	NEW	01-08-046
388- 27-0300	NEW	01-08-045	388- 60-0135	NEW	01-08-046	388- 60-0755	NEW	01-08-046
388- 27-0305	NEW	01-08-045	388- 60-0145	NEW	01-08-046	388- 60-120	REP	01-08-046
388- 27-0310	NEW	01-08-045	388- 60-0155	NEW	01-08-046	388- 60-130	REP	01-08-046
388- 27-0315	NEW	01-08-045	388- 60-0165	NEW	01-08-046	388- 60-140	REP	01-08-046
388- 27-0320	NEW	01-08-045	388- 60-0175	NEW	01-08-046	388- 60-150	REP	01-08-046
388- 27-0325	NEW	01-08-045	388- 60-0185	NEW	01-08-046	388- 60-160	REP	01-08-046
388- 27-0330	NEW	01-08-045	388- 60-0195	NEW	01-08-046	388- 60-170	REP	01-08-046
388- 27-0335	NEW	01-08-045	388- 60-0205	NEW	01-08-046	388- 60-180	REP	01-08-046
388- 27-0340	NEW	01-08-045	388- 60-0215	NEW	01-08-046	388- 60-190	REP	01-08-046
388- 27-0345	NEW	01-08-045	388- 60-0225	NEW	01-08-046	388- 60-200	REP	01-08-046
388- 27-0350	NEW	01-08-045	388- 60-0235	NEW	01-08-046	388- 60-210	REP	01-08-046
388- 27-0355	NEW	01-08-045	388- 60-0245	NEW	01-08-046	388- 60-220	REP	01-08-046
388- 27-0360	NEW	01-08-045	388- 60-0255	NEW	01-08-046	388- 60-230	REP	01-08-046
388- 27-0365	NEW	01-08-045	388- 60-0265	NEW	01-08-046	388- 60-240	REP	01-08-046
388- 27-0370	NEW	01-08-045	388- 60-0275	NEW	01-08-046	388- 60-250	REP	01-08-046
388- 27-0375	NEW	01-08-045	388- 60-0285	NEW	01-08-046	388- 60-260	REP	01-08-046
388- 27-0380	NEW	01-08-045	388- 60-0295	NEW	01-08-046	388- 61A-0005	NEW	01-07-053
388- 27-0385	NEW	01-08-045	388- 60-0305	NEW	01-08-046	388- 61A-0010	NEW	01-07-053
388- 27-0390	NEW	01-08-045	388- 60-0315	NEW	01-08-046	388- 61A-0015	NEW	01-07-053

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**Table of WAC Sections Affected**

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-61A-0020	NEW	01-07-053	388-70-082	REP	01-08-047	388-71-05916	NEW-P	01-23-072
388-61A-0025	NEW	01-07-053	388-70-084	REP	01-08-047	388-71-05917	NEW-P	01-23-072
388-61A-0030	NEW	01-07-053	388-70-170	REP	01-08-047	388-71-05918	NEW-P	01-23-072
388-61A-0035	NEW	01-07-053	388-70-410	REP	01-08-047	388-71-05919	NEW-P	01-23-072
388-61A-0040	NEW	01-07-053	388-70-420	REP	01-08-047	388-71-05920	NEW-P	01-23-072
388-61A-0045	NEW	01-07-053	388-70-430	REP	01-08-047	388-71-05921	NEW-P	01-23-072
388-61A-0050	NEW	01-07-053	388-70-440	REP	01-08-047	388-71-05922	NEW-P	01-23-072
388-61A-0055	NEW	01-07-053	388-70-460	REP	01-08-047	388-71-05923	NEW-P	01-23-072
388-61A-0060	NEW	01-07-053	388-70-470	REP	01-08-047	388-71-05924	NEW-P	01-23-072
388-61A-0065	NEW	01-07-053	388-70-480	REP	01-08-047	388-71-05925	NEW-P	01-23-072
388-61A-0070	NEW	01-07-053	388-70-510	REP	01-08-045	388-71-05926	NEW-P	01-23-072
388-61A-0075	NEW	01-07-053	388-70-520	REP	01-08-045	388-71-05927	NEW-P	01-23-072
388-61A-0080	NEW	01-07-053	388-70-530	REP	01-08-045	388-71-05928	NEW-P	01-23-072
388-61A-0085	NEW	01-07-053	388-70-540	REP	01-08-045	388-71-05929	NEW-P	01-23-072
388-61A-0090	NEW	01-07-053	388-70-550	REP	01-08-045	388-71-05930	NEW-P	01-23-072
388-61A-0095	NEW	01-07-053	388-70-560	REP	01-08-045	388-71-05931	NEW-P	01-23-072
388-61A-0100	NEW	01-07-053	388-70-570	REP	01-08-045	388-71-05932	NEW-P	01-23-072
388-61A-0105	NEW	01-07-053	388-70-580	REP	01-08-045	388-71-05933	NEW-P	01-23-072
388-61A-0110	NEW	01-07-053	388-70-590	REP	01-08-045	388-71-05934	NEW-P	01-23-072
388-61A-0115	NEW	01-07-053	388-70-595	REP	01-08-045	388-71-05935	NEW-P	01-23-072
388-61A-0120	NEW	01-07-053	388-70-700	REP	01-08-047	388-71-05936	NEW-P	01-23-072
388-61A-0125	NEW	01-07-053	388-71	PREP	01-11-095	388-71-05937	NEW-P	01-23-072
388-61A-0130	NEW	01-07-053	388-71-0500	AMD-P	01-07-045	388-71-05938	NEW-P	01-23-072
388-61A-0135	NEW	01-07-053	388-71-0500	AMD	01-11-019	388-71-05939	NEW-P	01-23-072
388-61A-0140	NEW	01-07-053	388-71-0500	AMD-P	01-23-072	388-71-05940	NEW-P	01-23-072
388-61A-0145	NEW	01-07-053	388-71-0505	AMD-P	01-07-045	388-71-05941	NEW-P	01-23-072
388-61A-0150	NEW	01-07-053	388-71-0505	AMD	01-11-019	388-71-05942	NEW-P	01-23-072
388-61A-0155	NEW	01-07-053	388-71-0510	AMD-P	01-07-045	388-71-05943	NEW-P	01-23-072
388-61A-0160	NEW	01-07-053	388-71-0510	AMD	01-11-019	388-71-05944	NEW-P	01-23-072
388-61A-0165	NEW	01-07-053	388-71-0513	NEW-P	01-07-045	388-71-05945	NEW-P	01-23-072
388-61A-0170	NEW	01-07-053	388-71-0513	NEW	01-11-019	388-71-05946	NEW-P	01-23-072
388-61A-0175	NEW	01-07-053	388-71-0515	AMD-P	01-07-045	388-71-05947	NEW-P	01-23-072
388-61A-0180	NEW	01-07-053	388-71-0515	AMD	01-11-019	388-71-05948	NEW-P	01-23-072
388-61A-0185	NEW	01-07-053	388-71-0520	AMD-P	01-23-072	388-71-05949	NEW-P	01-23-072
388-61A-0190	NEW	01-07-053	388-71-0525	REP-P	01-23-072	388-71-05950	NEW-P	01-23-072
388-61A-0195	NEW	01-07-053	388-71-0530	REP-P	01-23-072	388-71-05951	NEW-P	01-23-072
388-70-010	REP	01-08-047	388-71-0535	REP-P	01-23-072	388-71-05952	NEW-P	01-23-072
388-70-012	REP	01-08-047	388-71-0540	AMD-P	01-07-045	388-71-05953	NEW-P	01-23-072
388-70-013	REP	01-08-047	388-71-0540	AMD	01-11-019	388-71-0605	AMD-P	01-03-155
388-70-022	REP	01-08-047	388-71-0540	AMD-P	01-23-072	388-71-0605	AMD	01-14-055
388-70-024	REP	01-08-047	388-71-0545	REP-P	01-07-045	388-71-0613	NEW-P	01-03-155
388-70-031	REP	01-08-047	388-71-0545	REP	01-11-019	388-71-0613	NEW	01-14-055
388-70-032	REP	01-08-047	388-71-0546	NEW-P	01-07-045	388-71-0900	NEW-P	01-07-044
388-70-033	REP	01-08-047	388-71-0546	NEW	01-11-019	388-71-0900	NEW	01-11-018
388-70-034	REP	01-08-047	388-71-0550	REP-P	01-07-045	388-71-0905	NEW-P	01-07-044
388-70-035	REP	01-08-047	388-71-0550	REP	01-11-019	388-71-0905	NEW	01-11-018
388-70-036	REP	01-08-047	388-71-0550	REP	01-11-019	388-71-0905	NEW	01-11-018
388-70-037	REP	01-08-047	388-71-0551	NEW-P	01-07-045	388-71-0910	NEW-P	01-07-044
388-70-041	REP	01-08-047	388-71-0551	NEW	01-11-019	388-71-0910	NEW	01-11-018
388-70-042	REP	01-08-047	388-71-0555	REP-P	01-07-045	388-71-0915	NEW-P	01-07-044
388-70-044	REP	01-08-047	388-71-0555	REP	01-11-019	388-71-0915	NEW	01-11-018
388-70-048	REP	01-08-047	388-71-0556	NEW-P	01-07-045	388-71-0920	NEW-P	01-07-044
388-70-051	REP	01-08-047	388-71-0556	NEW	01-11-019	388-71-0920	NEW	01-11-018
388-70-054	REP	01-08-047	388-71-0560	AMD-P	01-07-045	388-71-0925	NEW-P	01-07-044
388-70-058	REP	01-08-047	388-71-0560	AMD	01-11-019	388-71-0925	NEW	01-11-018
388-70-062	REP	01-08-047	388-71-0580	AMD-P	01-07-045	388-71-0930	NEW-P	01-07-044
388-70-066	REP	01-08-047	388-71-0580	AMD	01-11-019	388-71-0930	NEW	01-11-018
388-70-068	REP	01-08-047	388-71-05910	NEW-P	01-23-072	388-71-0935	NEW-P	01-07-044
388-70-069	REP	01-08-047	388-71-05911	NEW-P	01-23-072	388-71-0935	NEW	01-11-018
388-70-075	REP	01-08-047	388-71-05912	NEW-P	01-23-072	388-71-0940	NEW-P	01-07-044
388-70-078	REP	01-08-047	388-71-05913	NEW-P	01-23-072	388-71-0940	NEW	01-11-018
388-70-080	REP	01-08-047	388-71-05914	NEW-P	01-23-072	388-71-0945	NEW-P	01-07-044
			388-71-05915	NEW-P	01-23-072	388-71-0945	NEW	01-11-018

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-71-0950	NEW-P	01-07-044	388-73-042	REP-W	01-08-064	388-73-077	REP	01-18-037
388-71-0950	NEW	01-11-018	388-73-042	REP-P	01-12-101	388-73-078	REP-W	01-08-064
388-71-0955	NEW-P	01-07-044	388-73-042	REP	01-18-037	388-73-078	REP-P	01-12-101
388-71-0955	NEW	01-11-018	388-73-044	REP-W	01-08-064	388-73-078	REP	01-18-037
388-71-0960	NEW-P	01-07-044	388-73-044	REP-P	01-12-101	388-73-080	REP-W	01-08-064
388-71-0960	NEW	01-11-018	388-73-044	REP	01-18-037	388-73-080	REP-P	01-12-101
388-71-0965	NEW-P	01-07-044	388-73-046	REP-W	01-08-064	388-73-080	REP	01-18-037
388-71-0965	NEW	01-11-018	388-73-046	REP-P	01-12-101	388-73-100	REP-W	01-08-064
388-73-010	REP-W	01-08-064	388-73-046	REP	01-18-037	388-73-100	REP-P	01-12-101
388-73-010	REP-P	01-12-101	388-73-048	REP-W	01-08-064	388-73-100	REP	01-18-037
388-73-010	REP	01-18-037	388-73-048	REP-P	01-12-101	388-73-101	REP-W	01-08-064
388-73-012	REP-W	01-08-064	388-73-048	REP	01-18-037	388-73-101	REP-P	01-12-101
388-73-012	REP-P	01-12-101	388-73-050	REP-W	01-08-064	388-73-101	REP	01-18-037
388-73-012	REP	01-18-037	388-73-050	REP-P	01-12-101	388-73-102	REP-W	01-08-064
388-73-014	REP-W	01-08-064	388-73-050	REP	01-18-037	388-73-102	REP-P	01-12-101
388-73-014	REP-P	01-12-101	388-73-052	REP-W	01-08-064	388-73-102	REP	01-18-037
388-73-014	REP	01-18-037	388-73-052	REP-P	01-12-101	388-73-103	REP-W	01-08-064
388-73-016	REP-W	01-08-064	388-73-052	REP	01-18-037	388-73-103	REP-P	01-12-101
388-73-016	REP-P	01-12-101	388-73-054	REP-W	01-08-064	388-73-103	REP	01-18-037
388-73-016	REP	01-18-037	388-73-054	REP-P	01-12-101	388-73-104	REP-W	01-08-064
388-73-018	REP-W	01-08-064	388-73-054	REP	01-18-037	388-73-104	REP-P	01-12-101
388-73-018	REP-P	01-12-101	388-73-056	REP-W	01-08-064	388-73-104	REP	01-18-037
388-73-018	REP	01-18-037	388-73-056	REP-P	01-12-101	388-73-106	REP-W	01-08-064
388-73-019	REP-W	01-08-064	388-73-056	REP	01-18-037	388-73-106	REP-P	01-12-101
388-73-019	REP-P	01-12-101	388-73-057	REP-W	01-08-064	388-73-106	REP	01-18-037
388-73-019	REP	01-18-037	388-73-057	REP-P	01-12-101	388-73-108	REP-W	01-08-064
388-73-01950	REP-W	01-08-064	388-73-057	REP	01-18-037	388-73-108	REP-P	01-12-101
388-73-01950	REP-P	01-12-101	388-73-058	REP-W	01-08-064	388-73-108	REP	01-18-037
388-73-01950	REP	01-18-037	388-73-058	REP-P	01-12-101	388-73-110	REP-W	01-08-064
388-73-020	REP-W	01-08-064	388-73-058	REP	01-18-037	388-73-110	REP-P	01-12-101
388-73-020	REP-P	01-12-101	388-73-060	REP-W	01-08-064	388-73-110	REP	01-18-037
388-73-020	REP	01-18-037	388-73-060	REP-P	01-12-101	388-73-112	REP-W	01-08-064
388-73-022	REP-W	01-08-064	388-73-060	REP	01-18-037	388-73-112	REP-P	01-12-101
388-73-022	REP-P	01-12-101	388-73-062	REP-W	01-08-064	388-73-112	REP	01-18-037
388-73-022	REP	01-18-037	388-73-062	REP-P	01-12-101	388-73-114	REP-W	01-08-064
388-73-024	REP-W	01-08-064	388-73-062	REP	01-18-037	388-73-114	REP-P	01-12-101
388-73-024	REP-P	01-12-101	388-73-064	REP-W	01-08-064	388-73-114	REP	01-18-037
388-73-024	REP	01-18-037	388-73-064	REP-P	01-12-101	388-73-116	REP-W	01-08-064
388-73-026	REP-W	01-08-064	388-73-064	REP	01-18-037	388-73-116	REP-P	01-12-101
388-73-026	REP-P	01-12-101	388-73-066	REP-W	01-08-064	388-73-116	REP	01-18-037
388-73-026	REP	01-18-037	388-73-066	REP-P	01-12-101	388-73-118	REP-W	01-08-064
388-73-028	REP-W	01-08-064	388-73-066	REP	01-18-037	388-73-118	REP-P	01-12-101
388-73-028	REP-P	01-12-101	388-73-068	REP-W	01-08-064	388-73-118	REP	01-18-037
388-73-028	REP	01-18-037	388-73-068	REP-P	01-12-101	388-73-120	REP-W	01-08-064
388-73-030	REP-W	01-08-064	388-73-068	REP	01-18-037	388-73-120	REP-P	01-12-101
388-73-030	REP-P	01-12-101	388-73-069	REP-W	01-08-064	388-73-120	REP	01-18-037
388-73-030	REP	01-18-037	388-73-069	REP-P	01-12-101	388-73-122	REP-W	01-08-064
388-73-032	REP-W	01-08-064	388-73-069	REP	01-18-037	388-73-122	REP-P	01-12-101
388-73-032	REP-P	01-12-101	388-73-070	REP-W	01-08-064	388-73-122	REP	01-18-037
388-73-032	REP	01-18-037	388-73-070	REP-P	01-12-101	388-73-124	REP-W	01-08-064
388-73-034	REP-W	01-08-064	388-73-070	REP	01-18-037	388-73-124	REP-P	01-12-101
388-73-034	REP-P	01-12-101	388-73-072	REP-W	01-08-064	388-73-124	REP	01-18-037
388-73-034	REP	01-18-037	388-73-072	REP-P	01-12-101	388-73-126	REP-W	01-08-064
388-73-036	REP-W	01-08-064	388-73-072	REP	01-18-037	388-73-126	REP-P	01-12-101
388-73-036	REP-P	01-12-101	388-73-074	REP-W	01-08-064	388-73-126	REP	01-18-037
388-73-036	REP	01-18-037	388-73-074	REP-P	01-12-101	388-73-128	REP-W	01-08-064
388-73-038	REP-W	01-08-064	388-73-074	REP	01-18-037	388-73-128	REP-P	01-12-101
388-73-038	REP-P	01-12-101	388-73-076	REP-W	01-08-064	388-73-128	REP	01-18-037
388-73-038	REP	01-18-037	388-73-076	REP-P	01-12-101	388-73-130	REP-W	01-08-064
388-73-040	REP-W	01-08-064	388-73-076	REP	01-18-037	388-73-130	REP-P	01-12-101
388-73-040	REP-P	01-12-101	388-73-077	REP-W	01-08-064	388-73-130	REP	01-18-037
388-73-040	REP	01-18-037	388-73-077	REP-P	01-12-101	388-73-132	REP-W	01-08-064

