

Washington State Register

June 4, 2003

OLYMPIA, WASHINGTON

ISSUE 03-11



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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.

REPLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

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

The maximum allowable interest rate applicable for the month of June 2003 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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

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

John G. Schultz
Chair, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following 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.

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

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

4. EFFECTIVE DATE OF RULES

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

5. EDITORIAL CORRECTIONS

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

2002-2003

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue Number	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³	Expedited Adoption ⁴
	Non-OTS and 30 p. or more	Non-OTS and 11 to 29 p.	OTS ² or 10 p. max. Non-OTS	Count 20 days from -	For hearing on or after	First Agency Adoption Date
For Inclusion in -	File no later than 12:00 noon -					
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 22, 03
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03 - 06	Feb 5, 03	Feb 19, 03	Mar 5, 03	Mar 19, 03	Apr 8, 03	May 6, 03
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03 - 08	Mar 5, 03	Mar 19, 03	Apr 2, 03	Apr 16, 03	May 6, 03	Jun 3, 03
03 - 09	Mar 26, 03	Apr 9, 03	Apr 23, 03	May 7, 03	May 27, 03	Jun 24, 03
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03 - 22	Oct 8, 03	Oct 22, 03	Nov 5, 03	Nov 19, 03	Dec 9, 03	Jan 6, 04
03 - 23	Oct 22, 03	Nov 5, 03	Nov 19, 03	Dec 3, 03	Dec 23, 03	Jan 20, 04
03 - 24	Nov 5, 03	Nov 19, 03	Dec 3, 03	Dec 17, 03	Jan 6, 04	Feb 3, 04

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

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

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

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

REGULATORY FAIRNESS ACT

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

Small Business Economic Impact Statements (SBEIS)

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

Mitigation

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

When is an SBEIS Required?

When:

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

When is an SBEIS Not Required?

When:

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

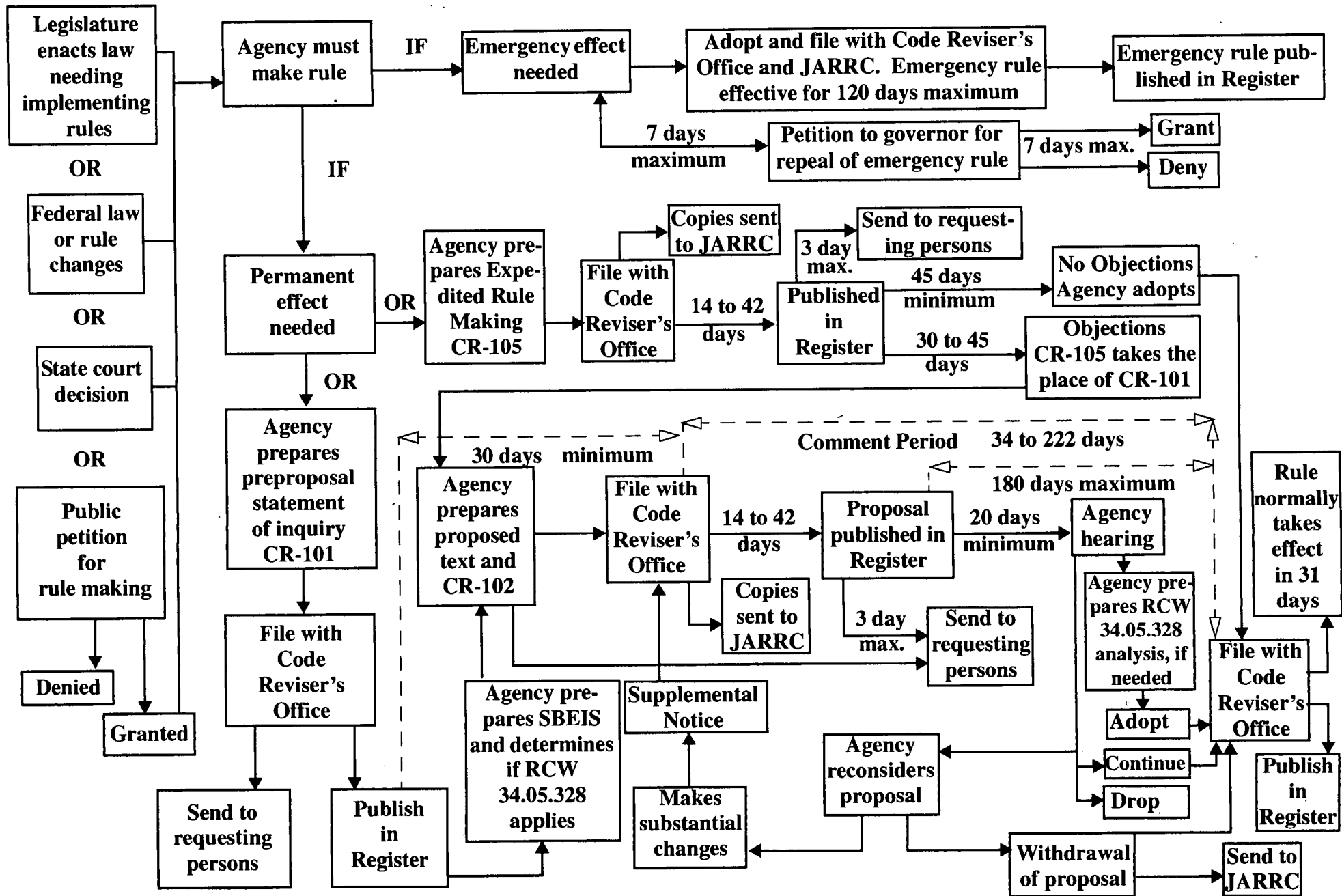
There is less than minor economic impact on business;

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

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

The rule is pure restatement of state statute.

RULE-MAKING PROCESS



WSR 03-11-048**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE**

[Filed May 16, 2003, 11:56 a.m.]

Subject of Possible Rule Making: WAC 458-20-177
Sales of motor vehicles, campers, and trailers to nonresidents.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 82.32.300 and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: WAC 458-20-177 describes
the application of the B&O and retail sales taxes to sales of
motor vehicles, campers, and trailers to nonresidents. The
rule also provides sample affidavits and certificates to docu-
ment a claim of a tax-exempt sale. The department antici-
pates updating outdated citations and the documentation
forms, providing additional information regarding sales to
nonresident military personnel, and adding additional fact sit-
uations involving nonresident buyers of vehicles, including
specific factual examples. The department also anticipates
revising the language and structure of the rule to make it eas-
ier for readers to understand and use.

Other Federal and State Agencies that Regulate this Sub-
ject and the Process Coordinating the Rule with These Agen-
cies: No other agency regulates or administers the subject
matter addressed in this rule.

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 pub-
lication. Written comments may be submitted by mail, e-
mail, fax, or at the public meeting. Oral comments will be
accepted at the public meeting. A preliminary discussion
draft of a possible new or revised rule(s) is available upon
request. Written comments on and/or requests for copies of
the draft may be directed to Gilbert Brewer, Tax Policy Spe-
cialist, Legislation and Policy, P.O. Box 47467, Olympia,
WA 98504-7467, phone (360) 570-6133, e-mail gilb@dor.
wa.gov, fax (360) 664-0693.

Date and Location of Public Meeting: Capital Plaza
Building, 4th Floor Large Conference Room, 1025 Union
Avenue S.E., Olympia, WA, on June 26, 2003, at 9:30 a.m.

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

May 16, 2003

Alan R. Lynn

Rules Coordinator

Legislation and Policy Division

WSR 03-11-055**PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION**

[Filed May 19, 2003, 9:43 a.m.]

Subject of Possible Rule Making: WAC 139-05-200
Requirement of basic law enforcement training.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 43.101.080.

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: The change would provide
consistency in training requirements for fully commissioned
officers to attend the basic law enforcement academy. Cur-
rently, officers who are fully commissioned but work only
part time are not required to attend the basic academy; how-
ever, they exercise the same authority as fully commissioned,
full-time officers.

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 pub-
lication by contacting Sharon M. Tolton, Criminal Justice
Training Commission, 19010 1st Avenue South, Burien, WA
98148-2055, phone (206) 835-7345, fax (206) 439-3860.
Stakeholders were contacted by e-mail to advice of the
intended rule amendments. Proposal also listed on the
agency website.

May 15, 2003

Sharon M. Tolton

Deputy Director

WSR 03-11-056**PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION**

[Filed May 19, 2003, 9:43 a.m.]

Subject of Possible Rule Making: WAC 139-05-925
Requirement of basic training for railroad police officers.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 43.101.080.

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: The change is necessary for
the recognition of railroad police officers whose duties are
primarily administrative in nature; not enforcing the laws or
apprehending criminal suspects.

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 pub-
lication by contacting Sharon M. Tolton, Criminal Justice
Training Commission, 19010 1st Avenue South, Burien, WA
98148-2055, phone (206) 835-7345, fax (206) 439-3860.
Stakeholders were contacted by e-mail to advise of the
intended rule amendments. Proposal also listed on the
agency website.

May 15, 2003

Sharon M. Tolton

Deputy Director

WSR 03-11-057
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed May 19, 2003, 11:26 a.m.]

Subject of Possible Rule Making: WAC 296-30-190 Can family members of a homicide victim receive counseling benefits?, the subject of this rule is the benefit in RCW 7.68.070(17). This statute gives the department the authority to provide appropriate counseling to the immediate family members of a homicide victim.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 7.68.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 7.68.070(17) gives the immediate family members of a homicide victim a benefit of appropriate counseling to assist in dealing with the immediate, near-term consequences of the related effects of the homicide. The definition of immediate, near-term consequences needs to be defined in rule.

The crime victims compensation program is currently administering the benefit identified in RCW 7.68.070(17) by defining the language in an internal policy. Recently a superior court decision upheld the program's internal policy, which defines immediate, near-term consequences as "for which treatment is started within one year."

Process for Developing New Rule: Public hearing - the public will be given the opportunity to provide written comments and give oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cletus Nnanabu, Crime Victims Compensation Program Manager, P.O. Box 44520, Olympia, WA 98504-4520, phone (360) 902-5340, fax (360) 902-5333, e-mail nnan235@Lni.wa.gov.

- A public hearing, in Tumwater, will be scheduled.
- The Crime Victims' Advisory Committee was notified at the quarterly meeting held on February 5, 2003.
- The Washington Coalition of Crime Victims' Advocates was notified on March 11, 2003.

May 19, 2003
Paul Trause
Director

These statutes address the benefit of permanent total disability.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 7.68.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Prior to 1986 if a worker (victim of crime) died from an unrelated condition while on permanent total disability their award went to their dependents. In 1986 RCW 51.32.067 took effect. This statute has the worker (victim) choose an option before being placed on permanent total disability. The worker (victim) may choose the full monthly calculation, which if the worker (victim) died from an unrelated condition, the award would cease or the worker (victim) may choose an actuarially reduced monthly award which would provide for their dependents should they die from an unrelated condition.

RCW 51.32.067 establishes two of three options for permanent total disability awards based on actuarial lifetime calculations. RCW 7.68.070(13) establishes a maximum award of \$40,000 for permanent total disability which is calculated based on statute, not actuarial tables. The two statutes conflict. For this reason the crime victims' compensation (CVC) program has administered their permanent total disability under RCW 7.68.070(13), not RCW 51.32.067. This WAC clarifies how CVC implements RCW 7.68.070(13).

Process for Developing New Rule: Public hearing - the public will be given the opportunity to provide written comments and give oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cletus Nnanabu, Crime Victim Compensation Program Manager, P.O. Box 44520, Olympia, WA 98504-4520, phone (360) 902-5340, e-mail nnan235@Lni.wa.gov, fax (360) 902-5333.

- A public hearing, in Tumwater, will be scheduled.
- The Crime Victims' Advisory Committee was notified at the quarterly meeting held on February 5, 2003.
- The Washington Coalition of Crime Victims' Advocates was notified on March 11, 2003.

May 19, 2003
Paul Trause
Director

WSR 03-11-058
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed May 19, 2003, 11:27 a.m.]

Subject of Possible Rule Making: Permanent total disability benefit, WAC 296-30-200 What happens when a victim on permanent total disability dies from a condition not related to the crime? The purpose of this rule making is to clarify RCW 7.68.070(5), (13), 51.32.060(7), and 51.32.067.

WSR 03-11-061
PREPROPOSAL STATEMENT OF INQUIRY
FOREST PRACTICES BOARD
[Filed May 19, 2003, 11:52 a.m.]

Subject of Possible Rule Making: Forest road construction and maintenance, Title 222 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: The legislature directed the Forest Practices Board to adopt rules consistent with 2SHB 1095. The Forest Practices Board's authority to adopt forest practices rules is granted under RCW 76.09.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 2SHB 1095 amends portions of the Forest Practices Act, chapter 76.09 RCW, to limit the burden on small forest landowners from forest road maintenance and abandonment requirements. The Forest Practices Board is considering changes to Title 222 WAC necessary to comply with the legislation and to accomplish the same purpose.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Forest Practices Board is the agency charged with establishing rules to protect public resources while maintaining a viable forest products industry; the Department of Natural Resources implements the rules.

Section 10 of 2SHB 1095 directs the Department of Fish and Wildlife, in coordination with the Department of Natural Resources and lead entity groups, to establish a ranked inventory of fish passage barriers on land owned by small forest landowners. This ranked inventory will help the Department of Natural Resources to establish a funding order within a state-led cost sharing program provided for in 2SHB 1095.

Pursuant to RCW 76.09.040(2), any rules in Title 222 WAC that pertain to water quality protection can be amended only by agreement between the board and the Department of Ecology. The board will submit draft rules to the Department of Fish and Wildlife and counties of the state for comment prior to initiating the public notification and comment process.

The Forest Practices Board's small forest landowner advisory committee will be involved in rule development pursuant to RCW 76.13.110(4). The committee consists of seven members, including a representative from the Department of Ecology, the Department of Fish and Wildlife, a tribal representative, and four small forest landowners.

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 mailing, faxing or e-mailing comments to Patricia Anderson, Forest Practices Board, Rules Coordinator, Department of Natural Resources, Forest Practices Division, 1111 Washington Street, 4th Floor, P.O. Box 47012, Olympia, WA 98504-47012, fax (360) 902-1428, e-mail forest.practicesboard@wadnr.gov.

May 15, 2003
Pat McElroy
Chair

WSR 03-11-062

PREPROPOSAL STATEMENT OF INQUIRY SECRETARY OF STATE

[Filed May 19, 2003, 1:07 p.m.]

Subject of Possible Rule Making: Signatures that don't match on absentee ballots and erasures on ballots.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 29.04.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To standardize and clarify election procedures practices.

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 Bill Huennekens, Policy Analyst, Office of the Secretary of State, Elections Division, P.O. Box 40229, Olympia, WA 98504-0229, bhuennekens@sec.state.wa.gov, phone (360) 902-4169, fax (360) 586-5629, TDD 1-800-448-4881.

May 19, 2003
Steve Excell
Assistant Secretary of State

WSR 03-11-069A

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed May 20, 2003, 8:36 a.m.]

Subject of Possible Rule Making: Chapter 308-88 WAC, Rental car taxation and licensing, to include but not limited to WAC 308-88-020.

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 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.

May 19, 2003
D. McCurley, Administrator
Title and Registration Services

WSR 03-11-070

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF TRANSPORTATION

[Filed May 20, 2003, 10:10 a.m.]

Subject of Possible Rule Making: Reduce the daily hours of operation from eight to six for tourist-oriented busi-

nesses to qualify for motorist information signing on state highways.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.36.310 and 47.36.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently tourist oriented businesses must be open eight hours a day, five days a week, with one day a week being Saturday or Sunday in order to qualify to be signed on a motorist information sign. Tourist oriented businesses are defined as a natural, recreational, historical, cultural, educational, or entertainment activity, or a unique or unusual commercial or nonprofit activity. Many of these types of businesses do not operate eight hours a day. This change will allow additional business to qualify for signing and provide the traveling public with more information about available tourist activities.

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 Mike Dornfeld, Washington State Department of Transportation, P.O. Box 09504-7344, Olympia, WA 98504-4733, (360) 705-7288, dornfem@wsdot.wa.gov.

May 19, 2003
John F. Conrad
Assistant Secretary
of Transportation

WSR 03-11-072

**PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT**

[Filed May 20, 2003, 10:33 a.m.]

Subject of Possible Rule Making: Amend WAC 192-36-010, 192-36-020, and 192-36-020 [192-36-025], and adopt additional rules for administration of the shared work program. The rules will modify eligibility requirements for employers and participants applying for the shared work program, clarify expectations of participating employers, address the number of consecutive plans an employer may have, and define terms.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, and 50.60.901.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A comprehensive review of chapter 192-36 WAC indicates rule making is required to ensure the program is being administered in a manner that is consistent with legislative intent, reflects current policy and procedures, and meets the needs of participating employers. The rules will accomplish this by clarifying eligibility requirements and departmental expectations for participating employers and claimant participants.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL)

reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: The department will hold meetings with stakeholders and interested parties to obtain input on the new and amended regulations.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Persons interested in attending meeting(s) to participate in the development of the proposed rules should contact Juanita Myers, UI Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 902-9665, fax (360) 902-9799, e-mail jmyers@esd.wa.gov.

May 6, 2003
Dr. Sylvia P. Mundy
Commissioner

WSR 03-11-075

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION**

[Filed May 20, 2003, 3:44 p.m.]

Subject of Possible Rule Making: Emergency operations of tow trucks.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.44.090 Special permits for oversize and overweight movements.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Permits for oversize/overweight moves on an emergent need have been available after business hours through the state patrol manned ports of entry. Effective July 1, 2003, permits will no longer be available at these locations. A rule change, amending WAC 468-38-265, will be necessary to provide a process for making approved emergency moves after business hours.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Enforcement of the rule is the responsibility of the Washington State Patrol. The department will meet with the state patrol in order to get concurrence on the new process.

Process for Developing New Rule: Negotiated rule making, the new rule will be a negotiated product between the department, state patrol and the tow truck industry.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barry Diseth, Administrator, Motor Carrier Services, P.O. Box 47367, Olympia, WA 98504-7367, phone (360) 704-6346, fax (360) 704-6350.

May 20, 2003
John F. Conrad
Assistant Secretary
Engineering and Operations

WSR 03-11-085
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)

[Filed May 20, 2003, 4:17 p.m.]

Subject of Possible Rule Making: Chapter 388-533 WAC, Maternity-related services, MAA plans to codify the policy for the chemical-using pregnant (CUP) women program, which assists pregnant women in maintaining sobriety to ensure healthier birth outcomes by offering the following services to a pregnant woman and her fetus in a hospital setting: (1) Acute, medical detoxification; (2) stabilization; (3) medical, and (4) chemical dependency treatment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.800.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Client eligibility and provider requirements need to be included in rule.

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

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department 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 Kevin Sullivan, Rules Coordinator, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344, e-mail sullikm@dshs.wa.gov, fax (360) 586-9727, TDD 1-800-848-5429.

May 15, 2003

Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

WSR 03-11-086
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)

[Filed May 20, 2003, 4:18 p.m.]

Subject of Possible Rule Making: WAC 388-530-1300 Amendment requiring pharmacies to dispense the most "cost-effective" form of a drug.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.120, 74.09.200, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This change was recommended by the Payment Review Program Steering Committee.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington State Department of Health Board of Pharmacy will be asked to review drafts and comment.

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department 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 Myra Davis, Regulatory Improvement Program Manager, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1306, e-mail daviss@dshs.wa.gov, fax (360) 586-9727, TDD 1-800-848-5429.

May 15, 2003

Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

WSR 03-11-087
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed May 20, 2003, 4:20 p.m.]

Subject of Possible Rule Making: Revising WAC 388-310-0800 Support services and related sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 78.08A.340, 74.04.050, and 74.04.057.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To stay within the budget allocation for support services changes to what is offered and the limits for each service are being considered.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file proposed rules with the Office of Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ian Horlor, phone (360) 413-3247, fax (360) 413-3495, e-mail horloit@dshs.wa.gov.

May 20, 2003

Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

WSR 03-11-088
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services Administration)
 [Filed May 21, 2003, 8:16 a.m.]

Subject of Possible Rule Making: WAC 388-71-0194 Home and community services, nursing services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: HB 1621 amends RCW 74.09.520, changing the existing requirement that "plans of care must be reviewed by a nurse," to allow for targeted review. This requires a change to WAC 388-71-0194.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file proposed rules with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by commenting to Kristi Knudsen, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2537, fax (360) 438-8633, Knudskl@dshs.wa.gov.

May 20, 2003
 Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

WSR 03-11-089
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed May 21, 2003, 8:17 a.m.]

Subject of Possible Rule Making: The department's Division of Employment and Assistance Programs plans to amend WAC 388-436-0002 If my family has an emergency, can I get help from DSHS to get or keep our housing or utilities? The amendments will change the payment limit and number of allowable issuances under the additional requirements for emergent needs (AREN) program.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The revisions are needed to ensure that the department serves as many needy families as possible without overspending AREN allotments.

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

Process for Developing New Rule: DSHS welcomes the public to take part in the development of rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file this proposed rule with the Office of the Code Reviser for public comment. A copy of the proposed rule will be sent to all persons who are on the mailing list or requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Amber Gillum, Program Manager, Division of Employment and Assistance Programs, Lacey Government Center, P.O. Box 45470, Olympia, WA 98504-4570, phone (360) 413-3089, fax (360) 413-3483, e-mail gil-luae@dshs.wa.gov.

May 20, 2003
 Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

WSR 03-11-090
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Children's Administration)
 [Filed May 21, 2003, 8:18 a.m.]

Subject of Possible Rule Making: Amending WAC 388-27-0120, 388-27-0130, 388-27-0135, 388-27-0155, 388-27-0160, 388-27-0165, 388-27-0175, 388-27-0190, 388-27-0195, 388-27-0200, 388-27-0210, 388-27-0215, 388-27-0220, and related sections. Repealing WAC 388-27-0225, 388-27-0235, 388-27-0240, 388-27-0245, 388-27-0270, and related sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.13.031.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Purpose is to comply with legislative directions to control rate and reimbursement decisions with families adopting special needs children by maximizing use of federal funds. Rules must also be consistent with federal law (42 U.S.C. 671 - 675).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Health and Human Services Title IV-E, Adoption Assistance Program.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file proposed rules with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DSHS welcomes the public to take part in review of the rules to make recommendations for revisions. Public meetings will be held at yet to be announced locations. Contact person is Lonnie Locke, Children's Administration, P.O.

Box 45710, Olympia, WA 98504-5710, phone (360) 902-7932, fax (360) 902-7903.

May 20, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit



WSR 03-10-060
PROPOSED RULES
WASHINGTON STATE UNIVERSITY

[Filed May 5, 2003, 10:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-07-010.

Title of Rule: Standards of conduct for students.

Purpose: Clarifies existing standards of conduct for students in accordance with board of regents directive.

Statutory Authority for Adoption: RCW 28B.30.150.

Summary: Clarifies existing standards of conduct for students in accordance with board of regents directive.

Reasons Supporting Proposal: Reorganizes and clarifies existing standards of conduct for students in accordance with board of regents directive.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Elaine Voss, Associate Dean of Students, Office of Student Affairs, Lighty 360, Pullman, Washington 99164, (509) 335-4531.

Name of Proponent: Office of Student Affairs, Washington State University, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Clarifies existing standards of conduct for students in accordance with board of regents directive.

Proposal Changes the Following Existing Rules: Removes right of appeal for multiple violations of drug/alcohol policy. Requires sanctioned students to have drug/alcohol assessment. Makes students on disciplinary probation ineligible for elected office, some campus jobs and service on University Conduct Board.

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.

Hearing Location: Washington State University, Lighty Student Services Building, Room 403, Pullman, Washington 99164, on June 24, 2003, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Deborah Bartlett by June 20, 2003, dbartl@wsu.edu, (509) 335-2005.

Submit Written Comments to: Deborah Bartlett, Washington State University, Office of Procedures and Forms, P.O. Box 641225, Pullman, WA 99164-1225, by June 20, 2004 [2003].

Date of Intended Adoption: July 10, 2003.

May 6, 2004 [May 2, 2003]

Kirsten Pauli

Rules Coordinator

WASHINGTON STATE UNIVERSITY: STANDARDS
OF CONDUCT FOR STUDENTS

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-001 Terms of enrollment. Washington State University ((is guided by a commitment to excellence.

~~The university~~)) aims to create an environment that cultivates individual virtues and institutional integrity in the university community. The mission of the university is supported when students take responsibility for their conduct both in and out of the classroom. Under the terms of enrollment, students acknowledge the university's authority to take disciplinary action for conduct on or off university property ((that is)). Off-campus conduct may be addressed when it is detrimental to the university's mission.

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

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 504-25-004	Scope of the standards of conduct.
WAC 504-25-012	Effect of alcohol or drugs.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-025 Sexual offenses. (1) Sexual offenses of any kind, including, but not limited to acquaintance rape, indecent liberties, assault of a sexual nature, and/or other unwanted sexual contact are prohibited.

(a) Rape is defined under state law ((as)) as sexual intercourse with a person who did not consent by his or her words or conduct. Consent to sexual activity means actual words or conduct indicating the person has freely and voluntarily agreed to have sexual intercourse.

(i) Silence or mere passivity from a state of intoxication or unconsciousness does not imply consent to sexual intercourse.

(ii) Lack of consent is implied if violence is threatened or used.

(b) Indecent liberties means knowingly causing sexual contact with a person by forcible compulsion or when the person is incapable of consent by reason of mental defect, mental incapacitation, or physical helplessness. Sexual contact is defined as any nonconsensual touching of the sexual or other intimate parts of a person done for the purpose of gratifying the sexual desire of either party.

(c) The university prohibits sexual contact when such contact amounts to assault under Washington law. Assault includes harmful and offensive contact with another person.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-030 Physical ((assault)) abuse or threatened physical ((assault)) abuse. ~~((No person may intentionally strike, shove, hit, punch, kick or otherwise subject))~~ Attempting or causing injury to an individual is prohibited. Causing or provoking physical contact with another ((person to physical contact, or threaten bodily harm without the consent of the person)) is prohibited when the person

knows or should reasonably believe that the other person will consider the contact offensive.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-035 Hazing is prohibited. ~~((+))~~ (1) No student or other person enrolled at Washington State University may conspire to engage in hazing or participate in hazing of another.

(a) Hazing includes any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily danger, physical harm, or serious mental or emotional harm to any student or other person attending a public or private institution of higher education or other postsecondary educational institution of higher education or other postsecondary educational institution in this state.

(b) Hazing does not include customary athletic events or other similar contests or competitions.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-040 Harassment. ~~((Intentional-e))~~ Conduct ~~((directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and serves no legitimate or lawful purpose))~~ by physical, verbal, graphic, written, or electronic means that is sufficiently severe, pervasive or persistent so as to threaten an individual or limit the individual's ability to work, study or participate in the activities of the university is prohibited.

NEW SECTION

WAC 504-25-043 Abuse of self or others. Prohibited behavior includes but is not limited to:

(1) Inflicting mental or bodily harm upon any person (including one's self);

(2) Engaging in any intentional or reckless action that may result in mental or bodily harm (including to one's self);

(3) Causing a person to believe that the offender may cause mental or bodily harm.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-050 Alcohol. ~~((+))~~ Illegal use, manufacture, possession, or sale of intoxicating beverages is prohibited by local, state, and federal law.

~~((2))~~ Consumption, possession, sale, or distribution of alcohol by students in public areas of any university-owned or controlled property or at university functions must comply with all local, state and federal laws.

NEW SECTION

WAC 504-25-051 Effect of alcohol or drugs. Any conduct that may have been influenced by alcohol or drugs will

not limit or excuse the student's responsibility for his or her action.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-085 Computer abuses. Conduct that violates the university's electronic use policy is prohibited and includes:

(1) Copying university-owned or licensed software or data for personal or external use without prior approval;

(2) Copying another computer user's software or data without permission of its owner, even if it is readily accessible by electronic means;

(3) Knowingly accepting or using software or data which has been obtained by unauthorized means.

(4) Modifying or damaging, attempting to modify or damage, computer equipment, software, ~~((data-bases))~~ data-bases, or communication~~((s))~~ lines without permission;

(5) Disrupting or attempting to disrupt computer operations;

(6) Invading the privacy of an individual by using electronic means to ascertain confidential information, even if an individual or department inadvertently allows access to such information;

(7) Abusing or harassing another computer user through electronic means;

(8) Using the university's computing facilities in the commission of a crime;

(9) Using computer services without authorization;

(10) Allowing another individual to use one's computer identity/account or using another individual's computer identity/account.

(a) This includes, but is not limited to, logging on to the account, accessing programs, and reading or altering computer records. The university, through information technology, must authorize and allocate time on the mainframe computers.

~~((11) Violation of any written policy, regulation or law concerning use of computers.)~~

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-137 Misuse of keys or access cards. Unauthorized possession, ~~((duplication, or use of keys or cards that permit access to any))~~ including but not limited to lending, selling, processing, duplicating, or using university-~~((related services, housing, vehicles, or premises))~~ issued key or access card is prohibited.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-138 Misuse of ~~((university-issued student))~~ identification. Unauthorized possession~~((, including but not limited to lending, selling, processing, duplicating,))~~ or ~~((using))~~ use of university- or state-issued ~~((student))~~ identification is prohibited, which includes but is not limited to: lending, selling, processing, or duplicating the identification.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-200 Disciplinary action. The university's disciplinary process is educational, but ~~((sanctions))~~ students can be suspended or dismissed for serious violations ~~((can include temporary or permanent dismissal from the university))~~ of the standards of conduct. University disciplinary action is independent of any civil or criminal proceeding and is not influenced by the outcome of those proceedings. The university shall address allegations of student misconduct in a timely manner in its sole discretion.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-201 Student rights. (1) A student or student organization that has allegedly violated the standards of conduct has the following rights:

- (a) The right to notice and the basis for the allegation.
- (b) The right to remain silent and not incriminate oneself if the allegation may lead to criminal liability.
- (c) The right to a hearing.
- (d) The right to seven calendar days' notice prior to a hearing (the student may waive this notice period).
- (e) The right to present written information to the university officer or the conduct board prior to the hearing, including signed witness statements.
- (f) The right to consult an adviser and have one adviser present at the hearing. The adviser may advise the student or student organization during the hearing, but is not permitted to directly address the university officer or the conduct board. The adviser is prohibited from examining witnesses.
- (g) The right to one ~~((administrative))~~ appeal. However, no appeal is available if the conduct board finds the student responsible for multiple violations of the university's drug/alcohol policy.
- ~~((h) The right to seek judicial review in a court of law after the university enters its final order.))~~

(2) A student or student organization has the following additional rights if the conduct board hears the matter:

- (a) The right to request the removal of a conduct board member for prejudice. The request must be made in writing and support the basis for the alleged prejudice.
- (b) The right to review any written material to be presented to the conduct board at least 48 hours prior to the hearing, including the names of witnesses expected to testify. Any new information or evidence shall be released to the accused student or student organization within 24 hours of receipt.
- (c) The right to hear the testimony of all witnesses.
- (d) The right to question witnesses ~~((by submitting written questions))~~ subject to the chairperson's discretion.
- (e) The right to have an audio recording made of the hearing.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-205 Types of hearings. (1) An administrative hearing is an informal process conducted by a university officer ~~((that will not result in suspension or dismissal)).~~

(2) Conduct board hearings are more formal proceedings that may result in suspension, dismissal or loss of a student organization's recognition or charter.

(3) Student conduct hearings are conducted as brief adjudicative proceedings pursuant to RCW 34.05.482 through 34.05.494

(4) Two or more students or organizations may be required to participate in a joint hearing if they are alleged to have taken part in the same incident, act, event, or series of related acts.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-215 University officer, conduct board, and appeal board. (1) The university officer is a student affairs staff member or a graduate assistant in the office of student affairs.~~(())~~

(2) ~~(())~~ The vice president for student affairs appoints the university conduct board members ~~((are recommended by the vice president for student affairs and appointed by the president of the university)).~~ This board is generally composed of two faculty members, two students, and a faculty or staff chairperson. The chairperson is appointed by the vice president for student affairs and conducts the proceedings.

(3) In matters involving an academic integrity violation, the faculty members shall be teaching faculty. If the accused student is a graduate student, at least one graduate student shall be on the conduct board.

(4) The appeal board is composed of three university administrators appointed by the vice president ~~((of the university))~~ for student affairs.

(5) ~~((All university officers and hearing board members shall be impartial.))~~ All university officers and hearing board members shall be impartial.

(a) Impartial means the person is not personally involved in the alleged act or does not have a personal interest in the outcome of the disciplinary proceeding.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-222 Preliminary conference. (1) The preliminary conference is an opportunity to evaluate the student's or student organization's alleged involvement in the matter. The university officer shall:

- (a) Inform the student of the nature of the complaint;
- (b) Educate the student about the university's disciplinary process;
- (c) Notify the student of his or her rights and responsibilities; and
- (d) Encourage the student to submit a written explanation of the alleged incident.

(2) ~~((If a student or student organization admits responsibility for the alleged incident and the violation will not result in suspension or expulsion, t))~~ The student or student organization may waive the notice requirement and resolve the matter with a university officer ~~((at that time))~~.

~~((3) If there is no admission of responsibility, the matter will be set for a administrative or conduct board hearing.))~~

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-224 Service of notice. (1) Notice of a hearing with a university officer or the conduct board is sent by regular mail and/or electronic mail (:

~~(2) Notice of a conduct board hearing is sent by certified mail return receipt requested and by regular mail))~~ to the student's or student ~~((or))~~ organization's last known local address. If the student is no longer enrolled at the time notice is sent, the notice is sent to the student's permanent address.

~~((3))~~ (2) The student or student organization is responsible for keeping an updated address on file.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-226 Administrative hearing. (1) Administrative hearings are informal hearings conducted by a university officer.

(a) The university officer has the sole discretion to send the matter to a conduct board at any time before a ~~((an initial order))~~ decision is issued. A student may request that a conduct board hear the case, but the final decision on the matter is made by the university officer and is not subject to appeal.

(2) If the student or student organization fails to appear at a hearing after proper notice, the university officer has the discretion to proceed in the student or organization's absence and determine responsibility and appropriate sanctions.

(3) The hearings are closed to the public in conformity with federal privacy law.

(4) The administrative hearing is not a legal proceeding.

(5) The university officer is not bound by the rules of evidence and may admit any relevant information, but shall exclude immaterial or unduly repetitious information. A student's adviser is not permitted to directly address the university officer.

(6) The university must prove the allegation by a preponderance of the evidence.

(a) Preponderance of the evidence means evidence that would lead a reasonable person to conclude that it is more likely than not that a violation occurred.

(7) A hearing may be continued to another time if any person disrupts the proceedings.

(8) At the conclusion of the hearing the student is informed in writing of the university officer's decision, the reasons for the decision, the sanction, and the right to appeal the decision.

(9) The written decision is the initial order. ~~((Any sanction imposed is effective from the date of the initial order.))~~

(10) If the student does not appeal the university officer's ~~((initial))~~ decision within twenty-~~((five))~~ one calendar days

from the date of the decision letter, it becomes the university's final order.

(11) Administrative hearing decisions involving individual students are confidential. However, the university may disclose the outcome of a disciplinary decision in compliance with the Family Educational Right to Privacy Act (FERPA) under the following exemptions:

(a) Disclosure to other university officials with a legitimate educational interest;

(b) Disclosure to an alleged victim of any crime of violence;

(c) Disclosure in connection with a health or safety emergency; and

(d) Future exemptions that may apply as amended by federal law. Students will be notified annually of any new exemptions that may apply.

(12) The university officer shall keep a written record of the hearing. This record shall include all documents relevant to the university officer's decision.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-227 Administrative hearing appeal. (1) ~~((Any student or student organization found responsible for a violation of the standards of conduct has the right to one appeal.))~~ The appeal is a review of the record and the appeal letter~~((;))~~; it not a new hearing.

(2) The university officer's written decision is the university's initial order.

(3) The university officer's ~~((initial order))~~ decision may be appealed to the vice president for student affairs or designee.

(4) If the student does not appeal the university officer's ~~((initial))~~ decision within twenty-~~((five))~~ one calendar days from the date of the decision letter, it becomes the university's final order.

(5) An appeal letter shall be in writing and filed with the office of student affairs. The university officer may ~~((also submit))~~ address the appeal letter by submitting a written ~~((arguments on behalf of))~~ response to the reviewing official. ~~((t))~~ The university officer's response, if any, will be copied to the appellant.

~~((On))~~ The appeal ~~((the student must prove that he or she is not responsible for a violation.~~

~~((7))~~ letter shall clearly state the basis for appeal. The following shall be the basis for an appeal:

(a) ~~((A))~~ The university's disciplinary process was not properly followed and that procedural error ~~((that materially))~~ would have substantially affected the decision;

(b) New information not ~~((previously))~~ available at the time of the hearing ~~((that))~~ would have ~~((materially))~~ substantially affected the decision;

(c) There was not enough evidence to justify the decision ~~((was not supported by substantial evidence)).~~

~~((d) The standards of conduct do not apply to the alleged violation.))~~

~~((e))~~ d) The sanction ~~((is))~~ was too severe or inappropriate for the violation.

~~((8))~~ (7) The student bears the burden of proof on appeal.

(a) Burden of proof means the student or student organization must prove he, she, or it is not responsible for the violation of the standards of conduct.

~~((9))~~ (8) The vice president for student affairs or designee shall review the record and make one of the following determinations within twenty calendar days from the date of the appeal letter:

(a) Affirm the ~~((conduct board))~~ university officer's decision;

(b) Reverse the ~~((conduct board))~~ university officer's decision;

(c) Affirm, reverse or modify the sanctions imposed by the ~~((conduct board))~~ university officer.

~~((10))~~ (9) The ~~((university appeals board's))~~ decision letter is the university's final order and shall advise the student or student organization ~~((of the right to))~~ that judicial review may be available.

~~((a) The request for judicial review of a final university order must be filed with the court within thirty five calendar days of the date of the university appeals board's decision letter.)~~

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-228 Conduct board hearing. (1) Conduct board hearings are more formal proceedings that may result in suspension or dismissal. The student or student organization is responsible for presenting his, her, or its own case.

(a) A student may request an administrative hearing, but the final decision on the matter is made by the university officer and is not subject to appeal.

(2) If the student or student organization fails to appear at a hearing after proper notice, the university conduct board has the discretion to proceed in the student or student organization's absence and determine responsibility and appropriate sanctions.

(3) The hearings are closed to the public in conformity with federal privacy law.

(4) The conduct board hearing is not a legal proceeding.

(5) The conduct board is not bound by the rules of evidence and may admit any relevant information, but shall exclude immaterial or unduly repetitious questions or information.

(6) The university and the student or student organization have the right to ~~((have))~~ verbally examine witnesses ~~((testify))~~ about the alleged incident~~((-)), but the chairperson has the authority to limit a party to written questions. A student adviser may consult with the student or student organization during the hearing, but is not permitted to directly address the conduct board. The adviser is prohibited from examining witnesses.~~

(7) The university must prove the allegation by a preponderance of the evidence.

(a) Preponderance of the evidence means evidence that would lead a reasonable person to conclude that it is more likely than not that a violation occurred.

(b) The conduct board's decision is made by a simple majority vote.

~~((8) Conduct board hearings are generally held between the hours of 5:00 p.m. and 10:00 p.m. Deliberations may continue after 10:00 p.m. at the discretion of the board.~~

~~((9) The chairperson presides over the hearing and may recess a hearing or order a continuance on a different day and time as the circumstances may require.~~

~~((10) The student or student organization may request a recess, but recesses should be kept short and to a minimum. The chairperson may approve or deny a request for a recess.~~

~~((11))~~ (8) Any person may be excluded from the proceeding for disruptive behavior.

~~((12))~~ (9) The decision process is closed to everyone except the members of the conduct board. In some cases, an assistant attorney general may advise the conduct board on procedural matters.

~~((13))~~ (10) Conduct board decisions involving individual students are confidential. However, the university may disclose the outcome of a disciplinary decision in compliance with the Family Educational Right to Privacy Act (FERPA) under the following exemptions:

(a) Disclosure to university officials with a legitimate educational interest;

(b) Disclosure to an alleged victim of any crime of violence;

(c) Disclosure is in connection with a health or safety emergency; and

(d) Future exemptions that may apply as amended by federal law. Students will be notified annually of any new exemptions that may apply.

~~((14))~~ (11) Decisions involving student groups or living groups may be disclosed to the public pursuant to a Public Records request without violating individual students' privacy rights.

(a) Personally-identifiable student information shall be redacted.

~~((15))~~ (12) The student or student organization may be informed of the outcome of the hearing prior to receiving written notification.

~~((16))~~ (13) The student or student organization shall be notified of the conduct board's decision within ten calendar days from the date the matter is heard (if the university is not in session, this period may be reasonable extended). The student or student organization shall receive written notice of the decision, the reasons for the decision, the sanction, and the right to appeal.

~~((17))~~ (14) ~~((W))~~ The conduct board's written ~~((notice of the))~~ decision is sent by ~~((certified and))~~ regular and/or electronic mail to the student's or the president of the student organization's last known address.

~~((18))~~ (15) The written decision is the university's initial order. ~~((Any sanction imposed is effective from the date of the initial order.))~~

~~((19))~~ (16) If the student or student organization does not appeal the conduct board's decision within twenty-~~((five))~~one calendar days from the date of the decision letter, it becomes the university's final order.

~~((20))~~ (17) The conduct board hearing record shall include:

- (a) All documents relevant to the conduct board's decision, and
- (b) An audio recording of the proceedings.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-229 Conduct board appeal. (1) ~~((Any student or student organization found responsible for a violation of the standards of conduct has the right to one appeal.))~~ The appeal is a review of the record and the appeal letter, it is not a new hearing. No appeal is available if the conduct board finds the student responsible for multiple violations of the university's drug/alcohol policy.

(2) The conduct board's written decision is the university's initial order.

(3) The university conduct board's ~~((initial order))~~ decision may be appealed to the university appeal board.

(4) If the student does not appeal the conduct board's ~~((initial order))~~ decision within twenty-~~((five))~~one calendar days from the date of the decision letter, it becomes the ~~((final))~~ university's final order.

(5) An appeal letter shall be in writing and filed with the office of student affairs. The university officer may ~~((also submit))~~ address the appeal letter by submitting a written ((arguments on behalf)) response to the board. ~~((of+))~~ The university officer's response, if any, will be sent to the appellant.

(6) The following shall be the basis for an appeal:

(a) ~~((A))~~ The university's disciplinary process was not properly followed and that procedural error ((that materially)) would have substantially affected the decision;

(b) New information not ((previously)) available at the time of the hearing ((that)) would ((materially)) have substantially affected the decision.

(c) There was not enough evidence to justify the decision ((was not supported by substantial evidence));

(d) The standards of conduct do not apply to the alleged conduct.

(e) The sanction ~~((is))~~ was too severe or inappropriate for the violation.

(7) The student bears the burden of proof. Burden of proof means the student must prove they are not responsible for the violation of the standards of conduct.

(8) The university appeal board shall review the record and make one of the following determinations:

(a) Affirm the conduct board's decision;

(b) Reverse the conduct board's decision;

(c) Affirm, reverse or modify the sanctions imposed by the conduct board.

(9) The student or student organization shall be notified of the appeal board's decision within ~~((ten))~~ twenty calendar days from the date ~~((the matter is heard))~~ of the appeal letter. The university appeal board's decision letter is the final order and shall advise the student or student organization ~~((of the right to))~~ that judicial review may be available.

~~((a))~~ The request for judicial review of a final university order shall be filed with the court within thirty-five calendar days of the date of the university appeal board's decision letter.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-230 Sanctions. ~~((+))~~ Any of the following sanctions or any combinations of sanctions may be imposed on a student or student organization for a violation of the standards of conduct. ~~((Sanctions imposed by the university officer or university conduct board are effective from the date of the initial order.))~~

~~((a))~~ (1) Warning. A letter notifying the student that the allegation is not a violation under the standards of conduct, but repeated behavior may result in a violation.

~~((b))~~ (2) Education((at project)). The university has the discretion to require the student ~~((is required))~~ to seek specific education or complete an educational project designed to create an awareness ~~((about))~~ of the student's ~~((behavior))~~ misconduct.

(3) Assessment. The student is required to have an alcohol and/or drug assessment by a certified professional and to comply with the professional's recommendations.

~~((c))~~ (4) Community service((+)). Assignment of labor or responsibilities to any student or student organization within the university or local community may be imposed up to a maximum of eighty hours per student or per member of an organization.

~~((d))~~ (5) Disciplinary probation. Disciplinary probation means formal conditions are imposed on a student's continued attendance at the university for a specific period of time. Disciplinary probation serves as a warning that future misconduct may result in more severe sanctions. Students on disciplinary probation are not eligible to run for or hold office in any student groups or organizations (although they can be members of any group or organization); they are not eligible for certain jobs on campus (including but not limited to resident advisor or orientation counselor), and they are not eligible to serve on the University Conduct Board.

~~((e))~~ (6) Restitution. Restitution may include reimbursement for damaged or stolen property and any medical expenses incurred by a person injured as a result of the student's or student organization's misconduct.

~~((f))~~ (7) No contact order. This may include a prohibition of direct or indirect physical and/or verbal contact with another individual or group.

~~((g))~~ (8) Loss of privileges. Loss of the right to reside in a specific housing unit or in any university-owned or approved housing, or loss of the right to participate in extracurricular activities for a specific period of time.

~~((h))~~ (9) Loss of recognition or charter. A student organization's recognition or charter may be withheld permanently or for a specific period of time. A fraternity or sorority may be prohibited from housing freshmen.

~~((i))~~ (10) Hold on transcript and/or registration. This is a temporary measure restricting release of a student's transcript or access to registration. Upon satisfactory completion of the conditions of the sanction, the hold shall be released.

~~((j))~~ (11) Revocation of degree. A student's degree may be revoked if it was falsely or fraudulently obtained, or if the student was dismissed from the university based on his or her misconduct.

~~((4))~~ (12) Suspension. The student is suspended for a specific period of time. ~~((Upon satisfactory completion of stated conditions, reinstatement shall be granted.))~~ A student may be excluded from specific areas of campus for safety reasons. Upon satisfactory completion of stated conditions, the university may grant reinstatement at its discretion.

(a) The suspension is effective immediately if the conduct board determines that the student poses a safety risk to himself/herself or to the university community.

(b) Students shall be automatically suspended for a minimum of one semester for multiple violations of the university's alcohol/drug policy.

~~((4))~~ (13) Dismissal. The student's enrollment is immediately terminated. Dismissal means that a student's academic relationship with the university is permanently ended.

~~((4))~~ (14) Special sanctions for hazing. Pursuant to RCW 28B.10.902, additional sanctions will be imposed in cases where there is a finding of responsibility for hazing as provided in RCW 28B.10.900 and WAC 504-25-035 as amended:

(a) A person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships, or awards for a specific period of time.

(b) Any organization, association, or student living group that knowingly permits hazing to be conducted by its members or by others subject to its direction or control shall be deprived of any official recognition or approval granted by Washington State University.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 504-25-231 Reconsideration of final orders.

AMENDATORY SECTION (Amending WSR 02-15-075, filed 7/15/02, effective 8/15/02)

WAC 504-25-245 Records. (1) Disciplinary records will be maintained for a minimum of seven years in accordance with the university's retention schedule.

(2) The disciplinary record is confidential.

(3) A student may request a copy of his or her own disciplinary record at his or her own reasonable expense by making a written request to the office of student affairs.

(a) Personally-identifiable student information shall be redacted to protect another student's privacy rights.

(4) A student may authorize the release of his/her own disciplinary record to a third party in compliance with the Federal Educational Rights and Privacy Act (FERPA) by making a written request to the office of student affairs.

(a) Identifying student information shall be redacted to protect another student's privacy rights.

(5) The university may inform an alleged victim of the outcome of any disciplinary proceeding involving a crime of violence as defined by Federal Educational Rights and Privacy Act (FERPA).

(6) The university may not communicate a student's disciplinary record to any person or agency outside the university without the prior written consent of the student, except as required or permitted by law.

(a) The student's parents or legal guardians may review ~~((these records))~~ ~~[a student's disciplinary record])~~ these records if the student is a minor or a dependent for tax purposes as defined by the Federal Educational Rights and Privacy Act (FERPA).

(b) The university provides annual notification of a student's privacy rights in accordance with federal law.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-310 Definitions. (1) Academic dishonesty. Academic dishonesty includes cheating, falsification, fabrication, multiple submission, plagiarism, abuse of academic materials, complicity, or misconduct in research, all of which are defined below.

(2) Cheating. Cheating is the intentional use of, or attempt to use, unauthorized material, information, or study aids in any academic activity to gain advantage. Cheating includes, but is not limited to, communicating improperly with others, especially other students, during tests or the preparation of assignments for classes; copying from books, notes or other sources during a test when this is not permitted; copying from another student's work (reports, laboratory work, computer programs, files, etc.); making improper use of calculators or other devices during a test; illegitimately procuring or using copies of current examinations; allowing a substitute to take an examination or write a paper for oneself.

(3) Falsification. Falsification is the intentional and unauthorized alteration of information in the course of an academic activity. Falsification includes, but is not limited to, altering the record of data, experimental procedures, or results; falsely describing the source of information (e.g., reproducing a quotation from a book review as if it had been obtained from the book itself); altering academic records; altering a returned examination paper and then seeking a higher grade based on the result.

(4) Fabrication. Fabrication is the intentional invention or counterfeiting of information in the course of an academic activity without proper authorization. Fabrication includes, but is not limited to, counterfeiting data, research results, information, or procedures with inadequate foundation in fact; counterfeiting a record of internship or practicum experiences; submitting a false excuse for absence or tardiness.

(5) Multiple submission. Multiple submission includes, but is not limited to, submitting the same paper or oral report for credit in two courses without the responsible instructor's permission; making minor revisions in a paper or report for which credit has already been received and submitting it again as a new piece of work.

(6) Plagiarism. Plagiarism is knowingly representing the work of another as one's own, without proper acknowledg-

ment of the source. The only exceptions to the requirement that sources be acknowledged occur when the information, ideas, etc., are common knowledge. Plagiarism includes, but is not limited to, submitting as one's own work the work of a "ghost writer" or work obtained from a commercial writing service; quoting directly or paraphrasing closely from a source without giving proper credit; using figures, graphs, charts, or other such material without identifying the sources.

(7) Abuse of academic materials. Abuse of academic materials occurs when a student intentionally or knowingly destroys, steals, mutilates, or otherwise makes inaccessible library or other academic resource material that does not belong to him or her. Abuse of academic materials includes, but is not limited to, stealing, destroying, or mutilating library materials; stealing or intentionally destroying another student's notes or laboratory data; hiding resource materials so others may not use them; destroying computer programs or files needed in others' academic work; copying computer software in ways that violate the terms of the licensing agreement that comes with the software.

(8) Complicity in academic dishonesty. A student is guilty of complicity in academic dishonesty if he or she intentionally or knowingly helps or attempts to help another or others to commit an act of academic dishonesty of any of the types defined above. Complicity in academic dishonesty includes, but is not limited to, knowingly allowing another to copy from one's paper during an examination or test; distributing test questions before the time scheduled for the test; collaborating on academic projects when students are expected to work independently; taking a test for another student(=); or signing a false name on a piece of academic work.

(9) Misconduct in research. Graduate and undergraduate students on research appointments for the university are responsible for compliance with the university's *Policy and Procedural Guidelines for Misconduct in Research and Scholarship* found in the faculty manual(=under the title of "Faculty Code of Professional Ethics.="). Misconduct in research is treated as academic dishonesty.

(10) Responsible instructor. The responsible instructor in the academic integrity process is the person who assigns the grades, supervises students' work, or is responsible for teaching operations in the course of study in which the alleged violation occurred. The term "responsible instructor" can include, but is not limited to, instructors, graduate assistants, another instructor, and clinical supervisors. If the conduct does not relate to a particular course, the role of instructor for these procedures may be a department chair or academic advisor.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-315 Academic integrity processes. (1) Every act of academic dishonesty affects academic evaluation of the student and also is a violation of the university's standards of conduct. Responsible instructors retain the authority and responsibility to assign grades to students, considering from an academic standpoint the nature of the stu-

dent's action. This is the case even when the case is referred to the university academic integrity process. Students have recourse to appealing the responsible instructor's assignment of grades according to usual academic policy. See academic regulation 104.

(2) All clear instances of academic dishonesty shall be reported to the office of student ((affairs)) conduct as outlined in WAC 504-25-335(2). The first reported instance at WSU of academic dishonesty by a student will be treated as purely an academic matter unless, in the judgment of the responsible instructor, more serious action should be taken through the disciplinary process. Any allegation of subsequent academic dishonesty will be treated as a matter to be referred to the office of student ((affairs)) conduct.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-320 Reports of academic dishonesty. Any member of the university community who witnesses an apparent act of academic dishonesty shall report the act either to the instructor responsible for the course or activity or to the office of student ((affairs)) conduct.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-325 ((Judicial)) Conduct officer and hearing boards. (1) ((Judicial)) Conduct officer. ((Judicial)) Conduct officers are assistants in the office of student ((affairs)) conduct and serve as the investigators and prosecutors. ((Judicial)) Conduct officers are appointed for each Washington State University campus. The ((judicial)) conduct officer for a particular case prepares the case and the materials after notification of a violation by an instructor. The ((judicial)) conduct officer also serves as the secretary ((of the academic integrity)) for conduct board hearings.

(2) ((Academic integrity-e)) Conduct board. The ((academic integrity)) conduct board ((is a subcommittee of the university conduct board whose)) members are ((recommended)) appointed by the vice((-provost)) president for ((academic)) student affairs ((and appointed by the president)). ((The academic integrity conduct board shall consist of at least five teaching faculty and four students.)) A hearing panel comprised of three faculty and two student members of the ((academic integrity)) conduct board will hear all cases regarding academic dishonesty in which a finding of responsibility could result in expulsion or suspension. In a case involving allegations of misconduct in research by a graduate student, at least one member shall be a member of the graduate faculty.

(3) ((Academic integrity-e)) Conduct board chair. One faculty member of the ((academic integrity)) conduct board shall be appointed the chair by the vice president for student affairs. ((The chair shall serve on all academic integrity conduct board hearing panels.))

(4) Faculty hearing officers. Faculty hearing officers are faculty members of the ((academic integrity)) conduct board. Faculty hearing officers are appointed for each Washington State University campus. A case may be heard by a faculty

hearing officer when, in the judgment of the university ((~~judicial~~)) conduct officer, the offense is such that the sanction to be imposed shall not include suspension or expulsion.

(5) University appeals board. The university appeals board hears appeals of action taken by the ((~~academic integrity~~)) conduct board in accordance with WAC 504-25-360.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-330 Acts of academic dishonesty that violate the conduct regulations and the academic integrity standards. Whenever the ((~~judicial~~)) conduct officer determines that an alleged violation could constitute a violation of both the conduct regulations, chapter 504-25 WAC, Part I, and the academic integrity standards, chapter 504-25 WAC, Part III, the alleged violation will be handled under the procedures of chapter 504-25 WAC, Part II. The ((~~judicial~~)) conduct officer shall assign such cases to either an administrative hearing officer or the university conduct board in the manner described in WAC 504-25-210.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-335 Academic integrity procedures. (1) Initial evaluation of evidence.

(a) A responsible instructor assembles the available evidence when he or she acquires evidence of a student violation of the academic integrity standards. The instructor determines whether the case warrants further investigation or action.

(b) In cases of misconduct in research by students, the initial evaluation will be conducted in accordance with the university's policy on misconduct in research. If it is determined that misconduct has occurred, the matter will be referred to the office of student ((~~affairs~~)) conduct. Referral to student ((~~affairs~~)) conduct does not affect the ability of the university independently to terminate employment if the misconduct relates to the student's appointment.

(2) Grading by instructor((~~—referral for—conduct action~~)). If the responsible instructor finds that a violation of academic integrity has occurred, the instructor should proceed to assign a grade, or take other appropriate action, considering the academic nature of the violation.

The instructor shall notify the office of student ((~~affairs~~)) conduct of any finding that a violation has occurred. The office of student ((~~affairs~~)) conduct shall notify the instructor of whether or not the alleged violation is a first offense.

If the violation is a first offense, the office of student ((~~affairs~~)) conduct will take no additional action, unless the instructor deems the violation serious enough as to warrant further action. In such serious first offense cases, the office of student ((~~affairs~~)) conduct shall review the case and handle it according to the procedures set forth in this chapter.

If the offense is not a first violation, the office of student ((~~affairs~~)) conduct shall review the case and handle it according to the procedures set forth in this chapter.

If the responsible instructor's grade is appealed and a department chair((~~;~~)) or dean((~~;~~ ~~or the provost~~)) subsequently

finds that a violation did not occur, or that the academic sanction was too severe, ((~~this finding should be conveyed to the instructor. A~~)) a report shall be filed with the office of student ((~~affairs~~)) conduct indicating the finding ((~~and the accompanying action, if any~~)) or modified grade.

(3) University conduct process.

(a) The university ((~~judicial~~)) conduct officer for the campus where the violation occurred shall prepare cases for a hearing when an alleged violation of academic integrity standards is referred to the university conduct process.

(b) The university ((~~judicial~~)) conduct officer shall contact and interview the accused student.

(c) During the interview, the student is informed of the charge(s) and asked to make a written statement about the incident.

(d) The student is informed of the ((~~individual's~~)) rights and responsibilities in the academic integrity process.

(e) The ((~~judicial~~)) conduct officer may interview other people involved.

(f) Evaluation of the allegation.

(i) The ((~~judicial~~)) conduct officer may discontinue any investigation when the allegation is deemed to be without basis. Before discontinuing the investigation, the ((~~judicial~~)) conduct officer shall contact the responsible instructor.

(ii) In the event the ((~~judicial~~)) conduct officer finds there is any basis to the allegation, the student may be officially charged with violation of the standards of conduct.

(g) Assignment of the type of hearing.

(i) The ((~~judicial~~)) conduct officer will evaluate the seriousness of the charge and assign the case to either a faculty hearing officer or the ((~~academic integrity~~)) conduct board.

(ii) Any alleged violation which could result in suspension or expulsion shall be referred to the ((~~academic integrity~~)) conduct board, unless the student requests and is granted a hearing by a faculty hearing officer.

(iii) Every other violation shall be assigned to a faculty hearing officer at the campus where the student attends.

(h) Notice. When any student is charged by the ((~~judicial~~)) conduct officer with a violation of the academic integrity standards, the accused party must be notified at least seven calendar days in advance of the hearing. The notice must be in writing and include the following:

(i) The specific charges, citing the appropriate university policy or regulation allegedly violated;

(ii) The time and place of the alleged act(s) insofar as may be reasonably known; and

(iii) The time and place of the hearing.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-340 Rights of students charged with violations of the academic integrity standards. Students charged with violations of the academic integrity standards shall have the same rights afforded students in disciplinary procedures for violations of the standards of conduct. These rights are codified as WAC 504-25-((229))201.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-350 Hearing guidelines. The guidelines established for administrative hearings and hearings before the university conduct board for violations of standards of conduct shall apply for hearings of alleged violations of the academic integrity standards. These guidelines are codified in WAC 504-25-~~((225))~~226 and WAC 504-25-228.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-355 Sanctions. (1) The hearing officer or ~~((academic integrity))~~ conduct board may impose any of the following sanctions or any combination of the sanctions for violations of the academic integrity standards:

- (a) A formal warning.
- (b) Addition of a notation to the grade recommended by the instructor. The notation shall indicate that the student was found responsible for an act of academic dishonesty in the course for which the grade was given.
- (c) Academic assignment or other creative interventions designed to promote the ethical development of the student. Such assignments or interventions shall not be devised to embarrass or unduly burden the student.

(2) The ~~((academic integrity))~~ conduct board ~~((, or the hearing officer if the student has elected not to go before the board,))~~ may impose the following additional sanctions for violations of the academic integrity standards:

- (a) Suspension from the university for a specified interval of time.
- (b) ~~((Expulsion))~~ Dismissal from the university.

AMENDATORY SECTION (Amending WSR 95-07-001, filed 3/2/95, effective 4/2/95)

WAC 504-25-360 Appeals. (1) Who may appeal.

(a) Any student charged with any violation(s) of the academic integrity standards and found responsible for any violation(s) by a hearing ~~((panel))~~ board or administrative hearing officer is entitled to one administrative appeal.

(b) The ~~((judicial))~~ conduct officer, after consulting with the responsible instructor, is entitled to one administrative appeal when a student is found not responsible or the ~~((judicial))~~ conduct officer deems the sanction inappropriate.

(2) Types of appeals.

(a) Appeals of findings by a faculty hearing officer go to the vice-provost for academic affairs.

(b) Appeals of findings by the ~~((academic integrity))~~ conduct board go to the university appeals board. Membership of the university appeals board is defined by WAC 504-25-215.

(3) Procedure for filing an appeal.

(a) An appeal must be filed within twenty-one calendar days of the date the student received the decision.

(b) All requests to review decisions must be in writing and delivered to the ~~((vice provost for))~~ office of student affairs.

(c) The request must state the grounds for appeal.

(d) Students may request an appeal based on the following:

(i) There was a procedural error which ~~((materially))~~ substantively affected the decision;

(ii) New evidence has been found which was not previously available and which would have ~~((materially))~~ substantively affected the decision;

(iii) The decision was not supported by substantial evidence; or

(iv) The sanction is too severe or not appropriate.

(e) The ~~((judicial))~~ conduct officer may only request an appeal based on the following:

(i) The decision was not supported by substantial evidence; or

(ii) The sanction is too severe, not severe enough, or not appropriate.

(4) Appeal process.

(a) During the appeal process, the burden of proof shifts to the appealing party.

(b) The appeal is a review of the record of the hearing plus the letter of appeal, including any written argument(s) submitted by the appealing party and nonappealing party and a statement of the new evidence if that is the ground for the appeal.

(c) An appeal is not a new hearing.

(d) The vice-provost for ~~((student))~~ academic affairs or the university appeals board may permit oral argument. The student and the ~~((judicial))~~ conduct officer shall be notified at least three days in advance of the argument.

WSR 03-11-005

WITHDRAWAL OF PROPOSED RULES PERSONNEL RESOURCES BOARD

[Filed May 8, 2003, 3:08 p.m.]

The Washington Personnel Resources Board hereby withdraws the proposal for WAC 251-04-035 filed as WSR 03-07-059 on March 14, 2003.

If you have any questions, please contact Connie Goff at 664-6325.

Gene Matt
Secretary

WSR 03-11-006

PROPOSED RULES BIG BEND COMMUNITY COLLEGE

[Filed May 9, 2003, 10:11 a.m.]

Original Notice.

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

Title of Rule: Title 132R WAC, Community colleges—Big Bend Community College.

Purpose: To update and revise existing code to reflect the current college policies and procedures concerning the

organization, practice and procedure, student conduct code, student athletic participation, designation of authority, policies and procedures, general conduct code, traffic and parking regulations, use of college facilities, bookstore operating procedures, library policies, residence housing policies, public records, Family Educational Rights and Privacy Act of 1974, and policy of personnel files.

Statutory Authority for Adoption: RCW 28B.50.140 and chapter 34.05 RCW.

Summary: Update the college's outdated Title 132R WAC so it is consistent with current federal law, current college policies, and the current needs of students, administrators, faculty and staff.

Reasons Supporting Proposal: Update the code so it is consistent with current federal law and college policy as suggested by Attorney General's Office.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Michael Lang, 7662 Chanute Street, Moses Lake, WA 98837, (509) 762-6240.

Name of Proponent: Big Bend Community College, public.

Rule is necessary because of federal law, 34 C.F.R. § 99, Family Educational Rights and Privacy [Act].

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules and rule amendments to Title 132R WAC will update provisions related to the college's rules regarding the organization, practice and procedure, student conduct code, student athletic participation, designation of authority, policies and procedures, general conduct code, traffic and parking regulations, use of college facilities, bookstore operating procedures, library policies, residence housing policies, public records, Family Educational Rights and Privacy Act of 1974, and policy on personnel files. The proposed rules and amendments will help make the code consistent with current college policy and current federal law.

Proposal Changes the Following Existing Rules:

- New section of definitions pertaining to college operations.
- New section explaining jurisdiction.
- New section concerning the right to demand identification.
- Amended section defining freedom of expression.
- New section explaining student's freedom of access.
- New section defining student's freedom of association and organization.
- New section defining student's responsibility for observing laws, standards, rules, regulations, and procedures.
- Revision of student code of conduct.
- New section defining possible disciplinary sanctions for code of conduct violations.
- New section defining interim discipline.
- New section defining student petitions for readmission.
- New section defining the role of the faculty, division chairs, deans, and the vice-president of students in administering student discipline.
- New section describing disciplinary action procedures.
- New section reducing the size of the disciplinary committee from four students and four faculty to two student members and two faculty members.

- Amended sections defining disciplinary committee decisions and student appeals.
- New section governing the maintenance of disciplinary records.
- Amended the section providing directions for referring students for criminal prosecution.
- Amended the section defining the Big Bend Community College (BBCC) appointing authority and delegation of that authority.
- Amended the section defining exempt employees (changes to reflect current position titles).
- Amended traffic and parking violations to ban parking on the lawns and the use of skateboards, skates, and in-line skates.
- New and amended sections defining the uses of college facilities, commercial activities, guest speakers, distribution of materials, and posting of materials.
- New section to better define violations of trespass.
- Amended sections defining bookstore operations and the bookstore return and refund policy.
- Amended smoking restrictions to include all college owned buildings.
- Amended sections dealing with public records.
- Amended sections defining educational records and directory information to coincide with current federal laws and to better define the authority to distribute those records.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A statement was not prepared because the proposed rules and amendments appear to meet the exemption provided in RCW 34.05.310.

RCW 34.05.328 does not apply to this rule adoption. BBCC codes do not apply to significant legislative rules as defined in RCW 34.05.328. BBCC administrative code provisions are intended as policies and procedures for governing the use of facilities and participation in activities on campus or at college sponsored events.

Hearing Location: Big Bend Community College, Lobby of the Wallenstein Theater, Building 1100, 7662 Chanute Street, Moses Lake, WA 98837, on July 8, 2003, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Ken Turner by June 25, 2003, at (509) 762-6201, TDD (509) 762-6335.

Submit Written Comments to: Ken Turner, Vice-President, Administrative Services, Big Bend Community College, 7662 Chanute Street, Moses Lake, WA 98837, fax (509) 762-6201, by June 25, 2003.

Date of Intended Adoption: July 8, 2003.

May 7, 2003
K. W. Turner
Vice-President
Administrative Services

AMENDATORY SECTION (Amending WSR 90-02-016, filed 12/26/89, effective 1/26/90)

WAC 132R-01-010 Organization—Operation—Information. (1) Organization. Big Bend Community College is established in Title 28B RCW as a public institution of

Chapter 132R-04 WAC

higher education. The institution is governed by a five-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Rules coordinator. The designated rules coordinator for Big Bend Community College is the vice-president, administrative services, located at the following address:

Vice-President, Administrative Services
Big Bend Community College
Building 1400
~~((28th &))~~ 7662 Chanute Street
Moses Lake, WA 98837-3299

(3) Operation. The administrative office is located at the following address:

Big Bend Community College
Building 1400
~~((28th &))~~ 7662 Chanute Street
Moses Lake, WA 98837-3299

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

(4) Information. Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

Big Bend Community College - Admissions
Building 1400
~~((28th &))~~ 7662 Chanute Street
Moses Lake, WA 98837-3299

AMENDATORY SECTION (Amending WSR 90-02-016, filed 12/26/89, effective 1/26/90)

WAC 132R-02-040 Application for adjudicative proceeding. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address:

President's Office
Big Bend Community College
Building 1400
~~((28th &))~~ 7662 Chanute Street
Moses Lake, WA 98837-3299

Written application for an adjudicative proceeding should be submitted to the above address within twenty days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

AMENDATORY SECTION (Amending WSR 90-02-016, filed 12/26/89, effective 1/26/90)

WAC 132R-02-080 Recording devices. No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC ~~((132R-02-010))~~ 132R-02-070, except for the method of official recording selected by the institution.

~~((RULES OF CONDUCT AND PROCEDURES OF ENFORCEMENT))~~ **STUDENT CONDUCT CODE**

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-04-010 Student rights and responsibilities. Admission to the college carries with it the expectation that students will conduct themselves as responsible members of the college community, that they will comply with the rules and regulations of the college, maintain high standards of integrity and honesty, respect the rights, privileges, and property of other members of the college community, and will not interfere with legitimate college affairs.

The rights and responsibilities of students are further defined and listed in the "student rights and responsibilities" policy adopted by the board of trustees of Big Bend Community College. Policies and procedures are fully explained in the student handbook which is on file in the office of the ~~((dean,))~~ vice-president of student services.

NEW SECTION

WAC 132R-04-015 Definitions. (1) "ASB" means the representative governing body for students at Big Bend Community College recognized by the board of trustees.

(2) "Assembly" means any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons or group of persons.

(3) "Board" means the board of trustees of Community College District 18, state of Washington.

(4) "College president" or "president" means the duly appointed chief executive officer of Big Bend Community College, Community College District 18, state of Washington, or in his/her absence, the acting chief executive officer.

(5) "College" means Big Bend Community College located within Community College District 18, state of Washington.

(6) "College facilities" means and includes any or all real and personal property owned or operated by the college and shall include all buildings and appurtenances affixed thereon or attached thereto.

(7) "College personnel" refers to any person employed by Community College District 18 on a full-time or part-time basis, except those who are faculty members.

(8) "Disciplinary action" means and includes suspension or any lesser sanction of any student by the vice-president of student services, student disciplinary council, college president, or the board of trustees for the violation of any of the provisions of the code of student conduct or any of the provisions of the code of student rights and responsibilities for which such sanctions may be imposed.

(9) "District" means Community College 18, state of Washington.

(10) "Faculty member(s)" means any employee of Big Bend Community College who is employed on a full-time or

part-time basis as a teacher, counselor, librarian or other position for which the training, experience and responsibility are comparable as determined by the appointing authority, except administrative appointments.

(11) "Hazing" means any method of initiation into a student organization, association, or living group or any pastime or amusement engaged in with respect to such an organization that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person attending any institution of higher education or post-secondary institution.

(12) "Recognized student organization" means and includes any group or organization composed of students, which is affirmed by the student government of the college.

(13) "A sponsored event or activity" means any activity that is scheduled by the college and is supervised and controlled by college faculty members or personnel. Such sponsorship shall continue only as long as the event is supervised and controlled by the college faculty member or personnel. When the sponsored event or activity is of a prolonged nature, and free time periods are permitted to the students participating in the event, any activity taking place during such a free time period outside of the supervision and control of the college faculty member(s) or personnel, shall be deemed to be a nonsponsored activity.

(14) "Student" means a person who is enrolled for courses at the college.

(15) "Working days" means Monday through Friday, excluding holidays.

NEW SECTION

WAC 132R-04-017 Jurisdiction. All rules herein adopted shall apply to every student whenever said student is present upon or in any college facility and whenever said student is present at or engaged in any college sponsored activity or function whether occurring on or off college facilities/premises.

NEW SECTION

WAC 132R-04-019 Right to demand identification. For the purpose of determining identity of a person as a student any faculty member or other college personnel authorized by the college president may demand that any person on college facilities produce evidence of student enrollment at the college. Tender of the student identification card will satisfy this requirement.

Refusal by a student to produce identification as required shall subject the student to disciplinary action.

AMENDATORY SECTION (Amending Order 69-4, filed 12/5/69)

WAC 132R-04-040 ~~((Demonstration rights))~~ **Freedom of expression.** (1) ~~((Students and nonstudents may conduct or may participate in any demonstration as defined in WAC 132R-04-010 on college facilities which are generally available to the public provided such demonstrations:))~~ **Fundamental to the democratic process are the rights of free**

speech and peaceful assembly. Students, other members of the college community, and nonstudents shall always be free to express their views or support causes by orderly means which do not disrupt the regular and essential operations of the college.

(2) Concomitantly, while supporting the rights of students and others, the college recognizes the responsibility to maintain an atmosphere conducive to a sound educational endeavor.

(3) To insure the reconciliation of such rights and responsibilities, while respecting the private rights of all individuals, campus demonstrations may be conducted only in areas which are generally available to the public provided such demonstrations:

(a) Are conducted in an orderly manner; and

(b) Do not unreasonably interfere with classes, scheduled meetings or ceremonies, or with the general educational processes of the college; or

(c) Do not unreasonably interfere with vehicular or pedestrian traffic; or

(d) Do not unreasonably interfere with regular college functions.

~~((2))~~ (4) A student who conducts or participates in a demonstration which violates any provision of this rule shall be subject to disciplinary action. A nonstudent who violates any provision of the rule will be referred to civilian authorities for criminal prosecution.

NEW SECTION

WAC 132R-04-042 Freedom of access to higher education. Each student is free to pursue his or her educational goals; and to that end, appropriate opportunities for learning in the classroom shall be provided by the district. The college shall maintain an open door policy, to the end that no student will be denied admission because of the location of the student's residence, or because of the student's educational background or ability; that, insofar as is practical in the judgment of the board, curriculum offerings shall be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body; provided, that the administrative officers of the college may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, the student would not be competent to profit from the curriculum offerings of the community college, or would, by the student's presence or conduct, create a disrupting atmosphere within the community college inconsistent with the purposes of the institution.

NEW SECTION

WAC 132R-04-047 Freedom of association and organization. Students bring to the campus a variety of previously acquired interests and develop many new interests as members of the college community. They are free to organize and join associations to promote any legal purpose, whether it be religious, political, educational, recreational or social.

Student organizations must be granted a charter by the college student government before they may be officially recognized. Prior to becoming chartered, a student organization must submit to the student government a statement of purpose, criteria for membership, a statement of operating rules or procedures, and the name of a faculty member who has agreed to serve as an advisor. All student organizations must also submit to the student government a list of officers and keep that list updated when changes occur.

In order to qualify for issuance of a charter, a student organization must be open to all students without respect to race, sex, creed, national origin, or religion. Membership in all student organizations shall be open to any member of the college community who is willing to subscribe to the stated aims of the student organization. Affiliation with a non-campus organization shall not be grounds for denial of charter, provided that other conditions for charter issuance have been met.

NEW SECTION

WAC 132R-04-056 Standards. Attendance at Big Bend Community College presupposes that a student will observe the laws and deport themselves according to accepted standards of personal and group conduct. It further presupposes that each student will comply with the rules, regulations and procedures as are, or may be, established by Big Bend Community College. Failure to observe such laws, standards, rules, regulations and procedures shall render a student subject to penalties, which may include dismissal from the college.

The provisions of this section on student conduct and discipline do not apply to probation or suspension arising solely from low scholarship.

NEW SECTION

WAC 132R-04-057 Student code of conduct violations. Any student shall be subject to immediate disciplinary action provided for in code procedures and summary suspension rules who, either as a principal actor or aider or abettor:

(1) Materially and substantially interferes with the personal rights or privileges of others or the educational process of the college.

(2) Violates any provisions of the code of student rights and responsibilities.

(3) Commits any of the following acts which are hereby prohibited:

(a) All forms of academic misconduct and dishonesty including cheating, plagiarism, knowingly furnishing false information to the college, and forgery, alteration or use of college documents or instruments of identification with intent to defraud.

(b) Failure to comply with lawful directions of faculty, administrators and other regularly employed personnel acting in performance of their lawful duties.

(c) Conduct which intentionally and substantially obstructs or disrupts freedom of movement, teaching, disciplinary proceedings or other lawful activities on the college campus. Said conduct may be defined as:

(i) Behavior that involves an expressed or an implied threat to interfere with an individual's personal safety, academic efforts, employment, or participation in college activities and causes the person to have a reasonable apprehension that such interference is about to occur;

(ii) Threat to cause bodily harm at present or in the future to any person, or to cause physical damage to another's property, or to maliciously do any act which is intended to substantially harm another person's physical or mental health or safety;

(iii) Intentional and repeated following or contacting another person in a manner that intimidates, harasses or places another in fear for his or her personal safety or the safety of his or her property.

(d) Physical abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the physical or mental health and safety of any person on college-owned or controlled property or at college-sponsored or supervised functions.

(e) All forms of sexual misconduct which includes sexual harassment, sexual intimidation, sexual coercion, sexual assault, and rape.

(f) All forms of hazing which endangers, or is likely to endanger, the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of admission into, affiliation with, or as a condition for continued membership in a group or college organization.

(g) Malicious damage to or malicious misuse of college property, or the property of any person where such property is located on the college campus.

(h) Refusal to comply with any lawful order to leave the college campus or any portion thereof.

(i) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on the college campus, except for authorized college purposes; unless prior written approval has been obtained from the vice-president of student services, or any other person designated by the college president.

(j) Intentionally inciting others to engage immediately in any of the conduct prohibited herein, which incitement leads directly to such conduct. (Inciting is that advocacy which prepares the group addressed for imminent action and steers it to the conduct prohibited herein.)

(k) Possessing, consuming, being demonstrably under the influence of, or furnishing any form of alcoholic beverages on college-owned or controlled property or at college-sponsored or supervised functions where prohibited by the college's current alcohol policy.

(l) Disorderly conduct, including disorderly conduct resulting from drunkenness.

(m) Engaging in lewd, indecent or obscene behavior on college-owned or controlled property or at college-sponsored or supervised functions.

(n) Using, possessing, furnishing or selling any narcotic or dangerous drug as defined in Washington statutes, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist.

(o) 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.

(p) Theft or conversion of college property or private property.

(q) Entering any administrative office or any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof.

(r) Possession, making or causing to be made, any key to operate locks or locking mechanisms on campus without proper authorization or using or giving to another, a key for which there has been no proper authorization.

(s) Interfering with college computing or communication functions or with the work of another student, faculty member, or college official; gaining unauthorized access, altering data, misusing computing facilities to send harassing messages, or misuse of the campus network and/or computing facilities as defined by the current college technology use policy and procedures.

(t) Disruptive classroom conduct including abusive language toward a classroom instructor and/or student and other acts of misconduct.

(4) Single or repeated violation of the above code is relevant in determining an applicant's or a student's membership in the college.

NEW SECTION

WAC 132R-04-063 Disciplinary sanctions. If any student is found to have violated any of the offenses enumerated at WAC 132-04-057, one or more of the following sanctions may be imposed against the student or student organization. Failure to comply with any imposed sanctions may result in additional sanctions.

(1) Minor disciplinary sanction:

(a) "Disciplinary warning." Formal action censoring a student for unacceptable conduct or violation of college rules or regulations. The student is notified in writing of this action. Warnings imply that further unacceptable conduct or violation of rules will result in one of the more serious actions described below.

(b) "Disciplinary probation." Formal action placing condition on the student's continued attendance for violation of specified regulations. The disciplinary probation shall specify, in writing, the period of probation and the conditions which may include conditions such as limiting the student's participation in college-related privileges or extra-curricular activities or enforcing a "no contact" order which would prohibit direct or indirect physical and/or verbal contact with specific individuals or groups. Disciplinary probation further shall give the student notice that any further misconduct will automatically raise the question of suspension from the college. Disciplinary probation shall be for a specified period of time.

(c) "Educational activities." Activities designed to foster student development may include, but are not limited to, community service, attendance at educational programs, or written assignments.

(d) "Restitution." Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(e) "Assessment." Referral for drugs/alcohol or psychological assessment may be required. Results of the assessment may lead to the determination that conditions of treatment and further assessment apply to either continued attendance or return after a period of suspension.

(2) Major disciplinary sanction:

(a) "Disciplinary suspension." Formal action taken by authorized personnel (the president or anyone authorized to act in the absence of the president) dismissing a student temporarily from the college for unacceptable conduct or violation of college rules or regulations. Suspension may be for a stated or for an indefinite period, but the implication of the action is that the student may eventually return if evidence or other assurance is presented that the unacceptable conduct will not be repeated. The notification suspending the student must state the conditions to be met and whether the action is to be noted permanently on the student's record. The student and vice-president of student services are notified in writing of the action taken, the terms of the suspension and any conditions involved, and the dean of enrollment services is requested to enter the action on the student's academic record. No fees will be refunded for the quarter in which the action is taken.

(b) "Disciplinary expulsion." Discretionary action by authorized personnel dismissing a student permanently for flagrantly unacceptable conduct or violation of college rules or regulations. Unlike suspension, no term is involved, the action always becomes effective on notice. Expulsion must have the prior approval of the president. The student is notified in writing of the action taken, and the dean of enrollment services is requested to enter the action permanently on the student's academic record.

(c) "Hold" (administrative). Attachment of a student's record to assure compliance with college rules, procedures, or obligations. The "hold" may be placed on the student's record by the authorized college office responsible for enforcement of the rule, procedure, or obligation involved. The authorized office must request the dean of enrollment services in writing to place a "hold" on the student's record. The student will not be permitted to register for any subsequent quarter nor to obtain a transcript of his/her record except on the written release of the office which placed the "hold."

(d) "Registration canceled" (administrative). Privileges of attendance withdrawn, effective immediately on notice.

(i) By order of the business office for financial delinquencies. (Handled as a withdrawal for recording purposes.)

(ii) By order of the vice-president of student services for failure to comply with rules, regulations or instructions.

The order canceling a registration must be addressed to the student involved in writing. The registration office automatically will place a "hold" on the student's record to prevent registration for future quarters and the issuance of transcripts.

NEW SECTION

WAC 132R-04-064 Interim discipline. (1) Disciplinary actions of the college will be implemented by the president, except as such implementation may be delegated by the president or the board of trustees. Ordinarily, the disciplinary authority of the college will be invoked only after completion of the procedures established for the review of disciplinary cases and after the student, if he/she so wishes, has availed himself/herself of the appeal procedures. However, in situations where there is cause to believe that the student or the student organization poses an immediate threat to himself or herself, to others or to property, or is incapable of continuing as a student for medical or psychological reasons, or where it is believed that the student's continued attendance or presence may cause disorder or substantially interfere with or impede the lawful activities of others or imperil the physical or mental health and safety of members of the college community, interim actions may be taken immediately without prior notice or hearing. These actions, taken by the president or the president's designee, may include:

(a) Interim restrictions, including, but not limited to, assignment to alternate college housing or removal from college housing, limitation of access to college facilities, or restriction of communication with specific individuals or groups;

(b) Interim suspension, including temporary total removal from the college or restriction of access to campus;

(c) Mandatory medical/psychological assessment, including referral to outside, medical professionals and/or to the mental health advisory board for assessment of the student's capability to remain in the college.

(2) Each instructor is authorized to implement interim suspension when necessary to preserve order and to maintain effective cooperation of the class in fulfilling the objective of the course. An instructor imposing an interim suspension shall report such action, in writing, to the division chair, vice-president of student services, and vice-president of instruction.

(3) In all cases of interim discipline, the student or student organization is entitled to personally appeal before the vice-president of student services or designee as soon as is reasonably possible. The student disciplinary review request must be submitted in writing no later than ten working days from the date of said disciplinary action.

(4) The vice-president of student services shall conduct a meeting with the student within five working days after receipt of the disciplinary review request. As a result of the meeting between the vice-president of student services and the student, the vice-president may recommend to the president or the president's designee either continuation or termination of the interim discipline and/or initiate disciplinary procedures in accordance with WAC 132R-04-112 through 132R-04-160.

NEW SECTION

WAC 132R-04-067 Readmission after major discipline. Any petition for readmission by a student suspended or expelled for disciplinary reasons other than poor scholarship

must be addressed to the office of the vice-president of student services. Such a petition must be in writing and must state in detail the reasons why the penalty should be reconsidered. Since the president of the college or his/her designee participates in disciplinary decisions suspending/expelling students from the college, decisions on such petitions for readmission must be reviewed and approved by the president before being announced to the petitioner.

AMENDATORY SECTION (Amending Order 69-4, filed 12/5/69)

WAC 132R-04-100 Delegation of disciplinary authority. The board, acting pursuant to ((RCW 28.85.140 (14)-F))RCW 28B.50.140(14)(H)), do by written order delegate to the president of the college authority to administer the disciplinary action prescribed in WAC 132R-04-150. All disciplinary actions in which there is a recommendation that a student be suspended or expelled, shall be acted upon by the president((-The president shall have no authority to delegate this decision)) or his/her designee as listed in the Big Bend Community College board of trustees policy book, section BP 1004.5.

NEW SECTION

WAC 132R-04-112 Discipline statement. (1) The vice-president of student services is the primary agent for the administration of discipline for unacceptable conduct or infraction of college rules except those which are the responsibility of divisions and instructors as hereafter described.

(a) The division chair and faculty of each division are responsible for the administration of discipline for infraction of rules and regulations of the college or for unacceptable conduct by students in matters relating to their academic progress.

(b) The instructor is responsible for the maintenance of order and proper conduct in the classroom. He/she is authorized to impose interim suspension as may be necessary to preserve order and to maintain the effective cooperation of the class in fulfilling the objectives of the course.

(2) The instructor of each course shall be responsible for the maintenance of order and proper student conduct in a classroom. Each instructor is authorized to impose interim suspension in order to preserve order and to maintain effective cooperation of the class in fulfilling the objective of the course. In the event of disruptive classroom conduct, academic misconduct, and/or dishonesty, the instructor may take any and all reasonable action against any student. A course of action might include, but not be limited to:

(a) Issuing a failing grade on a particular test, paper, assignment, or course.

(b) Dismissing the student(s) from class pending a hearing with the vice-president of student services.

(c) Dropping the student from the course.

(d) Referring the case to local authorities for civil action.

(3) An instructor taking action against any student for an act of disruptive classroom conduct, academic misconduct, and/or dishonesty, shall report such action in writing to the division chair, appropriate dean, vice-president of student

services, and vice-president of instructional services as soon as possible. Any student subject to action of an instructor for a code of conduct violation may seek review of that action by the vice-president of student services. The student disciplinary review request must be submitted in writing to the vice-president of student services within ten working days from the date of said disciplinary action.

NEW SECTION

WAC 132R-04-115 Disciplinary action. (1) A student charged with unacceptable conduct is entitled to a fair hearing. The procedures set forth below shall be interpreted and administered in such a way as to accomplish this objective. Disciplinary proceedings are not to be construed as judicial trials; care will be taken to comply as fully as possible with the spirit and intent of procedural safeguards relative to the rights of the individual concerned.

(a) When disciplinary action is initiated by a faculty member for disruptive classroom conduct, academic misconduct, and/or dishonesty, a written report of the occurrence shall be filed with the division chair, appropriate dean, vice-president of student services, and vice-president of instruction.

(b) All other instances of misconduct shall be reported to the vice-president of student services.

(c) Any student accused of violating any provisions of the rules of student conduct **shall** be called for an initial conference with the vice-president of student services or his/her designated representative, and **shall** be informed of what provision of the rules of student conduct have been violated, and the maximum penalties, if any, which might result from initiation of a disciplinary proceeding.

(2) After considering the evidence in the case and interviewing the student or students accused of violating the rules of student conduct, the vice-president of student services or his/her designated representative may take any of the following actions:

(a) Terminate the proceedings, exonerating the student or students;

(b) Dismiss the case after whatever counseling and advice may be appropriate;

(c) Impose minor sanctions directly (warning or reprimand);

(d) Refer the case to the disciplinary committee.

(3) Should a disciplinary committee hearing be necessary, the student shall be notified **in writing** as to the date, time, place of the hearing, and charge(s), including reference to the particular sections of the rules of student conduct involved. He/she shall be permitted to examine the evidence against him/her and where pertinent shall be given the names of those who will be witnesses against him/her. In the hearing he/she may present evidence, testimonial or documentary, in his/her behalf.

(4) The president or vice-president of student services shall notify the student in writing of the final determination on any charge of unacceptable conduct. In the case of a student under eighteen years of age who is expelled, suspended or placed on disciplinary probation, the parents or guardian of

the student shall also be notified in writing. (This does not apply to emancipated minors.)

NEW SECTION

WAC 132R-04-117 Disciplinary committee. (1) The committee shall be a standing committee composed of one administrator appointed by the president, two faculty members selected by the college faculty association and two students selected by the student government.

(2) If any member of the committee is unable to consider a particular disciplinary proceeding for any reason including a conflict of interest, such member shall be temporarily replaced by a student or faculty member as appropriate pursuant to the procedure established in this section.

(3) The disciplinary committee shall conduct such hearing within twenty working days after disciplinary action has been referred to such committee and shall give the student charged with violation of the rules of student conduct a minimum notice of five working days of said hearing as specified within the following section. With the mutual agreement of the parties, the hearing date may be continued beyond the twenty working day limit.

AMENDATORY SECTION (Amending Order 69-4, filed 12/5/69)

WAC 132R-04-130 Disciplinary committee procedures. (1) The hearing panel will hear, de novo, and make recommendations to the president of the college on all disciplinary cases referred to it by the ~~((dean))~~ vice-president of student ~~((personnel))~~ services.

(2) The student has a right to a fair and impartial hearing before the disciplinary committee on any charge of violating the rules of student conduct. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the disciplinary committee from making its findings of fact, conclusions and recommendations as provided herein.

(3) The student shall be given written notice of the time and place of the hearing before the disciplinary committee by personal service or registered mail and be afforded not less than ~~((20))~~ five working days notice thereof. Said notice shall contain:

(a) A statement of the time, place and nature of the disciplinary proceeding.

(b) A statement of the charges against him/her including reference to the particular sections of the rules of student conduct involved.

(4) The student shall be entitled to hear and examine the evidence against him/her and be informed of the identity of its source; he/she shall be entitled to present evidence in his/her own behalf and cross examine witnesses testifying against him as to factual matters.

(5) ~~((If the student elects to choose a duly licensed attorney admitted to practice in any state in the United States as his counsel, he must tender three days notice thereof to the dean of student personnel services.))~~ The student has the right to be assisted by any (one) advisor he/she may choose, at his/her own expense. The advisor may be an attorney. The

student is responsible for presenting his/her own case and, therefore, advisors are not permitted to speak or to participate directly in a hearing. The accused student can, however, speak with his/her advisor during the hearing. If the student utilizes an attorney as an advisor, the student shall give the vice-president of student services three days' notice of intent to do so.

(6) In all disciplinary proceedings, the college may be represented by a designee appointed by the ~~((dean))~~ vice-president of student ((personnel)) services; said designee may then present the college's case against the student accused of violating the rules of student conduct, provided that in those cases in which the student elects to ~~((be represented by))~~ have a licensed attorney act as his/her advisor, the ~~((dean))~~ vice-president of student ((personnel)) services may elect to have the college represented by an assistant attorney general.

(7) If, at the conclusion of the hearing, the committee finds that the student has committed one or more violations, and that such violations are in fact violations of a rule or rules of student conduct, the committee shall make such a finding and recommend such disciplinary action as they shall deem appropriate against the student. Prior acts of misconduct may be considered in making the recommendation for disciplinary action.

(8) ~~((An adequate summary of all the evidence and facts presented to the disciplinary committee during the course of the proceeding will be taken. A copy thereof shall be available at the office of the dean of student personnel services.))~~ During the course of the proceeding an adequate summary of all the evidence and facts will be taken. A copy shall be available at the office of the vice-president of student services.

AMENDATORY SECTION (Amending Order 69-4, filed 12/5/69)

WAC 132R-04-140 Disciplinary committee decision. ~~((+))~~ Upon conclusion of the disciplinary hearing, the disciplinary committee shall consider all the evidence therein presented and decide by majority vote as to the specific findings and conclusions required pursuant to WAC 132R-04-130, and whether to recommend to the president any of the following actions:

~~((a))~~ (1) That the college terminate the proceedings and exonerate the student or students;

~~((b))~~ (2) That the president or his/her designee impose any of the disciplinary action as provided in WAC 132R-04-150.

~~((2) The student will be provided with a copy of the committee's findings of fact and conclusions regarding whether the student did violate any rules of student conduct, and such student shall also be provided with a copy of the recommendations of disciplinary action.))~~

AMENDATORY SECTION (Amending Order 69-4, filed 12/5/69)

WAC 132R-04-150 Imposition of discipline. (1) The college president or his/her designee shall review all ~~((actions))~~ hearings for which the disciplinary committee has

recommended disciplinary action and determine whether or not disciplinary action shall be imposed against the said student. With the exception of interim discipline as authorized by WAC 132R-04-064, the college president or his/her designee shall have no authority to impose any disciplinary action on a student unless disciplinary action has been recommended by the disciplinary committee against such student or unless such student has waived his/her right to a hearing before such disciplinary committee. ((The disciplinary action imposed by the president shall not be more severe than that recommended by the disciplinary committee.))

(2) In determining whether or not to impose disciplinary action against a student, the president shall review the summary of the evidence and facts presented to the disciplinary committee ~~((, the findings and conclusions of the disciplinary committee.))~~ and the recommendation of the disciplinary committee ~~((and))~~, the college president shall then determine whether or not to impose disciplinary action in any form. Prior acts of misconduct may be considered in making a decision.

(3) ~~((If the college president determines to impose disciplinary action for a violation of the rules of conduct for which disciplinary action has been recommended by the disciplinary committee unless the said student waives his right to such hearing, the college president shall have authority to:~~

(a) Expel such student permanently from the college; or

(b) Suspend the right of such student to attend the college for a maximum of three consecutive academic quarters; or

(c) Reprimand such student in writing and forward a copy of such reprimand to the guardian or parents of such student.)) Discipline may be imposed by the college president or his/her designee for violations of the rules of conduct, not only in those instances where the disciplinary committee has made recommendations after a hearing, but also in cases where the student has waived his/her right to such a hearing. Sanctions available to the president are described in WAC 132R-04-056 and 132R-04-063.

AMENDATORY SECTION (Amending Order 69-4, filed 12/5/69)

WAC 132R-04-160 Student appeal. Any student feeling aggrieved by the ~~((findings or conclusions))~~ recommendations of the disciplinary committee or the order of the college president or his/her designee imposing disciplinary action may appeal the same in writing by directing an appeal to the ~~((chairman of the board))~~ college president or his/her designee within ~~((15))~~ fifteen days following receipt of the order of the president or his/her designee imposing disciplinary action. The ~~((board))~~ college president or his/her designee may, at ~~((their))~~ his/her discretion, suspend any disciplinary action pending determination of the merits of the findings, conclusions and disciplinary action imposed.

NEW SECTION

WAC 132R-04-165 Maintenance of disciplinary records. (1) The vice-president of student services shall keep records of all disciplinary cases. The division chair shall

report to the vice-president of student services and appropriate dean, in writing, all cases in which disciplinary action is taken.

(2) The vice-president of student services shall notify the chair and the dean of the division in which the student is enrolled and the dean of enrollment services of any disciplinary action taken, which is to be recorded on the student's official record, and shall keep accurate records of all disciplinary cases handled by, or reported to, his/her office.

(3) The vice-president of student services shall receive and maintain certain records of all disciplinary action taken by any college employee. These records should be consulted by disciplinary authorities for records of previous misconduct before taking disciplinary action in any case.

AMENDATORY SECTION (Amending Order 69-4, filed 12/5/69)

WAC 132R-04-170 ((Civilian)) Criminal prosecution. ~~((The board acting through the))~~ College ~~((president))~~ personnel or students may refer any ~~((violations of the rules of student conduct which involve violations of federal or state law to civilian))~~ student code of conduct violations which are also violations of federal or state law to the proper authorities for disposition.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 132R-04-020 Liquor.
- WAC 132R-04-030 Drugs.
- WAC 132R-04-035 Damaging property.
- WAC 132R-04-050 Criminal violations.
- WAC 132R-04-055 Classroom conduct.
- WAC 132R-04-060 Commercial activities.
- WAC 132R-04-070 Outside speakers.
- WAC 132R-04-080 Trespass.
- WAC 132R-04-090 Distribution of materials.
- WAC 132R-04-110 Disciplinary action.
- WAC 132R-04-120 Disciplinary committee.

AMENDATORY SECTION (Amending WSR 90-02-017, filed 12/26/89, effective 1/1/90)

WAC 132R-05-010 Immediate suspension. Student athletes found to have violated chapter 69.41 RCW, Legend drugs—Prescription drugs, shall, upon conviction, be immediately suspended from participation in school-sponsored athletic events by the athletic director ~~((of athletics))~~. The period of loss of eligibility to participate will be determined by the athletic director ~~((of athletics))~~ at the conclusion of a brief adjudicative hearing(s) as detailed in the Big Bend

Community College athletic handbook, to be commenced within twenty days of the suspension.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-12-010 Designation of appointing authority. Pursuant to WAC 251-04-020(2), the position of "appointing authority" at Big Bend Community College is designated:

(1) The president or the person occupying the position of president at Big Bend Community College is designated as the "appointing authority" for purposes of RCW 28B.50.140 (14).

(2) The president of Big Bend Community College is delegated authority by written order of the board of trustees. ~~((The power and duties vested in the board may be transferred in accordance with this chapter. Such delegated powers and duties may be exercised in the name of the district board.))~~

(3) Pursuant to RCW 28B.10.528, the board of trustees hereby delegates to the president executive responsibility of administering the policies adopted by the board of trustees and executing all decisions of the board of trustees requiring administrative action. Pursuant to RCW 28B.50.140(14), the board expressly delegates the appointing authority in matters concerning all Big Bend Community College District 18 personnel to the president. This delegation does not include a delegation of powers related to the position of president and also excludes a delegation of powers related to decisions regarding approval or denial of faculty tenure. This delegation includes a delegation of authority to hire, terminate, suspend, reassign, discipline, or demote personnel without prior approval of the board of trustees.

(4) The board delegates the appointing authority of the college to the persons occupying the following positions in the president's absence: Vice-president of instruction, vice-president for administrative services and vice-president of student services (hereinafter collectively referred to as "senior administrators"). The appointing authority delegated to the senior administrators shall only be exercised if the following criteria are met: The president must be absent. Absent means that the individual has taken formal medical, vacation or personal leave; is not available in person, by telephone, by pager or other reasonable means; and/or has left prior written notice indicating an "absent" status. No administrator shall exercise any authority unless all administrators preceding them on the senior administrators' order of positions list are also absent as previously defined.

(5) Senior administrators' order of positions list:

(a) Vice-president for administrative services;

(b) Vice-president of instruction;

(c) Vice-president of student services;

The senior administrators who are able to establish that the president and other administrators who precede them on the order of positions list are absent shall have the authority to hire, terminate, suspend, reassign, discipline or demote any Big Bend Community College District 18 personnel (with the exception of the president or other senior administrators as defined herein) without prior approval of the board of trust-

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ees. This delegation of power does not include the ability to render decisions related to the granting or denial of tenure.

AMENDATORY SECTION (Amending Order 70-4, filed 3/5/70)

WAC 132R-12-020 Classified employee exemptions. Pursuant to RCW ((~~28.75.040~~ ~~{28B.16.040}~~)) 41.06.070, the following positions at Big Bend Community College and in Community College District No. 18, state of Washington, are deemed exempt from the provisions of chapter ((~~28.75 RCW~~ ~~{chapter 28B.16 RCW}~~)) 41.06 RCW:

- (1) Members of the board of trustees.
- (2) President.
- (3) Major administrative officers:
 - (a) ((~~Dean~~)) Vice-president of instruction.
 - (b) ((~~Associate dean for occupational education~~)) Vice-president for administrative services.
 - (c) ((~~Dean~~)) Vice-president of student ((~~personnel~~)) services.

((~~(d) Administrative assistant for business or financial affairs~~))

(4) All employees of Community College District No. 18 who are either probationary faculty appointees or tenured faculty appointees pursuant to RCW 28.85.850 through 28.85.869 [RCW 28B.50.850 through 28B.50.869].

(5) All deans, directors, coordinators, and assistants to the president and major administrative officers analogous to vice-presidents((:

- (a) ~~Director of community services.~~
- (b) ~~Director of the upward bound program.~~
- (c) ~~Director of student activities.~~
- (d) ~~Director of federal programs.~~
- (e) ~~Executive secretary to the president.~~
- (f) ~~All other heads of major administrative or academic divisions.~~

((~~(6) Positions involved in research, counselling of students, and graphic arts and publications:~~

- (a) ~~Coordinator of financial aids and housing.~~
- (b) ~~Public information officer.~~

((~~(7) Professional consultants under contract and all student employees~~)).

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-116-070 Impounding of illegally parked vehicles. The president or his/her designee(s) may order the impound and storage of any vehicle parked in areas where parking is not allowed, or parked in a space reserved for another vehicle, or illegally parked in a handicapped space. The impounding and storage shall be at the expense of either or both the owner and operator of the impounded vehicle. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-116-090 Parking violations. Parking violations may occur and may result in the issuance of a parking violation citation, impound, or both.

(1) Vehicles parked in a space reserved for handicapped parking and not displaying a handicapped parking permit shall be subject to citation.

(2) Vehicles parked in such a manner as to occupy more than one space shall be subject to citation.

(3) Vehicles parked in an area not specifically posted for parking shall be subject to citation. Vehicles parked in service areas, driveways, loading zones, on lawns, or areas with yellow curb shall be subject to citation, impound, or both.

(4) Vehicles parked in a posted area specifically prohibiting parking shall be subject to citation, impound, or both.

Chapter 132R-117 WAC

~~((FIREARMS AND DANGEROUS WEAPONS))~~

GENERAL CONDUCT CODE

AMENDATORY SECTION (Amending WSR 92-20-077, filed 10/5/92, effective 11/5/92)

WAC 132R-117-010 Firearms and dangerous weapons. (1) Possession, carrying or discharge of any explosive, firearm, or other weapon (including shot guns, pistols, air guns, pellet-guns, and paint-ball guns), whether loaded or unloaded, is prohibited on Big Bend Community College owned or controlled property.

(2) Only such persons who are authorized to carry firearms or other weapons as duly appointed and commissioned law enforcement officers in the state of Washington, and persons or entities authorized by contract to carry firearms in the course of their employment, shall possess firearms or other weapons issued for their possession by their respective law enforcement agencies while on campus or other college controlled property, including residence halls.

(3) Other than the persons referenced in subsection (2) of this section, members of the campus community and visitors who bring firearms or other weapons to campus must immediately place the firearms or weapons in the college-provided storage facility. The storage facility ~~((is controlled by the office of student life and is))~~ for students living at the residence halls is controlled by the residence halls coordinator. The storage facility for all other students is in the registration office and is controlled by the vice-president of student services. Both facilities are accessible during the hours of 8:00 a.m. through 4:30 p.m., Monday through Friday (excluding holidays).

(4) Anyone seeking to bring a firearm or other weapon onto campus for display or demonstration purposes directly related to a class or other educational activity must obtain prior written authorization from the vice-president of ~~((educational services))~~ instruction or any other person designated by the president of the college. The vice-president of ~~((educational services))~~ instruction or other designee shall review

PROPOSED

any such request and may establish conditions to the authorization.

(5) Firearms owned by the institution for use by special interest groups such as ASB gun clubs, ROTC, or intercollegiate shooting teams, must be stored in a location approved by the ~~((dean))~~ vice-president of student services or any other person designated by the president of the college. Said firearms must be checked out by the club advisor or coach and are to be used by legitimate members of the club or teams in the normal course of the club or team's activity.

(6) Violators shall be subject to appropriate disciplinary or legal action.

NEW SECTION

WAC 132R-117-020 Trespass. (1) The president of the college or his/her designee is authorized in the instance of any event that is deemed to be unreasonably disruptive of order or which impedes the movement of persons or vehicles or which seems to disrupt the ingress and/or egress of persons from facilities owned and/or operated by the college, then the president or his/her designee shall have the power and authority subject to the students' right of demonstration as guaranteed pursuant to WAC 132R-04-040 to:

(a) Prohibit the entry of, or withdraw the license or privilege of any person or persons or any group of persons to enter onto or remain upon all or any portion of a college facility which is owned and/or operated by the college; or

(b) Give notice against trespass by any manner specified in chapter 9A.52 RCW to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from entering onto or remaining upon all or any portion of a college facility, which college facility is owned and/or operated by the college; or

(c) Order any person, persons or group of persons to leave or vacate all or any portion of a college facility which is owned and/or operated by the college.

(2) Any student who shall disobey a lawful order given by the president or his/her designee pursuant to the requirements of this rule, may be subject to criminal prosecution and may be subject to disciplinary action.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-118-010 Purpose. The primary objective of the rules and regulations set forth in this chapter is to provide safety, traffic, and parking controls for the use of bicycles, motorcycles, motorscooters, snowmobiles, skateboards, skates, in-line skates and all-terrain vehicles upon all state lands devoted to the educational, recreational, and living activities of Big Bend Community College.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-118-020 Bicycles, motorcycles, motorscooters, snowmobiles, skateboards, skates, in-line skates and all-terrain vehicles defined. A bicycle shall be, for the purposes of this section, any vehicle with three or less wheels

and containing a saddle seat, and which is not motor driven. Any vehicle with three or less wheels and containing a saddle seat, and which is motor driven is considered a motorcycle or motorscooter for the purposes of this section. Any vehicle with ski(s) and a track-type drive designed for travel over snow is considered a snowmobile for the purposes of this section. Any unit consisting of a board with two or more wheels attached to the underside that is propelled by the use of a person's foot is considered a skateboard for this section. For the purposes of this section, any shoe-skate with four wheels is considered a skate, and any shoe-skate with three or more wheels attached in a straight line is considered an in-line skate. Any vehicle with three or four wheels and containing a saddle-type seat, which is motor driven is considered an all-terrain vehicle for the purpose of this section.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-118-030 Applicable rules and regulations. The safety, traffic, and parking regulations for bicycles, motorcycles, motorscooters, snowmobiles, skateboards, skates, in-line skates and all-terrain vehicles which are applicable upon the campus of Big Bend Community College are as follows:

(1) The motor vehicle and other traffic laws of the state of Washington;

(2) Special regulations set forth in this chapter.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-118-040 Operation of bicycles, motorcycles, motorscooters, snowmobiles, skateboards, skates, in-line skates and all-terrain vehicles. (1) No bicycle, motorcycle, or motorscooter may be operated on sidewalks, walkways, lawns, or other property not set aside for such purposes on the Big Bend Community College campus.

(2) Bicycles, motorcycles, motorscooters, and all-terrain vehicles may be operated any place where automobiles or other motor vehicles are permitted.

(3) Snowmobiles ~~((and))~~, skateboards, skates and in-line skates are prohibited as a means of transportation or recreation on campus property.

Chapter 132R-136 WAC

USE OF COLLEGE FACILITIES ~~((, EQUIPMENT AND SUPPLIES))~~

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-136-010 Philosophy and purpose concerning the use of college facilities. The Big Bend Community College board of trustees has determined that college facilities shall be made available for community use. College facilities shall be used for those activities ~~((which))~~ that are related directly to its educational mission or are justifiable on

the basis of their contributions to the cultural, social, or economic development of the community and state.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-136-030 Eligibility for use of college facilities. Application for use of college facilities can be made by contacting the college. Contracts for the use of college facilities shall be completed and returned by ~~((the group representative))~~ an agent of the organization prior to final approval. Information concerning facility rental regulations, procedures, fees, and liabilities may be found in the ~~((board policy))~~ Administrative Process Manual AP8051.

NEW SECTION

WAC 132R-136-035 Use of college facilities by ASB organizations. Any recognized ASB organization may request approval from the director of student programs to utilize available college facilities for authorized activities as provided for in official ASB documents. Facilities will be provided free of charge to the organization except when such use necessitates staffing and services beyond regular college requirements. Standard college fees will be charged in these cases.

Use of facilities for purposes other than those approved or in an irresponsible manner may result in withdrawal of this privilege for an organization.

Student organizations should schedule facility use requests with the appropriate office at least two weeks in advance of an event whenever possible.

NEW SECTION

WAC 132R-136-055 Commercial activities. (1) College facilities shall not be used for commercial solicitation, advertising or promotional activities except when such activities clearly serve educational objectives, including, but not limited to, display of books of interest to the academic community or the display or demonstration of technical or research equipment, and when such commercial activities related to educational objectives and are conducted under the sponsorship or at the request of a college department or office of the associated student body, provided that such solicitation does not interfere with or operate to the detriment of the conduct of the college affairs or the free flow of pedestrian or vehicular traffic.

(2) For the purpose of this section, the term "commercial activities" does not include handbills, leaflets, newspapers and similarly related materials as regulated in WAC 132R-136-070.

NEW SECTION

WAC 132R-136-060 Outside speakers. The trustees, administration and the faculty of the college subscribe to the proposition that an important aspect of the education of college students is the opportunity to listen to speakers representing a wide variety of opinions and beliefs on important

public issues. In conformity with the American tradition of free speech and free inquiry, the following policies are established governing the appearance on campus of speakers not themselves members of the college community.

(1) Any recognized ASB campus student organization may invite speakers on campus subject to the legal restraints imposed by the laws of the United States and the state of Washington.

(2) The appearance of an invited speaker on the campus does not represent an endorsement, either implicit or explicit, of his/her views by the college, its students, its faculty, its administration or its board.

(3) The scheduling of facilities for guest lecturers or invited speakers shall be made through the office of the vice-president of instruction or the director of student programs, by the inviting instructor or campus student organization.

(4) The vice-president of instruction or the director of student programs will be notified at least three days prior to the appearance of an invited speaker, at which time a proper form (available in the office of the vice-president of instruction or director of student programs) must be completed with all particulars regarding speaker, time, place, etc., signed by the sponsoring instructor or organization advisor, and filed with the office of the vice-president of instruction or the director of student programs. Exceptions to the three-day ruling may be made by either of the identified administrators.

(5) The vice-president of instruction or the director of student programs may require a question period or arrange to have views other than those of the invited speakers represented at the meeting, or at a subsequent meeting. The president or his/her designee may assign faculty or staff to preside over any meeting where a speaker has been invited.

NEW SECTION

WAC 132R-136-070 Distribution of materials. (1) Handbills, leaflets, newspaper and similar related matter may be sold or distributed free of charge by any student or students or by members of recognized student organizations or by college employees on or in college facilities at locations specifically designated by the vice-president of student services or by his/her designee; provided such distribution or sale does not interfere with the ingress and egress of persons, or interfere with the free flow of vehicle or pedestrian traffic.

(2) Such handbills, leaflets, newspapers and related matter must bear identification as to the publishing agency and distributing organization or individual.

(3) All nonstudents shall be required to register with the vice-president of student services or with his/her designee prior to the distribution of any handbill, leaflet, newspaper or related matter. Nonstudents shall not be allowed to sell handbills, leaflets, newspapers or related matter on or in college facilities.

(4) The dissemination or distribution of materials by persons on public streets, walks and hallways of the campus shall be subject to the laws of the city of Moses Lake, Grant County, state of Washington and the United States of America.

NEW SECTION

WAC 132R-136-080 Posting of materials. The college encourages free expression. Use of college facilities as provided herein, however, does not accord users the opportunity to post commercial solicitations, advertising or promotional materials without permission.

Permission for posting literature in the various restricted areas provided, therefore, shall be obtained from the vice-president of student services or his/her designee. Permission to post literature does not accord users immunity from legal action which may occur from posting said material.

ASB campaign rules govern special poster and sign locations for ASB elections. Information on these special policies, restricted areas and regulations is available in the office of student programs.

Posting of posters, signs and other publicity or promotional materials is permitted only in locations specified above. All materials sought to be posted in restricted posting areas must have the identity of its sponsorship appearing on its face.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-144-010 Big Bend Community College bookstore operating procedures. Big Bend Community College bookstore is operated for the support and use of students and staff of Big Bend Community College. Big Bend Community College bookstore may engage in the direct and on-line sale of goods and services to individuals, groups, or external agencies for fees only when those services or goods are directly and substantially related to the educational mission of the college as outlined in Big Bend Community College's business competition policy.

AMENDATORY SECTION (Amending Order 73-4, filed 3/23/73)

WAC 132R-144-020 Return and refund policy. (1) Defective merchandise may be returned within a reasonable time for replacement or refund at the discretion of the bookstore manager.

(2) (~~(New books)~~) Course materials may be returned for refund on specified dates as established and posted by the bookstore manager. The proper (~~("drop card" and~~) sales slip must be presented.

(3) Exceptions to the above are subject to the discretion of the bookstore manager.

AMENDATORY SECTION (Amending Order 73-4, filed 3/23/73)

WAC 132R-150-050 Smoking. Smoking is (~~(restricted to areas so designated by the head librarian or his or her designee)~~) prohibited in all college buildings.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 132R-150-030 Inspection.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-158-010 Resident housing policies. In addition to the rules, regulations, and responsibilities as defined in the "Student Rights and Responsibilities" handbook, residence hall students are also subject to the rules and regulations as printed in both the residence hall handbook and the residence hall contract. Copies are available from the (~~(director of housing)~~) residence hall coordinator at Big Bend Community College.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District No. 18 with the provisions of chapter (~~(the Laws of 1973 (Initiative 276))~~) 42.17 RCW, Disclosure—Campaign finances—Lobbying—Records; and in particular with (~~(sections 25-32 of that act, dealing)~~) RCW 42.17.250 through 42.17.348 that deal with public records.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-020 Definitions. (1) "Public record" indicates any writing containing information relating to the conduct of (~~(governmental)~~) government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

(3) "Community College District No. 18" was established pursuant to the Community College Act of 1967. Community College District No. 18 shall hereinafter be referred to as the "district." Where appropriate, the term Community College District No. 18 also refers to the staff and employees of the Community College District No. 18.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-030 Description of central and field organization of Community College District No. 18. (~~((+))~~)

The Community College District No. 18 is an institution of higher education. The administrative office of the district and its staff are located at Moses Lake, Washington.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-050 Public records available. All public records of the district, as defined in WAC 132R-175-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by ~~((section 31, chapter 1, Laws of 1973 and chapter 132R-175 WAC))~~ RCW 42.17.310.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-060 Public records officer. The district's public records shall be ~~((in charge of))~~ managed by the public records officer as designated by the district. The person so designated shall be located in the business office of the district. The public records officer shall be responsible for the following: The implementation of the district's rules and regulations regarding release of public records, coordinating the staff of the district in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter ~~((1, Laws of 1973))~~ 42.17 RCW.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-080 Requests for public records. In accordance with requirements of chapter ~~((1, Laws of 1973))~~ 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the district which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the district's staff, if the public records officer is not available, at the administrative office of the district during customary office hours. The request shall include the following information:

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

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made, to assist

the member of the public in appropriately identifying the public record requested.

AMENDATORY SECTION (Amending Order 3, filed 1/11/78)

WAC 132R-175-090 Copying. No fee shall be charged for the inspection of public records. The district shall charge a fee of twenty-five cents per page of copy for providing copies of public records and for use of the district copy equipment. This charge is the amount necessary to reimburse the district for its actual costs incident to such copying. At least five working days may be required to provide copies of public records.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-100 Exemptions. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132R-175-080 is exempt under the provisions of ~~((section 31, chapter 1, Laws of 1973))~~ RCW 42.17.310. All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

(2) In addition, pursuant to ~~((section 26,))~~ chapter ~~((1, Laws of 1973))~~ 42.17 RCW, the district reserves the right to delete ~~((identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of 1973. The public records officer will fully justify such deletion in writing.~~

~~((3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld))~~ redact portions of documents. If deletions/redactions are made they will be accompanied by a written statement specifying the reason for the deletion/redaction, including a statement of the specific exemption authorizing the deletion/redaction and a brief explanation of how the exemption applies to the information which is deleted/redacted.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public

records officer or other staff member denying the request shall refer it to the president of the college. The president shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the ~~((district))~~ board of trustees as soon as legally possible to review the denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the district has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-120 Protection of public records. ~~((That))~~ The location of the public records officer appointed pursuant to WAC 132R-175-060 shall be in the business office. ~~((That))~~ The public records officer shall establish a central district index which shall be the district's master index to be coordinated with subsidiary indexes established in each major administrative area of the college, specifically:

(1) The office of the secretary to the board of trustees of the district (which is the office of the president of Big Bend Community College);

(2) The office of the president of Big Bend Community College;

(3) The office of the ~~((dean))~~ vice-president of instruction;

(4) The office of the ~~((dean))~~ vice-president of student ~~((personnel))~~ services;

(5) The ~~((business))~~ office of the vice-president for administrative services; and/or

(6) ~~((Any subdivision of each major administrative area mutually agreed upon by the administrator of the area involved and the public records officer.~~

~~That))~~ Upon receiving requests for public records in the manner prescribed in WAC 132R-175-080, it shall be the duty of the public records officer to immediately act upon the request. If it is determined the item requested is a public record as defined in WAC 132R-175-020 it shall be the duty of the public records officer to locate the public record in the office in which it is filed and make it available for inspection. ~~((That should))~~ If, in the judgment of the public records officer, there be a possibility of the destruction of the public record, then the public records officer shall make available a copy of the record. ~~((That))~~ Upon request the public records officer shall make available copies of public records in accordance with WAC 132R-175-090.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-130 Records index. (1) The district shall make available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since its inception:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) ~~((availability))~~ The current index promulgated by the district shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

AMENDATORY SECTION (Amending Order 73-8, filed 5/4/73)

WAC 132R-175-140 District's address. All communications with the district including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter ~~((1, Laws of 1973))~~ 42.17 RCW and these rules; requests for copies of the district's decisions and other matters, shall be addressed as follows: Big Bend Community College, Community College District No. 18, c/o Public Records Officer, ~~((Business Office, North Campus))~~ 7662 Chanute Street, Moses Lake, Washington 98837-3299.

AMENDATORY SECTION (Amending WSR 94-07-019, filed 3/8/94, effective 4/8/94)

WAC 132R-190-010 Purpose. The purpose of this chapter is to implement 20 U.S.C. Sec. 1232g, the Family Educational Rights and Privacy Act of 1974 as amended, by establishing rules and procedures to ensure that information contained in student records is accurate and is handled in a responsible manner by the college and its employees. Further information on policies and procedures relative to student records is available in the student records section of the "*Student Handbook*."

AMENDATORY SECTION (Amending WSR 94-07-019, filed 3/8/94, effective 4/8/94)

WAC 132R-190-020 Definitions. The following definitions shall apply in interpreting these regulations:

(1) "Directory information" means information contained in a student's education record which is general in nature and does not constitute an invasion of privacy if disclosed. The college has designated directory information in WAC 132R-190-035.

(2) "Education records" means those records, files, documents and other materials which contain information directly related to a student and are maintained by the college(~~except:~~

~~(a) A personal record kept by educational, supervisor and administrative personnel which belongs solely to the maker of the records and which has never been disclosed or made available to any other person except the maker's temporary substitute.~~

~~(b) An employment record used only in relation to an individual's employment.~~

~~(c) Records made and maintained by a Big Bend Community College counselor acting in his or her professional capacity which are used only in connection with the treatment of the student are not available to anyone except that the records may be personally reviewed by a physician or other appropriate professional of the student's choice.~~

~~(d) Alumni records which contain information about a student after he or she is no longer in attendance at the college and which do not relate to the person as a student)) or a person acting for the college. The term does not include:~~

~~(a) Records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.~~

~~(b) If the personnel of a law enforcement unit do not have access to education records under this section, the records and documents of such law enforcement unit which are kept separate, are maintained solely for law enforcement purposes, and are not made available to persons other than law enforcement officials of the same jurisdiction.~~

~~(c) In the case of persons who are employed by the college but who are not in attendance at the college, records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and are not available for use for any other purpose.~~

~~(d) Records on a student attending the college, which are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity, and which are made or maintained, or used in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.~~

(3) "Student" means any individual who is or has been in attendance at Big Bend Community College and on whom educational records are maintained.

AMENDATORY SECTION (Amending WSR 94-07-019, filed 3/8/94, effective 4/8/94)

WAC 132R-190-030 Right of inspection. Any student shall have a right, subject to the procedural requirements outlined in WAC 132R-190-070 through 132R-190-090 of these regulations, to inspect any and all education records directly related to him or her that is intended for school use or that is

available for parties outside the school. Education records will be made available to the student within fifteen working days after receipt of the request to inspect the records. Copies may be requested and shall be provided at a fee not to exceed the actual cost to the college of providing the copies.

The college reserves the right to refuse to permit a student to inspect and review the following education records:

(1) The financial statement of the student's parents.

(2) ~~((Statements and))~~ Confidential letters and statements of recommendation ~~((prepared by college officials or submitted with the student's application for admission))~~ which were placed in the student's records before January 1, 1975, or for which the student has waived his or her right ~~((of access))~~ in writing to inspect and review and that are related to the student's admission, application for employment or job placement, or receipt of honors. Except that if these statements and letters have been used for any purpose other than that for which they were originally prepared, the student may inspect and review them. When a record contains personally identifiable information about more than one student, a student may inspect only that information which relates to him or her.

(3) Records connected with ~~((an application to attend) admission to the college ((if that application was denied)),~~ application for employment, and receipt of an honor or honorary recognition.

(4) Those records which are excluded from the definition of "education records" in WAC 132R-190-020(2).

AMENDATORY SECTION (Amending WSR 94-07-019, filed 3/8/94, effective 4/8/94)

WAC 132R-190-035 Availability of directory information. The following personally identifiable information contained in a student's education record shall be deemed "directory information" and unless restricted by the student may be disclosed without a student's prior written consent: Student's name, address, electronic mail address, telephone listing, date of birth, enrollment status (full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, honor roll, degrees and awards received, and the most recent previous educational agency or institution attended by the student. The college will give public notice to students annually of the matters contained in the above-designated "directory information." Each student will have ten days from the day of registration to decide if he or she wishes to have directory information released without written consent.

AMENDATORY SECTION (Amending WSR 94-07-019, filed 3/8/94, effective 4/8/94)

WAC 132R-190-040 Access permitted to college and certain other officials without consent. (1) The following persons, individuals, agencies, or organizations shall be entitled to access to official education records of any student subject to the limitations outlined in subsection (2) of this section, without prior written consent of the student:

(a) College officials, including administrators, faculty, instructors and staff who have a legitimate educational interest within the performance of their responsibilities to the college;

(b) Officials of other colleges, schools, or school systems, upon the condition that the student is notified of the transfer and receives a copy of the record if he or she desires it and has the opportunity to challenge the content of the record, per the procedures outlined in WAC 132R-190-100;

(c) Authorized representatives of the Comptroller General of the United States, the Secretary, an administrative head of an education agency, or state and local educational authorities. State and local officials, organizations conducting studies for educational agencies or institutions provided, that except when collection of personally identifiable data is specifically authorized by federal law, any data collected by these representatives with respect to individual students shall not include information which permit the personal identification of such students;

(d) Lending institutions receiving applications from students or granting to students financial aid, and individual organizations or institutions that provide scholarships to any applicant student when such organizations or individuals make requests for students' education records in connection with a student's application for, or receipt of, financial aid;

(e) Accrediting organizations to carry out their accrediting functions;

(f) Parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954;

~~(g) ((Any person or entity authorized by judicial order or lawfully issued subpoena to receive such records or information, upon condition that the student is notified of all such orders or subpoenas in advance of compliance therewith by the college;~~

(h)) Appropriate parties in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

(2) The college shall maintain a record, kept with the education records of each student, indicating all agencies or organizations which have requested or obtained access to the student's education records. The custodian of the records shall indicate specifically the legitimate interest each such agency or organization has in obtaining this information. The record may be reviewed by the student.

AMENDATORY SECTION (Amending WSR 94-07-019, filed 3/8/94, effective 4/8/94)

WAC 132R-190-050 Distribution of information to others. The college shall not furnish any personally identifiable information contained in education records directly related to a student to any person, agency, or organization other than those designated in WAC 132R-190-040, unless a written consent from the student is obtained. The college may furnish such information without the consent of the student if it is furnished in compliance with a judicial order, or pursuant to any lawfully issued subpoena, upon condition that the student is notified of all such orders or subpoenas in advance of the compliance therewith unless the court or other issuing agency orders the college not to notify the student

before compliance with the subpoena. The written consent should specifically identify the records to be released, the reason for the release and to whom the records are to be released. The college president, the president's designee, or office(s) receiving a subpoena should immediately notify the attorney general.

AMENDATORY SECTION (Amending WSR 94-07-019, filed 3/8/94, effective 4/8/94)

WAC 132R-190-070 Requests for access to student records. Personally identifiable information regarding a student will only be furnished to persons making a written request and providing to the custodian of the records information sufficient to identify the requesting party as a person who has a right to access ((~~to~~)) such records.

AMENDATORY SECTION (Amending WSR 94-07-019, filed 3/8/94, effective 4/8/94)

WAC 132R-190-100 Procedure for challenges. (1) A student wishing to exercise the rights set forth in WAC 132R-190-090 shall first discuss with the ~~((director of admissions and registrar))~~ dean of enrollment services the nature of the corrective action sought by the student.

(2) If the informal proceedings required in subsection (1) of this section fail to resolve the student's challenge, the student may file with the public records officer provided for in chapter 132R-175 WAC a written request for a hearing (brief adjudicative proceeding pursuant to chapter 132R-02 WAC).

(3) Within a reasonable time after submission of a request for hearing, the president or his or her designee will appoint a hearing officer. The hearing officer may not have a direct interest in the outcome of the hearing.

(a) The hearing officer shall conduct a hearing concerning the student's request for corrective action within a reasonable time and shall reasonably in advance of the hearing notify the student of the date, time and place of the hearing.

(b) The student may, at his or her expense, be represented by one or more individuals of his or her choice at the hearing.

(c) The student and the college shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request for the hearing. A record shall be made of the hearing by means satisfactory to the college.

(d) Within ten days of the completion of the hearing, the hearing officer shall provide the parties with a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision. The decision shall be binding upon the college and the student.

(4) If the education records are held to be accurate, or not misleading or in violation of the student's right of privacy, the college will notify the student of his or her right to place in the record a statement commenting on the challenged information and/or a statement setting forth the reasons for disagreeing with the decision. Such statement will be maintained as part of the student's education records as long as the contested portion is maintained and must be disclosed if the college discloses the contested portion of the record.

(5) If information in the education record is held to be inaccurate, misleading, or in violation of the student's right of privacy, the college will amend the record and so notify the student in writing.

AMENDATORY SECTION (Amending WSR 94-07-019, filed 3/8/94, effective 4/8/94)

WAC 132R-190-110 Disciplinary records. Disciplinary records shall be kept separate and apart from academic records, and transcripts of a student's academic record shall contain no notation of any disciplinary action. The vice-president of student services office shall keep records of all disciplinary cases, which shall be recorded on the official records of the students. Special precautions shall be exercised to ensure that information from disciplinary or counseling files is not revealed to unauthorized persons. Provisions shall be made for periodic review and routine destruction of inactive disciplinary records by offices maintaining such records. However, the results of any disciplinary proceeding, concerning a crime of violence as defined by 18 U.S.C. Sec. 16 may be released to an alleged victim of that crime.

AMENDATORY SECTION (Amending WSR 90-02-019, filed 12/26/89, effective 1/26/90)

WAC 132R-200-010 Policy on personnel files. Big Bend Community College shall maintain one personnel file for each employee. This file shall be in the college's ((~~personnel~~)) human resource office. No other personnel file shall be maintained by any other officer or administrator of the college. This shall not preclude the maintenance of all lawful payroll records by the ((~~business~~)) payroll office nor maintenance of other essential records by appropriate personnel for the operation of the institution.

WSR 03-11-014

WITHDRAWAL OF PROPOSED RULES HORSE RACING COMMISSION

[Filed May 12, 2003, 4:19 p.m.]

The Washington Horse Racing Commission would like to withdraw our CR-102 proposing a new section in WAC 260-32-005 Use of communications equipment prohibited in the jockey's quarters, paddock and racing surface, WSR 03-07-074 filed on March 18, 2003.

If you have any questions you may contact Mr. Robert Lopez, Administrative Services Manager, or Robert M. Leichner at (360) 459-6462.

Robert M. Leichner
Executive Secretary

WSR 03-11-025

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Aging and Disability Services Administration) [Filed May 14, 2003, 4:48 p.m.]

The Aging and Disability Services Administration (ADSA) would like to withdraw WAC 388-71-0460 from the proposed rules filed as WSR 03-09-042. This section will be repropose at a later date.

Brian Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-11-030

PROPOSED RULES DEPARTMENT OF HEALTH [Filed May 15, 2003, 9:07 a.m.]

Original Notice.

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

Title of Rule: WAC 246-260-9901 Water recreation facilities fees and 246-262-990 Recreational water contact facilities fees.

Purpose: The proposed rules will enable the program to acquire additional revenue to maintain current service activities as well as provide a framework for local health jurisdictions to adjust corresponding local fees.

Other Identifying Information: The proposed amendments will increase annual operating permit and construction plan review fees by the 2003 fiscal growth factor for both the water recreation facilities and recreational water contact facilities programs.

Statutory Authority for Adoption: RCW 43.70.250 and 43.70.110.

Statute Being Implemented: RCW 43.70.250 and 43.70.110.

Summary: The water recreation program assists local health jurisdictions in assuring that water recreation facilities are safe for public use, thereby assuring public health protection.

Reasons Supporting Proposal: The proposed rules will enable the program to acquire additional revenue to maintain current service activities as well as provide a framework for local health jurisdictions to adjust corresponding local fees.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Gary Fraser, Tumwater, (360) 236-3073.

Name of Proponent: Department of Health, Environmental Health Programs, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The water recreation program assists local health jurisdictions in assuring that water recreation facilities are safe for public use, thereby assuring public health protection. The proposed rules will enable the program to acquire addi-

tional revenue to maintain current service activities as well as provide a framework for local health jurisdictions to adjust corresponding local fees. The proposed amendments will increase annual operating permit and construction plan review fees by the 2003 fiscal growth factor for both the water recreation facilities and recreational water contact facilities programs.

Proposal Changes the Following Existing Rules: The only proposed changes to these rules increase existing fees within the 2003 fiscal growth factor of 3.29% to acquire additional revenue to maintain current service activities as well as provide a framework for local health jurisdictions to adjust corresponding local fees.

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 Regulatory Fairness Act.

RCW 34.05.328 does not apply to this rule adoption. Under RCW 34.05.328 (5)(b)(vi), rules that set or adjust fees pursuant to legislative standards are exempt from the requirements of RCW 34.05.328.

Hearing Location: Department of Health, Water Recreation Program, 7171 Cleanwater Lane, Building 2, Olympia, WA 98504-7824, on June 24, 2003, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Gary Fraser by June 17, 2003, TDD (800) 833-6388 or (360) 236-3073.

Submit Written Comments to: Gary Fraser, Environmental Health Programs, P.O. Box 47825, Olympia, WA 98504-7825, fax (360) 236-2250, by June 24, 2003.

Date of Intended Adoption: June 25, 2003.

May 13, 2003

Eric Stagle

Deputy Secretary
for Mary Selecky
Secretary

AMENDATORY SECTION (Amending Order 122, filed 12/27/90, effective 1/31/91)

WAC 246-262-990 Fees. (1) The fee for plan review of a new recreational water contact facility containing a single attraction shall be two hundred six dollars plus the safety engineer reviewer's cost as billed.

(2) The fee for plan review of a new recreational water contact facility containing more than one attraction shall be two hundred six dollars plus the cost of the safety engineer reviewer's cost as billed plus ~~((seventy-five))~~ seventy-seven dollars for each attraction.

(3) The fee for review of plans for alterations or modifications of an existing recreational water contact facility shall be the total of direct and indirect costs, not to exceed one-half of the fee for review of a new project.

(4) The annual fee for an operating permit for a recreational water contact facility containing one attraction shall be one hundred ~~((seventy-five))~~ eighty dollars.

(5) The annual fee for an operating permit for a recreational water contact facility containing more than one attraction shall be one hundred ~~((seventy-five))~~ eighty dollars for

the first attraction plus fifty-one dollars for each additional attraction up to a maximum fee of three hundred ~~((twenty-five))~~ thirty-five dollars.

(6) The department may charge an additional fee of fifty-one dollars plus associated laboratory costs for inspections beyond those provided under the annual operating permit when necessary due to violations of such items as:

(a) Noncompliance with water quality standards; and

(b) Failure to comply with operational requirements for health and safety.

AMENDATORY SECTION (Amending WSR 01-14-047, filed 6/29/01, effective 7/30/01)

WAC 246-260-9901 Fees. (1) CONSTRUCTION PERMIT FEES. The department establishes the fees listed in Table 990.1 for construction permits for carrying out its duties under WAC 246-260-030.

**TABLE 990.1
CONSTRUCTION PERMIT FEES**

TYPE OF FACILITY	CONSTRUCTION PERMIT PLAN REVIEW FEES
I. Swimming Pools	
(a) 125,000 gallons or more in volume	\$(550.00) <u>568.00</u>
(b) Greater than 75,000 gallons and less than 125,000 gallons	\$(329.00) <u>339.00</u>
(c) Greater than 40,000 gallons and less than 75,000 gallons	\$(216.00) <u>223.00</u>
(d) Less than 40,000 gallons	\$(165.00) <u>170.00</u>
II. Spa Pools	\$(165.00) <u>170.00</u>
III. Wading Pools	\$(108.00) <u>111.00</u>
IV. Spray Pools	\$(82.00) <u>84.00</u>
V. Alterations, renovations, or modifications to existing swimming, spa, wading or spray pools, not to exceed two-thirds of new construction permit fees, or \$(66) <u>68</u> /hour (which ever is less).	
VI. The fees for multiple pools at the same location will be based upon the highest fee for one facility and two thirds of the fee for each additional facility. For example: The fee for a 100,000 gallon swimming pool, a 60,000 gallon swimming pool, and a spa pool will be: ((329 + \$144 + \$110 = \$583)) <u>\$339 + \$149 + \$113 = \$601</u> . The fees for a small 30,000 gallon swimming pool and a spa pool will be ((165 + \$110 = \$275)) <u>\$170 + \$113 = \$283</u> .	

(2) OPERATING PERMIT FEES The department establishes the fees listed in Table 990.2 for operating permits for carrying out its duties under WAC 246-260-040.

PROPOSED

TABLE 990.2

**FEE SCHEDULE
OPERATING PERMITS
Type + Number of Facilities**

	Single Swim Pool	Single Spa Pool	Single Wading Pool	Spray Pool or Pools	Each Additional Swim, Spa, or Wading Pool
Operating Permit 0-6 month	\$(28200) <u>291.00</u>	\$(247.00) <u>255.00</u>	\$(205.00) <u>211.00</u>	\$(102.00) <u>105.00</u>	\$(61.00) <u>63.00</u>
Operating Permit 6-12 months	\$(462.00) <u>477.00</u>	\$(411.00) <u>424.00</u>	\$(360.00) <u>371.00</u>	\$(154.00) <u>159.00</u>	\$(82.00) <u>84.00</u>

Other Terms and Conditions:

- (1) The department may charge an additional fee of ~~\$(85)~~ 87 plus associated laboratory costs for any inspections beyond those provided under the annual operating permit when necessary due to violations of such items as (a) noncompliance with water quality standards, and (b) failure to comply with operational requirements for health and safety.
- (2) The department may charge an alternate annual fee for an operating permit based on direct and indirect costs associated with issuance of the permit when arrangements are made with local health jurisdictions to administer all or portions of the duties associated with the operating permit. Except, that the fee for this operating permit cannot exceed the cost established by the previous portions of this regulation, but the fee may be less.
- (3) During the first year of development of the operating permit and for new pool facilities built hereafter, or pools temporarily closed (significant period of several months) and reopened, there are provisions for prorating the costs for the operating permits.
- (4) A reduction in fees, up to but not exceeding thirty percent, may be granted by the department when a facility operator can demonstrate a satisfactory level of training in pool safety, water quality, maintenance and operations. The department will develop criteria for such fee reductions within six months of the adoption of this regulation.
- (5) For limited use facilities requiring operating permits which are serving less than fifteen living units, the operating permit shall be fifty percent of the fee. However, reinspection fees when necessary, will be charged as noted in condition (1).
- (6) Fees for multiple facilities at the same physical location shall have a maximum FEE CAP as follows: Seasonal (0-6 months) WRF's: ~~\$(750)~~ 774 NOTE: The third and subsequent pool/spa at the same location will be charged ~~\$(50)~~ 51 for each such additional pool/spa. Year around (>6 months) WRF's ~~\$(1000)~~ 1032 NOTE: The third and subsequent pool/spa at the same physical location will be charged ~~\$(65)~~ 67 for each such additional pool/spa.

Examples of Fees Charged:

- (1) If more than one pool at a facility and one is a year-round pool and another is a seasonal pool—year-round pool is base cost, seasonal pool is charged at additional fee charge. For example: Year-round spa = ~~\$(411)~~ 424 plus seasonal swimming pool is ~~\$(61)~~ 63 = ~~\$(472)~~ 487 total operating permits.
- (2) If a single swimming pool and a single spa pool is used at the facility, the fee schedule will include fees as noted. For a 0-6 month permit, the primary fee for the single swimming would be ~~\$(282)~~ 291 and the spa pool would be viewed as the second pool at the facility and would have a fee of ~~\$(61)~~ 63, total operating permit fees would be ~~\$(343)~~ 354.
- (3) If there are 12 pools/spas at a single year-around pool facility, the FEE CAP would apply and the maximum fee of ~~\$(1000)~~ 1032 would be charged. (~~\$(462)~~ 477 base fee, ~~\$(82)~~ 84 for first additional pool/spa, ~~\$(65)~~ 67 for the remaining ten year-around pools/spas (10 x ~~\$(65)~~ 67 = ~~\$(650)~~ 670) Total fee before fee cap = ~~\$(462)~~ 477 + ~~\$(82)~~ 84 + ~~\$(650)~~ 670 = ~~\$(1194)~~ 1231. After FEE CAP the total fee = ~~\$(1000)~~ 1032. If approved training were credited to this facility for the maximum 30% discount, the 30% would be applied to the FEE CAP fee of ~~\$(1000)~~ 1032; ~~\$(1000)~~ 1032 - 30% = ~~\$(700)~~ 723.

**WSR 03-11-043
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS**
[Filed May 16, 2003, 8:03 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-04-017.

Title of Rule: Chapter 415-10 WAC, Purchase of service credit after statutory deadline, and actuarial WACs in chapter 415-02 WAC.

Purpose: The Office of the State Actuary (OSA) has provided the Department of Retirement Systems (DRS) updated factors for the calculation of the lump sum costs of

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purchasing service credit under RCW 41.50.165(2), based on a study that OSA undertakes every six years. As a result, it is necessary for DRS to amend WACs in chapter 415-10 WAC. In addition, DRS is adopting new WAC 415-02-370, which provides the actuarial factors used in the calculations.

Other Identifying Information: DRS adopted an almost identical rule on an emergency basis on April 25, 2003 (effective May 1, 2003) (WSR 03-10-007). The only difference is the lay-out of the calculation in the first paragraph of WAC 415-10-040.

Statutory Authority for Adoption: RCW 41.50.050(5).

Statute Being Implemented: RCW 41.50.165.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Merry A. Kogut, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; and Implementation and Enforcement: Lucille Christenson, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7069.

Name of Proponent: Department of Retirement Systems, governmental.

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

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

Proposal Changes the Following Existing Rules: DRS is amending WAC 415-02-020, 415-02-030, and 415-02-040 to make them more clear and to update them in light of the Office of the State Actuary's new numbers.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These amendments have no effect on businesses.

RCW 34.05.328 does not apply to this rule adoption. The Department of Retirement Systems is not one of the named departments in RCW 34.05.328.

Hearing Location: Department of Retirement Systems, 6835 Capitol Boulevard, Conference Room 115, Tumwater, WA, on June 30, 2003, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact the rules coordinator by seven days before the hearing, if possible, phone (360) 664-7291, TTY (360) 586-5450, e-mail merryk@drs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Merry A. Kogut, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Merryk@drs.wa.gov, fax (360) 753-3166, by 5:00 p.m. on June 30, 2003.

Date of Intended Adoption: No sooner than the day after the hearing.

May 16, 2003

Merry A. Kogut
Rules Coordinator

AMENDATORY SECTION (Amending WSR 02-03-120, filed 1/23/02, effective 3/1/02)

WAC 415-10-020 Definitions. As used in this chapter:

(1) **Average earnings** means:

(a) In PERS Plan 1, TRS Plan 1 or WSPRS Plan 1: The average of your two highest consecutive years of compensation as of the date of your service credit purchase.

(b) In Plan 2 or Plan 3: The average of your five highest consecutive years of compensation as of the date of your service credit purchase.

(c) In LEOFF Plan 1: The basic salary attached to your position at the date of your service credit purchase.

(2) **Factors** (:

(a) ~~"Factor 1" means the actuarial cost factor calculated by the state actuary and adopted by the department. The actual factor used varies depending upon the time between the date of payment and the projected date of retirement. Generally, the longer the gap between date of payment and date of retirement the lower the factor.~~

(b) ~~"Factor 2" is the actuarial factor calculated by the state actuary based upon demographic differences between the membership of the different retirement systems. Those factors are: .00788 (PERS Plan 1); .00698 (TRS Plan 1); and .00908 (WSPRS Plan 1).~~

(c) ~~"Factor 3" means the interest factor calculated by the state actuary and adopted by the department. This factor is used only when the service credit purchase lowers the projected retirement age and is based upon the higher cost to the system of the earlier retirement)) means the actuarial cost factors calculated by the state actuary and adopted by the department that are used in the formulas for calculating the cost of a service credit purchase. See WAC 415-02-370 for additional information about the service credit purchase factors.~~

(3) **LEOFF** means the law enforcement officers' and fire fighters' retirement system established under chapter 41.26 RCW.

(4) **PERS** means the public employees' retirement system established under chapter 41.40 RCW.

(5) **SERS** means the school employees' retirement system established under chapter 41.35 RCW.

(6) **Service credit being purchased** means the number of service credit months or service credit years you are purchasing.

(7) **TRS** means the teachers' retirement system established under chapter 41.32 RCW.

(8) **WSPRS** means the Washington state patrol retirement system established under chapter 43.43 RCW.

(9) **Years of earlier retirement** equals the number of years or fractions of years you will be able to retire earlier as a result of your purchase of service credit.

(10) **Years of service** equals the total anticipated years of service you will have accrued at retirement, including the additional service credit you purchase under this section.

AMENDATORY SECTION (Amending WSR 02-03-120, filed 1/23/02, effective 3/1/02)

WAC 415-10-030 Calculation of cost to purchase service credit in certain plans. If you are a member of LEOFF Plan 1 or 2, PERS Plan 2 or 3, TRS Plan 2 or 3, or SERS Plan 2 or 3, the department will calculate the actuarial value of the service credit you purchase under RCW 41.50.165(2) using the following formula:

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$$\text{Service Credit Purchase Cost} = \text{Average Earnings} \times \text{Service Credit Being Purchased} \times \text{Factor 1}$$

(= Cost to purchase service credit)

This represents the cost of the additional retirement allowance you will receive by including the additional service credit from your purchase into your retirement benefit calculation.

Example: Purchase of additional service credit.

Ron is an active PERS Plan 2 member who currently has 18 years of service. Ron turned age 61 last month. His average earnings are \$50,000. Ron would like to purchase 3 years of service that he previously withdrew but did not restore before the deadline.

The department will first determine Ron's normal retirement age to identify the appropriate factor from the Factor 1 tableⁱ to use in the formula for calculating the service credit purchase cost. Normal retirement age (NRA) is the earliest age at which a member will be eligible to retire with unreduced benefits under the requirements of his or her system and plan. Ron's NRA will come when he is age 65 and has 21 years of serviceⁱⁱ. Since he is currently age 61, Ron is 4 years (48 months) to normal retirement age. So, the department will use the factor 0.2016 from the Factor 1 table, which is factor for 48 months to NRA under PERS Plan 2.

The department will then calculate the cost of purchasing the service credit using the Service Credit Purchase Cost formula:

$$\text{Cost} = \text{Average Earnings} \times \text{Service Credit Being Purchased} \times \text{Factor 1}$$

The cost of Ron's purchase would be calculated as follows:

$$\text{Cost} = \$50,000 \times 3 \text{ (years purchased)} \times 0.2016 \text{ (48 months to NRA)} = \$30,240$$

Ron's total cost to purchase 3 years of service credit is \$30,240.

Footnotes to section:

ⁱSee WAC 415-02-370.

ⁱⁱRon would first qualify under the PERS Plan 2 eligibility rule of being age 65 or older with at least 5 years of service.

AMENDATORY SECTION (Amending WSR 02-23-037, filed 11/13/02, effective 1/1/03)

WAC 415-10-040 Calculation of cost to purchase service credit for members of PERS Plan 1, TRS Plan 1 or WSPRS Plan 1 or 2. If you are a member of PERS 1, TRS 1 or WSPRS Plan 1 or 2, the department will calculate the actuarial value of the service credit you purchase under RCW 41.50.165(2) using the following three part formula:

$$\begin{array}{r} \text{Part 1 Cost} = \\ ((\text{Service Credit Being} \\ \text{Purchased)}) \text{ Average} \\ \text{Earnings} \\ \times \end{array} \quad \begin{array}{r} \text{Part 2 Cost} = \\ ((\text{Years of Service})) \text{ Average} \\ \text{Earnings} \\ \times \end{array}$$

$$\begin{array}{r} ((\text{Average Earnings})) \text{ Ser-} \\ \text{vice Credit Being Pur-} \\ \text{chased} \\ \times \\ \text{Factor 1} \end{array} \quad \begin{array}{r} ((\text{Average Earnings})) \text{ Years of} \\ \text{Service} \\ \times \\ \text{Years of Earlier Retirement} \\ \times \\ \text{Factor 2} \\ \times \\ ((\text{Years of Earlier Retirement})) \\ \times \\ \text{Factor 3} \\ ((\text{Cost to purchase service credit})) \text{ Service Credit Purchase} \\ \text{Cost (Part 3)} = \text{Part 1 Cost} + \text{Part 2 Cost.} \end{array}$$

The Part 1 Cost represents the cost of including the additional service in your retirement allowance calculation. The Part 2 Cost represents the cost of ~~((commencing))~~ beginning your retirement ~~((allowance))~~ benefit at ~~((the earliest possible))~~ an earlier age. If your purchase does not allow you to begin your retirement at an earlier age, your Part 2 Cost is zero.

Example: Purchase of additional service credit that enables earlier retirement.

Don is an active PERS 1 member who currently has 18 years of service. Don turned age 50 last month. His average earnings are \$50,000. Don would like to purchase 3 years of service that he previously withdrew but did not restore before the deadline.

The department will first determine Don's normal retirement age. Normal retirement age (NRA), is the earliest age at which a member will be eligible to retire with unreduced benefits under the requirements of his or her system and plan. The department will use Don's NRA to identify the appropriate factor from the Factor 1 tableⁱ to use in the formula for calculating the Part 1 Cost. Since Don can retire earlier due to the service credit purchase, the normal retirement age will also be used to identify the appropriate factor from the Factor 3 tableⁱⁱ to use in the formula for calculating the Part 2 Cost. Don's NRA will come in 7 years when he is age 57 and has 25 years of serviceⁱⁱⁱ. Since he is currently age 50, Don is 7 years (84 months) to normal retirement age. So, the department will use the factors for 84 months to NRA from the Factor 1 table and the Factor 3 table.

The department will next determine how much earlier Don can retire if he purchases service credit. If Don purchases 3 years of service, his service credit total will increase to 21 years. This means that Don would reach 25 years of service when he is age 54. In another year, Don would be eligible to retire (age 55, with 26 years). With the purchase, Don is eligible to retire 2 years earlier (age 55) than his NRA of 57.

The department will then calculate the cost of purchasing the service credit using the three part formula:

$$\begin{array}{l} \text{Part 1 Cost} = \text{Average Earnings} \times \text{Service Purchased} \times \text{Factor 1} \\ \text{Part 2 Cost} = (\text{Total Service}^{\text{iv}}) \times (\text{Average Earnings}) \times (\text{Factor 2}^{\text{v}}) \times (\text{Years} \end{array}$$

of Earlier Retirement) x (Factor 3)
Service Credit Purchase Cost (Part 3) = Part 1 Cost + Part 2 Cost

The cost of Don's purchase would be calculated as follows:

Part 1 Cost = \$50,000 x 3 (years purchased) x 0.1680 (7 years to NRA) = \$25,200
 Part 2 Cost = \$50,000 x 26 years x 2 years earlier x 0.00434 (PERS 1) x 0.7940 (84 months to NRA) = \$8,959
 Service Credit Purchase Cost (Part 3) = \$25,200 + \$8,959 = \$34,159^{vi}

Don's total cost to purchase 3 years of service credit is \$34,159.

Footnotes to section:

ⁱSee WAC 415-02-370.

ⁱⁱSee WAC 415-02-370.

ⁱⁱⁱDon would qualify under the PERS Plan 1 eligibility rule of being age 55 or older with at least 25 years of service.

^{iv}This means the total service credit the member would have at retirement, including the purchased service credit.

^vSee WAC 415-02-370.

^{vi}This result is rounded to the nearest dollar.

NEW SECTION

WAC 415-02-370 Service credit purchase factors. RCW 41.50.165(2) and chapter 415-10 WAC allow a member to purchase service credit by paying the actuarial value of the resulting increase in his or her benefit. This section provides the actuarial factor tables that the department uses to calculate the lump sum costs for the purchase. For more information on the factors and their use, please read chapter 415-10 WAC.

(1) **What are the factors for calculating the lump sum costs of purchasing service credit?** There are three factors that may be used to calculate the cost of purchasing service credit:

(a) **Factor 1** represents the pension accrual rate, the annuity price (value of future benefit payments), increases in

average final compensation, future salary increases and interest discount between the member's age at the time of the service credit purchase and the normal retirement age.

(b) **Factor 2** represents the cost of lowering the normal retirement age by one year.

(c) **Factor 3** represents future salary increases and interest discount between the member's age at the time of the service credit purchase and the normal retirement age.

(2) **What is "normal retirement age"?** Normal retirement age (NRA) is the earliest projected age at which a member will be eligible to retire with unreduced benefits under the requirements of his or her system and plan. The requirements are different among plans; please consult your plan for specific, detailed information.

LEOFF Plan 1:	RCW 41.26.090(1)
LEOFF Plan 2:	RCW 41.26.430(1)
PERS Plan 1:	RCW 41.40.180
PERS Plan 2:	RCW 41.40.630(1)
PERS Plan 3:	RCW 41.40.820(1)
SERS Plan 2:	RCW 41.35.420(1)
SERS Plan 3:	RCW 41.35.680(1)
TRS Plan 1:	RCW 41.32.480
TRS Plan 2:	RCW 41.32.765(1)
TRS Plan 3:	RCW 41.32.875(1)
WSPRS Plan 1:	RCW 43.43.250(2)
WSPRS Plan 2:	RCW 43.43.250(2)

(3) **What is "Months to NRA"?** This means the number of months from the member's age when the service credit is purchased to the member's NRA. The number of months to NRA is used to find the applicable factor(s) in Table 1 and Table 3 for calculating the service purchase credit cost.

(4) **Table - Factor 1.** Factor 1 is used in the calculation of the service credit purchase cost for a member in any PERS, TRS, SERS, LEOFF, or WSPRS plan.

FACTOR 1

Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
0	0.3245	0.2922	0.2115	0.2300	0.2445	0.2112	0.2454	0.3026	0.2815
1	0.3236	0.2914	0.2109	0.2294	0.2438	0.2106	0.2447	0.3018	0.2807
2	0.3227	0.2906	0.2104	0.2288	0.2432	0.2101	0.2441	0.3010	0.2800
3	0.3219	0.2898	0.2098	0.2281	0.2425	0.2095	0.2434	0.3001	0.2792
4	0.3210	0.2890	0.2092	0.2275	0.2419	0.2089	0.2427	0.2993	0.2785
5	0.3201	0.2882	0.2087	0.2269	0.2412	0.2084	0.2421	0.2985	0.2777
6	0.3192	0.2874	0.2081	0.2263	0.2406	0.2078	0.2414	0.2977	0.2770
7	0.3183	0.2867	0.2075	0.2257	0.2399	0.2072	0.2407	0.2969	0.2762
8	0.3174	0.2859	0.2070	0.2251	0.2392	0.2067	0.2401	0.2961	0.2754
9	0.3166	0.2851	0.2064	0.2244	0.2386	0.2061	0.2394	0.2952	0.2747
10	0.3157	0.2843	0.2058	0.2238	0.2379	0.2055	0.2387	0.2944	0.2739
11	0.3148	0.2835	0.2053	0.2232	0.2373	0.2050	0.2381	0.2936	0.2732

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Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
12	0.3139	0.2827	0.2047	0.2226	0.2366	0.2044	0.2374	0.2928	0.2724
13	0.3131	0.2819	0.2041	0.2220	0.2360	0.2038	0.2368	0.2920	0.2717
14	0.3122	0.2812	0.2036	0.2214	0.2353	0.2033	0.2361	0.2912	0.2709
15	0.3114	0.2804	0.2030	0.2208	0.2347	0.2027	0.2355	0.2904	0.2702
16	0.3105	0.2797	0.2025	0.2202	0.2340	0.2022	0.2348	0.2896	0.2695
17	0.3097	0.2789	0.2019	0.2196	0.2334	0.2016	0.2342	0.2888	0.2687
18	0.3088	0.2782	0.2014	0.2190	0.2327	0.2011	0.2335	0.2880	0.2680
19	0.3080	0.2774	0.2008	0.2184	0.2321	0.2005	0.2329	0.2873	0.2673
20	0.3072	0.2766	0.2002	0.2178	0.2315	0.2000	0.2323	0.2865	0.2665
21	0.3063	0.2759	0.1997	0.2172	0.2308	0.1994	0.2316	0.2857	0.2658
22	0.3055	0.2751	0.1991	0.2166	0.2302	0.1989	0.2310	0.2849	0.2651
23	0.3046	0.2744	0.1986	0.2160	0.2295	0.1983	0.2303	0.2841	0.2643
24	0.3038	0.2736	0.1980	0.2154	0.2289	0.1978	0.2297	0.2833	0.2636
25	0.3030	0.2729	0.1975	0.2148	0.2283	0.1973	0.2291	0.2825	0.2629
26	0.3021	0.2721	0.1969	0.2142	0.2277	0.1967	0.2285	0.2818	0.2622
27	0.3013	0.2714	0.1964	0.2137	0.2270	0.1962	0.2278	0.2810	0.2614
28	0.3005	0.2706	0.1959	0.2131	0.2264	0.1957	0.2272	0.2803	0.2607
29	0.2997	0.2699	0.1953	0.2125	0.2258	0.1951	0.2266	0.2795	0.2600
30	0.2988	0.2691	0.1948	0.2119	0.2252	0.1946	0.2260	0.2788	0.2593
31	0.2980	0.2684	0.1943	0.2113	0.2246	0.1941	0.2254	0.2780	0.2586
32	0.2972	0.2677	0.1937	0.2107	0.2240	0.1935	0.2248	0.2772	0.2579
33	0.2964	0.2669	0.1932	0.2102	0.2233	0.1930	0.2241	0.2765	0.2571
34	0.2955	0.2662	0.1927	0.2096	0.2227	0.1925	0.2235	0.2757	0.2564
35	0.2947	0.2654	0.1921	0.2090	0.2221	0.1919	0.2229	0.2750	0.2557
36	0.2939	0.2647	0.1916	0.2084	0.2215	0.1914	0.2223	0.2742	0.2550
37	0.2931	0.2640	0.1911	0.2078	0.2209	0.1909	0.2217	0.2735	0.2543
38	0.2923	0.2633	0.1906	0.2073	0.2203	0.1904	0.2211	0.2727	0.2536
39	0.2915	0.2625	0.1900	0.2067	0.2197	0.1898	0.2205	0.2720	0.2530
40	0.2907	0.2618	0.1895	0.2061	0.2191	0.1893	0.2199	0.2712	0.2523
41	0.2899	0.2611	0.1890	0.2056	0.2185	0.1888	0.2193	0.2705	0.2516
42	0.2891	0.2604	0.1885	0.2050	0.2179	0.1883	0.2187	0.2697	0.2509
43	0.2884	0.2597	0.1880	0.2044	0.2173	0.1878	0.2181	0.2690	0.2502
44	0.2876	0.2590	0.1875	0.2039	0.2167	0.1873	0.2175	0.2683	0.2495
45	0.2868	0.2582	0.1869	0.2033	0.2161	0.1867	0.2169	0.2675	0.2489
46	0.2860	0.2575	0.1864	0.2027	0.2155	0.1862	0.2163	0.2668	0.2482
47	0.2852	0.2568	0.1859	0.2022	0.2149	0.1857	0.2157	0.2660	0.2475
48	0.2844	0.2561	0.1854	0.2016	0.2143	0.1852	0.2151	0.2653	0.2468
49	0.2836	0.2554	0.1849	0.2011	0.2137	0.1847	0.2145	0.2646	0.2461
50	0.2829	0.2547	0.1844	0.2005	0.2131	0.1842	0.2139	0.2639	0.2455
51	0.2821	0.2540	0.1839	0.2000	0.2126	0.1837	0.2134	0.2631	0.2448
52	0.2813	0.2533	0.1834	0.1994	0.2120	0.1832	0.2128	0.2624	0.2441
53	0.2806	0.2526	0.1829	0.1989	0.2114	0.1827	0.2122	0.2617	0.2435
54	0.2798	0.2519	0.1824	0.1983	0.2108	0.1822	0.2116	0.2610	0.2428
55	0.2790	0.2513	0.1819	0.1978	0.2103	0.1817	0.2110	0.2603	0.2421
56	0.2783	0.2506	0.1814	0.1973	0.2097	0.1812	0.2104	0.2596	0.2415

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Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
57	0.2775	0.2499	0.1809	0.1967	0.2091	0.1807	0.2099	0.2588	0.2408
58	0.2767	0.2492	0.1804	0.1962	0.2085	0.1802	0.2093	0.2581	0.2401
59	0.2760	0.2485	0.1799	0.1956	0.2080	0.1797	0.2087	0.2574	0.2395
60	0.2752	0.2478	0.1794	0.1951	0.2074	0.1792	0.2081	0.2567	0.2388
61	0.2745	0.2471	0.1789	0.1946	0.2068	0.1787	0.2075	0.2560	0.2381
62	0.2737	0.2465	0.1784	0.1940	0.2063	0.1782	0.2070	0.2553	0.2375
63	0.2730	0.2458	0.1780	0.1935	0.2057	0.1778	0.2064	0.2546	0.2368
64	0.2722	0.2451	0.1775	0.1930	0.2052	0.1773	0.2059	0.2539	0.2362
65	0.2715	0.2445	0.1770	0.1925	0.2046	0.1768	0.2053	0.2532	0.2355
66	0.2707	0.2438	0.1765	0.1919	0.2041	0.1763	0.2048	0.2525	0.2349
67	0.2700	0.2431	0.1760	0.1914	0.2035	0.1758	0.2042	0.2519	0.2342
68	0.2693	0.2425	0.1755	0.1909	0.2029	0.1753	0.2036	0.2512	0.2336
69	0.2685	0.2418	0.1751	0.1904	0.2024	0.1749	0.2031	0.2505	0.2329
70	0.2678	0.2411	0.1746	0.1898	0.2018	0.1744	0.2025	0.2498	0.2323
71	0.2670	0.2405	0.1741	0.1893	0.2013	0.1739	0.2020	0.2491	0.2316
72	0.2663	0.2398	0.1736	0.1888	0.2007	0.1734	0.2014	0.2484	0.2310
73	0.2656	0.2391	0.1731	0.1883	0.2002	0.1729	0.2009	0.2477	0.2304
74	0.2648	0.2385	0.1727	0.1878	0.1996	0.1724	0.2003	0.2470	0.2297
75	0.2641	0.2378	0.1722	0.1872	0.1991	0.1720	0.1998	0.2464	0.2291
76	0.2634	0.2372	0.1717	0.1867	0.1985	0.1715	0.1992	0.2457	0.2285
77	0.2627	0.2365	0.1713	0.1862	0.1980	0.1710	0.1987	0.2450	0.2279
78	0.2619	0.2359	0.1708	0.1857	0.1974	0.1705	0.1981	0.2443	0.2272
79	0.2612	0.2352	0.1703	0.1852	0.1969	0.1701	0.1976	0.2437	0.2266
80	0.2605	0.2346	0.1699	0.1847	0.1964	0.1696	0.1971	0.2430	0.2260
81	0.2598	0.2339	0.1694	0.1841	0.1958	0.1691	0.1965	0.2423	0.2254
82	0.2590	0.2333	0.1689	0.1836	0.1953	0.1686	0.1960	0.2416	0.2247
83	0.2583	0.2326	0.1685	0.1831	0.1947	0.1682	0.1954	0.2410	0.2241
84	0.2576	0.2320	0.1680	0.1826	0.1942	0.1677	0.1949	0.2403	0.2235
85	0.2569	0.2314	0.1675	0.1821	0.1937	0.1672	0.1944	0.2396	0.2229
86	0.2562	0.2307	0.1671	0.1816	0.1931	0.1668	0.1938	0.2390	0.2223
87	0.2555	0.2301	0.1666	0.1811	0.1926	0.1663	0.1933	0.2383	0.2217
88	0.2548	0.2295	0.1662	0.1806	0.1921	0.1659	0.1928	0.2377	0.2211
89	0.2541	0.2289	0.1657	0.1801	0.1916	0.1654	0.1922	0.2370	0.2205
90	0.2534	0.2282	0.1653	0.1796	0.1910	0.1650	0.1917	0.2364	0.2199
91	0.2528	0.2276	0.1648	0.1792	0.1905	0.1645	0.1912	0.2357	0.2193
92	0.2521	0.2270	0.1643	0.1787	0.1900	0.1641	0.1906	0.2351	0.2187
93	0.2514	0.2264	0.1639	0.1782	0.1895	0.1636	0.1901	0.2344	0.2181
94	0.2507	0.2257	0.1634	0.1777	0.1889	0.1632	0.1896	0.2338	0.2175
95	0.2500	0.2251	0.1630	0.1772	0.1884	0.1627	0.1890	0.2331	0.2169
96	0.2493	0.2245	0.1625	0.1767	0.1879	0.1623	0.1885	0.2325	0.2163
97	0.2486	0.2239	0.1621	0.1762	0.1874	0.1619	0.1880	0.2319	0.2157
98	0.2479	0.2233	0.1616	0.1757	0.1869	0.1614	0.1875	0.2312	0.2151
99	0.2473	0.2227	0.1612	0.1753	0.1864	0.1610	0.1870	0.2306	0.2146
100	0.2466	0.2221	0.1608	0.1748	0.1859	0.1605	0.1865	0.2300	0.2140
101	0.2459	0.2215	0.1603	0.1743	0.1854	0.1601	0.1860	0.2294	0.2134

PROPOSED

Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
102	0.2452	0.2209	0.1599	0.1738	0.1849	0.1596	0.1855	0.2287	0.2128
103	0.2446	0.2202	0.1595	0.1734	0.1843	0.1592	0.1849	0.2281	0.2122
104	0.2439	0.2196	0.1590	0.1729	0.1838	0.1588	0.1844	0.2275	0.2116
105	0.2432	0.2190	0.1586	0.1724	0.1833	0.1583	0.1839	0.2269	0.2111
106	0.2425	0.2184	0.1582	0.1719	0.1828	0.1579	0.1834	0.2262	0.2105
107	0.2419	0.2178	0.1577	0.1715	0.1823	0.1574	0.1829	0.2256	0.2099
108	0.2412	0.2172	0.1573	0.1710	0.1818	0.1570	0.1824	0.2250	0.2093
109	0.2405	0.2166	0.1569	0.1705	0.1813	0.1566	0.1819	0.2244	0.2087
110	0.2399	0.2160	0.1564	0.1701	0.1808	0.1562	0.1814	0.2238	0.2082
111	0.2392	0.2155	0.1560	0.1696	0.1803	0.1557	0.1809	0.2232	0.2076
112	0.2386	0.2149	0.1556	0.1692	0.1798	0.1553	0.1804	0.2226	0.2070
113	0.2379	0.2143	0.1552	0.1687	0.1793	0.1549	0.1799	0.2220	0.2065
114	0.2373	0.2137	0.1547	0.1683	0.1788	0.1545	0.1794	0.2214	0.2059
115	0.2366	0.2131	0.1543	0.1678	0.1784	0.1541	0.1790	0.2207	0.2053
116	0.2360	0.2125	0.1539	0.1673	0.1779	0.1537	0.1785	0.2201	0.2048
117	0.2353	0.2120	0.1535	0.1669	0.1774	0.1532	0.1780	0.2195	0.2042
118	0.2347	0.2114	0.1530	0.1664	0.1769	0.1528	0.1775	0.2189	0.2036
119	0.2340	0.2108	0.1526	0.1660	0.1764	0.1524	0.1770	0.2183	0.2031
120	0.2334	0.2102	0.1522	0.1655	0.1759	0.1520	0.1765	0.2177	0.2025
121	0.2328	0.2096	0.1518	0.1650	0.1754	0.1516	0.1760	0.2171	0.2019
122	0.2321	0.2091	0.1514	0.1646	0.1749	0.1512	0.1755	0.2165	0.2014
123	0.2315	0.2085	0.1509	0.1641	0.1745	0.1507	0.1751	0.2159	0.2008
124	0.2309	0.2079	0.1505	0.1637	0.1740	0.1503	0.1746	0.2153	0.2003
125	0.2302	0.2074	0.1501	0.1632	0.1735	0.1499	0.1741	0.2147	0.1997
126	0.2296	0.2068	0.1497	0.1628	0.1730	0.1495	0.1736	0.2141	0.1992
127	0.2290	0.2062	0.1493	0.1623	0.1726	0.1491	0.1732	0.2136	0.1986
128	0.2283	0.2057	0.1489	0.1619	0.1721	0.1487	0.1727	0.2130	0.1981
129	0.2277	0.2051	0.1484	0.1614	0.1716	0.1482	0.1722	0.2124	0.1975
130	0.2271	0.2045	0.1480	0.1610	0.1711	0.1478	0.1717	0.2118	0.1970
131	0.2264	0.2040	0.1476	0.1605	0.1707	0.1474	0.1713	0.2112	0.1964
132	0.2258	0.2034	0.1472	0.1601	0.1702	0.1470	0.1708	0.2106	0.1959
133	0.2252	0.2028	0.1468	0.1597	0.1697	0.1466	0.1703	0.2100	0.1954
134	0.2246	0.2023	0.1464	0.1592	0.1693	0.1462	0.1699	0.2095	0.1948
135	0.2240	0.2017	0.1460	0.1588	0.1688	0.1458	0.1694	0.2089	0.1943
136	0.2234	0.2012	0.1456	0.1584	0.1684	0.1454	0.1690	0.2083	0.1938
137	0.2228	0.2006	0.1452	0.1579	0.1679	0.1450	0.1685	0.2078	0.1933
138	0.2222	0.2001	0.1448	0.1575	0.1675	0.1446	0.1681	0.2072	0.1927
139	0.2215	0.1995	0.1445	0.1571	0.1670	0.1443	0.1676	0.2066	0.1922
140	0.2209	0.1990	0.1441	0.1566	0.1665	0.1439	0.1671	0.2061	0.1917
141	0.2203	0.1984	0.1437	0.1562	0.1661	0.1435	0.1667	0.2055	0.1912
142	0.2197	0.1979	0.1433	0.1558	0.1656	0.1431	0.1662	0.2049	0.1906
143	0.2191	0.1973	0.1429	0.1553	0.1652	0.1427	0.1658	0.2044	0.1901
144	0.2185	0.1968	0.1425	0.1549	0.1647	0.1423	0.1653	0.2038	0.1896
145	0.2179	0.1963	0.1421	0.1545	0.1642	0.1419	0.1648	0.2032	0.1891
146	0.2173	0.1957	0.1417	0.1541	0.1638	0.1415	0.1644	0.2027	0.1886

Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
147	0.2167	0.1952	0.1413	0.1536	0.1633	0.1412	0.1639	0.2021	0.1881
148	0.2161	0.1947	0.1409	0.1532	0.1629	0.1408	0.1635	0.2016	0.1876
149	0.2155	0.1941	0.1405	0.1528	0.1624	0.1404	0.1630	0.2010	0.1871
150	0.2149	0.1936	0.1401	0.1524	0.1620	0.1400	0.1626	0.2005	0.1866
151	0.2144	0.1931	0.1398	0.1520	0.1615	0.1396	0.1621	0.1999	0.1860
152	0.2138	0.1925	0.1394	0.1516	0.1611	0.1392	0.1617	0.1994	0.1855
153	0.2132	0.1920	0.1390	0.1511	0.1606	0.1389	0.1612	0.1988	0.1850
154	0.2126	0.1915	0.1386	0.1507	0.1602	0.1385	0.1608	0.1983	0.1845
155	0.2120	0.1909	0.1382	0.1503	0.1597	0.1381	0.1603	0.1977	0.1840
156	0.2114	0.1904	0.1378	0.1499	0.1593	0.1377	0.1599	0.1972	0.1835
157	0.2108	0.1899	0.1374	0.1495	0.1589	0.1373	0.1595	0.1967	0.1830
158	0.2103	0.1894	0.1371	0.1491	0.1584	0.1369	0.1590	0.1961	0.1825
159	0.2097	0.1888	0.1367	0.1487	0.1580	0.1366	0.1586	0.1956	0.1820
160	0.2091	0.1883	0.1363	0.1483	0.1576	0.1362	0.1582	0.1951	0.1815
161	0.2086	0.1878	0.1360	0.1479	0.1572	0.1358	0.1577	0.1945	0.1810
162	0.2080	0.1873	0.1356	0.1475	0.1567	0.1354	0.1573	0.1940	0.1805
163	0.2074	0.1868	0.1352	0.1470	0.1563	0.1351	0.1569	0.1935	0.1800
164	0.2069	0.1863	0.1349	0.1466	0.1559	0.1347	0.1564	0.1929	0.1795
165	0.2063	0.1857	0.1345	0.1462	0.1555	0.1343	0.1560	0.1924	0.1790
166	0.2057	0.1852	0.1341	0.1458	0.1550	0.1339	0.1556	0.1919	0.1785
167	0.2052	0.1847	0.1338	0.1454	0.1546	0.1336	0.1551	0.1913	0.1780
168	0.2046	0.1842	0.1334	0.1450	0.1542	0.1332	0.1547	0.1908	0.1775
169	0.2040	0.1837	0.1330	0.1446	0.1538	0.1328	0.1543	0.1903	0.1770
170	0.2035	0.1832	0.1327	0.1442	0.1534	0.1325	0.1539	0.1898	0.1765
171	0.2029	0.1827	0.1323	0.1438	0.1529	0.1321	0.1534	0.1892	0.1761
172	0.2024	0.1822	0.1319	0.1434	0.1525	0.1318	0.1530	0.1887	0.1756
173	0.2018	0.1817	0.1316	0.1430	0.1521	0.1314	0.1526	0.1882	0.1751
174	0.2013	0.1812	0.1312	0.1426	0.1517	0.1311	0.1522	0.1877	0.1746
175	0.2007	0.1808	0.1308	0.1423	0.1513	0.1307	0.1518	0.1872	0.1742
176	0.2001	0.1803	0.1305	0.1419	0.1509	0.1303	0.1514	0.1867	0.1737
177	0.1996	0.1798	0.1301	0.1415	0.1504	0.1300	0.1509	0.1861	0.1732
178	0.1990	0.1793	0.1297	0.1411	0.1500	0.1296	0.1505	0.1856	0.1727
179	0.1985	0.1788	0.1294	0.1407	0.1496	0.1293	0.1501	0.1851	0.1723
180	0.1979	0.1783	0.1290	0.1403	0.1492	0.1289	0.1497	0.1846	0.1718
181	0.1974	0.1778	0.1287	0.1399	0.1488	0.1285	0.1493	0.1841	0.1713
182	0.1968	0.1773	0.1283	0.1395	0.1484	0.1282	0.1489	0.1836	0.1709
183	0.1963	0.1769	0.1280	0.1392	0.1480	0.1278	0.1485	0.1831	0.1704
184	0.1958	0.1764	0.1276	0.1388	0.1476	0.1275	0.1481	0.1826	0.1699
185	0.1952	0.1759	0.1273	0.1384	0.1472	0.1271	0.1477	0.1821	0.1695
186	0.1947	0.1754	0.1269	0.1380	0.1468	0.1268	0.1473	0.1816	0.1690
187	0.1942	0.1749	0.1266	0.1377	0.1463	0.1264	0.1469	0.1812	0.1685
188	0.1936	0.1744	0.1263	0.1373	0.1459	0.1261	0.1465	0.1807	0.1681
189	0.1931	0.1740	0.1259	0.1369	0.1455	0.1257	0.1461	0.1802	0.1676
190	0.1926	0.1735	0.1256	0.1365	0.1451	0.1254	0.1457	0.1797	0.1671
191	0.1920	0.1730	0.1252	0.1362	0.1447	0.1250	0.1453	0.1792	0.1667

PROPOSED

PROPOSED

Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
192	0.1915	0.1725	0.1249	0.1358	0.1443	0.1247	0.1449	0.1787	0.1662
193	0.1910	0.1720	0.1246	0.1354	0.1439	0.1244	0.1445	0.1782	0.1657
194	0.1905	0.1716	0.1242	0.1351	0.1435	0.1240	0.1441	0.1777	0.1653
195	0.1899	0.1711	0.1239	0.1347	0.1432	0.1237	0.1437	0.1773	0.1648
196	0.1894	0.1706	0.1235	0.1343	0.1428	0.1234	0.1433	0.1768	0.1644
197	0.1889	0.1702	0.1232	0.1340	0.1424	0.1230	0.1429	0.1763	0.1639
198	0.1884	0.1697	0.1228	0.1336	0.1420	0.1227	0.1425	0.1758	0.1635
199	0.1879	0.1692	0.1225	0.1332	0.1416	0.1224	0.1422	0.1753	0.1630
200	0.1874	0.1688	0.1222	0.1329	0.1412	0.1220	0.1418	0.1748	0.1626
201	0.1868	0.1683	0.1218	0.1325	0.1409	0.1217	0.1414	0.1744	0.1621
202	0.1863	0.1678	0.1215	0.1321	0.1405	0.1214	0.1410	0.1739	0.1617
203	0.1858	0.1674	0.1211	0.1318	0.1401	0.1210	0.1406	0.1734	0.1612
204	0.1853	0.1669	0.1208	0.1314	0.1397	0.1207	0.1402	0.1729	0.1608
205	0.1848	0.1664	0.1205	0.1310	0.1393	0.1204	0.1398	0.1724	0.1604
206	0.1843	0.1660	0.1201	0.1307	0.1389	0.1200	0.1394	0.1720	0.1599
207	0.1838	0.1655	0.1198	0.1303	0.1386	0.1197	0.1391	0.1715	0.1595
208	0.1833	0.1651	0.1195	0.1300	0.1382	0.1194	0.1387	0.1710	0.1591
209	0.1828	0.1646	0.1192	0.1296	0.1378	0.1191	0.1383	0.1706	0.1586
210	0.1823	0.1642	0.1188	0.1293	0.1374	0.1187	0.1379	0.1701	0.1582
211	0.1818	0.1637	0.1185	0.1289	0.1370	0.1184	0.1375	0.1696	0.1578
212	0.1813	0.1633	0.1182	0.1285	0.1366	0.1181	0.1371	0.1692	0.1573
213	0.1808	0.1628	0.1179	0.1282	0.1363	0.1178	0.1368	0.1687	0.1569
214	0.1803	0.1624	0.1175	0.1278	0.1359	0.1174	0.1364	0.1682	0.1565
215	0.1798	0.1619	0.1172	0.1275	0.1355	0.1171	0.1360	0.1678	0.1560
216	0.1793	0.1615	0.1169	0.1271	0.1351	0.1168	0.1356	0.1673	0.1556
217	0.1788	0.1611	0.1166	0.1268	0.1347	0.1165	0.1352	0.1668	0.1552
218	0.1783	0.1606	0.1163	0.1264	0.1344	0.1162	0.1349	0.1664	0.1547
219	0.1779	0.1602	0.1159	0.1261	0.1340	0.1158	0.1345	0.1659	0.1543
220	0.1774	0.1597	0.1156	0.1257	0.1337	0.1155	0.1341	0.1655	0.1539
221	0.1769	0.1593	0.1153	0.1254	0.1333	0.1152	0.1338	0.1650	0.1535
222	0.1764	0.1588	0.1150	0.1250	0.1330	0.1149	0.1334	0.1646	0.1530
223	0.1759	0.1584	0.1147	0.1247	0.1326	0.1146	0.1330	0.1641	0.1526
224	0.1754	0.1580	0.1144	0.1244	0.1322	0.1143	0.1327	0.1636	0.1522
225	0.1750	0.1575	0.1140	0.1240	0.1319	0.1139	0.1323	0.1632	0.1518
226	0.1745	0.1571	0.1137	0.1237	0.1315	0.1136	0.1319	0.1627	0.1513
227	0.1740	0.1566	0.1134	0.1233	0.1312	0.1133	0.1316	0.1623	0.1509
228	0.1735	0.1562	0.1131	0.1230	0.1308	0.1130	0.1312	0.1618	0.1505
229	0.1730	0.1558	0.1128	0.1227	0.1304	0.1127	0.1308	0.1614	0.1501
230	0.1726	0.1554	0.1125	0.1223	0.1301	0.1124	0.1305	0.1609	0.1497
231	0.1721	0.1549	0.1122	0.1220	0.1297	0.1121	0.1301	0.1605	0.1493
232	0.1716	0.1545	0.1119	0.1217	0.1294	0.1118	0.1298	0.1601	0.1489
233	0.1712	0.1541	0.1116	0.1213	0.1290	0.1115	0.1294	0.1596	0.1485
234	0.1707	0.1537	0.1113	0.1210	0.1287	0.1112	0.1291	0.1592	0.1481
235	0.1702	0.1533	0.1109	0.1207	0.1283	0.1108	0.1287	0.1588	0.1477
236	0.1698	0.1529	0.1106	0.1203	0.1279	0.1105	0.1284	0.1583	0.1473

Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
237	0.1693	0.1524	0.1103	0.1200	0.1276	0.1102	0.1280	0.1579	0.1469
238	0.1688	0.1520	0.1100	0.1197	0.1272	0.1099	0.1277	0.1575	0.1465
239	0.1684	0.1516	0.1097	0.1193	0.1269	0.1096	0.1273	0.1570	0.1461
240	0.1679	0.1512	0.1094	0.1190	0.1265	0.1093	0.1270	0.1566	0.1457
241	0.1674	0.1508	0.1091	0.1187	0.1262	0.1090	0.1267	0.1562	0.1453
242	0.1670	0.1504	0.1088	0.1184	0.1258	0.1087	0.1263	0.1557	0.1449
243	0.1665	0.1500	0.1085	0.1180	0.1255	0.1084	0.1260	0.1553	0.1445
244	0.1661	0.1496	0.1082	0.1177	0.1251	0.1081	0.1256	0.1549	0.1441
245	0.1656	0.1492	0.1079	0.1174	0.1248	0.1078	0.1253	0.1545	0.1437
246	0.1652	0.1488	0.1076	0.1171	0.1244	0.1075	0.1249	0.1540	0.1433
247	0.1647	0.1483	0.1074	0.1168	0.1241	0.1073	0.1246	0.1536	0.1429
248	0.1642	0.1479	0.1071	0.1165	0.1238	0.1070	0.1243	0.1532	0.1425
249	0.1638	0.1475	0.1068	0.1161	0.1234	0.1067	0.1239	0.1528	0.1421
250	0.1633	0.1471	0.1065	0.1158	0.1231	0.1064	0.1236	0.1523	0.1417
251	0.1629	0.1467	0.1062	0.1155	0.1227	0.1061	0.1232	0.1519	0.1413
252	0.1624	0.1463	0.1059	0.1152	0.1224	0.1058	0.1229	0.1515	0.1409
253	0.1620	0.1459	0.1056	0.1149	0.1221	0.1055	0.1226	0.1511	0.1405
254	0.1615	0.1455	0.1053	0.1146	0.1217	0.1052	0.1222	0.1507	0.1401
255	0.1611	0.1451	0.1051	0.1142	0.1214	0.1049	0.1219	0.1503	0.1398
256	0.1607	0.1447	0.1048	0.1139	0.1211	0.1046	0.1216	0.1499	0.1394
257	0.1602	0.1443	0.1045	0.1136	0.1208	0.1043	0.1212	0.1495	0.1390
258	0.1598	0.1439	0.1042	0.1133	0.1204	0.1040	0.1209	0.1491	0.1386
259	0.1594	0.1435	0.1039	0.1130	0.1201	0.1038	0.1206	0.1486	0.1383
260	0.1589	0.1431	0.1036	0.1127	0.1198	0.1035	0.1202	0.1482	0.1379
261	0.1585	0.1427	0.1034	0.1123	0.1195	0.1032	0.1199	0.1478	0.1375
262	0.1581	0.1423	0.1031	0.1120	0.1191	0.1029	0.1196	0.1474	0.1371
263	0.1576	0.1419	0.1028	0.1117	0.1188	0.1026	0.1192	0.1470	0.1368
264	0.1572	0.1415	0.1025	0.1114	0.1185	0.1023	0.1189	0.1466	0.1364
265	0.1568	0.1411	0.1022	0.1111	0.1182	0.1020	0.1186	0.1462	0.1360
266	0.1563	0.1407	0.1019	0.1108	0.1178	0.1017	0.1182	0.1458	0.1357
267	0.1559	0.1404	0.1017	0.1105	0.1175	0.1015	0.1179	0.1454	0.1353
268	0.1555	0.1400	0.1014	0.1102	0.1172	0.1012	0.1176	0.1450	0.1349
269	0.1551	0.1396	0.1011	0.1099	0.1169	0.1009	0.1173	0.1446	0.1346
270	0.1546	0.1392	0.1008	0.1096	0.1165	0.1006	0.1169	0.1442	0.1342
271	0.1542	0.1389	0.1006	0.1093	0.1162	0.1004	0.1166	0.1439	0.1338
272	0.1538	0.1385	0.1003	0.1090	0.1159	0.1001	0.1163	0.1435	0.1335
273	0.1534	0.1381	0.1000	0.1087	0.1156	0.0998	0.1160	0.1431	0.1331
274	0.1529	0.1377	0.0997	0.1084	0.1152	0.0995	0.1156	0.1427	0.1327
275	0.1525	0.1374	0.0995	0.1081	0.1149	0.0993	0.1153	0.1423	0.1324
276	0.1521	0.1370	0.0992	0.1078	0.1146	0.0990	0.1150	0.1419	0.1320
277	0.1517	0.1366	0.0989	0.1075	0.1143	0.0987	0.1147	0.1415	0.1316
278	0.1513	0.1362	0.0986	0.1072	0.1140	0.0985	0.1144	0.1411	0.1313
279	0.1509	0.1359	0.0984	0.1069	0.1137	0.0982	0.1141	0.1408	0.1309
280	0.1505	0.1355	0.0981	0.1066	0.1134	0.0979	0.1138	0.1404	0.1306
281	0.1501	0.1351	0.0978	0.1063	0.1131	0.0977	0.1135	0.1400	0.1302

PROPOSED

PROPOSED

Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
282	0.1497	0.1347	0.0975	0.1060	0.1128	0.0974	0.1132	0.1396	0.1299
283	0.1492	0.1344	0.0973	0.1058	0.1124	0.0971	0.1128	0.1392	0.1295
284	0.1488	0.1340	0.0970	0.1055	0.1121	0.0969	0.1125	0.1388	0.1291
285	0.1484	0.1336	0.0967	0.1052	0.1118	0.0966	0.1122	0.1385	0.1288
286	0.1480	0.1332	0.0964	0.1049	0.1115	0.0963	0.1119	0.1381	0.1284
287	0.1476	0.1329	0.0962	0.1046	0.1112	0.0961	0.1116	0.1377	0.1281
288	0.1472	0.1325	0.0959	0.1043	0.1109	0.0958	0.1113	0.1373	0.1277
289	0.1468	0.1321	0.0956	0.1040	0.1106	0.0955	0.1110	0.1369	0.1273
290	0.1464	0.1318	0.0954	0.1037	0.1103	0.0953	0.1107	0.1365	0.1270
291	0.1460	0.1314	0.0951	0.1035	0.1100	0.0950	0.1104	0.1362	0.1266
292	0.1456	0.1311	0.0949	0.1032	0.1097	0.0948	0.1101	0.1358	0.1263
293	0.1452	0.1307	0.0946	0.1029	0.1094	0.0945	0.1098	0.1354	0.1259
294	0.1448	0.1304	0.0944	0.1026	0.1091	0.0943	0.1095	0.1350	0.1256
295	0.1444	0.1300	0.0941	0.1023	0.1088	0.0940	0.1092	0.1347	0.1252
296	0.1440	0.1296	0.0938	0.1020	0.1085	0.0937	0.1089	0.1343	0.1249
297	0.1436	0.1293	0.0936	0.1018	0.1082	0.0935	0.1086	0.1339	0.1245
298	0.1432	0.1289	0.0933	0.1015	0.1079	0.0932	0.1083	0.1335	0.1242
299	0.1428	0.1286	0.0931	0.1012	0.1076	0.0930	0.1080	0.1332	0.1238
300	0.1424	0.1282	0.0928	0.1009	0.1073	0.0927	0.1077	0.1328	0.1235
301	0.1420	0.1279	0.0925	0.1006	0.1070	0.0924	0.1074	0.1324	0.1232
302	0.1416	0.1275	0.0923	0.1004	0.1067	0.0922	0.1071	0.1321	0.1228
303	0.1413	0.1272	0.0920	0.1001	0.1064	0.0919	0.1068	0.1317	0.1225
304	0.1409	0.1268	0.0918	0.0998	0.1061	0.0917	0.1065	0.1314	0.1222
305	0.1405	0.1265	0.0915	0.0996	0.1058	0.0914	0.1062	0.1310	0.1218
306	0.1401	0.1261	0.0913	0.0993	0.1055	0.0912	0.1059	0.1307	0.1215
307	0.1397	0.1258	0.0910	0.0990	0.1053	0.0909	0.1057	0.1303	0.1212
308	0.1393	0.1255	0.0908	0.0988	0.1050	0.0907	0.1054	0.1299	0.1208
309	0.1390	0.1251	0.0905	0.0985	0.1047	0.0904	0.1051	0.1296	0.1205
310	0.1386	0.1248	0.0903	0.0982	0.1044	0.0902	0.1048	0.1292	0.1202
311	0.1382	0.1244	0.0900	0.0980	0.1041	0.0899	0.1045	0.1289	0.1198
312	0.1378	0.1241	0.0898	0.0977	0.1038	0.0897	0.1042	0.1285	0.1195
313	0.1374	0.1238	0.0896	0.0974	0.1035	0.0895	0.1039	0.1281	0.1192
314	0.1370	0.1234	0.0893	0.0972	0.1032	0.0892	0.1036	0.1278	0.1189
315	0.1367	0.1231	0.0891	0.0969	0.1030	0.0890	0.1034	0.1274	0.1185
316	0.1363	0.1227	0.0888	0.0966	0.1027	0.0887	0.1031	0.1271	0.1182
317	0.1359	0.1224	0.0886	0.0964	0.1024	0.0885	0.1028	0.1267	0.1179
318	0.1355	0.1220	0.0883	0.0961	0.1021	0.0882	0.1025	0.1264	0.1176
319	0.1352	0.1217	0.0881	0.0958	0.1019	0.0880	0.1022	0.1260	0.1173
320	0.1348	0.1214	0.0879	0.0956	0.1016	0.0878	0.1019	0.1257	0.1170
321	0.1344	0.1210	0.0876	0.0953	0.1013	0.0875	0.1017	0.1253	0.1166
322	0.1340	0.1207	0.0874	0.0950	0.1010	0.0873	0.1014	0.1250	0.1163
323	0.1337	0.1203	0.0871	0.0948	0.1008	0.0870	0.1011	0.1246	0.1160
324	0.1333	0.1200	0.0869	0.0945	0.1005	0.0868	0.1008	0.1243	0.1157
325	0.1329	0.1197	0.0867	0.0942	0.1002	0.0866	0.1005	0.1240	0.1154
326	0.1326	0.1194	0.0864	0.0940	0.0999	0.0863	0.1003	0.1236	0.1151