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 73-704	REP-P	01-12-101	388- 73-900	REP-W	01-08-064	388- 96-776	AMD	01-12-037
388- 73-704	REP	01-18-037	388- 73-900	REP-P	01-12-101	388- 96-777	AMD-P	01-06-057
388- 73-706	REP-W	01-08-064	388- 73-900	REP	01-18-037	388- 96-777	AMD	01-12-037
388- 73-706	REP-P	01-12-101	388- 73-901	REP-W	01-08-064	388- 96-780	AMD-P	01-06-057
388- 73-706	REP	01-18-037	388- 73-901	REP-P	01-12-101	388- 96-780	AMD	01-12-037
388- 73-708	REP-W	01-08-064	388- 73-901	REP	01-18-037	388- 96-802	NEW-P	01-06-057
388- 73-708	REP-P	01-12-101	388- 73-902	REP-W	01-08-064	388- 96-802	NEW	01-12-037
388- 73-708	REP	01-18-037	388- 73-902	REP-P	01-12-101	388- 96-803	NEW-P	01-06-057
388- 73-710	REP-W	01-08-064	388- 73-902	REP	01-18-037	388- 96-803	NEW	01-12-037
388- 73-710	REP-P	01-12-101	388- 73-904	REP-W	01-08-064	388- 96-901	AMD-P	01-06-057
388- 73-710	REP	01-18-037	388- 73-904	REP-P	01-12-101	388- 96-901	AMD	01-12-037
388- 73-712	REP-W	01-08-064	388- 73-904	REP	01-18-037	388-105-0005	NEW-P	01-10-103
388- 73-712	REP-P	01-12-101	388- 74-010	REP	01-06-041	388-105-0005	NEW	01-14-056
388- 73-712	REP	01-18-037	388- 74-030	REP	01-06-041	388-105-0005	AMD-P	01-18-033
388- 73-714	REP-W	01-08-064	388- 76-570	AMD-P	01-23-073	388-105-0005	AMD	01-21-077
388- 73-714	REP-P	01-12-101	388- 76-59100	REP-P	01-23-073	388-105-0010	NEW-P	01-10-103
388- 73-714	REP	01-18-037	388- 76-59110	REP-P	01-23-073	388-105-0010	NEW	01-14-056
388- 73-718	REP-W	01-08-064	388- 76-59120	REP-P	01-23-073	388-105-0015	NEW-P	01-10-103
388- 73-718	REP-P	01-12-101	388- 76-655	AMD-P	01-23-073	388-105-0015	NEW	01-14-056
388- 73-718	REP	01-18-037	388- 76-660	AMD-P	01-23-073	388-105-0020	NEW-P	01-10-103
388- 73-720	REP-W	01-08-064	388- 76-765	PREP	01-18-053	388-105-0020	NEW	01-14-056
388- 73-720	REP-P	01-12-101	388- 78A-050	AMD-P	01-23-074	388-105-0025	NEW-P	01-10-103
388- 73-720	REP	01-18-037	388- 78A-060	AMD-P	01-23-074	388-105-0025	NEW	01-14-056
388- 73-722	REP-W	01-08-064	388- 86-071	REP	01-05-040	388-110-110	REP-P	01-23-073
388- 73-722	REP-P	01-12-101	388- 86-085	REP	01-06-029	388-112-0001	NEW-P	01-23-073
388- 73-722	REP	01-18-037	388- 86-086	REP	01-03-084	388-112-0005	NEW-P	01-23-073
388- 73-800	REP-W	01-08-064	388- 86-100	REP-W	01-03-001	388-112-0010	NEW-P	01-23-073
388- 73-800	REP-P	01-12-101	388- 86-100	REP	01-06-028	388-112-0015	NEW-P	01-23-073
388- 73-800	REP	01-18-037	388- 87-027	REP	01-06-032	388-112-0020	NEW-P	01-23-073
388- 73-802	REP-W	01-08-064	388- 87-035	REP	01-06-029	388-112-0025	NEW-P	01-23-073
388- 73-802	REP-P	01-12-101	388- 87-036	REP	01-03-084	388-112-0030	NEW-P	01-23-073
388- 73-802	REP	01-18-037	388- 87-060	REP	01-06-033	388-112-0035	NEW-P	01-23-073
388- 73-803	REP-W	01-08-064	388- 96	PREP	01-16-136	388-112-0040	NEW-P	01-23-073
388- 73-803	REP-P	01-12-101	388- 96-010	AMD-P	01-06-057	388-112-0045	NEW-P	01-23-073
388- 73-803	REP	01-18-037	388- 96-010	AMD	01-12-037	388-112-0050	NEW-P	01-23-073
388- 73-804	REP-W	01-08-064	388- 96-218	AMD-P	01-06-057	388-112-0055	NEW-P	01-23-073
388- 73-804	REP-P	01-12-101	388- 96-218	AMD	01-12-037	388-112-0060	NEW-P	01-23-073
388- 73-804	REP	01-18-037	388- 96-310	AMD-P	01-06-057	388-112-0065	NEW-P	01-23-073
388- 73-805	REP-W	01-08-064	388- 96-310	AMD-W	01-12-036	388-112-0070	NEW-P	01-23-073
388- 73-805	REP-P	01-12-101	388- 96-369	AMD-P	01-06-057	388-112-0075	NEW-P	01-23-073
388- 73-805	REP	01-18-037	388- 96-369	AMD	01-12-037	388-112-0080	NEW-P	01-23-073
388- 73-810	REP-W	01-08-064	388- 96-384	AMD-P	01-06-057	388-112-0085	NEW-P	01-23-073
388- 73-810	REP-P	01-12-101	388- 96-384	AMD	01-12-037	388-112-0090	NEW-P	01-23-073
388- 73-810	REP	01-18-037	388- 96-559	AMD-P	01-06-057	388-112-0095	NEW-P	01-23-073
388- 73-815	REP-W	01-08-064	388- 96-559	AMD	01-12-037	388-112-0100	NEW-P	01-23-073
388- 73-815	REP-P	01-12-101	388- 96-708	AMD-P	01-06-057	388-112-0105	NEW-P	01-23-073
388- 73-815	REP	01-18-037	388- 96-708	AMD	01-12-037	388-112-0110	NEW-P	01-23-073
388- 73-820	REP-W	01-08-064	388- 96-709	AMD-P	01-06-057	388-112-0115	NEW-P	01-23-073
388- 73-820	REP-P	01-12-101	388- 96-709	AMD	01-12-037	388-112-0120	NEW-P	01-23-073
388- 73-820	REP	01-18-037	388- 96-710	AMD-P	01-06-057	388-112-0125	NEW-P	01-23-073
388- 73-821	REP-W	01-08-064	388- 96-710	AMD	01-12-037	388-112-0130	NEW-P	01-23-073
388- 73-821	REP-P	01-12-101	388- 96-713	AMD-P	01-06-057	388-112-0135	NEW-P	01-23-073
388- 73-821	REP	01-18-037	388- 96-713	AMD	01-12-037	388-112-0140	NEW-P	01-23-073
388- 73-822	REP-W	01-08-064	388- 96-714	AMD-P	01-06-057	388-112-0145	NEW-P	01-23-073
388- 73-822	REP-P	01-12-101	388- 96-714	AMD	01-12-037	388-112-0150	NEW-P	01-23-073
388- 73-822	REP	01-18-037	388- 96-723	AMD-P	01-06-057	388-112-0155	NEW-P	01-23-073
388- 73-823	REP-W	01-08-064	388- 96-723	AMD	01-12-037	388-112-0160	NEW-P	01-23-073
388- 73-823	REP-P	01-12-101	388- 96-732	NEW-P	01-06-057	388-112-0165	NEW-P	01-23-073
388- 73-823	REP	01-18-037	388- 96-732	NEW	01-12-037	388-112-0170	NEW-P	01-23-073
388- 73-825	REP-W	01-08-064	388- 96-740	AMD-P	01-06-057	388-112-0175	NEW-P	01-23-073
388- 73-825	REP-P	01-12-101	388- 96-740	AMD	01-12-037	388-112-0180	NEW-P	01-23-074
388- 73-825	REP	01-18-037	388- 96-776	AMD-P	01-06-057	388-112-0185	NEW-P	01-23-074

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388-148-1215	NEW-E	01-24-065	388-155-640	AMD-P	01-07-052	388-160-0165	NEW-P	01-10-063
388-148-1220	NEW-E	01-24-065	388-155-640	AMD	01-17-084	388-160-0165	NEW	01-15-001
388-148-1225	NEW-E	01-24-065	388-155-650	AMD-P	01-07-052	388-160-0175	NEW-W	01-07-070
388-148-1230	NEW-E	01-24-065	388-155-650	AMD	01-17-084	388-160-0175	NEW-P	01-10-063
388-148-1235	NEW-E	01-24-065	388-155-660	AMD-P	01-07-052	388-160-0175	NEW	01-15-001
388-148-1240	NEW-E	01-24-065	388-155-660	AMD	01-17-084	388-160-0185	NEW-W	01-07-070
388-148-1245	NEW-E	01-24-065	388-155-670	AMD-P	01-07-052	388-160-0185	NEW-P	01-10-063
388-148-1250	NEW-E	01-24-065	388-155-670	AMD	01-17-084	388-160-0185	NEW	01-15-001
388-148-1255	NEW-E	01-24-065	388-155-680	AMD-P	01-07-052	388-160-0195	NEW-W	01-07-070
388-148-1260	NEW-E	01-24-065	388-155-680	AMD	01-17-084	388-160-0195	NEW-P	01-10-063
388-148-1265	NEW-E	01-24-065	388-160-0005	NEW-W	01-07-070	388-160-0195	NEW	01-15-001
388-148-1270	NEW-E	01-24-065	388-160-0005	NEW-P	01-10-063	388-160-020	REP-W	01-07-070
388-148-1275	NEW-E	01-24-065	388-160-0005	NEW	01-15-001	388-160-020	REP-P	01-10-063
388-148-1280	NEW-E	01-24-065	388-160-0015	NEW-W	01-07-070	388-160-020	REP	01-15-001
388-148-1285	NEW-E	01-24-065	388-160-0015	NEW-P	01-10-063	388-160-0205	NEW-W	01-07-070
388-148-1290	NEW-E	01-24-065	388-160-0015	NEW	01-15-001	388-160-0205	NEW-P	01-10-063
388-148-1295	NEW-E	01-24-065	388-160-0025	NEW-W	01-07-070	388-160-0205	NEW	01-15-001
388-148-1300	NEW-E	01-24-065	388-160-0025	NEW-P	01-10-063	388-160-0215	NEW-W	01-07-070
388-155-040	AMD-P	01-07-052	388-160-0025	NEW	01-15-001	388-160-0215	NEW-P	01-10-063
388-155-040	AMD	01-17-084	388-160-0035	NEW-W	01-07-070	388-160-0215	NEW	01-15-001
388-155-050	AMD-P	01-07-052	388-160-0035	NEW-P	01-10-063	388-160-0225	NEW-W	01-07-070
388-155-050	AMD	01-17-084	388-160-0035	NEW	01-15-001	388-160-0225	NEW-P	01-10-063
388-155-060	AMD-P	01-07-052	388-160-0045	NEW-W	01-07-070	388-160-0225	NEW	01-15-001
388-155-060	AMD	01-17-084	388-160-0045	NEW-P	01-10-063	388-160-0235	NEW-W	01-07-070
388-155-080	AMD-P	01-07-052	388-160-0045	NEW	01-15-001	388-160-0235	NEW-P	01-10-063
388-155-080	AMD	01-17-084	388-160-0055	NEW-W	01-07-070	388-160-0235	NEW	01-15-001
388-155-085	AMD-P	01-07-052	388-160-0055	NEW-P	01-10-063	388-160-0245	NEW-W	01-07-070
388-155-085	AMD	01-17-084	388-160-0055	NEW	01-15-001	388-160-0245	NEW-P	01-10-063
388-155-090	AMD-P	01-07-052	388-160-0065	NEW-W	01-07-070	388-160-0245	NEW	01-15-001
388-155-090	AMD	01-17-084	388-160-0065	NEW-P	01-10-063	388-160-0255	NEW-W	01-07-070
388-155-092	AMD-P	01-07-052	388-160-0065	NEW	01-15-001	388-160-0255	NEW-P	01-10-063
388-155-092	AMD	01-17-084	388-160-0075	NEW-W	01-07-070	388-160-0255	NEW	01-15-001
388-155-093	AMD-P	01-07-052	388-160-0075	NEW-P	01-10-063	388-160-0265	NEW-W	01-07-070
388-155-093	AMD	01-17-084	388-160-0075	NEW	01-15-001	388-160-0265	NEW-P	01-10-063
388-155-094	AMD-P	01-07-052	388-160-0085	NEW-W	01-07-070	388-160-0265	NEW	01-15-001
388-155-094	AMD	01-17-084	388-160-0085	NEW-P	01-10-063	388-160-0275	NEW-W	01-07-070
388-155-095	AMD-P	01-07-052	388-160-0085	NEW	01-15-001	388-160-0275	NEW-P	01-10-063
388-155-095	AMD	01-17-084	388-160-0095	NEW-W	01-07-070	388-160-0275	NEW	01-15-001
388-155-160	AMD-P	01-07-052	388-160-0095	NEW-P	01-10-063	388-160-0285	NEW-W	01-07-070
388-155-160	AMD	01-17-084	388-160-0095	NEW	01-15-001	388-160-0285	NEW-P	01-10-063
388-155-190	AMD-P	01-07-052	388-160-010	REP-W	01-07-070	388-160-0285	NEW	01-15-001
388-155-190	AMD	01-17-084	388-160-010	REP-P	01-10-063	388-160-0295	NEW-W	01-07-070
388-155-270	AMD-P	01-07-052	388-160-010	REP	01-15-001	388-160-0295	NEW-P	01-10-063
388-155-270	AMD	01-17-084	388-160-0105	NEW-W	01-07-070	388-160-0295	NEW	01-15-001
388-155-330	AMD-P	01-07-052	388-160-0105	NEW-P	01-10-063	388-160-030	REP-W	01-07-070
388-155-330	AMD	01-17-084	388-160-0105	NEW	01-15-001	388-160-030	REP-P	01-10-063
388-155-370	AMD-P	01-07-052	388-160-0115	NEW-W	01-07-070	388-160-030	REP	01-15-001
388-155-370	AMD	01-17-084	388-160-0115	NEW-P	01-10-063	388-160-0305	NEW-W	01-07-070
388-155-380	AMD-P	01-07-052	388-160-0115	NEW	01-15-001	388-160-0305	NEW-P	01-10-063
388-155-380	AMD	01-17-084	388-160-0125	NEW-W	01-07-070	388-160-0305	NEW	01-15-001
388-155-420	AMD-P	01-07-052	388-160-0125	NEW-P	01-10-063	388-160-0315	NEW-W	01-07-070
388-155-420	AMD	01-17-084	388-160-0125	NEW	01-15-001	388-160-0315	NEW-P	01-10-063
388-155-480	AMD-P	01-07-052	388-160-0135	NEW-W	01-07-070	388-160-0315	NEW	01-15-001
388-155-480	AMD	01-17-084	388-160-0135	NEW-P	01-10-063	388-160-0325	NEW-W	01-07-070
388-155-605	AMD-P	01-07-052	388-160-0135	NEW	01-15-001	388-160-0325	NEW-P	01-10-063
388-155-605	AMD	01-17-084	388-160-0145	NEW-W	01-07-070	388-160-0325	NEW	01-15-001
388-155-610	AMD-P	01-07-052	388-160-0145	NEW-P	01-10-063	388-160-0335	NEW-W	01-07-070
388-155-610	AMD	01-17-084	388-160-0145	NEW	01-15-001	388-160-0335	NEW-P	01-10-063
388-155-620	AMD-P	01-07-052	388-160-0155	NEW-W	01-07-070	388-160-0335	NEW	01-15-001
388-155-620	AMD	01-17-084	388-160-0155	NEW-P	01-10-063	388-160-0345	NEW-W	01-07-070
388-155-630	AMD-P	01-07-052	388-160-0155	NEW	01-15-001	388-160-0345	NEW-P	01-10-063
388-155-630	AMD	01-17-084	388-160-0165	NEW-W	01-07-070	388-160-0345	NEW	01-15-001

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-160-0355	NEW-W	01-07-070	388-160-0535	NEW	01-15-001	388-160-140	REP-W	01-07-070
388-160-0355	NEW-P	01-10-063	388-160-0545	NEW-W	01-07-070	388-160-140	REP-P	01-10-063
388-160-0355	NEW	01-15-001	388-160-0545	NEW-P	01-10-063	388-160-140	REP	01-15-001
388-160-0365	NEW-W	01-07-070	388-160-0545	NEW	01-15-001	388-160-150	REP-W	01-07-070
388-160-0365	NEW-P	01-10-063	388-160-0555	NEW-W	01-07-070	388-160-150	REP-P	01-10-063
388-160-0365	NEW	01-15-001	388-160-0555	NEW-P	01-10-063	388-160-150	REP	01-15-001
388-160-0375	NEW-W	01-07-070	388-160-0555	NEW	01-15-001	388-160-160	REP-W	01-07-070
388-160-0375	NEW-P	01-10-063	388-160-0565	NEW-W	01-07-070	388-160-160	REP-P	01-10-063
388-160-0375	NEW	01-15-001	388-160-0565	NEW-P	01-10-063	388-160-160	REP	01-15-001
388-160-0385	NEW-W	01-07-070	388-160-0565	NEW	01-15-001	388-160-170	REP-W	01-07-070
388-160-0385	NEW-P	01-10-063	388-160-0575	NEW-W	01-07-070	388-160-170	REP-P	01-10-063
388-160-0385	NEW	01-15-001	388-160-0575	NEW-P	01-10-063	388-160-170	REP	01-15-001
388-160-0395	NEW-W	01-07-070	388-160-0575	NEW	01-15-001	388-160-180	REP-W	01-07-070
388-160-0395	NEW-P	01-10-063	388-160-0585	NEW-W	01-07-070	388-160-180	REP-P	01-10-063
388-160-0395	NEW	01-15-001	388-160-0585	NEW-P	01-10-063	388-160-180	REP	01-15-001
388-160-040	REP-W	01-07-070	388-160-0585	NEW	01-15-001	388-160-190	REP-W	01-07-070
388-160-040	REP-P	01-10-063	388-160-0595	NEW-W	01-07-070	388-160-190	REP-P	01-10-063
388-160-040	REP	01-15-001	388-160-0595	NEW-P	01-10-063	388-160-190	REP	01-15-001
388-160-0405	NEW-W	01-07-070	388-160-0595	NEW	01-15-001	388-160-200	REP-W	01-07-070
388-160-0405	NEW-P	01-10-063	388-160-060	REP-W	01-07-070	388-160-200	REP-P	01-10-063
388-160-0405	NEW	01-15-001	388-160-060	REP-P	01-10-063	388-160-200	REP	01-15-001
388-160-0415	NEW-W	01-07-070	388-160-060	REP	01-15-001	388-160-210	REP-W	01-07-070
388-160-0415	NEW-P	01-10-063	388-160-0605	NEW-W	01-07-070	388-160-210	REP-P	01-10-063
388-160-0415	NEW	01-15-001	388-160-0605	NEW-P	01-10-063	388-160-210	REP	01-15-001
388-160-0425	NEW-W	01-07-070	388-160-0605	NEW	01-15-001	388-160-220	REP-W	01-07-070
388-160-0425	NEW-P	01-10-063	388-160-0615	NEW-W	01-07-070	388-160-220	REP-P	01-10-063
388-160-0425	NEW	01-15-001	388-160-0615	NEW-P	01-10-063	388-160-220	REP	01-15-001
388-160-0435	NEW-W	01-07-070	388-160-0615	NEW	01-15-001	388-160-230	REP-W	01-07-070
388-160-0435	NEW-P	01-10-063	388-160-0625	NEW-W	01-07-070	388-160-230	REP-P	01-10-063
388-160-0435	NEW	01-15-001	388-160-0625	NEW-P	01-10-063	388-160-230	REP	01-15-001
388-160-0445	NEW-W	01-07-070	388-160-0625	NEW	01-15-001	388-160-240	REP-W	01-07-070
388-160-0445	NEW-P	01-10-063	388-160-0635	NEW-W	01-07-070	388-160-240	REP-P	01-10-063
388-160-0445	NEW	01-15-001	388-160-0635	NEW-P	01-10-063	388-160-240	REP	01-15-001
388-160-0455	NEW-W	01-07-070	388-160-0635	NEW	01-15-001	388-160-250	REP-W	01-07-070
388-160-0455	NEW-P	01-10-063	388-160-0645	NEW-W	01-07-070	388-160-250	REP-P	01-10-063
388-160-0455	NEW	01-15-001	388-160-0645	NEW-P	01-10-063	388-160-250	REP	01-15-001
388-160-0465	NEW-W	01-07-070	388-160-0645	NEW	01-15-001	388-160-260	REP-W	01-07-070
388-160-0465	NEW-P	01-10-063	388-160-0655	NEW-P	01-10-063	388-160-260	REP-P	01-10-063
388-160-0465	NEW	01-15-001	388-160-0655	NEW	01-15-001	388-160-260	REP	01-15-001
388-160-0475	NEW-W	01-07-070	388-160-0665	NEW-P	01-10-063	388-160-270	REP-W	01-07-070
388-160-0475	NEW-P	01-10-063	388-160-0665	NEW	01-15-001	388-160-270	REP-P	01-10-063
388-160-0475	NEW	01-15-001	388-160-070	REP-W	01-07-070	388-160-270	REP	01-15-001
388-160-0485	NEW-W	01-07-070	388-160-070	REP-P	01-10-063	388-160-280	REP-W	01-07-070
388-160-0485	NEW-P	01-10-063	388-160-070	REP	01-15-001	388-160-280	REP-P	01-10-063
388-160-0485	NEW	01-15-001	388-160-080	REP-W	01-07-070	388-160-280	REP	01-15-001
388-160-0495	NEW-W	01-07-070	388-160-080	REP-P	01-10-063	388-160-290	REP-W	01-07-070
388-160-0495	NEW-P	01-10-063	388-160-080	REP	01-15-001	388-160-290	REP-P	01-10-063
388-160-0495	NEW	01-15-001	388-160-090	REP-W	01-07-070	388-160-290	REP	01-15-001
388-160-050	REP-W	01-07-070	388-160-090	REP-P	01-10-063	388-160-300	REP-W	01-07-070
388-160-050	REP-P	01-10-063	388-160-090	REP	01-15-001	388-160-300	REP-P	01-10-063
388-160-050	REP	01-15-001	388-160-100	REP-W	01-07-070	388-160-300	REP	01-15-001
388-160-0505	NEW-W	01-07-070	388-160-100	REP-P	01-10-063	388-160-310	REP-W	01-07-070
388-160-0505	NEW-P	01-10-063	388-160-100	REP	01-15-001	388-160-310	REP-P	01-10-063
388-160-0505	NEW	01-15-001	388-160-110	REP-W	01-07-070	388-160-310	REP	01-15-001
388-160-0515	NEW-W	01-07-070	388-160-110	REP-P	01-10-063	388-160-320	REP-W	01-07-070
388-160-0515	NEW-P	01-10-063	388-160-110	REP	01-15-001	388-160-320	REP-P	01-10-063
388-160-0515	NEW	01-15-001	388-160-120	REP-W	01-07-070	388-160-320	REP	01-15-001
388-160-0525	NEW-W	01-07-070	388-160-120	REP-P	01-10-063	388-160-340	REP-W	01-07-070
388-160-0525	NEW-P	01-10-063	388-160-120	REP	01-15-001	388-160-340	REP-P	01-10-063
388-160-0525	NEW	01-15-001	388-160-130	REP-W	01-07-070	388-160-340	REP	01-15-001
388-160-0535	NEW-W	01-07-070	388-160-130	REP-P	01-10-063	388-160-350	REP-W	01-07-070
388-160-0535	NEW-P	01-10-063	388-160-130	REP	01-15-001	388-160-350	REP-P	01-10-063