PROPOSED

Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
327	0.1322	0.1190	0.0862	0.0937	0.0997	0.0861	0.1000	0.1233	0.1147
328	0.1319	0.1187	0.0860	0.0935	0.0994	0.0859	0.0997	0.1230	0.1144
329	0.1315	0.1184	0.0857	0.0932	0.0991	0.0856	0.0995	0.1226	0.1141
330	0.1312	0.1181	0.0855	0.0930	0.0988	0.0854	0.0992	0.1223	0.1138
331	0.1308	0.1178	0.0853	0.0927	0.0986	0.0852	0.0989	0.1220	0.1135
332	0.1304	0.1175	0.0850	0.0924	0.0983	0.0849	0.0987	0.1216	0.1132
333	0.1301	0.1171	0.0848	0.0922	0.0980	0.0847	0.0984	0.1213	0.1128
334	0.1297	0.1168	0.0846	0.0919	0.0977	0.0845	0.0981	0.1210	0.1125
335	0.1294	0.1165	0.0843	0.0917	0.0975	0.0842	0.0979	0.1206	0.1122
336	0.1290	0.1162	0.0841	0.0914	0.0972	0.0840	0.0976	0.1203	0.1119
337	0.1286	0.1159	0.0839	0.0912	0.0969	0.0838	0.0973	0.1200	0.1116
338	0.1283	0.1156	0.0836	0.0909	0.0967	0.0835	0.0971	0.1196	0.1113
339	0.1279	0.1152	0.0834	0.0907	0.0964	0.0833	0.0968	0.1193	0.1110
340	0.1276	0.1149	0.0832	0.0904	0.0962	0.0831	0.0965	0.1190	0.1107
341	0.1272	0.1146	0.0830	0.0902	0.0959	0.0829	0.0963	0.1187	0.1104
342	0.1269	0.1143	0.0827	0.0899	0.0957	0.0826	0.0960	0.1183	0.1101
343	0.1265	0.1140	0.0825	0.0897	0.0954	0.0824	0.0957	0.1180	0.1098
344	0.1262	0.1137	0.0823	0.0895	0.0951	0.0822	0.0955	0.1177	0.1095
345	0.1258	0.1133	0.0821	0.0892	0.0949	0.0820	0.0952	0.1174	0.1092
346	0.1255	0.1130	0.0818	0.0890	0.0946	0.0817	0.0949	0.1170	0.1089
347	0.1251	0.1127	0.0816	0.0887	0.0944	0.0815	0.0947	0.1167	0.1086
348	0.1248	0.1124	0.0814	0.0885	0.0941	0.0813	0.0944	0.1164	0.1083
349	0.1245	0.1121	0.0812	0.0883	0.0938	0.0811	0.0941	0.1161	0.1080
350	0.1241	0.1118	0.0809	0.0880	0.0936	0.0808	0.0939	0.1158	0.1077
351	0.1238	0.1115	0.0807	0.0878	0.0933	0.0806	0.0936	0.1154	0.1074
352	0.1235	0.1112	0.0805	0.0875	0.0931	0.0804	0.0934	0.1151	0.1071
353	0.1231	0.1109	0.0803	0.0873	0.0928	0.0802	0.0931	0.1148	0.1068
354	0.1228	0.1106	0.0800	0.0870	0.0926	0.0799	0.0929	0.1145	0.1065
355	0.1225	0.1103	0.0798	0.0868	0.0923	0.0797	0.0926	0.1142	0.1063
356	0.1221	0.1100	0.0796	0.0866	0.0920	0.0795	0.0923	0.1139	0.1060
357	0.1218	0.1097	0.0794	0.0863	0.0918	0.0793	0.0921	0.1135	0.1057
358	0.1215	0.1094	0.0791	0.0861	0.0915	0.0790	0.0918	0.1132	0.1054
359	0.1211	0.1091	0.0789	0.0858	0.0913	0.0788	0.0916	0.1129	0.1051
360	0.1208	0.1088	0.0787	0.0856	0.0910	0.0786	0.0913	0.1126	0.1048
361	0.1205	0.1085	0.0785	0.0854	0.0908	0.0784	0.0911	0.1123	0.1045
362	0.1201	0.1082	0.0783	0.0851	0.0905	0.0782	0.0908	0.1120	0.1042
363	0.1198	0.1079	0.0781	0.0849	0.0903	0.0780	0.0906	0.1117	0.1040
364	0.1195	0.1076	0.0779	0.0847	0.0900	0.0778	0.0903	0.1114	0.1037
365	0.1191	0.1073	0.0777	0.0844	0.0898	0.0776	0.0901	0.1111	0.1034
366	0.1188	0.1070	0.0775	0.0842	0.0895	0.0774	0.0898	0.1108	0.1031
367	0.1185	0.1067	0.0772	0.0840	0.0893	0.0771	0.0896	0.1105	0.1028
368	0.1181	0.1064	0.0770	0.0837	0.0891	0.0769	0.0894	0.1102	0.1025
369	0.1178	0.1061	0.0768	0.0835	0.0888	0.0767	0.0891	0.1099	0.1023
370	0.1175	0.1058	0.0766	0.0833	0.0886	0.0765	0.0889	0.1096	0.1020
371	0.1171	0.1055	0.0764	0.0830	0.0883	0.0763	0.0886	0.1093	0.1017

PROPOSED

Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
372	0.1168	0.1052	0.0762	0.0828	0.0881	0.0761	0.0884	0.1090	0.1014
373	0.1165	0.1049	0.0760	0.0826	0.0879	0.0759	0.0882	0.1087	0.1011
374	0.1162	0.1046	0.0758	0.0824	0.0876	0.0757	0.0879	0.1084	0.1008
375	0.1159	0.1044	0.0756	0.0821	0.0874	0.0755	0.0877	0.1081	0.1006
376	0.1156	0.1041	0.0754	0.0819	0.0871	0.0753	0.0874	0.1078	0.1003
377	0.1153	0.1038	0.0752	0.0817	0.0869	0.0751	0.0872	0.1075	0.1000
378	0.1150	0.1035	0.0750	0.0815	0.0866	0.0749	0.0869	0.1072	0.0997
379	0.1146	0.1032	0.0747	0.0813	0.0864	0.0746	0.0867	0.1070	0.0995
380	0.1143	0.1029	0.0745	0.0811	0.0862	0.0744	0.0865	0.1067	0.0992
381	0.1140	0.1027	0.0743	0.0808	0.0859	0.0742	0.0862	0.1064	0.0989
382	0.1137	0.1024	0.0741	0.0806	0.0857	0.0740	0.0860	0.1061	0.0986
383	0.1134	0.1021	0.0739	0.0804	0.0854	0.0738	0.0857	0.1058	0.0984
384	0.1131	0.1018	0.0737	0.0802	0.0852	0.0736	0.0855	0.1055	0.0981
385	0.1128	0.1015	0.0735	0.0800	0.0850	0.0734	0.0853	0.1052	0.0978
386	0.1125	0.1012	0.0733	0.0798	0.0847	0.0732	0.0850	0.1049	0.0976
387	0.1122	0.1010	0.0731	0.0795	0.0845	0.0730	0.0848	0.1046	0.0973
388	0.1119	0.1007	0.0729	0.0793	0.0843	0.0728	0.0846	0.1043	0.0970
389	0.1116	0.1004	0.0727	0.0791	0.0840	0.0726	0.0843	0.1040	0.0968
390	0.1113	0.1001	0.0725	0.0789	0.0838	0.0724	0.0841	0.1037	0.0965
391	0.1109	0.0999	0.0723	0.0787	0.0836	0.0722	0.0839	0.1035	0.0962
392	0.1106	0.0996	0.0721	0.0785	0.0833	0.0720	0.0836	0.1032	0.0960
393	0.1103	0.0993	0.0719	0.0782	0.0831	0.0718	0.0834	0.1029	0.0957
394	0.1100	0.0990	0.0717	0.0780	0.0829	0.0716	0.0832	0.1026	0.0954
395	0.1097	0.0988	0.0715	0.0778	0.0826	0.0714	0.0829	0.1023	0.0952
396	0.1094	0.0985	0.0713	0.0776	0.0824	0.0712	0.0827	0.1020	0.0949
397	0.1091	0.0982	0.0711	0.0774	0.0822	0.0710	0.0825	0.1017	0.0946
398	0.1088	0.0980	0.0709	0.0772	0.0820	0.0708	0.0823	0.1014	0.0944
399	0.1085	0.0977	0.0707	0.0769	0.0817	0.0706	0.0820	0.1012	0.0941
400	0.1082	0.0974	0.0705	0.0767	0.0815	0.0704	0.0818	0.1009	0.0939
401	0.1079	0.0972	0.0703	0.0765	0.0813	0.0702	0.0816	0.1006	0.0936
402	0.1076	0.0969	0.0701	0.0763	0.0811	0.0700	0.0814	0.1003	0.0934
403	0.1074	0.0966	0.0700	0.0761	0.0809	0.0699	0.0812	0.1001	0.0931
404	0.1071	0.0964	0.0698	0.0759	0.0807	0.0697	0.0810	0.0998	0.0928
405	0.1068	0.0961	0.0696	0.0756	0.0804	0.0695	0.0807	0.0995	0.0926
406	0.1065	0.0958	0.0694	0.0754	0.0802	0.0693	0.0805	0.0992	0.0923
407	0.1062	0.0956	0.0692	0.0752	0.0800	0.0691	0.0803	0.0990	0.0921
408	0.1059	0.0953	0.0690	0.0750	0.0798	0.0689	0.0801	0.0987	0.0918
409	0.1056	0.0950	0.0688	0.0748	0.0796	0.0687	0.0799	0.0984	0.0916
410	0.1053	0.0948	0.0686	0.0746	0.0794	0.0685	0.0797	0.0982	0.0913
411	0.1050	0.0945	0.0685	0.0744	0.0791	0.0684	0.0794	0.0979	0.0911
412	0.1047	0.0943	0.0683	0.0742	0.0789	0.0682	0.0792	0.0976	0.0908
413	0.1044	0.0940	0.0681	0.0740	0.0787	0.0680	0.0790	0.0974	0.0906
414	0.1041	0.0938	0.0679	0.0738	0.0785	0.0678	0.0788	0.0971	0.0903
415	0.1039	0.0935	0.0677	0.0736	0.0783	0.0676	0.0786	0.0968	0.0901
416	0.1036	0.0932	0.0675	0.0734	0.0781	0.0674	0.0784	0.0966	0.0899

Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
417	0.1033	0.0930	0.0674	0.0732	0.0778	0.0673	0.0781	0.0963	0.0896
418	0.1030	0.0927	0.0672	0.0730	0.0776	0.0671	0.0779	0.0960	0.0894
419	0.1027	0.0925	0.0670	0.0728	0.0774	0.0669	0.0777	0.0958	0.0891
420	0.1024	0.0922	0.0668	0.0726	0.0772	0.0667	0.0775	0.0955	0.0889
421	0.1021	0.0919	0.0666	0.0724	0.0770	0.0665	0.0773	0.0952	0.0887
422	0.1018	0.0917	0.0664	0.0722	0.0768	0.0663	0.0771	0.0950	0.0884
423	0.1016	0.0914	0.0663	0.0720	0.0766	0.0662	0.0769	0.0947	0.0882
424	0.1013	0.0912	0.0661	0.0718	0.0764	0.0660	0.0767	0.0945	0.0879
425	0.1010	0.0909	0.0659	0.0716	0.0762	0.0658	0.0765	0.0942	0.0877
426	0.1007	0.0907	0.0657	0.0714	0.0760	0.0656	0.0763	0.0940	0.0874
427	0.1005	0.0904	0.0655	0.0713	0.0757	0.0654	0.0760	0.0937	0.0872
428	0.1002	0.0902	0.0653	0.0711	0.0755	0.0652	0.0758	0.0934	0.0870
429	0.0999	0.0899	0.0652	0.0709	0.0753	0.0651	0.0756	0.0932	0.0867
430	0.0996	0.0897	0.0650	0.0707	0.0751	0.0649	0.0754	0.0929	0.0865
431	0.0994	0.0894	0.0648	0.0705	0.0749	0.0647	0.0752	0.0927	0.0862
432	0.0991	0.0892	0.0646	0.0703	0.0747	0.0645	0.0750	0.0924	0.0860
433	0.0988	0.0890	0.0644	0.0701	0.0745	0.0643	0.0748	0.0921	0.0858
434	0.0986	0.0887	0.0642	0.0699	0.0743	0.0641	0.0746	0.0919	0.0855
435	0.0983	0.0885	0.0641	0.0697	0.0741	0.0640	0.0744	0.0916	0.0853
436	0.0980	0.0883	0.0639	0.0695	0.0739	0.0638	0.0742	0.0914	0.0851
437	0.0978	0.0880	0.0637	0.0693	0.0737	0.0636	0.0740	0.0911	0.0848
438	0.0975	0.0878	0.0635	0.0691	0.0735	0.0634	0.0738	0.0909	0.0846
439	0.0972	0.0876	0.0634	0.0690	0.0733	0.0633	0.0735	0.0906	0.0844
440	0.0970	0.0873	0.0632	0.0688	0.0731	0.0631	0.0733	0.0904	0.0841
441	0.0967	0.0871	0.0630	0.0686	0.0729	0.0629	0.0731	0.0901	0.0839
442	0.0964	0.0869	0.0628	0.0684	0.0727	0.0627	0.0729	0.0899	0.0837
443	0.0962	0.0866	0.0627	0.0682	0.0725	0.0626	0.0727	0.0896	0.0834
444	0.0959	0.0864	0.0625	0.0680	0.0723	0.0624	0.0725	0.0894	0.0832
445	0.0956	0.0862	0.0623	0.0678	0.0721	0.0622	0.0723	0.0892	0.0830
446	0.0954	0.0859	0.0622	0.0676	0.0719	0.0621	0.0721	0.0889	0.0827
447	0.0951	0.0857	0.0620	0.0675	0.0717	0.0619	0.0719	0.0887	0.0825
448	0.0949	0.0855	0.0618	0.0673	0.0715	0.0617	0.0717	0.0884	0.0823
449	0.0946	0.0852	0.0617	0.0671	0.0713	0.0616	0.0715	0.0882	0.0821
450	0.0944	0.0850	0.0615	0.0669	0.0711	0.0614	0.0713	0.0879	0.0818
451	0.0941	0.0848	0.0613	0.0667	0.0709	0.0612	0.0712	0.0877	0.0816
452	0.0938	0.0845	0.0612	0.0665	0.0707	0.0611	0.0710	0.0875	0.0814
453	0.0936	0.0843	0.0610	0.0664	0.0705	0.0609	0.0708	0.0872	0.0812
454	0.0933	0.0841	0.0608	0.0662	0.0703	0.0607	0.0706	0.0870	0.0809
455	0.0931	0.0838	0.0607	0.0660	0.0701	0.0606	0.0704	0.0867	0.0807
456	0.0928	0.0836	0.0605	0.0658	0.0699	0.0604	0.0702	0.0865	0.0805
457	0.0925	0.0834	0.0603	0.0656	0.0697	0.0602	0.0700	0.0863	0.0803
458	0.0923	0.0831	0.0602	0.0654	0.0695	0.0601	0.0698	0.0860	0.0801
459	0.0920	0.0829	0.0600	0.0653	0.0694	0.0599	0.0696	0.0858	0.0798
460	0.0918	0.0827	0.0598	0.0651	0.0692	0.0598	0.0694	0.0856	0.0796
461	0.0915	0.0824	0.0597	0.0649	0.0690	0.0596	0.0692	0.0853	0.0794

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Months to NRA	LEOFF 1	LEOFF 2	PERS 1	PERS 2/3	SERS 2/3	TRS 1	TRS 2/3	WSPRS 1	WSPRS 2
462	0.0913	0.0822	0.0595	0.0647	0.0688	0.0595	0.0690	0.0851	0.0792
463	0.0910	0.0820	0.0593	0.0645	0.0686	0.0593	0.0689	0.0849	0.0790
464	0.0908	0.0817	0.0592	0.0643	0.0684	0.0591	0.0687	0.0846	0.0788
465	0.0905	0.0815	0.0590	0.0642	0.0683	0.0590	0.0685	0.0844	0.0785
466	0.0903	0.0813	0.0588	0.0640	0.0681	0.0588	0.0683	0.0842	0.0783
467	0.0900	0.0810	0.0587	0.0638	0.0679	0.0587	0.0681	0.0839	0.0781
468	0.0898	0.0808	0.0585	0.0636	0.0677	0.0585	0.0679	0.0837	0.0779
469	0.0896	0.0806	0.0583	0.0634	0.0675	0.0583	0.0677	0.0835	0.0777
470	0.0893	0.0804	0.0582	0.0633	0.0673	0.0582	0.0675	0.0832	0.0775
471	0.0891	0.0801	0.0580	0.0631	0.0672	0.0580	0.0674	0.0830	0.0773
472	0.0888	0.0799	0.0579	0.0629	0.0670	0.0579	0.0672	0.0828	0.0771
473	0.0886	0.0797	0.0577	0.0628	0.0668	0.0577	0.0670	0.0826	0.0769
474	0.0883	0.0795	0.0576	0.0626	0.0666	0.0576	0.0668	0.0823	0.0767
475	0.0881	0.0793	0.0574	0.0624	0.0664	0.0574	0.0666	0.0821	0.0764
476	0.0879	0.0791	0.0572	0.0623	0.0662	0.0572	0.0664	0.0819	0.0762
477	0.0876	0.0788	0.0571	0.0621	0.0661	0.0571	0.0663	0.0817	0.0760
478	0.0874	0.0786	0.0569	0.0619	0.0659	0.0569	0.0661	0.0814	0.0758
479	0.0871	0.0784	0.0568	0.0618	0.0657	0.0568	0.0659	0.0812	0.0756
480	0.0869	0.0782	0.0566	0.0616	0.0655	0.0566	0.0657	0.0810	0.0754

(5) Tables - Factor 2 and Factor 3. Factors 2 and 3 will be used in the calculation of the service credit purchase cost only for a member in PERS Plan 1, TRS Plan 1, WSPRS Plan 1, or WSPRS Plan 2 and only if the service credit purchase would allow the member to retire earlier.

FACTOR 2

Plan	Factor 2
PERS 1	0.00434
TRS 1	0.00383
WSPRS 1	0.00489
WSPRS 2	0.00460

FACTOR 3

Months to NRA	Factor 3
0	1.0000
1	0.9973
2	0.9946
3	0.9919
4	0.9892
5	0.9865
6	0.9838
7	0.9811
8	0.9784
9	0.9757
10	0.9730
11	0.9703
12	0.9676

Months to NRA	Factor 3
13	0.9650
14	0.9624
15	0.9597
16	0.9571
17	0.9545
18	0.9519
19	0.9493
20	0.9467
21	0.9440
22	0.9414
23	0.9388
24	0.9362
25	0.9337
26	0.9311
27	0.9286
28	0.9261
29	0.9236
30	0.9210
31	0.9185
32	0.9160
33	0.9135
34	0.9109
35	0.9084
36	0.9059
37	0.9034

Months to NRA	Factor 3
38	0.9010
39	0.8985
40	0.8961
41	0.8936
42	0.8912
43	0.8887
44	0.8863
45	0.8838
46	0.8814
47	0.8789
48	0.8765
49	0.8741
50	0.8718
51	0.8694
52	0.8670
53	0.8647
54	0.8623
55	0.8599
56	0.8576
57	0.8552
58	0.8528
59	0.8505
60	0.8481
61	0.8458
62	0.8435
63	0.8412
64	0.8389
65	0.8366
66	0.8343
67	0.8321
68	0.8298
69	0.8275
70	0.8252
71	0.8229
72	0.8206
73	0.8184
74	0.8162
75	0.8139
76	0.8117
77	0.8095
78	0.8073
79	0.8051
80	0.8029
81	0.8006
82	0.7984
83	0.7962

Months to NRA	Factor 3
84	0.7940
85	0.7919
86	0.7897
87	0.7876
88	0.7854
89	0.7833
90	0.7811
91	0.7790
92	0.7769
93	0.7747
94	0.7726
95	0.7704
96	0.7683
97	0.7662
98	0.7641
99	0.7621
100	0.7600
101	0.7579
102	0.7558
103	0.7538
104	0.7517
105	0.7496
106	0.7475
107	0.7455
108	0.7434
109	0.7414
110	0.7394
111	0.7374
112	0.7354
113	0.7334
114	0.7314
115	0.7293
116	0.7273
117	0.7253
118	0.7233
119	0.7213
120	0.7193
121	0.7174
122	0.7154
123	0.7135
124	0.7115
125	0.7096
126	0.7076
127	0.7057
128	0.7038
129	0.7018

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Months to NRA	Factor 3
130	0.6999
131	0.6979
132	0.6960
133	0.6941
134	0.6922
135	0.6904
136	0.6885
137	0.6866
138	0.6847
139	0.6829
140	0.6810
141	0.6791
142	0.6772
143	0.6754
144	0.6735
145	0.6717
146	0.6698
147	0.6680
148	0.6662
149	0.6644
150	0.6625
151	0.6607
152	0.6589
153	0.6571
154	0.6552
155	0.6534
156	0.6516
157	0.6498
158	0.6481
159	0.6463
160	0.6446
161	0.6428
162	0.6411
163	0.6393
164	0.6375
165	0.6358
166	0.6340
167	0.6323
168	0.6305
169	0.6288
170	0.6271
171	0.6254
172	0.6237
173	0.6220
174	0.6203
175	0.6186

Months to NRA	Factor 3
176	0.6169
177	0.6152
178	0.6135
179	0.6118
180	0.6101
181	0.6084
182	0.6068
183	0.6051
184	0.6035
185	0.6018
186	0.6002
187	0.5985
188	0.5969
189	0.5952
190	0.5936
191	0.5919
192	0.5903
193	0.5887
194	0.5871
195	0.5855
196	0.5839
197	0.5823
198	0.5807
199	0.5792
200	0.5776
201	0.5760
202	0.5744
203	0.5728
204	0.5712
205	0.5697
206	0.5681
207	0.5666
208	0.5650
209	0.5635
210	0.5619
211	0.5604
212	0.5589
213	0.5573
214	0.5558
215	0.5542
216	0.5527
217	0.5512
218	0.5497
219	0.5482
220	0.5467
221	0.5452

Months to NRA	Factor 3
222	0.5437
223	0.5423
224	0.5408
225	0.5393
226	0.5378
227	0.5363
228	0.5348
229	0.5333
230	0.5319
231	0.5304
232	0.5290
233	0.5275
234	0.5261
235	0.5246
236	0.5232
237	0.5217
238	0.5203
239	0.5188
240	0.5174
241	0.5160
242	0.5146
243	0.5132
244	0.5118
245	0.5104
246	0.5090
247	0.5077
248	0.5063
249	0.5049
250	0.5035
251	0.5021
252	0.5007
253	0.4993
254	0.4980
255	0.4966
256	0.4953
257	0.4939
258	0.4926
259	0.4912
260	0.4898
261	0.4885
262	0.4871
263	0.4858
264	0.4844
265	0.4831
266	0.4818
267	0.4805

Months to NRA	Factor 3
268	0.4792
269	0.4779
270	0.4766
271	0.4752
272	0.4739
273	0.4726
274	0.4713
275	0.4700
276	0.4687
277	0.4674
278	0.4662
279	0.4649
280	0.4636
281	0.4624
282	0.4611
283	0.4598
284	0.4586
285	0.4573
286	0.4560
287	0.4548
288	0.4535
289	0.4523
290	0.4510
291	0.4498
292	0.4486
293	0.4474
294	0.4461
295	0.4449
296	0.4437
297	0.4425
298	0.4412
299	0.4400
300	0.4388
301	0.4376
302	0.4364
303	0.4353
304	0.4341
305	0.4329
306	0.4317
307	0.4305
308	0.4293
309	0.4282
310	0.4270
311	0.4258
312	0.4246
313	0.4235

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Months to NRA	Factor 3
314	0.4223
315	0.4212
316	0.4200
317	0.4189
318	0.4177
319	0.4166
320	0.4155
321	0.4143
322	0.4132
323	0.4120
324	0.4109
325	0.4098
326	0.4087
327	0.4075
328	0.4064
329	0.4053
330	0.4042
331	0.4031
332	0.4020
333	0.4008
334	0.3997
335	0.3986
336	0.3975
337	0.3964
338	0.3954
339	0.3943
340	0.3932
341	0.3922
342	0.3911
343	0.3900
344	0.3890
345	0.3879
346	0.3868
347	0.3858
348	0.3847
349	0.3837
350	0.3826
351	0.3816
352	0.3805
353	0.3795
354	0.3784
355	0.3774
356	0.3764
357	0.3753
358	0.3743
359	0.3732

Months to NRA	Factor 3
360	0.3722
361	0.3712
362	0.3702
363	0.3692
364	0.3682
365	0.3672
366	0.3662
367	0.3651
368	0.3641
369	0.3631
370	0.3621
371	0.3611
372	0.3601
373	0.3591
374	0.3582
375	0.3572
376	0.3562
377	0.3553
378	0.3543
379	0.3533
380	0.3524
381	0.3514
382	0.3504
383	0.3495
384	0.3485
385	0.3476
386	0.3466
387	0.3457
388	0.3447
389	0.3438
390	0.3428
391	0.3419
392	0.3410
393	0.3400
394	0.3391
395	0.3381
396	0.3372
397	0.3363
398	0.3354
399	0.3344
400	0.3335
401	0.3326
402	0.3317
403	0.3308
404	0.3299
405	0.3289

Months to NRA	Factor 3
406	0.3280
407	0.3271
408	0.3262
409	0.3253
410	0.3244
411	0.3236
412	0.3227
413	0.3218
414	0.3209
415	0.3201
416	0.3192
417	0.3183
418	0.3174
419	0.3166
420	0.3157
421	0.3148
422	0.3140
423	0.3131
424	0.3123
425	0.3114
426	0.3106
427	0.3097
428	0.3088
429	0.3080
430	0.3071
431	0.3063
432	0.3054
433	0.3046
434	0.3037
435	0.3029
436	0.3021
437	0.3013
438	0.3004
439	0.2996
440	0.2988
441	0.2980
442	0.2971
443	0.2963
444	0.2955
445	0.2947
446	0.2939
447	0.2931
448	0.2923
449	0.2915
450	0.2907
451	0.2900

Months to NRA	Factor 3
452	0.2892
453	0.2884
454	0.2876
455	0.2868
456	0.2860
457	0.2852
458	0.2844
459	0.2837
460	0.2829
461	0.2821
462	0.2813
463	0.2806
464	0.2798
465	0.2790
466	0.2782
467	0.2775
468	0.2767
469	0.2759
470	0.2752
471	0.2744
472	0.2737
473	0.2729
474	0.2722
475	0.2714
476	0.2707
477	0.2699
478	0.2692
479	0.2684
480	0.2677

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WSR 03-11-044
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed May 16, 2003, 8:05 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-04-027.

Title of Rule: WAC 415-108-425 How do I determine if I have choice rights or transfer rights to PERS Plan 3?

Purpose: This rule is being amended to explain that a member who transfers from PERS to SERS, and then back to PERS, will have choice rights. The amendment reflects existing DRS practice and procedure.

Other Identifying Information: Unless specifically noted, changes are required by ESSB 6530 (2000) (chapter 247, Laws of 2000).

Statutory Authority for Adoption: RCW 41.50.050(5).

Statute Being Implemented: RCW 41.40.785.

Summary: This rule is being amended to explain that a member who transfers from PERS to SERS, and then back to PERS, will have choice rights. The amendment reflects existing DRS practice and procedure.

Reasons Supporting Proposal: This amendment is necessary as part of implementing the Public Employees' Retirement System Plan 3.

Name of Agency Personnel Responsible for Drafting: Merry A. Kogut, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; Implementation and Enforcement: PERS/SERS Administrator, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7193.

Name of Proponent: Department of Retirement Systems, governmental.

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

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

Proposal Changes the Following Existing Rules: Amending the WAC to make the change identified in the Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These amendments have no effect on businesses.

RCW 34.05.328 does not apply to this rule adoption. The Department of Retirement Systems is not one of the named departments in RCW 34.05.328.

Hearing Location: Department of Retirement Systems, Conference Room 115, Tumwater, Washington, on June 30, 2003, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact the rules coordinator by seven days before the hearing, if possible, phone (360) 664-7291, TTY (360) 586-5450, e-mail merryk@drs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Merry A. Kogut, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Meryk@drs.wa.gov, fax (360) 753-3166, by 5:00 p.m. on June 30, 2003.

Date of Intended Adoption: No sooner than July 1, 2003.

May 16, 2003
Merry A. Kogut
Rules Coordinator

AMENDATORY SECTION (Amending WSR 02-03-120, filed 1/23/02, effective 3/1/02)

WAC 415-108-425 How do I determine if I have choice rights or transfer rights to PERS Plan 3? (1) Definitions:

(a) **"Concurrently employed"** means you are employed at the same time, in eligible positions, by a Phase 1 employer and by a Phase 2 employer.

(b) **"Exercising choice rights"** means choosing Plan 2 or Plan 3 or defaulting into Plan 3.

(c) **"Phase 1 employer"** means state agencies and institutes of higher education.

(d) **"Phase 2 employer"** means all other employers.

(e) **"Phase 1 transfer period"** is the period from March 1, 2002, through and including August 31, 2002.

(f) **"Phase 2 transfer period"** is the period from September 1, 2002, through and including May 31, 2003.

(2) **What determines if I have "choice rights" or "transfer rights"?** Your current employment status and your employment history will be used to determine if you have choice rights or transfer rights. If your employment status changes, your rights must be reevaluated. A change in your employment status, such as separating from employment or becoming reemployed, may change your rights.

(3) **What are "choice rights" and how are they applied?** "Choice rights" refers to your right, within a ninety-day period, to make an irrevocable choice to become a member of Plan 2 or Plan 3.

(a) You will be reported in Plan 2 until you exercise choice rights.

(b) You must make a choice within ninety days of your first day of employment in an eligible position.

(c) You will be defaulted into Plan 3 if you continue employment past the ninety-day choice period without making a choice.

(d) You may exercise choice rights only once.

(4) **Do I have "choice rights"?**

(a) You have choice rights if your initial PERS membership began on or after March 1, 2002, with a Phase 1 employer in an eligible position.

(i) If you separate from employment and did not exercise your choice rights, you retain choice rights if you are reemployed in an eligible position with a Phase 1 employer.

(ii) If you separate from employment and did not exercise your choice rights, and you are not employed by a Phase 2 employer during Phase 2, you retain choice rights if you begin another period of employment in an eligible position with a Phase 2 employer after May 31, 2003.

(b) You have choice rights if your initial PERS membership began on or after September 1, 2002, with a Phase 2 employer in an eligible position. If you separate from employment and did not exercise your choice rights, you retain choice rights if you begin another period of employment in an eligible position with a Phase 1 or Phase 2 employer.

(c) You have choice rights if you transferred from membership in PERS to membership in the school employees' retirement system and then became employed in an eligible PERS position on or after March 1, 2002, with a Phase 1 employer or on or after September 1, 2002, with a Phase 2 employer.

(5) **What are "transfer rights" and how are they applied?** "Transfer rights" refers to your right as a Plan 2 member to transfer into Plan 3 during an applicable transfer period to your employment type.

(a) You are not required to exercise transfer rights. If you have transfer rights, you will remain in Plan 2 unless you decide to transfer to Plan 3.

(b) If you do not transfer to Plan 3 during the Phase 1 or the Phase 2 transfer periods, you will not qualify to receive

the additional transfer payment under RCW 41.40.795 or retroactive gainsharing payment under RCW 41.31A.040.

(6) Do I have transfer rights?

(a) You have transfer rights if you:

- (i) Are a Plan 2 member;
- (ii) Are employed in an eligible position by a Phase 1 employer during the Phase 1 transfer period; and
- (iii) Were not eligible for choice rights under subsection (4)(a) or (c) of this section.

(b) You have transfer rights if you:

- (i) Are a Plan 2 member;
- (ii) Are employed in an eligible position by a Phase 2 employer during the Phase 2 transfer period; and
- (iii) Were not eligible for choice rights under subsection (4)(b) or (c) of this section.

(7) What are "January transfer rights" and how are they applied? "January transfer rights" refers to a Plan 2 member's right to transfer to Plan 3 during any January after the close of a transfer period.

(a) If you are employed by a Phase 1 employer, in an eligible position, the first January you can transfer is January 2003.

(b) If you are employed by a Phase 2 employer, in an eligible position, the first January you can transfer is January 2004.

(c) You must earn service credit in the January in which you transfer.

(8) Do I have January transfer rights?

(a) You have January transfer rights if you were eligible for transfer rights and did not transfer to PERS Plan 3 during the transfer period that applied to you.

(b) You have January transfer rights if you:

(i) Were employed in an eligible position with a Phase 1 employer before the Phase 1 transfer period, or were employed in an eligible position by a Phase 2 employer before the Phase 2 transfer period;

(ii) Were not employed by a Phase 1 employer during the Phase 1 transfer period;

(iii) Were not employed by a Phase 2 employer during the Phase 2 transfer period; and

(iv) Are employed by a Phase 1 employer in an eligible position that you began after the Phase 1 transfer period ended, or are employed by a Phase 2 employer in an eligible position that you began after the Phase 2 transfer period ended.

(9) What happens after I become a Plan 3 member?

Once you choose Plan 3 or default to Plan 3 or transfer to Plan 3, you will remain a Plan 3 member. You will not have any additional transfer rights or choice rights to exercise.

(10) What rules apply to me if I am concurrently employed?

If you are, or become concurrently employed during the Phase 1 transfer period in an eligible position, you will have transfer rights but must wait until the Phase 2 transfer period to transfer. If you separate from one of the employers, your membership rights must be reevaluated.

Examples: *The examples are written, for the most part, for a Phase 1 employer. Use the Phase 2 transfer period (September 1,*

2002, through and including May 31, 2003) to apply the rules to a Phase 2 employer.

Plan Choice Rights:
Example 1: Pat starts working for a state agency in an eligible position (Phase 1 employer) as of:
A. April 1, 2002. Since Pat has not previously been a member of PERS, Pat has ninety days to make a plan choice for Plan 2 or Plan 3. See subsection (3)(b) of this section.
B. After forty-five days, Pat leaves service without making a choice, and then returns in an eligible position one year later. Pat has a new ninety day period in which to make his plan choice. See subsection (4)(a)(i) of this section.
C. Pat chooses Plan 3 within his ninety days. Pat is now a Plan 3 member regardless of future employment. See subsection (9) of this section.
D. Instead of choosing Plan 3, Pat lets his ninety day plan choice period go by with out choosing Plan 2 or Plan 3. Pat is defaulted into Plan 3 and is now a Plan 3 member regardless of future employment. See subsections (3)(c) and (9) of this section.

Transfer Rights:
Example 2:
A. Chris has been a Plan 2 member since 1977. Chris is working at a state agency (Phase 1 employer) as of March 1, 2002. Since Chris was a member prior to the start of Plan 3, Chris has the right to transfer to Plan 3 in the transfer period (March 1, 2002, through August 31, 2002). See subsection (6)(a) of this section.
B. However, Chris did not make a decision to transfer prior to the close of the Phase 1 transfer period. If Chris remains employed for a Phase 1 employer, the right to transfer to Plan 3 is limited to January of each year. See subsection (8)(a) of this section.
C. In this variation, Chris was a Plan 2 member from March 1, 1987, through February 1, 2002. Chris returns on October 15, 2002, for a state agency (Phase 1 employer). Since Chris returned to service after the transfer period (March 1, 2002, through August 31, 2002), Chris only has the right to transfer to Plan 3 in January of each year. See subsection (8)(b) of this section.

Irrevocable Choice Rule:
Example 3: Mike starts working for a state agency (Phase 1 employer) as of April 1, 2002. Since Mike has not previously been a member of PERS, he has ninety days to make a plan choice for Plan 2 or Plan 3. Mike chooses Plan 3 within his ninety days. Mike is now a Plan 3 member regardless of future employment. See subsection (9) of this section.
Example 4: Pat starts working for a state agency (Phase 1 employer) as of April 1, 2002. Since Pat has not previously been a member of PERS, he has ninety days to make a plan choice for Plan 2 or Plan 3. Pat chooses Plan 2 within his ninety days. Pat is now a Plan 2 member who can no longer have a plan choice regardless of future employment. See subsection (3)(d) of this section.

Concurrent Employment in Phase 1 and 2:
Example 5: Using example 2A, Chris also accepts employment for a county (Phase 2 employer) on April 1, 2002, prior to transferring to Plan 3. Since Chris is concurrently employed at a Phase 1 and a Phase 2 employer, Chris must wait for the Phase 2 window before he can transfer to Plan 3. See subsection (10) of this section.

PROPOSED

WSR 03-11-045
PROPOSED RULES
OLYMPIC REGION
CLEAN AIR AGENCY
 [Filed May 16, 2003, 9:31 a.m.]

Original Notice.

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

Title of Rule: Amendments to the following sections of Olympic Region Clean Air Agency (ORCAA) Regulation 1: Article 1 (Policy, Short Title and Definitions); Article 3 (General Provisions); Article 5 (Registration); Article 6 (Operating Permits); and Article 7 (Notice of Construction and Application for Approval).

Purpose: Amendment of ORCAA's Regulation 1 is necessary to achieve conformity and alignment with state and federal air quality laws and is a prerequisite for incorporation of ORCAA's regulations into the state implementation plan (SIP) for Washington.

Other Identifying Information: State implementation plans (SIPs) are state plans for attaining and maintaining the national ambient air quality standards.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: RCW 70.94.141 and [70.94.]151 - [70.94.]162.

Summary: The proposed amendments to Articles 1, 3, 5, 6, and 7 of ORCAA Regulation 1 resolve conflicts and inconsistencies with the Washington Clean Air Act (chapter 70.94 RCW) and with requirements for state air pollution programs pursuant to Subpart I of 40 C.F.R. Part 51 that have been identified by the United States Environmental Protection Agency (EPA) and by the State Department of Ecology (ecology).

Reasons Supporting Proposal: Incorporation of ORCAA's regulations in the Washington SIP is necessary to maintain a local air pollution control program administered by ORCAA through local regulations. Resolving conflicts and inconsistencies with the Washington Clean Air Act will provide clarity and consistency to regulated sources.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mark Goodin, 2940 B Limited Lane N.W., Olympia, WA 98502, (360) 586-1044.

Name of Proponent: Olympic Region Clean Air Agency (ORCAA), governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: No fiscal impact to agency.

Rule is necessary because of federal law, 40 C.F.R. Part 51, Subpart I.

Explanation of Rule, its Purpose, and Anticipated Effects: ORCAA Regulation 1 implements the Washington Clean Air Act (chapter 70.94 RCW). The proposed changes to ORCAA Regulation 1 include amendments to Article 1 (Policy, Short Title and Definitions); Article 3 (General Provisions); Article 5 (Registration); Article 6 (Operating Permits); and, Article 7 (Notice of Construction and Application for Approval).

The proposed amendments resolve certain conflicts and inconsistencies with the Washington Clean Air Act (chapter

70.94 RCW) and with requirements for state air pollution programs pursuant to Subpart I of 40 C.F.R. Part 51, that have been identified by the United States Environmental Protection Agency (EPA) and by the state Department of Ecology (ecology). Upon final adoption of the proposed Regulation 1 changes these issues will be resolved, and ORCAA's regulations can be incorporated into the state implementation plan (SIP) for Washington. The Washington SIP is the Washington's comprehensive plan for attaining and maintaining the national ambient air quality standards. Incorporation of ORCAA's regulations into the Washington SIP is important for maintaining a local air regulatory program administered by ORCAA through a comprehensive set of local regulations.

The proposed changes are intended to clarify requirements for existing and new stationary sources of air pollution by eliminating conflicts with chapter 70.94 RCW and Subpart I of 40 C.F.R. Part 51. The proposed changes will also reduce the number of duplicative applicable state regulations once ORCAA's rules are incorporated into the Washington SIP. After incorporation into the Washington SIP, ORCAA's rules will be recognized as the body of rules implementing both the Washington Clean Air Act and federal requirements for state programs under Subpart I of 40 C.F.R. Part 51 within ORCAA's jurisdiction. Clarifying ORCAA's applicable air requirements and reducing the number of redundant applicable state regulations will make it easier for existing and new sources to comply.

Proposal Changes the Following Existing Rules: In Article 1, Section 1.07, definitions were changed to make them consistent with definitions of the same terms in both state and federal regulations. Several definitions were also added to clarify terms used in Regulation 1 that were either not defined previously or are new terms used.

In Article 3, the following changes were made to align ORCAA's regulations with chapter 70.94 RCW:

1. Section 3.03 was amended to clarify that ambient air quality data and emissions data can not be considered as confidential.

2. Sections 3.17 and 3.19 were amended to clarify when orders issued by the authority become final, and how and when they can be appealed. Also, the provision in section 3.19 requiring an automatic stay of orders issued by ORCAA that are appealed was removed. A provision for stay of appealed orders at the discretion of the authority was added to section 3.17.

In Article 5, the following changes were made to achieve consistency with the state's requirements for registration pursuant to chapter 70.94 RCW:

1. Section 5.00, Definitions, was deleted since all definitions for Regulation 1 were incorporated into section 1.07 of Article 1.

2. Section 5.01 was amended to align ORCAA's registration applicability and exemption lists with the state's.

3. Section 5.02 was amended to clarify the scope of ORCAA's registration program.

4. Section 5.03 was amended to clarify the requirements for stationary sources subject to registration and to resolve conflicts with both RCW 70.94.151 and Subpart I of 40 C.F.R. Part 51 that were identified by the U.S. EPA.

5. Section 5.03 was amended to achieve more consistent use of terms throughout Regulation 1. Also, the description of the registration classification category for gasoline stations was revised to be consistent with existing state regulations.

6. Section 5.05 was amended to achieve more consistent use of terms throughout Regulation 1. Also, changes were made to clarify the purpose of the ORCAA's annual workload analysis for the registration program.

In Article 6, the following changes were made to achieve consistency with RCW 70.94.152 and requirements under the state's operating permit regulation, chapter 173-401 WAC:

1. Section 6.00 definitions deleted and moved to Article 1.

2. Section 6.03 was amended to exclude notice of construction fees paid by major sources from being accounted for in ORCAA's Title V program. The proposed change allows notice of construction fees paid by major sources to be accounted as revenue for ORCAA's notice of construction programs. According to the U.S. EPA, this meets the requirement of RCW 70.94.152(2) which specifies that notice of construction fees be deposited in a dedicated account.

3. Minor clarifying changes made throughout Article 6.

In Article 7, the following changes were made to achieve consistency with RCW 70.94.152, the state's new source review program under chapter 173-400 WAC, and requirements for state new source review programs pursuant to Subpart I of 40 C.F.R. Part 51:

1. Section 7.01 was amended to align applicability thresholds and exemptions with the state's new source review program. Also, language was added to specify actions for which new source review is mandatory.

2. Section 7.02 was amended to clarify requirements for those actions subject to requirements to file a Notice of Intent (NOI) to operate. Also, NOI fees for new source types subject to a NOI were added to the NOI fee table.

3. Section 7.03 was amended to comprehensively address notice of construction (NOC) application processing requirements and schedules. Changes and additions align ORCAA's new source review (NSR) program with the state's NSR program pursuant to RCW 70.94.152.

4. Section 7.04 was amended by adding a mechanism facilitating an opportunity to request a public notice and comment period on all NOC applications received. This change was made to meet federal public participation requirements for state programs under Subpart I of 40 C.F.R. Part 51.

5. Section 7.05 was deleted in its entirety and replaced with a section 7.06.

6. Section 7.06 was added to comprehensively address requirements for approval of new stationary sources and modifications subject to approval through a NOC application. The requirements for approval in section 7.06 are the same as the requirements for approval in the state's NSR program under WAC 173-400-110.

7. Section 7.07 was amended to clarify the requirements for submitting a notice of completion.

8. Section 7.09 was deleted and requirements for conditional approvals of NOC applications were incorporated in section 7.03.

9. Section 7.11 was completely revised to make it consistent with RCW 70.94.152.

10. Section 7.12 was added for purposes of creating a comprehensive program for regulating relocation of temporary portable sources of air pollution that is consistent with definitions for Subpart I of 40 C.F.R. Part 51 and does not conflict with federal provisions for nonroad engines.

11. Section 7.13 was amended to clarify when NOC fees are due.

12. Sections 7.17 and 7.18 were completely deleted and requirements were incorporated into section 7.06.

13. Section 7.19 was amended to maintain consistent use of terms.

14. Section 7.20 was amended to clarify applicability of WAC 173-400-141.

15. Section 7.21 was completely deleted and requirements were moved to section 7.06.

16. Section 7.21 was added to be consistent with chapter 70.94 RCW and WAC 173-400-091.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the Regulatory Fairness Act (chapter 19.85 RCW) because air pollution control authorities are not deemed state agencies (RCW 70.94.141).

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Olympic Region Clean Air Agency, 2940 B Limited Lane N.W., Olympia, WA 98502, on August 13, 2003, at 10:00.

Assistance for Persons with Disabilities: Contact Craig Weckesser by April 3, 2003, (360) 586-1044 ext. 111.

Submit Written Comments to: Olympic Region Clean Air Agency, 2940 B Limited Lane N.W., Olympia, WA 98502, fax (360) 586-1044, by August 13, 2003.

Date of Intended Adoption: August 13, 2003.

May 16, 2003

Richard Stedman
Executive Director

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-13 issue of the Register.

WSR 03-11-050

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed May 16, 2003, 3:43 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-08-011.

Title of Rule: WAC 308-125-090.

Purpose: This proposed amendment is designed to establish the requirement for taking the seven-hour national USPAP update course or its equivalent or the fifteen-hour national USPAP course every renewal.

Statutory Authority for Adoption: RCW 18.140.030(8).

Statute Being Implemented: Chapter 18.140 RCW.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cleotis Borner, Jr., Olympia, (360) 664-6504.

Name of Proponent: Department of Licensing, Real Estate Appraiser Program, 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: [No information supplied by agency.]

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

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Department of Licensing, Driver Examining Station, 2502 112th Street #200, Tacoma, WA, on Friday, June 27, 2003, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Ralph Birkedahl by June 22, 2003, TDD (360) 664-0116 or (360) 664-6504.

Submit Written Comments to: Cleotis Borner, Jr., Real Estate Appraiser Program, P.O. Box 9015, Olympia, WA 98507-9015, fax (360) 586-0998, by June 25, 2003.

Date of Intended Adoption: June 27, 2003.

May 16, 2003
Cleotis Borner, Jr.
Program Manager

AMENDATORY SECTION (Amending WSR 99-11-039, filed 5/14/99, effective 6/14/99)

WAC 308-125-090 Continuing education required.

(1) As a prerequisite to renewal of certification or licensure, the holder of a certificate or license shall present evidence satisfactory to the director of successful completion of the continuing education requirements of this section.

(2) The continuing education requirements for renewal of certification or licensure shall be the completion by the applicant of (~~twenty classroom~~) twenty-eight hours of instruction in courses or seminars which have received the approval of the director. Courses must be completed within the term of certification or licensure immediately preceding renewal (~~Provided, That effective January 1, 1998, the number of classroom hours is twenty-eight; further, every other renewal period, the holder of a certificate or license will present evidence of successful completion of at least fifteen hours of approved USPAP related continuing education. The hours of USPAP education may be included in the total education hours submitted for both the current and previous renewal periods~~). An applicant shall not receive credit in consecutive renewals for courses that have the same or very similar content and are deemed comparable by the department. The holder of a certificate or license will present evidence of successful completion of the seven-hour National USPAP update course or its equivalent, or the fifteen-hour National USPAP course every renewal.

(3) In order for courses or seminars to be accepted under subsection (2) of this section, the course or seminar must be a minimum of two hours in length and be directly related to

real estate appraising. However, a maximum of one-half of the continuing education hours required for renewal can be in two-hour seminars or courses.

(4) An examination is not required for courses or seminars taken for continuing education classroom hours. The exception is the fifteen-hour Uniform Standards of Professional Appraisal Practice (USPAP) course when required by the course provider.

(5) The requirement under subsection (2) of this section may be met by participation other than as a student in educational process and programs approved by the director including teaching, program development, and authorship of textbooks and other written instructional materials.

(6) Courses or seminars taken to satisfy the continuing education requirement for general real estate appraisers, should include coverage of real estate appraisal related topics, such as:

- (a) Ad valorem taxation.
- (b) Arbitrations.
- (c) Business courses related to practice of real estate.
- (d) Construction estimating.
- (e) Ethics and standards of professional practice.
- (f) Land use planning, zoning, and taxation.
- (g) Management, leasing, brokerage, timesharing.
- (h) Property development.
- (i) Real estate appraisal (valuations/evaluations).
- (j) Real estate financing and investment.
- (k) Real estate law.
- (l) Real estate litigation.
- (m) Real estate related computer applications.
- (n) Real estate securities and syndication.
- (o) Real property exchange.
- (p) Such other presentations approved by the director.

(7) Courses or seminars taken to satisfy the continuing education requirement for residential real estate appraisers should include coverage of real estate appraisal related topics, such as:

- (a) Ad valorem taxation.
- (b) Business courses related to practice of real estate.
- (c) Construction estimation.
- (d) Ethics and standards of professional practice.
- (e) Land use planning, zoning, taxation.
- (f) Property development.
- (g) Real estate financing and investment.
- (h) Real estate law.
- (i) Real estate related computer applications.
- (j) Real estate securities and syndication.
- (k) Real property exchange.
- (l) Real estate feasibility and marketability studies.
- (m) Such other presentations approved by the director.
- (n) Real estate securities and syndication.
- (o) Real estate property exchange.
- (p) Such other presentations approved by the director.

(8) Courses or seminars taken to satisfy the continuing education requirement for licensed real estate appraisers should include coverage of real estate appraisal related topics, such as:

- (a) Ad valorem taxation.
- (b) Arbitration.

- (c) Business courses related to practice of real estate appraisal.
- (d) Construction estimating.
- (e) (~~Ethics~~) Ethics and standards of professional practice.
- (f) Land use planning, zoning, and taxation.
- (g) Management, leasing brokerage, timesharing.
- (h) Property development.
- (i) Real estate appraisal (valuations/evaluations).
- (j) Real estate law.
- (k) Real estate litigation.
- (l) Real estate financing and investment.
- (m) Real estate appraisal related computer applications.
- (n) Real estate securities and syndication.
- (o) Real property exchange.
- (p) Such other presentations approved by the director.

WSR 03-11-059
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed May 19, 2003, 11:28 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-08-073.

Title of Rule: Chapter 296-841 WAC, Respiratory hazards and WAC 296-62-075 Air contaminants.

Purpose: The air contaminants rule is being rewritten and reorganized for clarity and ease of use for employers and employees. We are amending the rule in chapter 296-62 WAC to only apply to agriculture and proposing respiratory hazards in a new chapter.

AMENDED SECTIONS:

WAC 296-62-075 Air contaminants.

- A note will be added to WAC 296-62-075 stating that requirements relating to air contaminants have been moved and the requirements left in WAC 296-62-075 only apply to agriculture.

NEW SECTIONS:

WAC 296-841-100 Scope.

- Clarifies responsibilities of employers to identify and control respiratory hazards.

WAC 296-841-200 Evaluate and control employee exposures.

- Clarifies responsibilities of employers to evaluate exposure to respiratory hazards.

WAC 296-841-20005 Identify and evaluate employee exposures.

- Moved requirements from 296-62-07130 and 296-62-07515 to this section.

WAC 296-841-20010 Control employee exposures.

- Moved requirements from 296-62-07102 and 296-62-07501 to this section.

WAC 296-841-20015 Use respirators.

- Moved requirements from 296-62-07103 to this section.

WAC 296-841-20020 Notify employees.

- Clarified requirements from RCW 49.17.220 in this section.

WAC 296-841-300 Definitions.

- Moved the applicable definitions to this section.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Statute Being Implemented: Chapter 49.17 RCW.

Summary: The Department of Labor and Industries is proposing to clarify requirements relating to air contaminants. We are amending the rule in chapter 296-62 WAC to only apply to agriculture and proposing respiratory hazards in a new chapter. This rule making is part of our clear rule-writing initiative to rewrite for clarity all the safety and health rules.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

Name of Proponent: [Department of Labor and Industries], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The Department of Labor and Industries is proposing to clarify requirements relating to air contaminants. This rule making is part of our clear rule-writing initiative to rewrite for clarity all the safety and health rules. It is anticipated that these amendments will actually make the rules easier for employers and employees to understand and use, and thus actually save them time.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A number of criteria and exemptions were established by the small business economic impact statement (SBEIS) analysis. One key criteria that allows rule changes to be exempt from preparation of an SBEIS is presented in RCW 34.05.310 (4)(d): "Rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect" are not subject to the SBEIS requirements. Because the proposed rule changes make clarifying and organizational changes for ease of understanding and use, but do not in any way alter the content of the original rules, there should not be an economical impact on Washington state business. The analysis of the rule reveals that in addition to not imposing new costs on businesses, these revisions will actually make WISHA rules easier for employers and employees to understand and use, and thus actually save them time.

PROPOSED

PROPOSED

RCW 34.05.328 applies to this rule adoption. Significant rule-making criteria applies to the rule amendments but the department is exempt since the changes simply clarify the language of the rule without changing its effect, RCW 34.05.328 (5)(b)(iv).

Hearing Location: Department of Labor and Industries Building, Room S117, 7273 Linderson Way S.W., Tumwater, WA, on June 26, 2003, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Sally Elliot by June 19, 2003, at (360) 902-5484.

Submit Written Comments to: Kimberly Rhoads, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, e-mail rhok235@lni.wa.gov, fax (360) 902-5529, by July 3, 2003.

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May 19, 2003

Paul Trause

Director

AMENDATORY SECTION (Amending WSR 97-19-014, filed 9/5/97, effective 11/5/97)

WAC 296-62-075 Air contaminants.

Note: The requirements in WAC 296-62-075 through 296-62-07515 apply only to agriculture. The requirements for all other industries relating to respiratory hazards have been moved to chapter 296-841 WAC, Respiratory hazards.

(1) An employee's exposure to any substance listed in Table 1 of WAC 296-62-07515 shall be limited in accordance with the requirements of WAC 296-62-07501 through 296-62-07513.

(2) The following definitions are applicable to the limits in Table 1.

(a) Time weighted average (TWA) is the employee's average airborne exposure to any 8-hour work shift of a 40-hour work week which shall not be exceeded.

(b) Short term exposure limit (STEL) is the employee's 15-minute time weighted average exposure which shall not be exceeded at any time during a work day unless another time limit is specified in a parenthetical notation below the limit. If another time period is specified, the time weighted average exposure over that time period shall not be exceeded at any time during the working day.

(c) Ceiling is the employee's exposure which shall not be exceeded during any part of the work day. If instantaneous monitoring is not feasible, then the ceiling shall be assessed as a 15-minute time weighted average exposure which shall not be exceeded at any time over a working day.

(d) The terms "substance," "air contaminant," and "material" are equivalent in meaning for WAC 296-62-075 through 296-62-07515.

Chapter 296-841 WAC

RESPIRATORY HAZARDS

NEW SECTION

WAC 296-841-100 Scope.

IMPORTANT:

This chapter applies **only** if your employees:

- Are exposed to a respiratory hazard

OR

- Could be exposed to one of the specific hazards listed below.

This chapter applies to any workplace with potential or actual employee exposure to respiratory hazards. It requires you to protect employees from respiratory hazards by applying this protection strategy:

- Evaluate employee exposures to determine if controls are needed
- Use feasible controls. For example, enclose or confine the operation, use ventilation systems, or substitute with less toxic material
- Use respirators if controls are not feasible or if they cannot completely control the hazard.

Definition:

Exposed or exposure:

The contact an employee has with a toxic substance, harmful physical agent or oxygen deficient condition. Exposure can occur through various routes of entry, such as inhalation, ingestion, skin contact, or skin absorption.

Permissible exposure limit (PEL):

Permissible exposure limits (PELs) are employee exposures to toxic substances or harmful agents that must not be exceeded. PELs are specified in applicable WISHA rules.

Note: Examples of substances that may be respiratory hazards when airborne include:

- Chemicals listed in Table 3
- Any substance
 - Listed in the latest edition of the NIOSH Registry of Toxic Effects of Chemical Substances
 - For which positive evidence of an acute or chronic health hazard exists through tests conducted by, or known to, the employer
 - That may pose a hazard to human health as stated on a material safety data sheet kept by, or known to, the employer
- Atmospheres considered oxygen deficient
- Biological agents such as harmful bacteria, viruses or fungi
 - Examples include airborne TB aerosols and anthrax
- Pesticides with a label requirement for respirators
- Chemicals used as crowd control agents such as pepper spray
- Chemicals present at clandestine drug labs.

These substances can be airborne as dusts, fibers, fogs, fumes, mists, gases, smoke, sprays, vapors, or aerosols.

Reference: • Substances in Table 3 that are marked with an X in the "skin" column may require personal protective equipment (PPE). See WAC 296-800-160, Personal protective equipment, for additional information and requirements.

• If any of the following hazards are present in your workplace, you will need both this chapter and any of the following specific rules that apply:

Hazard	Rule that applies
Acrylonitrile	WAC 296-62-07336
Arsenic (inorganic)	WAC 296-62-07347
Asbestos	WAC 296-62-077
Benzene	WAC 296-62-07523
Butadiene	WAC 296-62-07460
Cadmium	WAC 296-62-074

Hazard	Rule that applies
Carcinogens	Chapter 296-62 WAC, Part F
Coke ovens	Chapter 296-62 WAC, Part O
Cotton dust	Chapter 296-62 WAC, Part N
1, 2-Dibromo-3-chloropropane	WAC 296-62-07342
Ethylene oxide	WAC 296-62-07355
Formaldehyde	WAC 296-62-07540
Lead	WAC 296-62-07521
Methylene chloride	WAC 296-62-07470
Methylenedianiline	WAC 296-62-076
Thiram	WAC 296-62-07519
Vinyl chloride	WAC 296-62-07329

NEW SECTION

WAC 296-841-200 Evaluate and control employee exposures.

Summary

Your responsibility:

To protect your employees from exposure to respiratory hazards in the workplace by identifying and controlling the hazards.

You must:

- Identify and evaluate employee exposures
WAC 296-841-20005
- Control employee exposures
WAC 296-841-20010
- Use respirators
WAC 296-841-20015
- Notify employees
WAC 296-841-20020.

NEW SECTION

WAC 296-841-20005 Identify and evaluate respiratory hazards.

You must:

- Make sure employees are protected from potentially hazardous exposure while you perform your evaluation
- Perform your evaluation without considering the protection provided to employees by a respirator
- Determine the form of the hazard, such as dust, mist, gas, oxygen deficiency, biological.
- Make sure you include:
 - Potential emergency and rescue situations that may occur, such as equipment or power failures, uncontrolled chemical reactions, fire, explosion, or human error
 - Workplace conditions such as work processes, types of material, control methods, work practices and environmental conditions.
- Determine or reasonably estimate whether any employee is or could be exposed to any of the following:
 - Any airborne substance above the PEL listed in Table 3
 - A substance at or above its action level

- Any other respiratory hazard.
- Use any of the following to determine employee exposure:
 - Information that would allow an estimate of the level of employee exposure, such as MSDSs or pesticide labels, observations, measurements or calculations
 - Data demonstrating that a particular product, material or activity cannot result in employee exposure at or above the action level (AL) or PEL
 - Personal air samples that represent an employee's usual or worst case exposure for the entire shift.

Note:

- Rules for specific substances may contain additional requirements for determining employee exposure.
- Use methods of sampling and analysis that have been validated by the laboratory performing the analysis.
- Samples from a representative group of employees may be used for other employees performing the same work activities when the duration and level of exposure are similar.

You must:

- Consider the atmosphere to be immediately dangerous to life or health (IDLH) when you cannot determine or reasonably estimate employee exposure
- Make sure employee exposure to two or more substances is evaluated using this formula:

$$E_m = \frac{C_1}{L_1} + \frac{C_2}{L_2} + \dots + \frac{C_n}{L_n}$$

The symbol	Is the . . .
E	Equivalent exposure for the mixture. The PEL is exceeded when the value of E is greater than 1.
C	Concentration of a particular contaminant.
L	PEL for that contaminant, from Table 3.

NEW SECTION

WAC 296-841-20010 Control employee exposures.

You must:

- Use feasible controls to protect employees from exposure to respiratory hazards by:
 - Reducing the hazard to a level that removes the respiratory hazard
 - Reducing the hazard to the lowest achievable level, when the hazard cannot be removed.

IMPORTANT:

Using respirators and other PPE is not a substitute for the feasible controls required by this section.

Note:

**Table 1
Examples of Possible Controls**

Control:	For example:
Using a different chemical (substitution)	<ul style="list-style-type: none"> • Choose a chemical with a lower evaporation rate or vapor pressure • Choose a chemical without hazardous ingredients

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Control:	For example:
Changing a process to lessen emissions	<ul style="list-style-type: none"> • Use hand rolling or paint dipping instead of paint spraying • Bolt items instead of welding them
Separating employees from emissions areas and sources	<ul style="list-style-type: none"> • Use control rooms • Build an enclosure around process machinery or other emissions sources • Automate a process
Removing emissions at or near the source (local exhaust ventilation)	<ul style="list-style-type: none"> • Install exhaust hoods or slots to capture emissions • Use an exhausted enclosure (like a blasting cabinet or laboratory hood)
Diluting and removing emissions in the work area (general exhaust ventilation)	<ul style="list-style-type: none"> • Allow natural air movement to create an adequate airflow through an area • Use mechanical fans
Modify work practices	<ul style="list-style-type: none"> • Change the position of the worker relative to the work so fumes, vapors, or smoke do not go into their face
Rotate employees – Some specific rules prohibit the use of this control method	<ul style="list-style-type: none"> • Move employees to another job that is without exposure, on a schedule to keep their total exposure below the PEL

Note: • The notification may be provided either individually, to a group, or by posting of results in an appropriate location that is accessible to affected employees.

Table 2
Notification Requirements

Notify employees of:	As follows:
Any exposure result at or above the action level or above PEL	Within five business days, after the employee's exposure result is known to the employer
The corrective action being taken to reduce employee exposure to or below the PEL AND The schedule for completion of the corrective action and any reasons why exposures cannot be lowered to below the PEL	Within fifteen business days, after the employee's exposure result is known to the employer
An exposure to these substances: <ul style="list-style-type: none"> • Acrylonitrile • Arsenic (inorganic) • Asbestos • Benzene • Butadiene • Cadmium • Coke oven emissions • Cotton dust • 1,2-Dibromo-3-chloropropane • Ethylene oxide • Formaldehyde • Lead • Methylene chloride • Methylenedianiline • Vinyl chloride 	In writing, as specified in the rule specific to the substance

NEW SECTION

WAC 296-841-20015 Use respirators.

You must:

• Require employees to use respiratory protection when respiratory hazards have not been removed using feasible controls. For example, use respirators at any of the following times:

- While controls are being evaluated or put in place
- When the respiratory hazard is not completely removed
- When controls are NOT feasible.

Reference:

See chapter 296-842 WAC, Respirators, for respirator program requirements.

NEW SECTION

WAC 296-841-20020 Notify employees.

You must:

• Notify employees who are or may be exposed to respiratory hazards as specified in Table 2.

Table 3 "Exposure Limits for Air Contaminants"

IMPORTANT:

The following information applies to Table 3, Exposure Limits for Air Contaminants.

• Exposure needs to be determined from personal air samples taken in the breathing zone OR monitoring representative of the employee's breathing zone.

• Ppm refers to parts of vapor or gas per million parts of air by volume, at 25 degrees C and 760 mm Hg pressure.

• Mg/m³ refers to milligrams of substance per cubic meter of air.

• For a metal that is measured as the metal itself, only the CAS number for the metal is given. The CAS numbers for individual compounds of the metal are not provided.

• Time weighted averages (TWA₈) represent the maximum allowed average exposure for any 8-hour time period. For work periods longer than 8-hours the TWA₈ needs to be determined using the 8 continuous hours with the highest average concentration.

• Short-term exposure limits (STEL) represent maximum allowed average exposure for any fifteen-minute period, unless otherwise noted in Table 3.

• The ceiling represents the maximum allowed exposure for the shortest time period that can feasibly be measured.

• An "X" in the "skin" column indicates the substance can be absorbed through the skin, either by airborne or direct contact.

• Additional requirements for the use of gloves, coveralls, goggles, and other personal protective equipment can be found in WAC 296-800-160.

• The respirable fraction of particulate is measured by sampling with a size-selector having the following characteristics:

Mean aerodynamic diameter	Percent passing the selector
1	97
2	91
3	74
4	50
5	30
6	17
7	9
8	5
10	1

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Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Abate (Temephos)	3383-96-8	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Acetaldehyde	75-07-0	100 ppm	150 ppm	—	—
Acetic acid	64-19-7	10 ppm	20 ppm	—	—
Acetic anhydride	108-24-7	—	—	5 ppm	—
Acetone	67-64-1	750 ppm	1,000 ppm	—	—
Acetonitrile	75-05-8	40 ppm	60 ppm	—	—
2-Acetylaminofluorene (see WAC 296-62-073)	53-96-3	—	—	—	—
Acetylene	74-86-2	Simple asphyxiant	—	—	—
Acetylene dichloride (1,2-Dichloroethylene)	540-59-0	200 ppm	250 ppm	—	—
Acetylene tetrabromide	79-27-6	1 ppm	3 ppm	—	—
Acetylsalicylic acid (Aspirin)	50-78-2	5 mg/m ³	10 mg/m ³	—	—
Acrolein	107-02-8	0.1 ppm	0.3 ppm	—	—
Acrylamide	79-06-1	0.03 mg/m ³	0.09 mg/m ³	—	X
Acrylic acid	79-10-7	10 ppm	20 ppm	—	X
Acrylonitrile (see WAC 296-62-07336)	107-13-1	2 ppm	10 ppm	—	—
Aldrin	309-00-2	0.25 mg/m ³	0.75 mg/m ³	—	X
Allyl alcohol	107-18-6	2 ppm	4 ppm	—	X
Allyl chloride	107-05-1	1 ppm	2 ppm	—	—
Allyl glycidyl ether (AGE)	106-92-3	5 ppm	10 ppm	—	—
Allyl propyl disulfide	2179-59-1	2 ppm	3 ppm	—	—
alpha-Alumina (Aluminum oxide)	1344-28-1	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5.0 mg/m ³	10 mg/m ³	—	—
Aluminum (as Al)	7429-90-5	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5.0 mg/m ³	10.0 mg/m ³	—	—
Pyro powders	—	5.0 mg/m ³	10 mg/m ³	—	—
Welding fumes	—	5 mg/m ³	10 mg/m ³	—	—
Soluble salts	—	2.0 mg/m ³	4 mg/m ³	—	—
Alkyls (NOC)	—	2.0 mg/m ³	4 mg/m ³	—	—

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Aluminum oxide (Alundum, Corundum)	7429-90-5	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5.0 mg/m ³	10.0 mg/m ³	—	—
4-Aminodiphenyl (see WAC 296-62-073)	92-67-1	—	—	—	—
2-Aminoethanol (Ethanolamine)	141-43-5	3 ppm	6 ppm	—	—
2-Aminopyridine	504-29-0	0.5 ppm	1.5 ppm	—	—
Amitrole	61-82-5	0.2 mg/m ³	0.6 mg/m ³	—	—
Ammonia	7664-41-7	25 ppm	35 ppm	—	—
Ammonium chloride, fume	12125-02-9	10 mg/m ³	20 mg/m ³	—	—
Ammonium sulfamate (Ammate)	7773-06-0	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5.0 mg/m ³	10.0 mg/m ³	—	—
n-Amyl acetate	628-63-7	100 ppm	150 ppm	—	—
sec-Amyl acetate	626-38-0	125 ppm	156 ppm	—	—
Aniline and homologues	62-53-3	2 ppm	4 ppm	—	X
Anisidine (o, p-isomers)	29191-52-4	0.1 ppm	0.3 ppm	—	X
Antimony and compounds (as Sb)	7440-36-0	0.5 mg/m ³	1.5 mg/m ³	—	—
ANTU (alpha Naphthyl thiourea)	86-88-4	0.3 mg/m ³	0.9 mg/m ³	—	—
Argon	7440-37-1	Simple asphyxiant	Simple asphyxiant	—	—
Arsenic, organic compounds (as As)	7440-38-2	0.2 mg/m ³	0.6 mg/m ³	—	—
Arsenic, inorganic compounds (as As) (when use is covered by WAC 296-62-07347)	7440-38-2	0.01 mg/m ³	0.03 mg/m ³	—	—
Arsenic, inorganic compounds (as As) (when use is not covered by WAC 296-62-07347)	7440-38-2	0.2 mg/m ³	0.6 mg/m ³	—	—
Arsine	7784-42-1	0.05 ppm	0.15 ppm	—	—
Asbestos (see WAC 296-62-077)	—	—	—	—	—
Asphalt (Petroleum fumes)	8052-42-4	5 mg/m ³	10 mg/m ³	—	—
Atrazine	1912-24-9	5 mg/m ³	10 mg/m ³	—	—
Azinphos methyl (Guthion)	86-50-0	0.2 mg/m ³	0.6 mg/m ³	—	X
Barium, soluble compounds (as Ba)	7440-39-3	0.5 mg/m ³	1.5 mg/m ³	—	—
Barium sulfate	7727-43-7	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Benomyl	17804-35-2	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Benzene (see WAC 296-62-07523)	71-43-2	1 ppm	5 ppm	—	—
Benzidine (see WAC 296-62-073)	92-87-5	—	—	—	—
p-Benzoquinone (Quinone)	106-51-4	0.1 ppm	0.3 ppm	—	—
Benzo(a) pyrene (Coal tar pitch volatiles)	65996-93-2	0.2 mg/m ³	0.6 mg/m ³	—	—
Benzoyl peroxide	94-36-0	5 mg/m ³	10 mg/m ³	—	—
Benzyl chloride	100-44-7	1 ppm	3 ppm	—	—
Beryllium and beryllium compounds (as Be)	7440-41-7	0.002 mg/m ³	0.005 mg/m ³ (30 min.)	0.025 mg/m ³	—

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Biphenyl (Diphenyl)	92-52-4	0.2 ppm	0.6 ppm	—	—
Bismuth telluride, undoped	1304-82-1	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Bismuth telluride, Se-doped	—	5 mg/m ³	10 mg/m ³	—	—
Borates, tetra, sodium salts	—	—	—	—	—
Anhydrous	1330-43-4	1 mg/m ³	3 mg/m ³	—	—
Decahydrate	1303-96-4	5 mg/m ³	10 mg/m ³	—	—
Pentahydrate	12179-04-3	1 mg/m ³	3 mg/m ³	—	—
Boron oxide	1303-86-2	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Boron tribromide	10294-33-4	—	—	1.0 ppm	—
Boron trifluoride	6737-07-2	—	—	1.0 ppm	—
Bromacil	314-40-9	1 ppm	3 ppm	—	—
Bromine	7726-95-6	0.1 ppm	0.3 ppm	—	—
Bromine pentafluoride	7789-30-2	0.1 ppm	0.3 ppm	—	—
Bromochloromethane (Chlorobromomethane)	74-97-5	200 ppm	250 ppm	—	—
Bromoform	15-25-2	0.5 ppm	1.5 ppm	—	X
Butadiene (1,3-butadiene)	106-99-0	1 ppm	5 ppm	—	—
Butane	106-97-8	800 ppm	1,000 ppm	—	—
Butanethiol (see Butyl mercaptan)	109-79-5	0.5 ppm	1.5 ppm	—	—
2-Butanone (Methyl ethyl ketone)	78-93-3	200 ppm	300 ppm	—	—
2-Butoxy ethanol (Butyl cellosolve)	111-76-2	25 ppm	38 ppm	—	X
n-Butyl acetate	123-86-4	150 ppm	200 ppm	—	—
sec-Butyl acetate	105-46-4	200 ppm	250 ppm	—	—
tert-Butyl acetate	540-88-5	200 ppm	250 ppm	—	—
Butyl acrylate	141-32-2	10 ppm	20 ppm	—	—
n-Butyl alcohol	71-36-3	—	—	50 ppm	X
sec-Butyl alcohol	78-92-2	100 ppm	150 ppm	—	—
tert-Butyl alcohol	75-65-0	100 ppm	150 ppm	—	—
Butylamine	109-73-9	—	—	5 ppm	X
tert-Butyl chromate (Chromic acid)	1189-85-1	—	—	0.1 mg/m ³	X
n-Butyl glycidyl ether (BGE)	2426-08-6	25 ppm	38 ppm	—	—
n-Butyl lactate	138-22-7	5 ppm	10 ppm	—	—
Butyl mercaptan	109-79-5	0.5 ppm	1.5 ppm	—	—
o-sec-Butylphenol	89-72-5	5 ppm	10 ppm	—	X
p-tert-Butyl-toluene	98-51-1	10 ppm	20 ppm	—	—
Cadmium oxide fume (as Cd) (see WAC 296-62-074)	1306-19-0	0.005 mg/m ³	0.015 mg/m ³	—	—
Cadmium dust and salts (as Cd) (see WAC 296-62-074)	7440-43-9	—	—	—	—
Total particulate	—	0.01 mg/m ³	0.03 mg/m ³	—	—
Respirable fraction	—	0.002 mg/m ³	0.006 mg/m ³	—	—
Calcium arsenate (see WAC 296-62-07347)	—	0.01 mg/m ³	0.03 mg/m ³	—	—
Calcium carbonate	1317-65-3	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Calcium cyanamide	156-62-7	0.5 mg/m ³	1.5 mg/m ³	—	—
Calcium hydroxide	1305-62-0	5 mg/m ³	10 mg/m ³	—	—

PROPOSED

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Calcium oxide	1305-78-8	2 mg/m ³	4 mg/m ³	—	—
Calcium silicate	1344-95-2	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Calcium sulfate	7778-18-9	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Camphor (synthetic)	76-22-2	2 mg/m ³	4 mg/m ³	—	—
Caprolactam	105-60-2	—	—	—	—
Dust	—	1 mg/m ³	3 mg/m ³	—	—
Vapor	—	5 ppm	10 ppm	—	—
Captafol (Difolatan)	2425-06-1	0.1 mg/m ³	0.3 mg/m ³	—	X
Captan	133-06-2	5 mg/m ³	10 mg/m ³	—	—
Carbaryl (Sevin)	63-25-2	5 mg/m ³	10 mg/m ³	—	—
Carbofuran (Furadon)	1563-66-2	0.1 mg/m ³	0.3 mg/m ³	—	—
Carbon black	1333-86-4	3.5 mg/m ³	7 mg/m ³	—	—
Carbon dioxide	124-38-9	5,000 ppm	30,000 ppm	—	—
Carbon disulfide	75-15-0	4 ppm	12 ppm	—	X
Carbon monoxide	630-08-0	35 ppm	200 ppm (5 min.)	1,500 ppm	—
Carbon tetrabromide	558-13-4	0.1 ppm	0.3 ppm	—	—
Carbon tetrachloride (Tetrachloromethane)	56-23-5	2 ppm	4 ppm	—	X
Carbonyl chloride (Phosgene)	7803-51-2	0.3 ppm	1 ppm	—	—
Carbonyl fluoride	353-50-4	2 ppm	5 ppm	—	—
Catechol (Pyrocatechol)	120-80-9	5 ppm	10 ppm	—	X
Cellulose (paper fiber)	9004-34-6	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Cesium hydroxide	21351-79-1	2 mg/m ³	4 mg/m ³	—	—
Chlordane	57-74-9	0.5 mg/m ³	1.5 mg/m ³	—	X
Chlorinated camphene (Toxaphen)	8001-35-2	0.5 mg/m ³	1 mg/m ³	—	X
Chlorinated diphenyl oxide	55720-99-5	0.5 mg/m ³	1.5 mg/m ³	—	—
Chlorine	7782-50-5	0.5 ppm	1 ppm	1 ppm	—
Chlorine dioxide	10049-04-4	0.1 ppm	0.3 ppm	—	—
Chlorine trifluoride	7790-91-2	—	—	0.1 ppm	—
Chloroacetaldehyde	107-20-0	—	—	1 ppm	—
a-Chloroacetophenone (Phenacyl chloride)	532-21-4	0.05 ppm	0.15 ppm	—	—
Chloroacetyl chloride	79-04-9	0.05 ppm	0.15 ppm	—	—
Chlorobenzene (Monochlorobenzene)	108-90-7	75 ppm	113 ppm	—	—
o-Chlorobenzylidene malononitrile (OCBM)	2698-41-1	—	—	0.05 ppm	X
Chlorobromomethane	74-97-5	200 ppm	250 ppm	—	—
2-Chloro-1, 3-butadiene (beta-Chloroprene)	126-99-8	10 ppm	20 ppm	—	X
Chlorodifluoromethane	75-45-6	1,000 ppm	1,250 ppm	—	—
Chlorodiphenyl (42% Chlorine) (PCB) (Polychlorobiphenyls)	53469-21-9	1 mg/m ³	3 mg/m ³	—	X
Chlorodiphenyl (54% Chlorine) (Polychlorobiphenyls (PCB))	11097-69-1	0.5 mg/m ³	1.5 mg/m ³	—	X

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
1-Chloro-2, 3-epoxypropane (Epichlorhydrin)	106-89-8	2 ppm	4 ppm	—	X
2-Chloroethanol (Ethylene chlorohydrin)	107-07-3	—	—	1 ppm	X
Chloroethylene (vinyl chloride)	75-01-4	1 ppm	5 ppm	—	—
Chloroform (Trichloromethane)	67-66-3	2 ppm	4 ppm	—	—
1-Chloro-1-nitropropane	600-25-9	2 ppm	4 ppm	—	—
bis-Chloromethyl ether (see WAC 296-62-073)	542-88-1	—	—	—	—
Chloromethyl methyl ether (Methyl chloromethyl ether) (see WAC 296-62-073)	107-30-2	—	—	—	—
Chloropentafluoroethane	76-15-3	1,000 ppm	1,250 ppm	—	—
Chloropicrin (Nitrotrichloromethan)	76-06-2	0.1 ppm	0.3 ppm	—	—
beta-Chloroprene (2-Chloro-1, 3-butadiene)	126-99-8	10 ppm	20 ppm	—	X
o-Chlorostyrene	2039-87-4	50 ppm	75 ppm	—	—
o-Chlorotoluene	95-49-8	50 ppm	75 ppm	—	—
2-Chloro-6-trichloromethyl pyridine (Nitrapyrin)	1929-82-4	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5.0 mg/m ³	10.0 mg/m ³	—	—
Chlorpyrifos	2921-88-2	0.2 mg/m ³	0.6 mg/m ³	—	X
Chromic acid and chromates (as CrO ₃)	Varies with compound	—	—	0.1 mg/m ³	—
Chromium, sol, chromic chromous salts (as Cr)	7440-47-3	0.5 mg/m ³	1.5 mg/m ³	—	—
Chromium (VI) compounds (as Cr)	—	0.05 mg/m ³	0.15 mg/m ³	—	—
Chromium metal and insoluble salts	7440-47-3	0.5 mg/m ³	1.5 mg/m ³	—	—
Chromyl chloride	14977-61-8	0.025 ppm	0.075 ppm	—	—
Chrysene (Coal tar pitch volatiles)	65996-93-2	0.2 mg/m ³	0.6 mg/m ³	—	—
Clopidol	2971-90-6	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Coal dust (less than 5% SiO ₂)	—	—	—	—	—
Respirable fraction	—	2 mg/m ³	4 mg/m ³	—	—
Coal dust (greater than or equal to 5% SiO ₂)	—	—	—	—	—
Respirable fraction	—	0.1 mg/m ³	0.3 mg/m ³	—	—
Coal tar pitch volatiles (benzene soluble fraction anthracene, BaP, phenanthrene, acridine, chrysene, pyrene)	—	—	—	—	—
(Benzo(a) pyrene), (Particulate polycyclic aromatic hydrocarbons)	65996-93-2	0.2 mg/m ³	0.6 mg/m ³	—	—
Cobalt, metal fume & dust (as Co)	7440-48-4	0.05 mg/m ³	0.15 mg/m ³	—	—
Cobalt carbonyl (as Co)	10210-68-1	0.1 mg/m ³	0.3 mg/m ³	—	—
Cobalt hydrocarbonyl (as Co)	16842-03-8	0.1 mg/m ³	0.3 mg/m ³	—	—
Coke oven emissions (see WAC 296-62-200)	—	0.15 mg/m ³	0.45 mg/m ³	—	—

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Copper (as Cu)	7440-50-8	—	—	—	—
Fume	—	0.1 mg/m ³	0.3 mg/m ³	—	—
Dusts and mists	—	1 mg/m ³	3 mg/m ³	—	—
Cotton dust (raw) (see WAC 296-62-14533)	—	1 mg/m ³	3 mg/m ³	—	—
Corundum (Aluminum oxide)	7429-90-5	10 mg/m ³	20 mg/m ³	—	—
Crag herbicide (Sesone, Sodium-2, 4-dichloro-phenoxyethyl sulfate)	136-78-7	10 mg/m ³	20 mg/m ³	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Cresol (all isomers)	1319-77-3	5 ppm	10 ppm	—	X
Crotonaldehyde	123-73-9; 4170-30-3	2 ppm	4 ppm	—	—
Crufomate	299-86-5	5 mg/m ³	10 mg/m ³	—	—
Cumene	98-82-8	50 ppm	75 ppm	—	X
Cyanamide	420-04-2	2 mg/m ³	4 mg/m ³	—	—
Cyanide (as CN)	Varies with compound	5 mg/m ³	10 mg/m ³	—	X
Cyanogen	460-19-5	10 ppm	20 ppm	—	—
Cyanogen chloride	506-77-4	—	—	0.3 ppm	—
Cyclohexane	110-82-7	300 ppm	375 ppm	—	—
Cyclohexanol	108-93-0	50 ppm	75 ppm	—	X
Cyclohexanone	108-94-1	25 ppm	38 ppm	—	X
Cyclohexene	110-83-8	300 ppm	375 ppm	—	—
Cyclohexylamine	108-91-8	10 ppm	20 ppm	—	—
Cyclonite (RDX)	121-82-4	1.5 mg/m ³	3.0 mg/m ³	—	X
Cyclopentadiene	542-92-7	75 ppm	113 ppm	—	—
Cyclopentane	287-92-3	600 ppm	750 ppm	—	—
Cyhexatin (Tricyclohexyltin hydroxide)	13121-70-5	5 mg/m ³	10 mg/m ³	—	—
2,4-D (Dichlorophenoxy- acetic acid)	94-75-7	10 mg/m ³	20 mg/m ³	—	—
DDT (Dichlorodiphenyltri- chloroethane)	50-29-3	1 mg/m ³	3 mg/m ³	—	X
DDVP, Dichlorvos	62-73-7	0.1 ppm	0.3 ppm	—	X
Decaborane	17702-41-9	0.05 ppm	0.15 ppm	—	X
Demeton	8065-48-3	0.01 ppm	0.03 ppm	—	X
Diacetone alcohol (4-hydroxy-4-methyl- 2-pentanone)	123-42-2	50 ppm	75 ppm	—	—
1, 2-Diaminoethane (Ethylenediamine)	107-15-3	10 ppm	20 ppm	—	—
Diazinon	333-41-5	0.1 mg/m ³	0.3 mg/m ³	—	X
Diazomethane	334-88-3	0.2 ppm	0.6 ppm	—	—
Diborane	19287-45-7	0.1 ppm	0.3 ppm	—	—
Dibrom (see Naled)	300-76-5	3 mg/m ³	6 mg/m ³	—	X
1, 2-Dibromo-3-chloropropane (DBCP) (see WAC 296-62-07342)	96-12-8	0.001 ppm	—	0.005 ppm	—
2-N-Dibutylamino ethanol	102-81-8	2 ppm	4 ppm	—	X
Dibutyl phosphate	107-66-4	1 ppm	2 ppm	—	—
Dibutyl phthalate	84-74-2	5 mg/m ³	10 mg/m ³	—	—
Dichloroacetylene	7572-29-4	—	—	0.1 ppm	—
o-Dichlorobenzene	95-50-1	—	—	50 ppm	—
p-Dichlorobenzene	106-46-7	75 ppm	110 ppm	—	—
3, 3'-Dichlorobenzidine (see WAC 296-62-073)	91-94-1	—	—	—	—

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Dichlorodiphenyltri- chloroethane (DDT)	50-29-3	1 mg/m ³	3 mg/m ³	—	X
Dichlorodifluoromethane	75-71-8	1,000 ppm	1,250 ppm	—	—
1, 3-Dichloro-5, 5-dimethyl hydantoin	118-52-5	0.2 mg/m ³	0.4 mg/m ³	—	—
1, 1-Dichloroethane	75-34-3	100 ppm	150 ppm	—	—
1, 2-Dichloroethane (Ethylene dichloride)	107-06-2	1 ppm	2 ppm	—	—
1, 2-Dichloroethylene (Acetylene dichloride)	540-59-0	200 ppm	250 ppm	—	—
1, 1-Dichloroethylene (Vinylidene chloride)	75-35-4	1 ppm	3 ppm	—	—
Dichloroethyl ether	111-44-4	5 ppm	10 ppm	—	X
Dichlorofluoromethane	75-43-4	10 ppm	20 ppm	—	—
Dichloromethane (Methylene chloride)	75-09-2	25 ppm	125 ppm	—	—
1, 1-Dichloro-1-nitroethane	594-72-9	2 ppm	10 ppm	—	—
1, 2-Dichloropropane (Propylene dichloride)	78-87-5	75 ppm	110 ppm	—	—
Dichloropropene	542-75-6	1 ppm	3 ppm	—	X
2, 2-Dichloropropionic acid	75-99-0	1 ppm	3 ppm	—	—
Dichlorotetrafluoroethane	76-14-2	1,000 ppm	1,250 ppm	—	—
Dichlorvos (DDVP)	62-73-7	0.1 ppm	0.3 ppm	—	X
Dicrotophos	141-66-2	0.25 mg/m ³	0.75 mg/m ³	—	X
Dicyclopentadiene	77-73-6	5 ppm	10 ppm	—	—
Dicyclopentadienyl iron Total particulate	102-54-5 —	— 10 mg/m ³	— 20 mg/m ³	— —	— —
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Dieldrin	60-57-1	0.25 mg/m ³	0.75 mg/m ³	—	X
Diethanolamine	111-42-2	3 ppm	6 ppm	—	—
Diethylamine	109-89-7	10 ppm	25 ppm	—	—
2-Diethylaminoethanol	100-37-8	10 ppm	20 ppm	—	X
Diethylene triamine	111-40-0	1 ppm	3 ppm	—	X
Diethyl ether (Ethyl ether)	60-29-7	400 ppm	500 ppm	—	—
Diethyl ketone	96-22-0	200 ppm	250 ppm	—	—
Diethyl phthalate	84-66-2	5 mg/m ³	10 mg/m ³	—	—
Difluorodibromomethane	75-61-6	100 ppm	150 ppm	—	—
Diglycidyl ether (DGE)	2238-07-5	0.1 ppm	0.3 ppm	—	—
Dihydroxybenzene (Hydroquinone)	123-31-9	2 mg/m ³	4 mg/m ³	—	—
Diisobutyl ketone (2, 6- Dimethylheptanone)	108-83-8	25 ppm	38 ppm	—	—
Diisopropylamine	108-18-9	5 ppm	10 ppm	—	X
Dimethoxymethane (Methylal)	109-87-5	1,000 ppm	1,250 ppm	—	—
Dimethyl acetamide	127-19-5	10 ppm	20 ppm	—	X
Dimethylamine	124-40-3	10 ppm	20 ppm	—	—
4-Dimethylaminoazo benzene (see WAC 296-62-073)	60-11-7	—	—	—	—
Dimethylaminobenzene (Xylidene)	1300-73-8	2 ppm	4 ppm	—	X
Dimethylaniline (N, N-Dimethylaniline)	121-69-7	5 ppm	10 ppm	—	X
Dimethylbenzene (Xylene)	1300-73-8	2 ppm	4 ppm	—	X
Dimethyl-1, 2-dibromo-2, 2-dichloroethyl phosphate (Naled)	300-76-5	3 mg/m ³	6 mg/m ³	—	X
Dimethylformamide	68-12-2	10 ppm	20 ppm	—	X

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
2, 6-Dimethylheptanone (Diisobutyl ketone)	108-83-8	25 ppm	38 ppm	—	—
1, 1-Dimethylhydrazine	57-14-7	0.5 ppm	1.5 ppm	—	X
Dimethyl phthalate	131-11-3	5 mg/m ³	10 mg/m ³	—	—
Dimethyl sulfate	77-78-1	0.1 ppm	0.3 ppm	—	X
Dinitolmide (3, 5-Dinitro-o-toluamide)	148-01-6	5 mg/m ³	10 mg/m ³	—	—
Dinitrobenzene (all isomers - alpha, meta and para)	528-29-0; 99-65-0; 100-25-4	0.15 ppm	0.45 ppm	—	X
Dinitro-o-cresol	534-52-1	0.2 mg/m ³	0.6 mg/m ³	—	X
Dinitrotoluene	25321-14-6	1.5 mg/m ³	3 mg/m ³	—	X
Dioxane (Diethylene dioxide)	123-91-1	25 ppm	38 ppm	—	X
Dioxathion	78-34-2	0.2 mg/m ³	0.6 mg/m ³	—	X
Diphenyl (Biphenyl)	92-52-4	0.2 ppm	0.6 ppm	—	—
Diphenylamine	122-39-4	10 mg/m ³	20 mg/m ³	—	—
Diphenylmethane diisocyanate (Methylene bisphenyl isocyanate (MDI))	101-68-8	—	—	0.02 ppm	—
Dipropylene glycol methyl ether	34590-94-8	100 ppm	150 ppm	—	X
Dipropyl ketone	123-19-3	50 ppm	75 ppm	—	—
Diquat	85-00-7	0.5 mg/m ³	1.5 mg/m ³	—	—
Di-sec, Octyl phthalate (Di-2-ethylhexylphthalate)	117-81-7	5 mg/m ³	10 mg/m ³	—	—
Disulfam	97-77-8	2 mg/m ³	4 mg/m ³	—	—
Disulfoton	298-04-4	0.1 mg/m ³	0.3 mg/m ³	—	X
2, 6-Di-tert-butyl-p-cresol	128-37-0	10 mg/m ³	20 mg/m ³	—	—
Diuron	330-54-1	10 mg/m ³	20 mg/m ³	—	—
Divinyl benzene	1321-74-0	10 ppm	20 ppm	—	—
Emery	12415-34-8	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Endosulfan (Thiodan)	115-29-7	0.1 mg/m ³	0.3 mg/m ³	—	X
Endrin	72-20-8	0.1 mg/m ³	0.3 mg/m ³	—	X
Epichlorhydrin (1-Chloro-2, 3-epoxypropane)	106-89-8	2 ppm	4 ppm	—	X
EPN	2104-64-5	0.5 mg/m ³	1.5 mg/m ³	—	X
1, 2-Epoxypropane (Propylene oxide)	75-56-9	20 ppm	30 ppm	—	—
2, 3-Epoxy-1-propanol (Glycidol)	556-52-5	25 ppm	38 ppm	—	—
Ethane	—	Simple asphyxiant		—	—
Ethanethiol (Ethyl mercaptan)	75-08-1	0.5 ppm	1.5 ppm	—	—
Ethanolamine (2-Aminoethanol)	141-43-5	3 ppm	6 ppm	—	—
Ethion	563-12-2	0.4 mg/m ³	1.2 mg/m ³	—	X
2-Ethoxyethanol (Glycol monoethyl ether)	110-80-5	5 ppm	10 ppm	—	X
2-Ethoxyethyl acetate (Cellosolve acetate)	111-15-9	5 ppm	10 ppm	—	X
Ethyl acetate	141-78-6	400 ppm	500 ppm	—	—
Ethyl acrylate	140-88-5	5 ppm	25 ppm	—	X
Ethyl alcohol (ethanol)	64-17-5	1,000 ppm	1,250 ppm	—	—
Ethylamine	75-04-07	10 ppm	20 ppm	—	—
Ethyl amyl ketone (5-Methyl-3-hepatone)	541-85-5	25 ppm	37.5 ppm	—	—
Ethyl benzene	100-41-4	100 ppm	125 ppm	—	—