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-160-350	REP	01-15-001	388-200-1050	REP	01-10-104	388-290-0210	NEW-P	01-20-077
388-160-360	REP-W	01-07-070	388-200-1300	REP-P	01-07-051	388-290-0220	NEW-P	01-20-077
388-160-360	REP-P	01-10-063	388-200-1300	REP	01-10-104	388-290-0225	NEW-P	01-20-077
388-160-360	REP	01-15-001	388-200-1350	REP-P	01-07-051	388-290-0230	NEW-P	01-20-077
388-160-370	REP-W	01-07-070	388-200-1350	REP	01-10-104	388-290-0235	NEW-P	01-20-077
388-160-370	REP-P	01-10-063	388-222-001	REP	01-03-066	388-290-0240	NEW-P	01-20-077
388-160-370	REP	01-15-001	388-222-010	REP	01-03-066	388-290-0245	NEW-P	01-20-077
388-160-380	REP-W	01-07-070	388-222-020	REP	01-03-066	388-290-0250	NEW-P	01-20-077
388-160-380	REP-P	01-10-063	388-265	PREP	01-23-063	388-290-0255	NEW-P	01-20-077
388-160-380	REP	01-15-001	388-273-0010	NEW-P	01-04-070	388-290-0260	NEW-P	01-20-077
388-160-390	REP-W	01-07-070	388-273-0010	NEW	01-09-023	388-290-0265	NEW-P	01-20-077
388-160-390	REP-P	01-10-063	388-273-0020	NEW-P	01-04-070	388-290-0270	NEW-P	01-20-077
388-160-390	REP	01-15-001	388-273-0020	NEW	01-09-023	388-290-075	REP-P	01-20-077
388-160-400	REP-W	01-07-070	388-273-0020	PREP	01-21-057	388-290-125	REP-P	01-20-077
388-160-400	REP-P	01-10-063	388-273-0025	NEW-P	01-04-070	388-290-150	REP-P	01-20-077
388-160-400	REP	01-15-001	388-273-0025	NEW	01-09-023	388-290-200	REP-P	01-20-077
388-160-410	REP-W	01-07-070	388-273-0030	NEW-P	01-04-070	388-290-270	REP-P	01-20-077
388-160-410	REP-P	01-10-063	388-273-0030	NEW	01-09-023	388-290-280	REP-P	01-20-077
388-160-410	REP	01-15-001	388-273-0035	NEW-P	01-04-070	388-290-300	REP-P	01-20-077
388-160-420	REP-W	01-07-070	388-273-0035	NEW	01-09-023	388-290-350	REP-P	01-20-077
388-160-420	REP-P	01-10-063	388-290-0001	NEW-P	01-20-077	388-290-375	REP-P	01-20-077
388-160-420	REP	01-15-001	388-290-0005	NEW-P	01-20-077	388-290-400	REP-P	01-20-077
388-160-430	REP-W	01-07-070	388-290-0010	NEW-P	01-20-077	388-290-450	REP-P	01-20-077
388-160-430	REP-P	01-10-063	388-290-0015	NEW-P	01-20-077	388-290-475	REP-P	01-20-077
388-160-430	REP	01-15-001	388-290-0020	NEW-P	01-20-077	388-290-500	REP-P	01-20-077
388-160-440	REP-W	01-07-070	388-290-0025	NEW-P	01-20-077	388-290-525	REP-P	01-20-077
388-160-440	REP-P	01-10-063	388-290-0030	NEW-P	01-20-077	388-290-600	REP-P	01-20-077
388-160-440	REP	01-15-001	388-290-0035	NEW-P	01-20-077	388-290-650	REP-P	01-20-077
388-160-460	REP-W	01-07-070	388-290-0040	NEW-P	01-20-077	388-290-700	REP-P	01-20-077
388-160-460	REP-P	01-10-063	388-290-0045	NEW-P	01-20-077	388-290-750	REP-P	01-20-077
388-160-460	REP	01-15-001	388-290-0050	NEW-P	01-20-077	388-290-800	REP-P	01-20-077
388-160-470	REP-W	01-07-070	388-290-0055	NEW-P	01-20-077	388-290-850	REP-P	01-20-077
388-160-470	REP-P	01-10-063	388-290-0060	NEW-P	01-20-077	388-290-854	REP-P	01-20-077
388-160-470	REP	01-15-001	388-290-0065	NEW-P	01-20-077	388-290-858	REP-P	01-20-077
388-160-480	REP-W	01-07-070	388-290-0070	NEW-P	01-20-077	388-290-862	REP-P	01-20-077
388-160-480	REP-P	01-10-063	388-290-0075	NEW-P	01-20-077	388-290-866	REP-P	01-20-077
388-160-480	REP	01-15-001	388-290-0080	NEW-P	01-20-077	388-290-870	REP-P	01-20-077
388-160-490	REP-W	01-07-070	388-290-0085	NEW-P	01-20-077	388-290-874	REP-P	01-20-077
388-160-490	REP-P	01-10-063	388-290-0090	NEW-P	01-20-077	388-290-878	REP-P	01-20-077
388-160-490	REP	01-15-001	388-290-0095	NEW-P	01-20-077	388-290-882	REP-P	01-20-077
388-160-500	REP-W	01-07-070	388-290-010	REP-P	01-20-077	388-290-886	REP-P	01-20-077
388-160-500	REP-P	01-10-063	388-290-0100	NEW-P	01-20-077	388-290-888	REP-P	01-20-077
388-160-500	REP	01-15-001	388-290-0105	NEW-P	01-20-077	388-290-900	REP-P	01-20-077
388-160-510	REP-W	01-07-070	388-290-0110	NEW-P	01-20-077	388-290-905	REP-P	01-20-077
388-160-510	REP-P	01-10-063	388-290-0115	NEW-P	01-20-077	388-290-910	REP-P	01-20-077
388-160-510	REP	01-15-001	388-290-0120	NEW-P	01-20-077	388-290-915	REP-P	01-20-077
388-160-520	REP-W	01-07-070	388-290-0125	NEW-P	01-20-077	388-290-920	REP-P	01-20-077
388-160-520	REP-P	01-10-063	388-290-0130	NEW-P	01-20-077	388-290-925	REP-P	01-20-077
388-160-520	REP	01-15-001	388-290-0135	NEW-P	01-20-077	388-290-930	REP-P	01-20-077
388-160-530	REP-W	01-07-070	388-290-0140	NEW-P	01-20-077	388-290-935	REP-P	01-20-077
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388-160-540	REP-W	01-07-070	388-290-0150	NEW-P	01-20-077	388-290-950	REP-P	01-20-077
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388-310-1050	AMD-E	01-03-132	388-410-0025	AMD	01-14-032	388-450-0055	PREP	01-21-022
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388-330-040	REP	01-18-025	388-416-0005	AMD	01-11-107	388-450-0160	AMD-P	01-16-088
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388-330-050	REP	01-18-025	388-418-0005	AMD	01-11-109	388-450-0190	AMD-E	01-03-039
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388-330-060	REP-P	01-10-062	388-418-0007	NEW	01-11-109	388-450-0190	AMD-P	01-18-034
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388-470-0060	AMD	01-21-026	388-478-0085	PREP	01-08-027	388-512-1260	REP	01-06-042
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388-538-060	AMD-P	01-20-113	388-550-1050	AMD	01-16-142	388-815-220	REP	01-13-026
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388-539-0500	REP	01-23-045	388-550-3800	AMD-P	01-09-070	388-820-025	REP	01-16-016
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388-542-0200	AMD-P	01-20-113	388-550-4500	AMD	01-16-142	388-820-045	REP-XR	01-10-061
388-542-0220	NEW-P	01-20-113	388-550-4800	AMD-P	01-09-070	388-820-045	REP	01-16-016
388-542-0250	AMD-P	01-20-113	388-550-4800	AMD	01-16-142	388-820-050	AMD-P	01-09-081
388-542-0275	AMD-P	01-20-113	388-551	PREP	01-03-095	388-820-050	AMD	01-22-020
388-542-0300	AMD-P	01-20-113	388-551	PREP	01-03-096	388-820-055	REP-XR	01-10-061
388-542-0500	NEW-P	01-20-113	388-551-3000	NEW	01-05-040	388-820-055	REP	01-16-016
388-543-1000	AMD-P	01-21-106	388-561-0001	NEW	01-06-043	388-820-060	AMD-P	01-09-081
388-543-1150	PREP	01-05-027	388-561-0100	NEW	01-06-043	388-820-060	AMD	01-22-020
388-543-1150	NEW-P	01-11-105	388-561-0200	NEW	01-06-043	388-820-065	REP-XR	01-10-061
388-543-1150	NEW	01-16-141	388-561-0300	NEW	01-06-043	388-820-065	REP	01-16-016
388-543-1300	AMD-P	01-21-106	388-815-005	REP-XR	01-07-019	388-820-070	AMD-P	01-09-081
388-543-2200	AMD-P	01-21-106	388-815-005	REP	01-13-026	388-820-070	AMD	01-22-020
388-543-2800	PREP	01-05-027	388-815-010	REP-XR	01-07-019	388-820-075	REP-XR	01-10-061
388-543-2800	AMD-P	01-11-105	388-815-010	REP	01-13-026	388-820-075	REP	01-16-016
388-543-2800	AMD	01-16-141	388-815-020	REP-XR	01-07-019	388-820-080	AMD-P	01-09-081
388-544	PREP	01-07-018	388-815-020	REP	01-13-026	388-820-080	AMD	01-22-020
388-545-900	NEW-P	01-16-138	388-815-030	REP-XR	01-07-019	388-820-085	REP-XR	01-10-061
388-545-900	NEW	01-20-114	388-815-030	REP	01-13-026	388-820-085	REP	01-16-016
388-546-0001	NEW	01-03-084	388-815-100	REP-XR	01-07-019	388-820-090	AMD-P	01-09-081
388-546-0100	NEW	01-03-084	388-815-100	REP	01-13-026	388-820-090	AMD	01-22-020
388-546-0150	NEW	01-03-084	388-815-110	REP-XR	01-07-019	388-820-095	REP-XR	01-10-061
388-546-0200	NEW	01-03-084	388-815-110	REP	01-13-026	388-820-095	REP	01-16-016
388-546-0250	NEW	01-03-084	388-815-120	REP-XR	01-07-019	388-820-100	AMD-P	01-09-081
388-546-0300	NEW	01-03-084	388-815-120	REP	01-13-026	388-820-100	AMD	01-22-020
388-546-0400	NEW	01-03-084	388-815-130	REP-XR	01-07-019	388-820-1001	NEW-E	01-22-019
388-546-0450	NEW	01-03-084	388-815-130	REP	01-13-026	388-820-1002	NEW-E	01-22-019
388-546-0500	NEW	01-03-084	388-815-140	REP-XR	01-07-019	388-820-1003	NEW-E	01-22-019
388-546-0600	NEW	01-03-084	388-815-140	REP	01-13-026	388-820-1004	NEW-E	01-22-019
388-546-0700	NEW	01-03-084	388-815-160	REP-XR	01-07-019	388-820-1005	NEW-E	01-22-019
388-546-0800	NEW	01-03-084	388-815-160	REP	01-13-026	388-820-1006	NEW-E	01-22-019
388-546-1000	NEW	01-03-084	388-815-200	REP-XR	01-07-019	388-820-1007	NEW-E	01-22-019
388-546-5000	NEW	01-06-029	388-815-200	REP	01-13-026	388-820-1008	NEW-E	01-22-019
388-546-5100	NEW	01-06-029	388-815-205	REP-XR	01-07-019	388-820-1009	NEW-E	01-22-019
388-546-5200	NEW	01-06-029	388-815-205	REP	01-13-026	388-820-1010	NEW-E	01-22-019
388-546-5300	NEW	01-06-029	388-815-210	REP-XR	01-07-019	388-820-1011	NEW-E	01-22-019
388-546-5400	NEW	01-06-029	388-815-210	REP	01-13-026	388-820-1012	NEW-E	01-22-019

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388-820-105	REP-XR	01-10-061	388-820-390	NEW-P	01-09-081	388-820-700	NEW-P	01-09-081
388-820-105	REP	01-16-016	388-820-390	NEW	01-22-020	388-820-700	NEW	01-22-020
388-820-110	AMD-P	01-09-081	388-820-400	NEW-P	01-09-081	388-820-710	NEW-P	01-09-081
388-820-110	AMD	01-22-020	388-820-400	NEW	01-22-020	388-820-710	NEW	01-22-020
388-820-115	REP-XR	01-10-061	388-820-410	NEW-P	01-09-081	388-820-720	NEW-P	01-09-081
388-820-115	REP	01-16-016	388-820-410	NEW	01-22-020	388-820-720	NEW	01-22-020
388-820-120	AMD-P	01-09-081	388-820-420	NEW-P	01-09-081	388-820-730	NEW-P	01-09-081
388-820-120	AMD	01-22-020	388-820-420	NEW	01-22-020	388-820-730	NEW	01-22-020
388-820-125	REP-XR	01-10-061	388-820-430	NEW-P	01-09-081	388-820-740	NEW-P	01-09-081
388-820-125	REP	01-16-016	388-820-430	NEW	01-22-020	388-820-740	NEW	01-22-020
388-820-130	AMD-P	01-09-081	388-820-440	NEW-P	01-09-081	388-820-750	NEW-P	01-09-081
388-820-130	AMD	01-22-020	388-820-440	NEW	01-22-020	388-820-750	NEW	01-22-020
388-820-140	NEW-P	01-09-081	388-820-450	NEW-P	01-09-081	388-820-760	NEW-P	01-09-081
388-820-140	NEW	01-22-020	388-820-450	NEW	01-22-020	388-820-760	NEW	01-22-020
388-820-150	NEW-P	01-09-081	388-820-460	NEW-P	01-09-081	388-820-770	NEW-P	01-09-081
388-820-150	NEW	01-22-020	388-820-460	NEW	01-22-020	388-820-770	NEW	01-22-020
388-820-160	NEW-P	01-09-081	388-820-470	NEW-P	01-09-081	388-820-780	NEW-P	01-09-081
388-820-160	NEW	01-22-020	388-820-470	NEW	01-22-020	388-820-780	NEW	01-22-020
388-820-170	NEW-P	01-09-081	388-820-480	NEW-P	01-09-081	388-820-790	NEW-P	01-09-081
388-820-170	NEW	01-22-020	388-820-480	NEW	01-22-020	388-820-790	NEW	01-22-020
388-820-180	NEW-P	01-09-081	388-820-490	NEW-P	01-09-081	388-820-800	NEW-P	01-09-081
388-820-180	NEW	01-22-020	388-820-490	NEW	01-22-020	388-820-800	NEW	01-22-020
388-820-190	NEW-P	01-09-081	388-820-500	NEW-P	01-09-081	388-820-810	NEW-P	01-09-081
388-820-190	NEW	01-22-020	388-820-500	NEW	01-22-020	388-820-810	NEW	01-22-020
388-820-200	NEW-P	01-09-081	388-820-510	NEW-P	01-09-081	388-820-820	NEW-P	01-09-081
388-820-200	NEW	01-22-020	388-820-510	NEW	01-22-020	388-820-820	NEW	01-22-020
388-820-210	NEW-P	01-09-081	388-820-520	NEW-P	01-09-081	388-820-830	NEW-P	01-09-081
388-820-210	NEW	01-22-020	388-820-520	NEW	01-22-020	388-820-830	NEW	01-22-020
388-820-220	NEW-P	01-09-081	388-820-530	NEW-P	01-09-081	388-820-840	NEW-P	01-09-081
388-820-220	NEW	01-22-020	388-820-530	NEW	01-22-020	388-820-840	NEW	01-22-020
388-820-230	NEW-P	01-09-081	388-820-540	NEW-P	01-09-081	388-820-850	NEW-P	01-09-081
388-820-230	NEW	01-22-020	388-820-540	NEW	01-22-020	388-820-850	NEW	01-22-020
388-820-240	NEW-P	01-09-081	388-820-550	NEW-P	01-09-081	388-820-860	NEW-P	01-09-081
388-820-240	NEW	01-22-020	388-820-550	NEW	01-22-020	388-820-860	NEW	01-22-020
388-820-250	NEW-P	01-09-081	388-820-560	NEW-P	01-09-081	388-820-870	NEW-P	01-09-081
388-820-250	NEW	01-22-020	388-820-560	NEW	01-22-020	388-820-870	NEW	01-22-020
388-820-260	NEW-P	01-09-081	388-820-570	NEW-P	01-09-081	388-820-880	NEW-P	01-09-081
388-820-260	NEW	01-22-020	388-820-570	NEW	01-22-020	388-820-880	NEW	01-22-020
388-820-270	NEW-P	01-09-081	388-820-580	NEW-P	01-09-081	388-820-890	NEW-P	01-09-081
388-820-270	NEW	01-22-020	388-820-580	NEW	01-22-020	388-820-890	NEW	01-22-020
388-820-280	NEW-P	01-09-081	388-820-590	NEW-P	01-09-081	388-820-900	NEW-P	01-09-081
388-820-280	NEW	01-22-020	388-820-590	NEW	01-22-020	388-820-900	NEW	01-22-020
388-820-290	NEW-P	01-09-081	388-820-600	NEW-P	01-09-081	388-820-910	NEW-P	01-09-081
388-820-290	NEW	01-22-020	388-820-600	NEW	01-22-020	388-820-910	NEW	01-22-020
388-820-300	NEW-P	01-09-081	388-820-610	NEW-P	01-09-081	388-820-920	NEW-P	01-09-081
388-820-300	NEW	01-22-020	388-820-610	NEW	01-22-020	388-820-920	NEW	01-22-020
388-820-310	NEW-P	01-09-081	388-820-620	NEW-P	01-09-081	388-820-930	NEW-P	01-09-081
388-820-310	NEW	01-22-020	388-820-620	NEW	01-22-020	388-820-930	NEW	01-22-020
388-820-320	NEW-P	01-09-081	388-820-630	NEW-P	01-09-081	388-825-020	PREP	01-03-059
388-820-320	NEW	01-22-020	388-820-630	NEW	01-22-020	388-825-205	PREP	01-03-059
388-820-330	NEW-P	01-09-081	388-820-640	NEW-P	01-09-081	388-825-226	AMD-P	01-21-011
388-820-330	NEW	01-22-020	388-820-640	NEW	01-22-020	388-825-228	AMD-P	01-21-011
388-820-340	NEW-P	01-09-081	388-820-650	NEW-P	01-09-081	388-825-238	AMD-P	01-21-011
388-820-340	NEW	01-22-020	388-820-650	NEW	01-22-020	388-825-254	AMD-P	01-21-011
388-820-350	NEW-P	01-09-081	388-820-660	NEW-P	01-09-081	388-835-0005	NEW	01-10-013
388-820-350	NEW	01-22-020	388-820-660	NEW	01-22-020	388-835-0010	NEW	01-10-013
388-820-360	NEW-P	01-09-081	388-820-670	NEW-P	01-09-081	388-835-0015	NEW	01-10-013
388-820-360	NEW	01-22-020	388-820-670	NEW	01-22-020	388-835-0020	NEW	01-10-013
388-820-370	NEW-P	01-09-081	388-820-680	NEW-P	01-09-081	388-835-0025	NEW	01-10-013
388-820-370	NEW	01-22-020	388-820-680	NEW	01-22-020	388-835-0030	NEW	01-10-013
388-820-380	NEW-P	01-09-081	388-820-690	NEW-P	01-09-081	388-835-0035	NEW	01-10-013

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388-865-0203	NEW-S	01-09-078	388-865-0330	NEW-P	01-07-116	388-865-0472	NEW-P	01-07-116
388-865-0203	NEW	01-12-047	388-865-0330	NEW	01-12-047	388-865-0472	NEW	01-12-047
388-865-0205	NEW-P	01-07-116	388-865-0335	NEW-P	01-07-116	388-865-0474	NEW-P	01-07-116
388-865-0205	NEW	01-12-047	388-865-0335	NEW	01-12-047	388-865-0474	NEW	01-12-047
388-865-0210	NEW-P	01-07-116	388-865-0340	NEW-P	01-07-116	388-865-0476	NEW-P	01-07-116
388-865-0210	NEW	01-12-047	388-865-0340	NEW	01-12-047	388-865-0476	NEW	01-12-047
388-865-0215	NEW-P	01-07-116	388-865-0345	NEW-P	01-07-116	388-865-0478	NEW-P	01-07-116
388-865-0215	NEW	01-12-047	388-865-0345	NEW	01-12-047	388-865-0478	NEW	01-12-047
388-865-0220	NEW-P	01-07-116	388-865-0350	NEW-P	01-07-116	388-865-0480	NEW-P	01-07-116
388-865-0220	NEW	01-12-047	388-865-0350	NEW	01-12-047	388-865-0480	NEW	01-12-047
388-865-0221	NEW-P	01-07-116	388-865-0355	NEW-P	01-07-116	388-865-0482	NEW-P	01-07-116
388-865-0221	NEW	01-12-047	388-865-0355	NEW	01-12-047	388-865-0482	NEW	01-12-047
388-865-0222	NEW-P	01-07-116	388-865-0360	NEW-P	01-07-116	388-865-0484	NEW-P	01-07-116
388-865-0222	NEW	01-12-047	388-865-0360	NEW	01-12-047	388-865-0484	NEW	01-12-047
388-865-0225	NEW-P	01-07-116	388-865-0363	NEW-P	01-07-116	388-865-0500	NEW-P	01-07-116
388-865-0225	NEW	01-12-047	388-865-0363	NEW	01-12-047	388-865-0500	NEW	01-12-047
388-865-0229	NEW-P	01-07-116	388-865-0365	NEW-P	01-07-116	388-865-0501	NEW-P	01-07-116
388-865-0229	NEW	01-12-047	388-865-0365	NEW	01-12-047	388-865-0501	NEW	01-12-047
388-865-0230	NEW-P	01-07-116	388-865-0400	NEW-P	01-07-116	388-865-0502	NEW-P	01-07-116
388-865-0230	NEW	01-12-047	388-865-0400	NEW	01-12-047	388-865-0502	NEW	01-12-047
388-865-0235	NEW-P	01-07-116	388-865-0405	NEW-P	01-07-116	388-865-0504	NEW-E	01-06-040
388-865-0235	NEW	01-12-047	388-865-0405	NEW	01-12-047	388-865-0504	NEW-S	01-09-078
388-865-0240	NEW-P	01-07-116	388-865-0410	NEW-P	01-07-116	388-865-0504	NEW	01-12-047
388-865-0240	NEW	01-12-047	388-865-0410	NEW	01-12-047	388-865-0505	NEW-P	01-07-116
388-865-0245	NEW-P	01-07-116	388-865-0415	NEW-P	01-07-116	388-865-0505	NEW	01-12-047
388-865-0245	NEW	01-12-047	388-865-0415	NEW	01-12-047	388-865-0510	NEW-P	01-07-116
388-865-0250	NEW-P	01-07-116	388-865-0420	NEW-P	01-07-116	388-865-0510	NEW	01-12-047
388-865-0250	NEW	01-12-047	388-865-0420	NEW	01-12-047	388-865-0515	NEW-P	01-07-116
388-865-0255	NEW-P	01-07-116	388-865-0425	NEW-P	01-07-116	388-865-0515	NEW	01-12-047
388-865-0255	NEW	01-12-047	388-865-0425	NEW	01-12-047	388-865-0525	NEW-P	01-07-116
388-865-0260	NEW-P	01-07-116	388-865-0430	NEW-P	01-07-116	388-865-0525	NEW	01-12-047
388-865-0260	NEW	01-12-047	388-865-0430	NEW	01-12-047	388-865-0530	NEW-P	01-07-116
388-865-0265	NEW-P	01-07-116	388-865-0435	NEW-P	01-07-116	388-865-0530	NEW	01-12-047
388-865-0265	NEW	01-12-047	388-865-0435	NEW	01-12-047	388-865-0535	NEW-P	01-07-116
388-865-0270	NEW-P	01-07-116	388-865-0436	NEW-P	01-07-116	388-865-0535	NEW	01-12-047
388-865-0270	NEW	01-12-047	388-865-0436	NEW	01-12-047	388-865-0540	NEW-P	01-07-116
388-865-0275	NEW-P	01-07-116	388-865-0440	NEW-P	01-07-116	388-865-0540	NEW	01-12-047
388-865-0275	NEW	01-12-047	388-865-0440	NEW	01-12-047	388-865-0545	NEW-P	01-07-116
388-865-0280	NEW-P	01-07-116	388-865-0445	NEW-P	01-07-116	388-865-0545	NEW	01-12-047
388-865-0280	NEW	01-12-047	388-865-0445	NEW	01-12-047	388-865-0546	NEW-P	01-07-116
388-865-0282	NEW-P	01-07-116	388-865-0450	NEW-P	01-07-116	388-865-0546	NEW	01-12-047
388-865-0282	NEW	01-12-047	388-865-0450	NEW	01-12-047	388-865-0550	NEW-P	01-07-116
388-865-0284	NEW-P	01-07-116	388-865-0452	NEW-P	01-07-116	388-865-0550	NEW	01-12-047
388-865-0284	NEW	01-12-047	388-865-0452	NEW	01-12-047	388-865-0555	NEW-P	01-07-116
388-865-0286	NEW-P	01-07-116	388-865-0454	NEW-P	01-07-116	388-865-0555	NEW	01-12-047
388-865-0286	NEW	01-12-047	388-865-0454	NEW	01-12-047	388-865-0557	NEW-P	01-07-116
388-865-0288	NEW-P	01-07-116	388-865-0456	NEW-P	01-07-116	388-865-0557	NEW	01-12-047
388-865-0288	NEW	01-12-047	388-865-0456	NEW	01-12-047	388-865-0560	NEW-P	01-07-116
388-865-0300	NEW-P	01-07-116	388-865-0458	NEW-P	01-07-116	388-865-0560	NEW	01-12-047
388-865-0300	NEW	01-12-047	388-865-0458	NEW	01-12-047	388-865-0565	NEW-P	01-07-116
388-865-0305	NEW-P	01-07-116	388-865-0460	NEW-P	01-07-116	388-865-0565	NEW	01-12-047
388-865-0305	NEW	01-12-047	388-865-0460	NEW	01-12-047	388-865-0600	NEW-P	01-07-116
388-865-0307	NEW-P	01-07-116	388-865-0462	NEW-P	01-07-116	388-865-0600	NEW	01-12-047
388-865-0307	NEW-W	01-22-034	388-865-0462	NEW	01-12-047	388-865-0610	NEW-P	01-07-116
388-865-0310	NEW-P	01-07-116	388-865-0464	NEW-P	01-07-116	388-865-0610	NEW	01-12-047
388-865-0310	NEW	01-12-047	388-865-0464	NEW	01-12-047	388-865-0620	NEW-P	01-07-116
388-865-0315	NEW-P	01-07-116	388-865-0466	NEW-P	01-07-116	388-865-0620	NEW	01-12-047
388-865-0315	NEW	01-12-047	388-865-0466	NEW	01-12-047	388-865-0630	NEW-P	01-07-116
388-865-0320	NEW-P	01-07-116	388-865-0468	NEW-P	01-07-116	388-865-0630	NEW	01-12-047
388-865-0320	NEW	01-12-047	388-865-0468	NEW	01-12-047	388-865-0640	NEW-P	01-07-116
388-865-0325	NEW-P	01-07-116	388-865-0470	NEW-P	01-07-116	388-865-0640	NEW	01-12-047

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388-880-007	NEW-P	01-18-047	390-16-120	REP-P	01-19-013	391-25-090	AMD	01-14-009
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388-880-020	AMD-P	01-18-047	390-16-125	PREP	01-07-114	391-25-110	AMD	01-14-009
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392-172-160	AMD	01-24-049	399- 10-010	AMD	01-09-014	415-108-0104	REP-P	01-17-016
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392-172-180	AMD-P	01-11-129	399- 30-040	AMD-P	01-03-143	415-108-0105	REP	01-21-090
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415-108-980	NEW-P	01-23-051	415-501-300	REP-P	01-21-132	415-600-290	NEW-E	01-17-043
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415-110-910	AMD-P	01-21-070	415-501-485	AMD-P	01-21-132	415-600-420	NEW-E	01-17-043
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415-111-220	AMD-P	01-11-119	415-501-492	NEW-P	01-21-132	415-600-430	NEW	01-21-091
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415-111-410	NEW-P	01-23-051	415-501-495	AMD-P	01-21-132	415-600-450	NEW-E	01-17-043
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415-111-450	NEW-P	01-23-051	415-501-510	AMD-P	01-23-041	415-600-450	NEW	01-21-091
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415-610-020	REP	01-21-091	415-640-030	REP-P	01-17-057	415-695-030	REP-E	01-17-043
415-610-030	REP-E	01-17-043	415-640-030	REP	01-21-091	415-695-030	REP-P	01-17-057
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415-610-030	REP	01-21-091	415-650-010	REP-E	01-17-043	415-695-040	REP-E	01-17-043
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415-620-010	REP-E	01-17-043	415-650-010	REP	01-21-091	415-695-040	REP	01-21-091
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415-620-010	REP	01-21-091	415-650-020	REP-P	01-17-057	417-01-105	PREP	01-05-102
415-620-015	REP-E	01-17-043	415-650-020	REP	01-21-091	417-01-105	AMD-P	01-09-082
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415-620-020	REP-P	01-17-057	415-650-040	REP-E	01-17-043	417-01-110	AMD	01-13-123
415-620-020	REP	01-21-091	415-650-040	REP-P	01-17-057	417-01-115	PREP	01-05-102
415-620-025	REP-E	01-17-043	415-650-040	REP	01-21-091	417-01-115	AMD-P	01-09-082
415-620-025	REP-P	01-17-057	415-650-050	REP-E	01-17-043	417-01-115	AMD	01-13-123
415-620-025	REP	01-21-091	415-650-050	REP-P	01-17-057	417-01-125	AMD-E	01-05-101
415-620-030	REP-E	01-17-043	415-650-050	REP	01-21-091	417-01-125	PREP	01-05-102
415-620-030	REP-P	01-17-057	415-660	PREP	01-04-028	417-01-125	AMD-P	01-09-082
415-620-030	REP	01-21-091	415-660-010	REP-E	01-17-043	417-01-125	AMD	01-13-123
415-620-035	REP-E	01-17-043	415-660-010	REP-P	01-17-057	417-01-127	NEW-E	01-05-101
415-620-035	REP-P	01-17-057	415-660-010	REP	01-21-091	417-01-127	NEW-P	01-09-082
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415-620-040	REP-E	01-17-043	415-660-020	REP-P	01-17-057	417-01-130	PREP	01-05-102
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478-116-040	REP	01-20-030	478-117-400	NEW-E	01-21-004	480-15-050	REP	01-20-061
478-116-046	REP-P	01-08-074	478-117-410	NEW-E	01-21-004	480-15-560	AMD-P	01-17-110
478-116-046	REP	01-20-030	478-136	PREP	01-21-069	480-15-560	AMD	01-20-061
478-116-051	AMD-P	01-08-074	478-136-030	AMD-P	01-06-009	480-15-570	AMD-P	01-17-110
478-116-051	AMD	01-20-030	478-136-030	AMD	01-11-135	480-15-570	AMD	01-20-061
478-116-101	AMD-P	01-08-074	478-136-030	AMD-E	01-20-029	480-15-999	NEW-P	01-17-110
478-116-101	AMD	01-20-030	478-156-014	REP-XR	01-07-064	480-15-999	NEW	01-20-061
478-116-111	AMD-P	01-08-074	478-156-014	REP-P	01-19-060	480-30	PREP	01-13-125
478-116-111	AMD	01-20-030	478-156-014	REP	01-24-014	480-30-010	AMD-P	01-17-110
478-116-114	AMD-P	01-08-074	478-160	PREP	01-21-040	480-30-010	AMD	01-20-061
478-116-114	AMD	01-20-030	478-250-050	AMD-P	01-07-014	480-30-015	REP-P	01-17-110
478-116-121	AMD-P	01-08-074	478-250-050	AMD	01-11-136	480-30-015	REP	01-20-061
478-116-121	AMD	01-20-030	478-250-070	AMD-P	01-07-014	480-30-030	AMD-P	01-17-110
478-116-145	AMD-P	01-08-074	478-250-070	AMD	01-11-136	480-30-030	AMD	01-20-061
478-116-145	AMD	01-20-030	478-276-020	AMD-P	01-07-014	480-30-035	REP-P	01-17-110
478-116-151	AMD-P	01-08-074	478-276-020	AMD	01-11-136	480-30-035	REP	01-20-061
478-116-151	AMD	01-20-030	478-276-060	AMD-P	01-07-014	480-30-095	AMD-P	01-17-110
478-116-163	AMD-P	01-08-074	478-276-060	AMD	01-11-136	480-30-095	AMD	01-20-061
478-116-163	AMD	01-20-030	478-276-070	AMD-P	01-07-014	480-30-097	AMD-P	01-17-110
478-116-201	AMD-P	01-08-074	478-276-070	AMD	01-11-136	480-30-097	AMD	01-20-061
478-116-201	AMD	01-20-030	478-276-080	AMD-P	01-07-014	480-30-100	AMD-P	01-17-110
478-116-211	AMD-P	01-08-074	478-276-080	AMD	01-11-136	480-30-100	AMD	01-20-061
478-116-211	AMD	01-20-030	478-276-100	AMD-P	01-07-014	480-30-999	NEW-P	01-17-110
478-116-245	AMD-P	01-08-074	478-276-100	AMD	01-11-136	480-30-999	NEW	01-20-061
478-116-245	AMD	01-20-030	478-276-120	AMD-P	01-07-014	480-31	PREP	01-13-125
478-116-255	AMD-P	01-08-074	478-276-120	AMD	01-11-136	480-31-020	AMD-P	01-17-110
478-116-255	AMD	01-20-030	478-276-140	AMD-P	01-07-014	480-31-020	AMD	01-20-061
478-116-291	AMD-P	01-08-074	478-276-140	AMD	01-11-136	480-31-030	AMD-P	01-17-110
478-116-291	AMD	01-20-030	478-355-010	AMD-P	01-03-122	480-31-030	AMD	01-20-061
478-116-301	AMD-P	01-08-074	478-355-010	AMD	01-08-007	480-31-050	AMD-P	01-17-110
478-116-301	AMD	01-20-030	478-355-030	AMD-P	01-03-122	480-31-050	AMD	01-20-061
478-116-311	AMD-P	01-08-074	478-355-030	AMD	01-08-007	480-31-060	REP-P	01-17-110
478-116-311	AMD	01-20-030	478-355-040	AMD-P	01-03-122	480-31-060	REP	01-20-061
478-116-411	AMD-P	01-08-074	478-355-040	AMD	01-08-007	480-31-100	AMD-P	01-17-110
478-116-411	AMD	01-20-030	479-05-240	AMD-P	01-13-126	480-31-100	AMD	01-20-061
478-116-605	AMD-P	01-08-074	479-05-240	AMD	01-19-040	480-31-120	AMD-P	01-17-110
478-116-605	AMD	01-20-030	480-09	PREP	01-12-053	480-31-120	AMD	01-20-061
478-117	PREP	01-22-027	480-14	PREP	01-13-125	480-31-130	AMD-P	01-17-110
478-117-005	NEW-E	01-21-004	480-14-040	AMD-P	01-17-110	480-31-130	AMD	01-20-061
478-117-010	NEW-E	01-21-004	480-14-040	AMD	01-20-061	480-31-140	AMD-P	01-17-110
478-117-020	NEW-E	01-21-004	480-14-060	REP-P	01-17-110	480-31-140	AMD	01-20-061
478-117-030	NEW-E	01-21-004	480-14-060	REP	01-20-061	480-31-999	NEW-P	01-17-110
478-117-040	NEW-E	01-21-004	480-14-070	AMD-P	01-17-110	480-31-999	NEW	01-20-061
478-117-050	NEW-E	01-21-004	480-14-070	AMD	01-20-061	480-40	PREP	01-13-125
478-117-060	NEW-E	01-21-004	480-14-250	AMD-P	01-17-110	480-40-015	REP-P	01-17-110
478-117-070	NEW-E	01-21-004	480-14-250	AMD	01-20-061	480-40-015	REP	01-20-061
478-117-080	NEW-E	01-21-004	480-14-360	AMD-P	01-17-110	480-40-065	AMD-P	01-17-110
478-117-090	NEW-E	01-21-004	480-14-360	AMD	01-20-061	480-40-065	AMD	01-20-061
478-117-100	NEW-E	01-21-004	480-14-370	AMD-P	01-17-110	480-40-075	AMD-P	01-17-110
478-117-110	NEW-E	01-21-004	480-14-370	AMD	01-20-061	480-40-075	AMD	01-20-061
478-117-200	NEW-E	01-21-004	480-14-380	AMD-P	01-17-110	480-40-999	NEW-P	01-17-110
478-117-210	NEW-E	01-21-004	480-14-380	AMD	01-20-061	480-40-999	NEW	01-20-061
478-117-220	NEW-E	01-21-004	480-14-390	AMD-P	01-17-110	480-62-010	REP	01-04-026
478-117-230	NEW-E	01-21-004	480-14-390	AMD	01-20-061	480-62-020	REP	01-04-026
478-117-240	NEW-E	01-21-004	480-14-400	AMD-P	01-17-110	480-62-030	REP	01-04-026