PROPOSED

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Ethyl bromide	74-96-4	200 ppm	250 ppm	—	—
Ethyl butyl ketone (3-Heptanone)	106-35-4	50 ppm	75 ppm	—	—
Ethyl chloride	75-00-3	1,000 ppm	1,250 ppm	—	—
Ethylene	74-85-1	Simple asphyxiant	—	—	—
Ethylene chlorohydrin (2-Chloroethanol)	107-07-3	—	—	1.0 ppm	X
Ethylenediamine (1,2- Diaminoethane)	107-15-3	10 ppm	20 ppm	—	X
Ethylene dibromide	106-93-4	0.1 ppm	0.5 ppm	—	—
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	1 ppm	2 ppm	—	—
Ethylene glycol	107-21-1	—	—	50 ppm	—
Ethylene glycol dinitrate	628-96-6	—	0.1 mg/m ³	—	X
Ethylene glycol monomethyl ether acetate (Methyl cellosolve acetate)	—	5 ppm	10 ppm	—	X
Ethyleneimine (see WAC 296-62-073)	151-56-4	—	—	—	X
Ethylene oxide (see WAC 296-62-07359)	75-21-8	1 ppm	3 ppm	—	—
Ethyl ether (Diethyl ether)	60-29-7	400 ppm	500 ppm	—	—
Ethyl formate	109-94-4	100 ppm	125 ppm	—	—
Ethylidene chloride (1, 1-Dichloroethane)	107-06-2	1 ppm	2 ppm	—	—
Ethylidene norbornene	16219-75-3	—	—	5.0 ppm	—
Ethyl mercaptan (Ethanethiol)	75-08-1	0.5 ppm	1.5 ppm	—	—
n-Ethylmorpholine	100-74-3	5 ppm	10 ppm	—	X
Ethyl sec-amyl ketone (5-methyl-3-heptanone)	541-85-5	25 ppm	37.50 ppm	—	—
Ethyl silicate	78-10-4	10 ppm	20 ppm	—	—
Fenamiphos	22224-92-6	0.1 mg/m ³	0.3 mg/m ³	—	X
Fensulfothion (Dasanit)	115-90-2	0.1 mg/m ³	0.3 mg/m ³	—	—
Fenthion	55-38-9	0.2 mg/m ³	0.6 mg/m ³	—	X
Ferbam	—	—	—	—	—
Total particulate	14484-64-1	10 mg/m ³	20 mg/m ³	—	—
Ferrovandium dust	12604-58-9	1 mg/m ³	3 mg/m ³	—	—
Fluorides (as F)	Varies with compound	2.5 mg/m ³	5 mg/m ³	—	—
Fluorine	7782-41-4	0.1 ppm	0.3 ppm	—	—
Fluorotrichloromethane (see Trichlorofluoro methane)	75-69-4	—	—	1,000 ppm	—
Fonofos	944-22-9	0.1 mg/m ³	0.3 mg/m ³	—	X
Formaldehyde (see WAC 296-62-07540)	50-00-0	0.75 ppm	2.0 ppm	—	—
Formamide	75-12-7	20 ppm	30 ppm	—	—
Formic acid	64-18-6	5 ppm	10 ppm	—	—
Furfural	98-01-1	2 ppm	4 ppm	—	X
Furfuryl alcohol	98-00-0	10 ppm	15 ppm	—	X
Gasoline	8006-61-9	300 ppm	500 ppm	—	—
Germanium tetrahydride	7782-65-2	0.2 ppm	0.6 ppm	—	—
Glass, fibrous or dust	—	10 mg/m ³	20 mg/m ³	—	—
Gluteraldehyde	111-30-8	—	—	0.2 ppm	—
Glycerin mist	56-81-5	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5.0 mg/m ³	10.0 mg/m ³	—	—
Glycidol (2, 3-Epoxy-1-propanol)	556-52-5	25 ppm	37.5 ppm	—	—

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Glycol monoethyl ether (2-Ethoxyethanol)	110-80-5	5 ppm	10 ppm	—	X
Grain dust (oat, wheat, barley)	—	10 mg/m ³	20 mg/m ³	—	—
Graphite, natural	7782-42-5	—	—	—	—
Respirable particulate	—	2.5 mg/m ³	5 mg/m ³	—	—
Graphite, synthetic	—	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Guthion (Azinphosmethyl)	86-50-0	0.2 mg/m ³	0.6 mg/m ³	—	X
Gypsum	13397-24-5	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Hafnium	7440-58-6	0.5 mg/m ³	1.5 mg/m ³	—	—
Helium	—	Simple asphyxiant	—	—	—
Heptachlor	76-44-8	0.5 mg/m ³	1.5 mg/m ³	—	X
Heptane (n-heptane)	142-82-5	400 ppm	500 ppm	—	—
2-Heptanone (Methyl n-amyl ketone)	110-43-0	50 ppm	75 ppm	—	—
3-Heptanone (Ethyl butyl ketone)	106-35-4	50 ppm	75 ppm	—	—
Hexachlorobutadiene	87-68-3	0.02 ppm	0.06 ppm	—	X
Hexachlorocyclopentadiene	77-47-4	0.01 ppm	0.03 ppm	—	—
Hexachloroethane	67-72-1	1 ppm	3 ppm	—	X
Hexachloronaphthalene	1335-87-1	0.2 mg/m ³	0.6 mg/m ³	—	X
Hexafluoroacetone	684-16-2	0.1 ppm	0.3 ppm	—	X
Hexane	—	—	—	—	—
n-hexane	110-54-3	50 ppm	75 ppm	—	—
other isomers	Varies with compound	500 ppm	1,000 ppm	—	—
2-Hexanone (Methyl-n-butyl ketone)	591-78-6	5 ppm	10 ppm	—	—
Hexone (Methyl isobutyl ketone)	108-10-1	50 ppm	75 ppm	—	—
sec-Hexyl acetate	108-84-9	50 ppm	75 ppm	—	—
Hexylene glycol	107-41-5	—	—	25 ppm	—
Hydrazine	302-01-2	0.1 ppm	0.3 ppm	—	X
Hydrogen	—	Simple asphyxiant	—	—	—
Hydrogenated terphenyls	61788-32-7	0.5 ppm	1.5 ppm	—	—
Hydrogen bromide	10035-10-6	—	—	3.0 ppm	—
Hydrogen chloride	7647-01-0	—	—	5.0 ppm	—
Hydrogen cyanide	74-90-8	—	4.7 ppm	—	X
Hydrogen fluoride	7664-39-3	—	—	3 ppm	—
Hydrogen peroxide	7722-84-1	1 ppm	3 ppm	—	—
Hydrogen selenide (as Se)	7783-07-5	0.05 ppm	0.15 ppm	—	—
Hydrogen sulfide	7783-06-4	10 ppm	15 ppm	—	—
Hydroquinone (Dihydroxybenzene)	123-31-9	2 mg/m ³	4 mg/m ³	—	—
4-Hydroxy-4-methyl-2-pentanone (Diacetone alcohol)	123-42-2	50 ppm	75 ppm	—	—
2-Hydroxypropyl acrylate	99-61-1	0.5 ppm	1.5 ppm	—	X
Indene	95-13-6	10 ppm	20 ppm	—	—
Indium and compounds (as In)	7440-74-6	0.1 mg/m ³	0.3 mg/m ³	—	—
Iodine	7553-56-2	—	—	0.1 ppm	—
Iodoform	75-47-8	0.6 ppm	1.8 ppm	—	—

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Iron oxide dust and fume (as Fe)	1309-37-1	—	—	—	—
Total particulate	—	5 mg/m ³	10 mg/m ³	—	—
Iron pentacarbonyl (as Fe)	13463-40-6	0.1 ppm	0.2 ppm	—	—
Iron salts, soluble (as Fe)	Varies with compound	1 mg/m ³	3 mg/m ³	—	—
Isoamyl acetate	123-92-2	100 ppm	150 ppm	—	—
Isoamyl alcohol (primary and secondary)	123-51-3	100 ppm	125 ppm	—	—
Isobutyl acetate	110-19-0	150 ppm	188 ppm	—	—
Isobutyl alcohol	78-83-1	50 ppm	75 ppm	—	—
Isooctyl alcohol	26952-21-6	50 ppm	75 ppm	—	X
Isophorone	78-59-1	4 ppm	—	5 ppm	—
Isophorone diisocyanate	4098-71-9	0.005 ppm	0.02 ppm	—	X
Isopropoxyethanol	109-59-1	25 ppm	38 ppm	—	—
Isopropyl acetate	108-21-4	250 ppm	310 ppm	—	—
Isopropyl alcohol	67-63-0	400 ppm	500 ppm	—	—
Isopropylamine	75-31-0	5 ppm	10 ppm	—	—
N-Isopropylaniline	768-52-5	2 ppm	4 ppm	—	X
Isopropyl ether	108-20-3	250 ppm	313 ppm	—	—
Isopropyl glycidyl ether (IGE)	4016-14-2	50 ppm	75 ppm	—	—
Kaolin	—	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Ketene	463-51-4	0.5 mg/m ³	1.5 mg/m ³	—	—
Lead inorganic (as Pb) (see WAC 296-62-07521 and 296-155-176)	7439-92-1	0.05 mg/m ³	0.15 mg/m ³	—	—
Lead arsenate (see WAC 296-62-07347)	3687-31-8	0.05 mg/m ³	0.15 mg/m ³	—	—
Lead chromate	7758-97-6	0.05 mg/m ³	0.15 mg/m ³	—	—
Limestone	1317-65-3	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Lindane	58-89-9	0.5 mg/m ³	1.5 mg/m ³	—	X
Lithium hydride	7580-67-8	0.025 mg/m ³	0.075 mg/m ³	—	—
L.P.G. (liquified petroleum gas)	68476-85-7	1,000 ppm	1,250 ppm	—	—
Magnesite	546-93-0	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Magnesium oxide fume	1309-48-4	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Malathion	121-75-5	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	X
Maleic anhydride	108-31-6	0.25 ppm	0.75 ppm	—	—
Manganese and compound (as Mn)	7439-96-5	—	—	5 mg/m ³	—
Manganese tetroxide and fume (as Mn)	7439-96-5	1 mg/m ³	3 mg/m ³	—	—
Manganese cyclopentadienyl tricarbonyl (as Mn)	12079-65-1	0.1 mg/m ³	0.3 mg/m ³	—	X
Manganese tetroxide (as Mn)	1317-35-7	1 mg/m ³	3 mg/m ³	—	—
Marble	1317-65-3	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—

PROPOSED

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Mercury (as Hg)	7439-97-6	—	—	—	—
Aryl and inorganic	—	—	—	0.1 mg/m ³	X
Organo-alkyl compounds	—	0.01 mg/m ³	0.03 mg/m ³	—	X
Vapor	—	0.05 mg/m ³	0.15 mg/m ³	—	X
Mesityl oxide	141-79-7	15 ppm	25 ppm	—	—
Methacrylic acid	79-41-4	20 ppm	30 ppm	—	X
Methane	—	Simple asphyxiant	—	—	—
Methanethiol (Methyl mercaptan)	74-93-1	0.5 ppm	1.5 ppm	—	—
Methomyl (lannate)	16752-77-5	2.5 mg/m ³	5 mg/m ³	—	—
Methoxychlor	72-43-5	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
2-Methoxyethanol (Methyl cellosolve)	109-86-4	5 ppm	10 ppm	—	X
4-Methoxyphenol	150-76-5	5 mg/m ³	10 mg/m ³	—	—
Methyl acetate	79-20-9	200 ppm	250 ppm	—	—
Methyl acetylene (propyne)	74-99-7	1,000 ppm	1,250 ppm	—	—
Methyl acetylene-propadiene mixture (MAPP)	—	1,000 ppm	1,250 ppm	—	—
Methyl acrylate	96-33-3	10 ppm	20 ppm	—	X
Methylacrylonitrile	126-98-7	1 ppm	3 ppm	—	X
Methylal (Dimethoxy-methane)	109-87-5	1,000 ppm	1,250 ppm	—	—
Methyl alcohol (methanol)	67-56-1	200 ppm	250 ppm	—	X
Methylamine	74-89-5	10 ppm	20 ppm	—	—
Methyl amyl alcohol (Methyl isobutyl carbinol)	108-11-2	25 ppm	40 ppm	—	X
Methyl n-amyl ketone (2-Heptanone)	110-43-0	50 ppm	75 ppm	—	—
N-Methyl aniline (Monomethyl aniline)	100-61-8	0.5 ppm	1.5 ppm	—	X
Methyl bromide	74-83-9	5 ppm	10 ppm	—	X
Methyl-n-butyl ketone (2-Hexanone)	591-78-6	5 ppm	10 ppm	—	—
Methyl cellosolve (2-Methoxyethanol)	109-86-4	5 ppm	10 ppm	—	X
Methyl cellosolve acetate (2-Methoxyethyl acetate)	110-49-6	5 ppm	10 ppm	—	X
Methyl chloride	74-87-3	50 ppm	100 ppm	—	—
Methyl chloroform (1, 1, 1-trichloroethane)	71-55-6	350 ppm	450 ppm	—	—
Methyl chloromethyl ether (chloromethyl methyl ether) (see WAC 296-62-073)	107-30-2	—	—	—	—
Methyl 2-cyanoacrylate	137-05-3	2 ppm	4 ppm	—	—
Methylcyclohexane	108-87-2	400 ppm	500 ppm	—	—
Methylcyclohexanol	25639-42-3	50 ppm	75 ppm	—	—
Methylcyclohexanone	583-60-8	50 ppm	75 ppm	—	X
Methylcyclopentadienyl manganese tricarbonyl (as Mn)	12108-13-3	0.2 mg/m ³	0.6 mg/m ³	—	X
Methyl demeton	8022-00-2	0.5 mg/m ³	1.5 mg/m ³	—	X
Methylene bisphenyl isocyanate (MDI) (Diphenylmethane diisocyanate)	101-68-8	—	—	0.02 ppm	—
4, 4'-Methylene bis (2-chloro-aniline) (MBOCA) (see WAC 296-62-073)	101-14-4	0.02 ppm	0.06 ppm	—	X

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Methylene bis (4-cyclohexylisocyanate)	5124-30-1	—	—	0.01 ppm	—
Methylene chloride (Dichloromethane) (see WAC 296-62-07470)	75-09-2	25 ppm	125 ppm	—	—
4, 4-Methylene dianiline	101-77-9	0.1 ppm	0.3 ppm	—	X
Methyl ethyl ketone (MEK) (2-Butanone)	78-93-3	200 ppm	250 ppm	—	—
Methyl ethyl ketone peroxide (MEKP)	1338-23-4	—	—	0.2 ppm	—
Methyl formate	107-31-3	100 ppm	150 ppm	—	—
5-Methyl-3-heptanone (Ethyl amyl ketone)	541-85-5	25 ppm	38 ppm	—	—
Methyl hydrazine (Monomethyl hydrazine)	60-34-4	—	—	0.2 ppm	X
Methyl iodide	74-88-4	2 ppm	4 ppm	—	X
Methyl isoamyl ketone	110-12-3	50 ppm	75 ppm	—	—
Methyl isobutyl carbinol (Methyl amyl alcohol)	108-11-2	25 ppm	40 ppm	—	X
Methyl isobutyl ketone (Hexone)	108-10-1	50 ppm	75 ppm	—	—
Methyl isocyanate	624-83-9	0.02 ppm	0.06 ppm	—	X
Methyl isopropyl ketone	563-80-4	200 ppm	250 ppm	—	—
Methyl mercaptan (Methanethiol)	74-93-1	0.5 ppm	1.5 ppm	—	—
Methyl methacrylate	80-62-6	100 ppm	150 ppm	—	—
Methyl parathion	298-00-0	0.2 mg/m ³	0.6 mg/m ³	—	X
Methyl propyl ketone (2-Pentanone)	107-87-9	200 ppm	250 ppm	—	—
Methyl silicate	684-84-5	1 ppm	3 ppm	—	—
alpha-Methyl styrene	98-83-9	50 ppm	100 ppm	—	—
Mevinphos (Phosdrin)	7786-34-7	0.01 ppm	0.03 ppm	—	X
Metribuzin	21087-64-9	5 mg/m ³	10 mg/m ³	—	—
Mica (Silicates)	12001-26-2	3 mg/m ³	6 mg/m ³	—	—
Molybdenum (as Mo)	7439-98-7	—	—	—	—
Soluble compounds	—	5 mg/m ³	10 mg/m ³	—	—
Insoluble compounds (Total particulates)	—	10 mg/m ³	20 mg/m ³	—	—
Monocrotophos (Azodrin)	6923-22-4	0.25 mg/m ³	0.75 mg/m ³	—	—
Monomethyl aniline (N-Methyl aniline)	100-61-8	0.5 ppm	1.5 ppm	—	X
Monomethyl hydrazine	—	—	—	0.2 ppm	—
Morpholine	110-91-8	20 ppm	30 ppm	—	X
Naled (Dibrom)	300-76-5	3 mg/m ³	6 mg/m ³	—	X
Naphtha	8030-30-6	100 ppm	150 ppm	—	X
Naphthalene	91-20-3	10 ppm	15 ppm	—	—
alpha-Naphthylamine (see WAC 296-62-073)	134-32-7	—	—	—	—
beta-Naphthylamine (see WAC 296-62-073)	91-59-8	—	—	—	—
Neon	7440-01-9	Simple asphyxiant	—	—	—
Nickel carbonyl (as Ni)	13463-39-3	0.001 ppm	0.003 ppm	—	—
Nickel (as Ni)	7440-02-0	—	—	—	—
Metal and insoluble compounds	—	1 mg/m ³	3 mg/m ³	—	—
Soluble compounds	—	0.1 mg/m ³	0.3 mg/m ³	—	—
Nicotine	54-11-5	0.5 mg/m ³	1.5 mg/m ³	—	X

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Nitrapyrin					
(2-Chloro-6-trichloromethyl pyridine)	1929-82-4	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Nitric acid	7697-37-2	2 ppm	4 ppm	—	—
Nitric oxide	10102-43-9	25 ppm	38 ppm	—	—
p-Nitroaniline	100-01-6	3 mg/m ³	6 mg/m ³	—	X
Nitrobenzene	98-95-3	1 ppm	3 ppm	—	X
4-Nitrobiphenyl					
(see WAC 296-62-073)	92-93-3	—	—	—	—
p-Nitrochlorobenzene	100-00-5	0.5 mg/m ³	1.5 mg/m ³	—	X
4-Nitrodiphenyl					
(see WAC 296-62-073)	—	—	—	—	—
Nitroethane	79-24-3	100 ppm	150 ppm	—	—
Nitrogen	7727-37-9	Simple asphyxiant	—	—	—
Nitrogen dioxide	10102-44-0	—	1 ppm	—	—
Nitrogen trifluoride	7783-54-2	10 ppm	20 ppm	—	—
Nitroglycerin	55-63-0	—	0.1 mg/m ³	—	X
Nitromethane	75-52-5	100 ppm	150 ppm	—	—
1-Nitropropane	108-03-2	25 ppm	38 ppm	—	—
2-Nitropropane	79-46-9	10 ppm	20 ppm	—	—
N-Nitrosodimethylamine					
(see WAC 296-62-073)	62-75-9	—	—	—	—
Nitrotoluene					
o-isomer	88-72-2	2 ppm	4 ppm	—	X
m-isomer	98-08-2	2 ppm	4 ppm	—	X
p-isomer	99-99-0	2 ppm	4 ppm	—	X
Nitrotrichloromethane					
(Chloropicrin)	76-06-2	0.1 ppm	0.3 ppm	—	—
Nitrous oxide					
(Nitrogen oxide)	10024-97-2	50 ppm	75 ppm	—	—
Nonane	111-84-2	200 ppm	250 ppm	—	—
Octachloronaphthalene	2234-13-1	0.1 mg/m ³	0.3 mg/m ³	—	X
Octane	111-65-9	300 ppm	375 ppm	—	—
Oil mist mineral (particulate)	8012-95-1	5 mg/m ³	10 mg/m ³	—	—
Osmium tetroxide (as Os)	20816-12-0	0.0002 ppm	0.0006 ppm	—	—
Oxalic acid	144-62-7	1 mg/m ³	2 mg/m ³	—	—
Oxygen difluoride	7783-41-7	—	—	0.05 ppm	—
Ozone	10028-15-6	0.1 ppm	0.3 ppm	—	—
Paraffin wax fume	8002-74-2	2 mg/m ³	4 mg/m ³	—	—
Paraquat					
Respirable fraction	4685-14-7	0.1 mg/m ³	0.3 mg/m ³	—	X
	1910-42-5	—	—	—	—
	2074-50-2	—	—	—	—
Parathion	56-38-2	0.1 mg/m ³	0.3 mg/m ³	—	X
Particulate polycyclic aromatic hydrocarbons (coal tar pitch volatiles)	65996-93-2	0.2 mg/m ³	0.6 mg/m ³	—	—
Particulates not otherwise regulated					
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Pentaborane	19624-22-7	0.005 ppm	0.015 ppm	—	—
Pentachloronaphthalene	1321-64-8	0.5 mg/m ³	1.5 mg/m ³	—	X
Pentachlorophenol	87-86-5	0.5 mg/m ³	1.5 mg/m ³	—	X

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Pentaerythritol	115-77-5	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Pentane	109-66-0	600 ppm	750 ppm	—	—
2-Pentanone (methyl propyl ketone)	107-87-9	200 ppm	250 ppm	—	—
Perchloroethylene (tetrachloroethylene)	127-18-4	25 ppm	38 ppm	—	—
Perchloromethyl mercaptan	594-42-3	0.1 ppm	0.3 ppm	—	—
Perchloryl fluoride	7616-94-6	3 ppm	6 ppm	—	—
Perlite	—	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5.0 mg/m ³	10.0 mg/m ³	—	—
Petroleum distillates (Naphtha, rubber solvent)	—	100 ppm	150.0 ppm	—	—
Phenol	108-95-2	5 ppm	10 ppm	—	X
Phenothiazine	92-84-2	5 mg/m ³	10 mg/m ³	—	X
p-Phenylene diamine	106-50-3	0.1 mg/m ³	0.3 mg/m ³	—	X
Phenyl ether (vapor)	101-84-8	1 ppm	3 ppm	—	—
Phenyl ether-diphenyl mixture (vapor)	—	1 ppm	3 ppm	—	—
Phenylethylene (Styrene)	100-42-5	50 ppm	100 ppm	—	—
Phenyl glycidyl ether (PGE)	122-60-1	1 ppm	3 ppm	—	—
Phenyldiazine	100-63-0	5 ppm	10 ppm	—	X
Phenyl mercaptan	108-98-5	0.5 ppm	1.5 ppm	—	—
Phenylphosphine	638-21-1	—	—	0.05 ppm	—
Phorate	298-02-2	0.05 mg/m ³	0.2 mg/m ³	—	X
Phosdrin (Mevinphos)	7786-34-7	0.01 ppm	0.03 ppm	—	X
Phosgene (carbonyl chloride)	75-44-5	0.1 ppm	0.03 ppm	—	—
Phosphine	7803-51-2	0.30 ppm	1 ppm	—	—
Phosphoric acid	7664-38-2	1 mg/m ³	3 mg/m ³	—	—
Phosphorus (yellow)	7723-14-0	0.1 mg/m ³	0.3 mg/m ³	—	—
Phosphorous oxychloride	10025-87-3	0.1 ppm	0.3 ppm	—	—
Phosphorus pentachloride	10026-13-8	0.1 ppm	0.3 ppm	—	—
Phosphorus pentasulfide	1314-80-3	1 mg/m ³	3 mg/m ³	—	—
Phosphorus trichloride	12-2-19	0.2 ppm	0.5 ppm	—	—
Phthalic anhydride	85-44-9	1 ppm	3 ppm	—	—
m-Phthalodinitrile	626-17-5	5 mg/m ³	10 mg/m ³	—	—
Picloram	1918-02-1	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Picric acid (2, 4, 6- Trinitrophenol)	88-89-1	0.1 mg/m ³	0.3 mg/m ³	—	X
Pindone (2-Pivalyl-1, 3-indandione, Pival)	83-26-1	0.1 mg/m ³	0.3 mg/m ³	—	—
Piperazine dihydrochloride	142-64-3	5 mg/m ³	10 mg/m ³	—	—
Pival (Pindone)	83-26-1	0.1 mg/m ³	0.3 mg/m ³	—	—
Plaster of Paris	26499-65-0	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Platinum (as Pt)	7440-06-4	—	—	—	—
Metal	—	1 mg/m ³	3 mg/m ³	—	—
Soluble salts	—	0.002 mg/m ³	0.006 mg/m ³	—	—
Polychlorobiphenyls (Chlorodiphenyls)	—	1 mg/m ³	3 mg/m ³	—	X

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Portland cement	65997-15-1	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Potassium hydroxide	1310-58-3	—	—	2 mg/m ³	—
Propane	74-98-6	1,000 ppm	1,250 ppm	—	—
Propargyl alcohol	107-19-7	1 ppm	3 ppm	—	X
beta-Propiolactone (see WAC 296-62-073)	57-57-8	—	—	—	—
Propionic acid	79-09-4	10 ppm	20 ppm	—	—
Propoxur (Baygon)	114-26-1	0.5 mg/m ³	1.5 mg/m ³	—	—
n-Propyl acetate	109-60-4	200 ppm	250 ppm	—	—
n-Propyl alcohol	71-23-8	200 ppm	250 ppm	—	X
n-Propyl nitrate	627-13-4	25 ppm	40 ppm	—	—
Propylene	—	Simple asphyxiant	—	—	—
Propylene dichloride (1, 2-Dichloropropane)	78-87-5	75 ppm	110 ppm	—	—
Propylene glycol dinitrate	6423-43-4	0.05 ppm	0.15 ppm	—	X
Propylene glycol monomethyl ether	107-98-2	100 ppm	150 ppm	—	—
Propylene imine	75-55-8	2 ppm	4 ppm	—	X
Propylene oxide (1,2- Epoxypropane)	75-56-9	20 ppm	30 ppm	—	—
Propyne (Methyl acetylene)	74-99-7	1,000 ppm	1,250 ppm	—	—
Pyrethrum	8003-34-7	5 mg/m ³	10 mg/m ³	—	—
Pyridine	110-86-1	5 ppm	10 ppm	—	—
Quinone (p-Benzoquinone)	106-51-4	0.1 ppm	0.3 ppm	—	—
RDX (Cyclonite)	—	1.5 mg/m ³	3.0 mg/m ³	—	X
Resorcinol	108-46-3	10 ppm	20 ppm	—	—
Rhodium (as Rh) Insoluble compounds,	7440-16-6	—	—	—	—
Metal fumes and dusts	—	0.1 mg/m ³	0.3 mg/m ³	—	—
Soluble compounds, salts	—	0.001 mg/m ³	0.003 mg/m ³	—	—
Ronnel	299-84-3	10 mg/m ³	20 mg/m ³	—	—
Rosin core solder, pyrolysis products (as formaldehyde)	8050-09-7	0.1 mg/m ³	0.3 mg/m ³	—	—
Rotenone	83-79-4	5 mg/m ³	10 mg/m ³	—	—
Rouge	—	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Rubber solvent (naphtha)	8030-30-6	100 ppm	150 ppm	—	—
Selenium compounds (as Se)	7782-49-2	0.2 mg/m ³	0.6 mg/m ³	—	—
Selenium hexafluoride (as Se)	7783-79-1	0.05 ppm	0.15 ppm	—	—
Sesone (Crag herbicide)	136-78-7	10 mg/m ³	20 mg/m ³	—	—
Silane (see Silicon tetrahydride)	7803-62-5	5 ppm	10 ppm	—	—
Silica, amorphous, precipitated and gel	112926-00-8	6 mg/m ³	12 mg/m ³	—	—
Silica, amorphous, diatomaceous earth, containing less than 1% crystalline silica	61790-53-2	—	—	—	—
Total particulate	—	6 mg/m ³	12 mg/m ³	—	—
Respirable fraction	—	3 mg/m ³	6 mg/m ³	—	—
Silica, crystalline cristobalite	—	—	—	—	—
Respirable fraction	14464-46-1	0.05 mg/m ³	0.15 mg/m ³	—	—
Silica, crystalline quartz	—	—	—	—	—
Respirable fraction	14808-60-7	0.1 mg/m ³	0.3 mg/m ³	—	—

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Silica, crystalline tripoli (as quartz)	—	—	—	—	—
Respirable fraction	1317-95-9	0.1 mg/m ³	0.3 mg/m ³	—	—
Silica, crystalline tridymite	—	—	—	—	—
Respirable fraction	15468-32-3	0.05 mg/m ³	0.15 mg/m ³	—	—
Silica, fused	—	—	—	—	—
Respirable fraction	60676-86-0	0.1 mg/m ³	0.3 mg/m ³	—	—
Silicates (less than 1% crystalline silica)	—	—	—	—	—
Mica	—	—	—	—	—
Respirable particulate	12001-26-2	3 mg/m ³	6 mg/m ³	—	—
Soapstone	—	—	—	—	—
Total particulate	—	6 mg/m ³	12 mg/m ³	—	—
Respirable fraction	—	3 mg/m ³	6 mg/m ³	—	—
Talc (containing asbestos) (see WAC 296-62-07705)	—	—	—	—	—
Talc (containing no asbestos)	—	—	—	—	—
Respirable fraction	14807-96-6	2 mg/m ³	4 mg/m ³	—	—
Tremolite (see WAC 296-62-07705)	—	—	—	—	—
Silicon	7440-21-3	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Silicon carbide	409-21-2	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Silicon tetrahydride (Silane)	7803-62-5	5 ppm	10 ppm	—	—
Silver, metal dust and soluble compounds (as Ag)	7440-22-4	0.01 mg/m ³	0.03 mg/m ³	—	—
Soapstone	—	—	—	—	—
Total particulate	—	6 mg/m ³	12 mg/m ³	—	—
Respirable fraction	—	3 mg/m ³	6 mg/m ³	—	—
Sodium azide (as HN ₃ or NaN ₃)	26628-22-8	—	—	0.1 ppm	X
Sodium bisulfite	7631-90-5	5 mg/m ³	10 mg/m ³	—	—
Sodium-2, 4-dichloro-phenoxyethyl sulfate (Crag herbicide)	136-78-7	10 mg/m ³	20 mg/m ³	—	—
Sodium fluoroacetate	62-74-8	0.05 mg/m ³	0.15 mg/m ³	—	X
Sodium hydroxide	1310-73-2	—	—	2 mg/m ³	—
Sodium metabisulfite	7681-57-4	5 mg/m ³	10 mg/m ³	—	—
Starch	9005-25-8	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Stibine	7803-52-3	0.1 ppm	0.3 ppm	—	—
Stoddard solvent	8052-41-3	100 ppm	150 ppm	—	—
Strychnine	57-24-9	0.15 mg/m ³	0.45 mg/m ³	—	—
Styrene (Phenylethylene, Vinyl benzene)	100-42-5	50 ppm	100 ppm	—	—
Subtilisins	9014-01-1	—	0.00006 mg/m ³ (60 min.)	—	—
Sucrose	57-50-1	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Sulfotep (TEDP)	3689-24-5	0.2 mg/m ³	0.6 mg/m ³	—	X
Sulfur dioxide	7446-09-5	2 ppm	5 ppm	—	—
Sulfur hexafluoride	2551-62-4	1,000 ppm	1,250 ppm	—	—

PROPOSED

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Sulfuric acid	7664-93-9	1 mg/m ³	3 mg/m ³	—	—
Sulfur monochloride	10025-67-9	—	—	1 ppm	—
Sulfur pentafluoride	5714-22-1	—	—	0.01 ppm	—
Sulfur tetrafluoride	7783-60-0	—	—	0.1 ppm	—
Sulfuryl fluoride	2699-79-8	5 ppm	10 ppm	—	—
Sulprofos	35400-43-2	1 mg/m ³	3 mg/m ³	—	—
Systox (Demeton)	8065-48-3	0.01 ppm	0.03 ppm	—	X
2, 4, 5-T	93-76-5	10 mg/m ³	20 mg/m ³	—	—
Talc (containing asbestos) (see WAC 296-62-07705)	—	—	—	—	—
Talc (containing no asbestos) Respirable fraction	14807-96-6	2 mg/m ³	4 mg/m ³	—	—
Tantalum	—	—	—	—	—
Metal and oxide dusts	7440-25-7	5 mg/m ³	10 mg/m ³	—	—
TEDP (Sulfolep)	3689-24-5	0.2 mg/m ³	0.6 mg/m ³	—	X
Tellurium and compounds (as Te)	13494-80-9	0.1 mg/m ³	0.3 mg/m ³	—	—
Tellurium hexafluoride (as Te)	7783-80-4	0.02 ppm	0.06 ppm	—	—
Temephos (Abate)	3383-96-8	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
TEPP	107-49-3	0.004 ppm	0.012 ppm	—	X
Terphenyls	26140-60-3	—	—	0.5 ppm	—
1, 1, 1, 2-Tetrachloro-2, 2-difluoroethane	76-11-0	500 ppm	625 ppm	—	—
1, 1, 2, 2-Tetrachloro-1, 2-difluoroethane	76-12-0	500 ppm	625 ppm	—	—
1, 1, 2, 2-Tetrachloroethane	79-34-5	1 ppm	3 ppm	—	X
Tetrachloroethylene (Perchloroethylene)	127-18-4	25 ppm	38 ppm	—	—
Tetrachloromethane (Carbon tetrachloride)	56-23-5	2 ppm	4 ppm	—	X
Tetrachloronaphthalene	1335-88-2	2 mg/m ³	4 mg/m ³	—	X
Tetraethyl lead (as Pb)	78-00-2	0.075 mg/m ³	0.225 mg/m ³	—	X
Tetrahydrofuran	109-99-9	200 ppm	250 ppm	—	—
Tetramethyl lead (as Pb)	75-74-1	0.075 mg/m ³	0.225 mg/m ³	—	X
Tetramethyl succinonitrile	3333-52-6	0.5 ppm	1.5 ppm	—	X
Tetranitromethane	509-14-8	1 ppm	3 ppm	—	—
Tetrasodium pyrophosphate	7722-88-5	5 mg/m ³	10 mg/m ³	—	—
Tetryl (2, 4, 6-trinitrophenyl- methylnitramine)	479-45-8	1.5 mg/m ³	3 mg/m ³	—	X
Thallium (soluble compounds) (as Tl)	7440-28-0	0.1 mg/m ³	0.3 mg/m ³	—	X
4, 4-Thiobis (6-tert-butyl-m-cresol)	96-69-5	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Thioglycolic acid	68-11-1	1 ppm	3 ppm	—	X
Thionyl chloride	7719-09-7	—	—	1 ppm	—
Thiram (see WAC 296-62-07519)	137-26-8	5 mg/m ³	10 mg/m ³	—	—
Tin (as Sn) Inorganic compounds (except oxides)	7440-31-5	2 mg/m ³	4 mg/m ³	—	—
Tin (as Sn) Organic compounds	7440-31-5	0.1 mg/m ³	0.3 mg/m ³	—	X
Tin oxide (as Sn)	21651-19-4	2 mg/m ³	4 mg/m ³	—	—
Titanium dioxide	13463-67-7	—	—	—	—

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Toluene	108-88-3	100 ppm	150 ppm	—	—
Toluene-2, 4-diisocyanate (TDI)	584-84-9	0.005 ppm	0.02 ppm	—	—
m-Toluidine	108-44-1	2 ppm	4 ppm	—	X
o-Toluidine	95-53-4	2 ppm	4 ppm	—	X
p-Toluidine	106-49-0	2.0 ppm	4 ppm	—	X
Toxaphene (Chlorinated camphene)	8001-35-2	0.5 mg/m ³	1 mg/m ³	—	X
Tremolite (see WAC 296-62-07705)	—	—	—	—	—
Tributyl phosphate	126-73-8	0.2 ppm	0.6 ppm	—	—
Trichloroacetic acid	76-03-9	1 ppm	3 ppm	—	—
1, 2, 4-Trichlorobenzene	120-82-1	—	—	5 ppm	—
1, 1, 1-Trichloroethane (Methyl chloroform)	71-55-6	350 ppm	450 ppm	—	—
1, 1, 2-Trichloroethane	79-00-5	10 ppm	20 ppm	—	—
Trichloroethylene	79-01-6	50 ppm	200 ppm	—	—
Trichlorofluoromethane	75-69-4	—	—	1,000 ppm	—
Trichloromethane (Chloroform)	67-66-3	2 ppm	4 ppm	—	—
Trichloronaphthalene	1321-65-9	5 mg/m ³	10 mg/m ³	—	X
1, 2, 3-Trichloropropane	96-18-4	10 ppm	20 ppm	—	X
1, 1, 2-Trichloro-1, 2, 2-trifluoroethane	76-13-1	1,000 ppm	1,250 ppm	—	—
Tricyclohexyltin hydroxide (Cyhexatin)	13121-70-5	5 mg/m ³	10 mg/m ³	—	—
Triethylamine	121-44-8	10 ppm	15 ppm	—	—
Trifluorobromomethane	75-63-8	1,000 ppm	1,250 ppm	—	—
Trimellitic anhydride	552-30-7	0.005 ppm	0.015 ppm	—	—
Trimethylamine	75-50-3	10 ppm	15 ppm	—	—
Trimethyl benzene	25551-13-7	25 ppm	38 ppm	—	—
Trimethyl phosphite	121-45-9	2 ppm	4 ppm	—	—
2, 4, 6-Trinitrophenol (Picric acid)	88-89-1	0.1 mg/m ³	0.3 mg/m ³	—	X
2, 4, 6-Trinitrophenyl- methylnitramine (Tetryl)	479-45-8	1.5 mg/m ³	3 mg/m ³	—	X
2, 4, 6-Trinitrotoluene (TNT)	118-96-7	0.5 mg/m ³	1.5 mg/m ³	—	X
Triorthocresyl phosphate	78-30-8	0.1 mg/m ³	0.3 mg/m ³	—	X
Triphenyl amine	603-34-9	5 mg/m ³	10 mg/m ³	—	—
Triphenyl phosphate	115-86-6	3 mg/m ³	6 mg/m ³	—	—
Tungsten (as W)	7440-33-7	—	—	—	—
Soluble compounds	—	1 mg/m ³	3 mg/m ³	—	—
Insoluble compounds	—	5 mg/m ³	10 mg/m ³	—	—
Turpentine	8006-64-2	100 ppm	150 ppm	—	—
Uranium (as U)	7440-61-1	—	—	—	—
Soluble compounds	—	0.05 mg/m ³	0.15 mg/m ³	—	—
Insoluble compounds	—	0.2 mg/m ³	0.6 mg/m ³	—	—
n-Valeraldehyde	110-62-3	50 ppm	75 ppm	—	—
Vanadium (as V2O5)	—	—	—	—	—
Respirable fraction	1314-62-1	0.05 mg/m ³	0.15 mg/m ³	—	—
Vegetable oil mist	—	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Vinyl acetate	108-05-1	10 ppm	20 ppm	—	—
Vinyl benzene (Styrene)	100-42-5	50 ppm	100 ppm	—	—
Vinyl bromide	593-60-2	5 ppm	10 ppm	—	—

PROPOSED

Substance	CAS	TWA ₈	STEL	Ceiling	Skin
Vinyl chloride (Chloroethylene) (see WAC 296-62-07329)	75-01-4	1 ppm	5 ppm	—	—
Vinyl cyanide (Acrylonitrile) (see WAC 296-62-07336)	107-13-1	2 ppm	4 ppm	10 ppm	—
Vinyl cyclohexene dioxide	106-87-6	10 ppm	20 ppm	—	X
Vinyl toluene	25013-15-4	50 ppm	75 ppm	—	—
Vinylidene chloride (1, 1-Dichloroethylene)	75-35-4	1 ppm	3 ppm	—	—
VM & P Naphtha	8032-32-4	300 ppm	400 ppm	—	—
Warfarin	81-81-2	0.1 mg/m ³	0.3 mg/m ³	—	—
Welding fumes (total particulate)	—	5 mg/m ³	10 mg/m ³	—	—
Wood dust	—	—	—	—	—
Nonallergenic; (All woods except allergenic)	—	5 mg/m ³	10 mg/m ³	—	—
Allergenic (e.g. cedar, mahogany and teak)	—	2.5 mg/m ³	5 mg/m ³	—	—
Xylenes (ortho, meta, and para isomers) (Dimethylbenzene)	1330-20-7	100 ppm	150 ppm	—	—
m-Xylene alpha, alpha-diamine	1477-55-0	—	—	0.1 mg/m ³	X
Xylidine (Dimethylaminobenzene)	1300-73-8	2 ppm	4 ppm	—	X
Yttrium	7440-65-5	1 mg/m ³	3 mg/m ³	—	—
Zinc chloride fume	7646-85-7	1 mg/m ³	2 mg/m ³	—	—
Zinc chromate (as CrO ₃)	Varies with compound	0.05 mg/m ³	0.15 mg/m ³	0.1 mg/m ³	—
Zinc oxide	1314-13-2	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Zinc oxide fume	1314-13-2	5 mg/g ³	10 mg/m ³	—	—
Zinc stearate	557-05-1	—	—	—	—
Total particulate	—	10 mg/m ³	20 mg/m ³	—	—
Respirable fraction	—	5 mg/m ³	10 mg/m ³	—	—
Zirconium compounds (as Zr)	7440-67-2	5 mg/m ³	10 mg/m ³	—	—

NEW SECTION

WAC 296-841-300 Definitions.

Ceiling

An exposure limit that must not be exceeded during any part of the employee's workday.

Dust

Solid particles suspended in air. Dusts are generated by handling, drilling, crushing, grinding, rapid impact, detonation, or decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, grain, etc.

Exposed or exposure

The contact an employee has with a toxic substance, harmful physical agent or oxygen deficient condition. Exposure can occur through various routes of entry, such as inhalation, ingestion, skin contact, or skin absorption.

Fume

Solid particles suspended in air, generated by condensation from the gaseous state, generally after volatilization from molten metals, etc.

Gas

A normally formless fluid which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

Mist

Liquid droplets suspended in air, generated by condensation from the gaseous to the liquid state or by breaking up a liquid into a dispersed state, such as by splashing, foaming, spraying or atomizing.

Oxygen deficient

An atmosphere with an oxygen content below 19.5% by volume.

Permissible exposure limits (PEL)

Permissible exposure limits (PELs) are employee exposures to toxic substances or harmful agents that must not be exceeded. PELs are specified in applicable WISHA rules.

Short-term exposure limit (STEL)

An exposure limit averaged over a short time period (usually measured for fifteen minutes) that must not be exceeded during any part of an employee's workday.

Time weighted average (TWA₈)

An exposure limit averaged over eight hours that must not be exceeded during an employee's workday.

Vapor

The gaseous form of a substance that is normally in the solid or liquid state.

WSR 03-11-066**PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed May 19, 2003, 4:24 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 02-20-017.

Title of Rule: WAC 388-71-0460 Are there limitations to HCP services I can receive?

Purpose: To describe what tasks/services cannot be authorized when a client lives with their individual provider or their personal aide, or their individual provider or personal aide lives with the client.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520.

Statute Being Implemented: RCW 74.09.520, 74.39-005.

Summary: Describes tasks and services that cannot be authorized when a client and individual provider or personal aide live together.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sue McDonough, ADSA, 640 Woodland Square Loop, Lacey, WA 98504, (360) 725-2533.

Name of Proponent: Department of Social and Health Services, Aging and Disability Services Administration, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment describes which services clients cannot receive when the individual provider or personal aide lives with the client or vice versa.

Proposal Changes the Following Existing Rules: Amends existing rule to describe which services clients cannot receive when the individual provider or personal aide lives with the client or vice versa.

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

nommic impact statement is not required because the department has found that changes to these rules will not adversely affect any individual provider or small businesses.

RCW 34.05.328 applies to this rule adoption. Rules meet the definition of significant legislative rule, but department rules relating to client medical eligibility are exempt from preparing a cost benefit analysis under RCW 34.05.328 (5)(b)(vii). Personal care services are considered "medical assistance" under RCW 74.09.520.

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on June 24, 2003, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson, DSHS Rules Consultant, by June 17, 2003, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.a.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, e-mail swensfh@dshs.wa.gov, by 5:00 p.m. on June 24, 2003.

Date of Intended Adoption: Not sooner than June 25, 2003.

May 15, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-04-056, filed 1/28/00, effective 2/28/00)

WAC 388-71-0460 Are there limitations to HCP services I can receive? The following are limitations to HCP services you can receive:

(1) HCP services may not replace other available resources, both paid and unpaid.

(2) ~~((AASA))~~ ADSA published rates and program rules establish your total hours and how much the department pays toward the cost of your services.

(3) The department will ~~((adjust payments to a personal care provider who is doing household tasks at the same time (e.g., essential)))~~ not pay for shopping, housework, laundry, meal preparation, ((laundry, and supervision due to impaired judgement) for:

~~((a)))~~ or wood supply when you and your individual provider, agency provider, or personal aide live in the same household.

(4) The department will adjust payments to an individual provider, agency provider, or personal aide who is doing household tasks for more than one client living in the same household((~~or~~

~~((b) A client in a shared living arrangement (MPC))).~~

WSR 03-11-079**PROPOSED RULES****DEPARTMENT OF REVENUE**

[Filed May 20, 2003, 3:51 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-07-065.

Title of Rule: WAC 458-61-100 Real estate excise tax—Refunds of tax paid.

Purpose: Explains how and when a person may petition for a refund or [of] real estate excise taxes.

Statutory Authority for Adoption: RCW 82.45.150, 82.32.300, and 82.01.060(2).

Statute Being Implemented: RCW 82.45.060 and 82.45.100.

Summary: The rule explains how and when a person may petition for a refund of real estate excise taxes. The amendment corrects an incorrect rule citation in subsection (4) and clarifies those circumstances when refunds for rescissions may be made.

Reasons Supporting Proposal: *Perkins v. King County*, 51 W.2d 761, 321 P.2d 903 (1958) provides that no refund of real estate excise taxes may be made for an initial conveyance because the transaction is later rescinded. The rule provides more explicit guidance in line with this court decision to clarify when refunds following rescissions may be made.

Name of Agency Personnel Responsible for Drafting: Ed Ratcliffe, 1025 Union Avenue S.E., Suite #400, Olympia, WA, (360) 570-6126; Implementation and Enforcement: Ron Yamamoto, 2735 Harrison N.W., Building 4, Olympia, WA, (360) 753-2871.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendment of WAC 458-61-100 explains how and when a person may petition for a refund of real estate excise taxes. The amendments add titles for each subsection for easier reading. A rule citation is corrected in subsection (4) of the rule. Subsection (5) of the rule explains those circumstances when a refund of tax is authorized. This subsection (5) is amended to clarify when refunds of real estate excise taxes involving a rescission or an early recording prior to completion of the sale may be made. The purpose of the clarification is in part to ensure compliance with *Perkins v. King County*, 51 W.2d 761, 321 P.2d 903 (1958) (Refund of real estate excise tax is not allowed on initial transfer because of later rescission) and to give taxpayers, county treasurers, and department personnel more explicit directions concerning refunds when a sale is rescinded or recorded in error.

Proposal Changes the Following Existing Rules: This is a proposed revision of an existing rule, WAC 458-61-100. See Explanation of Rule above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required because the rule does not impose any performance requirement upon any small business.

RCW 34.05.328 does not apply to this rule adoption. This is an interpretive rule as defined in RCW 34.05.328.

Hearing Location: Capitol Plaza Building, 4th Floor Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on June 25, 2003, at 10:00 a.m.

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

Submit Written Comments to: Ed Ratcliffe, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail edr@dor.wa.gov, by June 25, 2003.

Date of Intended Adoption: July 7, 2003.

May 20, 2003

Alan R. Lynn

Rules Coordinator

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 94-04-088, filed 2/1/94, effective 3/4/94)

WAC 458-61-100 Refunds of tax paid. (1) **Introduction.** Taxpayers who have paid the real estate excise tax or who have received a notice of assessment of tax and who wish to contest the application of the real estate excise tax to a particular transfer may file a petition for refund or correction of assessment as provided in this section. Only the taxpayer or the taxpayer's authorized agent may petition for a refund of tax.

(2) **Petitioning for a refund.** Any person who has overpaid any tax, interest, or penalty, may apply for a refund within four years from the date of sale by petitioning in writing for a refund of the amount overpaid. Claims for refund are to be made on forms prescribed by the department and made available at the county treasurers' offices and at the department.

(a) The taxpayer shall submit the completed form and all documentation supporting the claim for refund to the county treasurer's office in the county where the tax was originally paid.

(b) If the taxpayer originally paid the tax directly to the department, the form and supporting documentation shall be submitted to the department in accordance with the requirements of WAC 458-20-100, appeal procedures.

(3) **County treasurer's responsibilities—Petition received prior to sending affidavit to department.** If the taxpayer submits the petition for refund before the county treasurer has sent to the department the copy of the affidavit which receipted the tax payment now in question, the county treasurer is authorized to void the receipted affidavit copies, based upon the criteria listed in subsection (5) of this section, and issue the refund. If the county treasurer authorizes and issues such refund, the voided copy of the affidavit, with a copy of the refund petition attached, must be included in the monthly affidavit batch sent to the department. If the county treasurer does not authorize such refund, the treasurer shall send the petition for refund, along with a copy of the affidavit and all supporting records, to the department. The procedure for petitions sent to the department shall follow subsection (4) of this section.

(4) **County treasurer's responsibilities—Petition received after sending affidavit to department.** If the tax-

payer submits the petition for refund after the county treasurer has sent to the department the copy of the affidavit which receipted the payment now in question, the county treasurer shall verify the information on the petition and forward it to the department with a copy of the affidavit and any other supporting records furnished by the taxpayer. The department shall approve or deny the refund. The taxpayer may then appeal the imposition of the tax under the appeal procedures. See WAC ((458-61-100)) 458-20-100, appeals procedures. If such petition is denied, the department will return to the petitioner all supporting documents which are submitted with the petition for refund.

(5) Circumstances under which a refund of tax is authorized. The authority to issue tax refunds under this chapter is limited to:

(a) The reconveyance for transactions that are completely rescinded as defined in WAC 458-61-590;

(b) The reconveyance for sales rescinded by court order. In such case a copy of the court decision must be attached to the department's affidavit copy by the county treasurer (see also WAC 458-61-330: Foreclosure—Deeds in lieu of foreclosure);

(c) The initial conveyance recorded in error by an escrow agent before the closing date, provided the property is reconveyed back to the original owner;

(d) The reconveyance back to the original owner in (c) above;

(e) The initial conveyance recorded before a purchaser assumes an outstanding loan that represents the only consideration to be paid for the property, provided (i) the purchaser is unable to assume the loan and (ii) the property is reconveyed back to the original owner. The refund is allowed because the transaction lacked valuable consideration;

(f) The reconveyance back to the original owner in (e) above;

(g) Double payment of the tax;

((d)) (h) Overpayment of the tax through error of computation; and

((e)) (i) Failure of a taxpayer to claim tax exemption for a transfer which was properly exempt.

WSR 03-11-091
PROPOSED RULES
NORTHWEST AIR
POLLUTION AUTHORITY

[Filed May 21, 2003, 9:58 a.m.]

Original Notice.

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

Title of Rule: Northwest Air Pollution Authority (NWAPA) regulation.

Purpose: The regulation amendments will allow the NWAPA to establish a new source review program that is approvable into the state implementation plan (SIP).

Statutory Authority for Adoption: Chapter 70.94 RCW.

Summary: AMENDATORY SECTIONS:

Section 104, update state and federal regulations that are adopted by reference to include recently promulgated NSPS and NESHAP regulations.

Section 122, clarify applicability of appeals from orders and notices.

Section 133, increase the maximum civil penalty from \$13,000 per day to \$14,000 per day to account for inflation.

Section 200, add, delete and revise terms related to the new source review program in order to be more consistent with those found in chapter 173-400 WAC.

Section 300, rewrite this new source review section to be more consistent with the state program found in chapter 173-400 WAC.

Section 301, delete portions pertaining to new source review as they are now being addressed in section 300 and clarity requirements for temporary sources.

Section 324, clarify registration and new source review fee applicability and update fee schedules.

Section 501, add additional fees for fire training permits and correct a citation to another section of the regulation.

SECTIONS TO REPEAL:

Section 302, rules pertaining to new source review are now being addressed in section 300.

Section 310, rules pertaining to new source review are now being addressed in section 300.

Name of Agency Personnel Responsible for Drafting: Dan Mahar, 1600 South Second Street, Mount Vernon, WA, (360) 428-1617 ext. 203; Implementation and Enforcement: James B. Randles, 1600 South Street, Mount Vernon, WA, (360) 428-1617 ext. 208.

Name of Proponent: Northwest Air Pollution Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See 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. A small business economic impact statement is not required.

RCW 34.05.328 does not apply to this rule adoption. The proposed amendments do not represent significant legislative action because they are being made to achieve consistency with statewide new source review programs established under chapter 173-400 WAC and the Washington SIP.

Hearing Location: Northwest Air Pollution Authority, 1600 South Second Street, Mount Vernon, WA 98273, on July 10, 2003, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Scott Alison by June 26, 2003, (360) 428-1617 ext. 200.

Submit Written Comments to: James B. Randles, Northwest Air Pollution Authority, 1600 South Second Street, Mount Vernon, WA 98273, fax (360) 428-1620, by July 10, 2003.

Date of Intended Adoption: July 10, 2003.

May 20, 2003
James B. Randles
Control Officer

PROPOSED

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

WSR 03-11-092
PROPOSED RULES
DEPARTMENT OF HEALTH
 (Board of Pharmacy)
 [Filed May 21, 2003, 10:34 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-14-118.

Title of Rule: WAC 246-870-010 - 246-870-090, electronic transmission of prescription information.

Purpose: The proposed rule implements legislation to allow the electronic transfer of prescription information from practitioner's offices to pharmacies and between pharmacies.

Statutory Authority for Adoption: Chapters 69.41, 69.50 RCW, RCW 18.64.005.

Statute Being Implemented: Chapters 69.41, 69.50 RCW.

Summary: The proposed rule will ensure compliance with law on the electronic transfer of prescription information and provide guidance to the user on how compliance with the rule can be achieved. The rule also implements legislation enacted in 2001 pertaining to the faxing of controlled substance prescriptions.

Reasons Supporting Proposal: Promotes public health and safety.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Donald Williams, 310 Israel Road S.E., Tumwater, 98501, (360) 236-4825.

Name of Proponent: Department of Health, Board of Pharmacy, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule allows the electronic transfer of prescription information from practitioner's offices to pharmacies and between pharmacies. The proposed rule provides guidance to users on how compliance with the rule can be achieved. Electronic prescription transfer programs can promote public health and safety by reducing medication errors attributed to illegible handwriting and look alike/sound alike drugs. By requiring standard data input protocols, pharmacist should not need to contact prescribers to obtain missing prescription information. This could reduce patient wait time at the pharmacy. The rule also implements legislation enacted in 2001 pertaining to the faxing of controlled substance prescriptions.

Proposal does not change existing rules. This is a new WAC section.

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

Small Business Economic Impact Statement

I. What does the rule or rule amendment require?

The law sets standards for electronic security of patient prescription information transmitted from prescribers to pharmacies. Pharmacies that accept electronic prescriptions must develop policies and procedures that ensure the integrity and confidentiality of patient information transmitted electronically. Implementation awaits finalizing of national electronic security standards.

The rule requires that:

- The system used for transmitting electronically communicated prescription information and the board must approve the system used for receiving electronically communicated prescription information.
- The electronic system shall have adequate security and systems safeguards designed to prevent and detect unauthorized access, modification, or manipulation of these records.
- The pharmacist in charge of a pharmacy that accepts electronic prescriptions shall establish or verify the existence of policies and procedures which ensure the integrity and confidentiality of prescription information transmitted to the pharmacy by electronic means.
- All managers, employees, and agents of the pharmacies that accept electronic prescriptions read, sign, and comply with the established policies and procedures.

II. What industries are affected? Standard industrial classification (SIC) Code 5912 Drug stores and proprietary stores. The average size of the largest 10% of businesses in this sector is 91.62 employees and the average size of the remaining businesses is 15.23 employees.

	Number of Firms	Total Employment	Average Employment	
			Small Business	Large Business
5912 Drug stores and proprietary stores	607	11,266	15.23	91.62

III. What are the costs? It must be stressed that this rule does not require pharmacies to accept electronic prescriptions. Pharmacies that do not wish to accept electronic prescriptions are not required to make any changes to current practices.

Those pharmacies that do wish to accept electronic prescriptions will need to purchase new software and will incur additional labor costs. Software and labor costs were estimated by discussion with industry stakeholders, pharmacists, board members, and pharmacy board investigators (who inspect 50% of pharmacies each year). These estimates indicate that the average cost for pharmacies would be about \$10,600 initially plus about \$670 per year thereafter.

- **Software:**
 - a. Security software will be required to allow pharmacies to decrypt prescription information from multiple prescriber systems. The initial cost of the software is expected to be \$10,000.
 - b. This software will require periodic upgrades as prescriber systems are updated, new prescriber systems

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are developed, and encryption standards are improved. The cost of software upgrades is expected to average \$500 per year.

Labor:

- a. Pharmacies must develop policies and procedures that must be approved by the Board of Pharmacy.
- b. Staff must be trained on policies and procedures.
- c. Staff must be trained on software.

Staffing levels vary between pharmacies. The average pharmacy employs three pharmacists and three technicians¹ and will experience an average initial training cost of \$381. Continuing training costs are expected to be average \$66 based on staff turnover.

Pharmacies able to receive electronic prescription will have a competitive advantage over pharmacies that do not. The average cost of processing an electronic prescription is less than that of a traditional hand written script because it virtually eliminates the need for staff to call prescribers or insurers.

IV. Is the cost disproportionate? This rule has been reviewed and has been found to have a disproportionate impact on small businesses that choose to accept electronic prescriptions.

Average employment in SIC 5912 does not fit the pattern of employment in the 1,126 pharmacies the Board of Pharmacy licenses. Retail pharmacies in Washington generally employ between six and ten people. Individual pharmacies will experience similar implementation costs.

Worst case analysis for SIC Code 5912.

Drug stores and proprietary stores.

	Small Business	Large Business
Average Employment	15.23	91.62
Average cost per employee	\$721	\$162

V. What cost minimizing features were included?

A. Reducing, modifying, or eliminating substantive regulatory requirements. Pharmacies are not required to receive electronic prescriptions.

B. Simplifying, reducing, or eliminating record-keeping and reporting requirements. This rule does not impose any additional record-keeping requirements for electronic prescriptions.

C. Reducing the frequency of inspections. The rule does not increase the frequency of inspections.

D. Delaying compliance timetables. This rule was developed at the request and with complete cooperation of the pharmacy industry.

E. Reducing or modifying fine schedules for noncompliance. This rule does not impose any additional fines for non-compliance with preexisting prescription record-keeping requirements.

VI. How will you involve small business in the rule making? Small businesses attended stakeholder meetings.

¹ Assumes an average pharmacy is open eighty-eight hours per week.

A copy of the statement may be obtained by writing to Lisa Salmi, Department of Health, Board of Pharmacy, P.O.

Box 47863, Olympia, WA 98504-7863, Lisa.Salmi@doh.wa.gov, phone (360) 236-4828, fax (360) 586-4359.

RCW 34.05.328 applies to this rule adoption. The rule subjects a violator of the rule to penalty or sanction.

Hearing Location: Holiday Inn, 17338 International Boulevard, SeaTac, WA 98188, on July 23, 2003, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Lisa Salmi by July 20, 2003, TDD (800) 833-6388 or (360) 236-4828.

Submit Written Comments to: Lisa Salmi, Department of Health, Board of Pharmacy, P.O. Box 47863, Olympia, WA 98504-7863, Lisa.Salmi@doh.wa.gov, fax (360) 586-4359, by July 23, 2003.

Date of Intended Adoption: July 30, 2003.

April 29, 2003

D. H. Williams

Executive Director

Chapter 246-870 WAC

ELECTRONIC TRANSMISSION OF PRESCRIPTION INFORMATION

NEW SECTION

WAC 246-870-010 Purpose. The purpose of this chapter is to ensure compliance with the law on electronic transfer of prescription information and to provide guidance on how compliance can be achieved.

NEW SECTION

WAC 246-870-020 What definitions do I need to know to understand these rules? (1) "Electronic transmission of prescription information" means the communication from an authorized prescriber to a pharmacy or from one pharmacy to another pharmacy, by computer, by the transmission of an exact visual image of a prescription by facsimile, or by other electronic means, of original prescription information or prescription refill information for a legend drug or controlled substance consistent with state and federal law.

(2) "Confidential patient information" means information maintained in the patient's health care records or individually identifiable health care records. Confidential information must be maintained and protected from release in accordance with chapter 70.02 RCW and applicable federal law.

(3) "Digital signature" means an electronic identifier that provides for message integrity, nonrepudiation, user authentication, and encryption and is intended to have the force and effect of a manual signature.

(4) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a prescription and executed or adopted by an authorized person with the intent to sign the prescription.

(5) "Security" means a system to maintain the confidentiality and integrity of patient records including:

PROPOSED

- (a) Documented formal procedures for selecting and executing security measures;
- (b) Physical safeguards to protect computer systems and other pertinent equipment from intrusion;
- (c) Processes to protect, control and audit access to confidential patient information; and
- (d) Processes to prevent unauthorized access to the data when transmitted over communication networks or when data physically moves from one location to another using media such as magnetic tape, removable drives or CD media.

NEW SECTION

WAC 246-870-030 What is included in the electronic transmission and transfer of prescription information? The electronic transfer of prescription information includes the communication of prescription information by computer, fax, or other electronic means. It includes the transfer of original and refill prescriptions and the transfer of prescription information from one pharmacy to another pharmacy.

Transmission of original prescriptions must include:

- (1) Prescriber's name and the physical address of the prescriber;
- (2) Prescriber's Drug Enforcement Administration Registration number where required for controlled substance prescriptions;
- (3) Date of issuance;
- (4) Patient's name and address;
- (5) Drug name, dose, route, form, directions for use, quantity;
- (6) Electronic, digital, or manual signature of the prescriber;
- (7) Refills or renewals authorized, if any;
- (8) A place to note allergies and a notation of purpose for the drug;
- (9) Indication of preference for a generic equivalent drug substitution;
- (10) Any other requirements consistent with laws and rules pertaining to prescription content and form, RCW 69.41.120 and 21 Code of Federal Regulations Part 1300; and
- (11) Identification of the electronic system readily retrievable for board of pharmacy inspection.

Transfer of prescription information from pharmacy to pharmacy by facsimile, or verbally, must include:

- (a) All elements of the original prescription;
- (b) Date of transfer maintained in records at each site;
- (c) Number of refills remaining and the date of last refill;
- (d) State and federal required information for controlled substances;
- (e) No further refills may be issued by the transferring pharmacy unless the pharmacies use a common electronic data base for prescription filling which provides an audit trail to document each refill and limits refills to the number authorized.

NEW SECTION

WAC 246-870-040 Can all prescriptions be transmitted electronically? Consistent with state and federal laws

and rules over-the-counter, legend drug and controlled substance prescriptions may be transmitted electronically.

Federal and state law do not allow the electronic transfer of Schedule II prescriptions except exact visual images as described in WAC 246-870-050(3). The pertinent requirements for Schedule II prescriptions are found in RCW 69.50.308 and 21 CFR Part 1306.

NEW SECTION

WAC 246-870-050 What are the requirements for fax machines? Prescription orders may be transmitted to pharmacists directly from the prescriber using facsimile transmission devices subject to the following requirements:

(1) The order contains the date, time, and telephone number and location of the transmitting device.

(2) Prescriptions for Schedule III, IV, and V drugs may be transmitted at any time.

(3) Prescriptions for Schedule II drugs may be transmitted only under the following conditions:

(a) The order is for an injectable Schedule II narcotic substance that is to be compounded by the pharmacist for patient use; or

(b) The prescription is written for patients in the following facilities:

(i) A long-term care facility as defined in RCW 69.50.308; or

(ii) A hospice agency licensed under RCW 70.127.030(2);

(c) The prescription must be signed by the prescriber;

(d) In a nonemergent situation, an order for Schedule II controlled substances may be prepared for delivery to a patient pursuant to a facsimile transmission but may not be dispensed to the patient except upon presentation of a written order;

(e) In an emergent situation, an order for Schedule II controlled substances may be dispensed to the patient upon the oral prescription of a prescriber subject to the requirements of RCW 69.50.308(c). The pharmacy has seven days to obtain a written prescription that covers an emergency Schedule II oral prescription.

(4) The transmitted order shall be filed in the same manner as any other prescription. However, the pharmacist is responsible for assuring that the quality of the order is sufficient to be legible for at least two years pursuant to the records retention requirements of WAC 246-869-100.

(5) Refill authorizations for prescriptions may be electronically transmitted.

(6) The pharmacist is responsible for assuring that each electronically transmitted prescription is valid and shall verify authenticity with the prescriber whenever there is a question.

(7) No agreement between a prescriber and a pharmacist or pharmacy shall require that prescription orders be electronically transmitted from the prescriber to only that pharmacy.

NEW SECTION

WAC 246-870-060 What are the board requirements for electronic prescription transmission systems? (1) Systems for the electronic transmission of prescription information must be approved by the board. Board approval of systems will be for a period of three years. The board will maintain a list of approved systems.

(2) Systems in which prescriptions are transmitted from the prescriber's facsimile machine to the pharmacy facsimile machine do not require board approval.

(3) Each system shall have policies and procedures on the electronic transmission of prescription information available that address the following:

(a) Patient access. The system may not restrict the patient's access to the pharmacy of their choice.

(b) Security. The system shall have security and system safeguard designed to prevent and detect unauthorized access, modification, or manipulation of prescription information. Accordingly, the system should include:

(i) Documented formal procedures for selecting and executing security measures;

(ii) Physical safeguards to protect computer systems and other pertinent equipment from intrusion;

(iii) Processes to protect, control and audit access to confidential patient information; and

(iv) Processes to prevent unauthorized access to the data when transmitted over communication networks or when data physically moves from one location to another using media such as magnetic tape, removable drives or CD media.

(c) Pharmacies that utilize intermediaries in the electronic communication of prescriptions such as third party payers shall be responsible to insure that their contracts with these intermediaries require security measures that are equal to or better than those provided by this rule and prohibit the modification of any prescription record after it has been transmitted by the practitioner to the pharmacist.

(d) Confidentiality of patient records. The system shall maintain the confidentiality of patient information in accordance with the requirements of chapters 18.64, 69.50, and 70.02 RCW Health Care Information Act and any applicable federal law.

(e) Authentication. To be valid prescriptions transmitted by an authorized prescriber from computer to fax machine or from computer to computer must use an electronic signature or digital signature.

(4) The system shall provide for the transmission and retention of the information by the sender and the receiver of the prescription as required in WAC 246-870-030.

(5) The system must authenticate the sender's authority and credentials to transmit a prescription.

(a) The system shall provide an audit trail of all prescriptions electronically transmitted that documents for retrieval all actions and persons who have acted on a prescription, including authorized delegation of transmission;

(b) The right of the Washington state board of pharmacy to access electronically submitted prescriptions for purposes of investigations in disciplinary proceedings.

(6) If a hard copy prescription, generated from the electronic prescription system, is printed on security paper that

insures it is not subject to copying or alteration, an electronic signature may be substituted for a manual signature.

NEW SECTION

WAC 246-870-070 What are the board requirements for pharmacies using electronic prescription transmission systems? Each pharmacy must have policies and procedures that ensure the integrity and confidentiality of patient information transmitted electronically as required by chapter 70.02 RCW and applicable federal law. All pharmacy employees and agents of the pharmacy are required to read, sign and comply with the policy and procedures.

NEW SECTION

WAC 246-870-080 Can prescription records be stored electronically? Prescription records for legend drugs can be stored electronically if they are in compliance with chapter 246-875 WAC patient medication record systems and are readily retrievable by the board, or its agent for inspection. Controlled substance prescriptions must be maintained in accordance with state and federal regulations.

NEW SECTION

WAC 246-870-090 Can electronic mail systems be used to transmit patient information? Electronic mail systems can be used to transmit patient information concerning an original prescription or information concerning a prescription refill if all direct communications between a pharmacist and a practitioner are kept secure and confidential. The system used to communicate patient information shall meet the requirements for security and confidentiality in WAC 246-870-020.

WSR 03-11-099

PROPOSED RULES

EASTERN WASHINGTON UNIVERSITY

[Filed May 21, 2003, 11:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-08-013.

Title of Rule: Alcohol policy at Eastern Washington University.

Purpose: To further the university mission by creating a safe environment for student learning.

Other Identifying Information: To encourage university functions in a controlled environment that reduces risk and creates positive experiences.

Statutory Authority for Adoption: RCW 28B.35.120 (12).

Statute Being Implemented: RCW 66.44.270, 66.44.-200.

Summary: A code to support the enforcement of federal, state and local laws, as well as eastern's own alcohol on drug

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policies and procedures, in creating an environment that promotes health-enhancing attitudes and activities.

Name of Agency Personnel Responsible for Drafting: Brian Levin-Stankevich, SHW 220, (509) 359-6269; Implementation: Laurie Connelly, SHW 214, (509) 359-2371; and Enforcement: Tom McGill, RDB 101, (509) 359-2777.

Name of Proponent: Eastern Washington University, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this policy is to further the university mission by creating a safe environment for student learning. To accomplish this, the university will support the enforcement of federal, state and local laws, as well as its own alcohol and drug policies and procedures. The university will also encourage university functions in a controlled environment that reduces risk and creates positive experiences. This policy recognizes community standards of responsibility and accountability in the use of alcohol and the expectation that individuals have a right to learn, to work, and to live free from the disruptions and consequences of alcohol abuse by others. It is the responsibility of every member of the university community to know the risks associated with the use and abuse of alcohol and to assist the university, its faculty, staff, administrators and students in creating an environment that promotes health-enhancing attitudes and activities.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Per RCW 34.05.310(4). RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Eastern Washington University, Pence Union Building, Room 263-5-7, Cheney, Washington, 99004, on June 30, 2003, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Karen Raver by June 16, 2003, TDD (509) 359-6261 or (509) 359-2293.

Submit Written Comments to: Fax (509) 359-2006, by June 19, 2003.

Date of Intended Adoption: June 30, 2003.

May 20, 2003

Laurie Flinn Connelly

Rules Coordinator

Associate to the President

Chapter 172-64

ALCOHOL POLICY AT EASTERN WASHINGTON UNIVERSITY

NEW SECTION

WAC 172-64-010 Statement of purpose. The purpose of this policy is to further the university mission by creating a safe environment for student learning. To accomplish this, the university will support the enforcement of federal, state, and local laws, as well as its own alcohol and drug policies and procedures. The university will also encourage university functions in a controlled environment that reduces risk

and creates positive experiences. This policy recognizes community standards of responsibility and accountability in the use of alcohol and the expectation that individuals have a right to learn, to work, and to live free from the disruptions and consequences of alcohol abuse by others. It is the responsibility of every member of the university community to know the risks associated with the use and abuse of alcohol and to assist the university, its faculty, staff, administrators, and students in creating an environment that promotes health-enhancing attitudes and activities.

NEW SECTION

WAC 172-64-020 Introduction. At Eastern Washington University, diversity of opinion and freedom of choice involves the exercise of personal responsibility that includes the obligation to make sound judgments regarding the use of alcohol. This alcohol policy was developed by a community-wide committee of faculty, administrators, students, and Cheney and Spokane community members as a reasonable set of standards to enhance a positive campus environment. These rules and regulations are an important and necessary part of the overall commitment of a comprehensive alcohol education program at EWU. In addition to these guidelines, the most important factor in the reduction of alcohol-related problems is the human capacity to act responsibly. Therefore, the university has an expectation that individuals and groups know and understand the risk and liability associated with the consumption of alcoholic beverages.

NEW SECTION

WAC 172-64-030 Policy statement. Eastern Washington University allows the legal use, possession, and distribution of alcohol on campus under the conditions stipulated in this policy and complies with and upholds all federal, state, and local laws that regulate or prohibit the possession, use, or distribution of alcohol. Violations of such laws that come to the attention of university officials will be addressed within the university or through prosecution in the courts, or both. All university faculty, staff, administrators, and students are hereby notified of the following standards of conduct that the university will apply to all activities conducted on university owned property and at university sponsored events. Furthermore, these standards will apply to all guests on university owned property and at university sponsored events. It is the responsibility of all members of the university community to familiarize themselves and their guests with relevant Federal, State, and local laws as well as the following standards, procedures, and guidelines for the possession, use, and distribution of alcohol, and act accordingly.

NEW SECTION

WAC 172-64-040 Washington state law. Members of the university community are responsible for the observance of state and federal laws including those that apply to alcohol. Some of the laws most relevant to the university community are the following:

(1) It is unlawful:

- (a) For anyone under twenty-one years of age to possess alcohol (RCW 66.44.270);
- (b) To sell, purchase, deliver, or furnish alcohol, except a parent or legal guardian, to anyone under twenty-one years of age (RCW 66.44.270);
- (c) To sell purchase, deliver, or furnish alcohol to an intoxicated person (RCW 66.44.200);
- (d) To consume alcohol in a public place, exceptions defined in RCW 66.44.100;
- (e) To misrepresent one's age to obtain alcohol (RCW 66.44.310);
- (f) To drive under the influence of alcohol (RCW 46.61.502 & 46.61.503).

(2) Driving under the influence:

- (a) It is unlawful to drive if your blood or breath alcohol concentration (BAC) meets or exceeds 0.08 percent or under the influence of drugs (RCW 46.61.502);
- (b) It is unlawful to drive if alcohol has impaired your ability to drive safely, even if your BAC is under the legal limit (RCW 46.61.503);
- (c) For a person under the age of twenty-one, it is unlawful to drive if your blood or BAC meets or exceeds 0.02 percent (RCW 46.61.503).

(3) Open container law:

- (a) Alcoholic beverages may not be consumed in a vehicle nor be carried within reach of the driver or passengers. Open containers may be carried in a trunk or non-passenger areas (not glove boxes). Does not apply to vehicles commercially chartered by groups or to the living quarters of motor homes or campers (RCW 66.44.100 & 46.61.519).

NEW SECTION

WAC 172-64-050 Locations where those of legal drinking age may possess, consume, or serve alcoholic beverages. (1) Inside individual rooms of residence halls, where all residents of the room are of legal drinking age (whether or not all residents are home), all present in the room are of legal drinking age, and the residence hall is not designated substance free and/or clean and sober.

(2) Inside fraternity and sorority facilities, in accordance with respective national organizational policies and university guidelines.

(3) Areas owned or controlled by the university, in accordance with the following guidelines for the use, possession, and sale of alcohol.

NEW SECTION

WAC 172-64-060 Guidelines for university recognized events serving alcohol. Any person or group of persons holding a function at a location where consumption of alcoholic beverages is permitted under the provisions of this policy shall abide by the following regulations in preparing for and conducting the function. Additional guidelines for serving and consumption of alcoholic beverages may be established by the person or group holding the function.

(1) Obtaining permission to serve alcohol.

(a) Written permission for a function sponsored by an individual or group, at which alcohol will be available, must be obtained from the president or his/her designee, along with a banquet permit application. Decisions regarding the approval or denial of permission to serve alcohol shall be made according to what is deemed to be in the best interest of the institution as expressed by the university mission statement and this policy's statement of purpose. Reasons for denial of a permit may include but are not limited to: conflict with primary academic use of facilities; performance record of sponsors in prior events; or failure to satisfy guidelines.

(b) Such approved function shall be subject to the regulations set forth in this policy. Complete information on procedures to obtain permission is available at numerous locations on campus.

(c) Permission to serve or consume alcohol must be requested seven days prior to the event.

(2) Proof of age and access to alcohol.

(a) The person or group(s) holding the event must establish precautionary measures (check identification) at the function to ensure that alcoholic beverages are not served to persons under the legal drinking age or to persons who appear intoxicated.

(b) At the function, a person (or persons) over the legal drinking age must be designated as the server(s). It is the responsibility of the designated server(s) to enforce proof of age and access to alcohol regulations as outlined in the banquet permit application and this policy.

(c) The only alcoholic beverages that may be possessed or consumed at the function are those alcoholic beverages served at the function, and the alcoholic beverages must be consumed within the designated area in which the function is held.

(3) **Alternative beverages.** Non-alcoholic beverages must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.

(4) **Security measures.** The university police department shall, when informed of activities and events involving alcoholic beverages, determine appropriate security measures to be taken and coordinated with the events' sponsor and appropriate administrative staff of the university as may be necessary to assist in compliance with state laws and university regulations.

(5) Publicity and advertising.

(a) All announcement(s) or advertisement(s), including but not limited to flyer(s), notice(s), poster(s), banner(s), tee-shirts(s) and newspaper and radio announcement(s), concerning the function shall note the availability of non-alcoholic beverages as prominently as the availability of alcoholic beverages; and that proper identification is required in order to be served or sold alcoholic beverages; and must not make reference to the amount of alcoholic beverages available, as, for example, the number of kegs of beer available at the event; nor to any form of drinking contest.

(b) Advertising which promotes university events must not portray drinking as a solution to personal or academic problems or as necessary to social, sexual, or academic success.

(c) Promotion of alcoholic beverage brands at the activity must not encourage any form of alcohol abuse nor place emphasis on quantity and frequency of use.

(d) Alcoholic beverages, such as kegs or cases of beer, shall not be provided as free awards, prizes or rewards, to individual(s) or groups.

(6) **Prohibition of drinking games.** Drinking contests or any other activities which encourage the rapid and/or excessive consumption of alcoholic beverages shall not be permitted.

NEW SECTION

WAC 172-64-070 Guidelines for the selling of alcohol at university recognized events. (1) Any function sponsored by faculty, staff, administrators, or students or a faculty, staff, administrator, or student group(s) at which alcoholic beverages are sold or served, whether or not the function is open to the public, may be held in those areas permitted under the provisions of this policy only after a banquet permit and written approval is obtained for such function from the president or his/her designee.

(2) Functions at which alcoholic beverages are sold shall include functions at which alcoholic beverages are served and for which an admission fee is charged, at which cups are sold, at which tickets are sold, at which cash or anything else of value is exchanged for alcoholic beverages, or at which donations are collected by the group, or members thereof, sponsoring the function. Functions open to the public shall be defined as those functions to which the general public has been invited through oral, written, or printed announcement(s), advertisement(s) or invitation(s).

(3) Consideration of all the policy guidelines already outlined must be presented when requesting permission to serve or sell alcohol.

NEW SECTION

WAC 172-64-080 Guidelines for university social events in conjunction with alcohol vendors. Faculty, staff, administrator, or student group(s) may sponsor an activity involving a commercial off-campus vendor involved in the manufacture, distribution, or retail sales of alcoholic beverages. Sponsors of university events may invite vendors of alcoholic beverages to provide and/or sell alcoholic beverages for the event; however, vendors of alcoholic beverages cannot sponsor university activities. University groups(s) and organization(s) may involve the services of a vendor of alcoholic beverages under the following guidelines:

(1) The group(s) sponsoring the activity shall be responsible for all aspects of the activity, including all publicity and advertising.

(2) Advertising and publicity must reflect sole sponsorship of the event as being that of the group(s).

(3) Advertising or announcements (posters, banners, flyers, radio and newspaper advertisements, tee-shirts, etc.) may reflect a vendor's involvement, but must not indicate or convey sponsorship by the vendor.

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

NEW SECTION

WAC 172-64-090 Guidelines for off-campus events. University recognized events held off-campus, are expected to abide by the university alcohol policy guidelines for proof of age and access to alcohol; alternative beverages; publicity and advertising; and prohibition of drinking games, in addition to all applicable state laws and local ordinances. Faculty, staff, administrators, students, and their organizations are subject to disciplinary action by the university as it relates to violations of laws, ordinances, and university rules.

NEW SECTION

WAC 172-64-100 Guidelines for serving alcohol at non-university sponsored events. Any individual or group of individuals who are not affiliated with Eastern Washington University, who wish to use university property for an event (i.e., weddings, community group meetings, etc.), must comply with all state and local laws and with this policy.

NEW SECTION

WAC 172-64-110 University enforcement of alcohol policy. This enforcement policy applies to any violation of the federal, state, and local laws; and the university alcohol policy.

Responsibility for compliance with these regulations and with all applicable laws will be incumbent upon all members of the university community, including all faculty, staff, administrators, students, and their guests.

The sanctions imposed under this policy do not diminish or replace the penalties available under generally applicable civil or criminal laws. The university community is reminded that many violations of the standards may violate various federal, state, and local laws. In addition to the division of students affairs and the dean of students; residential life and housing; individual academic units; human resources; and Greek life may maintain internal policies and procedures for violations of the university alcohol policy, and may impose sanctions against individuals and groups in violation of their policies involving alcohol.

The university alcohol policy shall apply to every function or event, social event, and campus-wide activity sponsored by organizations or individuals associated with the university. In addition, off-campus university events that imply or express university affiliation are bound by this policy. This policy also applies to activities at all university campus sites.

NEW SECTION

WAC 172-64-120 Violations of local, state, and federal law. Violations of local, state, and federal law may be referred to local law enforcement. Violations that might lead

to consultation with local law enforcement officials for possible prosecution include the following:

- (1) Use of alcohol by minors;
- (2) Alcohol-related behavior that is dangerous, destructive, disruptive, or illegal;
- (3) Use of or furnishing of false identification to purchase or be served alcohol;
- (4) Furnishing alcohol to anyone under 21 years of age.

Violations involving students will be reported to the dean of students.

- (2) The requirement of satisfactory participation in evaluation and/or treatment in an approved chemical dependency assistance or rehabilitation program.

NEW SECTION

WAC 172-64-130 Student violations of the university alcohol policy. (1) Student violations of the university alcohol policy will be considered violations of the student conduct code.

(2) A broad range of consequences can be considered. For individual students, consequences can include:

- (a) Mandatory attendance at a prevention education program;
- (b) Loss of privileges, restitution, community service, and/or fines;
- (c) Eviction from university owned or controlled housing;
- (d) Suspension and/or dismissal from the university, or;
- (e) Some combination of the above.

(3) For student groups, possible consequences can include:

- (a) Suspension of privileges;
- (b) Probation;
- (c) Fines;
- (d) Removal of officers from office;
- (e) Elimination of student fee support from the university; and
- (f) Suspension, or forced disbandment.

(4) The revised (October 1998) Federal Educational Rights and Privacy Act allows for institutions of higher education to disclose, to a parent or legal guardian of a student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether the information is contained in the student's education records, if (a) the student is under the age of 21; and (b) the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

NEW SECTION

WAC 172-64-140 Employee violations of the university alcohol policy. Violations of this policy may result in:

- (1) Disciplinary action, including termination of employment, in accordance with applicable personnel rules, chapter 251-11 WAC for classified employees, and EWU policies and procedures manual for other employees, collective bargaining agreements, or other policies of the university and/or;

WSR 03-11-095
EXPEDITED RULES
DEPARTMENT OF REVENUE

[Filed May 21, 2003, 10:58 a.m.]

Title of Rule: WAC 458-16A-150 Senior citizen and disabled person exemption—Requirements for keeping the exemption.

Purpose: The rule explains how a senior citizen or disabled person may continue to keep the senior citizen and disabled person property tax exemption after it has been granted.

Statutory Authority for Adoption: RCW 84.36.383, 84.36.389, and 84.36.865.

Statute Being Implemented: RCW 84.36.381, 84.36.383, 84.36.385, 84.36.384, and 84.36.389.

Summary: This expedited rule making corrects an RCW citation in subsection (5)(a) from RCW 84.34.360 to 84.40.360.

Reasons Supporting Proposal: The correct citation will allow for a better understanding of the rule.

Name of Agency Personnel Responsible for Drafting: Ed Ratcliffe, 1025 Union Avenue S.E., Suite #400, Olympia, WA, (360) 570-6126; Implementation and Enforcement: Gary O'Neil, 1025 Union Avenue S.E., Suite #200, Olympia, WA, (360) 570-5860.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule informs taxpayers, county assessors, and county treasurers about the requirements that must be met to continue to receive the property tax exemption granted by RCW 84.36.381 to senior citizens and disabled persons after the exemption has been granted. The amendment to the rule will correct an RCW citation in subsection (5)(a). This amendment will make it easier for stakeholders to understand the statutory basis for this discussion in the rule.

Proposal Changes the Following Existing Rules: This is a revision to an existing rule, as explained 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 Ed Ratcliffe, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, AND RECEIVED BY July 21, 2003.

May 21, 2003

Alan R. Lynn

Rules Coordinator

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 03-09-002, filed 4/2/03, effective 5/3/03)

WAC 458-16A-150 Senior citizen and disabled person exemption—Requirements for keeping the exemption. (1) **Introduction.** This rule explains how and when a senior citizen or disabled person must file additional reports with the county assessor to keep the senior citizen or disabled person property tax exemption. The rule also explains what happens when the claimant or the property no longer qualifies for the full exemption.

(2) **Continuing the exemption.** The claimant must keep the assessor up to date on the claimant's continued qualification for the senior citizen or disabled person property tax exemption. The claimant keeps the assessor up to date in three ways. First, the claimant submits a change in status form when any change affects his or her exemption. In some circumstances, the change in status form may be submitted by an executor, a surviving spouse, or a purchaser to notify the county of a change in status affecting the exemption. Second, the claimant submits a renewal application for the exemption either upon the assessor's request following an amendment of the income requirement, or every four years. Third, the claimant applies to transfer the exemption when moving to a new principal residence.

(3) **Change in status.** When a claimant's circumstances change in a way that affects his or her qualification for the senior citizen or disabled person property tax exemption, the claimant must submit a completed change in status form to notify the county of this change.

(a) **When to submit form.** The claimant must submit a change in status form to the county assessor for any change affecting that person's qualification for the exemption within thirty days of such change in status. If the claimant is unable or fails to submit a change in status form, any subsequent property owner, including a claimant's estate or surviving spouse, should submit a change in status form to avoid interest and in some cases the penalty for willfully claiming the exemption based upon erroneous information.

(b) **Changes in status described.** Changes in status include:

(i) Changes that affect the property (i.e., new construction, boundary line changes, rentals, ownership changes, etc.);

(ii) Changes to the property owner's annual income that increase or decrease property taxes due under the program; or

(iii) Changes that affect the property owner's eligibility for the exemption (i.e., death, moving to a replacement residence, moving to another residence the claimant does not own, moving into a hospice, a nursing home, or any other long-term care facility, marriage, improvement of a physical disability for a disabled person's claim, or a disabled person entering into gainful employment).

(c) **Change in status form.** The county assessor designs the change in status form or adapts a master form obtained from the department. The county must obtain approval of the final form from the department before it may be distributed. The claimant, the claimant's agent, or a subsequent owner of the residence must use a change in status form from the

EXPEDITED

county where the principal residence is located. The person filing the form must provide true and accurate information on the change in status form.

(d) **Obtaining the form.** The claimant or subsequent property owner may obtain the form from the county assessor where his or her principal residence is located.

(e) **Failure to submit the form after a change in status occurs.** If the claimant fails to submit the change in status form, the application information relied upon becomes erroneous for the period following the change in status. Upon discovery of the erroneous information, the assessor determines the status of the exemption, and notifies the county treasurer to collect any unpaid property taxes and interest from the claimant, the claimant's estate, or if the property has been transferred, from the subsequent property owner. The treasurer may collect any unpaid property taxes, interest, and penalties for a period not to exceed three years as provided for under RCW 84.40.380. In addition, if a person willfully fails to submit the form or provides erroneous information, that person is liable for an additional penalty equal to one hundred percent of the unpaid taxes. RCW 84.36.385. If the change in status results in a refund of property taxes, the treasurer may refund property taxes and interest for up to the most recent three years after the taxes were paid as provided in chapter 84.69 RCW.

(f) **Loss of the exemption.** If the change in status disqualifies the applicant for the exemption, property taxes must be recalculated based upon the current full assessed value of the property and paid from the date the change in status occurred. RCW 84.40.360. For example, the exemption is lost when the claimant dies (unless the spouse is also qualified). The property taxes are recalculated to the full assessed amount of the principal residence on a pro rata basis beginning the day following the date of the claimant's death for the remainder of the year.

(g) **Loss of exemption on part of the property.** If the change in status removes a portion of the property from the exemption, property taxes in their full amount on that portion of the property that is no longer exempt must be recalculated based upon the current full assessed value of that portion of the property and paid from the date the change in status occurred. For example, a property owner subdivides his or her one-acre lot into two parcels. The parcel that does not have the principal residence built upon it no longer qualifies for the exemption. The property taxes are recalculated to the full assessed amount of that parcel on a pro rata basis for the remainder of the year beginning the day following the date the subdivision was given final approval.

(h) **Exemption reduced.** If the change in status reduces the exemption amount, the increased property taxes are due in the year following the change in income. For example, a claimant's income rises so that only excess levies on her principal residence are exempt. The claimant's income is based upon the assessment year. The following year when the taxes are collected, the property taxes due are calculated with only an exemption for excess levies.

(4) **Renewal application.** The county assessor must notify claimants when to file a renewal application with updated supporting documentation.

(a) **Notice to renew.** Written notice must be sent by the assessor in the year the renewal application is requested. Notice must be sent no later than December 10th, three weeks before the December 31st filing requirement.

(b) **When to renew.** The assessor must request a renewal application at least once every four years. The assessor may request a renewal application for any year the income requirements are amended in the statute after the exemption is granted. Once notified, the claimant must file the renewal application by December 31st of that year.

(c) **Processing renewal applications.** Renewal applications are processed in the same manner as the initial application.

(d) **The renewal application form.** The county assessor may design the renewal application form or adapt either its own application form or the application master form obtained from the department. The county must obtain approval of the final renewal application form from the department before it may be distributed. The property owner must use a renewal form from the county where the principal residence is located. The claimant must provide true and accurate information on the renewal application form.

(e) **Obtaining the form.** The assessor provides this form to senior citizens or disabled persons claiming the exemption when requesting renewal.

(f) **Failure to submit the renewal application.** If the property owner fails to submit the renewal application form, the exemption is discontinued until the claimant reapplies for the program. The assessor may postpone collection activities and continue to work with an eligible claimant to complete an application for a missed period.

(5) **Transfer of the exemption.** When a claimant moves to a replacement residence, the claimant must file a change in status form with the county where his or her former principal residence was located. No claimant may receive an exemption on more than the equivalent of one residence in any year.

(a) **Exemption on the former residence.** The exemption on the former residence applies to the closing date on the sale of the former residence, provided the claimant lived in the residence for most of the portion of that year prior to the date of closing. Property taxes in their full amount must be recalculated based upon the current full assessed value of the property and paid from the day following the date the sale closed. The taxes are paid for the remaining portion of the year. ((RCW 84.34.360-)) RCW 84.40.360.

(b) **Exemption upon the replacement residence.** Upon moving, the claimant must reapply for the exemption in the county where the replacement residence is located if the claimant wants to continue in the exemption program. The same application, supporting documents, and application process is used for the exemption on the replacement residence as when a claimant first applies. See WAC 458-16A-135. The exemption on the replacement residence applies on a pro rata basis in the year he or she moves, but only from the latter of the date the claimant moves into the new principal residence or the day following the date the sale closes on his or her previous residence.

WSR 03-11-098

EXPEDITED RULES

DEPARTMENT OF AGRICULTURE

[Filed May 21, 2003, 11:31 a.m.]

Title of Rule: Chapter 16-752 WAC, Noxious weed control (yellow nutsedge quarantine).

Purpose: The department proposes lifting the yellow nutsedge quarantine at the Port of Kalama by amending the following sections of rule as requested by the Cowlitz County Noxious Weed Control Board: WAC 16-752-300 Establishing quarantine, 16-752-305 Quarantine area, 16-752-315 Regulations, and 16-752-320 Costs of quarantine.

Statutory Authority for Adoption: Chapters 17.10, 17.24, and 34.05 RCW.

Statute Being Implemented: Chapters 17.10 and 17.24 RCW.

Summary: The quarantine of the Port of Kalama in Cowlitz County for yellow nutsedge was originally adopted by the Washington State Department of Agriculture in 1989. The quarantine was initiated to prevent the movement of soil containing yellow nutsedge nutlets off-site. The quarantine was necessary because of the invasive nature of the weed - yellow nutsedge propagates by seed, rhizomes, bulbs, and nutlets. Soil containing nutlets is the primary mode of spread in cultivated land. Since that time an effective method of containment of the contaminated soil has been found that will prevent the yellow nutsedge from spreading, thus making the quarantine at the Port of Kalama unnecessary.

Reasons Supporting Proposal: The quarantine is no longer necessary.

Name of Agency Personnel Responsible for Drafting: Mary Toohey, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1907; Implementation and Enforcement: Greg Haubrich, 21 North 1st Avenue, Yakima, WA 98902, (509) 225-2604.

Name of Proponent: Cowlitz County Noxious Weed Control Board, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The current rule declares a quarantine of specific areas of land in Cowlitz and Thurston counties for the weed yellow nutsedge. The quarantine of the area in Cowlitz County was established in 1989, with the quarantine of the area in Thurston County established in 1997. The quarantines prohibit the movement of contaminated soil, potted nursery plants and other plants from the quarantine site without a permit issued by the local weed control board. Amending the rule by deleting all references to Cowlitz County will allow other uses of material at the site.

Proposal Changes the Following Existing Rules: The proposal amends the following sections by deleting references to Cowlitz County which in effect rescinds the yellow nutsedge quarantine of the specified site in that county: WAC 16-752-300 Establishing quarantine, 16-752-305 Quarantine area, 16-752-315 Regulations, and 16-752-320 Costs of quarantine.

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 Henri Gonzales, Plant Protection Division, Washington State Department of Agriculture, 1111 Washington Street, Olympia, WA 98504-2560, AND RECEIVED BY July 22, 2003.

May 20, 2003

Mary A. Martin Toohey

Assistant Director

AMENDATORY SECTION (Amending WSR 98-01-056, filed 12/11/97, effective 1/11/98)

WAC 16-752-300 Establishing quarantine. Yellow nutsedge (*Cyperus esculentus* L.) is a herbaceous perennial that is one of the most serious noxious weeds of agronomic crops. It propagates by seed, rhizomes, bulbs, and nutlets. Soil containing nutlets is the primary mode of spread in cultivated land. It is highly invasive and its unchecked spread would entail great economic loss to the agricultural industries of the state. It is a class B noxious weed designated for control in ((Cowlitz and)) Thurston ((counties)) County (WAC 16-750-011 (33)(a)). Yellow nutsedge infests ((a dredging spoil site at the Port of Kalama in Kalama, Washington and)) a plant nursery site at the Port of Olympia in Tumwater, Washington. Movement of material from ((these)) this site((s)) initiates additional infestations. RCW 17.10.210 provides that either the director or the county noxious weed control board or a weed district may issue an order for quarantine and restriction or denial of access to land determined to be so seriously infested that control measures cannot be undertaken without quarantine of the land. The director has determined:

(1) That the identified site((s are)) is so seriously infested as to require quarantine; and

(2) That the movement of contaminated materials from ((these)) this site((s)) presents an immediate threat of infestation to the rest of the county agricultural and nonagricultural areas; and

(3) That the restriction of such spread is critical to control efforts.

AMENDATORY SECTION (Amending WSR 98-01-056, filed 12/11/97, effective 1/11/98)

WAC 16-752-305 Quarantine area. The quarantine area shall encompass ((the dredge spoil site at and owned by the Port of Kalama, located along Hendrickson Drive, Kalama, Washington, and)) the Port of Olympia, located at the Olympia Airport, Tumwater, Washington, and more particularly described ((in subsections (1) and (2) of this section.

Real-estate situation in the counties of Cowlitz and Thurston, state of Washington:

(1) ~~Cowlitz County parcel~~ containing twenty-three acres, more or less.

A tract of land in the Jacob Ahles D.L.C. No. 44 in Section 20, Township 6 north, Range 1 west of the Willamette Meridian, more particularly described as follows:

Beginning at a point on the north line of a tract of land leased to the North Pacific Grain Growers, Inc., said point being north 2374.49 feet, and north 88 degrees 46'22" west parallel with the south line of said Ahles D.L.C., 263.94 feet from the southeast corner of said Section 20; thence north 1 degree 12'00" west 612.50 feet; thence north 20 degrees 23'00" west 186.52 feet to a point 30.00 feet westerly when measured at right angles from the westerly line of the Northern Pacific Railway right of way; thence parallel with and 30.00 feet from said right of way north 37 degrees 24'37" west 1325.90 feet; thence south 61 degrees 05'28" west 344.47 feet to the inner harbor line as shown on the Plat of Kalama Tidelands; thence south 27 degrees 54'56" east along said inner harbor line 1045.78 feet to the one mile limit as shown on said plat; thence south 62 degrees 05'04" west 100 feet to the low water line of the Columbia River; thence south 22 degrees 48'46" east along said low water line 751.17 feet to said north line of the North Pacific Grain Growers, Inc. lease; thence south 88 degrees 46'22" east parallel with said south line of the Ahles D.L.C. 492.48 feet to the true point of beginning.

(2)) as follows:

County of Thurston, state of Washington:

Parcel number 12711230000 - a portion of this parcel containing twenty-two acres of nursery production, more or less and three access roads one of which begins at 85th Avenue SW, the other two begin at Old Highway 99 SW.

A tract of land in Section 11, Township 17 north, Range 2 west of the Willamette Meridian, more particularly described as follows:

A portion of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter, Section 11, Township 17 North, Range 2 West, W.N., Thurston County, Washington.

Beginning at the South Quarter corner of Section 11; thence north 01°53'09"E, along the center of the section line 77.6 feet to the southerly edge of the infestation, said point being 75 feet northerly of the center of taxiway 5 and the point of beginning; thence south 88°14'46"E parallel to and 75 feet northerly of taxiway 5, 1254.2 feet to coordinate pair N 604966 E 1043268 North American Datum 83/91, Washington State Lambert projection South Zone; thence north 01°32'43"E parallel to and 75 feet westerly of taxiway 5, 256.1 feet (N 605222 E 1043275); thence north 74°44'42"W, parallel to and 200 feet southerly of runway 8-26, 2031.7 feet (N 605757 E 1041315); thence south 12°53'58"W, parallel to and 75 feet easterly of taxiway 4, 744.6 feet (N 605031 E 1041148); thence south 88°14'46"E parallel to and 75 feet northerly of taxiway 5, 866.5 feet to the point of beginning. TOGETHER WITH: Two (2) 50 foot easements for ingress and egress described as follows: Beginning at the centerline of Old Highway 99 at coordinate pair N 605688 E 1044159;

thence south 62°13'04"W, 337 feet (N 605531 E 1043861); thence south 37°34'07"W, 66 feet (N 605479 E 1043821); thence south 15°34'51"W, 432 feet (N 605063 E 1043705); thence south 56°50'31"W, 90 feet (N 605014 E 1043630); thence north 73°42'21"W, 135 feet (N 605052 E 1043500); thence south 73°31'23"W, 47 feet (N 605031 E 1043429).

Beginning at the coordinate pair N 605479 E 1043821; thence north 10°18'17"W, 78 feet (N 605556 E 103807); thence north 52°23'38"W, 93 feet (N 605613 E 1043733); thence north 74°34'40"W, 331 feet (N 605701 E 1043414); thence north 24°31'11"W, 63 feet (N 605758 E 1043388); thence north 0°58'36"W, 352 feet (N 606110 E 1043382).

Beginning at the end of 85th Avenue SE; thence north 14°36'57"W, 44 feet; thence north 1°44'13"E, 103 feet; thence north 1°44'13"E, 122 feet; thence north 4°2'36"E, 103 feet; thence north 1°44'13"E, 140 feet; thence north 3°31'10"E, 134 feet; thence north 1°44'13"E, 146 feet; thence north 6°43'41"W, 141 feet; thence north 6°3'35"W, 92 feet; thence north 1°44'13"E, 128 feet; thence north 15°58'50"W, 96 feet; thence south 85°33'49"W, 113 feet; thence north 88°15'39"W, 100 feet; thence north 85°38'49"W, 133 feet; thence north 88°15'36"W, 137 feet; thence north 85°28'20"W, 125 feet; thence south 89°35'45"W, 162 feet; thence north 88°15'32"W, 129 feet; thence north 88°15'30"W, 200 feet; thence north 88°15'28"W, 150 feet; thence north 85°43'23"W, 137 feet; thence north 88°38'45"E, 113 feet; thence north 83°56'12"W, 242 feet; thence north 40°38'52"W, 25 feet; thence north 40°6'3"W, 25 feet.

AMENDATORY SECTION (Amending WSR 98-01-056, filed 12/11/97, effective 1/11/98)

WAC 16-752-315 Regulations. Use of the property identified in WAC 16-752-305 is restricted as follows:

(1) All removal of sand or soil, potted nursery plants and other plants from the quarantine site, except as provided in subsection (6) of this section, is prohibited without a permit from the ((Cowlitz or)) Thurston County noxious weed control board that details the end use and exact geographic destination.

(2) All land disturbing operations including excavation, utilities work, and similar activities require a one time, no fee permit from the weed board that obligates the operator to thoroughly hose down all equipment before leaving the quarantine area and record the next two areas where the equipment is used after leaving the quarantine area.

(3) All off-road vehicles are banned in the quarantine area without the written permission of the ((Cowlitz or)) Thurston County noxious weed control board, except in designated parking areas.

(4) All weed control measures and irrigation practices in the quarantine area are to be conducted at the direction of the ((Cowlitz or)) Thurston County noxious weed control board.

(5) Yellow nutsedge control shall take precedence over all other land uses in the quarantine area.

(6) The ((Cowlitz or)) Thurston County noxious weed control board may designate and clearly mark portions of the site as free from infestation and allow removal of sand or soil from these areas without specific permit to nonagricultural sites: Provided, That adequate precautions are taken to prevent commingling of infested and noninfested soils and equipment used in the infested area is thoroughly cleaned before use in the area designated as uninfested.

AMENDATORY SECTION (Amending WSR 98-01-056, filed 12/11/97, effective 1/11/98)

WAC 16-752-320 Costs of quarantine. The costs of serving the notice required by RCW 17.10.210(2) shall be borne by the department. The costs of control work shall be borne by the landowner unless otherwise determined by the ((Cowlitz or)) Thurston County noxious weed control board or the director in consultation with the Washington state noxious weed control board.

EXPEDITED



WSR 03-11-007
PERMANENT RULES
SEATTLE POPULAR
MONORAIL AUTHORITY
 (Seattle Monorail Project)
 [Filed May 9, 2003, 1:30 p.m.]

Date of Adoption: May 7, 2003.

Purpose: The purpose of the rule is to provide for the corridor and design public hearings that are required by RCW 35.95A.080.

Statutory Authority for Adoption: RCW 35.95A.050, 35.95A.080.

Adopted under notice filed as WSR 03-08-041 on April 16 [March 27], 2003.

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 2, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 3, Amended 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.

May 8, 2003

Ross A. Macfarlane
 Director of Legal and
 Environmental Affairs

SEATTLE MONORAIL PROJECT

Rule for Corridor Public Hearing and Design Public Hearing

NEW SECTION

Section One – Corridor Public Hearing. The corridor public hearing will take place before the final commitment by the Board of Directors of the Seattle Monorail Project to a specific route location for any phase of the Seattle Popular Monorail Plan. The Executive Director shall schedule and convene the corridor public hearing to accept public comment regarding the proposed specific route location. The purpose of the public hearing is to provide an opportunity for comment by the public regarding the determination of the need for, and the location of, the particular phase of the monorail route under consideration.

The Executive Director may hold the corridor public hearing in conjunction with one or more of the public hearings on the draft environmental impact statement for the specific route proposal or as a separate hearing. The Executive Director also has discretion to schedule the corridor public

hearing for a regular or special meeting of the Board of Directors. The hearing shall afford members of the public the opportunity to submit written or oral comments on the proposed route location and the social, economic and environmental effects of that location and potential alternate locations, consistent with the Seattle Popular Monorail Plan and enabling legislation. The Executive Director is responsible for preparing a summary of the public comments received for review by the Board of Directors.

The Executive Director has discretion on the form of public notice provided but shall, at a minimum, provide public notice by posting in a newspaper of general circulation and by posting on the website and at the offices of the Seattle Monorail Project. If the corridor public hearing is scheduled for a regular or special meeting of the Board of Directors, then the notice shall meet all requirements for notice of such meetings in the Washington Open Public Meetings Act.

NEW SECTION

Section Two – Design Public Hearing. After the Board has made a final commitment to a specific route location for any phase of the Seattle Popular Monorail Project, the Executive Director shall schedule and convene a design public hearing. The design public hearing shall afford an opportunity for the public to comment on the major design features of that specific monorail route. The hearing shall afford the public with an opportunity to present views on the monorail design, and on the social, economic and environmental effects of that design and alternate designs, including people-mover technology.

In the discretion of the Executive Director, the design public hearing may be scheduled at a regular or special meeting of the Board of Directors or, if the Executive Director deems appropriate, as a separate hearing. The Executive Director shall be responsible for preparing a summary of the public comments received for review by the Board of Directors.

The Executive Director has discretion on the form of public notice provided but shall, at a minimum, provide public notice by posting in a newspaper of general circulation and by posting on the website and at the offices of the Seattle Monorail Project.

NEW SECTION

Section Three – Effective Date. This rule shall become effective thirty (30) days after a certified copy of the final rule as adopted by the Board of Directors is filed with the Washington State Code Reviser's Office. After that effective date, the Seattle Monorail Project shall be authorized to utilize excise tax money collected under Chapter 35.95A RCW for the acquisition of right-of-way for monorail transportation facilities and for construction of monorail transportation facilities in separate rights-of-way.

WSR 03-11-009
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 12, 2003, 10:02 a.m.]

Date of Adoption: May 12, 2003.

Purpose: Amendments to chapter 296-19A WAC, Vocational rehabilitation. **Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

Citation of Existing Rules Affected by this Order: **Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

Statutory Authority for Adoption: RCW 51.04.020, 51.04.030, 51.32.095, 51.36.100, 51.36.110.

Adopted under notice filed as WSR 02-21-102 on October 22, 2002.

Changes Other than Editing from Proposed to Adopted Version: **Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

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 28, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 28, 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: **Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

May 12, 2003

Paul Trause

Director

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

WSR 03-11-010
PERMANENT RULES
DEPARTMENT OF ECOLOGY
 [Order 03-03—Filed May 12, 2003, 10:56 a.m.]

Date of Adoption: May 11, 2003.

Purpose: This rule making is to correct an error that currently exists in the rule. These amendments are being adopted to WAC 173-183-820, 173-183-830, 173-183-850, and 173-183-860 to correct a cross reference in the rule.

These sections will be amended to reference WAC 173-183-340 instead of WAC 173-183-360.

Citation of Existing Rules Affected by this Order: Amending chapter 173-183 WAC, Preassessment screening and oil spill compensation schedule regulations.

Statutory Authority for Adoption: Chapter 90.48 RCW, Water pollution control.

Adopted under notice filed as WSR 03-06-036 on February 26, 2003.

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 4, 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.

May 11, 2003

Tom Fitzsimmons

Director

AMENDATORY SECTION (Amending Order 91-13, filed 4/23/92, effective 5/24/92)

WAC 173-183-820 RDA committee chair responsibilities. (1) The RDA committee chair shall, in consultation with the OSC and RDA committee, determine the following:

(a) For spills into marine or estuarine environments excluding the Columbia River estuary:

(i) The acute toxicity, mechanical injury and persistence oil class rankings for the spilled oil as provided in WAC ((173-183-360)) 173-183-340;

(ii) Subregion(s) exposed to the spilled oil;

(iii) Habitat types exposed to the spilled oil as classified in WAC 173-183-410 for spills of 1,000 gallons or more;

(iv) Percent coverage of each habitat type within the area of spill exposure for spills of 1,000 gallons or more;

(v) Percent coverage of habitat types present within the subregion(s) exposed to spilled oil for spills of less than 1,000 gallons.

(vi) A spill's habitat vulnerability scores (HVS) for acute toxicity, mechanical injury, and persistence as determined by the procedures outlined in WAC 173-183-400; and

(vii) The spill vulnerability scores (SVS_{AT}, SVS_{MI}, SVS_{PER}) for the most vulnerable season affected by the spill using the formula provided in WAC 173-183-400.

(b) For spills in the estuarine waters of the Columbia River:

(i) The acute toxicity, mechanical injury, and persistence oil class rankings for the spilled oil as provided in WAC ((173-183-360)) 173-183-340;

(ii) The cell(s) exposed to the spilled oil; and

(iii) The spill vulnerability score (SVS) for the most vulnerable season affected by the spilled oil using the procedures provided in WAC 173-183-500.

(c) For spills in freshwater streams, rivers, and lakes:

(i) The acute toxicity, mechanical injury and persistence oil class rankings for the spilled oil as provided in WAC ((173-183-360)) 173-183-340;

(ii) Freshwater vulnerability score as described in WAC 173-183-610;

(iii) Freshwater habitat index as described in WAC 173-183-620; and

(iv) Spill vulnerability score (SVS) as outlined in WAC 173-183-600 for each stream, river, and/or lake environment exposed to the spill; and

(d) For spills in freshwater wetlands:

(i) The acute toxicity, mechanical injury, and persistence oil class rankings for the spilled oil as provided in WAC ((173-183-360)) 173-183-340;

(ii) Freshwater wetland vulnerability score as described in WAC 173-183-710;

(iii) Spill vulnerability score (SVS) as outlined in WAC 173-183-700 for each wetland exposed to the spill.

(2) For spills that enter more than one environment, the RDA committee chair shall, in consultation with the OSC and RDA committee, make the determinations enumerated under subsection (1)(a) through (d) of this section.

AMENDATORY SECTION (Amending Order 91-13, filed 4/23/92, effective 5/24/92)

WAC 173-183-830 Calculation of damages for spills into marine and estuarine waters, except the Columbia River estuary. (1) The formula provided in subsection (2) of this section shall be used to determine damages liability for spills into marine and estuarine waters, except the estuarine waters of Columbia River. The value of the variables used in the formula shall be determined by:

(a) The OSC as enumerated in WAC 173-183-810(1);

(b) The mutually agreed upon independent expert, if applicable, as described in WAC 173-183-810(2); and

(c) The RDA committee chair as enumerated in WAC 173-183-820 (1)(a).

(2) In making the determination of percent-coverage of habitat types, the RDA committee chair may assume that the habitat-type visible at low tide extends out to the 20 meter depth contour.

(3) Damages liability shall be calculated using the following formula:

Damages (\$) =

$$\text{gallons spilled} * 0.1 * [(OIL_{AT} * SVS_{AT,j}) + (OIL_{MI} * SVS_{MI,j}) + (OIL_{PER} * SVS_{PER,j})]$$

where: gallons spilled = the number of gallons of oil spilled as determined by the procedures outlined in WAC 173-183-810;

SVS_{i,j} = spill vulnerability score (from WAC 173-183-400(3));

OIL_{AT} = Acute Toxicity Score for Oil (from WAC ((173-183-360)) 173-183-340);

OIL_{MI} = Mechanical Injury Score for Oil (from WAC ((173-183-360)) 173-183-340); and

OIL_{PER} = Persistence Score for Oil (from WAC ((173-183-360)) 173-183-340).

i = acute toxicity, mechanical injury and persistence effect of oil

j = the most sensitive season affected by the spill
0.1 = multiplier to adjust the damages calculated to the \$1-50 per gallon range.

Formula results shall be rounded to the nearest 0.01 to determine damages liability as follows: Decimals less than 0.005 shall be rounded down, and decimals equal to or greater than 0.005 shall be rounded up.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 91-13, filed 4/23/92, effective 5/24/92)

WAC 173-183-850 Calculation of damages for spills in freshwater streams, rivers, and lakes. (1) The formula provided in subsection (2) of this section shall be used to determine damages liability for spills into freshwater streams, rivers, and lakes. The value of the variables used in the formula shall be determined by:

(a) The OSC as enumerated in WAC 173-183-810(1);

(b) The mutually agreed upon independent expert, if applicable, as described in WAC 173-183-810(2); and

(c) The RDA committee chair as enumerated in WAC 173-183-820 (1)(c).

(2) Damages liability shall be calculated using the following formula:

Damages (\$) =

$$\text{gallons spilled} * 0.08 * SVS * (OIL_{AT} + OIL_{MI} + OIL_{PER})$$

where: gallons spilled = the number of gallons of oil spilled as determined by the procedures outlined in WAC 173-183-810;

SVS = Spill vulnerability score [from WAC 173-183-600(3)];

OIL_{AT} = Acute Toxicity Score for Oil [from WAC ((173-183-360)) 173-183-340];

OIL_{MI} = Mechanical Injury Score for Oil [from WAC ((173-183-360)) 173-183-340]; and

OIL_{PER} = Persistence Score for Oil [from WAC ((173-183-360)) 173-183-340].

0.08 = multiplier to adjust damages calculated to the \$1-50 per gallon range;

PERMANENT

Formula results shall be rounded to the nearest 0.01 to determine damages liability as follows: Decimals less than 0.005 shall be rounded down, and decimals equal to or greater than 0.005 shall be rounded up.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 91-13, filed 4/23/92, effective 5/24/92)

WAC 173-183-860 Calculation of damages for spills into freshwater wetlands. (1) The formula provided in subsection (2) of this section shall be used to determine damages liability for spills into freshwater wetlands. The value of the variables used in the formula shall be determined by:

- (a) The OSC as enumerated in WAC 173-183-810(1);
- (b) The mutually agreed upon independent expert, if applicable, as described in WAC 173-183-810(2); and
- (c) the RDA committee chair as enumerated in WAC 173-183-820 (1)(d).

(2) Damages liability shall be calculated using the following formula:

Damages (\$) =

$$\text{gallons spilled} * 0.81 * \text{SVS} * (\text{OIL}_{\text{AT}} + \text{OIL}_{\text{MI}} + \text{OIL}_{\text{PER}})$$

where: gallons spilled = the number of gallons of oil spilled as determined by procedures outlined in WAC 173-183-810;

SVS = Spill vulnerability score [from WAC 173-183-700(3)];

OIL_{AT} = Acute Toxicity Score for Oil [from WAC ((173-183-360)) 173-183-340];

OIL_{MI} = Mechanical Injury Score for Oil [from WAC ((173-183-360)) 173-183-340]; and

OIL_{PER} = Persistence Score for Oil [from WAC ((173-183-360)) 173-183-340].

0.81 = multiplier to adjust damages calculated to the \$1-50 per gallon range;

Formula results shall be rounded to the nearest 0.01 to determine damages liability as follows: Decimals less than 0.005 shall be rounded down, and decimals equal to or greater than 0.005 shall be rounded up.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 03-11-015
PERMANENT RULES
HORSE RACING COMMISSION

[Filed May 12, 2003, 4:22 p.m.]

Date of Adoption: May 8, 2003.

Purpose: Amend WAC 260-13-420 Payment of Class A and B license fees, to bring the rule into compliance with RCW 67.16.050.

Citation of Existing Rules Affected by this Order: Amending WAC 260-13-420 Payment of Class A and B license fees.

Statutory Authority for Adoption: RCW 67.16.020.

Adopted under notice filed as WSR 03-07-054 on March 14, 2003.

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 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 1, 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.

May 12, 2003

R. M. Leichner

Executive Secretary

AMENDATORY SECTION (Amending WSR 86-13-056, filed 6/16/86)

WAC 260-13-420 Payment of Class A and B license fees. A Class A or B license does not become effective until the commission receives a certified check or bank draft to the order of the state of Washington equal to two hundred dollars times the optimum number of racing days sought in the license application ((in the amount of the license fee as follows)) and is void if the license fee is not received within ten days after issuance.

~~((1) Nonrefundable fee of ten thousand dollars for a Class A license;~~

~~((2) A fee for a Class B license equal to one hundred dollars times the optimum number of racing days sought in the license application.))~~ The commission must refund promptly to the licensee any amount by which the fee paid exceeds ((one)) two hundred dollars times the number of actual days of racing sponsored and managed by the licensee.

WSR 03-11-016
PERMANENT RULES
HORSE RACING COMMISSION

[Filed May 12, 2003, 4:25 p.m.]

Date of Adoption: May 8, 2003.

Purpose: To repeal WAC 260-20-035 Nonparimutuel wagering prohibited.

PERMANENT

Citation of Existing Rules Affected by this Order:
Repealing WAC 260-20-035.

Statutory Authority for Adoption: RCW 67.16.020.

Adopted under notice filed as WSR 03-07-051 on March 14, 2003.

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 1; 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.

May 12, 2003

R. M. Leichner

Executive Secretary

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 260-20-035 Nonparimutuel wagering prohibited.

WSR 03-11-017

PERMANENT RULES

HORSE RACING COMMISSION

[Filed May 12, 2003, 4:27 p.m.]

Date of Adoption: May 8, 2003.

Purpose: To adopt a new section to allow for head-to-head wagering.

Statutory Authority for Adoption: RCW 67.16.020.

Adopted under notice filed as WSR 03-07-053 on March 14, 2003.

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 1, 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 1, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 12, 2003

R. M. Leichner

Executive Secretary

NEW SECTION

WAC 260-48-940 Head-to-head wagering (1) Head-to-head wagering requires the selection of the winning contestant in a designated contest or series of contests, in a competition between two or more equally matched betting interests, or based on the sportsmanship and/or skill of the jockeys and/or trainers, regardless of the official placing of the other betting interests in that contest or series of contests.

(2) The choice of which contestants from a contest shall participate in the head-to-head contest shall be made as follows:

(a) The association must obtain approval from the board of stewards for each head-to-head contest.

(b) The matching of contestants for the head-to-head contest shall be limited to contestant versus contestant, jockey versus jockey, and/or trainer versus trainer.

(c) The contestants chosen for the head-to-head wager shall be conspicuously identified in the official program.

(3) The net head-to-head pool shall be distributed to winning wagers in the following precedence, based on the official order of finish:

(a) As a single price pool to those whose selection finished first in a single head-to-head contest, or first in the greatest number of a series of head-to-head contests; but if there are no such wagers, then

(b) The head-to-head pool shall be refunded.

(4) If there is a dead heat in a contest involving two or more of the contestants in:

(a) A single-contest head-to-head pool, then the entire pool shall be refunded.

(b) One or more contests of a series, then all the contestants involved in the dead heat shall be considered winners and the net pool shall be distributed as a signal price pool, provided that;

(c) In a series of contests, if there is a dead heat in half or more of the contests then the head-to-head pool for those contests shall be refunded.

(5) If any head-to-head contest is canceled or declared no contest:

(a) In a single-contest head-to-head pool, the pool shall be refunded.

(b) In a series of contests, if half or more of the contests are canceled or declared no contest, then the head-to-head pool for those contests shall be refunded.

(6) If any contestant is scratched or declared a non-starter in any head-to-head contest, then that contest shall be canceled.

(7) If all contestants fail to finish in a head-to-head contest, then that contest shall be canceled.

PERMANENT

WSR 03-11-018
PERMANENT RULES
HORSE RACING COMMISSION

[Filed May 12, 2003, 4:30 p.m.]

Date of Adoption: May 8, 2003.

Purpose: To amend WAC 260-70-610 Storage and shipping of split samples, to allow for a commission representative to package split samples only in the presence of the horse owner, trainer or designee.

Citation of Existing Rules Affected by this Order: Amending WAC 260-70-610.

Statutory Authority for Adoption: RCW 67.16.020.

Adopted under notice filed as WSR 03-07-052 on March 14, 2003.

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 1, 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.

May 12, 2003

R. M. Leichner

Executive Secretary

AMENDATORY SECTION (Amending WSR 96-10-001, filed 4/17/96, effective 5/18/96)

WAC 260-70-610 Storage and shipment of split samples. (1) Split samples obtained in accordance with WAC 260-70-600, subsection 2b and 2c shall be secured and made available for further testing in accordance with the following procedures:

(a) A split sample shall be secured in the test barn under the same manner as the portion of the specimen acquired for shipment to a primary laboratory until such time as specimens are packed and secured for shipment to the primary laboratory. Split samples shall then be transferred to a freezer at a secure location approved by the commission.

(b) A freezer for storage of split samples shall be equipped with a lock. The lock shall be closed and locked so as to prevent access to the freezer at all times except as specifically provided by these rules.

(c) A freezer for storage of split samples shall be opened only for depositing or removing split samples, for inventory, or for checking the condition of samples.

(d) A log shall be maintained by the official veterinarian that shall be used each time a split sample freezer is opened to specify each person in attendance, the purpose for opening

the freezer, identification of split samples deposited or removed, the date and time the freezer was opened, and the time the freezer was closed and to verify that the lock was secured prior to and after opening of the freezer.

(e) Any evidence of a malfunction of a split sample freezer or samples that are not in a frozen condition during storage shall be documented in the log and immediately reported to the stewards or a designated commission representative.

(2) A trainer or owner of a horse may request that a split sample corresponding to the portion of the specimen tested by the primary laboratory be sent to another laboratory approved by the commission. The request must be made in writing and delivered to the stewards not later than 48 hours after the trainer of the horse receives written notice of the findings of the primary laboratory. Any split sample so requested must be shipped within an additional 72 hours.

(3) The owner or trainer requesting testing of a split sample shall be responsible for the cost of shipping and testing. Failure of the owner, trainer or designee to appear at the time and place designated by the official veterinarian shall constitute a waiver of all rights to split sample testing. Prior to shipment, the commission shall confirm the split sample laboratory's willingness to provide the testing requested, the laboratory's willingness to send results to both the person requesting the testing and the commission, and arrangements for payment satisfactory to the split sample laboratory. A split sample testing laboratory must be approved by the commission. The commission shall maintain a list of laboratories approved for testing of split samples.

(4) Prior to opening the split sample freezer, the commission shall provide a split sample chain of custody verification form that shall provide a place for recording the following information and such other information as the official veterinarian may require. The form shall be fully completed during the retrieval, packaging, and shipment of the split sample.

Split sample chain of custody form requirements:

(a) The date and time the sample is removed from the split sample freezer;

(b) The sample number;

(c) The address where the split sample is to be sent;

(d) The name of the carrier and the address where the sample is to be taken for shipment;

(e) Verification of retrieval of the split sample from the freezer;

(f) Verification of each specific step of the split sample packaging in accordance with the recommended procedure;

(g) Verification of the address of the split sample laboratory on the split sample package;

(h) Verification of the condition of the split sample package immediately prior to transfer of custody to the carrier; and

(i) The date and time custody of the sample is transferred to the carrier.

(5) A split sample shall be removed from the split sample freezer by a commission representative in the presence of the owner, trainer or designee.

(6) A commission representative (~~The owner, trainer or designee~~) shall pack the split sample for shipment in the

presence of the ~~((representative of the commission))~~ owner, trainer or designee, in accordance with the packaging procedures recommended by the commission. A form shall be signed by both the owner's representative and the commission representative to confirm the packaging of the split sample. The exterior of the package shall be secured and identified with initialed tape, evidence tape or other means to prevent tampering with the package.

(7) The package containing the split sample shall be transported to the location where custody is transferred to the delivery carrier charged with delivery of the package to the commission approved laboratory selected by the owner or trainer.

(8) The owner, trainer or designee may inspect the package containing the split sample immediately prior to transfer to the delivery carrier to verify that the package is intact and has not been tampered with.

(9) The split sample chain of custody verification form shall be completed and signed by the representatives of the commission and the owner, trainer or designee. A commission representative shall keep the original and provide a copy for the owner, trainer or designee.

WSR 03-11-019
PERMANENT RULES
HORSE RACING COMMISSION
 [Filed May 12, 2003, 4:32 p.m.]

Date of Adoption: March [May] 8, 2003.

Purpose: To amend WAC 260-70-630 to place into rule the annual quantitative medication levels for permissible substances.

Citation of Existing Rules Affected by this Order: Amending WAC 260-70-630.

Statutory Authority for Adoption: RCW 67.16.020.

Adopted under notice filed as WSR 03-07-055 on March 14, 2003.

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 1, 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.

May 12, 2003
 R. M. Leichner
 Executive Secretary

AMENDATORY SECTION (Amending WSR 96-10-001, filed 4/17/96, effective 5/18/96)

WAC 260-70-630 Threshold levels. ~~((On or before February 1 of each year, the commission shall promulgate a list of))~~ The following quantitative medication levels ~~((for those certain substances which it has determined to be))~~ are permissible in test samples up to the stated quantitative levels~~((:))~~:

<u>Procaine</u>	<u>25 ng/ml urine</u>
<u>Benzocaine</u>	<u>50 ng/ml urine</u>
<u>Mepivacaine</u>	<u>10 ng/ml urine</u>
<u>Lidocaine</u>	<u>50 ng/ml urine</u>
<u>Bupivacaine</u>	<u>5 ng/ml urine</u>
<u>Clenbuterol</u>	<u>5 ng/ml urine</u>
<u>Acepromazine</u>	<u>25 ng/ml urine</u>
<u>Promazine</u>	<u>25 ng/ml urine</u>
<u>Caffeine</u>	<u>100 ng/ml urine</u>
<u>Salicylates</u>	<u>750 ng/ml urine</u>

The official urine test sample may not contain more than one of the above drug substances, including their metabolites or analogs, in an amount up to the specified level. Official blood test samples must not contain any of the drug substances listed in this rule, including their metabolites or analogs.

WSR 03-11-020
PERMANENT RULES
DEPARTMENT OF LICENSING
 (Cemetery Board)

[Filed May 12, 2003, 4:35 p.m., effective June 30, 2003]

Date of Adoption: May 12, 2003.

Purpose: To amend WAC 98-70-010 to bring Cemetery Board revenues into line with expenditures by increasing fees and making the renewal "per burial" for cemeteries and "per cremation" fees for crematories the same.

Citation of Existing Rules Affected by this Order: Amending WAC 98-70-010.

Statutory Authority for Adoption: RCW 68.05.205.

Other Authority: RCW 68.05.225 and 43.24.086.

Adopted under notice filed as WSR 03-08-009 on March 21, 2003.

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.

PERMANENT

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: June 30, 2003.

May 12, 2003
 Alan E. Rathbun
 Assistant Director, BPD

AMENDATORY SECTION (Amending WSR 99-16-079, filed 8/3/99, effective 9/3/99)

WAC 98-70-010 Fees. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Certificate of authority	
Application	((\$279.86)) <u>\$300.00</u>
Renewal	((4.19)) <u>3.20</u>
Charge per each interment, entombment and inurnment during preceding calendar year	
Crematory license/endorsement	
Application	((111.95)) <u>140.00</u>
Renewal	
((Fifty five dollars and ninety seven cents plus fifty six cents)) <u>\$3.20</u> per cremation performed during the preceding calendar year	
Prearrangement sales license	
Application	((111.95)) <u>140.00</u>
Renewal	((55.97)) <u>70.00</u>
Exemption from prearrangement sales license	
Application	((55.97)) <u>70.00</u>
Renewal	((27.99)) <u>35.00</u>
Cremated remains disposition permit or endorsement	
Application	((55.97)) <u>70.00</u>
Renewal	((27.99)) <u>35.00</u>

DEPARTMENT OF LICENSING

(Board of Funeral Directors and Embalmers)

[Filed May 12, 2003, 4:38 a.m., effective June 30, 2003]

Date of Adoption: May 12, 2003.

Purpose: To amend WAC 308-48-800 to increase the application and renewal fees for crematories so they are the same as the application and renewal fees for cemetery crematories, and to reduce all other fees to maintain the revenue necessary to meet projected expenditures.

Citation of Existing Rules Affected by this Order: Amending WAC 308-48-800.

Statutory Authority for Adoption: RCW 18.39.050.

Adopted under notice filed as WSR 03-08-010 on March 21, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: June 30, 2003.

May 12, 2003

Alan E. Rathbun

Assistant Director, BPD

AMENDATORY SECTION (Amending WSR 99-16-040, filed 7/29/99, effective 8/29/99)

WAC 308-48-800 Funeral director/embalmer fees. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Embalmer:	
State examination or reexamination	((\$154.98)) <u>\$100.00</u>
Renewal	((103.32)) <u>70.00</u>
Late renewal penalty	((51.66)) <u>35.00</u>
Duplicate	((15.50)) <u>15.00</u>
Certification	((25.83)) <u>25.00</u>

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Title of Fee	Fee
Embalmer apprentice:	
Apprentice application	((77.49) <u>75.00</u>)
Apprentice renewal	((46.49) <u>45.00</u>)
Duplicate	((15.50) <u>15.00</u>)
Certification	((25.83) <u>25.00</u>)
Funeral director:	
State examination or reexamination	((154.98) <u>100.00</u>)
Renewal	((103.32) <u>70.00</u>)
Late renewal penalty	((51.66) <u>35.00</u>)
Duplicate	((15.50) <u>15.00</u>)
Certification	((25.83) <u>25.00</u>)
Funeral director apprentice:	
Apprentice application	((77.49) <u>75.00</u>)
Apprentice renewal	((46.49) <u>45.00</u>)
Duplicate	((15.50) <u>15.00</u>)
Certification	((25.83) <u>25.00</u>)
Funeral establishment:	
Original application	((361.62) <u>300.00</u>)
Renewal	((309.96) <u>150.00</u>)
Branch registration ((and renewal))	((258.30) <u>250.00</u>)
<u>Branch renewal</u>	<u>150.00</u>
Preneed application	((206.64) <u>140.00</u>)
Preneed renewal:	
0-25 sales	((25.83) <u>25.00</u>)
26-99 sales	((103.32) <u>75.00</u>)
100 or more sales	((154.98) <u>125.00</u>)
Financial statement fee	((51.66) <u>50.00</u>)

Title of Fee	Fee
Crematory endorsement registration	((103.32) <u>140.00</u>)
Crematory endorsement renewal	((fifty one dollars and sixty six cents plus fifty two cents)) <u>\$3.20</u> per cremation performed during previous calendar year.

WSR 03-11-029

**PERMANENT RULES
PUBLIC EMPLOYMENT
RELATIONS COMMISSION**

[Filed May 15, 2003, 8:08 a.m.]

Date of Adoption: May 13, 2003.

Purpose: To amend chapters 391-08 and 391-25 WAC to provide for: (1) Publication of agency decisions on web-site; (2) consolidation of representation petitions involving any or all of same employees; (3) merger of state civil service employee bargaining units represented by same employee organization; (4) repeal as of July 1, 2003, the option for institutions of higher education and exclusive bargaining representatives to bring bargaining units under chapter 41.56 RCW; and (5) repeal special provision modifying intervenor rule for petitions involving state civil service employee units.

Citation of Existing Rules Affected by this Order: Repealing WAC 391-25-011 and 391-25-216; and amending WAC 391-08-670 and 391-25-210.

Statutory Authority for Adoption: RCW 28B.52.080, 41.56.090, 41.59.110, 41.58.050, 41.06.340, 41.76.060.

Other Authority: For WAC 391-08-670 is RCW 34.05.220; for WAC 391-25-011 is RCW 41.56.201; for WAC 391-25-210 is RCW 41.56.070, 41.59.070, and 41.80.080; and for WAC 391-25-426 is RCW 41.80.070(3).

Adopted under notice filed as WSR 03-07-093 on March 19, 2003.

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 1.

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 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Two different effective dates apply for the rules adopted under this order: (1) The repeal of

PERMANENT

WAC 391-25-011 is effective July 1, 2003; and (2) all other WAC sections are effective thirty-one days after filing.

May 15, 2003
Marvin L. Schurke
Executive Director

AMENDATORY SECTION (Amending WSR 03-03-064, filed 1/14/03, effective 2/14/03)

WAC 391-08-670 Decision numbering—Citation of cases—Indexing of decisions. (1) Each decision issued by the agency in an adjudicative proceeding under the Administrative Procedure Act is assigned a unique number consisting of two or three components, as follows:

(a) The first component, consisting of a number, indicates the sequential number of adjudicative proceedings in which one or more decisions has been issued since the agency commenced operations on January 1, 1976.

(b) The second component (where appropriate) consisting of an alphabetic code in ascending alphabetical order, indicates the second and subsequent decisions issued in the case to which the numerical component was originally assigned.

(c) The third component, consisting of a four-letter alphabetic code, indicates the statute under which the decision was issued:

"CCOL" indicates cases decided under chapter 28B.52 RCW (Collective Bargaining—Academic Personnel in Community Colleges).

"EDUC" indicates cases decided under chapter 41.59 RCW (Educational Employment Relations Act).

"FCBA" indicates cases decided under chapter 41.76 RCW (faculty at public four-year institutions of higher education).

"MRNE" (no longer in use) was formerly used to indicate cases decided under chapter 47.64 RCW, relating to the Washington state ferries system.

"PECB" indicates cases decided under chapter 41.56 RCW (Public Employees' Collective Bargaining Act), including some cases involving port districts.

"PORT" indicates cases decided exclusively under chapter 53.18 RCW (Employment Relations—Collective Bargaining and Arbitration), relating to port districts.

"PRIV" indicates cases decided under chapter 49.08 RCW, relating to private sector employers and employees.

"PSRA" indicates cases decided under RCW 41.06.340 and/or chapter 41.80 RCW (Personnel System Reform Act).

(2) All citations of agency decisions in subsequent agency decisions, in publications of agency decisions, and in briefs and written arguments filed by parties with the agency shall conform to the formats specified in this section:

GENERAL RULE: Citations shall list only the name of the employer *italicized*, the word "Decision" followed by the decision number, and the statute and year the decision was issued (in parenthesis).

Examples:

City of Roe, Decision 1234 (PECB, 1992)

City of Roe, Decision 1234-A (PECB, 1993)

City of Roe, Decision 1234-B (PECB, 1994)

~~EXCEPTION ((+ For decisions being cited within the first year following their issuance, the full date of issuance may be set forth.~~

Example:

City of Roe, Decision 1234-C (PECB, December 15, 1995)

~~EXCEPTION 2))~~ For decisions in which an employee organization or labor organization was named as the respondent in an unfair labor practice case, the citation shall list the name of the union (in parenthesis) following the name of the employer.

Example:

City of Roe (Doe Union), Decision 2345 (PECB, 1995)

(3) The agency encourages the publication and indexing of its decisions by private firms, but does not contribute financial support to any such firm and declines to declare any private firm as the "official reporter" of agency decisions.

~~(4) ((The agency uses a commercially published index of its decisions, along with commercially produced computer assisted research tools, in its own operations. The agency makes those indexes available to the public in its offices.)) To satisfy the requirements of RCW 42.17.260(5), the agency publishes its decisions, together with a search engine, on its website at: "www.perc.wa.gov".~~

AMENDATORY SECTION (Amending WSR 01-14-009, filed 6/22/01, effective 8/1/01)

WAC 391-25-210 Bargaining unit configurations~~((— Positions limited by showing of interest)).~~ (1) In proceedings on a petition for "decertification" under WAC 391-25-070(6)(c) or 391-25-090(2), the parties shall not be permitted to remove positions from or add positions to the existing bargaining unit;

(2) An organization which files a motion for intervention under WAC 391-25-190 shall ~~((only))~~ not be permitted to seek a bargaining unit configuration different than proposed by the original petitioner ~~((if the intervenor furnishes a showing of interest demonstrating that it has the support of thirty percent or more of the employees in the bargaining unit which the intervenor claims to be appropriate)).~~

(3) If petitions filed by two or more organizations under this chapter are pending before the agency at the same time and involve any or all of the same employees, the timeliness of the respective petitions and the sufficiency of the respective showings of interest shall be determined separately and the proceedings shall be consolidated for resolution of all issues concerning the description(s) of the bargaining unit(s). A petition filed after the issuance of a notice of election in another proceeding under WAC 391-25-430 or after the com-

mencement of a cross-check in another proceeding under WAC 391-25-410 shall be dismissed as untimely.

(4) A party to proceedings under this chapter shall not be permitted to propose more than one bargaining unit configuration for the same employee or employees, except where a merger of bargaining units is proposed under WAC 391-25-420.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 391-25-011	Special provision—Optional coverage of classified employees of institutions of higher education under chapter 41.56 RCW.
WAC 391-25-216	Special provision—State civil service employees.

NEW SECTION

WAC 391-25-426 Special provision—State civil service employees. An employee organization that represents two or more bargaining units of state civil service employees may obtain a merger of those units by filing a petition under WAC 391-25-420 (2)(a). If the merged unit is found to be appropriate under WAC 391-25-420 (2)(c)(i) and (ii), the employee organization shall be certified as exclusive bargaining representative without need for unit determination elections.

WSR 03-11-031

**PERMANENT RULES
DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH**

[Filed May 15, 2003, 9:10 a.m.]

Date of Adoption: December 10, 2002.

Purpose: This chapter establishes (1) State Board of Health standards for screening and diagnostic procedures for prenatal diagnosis of congenital disorders of the fetus, and (2) establishes Department of Health criteria and timelines regarding the availability and use of prenatal tests for health care providers to share with pregnant women and couples. The changes adopted by this order add time periods within which prenatal tests must be performed; updates the scope of prenatal genetics testing required for health insurance benefits packages; and adds three new tests: Maternal hepatitis B and Group B strep, and fluorescent in-situ hybridization (FISH). These rules have also been revised to eliminate obsolete text and include some editorial changes to improve the readability of the rule.

Citation of Existing Rules Affected by this Order: Amending WAC 246-680-001, 246-680-010, and 246-680-020.

Statutory Authority for Adoption: For WAC 246-680-001 Purpose is RCW 43.20.050, 70.54.220; for WAC 246-680-010 Definitions is RCW 48.21.244, 48.44.344, 48.46.375, 70.54.220; and for WAC 246-680-020 Board of health standards for screening and diagnostic tests during pregnancy is RCW 48.21.244, 48.44.344, 48.46.375.

Adopted under notice filed as WSR 02-22-078 on November 5, 2002.

Changes Other than Editing from Proposed to Adopted Version: Changes are only editorial in nature.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

Eric Stagle
Deputy Secretary
for Mary C. Selecky
Secretary
Department of Health
Don Sloma
Executive Director
State Board of Health

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-680-001 Purpose. The purpose of this chapter is to(:

~~(1) Establish department and state board of health description, definition, and enumeration of prenatal tests under RCW 70.83B.020 (3)(a) and (b);~~

~~(2)) establish standards ((of the Washington state board of health)) for screening and diagnostic procedures for prenatal diagnosis of congenital disorders of the fetus under RCW 48.21.244, 48.44.344, and 48.46.375;~~

~~((3) Require health care provider to provide information on certain prenatal tests under RCW 70.83B.030 to both their pregnant patients and the department;~~

~~(4) Establish requirements for laboratories to provide information on certain prenatal tests under RCW 70.83B.030 to the department; and~~

~~(5)) and to establish criteria and time lines ((for distribution of educational materials by health care providers related to prenatal tests)) regarding the availability and use of prenatal tests for health care providers to share with pregnant women and couples as required under RCW 70.54.220.~~

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-680-010 Definitions. For the purpose (~~of RCW 70.83B.020, 70.83B.030, 70.83B.040, 70.54.220, 48.42.090, 48.21.244, 48.44.344, and 48.46.375 and chapter 248-106 WAC:~~

(1) ~~"Approved written information" means the department form DOH 344-002 "prenatal genetic information," or an equivalent form.~~

(2) ~~of this chapter, the following definitions apply:~~

(1) "Department" means the Washington state department of health.

(2) "Health care providers" means persons licensed or certified by the state of Washington under Title 18 RCW to provide prenatal care or to practice medicine and qualified genetic counselors.

~~"Laboratory" means a private or public person, agency, or organization performing prenatal tests for congenital and heritable disorders.~~

(3) "Prenatal carrier testing" means a procedure to remove blood or other tissue from one or both parents in order to perform laboratory analysis to establish chromosome constitution or genetic carrier status of the parents.

(4) "Prenatal test" means any test to predict congenital or heritable disorders (~~which:~~

(a) ~~When improperly utilized, may clearly harm or endanger the health, safety, or welfare of the public;~~

(b) ~~Potential harm is easily recognizable and not remote or dependent upon tenuous argument; and~~

(c) ~~As determined by the state board of health under RCW 70.83B.020(3) and enumerated by the department, includes procedures and) that may harm or endanger the health, safety, or welfare of members of the public if improperly utilized and includes preprocedure and post-procedure genetic counseling, laboratory tests, and procedures as follows:~~

(a) Maternal serum (~~alpha-fetoprotein (MSAFP))~~ marker screening is a procedure involving obtaining blood from a pregnant woman during the fifteenth to ~~(twentieth completed menstrual)~~ twenty-second week(s) of gestation, in order to measure through laboratory tests the level of ~~(alpha-fetoprotein in the blood))~~ certain analytes that are associated with increased risks to the fetus or pregnancy such as alpha-fetoprotein, unconjugated estriol, human gonadotropin, inhibin, and/or PAPP-A.

(b) Maternal hepatitis B surface antigen (HBsAg) screening is a procedure involving obtaining blood from a pregnant woman during the first trimester of pregnancy to test for maternal hepatitis B infection. HBsAg screening should be repeated during the last trimester of pregnancy if a woman is at high risk for hepatitis B infection.

(c) Group B strep screening per vaginorectal culture at 35-37 weeks gestation is used to screen pregnant women for Group B strep colonization. The swab culture specimen must be grown in selective broth media.

(d) Amniocentesis is a procedure performed after fourteen weeks of gestation to remove a small amount of

amniotic fluid from the uterus of a pregnant woman, in order to perform one or more of the following laboratory tests:

~~((A)) (i) Measure the level of alpha-fetoprotein;~~

~~((B)) (ii) Measure the level of acetylcholinesterase;~~

~~((C)) (iii) Cytogenetic studies on fetal cells including fluorescent in-situ hybridization (FISH) if indicated;~~

~~((D)) (iv) Biochemical studies on fetal cells or amniotic fluid; ~~(and~~~~

~~((E)) (v) Deoxyribonucleic Acid (DNA) studies on fetal cells including fetal genotyping for isoimmunization studies; and~~

~~((F)) (vi) Infectious disease studies.~~

~~((G)) (e) Chorionic villus sampling is a procedure performed from ten to twelve weeks of gestation to remove a small amount of cells from the developing placenta, in order to perform one or more of the following laboratory tests:~~

~~((A)) (i) Cytogenetic studies on fetal cells including fluorescent in-situ hybridization (FISH) if indicated;~~

~~((B)) (ii) Biochemical studies on fetal cells; and~~

~~((C)) (iii) DNA studies on fetal cells.~~

~~((D)) (f) Percutaneous umbilical cord blood sampling is a procedure performed typically after fifteen weeks of gestation to obtain blood from the fetus, in order to perform one or more of the following laboratory tests:~~

~~((A)) (i) Cytogenetic studies including fluorescent in-situ hybridization (FISH) if indicated;~~

~~((B)) (ii) Viral titer studies;~~

~~((C)) (iii) Fetal blood typing for isoimmunization studies;~~

~~((D)) (iv) Prenatal diagnostic tests for hematological disorders;~~

~~((E)) (v) DNA studies on fetal cells;~~

~~((F)) (vi) Biochemical studies on fetal blood.~~

~~((G)) (g) Prenatal ultrasonography is a procedure performed at any time during pregnancy resulting in visualization of the uterus, the placenta, the fetus, and internal structures through use of sound waves.~~

~~((d) Includes pre procedure and post procedure genetic counseling when required under WAC 248-106-020.~~

(7) (h) "Preprocedure genetic counseling" means individual counseling, which may be part of another (~~substantive~~) procedure or service, involving a health care provider or a qualified genetic counselor under the direction of a physician, and a pregnant woman with or without other family members, to assess and identify increased risks for congenital abnormalities or pregnancy complications, offer specific carrier or diagnostic tests, discuss the purposes, risks, accuracy, and limitations of a prenatal testing procedure, ~~(and to)~~ aid in decision making and to assist in obtaining the desired testing or procedure.

(8) (i) "Post-procedure genetic counseling" means, when test results are available, individual counseling, which may be part of another (~~substantive~~) procedure or service, involving a health care provider or a qualified genetic counselor under the direction of a physician and a pregnant woman with or without other family members, to discuss(~~;~~

(a) ~~the ((meaning of the)) results of the prenatal tests done(~~;~~ and~~

(b) ~~Subsequent), any further testing or procedures available and/or referrals for further consultation or counseling.~~

~~((9))~~ (j) "Qualified genetic counselor" means an individual eligible for certification or certified as defined ~~((in Bulletin of Information, 1984;))~~ by the American Board of Medical Genetics, Inc., ~~((as a:~~

- ~~(a) Genetic counselor;~~
- ~~(b) Clinical geneticist;~~
- ~~(c) Ph.D. medical geneticist;~~
- ~~(d) Clinical cytogeneticist; or~~
- ~~(e) Clinical biochemical geneticist))~~ or the American

Board of Genetic Counseling.

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-680-020 Board of health standards for screening and diagnostic tests during pregnancy. (1) For the purpose of RCW 48.21.244, ~~((RCW))~~ 48.44.344, and ~~((RCW))~~ 48.46.375, the following are standards of medical necessity for insurers, health care service contractors, and health maintenance organizations to use ~~((in determining medical necessity on a case-by-case basis))~~ when authorizing requests or claims for prenatal screening and/or diagnosis without the requirement of a case-by-case determination and including preprocedure and post-procedure genetic counseling:

(a) Maternal serum ~~((alpha-fetoprotein))~~ marker screening for all pregnant women beginning prenatal care before the twentieth completed ~~((menstrual))~~ week of gestation~~(:~~

~~(i) Without the requirement for case-by-case determination; and~~

~~(ii) Including post-procedure genetic counseling if test result is abnormal.~~

~~(b))~~.

(b) Maternal hepatitis B surface antigen (HBsAg) screening for all pregnant women during the first trimester of pregnancy and the last trimester of pregnancy if the woman is at high risk for hepatitis B infection.

(c) Information about Group B strep should be provided to all pregnant women, including the risk to the newborn, if the woman is identified through screening as potentially colonized with Group B strep. Screening is done through prenatal vaginorectal cultures, although specific clinical indicators may preclude screening. Pregnant women who are currently colonized with Group B strep, or who have unknown Group B strep status should receive intrapartum treatment in accordance with the current standard of practice in order to reduce risk to the newborn.

(d) Prenatal ultrasonography if one or more of the following criteria are met:

(i) A woman undergoing amniocentesis, chorionic villus sampling, or percutaneous umbilical cord blood sampling or fetal tissue biopsy;

~~(ii) ((The results on a maternal serum alpha-fetoprotein screening test are abnormal;~~

~~((ii))~~ The results of a maternal serum marker screening test indicate an increased risk to the fetus or pregnancy;

(iii) A woman or ~~((her partner:~~
(A)) the biological father of the fetus has a ~~((prior child or fetus with))~~ personal or family history of a congenital

abnormality detectable by prenatal ~~((ultrasonography))~~ ultrasound; ~~((or~~

~~(B) Has a family history of congenital abnormality detectable by prenatal ultrasonography; or~~

~~(C) Is affected with a congenital abnormality detectable by prenatal ultrasonography.~~

(iv) A woman is suspected to be carrying a fetus with a congenital abnormality; or

~~(v))~~ (iv) An increased risk of a congenital abnormality is present due to an environmental exposure including maternal exposure to alcohol; or

(v) A medical evaluation indicates the possibility of ~~((hydramnios))~~ polyhydramnios or oligohydramnios.

~~((e))~~ (e) Amniocentesis ~~((with pre-procedure and post-procedure genetic counseling))~~ if one or more of the following criteria are met:

(i) A woman is thirty-five years of age or older at the time of delivery;

(ii) A woman or ~~((her partner having had))~~ the biologic father of the fetus has a previous child or fetus with a chromosomal abnormality or other prenatally diagnosable disorder;

(iii) A woman or the biologic father of the fetus has a family history that includes birth defects or developmental delays;

(iv) A woman or ~~((her partner))~~ the biologic father of the fetus is a carrier of a chromosomal rearrangement ~~((or anomaly))~~;

~~((iv))~~ A woman or her partner:

(A) With a neural tube defect; or

(B) Having had a child or fetus with a neural tube defect.

(v) A woman or her partner with a history of:

(A) A sibling with a neural tube defect;

(B) A parent with a neural tube defect;

(C) A niece or nephew with a neural tube defect; or

(D) Other risk factors related to a neural tube defect.

~~(vi))~~ (v) A woman and/or ~~((her partner))~~ the biologic father of the fetus are carriers of, or affected with, a ~~((prenatal))~~ prenatally diagnosable inherited disorder;

~~((vii))~~ (vi) The results ~~((of))~~ of a maternal serum ~~((alpha-fetoprotein))~~ marker screening test ~~((are abnormal))~~ indicate an increased risk to the pregnancy or fetus;

~~((viii))~~ (vii) A woman ~~((with))~~ has a documented history of three or more miscarriages of unknown cause when circumstances prevent parental chromosomal testing;

~~((ix))~~ (viii) There is an ultrasound diagnosis of fetal anomaly;

(ix) A medical evaluation indicates an increased risk of fetal infection;

(x) Fetal blood studies are indicated for isoimmunization studies or therapy.

~~((2))~~ The board recommends the following additional procedures for use of insurers, health service contractors, and health maintenance organizations in determining medical necessity on a case-by-case basis:

~~(a))~~ (f) Chorionic villus sampling with preprocedure and post-procedure genetic counseling if one or more of the following criteria are met:

(i) A woman is thirty-five years of age or older at the time of delivery;

(ii) A woman or ~~((her partner having had))~~ the biologic father of the fetus has a previous child or fetus with a chromosomal abnormality or other prenatally diagnosable inherited disorder;

(iii) A woman or ~~((her partner))~~ the biologic father of the fetus is a carrier of a chromosomal rearrangement ~~((or anomaly));~~

(iv) A woman or ~~((her partner are))~~ the biologic father of the fetus is a carrier~~((s))~~ of, or affected with, a ~~((prenatal))~~ prenatally diagnosable inherited disorder; ~~((or))~~

(v) A woman ~~((with))~~ has a documented history of three or more miscarriages of unknown cause when circumstances prevent parental chromosomal testing~~((-~~

~~((b)))~~; or

(vi) Fetal genotyping is indicated to determine risks for isoimmunization.

(g) Fluorescent in-situ hybridization (FISH) if a medical evaluation indicates a rapid or specific submicroscopic chromosomal diagnosis is required to predict the prognosis for the fetus.

(2) The board recommends the following additional procedures for use by insurers, health service contractors, and health maintenance organizations in determining medical necessity on a case-by-case basis:

(a) Percutaneous umbilical cord blood sampling with preprocedure and post-procedure genetic counseling if one or more of the following criteria are met:

(i) A medical evaluation indicates rapid or ~~((detailed))~~ specific submicroscopic chromosomal diagnosis or DNA diagnosis is required to~~((-~~

~~((A) Protect the health of the mother; or~~

~~((B)))~~ predict prognosis for the fetus~~((-))~~;

(ii) A medical evaluation indicates the possibility of a ~~((prenatal))~~ prenatally diagnosable fetal infection;

(iii) Fetal blood studies are medically indicated for isoimmunization studies or therapy;

(iv) Fetal blood is the only means to provide biochemical genetic diagnosis;

(v) Prenatal diagnosis of a hematological disorder~~((s))~~ is medically indicated.

(b) Prenatal tissue biopsy if the nature of the disorder in question indicates that fetal liver, skin, or other tissue biopsy is the only means to provide biochemical genetic diagnosis to protect the health of the mother or predict the prognosis of the fetus.

WSR 03-11-032

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed May 15, 2003, 9:12 a.m.]

Date of Adoption: May 5, 2003.

Purpose: Chapter 246-01 WAC describes the department's organization and function and provides information on how to contact the department. The department has amended chapter 246-01 WAC to update and improve the chapter. The agency has simplified the information that describes the organization, updated the contact information

for the department and repealed duplicative sections or information.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-01-040 and 246-01-070; and amending WAC 246-01-001, 246-01-080, and 246-01-090.

Statutory Authority for Adoption: Chapter 43.70 RCW, RCW 34.05.220, 42.17.250.

Adopted under notice filed as WSR 03-04-105 on February 5, 2003.

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 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, 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 3, Repealed 2.

Effective Date of Rule: Thirty-one days after filing.

May 13, 2003

Eric Stagle

Deputy Secretary

for Mary C. Selecky

Secretary

AMENDATORY SECTION (Amending Order 346, filed 3/24/93, effective 4/24/93)

WAC 246-01-001 Purpose and authority. ~~((1))~~ The purpose of this chapter is to describe the department of health and the general course and method of its operations. This chapter is adopted ~~((pursuant to))~~ under RCW 34.05.220 and 42.17.250, and chapter 43.70 RCW.

~~((2) The department of health is charged with preserving public health, monitoring health care costs, maintaining minimal standards for quality in health care delivery, and generally overseeing and planning the state's activities as they relate to the health of its citizenry.)~~

AMENDATORY SECTION (Amending WSR 95-10-043, filed 5/1/95, effective 6/1/95)

WAC 246-01-080 Organization. ~~((1) The department is headed by the secretary. The office of the secretary provides overall agency management, and is comprised of the secretary, deputy secretary, state health officer, policy and planning, legislative and constituent relations, minority affairs, and the communications office.~~

~~((2) Six assistant secretaries direct specific programs within the department.~~

~~((a) The assistant secretary for epidemiology and health statistics:~~

(i) Collects and analyzes data that provides information about the health of the population, hospital costs, hospital diagnosis and procedures;

(ii) Collects information on all births, deaths, marriages, and divorces within the state and makes official documentation of these events available to the public;

(iii) Conducts surveillance of communicable and non-communicable diseases and other health related events. Investigates disease outbreaks, epidemics, and clusters; provides technical assistance and advice in developing and implementing prevention/control programs; provides expert consultation to local health departments on epidemiologically impacted issues and, when necessary, directs support for responding to emergent public health situations;

(iv) Develops a health services information system that supports the implementation of health reform as envisioned under the Health Services Act of 1993, and monitors the effectiveness of the reformed health care environment;

(v) Monitors the consistency, quality, continuity, and comprehensiveness of the department's health assessment activities, including disease surveillance and program evaluation;

(iv) Provides a scientific basis for health policy and program management decisions within the department and, when requested, to local health departments.

(b) The assistant secretary for health systems quality assurance:

(i) Administers laws and enforces rules, regulations, and standards for the following professions:

Acupuncturists
 Airway management technicians
 Animal technicians
 Chiropractic x ray technicians
 Controlled substance researchers
 Counselors/registered & certified
 Dental hygienists
 Dentists
 Denturists
 Dieticians/nutritionists
 Dispensing opticians
 Doctors of chiropractic
 Drug manufacturers & wholesalers
 Emergency medical technicians
 First responders
 Health care assistants
 Hearing aid fitters
 Intravenous technicians
 Legend drug sample distributors
 Massage practitioners
 Midwives
 Naturopathic physicians
 Nursing assistants
 Nursing home administrators
 Nursing pools
 Occupational therapists
 Occupational therapists' assistants
 Ocularists
 Optometrists
 Osteopathic physicians and surgeons

Osteopathic physicians' assistants
 Osteopathic physicians' acupuncture assistants
 Pharmacists
 Paramedics
 Pharmacy assistants
 Physical therapists
 Physicians and surgeons
 Physician assistants
 Podiatric physicians and surgeons
 Practical nurses
 Psychologists
 Radiological technologists
 Registered nurses
 Respiratory care practitioners
 Sex offender treatment providers
 Veterinarians
 Veterinary med clerks
 X ray technicians

(ii) Sets standards, inspects, licenses, or certifies, provides consultation, and reviews and approves construction of new buildings, alterations, additions, and conversions of health and residential care facilities for:

Acute care hospitals
 Adult residential rehabilitation centers
 Alcoholism treatment facilities
 Alcoholism hospitals
 Ambulatory surgery centers
 Boarding homes
 Childbirth centers
 Child day care centers
 Comprehensive outpatient rehabilitation
 Department of corrections facilities
 Juvenile rehabilitation facilities
 End stage renal disease centers
 Eye banks
 Ferry systems
 Group care facilities for children
 Home health care agencies
 Home care agencies
 Hospice agencies
 Hospice care facilities
 Occupational therapist independent practice
 Outpatient physical therapy/speech pathology
 Physical therapist independent practice
 Private adult treatment homes
 Psychiatric hospitals
 Residential treatment facilities for psychiatrically impaired children & youth
 Rural health care facilities
 Rural health care clinics
 Soldiers' home
 State school for the blind
 State school for the deaf
 State hospitals for the mentally ill
 Temporary worker housing
 Transient accommodations
 Veterans' home

(iii) Regulates the development of various new health care facilities and services based on community need, financial feasibility, cost containment, and quality of care;

(iv) Establishes and promotes a system of emergency medical and trauma services, which includes: Developing, evaluating, and monitoring training programs; licensing and inspection; and technical assistance for a comprehensive statewide integrated emergency medical system; and

(v) Regulates clinical laboratory testing sites and practices.

(e) The assistant secretary for community and family health is responsible for assessing the health status of Washington state citizens regarding disease, injury, and nutrition; developing policy based on those assessments that will prevent disease, premature death and disability, and will promote health lifestyles and environments; and assuring access to quality services consistent with approved policy in the following areas:

(i) Comprehensive planning for health services for children and adolescents and their families and primary caretakers, including parenting education, nutrition consultation, oral health programs, teen pregnancy prevention and immunizations;

(ii) A continuum of services designed for infants or children with, or at risk for, special health care needs and their families;

(iii) High quality low cost, comprehensive family planning and reproductive health care services;

(iv) Health and support services for pregnant women, lactating and other post-partum women, and infants;

(v) Supplemental foods, nutrition education, and referral for health services for eligible pregnant women, lactating and other post-partum women, and infants and children at risk;

(vi) Programs to control the complications of diabetes and to identify and develop interventions for the prevention of death and disability from intentional and unintentional injury;

(vii) Public education and marketing campaigns on a spectrum of health related topics; programs which develop and supply health and safety educational materials to schools, local health, and community agencies;

(viii) Surveillance and services designed to reduce death and disease related to cancer, heart disease and stroke by providing public education/awareness programs, screening projects, professional education, and development of community coalitions;

(ix) Surveillance and services that interrupt the transmission of human immunodeficiency virus (HIV) and other sexually transmitted diseases (STD), and reduce associated morbidity and mortality by planning, as well as supporting the individual rights and human dignity of those infected and those considered at risk; and

(x) Surveillance and services that reduce the morbidity and mortality due to tuberculosis and vaccine preventable disease.

(d) The assistant secretary for environmental health provides training, public education services, and technical assistance to local health agencies and other agencies; and provides direct surveillance, monitoring, and enforcement activ-

ities to prevent, control, and abate health hazards and nuisances related to:

(i) Contaminated shellfish;

(ii) Contamination due to illegal drug manufacturing and storage;

(iii) Disease carrying insects and rodents;

(iv) Disposal of solid and liquid wastes;

(v) Food service sanitation;

(vi) On-site sewage disposal;

(vii) Public drinking water systems;

(viii) Ionizing radiation;

(ix) Schools, campgrounds, and parks;

(x) Toxic substance exposure; and

(xi) Water recreation facilities.

(e) The assistant secretary for public health laboratories oversees laboratories that aid in the diagnosis, treatment, and prevention of various diseases by:

(i) Testing and analyzing clinical and environmental specimens and samples including food, food products, shellfish, drinking water, and seawater;

(ii) Testing to detect certain treatable metabolic disorders in newborns;

(iii) Testing for radioactivity in materials, mine tailings, and ores; and

(iv) Performing inorganic and organic chemical analyses on drinking water, and other environmental samples such as soil, paint chips, ceramics and potteries, beverages, food, and others.

(f) The assistant secretary for management services provides administrative, financial, contracting, facility information processing, and human resource services to the department's operating programs.

(3)(a) Each assistant secretary is hereby delegated authority to administer the programs within their respective areas of responsibility, including, without limitation, the authority to sign documents on behalf of the secretary and the department. Each assistant secretary is authorized to further delegate his or her authority to such persons and in such manner as deemed necessary or appropriate in the management of the department's business.

(b) In the absence of the secretary, the following are authorized to act on behalf of the department:

(i) The deputy secretary;

(ii) In the absence of the deputy secretary, the state health officer;

(iii) In the absence of the state health officer, the assistant secretary for management services;

(iv) In the absence of all of the foregoing, any assistant secretary.

(c) Any person designated as "acting" in a position described in this section shall have the same authority while so designated as if she or he had been appointed to fill the position on a permanent basis.)) (1) DOH exists to protect and improve the health of the people of Washington. The department shares this mission with three primary partners:

(a) Professional boards, commissions, and committees, which have varying degrees of statutory authority, ranging from advisory powers to rule adoptions and disciplinary powers;

(b) The state board of health which has statutory authority to adopt rules to protect the public health, and may delegate this authority to the secretary and rescind the delegated authority; and

(c) Local health jurisdictions throughout the state.

(2) DOH is organized into five administrative divisions plus the secretary's office and information resource management offices:

(a) Community and family health;

(b) Environmental health;

(c) Epidemiology, health statistics and public health laboratories;

(d) Health systems quality assurance; and

(e) Management services.

(3) DOH maintains offices in Kent, Olympia, Tumwater, Richland, Shoreline and Spokane. These offices are not complete service locations and are not required to keep complete policy manuals and other records available for public inspection.

AMENDATORY SECTION (Amending Order 346, filed 3/24/93, effective 4/24/93)

WAC 246-01-090 Consumer assistance. (1) The department provides a consumer assistance statewide toll-free hotline. Consumer assistance personnel assist the public with information, concerns, or complaints about the department and serve as advocates for consumers who are complainants or witnesses in a licensing or disciplinary proceeding. The health consumer assistance line is 1-800-525-0127; its mailing address is P.O. Box ((47891)) 47890, Olympia, WA 98504-((7891))7890.

~~(2) ((The public may send submissions or written requests for information concerning the course and method of the department's operation to: Rules Coordinator, Management Services, 1300 S.E. Quince Street, P.O. Box 47902, Olympia, WA 98504-7902.)) Individuals may contact the department to obtain or submit information, or make requests by:~~

~~(a) Writing to the department at Department of Health, P.O. Box 47890, Olympia, WA 98504-7890; or~~

~~(b) Visiting the department's website at: <http://doh.wa.gov>.~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 246-01-040 Department and professional boards—Relationship.

WAC 246-01-070 Department and health professions resource committee—Relationship.

WAC 246-01-100 Current address.

**WSR 03-11-033
PERMANENT RULES
DEPARTMENT OF HEALTH**

[Filed May 15, 2003, 9:15 a.m.]

Date of Adoption: February 5, 2003.

Purpose: To implement RCW 18.108.230(5) which created endorsements for small or large animal practitioners.

Citation of Existing Rules Affected by this Order: Amending WAC 246-830-005.

Statutory Authority for Adoption: RCW 18.108.230(5).

Adopted under notice filed as WSR 03-01-111 on December 18, 2002.

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 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

April 8, 2003

Ted Hulbert, Chair
Board of Massage

AMENDATORY SECTION (Amending WSR 96-22-098, filed 11/6/96, effective 12/7/96)

WAC 246-830-005 Definitions. For the purpose of administering chapter 18.108 RCW, the following definitions shall apply:

(1) "Massage" is as defined in RCW 18.108.010.

(2) "Massage school" is an institution which has the sole purpose of offering training in massage therapy.

(3) "Massage program" is training in massage therapy offered by an academic institution which also offers training in other areas of study. A program is an established area of study offered on a continuing basis.

(4) "Apprenticeship program" is defined for the purposes of this chapter as training in massage administered by an apprenticeship trainer that satisfies the educational requirements for massage set forth in WAC 246-830-430, 246-830-440, and 246-830-450. This training shall be offered by an apprenticeship trainer to no more than three apprentices at one time and shall be completed within two years.

(5) "Apprenticeship trainer" is defined as a massage practitioner licensed in the state of Washington with not less than five current years of experience in full-time practice.

(6) "Apprentice" is defined as an individual enrolled in an apprenticeship program, and shall be held to the same standards as students in schools or programs.

PERMANENT

(7) "Student" (~~((shall))~~) means an individual currently enrolled in an approved school, program, or apprenticeship program, who is practicing massage solely for the purposes of education as is incidental to their current course work and who is not receiving compensation for said practice.

(8) "Direct supervision" (~~((shall))~~) means a faculty member is on the premises, is quickly and easily available and the client has been examined by the faculty member at such time as acceptable massage practice requires.

(9) "Animal" means any species normally recognized as treatable by veterinary medicine.

(10) "Large animal" means any species commonly recognized as livestock and exotics. Livestock includes horses, cattle, swine and sheep.

(11) "Small animal" means any species commonly recognized as domesticated. Domesticated includes canine, feline and other small animals.

NEW SECTION

WAC 246-830-435 Animal massage training. (1) For the purpose of animal massage practitioner endorsement as provided in chapter 18.108 RCW, board approval will be given to any training that consists of a minimum of one hundred hours. An hour of training is defined as fifty minutes out of a clock hour of actual instructional time. These one hundred hours must consist of the following:

- (a) Twenty-five hours of animal massage technique;
- (b) Twenty-five hours of animal kinesiology;
- (c) Twenty hours of animal anatomy and physiology;
- (d) Four hours of animal first aid which includes knowledge of normal vital signs, identification of emergency or life threatening situations, emergency first-aid application, and legal boundaries of emergency situations; and

(e) Twenty-six hours of proper handling techniques which must include instruction on the ability to control the animal to minimize risk of harm to the animal and the animal massage practitioner.

(2) Any school or training program that is required to be licensed by private vocational education (see chapter 28C.10 RCW or Title 28B RCW), or any other statute, must complete those requirements before the board will consider the training for approval.

WSR 03-11-034

PERMANENT RULES

DEPARTMENT OF HEALTH

(Veterinary Board of Governors)

[Filed May 15, 2003, 9:17 a.m.]

Date of Adoption: May 15, 2003.

Purpose: WAC 246-935-070 Examination for registration as animal technician, this proposal will ensure the rule complies with 2000 legislation that changed "animal technician" to "veterinary technician," removes unnecessary language, and changes the national examination passing criteria to the national standard.

Citation of Existing Rules Affected by this Order:
Amending WAC 246-935-070.

Statutory Authority for Adoption: RCW 18.92.030.

Adopted under notice filed as WSR 03-04-104 on February 5, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, 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 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

April 14, 2003

Michael Wedam, DVM, Chair
Veterinary Board of Governors

AMENDATORY SECTION (Amending Order 353B, filed 3/30/93, effective 4/30/93)

WAC 246-935-070 Examination for registration as ~~((animal))~~ a veterinary technician. (1) All applicants shall be required to successfully complete the veterinary technician national examination as approved by the board, and the Washington state ~~((veterinary technician))~~ examination ~~((a) The national examination shall consist of questions on the following areas: Basic sciences, animal care and management/husbandry (including farm, pet, and research animals) and clinical sciences (including small and large animal patient care). The examination is designed to measure essential job-related knowledge at the entry level.~~

~~((b) The Washington state examination shall consist of questions pertaining to laws regulating animal technicians and to laws regulating animal health care in the state.))~~ that consists of questions pertaining to the laws and rules regulating technicians.

(2) ~~((In order to pass examination for registration as an animal technician, the applicant shall attain a minimum grade of))~~ The passing criteria or score is:

(a) ~~((1.5 standard deviation below the national mean of the criterion population))~~ Criteria-referenced passing score on the national examination.

(b) Ninety percent on the Washington state examination.

WSR 03-11-035
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 15, 2003, 10:24 a.m.]

Date of Adoption: May 15, 2003.

Purpose: Worker wage calculation, chapter 296-14 WAC, the purpose of the rules is to provide the methods and factors used in calculating the monthly wage of injured workers and crime victims under RCW 51.08.178. These rules interpret and implement the supreme court's decision in *Cockle v. Department of Labor and Industries*, 142 Wn.2d 801 (2001).

Statutory Authority for Adoption: RCW 51.04.010, 51.04.020.

Other Authority: *Cockle v. Department of Labor and Industries*, 142 Wn.2d 801 (2001) (directs that the amount of employer contributions for "core, nonfringe benefits critical to protecting the basic health and survival of workers" must be included in the worker's monthly wages under Title 51 RCW).

Adopted under notice filed as WSR 02-22-028 on October 28, 2002.

Changes Other than Editing from Proposed to Adopted Version: The department made a format change in the numbering of WAC 296-14-526. This change was made for clarity purposes. The meaning itself, however, remains the same.

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 6, 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 6, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 15, 2003

Paul Trause

Director

NEW SECTION

WAC 296-14-520 Why is it important to establish the worker's monthly wage? The department or self-insurer is required to establish a monthly wage that fairly and reasonably reflects workers' lost wages from all employment at the time of injury or date of disease manifestation. This monthly wage, which is calculated using the formulas in RCW 51.08.178, represents the worker's lost earning capacity. This monthly wage is used to calculate the rate of the worker's

total disability compensation or beneficiary's survivor benefits under Washington's Industrial Insurance Act.

NEW SECTION

WAC 296-14-522 What does the term "wages" mean? The term "wages" is defined as:

(1) The gross cash wages paid by the employer for services performed. "Cash wages" means payment in cash, by check, by electronic transfer or by other means made directly to the worker before any mandatory deductions required by state or federal law. Tips are also considered wages but only to the extent they are reported to the employer for federal income tax purposes.

(2) Bonuses paid by the employer of record as part of the employment contract in the twelve months immediately preceding the injury or date of disease manifestation.

(3) The reasonable value of board, housing, fuel and other consideration of like nature received from the employer at the time of injury or on the date of disease manifestation that are part of the contract of hire.

Exception: Payments for items other than board, housing, fuel or other consideration of like nature made by the employer to a trust fund or other entity for fringe benefits do not constitute wages.

NEW SECTION

WAC 296-14-524 How do I determine whether an employer provided benefit qualifies as "consideration of like nature" to board, housing and fuel? To qualify as "consideration of like nature" the employer provided benefit must meet all of the following elements:

(1) The benefit must be objectively critical to protecting the worker's basic health and survival at the time of injury or date of disease manifestation.

(a) The benefit must be one that provides a necessity of life at the time of injury or date of disease manifestation without which employees cannot survive a period of even temporary disability.

(b) This is not a subjective determination. The benefit must be one that virtually all employees in all employment typically use to protect their immediate health and survival while employed.

(c) The benefit itself must be critical to protecting the employee's immediate health and survival. The fact that a benefit has a cash value that can be assigned, transferred, or "cashed out" by an employee and used to meet one or more of the employee's basic needs is not sufficient to satisfy this element.

(2) The benefit must be readily identifiable. The general terms and extent of the benefit must be established through the employer's written policies, or the written or verbal employment contract between the employer and worker (for example, a collective bargaining agreement that requires the employer to pay a certain sum for the employee's health insurance).

(3) The monthly amount paid by the employer for the benefit must be reasonably calculable (for example, as part of the employment contract, the employer agrees to pay three

dollars for each hour worked by the employee for that person's health insurance).

Examples of benefits that qualify as "consideration of like nature" are medical, dental and vision insurance provided by the employer.

Examples of benefits that do not qualify as "consideration of like nature" are retirement benefits or payments into a retirement plan or stock option, union dues and life insurance provided by the employer.

NEW SECTION

WAC 296-14-526 Is the value of "consideration of like nature" always included in determining the worker's compensation? (1) No. The value of other consideration of like nature is only included in the worker's monthly wage if:

(a) The employer, through its full or partial payment, provided the benefit to the worker at the time of injury or on the date of disease manifestation;

(b) The worker received the benefit at the time of injury or on the date of disease manifestation.

This section is satisfied if, at the time of injury or on the date of disease manifestation:

(i) The employer made payments to a union trust fund or other entity for the identified benefit; and

(ii) The worker was actually eligible to receive the benefit.

Example: At the time of the worker's industrial injury, the employer paid two dollars and fifty cents for each hour worked by the employee to a union trust fund for medical insurance on behalf of the employee and her family. If the employee was able to use the medical insurance at the time of her injury, the employer's monthly payment for this benefit is included in the worker's monthly wage, in accordance with (d) of this subsection. This is true even where the worker's eligibility for this medical insurance is based primarily or solely on payments to the trust fund from past employers.

(c) The worker or beneficiary no longer receives the benefit and the department or self-insurer has knowledge of this change.

If the worker continues to receive the benefit from a union trust fund or other entity for which the employer made a financial contribution at the time of injury or on the date of disease manifestation, the employer's monthly payment for the benefit is **not** included in the worker's monthly wage.

Example: An employer contributes two dollars and fifty cents for each hour an employee works into a union trust fund that provides the employee and her family with medical insurance. If the employer stops contributing to this fund, but the worker continues to receive this benefit, the employer's monthly payment for the medical insurance is not included in the worker's monthly wage.

(2) This rule does not permit the department or self-insurer to alter, change or modify a final order establishing the worker's monthly wage except as provided under RCW 51.28.040.

NEW SECTION

WAC 296-14-528 How do I determine the value of a benefit that qualifies as "consideration of like nature"? The amount paid by the employer for the benefit at the time of injury or on the date of disease manifestation represents the amount that may be included in the worker's monthly wage.

NEW SECTION

WAC 296-14-530 Is overtime considered in calculating the worker's monthly wage? (1) When the worker's monthly wage is computed under RCW 51.08.178(1), only the overtime hours the worker normally works are taken into consideration.

(2) When the worker's monthly wage is computed under RCW 51.08.178(2), the overtime pay is included in determining the worker's wages.

WSR 03-11-040

PERMANENT RULES

GAMBLING COMMISSION

[Order 419—Filed May 15, 2003, 4:41 p.m., effective June 30, 2003]

Date of Adoption: May 9, 2003.

Purpose: RCW 9.46.070(10) requires that the commission regulate and establish limits on income derived from bingo and determine how much of the funds will be returned to a charity's stated purpose. WAC 230-20-059 sets forth the minimum gambling proceeds bingo licensees must return to their stated purpose. If a licensee fails to meet the minimum requirements, the director issues administrative charges revoking the gambling license. The provision in this rule, which allowed bingo licensees to petition the commission for a variance from the cash flow requirements was removed. Bingo licensees will now proceed directly to a hearing before an administrative law judge and appeal right to the commission, the same as other licensees which are issued administrative charges to revoke their license.

Citation of Existing Rules Affected by this Order: Amending WAC 230-20-059.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 03-05-088 on February 19, 2003.

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 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: June 30, 2003.

May 15, 2003
Susan Arland
Rules Coordinator

AMENDATORY SECTION (Amending Order 397, filed 2/9/01, effective 4/1/01)

WAC 230-20-059 Minimum cash flow requirements for bingo games—Contributions to stated purpose—Sanctions. Bingo shall be conducted only as a social pastime or for fund-raising to support the stated purpose(s) of a charitable or nonprofit organization. Organizations licensed to conduct bingo games shall comply with the following procedures and limitations:

Contributions.

(1) To ensure that organizations licensed to conduct bingo games meet the intent of RCW 9.46.010 and provide funds adequate to promote charitable and nonprofit programs, such organizations shall not allow their bingo operation to award prizes or pay expenses to conduct bingo games that are excessive and all capital expenditures for the bingo operation that exceed six thousand dollars shall be specifically approved by the governing board.

An organization licensed to conduct bingo games shall ensure that the adjusted cash flow from the bingo operation available for its charitable and nonprofit programs is at least the following amount during each calendar quarter:

(a) For gross receipts above \$375,000 up to \$625,000 - 3% of gross receipts over \$375,000;

(b) For gross receipts above \$625,000 up to \$875,000 - \$7,500 plus 4% of gross receipts over \$625,000;

(c) For gross receipts above \$875,000 up to \$1,125,000 - \$17,500 plus 5% of gross receipts over \$875,000; and

(d) For gross receipts above \$1,125,000 - \$30,000 plus 6% of gross receipts over \$1,125,000.

Failure to meet the requirements of this subsection for any single calendar quarter shall not result in sanctions against the licensee.

Definitions.

(2) The following definitions shall apply to this section:

(a) "Gross receipts" shall mean the combined gross gambling receipts from bingo, pull-tab and punch board activities.

(b) "Adjusted cash flow from the bingo operation" shall mean the combined gross income of the bingo operation less all prizes and expenses, whether paid or accrued. For the purposes of computing expenses, depreciation or amortization, shall not be considered an expense of the bingo operation.

(c) "Bingo operation" shall mean bingo games and all associated activities conducted in conjunction with bingo games at the same location including punch boards, pull-tabs, ((raffles,)) snack bar, retail sales activities ((and)), rental of

the bingo premises and drawings authorized under WAC 230-20-242.

Sanctions for failing to maintain a positive adjusted cash flow.

(3) If a bingo licensee does not maintain a positive adjusted cash flow from the bingo operation during any two consecutive calendar quarters measured independently, it shall be deemed to be operating primarily for gambling purposes. In this event, the director shall summarily suspend the organization's bingo license.

Sanctions for failing to meet adjusted cash flow requirements.

(4)(a) If a bingo licensee fails to meet the adjusted cash flow requirements of subsection (1) of this section when averaged over a period of any two consecutive calendar quarters, the licensee shall:

(i) Develop a plan to gain compliance;

(ii) Take immediate steps to reduce expenses and prizes paid and to increase income from all activities conducted in conjunction with the bingo game; and

(iii) Report the plan and action taken to commission staff no later than sixty days after the end of the period. Such report shall be in writing and signed by the president or chief operating officer.

(b) If a bingo licensee fails to meet the adjusted cash flow requirements of subsection (1) of this section when averaged over a period of any four consecutive calendar quarters, administrative action shall be taken to revoke the organization's bingo license(~~(- Provided, That adjusted cash flow requirements shall be adjusted for any variance granted under subsection (5) of this section.~~).

Petitions for variance.

~~(5) A bingo licensee may petition the commission for a variance in the following circumstances:~~

~~(a) A licensee who fails to meet the adjusted cash flow requirements of subsection (1) of this section when averaged over a period of any four consecutive calendar quarters, but is within ten percent of those requirements, may petition the commission for a one-time variance based on their plans to gain compliance over the next four quarters.~~

~~(b) A licensee with long-term, legally binding financial obligations for its bingo facility as of the effective date of this rule, may petition the commission for a variance for a period of no more than two years based on their plans to gain compliance within the two years. This variance shall be in the form of a reduction to the dollar amount of adjusted cash flow required by subsection (1) of this section).~~

WSR 03-11-041

PERMANENT RULES

GAMBLING COMMISSION

[Order 420—Filed May 15, 2003, 4:42 p.m., effective July 1, 2003]

Date of Adoption: May 9, 2003.

Purpose: Currently, loans of \$2,000 or more must be reported to the commission if they are not obtained from a federally recognized financial institution. Staff source the funds to ensure the moneys are clean and persons with ties to criminal activities do not infiltrate gambling operations in Washington state. Language was added to require contributions of *cash and assets* to also be reported to the commission. This amendment enables staff to be fully informed on all of the licensee's financing activities and facilitates a more complete financial investigation on all parties involved in the financing of a gambling operation. Currently, a licensee can receive approval from staff for a line of credit (for example, from a financier licensed as a service supplier) from which they can take draws from over a period of time. At times, these draws can occur years after the original funds were investigated and sourced. During this time, the "original" moneys that were sourced are gone and other moneys are held in the account, which may be drawn on by the licensee. By requiring draws to be reported, staff can track the moneys and if necessary, source new funds that have replaced the funds, which were originally sourced. The reporting threshold was increased from \$2,000 to \$10,000.

Citation of Existing Rules Affected by this Order: Amending WAC 230-12-305.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 03-08-001 on March 19, 2003.

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 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 2003.

May 15, 2003

Susan Arland

Rules Coordinator

AMENDATORY SECTION (Amending Order 250, filed 3/16/94, effective 4/16/94)

WAC 230-12-305 Licensee required to submit updated documents or information. In addition to any other requirements set forth in these rules, ~~((the))~~ persons licensed by the commission shall ~~((be required to))~~ submit any ~~((changes in the following))~~ new or updated documents or information ~~((on file with the commission))~~ including, but not limited to, the following:

(1) Articles of incorporation or by laws, or any other documents which set out the organizational structure and purposes;

(2) Internal Revenue Service tax exemption status (charitable/nonprofit organizations only);

(3) All ~~((leases, rental, consignment, franchise, or other))~~ contracts and agreements ((relating)), whether oral or written which relate to gambling activities or ((altering the commercial stimulant business, whether oral or written)) alter the organizational structure of the licensee or its business activities in Washington state; and

(4) All cash or asset contributions, draws from lines of credit, and loans, from other than recognized financial institutions, which individually or collectively exceed a total of ~~(((\$2,000.00))~~ ten thousand dollars during any calendar year; Provided, That cash or asset contributions do not include donations to licensed charitable or nonprofit organizations.

Submission timeline.

(5) The new or updated documents and/or information shall be submitted to the commission by notation on the next quarterly activity report filed, and by attaching all details concerning each transaction: Provided, That licensees not required to submit quarterly activity reports shall submit the required information no later than ~~((60))~~ sixty days following the transaction(s) date.

WSR 03-11-042

PERMANENT RULES

GAMBLING COMMISSION

[Order 421—Filed May 15, 2003, 4:43 p.m., effective July 1, 2003]

Date of Adoption: May 9, 2003.

Purpose: The Gambling Commission is authorized to control equipment used in conjunction with activities authorized under chapter 9.46 RCW. Currently, staff reviews new equipment as part of the initial licensing process of a manufacturer. However, commission rules focus the reviews on ownership and manufacturing issues; security and compliance of the equipment are not addressed in the rules. Procedures for reviewing equipment for integrity and compliance are currently set by policy. This rules package formalizes the process in the administrative rules.

Citation of Existing Rules Affected by this Order: Amending WAC 230-02-412, 230-04-110, and 230-12-315.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 03-08-002 on March 19, 2003.

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 1, Amended 3, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 2003.

May 15, 2003

Susan Arland

Rules Coordinator

AMENDATORY SECTION (Amending Order 385, filed 7/14/00, effective 1/1/01)

WAC 230-02-412 Gambling equipment defined. For purposes of this title, gambling equipment means any device, gambling related software, expendable supply or any other paraphernalia used in conjunction with or to facilitate gambling. Gambling equipment includes, but is not limited to:

- (1) Amusement games;
- (2) Punch boards and pull-tabs;
- (3) Devices for dispensing pull-tabs;
- (4) Electronic devices for conducting, facilitating or accounting for the results of gambling activities, including, but not limited to:
 - (a) Components of a tribal lottery system;
 - (b) Electronic devices for reading and displaying outcomes of ~~((pull tabs defined by WAC 230-02-260))~~ gambling activities; and
 - (c) Accounting systems that are a part of, or directly connected to, a gaming system including, but not limited to:
 - (i) Bet totalizers; ~~((€))~~
 - (ii) Progressive jackpot meters; or
 - (iii) Keno systems;
- (5) Bingo equipment, as defined in WAC 230-02-250;
- (6) Equipment or machinery utilized for the manufacture of gambling equipment when such equipment is designed primarily for such purpose;
- (7) Devices and supplies used to conduct card games, fund-raising events, recreational gaming activities, or Class III gaming activities, as defined in the Indian Gaming Regulatory Act at U.S.C. 25 chapter 29 § 2703 and in Tribal-State compacts, including, but not limited to:
 - (a) Gaming chips;
 - (b) Cards;
 - (c) Dice;
 - (d) Card shuffling devices;
 - (e) Graphical game layouts for table games;
 - (f) Ace finders or ~~((no-peek))~~ no-peek devices;
 - (g) Roulette wheels; ~~((and))~~
 - (h) Keno equipment; and
 - (i) Tables manufactured exclusively for gaming purposes.

AMENDATORY SECTION (Amending Order 385, filed 7/14/00, effective 1/1/01)

WAC 230-04-110 Licensing of manufacturers. ~~((Except as authorized by WAC 230-04-115;))~~ A license must be obtained from the commission prior to manufacturing, selling, or supplying gambling equipment to any person(s) within this state, or for use within this state: Provided, That amusement game manufacturers and manufacturers operating under a special sales permit (WAC 230-04-115) do not require a manufacturer's license. The following requirements apply to certification and licensing of manufacturers:

Information required on an application.

- (1) The following information shall be submitted on an application form supplied by the commission:
 - (a) The full name and address of the applicant;
 - (b) The full name and address of each location where such devices are manufactured or stored;
 - (c) The name, home address, and share of ownership of all owners of the manufacturing business if the business is not a corporation. If the business is a corporation, the name, address, and share of ownership of the officers, the directors, and substantial interest holders;
 - (d) A full description of each separate type of gambling equipment or device that an applicant seeks to manufacture or to market in this state;
 - (e) The brand name under which each type of gambling device or equipment is sold;
 - (f) If the applicant is incorporated under laws other than the laws of Washington state, then the full name and business and home address of the resident agent designated by the applicant pursuant to WAC 230-12-300; and
 - (g) A list of all distributors receiving gambling equipment and all businesses or organizations located within the state of Washington in which the applicant has any financial interest and the details of that financial interest. For the purpose of this subsection, the term financial interest shall include all arrangements through which a person directly or indirectly receives any portion of the profits of the licensed manufacturer and indebtedness between the licensee and any other person, other than a regulated financial institution, in excess of five thousand dollars.

Information to be included with an application.

- (2) The following information shall be included as an attachment to the application form:
 - (a) A list of all affiliated businesses or corporations in which the applicant, officers, directors, or substantial interest holders of the applicant, either directly or indirectly, own or control:
 - (i) As a sole proprietor;
 - (ii) As a partner;
 - (iii) More than fifty percent of the voting stock of a privately held or closed corporation; or
 - (iv) At least five percent of the voting stock of a publicly traded corporation.
 - (b) A list of all businesses or corporations licensed to conduct gambling activities or to supply gambling-related equipment, supplies, or services in which the applicant, offic-

ers, directors, or substantial interest holders of the applicant have any interest;

(c) A list of all jurisdictions in which the applicant or any of the officers, directors, or substantial interest holders of the applicant have been licensed regarding gambling related activities at any level during the preceding ten years;

(d) A statement regarding whether the applicant or officers, directors, or substantial interest holders have ever had a license for gambling-related activities denied, revoked, or suspended by any jurisdiction for a period longer than thirty days. All details of such must be provided as a part of the application; and

(e) A statement acknowledging that all records related to the ownership or operation of the business shall be made available for review at the time and place requested by commission staff.

Additional information may be required from applicant.

(3) The following records shall also be available for inspection by commission staff:

(a) Personal financial records of all substantial interest holders;

(b) All records related to the scope of activity, including sales of product, purchases of raw materials and parts, and any contracts, franchises, patent agreements, etc., related to sales or purchases; and

(c) Records related to any financial or management control of or by customers and suppliers.

Applicant to demonstrate ability to comply with rules.

(4) An applicant must demonstrate the ability to comply with all manufacturing, quality control, and operational restrictions imposed on authorized gambling equipment, patented or otherwise restricted gaming schemes (also referred to as proprietary games), or equipment that it seeks to manufacture or market for use within the state of Washington. The licensing process shall include an on-site review of the applicant's manufacturing equipment and process for each separate type of authorized gambling device, equipment, or scheme to ensure capability to comply with all regulatory requirements of this title and state/tribal compacts;

Notifying commission staff of changes on an application.

(5) The applicant shall notify the commission within thirty days of any change in the information submitted on or with the application form, including changes that occur after the license has been issued; and

Applicant to comply with all laws and rules.

(6) The applicant shall comply with all applicable laws of the United States and the state of Washington and all applicable rules of this commission.

AMENDATORY SECTION (Amending WSR 97-14-012, filed 6/20/97, effective 7/21/97)

WAC 230-12-315 Request for review services (~~((related to gambling activities))~~)—Fees. Any person (~~((requesting commission staff review, inspection, and/or~~

~~evaluation of))~~ submitting equipment, paraphernalia, services, or schemes (~~((related to licensed gambling activities shall reimburse the commission the cost to conduct such. If the requestor is currently licensed or has applied for a license, there will be no assessment of cost for the first two hours of service. Provided, That this two-hour exemption does not apply to any review conducted as part of a prelicensing investigation))~~) for review, inspection, and/or evaluation by commission staff shall reimburse the commission the cost of services performed. A deposit of the estimated cost may be required prior to performance of such service. If a deposit is required, it shall be received by the commission prior to the performance of any substantial work on the request.

NEW SECTION

WAC 230-12-316 Electronic or mechanical equipment review. A licensee must submit electronic or mechanical gambling equipment to the director for review to verify compliance with chapter 9.46 RCW and Title 230 WAC prior to the sale, lease or operation of such equipment. The equipment shall meet technical standards for compliance, accuracy, security and integrity. Persons not licensed by the commission may also request equipment review to verify compliance with state laws and rules.

(1) Manufacturers may be required to submit electronic or mechanical gambling equipment for review.

(a) To allow for continued testing and training, any equipment that is submitted for review under this section may be kept by the director for as long as the equipment remains out for play in the state of Washington.

(b) The gambling commission and staff are not liable for any damage to equipment while in their possession.

(2) Fees for review shall be as set forth in WAC 230-12-315.

(3) Equipment operated in Washington state must be identical to the version reviewed by the director.

(4) Equipment in operation on July 1, 2003, may continue in operation pending review by the director.

(5) If the person submitting such equipment does not agree with the director's decision, a petition for declaratory order may be filed with the commission to be heard de novo by an administrative law judge designated by the commission, pursuant to RCW 34.05.240 and WAC 230-50-850.

WSR 03-11-046

PERMANENT RULES

COUNTY ROAD

ADMINISTRATION BOARD

[Filed May 16, 2003, 11:10 a.m.]

Date of Adoption: April 17, 2003.