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-62-040	REP	01-04-026	480-70-080	REP	01-08-012	480-70-276	NEW	01-08-012
480-62-050	REP	01-04-026	480-70-081	NEW	01-08-012	480-70-280	REP	01-08-012
480-62-060	REP	01-04-026	480-70-086	NEW	01-08-012	480-70-281	NEW	01-08-012
480-62-070	REP	01-04-026	480-70-090	REP	01-08-012	480-70-286	NEW	01-08-012
480-62-080	REP	01-04-026	480-70-091	NEW	01-08-012	480-70-290	REP	01-08-012
480-62-085	REP	01-04-026	480-70-096	NEW	01-08-012	480-70-291	NEW	01-08-012
480-62-090	REP	01-04-026	480-70-100	REP	01-08-012	480-70-296	NEW	01-08-012
480-62-100	REP	01-04-026	480-70-101	NEW	01-08-012	480-70-300	REP	01-08-012
480-62-120	REP	01-04-026	480-70-106	NEW	01-08-012	480-70-301	NEW	01-08-012
480-62-125	NEW	01-04-026	480-70-110	REP	01-08-012	480-70-306	NEW	01-08-012
480-62-130	NEW	01-04-026	480-70-111	NEW	01-08-012	480-70-310	REP	01-08-012
480-62-135	NEW	01-04-026	480-70-116	NEW	01-08-012	480-70-311	NEW	01-08-012
480-62-140	NEW	01-04-026	480-70-120	REP	01-08-012	480-70-316	NEW	01-08-012
480-62-145	NEW	01-04-026	480-70-121	NEW	01-08-012	480-70-320	REP	01-08-012
480-62-150	NEW	01-04-026	480-70-126	NEW	01-08-012	480-70-321	NEW	01-08-012
480-62-155	NEW	01-04-026	480-70-130	REP	01-08-012	480-70-325	REP	01-08-012
480-62-160	NEW	01-04-026	480-70-131	NEW	01-08-012	480-70-326	NEW	01-08-012
480-62-165	NEW	01-04-026	480-70-136	NEW	01-08-012	480-70-330	REP	01-08-012
480-62-170	NEW	01-04-026	480-70-140	REP	01-08-012	480-70-331	NEW	01-08-012
480-62-200	NEW	01-04-026	480-70-141	NEW	01-08-012	480-70-335	REP	01-08-012
480-62-205	NEW	01-04-026	480-70-146	NEW	01-08-012	480-70-336	NEW	01-08-012
480-62-210	NEW	01-04-026	480-70-150	REP	01-08-012	480-70-339	NEW	01-08-012
480-62-215	NEW	01-04-026	480-70-151	NEW	01-08-012	480-70-340	REP	01-08-012
480-62-220	NEW	01-04-026	480-70-155	REP	01-08-012	480-70-341	NEW	01-08-012
480-62-225	NEW	01-04-026	480-70-156	NEW	01-08-012	480-70-346	NEW	01-08-012
480-62-230	NEW	01-04-026	480-70-160	REP	01-08-012	480-70-350	REP	01-08-012
480-62-235	NEW	01-04-026	480-70-161	NEW	01-08-012	480-70-351	NEW	01-08-012
480-62-240	NEW	01-04-026	480-70-166	NEW	01-08-012	480-70-356	NEW-W	01-12-085
480-62-245	NEW	01-04-026	480-70-170	REP	01-08-012	480-70-360	REP	01-08-012
480-62-250	NEW	01-04-026	480-70-171	NEW	01-08-012	480-70-361	NEW	01-08-012
480-62-300	NEW	01-04-026	480-70-176	NEW	01-08-012	480-70-366	NEW	01-08-012
480-62-305	NEW	01-04-026	480-70-180	REP	01-08-012	480-70-370	REP	01-08-012
480-62-310	NEW	01-04-026	480-70-181	NEW	01-08-012	480-70-371	NEW	01-08-012
480-62-315	NEW	01-04-026	480-70-186	NEW	01-08-012	480-70-376	NEW	01-08-012
480-62-320	NEW	01-04-026	480-70-190	REP	01-08-012	480-70-380	REP	01-08-012
480-62-325	NEW	01-04-026	480-70-191	NEW	01-08-012	480-70-381	NEW	01-08-012
480-62-999	NEW	01-04-026	480-70-196	NEW	01-08-012	480-70-386	NEW	01-08-012
480-70	PREP	01-13-125	480-70-200	REP	01-08-012	480-70-390	REP	01-08-012
480-70-001	NEW	01-08-012	480-70-201	NEW	01-08-012	480-70-391	NEW	01-08-012
480-70-006	NEW	01-08-012	480-70-206	NEW	01-08-012	480-70-396	NEW	01-08-012
480-70-010	REP	01-08-012	480-70-210	REP	01-08-012	480-70-400	REP	01-08-012
480-70-011	NEW	01-08-012	480-70-211	NEW	01-08-012	480-70-401	NEW	01-08-012
480-70-016	NEW	01-08-012	480-70-216	NEW	01-08-012	480-70-405	REP	01-08-012
480-70-020	REP	01-08-012	480-70-220	REP	01-08-012	480-70-406	NEW	01-08-012
480-70-021	NEW	01-08-012	480-70-221	NEW	01-08-012	480-70-410	REP	01-08-012
480-70-026	NEW	01-08-012	480-70-226	NEW	01-08-012	480-70-411	NEW	01-08-012
480-70-030	REP	01-08-012	480-70-230	REP	01-08-012	480-70-416	NEW	01-08-012
480-70-031	NEW	01-08-012	480-70-231	NEW	01-08-012	480-70-420	REP	01-08-012
480-70-036	NEW	01-08-012	480-70-236	NEW	01-08-012	480-70-421	NEW	01-08-012
480-70-040	REP	01-08-012	480-70-240	REP	01-08-012	480-70-426	NEW	01-08-012
480-70-041	NEW	01-08-012	480-70-241	NEW	01-08-012	480-70-430	REP	01-08-012
480-70-046	NEW	01-08-012	480-70-245	REP	01-08-012	480-70-431	NEW	01-08-012
480-70-050	REP	01-08-012	480-70-246	NEW	01-08-012	480-70-436	NEW	01-08-012
480-70-051	NEW	01-08-012	480-70-250	REP	01-08-012	480-70-440	REP	01-08-012
480-70-055	REP	01-08-012	480-70-251	NEW	01-08-012	480-70-441	NEW	01-08-012
480-70-056	NEW	01-08-012	480-70-256	NEW	01-08-012	480-70-446	NEW	01-08-012
480-70-060	REP	01-08-012	480-70-260	REP	01-08-012	480-70-451	NEW	01-08-012
480-70-061	NEW	01-08-012	480-70-261	NEW	01-08-012	480-70-456	NEW	01-08-012
480-70-066	NEW	01-08-012	480-70-262	NEW	01-08-012	480-70-461	NEW	01-08-012
480-70-070	REP	01-08-012	480-70-266	NEW	01-08-012	480-70-466	NEW	01-08-012
480-70-071	NEW	01-08-012	480-70-270	REP	01-08-012	480-70-471	NEW	01-08-012
480-70-076	NEW	01-08-012	480-70-271	NEW	01-08-012	480-70-476	NEW	01-08-012

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-70-481	NEW	01-08-012	480-80-105	NEW-P	01-24-113	480-90-001	NEW	01-11-003
480-70-486	NEW	01-08-012	480-80-110	REP-P	01-24-113	480-90-003	NEW-P	01-02-084
480-70-500	REP	01-08-012	480-80-111	NEW-P	01-24-113	480-90-003	NEW	01-11-003
480-70-510	REP	01-08-012	480-80-112	NEW-P	01-24-113	480-90-008	NEW-P	01-02-084
480-70-530	REP	01-08-012	480-80-120	REP-P	01-02-102	480-90-008	NEW	01-11-003
480-70-540	REP	01-08-012	480-80-120	REP	01-09-002	480-90-011	REP-P	01-02-084
480-70-550	REP	01-08-012	480-80-121	NEW-P	01-24-113	480-90-011	REP	01-11-003
480-70-560	REP	01-08-012	480-80-122	NEW-P	01-24-113	480-90-013	NEW-P	01-02-084
480-70-570	REP	01-08-012	480-80-123	NEW-P	01-24-113	480-90-013	NEW	01-11-003
480-70-700	REP	01-08-012	480-80-124	NEW-P	01-24-113	480-90-016	REP-P	01-02-084
480-70-710	REP	01-08-012	480-80-125	REP-P	01-24-113	480-90-016	REP	01-11-003
480-70-720	REP	01-08-012	480-80-130	REP-P	01-24-113	480-90-018	NEW-P	01-02-084
480-70-730	REP	01-08-012	480-80-131	NEW-P	01-24-113	480-90-018	NEW	01-11-003
480-70-740	REP	01-08-012	480-80-132	NEW-P	01-24-113	480-90-021	REP-P	01-02-084
480-70-750	REP	01-08-012	480-80-133	NEW-P	01-24-113	480-90-021	REP	01-11-003
480-70-760	REP	01-08-012	480-80-134	NEW-P	01-24-113	480-90-023	NEW-P	01-02-084
480-70-770	REP	01-08-012	480-80-140	REP-P	01-24-113	480-90-023	NEW	01-11-003
480-70-780	REP	01-08-012	480-80-141	NEW-P	01-24-113	480-90-026	REP-P	01-02-084
480-70-790	REP	01-08-012	480-80-142	NEW-P	01-24-113	480-90-026	REP	01-11-003
480-70-999	NEW	01-08-012	480-80-143	NEW-P	01-24-113	480-90-028	NEW-P	01-02-084
480-70-999	AMD-P	01-17-110	480-80-150	REP-P	01-24-113	480-90-028	NEW	01-11-003
480-70-999	AMD	01-20-061	480-80-160	REP-P	01-24-113	480-90-031	REP-P	01-02-084
480-75	PREP	01-13-125	480-80-170	REP-P	01-24-113	480-90-031	REP	01-11-003
480-75-005	AMD-E	01-13-044	480-80-180	REP-P	01-24-113	480-90-032	REP-P	01-02-084
480-75-005	AMD-P	01-17-110	480-80-190	REP-P	01-24-113	480-90-032	REP	01-11-003
480-75-005	AMD	01-20-061	480-80-200	REP-P	01-24-113	480-90-033	NEW-P	01-02-084
480-75-240	NEW-E	01-13-045	480-80-201	NEW-P	01-24-113	480-90-033	NEW	01-11-003
480-75-240	NEW-P	01-20-058	480-80-202	NEW-P	01-24-113	480-90-036	REP-P	01-02-084
480-75-240	NEW-E	01-21-039	480-80-203	NEW-P	01-24-113	480-90-036	REP	01-11-003
480-75-999	NEW-P	01-17-110	480-80-204	NEW-P	01-24-113	480-90-041	REP-P	01-02-084
480-75-999	NEW	01-20-061	480-80-205	NEW-P	01-24-113	480-90-041	REP	01-11-003
480-80	AMD	01-09-002	480-80-206	NEW-P	01-24-113	480-90-043	REP-P	01-02-084
480-80-010	AMD-P	01-02-102	480-80-210	REP-P	01-24-113	480-90-043	REP	01-11-003
480-80-010	AMD	01-09-002	480-80-220	REP-P	01-24-113	480-90-046	REP-P	01-02-084
480-80-010	AMD-P	01-24-113	480-80-230	REP-P	01-24-113	480-90-046	REP	01-11-003
480-80-015	NEW-P	01-24-113	480-80-240	REP-P	01-24-113	480-90-051	REP-P	01-02-084
480-80-020	AMD-P	01-24-113	480-80-241	NEW-P	01-24-113	480-90-051	REP	01-11-003
480-80-025	NEW-P	01-24-113	480-80-242	NEW-P	01-24-113	480-90-056	REP-P	01-02-084
480-80-030	AMD-P	01-24-113	480-80-250	REP-P	01-24-113	480-90-056	REP-S	01-11-148
480-80-031	NEW-P	01-24-113	480-80-260	REP-P	01-24-113	480-90-056	REP	01-24-077
480-80-035	NEW-P	01-02-102	480-80-270	REP-P	01-24-113	480-90-061	REP-P	01-02-102
480-80-035	NEW	01-09-002	480-80-280	REP-P	01-24-113	480-90-061	REP	01-09-002
480-80-035	REP-P	01-24-113	480-80-290	REP-P	01-24-113	480-90-066	REP-P	01-02-084
480-80-040	REP-P	01-24-113	480-80-300	REP-P	01-24-113	480-90-066	REP	01-11-003
480-80-041	REP-P	01-24-113	480-80-310	REP-P	01-24-113	480-90-071	REP-P	01-02-084
480-80-045	REP-P	01-24-113	480-80-320	REP-P	01-24-113	480-90-071	REP	01-11-003
480-80-047	REP-P	01-02-102	480-80-325	NEW-P	01-02-102	480-90-072	REP-P	01-02-084
480-80-047	REP	01-09-002	480-80-325	NEW	01-09-002	480-90-072	REP	01-11-003
480-80-048	REP-P	01-02-102	480-80-325	REP-P	01-24-113	480-90-076	REP-P	01-02-084
480-80-048	REP	01-09-002	480-80-326	NEW-P	01-02-102	480-90-076	REP	01-11-003
480-80-049	REP-P	01-02-102	480-80-326	NEW	01-09-002	480-90-081	REP-P	01-02-084
480-80-049	REP	01-09-002	480-80-326	REP-P	01-24-113	480-90-081	REP	01-11-003
480-80-050	REP-P	01-24-113	480-80-330	REP-P	01-24-113	480-90-086	REP-P	01-02-084
480-80-060	REP-P	01-24-113	480-80-335	REP-P	01-24-113	480-90-086	REP	01-11-003
480-80-070	REP-P	01-24-113	480-80-340	REP-P	01-24-113	480-90-091	REP-P	01-02-084
480-80-080	REP-P	01-24-113	480-80-350	REP-P	01-24-113	480-90-091	REP	01-11-003
480-80-090	REP-P	01-24-113	480-80-360	REP-P	01-24-113	480-90-096	REP-P	01-02-084
480-80-100	REP-P	01-24-113	480-80-370	REP-P	01-24-113	480-90-096	REP	01-11-003
480-80-101	NEW-P	01-24-113	480-80-380	REP-P	01-24-113	480-90-101	REP-P	01-02-084
480-80-102	NEW-P	01-24-113	480-80-390	REP-P	01-02-102	480-90-101	REP	01-11-003
480-80-103	NEW-P	01-24-113	480-80-390	REP	01-09-002	480-90-103	NEW-P	01-02-084
480-80-104	NEW-P	01-24-113	480-90-001	NEW-P	01-02-084	480-90-103	NEW	01-11-003

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-90-106	REP-P	01-02-084	480-90-181	REP-P	01-02-084	480-93-010	AMD	01-20-061
480-90-106	REP	01-11-003	480-90-181	REP	01-11-003	480-93-015	AMD-P	01-17-110
480-90-108	NEW-P	01-02-084	480-90-183	NEW-P	01-02-084	480-93-015	AMD	01-20-061
480-90-108	NEW	01-11-003	480-90-183	NEW	01-11-003	480-93-110	AMD-P	01-17-110
480-90-113	NEW-P	01-02-084	480-90-188	NEW-P	01-02-084	480-93-110	AMD	01-20-061
480-90-113	NEW	01-11-003	480-90-188	NEW	01-11-003	480-93-124	AMD-P	01-17-110
480-90-116	REP-P	01-02-084	480-90-191	REP-P	01-02-084	480-93-124	AMD	01-20-061
480-90-116	REP	01-11-003	480-90-191	REP	01-11-003	480-93-155	AMD-P	01-17-110
480-90-118	NEW-P	01-02-084	480-90-193	NEW-P	01-02-102	480-93-155	AMD	01-20-061
480-90-118	NEW	01-11-003	480-90-193	NEW	01-09-002	480-93-180	AMD-P	01-17-110
480-90-121	REP-P	01-02-084	480-90-193	AMD-P	01-24-113	480-93-180	AMD	01-20-061
480-90-121	REP-W	01-15-065	480-90-194	NEW-P	01-24-113	480-93-220	AMD-P	01-17-110
480-90-121	REP-S	01-15-088	480-90-195	NEW-P	01-24-113	480-93-220	AMD	01-20-061
480-90-121	REP	01-24-077	480-90-197	NEW-P	01-24-113	480-93-240	NEW-E	01-13-045
480-90-123	NEW-P	01-02-084	480-90-198	NEW-P	01-24-113	480-93-240	NEW-P	01-20-058
480-90-123	NEW-S	01-11-148	480-90-199	NEW-P	01-24-113	480-93-240	NEW-E	01-21-039
480-90-123	NEW	01-24-077	480-90-203	NEW-P	01-02-084	480-93-999	NEW-P	01-17-110
480-90-126	REP-P	01-02-084	480-90-203	NEW	01-11-003	480-93-999	NEW	01-20-061
480-90-126	REP	01-11-003	480-90-208	NEW-P	01-02-084	480-100-001	NEW-P	01-02-083
480-90-128	NEW-P	01-02-084	480-90-208	NEW	01-11-003	480-100-001	NEW	01-11-004
480-90-128	NEW	01-11-003	480-90-211	REP-P	01-02-084	480-100-003	NEW-P	01-02-083
480-90-131	REP-P	01-02-084	480-90-211	REP	01-11-003	480-100-003	NEW	01-11-004
480-90-131	REP	01-11-003	480-90-213	NEW-P	01-02-084	480-100-008	NEW-P	01-02-083
480-90-133	NEW-P	01-02-084	480-90-213	NEW	01-11-003	480-100-008	NEW	01-11-004
480-90-133	NEW	01-11-003	480-90-218	NEW-P	01-02-084	480-100-008	NEW	01-11-004
480-90-136	REP-P	01-02-084	480-90-218	NEW	01-11-003	480-100-011	REP-P	01-02-083
480-90-136	REP	01-11-003	480-90-218	NEW	01-11-003	480-100-011	REP	01-11-004
480-90-138	NEW-P	01-02-084	480-90-223	NEW-P	01-02-084	480-100-011	REP	01-11-004
480-90-138	NEW	01-11-003	480-90-223	NEW	01-11-003	480-100-013	NEW-P	01-02-083
480-90-141	REP-P	01-02-084	480-90-228	NEW-P	01-02-084	480-100-013	NEW	01-11-004
480-90-141	REP	01-11-003	480-90-228	NEW	01-11-003	480-100-016	REP-P	01-02-083
480-90-143	NEW-P	01-02-084	480-90-233	NEW-P	01-02-084	480-100-016	REP	01-11-004
480-90-143	NEW	01-11-003	480-90-233	NEW	01-11-003	480-100-018	NEW-P	01-02-083
480-90-143	NEW	01-11-003	480-90-238	NEW-P	01-02-084	480-100-018	NEW	01-11-004
480-90-146	REP-P	01-02-084	480-90-238	NEW	01-11-003	480-100-021	REP-P	01-02-083
480-90-146	REP	01-11-003	480-90-238	NEW	01-11-003	480-100-021	REP	01-11-004
480-90-148	NEW-P	01-02-084	480-90-303	NEW-P	01-02-084	480-100-021	REP	01-11-004
480-90-148	NEW	01-11-003	480-90-303	NEW	01-11-003	480-100-023	NEW-P	01-02-083
480-90-151	REP-P	01-02-084	480-90-308	NEW-P	01-02-084	480-100-023	NEW	01-11-004
480-90-151	REP	01-11-003	480-90-308	NEW	01-11-003	480-100-026	REP-P	01-02-083
480-90-153	NEW-P	01-02-084	480-90-313	NEW-P	01-02-084	480-100-026	REP	01-11-004
480-90-153	NEW-S	01-11-148	480-90-313	NEW	01-11-003	480-100-028	NEW-P	01-02-083
480-90-153	NEW	01-20-059	480-90-323	NEW-P	01-02-084	480-100-028	NEW	01-11-004
480-90-156	REP-P	01-02-084	480-90-323	NEW	01-11-003	480-100-031	REP-P	01-02-083
480-90-156	REP	01-11-003	480-90-328	NEW-P	01-02-084	480-100-031	REP	01-11-004
480-90-158	NEW-P	01-02-084	480-90-328	NEW	01-11-003	480-100-032	REP-P	01-02-083
480-90-158	NEW	01-11-003	480-90-328	NEW	01-11-003	480-100-032	REP	01-11-004
480-90-161	REP-P	01-02-084	480-90-333	NEW-P	01-02-084	480-100-032	REP	01-11-004
480-90-161	REP	01-11-003	480-90-333	NEW	01-11-003	480-100-033	NEW-P	01-02-083
480-90-163	NEW-P	01-02-084	480-90-333	NEW	01-11-003	480-100-033	NEW	01-11-004
480-90-163	NEW	01-11-003	480-90-338	NEW-P	01-02-084	480-100-033	NEW	01-11-004
480-90-166	REP-P	01-02-084	480-90-338	NEW	01-11-003	480-100-036	REP-P	01-02-083
480-90-166	REP	01-11-003	480-90-338	NEW	01-11-003	480-100-036	REP	01-11-004
480-90-168	NEW-P	01-02-084	480-90-343	NEW-P	01-02-084	480-100-036	REP	01-11-004
480-90-168	NEW	01-11-003	480-90-343	NEW	01-11-003	480-100-041	REP-P	01-02-083
480-90-171	REP-P	01-02-084	480-90-348	NEW-P	01-02-084	480-100-041	REP	01-11-004
480-90-171	REP	01-11-003	480-90-348	NEW	01-11-003	480-100-043	REP-P	01-02-083
480-90-173	NEW-P	01-02-084	480-90-348	NEW	01-11-003	480-100-043	REP	01-11-004
480-90-173	NEW	01-11-003	480-90-353	NEW-P	01-02-084	480-100-043	REP	01-11-004
480-90-176	REP-P	01-02-084	480-90-353	NEW	01-11-003	480-100-046	REP-P	01-02-083
480-90-176	REP	01-11-003	480-90-999	NEW-P	01-02-084	480-100-046	REP	01-11-004
480-90-178	NEW-P	01-02-084	480-90-999	NEW	01-11-003	480-100-051	REP-P	01-02-083
480-90-178	NEW	01-11-003	480-93	PREP	01-13-125	480-100-051	REP	01-11-004
			480-93	PREP	01-17-048	480-100-056	REP-P	01-02-083
			480-93-005	AMD-P	01-17-110	480-100-056	REP-S	01-11-147
			480-93-005	AMD	01-20-061	480-100-056	REP	01-24-076
			480-93-010	AMD-E	01-13-044	480-100-061	REP-P	01-02-102
			480-93-010	AMD-P	01-17-110	480-100-061	REP	01-09-002
						480-100-066	REP-P	01-02-083

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-100-066	REP	01-11-004	480-100-161	REP-P	01-02-083	480-100-313	NEW	01-11-004
480-100-071	REP-P	01-02-083	480-100-161	REP	01-11-004	480-100-318	NEW-P	01-02-083
480-100-071	REP	01-11-004	480-100-163	NEW-P	01-02-083	480-100-318	NEW	01-11-004
480-100-072	REP-P	01-02-083	480-100-163	NEW	01-11-004	480-100-328	NEW-P	01-02-083
480-100-072	REP	01-11-004	480-100-166	REP-P	01-02-083	480-100-328	NEW	01-11-004
480-100-076	REP-P	01-02-083	480-100-166	REP	01-11-004	480-100-333	NEW-P	01-02-083
480-100-076	REP	01-11-004	480-100-168	NEW-P	01-02-083	480-100-333	NEW	01-11-004
480-100-081	REP-P	01-02-083	480-100-168	NEW	01-11-004	480-100-338	NEW-P	01-02-083
480-100-081	REP	01-11-004	480-100-171	REP-P	01-02-083	480-100-338	NEW	01-11-004
480-100-086	REP-P	01-02-083	480-100-171	REP	01-11-004	480-100-343	NEW-P	01-02-083
480-100-086	REP	01-11-004	480-100-173	NEW-P	01-02-083	480-100-343	NEW	01-11-004
480-100-091	REP-P	01-02-083	480-100-173	NEW	01-11-004	480-100-353	NEW-P	01-02-083
480-100-091	REP	01-11-004	480-100-176	REP-P	01-02-083	480-100-353	NEW	01-11-004
480-100-096	REP-P	01-02-083	480-100-176	REP	01-11-004	480-100-358	NEW-P	01-02-083
480-100-096	REP	01-11-004	480-100-178	NEW-P	01-02-083	480-100-358	NEW	01-11-004
480-100-101	REP-P	01-02-083	480-100-178	NEW	01-11-004	480-100-363	NEW-P	01-02-083
480-100-101	REP	01-11-004	480-100-181	REP-P	01-02-083	480-100-363	NEW	01-11-004
480-100-103	NEW-P	01-02-083	480-100-181	REP	01-11-004	480-100-368	NEW-P	01-02-083
480-100-103	NEW	01-11-004	480-100-183	NEW-P	01-02-083	480-100-368	NEW	01-11-004
480-100-108	NEW-P	01-02-083	480-100-183	NEW	01-11-004	480-100-373	NEW-P	01-02-083
480-100-108	NEW	01-11-004	480-100-186	REP-P	01-02-083	480-100-373	NEW	01-11-004
480-100-111	REP-P	01-02-083	480-100-186	REP	01-11-004	480-100-378	NEW-P	01-02-083
480-100-111	REP	01-11-004	480-100-188	NEW-P	01-02-083	480-100-378	NEW	01-11-004
480-100-113	NEW-P	01-02-083	480-100-188	NEW	01-11-004	480-100-383	NEW-P	01-02-083
480-100-113	NEW	01-11-004	480-100-191	REP-P	01-02-083	480-100-383	NEW	01-11-004
480-100-116	REP-P	01-02-083	480-100-191	REP	01-11-004	480-100-388	NEW-P	01-04-081
480-100-116	REP-S	01-11-147	480-100-193	NEW-P	01-02-102	480-100-388	NEW	01-08-009
480-100-116	REP	01-24-076	480-100-193	NEW	01-09-002	480-100-393	NEW-P	01-04-081
480-100-118	NEW-P	01-02-083	480-100-193	AMD-P	01-24-113	480-100-393	NEW	01-08-009
480-100-118	NEW	01-11-004	480-100-194	NEW-P	01-24-113	480-100-398	NEW-P	01-04-081
480-100-121	REP-P	01-02-083	480-100-195	NEW-P	01-24-113	480-100-398	NEW	01-08-009
480-100-121	REP	01-11-004	480-100-197	NEW-P	01-24-113	480-100-999	NEW-P	01-02-083
480-100-123	NEW-P	01-02-083	480-100-198	NEW-P	01-24-113	480-100-999	NEW	01-11-004
480-100-123	NEW-S	01-11-147	480-100-199	NEW-P	01-24-113	480-120-011	AMD-P	01-03-100
480-100-123	NEW	01-24-076	480-100-201	REP-P	01-02-083	480-120-011	AMD	01-15-022
480-100-126	REP-P	01-02-083	480-100-201	REP	01-11-004	480-120-015	NEW-P	01-03-100
480-100-126	REP	01-11-004	480-100-203	NEW-P	01-02-083	480-120-015	NEW	01-15-022
480-100-128	NEW-P	01-02-083	480-100-203	NEW	01-11-004	480-120-016	AMD-P	01-03-100
480-100-128	NEW	01-11-004	480-100-206	REP-P	01-02-083	480-120-016	AMD	01-15-022
480-100-131	REP-P	01-02-083	480-100-206	REP	01-11-004	480-120-022	REP-P	01-02-102
480-100-131	REP	01-11-004	480-100-208	NEW-P	01-02-083	480-120-022	REP	01-09-002
480-100-133	NEW-P	01-02-083	480-100-208	NEW	01-11-004	480-120-023	REP-P	01-02-102
480-100-133	NEW	01-11-004	480-100-211	REP-P	01-02-083	480-120-023	REP	01-09-002
480-100-136	REP-P	01-02-083	480-100-211	REP	01-11-004	480-120-024	REP-P	01-02-102
480-100-136	REP	01-11-004	480-100-213	NEW-P	01-02-083	480-120-024	REP	01-09-002
480-100-138	NEW-P	01-02-083	480-100-213	NEW	01-11-004	480-120-025	REP-P	01-02-102
480-100-138	NEW	01-11-004	480-100-218	NEW-P	01-02-083	480-120-025	REP	01-09-002
480-100-141	REP-P	01-02-083	480-100-218	NEW	01-11-004	480-120-026	AMD-P	01-03-100
480-100-141	REP	01-11-004	480-100-223	NEW-P	01-02-083	480-120-026	AMD	01-15-022
480-100-143	NEW-P	01-02-083	480-100-223	NEW	01-11-004	480-120-027	REP-P	01-02-102
480-100-143	NEW	01-11-004	480-100-228	NEW-P	01-02-083	480-120-027	REP	01-09-002
480-100-146	REP-P	01-02-083	480-100-228	NEW	01-11-004	480-120-028	NEW-P	01-03-100
480-100-146	REP	01-11-004	480-100-233	NEW-P	01-02-083	480-120-028	NEW	01-15-022
480-100-148	NEW-P	01-02-083	480-100-233	NEW-W	01-15-064	480-120-029	NEW-P	01-03-100
480-100-148	NEW	01-11-004	480-100-238	NEW	01-11-004	480-120-029	NEW	01-15-022
480-100-151	REP-P	01-02-083	480-100-251	REP-P	01-02-083	480-120-032	AMD-P	01-03-100
480-100-151	REP	01-11-004	480-100-251	REP	01-11-004	480-120-032	AMD	01-15-022
480-100-153	NEW-P	01-02-083	480-100-308	NEW-P	01-02-083	480-120-033	AMD-P	01-03-100
480-100-153	NEW-S	01-11-147	480-100-308	NEW	01-11-004	480-120-033	AMD	01-15-022
480-100-153	NEW	01-20-060	480-100-311	REP-P	01-02-083	480-120-036	REP-P	01-03-100
480-100-156	REP-P	01-02-083	480-100-311	REP	01-11-004	480-120-036	REP	01-15-022
480-100-156	REP	01-11-004	480-100-313	NEW-P	01-02-083	480-120-043	NEW-P	01-02-102