Purpose: Amends the NWR's ability to contribute on one project for each county a maximum RATA contribution of seven hundred fifty thousand dollars; 20% limit on percentage of the forecasted regional apportionment amount instead of 25% on all projects.

Citation of Existing Rules Affected by this Order:
Amending WAC 136-161-080 Limitations on allocations of RATA funds to counties.

Statutory Authority for Adoption: Chapter 36.79 RCW.

Adopted under notice filed as WSR 03-05-008 on February 7, 2003.

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.

May 7, 2003

Jay P. Weber

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-021, filed 12/7/98, effective 1/7/99)

WAC 136-161-080 Limitations on allocations of RATA funds to counties. For any project program period, no county shall receive a RATA fund allocation greater than the following maximum project RATA contribution, or percentage of the forecasted regional apportionment amount:

(1) PSR: No maximum project RATA contribution; 40% limit on percentage of the forecasted regional apportionment amount;

(2) NWR: Maximum project RATA contribution is five hundred thousand dollars(~~(-twenty-five))~~, except that on one project for each county there is a maximum RATA contribution of seven hundred fifty thousand dollars; twenty percent limit on percentage of the forecasted regional apportionment amount;

(3) NER: No maximum project RATA contribution; twelve and one-half percent limit on percentage of the forecasted regional apportionment amount;

(4) SWR: No maximum project RATA contribution; fifteen percent limit on percentage of the forecasted regional apportionment amount;

(5) SER: No maximum project RATA contribution; percentage varies by county as follows:

- | | |
|---------------------|------------------|
| (a) Asotin County | ten percent |
| (b) Benton County | fourteen percent |
| (c) Columbia County | eleven percent |
| (d) Franklin County | thirteen percent |
| (e) Garfield County | ten percent |

- | | |
|------------------------|------------------|
| (f) Kittitas County | thirteen percent |
| (g) Klickitat County | fourteen percent |
| (h) Walla Walla County | fourteen percent |
| (i) Yakima County | twenty percent |

WSR 03-11-054

PERMANENT RULES

WASHINGTON STATE LOTTERY

[Filed May 19, 2003, 9:36 a.m.]

Date of Adoption: May 15, 2003.

Purpose: To provide for the issuance of a retailer license for a limited promotional period.

Statutory Authority for Adoption: RCW 67.70.040(1).

Adopted under notice filed as WSR 03-07-067 on March 17, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 16, 2003

Cecil Buddeke

Legal Counsel

NEW SECTION

WAC 315-04-065 Promotional license. (1) The director may issue a promotional license for a marketing promotion for a period not exceeding one hundred eighty days for the sale of scratch and/or on-line game tickets.

(2) The director may establish financial and criminal history or other criteria for the issuance of a promotional license based on the duration of the promotion and the variety and quantity of tickets to be sold by the applicant.

(3) The director may waive any license fees or charges in issuing a promotional license and may establish procedures to streamline payments by promotional retailers to the lottery.

(4) Any retailer issued a promotional license must apply for and be issued a provisional/general license as set forth in chapter 315-04 WAC and lottery policy in order to continue to sell lottery tickets after the expiration of his/her promotional license.

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WSR 03-11-060
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 19, 2003, 11:30 a.m., effective August 1, 2003]

Date of Adoption: May 20 [19], 2003.

Purpose: Chapter 296-817 WAC, Hearing loss prevention (noise); chapter 296-54 WAC, Safety standards—Logging operations; chapter 296-56 WAC, Safety standards—Longshore, stevedore and related waterfront operations; chapter 296-59 WAC, Safety standards for ski area facilities and operations; chapter 296-62 WAC, General occupational health standards; chapter 296-155 WAC, Safety standards for construction work; chapter 296-304 WAC, Safety standards for ship repairing, shipbuilding and shipbreaking; and chapter 296-305 WAC, Safety standards for fire fighters.

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

Citation of Existing Rules Affected by this Order: Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

Adopted under notice filed as WSR 02-24-055 on December 3, 2002.

Changes Other than Editing from Proposed to Adopted Version: Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 29, Amended 10, 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 29, Amended 10, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 29, Amended 10, 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 29, Amended 10, Repealed 0.

Effective Date of Rule: August 1, 2003.

May 19, 2003
Paul Trause
Director

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 03-12 issue of the Register.

WSR 03-11-068
PERMANENT RULES
PARKS AND RECREATION
COMMISSION

[Filed May 19, 2003, 5:00 p.m.]

Date of Adoption: May 15, 2003.

Purpose: The state Parks and Recreation Commission has amended chapter 352-40 WAC, Public records, in order to reflect the current indexing of public records, to ensure accuracy and compliance with chapter 42.17 RCW, to provide for greater flexibility and cost recovery in charging for copies of records, to present the rules in clear language, and to improve the agency responsive to the citizens.

Citation of Existing Rules Affected by this Order: Amending chapter 352-40 WAC, Public records.

Statutory Authority for Adoption: RCW 79A.05.030, 79A.05.070, 79A.05.075, and chapter 42.17 RCW.

Adopted under notice filed as WSR 03-08-101 on April 2, 2003.

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 13, Repealed 5.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 13, Repealed 5.

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 13, Repealed 5.

Effective Date of Rule: Thirty-one days after filing.
May 19, 2003
Jim French
Chief of Policy Research
and Program Development

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-010 ((Purpose.)) What is the purpose of this chapter? The purpose of this chapter ((shall be)) is to ensure compliance by the Washington state parks and recreation commission with the provisions of RCW 42.17.250 through 42.17.320 dealing with public records.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-020 ((Definitions.)) How do we define terms? (1) In accordance with RCW 42.17.020(36) "public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used

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or retained by any state or local agency regardless of physical form or characteristic.

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

(3) "Washington state parks and recreation commission" (~~shall mean the~~) is a commission appointed by the governor (~~pursuant to chapter 43.51 RCW. The Washington state parks and recreation commission shall hereinafter be referred to as the "commission."~~ Where appropriate, the term "commission" also) consisting of seven citizens of the state as outlined in RCW 79A.05.015.

(4) "Agency" refers to the staff and employees of the Washington state parks and recreation commission.

AMENDATORY SECTION (Amending Order 72, filed 11/22/83)

~~WAC 352-40-030 ((Description of central and field organization of the Washington state parks and recreation commission.))~~ Where can citizens access agency public records? ((The commission is an appointed commission. The administrative office of the commission and its staff are located at Tumwater Airdustrial Center, Olympia, Washington. Five regional offices with limited records availability, as specified in WAC 352-40-070, are located at Millersylvania State Park, Olympia, Washington; 220 Walnut Street, Burlington, Washington; 2201 North Duncan Drive, Wenatchee, Washington; Sacajawea State Park, Pasco, Washington; and 3107 "R" Street S.E., Auburn, Washington.)) Most public records of the commission and the agency are located at the Olympia headquarters office. Copies of certain records may be accessible at regional offices.

(1) The director and administrative offices are located at the headquarters office at 7150 Cleanwater Lane, Olympia, WA 98504-2650. Mailing address for the headquarters office is:

Washington State Parks and Recreation Commission
P.O. Box 2650
Olympia, WA 98504-2650
360-902-8500
FAX 360-753-1594
TDD 360-664-3133

(a) The public affairs office is available to assist with media inquiries and general public information requests.

Phone: 360-902-8561
E-mail: pao@parks.wa.gov

(b) The information center is available to assist with questions regarding specific parks, overnight accommodations, recreation programs and seasonal park closures. The center can send you a Request for Public Records form by e-mail or will refer your Request for Public Records form to the public records officer.

Phone: 360-902-8844
E-mail: infocent@parks.wa.gov

(c) The public records officer is available to assist in coordination with viewing of or copying agency records. The reception area at the headquarters office in Olympia can refer you to the records officer.

Phone: 360-902-8500

(2) Location of regional offices:

Southwest Region

Headquarters Office
11838 Tilley Road S.E.
Olympia, WA 98512
360-753-7143

Northwest Region

Headquarters Office
220 N. Walnut
Burlington, WA 98233
360-755-9231

Eastern Region

Headquarters Office
2201 N. Duncan Drive
Wenatchee, WA 98801-1007
509-662-0420

Puget Sound Region

2840 Riverwalk Drive S.E.
Auburn, WA 98002
206-931-3907.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

~~WAC 352-40-040 ((Operations and procedures.))~~ How is the agency organized and how is it operated? All decisions involving basic policy are made by the commission ((at its regular and special monthly meetings as outlined in chapters 352-04, 352-16, 352-24, 352-28, and 352-32 WAC)).

Staff at HQ implements those policy decisions.

Staff at each region develop, maintain and steward the state parks according to the policy decisions.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

~~WAC 352-40-060~~ What are the duties of the public records officer? ((The commission's public records shall be in charge of the public records officer designated by the director. The person so designated shall be located in the administrative office of the commission. The public records officer shall be responsible for the following: The implementation of the commission's rules and regulations regarding release of public records, coordinating the staff of the commission in this regard, and generally insuring compliance by the staff of the commission in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973.)) The agency public records officer is located in the headquarters administrative office and is responsible for:

(1) The implementation of the commission's rules and regulations regarding release of public records.

(2) Coordinating the agency in implementation of state records management techniques and agency indexing standards to ensure protection of, and prompt access to, public records.

(3) Implementing and ensuring compliance by the staff with the public records disclosure requirements of RCW 42.17.250 through 42.17.340.

(4) Assists requestors in coordination and viewing or copying of agency records.

AMENDATORY SECTION (Amending Order 72, filed 11/22/83)

WAC 352-40-070 ((Office hours)) **When can I inspect public records?** Public records ((shall be)) are available for inspection and copying ((during the customary office hours of the commission. For the purposes of this chapter, the customary office hours shall be)) from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. ((All public records of the commission are located at the Olympia headquarters office of the commission. In addition, certain specific records such as commission minutes, commission statements of policy, administrative staff manuals, and instructions to staff emanating from the commission, director, deputy director, and assistant directors can be obtained at the five regional offices identified in WAC 352-40-030. All other requests will be referred to the headquarters office located in Olympia through use of the "request for public information" form, WAC 352-40-900.))

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-080 ((Requests for)) **How do I request inspection or copying of public records((s))?** In accordance with requirements of ((chapter 1, Laws of 1973)) RCW 42.17.255, that agencies prevent unreasonable invasions of privacy((s)) and RCW 42.17.290 that agencies protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied, or copies of such records may be obtained, by members of the public upon compliance with the following procedure:

(1) A request shall be made in writing ((upon a form prescribed by the commission which shall be available at its administrative office or the regional offices indicated in WAC 352-40-030. The form shall be presented to the public records officer, or to any member of the commission's staff if the public records officer is not available, during customary office hours)) using agency Form A-374, Public Records Request. The form may be requested and obtained through the mail, by e-mail, or by FAX as referenced in WAC 352-40-030. The form shall be presented to the public records officer or to any member of the agency if the public records officer is not available, during customary office hours. The agency may in its discretion fill requests made by telephone, e-mail or facsimile copy (FAX). The request shall include the following information:

(a) The name, address and phone number of the person requesting the record;

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

(c) ((The nature of the request;

(d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the commission's current index, an appropriate description of the record requested.)) If inspection of the record is requested, the time of day and calendar date on which the requestor wishes to inspect the public records;

(d) An appropriate description of the record requested;

(e) A statement that the information will not be used for commercial purposes.

(2) The public records officer, or ((staff member)) agency employee assisting the member of the public making the request, will ascertain that the information requested is not exempt from public inspection and copying as outlined in WAC 352-40-100 ((and further defined in section 31, Laws of 1973. Included therein, but not limited to, are such exemptions as personal information that may violate the right of privacy of the individual, national defense information, certain aspects of real estate appraisals as outlined in (g) of said section, and other vital governmental data.

(3) In all cases, it shall be the obligation of the public records officer, or staff member to whom the request is made, to:

(a) Locate the specific document(s) requested by the member of the public in the most timely manner possible;

(b) Assist the member of the public in appropriately identifying the public record requested;

(c) Protect and otherwise prevent damage to the public record being inspected and copied;

(d) Prevent disorganization of file folders or document containers;

(e) Remain in the company of the member of the public at all times during which a public document is being inspected, and provide the fullest assistance possible;

(f) Prevent excessive interference with the other essential functions of the agency.

(4) In all cases, the member of the public making the request will not be permitted access to the file storage area)).

(3) Requests for identifiable public records will be processed promptly. The agency will respond within five working days of receiving the request by either:

(a) Providing the record;

(b) Acknowledging receipt of request and providing a reasonable estimate of the time required to respond; or

(c) Denying the request.

Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request. In acknowledging a receipt of a public record request that is unclear, the agency may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the agency need not respond to it.

(4) The agency does not distinguish among persons requesting records and such persons shall not be required to provide information as to the purpose for the request except to establish whether inspection and copying would violate RCW 42.17.260(5) or other statute which exempts or prohibits its disclosure of specific information or records to certain persons. Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency.

AMENDATORY SECTION (Amending WSR 92-10-019, filed 4/29/92, effective 5/30/92)

WAC 352-40-090 ((Copying.)) Is there a cost to view or copy public records? ((No fee shall be charged for the inspection of public records. The commission shall charge a fee of ten cents per page per copy for public records and for use of the commission copy equipment. This charge is the amount necessary to reimburse the commission for its costs for copying.)) The agency does not charge a fee for the inspection of public records.

The agency will charge an amount necessary to reimburse its costs for providing copies of records. This amount shall be reviewed from time to time by the agency and shall represent the costs of providing copies of public records and for use of the agency's copy equipment, including staff time spent copying records, preparing records for copying, and restoring files. This charge is the amount necessary to reimburse the agency for its actual costs for copying and is payable at the time copies are furnished. The charge for special copy work of nonstandard public records shall reflect the total cost, including the staff time necessary to safeguard the integrity of these records.

Contact the public records officer for fee schedule of copying costs.

The public records officer or designee may waive the fee if the cost of preparing a billing for recoverable reproduction costs exceeds the amount to be recovered.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-100 ((Exemptions.)) Can my request be denied? (1) ((The commission reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 352-40-080 is exempt under the provisions of section 31, chapter 1, Laws of 1973.)) Yes, a request can be denied if it is exempt from disclosure under the provisions of RCW 42.17.255 and 42.17.310.

(2) ((In addition, pursuant to section 26, chapter 1, Laws of 1973, the commission reserves the right to)) Under the provisions of RCW 42.17.260, the agency will delete identifying details when it makes available or publishes any public record in any cases where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by ((chapter 1, Laws of 1973)) RCW 42.17.-260. The public records officer will fully justify such deletion in writing.

(3) Under the provisions of RCW 42.17.269, public records requests will also be denied if the purpose of the request is to sell or use the information for commercial purposes.

(4) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-110 ((Review of denials of public records requests.)) What is the review process for a denial of a public records request? (((1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the director of the commission. The director shall immediately consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the director has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.)) The public records officer or designee denying the request shall immediately send a copy of the written response to the director of the commission. The director or designee shall immediately consider the matter and, within two business days, either affirm or reverse such denial. If the director or designee has not responded to the requestor by the end of the two business days following denial of inspection, then the request is deemed denied.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-120 ((Protection of)) How does the agency protect public records((s))? ((AH)) Public records of the ((commission)) agency are located in the Olympia headquarters((, administrative services division, central files section)) and each of the regional locations as outlined in WAC 352-40-030. Records are available for inspection and copying at ((this)) these locations during office hours identified in WAC 352-40-070 ((and then only in the presence of an authorized employee of the commission and with the aid and assistance of such an employee)).

In order to protect these records, you must comply with the following guidelines:

(1) You may not remove any public record from the agency premises.

(2) You must have a designated agency employee present while inspecting public records.

(3) You may not mark or deface a public record in any manner during inspection.

(4) You may not dismantle public records which are maintained in a file or jacket or in chronological or other filing order.

Access to file cabinets, shelves, vaults, or other storage areas is restricted to agency personnel unless other arrangements are made with the public records officer or designee.

AMENDATORY SECTION (Amending WSR 90-20-032, filed 9/25/90, effective 10/26/90)

WAC 352-40-130 ((System of indexing records.)) How are agency records indexed? ((Agency records are indexed and retained as follows:

The index for commission policies, administrative policies, agency procedures, memorandums of understanding, and operations directives is located in the central files office. Office files and memoranda, and official public records as defined by RCW 42.17.260, are retained in the agency and their locations are identified by the existing central files index coding system.

Such records are the responsibility of the individual agency divisions to inventory, maintain, and dispose. Record descriptions, retention, and authorization disposition are listed on the records inventory schedule of each office of record and are located in the central files office.)) The records retention schedule established by the division of state archives of the office of the secretary of state serves as an index for the identification and location of agency records and includes all records issued before July 1, 1990, for which the agency has maintained an index.

The records retention schedule indexes records according to the originating program or section, and then the record series title. Each title is further identified by a statement of function or purpose, and the retention period. With the assistance of the public records officer or designee, the records retention schedule is available to the public for inspection and copying.

A separate index of policy statements as defined in RCW 34.05.010(15) entered after June 30, 1990, shall be maintained by the agency.

In addition, the agency has a functional index coding system for physical files, commission policy, administrative policy and agency procedures.

Commission meetings minutes are indexed by year, month, and agenda item number. They are also summarized by topic.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-150 Adoption of form. The commission hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the Form ((attached hereto as WAC 352-40-900, entitled ") A-374, Request for Public Record.(("))

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 352-40-050 Public records available.
- WAC 352-40-125 Purpose of records index.
- WAC 352-40-127 Definitions in records index.
- WAC 352-40-140 Location of record indexes and communications.
- WAC 352-40-900 Request for public record—Form.

WSR 03-11-069

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed May 20, 2003, 8:36 a.m.]

Date of Adoption: May 20, 2003.

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

Citation of Existing Rules Affected by this Order: Amending WAC 308-56A-021.

Statutory Authority for Adoption: RCW 46.01.110, 46.12.101, 88.02.070.

Adopted under notice filed as WSR 03-07-080 on March 18, 2003.

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 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 1, 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.

May 20, 2003

Denise M. Movius
for Fred Stephens
Director

AMENDATORY SECTION (Amending WSR 01-08-022, filed 3/27/01, effective 4/27/01)

WAC 308-56A-021 Assessment criteria for penalty fee. (1) What is the penalty fee? When a used Washington registered vehicle ((with a Washington certificate of ownership)) is sold, the purchaser has fifteen days from the date of

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delivery of the vehicle to transfer the vehicle ownership into their name. If they wait until the 16th day or later from the date of ~~((sale))~~ delivery, a penalty fee may be assessed as described in RCW 46.16.101(6) unless the purchaser qualifies for exemption from penalty as set forth in subsection (2) of this section.

(2) Are there exceptions to when a penalty fee may be assessed when applying for certificate of ownership on the 16th day from the date of sale or later as described in RCW 46.12.101(6)? Yes, if:

- (a) The vehicle was delivered to the purchaser after the date of sale indicated on the supporting documents; or
- (b) There are conflicting dates on supporting documents; or
- (c) There is no date on the certificate of ownership or other supporting documents; or
- (d) The date on the certificate of ownership has been altered; or
- (e) The purchaser is incarcerated or sequestered by a judiciary system; or
- (f) The purchaser files a seller's report of sale thinking they have filed an application to transfer certificate of ownership; or
- (g) The purchaser of a vehicle sells it before transferring ownership into their name and the new purchaser can prove they purchased the vehicle within fifteen days of making application; or
- (h) The director, or their designee, determines other reasons are valid; or
- (i) The delay in making application is due to the department requesting additional supporting documents; or
- (j) Extended hospitalization or illness of the purchaser; or
- (k) Failure of the legal owner to release his or her interest in the vehicle; or
- (l) Failure due to an action of the department, auditor or subagent.

Note: ~~((Subsection (2)(a) through (g) of this section require))~~ When an exception to the penalty fee requirement is made, an affidavit attesting to the actual date of delivery and the reason or reasons for exception to the penalty is required.

(3) When are penalty fees for late application for certificate of ownership not assessed? Penalty fees are not assessed for late application for certificate of ownership under the following conditions:

- (a) The vehicle is not motorized; or
- (b) The vehicle is sold by a Washington dealer (dealer report of sale box on the application is completed); or
- (c) A Washington record cannot be found; or
- (d) Department of licensing records indicate the vehicle has been destroyed; or
- (e) The vehicle is being titled as home made or assembled for the first time; or
- (f) The vehicle is acquired as a result of:
 - (i) Inheritance or community property; or
 - (ii) Divorce settlement; or
 - (iii) Other legal action affecting ownership of the vehicle; or
 - (iv) Lease buyout; or

- (g) The vehicle is a snowmobile; or
- (h) The director, or designee, determines other reasons are valid.

WSR 03-11-073
PERMANENT RULES
OFFICE OF
FINANCIAL MANAGEMENT
 [Filed May 20, 2003, 2:12 p.m.]

Date of Adoption: May 20, 2003.

Purpose: To establish official pay dates for state officers and employees for calendar year 2004.

Citation of Existing Rules Affected by this Order: Amending WAC 82-50-021.

Statutory Authority for Adoption: RCW 42.16.010(1) and 42.16.017.

Adopted under notice filed as WSR 03-07-083 on March 18, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 20, 2003

Jennifer Strus

Rules Coordinator

AMENDATORY SECTION (Amending WSR 02-13-087, filed 6/18/02, effective 7/19/02)

WAC 82-50-021 Official lagged, semimonthly pay dates established. Unless exempted otherwise under the provisions of WAC 82-50-031, the salaries of all state officers and employees are paid on a lagged, semimonthly basis for the official twice-a-month pay periods established in RCW 42.16.010(1). The following are the official lagged, semimonthly pay dates for calendar years ~~((2002 and))~~ 2003 and 2004:

~~((CALENDAR YEAR 2002~~
 Thursday, January 10, 2002
 Friday, January 25, 2002
 Monday, February 11, 2002
 Monday, February 25, 2002
 Monday, March 11, 2002

CALENDAR YEAR 2003
 Friday, January 10, 2003
 Friday, January 24, 2003
 Monday, February 10, 2003
 Tuesday, February 25, 2003
 Monday, March 10, 2003

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((CALENDAR YEAR 2002
 Monday, March 25, 2002
 Wednesday, April 10, 2002
 Thursday, April 25, 2002
 Friday, May 10, 2002
 Friday, May 24, 2002
 Monday, June 10, 2002
 Tuesday, June 25, 2002
 Wednesday, July 10, 2002
 Thursday, July 25, 2002
 Friday, August 9, 2002
 Monday, August 26, 2002
 Tuesday, September 10, 2002
 Wednesday, September 25, 2002
 Thursday, October 10, 2002
 Friday, October 25, 2002
 Friday, November 8, 2002
 Monday, November 25, 2002
 Tuesday, December 10, 2002
 Tuesday, December 24, 2002

CALENDAR YEAR 2003
 Tuesday, March 25, 2003
 Thursday, April 10, 2003
 Friday, April 25, 2003
 Friday, May 9, 2003
 Friday, May 23, 2003
 Tuesday, June 10, 2003
 Wednesday, June 25, 2003
 Thursday, July 10, 2003
 Friday, July 25, 2003
 Monday, August 11, 2003
 Monday, August 25, 2003
 Wednesday, September 10, 2003
 Thursday, September 25, 2003
 Friday, October 10, 2003
 Friday, October 24, 2003
 Monday, November 10, 2003
 Tuesday, November 25, 2003
 Wednesday, December 10, 2003
 Wednesday, December 24, 2003))

CALENDAR YEAR 2003
Friday, January 10, 2003
Friday, January 24, 2003
Monday, February 10, 2003
Tuesday, February 25, 2003
Monday, March 10, 2003
Tuesday, March 25, 2003
Thursday, April 10, 2003
Friday, April 25, 2003
Friday, May 9, 2003
Friday, May 23, 2003
Tuesday, June 10, 2003
Wednesday, June 25, 2003
Thursday, July 10, 2003
Friday, July 25, 2003
Monday, August 11, 2003
Monday, August 25, 2003
Wednesday, September 10, 2003
Thursday, September 25, 2003
Friday, October 10, 2003
Friday, October 24, 2003
Monday, November 10, 2003
Tuesday, November 25, 2003
Wednesday, December 10, 2003
Wednesday, December 24, 2003

CALENDAR YEAR 2004
Friday, January 9, 2004
Monday, January 26, 2004
Tuesday, February 10, 2004
Wednesday, February 25, 2004
Wednesday, March 10, 2004
Thursday, March 25, 2004
Friday, April 9, 2004
Monday, April 26, 2004
Monday, May 10, 2004
Tuesday, May 25, 2004
Thursday, June 10, 2004
Friday, June 25, 2004
Friday, July 9, 2004
Monday, July 26, 2004
Tuesday, August 10, 2004
Wednesday, August 25, 2004
Friday, September 10, 2004
Friday, September 24, 2004
Friday, October 8, 2004
Monday, October 25, 2004
Wednesday, November 10, 2004
Wednesday, November 24, 2004
Friday, December 10, 2004
Thursday, December 23, 2004

WSR 03-11-074
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed May 20, 2003, 3:24 p.m.]

Date of Adoption: May 20, 2003.

Purpose: WAC 308-13-150, sets registration and examination fees, those examination fees to be collected and passed on to the examination vendor.

Citation of Existing Rules Affected by this Order:
 Amending WAC 308-13-150.

Statutory Authority for Adoption: RCW 18.96.080
 Applications—Contents—Fees.

Other Authority: RCW 43.24.086.

Adopted under notice filed as WSR 03-08-062 on March 31, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The landscape architect exam will be administered on December 8 and 9, 2003, and this rule change will be in effect by that date.

Effective Date of Rule: Thirty-one days after filing.

May 20, 2003

Alan E. Rathbun

BPD Assistant Director

AMENDATORY SECTION (Amending WSR 02-16-018, filed 7/26/02, effective 8/26/02)

WAC 308-13-150 Landscape architect fees and charges. The following fees will be collected from the candidates:

Title of Fee	Fee
Application fee	\$150.00
Reexamination administration fee	50.00
Exam proctor	100.00
Renewal (2 years)	300.00
Late renewal penalty	100.00
Duplicate license	25.00
Initial registration (2 years)	300.00
Reciprocity application fee	200.00
Certification	45.00
Replacement wall certificate	20.00

Those charges collected from candidates for the costs of the examinations shall be paid to CLARB.

Examination and Sections	Charges
Entire examination	((\$720.00))
	<u>\$770.00</u>

Examination sections:

Section A: Legal and administrative aspects of practice	((60.00)) <u>65.00</u>
Section B: Analytical aspects of practice	((400.00)) <u>105.00</u>
Section C: Planning and site design	((200.00)) <u>215.00</u>
Section D: Structural considerations and materials and methods of construction	((460.00)) <u>170.00</u>
Section E: Grading, drainage and stormwater management	((200.00)) <u>215.00</u>

WSR 03-11-076
PERMANENT RULES
DEPARTMENT OF TRANSPORTATION
[Filed May 20, 2003, 3:47 p.m.]

Date of Adoption: May 6, 2003.

Purpose: Adoption of this WAC will make permanent emergency department procedures for regulating wireless communication access to limited access state highways.

Citation of Existing Rules Affected by this Order: Amending WAC 468-58-080.

Statutory Authority for Adoption: RCW 47.52.027.

Adopted under notice filed as WSR 03-08-061 on March 31, 2003.

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.

May 6, 2003

John F. Conrad

Assistant Secretary

Engineering and Regional Operations

AMENDATORY SECTION (Amending Order 109, filed 7/8/87)

WAC 468-58-080 Guides for control of access on crossroads and interchange ramps. (1) Fully controlled highways, including interstate.

(a) There shall be no connections to abutting property or local service or frontage roads within the full length of any "off" or "on" interchange ramp from a fully controlled limited access highway. Such ramp shall be considered to terminate at its intersection with the local road which undercrosses or overcrosses the limited access facility, provided that in urban areas "off" and "on" ramps may be terminated at local streets other than crossroads where necessary to service existing local traffic.

(b) There shall be no direct connections from the limited access facility in rural areas to local service or frontage roads except through interchanges.

(c) In both urban and rural areas access control on a fully controlled highway shall be established along the crossroad at an interchange for a minimum distance of three hundred feet beyond the centerline of the ramp or terminus of transition taper. If a frontage road or local road is located in a generally parallel position within three hundred fifty feet of a ramp, access control should be established along the crossroad and in addition for a minimum distance of one hundred thirty feet in all directions from the center of the intersection of the parallel road and crossroad.

(d) Full control of access should be provided along the crossroad from the centerline of a ramp or terminus of a transition taper for a minimum distance of three hundred feet. Upon determination by the department, full control of access may be provided for the first one hundred thirty feet from the centerline of the ramp or terminus of a transition taper and partial control or modified control of access may be provided for the remainder of the distance to the frontage road or local road for a total minimum distance for the two types of control of three hundred feet. Type A, B, C, D (~~and~~), E, and F road approaches, as defined hereafter under subsection (3) of this section, "general," may be permitted on that portion of the crossroad on which partial or modified control of access is established.

(2) Partially controlled highways.

(a) There shall be no connections to abutting property or local service or frontage roads within the full length of any "off" or "on" interchange ramp from a partially controlled limited access highway. Such ramp shall be considered to terminate at its intersection with the local road which undercrosses or overcrosses the limited access facility, provided that in urban areas "off" and "on" ramps may be terminated at local streets other than crossroads where necessary to service existing local traffic.

(b) In both urban and rural areas access control on a partially controlled highway shall be established along the crossroad at an interchange for a minimum distance of three hundred feet beyond the centerline of the ramp or terminus of transition taper. If a frontage road or local road is located in a generally parallel position within three hundred fifty feet of a ramp, access control should be established along the crossroad and in addition for a minimum distance of one hundred

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thirty feet in all directions from the center of the intersection of the parallel road and crossroad.

(c) Access control limits at the crossroads on a partially controlled highway should be established along the crossroad at a grade intersection for a minimum distance of three hundred feet from the centerline of the nearest directional roadway. If a parallel road is located within three hundred fifty feet of said grade intersection, access control should be established along the crossroad and in addition for a minimum distance of one hundred thirty feet in all directions from the center of the intersection of the parallel road and crossroad. Type D (~~(and)~~), E, and F approaches may be permitted closer than one hundred thirty feet from the center of the intersection only when they already exist and cannot reasonably be relocated.

(d) Access control limits at intersections on modified control highways should be established along the cross road for a minimum distance of one hundred thirty feet from the centerline of a two-lane highway or for a minimum of one hundred thirty feet from centerline of the nearest directional roadway of a four-lane highway. Type D (~~(and)~~), E, and F approaches should be allowed within this area only when no other reasonable alternative is available.

(3) General.

(a) Access control may be increased or decreased beyond or under the minimum requirements to fit local conditions if so determined by the department.

(b) Type A, B, C, D (~~(and)~~), E, and F approaches are defined as follows:

(i) Type A approach. Type A approach is an off and on approach in legal manner, not to exceed thirty feet in width, for sole purpose of serving a single family residence. It may be reserved by abutting owner for specified use at a point satisfactory to the state at or between designated highway stations.

(ii) Type B approach. Type B approach is an off and on approach in legal manner, not to exceed fifty feet in width, for use necessary to the normal operation of a farm, but not for retail marketing. It may be reserved by abutting owner for specified use at a point satisfactory to the state at or between designated highway stations.

(iii) Type C approach. Type C approach is an off and on approach in legal manner, for special purpose and width to be agreed upon. It may be specified at a point satisfactory to the state at or between designated highway stations.

(iv) Type D approach is an off and on approach in a legal manner not to exceed fifty feet in width for use necessary to the normal operation of a commercial establishment. It may be specified at a point satisfactory to the state at or between designated highway stations.

(v) Type E approach is a separated off and on approach in a legal manner, with each opening not exceeding thirty feet in width, for use necessary to the normal operations of a commercial establishment. It may be specified at a point satisfactory to the state at or between designated highway stations.

(vi) Type F approach is an off and on approach in a legal manner, not to exceed thirty feet in width, for the sole purpose of serving a wireless communication site. It may be specified at a point satisfactory to the state at or between designated highway stations.

The state shall only authorize such approach by the issuance of a nonassignable permit. The permit allows site access for the normal construction, operation and maintenance of the wireless communication site for the permit holder and its contractors but not its subtenants. If a sale or merger occurs that affects an existing wireless communication site, the new wireless communication provider will be authorized to utilize said approach upon the state's receipt of written notice of the sale or merger action. The wireless communication site access permit may be canceled upon written notice for reasons specified in the wireless communication site access permit general provisions. The permit will only be issued if it meets all state criteria, including, but not limited to, design and safety standards.

Only one wireless communication site access user per permit shall be allowed, but more than one permit may be issued for a single Type F approach.

Each permitted access user shall be required to pay to the state five hundred dollars annually in compensation for use of the state-owned access rights, at the time of the issuance of the permit and each year thereafter.

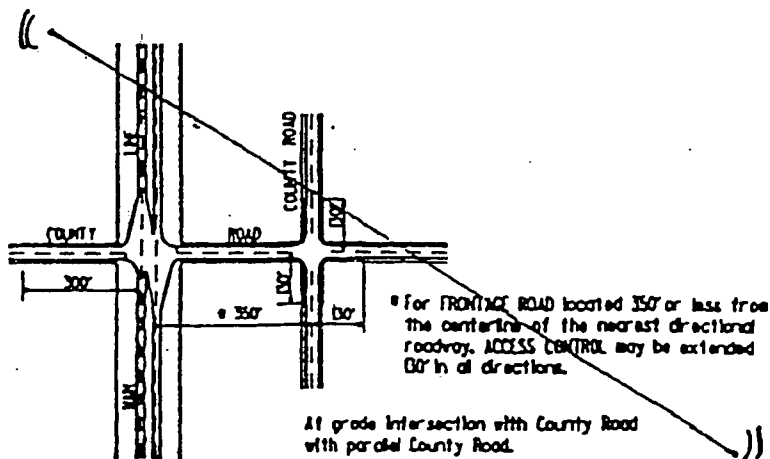
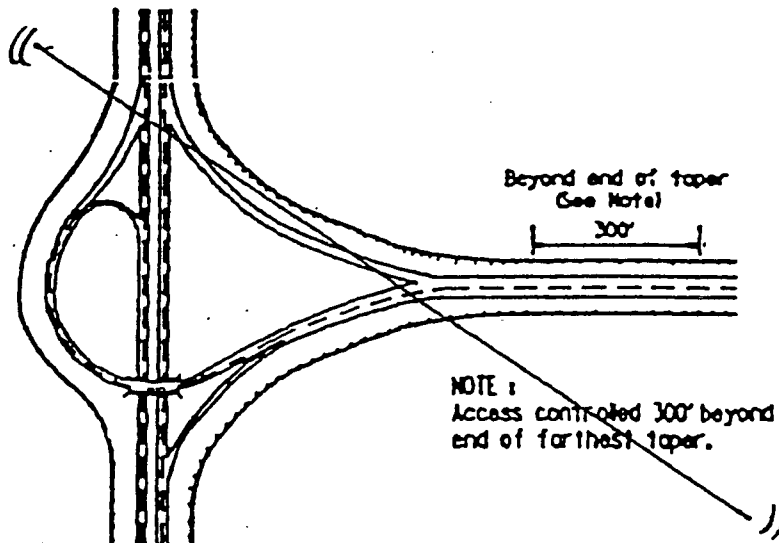
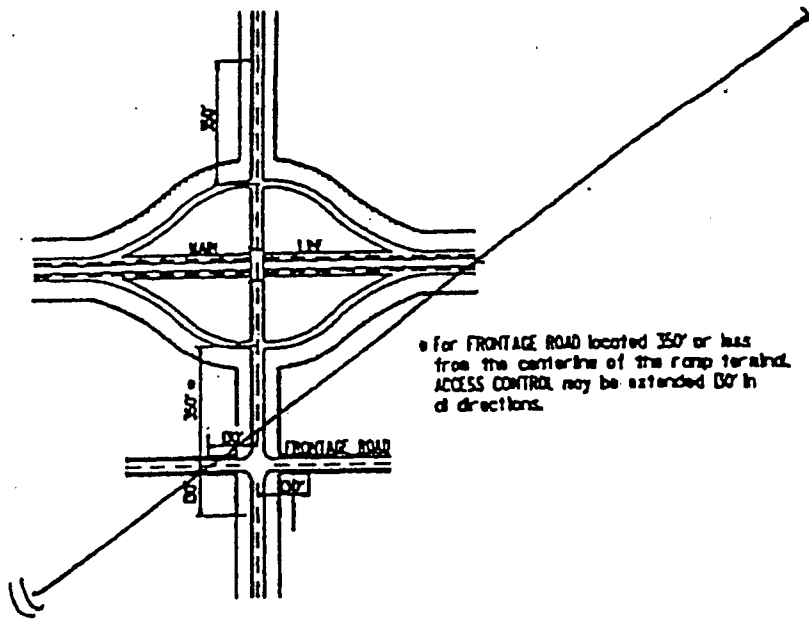
Since the state is the owner of the access, Type F approach permits shall not be issued pursuant to chapter 47.50 RCW and shall not confer a property right upon the permittee(s). An applicant for a Type F approach permit shall pay a nonrefundable access application fee when application is made in the amount of five hundred dollars for investigating, handling and granting the permit.

An application for wireless communication site access permit shall receive a response from the department of transportation within thirty working days from date of receipt of said application.

(c) Under no circumstances will a change in location or width of an approach be permitted unless approved by the secretary. Noncompliance or violation of these conditions will result in the immediate closure of the approach.

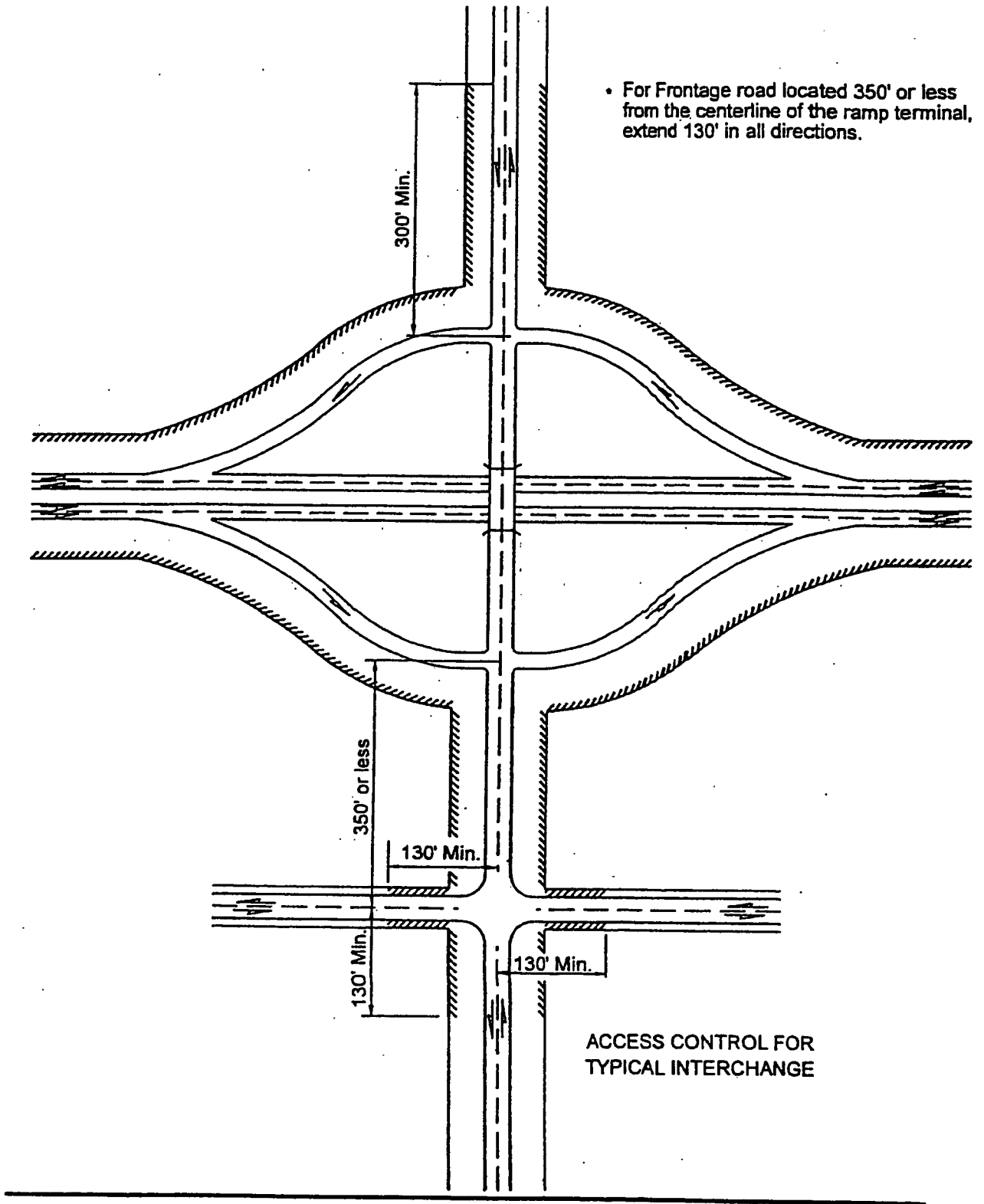
(d) Commercial approaches shall not be permitted within the limits of access control except where modified access control has been approved by the department.

(e) All access control shall be measured from the centerline of the ramps, crossroads or parallel roads or from the terminus of transition tapers. On multiple lane facilities measurement shall be from the centerline of the nearest directional roadway.



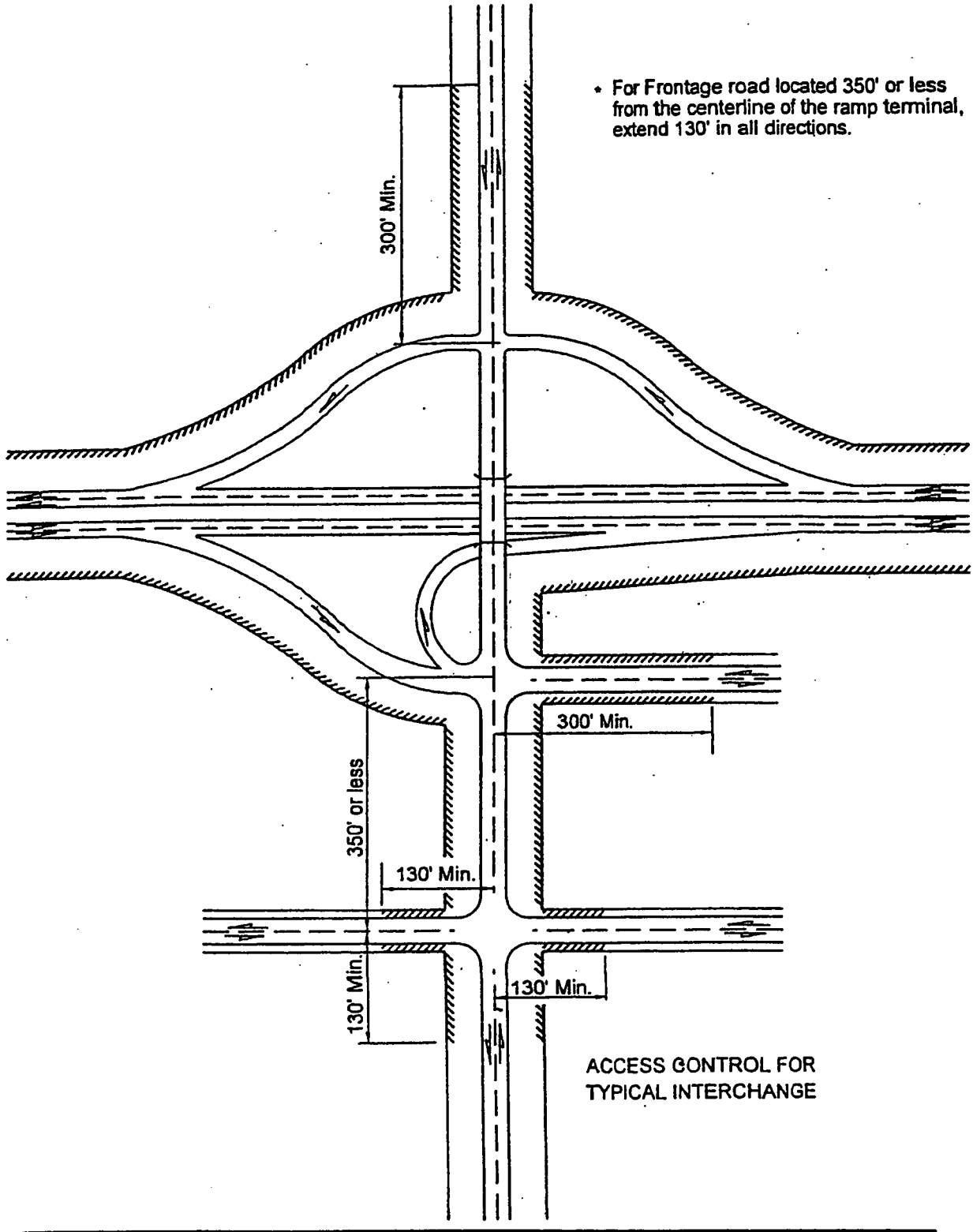
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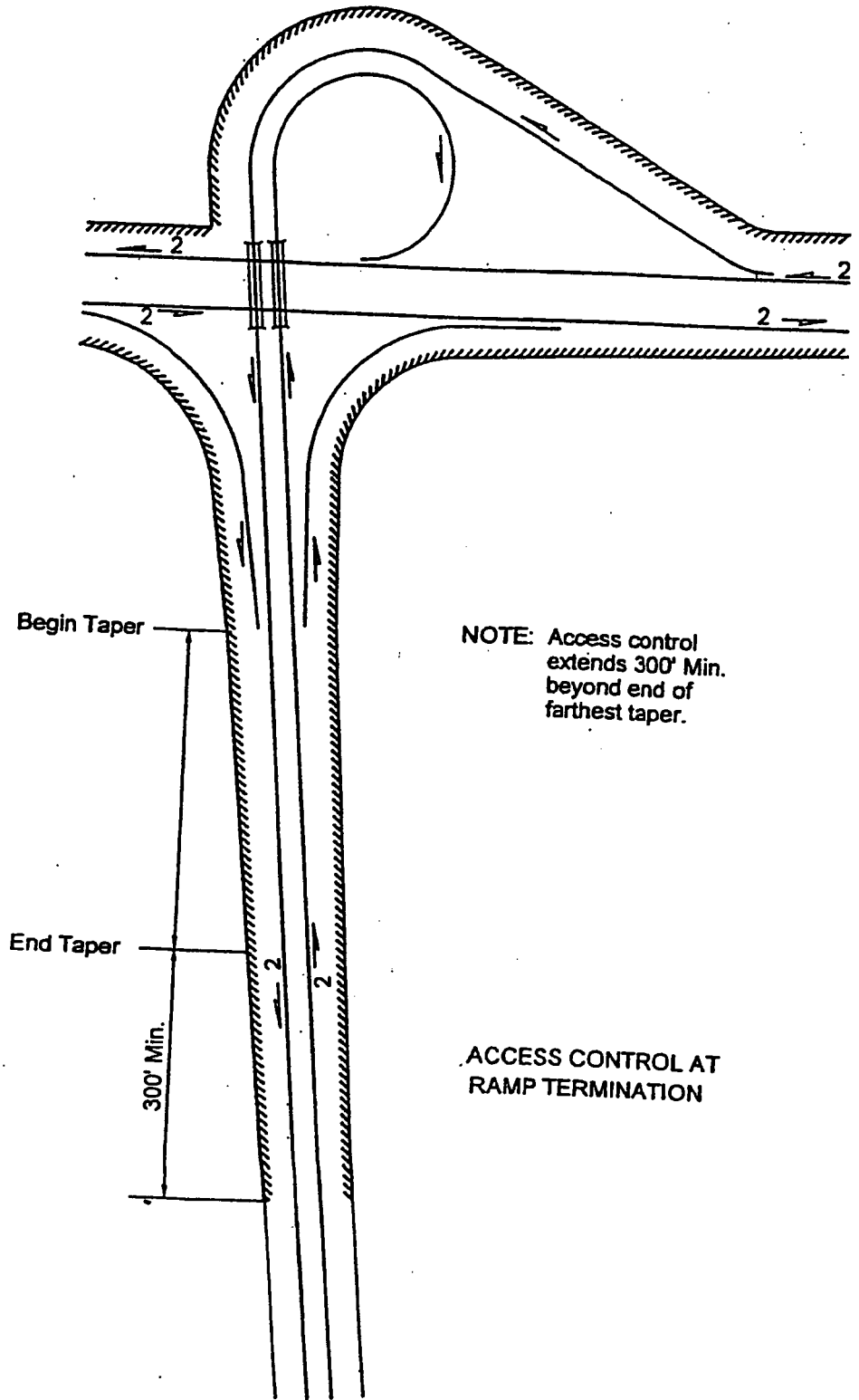
- For Frontage road located 350' or less from the centerline of the ramp terminal, extend 130' in all directions.

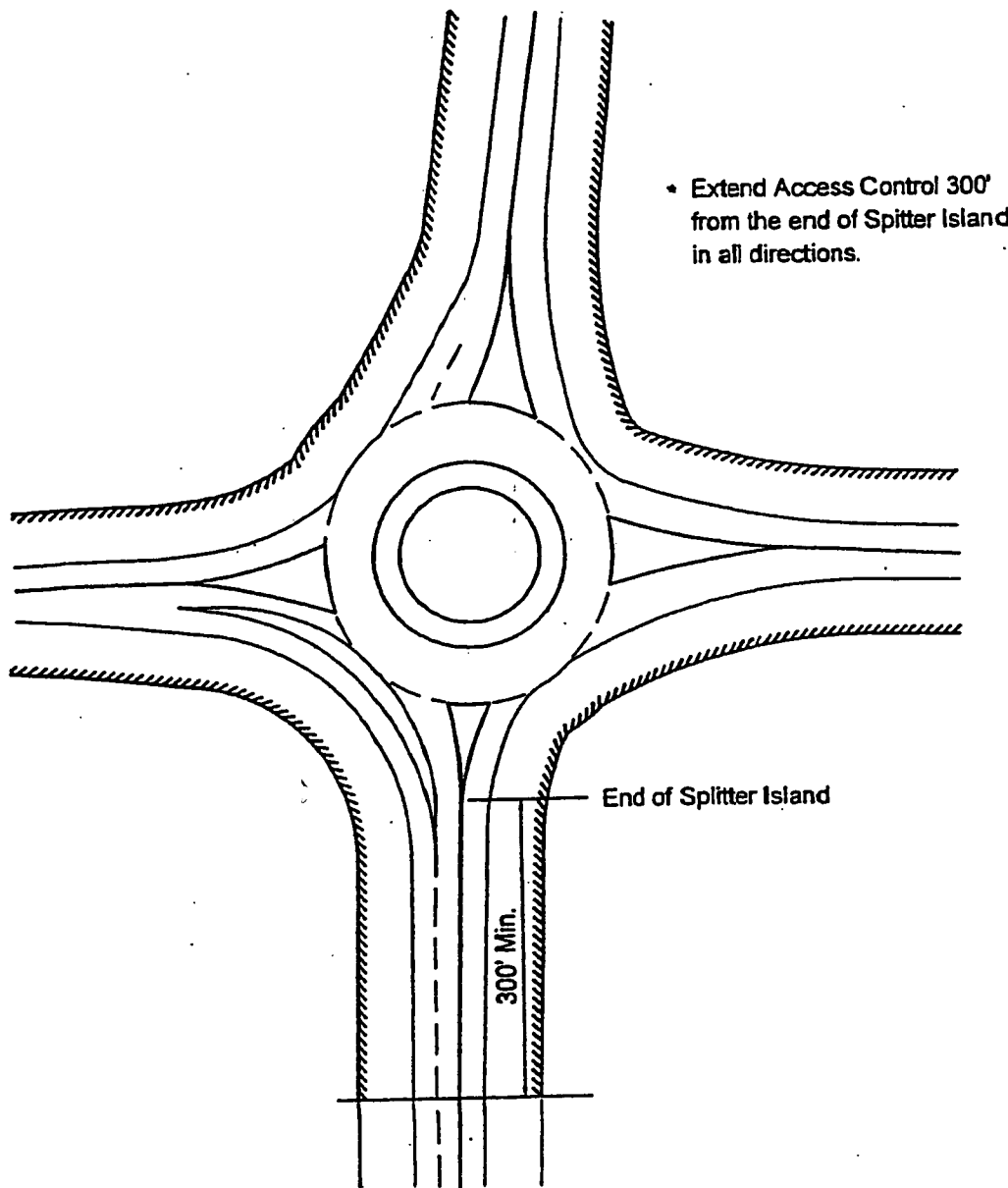
ACCESS CONTROL FOR TYPICAL INTERCHANGE



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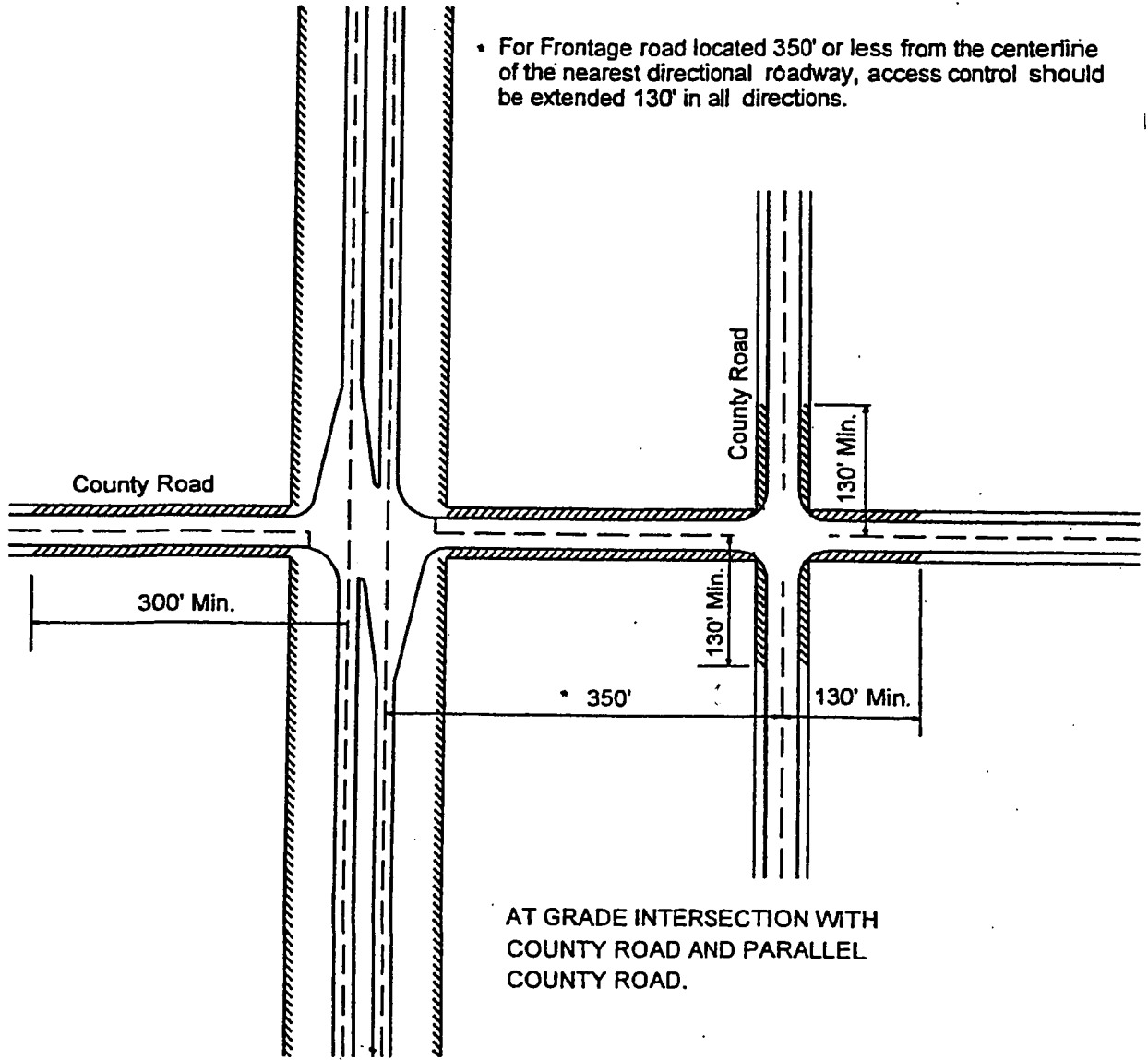




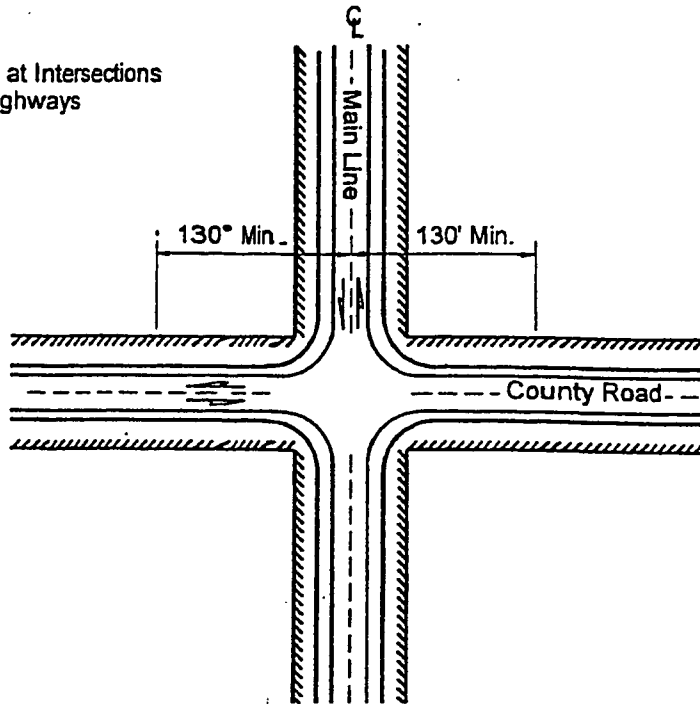
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ACCESS CONTROL FOR TYPICAL ROUNDABOUT

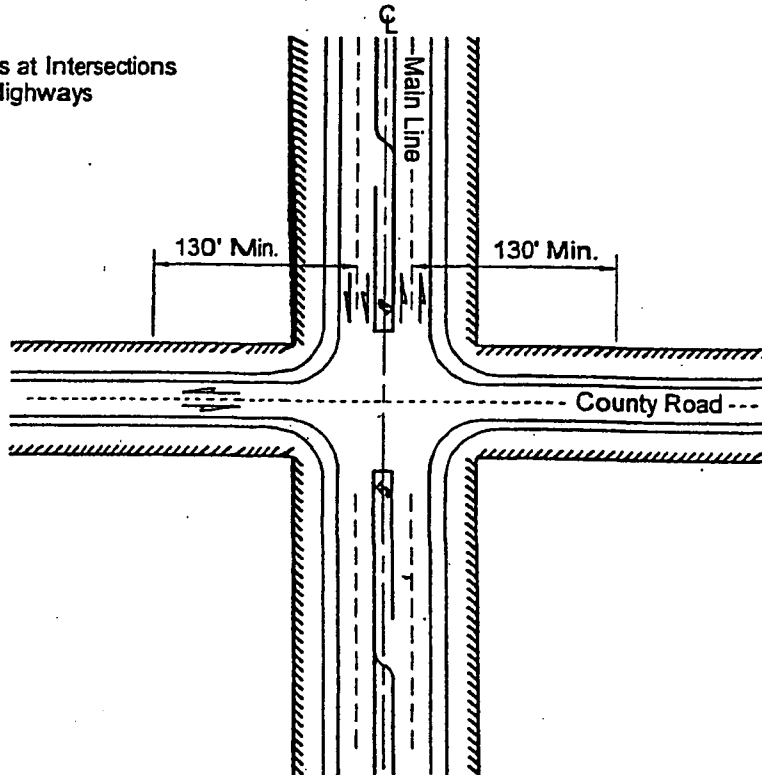
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Access Control Limits at Intersections
Modified Control Highways
Two-Lane



Access Control Limits at Intersections
Modified Control Highways
Multi-Lane



ACCESS CONTROL LIMITS AT INTERSECTIONS

PERMANENT

WSR 03-11-097
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Filed May 21, 2003, 11:21 a.m.]

Date of Adoption: May 20, 2003.

Purpose: To correct typographical errors in rule section WAC 16-231-107. Areas 2B, 4 and 6 should be 2A, 4A and 6.

Citation of Existing Rules Affected by this Order: Amending WAC 16-231-107.

Statutory Authority for Adoption: Chapters 17.21 and 34.05 RCW.

Adopted under notice filed as WSR 03-07-037 on March 13, 2003.

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.

May 20, 2003

Valoria Loveland

Director

AMENDATORY SECTION (Amending WSR 00-24-002, filed 11/22/00, effective 12/23/00)

WAC 16-231-107 Application of pesticides in Franklin County—Restricted use pesticides. The following pesticides are declared to be restricted use pesticides in Areas 2((B))A, 4A, and 6:

(1) Restricted use herbicides:

(a) Sulfonylurea herbicides (such as Glean, Telar, Finesse, Escort);

(b) Desiccants and defoliant (such as Paraquat, Diquat, Endothall);

(c) Glyphosate (such as Roundup, Landmaster);

(d) Phenoxy type herbicides (such as 2,4-D, MCPA);

(e) Dicamba (such as Banvel);

(f) Bromoxynil (such as Brominal, Buctril, Bronate).

(2) Restricted use insecticides:

All Category I insecticides with the signal words danger/poison on the label, except granular and pellet formulations.

WSR 03-10-027**EMERGENCY RULES
DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed April 28, 2003, 4:36 p.m.]

Date of Adoption: April 28, 2003.

Purpose: The Division of Developmental Disabilities has been directed by the 2002 Washington state legislature to begin paying an income supplemental, called state supplementary payment (SSP). Implementation of this directive requires amendment of rules in chapters 388-825 and 388-850 WAC, as well as adoption of new WAC 388-825-500 through 388-825-600, Division of Developmental Disabilities state supplementary payment. The department has filed a CR-101 Preproposal statement of inquiry (WSR 02-17-068) and has initiated a rule-making proceeding to adopt permanent rules on this subject matter. These rules supersede emergency rules filed as WSR 02-20-045 on September 25, 2002, and the emergency rules filed as WSR 03-03-115 on January 21, 2003.

Citation of Existing Rules Affected by this Order: Amending WAC 388-825-020, 388-825-055, 388-825-100, 388-825-120, 388-825-180, 388-825-205, 388-825-252, 388-825-254, 388-850-035, and 388-850-045.

Statutory Authority for Adoption: RCW 71A.12.030, 71A.10.020.

Other Authority: 2001-03 Supplemental Budget ESSB 6387, (chapter 371, Laws of 2002).

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 state legislature in adopting ESSB 6387 (chapter 371, Laws of 2002), has directed the Division of Developmental Disabilities to begin paying an income supplement, called state supplementary payment. In its published "Final Budget - Statewide Agency Detail" for ESSB 6387, the legislature also clearly stated its intent that "Beginning July 2002, state supplementary payments will no longer be provided automatically to all persons receiving a federal SSI benefit. SSI recipients will continue to receive their federal benefits and their federally provided annual cost of living increases each January. Some recipients who are dependent on larger state supplements will be provided a transitional state supplementary payment. The remaining amount of state supplementary payments required by federal rules will be used to support low... income families who are struggling to continue to care for children and other relatives with developmental disabilities." Emergency adoption of these rules is necessary to implement ESSB 6387 and the legislature's intent. The department is working with public stakeholders to develop proposed rules for permanent adoption.

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 24, Amended 13, 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 24, Amended 13, Repealed 0.

Effective Date of Rule: Immediately.

April 24, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-16-014, filed 7/25/02, effective 8/25/02)

WAC 388-825-020 Definitions. "Abandonment" means action or inaction by a person or entity with a duty to care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

"Adolescent" means a DDD eligible child age thirteen through seventeen years.

"Attendant care" means provision of physical and/or behavioral support to protect the safety and well being of a client.

"Best interest" includes, but is not limited to, client-centered benefits to:

- (1) Prevent regression or loss of skills already acquired;
- (2) Achieve or maintain economic self-support;
- (3) Achieve or maintain self-sufficiency;
- (4) Prevent or remedy neglect, abuse, or exploitation of individuals unable to protect their own interest;
- (5) Preserve or reunite families; and
- (6) Provide the least-restrictive setting that will meet the person's medical and personal needs.

"Client or person" means a person the division determines under RCW 71A.16.040 and WAC 388-825-030 eligible for division-funded services.

"Community support services" means one or more of the services listed in RCW 71A.12.040 including, but not limited to the following services: Architectural, case management, early childhood intervention, employment, counseling, family support, respite care, information and referral, health services and equipment, therapy services, and residential support.

"Companion home" means the same as "intensive individual supported living support."

"Department" means the department of social and health services of the state of Washington.

"Director" means the director of the division of developmental disabilities.

"Division or DDD" means the division of developmental disabilities of the department of social and health services.

"Emergency" means a sudden, unexpected occurrence demanding immediate action.

"Exemption" means the department's approval of a written request for an exception to a rule in this chapter.

"Family" means individuals, of any age, living together in the same household and related by blood, marriage, adoption or as a result of sharing legal custody of a minor child.

"Family resources coordinator" means the person who is:

- (1) Recognized by the IDEA Part C lead agency; and
- (2) Responsible for:
 - (a) Providing family resources coordination;
 - (b) Coordinating services across agencies; and
 - (c) Serving as a single contact to help families receiving assistance and services for their eligible children who are under three years of age.

"ICF/MR" means a facility certified as an intermediate care facility for the mentally retarded by Title XIX to provide services to the mentally retarded or persons with related conditions.

"ICF/MR Eligible" for admission to an ICF/MR means a person is determined by DDD as needing active treatment as defined in CFR 483.440. Active treatment requires:

- (1) Twenty-four hour supervision; and
- (2) Continuous training and physical assistance in order to function on a daily basis due to deficits in the following areas: Toilet training, personal hygiene, dental hygiene, self-feeding, bathing, dressing, grooming, and communication.

"Individual" means a person applying for services from the division.

"Individual alternative living" means provision of community-based individualized client training, assistance and/or ongoing support to enable a client to live as independently as possible with minimal services.

~~("Individual supportive living service" (also known as companion home) means provision of twenty-four hour residential support in a nonlicensed home for one adult person with developmental disabilities.)~~

"Intelligence quotient score" means a full scale score on the Wechsler, or the intelligence quotient score on the Stanford-Binet or the Leiter International Performance Scale.

"Intensive individual supported living support" (also known as companion home) means provision of twenty-four hour residential support in a nonlicensed home for no more than one adult person with developmental disabilities in a regular family residence approved and contracted by the department ensuring client health, safety and well-being.

"Medicaid personal care" is the provision of medically necessary personal care tasks as defined in chapter 388-15 WAC.

"Nonresidential programs" means programs including, but not limited to, county-funded habilitation services.

"Nursing facility eligible" means a person is assessed by DDD as meeting the requirements for admission to a licensed nursing home as defined in WAC 388-71-0700 (3) through (5). The person must require twenty-four hour care provided by or under the supervision of a licensed nurse.

"Other resources" means resources that may be available to the client, including but not limited to:

- (1) Private insurance;
- (2) Medicaid;
- (3) Indian health care;
- (4) Public school services through the office of the superintendent of public instruction; and
- (5) Services through the department of health.

"Part C" means early intervention for children from birth through thirty-five months of age as defined in the Individuals with Disabilities Education Act (IDEA), Part C and 34 CFR, Part 303 and Washington's federally approved grant.

"Residential habilitation center" or **"RHC"** means a state-operated facility certified to provide ICF/MR and/or nursing facility level of care for persons with developmental disabilities.

"RHC capacity" means the maximum number of eligible persons that can reside in a residential habilitation center without exceeding its 1997 legislated budgeted capacity.

"Residential programs" means provision of support for persons in community living situations. Residential programs include DDD certified community residential services and support, both facility-based such as, licensed group homes, and non-facility based, i.e., supportive living, intensive tenant support, and state-operated living alternatives (SOLA). Other residential programs include individual alternative living, intensive individual supportive living services, adult family homes, adult residential care services, nursing homes, and children's foster homes.

"Respite care" means temporary residential services provided to a person and/or the person's family on an emergency or planned basis.

"Secretary" means the secretary of the department of social and health services or the secretary's designee.

"State supplementary payment (SSP)" is the state paid cash assistance program for certain DDD eligible SSI clients.

"Vacancy" means an opening at a RHC, which when filled, would not require the RHC to exceed its 1997 biannually budgeted capacity, minus:

- (1) Twenty-six beds designated for respite care use; and
- (2) Any downsizing related to negotiations with the Department of Justice regarding community placements.

"Vulnerable adult" means a person who has a developmental disability as defined under RCW 71A.10.020.

AMENDATORY SECTION (Amending WSR 02-16-014, filed 7/25/02, effective 8/25/02)

WAC 388-825-055 Authorization of services. (1) The division's field services section shall be responsible for authorizing state paid services agreed to by the person/family including, but not limited to:

- (a) Placement to and from residential habilitation centers;
- (b) Community residential services;
- (c) Family support services; and
- (d) Nonresidential programs.

(2) The division's authorization of services shall be based on the ~~((availability of))~~ services and funding available.

(a) Persons must meet the programmatic and financial eligibility requirements for the specific services;

(b) Funding for state paid services is available in the state operating budget; and

(c) SSP funding is not available to the client. The availability of SSP funding makes the client ineligible for state funding for the same service.

(3) The division will include the following persons when determining authorized services:

(a) The person;

(b) The person's parent or guardian and may include:

(i) The person's advocate; or

(ii) Other responsible parties.

(4) Per RCW 71A.16.010 the division shall offer adults the choice of admittance to a residential habilitation center if all of the following conditions exist:

(a) An RHC vacancy is available;

(b) Funding, specifically designated for this purpose in the state operating budget, is available for alternative community support services;

(c) The person or their family is requesting residential services;

(d) The person meets ICF/MR or nursing facility eligibility for the available RHC vacancy;

(e) The person is the most in need of residential services as determined by DDD after reviewing all persons determined eligible for ICF/MR or nursing facility level of care. DDD will make this selection based on the following criteria:

(i) The person is age eighteen or older;

(ii) The person's/family's health and safety is in jeopardy due to the lack of necessary residential support and supervision:

(A) Priority is given to eligible persons/families currently without necessary residential supports;

(B) Other eligible persons will be considered based on their risk of losing residential supports due to unstable or deteriorating circumstances.

(f) The person's alternative DDD funded community support services would cost seventy percent or more of the average RHC rate, assuming a minimum household size of three persons.

(5) If RHC capacity is not being used for permanent residents, the division will make these vacancies available for respite care or any other services the department determines are needed and allowable within the rules governing the use of federal funds.

(a) Admission of a child or adolescent to an RHC for respite care requires the written approval of the division director or designee.

(b) Respite care exceeding thirty days in a calendar year is subject to subsection (6) of this section.

(6) The division shall not make an emergency or temporary admission of a person to a residential habilitation center for thirty-one days or more without the written approval of the division director or the director's designee if the admission is not a choice provided under subsection (4) of this section.

(a) Children twelve years of age and younger shall not be admitted to an RHC.

(b) Admission of an adolescent to an RHC can only occur if:

(i) DDD determines that foster placement services cannot meet the emergency needs of the child/family; and

(ii) A voluntary placement plan is in place with DDD with the goal of community placement or family reunification; and

(iii) Progress towards placement planning is reported to the division director at least every ninety days.

(7) The division shall authorize county-funded services only when the(~~(=~~

~~(a))~~ service is included in a department contract(~~(=and~~

~~(b))~~ :
(a) The person is at least twenty-one years of age and ((graduated from school during their twenty-first year; or)) is no longer attending school; or

(b) The person is age twenty and graduates prior to his/her July or August twenty-first birthday; or

~~(c) ((Person is twenty-two years of age or older; or~~

~~(d) Person))~~ The child is two years of age or younger and eligible for early intervention services.

(8) The department shall require a person to participate in defraying the cost of services provided when mandated by state or federal regulation or statute.

AMENDATORY SECTION (Amending WSR 02-16-014, filed 7/25/02, effective 8/25/02)

WAC 388-825-100 Notification. (1) The department shall notify the client or applicant, the parent when the client or applicant is a minor, and the guardian when the client or applicant is an adult, of the following decisions:

(a) Denial or termination of eligibility set forth in WAC ~~((388-825-100))~~ 388-825-030 and 288-825-035;

(b) Development or modification of the individual service plan set forth in WAC 388-825-050;

(c) Authorization, denial, reduction, or termination of services or payment of SSP set forth in WAC ~~((388-825-100))~~ 388-825-055; and

(d) Admission or readmission to, or discharge from, a residential habilitation center.

(2) The notice shall set forth appeal rights pursuant to WAC 388-825-120 and a statement that the client's case manager can be contacted for an explanation of the reasons for the action.

(3)(a) The department shall provide notice of a denial or partial authorization of a family support services request and a statement of reason for denial or partial authorization, or reduction to the person or persons described in subsection (1) of this section. The department shall send such notice no later than five working days before the end of the month previous to the month for which service was requested;

(b) The department shall make available an administrative review of a decision to deny or partially authorize services upon receipt of a written request by a person or persons described in subsection (1) of this section to the administrator of the region in which the client is living. The regional office

must receive a request for administrative review by the last working day of the month;

(c) The client shall state in the written request why the client or client's family believes their service priority designation is not correct;

(d) Upon receipt of request for administrative review, the regional administrator or designee shall review the request and the client file; and

(e) The department shall send the results of the administrative review to the client and/or family within the first five working days of the service month for which the client is being denied or receiving a partial authorization for services.

(4) The department shall provide at least thirty days' advance notice of action to terminate a client's eligibility, terminate or reduce a client's service, or discharge a client from a residential habilitation center to the community. Transfer or removal of a client from a service set forth in WAC 388-825-120 (5)(f) is governed by that section, and reduction of family support funding during the service authorization period is covered by subsection (3)(a) of this section.

(5) All parties affected by such department decision shall be consulted, whenever possible, during the decision process by the responsible field services regional office in person and/or by telephone.

(6) The division shall ensure notification to the school district in which a school-aged child is to be placed when a placement decision is reached.

AMENDATORY SECTION (Amending WSR 02-16-014, filed 7/25/02, effective 8/25/02)

WAC 388-825-120 Adjudicative proceeding. (1) A client, former client, or applicant acting on the applicant's own behalf or through an authorized representative has the right to an adjudicative proceeding to contest the following department actions:

(a) Denial or termination of eligibility set forth in WAC ~~((388-825-109))~~ 388-825-030 and 388-825-035;

(b) Development or modification of the individual service plan set forth in WAC 388-825-050;

(c) Authorization, denial, reduction, or termination of services or payment of SSP set forth in WAC ~~((388-825-109))~~ 388-825-055;

(d) Admission or readmission to, or discharge from, a residential habilitation center;

(e) A claim the client, former client, or applicant owes an overpayment debt;

(f) A decision of the secretary under RCW 71A.10.060 or 71A.10.070;

(g) A decision to change a client's placement from one category of residential services to a different category of residential services.

(2) Adjudicative proceedings are governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 71A.10.050, the rules in this chapter, and by chapter 388-02 WAC. If any provision in this chapter conflicts with chapter 388-02 WAC, the provision in this chapter shall govern.

(3) The applicant's application for an adjudicative proceeding shall be in writing and filed with the DSHS office of

appeals within twenty-eight days of receipt of the decision the appellant wishes to contest.

(4) The department shall not implement the following actions while an adjudicative proceeding is pending:

(a) Termination of eligibility;

(b) Reduction or termination of service, except when the action to reduce or terminate the service is based on the availability of funding and/or service; or

(c) Removal or transfer of a client from a service, except when a condition in subsection (5)(f) of this section is present.

(5) The department shall implement the following actions while an adjudicative proceeding is pending:

(a) Denial of eligibility;

(b) Development or modification of an individual service plan;

(c) Denial of service;

(d) Reduction or termination of service when the action to reduce or terminate the service is based on the availability of funding or service;

(e) After notification of an administrative law judge's (or review judge) ruling that the appellant has caused an unreasonable delay in the proceedings; or

(f) Removal or transfer of a client from a service when:

(i) An immediate threat to the client's life or health is present;

(ii) Service termination or transfer for a specific group of clients in order to meet the intent of and comply with sections 205 and 207, chapter 371, Laws of 2002;

(iii) The client's service provider is no longer able to provide services due to:

(A) Termination of the provider's contract;

(B) Decertification of the provider;

(C) Nonrenewal of provider's contract;

(D) Revocation of provider's license; or

(E) Emergency license suspension.

~~((iii))~~ (iv) The client, the parent when the client is a minor, or the guardian when the client is an adult, approves the decision.

(6) When the appellant files an application to contest a decision to return a resident of a state residential school to the community, the procedures specified in RCW 71A.10.050(2) shall govern the proceeding. These procedures include:

(a) A placement decision shall not be implemented during any period during which an appeal can be taken or while an appeal is pending and undecided unless the:

(i) Client's or the client's representative gives written consent; or

(ii) Administrative law judge (or review judge) after notice to the parties rules the appellant has caused an unreasonable delay in the proceedings.

(b) The burden of proof is on the department; and

(c) The burden of proof is whether the specific placement proposed by the department is in the best interests of the resident.

(7) The ~~((initial order shall be made))~~ administrative law judge shall issue an initial or final order within sixty days of the department's receipt of the application for an adjudicative proceeding. When a party files a petition for administrative review, allowed under WAC 388-02-0215 (4)(w)(x) and/or

(y), the review order shall be made within sixty days of the department's receipt of the petition. The decision-rendering time is extended by as many days as the proceeding is continued on motion by, or with the assent of, the appellant.

AMENDATORY SECTION (Amending WSR 84-07-018 (Order 2086) [WSR 99-19-104], filed 9/20/99, effective 9/20/99)

WAC 388-825-180 Eligible persons. (1) To be eligible to apply for community alternatives program (CAP) services, the individual must:

- (a) Meet the criteria for the division of developmental disabilities (DDD) eligibility.
 - (b) Meet the criteria for disability as established in the Social Security Act.
 - (c) Have an income of less than three hundred percent of the federal Supplemental Security Income (SSI) benefit amount.
 - (d) Need an IMR level of care as determined by a DDD nursing care consultant.
 - (i) Require twenty-four hour care and require services that cannot be provided by a family member, and
 - (ii) Have a documented need for habilitation services and training.
 - (e) Does not have SSP funding for the needed habilitation services and training.
- (2) Participation in CAP is by choice of the otherwise IMR-eligible person.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending WSR 02-16-014, filed 7/25/02, effective 8/25/02)

WAC 388-825-205 Who is eligible to participate in the family support opportunity program? (1) All individuals living with their families determined to be developmentally disabled according to WAC 388-825-030 and 388-825-035 are eligible to participate in the program if their family requires assistance in meeting their needs. However, the program will fund or provide support services only as funding is available.

(2) Persons currently receiving services under WAC ((388-825-030)) 388-825-252, Family support services, may volunteer to participate in the program.

(3) Families will receive program services based on one or more of the following criteria: The date of application, eligibility for SSP or other available funding, and/or CAP waiver status.

(4) Availability of the SSP makes the family ineligible for other state funding for the same service.

AMENDATORY SECTION (Amending WSR 02-16-014, filed 7/25/02, effective 8/25/02)

WAC 388-825-252 Family support services. (1) The purpose of the family support program is to:

(a) Reduce or eliminate the need for out-of-home residential placement of a client where the in-home placement is in the client's best interest;

(b) Allow a client to live in the most independent setting possible; and

(c) Have access to services best suited to a client's needs.

(2) The department's family support services shall include, the following services:

(a) Respite care, including the use of community activities which provide respite;

(b) Attendant care;

(c) Nursing services provided by a registered nurse or licensed practical nurse, that cannot be provided by an unlicensed caregiver, including but not limited to, ventilation, catheterization, insulin injections, etc., when not covered by another resource;

(d) Therapeutic services, provided these therapeutic services are not covered by another resource such as medicaid, private insurance, public schools, or child development services funding, including:

(i) Physical therapy;

(ii) Occupational therapy;

(iii) Behavior management therapy; and

(iv) Communication therapy; or

(v) Counseling for the client relating to a disability.

(3) Receiving family support services is based on:

(a) Funding for state paid services available in the state operating budget; or

(b) SSP funding available to the client/family.

(4) The following rules, subsections (5) through (9), apply only to family support services authorized by the department and do not govern services purchased by the family with SSP (state supplementary payment) funding (see WAC 388-825-570).

(5) Up to nine hundred dollars of the service need level amount in WAC ((388-825-252)) 388-825-254 may be used during a one year period for flexible use as follows. The requested service must be necessary as a result of the disability of the client.

(a) Training and supports including parenting classes and disability related support groups;

(b) Specialized equipment and supplies including the purchase, rental, loan or refurbishment of specialized equipment or adaptive equipment not covered by another resource including Medicaid. Mobility devices such as walkers and wheelchairs are included, as well as communication devices and medical supplies such as diapers for those more than three years of age;

(c) Environmental modification including home repairs for damages, and modifications to the home needed because of the disability of the client;

(d) Medical/dental services not covered by any other resource. This may include the payment of insurance premiums and deductibles and is limited to the premiums and deductibles of the client;

(e) Special formulas or specially prepared foods needed because of the disability of the client;

(f) Parent/family counseling dealing with a diagnosis, grief and loss issues, genetic counseling and behavior management;

(g) Specialized clothing adapted for a physical disability, excessive wear clothing, or specialized footwear;

(h) Specialized utility costs including extraordinary supplemental utility costs related to the client's disability or medical condition;

(i) Transportation costs for gas or tickets (ferry fare, transit cost) for a client to get to essential services and appointments, if another resource is not available;

(j) Other services approved by the DDD regional administrator or designee that will replace or reduce ongoing departmental expenditures and will reduce the risk of out-of-home placement. Exemption requests under this section are not subject to appeal.

~~((4))~~ (6) Recommendations will be made to the regional administrator by a review committee. The regional administrator will approve or disapprove the request and will communicate reasons for denial to the committee.

~~((5))~~ (7) Payment for services specified in subsection ~~((3))~~ (5), except ~~((3))~~(5)(a) and (h), shall cover only the portion of cost attributable to the client.

~~((6))~~ (8) Requests must be received by DDD no later than midway through the service authorization period unless circumstances exist justifying an emergency.

~~((7))~~ (9) A plan shall be developed jointly by the family and the department for each service authorization period. The department may choose whether to contract directly with the vendor, to authorize purchase by another agency, or may reimburse the parent of the client.

~~((8))~~ (10) Emergency Services. Emergency funds may be requested for use in response to a single incident or situation or short term crisis such as care giver hospitalization, absence, or incapacity. The request shall include anticipated resolution of the situation. Funds shall be provided for a limited period not to exceed two months. All requests are to be reviewed and approved or denied by the regional administrator or designee.

~~((9))~~ (11) A departmental service authorization shall state the type, amount, and period (duration) of service. Each department authorization shall constitute a new service for a new period.

~~((10))~~ (12) If the client becomes eligible and begins to receive Medicaid Personal Care services as defined in WAC ~~((388-15-202 through 388-15-203))~~ 388-71-0202 and 388-71-0203, the family support funding will be reduced at the beginning of the next month of service. The family will receive notice of the reconfiguration of services at least five working days before the beginning of the month.

~~((11))~~ (13) If requested family support services are not authorized, such actions shall be deemed a denial of services.

~~((12))~~ (14) Family support services may be authorized below the amount requested by the family for the period. When, during the authorized service period, family support services are reduced or terminated below the amount specified in service authorizations, the department shall deem such actions as a reduction or termination of services.

AMENDATORY SECTION (Amending WSR 02-01-074, filed 12/14/01, effective 1/14/02)

WAC 388-825-254 Service need level rates. (1) The department shall base periodic service authorizations on:

(a) Requests for family support services described in WAC 388-825-252 (2) ~~((of this section))~~ and (5);

(b) Service need levels ~~((as described in WAC 388-825-252(3) of this chapter))~~. The amount of SSP (state supplementary payment) available to a client will be included when calculating the monthly allocation of state family support dollars.

(c) Service need level lid amounts are as follows:

(i) Clients designated for service need level one (WAC 388-825-256) may receive up to one thousand one hundred fifty-six dollars per month or two thousand four hundred sixty-two dollars per month if the client requires licensed nursing care in the home:

(A) If a client is receiving funding through Medicaid Personal Care or other DSHS in-home residential support, the maximum payable through family support shall be five hundred twelve dollars per month;

(B) If the combined total of family support services at this maximum plus in-home support is less than one thousand one hundred fifty-six dollars additional family support can be authorized to bring the total to one thousand one hundred fifty-six dollars.

(ii) Clients designated for service need level two (WAC 388-825-256) may receive up to four hundred fifty-six dollars per month if not receiving funding through Medicaid personal care:

(A) If a client is receiving funds through Medicaid personal care or other DSHS in-home residential support service, the maximum receivable through family support shall be two hundred fifty-six dollars per month;

(B) If the combined total of family support services at this maximum plus in-home support is less than fifty-six hundred four dollars, additional family support can be authorized to bring the total to four hundred fifty-six dollars.

(iii) Clients designated for service need level three (WAC 388-825-256) may receive up to two hundred fifty-six dollars per month provided the client is not receiving Medicaid personal care. If the client is receiving Medicaid personal care or other DSHS in-home residential support service, the maximum receivable through family support shall be one hundred twenty-eight dollars per month; and

(iv) Clients designated for service level four (WAC 388-825-256) may receive up to one hundred twenty-eight dollars per month family support services.

~~((e))~~ (d) Availability of family support funding;

~~((d))~~ (e) Authorization by a review committee, in each regional office, which reviews each request for service;

~~((e))~~ (f) The amounts designated in subsection (1)(b)(i) through (iv) of this section are subject to periodic increase if vendor rate increases are mandated by the legislature.

(2) The department shall authorize family support services contingent upon the applicant providing accurate and complete information on disability-related requests.

(3) The department shall ensure service authorizations do not exceed maximum amounts for each service need level based on the availability of funds.

(4) The department shall not authorize a birth parent, adoptive parent, or stepparent living in the same household as the client as the direct care provider for respite, attendant, nursing, therapy, or counseling services for a child seventeen years of age or younger.

NEW SECTION

WAC 388-825-500 What is the State Supplementary Payment that will be administered by the division of developmental disabilities (DDD)? The State Supplementary Payment (SSP) is a state-paid cash assistance program for certain clients of the division of developmental disabilities.

NEW SECTION

WAC 388-825-505 What are the eligibility requirements for the DDD/SSP program? To be eligible to receive DDD/SSP, you must be determined DDD eligible under RCW 71A.10.020 and meet all of the financial and programmatic criteria for DDD/SSP.

NEW SECTION

WAC 388-825-510 What are the financial eligibility requirements to receive DDD/SSP? You must be eligible for or receive SSI cash assistance in the month in which the DDD/SSP is issued.

NEW SECTION

WAC 388-825-515 What are the programmatic requirements for DDD/SSP? (1) You received one or more of the following services from DDD with state-only funding between March 1, 2001 and March 31, 2003, and are approved by DDD to receive one of these services.

(a) Certain voluntary placement program services, which include:

- (i) Foster care basic maintenance,
- (ii) Foster care specialized support,
- (iii) Agency specialized support,
- (iv) Staffed residential home,
- (v) Out-of-home respite care,
- (vi) Agency in-home specialized support,
- (vii) Group care basic maintenance,
- (viii) Group care specialized support,
- (ix) Transportation,
- (x) Agency attendant care,
- (xi) Child care,
- (xii) Professional services,
- (xiii) Nursing services,
- (xiv) Interpreter services,

(b) Family support;

(c) Residential services from one or more of the following licensed, certified and/or contracted providers:

- (i) Adult family home,

- (ii) Adult residential care facility,
- (iii) Alternative living,
- (iv) Group home,
- (v) Supported living,
- (vi) Agency attendant care,
- (vii) Supported living or other residential service allowance,
- (viii) Intensive individual supported living support (companion homes).

(2) For individuals with community protection issues as defined in WAC 388-820-020, the department will determine eligibility for SSP on a case-by-case basis.

(3) For new authorizations of family support opportunity,

(a) You were on the family support opportunity waiting list prior to January 1, 2003; and

(b) You are on the CAP waiver; and

(c) You continue to meet the eligibility requirements for the family support opportunity program.

(4) For transition employment/day program services:

(a) You received or will receive transition employment/day program services from a county or a county-contracted provider funded by DDD between July 1, 2001 and June 30, 2003, and:

(i) You have been assessed by DDD, the division of vocational rehabilitation (DVR) or the department of services for the blind to be in need of long-term support; and

(ii) Were born between September 1, 1979 and August 31, 1981; and

(iii) Receive services from a county or a county-contracted provider; and

(iv) You have developed a plan with DDD for employment/day program services.

(b) If you are on the community alternatives program (CAP) waiver and received transition employment/day program services between July 1, 2001 and August 31, 2002, but receive no CAP waiver services from DDD other than transition employment/day program services, you will receive transition employment/day program services according to WAC 388-825-055(7). You will not receive SSP for these services.

(5) For employment/day programs services for persons born prior to September 1, 1979, you have been assessed by DDD, the division of vocational rehabilitation (DVR) or the department of services for the blind to be in need of long-term support, and:

(a) You were authorized by DDD and the county for employment/day program services for December 2002; and

(b) These services were funded totally with state funds; and

(c) You were born prior to September 1, 1979; and

(d) You continue to receive services from a county or county-contracted provider.

NEW SECTION

WAC 388-825-520 How often will my eligibility for DDD/SSP be re-determined? Redetermination of eligibility for the DDD/SSP program will be conducted at least every

twelve months, or more frequently if deemed necessary by DDD.

NEW SECTION

WAC 388-825-525 How will I know if I am eligible to receive a DDD/SSP payment? You will receive a written notification from DDD if you have been identified as eligible for this program.

NEW SECTION

WAC 388-825-530 Can I choose not to accept DDD/SSP payments? If your service funding has been converted to the DDD/SSP program, DDD/SSP payments are the only way you can receive that funding.

(1) If you choose not to receive DDD/SSP payments, you will not receive department funding for that service.

(2) Your community alternatives program (CAP) waiver service(s) not funded by DDD/SSP payments will not be affected by your choice to receive or reject DDD/SSP payments.

NEW SECTION

WAC 388-825-535 Can I apply for the DDD/SSP program if I am not identified by DDD as eligible for the DDD/SSP program? You can apply through your case resource manager to determine eligibility for SSP but eligibility is limited to those meeting the eligibility requirements in WAC 388-825-505, 388-825-510 and 388-825-515.

NEW SECTION

WAC 388-825-540 What are my appeal rights if DDD determines that I am not eligible for DDD/SSP? (1) You have the right to appeal the department's denial, termination, or reduction of services. Your rights to an adjudicative proceeding are in WAC 388-825-120.

(2) Your current services will not be continued while the matter is being appealed if the service termination or transfer is for a specific group of clients in order to meet the legislative intent of and comply with sections 205 and 207, chapter 371, Laws of 2002.

NEW SECTION

WAC 388-825-545 How much money will I receive? The department will determine your payment amount.

(1) For residential and VPP services, the amount of your SSP will be based on the amount of state-only dollars spent on certain services at the time the funding source was converted to SSP. Because SSP payments are provided to assist individuals to meet their needs, they are not based on a fixed level of funding and may vary based on changes in the cost of services. Therefore when the cost of service decreases, the amount of your SSP may decrease accordingly.

(2) For family support services, refer to WAC 388-825-200 through 388-825-284.

(a) If you are on the community alternatives program (CAP) waiver:

(i) You will receive nine hundred dollars DDD/SSP money per year to use as you determine.

(ii) The remainder up to the maximum allowed may be authorized by DDD to purchase CAP waiver services and will be paid directly to the provider.

(b) If you are not on the CAP waiver, you will receive the yearly maximum allowed in the form of DDD/SSP money to use as you determine.

(c) The yearly amount of DDD/SSP money will be prorated into monthly amounts. You will receive one twelfth of the yearly amount each month.

(d) You may have already received services paid by DDD before the DDD/SSP program began. The amount you already received will be subtracted from the yearly amounts stated above, and the remainder will be prorated by the number of months remaining in your service year.

EXAMPLE:

Your service year runs from July 2002 through June 2003. You are on the CAP waiver. You received three hundred dollars before the DDD/SSP program began. In September, you have ten months remaining in your service year. The remaining amount of six hundred dollars (nine hundred dollars minus three hundred dollars already received) will be prorated for ten months. You will receive sixty dollars per month for September through June 2003.

(3) For transition and other employment/day program services, the department will individually determine the amount of your payment.

NEW SECTION

WAC 388-825-546 May I voluntarily remove myself from the community alternatives program (CAP) waiver in order to increase the amount of my SSP? You may voluntarily remove yourself from the CAP waiver but your SSP will not increase because of this action.

NEW SECTION

WAC 388-825-550 How often will I receive my DDD/SSP warrant/check? You will receive a monthly warrant/check from the state.

NEW SECTION

WAC 388-825-555 Who will the warrant/check be sent to? (1) If you are a child under the age of eighteen, the warrant/check will be sent to your legal representative or protective payee or representative payee.

(2) If you are a person age eighteen and older, the warrant/check will be sent directly to your protective payee or representative payee if you have one.

(3) If you do not have a protective payee or representative payee, the warrant/check will be sent directly to you.

NEW SECTION

WAC 388-825-560 How will the warrant/check be sent? You may choose to have your check delivered through the US Postal Service, or as an electronic funds transfer.

NEW SECTION

WAC 388-825-570 Are there rules restricting how I use my DDD/SSP money? (1) For family support:

(a) If you are on the CAP waiver:

(i) Nine hundred dollars DDD/SSP money per year may be used as you determine.