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-120-043	NEW	01-09-002	480-121-063	NEW	01-09-002	504- 14-360	NEW	01-18-015
480-120-043	REP-P	01-24-113	480-121-063	AMD-P	01-22-110	504- 14-410	NEW-P	01-15-075
480-120-049	NEW-P	01-03-100	480-121-064	NEW-P	01-02-102	504- 14-410	NEW	01-18-015
480-120-049	NEW-W	01-17-023	480-121-064	NEW	01-09-002	504- 14-420	NEW-P	01-15-075
480-120-052	AMD-P	01-22-110	480-121-064	AMD-P	01-22-110	504- 14-420	NEW	01-18-015
480-120-058	AMD-P	01-22-110	480-121-065	NEW-P	01-24-113	504- 14-430	NEW-P	01-15-075
480-120-066	REP-P	01-02-102	480-121-070	REP-P	01-22-110	504- 14-430	NEW	01-18-015
480-120-066	REP	01-09-002	480-122-010	AMD-P	01-16-152	504- 14-440	NEW-P	01-15-075
480-120-076	REP-P	01-03-100	480-122-020	AMD-P	01-16-152	504- 14-440	NEW	01-18-015
480-120-076	REP	01-15-022	480-122-030	REP-P	01-16-152	504- 14-450	NEW-P	01-15-075
480-120-083	NEW-E	01-11-048	480-122-040	REP-P	01-16-152	504- 14-450	NEW	01-18-015
480-120-083	PREP	01-12-102	480-122-060	AMD-P	01-16-152	504- 14-460	NEW-P	01-15-075
480-120-083	NEW-P	01-18-098	480-122-070	REP-P	01-16-152	504- 14-460	NEW	01-18-015
480-120-083	NEW-E	01-19-009	480-122-080	AMD-P	01-16-152	504- 14-470	NEW-P	01-15-075
480-120-083	NEW	01-24-114	480-122-090	REP-P	01-16-152	504- 14-470	NEW	01-18-015
480-120-091	REP-P	01-03-100	484- 20-010	AMD-X	01-18-099	504- 14-510	NEW-P	01-15-075
480-120-091	REP	01-15-022	484- 20-010	AMD	01-23-001	504- 14-510	NEW	01-18-015
480-120-096	REP-P	01-03-100	484- 20-080	AMD-X	01-18-099	504- 14-520	NEW-P	01-15-075
480-120-096	REP	01-15-022	484- 20-080	AMD	01-23-001	504- 14-520	NEW	01-18-015
480-120-136	AMD-P	01-03-100	484- 20-086	AMD-X	01-18-099	504- 14-540	NEW-P	01-15-075
480-120-136	AMD	01-15-022	484- 20-086	AMD	01-23-001	504- 14-540	NEW	01-18-015
480-120-193	NEW-P	01-24-113	484- 20-090	AMD-X	01-18-099	504- 14-560	NEW-P	01-15-075
480-120-194	NEW-P	01-24-113	484- 20-090	AMD	01-23-001	504- 14-560	NEW	01-18-015
480-120-195	NEW-P	01-24-113	484- 20-095	AMD-X	01-18-099	504- 14-580	NEW-P	01-15-075
480-120-196	NEW-P	01-24-113	484- 20-095	AMD	01-23-001	504- 14-580	NEW	01-18-015
480-120-197	NEW-P	01-24-113	484- 20-135	AMD-X	01-18-099	504- 14-600	NEW-P	01-15-075
480-120-198	NEW-P	01-24-113	484- 20-135	AMD	01-23-001	504- 14-600	NEW	01-18-015
480-120-199	NEW-P	01-24-113	484- 20-145	AMD-X	01-18-099	504- 14-650	NEW-P	01-15-075
480-120-530	AMD-P	01-03-100	484- 20-145	AMD	01-23-001	504- 14-650	NEW	01-18-015
480-120-530	AMD	01-15-022	490-105-080	AMD-X	01-18-081	504- 14-810	NEW-P	01-15-075
480-120-531	NEW-P	01-03-100	490-105-080	AMD	01-23-078	504- 14-810	NEW	01-18-015
480-120-531	NEW	01-15-022	490-105-170	AMD-X	01-18-081	504- 14-830	NEW-P	01-15-075
480-120-541	NEW-P	01-02-102	490-105-170	AMD	01-23-078	504- 14-830	NEW	01-18-015
480-120-541	NEW	01-09-002	495C-120-040	AMD-P	01-22-096	504- 14-860	NEW-P	01-15-075
480-120-542	NEW-P	01-02-102	495C-120-041	AMD-P	01-22-096	504- 14-860	NEW	01-18-015
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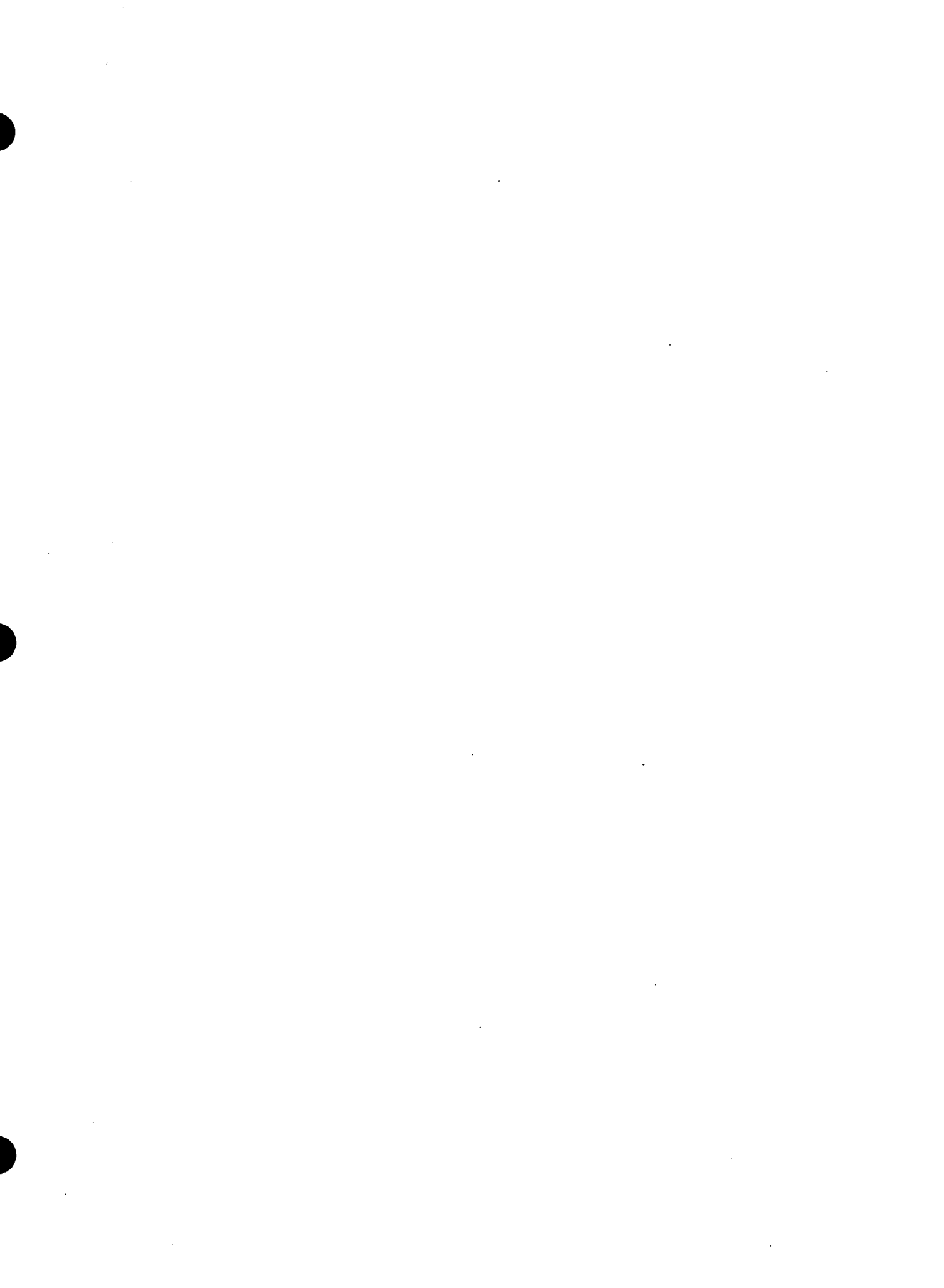
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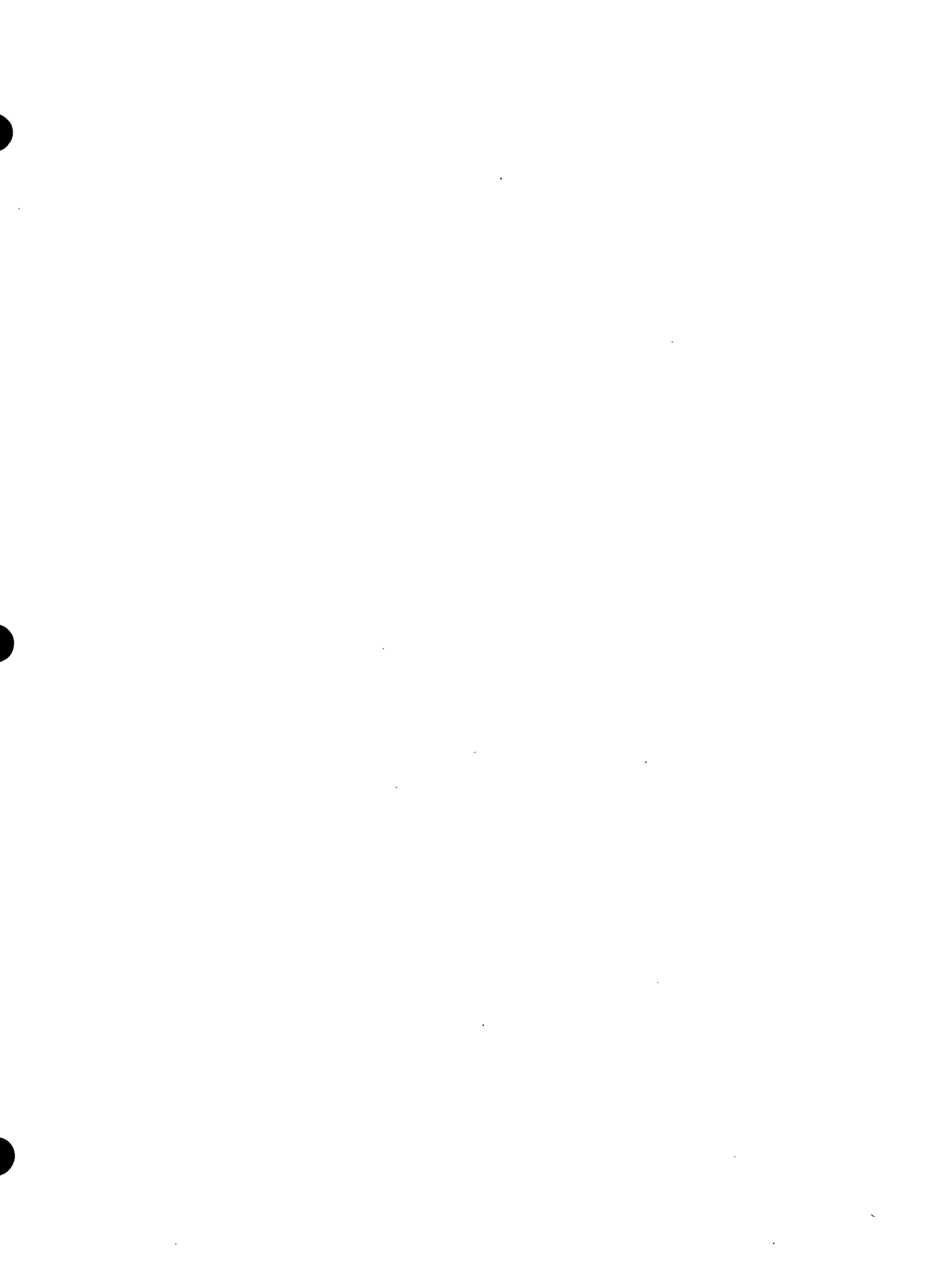
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