(ii) The remainder up to the maximum allowed may be authorized by DDD and paid directly to the provider for the following CAP waiver services:

(A) Respite care, not including community activities;

(B) Attendant care;

(C) Nursing services;

(D) Therapies, including:

(I) Physical therapy;

(II) Occupational therapy;

(III) Behavior management therapy; and

(IV) Communication therapy; or

(V) Counseling for the client relating to a disability.

(E) Family consultation and training;

(F) Specialized equipment and supplies;

(G) Environmental modifications;

(H) Community guides;

(I) Medications not covered by Medicaid; and

(J) Transportation costs.

(b) If you are not on the CAP waiver, you may use the maximum allowed in the form of DDD/SSP money as you determine.

(2) For voluntary placement program (VPP):

(a) DDD/SSP funds for current VPP children under age eighteen must be used to purchase VPP services from a state contracted and/or licensed provider.

(b) DDD/SSP funds for current VPP persons age eighteen through age twenty must be used to purchase VPP services from a provider who is contracted by the state and is either licensed or certified.

(3) For adult residential services, requirements will vary according to residence:

(a) Persons currently receiving services from a certified or licensed provider must use their DDD/SSP money to purchase residential services. Examples of these residential providers: adult family home, adult residential care, group home, supported living, and agency attendant care.

(b) Persons receiving alternative living or companion home services from an individual contracted with DSHS/DDD and who choose to continue to use an individual provider must use persons contracted with DSHS/DDD.

(4) For service allowance or other residential client allowance, you are required to use this money for necessary living expenses only; i.e., rent, food, utilities.

(5) For transition employment/day program services, you are required to use this money to purchase transition employment/day program services from a county or a county-contracted provider.

(6) For other employment/day program services, you are required to use this money to purchase employment/day program services from a county or a county-contracted provider.

NEW SECTION

WAC 388-825-571 May I purchase services from a provider who lives outside the state of Washington? The provider does not have to live within the state, subject to the following limitations.

(1) For family support, you may use your SSP as you determine best.

(2) For employment/day program services, you must purchase services from a county of the state of Washington or from a provider who has a contract with a county of the state of Washington.

(3) For all other services, you must purchase services from a person or provider who is licensed or certified by and contracted with the state of Washington.

NEW SECTION

WAC 388-825-575 What changes must I report to the department? You must report changes in your circumstances within ten days from the date you become aware of the change. You must tell us if:

(1) Your SSI stops;

(2) Your address changes; or

(3) There is a change in your living arrangement that affects your eligibility for the receipt of service.

NEW SECTION

WAC 388-825-576 Do I have additional responsibilities when I purchase my own services? (1) When you purchase in-home services from individuals, you become the employer. As the employer, you may have tax liabilities. If you have questions regarding employer tax issues, you can contact the Internal Revenue Service.

(2) If you want to obtain a criminal background check of any employee who will have unsupervised access to children or adults with developmental disabilities, you may get the background check done through the Washington State Patrol. You can ask DDD to assist you with completing these background checks.

NEW SECTION

WAC 388-825-580 What happens if I do not spend my DDD/SSP money as required in WAC 388-825-570? DSHS has the right to recover any SSP benefit issued by DDD and terminate eligibility for SSP if it is determined that the SSP benefits were not spent as required in WAC 388-825-570.

NEW SECTION

WAC 388-825-585 When will the department stop sending my DDD/SSP money? The department will stop sending your DDD/SSP money when:

- (1) You no longer are eligible for or receive SSI cash benefits;
- (2) The SSP benefits were not spent as required in WAC 388-825-570;
- (3) You no longer meet the program requirements for the services for which SSP was intended;
- (4) You no longer require the service; or
- (5) Your DDD eligibility is terminated.

NEW SECTION

WAC 388-825-590 What is a representative payee? A representative payee is a person, organization, institution or agency that manages your DDD/SSP and ensures that the funds are spent on services contained in WAC 388-825-570. They may also provide services such as helping you manage your money.

NEW SECTION

WAC 388-825-591 Who can be a representative payee for my DDD/SSP? (1) A representative payee may be:

- (a) The person, organization, institution or agency that acts as your representative payee for Supplemental Security Income (SSI);
 - (b) Your parent, if you are under eighteen;
 - (c) Your spouse; or
 - (d) A person, organization, institution or agency you select if the department approves your selection.
- (2) If you select a representative payee under subsection (1)(d) of this section, the department will evaluate the selection according to the following criteria:
- (a) The relationship of the payee to you;
 - (b) The amount of interest the payee shows in you;
 - (c) Any legal authority the payee has to act on your behalf;
 - (d) Whether the payee has custody of you; and
 - (e) Whether the payee is in a position to know of and look after your needs.
- (3) The DDD director or designee will approve or deny your request for a representative under subsection (1)(d) of this section.

NEW SECTION

WAC 388-825-592 What are the responsibilities of a representative payee? A representative payee has the responsibility to:

- (1) Use the payments received only for the purpose for which they were intended;
- (2) Notify the department if any event happens that may affect the amount of benefits you receive;
- (3) Submit to the department, upon our request, a written report accounting for the payments received; and
- (4) Notify the department if any change in the payee's circumstances that would affect performance of the payee responsibilities.

NEW SECTION

WAC 388-825-600 Does DSHS make exceptions to the requirements in this chapter? DSHS may grant exceptions to the requirements specified in this chapter as long as the following conditions are met:

- (1) You or your case manager may request an exception to a rule in this chapter.
- (2) The case manager must submit a written request for an exception to his or her DDD regional administrator.
- (3) DSHS will evaluate requests for exceptions, considering:
 - (a) The federal and state rules governing SSP;
 - (b) The health and safety of the clients;
 - (c) The quality and necessity of the services;
 - (d) The availability of the services through normal channels;
 - (e) The impact on the client if the service is not provided; and
 - (f) The impact on other clients of the program.
- (4) The DDD regional administrator will forward the request to the DDD director together with the regional administrator's recommendation to approve or deny the request.
- (5) The DDD director or designee will approve or deny the request in writing within sixty calendar days after receiving the request from the case manager.
- (6) The department will notify you of the decision.
- (7) You do not have rights to adjudicative proceedings when you receive a denial from DSHS for an exception to the rules in this chapter.

AMENDATORY SECTION (Amending WSR 99-10-104 [99-19-104], filed 9/20/99, effective 9/20/99)

WAC 388-850-035 Services—Developmental disabilities. (1) A county may purchase and provide services listed under chapter 71A.14 RCW.

(a) The department shall pay a county for department authorized services provided to an eligible developmentally disabled person.

(b) DD eligible persons who receive SSP funding for transition services shall pay the county or a county contracted provider for services.

(2) A county may purchase or provide authorized services. Authorized services may include, but are not limited to:

- (a) Early childhood intervention services;
- (b) Employment services;
- (c) Community access services;
- (d) Residential services;
- (e) Individual evaluation;
- (f) Program evaluation;
- (g) County planning and administration; ~~(and)~~
- (h) Consultation and staff development; and
- (i) SSP oversight.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

EMERGENCY

AMENDATORY SECTION (Amending WSR 92-13-032 (Order 3404) [99-19-104], filed 9/20/99, effective 9/20/99)

WAC 388-850-045 Funding formula—Developmental disabilities. (1) For the purposes of this section, "county" shall mean the legal subdivision of the state, regardless of any agreement with another county to provide developmental disabilities services jointly.

(2) The allocation of funds to counties shall be based on the following criteria:

(a) Each county shall receive a base amount of funds. The amount shall be based on the prior biennial allocation, including any funds from budget provisos from the prior biennium, and subject to the availability of state and federal funds;

(b) The distribution of any additional funds provided by the legislature or other sources shall be based on a distribution formula which best meets the needs of the population to be served as follows:

(i) On a basis which takes into consideration minimum grant amounts, requirements of clients residing in an ICF/MR or clients on one of the division's Title XIX home and community-based waivers, and the general population of the county, and special education enrollment as well as the population eligible for county-funded developmental disabilities services;

(ii) On a basis that takes into consideration the population numbers of minority groups residing within the county;

(iii) A biennial adjustment shall be made after these factors are considered; and

(iv) Counties not receiving any portion of additional funds pursuant to this formula shall not have their base allocation reduced due to application of this formula.

(c) Funding appropriated through legislative proviso, including vendor rate increases, shall be distributed to the population directed by the legislature utilizing a formula as directed by the legislature or using a formula specific to that population or distributed to identified people;

(d) The ability of the community to provide funds for the developmental disability program provided in chapter 71A.14 RCW may be considered with any or all of the above.

(3)(a) A county may utilize seven or less percent of the county's allocated funds for county administrative expenses. A county may utilize more than seven percent for county administration with approval of the division director. A county electing to provide all services directly, in addition to county administration, is exempt from this requirement.

(b) A county may receive funds for oversight of employment/day program services purchased by DDD clients with their SSP, based on the following conditions:

(i) The SSP oversight funds for the recipients described below will be allocated at the same rate that the county received in their original 2001-2003 DDD county program agreement for administrative expenses for these same individuals. These funds will be calculated by using the date the recipient began receiving SSP, if the recipient:

(A) Was born between September 1, 1979 and August 31, 1981; and

(B) Received a county or county-contracted service between July 1, 2001 and June 30, 2002; and

(C) Continues to receive a county or county-contracted service.

(ii) SSP oversight funds for the recipients described below will be allocated at the same rate that the county received in their original 2001-2003 DDD county program agreement for administrative expenses for these same individuals. These funds will be calculated by using the date the recipient began receiving SSP, if the recipient:

(A) Was born prior to September 1, 1979; and

(B) Was authorized by DDD and the county for employment/day program services for December, 2002; and

(C) Continues to receive a county or county-contracted service.

(iii) The SSP oversight funds for recipients described below shall equal up to seven percent of the amount of the SSP received by the recipient, if the SSP recipient:

(A) Was born between September 1, 1979 and August 31, 1981; and

(B) Received no county or county-contracted service prior to July 1, 2002; and

(C) Received or will receive a county or county-contracted service between July 1, 2002 and June 30, 2003; and

(D) Continues to receive a county or county-contracted service.

(4) The department may withhold five or less percent of allocated funds for new programs, for statewide priority programs, and for emergency needs.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 03-11-001

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 03-91—Filed May 8, 2003, 10:14 a.m., effective May 16, 2003]

Date of Adoption: May 7, 2003.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900B; 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: An abundant return of spring chinook salmon is forecast for the Columbia River and tributaries during the year 2003. These fish will ensure that brood stock escapement goals are met at the Carson, Little White Salmon and the Leavenworth national fish hatcheries. The regulations set for 2003 will ensure that the Leavenworth National Fish Hatchery will be able to collect the 1,000 fish needed for brood stock. The remaining salmon in the Icicle River will be available for harvest by both the Yakama Indian

Nation and nontribal anglers. 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: May 16, 2003.

May 7, 2003

J. P. Koenings
Director

NEW SECTION

WAC 232-28-61900B Exceptions to statewide rules—Icicle River (Chelan Co.) Notwithstanding the provisions of WAC 232-28-619, effective May 16, 2003 through July 31, 2003, it is lawful to fish for salmon in those waters from 500 feet downstream of the Leavenworth National Fish Hatchery rack down river to the mouth of the Icicle River. Daily limit of two salmon, minimum size 12 inches. Night closure and non-buoyant lure restriction in effect.

REPEALER

The following section of the Washington Administrative Code is repealed effective one hour after sunset on July 31, 2003:

WAC 232-28-61900B Exceptions to statewide rules—Icicle River (Chelan Co.)

**WSR 03-11-002
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 03-92—Filed May 8, 2003, 10:17 a.m., effective May 19, 2003, 3:00 p.m.]

Date of Adoption: May 7, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-03000T; and amending WAC 220-33-030.

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 sets the standard shad commercial fishery in the lower Columbia River. Harvestable numbers of shad are expected in 2003. This rule is consistent with actions of the Columbia River compact hearing of February 6, 2003, and is consistent with requirements of the ESA. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: May 19, 2003, 3:00 p.m.

May 7, 2003

J. P. Koenings
Director

NEW SECTION

WAC 220-33-03000T Commercial shad—Columbia River. Notwithstanding the provisions of WAC 220-33-030, it is unlawful to take, fish for or possess shad taken for commercial purposes except as provided for in this section:

FISHING PERIODS

Area: Area 2S. True north/south line through Light #50 near the mouth of the Sandy River upstream to the commercial fishing boundary near Beacon Rock.

Dates: Daily, 3:00 p.m. to 10:00 p.m. from:

May 19 - May 23, 2003

May 27 - May 30, 2003

June 2 - June 6, 2003

June 9 - June 13, 2003

June 16 - June 20, 2003

June 23 - June 27, 2003

Gear: Single-wall, unslackened, floater gill net, with breaking strength of less than 10 pounds.

Mesh size: 5 3/8 inches to 6 1/4 inches.

The net may not exceed 150 fathoms in length nor 40 meshes in depth.

Allowable Sale: During the fishing periods provided in this section, only shad may be kept and sold. All salmonids,

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walleye and sturgeon must be immediately returned to the water and those alive must be released unharmed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 10:01 p.m. June 27, 2003:

WAC 220-33-03000T Commercial shad—Columbia River.

WSR 03-11-003
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 03-93—Filed May 8, 2003, 10:19 a.m., effective May 10, 2003, 5:00 a.m.]

Date of Adoption: May 6, 2003.

Purpose: Amend personal use fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-32500D; and amending WAC 220-56-325.

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 is needed to ensure an orderly fishery, manage within court-ordered sharing requirements, and to ensure conservation. The state recreational share of nonspot shrimp is available in the areas opened under this rule. Depth restrictions are needed to protect spot shrimp. Designation of the Port Townsend Bay Shrimp District is necessary to simplify WAC and fishing in Washington pamphlet language. 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: May 10, 2003, 5:00 a.m.

May 6, 2003
J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-56-32500E Shrimp—Areas and seasons. Notwithstanding the provisions of WAC 220-56-325 and WAC 220-56-310:

1) Effective immediately, the following area shall be defined as a shrimp fishing district: Port Townsend Shrimp District – All waters of Port Townsend bay south and west of a line from Marrowstone Point to Point Hudson (including Kilisut Harbor).

2) Effective immediately, until further notice, it is unlawful to fish for or possess shrimp taken for personal use in all waters of Marine Area 10.

3) Effective 5:00 a.m., May 10, 2003, until further notice, it is lawful to fish for or possess shrimp taken for personal use in all waters of Marine Areas 8-1, 8-2 and 9 except:

(a) It is unlawful to possess spot shrimp and all spot shrimp must immediately be returned to the water unharmed.

(b) It is unlawful to set or pull shrimp gear in waters greater than 150 feet deep.

(c) In all waters of the Port Townsend Shrimp District it is unlawful to:

(i) Set or pull shrimp gear north of a line from Kala Point to Walan Point.

(ii) Set or pull shrimp gear from Monday through Wednesday of each week.

4) It is unlawful to fish for or possess shrimp from those waters of Hood Canal south of the Hood Canal floating bridge except as provided for in this section:

(a) Fishing for shrimp is allowed between 9:00 a.m. and 1:00 p.m. on the following dates: May 17, 21, 24, and 28, 2003.

(b) No shrimp fishers may set gear before 9:00 a.m. or leave shrimp fishing gear in the water after 1:00 p.m. each day of the fishery.

(c) Fishers are not required to retain the heads of shrimp taken while in the field.

REPEALER

The following section of the Washington Administrative Code is repealed effective 5:00 a.m. May 10, 2003:

WAC 220-56-32500D Shrimp—Areas and seasons (03-88)

WSR 03-11-004
EMERGENCY RULES
PERSONNEL RESOURCES BOARD

[Filed May 8, 2003, 3:07 p.m., effective May 9, 2003]

Date of Adoption: May 8, 2003.

EMERGENCY

Purpose: The purpose of this rule is to reinstate the exemption language for the State Board for Community and Technical Colleges and the board's definitions of student, part-time or temporary employees, and part-time professional consultants. This language was contained in WAC 251-04-040 that was repealed at the July board meeting. Since the language being proposed is not contained in chapter 41.06 RCW, there is a need for it to be reinstated.

Statutory Authority for Adoption: RCW 41.06.150.

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: RCW 41.06.070 exempts from coverage of chapter 41.06 RCW students, part-time, or temporary employees, and part-time professional consultants as defined by the Washington Personnel Resources Board. Effective September 1, 2002, the board abolished WAC 251-04-040 which has historically defined these categories of employees. Without the emergency adoption of WAC 251-04-035 which reinstates the definitions of student, part-time, temporary employees and part-time professional consultants, the status of these employees may be in question.

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 1, Amended 0, Repealed 0.

Effective Date of Rule: May 9, 2003.

May 8, 2003
E. C. Matt
Secretary

NEW SECTION

WAC 251-04-035 Exemptions. The provisions of this chapter do not apply to positions listed in RCW 41.06.070 and to the following:

(1) The executive director, his/her confidential secretary, assistant directors, and professional education employees of the state board for community and technical colleges.

(2) The following definitions are hereby established as the criteria for identifying positions occupied by student, part-time or temporary employees, and part-time professional consultants that are exempt from the provisions of this chapter.

(a) Students employed by the institution at which they are enrolled (or related board) and who either:

(i) Work five hundred sixteen hours or less in any six consecutive months, exclusive of hours worked in a temporary position(s) during the summer and other breaks in the academic year, provided such employment does not take the place of a classified employee laid off due to lack of funds or lack of work; or fill a position currently or formerly occupied by a classified employee during the current or prior calendar or fiscal year, whichever is longer;

(ii) Are employed in a position directly related to their major field of study to provide a training opportunity; or

(iii) Are elected or appointed to a student body office or student organization position such as student officers or student news staff members.

(b) Students participating in a documented and approved programmed internship which consists of an academic component and work experience.

(c) Students employed through the state or federal work/study programs.

(d) Persons employed to work one thousand fifty hours or less in any twelve consecutive month period from the original date of hire or October 1, 1989, whichever is later. Such an appointment may be subject to remedial action in accordance with WAC 251-12-600, if the number of hours worked exceeds one thousand fifty hours in any twelve consecutive month period from the original date of hire or October 1, 1989, whichever is later, exclusive of overtime or work time as described in subsection (2)(a) of this section.

(e) Part-time professional consultants retained on an independent part-time or temporary basis such as physicians, architects, or other professional consultants employed on an independent contractual relationship for advisory purposes and who do not perform administrative or supervisory duties.

**WSR 03-11-008
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 03-95—Filed May 9, 2003, 3:35 p.m.]

Date of Adoption: May 9, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-05100Q; 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: This regulation is necessary to close waters of Marine Fish-Shellfish Management and Catch Reporting Area 23D to commercial pot fishers for spot shrimp. The quota of spot shrimp has been taken in this area. There is insufficient time to promulgate permanent rules.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

May 9, 2003

Evan Jacoby

for Jeff Koenings

Director

NEW SECTION

WAC 220-52-05100R Puget Sound shrimp pot and beam trawl fishery—Seasons. Notwithstanding the provisions of WAC 220-52-051, effective immediately until further notice, it is unlawful to fish for shrimp for commercial purposes in Puget Sound except as provided for in this section:

(1) Shrimp pot gear:

(a) All waters of Marine Fish-Shellfish Management and Catch and Reporting Areas 23A-S (south), 23C, 23D, and 29, are open to harvest of all shrimp species until further notice, except as provided below:

(i) Effective immediately, until further notice, it is unlawful to harvest spot shrimp for commercial purposes in Marine Fish-Shellfish Catch and Reporting Area 23D.

(b) All waters of Shrimp Management Areas 1B (except as provided in section 1(f)) and 1C, and Crustacean Management Regions 2 (except as provided in section 1(g)), 4, and 6, and Marine Fish-Shellfish Catch and Reporting Area 25A are open to harvest of all shrimp species except spot shrimp, until further notice.

(c) The shrimp accounting week is Monday through Sunday.

(d) It is unlawful to fish for shrimp for commercial purposes in Puget Sound using shellfish pot gear in more than one Marine Fish-Shellfish Management and Catch Reporting Area per day. Fishers may move all of their shellfish pot gear from one Marine Fish-Shellfish Management and Catch Reporting Area to another Marine Fish-Shellfish Management and Catch Reporting Area if a harvest report is made before the shellfish pot gear is moved. The harvest activity report must be made consistent with the provisions of WAC 220-52-075 and must also include the following additional information.

(i) The number of pots being moved to a new area and the Marine Fish-Shellfish Management and Catch Reporting Area that the pots are being moved to.

(e) It is unlawful to set or pull shellfish pots in one Marine Fish-Shellfish Management and Catch Reporting Area while in possession of shrimp harvested from another Marine Fish-Shellfish Management and Catch Reporting Area except shellfish pots may be set in a new fishing area subsequent to making a report as indicated in Section 1(d) above.

(f) The following restrictions apply to shellfish pot gear harvest in Marine Fish-Shellfish Management and Catch Reporting Area 22A:

(i) Closed through June 15 in waters within a line beginning at the Blakely Island Marina at the northwest corner of Blakely Island, then projected two nautical miles due west, then southerly paralleling the western shore line of Blakely Island to a line projected due west from Bald Bluff on Blakely Island.

(g) The following restrictions apply to shellfish pot gear harvest in Marine Fish-Shellfish Management and Catch Reporting Area 25D:

(i) Closed through June 18 in waters of Port Townsend Bay south of the 48°06'N latitude line and north of the 48°04'N latitude line and east of the 122°46'W longitude line.

(2) Shrimp beam trawl gear:

(a) Crustacean Management Region 3 outside of the shrimp districts: Open immediately, until further notice.

(b) Shrimp Management Area 1B: Marine Fish Shellfish Catch and Reporting Area 22A open immediately, until further notice.

(3) It is unlawful to set or pull shrimp using shellfish pot or shrimp beam trawl gear from one hour after official sunset to one hour before official sunrise.

(4) All shrimp taken under this section must be sold to licensed Washington wholesale fish dealers.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-05100Q Puget Sound shrimp pot and beam trawl fishery—Seasons.

**WSR 03-11-023
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 03-96—Filed May 14, 2003, 4:16 p.m., effective May 16, 2003, 7:00 a.m.]

Date of Adoption: May 12, 2003.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-56-33000X; and amending WAC 220-56-330.

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 emergency regulation is necessary to protect soft shell crab in all marine areas. Hard shell criteria have been met in the southern portion of Marine Area 8-2 to allow harvest. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 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: May 16, 2003, 7:00 a.m.

May 12, 2003

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-56-33000Y Crab—Areas and seasons. Notwithstanding the provisions of WAC 220-56-330, effective immediately until further notice, it is unlawful to fish for crab for personal use in all waters of Puget Sound except as provided herein:

1) Effective 7:00 a.m. May 16, 2003 through 9:00 p.m. August 11, 2003, Fridays through Mondays only, it is lawful to fish for crab for personal use in Marine Area 8-2, except in waters of Saratoga Passage north of a line that extends from Camano Head on the southern tip of Camano Island to Sandy Point on Whidbey Island.

REPEALER

The following section of the Washington Administrative Code is repealed effective 7:00 a.m. May 16, 2003:

WAC 220-56-33000X Crab—Areas and seasons.
(03-66)

WSR 03-11-024

EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Children's Administration)

{Filed May 14, 2003, 4:46 p.m.}

Date of Adoption: April 30, 2003.

Purpose: The Children's Administration's Division of Program and Policy is adopting these emergency rules for Family Reconciliation Services (FRS), WAC 388-32-0025 and 388-32-0030. The purpose is to redefine the time frames for the delivery and completion of services within the FRS program's reduced budget allocation, and to allow for greater flexibility in the delivery of services. Additionally, the Children's Administration has implemented a centralized intake system, requiring revision of this WAC to conform to the centralized intake operations. The department had filed a preproposal statement of inquiry and has initiated rule-making proceedings to adopt these as permanent rules.

Citation of Existing Rules Affected by this Order: Amending WAC 388-32-0025 and 388-32-0030.

Statutory Authority for Adoption: RCW 74.13.031, 74.08.090.

Other Authority: Chapter 371, Laws of 2002.

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 Children's Administration was required, by the state legislature in the 2002 supplemental budget, to reduce the FRS program by \$1.68 million, effective July 1, 2002. This reduction resulted in a loss of full-time employees (FTE), and in the funding for related contracted services. Altering the time frames for the delivery and completion of FRS services to a family would allow for greater flexibility in the delivery of services. Revised contracts as a result of the funding restraints became active January 1, 2003. The WAC governing this portion of the FRS program requires revision to maintain the program within its budgetary allotment. Additionally, the Children's Administration has gone to a statewide-centralized intake system for all services. Implementation of these directives and initiatives requires amendment of rules in WAC 388-32-0025 and 388-32-0030.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Effective Date of Rule: Immediately.

April 30, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-08-047, filed 3/30/01, effective 4/30/01)

WAC 388-32-0025 Who may receive FRS services?

(1) CA provides FRS to ~~((runaways and families in conflict))~~ adolescents, thirteen through seventeen years of age, and their families, in instances where the adolescent has runaway and/or is in conflict with his/her family. These populations are defined as follows:

"**Families in conflict**" means families in which personal or family situations present a serious and imminent threat to the health or stability of the child, which may include an at-risk youth, or family.

"**Runaways**" means youths who are absent from home for a period of time without parental permission. Services are to actual runaways and not to threatened runaways, unless the threatened runaways meet the definition of families in conflict.

(2) FRS is not provided for any of the following situations, unless the family is seeking an at-risk youth or a child-in-need-of-services (CHINS) family assessment:

(a) The identified youth has not reached his/her thirteenth birthday, or the youth is eighteen years of age or older;

(b) Chronic or long-term multi-problem situations requiring long-term interventions;

~~((b))~~ (c) Custody and marital disputes unless the dispute creates a conflict between the child and parent with physical custody;

~~((e))~~ (d) Families currently receiving counseling services related to the parent-child conflict/relationship from other agencies;

~~((d))~~ (e) Child abuse and neglect cases, unless those cases meet the definition of family in conflict;

~~((e))~~; or

(f) Youth receiving foster care or group care services or follow up to those services;

~~((f))~~ Post-adoption cases still under supervision of an agency, except when those cases meet the definition of families in conflict).

AMENDATORY SECTION (Amending WSR 01-08-047, filed 3/30/01, effective 4/30/01)

WAC 388-32-0030 What FRS services does the department provide? The assigned social worker provides services to develop skills and supports within families to resolve family conflicts, achieve a reconciliation between parent and child, and to avoid out-of-home placement. The services may include, but are not limited to, referral to services for suicide prevention, psychiatric or other medical care, or psychological, financial, legal, educational, or other

social services, as appropriate to the needs of the child and family. Typically FRS is limited to a ninety-day period.

(1) ~~The ((CA social worker provides intake/assessment services (IAS-)))~~ children's administration's (CA) central intake provides intake services. Youth and/or their families who self-present at a local DCFS office requesting FRS services shall be provided assistance in contacting the appropriate children's administration's intake services to make a formal request for FRS services.

(2) The FRS social worker must ~~((initiate these short-term counseling sessions within forty eight hours of the family's request for services))~~ contact the family within twenty-four hours of their assignment to the case, to schedule an appointment to begin the phase I family interview process. These FRS phase I sessions are intended to defuse the immediate potential for violence, assess problems, and explore options leading to problem resolution.

~~((2))~~ (3) CA or its contractors may provide FRS phase II crisis counseling services for up to ~~((thirty days within a ninety day period-~~

~~3))~~ six weeks.

(4) Families eligible for ~~((thirty day))~~ FRS phase II crisis counseling are those who, in the opinion of the family and the CA social worker, require more intensive services than those provided through ~~((IAS-~~

~~4))~~ phase I services.

(5) Families must make a commitment to participate in the ~~((thirty day))~~ FRS phase II crisis counseling service and must not concurrently be receiving similar ~~((family))~~ counseling services through other agencies or practitioners. At a minimum, there must be a parent and a child willing to participate.

~~((5))~~ Thirty day)

(6) FRS phase II crisis counseling services may not exceed ~~((fifteen hours within thirty days))~~ twelve hours over six weeks. The assigned counselor helps the family develop skills and supports to resolve conflicts. The counselor may refer to resources including medical, legal, ongoing counseling and CPS for problem resolution.

(a) ~~((The CA supervisor may extend thirty day crisis counseling for an additional thirty days and up to fifteen additional hours of service, subject to availability of funds and the family's continued progress toward resolving conflicts))~~ FRS phase II crisis counseling may not be extended for either additional days or additional hours, except by an exception-to-policy waiver signed by the area administrator.

(b) ~~((The thirty day))~~ FRS phase II crisis counseling ~~((is))~~ services are available a maximum of twice in a lifetime for any one ~~((child within a))~~ family. The family must include a parent/guardian who has legal custody of the youth.

WSR 03-11-026

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 03-98—Filed May 14, 2003, 4:55 p.m.]

Date of Adoption: May 14, 2003.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-25500E; and amending WAC 220-56-255.

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 emergency regulation is necessary as the quota is projected to be reached in Catch Area 3 and 4 by May 17, 2003. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

May 14, 2003

Jim Lux

for Jeff Koenings
Director

NEW SECTION

WAC 220-56-25500F Halibut—Seasons—Daily and possession limits. Notwithstanding the provisions of WAC 220-56-255, it is unlawful to fish for or possess halibut taken for personal use except as provided for in this section:

(1) **Catch Record Card Area 1** – Open immediately until further notice, unless closed earlier by emergency regulation. The daily limit in Area 1 is the first halibut over 32 inches in length brought aboard the vessel.

(2) **Catch Record Card Area 2:**

(a) Those waters south of the Queets River, north of 47° and east of 124°40'W - Open immediately until further notice, unless closed earlier by emergency regulation. The daily limit is one halibut of any size.

(b) All other waters in Area 2 - Open immediately until further notice unless closed by emergency regulation. Except closed from 12:01 a.m. of each Friday through 11:59 p.m. of each Saturday during the open period. The daily limit is one halibut of any size.

(3) **Catch Record Card Areas 3 and 4** – Open immediately through 11:59 p.m. Saturday, May 17, 2003. The daily

limit is one halibut of any size. The following area southwest of Cape Flattery is closed to halibut fishing at all times:

Those waters within an eastward facing "C" shaped closed area defined as: Beginning at 48°, 18'N, 125°18'W, thence to 48°18'N, 124°59'W, thence to 48°11'N, 124°59'W, thence to 48°11'N, 125°11'W, thence to 48°04'N, 125°11'W, thence to 48°04'N, 124°59'W, thence to 48°00'N, 124°59'W, thence to 48°00'N, 125°18'W, thence to the first coordinate.

(4) **Catch Record Card Area 5:** Open May 22 through August 1, 2003 – except closed from 12:01 a.m. Tuesday through 11:59 p.m. Wednesday of each week during the open period. The daily limit is one halibut of any size.

(5) **Catch Record Card Areas 6-13:** Open immediately through July 18, 2003 – except closed from 12:01 a.m. Tuesday through 11:59 p.m. Wednesday of each week during the open period. The daily limit is one halibut of any size.

(6) The possession limit is two daily limits of halibut in any form, except the possession limit aboard the fishing vessel is one daily limit.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-25500E Halibut—Seasons—Daily and possession limits. (03-65)

**WSR 03-11-027
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 03-97—Filed May 14, 2003, 4:56 p.m.]

Date of Adoption: May 14, 2003.

Purpose: Amend commercial use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-88C-04000D; and amending WAC 220-88C-040.

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 emergency regulation is necessary to avoid early attainment of quota by agreement with Oregon Department of Fish and Wildlife. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

May 14, 2003

Jim Lux

for Jeff Koenings

Director

NEW SECTION

WAC 220-88C-04000D Coastal pilchard fishery—Seasons and lawful catch. Notwithstanding the provisions of WAC 220-88C-040, effective immediately until 11:59 p.m. June 21, 2003, it is unlawful to fish for or possess pilchard.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:00 a.m. June 22, 2003:

WAC 220-88C-04000D Coastal pilchard fishery—
Seasons and lawful catch.
(03-97)

WSR 03-11-028

EMERGENCY RULES

PUBLIC EMPLOYMENT

RELATIONS COMMISSION

[Filed May 15, 2003, 8:07 a.m.]

Date of Adoption: May 13, 2003.

Purpose: To amend chapter 391-25 WAC to provide for: (1) Notice by institution of higher education and exclusive bargaining representative to bring bargaining unit under chapter 41.56 RCW must be filed with commission on or before May 31, 2003; and (2) merger of state civil service employee bargaining units represented by same employee organization.

Citation of Existing Rules Affected by this Order: Amending WAC 391-25-011.

Statutory Authority for Adoption: RCW 28B.52.080, 41.56.090, 41.59.110, 41.58.050, 41.06.340, 41.76.060.

Other Authority: For WAC 391-25-011 is RCW 41.56.201; and for WAC 391-25-426 is RCW 41.80.070(3).

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: (1) For WAC 391-25-011, RCW 41.56.201 was amended in 2002 to provide option for an institution of higher education and an exclusive bargaining representative to bring a bargaining unit under chapter 41.56 RCW prior to July 1, 2003. As RCW 41.56.201 (1)(c) makes exercise of option effective on "the first day of the month following the month" during which a specified notice is provided to commission, that notice must be filed with commission on or before May 31, 2003, to effectively exercise option.

(2) For WAC 391-25-426, commission adopted this rule on emergency basis effective January 14, 2003. As emergency rules only remain in effect for one hundred twenty days, section is effective through May 14, 2003. Commission adopted new section for WAC 391-25-426 on May 13, 2003, on both an emergency and permanent basis (identical language). Emergency rule is necessary to bridge time period until permanent rule takes effect.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

May 15, 2003

Marvin L. Schurke

Executive Director

AMENDATORY SECTION (Amending WSR 03-03-064, filed 1/14/03, effective 2/14/03)

WAC 391-25-011 Special provision—Optional coverage of classified employees of institutions of higher education under chapter 41.56 RCW. The commission ((acquires)) has jurisdiction under chapter 41.56 RCW with respect to certain bargaining units of classified employees of institutions of higher education defined in RCW 41.56.030(8) by a voluntary recognition process consisting of two stages completed prior to July 1, 2003.

(1) ~~((The commission acquires limited jurisdiction under chapter 41.56 RCW upon the filing by the employer and an exclusive bargaining representative certified under chapter 41.06 RCW, of a notice of intent pursuant to RCW 41.56.201 (1)(a).~~

~~(a) The executive director shall docket a representation case to preserve a record of the transaction, but shall take no other steps to determine a question concerning representation under this chapter.~~

~~(b) The scope of bargaining and conduct of the parties in their negotiations for an initial collective bargaining agreement under chapter 41.56 RCW shall be regulated by the commission under chapter 391.45 WAC.~~

~~(c) During the parties' negotiations for an initial collective bargaining agreement under chapter 41.56 RCW, the Washington personnel resources board retains jurisdiction to determine appropriate bargaining units and to certify exclusive bargaining representatives under chapter 41.06 RCW.~~

~~(2) The commission acquires full jurisdiction under chapter 41.56 RCW over a bargaining unit which has filed a notice of intent under this section, if the parties execute an initial collective bargaining agreement recognizing the notice of intent.~~

~~(a) The transfer of jurisdiction is effective on the first day of the month following the month during which the parties provide notice that they have executed an initial collective bargaining agreement under RCW 41.56.201 (1)(e).~~

~~(b) The executive director shall dismiss the representation case docketed upon the filing of the notice of intent, on the basis of "voluntary recognition."~~

~~(3) The jurisdiction of the commission under chapter 41.56 RCW ceases if the commission finds that the parties have reached an impasse in negotiations for an initial collective bargaining agreement under chapter 41.56 RCW.~~

~~(a) A finding of impasse shall not be made if unfair labor practice proceedings concerning the bargaining unit are pending under subsection (1)(b) of this section.~~

~~(b) The executive director shall dismiss the previously docketed representation case as "withdrawn."~~

~~(4)) Under the language in RCW 41.56.201 (1)(c) making exercise of the option effective only on "the first day of the month following the month" during which a specified notice is provided to the commission, that notice must be filed on or before May 31, 2003, to effectively exercise the option.~~

~~(2) Collective bargaining agreements negotiated under this option shall be renewed, extended, or terminated in conformity with RCW 41.56.201(4).~~

NEW SECTION

WAC 391-25-426 Special provision—State civil service employees. An employee organization that represents two or more bargaining units of state civil service employees may obtain a merger of those units by filing a petition under WAC 391-25-420 (2)(a). If the merged unit is found to be appropriate under WAC 391-25-420 (2)(c)(i) and (ii), the employee organization shall be certified as exclusive bargaining representative without need for unit determination elections.

WSR 03-11-037 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 03-94—Filed May 15, 2003, 2:31 p.m., effective May 16, 2003, 12:01 a.m.]

Date of Adoption: May 15, 2003.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900L, 232-28-61900M, 232-28-61900W and 232-28-61900X; 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 department is in the process of adopting the permanent rules that are necessary to implement the personal use fishing plans agreed to with resource managers in the North of Falcon proceedings. These interim personal use rules are necessary to cover the time period until those permanent rules become effective. Preseason forecast is 4,900 adult spring chinook returning to the Cowlitz River and 3,100 returning to the Lewis River in 2003. Therefore regulations will be relaxed while the hatchery escapement goals are expected to be met.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 4.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 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: May 16, 2003, 12:01 a.m.

May 15, 2003

Evan Jacoby

for Jeff Koenings

Director

NEW SECTION

WAC 232-28-61900C Exceptions to statewide rules—2003 North of Falcon. Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. May 16, 2003 until further notice, it is unlawful to violate the following provisions, provided that unless otherwise amended all permanent rules remain in effect:

- (1) Columbia River:
- (a) Buoy 10 line to Rocky Point-Tongue Point line:
- (i) Effective May 16 through July 31, closed to salmon fishing.
- (ii) Effective August 1 through August 15, open for salmon fishing with a daily limit of two salmon, no more than one chinook. Chinook minimum size 24 inches, coho minimum size 16 inches. Release sockeye, chum and wild coho.
- (iii) Effective August 16 until further notice, open for salmon fishing with a daily limit of three salmon, no more than one chinook. Chinook minimum size 24 inches, coho minimum size 16 inches. Release sockeye, chum and wild coho.
- (b) Rocky Point-Tongue Point line to I-5 Bridge:
- (i) Effective May 16 through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.
- (ii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults, release sockeye, chum and wild coho.
- (c) I-5 Bridge to Bonneville Dam:
- (i) Effective May 16 through June 15, closed to salmon fishing.
- (ii) Effective June 16 through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.
- (iii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release sockeye, chum and wild coho.
- (d) Bonneville Dam to The Dalles Dam:
- (i) Effective May 16 through June 15, closed to salmon fishing.
- (ii) Effective June 16 through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.
- (iii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release sockeye and chum.
- (iv) Effective August 1 until further notice, all species, night closure and non-buoyant lure restriction.
- (d) The Dalles Dam to McNary Dam:
- (i) Effective May 16 through June 15, closed to salmon fishing.
- (ii) Effective June 16 through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.
- (iii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release sockeye and chum.
- (e) McNary Dam to Highway 395 Bridge at Pasco:
- (i) Effective May 16 through June 15, closed to salmon fishing.
- (ii) Effective June 16 through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.
- (iii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release sockeye and chum.
- (2) Cowlitz River (Lewis County): Boundary markers at mouth to 400 feet or posted deadline below Barrier Dam:
- (a) Effective immediately through July 31, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release wild chinook.
- (b) Effective immediately through June 15, south bank of the Cowlitz River from Mill Creek upstream to the Barrier Dam closed to all fishing.
- (c) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.
- (3) Green River (Cowlitz Co.): Mouth to 2800 Road Bridge:
- (a) Effective immediately through May 31, open for steelhead fishing from mouth to 400 feet below water intake at upper end of the hatchery. Daily limit two hatchery steelhead only. Minimum size 20 inches.
- (b) Effective immediately through May 31, open for salmon fishing from mouth to 400 feet below water intake at upper end of the hatchery. Daily limit six salmon, of which no more than two may be adults. Release wild chinook.
- (c) Effective June 1 through July 31, open for salmon fishing, daily limit of six salmon, no more than two adults. Release wild chinook.
- (d) Effective August 1 until further notice, open for salmon fishing, daily limit six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.
- (4) Klickitat River (Klickitat Co.):
- (a) Mouth to Fisher Hill Bridge:
- (i) Effective immediately through May 31, it is lawful to fish for salmonids - open only Mondays, Wednesdays, and Saturdays. Special daily limit of two chinook salmon with a minimum size of 12 inches, or two hatchery steelhead, with a minimum size of 20 inches, or a combination of one such salmon and one such steelhead.
- (ii) Effective immediately through May 31, all species, night closure and non-buoyant lure restriction.
- (ii) Effective June 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than two adults.
- (ii) Effective August 1 until further notice, non-buoyant lure restriction.
- (b) From 400' upstream from #5 fishway to boundary markers below the Klickitat Salmon Hatchery:
- (i) Effective June 1 through July 31, open for salmon fishing. Daily limit six jacks only.
- (ii) Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than two adults.
- (5) Lewis River (Clark Co.): Boundary markers at mouth to mouth of the East Fork:
- (a) Effective immediately through July 31, open for salmon fishing, daily limit six, no more than two adults. Release wild chinook.
- (b) Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.
- (6) Lewis River, North Fork (Cowlitz Co.): Mouth to overhead power lines below Merwin Dam:

(a) Effective immediately through July 31, open for salmon fishing, daily limit of six salmon, no more than two adults. Release wild chinook.

(b) Effective immediately until further notice, open for trout fishing, daily limit two. Release wild cutthroat. Minimum size 20 inches.

(c) Effective immediately until further notice, lawful to fish from a floating device in those waters from Johnson Creek upstream to Colvin Creek.

(d) Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(e) Effective immediately until further notice, upstream of Johnson Creek, all species, night closure and non-buoyant lure restriction.

(7) Toutle River (Cowlitz Co.): Mouth to forks: Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(8) Toutle River, North Fork (Cowlitz Co.): Mouth to posted deadline below the fish collection facilities: Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(9) Washougal River (Clark County): Mouth to Salmon Falls Bridge: Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(10) Wind River (Skamania County):

(a) Mouth (boundary line markers) to 400 feet below Shipherd Falls:

(i) Notwithstanding the provisions of this section, effective immediately through June 30, open to fishing for salmon and steelhead. Special daily limit of two chinook salmon with a minimum size of 12 inches, or two hatchery steelhead with a minimum size of 20 inches, or a combination of one such salmon and one such steelhead.

(ii) Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than two adults. Release all chinook from the Burlington Northern Railroad Bridge to 400 feet below Shipherd Falls.

(iii) Effective immediately through June 30, all species, night closure and non-buoyant lure restriction.

(iv) Effective August 1 until further notice, all species, non-buoyant lure restriction.

(b) From four hundred feet below Shipherd falls upstream to one hundred feet above Shipherd Falls, effective immediately until further notice, closed waters.

(c) From 100 feet above Shipherd Falls to 800 yards below Carson National Fish Hatchery:

(i) Effective immediately until further notice, from 400 feet below the coffer dam upstream to 100 feet above the coffer dam: closed waters.

(ii) Notwithstanding the provisions of this section, effective immediately through June 30, open to fishing for salmon and steelhead. Special daily limit of two chinook salmon

with a minimum size of 12 inches, or two hatchery steelhead with a minimum size of 20 inches, or a combination of one such salmon and one such steelhead.

(iii) Effective immediately through June 30, all species, night closure and non-buoyant lure restriction.

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 section of the Washington Administrative Code is repealed:

WAC 232-28-61900M Exceptions to statewide rules—East Fork Lewis River and Washougal River. (03-42)

The following sections of the Washington Administrative Code are repealed effective 12:01 a.m. May 16, 2003:

WAC 232-28-61900L Exceptions to statewide rules—Wind River, Drano Lake and Klickitat River. (03-41)

WAC 232-28-61900W Exceptions to statewide rules—Green River(Cowlitz Co.) (03-76)

WAC 232-28-61900X Exceptions to statewide rules—Cowlitz River, Lewis River (including North Fork). (03-77)

WSR 03-11-039 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 03-99—Filed May 15, 2003, 4:24 p.m.]

Date of Adoption: May 15, 2003.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-33000Y; and amending WAC 220-56-330.

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 emergency regulation is necessary to protect soft shell crab in all marine areas. Hard shell criteria have been met in Marine Areas 9, 12 and the southern portion of Marine Area 8-2 to allow harvest. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

May 15, 2003

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-56-33000Z Crab—Areas and seasons.

Notwithstanding the provisions of WAC 220-56-330, effective immediately until further notice, it is unlawful to fish for crab for personal use in all waters of Puget Sound except as provided herein:

1) Effective immediately until 9:00 p.m. August 11, 2003, Fridays through Mondays only, it is lawful to fish for crab for personal use in that portion of Marine Area 8-2, south of a line that extends from Camano Head on the southern tip of Camano Island southward to Sandy Point on Whidbey Island.

2) Effective 7:00 a.m. June 1, 2003, until further notice, it is lawful to fish for crab for personal use in Marine Areas 9 and 12.

REPEALER

The following section of the Washington Administrative Code is repealed effective 7:00 a.m. June 1, 2003:

WAC 220-56-33000Y Crab—Areas and seasons. (03-96)

**WSR 03-11-051
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 03-100—Filed May 16, 2003, 4:45 p.m., effective May 17, 2003, 12:01 a.m.]

Date of Adoption: May 16, 2003.
Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900D; 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: Hatchery spring chinook are returning much earlier than normal this year to the Cowlitz Salmon Hatchery and many are being transported to Lake Scanewa for anadromous fish reintroduction and additional fishing opportunity. 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: May 17, 2003, 12:01 a.m.

May 16, 2003

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 232-28-61900D Exceptions to statewide rules—Lake Scanewa (Lewis County) Notwithstanding the provisions of WAC 232-28-619, effective May 17 through May 31, 2003, it is lawful to fish in those waters of Lake Scanewa. Special daily limit of six salmon of which no more than two may be adults, minimum size 8 inches. Release wild chinook and wild coho.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. June 1, 2003:

WAC 232-28-61900D Exceptions to statewide rules—Lake Scanewa (Lewis County)

EMERGENCY

WSR 03-11-067
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Children's Administration)
 [Filed May 19, 2003, 4:27 p.m.]

Date of Adoption: May 13, 2003.

Purpose: By July 1, 2003, the department must amend and repeal the following rules in compliance with the directives of chapter 371, Laws of 2002, to control rate and reimbursement decisions with families adopting special needs children. The only method of compliance available to the department in seeking to secure permanent families for special needs children and assist those families in accessing needed social services is to maximize use of federal funds. Amendment and repeal of current WACs brings the department in compliance with federal rules and allows federal funds to be captured.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-27-0225, 388-27-0235, 388-27-0240, 388-27-0245 and 388-27-0270; and amending WAC 388-27-0120, 388-27-0130, 388-27-0135, 388-27-0155, 388-27-0160, 388-27-0165, 388-27-0175, 388-27-0190, 388-27-0195, 388-27-0200, 388-27-0210, 388-27-0215, 388-27-0220, and 388-27-0230.

Statutory Authority for Adoption: RCW 74.13.031.

Other Authority: Chapter 371, Laws of 2002; chapter 42 U.S.C., sections 671 to 675.

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; and 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: Chapter 371, Laws of 2002, directed the department to control rate and reimbursement decisions with families adopting special needs children. Immediate amendment and repeal of the following rules are necessary to make the state eligible to capture federal funds in compliance with chapter 42 U.S.C., sections 671 to 675 and maximize the department's ability to assist families in accessing social services for difficult to place children.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 4, Repealed 1; 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 10, Repealed 4.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 14, Repealed 5.

Effective Date of Rule: Immediately.

May 13, 2003

Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0120 What is the legal basis of the department's adoption support program? The legal authorities for the program are:

(1) Revised Code of Washington (RCW) 74.13.100 through 74.13.159;

(2) Chapter 42 United States Code (U.S.C.) ((673)) 671-675; and

(3) The U.S. Department of Health and Human Services (DHHS) policy ((~~announcement ACFY CB PA 01 01 (issued January 23, 2001) establishing~~)) guidelines for states to use in determining a child's eligibility for Title IV-E adoption assistance (contained in DHHS Policy Manual).

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0130 What definitions apply to the adoption support program? The following definitions apply to this chapter:

"**Adoption**" means the granting of an adoption decree consistent with chapter 26.33 RCW.

"**Adoption support agreement**" means a written contract between the adoptive parent(s) and the department that identifies the specific support available to the adoptive parent(s) and other terms and conditions of the agreement.

"**Adoption support cash payment**" means ((~~basic~~)) negotiated monthly cash payments paid pursuant to an agreement between the adoptive parent(s) ((~~by~~)) and the department after the child's adoption.

((~~"Adoption support special rate" means monthly cash payments in addition to the basic adoption support rate. The department may authorize payment of these funds only to meet documented exceptional expenses necessary to address the special needs condition of the child.~~))

((~~"Adoption support supplemental cash payment" means cash payments in addition to the adoption support basic monthly cash payments and the adoption support special rate. These supplemental payments enable the special needs child to receive services not funded by the monthly cash support payment or other resources. Note: Only children adopted on or after July 1, 1996 are eligible for supplemental cash payments.~~))

"**Applicant**" means a person or couple applying for adoption support on behalf of a child the person or couple plans to adopt.

"**Child placing agency**" means a private nonprofit agency licensed by the department under chapter 74.15 RCW to place children for adoption or foster care.

"Department" means the department of social and health services.

"Extenuating circumstances" means a finding by an administrative law judge or a review judge that one or more certain qualifying conditions or events prevented an otherwise eligible child from being placed on the adoption support program prior to adoption.

"Medical services" means services covered by Medicaid (and administered by the medical assistance administration) unless defined differently in the adoption support agreement.

"Negotiation" means the process of working toward an agreement between the department and the adoptive parent on the terms of the adoption support agreement, including any amount of monthly cash payment.

"Nonrecurring costs" means reasonable, necessary, and directly related adoption fees, court costs, attorney fees, and other expenses the adoptive parent incurs when finalizing the adoption of a special needs child. Total reimbursement from the department may not exceed one thousand five hundred dollars.

"Placing agency" means the agency that has the legal authority to place the child for adoption. This may be the department or a private nonprofit child placing agency.

"Program" means the department's adoption support program.

"Reconsideration" means the limited state-funded support available to an eligible child whose adoption was finalized without a valid adoption support agreement in place.

"Resident state" (for purposes of the child's Medicaid eligibility) means the state in which the child physically resides. In some cases this may be different from the state of the parent's legal residence.

"Special needs" means the specific factors or conditions that apply to the child and that may prevent the child from being adopted unless the department provides adoption support services. See WAC 388-27-0140 for a detailed description of the factors or conditions.

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0135 What are the eligibility criteria for the adoption support program? For a child to be eligible for participation in the adoption support program, the department must first determine that adoption is the most appropriate plan for the child. If the department determines that adoption is in the child's best interest, the child must:

(1) Be less than eighteen years old when the department and the adoptive parents sign the adoption support agreement;

(2) Be legally free for adoption;

(3) Have a "special needs" factor or condition according to the definition in this rule (see WAC 388-27-0140); and

(4) Meet at least one of the following criteria:

(a) Is in state-funded foster care or child caring institution or was determined by the department to be eligible for and likely to be so placed (For a child to be considered "eligible for and likely to be placed in foster care" the department

must have opened a case and determined that removal from the home was in the child's best interest.); or

(b) Is eligible for federally funded adoption assistance as defined in Title IV-E of the Social Security Act, the Code of Federal Regulations, the U.S. Department of Health and Human Services (~~policy announcement, ACFY-CB-PA-01-01 (issued January 23, 2001))~~) establishing guidelines for states to use in determining a child's eligibility for Title IV-E adoption assistance (~~and any policy issuances of the Department of Health and Human Services~~).

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0155 Are there other factors affecting a child's eligibility for adoption support? (1) A child is not eligible for adoption support program services and payments if the adopting parent is the birth parent or stepparent of the child.

(2) The department must not use the adoptive parents' income as a basis for determining the child's eligibility for the adoption support program (~~(-~~

~~3))~~, however, the department must consider income and other financial circumstances of the adopting family as one factor in determining the amount of any adoption support cash payments to be made. (See WAC 388-27-0230 (~~388-27-0235, and 388-27-0240 for details~~)).)

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0160 How does a prospective adoptive parent apply for adoption support services? There are two ways a prospective adoptive parent (applicant) may apply for adoption support services:

(1) An applicant may apply through the social worker of the child to be adopted. The social worker must:

(a) Register the child with the adoption support program; and

(b) Submit the applicant's completed program application along with a completed worksheet used to assist the family and the department in determining services and amount of monthly cash payment, if needed, based on the needs of the child and family circumstances.

(2) An applicant may also apply directly to the adoption support program for adoption support services if:

(a) The child does not have an assigned social worker; or

(b) The applicant and the social worker have a dispute regarding the content of the program application.

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0165 What requirements apply to an application for ongoing adoption support? (1) The application must include a copy of the child's medical and family background report signed by the adoptive parent(s) (DSHS 13-041 minus the attachments). It must also include copies of medical and/or therapist reports that document the child's

physical, mental, developmental, cognitive or emotional disability or risk of any such disability.

(2) If the applicant is requesting a cash payment, the applicant and the department must mutually determine both the type and amount according to the requirements of WAC 388-27-0230 ~~((and 388-27-0235))~~.

~~(3) ((If the applicant is requesting a supplemental cash payment, the applicant and the department must mutually determine the services for which the payment will be used and the expected duration of those services according to the requirements of WAC 388-27-820.~~

(4)) If the applicant is requesting reimbursement of non-recurring costs, the applicant must include this request in the application. (See WAC 388-27-0380 and 388-27-0385 for the type and amount of expenses the department may reimburse.)

~~((5))~~ (4) The applicant must furnish a copy of the applicant's most recently filed federal income tax return. If the applicant is not required to file a federal income tax return, the applicant must submit a financial statement with the applicant's adoption support application.

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0175 What must be included in an adoption support agreement? The adoption support agreement must:

(1) State the amount of cash payments (if any) the department must make to the adoptive parent(s) on behalf of the child;

(2) Include an itemized list of the additional services (including Title XIX Medicaid and Title XX social services) for which the child is eligible;

(3) Contain statements that:

(a) Assure that participation in the adoption support program must continue, as long as the child is eligible, regardless of where the adoptive family resides;

(b) Inform the adoptive parent(s) ~~((that the agreement must be reviewed (and may be revised) at least once every five years; and))~~ of specific circumstances that may warrant further renegotiation and adjustment of the payment as agreed to by the adoptive parents and the department;

(c) Inform the adoptive parent(s) that the agreement must be reviewed (and may be revised every five years);

(d) Inform the adoptive parents(s) that the department may suspend a child from the program within thirty days of any changes in circumstances (of the child or family) that affect the child's eligibility for program payments if the adoptive parent has failed to notify the department of the changes((-

~~(d))~~; and

(e) Define the circumstances under which the agreement may be terminated.

(4) Be signed by all relevant parties before the final adoption decree is issued (45 C.F.R. Sec. 1356.40).

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0190 If the department implements adoption support services prior to the adoption, may the adoptive parent(s) continue to receive department-funded foster care payments while also receiving adoption support payments? (1) The adoptive parent(s) may not continue to receive department-funded foster care payments for a child while also receiving adoption support payments for the same child.

(2) If the adoptive parent(s) receives department-funded foster care for the child to be adopted, the department's social worker assigned to the child must terminate that coverage on the last day of the month preceding the month in which the adoption support becomes effective.

(3) Foster care payments are paid after the month of service. Adoption Support payments are paid prior to the month ~~((of service))~~.

(4) The adoptive parent(s) may not receive foster care payments and adoption support cash ~~((or supplemental))~~ payments for the same child for the same month ~~((of service))~~.

(5) If the adoptive parent is adopting a relative child and has been receiving a nonneedy relative grant the adoptive parent must notify the community services office financial services specialist that the adoption has been finalized. The adoptive parent may not receive both the grant and adoption support payments for the same month for the same child.

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0195 May the adoptive parent(s) change the benefits contained in the adoption support program? The adoptive parent may submit a written request asking that the department ~~((reexamine))~~ renegotiate the benefits offered in the adoption support agreement whenever either the family's economic circumstances or the condition of the child changes.

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0200 When may the department modify the terms of the adoption support agreement? The department's adoption support program may modify the terms of an adoption support agreement:

(1) At the request of the adoptive parent(s);

(2) When specific circumstances warrant renegotiation and adjustment of monthly cash payment as agreed to by the adoptive parents and the department;

(3) When the department loses contact with the adoptive parent(s);

~~((3))~~ (4) When the child is placed outside of the adoptive parents' home at department expense;

~~((4))~~ (5) If the adoptive parent is no longer providing for the child's daily care and living expenses; or

~~((5))~~ (6) If the adoptive parent fails to notify the department's adoption support program within thirty days of a change of circumstance which affects the adopted child's

continuing eligibility for adoption support program cash payments or services.

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0210 Under what circumstances would the adoption support agreement be terminated? The adoption support agreement is terminated according to the terms of the agreement or if any one of the following events occurs:

(1) The child reaches eighteen years of age; (If a child is at least eight but less than twenty-one years old and is a full-time high school student or working full time toward the completion of a GED (high school equivalency) certificate and continues to receive financial support from the adoptive parent(s), the department may extend the terms of the adoption support agreement until the child completes high school or achieves a GED. Under no circumstances may the department extend the agreement beyond the child's twenty first birthday.) Adoption support benefits will automatically stop on the child's eighteenth birthday unless the parent(s) requests continuation per this rule and have provided documentation of the child's continuation in school. To prevent disruption in services the parent should contact the adoption support program at least ninety days prior to the child's eighteenth birthday if continued services are to be requested.

(2) ~~((The adoptive parents request termination of the agreement;~~

~~((3)))~~ The adoptive parents no longer have legal responsibility for the child;

~~((4)))~~ (3) The adoptive parents are no longer providing financial support for the child;

~~((5)))~~ (4) The child dies; or

~~((6)))~~ (5) The adoptive parents die. (A child who met federal Title IV-E eligibility criteria for adoption assistance will be eligible for adoption assistance in a subsequent adoption.)

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0215 What benefits may the adoptive parent or child receive from the adoption support program? The adoption support program may provide one or more of the following benefits:

(1) Reimbursement for nonrecurring adoption finalization costs;

(2) Cash payments;

~~((Supplemental cash payments (only for adoptions finalized on or after July 1, 1996);~~

~~((4)))~~ Payment for counseling services as pre-authorized (see WAC 388-27-0255 for conditions and terms)(;

~~((5)))~~; or

(4) Medical services through the department's Medicaid program(~~;~~ or

~~((6)))~~ Child care as pre-authorized per WAC 388-27-0270 (for children adopted on or after July 1, 1996))).

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0220 What factors affect the amount of adoption support benefits a child receives? The department bases the amount of support it provides on the child's needs and the family's circumstances, but limits ~~((the amount to the rates set by these rules, federal laws and rules, and the state legislature))~~ the cash payment to an amount that does not exceed the foster care maintenance rate the child would receive if the child was in a foster family home. Specific circumstances as agreed to by the adoptive parent and the department in the agreement, may warrant future renegotiation and adjustment of the payment determined in an assessment of the child.

AMENDATORY SECTION (Amending WSR 01-08-045, filed 3/30/01, effective 4/30/01)

WAC 388-27-0230 How does the department evaluate a request for ~~((basic))~~ adoption support monthly cash payments? (1) ~~((To determine the amount of basic monthly cash payment to be made, the department considers the child's physical, mental, developmental, cognitive and emotional condition and expenses as well as the adoptive family's))~~ The amount of the adoption support monthly cash payment is determined through the discussion and negotiation process between the adoptive parents and representatives of the department based upon the needs of the child and the circumstances of the family. The payment that is agreed upon should combine with the parents' resources to cover the ordinary and special needs of the child projected over an extended period of time. Anticipation and discussion of these needs are part of the negotiation of the amount of the adoption assistance payment.

(2) Family circumstances to be considered include:

(a) Size, including the adopted child;

(b) Normal living expenses, including education and childcare expenses;

(c) Exceptional circumstances of any family member;

(d) Income;

(e) Resources and savings plans;

(f) Medical care and hospitalization needs;

(g) Ability to purchase or otherwise obtain medical care; and

(h) Additional miscellaneous expenses related to the adopted child.

~~((2)))~~ (3) The department and the adoptive parents will jointly determine the level of adoption support cash payments needed to meet the basic needs of the child without creating a hardship on the family.

~~((3)))~~ (4) Under no circumstances may the amount of the ~~((basic))~~ adoption support monthly ~~((rate))~~ cash payment the department pays for the child exceed the ~~((adoption support rate established by the legislature for a child of that age))~~ amount of foster care maintenance payment that would be paid if the child were in a foster family home.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-27-0225	What are the current maximum rates available for basic adoption support monthly cash payments and special rate?
WAC 388-27-0235	How does the department evaluate a request for adoption support special rate cash payments?
WAC 388-27-0240	How does the department evaluate a request for adoption support supplemental cash payments?
WAC 388-27-0245	What specific department requirements apply to supplemental cash payments?
WAC 388-27-0270	What department requirements apply to child care services?

WSR 03-11-071**EMERGENCY RULES****DEPARTMENT OF TRANSPORTATION**

[Filed May 20, 2003, 10:13 a.m.]

Date of Adoption: May 19, 2003.

Purpose: Reduce the daily hours of operation from eight to six for tourist-oriented businesses to qualify for motorist information signing on state highways.

Citation of Existing Rules Affected by this Order: Amending WAC 468-70-050.

Statutory Authority for Adoption: RCW 47.36.310 and 47.36.320.

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: Currently tourist oriented businesses must be open eight hours a day, five days a week, with one day a week being Saturday or Sunday in order to qualify to be signed on a motorist information sign. Tourist oriented businesses are defined as a natural, recreational, historical, cultural, educational, or entertainment activity, or a unique or unusual commercial or nonprofit activity. Many of these types of businesses do not operate eight hours a day. This change will allow additional business to qualify for signing and provide the traveling public with more information about available tourist activities. The summer high season of travel is approaching. There are a number of tourist-

oriented businesses interested in having motorist information signs installed as soon as possible.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 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.

May 19, 2003

John F. Conrad

Assistant Secretary
of Transportation

AMENDATORY SECTION (Amending Order 196, filed 12/22/99, effective 1/22/00)

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

(a) Gas activity:

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

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

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

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

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

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

(b) Food activity:

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

(ii) Be in continuous operation for a minimum of twelve hours a day to serve meals six days a week; and

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

(iv) Provide telephone and restroom facilities.

(c) Lodging activity:

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

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

(iii) Provide public telephone facilities.

(d) Camping activity (applicable only for activities available from interstate highways):

(i) Have a valid business license;

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

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

(e) Recreation activity (applicable only for activities available from noninterstate highways):

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

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

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

(f) Tourist-oriented business activity:

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

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

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

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

(a) From an interstate highway, **gas, food and lodging** activities shall be located within three miles in either direction. **Camping or tourist-oriented** activities shall be located within five miles in either direction;

(b) From a noninterstate highway, **gas, food, lodging, recreation, or tourist-oriented** activities shall be located within five miles in either direction.

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

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

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

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

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

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

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

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

WSR 03-11-080

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 03-101—Filed May 20, 2003, 3:57 p.m., effective June 9, 2003, 12:01 a.m.]

Date of Adoption: May 20, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-073 and 220-69-240.

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 sea urchins exist in the areas described. 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 phone numbers (fax and voice message) have been changed for the required sea urchin fishery landing reports. 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: June 9, 2003, 12:01 a.m.

May 20, 2003

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-52-07300E Sea urchins. Notwithstanding the provisions of WAC 220-52-073, effective 12:01 a.m. June 9, 2003 until further notice, it is unlawful to take or possess sea urchins for commercial purposes except as provided for in this section:

(1) Red sea urchins: Sea Urchin Districts 1 and 2 are open only on June 9, 10, 11, 16, 17, 18, 23, 24, 25, 30 and July 1, and 2, 2003. Within Sea Urchin Districts 1 and 2 it is unlawful to harvest red sea urchins smaller than 4.0 inches or larger than 5.5 inches (size in largest test diameter exclusive of the spines).

(2) 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, within Sea Urchin Districts 1 and 2 on Saturdays and Sundays of each week.

NEW SECTION

WAC 220-69-24000F Duties of commercial purchasers and receivers. Notwithstanding the provisions of WAC 220-69-240, effective 12:01 a.m. June 9, 2003, until further notice, the Wholesale dealer sea cucumber and sea urchin landing reports must be made by facsimile (FAX) transmission to (360) 902-2943, or by toll free telephone to (866) 207-8223.

WSR 03-11-081

EMERGENCY RULES

**DEPARTMENT OF
FISH AND WILDLIFE**

[Order 03-102—Filed May 20, 2003, 3:59 p.m., effective May 23, 2003, 12:01 a.m.]

Date of Adoption: May 20, 2003.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-25500F; and amending WAC 220-56-255.

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: There is sufficient quota remaining to allow a two-day halibut fishery in Catch Record Card Areas 3 and 4. 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: May 23, 2003, 12:01 a.m.

May 20, 2003

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-56-25500G Halibut—Seasons—Daily and possession limits. Notwithstanding the provisions of WAC 220-56-255, it is unlawful to fish for or possess halibut taken for personal use except as provided for in this section:

(1) **Catch Record Card Area 1** - Open immediately until further notice, unless closed earlier by emergency regulation. The daily limit in Area 1 is the first halibut over 32 inches in length brought aboard the vessel.

(2) Catch Record Card Area 2:

(a) Those waters south of the Queets River, north of 47° and east of 124°40'W - Open immediately until further notice, unless closed earlier by emergency regulation. The daily limit is one halibut of any size.

(b) All other waters in Area 2 - Open immediately until further notice unless closed by emergency regulation. Except closed from 12:01 a.m. of each Friday through 11:59 p.m. of each Saturday during the open period. The daily limit is one halibut of any size.

(3) **Catch Record Card Areas 3 and 4** - Open May 23, through May 24, 2003, the daily limit is one halibut of any size. The following area southwest of Cape Flattery is closed to halibut fishing at all times:

Those waters within an eastward facing "C" shaped closed area defined as: Beginning at 48°, 18'N, 125°18'W, thence to 48°18'N, 124°59'W, thence to 48°11'N, 124°59'W, thence to 48°11'N, 125°11'W, thence to 48°04'N, 125°11'W, thence to 48°04'N, 124°59'W, thence to 48°00'N, 124°59'W, thence to 48°00'N, 125°18'W, thence to the first coordinate.

(4) **Catch Record Card Area 5:** Open May 22 through August 1, 2003 - except closed from 12:01 a.m. Tuesday through 11:59 p.m. Wednesday of each week during the open period. The daily limit is one halibut of any size.

(5) **Catch Record Card Areas 6-13:** Open immediately through July 18, 2003 - except closed from 12:01 a.m. Tuesday through 11:59 p.m. Wednesday of each week during the open period. The daily limit is one halibut of any size.

(6) The possession limit is two daily limits of halibut in any form, except the possession limit aboard the fishing vessel is one daily limit.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. May 23, 2003:

WAC 220-56-25500F Halibut—Seasons—Daily and possession limits. (03-96)

**WSR 03-11-082
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 03-103—Filed May 20, 2003, 4:01 p.m., effective May 23, 2003, 12:01 a.m.]

Date of Adoption: May 20, 2003.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900C; 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: Spring chinook returns to Carson National Fish Hatchery have been strong. To date, 446 fish have returned. The hatchery escapement goal is 1,200 fish. 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: May 23, 2003, 12:01 a.m.

May 20, 2003

J. P. Koenings

Director

by Larry Peck

EMERGENCY

NEW SECTION

WAC 232-28-61900E Exceptions to statewide rules—2003 North of Falcon. Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. May 23, 2003 until further notice, it is unlawful to violate the following provisions, provided that unless otherwise amended all permanent rules remain in effect:

(1) Columbia River:

(a) Buoy 10 line to Rocky Point-Tongue Point line:

(i) Effective immediately through July 31, closed to salmon fishing.

(ii) Effective August 1 through August 15, open for salmon fishing with a daily limit of two salmon, no more than

one chinook. Chinook minimum size 24 inches, coho minimum size 16 inches. Release sockeye, chum and wild coho.

(iii) Effective August 16 until further notice, open for salmon fishing with a daily limit of three salmon, no more than one chinook. Chinook minimum size 24 inches, coho minimum size 16 inches. Release sockeye, chum and wild coho.

(b) Rocky Point-Tongue Point line to I-5 Bridge:

(i) Effective immediately through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.

(ii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults, release sockeye, chum and wild coho.

(c) I-5 Bridge to Bonneville Dam:

(i) Effective immediately through June 15, closed to salmon fishing.

(ii) Effective June 16 through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.

(iii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release sockeye, chum and wild coho.

(d) Bonneville Dam to The Dalles Dam:

(i) Effective immediately through June 15, closed to salmon fishing.

(ii) Effective June 16 through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.

(iii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release sockeye and chum.

(iv) Effective August 1 until further notice, all species, night closure and non-buoyant lure restriction.

(d) The Dalles Dam to McNary Dam:

(i) Effective immediately through June 15, closed to salmon fishing.

(ii) Effective June 16 through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.

(iii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release sockeye and chum.

(e) McNary Dam to Highway 395 Bridge at Pasco.

(i) Effective immediately through June 15, closed to salmon fishing.

(ii) Effective June 16 through July 31, open for salmon fishing with a daily limit of six chinook jacks only. Release wild chinook.

(iii) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release sockeye and chum.

(2) Cowlitz River (Lewis County): Boundary markers at mouth to 400 feet or posted deadline below Barrier Dam:

(a) Effective immediately through July 31, open for salmon fishing with a daily limit of six salmon, no more than two adults. Release wild chinook.

(b) Effective immediately through June 15, south bank of the Cowlitz River from Mill Creek upstream to the Barrier Dam closed to all fishing.

(c) Effective August 1 until further notice, open for salmon fishing with a daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(3) Green River (Cowlitz Co.): Mouth to 2800 Road Bridge:

(a) Effective immediately through May 31, open for steelhead fishing from mouth to 400 feet below water intake at upper end of the hatchery. Daily limit two hatchery steelhead only. Minimum size 20 inches.

(b) Effective immediately through May 31, open for salmon fishing from mouth to 400 feet below water intake at upper end of the hatchery. Daily limit six salmon, of which no more than two may be adults. Release wild chinook.

(c) Effective June 1 through July 31, open for salmon fishing, daily limit of six salmon, no more than two adults. Release wild chinook.

(d) Effective August 1 until further notice, open for salmon fishing, daily limit six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(4) Klickitat River (Klickitat Co.):

(a) Mouth to Fisher Hill Bridge:

(i) Effective immediately through May 31, it is lawful to fish for salmonids - open only Mondays, Wednesdays, and Saturdays. Special daily limit of two chinook salmon with a minimum size of 12 inches, or two hatchery steelhead, with a minimum size of 20 inches, or a combination of one such salmon and one such steelhead.

(ii) Effective immediately through May 31, all species, night closure and non-buoyant lure restriction.

(ii) Effective June 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than two adults.

(ii) Effective August 1 until further notice, non-buoyant lure restriction.

(b) From 400' upstream from #5 fishway to boundary markers below the Klickitat Salmon Hatchery:

(i) Effective June 1 through July 31, open for salmon fishing. Daily limit six jacks only.

(ii) Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than two adults.

(5) Lewis River (Clark Co.): Boundary markers at mouth to mouth of the East Fork:

(a) Effective immediately through July 31, open for salmon fishing, daily limit six, no more than two adults. Release wild chinook.

(b) Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(6) Lewis River, North Fork (Cowlitz Co.): Mouth to overhead power lines below Merwin Dam:

(a) Effective immediately through July 31, open for salmon fishing, daily limit of six salmon, no more than two adults. Release wild chinook.

(b) Effective immediately until further notice, open for trout fishing, daily limit two. Release wild cutthroat. Minimum size 20 inches.

(c) Effective immediately until further notice, lawful to fish from a floating device in those waters from Johnson Creek upstream to Colvin Creek.

(d) Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(e) Effective immediately until further notice, upstream of Johnson Creek, all species, night closure and non-buoyant lure restriction.

(7) Toutle River (Cowlitz Co.): Mouth to forks: Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(8) Toutle River, North Fork (Cowlitz Co.): Mouth to posted deadline below the fish collection facilities: Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(9) Washougal River (Clark County): Mouth to Salmon Falls Bridge: Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than three adults, of which no more than two may be adult chinook. Release chum and wild coho.

(10) Wind River (Skamania County):

(a) Mouth (boundary line markers) to 400 feet below Shipherd Falls:

(i) Effective immediately through June 30, open to fishing for salmon and steelhead. Special daily limit of four chinook salmon or hatchery steelhead, of which no more than two may be hatchery steelhead. Salmon minimum size is 12 inches, hatchery steelhead minimum size is 20 inches.

(ii) Effective August 1 until further notice, open for salmon fishing, daily limit of six salmon, no more than two adults. Release all chinook from the Burlington Northern Railroad Bridge to 400 feet below Shipherd Falls.

(iii) Effective immediately through June 30, all species, night closure and non-buoyant lure restriction.

(iv) Effective August 1 until further notice, all species, non-buoyant lure restriction.

(b) From four hundred feet below Shipherd falls upstream to one hundred feet above Shipherd Falls, effective immediately until further notice, closed waters.

(c) From 100 feet above Shipherd Falls to 800 yards below Carson National Fish Hatchery:

(i) Effective immediately until further notice, from 400 feet below the coffer dam upstream to 100 feet above the coffer dam: closed waters.

(ii) Notwithstanding the provisions of this section, effective immediately through June 30, open to fishing for salmon and steelhead. Special daily limit of four chinook salmon or hatchery steelhead, of which no more than two may be hatchery steelhead. Salmon minimum size is 12 inches, hatchery steelhead minimum size is 20 inches.

(iii) Effective immediately through June 30, all species, night closure and non-buoyant lure restriction.

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 section of the Washington Administrative Code is repealed effective 12:01 a.m. May 23, 2003:

WAC 232-28-61900C

Exceptions to statewide rules—2003 North of Falcon. (03-96)



WSR 03-11-011
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE

[Memorandum—May 8, 2003]

Special Meeting
Presidential Search Advisory Committee
Bates Technical College

The Presidential Search Advisory Committee of Bates Technical College will have a special meeting on May 17, 2003, from 8:30 a.m. to approximately 10:30 a.m. in the Clyde Hupp Board Room, 1101 South Yakima Avenue, Tacoma. The committee will adjourn into executive session for the purpose of evaluating the qualifications of applicants for public employment. No action will be taken during executive session.

WSR 03-11-012
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE

[Memorandum—May 8, 2003]

Special Meeting
Presidential Search Advisory Committee
Bates Technical College

The Presidential Search Advisory Committee of Bates Technical College will have a special meeting on May 20, 2003, from 9:00 a.m. to approximately 12:00 p.m. in the Clyde Hupp Board Room, 1101 South Yakima Avenue, Tacoma. The committee will adjourn into executive session for the purpose of evaluating the qualifications of applicants for public employment. No action will be taken during executive session.

WSR 03-11-013
NOTICE OF PUBLIC MEETINGS
EXECUTIVE ETHICS BOARD

[Memorandum—May 8, 2003]

This is to notify all interested parties, that the Executive Ethics Board's regular meeting, scheduled for June 13, 2003, has been changed to June 6, 2003.

If you have any questions, please contact Brian R. Malarky at 664-0871.

WSR 03-11-022
NOTICE OF PUBLIC MEETINGS
WASHINGTON SCHOOL
FOR THE DEAF

[Memorandum—May 8, 2003]

The Washington School for the Deaf (WSD) board of trustees will be interviewing candidates for the position of

superintendent on Friday, June 13, 2003, from 8 a.m. - 3 p.m. The interviews will take place on the WSD campus.

WSR 03-11-036
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE
CENTER

[Memorandum—May 14, 2003]

A regular meeting of the Washington State Convention and Trade Center board of directors will be held on **Tuesday, May 20, 2003, at 2:00 p.m.** in the Administrative Boardroom, 5th Floor of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call (206) 694-5000.

WSR 03-11-038
DEPARTMENT OF
COMMUNITY, TRADE AND
ECONOMIC DEVELOPMENT
 (Office of Community Development)

[Filed May 15, 2003, 3:18 p.m.]

The Department of Community, Trade and Economic Development (CTED) has published a draft of the Low-Income Home Energy Assistance Program Abbreviated Model Plan - Fiscal Year 2004.

The draft abbreviated plan will contain changes to the Washington State Detailed Plan for the 2003 Low-Income Home Energy Assistance Program (LIHEAP). The 2003 detailed plan describes how the state of Washington, in conjunction with community-based public and private agencies, will provide energy assistance and weatherization services to low-income households. The plan is written using the model plan format provided by the federal Department of Health and Human Services. This format ensures that the statutory requirements are met.

A copy of the 2004 abbreviated plan is posted on the LIHEAP website at www.liheapwa.org - State Plans. The Washington State Detailed Plan for 2003 LIHEAP is also located there. Copies of both documents can be mailed to you upon request.

Written requests may be sent to Ms. Leona Malmberg, Department of Community, Trade and Economic Development, Community Services, 906 Columbia Street S.W., P.O. Box 48300, Olympia, WA 98504-8300.

You may also contact Ms. Malmberg by phone at (360) 725-2859 or by e-mail at leonam@cted.wa.gov to request a copy. Alternate format plans are available upon request by mail, or by TDD (360) 753-2200. Please allow a minimum of ten working days.

Bruce Yasutake, Program Manager
 Energy Services Section

WSR 03-11-047**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF REVENUE**

[Filed May 16, 2003, 11:55 a.m.]

**CANCELLATION OF INTERPRETIVE
AND/OR POLICY STATEMENTS**

This announcement of the cancellation of these interpretive statements is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has cancelled the following Excise Tax Advisories effective May 15, 2003.

ETA 063.04.231 Transfer and Loading Stations.

ETA 065.04.231 Transfers from Tank Farms to Bulk Plants.

ETA 151.04.231 Wholesaling Functions Tax on Distributions Between Retail Stores.

ETA 359.04.231 Inventory Transfers to Branches Prior to Opening.

These documents provide tax-reporting information regarding the internal distributions B&O tax, which was repealed effective July 1, 1998. This information is no longer needed and the documents are being cancelled in conjunction with the repeal of WAC 458-20-231 Tax on internal distribution.

Questions regarding the cancellation of these documents may be directed to Alan R. Lynn, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6125, fax (360) 664-0693, Internet alanl@dor.wa.gov.

Alan R. Lynn
Rules Coordinator

WSR 03-11-049**DEPARTMENT OF AGRICULTURE**

[Filed May 16, 2003, 1:56 p.m.]

**PUBLIC NOTICE FOR SPARTINA TREATMENT
IN WESTERN WASHINGTON****LEGAL NOTICE**

The Washington State Department of Agriculture (WSDA) Plant Protection Division is hereby notifying the affected public that the herbicide glyphosate (Rodeo® or Aquamaster®), surfactant (R-11®, X-77® or LI-700®) and marker dyes may be used between June 1, 2003, and October 31, 2003. Properly licensed pesticide applicators who have obtained coverage under a WSDA National Pollutant Discharge Elimination System Waste Discharge General Permit may apply glyphosate to control the noxious weed *Spartina* on the saltwater tideflats of Grays Harbor, Hood Canal, Willapa Bay, Puget Sound, and the north and west sides of the Olympic Peninsula.

Use of the herbicide, glyphosate, is one of the options used to control *Spartina*. These infestations may also be treated by mowing, digging or covering.

For more information, including locations of possible application sites, contact the WSDA *Spartina* Control Program at (360) 902-1923 or (360) 902-1853, or write to the WSDA *Spartina* Program, P.O. Box 42560, Olympia, WA 98504-2560. The Washington State Department of Ecology 24-hour emergency/spill response hotline is (425) 649-7000 (northwest region) or (360) 407-6300 (southwest region).

WSR 03-11-052**NOTICE OF PUBLIC MEETINGS
COMMISSION ON
SUPREME COURT REPORTS**

[Memorandum—May 16, 2003]

The Commission on Supreme Court Reports will meet from 10:00 a.m. until noon on Friday, June 27, 2003, in the Chief Justice's Reception Room in the Temple of Justice in Olympia.

Issues before the commission include the proposed licensing agreement with the Statute Law Committee, a request from a private company to license the supreme court's case law data, and adding paragraph numbers to Washington appellate court opinions.

Please contact Tim Fuller if you have any questions or concerns regarding the commission or the June 27th meeting, phone (360) 357-2090, e-mail tim.fuller@courts.wa.gov.

WSR 03-11-053**NOTICE OF PUBLIC MEETINGS
WORKFORCE TRAINING AND
EDUCATION COORDINATING BOARD**

[Memorandum—May 16, 2003]

Following is the revised 2003 meeting schedule for the Washington State Workforce Training and Education Coordinating Board. The primary change is not in the dates, but the location for several of the meetings.

Please give Mary Reister a call at 753-5660 if you have any questions.

2003 MEETING SCHEDULE

Thursday, January 30, 2003 - Meeting
New Market Vocational Skills Center
Olympia

Thursday, March 27, 2003 - Meeting
Olympia

Friday, June 6, 2003 - Meeting
Association of Washington Business
Olympia

Wednesday, July 30, 2003 - Retreat
Thursday, July 31, 2003 - Retreat
Vancouver

Monday, September 29, 2003 - Dinner
Tuesday, September 30, 2003 - Meeting
Kennewick

Tuesday, November 18, 2003 - Dinner
 Wednesday, November 19, 2003 - Meeting
 Bellingham

WSR 03-11-063**NOTICE OF PUBLIC MEETINGS****SECRETARY OF STATE**

[Memorandum—May 19, 2003]

Secretary of State Sam Reed has released the preliminary Washington state plan required under the Help America Vote Act of 2002, Public Law 107-252, 116 Stat 1666 (2002). The preliminary Washington state plan is available for public comment and review for thirty days beginning Friday, May 30, 2003. Copies are available from the secretary's website at <http://secstate.wa.gov/> or may be obtained by contacting the Office of the Secretary of State at phone (360) 902-4169, Toll Free 1-800-448-4881, TDD/TTY 1-800-422-8683, mail P.O. Box 40229, Olympia, WA 98504-0229. Comments must be received by Saturday, June 28, 2003.

Steve Excell
 Assistant Secretary of State

WSR 03-11-064**NOTICE OF PUBLIC MEETINGS****EASTERN WASHINGTON UNIVERSITY**

[Memorandum—May 19, 2003]

EASTERN WASHINGTON UNIVERSITY

BOARD OF TRUSTEES

May 23, 2003

Open Public Meeting at 9:00 a.m. (PUB 263-5-7)
 Executive Session at 11:30 a.m. (PUB 261)
 Committee of the Whole (Strategic Plan) at 2:00 p.m. (PUB
 263-5-7)

AGENDA

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 03-11-065**NOTICE OF PUBLIC MEETINGS****STATE BOARD OF EDUCATION**

[Memorandum—February 25, 2003]

We are adding one day to the June meeting; any changes to Title 180 WAC will be done on the published date of June 20.

January 15-17, 2003

Educational Service District 113
 601 McPhee Road S.W.
 Olympia, WA 98502
 (360) 586-2933

March 19-21, 2003

Educational Service District 113
 601 McPhee Road S.W.
 Olympia, WA 98502
 (360) 586-2933

May 21-23, 2003

Sun Mountain Lodge
 P.O. Box 1000
 Winthrop, WA 98862-1000
 (509) 996-2211

June 19-20, 2003

Fife School District Board Room
 5802 20th Street East
 Tacoma, WA 98424-2000
 (253) 284-1000

August 20-22, 2003

Centralia School District
 2320 Borst Avenue
 Centralia, WA 98531
 (360) 330-7600

October 22-24, 2003

Edmonds School District Board Room
 20420 68th Avenue West
 Lynnwood, WA 98036-7400
 (425) 670-7000

WSR 03-11-077**INTERPRETIVE STATEMENT****DEPARTMENT OF REVENUE**

[Filed May 20, 2003, 3:48 p.m.]

Issuance of Interpretive Statement

This announcement of the issuance of this interpretive statement is published in the Washington State Register pursuant to the requirements of RCW 34.05.230.

The Department of Revenue has issued the following excise tax advisory (ETA). This advisory provides guidance regarding the availability of qualified terminable interest property (QTIP) elections on the Washington state estate and transfer tax return when a different election is made on the federal estate tax return or when no federal return is required.

ETA 2013.57.015 QTIP Elections and Washington's Estate Tax.

Copies of these advisories are available via the internet at http://dor.wa.gov/content/rules_laws/eta/eta.htm. Alternatively, a request for copies of these advisories may be directed to Roseanna Hodson, Legislation and Policy, P.O.

Box 47467, Olympia, WA 98504-7467, phone (360) 570-6119, fax (360) 664-0693.

Alan R. Lynn
Rules Coordinator

725-1344 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

May 14, 2003

E. A. Myers, Manager
Rules and Publications Section

WSR 03-11-078

**INTERPRETIVE AND POLICY STATEMENT
DEPARTMENT OF REVENUE**

[Filed May 20, 2003, 3:49 p.m.]

**CANCELLATION OF INTERPRETIVE
AND/OR POLICY STATEMENT**

This announcement of the cancellation of this interpretive statement is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has cancelled the following excise tax advisory effective May 19, 2003.

ETA 445.04.243 Litter Tax on Food and Beverages.

This document explains that the litter tax does not apply to sales of food and beverages by retailers that are solely for consumption indoors on the seller's premises. This information is no longer needed because chapter 120, Laws of 2003, specifically exempted these sales from the litter tax.

Questions regarding the cancellation of these documents may be directed to Alan R. Lynn, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6125, fax (360) 664-0693, internet alanl@dor.wa.gov.

Alan R. Lynn
Rules Coordinator

WSR 03-11-084

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed May 20, 2003, 4:16 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-13 MAA.

Subject: HO/BH+/CHIP recoupment of premium payments for clients who become eligible for SSI retroactively.

Effective Date: May 19, 2003 - Date of Issuance.

Document Description: When managed care clients who are enrolled in Healthy Options (HO)/Basic Health Plus (BH+)/Children's Health Insurance Program (CHIP) become retroactively eligible for supplemental security income (SSI) benefits, the Medical Assistance Administration (MAA) recoups premiums paid to HO/BH+/CHIP plans for the period of retroactive SSI eligibility. This memorandum explains MAA's recoupment process.

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/download/publicationsfees.htm> (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

May 14, 2003

E. A. Myers, Manager
Rules and Publications Section

WSR 03-11-083

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed May 20, 2003, 4:14 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-11 MAA.

Subject: Maximum allowable cost [cost] (MAC) updates and elimination of drug preparation fees for compounded prescriptions.

Effective Date: MAC Updates - June 1, 2003. Elimination of Drug Prep Fees - July 1, 2003.

Document Description: The Medical Assistance Administration (MAA) is updating the prescription drug program effective for dates of service listed within this numbered memorandum. Updates include (1) revisions to the maximum allowable cost list; and (2) termination of state-unique codes for compound drug preparation fees.

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)

WSR 03-11-093

**NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE**

[Memorandum—May 16, 2003]

Per Resolution 2002-22, Pierce College board of trustees 2003 regular meeting schedule, the board of trustees of Community College District Number Eleven announces their regular June meeting as follows. This meeting is open to the public.

Meeting Date	Time
Saturday, June 7	4:00 p.m. call to order
Monday, June 9	1:00 p.m. adjournment

Meeting Date Time
 Nisqually Lodge
 31609 S.R. 706
 Ashford, WA 98305

WSR 03-11-094
NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE
 [Memorandum—May 16, 2003]

The board of trustees of Community College District Number Eleven (Pierce College) would like to announce a **change of place of their regular July board meeting**. The time remains the same. This meeting is open to the public.

Original Meeting Place Time
 Pierce College Fort Steila- 12:30 p.m.
 room
 9401 Farwest Drive S.W.
 Lakewood, WA 98498

New Meeting Place
 Pierce College Puyallup
 Brouillet Lecture Hall
 1601 39th Avenue S.E.
 Puyallup, WA 98374

WSR 03-11-096
DEPARTMENT OF ECOLOGY
 [Filed May 21, 2003, 11:10 a.m.]

**Ecology Wants Your Comments on the
 Final Draft Stormwater Management Manual
 for Eastern Washington**

Background: The Department of Ecology (ecology) has been working with eastern Washington communities and other stakeholders to develop improved stormwater management tools for eastern Washington. As a result of a chartering meeting held in June 2001 in Moses Lake, a steering committee was formed to work with ecology and a consultant team was selected and placed under contract. The steering committee and ecology are managing a project that has resulted in completion of a final draft stormwater management manual and a model municipal stormwater program for eastern Washington. This project included an analysis of the cost of implementing the measures in the manual and in the model program.

The objectives of the project are to:

- Develop a Stormwater Management Manual for Eastern Washington (stormwater manual) that will serve as a commonly accepted standard for the management of stormwater in this region. The final draft stormwater management manual addresses and integrates stormwater management needs under federal and state laws

and provides for local flexibility in meeting specific local needs.

- Develop a Model Municipal Stormwater Program for Eastern Washington (model program), with strong local participation and direction. This model program describes a regionally and environmentally appropriate stormwater program that satisfies federal and state regulatory requirements and can be implemented by local government. The model program was constructed to assure that local governments can address unique or specific issues within the context of the model program.

A public comment period on both documents was held last fall. The model program has been completed and will be published this summer.

Final Draft Stormwater Management Manual for Eastern Washington: There will be a second comment period on the stormwater manual. The steering committee and ecology will be conducting public workshops on the stormwater manual in June. Each workshop will begin with a presentation, followed by an opportunity to ask questions and provide comments.

Public Workshops	
Location	Date and Time
Spokane WSU Spokane County Cooperative Extension North 222 Havana Street	Monday, June 23, 2003 4:30 to 6:30 p.m.
Clarkston Walla Walla Community College Clarkston Center, Multi- purpose Room 1470 Bridge Street	Tuesday, June 24, 2003 4:30 to 6:30 p.m.
Tri-Cities Benton County PUD Building Auditorium 2721 West 10th Avenue Kennewick	Wednesday, June 25, 2003 4:30 to 6:30 p.m.
Ellensburg Ellensburg Inn Great Northern Room 1700 Canyon Road	Thursday, June 26, 2003 4:30 to 6:30 p.m.

If you have questions about the workshops, or need special accommodations, please contact Sarah Hubbard-Gray at (509) 465-9410 (voice) or 1-800-833-6388 (TTY) by June 16, 2003.

Written Comments: Written comments, along with comments received at the public workshops, will be considered by ecology and the steering committee as the draft stormwater manual is revised. Written comments can be submitted to ecology between June 2 and August 18, 2003.

Send your comments to Karen Dinicola, P.O. Box 47600, Olympia, WA 98504-7600, e-mail kdin461@ecy.wa.gov, fax (360) 407-6426.

MISC.

How to get a copy of the Final Draft Stormwater Management Manual for Eastern Washington:

Online: After June 2, an electronic version is available at <http://www.ecy.wa.gov/programs/wq/stormwater/>.

Printed Copies: Printed copies will be available from the Department of Printing in mid-June. If you have a credit card, you can order printed copies of the Final Draft Stormwater Management Manual for Eastern Washington at <https://wws2.wa.gov/prt/printwa/wsptr/default.asp>.

You can also use this website to get price information and then send a check or money order payable to "Department of Printing" at Department of Printing, P.O. Box 798, Olympia, WA 98507-0798.

Make sure you include your name, mailing address, phone number, and the name of the publication. Allow about two weeks for delivery. If you have questions about ordering this document, please call the Department of Printing at (360) 570-5555.

The Model Municipal Stormwater Program for Eastern Washington: Ecology received comments on the model program during the comment period held last fall. Those comments received were considered, and where appropriate, incorporated into the final version of the model program document that will be available in late July or early August.

How to get a copy of the Model Municipal Stormwater Program for Eastern Washington when available:

Online: An electronic version will be available at <http://www.ecy.wa.gov/programs/wq/stormwater/>.

Printed Copies: You may also order printed copies of the Model Municipal Stormwater Program from the Department of Printing. Please see the Department of Printing information listed above for the Final Draft Stormwater Management Manual for how to order a copy.

MISC.

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 #
3- 20-100	REP-P	03-05-101	16-228-1231	AMD-P	03-02-099	16-239-076	NEW-P	03-07-082
3- 20-100	REP	03-09-144	16-228-1231	AMD	03-05-034	16-239-077	NEW-P	03-07-082
3- 20-200	NEW-P	03-05-101	16-228-1262	NEW-P	03-02-098	16-239-078	NEW-P	03-07-082
3- 20-200	NEW	03-09-144	16-228-1262	NEW	03-05-033	16-239-079	NEW-P	03-07-082
3- 20-300	NEW-P	03-05-101	16-228-1264	NEW-P	03-02-098	16-239-080	NEW-P	03-07-082
3- 20-300	NEW	03-09-144	16-228-1264	NEW	03-05-033	16-239-0801	NEW-P	03-07-082
4- 25-720	AMD-P	03-09-051	16-228-1266	NEW-P	03-02-098	16-239-0802	NEW-P	03-07-082
4- 25-720	AMD-S	03-10-036	16-228-1266	NEW	03-05-033	16-239-0803	NEW-P	03-07-082
4- 25-721	PREP	03-05-012	16-229-010	AMD-P	03-05-075	16-239-0804	NEW-P	03-07-082
4- 25-721	AMD-P	03-09-052	16-229-010	AMD	03-09-034	16-239-0805	NEW-P	03-07-082
16- 54-155	NEW-E	03-03-085	16-229-200	AMD-P	03-05-075	16-239-0806	NEW-P	03-07-082
16-157-020	AMD	03-03-044	16-229-200	AMD-W	03-09-035	16-239-0807	NEW-P	03-07-082
16-157-030	AMD	03-03-044	16-231-107	AMD-X	03-07-037	16-239-0808	NEW-P	03-07-082
16-157-100	REP	03-03-044	16-231-107	AMD	03-11-097	16-239-0809	NEW-P	03-07-082
16-157-110	REP	03-03-044	16-238-010	REP-P	03-07-082	16-239-0810	NEW-P	03-07-082
16-157-200	REP	03-03-044	16-238-020	REP-P	03-07-082	16-239-0811	NEW-P	03-07-082
16-157-220	AMD	03-03-044	16-238-030	REP-P	03-07-082	16-239-0812	NEW-P	03-07-082
16-157-230	AMD	03-03-044	16-238-060	REP-P	03-07-082	16-239-0813	NEW-P	03-07-082
16-157-240	AMD	03-03-044	16-238-070	REP-P	03-07-082	16-239-090	NEW-P	03-07-082
16-157-245	NEW	03-03-044	16-238-082	REP-P	03-07-082	16-239-0901	NEW-P	03-07-082
16-157-250	AMD	03-03-044	16-238-090	REP-P	03-07-082	16-239-0902	NEW-P	03-07-082
16-157-255	AMD	03-03-044	16-238-100	REP-P	03-07-082	16-239-0903	NEW-P	03-07-082
16-157-260	AMD	03-03-044	16-238-110	REP-P	03-07-082	16-239-0904	NEW-P	03-07-082
16-157-270	AMD	03-03-044	16-239-010	NEW-P	03-07-082	16-239-0905	NEW-P	03-07-082
16-157-280	REP	03-03-044	16-239-020	NEW-P	03-07-082	16-239-0906	NEW-P	03-07-082
16-157-290	AMD	03-03-044	16-239-030	NEW-P	03-07-082	16-239-0907	NEW-P	03-07-082
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16-160-020	AMD	03-03-045	16-239-050	NEW-P	03-07-082	16-239-0909	NEW-P	03-07-082
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16-160-035	AMD	03-03-045	16-239-061	NEW-P	03-07-082	16-239-0911	NEW-P	03-07-082
16-160-060	AMD	03-03-045	16-239-062	NEW-P	03-07-082	16-239-0912	NEW-P	03-07-082
16-160-070	AMD	03-03-045	16-239-063	NEW-P	03-07-082	16-239-100	NEW-P	03-07-082
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16-200-7403	NEW	03-02-100	16-239-070	NEW-P	03-07-082	16-239-1030	NEW-P	03-07-082
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16-303-250	AMD	03-08-005	16-400-215	NEW-W	03-10-062	118-65-020	REP	03-10-014
16-303-300	AMD-P	03-03-130	16-401-021	AMD-P	03-07-091	118-65-030	REP-P	03-04-108
16-303-300	AMD	03-08-005	16-401-021	AMD	03-10-083	118-65-030	REP	03-10-014
16-303-310	AMD-P	03-03-130	16-401-023	AMD-P	03-07-091	118-65-040	REP-P	03-04-108
16-303-310	AMD	03-08-005	16-401-023	AMD	03-10-083	118-65-040	REP	03-10-014
16-303-317	AMD-P	03-03-130	16-401-026	REP-P	03-07-091	118-65-050	REP-P	03-04-108
16-303-317	AMD	03-08-005	16-401-026	REP	03-10-083	118-65-050	REP	03-10-014
16-303-320	AMD-P	03-03-130	16-401-027	AMD-P	03-07-091	118-65-060	REP-P	03-04-108
16-303-320	AMD	03-08-005	16-401-027	AMD	03-10-083	118-65-060	REP	03-10-014
16-303-330	AMD-P	03-03-130	16-401-031	REP-P	03-07-091	118-65-070	REP-P	03-04-108
16-303-330	AMD	03-08-005	16-401-031	REP	03-10-083	118-65-070	REP	03-10-014
16-303-340	AMD	03-06-005	16-401-032	AMD-P	03-07-091	118-65-081	REP-P	03-04-108
16-319-041	AMD	03-06-006	16-401-032	AMD	03-10-083	118-65-081	REP	03-10-014
16-321-001	REP-X	03-03-124	16-401-041	AMD-P	03-07-091	118-65-090	REP-P	03-04-108
16-321-001	REP	03-08-018	16-401-041	AMD	03-10-083	118-65-090	REP	03-10-014
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16-321-010	REP	03-08-018	16-401-060	NEW	03-09-112	118-66-010	NEW	03-10-014
16-321-020	REP-X	03-03-124	16-465-001	REP	03-05-079	118-66-020	NEW-P	03-04-108
16-321-020	REP	03-08-018	16-465-060	REP	03-05-079	118-66-020	NEW	03-10-014
16-321-030	REP-X	03-03-124	16-470-905	AMD-P	03-07-092	118-66-030	NEW-P	03-04-108
16-321-030	REP	03-08-018	16-470-905	AMD	03-10-082	118-66-030	NEW	03-10-014
16-321-040	REP-X	03-03-124	16-470-911	REP-P	03-07-092	118-66-040	NEW-P	03-04-108
16-321-040	REP	03-08-018	16-470-911	REP	03-10-082	118-66-040	NEW	03-10-014
16-321-050	REP-X	03-03-124	16-470-912	AMD-P	03-07-092	118-66-042	NEW-P	03-04-108
16-321-050	REP	03-08-018	16-470-912	AMD	03-10-082	118-66-042	NEW	03-10-014
16-321-060	REP-X	03-03-124	16-470-916	REP-P	03-07-092	118-66-045	NEW-P	03-04-108
16-321-060	REP	03-08-018	16-470-916	REP	03-10-082	118-66-045	NEW	03-10-014
16-321-070	REP-X	03-03-124	16-470-917	AMD-P	03-07-092	118-66-050	NEW-P	03-04-108
16-321-070	REP	03-08-018	16-470-917	AMD	03-10-082	118-66-050	NEW	03-10-014
16-321-080	REP-X	03-03-124	16-470-921	AMD-P	03-07-092	118-66-080	NEW-P	03-04-108
16-321-080	REP	03-08-018	16-470-921	AMD	03-10-082	118-66-080	NEW	03-10-014
16-321-090	REP-X	03-03-124	16-536-040	AMD-C	03-06-101	118-66-081	NEW-P	03-04-108
16-321-090	REP	03-08-018	16-603-010	AMD-X	03-08-088	118-66-081	NEW	03-10-014
16-321-100	REP-X	03-03-124	16-657	PREP	03-03-122	118-66-085	NEW-P	03-04-108
16-321-100	REP	03-08-018	16-659	PREP	03-03-122	118-66-085	NEW	03-10-014
16-321-110	REP-X	03-03-124	16-662-100	AMD-X	03-03-123	118-66-090	NEW-P	03-04-108
16-321-110	REP	03-08-018	16-662-100	AMD	03-08-017	118-66-090	NEW	03-10-014
16-321-120	REP-X	03-03-124	16-662-105	AMD-X	03-03-123	131	PREP	03-09-043
16-321-120	REP	03-08-018	16-662-105	AMD	03-08-017	132A	PREP	03-04-091
16-328-008	AMD-P	03-07-090	16-662-110	AMD-X	03-03-123	132A-116-011	AMD-P	03-08-056
16-328-008	AMD	03-10-080	16-662-110	AMD	03-08-017	132A-150-010	AMD-P	03-08-056
16-328-010	PREP	03-03-121	16-662-115	AMD-X	03-03-123	132A-320-010	AMD-P	03-08-056
16-328-010	REP-P	03-07-090	16-662-115	AMD	03-08-017	132F-01	AMD-C	03-10-078
16-328-010	REP	03-10-080	16-750	PREP	03-10-012	132F-01-010	AMD-P	03-06-067
16-328-011	PREP	03-03-121	16-750-005	AMD	03-04-001	132F-01-020	REP-P	03-06-067
16-328-011	AMD-P	03-07-090	16-750-011	AMD	03-04-001	132F-104	AMD-C	03-10-078
16-328-011	AMD	03-10-080	16-750-015	AMD	03-04-001	132F-104-010	AMD-P	03-06-067
16-333-010	AMD-P	03-07-089	16-752-300	AMD-X	03-11-098	132F-104-020	AMD-P	03-06-067
16-333-010	AMD	03-10-081	16-752-305	AMD-X	03-11-098	132F-104-030	REP-P	03-06-067
16-333-040	PREP	03-03-120	16-752-315	AMD-X	03-11-098	132F-104-801	REP-P	03-06-067
16-333-040	REP-P	03-07-089	16-752-320	AMD-X	03-11-098	132F-104-810	AMD-P	03-06-067
16-333-040	REP	03-10-081	36-12-170	AMD-W	03-06-072	132F-104-811	REP-P	03-06-067
16-333-041	PREP	03-03-120	36-14-120	NEW-W	03-06-072	132F-104-812	REP-P	03-06-067
16-333-041	AMD-P	03-07-089	51-04	PREP	03-08-027	132F-104-813	REP-P	03-06-067
16-333-041	AMD	03-10-081	82-50-021	AMD-X	03-07-083	132F-104-814	REP-P	03-06-067
16-400-040	AMD-P	03-07-081	82-50-021	AMD	03-11-073	132F-104-815	REP-P	03-06-067
16-400-040	AMD-W	03-10-062	98-70-010	PREP	03-04-077	132F-104-816	REP-P	03-06-067
16-400-100	AMD-P	03-07-081	98-70-010	AMD-P	03-08-009	132F-104-817	REP-P	03-06-067
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132F-108-050	AMD-P	03-06-067	132H-120-030	AMD-P	03-08-021	132R- 04-165	NEW-P	03-11-006
132F-108-070	AMD-P	03-06-067	132H-120-040	AMD-P	03-08-021	132R- 04-170	AMD-P	03-11-006
132F-108-080	AMD-P	03-06-067	132H-120-050	AMD-P	03-08-021	132R- 05-010	AMD-P	03-11-006
132F-108-100	AMD-P	03-06-067	132H-120-200	AMD-P	03-08-021	132R- 12-010	AMD-P	03-11-006
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132F-108-130	AMD-P	03-06-067	132H-120-300	AMD-P	03-08-021	132R-116-070	AMD-P	03-11-006
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132F-120	REP-P	03-06-067	132H-132-010	REP-P	03-08-019	132R-117	AMD-P	03-11-006
132F-120	AMD-C	03-10-078	132H-132-020	REP-P	03-08-019	132R-117-010	AMD-P	03-11-006
132F-120-020	REP-P	03-06-067	132H-152-135	PREP	03-04-073	132R-117-020	NEW-P	03-11-006
132F-120-030	REP-P	03-06-067	132H-152-135	REP-P	03-08-020	132R-118-010	AMD-P	03-11-006
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132F-120-042	REP-P	03-06-067	132H-155-030	NEW-P	03-08-020	132R-118-040	AMD-P	03-11-006
132F-120-043	REP-P	03-06-067	132H-155-040	NEW-P	03-08-020	132R-136	AMD-P	03-11-006
132F-120-050	REP-P	03-06-067	132H-155-050	NEW-P	03-08-020	132R-136-010	AMD-P	03-11-006
132F-120-060	REP-P	03-06-067	132H-155-060	NEW-P	03-08-020	132R-136-030	AMD-P	03-11-006
132F-120-061	REP-P	03-06-067	132H-155-070	NEW-P	03-08-020	132R-136-035	NEW-P	03-11-006
132F-120-070	REP-P	03-06-067	132Q- 02	PREP	03-09-094	132R-136-055	NEW-P	03-11-006
132F-120-080	REP-P	03-06-067	132Q- 03	PREP	03-09-094	132R-136-060	NEW-P	03-11-006
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132F-120-120	REP-P	03-06-067	132Q- 07	PREP	03-09-094	132R-144-020	AMD-P	03-11-006
132F-120-130	REP-P	03-06-067	132Q- 20	PREP	03-09-094	132R-150-030	REP-P	03-11-006
132F-120-140	REP-P	03-06-067	132Q- 94	PREP	03-09-094	132R-150-050	AMD-P	03-11-006
132F-120-150	REP-P	03-06-067	132Q-108	PREP	03-09-094	132R-158-010	AMD-P	03-11-006
132F-120-160	REP-P	03-06-067	132R- 01-010	AMD-P	03-11-006	132R-175-010	AMD-P	03-11-006
132F-120-170	REP-P	03-06-067	132R- 02-040	AMD-P	03-11-006	132R-175-020	AMD-P	03-11-006
132F-120-180	REP-P	03-06-067	132R- 02-080	AMD-P	03-11-006	132R-175-030	AMD-P	03-11-006
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132F-121-020	NEW-P	03-06-067	132R- 04-019	NEW-P	03-11-006	132R-175-100	AMD-P	03-11-006
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132F-121-050	NEW-P	03-06-067	132R- 04-035	REP-P	03-11-006	132R-175-130	AMD-P	03-11-006
132F-121-060	NEW-P	03-06-067	132R- 04-040	AMD-P	03-11-006	132R-175-140	AMD-P	03-11-006
132F-121-070	NEW-P	03-06-067	132R- 04-042	NEW-P	03-11-006	132R-190-010	AMD-P	03-11-006
132F-121-080	NEW-P	03-06-067	132R- 04-047	NEW-P	03-11-006	132R-190-020	AMD-P	03-11-006
132F-121-090	NEW-P	03-06-067	132R- 04-050	REP-P	03-11-006	132R-190-030	AMD-P	03-11-006
132F-121-100	NEW-P	03-06-067	132R- 04-055	REP-P	03-11-006	132R-190-035	AMD-P	03-11-006
132F-121-110	NEW-P	03-06-067	132R- 04-056	NEW-P	03-11-006	132R-190-040	AMD-P	03-11-006
132F-121-120	NEW-P	03-06-067	132R- 04-057	NEW-P	03-11-006	132R-190-050	AMD-P	03-11-006
132F-121-130	NEW-P	03-06-067	132R- 04-060	REP-P	03-11-006	132R-190-070	AMD-P	03-11-006
132F-121-140	NEW-P	03-06-067	132R- 04-063	NEW-P	03-11-006	132R-190-100	AMD-P	03-11-006
132F-121-150	NEW-P	03-06-067	132R- 04-064	NEW-P	03-11-006	132R-190-110	AMD-P	03-11-006
132F-121-160	NEW-P	03-06-067	132R- 04-067	NEW-P	03-11-006	132R-200-010	AMD-P	03-11-006
132F-121-170	NEW-P	03-06-067	132R- 04-070	REP-P	03-11-006	132X- 60-065	AMD	03-03-089
132F-121-180	NEW-P	03-06-067	132R- 04-080	REP-P	03-11-006	136- 60-010	AMD	03-05-009
132F-121-190	NEW-P	03-06-067	132R- 04-090	REP-P	03-11-006	136- 60-020	AMD	03-05-009
132F-121-200	NEW-P	03-06-067	132R- 04-100	AMD-P	03-11-006	136- 60-030	AMD	03-05-009
132F-121-210	NEW-P	03-06-067	132R- 04-110	REP-P	03-11-006	136- 60-040	AMD	03-05-009
132F-121-220	NEW-P	03-06-067	132R- 04-112	NEW-P	03-11-006	136- 60-050	AMD	03-05-009
132F-121-230	NEW-P	03-06-067	132R- 04-115	NEW-P	03-11-006	136- 60-060	AMD	03-05-009
132F-121-240	NEW-P	03-06-067	132R- 04-117	NEW-P	03-11-006	136-150-023	AMD	03-05-010
132F-121-250	NEW-P	03-06-067	132R- 04-120	REP-P	03-11-006	136-150-024	REP	03-05-010
132F-121-260	NEW-P	03-06-067	132R- 04-130	AMD-P	03-11-006	136-150-030	AMD	03-05-010

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136-150-050	NEW	03-05-010	173-183-850	AMD-X	03-06-036	173-350-220	NEW	03-03-043
136-150-060	NEW	03-05-010	173-183-850	AMD	03-11-010	173-350-230	NEW	03-03-043
136-161-080	AMD-P	03-05-008	173-183-860	AMD-X	03-06-036	173-350-240	NEW	03-03-043
136-161-080	AMD	03-11-046	173-183-860	AMD	03-11-010	173-350-300	NEW	03-03-043
136-163-030	AMD	03-05-011	173-201A	AMD-S	03-04-082	173-350-310	NEW	03-03-043
139-05-200	PREP	03-11-055	173-303-045	AMD	03-07-049	173-350-320	NEW	03-03-043
139-05-210	AMD	03-07-099	173-303-070	AMD	03-07-049	173-350-330	NEW	03-03-043
139-05-820	AMD	03-07-099	173-303-071	AMD-E	03-03-047	173-350-350	NEW	03-03-043
139-05-915	AMD-C	03-03-091	173-303-071	AMD	03-07-049	173-350-360	NEW	03-03-043
139-05-915	AMD	03-07-100	173-303-100	AMD	03-07-049	173-350-400	NEW	03-03-043
139-05-925	PREP	03-11-056	173-303-110	AMD	03-07-049	173-350-410	NEW	03-03-043
139-10-215	PREP	03-05-090	173-303-140	AMD	03-07-049	173-350-490	NEW	03-03-043
139-10-215	AMD-P	03-09-010	173-303-170	AMD	03-07-049	173-350-500	NEW	03-03-043
139-30-015	AMD	03-07-098	173-303-200	AMD	03-07-049	173-350-600	NEW	03-03-043
139-35-015	AMD	03-07-098	173-303-283	AMD	03-07-049	173-350-600	NEW	03-04-103
172-64-010	NEW-P	03-11-099	173-303-380	AMD	03-07-049	173-350-700	NEW	03-03-043
172-64-020	NEW-P	03-11-099	173-303-390	AMD	03-07-049	173-350-710	NEW	03-03-043
172-64-030	NEW-P	03-11-099	173-303-400	AMD	03-07-049	173-350-715	NEW	03-03-043
172-64-040	NEW-P	03-11-099	173-303-500	AMD	03-07-049	173-350-900	NEW	03-03-043
172-64-050	NEW-P	03-11-099	173-303-505	AMD	03-07-049	173-350-990	NEW	03-03-043
172-64-060	NEW-P	03-11-099	173-303-506	AMD	03-07-049	173-503	PREP	03-10-011
172-64-070	NEW-P	03-11-099	173-303-510	AMD	03-07-049	180-10-001	REP-W	03-03-060
172-64-080	NEW-P	03-11-099	173-303-520	AMD	03-07-049	180-10-003	REP-W	03-03-060
172-64-090	NEW-P	03-11-099	173-303-522	AMD	03-07-049	180-10-005	REP-W	03-03-060
172-64-100	NEW-P	03-11-099	173-303-525	AMD	03-07-049	180-10-007	REP-W	03-03-060
172-64-110	NEW-P	03-11-099	173-303-578	AMD	03-07-049	180-10-010	REP-W	03-03-060
172-64-120	NEW-P	03-11-099	173-303-620	AMD	03-07-049	180-10-015	REP-W	03-03-060
172-64-130	NEW-P	03-11-099	173-303-645	AMD	03-07-049	180-10-020	REP-W	03-03-060
172-64-140	NEW-P	03-11-099	173-303-646	AMD	03-07-049	180-10-025	REP-W	03-03-060
173-06-120	AMD-X	03-04-081	173-303-690	AMD	03-07-049	180-10-030	REP-W	03-03-060
173-06-120	AMD	03-10-019	173-303-691	AMD	03-07-049	180-10-035	REP-W	03-03-060
173-26	PREP	03-03-019	173-303-692	AMD	03-07-049	180-10-040	REP-W	03-03-060
173-157-010	NEW	03-03-081	173-303-806	AMD	03-07-049	180-10-045	REP-W	03-03-060
173-157-020	NEW	03-03-081	173-303-830	AMD	03-07-049	180-25	PREP	03-10-077
173-157-030	NEW	03-03-081	173-314-010	REP-X	03-05-095	180-26	PREP	03-10-077
173-157-040	NEW	03-03-081	173-314-010	REP	03-10-020	180-27	PREP	03-10-077
173-157-050	NEW	03-03-081	173-314-100	REP-X	03-05-095	180-29	PREP	03-10-077
173-157-100	NEW	03-03-081	173-314-100	REP	03-10-020	180-31	PREP	03-10-077
173-157-110	NEW	03-03-081	173-314-200	REP-X	03-05-095	180-32	PREP	03-10-077
173-157-120	NEW	03-03-081	173-314-200	REP	03-10-020	180-33	PREP	03-10-077
173-157-130	NEW	03-03-081	173-314-210	REP-X	03-05-095	180-38-065	AMD-W	03-03-062
173-157-140	NEW	03-03-081	173-314-210	REP	03-10-020	180-46	PREP	03-10-074
173-157-150	NEW	03-03-081	173-314-220	REP-X	03-05-095	180-50-315	AMD	03-04-054
173-157-160	NEW	03-03-081	173-314-220	REP	03-10-020	180-51-063	PREP	03-04-110
173-157-170	NEW	03-03-081	173-314-300	REP-X	03-05-095	180-51-063	AMD-E	03-09-018
173-157-180	NEW	03-03-081	173-314-300	REP	03-10-020	180-51-063	AMD-P	03-09-028
173-157-200	NEW	03-03-081	173-314-310	REP-X	03-05-095	180-55-032	NEW-W	03-03-061
173-157-210	NEW	03-03-081	173-314-310	REP	03-10-020	180-55-034	PREP	03-04-112
173-157-220	NEW	03-03-081	173-314-320	REP-X	03-05-095	180-55-150	PREP	03-04-111
173-157-230	NEW	03-03-081	173-314-320	REP	03-10-020	180-57-050	AMD	03-04-055
173-170-010	AMD	03-07-104	173-314-330	REP-X	03-05-095	180-57-055	AMD	03-04-055
173-170-020	AMD	03-07-104	173-314-330	REP	03-10-020	180-57-070	AMD	03-04-055
173-170-040	AMD	03-07-104	173-314-340	REP-X	03-05-095	180-72	PREP	03-10-075
173-170-050	AMD	03-07-104	173-314-340	REP	03-10-020	180-77	PREP	03-10-076
173-170-070	AMD	03-07-104	173-350-010	NEW	03-03-043	180-77-068	AMD-P	03-10-070
173-170-080	AMD	03-07-104	173-350-020	NEW	03-03-043	180-77A	PREP	03-10-076
173-170-090	AMD	03-07-104	173-350-025	NEW	03-03-043	180-78A	PREP	03-10-076
173-170-100	AMD	03-07-104	173-350-030	NEW	03-03-043	180-78A-250	PREP	03-09-086
173-183-820	AMD-X	03-06-036	173-350-040	NEW	03-03-043	180-78A-264	PREP	03-09-085
173-183-820	AMD	03-11-010	173-350-100	NEW	03-03-043	180-78A-505	AMD	03-04-025
173-183-830	AMD-X	03-06-036	173-350-200	NEW	03-03-043	180-78A-505	PREP	03-09-020

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180- 78A-700	NEW	03-04-026	192- 16-047	REP	03-06-038	220- 32-05100A	REP-E	03-07-044
180- 79A	PREP	03-10-076	192- 36-010	PREP	03-11-072	220- 32-05100B	NEW-E	03-10-003
180- 79A-117	PREP	03-07-004	192- 36-020	PREP	03-11-072	220- 32-05100B	REP-E	03-10-003
180- 79A-117	AMD-E	03-08-060	192- 36-025	PREP	03-11-072	220- 32-05100Z	REP-E	03-07-044
180- 79A-117	AMD-P	03-09-029	192-240-010	NEW	03-06-038	220- 32-05500F	NEW-E	03-08-047
180- 79A-127	AMD-X	03-10-071	192-240-015	NEW	03-06-038	220- 32-06000A	NEW-E	03-10-003
180- 79A-140	PREP	03-09-019	192-240-020	NEW	03-06-038	220- 32-06000A	REP-E	03-10-003
180- 79A-150	PREP	03-04-109	192-240-025	NEW	03-06-038	220- 33-01000A	NEW-E	03-05-036
180- 79A-155	AMD	03-04-022	192-240-030	NEW	03-06-038	220- 33-01000A	REP-E	03-05-036
180- 79A-231	AMD-P	03-04-019	192-240-035	NEW	03-06-038	220- 33-01000A	REP-E	03-06-007
180- 79A-231	AMD-P	03-09-023	192-240-040	NEW	03-06-038	220- 33-01000B	NEW-E	03-06-007
180- 79A-308	PREP	03-09-021	192-240-045	NEW	03-06-038	220- 33-01000B	REP-E	03-06-007
180- 81	PREP	03-10-076	196- 12	PREP	03-09-032	220- 33-01000C	NEW-E	03-08-004
180- 82	PREP	03-10-076	196- 16	PREP	03-09-032	220- 33-01000C	REP-E	03-08-004
180- 82-110	AMD	03-04-023	196- 20	PREP	03-09-032	220- 33-01000D	NEW-E	03-09-080
180- 82-115	PREP	03-09-084	196- 21	PREP	03-09-032	220- 33-01000D	REP-E	03-09-080
180- 82-204	PREP	03-04-020	196- 24	PREP	03-09-032	220- 33-01000D	REP-E	03-10-006
180- 82-204	AMD-E	03-04-027	196- 25	PREP	03-09-032	220- 33-01000E	NEW-E	03-10-042
180- 82-204	AMD-P	03-09-024	196- 26A	PREP	03-09-032	220- 33-01000E	REP-E	03-10-042
180- 82-204	AMD-E	03-09-025	196- 30	PREP	03-03-111	220- 33-01000Y	REP-E	03-04-033
180- 82-205	PREP	03-09-022	197- 11-070	AMD-P	03-03-082	220- 33-01000Z	NEW-E	03-04-033
180- 82A-204	PREP	03-04-020	197- 11-250	AMD-P	03-03-082	220- 33-01000Z	REP-E	03-04-033
180- 82A-204	AMD-E	03-04-028	197- 11-310	AMD-P	03-03-082	220- 33-01000Z	REP-E	03-04-078
180- 82A-204	AMD-P	03-09-024	197- 11-800	AMD-P	03-03-082	220- 33-03000T	NEW-E	03-11-002
180- 82A-204	AMD-E	03-09-025	197- 11-820	AMD-P	03-03-082	220- 33-03000T	REP-E	03-11-002
180- 82A-206	PREP	03-04-021	197- 11-835	AMD-P	03-03-082	220- 33-04000S	REP-E	03-07-015
180- 82A-206	AMD-P	03-09-026	197- 11-850	AMD-P	03-03-082	220- 33-04000T	NEW-E	03-07-015
180- 82A-206	AMD-E	03-09-027	197- 11-855	AMD-P	03-03-082	220- 33-04000T	REP-E	03-07-015
180- 82A-215	PREP	03-04-021	197- 11-902	AMD-P	03-03-082	220- 33-060	AMD	03-05-062
180- 82A-215	AMD-P	03-09-026	197- 11-904	AMD-P	03-03-082	220- 36-03001	AMD	03-05-062
180- 82A-215	AMD-E	03-09-027	197- 11-908	AMD-P	03-03-082	220- 36-03001A	NEW-E	03-05-002
180- 83	PREP	03-10-076	204- 82A-060	AMD-P	03-08-089	220- 36-03001A	REP-E	03-05-002
180- 85	PREP	03-10-076	212- 12-200	NEW	03-06-063	220- 40-030	AMD	03-05-062
180- 86	PREP	03-10-076	212- 12-210	NEW	03-06-063	220- 44-050	AMD-P	03-02-105
180- 86-100	PREP	03-09-082	212- 12-220	NEW	03-06-063	220- 44-050	AMD	03-05-078
180- 86-100	PREP	03-10-029	212- 12-230	NEW	03-06-063	220- 44-05000R	REP-E	03-04-058
180- 86-116	PREP	03-09-083	212- 12-240	NEW	03-06-063	220- 44-05000S	NEW-E	03-04-058
180- 86-116	PREP	03-10-028	212- 12-250	NEW	03-06-063	220- 44-05000S	REP-E	03-05-027
180- 87	PREP	03-10-076	212- 12-260	NEW	03-06-063	220- 44-05000T	NEW-E	03-05-027
180- 90-105	AMD	03-04-053	212- 12-260	NEW	03-06-063	220- 44-05000T	REP-E	03-07-024
180- 90-110	REP	03-04-053	212- 12-270	NEW	03-06-063	220- 44-05000U	NEW-E	03-07-024
180- 90-112	AMD	03-04-053	212- 12-280	NEW	03-06-063	220- 47-301	AMD	03-05-076
180- 90-115	REP	03-04-053	212- 12-290	NEW	03-06-063	220- 48-029	AMD	03-05-063
180- 90-119	REP	03-04-053	212- 12-300	NEW	03-06-063	220- 48-032	AMD	03-05-063
180- 90-120	REP	03-04-053	212- 12-310	NEW	03-06-063	220- 52-019	AMD-P	03-06-065
180- 90-120	REP	03-04-053	212- 12-320	NEW	03-06-063	220- 52-019	AMD	03-10-008
180- 90-123	REP	03-04-053	212- 12-330	NEW	03-06-063	220- 52-01900A	NEW-E	03-09-072
180- 90-125	REP	03-04-053	212- 12-340	NEW	03-06-063	220- 52-02000A	NEW-E	03-10-002
180- 90-130	AMD	03-04-053	212- 12-350	NEW	03-06-063	220- 52-03500A	NEW-E	03-09-081
180- 90-133	REP	03-04-053	212- 12-360	NEW	03-06-063	220- 52-04000M	REP-E	03-06-030
180- 90-135	REP	03-04-053	212- 12-370	NEW	03-06-063	220- 52-04600N	REP-E	03-04-046
180- 90-137	REP	03-04-053	212- 12-380	NEW	03-06-063	220- 52-04600P	NEW-E	03-04-007
180- 90-141	AMD	03-04-053	212- 12-390	NEW	03-06-063	220- 52-04600P	REP-E	03-04-007
180- 90-160	AMD	03-04-053	212- 12-400	NEW	03-06-063	220- 52-04600P	REP-E	03-07-014
180- 95	PREP	03-10-072	212- 12-410	NEW	03-06-063	220- 52-04600Q	NEW-E	03-04-046
180- 96	PREP	03-10-073	212- 12-420	NEW-W	03-06-071	220- 52-04600Q	REP-E	03-07-002
182- 25-030	AMD-P	03-05-094	220- 12-020	AMD	03-05-057	220- 52-04600R	NEW-E	03-05-006
182- 25-035	NEW-P	03-05-094	220- 16-27000A	NEW-E	03-09-081	220- 52-04600R	REP-E	03-06-020
192- 16-033	REP	03-06-038	220- 16-290	NEW	03-05-061	220- 52-04600S	NEW-E	03-05-047
192- 16-036	REP	03-06-038	220- 20-016	AMD	03-10-010	220- 52-04600S	REP-E	03-10-022
192- 16-040	REP	03-06-038	220- 20-080	NEW	03-05-059	220- 52-04600T	NEW-E	03-06-020
192- 16-042	REP	03-06-038	220- 24-04000I	NEW-E	03-10-005			

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220-52-04600U	NEW-E	03-07-002	220-56-32500C	REP-E	03-10-034	220-100-027	NEW	03-10-038
220-52-04600U	REP-E	03-08-048	220-56-32500D	NEW-E	03-10-034	220-100-030	AMD-P	03-06-080
220-52-04600V	NEW-E	03-07-014	220-56-32500D	REP-E	03-11-003	220-100-030	AMD	03-10-038
220-52-04600V	REP-E	03-07-014	220-56-32500E	NEW-E	03-11-003	220-100-040	AMD-P	03-06-080
220-52-04600W	REP-E	03-10-021	220-56-33000R	REP-E	03-05-026	220-100-040	AMD	03-10-038
220-52-04600W	NEW-E	03-08-048	220-56-33000S	NEW-E	03-05-005	220-100-045	AMD-P	03-06-080
220-52-04600X	NEW-E	03-10-021	220-56-33000S	REP-E	03-06-020	220-100-045	AMD	03-10-038
220-52-04600X	REP-E	03-10-021	220-56-33000T	NEW-E	03-05-026	220-100-055	AMD-P	03-06-080
220-52-050	AMD	03-05-060	220-56-33000T	REP-E	03-07-003	220-100-055	AMD	03-10-038
220-52-051	AMD	03-05-064	220-56-33000U	NEW-E	03-06-020	220-100-057	NEW-P	03-06-080
220-52-05100P	NEW-E	03-09-013	220-56-33000U	REP-E	03-10-022	220-100-057	NEW	03-10-038
220-52-05100P	REP-E	03-09-081	220-56-33000V	NEW-E	03-07-003	220-100-058	NEW-P	03-06-080
220-52-05100Q	NEW-E	03-09-081	220-56-33000V	REP-E	03-08-049	220-100-058	NEW	03-10-038
220-52-05100Q	REP-E	03-11-008	220-56-33000W	NEW-E	03-08-049	220-100-060	AMD-P	03-06-080
220-52-05100R	NEW-E	03-11-008	220-56-33000W	REP-E	03-09-060	220-100-060	AMD	03-10-038
220-52-066	AMD-P	03-06-064	220-56-33000X	NEW-E	03-09-060	220-100-065	AMD-P	03-06-080
220-52-07300A	REP-E	03-03-002	220-56-33000X	REP-E	03-11-023	220-100-065	AMD	03-10-038
220-52-07300B	NEW-E	03-03-002	220-56-33000Y	NEW-E	03-11-023	220-100-068	NEW-P	03-06-080
220-52-07300B	REP-E	03-03-068	220-56-33000Y	REP-E	03-11-039	220-100-068	NEW	03-10-038
220-52-07300C	NEW-E	03-03-068	220-56-33000Z	NEW-E	03-11-039	220-100-070	AMD-P	03-06-080
220-52-07300C	REP-E	03-06-001	220-56-350	AMD	03-05-057	220-100-070	AMD	03-10-038
220-52-07300D	NEW-E	03-06-001	220-56-35000P	NEW-E	03-07-025	220-100-075	AMD-P	03-06-080
220-52-07300D	REP-E	03-06-001	220-56-35000P	REP-E	03-07-025	220-100-075	AMD	03-10-038
220-52-07300E	NEW-E	03-11-080	220-56-370	REP-P	03-06-079	220-100-080	AMD-P	03-06-080
220-52-075	AMD	03-05-064	220-56-380	AMD	03-05-057	220-100-080	AMD	03-10-038
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220-55-060	REP-P	03-06-079	220-69-240	AMD	03-05-064	220-100-095	AMD	03-10-038
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220-56-12800F	NEW-E	03-10-039	220-72-002	AMD	03-10-041	222-21-040	AMD	03-06-039
220-56-12800F	REP-E	03-10-039	220-72-011	AMD-P	03-06-109	222-21-045	AMD	03-06-039
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220-56-18000B	REP-E	03-10-039	220-72-070	AMD-P	03-06-109	230-04-110	AMD-P	03-08-002
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220-56-19500K	REP-E	03-10-039	220-72-073	AMD-P	03-06-109	230-08-017	AMD	03-05-089
220-56-230	AMD	03-05-057	220-72-073	AMD	03-10-041	230-12-305	AMD-P	03-08-001
220-56-23000A	NEW-E	03-07-032	220-72-073	AMD	03-10-041	230-12-305	AMD	03-11-041
220-56-23000A	REP-E	03-07-032	220-72-076	AMD-P	03-06-109	230-12-315	AMD-P	03-08-002
220-56-235	AMD	03-05-057	220-72-076	AMD	03-10-041	230-12-315	AMD	03-11-042
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220-56-23500Q	REP-E	03-07-032	220-72-086	NEW	03-10-041	230-12-316	NEW	03-11-042
220-56-23500Q	REP-E	03-09-123	220-72-087	NEW-P	03-06-109	230-20-059	AMD-P	03-05-088
220-56-23500R	NEW-E	03-09-123	220-72-087	NEW	03-10-041	230-20-059	AMD	03-11-040
220-56-250	AMD	03-05-057	220-72-089	NEW-P	03-06-109	230-40-550	AMD-P	03-05-087
220-56-25000E	NEW-E	03-07-032	220-72-089	NEW	03-10-041	230-40-550	AMD	03-09-076
220-56-25000E	REP-E	03-07-032	220-72-090	NEW-P	03-06-109	230-40-625	AMD-P	03-05-087
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220-56-27000P	REP-E	03-05-025	220-100-010	AMD-P	03-06-080	230-40-875	AMD	03-09-076
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232-19-015	REP-P	03-06-080	232-28-332	NEW	03-06-110	232-28-61900S	REP-E	03-08-054
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232-19-030	REP	03-10-038	232-28-335	NEW-P	03-02-103	232-28-61900U	REP-E	03-09-016
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232-19-040	REP	03-10-038	232-28-336	NEW-P	03-02-103	232-28-61900V	REP-E	03-10-001
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232-19-050	REP	03-10-038	232-28-337	NEW-P	03-06-112	232-28-61900W	REP-E	03-11-037
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232-19-055	REP	03-10-038	232-28-351	NEW-P	03-06-113	232-28-61900X	REP-E	03-10-032
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232-19-130	REP-P	03-06-080	232-28-61900D	NEW-E	03-03-098	242-02-052	AMD-X	03-10-069
232-19-130	REP	03-10-038	232-28-61900D	REP-E	03-03-098	242-02-070	AMD-X	03-10-069
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232-19-180	REP	03-10-038	232-28-61900E	REP-E	03-04-047	242-04-050	AMD-X	03-10-069
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232-28-02202	REP	03-06-110	232-28-61900G	NEW-E	03-05-038	246-01-040	REP	03-11-032
232-28-02203	REP-P	03-02-103	232-28-61900G	REP-E	03-05-038	246-01-070	REP-X	03-04-105
232-28-02203	REP	03-06-110	232-28-61900H	NEW-E	03-05-037	246-01-070	REP	03-11-032
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232-28-02204	REP	03-06-110	232-28-61900H	REP-E	03-09-001	246-01-080	AMD	03-11-032
232-28-02205	REP-P	03-02-103	232-28-61900I	NEW-E	03-06-009	246-01-090	AMD-X	03-04-105
232-28-02205	REP	03-06-110	232-28-61900I	REP-E	03-06-009	246-01-090	AMD	03-11-032
232-28-02206	REP-P	03-02-103	232-28-61900J	NEW-E	03-06-008	246-01-100	REP-X	03-04-105
232-28-02206	REP	03-06-110	232-28-61900J	REP-E	03-06-008	246-01-100	REP	03-11-032
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246-100-055	NEW	03-05-048	246-290-495	REP-P	03-03-079	246-292-160	AMD-P	03-08-036
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246-100-070	NEW	03-05-048	246-290-601	AMD	03-08-037	246-310-290	NEW	03-07-096
246-100-166	PREP	03-09-126	246-290-630	AMD-P	03-03-079	246-310-295	NEW-P	03-03-097
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246-244-030	AMD-P	03-07-094	246-290-638	AMD	03-08-037	246-455-001	AMD-P	03-05-024
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246-290	PREP-W	03-07-102	246-290-691	AMD	03-08-037	246-680-020	AMD	03-11-031
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246-290-100	AMD	03-08-037	246-290-71003	NEW	03-08-037	246-847-065	PREP	03-08-029
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246-290-300	AMD	03-08-037	246-290-71007	NEW	03-08-037	246-870-020	NEW-P	03-11-092
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246-290-416	AMD	03-08-037	246-290-72007	AMD	03-08-037	246-870-080	NEW-P	03-11-092
246-290-451	AMD-P	03-03-079	246-290-72010	AMD-P	03-03-079	246-870-090	NEW-P	03-11-092

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-887	PREP	03-09-124	260-48-890	AMD-P	03-09-133	284-91	AMD	03-07-007
246-887-045	NEW	03-04-045	260-48-900	AMD-P	03-09-133	284-91-001	NEW	03-07-007
246-887-165	NEW-X	03-03-096	260-48-910	AMD-P	03-09-133	284-91-010	REP	03-07-007
246-887-165	NEW	03-09-064	260-48-940	NEW-P	03-07-053	284-91-020	REP	03-07-007
246-889-050	NEW-P	03-06-002	260-48-940	NEW	03-11-017	284-91-025	REP	03-07-007
246-919	PREP	03-08-032	260-70-610	AMD-P	03-07-052	284-91-027	REP	03-07-007
246-924-354	PREP	03-05-020	260-70-610	AMD	03-11-018	284-91-030	REP	03-07-007
246-926-100	AMD	03-10-100	260-70-630	AMD-P	03-07-055	284-91-040	REP	03-07-007
246-927-990	NEW-P	03-05-022	260-70-630	AMD-E	03-09-057	284-91-050	REP	03-07-007
246-927-990	NEW	03-09-065	260-70-630	AMD	03-11-019	284-91-060	REP	03-07-007
246-933-320	AMD-P	03-06-100	260-70-650	AMD	03-06-004	296-13-001	REP-P	03-05-074
246-933-501	NEW-P	03-06-100	260-70-660	AMD	03-06-004	296-13-001	REP	03-09-111
246-933-510	NEW-P	03-06-100	260-70-700	AMD	03-06-004	296-13-010	REP-P	03-05-074
246-933-520	NEW-P	03-06-100	260-72-010	AMD-W	03-05-069	296-13-010	REP	03-09-111
246-933-530	NEW-P	03-06-100	260-72-010	REP-P	03-05-070	296-13-020	REP-P	03-05-074
246-933-550	NEW-P	03-06-100	260-72-010	REP-P	03-09-134	296-13-020	REP	03-09-111
246-933-590	NEW-P	03-05-023	260-72-040	NEW-P	03-04-090	296-13-030	REP-P	03-05-074
246-933-590	NEW	03-10-044	260-72-040	NEW	03-07-058	296-13-030	REP	03-09-111
246-935-070	AMD-P	03-04-104	284-07-010	AMD	03-03-133	296-13-035	REP-P	03-05-074
246-935-070	AMD	03-11-034	284-22-020	AMD	03-03-052	296-13-035	REP	03-09-111
246-976-021	PREP	03-09-125	284-22-050	AMD	03-03-052	296-13-040	REP-P	03-05-074
250-18-015	AMD-P	03-09-145	284-22-060	AMD	03-03-052	296-13-040	REP	03-09-111
250-18-020	AMD-P	03-09-145	284-22-080	AMD	03-03-052	296-13-050	REP-P	03-05-074
250-18-025	AMD-P	03-09-145	284-24A-070	NEW-W	03-03-063	296-13-050	REP	03-09-111
250-18-030	AMD-P	03-09-145	284-30-390	AMD-P	03-03-132	296-13-052	REP-P	03-05-074
250-18-035	AMD-P	03-09-145	284-30-390	AMD-S	03-09-143	296-13-052	REP	03-09-111
250-18-040	REP-P	03-09-145	284-30-3901	NEW-P	03-03-132	296-13-053	REP-P	03-05-074
250-18-070	NEW-P	03-09-145	284-30-3901	NEW-S	03-09-143	296-13-053	REP	03-09-111
250-61	PREP	03-04-079	284-30-3902	NEW-P	03-03-132	296-13-055	REP-P	03-05-074
250-69	AMD	03-04-101	284-30-3902	NEW-S	03-09-143	296-13-055	REP	03-09-111
250-69-010	AMD	03-04-101	284-30-3903	NEW-P	03-03-132	296-13-057	REP-P	03-05-074
250-69-020	AMD	03-04-101	284-30-3903	NEW-S	03-09-143	296-13-057	REP	03-09-111
250-69-030	AMD	03-04-101	284-30-3904	NEW-P	03-03-132	296-13-060	REP-P	03-05-074
250-69-040	AMD	03-04-101	284-30-3904	NEW-S	03-09-143	296-13-060	REP	03-09-111
250-69-050	AMD	03-04-101	284-30-3905	NEW-P	03-03-132	296-13-080	REP-P	03-05-074
250-69-060	AMD	03-04-101	284-30-3905	NEW-S	03-09-143	296-13-080	REP	03-09-111
250-69-070	AMD	03-04-101	284-30-3906	NEW-P	03-03-132	296-13-090	REP-P	03-05-074
250-69-090	AMD	03-04-101	284-30-3906	NEW-S	03-09-143	296-13-090	REP	03-09-111
250-69-110	REP	03-04-101	284-30-3907	NEW-P	03-03-132	296-13-100	REP-P	03-05-074
251-04-035	NEW-E	03-03-042	284-30-3907	NEW-S	03-09-143	296-13-100	REP	03-09-111
251-04-035	NEW-P	03-07-059	284-30-3908	NEW-P	03-03-132	296-13-110	REP-P	03-05-074
251-04-035	NEW-P	03-10-101	284-30-3908	NEW-S	03-09-143	296-13-110	REP	03-09-111
251-04-035	NEW-E	03-11-004	284-30-3909	NEW-P	03-03-132	296-13-130	REP-P	03-05-074
251-04-035	NEW-W	03-11-005	284-30-3909	NEW-S	03-09-143	296-13-130	REP	03-09-111
260	PREP	03-09-131	284-30-3910	NEW-P	03-03-132	296-13-140	REP-P	03-05-074
260-08-595	NEW	03-03-041	284-30-3910	NEW-S	03-09-143	296-13-140	REP	03-09-111
260-13-420	PREP	03-03-067	284-30-3911	NEW-P	03-03-132	296-13-150	REP-P	03-05-074
260-13-420	AMD-P	03-07-054	284-30-3911	NEW-S	03-09-143	296-13-150	REP	03-09-111
260-13-420	AMD	03-11-015	284-30-3912	NEW-P	03-03-132	296-13-160	REP-P	03-05-074
260-20-035	PREP	03-03-025	284-30-3912	NEW-S	03-09-143	296-13-160	REP	03-09-111
260-20-035	REP-P	03-07-051	284-30-3913	NEW-P	03-03-132	296-13-170	REP-P	03-05-074
260-20-035	REP	03-11-016	284-30-3913	NEW-S	03-09-143	296-13-170	REP	03-09-111
260-24	PREP	03-05-067	284-30-3914	NEW-P	03-03-132	296-13-180	REP-P	03-05-074
260-24-510	AMD-P	03-09-132	284-30-3914	NEW-S	03-09-143	296-13-180	REP	03-09-111
260-28-030	AMD-P	03-03-040	284-30-3915	NEW-P	03-03-132	296-13-190	REP-P	03-05-074
260-28-030	AMD	03-07-056	284-30-3915	NEW-S	03-09-143	296-13-190	REP	03-09-111
260-32-005	NEW-P	03-07-074	284-30-3916	NEW-S	03-09-143	296-13-200	REP-P	03-05-074
260-32-005	NEW-W	03-11-014	284-30-505	NEW-W	03-08-071	296-13-200	REP	03-09-111
260-34-090	AMD	03-05-071	284-30-510	NEW-W	03-10-096	296-13-210	REP-P	03-05-074
260-48	PREP	03-05-068	284-43-220	AMD-X	03-03-134	296-13-210	REP	03-09-111
260-48-630	AMD-P	03-04-089	284-43-220	AMD	03-09-142	296-13-220	REP-P	03-05-074
260-48-630	AMD	03-07-057	284-43-323	NEW	03-07-006	296-13-220	REP	03-09-111

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296-13-230	REP-P	03-05-074	296-17	PREP	03-05-072	296-24-65005	REP	03-09-009
296-13-230	REP	03-09-111	296-17	PREP-W	03-09-106	296-24-65007	REP	03-09-009
296-13-240	REP-P	03-05-074	296-17-757	PREP	03-03-026	296-24-655	REP	03-09-009
296-13-240	REP	03-09-111	296-17-758	PREP	03-03-026	296-24-65501	REP	03-09-009
296-13-250	REP-P	03-05-074	296-17-759	PREP	03-03-026	296-24-657	REP	03-09-009
296-13-250	REP	03-09-111	296-17-760	PREP	03-03-026	296-24-65701	REP	03-09-009
296-13-260	REP-P	03-05-074	296-17-761	PREP	03-03-026	296-24-65703	REP	03-09-009
296-13-260	REP	03-09-111	296-17-762	PREP	03-03-026	296-24-660	REP	03-09-009
296-13-270	REP-P	03-05-074	296-17-76201	PREP	03-03-026	296-24-66001	REP	03-09-009
296-13-270	REP	03-09-111	296-17-76202	PREP	03-03-026	296-24-66003	REP	03-09-009
296-13-280	REP-P	03-05-074	296-17-76203	PREP	03-03-026	296-24-66005	REP	03-09-009
296-13-280	REP	03-09-111	296-17-76204	PREP	03-03-026	296-24-66007	REP	03-09-009
296-13-290	REP-P	03-05-074	296-17-76205	PREP	03-03-026	296-24-66009	REP	03-09-009
296-13-290	REP	03-09-111	296-17-76206	PREP	03-03-026	296-24-66011	REP	03-09-009
296-13-300	REP-P	03-05-074	296-17-76207	PREP	03-03-026	296-24-663	REP	03-09-009
296-13-300	REP	03-09-111	296-17-76208	PREP	03-03-026	296-24-66301	REP	03-09-009
296-13-310	REP-P	03-05-074	296-17-76209	PREP	03-03-026	296-24-66303	REP	03-09-009
296-13-310	REP	03-09-111	296-17-76210	PREP	03-03-026	296-24-66305	REP	03-09-009
296-13-320	REP-P	03-05-074	296-17-76211	PREP	03-03-026	296-24-66307	REP	03-09-009
296-13-320	REP	03-09-111	296-17-76212	PREP	03-03-026	296-24-66309	REP	03-09-009
296-13-330	REP-P	03-05-074	296-19A-010	AMD	03-11-009	296-24-66311	REP	03-09-009
296-13-330	REP	03-09-111	296-19A-020	AMD	03-11-009	296-24-66313	REP	03-09-009
296-13-340	REP-P	03-05-074	296-19A-025	NEW	03-11-009	296-24-66315	REP	03-09-009
296-13-340	REP	03-09-111	296-19A-030	AMD	03-11-009	296-24-66317	REP	03-09-009
296-13-350	REP-P	03-05-074	296-19A-040	AMD	03-11-009	296-24-66319	REP	03-09-009
296-13-350	REP	03-09-111	296-19A-060	AMD	03-11-009	296-24-66321	REP	03-09-009
296-13-360	REP-P	03-05-074	296-19A-065	NEW	03-11-009	296-24-665	REP	03-09-009
296-13-360	REP	03-09-111	296-19A-070	AMD	03-11-009	296-24-66501	REP	03-09-009
296-13-370	REP-P	03-05-074	296-19A-090	AMD	03-11-009	296-24-66503	REP	03-09-009
296-13-370	REP	03-09-111	296-19A-100	AMD	03-11-009	296-24-66505	REP	03-09-009
296-13-380	REP-P	03-05-074	296-19A-110	AMD	03-11-009	296-24-66507	REP	03-09-009
296-13-380	REP	03-09-111	296-19A-125	NEW	03-11-009	296-24-66509	REP	03-09-009
296-13-390	REP-P	03-05-074	296-19A-130	AMD	03-11-009	296-24-670	REP	03-09-009
296-13-390	REP	03-09-111	296-19A-135	NEW	03-11-009	296-24-67001	REP	03-09-009
296-13-400	REP-P	03-05-074	296-19A-137	NEW	03-11-009	296-24-67003	REP	03-09-009
296-13-400	REP	03-09-111	296-19A-140	AMD	03-11-009	296-24-67005	REP	03-09-009
296-13-410	REP-P	03-05-074	296-19A-170	AMD	03-11-009	296-27-01109	AMD	03-09-110
296-13-410	REP	03-09-111	296-19A-180	AMD	03-11-009	296-30-190	PREP	03-11-057
296-13-420	REP-P	03-05-074	296-19A-190	AMD	03-11-009	296-30-200	PREP	03-11-058
296-13-420	REP	03-09-111	296-19A-191	NEW	03-11-009	296-37	PREP	03-04-097
296-13-430	REP-P	03-05-074	296-19A-192	NEW	03-11-009	296-400A	PREP	03-04-098
296-13-430	REP	03-09-111	296-19A-193	NEW	03-11-009	296-401B	PREP	03-04-098
296-13-440	REP-P	03-05-074	296-19A-200	AMD	03-11-009	296-402A	PREP	03-04-098
296-13-440	REP	03-09-111	296-19A-210	AMD	03-11-009	296-45	PREP	03-07-072
296-14-310	NEW-P	03-06-074	296-19A-240	AMD	03-11-009	296-45	PREP	03-10-064
296-14-315	NEW-P	03-06-074	296-19A-245	NEW	03-11-009	296-45-045	AMD-P	03-10-067
296-14-320	NEW-P	03-06-074	296-19A-260	AMD	03-11-009	296-45-255	AMD-P	03-10-067
296-14-325	NEW-P	03-06-074	296-19A-270	AMD	03-11-009	296-45-325	AMD-P	03-10-067
296-14-330	NEW-P	03-06-074	296-19A-300	AMD	03-11-009	296-46A	PREP	03-04-098
296-14-520	NEW	03-11-035	296-19A-350	AMD	03-11-009	296-46A-090	REP-P	03-05-074
296-14-522	NEW	03-11-035	296-19A-400	AMD	03-11-009	296-46A-090	REP	03-09-111
296-14-524	NEW	03-11-035	296-19A-440	AMD	03-11-009	296-46A-092	REP-P	03-05-074
296-14-526	NEW	03-11-035	296-19A-480	AMD	03-11-009	296-46A-092	REP	03-09-111
296-14-528	NEW	03-11-035	296-200A	PREP	03-04-098	296-46A-095	REP-P	03-05-074
296-14-530	NEW	03-11-035	296-20-135	AMD-P	03-09-107	296-46A-095	REP	03-09-111
296-150C	PREP	03-04-098	296-23-220	AMD-P	03-09-107	296-46A-100	REP-P	03-05-074
296-150F	PREP	03-04-098	296-23-230	AMD-P	03-09-107	296-46A-100	REP	03-09-111
296-150M	PREP	03-04-098	296-24	PREP	03-03-110	296-46A-102	REP-P	03-05-074
296-150P	PREP	03-04-098	296-24	PREP	03-10-064	296-46A-102	REP	03-09-111
296-150R	PREP	03-04-098	296-24	PREP	03-10-066	296-46A-104	REP-P	03-05-074
296-150T	PREP	03-04-098	296-24-650	REP	03-09-009	296-46A-104	REP	03-09-111
296-150V	PREP	03-04-098	296-24-65003	REP	03-09-009	296-46A-110	REP-P	03-05-074

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296-46A-110	REP	03-09-111	296-46A-702	REP	03-09-111	296-46B-410	NEW-P	03-05-074
296-46A-130	REP-P	03-05-074	296-46A-900	REP-P	03-05-074	296-46B-410	NEW	03-09-111
296-46A-130	REP	03-09-111	296-46A-900	REP	03-09-111	296-46B-422	NEW-P	03-05-074
296-46A-140	REP-P	03-05-074	296-46A-910	REP-P	03-05-074	296-46B-422	NEW	03-09-111
296-46A-140	REP	03-09-111	296-46A-910	REP	03-09-111	296-46B-430	NEW-P	03-05-074
296-46A-155	REP-P	03-05-074	296-46A-915	REP-P	03-05-074	296-46B-430	NEW	03-09-111
296-46A-155	REP	03-09-111	296-46A-915	REP	03-09-111	296-46B-450	NEW-P	03-05-074
296-46A-21052	REP-P	03-05-074	296-46A-920	REP-P	03-05-074	296-46B-450	NEW	03-09-111
296-46A-21052	REP	03-09-111	296-46A-920	REP	03-09-111	296-46B-501	NEW-P	03-05-074
296-46A-215	REP-P	03-05-074	296-46A-930	REP-P	03-05-074	296-46B-501	NEW	03-09-111
296-46A-215	REP	03-09-111	296-46A-930	REP	03-09-111	296-46B-514	NEW-P	03-05-074
296-46A-220	REP-P	03-05-074	296-46A-931	REP-P	03-05-074	296-46B-514	NEW	03-09-111
296-46A-220	REP	03-09-111	296-46A-931	REP	03-09-111	296-46B-517	NEW-P	03-05-074
296-46A-22530	REP-P	03-05-074	296-46A-932	REP-P	03-05-074	296-46B-517	NEW	03-09-111
296-46A-22530	REP	03-09-111	296-46A-932	REP	03-09-111	296-46B-520	NEW-P	03-05-074
296-46A-23001	REP-P	03-05-074	296-46A-933	REP-P	03-05-074	296-46B-520	NEW	03-09-111
296-46A-23001	REP	03-09-111	296-46A-933	REP	03-09-111	296-46B-527	NEW-P	03-05-074
296-46A-23028	REP-P	03-05-074	296-46A-934	REP-P	03-05-074	296-46B-527	NEW	03-09-111
296-46A-23028	REP	03-09-111	296-46A-934	REP	03-09-111	296-46B-550	NEW-P	03-05-074
296-46A-23040	REP-P	03-05-074	296-46A-935	REP-P	03-05-074	296-46B-550	NEW	03-09-111
296-46A-23040	REP	03-09-111	296-46A-935	REP	03-09-111	296-46B-553	NEW-P	03-05-074
296-46A-23062	REP-P	03-05-074	296-46A-940	REP-P	03-05-074	296-46B-553	NEW	03-09-111
296-46A-23062	REP	03-09-111	296-46A-940	REP	03-09-111	296-46B-555	NEW-P	03-05-074
296-46A-250	REP-P	03-05-074	296-46A-950	REP-P	03-05-074	296-46B-555	NEW	03-09-111
296-46A-250	REP	03-09-111	296-46A-950	REP	03-09-111	296-46B-600	NEW-P	03-05-074
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296-46A-30011	REP-P	03-05-074	296-46B	PREP	03-10-065	296-46B-680	NEW	03-09-111
296-46A-30011	REP	03-09-111	296-46B-005	NEW-P	03-05-074	296-46B-700	NEW-P	03-05-074
296-46A-324	REP-P	03-05-074	296-46B-005	NEW	03-09-111	296-46B-700	NEW	03-09-111
296-46A-324	REP	03-09-111	296-46B-010	NEW-P	03-05-074	296-46B-800	NEW-P	03-05-074
296-46A-348	REP-P	03-05-074	296-46B-010	NEW	03-09-111	296-46B-800	NEW	03-09-111
296-46A-348	REP	03-09-111	296-46B-020	NEW-P	03-05-074	296-46B-900	NEW-P	03-05-074
296-46A-365	REP-P	03-05-074	296-46B-020	NEW	03-09-111	296-46B-900	NEW	03-09-111
296-46A-365	REP	03-09-111	296-46B-030	NEW-P	03-05-074	296-46B-905	NEW-P	03-05-074
296-46A-370	REP-P	03-05-074	296-46B-030	NEW	03-09-111	296-46B-905	NEW	03-09-111
296-46A-370	REP	03-09-111	296-46B-040	NEW-P	03-05-074	296-46B-910	NEW-P	03-05-074
296-46A-41004	REP-P	03-05-074	296-46B-040	NEW	03-09-111	296-46B-910	NEW	03-09-111
296-46A-41004	REP	03-09-111	296-46B-110	NEW-P	03-05-074	296-46B-911	NEW-P	03-05-074
296-46A-41030	REP-P	03-05-074	296-46B-110	NEW	03-09-111	296-46B-911	NEW	03-09-111
296-46A-41030	REP	03-09-111	296-46B-210	NEW-P	03-05-074	296-46B-915	NEW-P	03-05-074
296-46A-422	REP-P	03-05-074	296-46B-210	NEW	03-09-111	296-46B-915	NEW	03-09-111
296-46A-422	REP	03-09-111	296-46B-215	NEW-P	03-05-074	296-46B-920	NEW-P	03-05-074
296-46A-450	REP-P	03-05-074	296-46B-215	NEW	03-09-111	296-46B-920	NEW	03-09-111
296-46A-450	REP	03-09-111	296-46B-220	NEW-P	03-05-074	296-46B-925	NEW-P	03-05-074
296-46A-500	REP-P	03-05-074	296-46B-220	NEW	03-09-111	296-46B-925	NEW	03-09-111
296-46A-500	REP	03-09-111	296-46B-225	NEW-P	03-05-074	296-46B-930	NEW-P	03-05-074
296-46A-514	REP-P	03-05-074	296-46B-225	NEW	03-09-111	296-46B-930	NEW	03-09-111
296-46A-514	REP	03-09-111	296-46B-230	NEW-P	03-05-074	296-46B-935	NEW-P	03-05-074
296-46A-517	REP-P	03-05-074	296-46B-230	NEW	03-09-111	296-46B-935	NEW	03-09-111
296-46A-517	REP	03-09-111	296-46B-250	NEW-P	03-05-074	296-46B-940	NEW-P	03-05-074
296-46A-550	REP-P	03-05-074	296-46B-250	NEW	03-09-111	296-46B-940	NEW	03-09-111
296-46A-550	REP	03-09-111	296-46B-300	NEW-P	03-05-074	296-46B-945	NEW-P	03-05-074
296-46A-553	REP-P	03-05-074	296-46B-300	NEW	03-09-111	296-46B-945	NEW	03-09-111
296-46A-553	REP	03-09-111	296-46B-314	NEW-P	03-05-074	296-46B-950	NEW-P	03-05-074
296-46A-600	REP-P	03-05-074	296-46B-314	NEW	03-09-111	296-46B-950	NEW	03-09-111
296-46A-600	REP	03-09-111	296-46B-334	NEW-P	03-05-074	296-46B-951	NEW-P	03-05-074
296-46A-680	REP-P	03-05-074	296-46B-334	NEW	03-09-111	296-46B-951	NEW	03-09-111
296-46A-680	REP	03-09-111	296-46B-358	NEW-P	03-05-074	296-46B-955	NEW-P	03-05-074
296-46A-700	REP-P	03-05-074	296-46B-358	NEW	03-09-111	296-46B-955	NEW	03-09-111
296-46A-700	REP	03-09-111	296-46B-394	NEW-P	03-05-074	296-46B-960	NEW-P	03-05-074
296-46A-702	REP-P	03-05-074	296-46B-394	NEW	03-09-111	296-46B-960	NEW	03-09-111

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296-46B-965	NEW-P	03-05-074	296-62-05406	REP-X	03-04-100	296-150F	PREP	03-10-065
296-46B-965	NEW	03-09-111	296-62-05406	REP	03-10-068	296-150F-3000	AMD-P	03-09-109
296-46B-970	NEW-P	03-05-074	296-62-05408	REP-X	03-04-100	296-150M	PREP	03-10-065
296-46B-970	NEW	03-09-111	296-62-05408	REP	03-10-068	296-150M-0020	AMD-P	03-09-109
296-46B-971	NEW-P	03-05-074	296-62-05410	REP-X	03-04-100	296-150M-0049	AMD-P	03-09-109
296-46B-971	NEW	03-09-111	296-62-05410	REP	03-10-068	296-150M-0050	AMD-P	03-09-109
296-46B-975	NEW-P	03-05-074	296-62-05412	REP-X	03-04-100	296-150M-0051	NEW-P	03-09-109
296-46B-975	NEW	03-09-111	296-62-05412	REP	03-10-068	296-150M-0302	AMD-P	03-09-109
296-46B-980	NEW-P	03-05-074	296-62-070	REP-X	03-04-100	296-150M-0320	AMD-P	03-09-109
296-46B-980	NEW	03-09-111	296-62-070	REP	03-10-068	296-150M-0322	NEW-P	03-09-109
296-46B-985	NEW-P	03-05-074	296-62-07001	REP-X	03-04-100	296-150M-0360	AMD-P	03-09-109
296-46B-985	NEW	03-09-111	296-62-07001	REP	03-10-068	296-150M-0705	NEW-P	03-09-109
296-46B-990	NEW-P	03-05-074	296-62-07003	REP-X	03-04-100	296-150M-0715	NEW-P	03-09-109
296-46B-990	NEW	03-09-111	296-62-07003	REP	03-10-068	296-150M-0725	NEW-P	03-09-109
296-46B-995	NEW-P	03-05-074	296-62-07005	REP-X	03-04-100	296-150M-0800	NEW-P	03-09-109
296-46B-995	NEW	03-09-111	296-62-07005	REP	03-10-068	296-150M-0805	NEW-P	03-09-109
296-46B-998	NEW-P	03-05-074	296-62-071	AMD-P	03-08-044	296-150M-0810	NEW-P	03-09-109
296-46B-998	NEW	03-09-111	296-62-075	AMD-P	03-11-059	296-150M-0815	NEW-P	03-09-109
296-46B-999	NEW-P	03-05-074	296-62-080	REP-X	03-04-100	296-150M-0820	NEW-P	03-09-109
296-46B-999	NEW	03-09-111	296-62-080	REP	03-10-068	296-150M-0830	NEW-P	03-09-109
296-52-60020	AMD	03-06-073	296-62-08001	AMD	03-09-110	296-150M-0835	NEW-P	03-09-109
296-52-60130	AMD	03-06-073	296-62-09015	AMD	03-11-060	296-150M-0840	NEW-P	03-09-109
296-52-61040	AMD-X	03-05-073	296-62-11021	REP-X	03-04-100	296-150M-0845	NEW-P	03-09-109
296-52-61040	AMD	03-10-037	296-62-11021	REP	03-10-068	296-150M-0855	NEW-P	03-09-109
296-52-62005	AMD-X	03-05-073	296-62-130	REP-X	03-04-100	296-150M-0860	NEW-P	03-09-109
296-52-62005	AMD	03-10-037	296-62-130	REP	03-10-068	296-150M-0865	NEW-P	03-09-109
296-52-63005	AMD-X	03-05-073	296-78	PREP	03-10-064	296-150M-3000	AMD-P	03-09-109
296-52-63005	AMD	03-10-037	296-78	PREP	03-10-066	296-150P	PREP	03-10-065
296-52-65005	AMD-X	03-05-073	296-78-56505	AMD	03-06-076	296-150P-0020	AMD-P	03-09-109
296-52-65005	AMD	03-10-037	296-78-71001	AMD	03-06-076	296-150P-3000	AMD-P	03-09-108
296-52-66005	AMD-X	03-05-073	296-78-71011	AMD	03-06-076	296-150R	PREP	03-10-065
296-52-66005	AMD	03-10-037	296-78-835	AMD	03-06-076	296-150R-0020	AMD-P	03-09-109
296-52-67065	AMD	03-06-073	296-79	PREP	03-03-110	296-150R-3000	AMD-P	03-09-108
296-52-67160	AMD	03-06-073	296-79	PREP	03-10-064	296-150T	PREP	03-10-065
296-52-68060	AMD	03-06-073	296-79	PREP	03-10-066	296-150T-3000	AMD-P	03-09-108
296-52-69010	AMD	03-06-073	296-96	PREP	03-04-098	296-150V	PREP	03-10-065
296-52-69015	AMD	03-06-073	296-96	PREP	03-10-065	296-150V-0020	AMD-P	03-09-109
296-52-69095	AMD	03-06-073	296-96-01005	AMD-P	03-09-108	296-150V-0800	AMD-P	03-09-109
296-52-69125	AMD	03-06-073	296-96-01030	AMD-P	03-09-108	296-150V-1090	AMD-P	03-09-109
296-52-69130	NEW	03-06-073	296-96-01050	AMD-P	03-09-108	296-150V-1220	REP-P	03-09-109
296-52-70010	AMD	03-06-073	296-96-01055	AMD-P	03-09-108	296-150V-1530	AMD-P	03-09-109
296-52-710	AMD	03-06-073	296-104	PREP	03-03-129	296-150V-1600	NEW-P	03-09-109
296-52-71020	AMD	03-06-073	296-104-055	AMD-P	03-08-076	296-150V-3000	AMD-P	03-09-108
296-52-71040	AMD	03-06-073	296-104-700	AMD-P	03-08-076	296-155	PREP	03-04-097
296-52-71045	AMD	03-06-073	296-128-500	AMD	03-03-109	296-155	PREP	03-10-064
296-54	PREP	03-10-064	296-128-532	NEW	03-03-109	296-155-145	AMD	03-11-060
296-54	PREP	03-10-066	296-128-533	NEW	03-03-109	296-155-210	AMD	03-11-060
296-54-51130	AMD	03-11-060	296-130-010	AMD	03-03-010	296-155-300	AMD	03-06-075
296-56	PREP	03-03-110	296-130-020	AMD	03-03-010	296-155-305	AMD	03-06-075
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296-56-60001	AMD	03-11-060	296-130-035	AMD	03-03-010	296-155-315	AMD	03-06-075
296-59	PREP	03-03-110	296-130-040	AMD	03-03-010	296-200A	PREP	03-10-065
296-59	PREP	03-10-064	296-130-050	AMD	03-03-010	296-304-01001	AMD	03-04-099
296-59-090	AMD	03-11-060	296-130-060	AMD	03-03-010	296-304-01003	AMD	03-04-099
296-62	PREP	03-04-097	296-130-065	AMD	03-03-010	296-304-02007	AMD	03-04-099
296-62	PREP	03-08-073	296-130-070	AMD	03-03-010	296-304-02009	AMD	03-04-099
296-62-054	REP-X	03-04-100	296-130-080	AMD	03-03-010	296-304-03007	AMD	03-04-099
296-62-054	REP	03-10-068	296-130-100	NEW	03-03-010	296-304-04001	AMD	03-04-099
296-62-05402	REP-X	03-04-100	296-130-500	REP	03-03-010	296-304-05001	AMD	03-04-099
296-62-05402	REP	03-10-068	296-150C	PREP	03-10-065	296-304-05003	AMD	03-04-099
296-62-05404	REP-X	03-04-100	296-150C-0150	NEW-P	03-09-109	296-304-05005	AMD	03-04-099
296-62-05404	REP	03-10-068	296-150C-3000	AMD-P	03-09-108			

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296-304-05013	AMD	03-04-099	296-307-45017	REP	03-10-068	296-307-560	NEW	03-10-068
296-304-06003	AMD	03-04-099	296-307-45019	REP-X	03-04-100	296-307-56005	NEW-X	03-04-100
296-304-07009	AMD	03-04-099	296-307-45019	REP	03-10-068	296-307-56005	NEW	03-10-068
296-304-07011	AMD	03-04-099	296-307-45020	NEW-X	03-04-100	296-307-56010	NEW-X	03-04-100
296-304-07013	AMD	03-04-099	296-307-45020	NEW	03-10-068	296-307-56010	NEW	03-10-068
296-304-08001	AMD	03-04-099	296-307-45021	REP-X	03-04-100	296-307-56015	NEW-X	03-04-100
296-304-08009	AMD	03-11-060	296-307-45021	REP	03-10-068	296-307-56015	NEW	03-10-068
296-304-09009	AMD	03-11-060	296-307-45023	REP-X	03-04-100	296-307-56020	NEW-X	03-04-100
296-304-09017	AMD	03-04-099	296-307-45023	REP	03-10-068	296-307-56020	NEW	03-10-068
296-304-09021	AMD	03-04-099	296-307-45025	AMD-X	03-04-100	296-307-56025	NEW-X	03-04-100
296-304-09023	AMD	03-04-099	296-307-45025	AMD	03-10-068	296-307-56025	NEW	03-10-068
296-304-10003	AMD	03-04-099	296-307-45027	REP-X	03-04-100	296-307-56030	NEW-X	03-04-100
296-304-10007	AMD	03-04-099	296-307-45027	REP	03-10-068	296-307-56030	NEW	03-10-068
296-305	PREP	03-04-097	296-307-45029	REP-X	03-04-100	296-307-56035	NEW-X	03-04-100
296-305	PREP	03-10-066	296-307-45029	REP	03-10-068	296-307-56035	NEW	03-10-068
296-305-01515	AMD	03-09-110	296-307-45030	NEW-X	03-04-100	296-307-56040	NEW-X	03-04-100
296-305-02005	AMD	03-11-060	296-307-45030	NEW	03-10-068	296-307-56040	NEW	03-10-068
296-305-02501	AMD	03-09-110	296-307-45035	NEW-X	03-04-100	296-307-56045	NEW-X	03-04-100
296-305-05503	AMD	03-11-060	296-307-45035	NEW	03-10-068	296-307-56045	NEW	03-10-068
296-307	PREP	03-10-064	296-307-45045	NEW-X	03-04-100	296-307-56050	NEW-X	03-04-100
296-307	PREP	03-10-066	296-307-45045	NEW	03-10-068	296-307-56050	NEW	03-10-068
296-307-009	AMD-X	03-04-100	296-307-45050	NEW-X	03-04-100	296-400A	PREP	03-10-065
296-307-009	AMD	03-10-068	296-307-45050	NEW	03-10-068	296-400A-045	AMD-P	03-09-108
296-307-018	AMD-X	03-04-100	296-307-455	NEW-X	03-04-100	296-401B-092	REP-P	03-05-074
296-307-018	AMD	03-10-068	296-307-455	NEW	03-10-068	296-401B-092	REP	03-09-111
296-307-03930	NEW-X	03-04-100	296-307-45505	NEW-X	03-04-100	296-401B-100	REP-P	03-05-074
296-307-03930	NEW	03-10-068	296-307-45505	NEW	03-10-068	296-401B-100	REP	03-09-111
296-307-03935	NEW-X	03-04-100	296-307-45510	NEW-X	03-04-100	296-401B-110	REP-P	03-05-074
296-307-03935	NEW	03-10-068	296-307-45510	NEW	03-10-068	296-401B-110	REP	03-09-111
296-307-03940	NEW-X	03-04-100	296-307-45515	NEW-X	03-04-100	296-401B-120	REP-P	03-05-074
296-307-03940	NEW	03-10-068	296-307-45515	NEW	03-10-068	296-401B-120	REP	03-09-111
296-307-03945	NEW-X	03-04-100	296-307-45520	NEW-X	03-04-100	296-401B-130	REP-P	03-05-074
296-307-03945	NEW	03-10-068	296-307-45520	NEW	03-10-068	296-401B-130	REP	03-09-111
296-307-40013	AMD-X	03-04-100	296-307-45525	NEW-X	03-04-100	296-401B-140	REP-P	03-05-074
296-307-40013	AMD	03-10-068	296-307-45525	NEW	03-10-068	296-401B-140	REP	03-09-111
296-307-40015	AMD-X	03-04-100	296-307-45535	NEW-X	03-04-100	296-401B-180	REP-P	03-05-074
296-307-40015	AMD	03-10-068	296-307-45535	NEW	03-10-068	296-401B-180	REP	03-09-111
296-307-40027	AMD-X	03-04-100	296-307-45540	NEW-X	03-04-100	296-401B-200	REP-P	03-05-074
296-307-40027	AMD	03-10-068	296-307-45540	NEW	03-10-068	296-401B-200	REP	03-09-111
296-307-445	NEW-X	03-04-100	296-307-45545	NEW-X	03-04-100	296-401B-250	REP-P	03-05-074
296-307-445	NEW	03-10-068	296-307-45545	NEW	03-10-068	296-401B-250	REP	03-09-111
296-307-450	AMD-X	03-04-100	296-307-45550	NEW-X	03-04-100	296-401B-260	REP-P	03-05-074
296-307-450	AMD	03-10-068	296-307-45550	NEW	03-10-068	296-401B-260	REP	03-09-111
296-307-45001	REP-X	03-04-100	296-307-45555	NEW-X	03-04-100	296-401B-270	REP-P	03-05-074
296-307-45001	REP	03-10-068	296-307-45555	NEW	03-10-068	296-401B-270	REP	03-09-111
296-307-45003	REP-X	03-04-100	296-307-45560	NEW-X	03-04-100	296-401B-300	REP-P	03-05-074
296-307-45003	REP	03-10-068	296-307-45560	NEW	03-10-068	296-401B-300	REP	03-09-111
296-307-45005	AMD-X	03-04-100	296-307-45565	NEW-X	03-04-100	296-401B-310	REP-P	03-05-074
296-307-45005	AMD	03-10-068	296-307-45565	NEW	03-10-068	296-401B-310	REP	03-09-111
296-307-45007	REP-X	03-04-100	296-307-460	NEW-X	03-04-100	296-401B-320	REP-P	03-05-074
296-307-45007	REP	03-10-068	296-307-460	NEW	03-10-068	296-401B-320	REP	03-09-111
296-307-45009	REP-X	03-04-100	296-307-46005	NEW-X	03-04-100	296-401B-330	REP-P	03-05-074
296-307-45009	REP	03-10-068	296-307-46005	NEW	03-10-068	296-401B-330	REP	03-09-111
296-307-45010	NEW-X	03-04-100	296-307-46025	NEW-X	03-04-100	296-401B-335	REP-P	03-05-074
296-307-45010	NEW	03-10-068	296-307-46025	NEW	03-10-068	296-401B-335	REP	03-09-111
296-307-45011	REP-X	03-04-100	296-307-46030	NEW-X	03-04-100	296-401B-340	REP-P	03-05-074
296-307-45011	REP	03-10-068	296-307-46030	NEW	03-10-068	296-401B-340	REP	03-09-111
296-307-45013	REP-X	03-04-100	296-307-465	NEW-X	03-04-100	296-401B-350	REP-P	03-05-074
296-307-45013	REP	03-10-068	296-307-465	NEW	03-10-068	296-401B-350	REP	03-09-111
296-307-45015	AMD-X	03-04-100	296-307-55030	AMD-X	03-04-100	296-401B-410	REP-P	03-05-074
296-307-45015	AMD	03-10-068	296-307-55030	AMD	03-10-068	296-401B-410	REP	03-09-111

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296-402A-660	REP-P	03-05-074	296-807-18045	NEW	03-09-009	296-823-14060	NEW	03-09-110
296-402A-660	REP	03-09-111	296-807-18050	NEW	03-09-009	296-823-14065	NEW	03-09-110
296-402A-670	REP-P	03-05-074	296-807-18055	NEW	03-09-009	296-823-150	NEW	03-09-110
296-402A-670	REP	03-09-111	296-807-18060	NEW	03-09-009	296-823-15005	NEW	03-09-110
296-402A-675	REP-P	03-05-074	296-807-18065	NEW	03-09-009	296-823-15010	NEW	03-09-110
296-402A-675	REP	03-09-111	296-807-18070	NEW	03-09-009	296-823-15015	NEW	03-09-110
296-402A-680	REP-P	03-05-074	296-807-18075	NEW	03-09-009	296-823-15020	NEW	03-09-110
296-402A-680	REP	03-09-111	296-807-18080	NEW	03-09-009	296-823-15025	NEW	03-09-110
296-402A-690	REP-P	03-05-074	296-807-18085	NEW	03-09-009	296-823-15030	NEW	03-09-110
296-402A-690	REP	03-09-111	296-807-190	NEW	03-09-009	296-823-160	NEW	03-09-110
296-800	PREP	03-04-097	296-817-100	NEW	03-11-060	296-823-16005	NEW	03-09-110
296-800-15005	AMD	03-09-110	296-817-200	NEW	03-11-060	296-823-16010	NEW	03-09-110
296-807-100	NEW	03-09-009	296-817-20005	NEW	03-11-060	296-823-16015	NEW	03-09-110
296-807-110	NEW	03-09-009	296-817-20010	NEW	03-11-060	296-823-16020	NEW	03-09-110
296-807-11005	NEW	03-09-009	296-817-20015	NEW	03-11-060	296-823-16025	NEW	03-09-110
296-807-120	NEW	03-09-009	296-817-20020	NEW	03-11-060	296-823-16030	NEW	03-09-110
296-807-12005	NEW	03-09-009	296-817-20025	NEW	03-11-060	296-823-170	NEW	03-09-110
296-807-130	NEW	03-09-009	296-817-20030	NEW	03-11-060	296-823-17005	NEW	03-09-110
296-807-13005	NEW	03-09-009	296-817-20035	NEW	03-11-060	296-823-17010	NEW	03-09-110
296-807-140	NEW	03-09-009	296-817-20040	NEW	03-11-060	296-823-180	NEW	03-09-110
296-807-14005	NEW	03-09-009	296-817-300	NEW	03-11-060	296-823-18005	NEW	03-09-110
296-807-14010	NEW	03-09-009	296-817-30005	NEW	03-11-060	296-823-18010	NEW	03-09-110
296-807-14015	NEW	03-09-009	296-817-30010	NEW	03-11-060	296-823-18015	NEW	03-09-110
296-807-14020	NEW	03-09-009	296-817-30015	NEW	03-11-060	296-823-18020	NEW	03-09-110
296-807-14025	NEW	03-09-009	296-817-400	NEW	03-11-060	296-823-18025	NEW	03-09-110
296-807-14030	NEW	03-09-009	296-817-40005	NEW	03-11-060	296-823-18030	NEW	03-09-110
296-807-14035	NEW	03-09-009	296-817-40010	NEW	03-11-060	296-823-18035	NEW	03-09-110
296-807-14040	NEW	03-09-009	296-817-40015	NEW	03-11-060	296-823-18040	NEW	03-09-110
296-807-150	NEW	03-09-009	296-817-40020	NEW	03-11-060	296-823-18045	NEW	03-09-110
296-807-15005	NEW	03-09-009	296-817-40025	NEW	03-11-060	296-823-18050	NEW	03-09-110
296-807-15010	NEW	03-09-009	296-817-40030	NEW	03-11-060	296-823-18055	NEW	03-09-110
296-807-15015	NEW	03-09-009	296-817-40035	NEW	03-11-060	296-823-200	NEW	03-09-110
296-807-15020	NEW	03-09-009	296-817-500	NEW	03-11-060	296-824-50030	AMD	03-09-110
296-807-15025	NEW	03-09-009	296-817-50005	NEW	03-11-060	296-841	PREP	03-08-073
296-807-15030	NEW	03-09-009	296-817-50010	NEW	03-11-060	296-841-100	NEW-P	03-11-059
296-807-15035	NEW	03-09-009	296-817-50015	NEW	03-11-060	296-841-200	NEW-P	03-11-059
296-807-15040	NEW	03-09-009	296-817-50020	NEW	03-11-060	296-841-20005	NEW-P	03-11-059
296-807-15045	NEW	03-09-009	296-817-50025	NEW	03-11-060	296-841-20010	NEW-P	03-11-059
296-807-15050	NEW	03-09-009	296-817-600	NEW	03-11-060	296-841-20015	NEW-P	03-11-059
296-807-15055	NEW	03-09-009	296-823-100	NEW	03-09-110	296-841-20020	NEW-P	03-11-059
296-807-160	NEW	03-09-009	296-823-110	NEW	03-09-110	296-841-300	NEW-P	03-11-059
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296-807-16010	NEW	03-09-009	296-823-11010	NEW	03-09-110	296-842-105	NEW-P	03-08-044
296-807-16015	NEW	03-09-009	296-823-120	NEW	03-09-110	296-842-10505	NEW-P	03-08-044
296-807-16020	NEW	03-09-009	296-823-12005	NEW	03-09-110	296-842-110	NEW-P	03-08-044
296-807-16025	NEW	03-09-009	296-823-12010	NEW	03-09-110	296-842-11005	NEW-P	03-08-044
296-807-16030	NEW	03-09-009	296-823-12015	NEW	03-09-110	296-842-11010	NEW-P	03-08-044
296-807-16035	NEW	03-09-009	296-823-130	NEW	03-09-110	296-842-120	NEW-P	03-08-044
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296-807-17005	NEW	03-09-009	296-823-13010	NEW	03-09-110	296-842-12010	NEW-P	03-08-044
296-807-17010	NEW	03-09-009	296-823-140	NEW	03-09-110	296-842-130	NEW-P	03-08-044
296-807-17015	NEW	03-09-009	296-823-14005	NEW	03-09-110	296-842-13005	NEW-P	03-08-044
296-807-17020	NEW	03-09-009	296-823-14010	NEW	03-09-110	296-842-140	NEW-P	03-08-044
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296-807-18005	NEW	03-09-009	296-823-14020	NEW	03-09-110	296-842-150	NEW-P	03-08-044
296-807-18010	NEW	03-09-009	296-823-14025	NEW	03-09-110	296-842-15005	NEW-P	03-08-044
296-807-18015	NEW	03-09-009	296-823-14030	NEW	03-09-110	296-842-160	NEW-P	03-08-044
296-807-18020	NEW	03-09-009	296-823-14035	NEW	03-09-110	296-842-16005	NEW-P	03-08-044
296-807-18025	NEW	03-09-009	296-823-14040	NEW	03-09-110	296-842-170	NEW-P	03-08-044
296-807-18030	NEW	03-09-009	296-823-14045	NEW	03-09-110	296-842-17005	NEW-P	03-08-044
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308- 20-210	AMD	03-06-054	308- 96A-047	NEW	03-05-080	314- 29-040	NEW	03-09-015
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352-40-130	AMD-P	03-08-101	388-14A-6110	NEW-E	03-07-030	388-71-0194	AMD-E	03-05-098
352-40-130	AMD	03-11-068	388-14A-6115	NEW-E	03-07-030	388-71-0194	AMD-P	03-09-042
352-40-140	REP-P	03-08-101	388-14A-6120	NEW-E	03-07-030	388-71-0194	PREP	03-11-088
352-40-140	REP	03-11-068	388-14A-6125	NEW-E	03-07-030	388-71-0202	AMD-E	03-05-044
352-40-150	AMD-P	03-08-101	388-15-650	REP	03-06-024	388-71-0202	AMD-E	03-05-098
352-40-150	AMD	03-11-068	388-15-651	REP	03-06-024	388-71-0202	AMD-P	03-09-042

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 71-0203	AMD-E	03-05-044	388- 71-0714	NEW	03-06-024	388- 72A-0110	NEW	03-05-097
388- 71-0203	AMD-E	03-05-098	388- 71-0716	NEW	03-06-024	388- 76-655	AMD-P	03-10-090
388- 71-0203	AMD-P	03-09-042	388- 71-0718	NEW	03-06-024	388- 78A	REP-P	03-03-018
388- 71-0405	AMD-E	03-05-044	388- 71-0720	NEW	03-06-024	388- 78A	AMD-C	03-07-088
388- 71-0405	AMD-E	03-05-098	388- 71-0722	NEW	03-06-024	388- 78A-0010	NEW-P	03-03-018
388- 71-0405	AMD-P	03-09-042	388- 71-0724	NEW	03-06-024	388- 78A-0020	NEW-P	03-03-018
388- 71-0410	AMD-E	03-05-044	388- 71-0726	NEW	03-06-024	388- 78A-0030	NEW-P	03-03-018
388- 71-0410	AMD-E	03-05-098	388- 71-0728	NEW	03-06-024	388- 78A-0040	NEW-P	03-03-018
388- 71-0410	AMD-P	03-09-042	388- 71-0730	NEW	03-06-024	388- 78A-0050	NEW-P	03-03-018
388- 71-0415	AMD-E	03-05-044	388- 71-0732	NEW	03-06-024	388- 78A-0060	NEW-P	03-03-018
388- 71-0415	AMD-E	03-05-098	388- 71-0734	NEW	03-06-024	388- 78A-0070	NEW-P	03-03-018
388- 71-0415	AMD-P	03-09-042	388- 71-0736	NEW	03-06-024	388- 78A-0080	NEW-P	03-03-018
388- 71-0420	AMD-E	03-05-044	388- 71-0738	NEW	03-06-024	388- 78A-0090	NEW-P	03-03-018
388- 71-0420	AMD-E	03-05-098	388- 71-0740	NEW	03-06-024	388- 78A-010	REP-P	03-03-018
388- 71-0420	AMD-P	03-09-042	388- 71-0742	NEW	03-06-024	388- 78A-0100	NEW-P	03-03-018
388- 71-0425	AMD-E	03-05-044	388- 71-0744	NEW	03-06-024	388- 78A-0110	NEW-P	03-03-018
388- 71-0425	AMD-E	03-05-098	388- 71-0746	NEW	03-06-024	388- 78A-0120	NEW-P	03-03-018
388- 71-0425	AMD-P	03-09-042	388- 71-0748	NEW	03-06-024	388- 78A-0130	NEW-P	03-03-018
388- 71-0430	AMD-E	03-05-044	388- 71-0750	NEW	03-06-024	388- 78A-0140	NEW-P	03-03-018
388- 71-0430	AMD-E	03-05-098	388- 71-0752	NEW	03-06-024	388- 78A-0150	NEW-P	03-03-018
388- 71-0430	AMD-P	03-09-042	388- 71-0754	NEW	03-06-024	388- 78A-0160	NEW-P	03-03-018
388- 71-0435	AMD-E	03-05-044	388- 71-0756	NEW	03-06-024	388- 78A-0170	NEW-P	03-03-018
388- 71-0435	AMD-E	03-05-098	388- 71-0758	NEW	03-06-024	388- 78A-0180	NEW-P	03-03-018
388- 71-0435	AMD-P	03-09-042	388- 71-0760	NEW	03-06-024	388- 78A-0190	NEW-P	03-03-018
388- 71-0442	NEW-E	03-05-044	388- 71-0762	NEW	03-06-024	388- 78A-020	REP-P	03-03-018
388- 71-0442	NEW-E	03-05-098	388- 71-0764	NEW	03-06-024	388- 78A-0200	NEW-P	03-03-018
388- 71-0442	NEW-P	03-09-042	388- 71-0766	NEW	03-06-024	388- 78A-0210	NEW-P	03-03-018
388- 71-0445	AMD-E	03-05-044	388- 71-0768	NEW	03-06-024	388- 78A-0220	NEW-P	03-03-018
388- 71-0445	AMD-E	03-05-098	388- 71-0770	NEW	03-06-024	388- 78A-0230	NEW-P	03-03-018
388- 71-0445	AMD-P	03-09-042	388- 71-0772	NEW	03-06-024	388- 78A-0240	NEW-P	03-03-018
388- 71-0460	AMD-E	03-05-044	388- 71-0774	NEW	03-06-024	388- 78A-0250	NEW-P	03-03-018
388- 71-0460	AMD-E	03-05-098	388- 71-0776	NEW	03-06-024	388- 78A-0260	NEW-P	03-03-018
388- 71-0460	AMD-P	03-09-042	388- 71-0800	AMD-P	03-09-091	388- 78A-0270	NEW-P	03-03-018
388- 71-0460	AMD-W	03-11-025	388- 71-0805	AMD-P	03-09-091	388- 78A-0280	NEW-P	03-03-018
388- 71-0460	AMD-P	03-11-066	388- 71-0810	AMD-P	03-09-091	388- 78A-0290	NEW-P	03-03-018
388- 71-0465	AMD-E	03-05-044	388- 71-0815	AMD-P	03-09-091	388- 78A-030	REP-P	03-03-018
388- 71-0465	AMD-E	03-05-098	388- 71-0820	AMD-P	03-09-091	388- 78A-0300	NEW-P	03-03-018
388- 71-0465	AMD-P	03-09-042	388- 71-0825	AMD-P	03-09-091	388- 78A-0310	NEW-P	03-03-018
388- 71-0470	AMD-E	03-05-044	388- 71-0835	AMD-P	03-09-091	388- 78A-0320	NEW-P	03-03-018
388- 71-0470	AMD-E	03-05-098	388- 71-0840	AMD-P	03-09-091	388- 78A-0330	NEW-P	03-03-018
388- 71-0470	AMD-P	03-09-042	388- 71-0845	AMD-P	03-09-091	388- 78A-0340	NEW-P	03-03-018
388- 71-0475	REP-P	03-06-093	388- 72A-0005	NEW	03-05-097	388- 78A-0350	NEW-P	03-03-018
388- 71-0475	REP	03-09-092	388- 72A-0010	NEW	03-05-097	388- 78A-0360	NEW-P	03-03-018
388- 71-0480	AMD-E	03-05-044	388- 72A-0015	NEW	03-05-097	388- 78A-0370	NEW-P	03-03-018
388- 71-0480	AMD-E	03-05-098	388- 72A-0020	NEW	03-05-097	388- 78A-0380	NEW-P	03-03-018
388- 71-0480	AMD-P	03-09-042	388- 72A-0025	NEW	03-05-097	388- 78A-0390	NEW-P	03-03-018
388- 71-05923	PREP	03-09-089	388- 72A-0030	NEW	03-05-097	388- 78A-040	REP-P	03-03-018
388- 71-0600	AMD-E	03-05-044	388- 72A-0035	NEW	03-05-097	388- 78A-0400	NEW-P	03-03-018
388- 71-0600	AMD-E	03-05-098	388- 72A-0040	NEW	03-05-097	388- 78A-0410	NEW-P	03-03-018
388- 71-0600	AMD-P	03-09-042	388- 72A-0045	NEW	03-05-097	388- 78A-0420	NEW-P	03-03-018
388- 71-0605	AMD-E	03-05-044	388- 72A-0050	NEW	03-05-097	388- 78A-0430	NEW-P	03-03-018
388- 71-0605	AMD-E	03-05-098	388- 72A-0055	NEW	03-05-097	388- 78A-0440	NEW-P	03-03-018
388- 71-0605	AMD-P	03-09-042	388- 72A-0060	NEW	03-05-097	388- 78A-045	REP-P	03-03-018
388- 71-0610	AMD-E	03-05-044	388- 72A-0065	NEW	03-05-097	388- 78A-0450	NEW-P	03-03-018
388- 71-0610	AMD-E	03-05-098	388- 72A-0070	NEW	03-05-097	388- 78A-0460	NEW-P	03-03-018
388- 71-0610	AMD-P	03-09-042	388- 72A-0075	NEW	03-05-097	388- 78A-0470	NEW-P	03-03-018
388- 71-0702	NEW	03-06-024	388- 72A-0080	NEW	03-05-097	388- 78A-0480	NEW-P	03-03-018
388- 71-0704	NEW	03-06-024	388- 72A-0085	NEW	03-05-097	388- 78A-0490	NEW-P	03-03-018
388- 71-0706	NEW	03-06-024	388- 72A-0090	NEW	03-05-097	388- 78A-050	REP-P	03-03-018
388- 71-0708	NEW	03-06-024	388- 72A-0095	NEW	03-05-097	388- 78A-0500	NEW-P	03-03-018
388- 71-0710	NEW	03-06-024	388- 72A-0100	NEW	03-05-097	388- 78A-0510	NEW-P	03-03-018
388- 71-0712	NEW	03-06-024	388- 72A-0105	NEW	03-05-097	388- 78A-0520	NEW-P	03-03-018

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388-148-0335	AMD-E	03-05-099	388-150-020	REP-P	03-09-005	388-155-070	AMD	03-09-074
388-148-0345	AMD-E	03-05-099	388-150-040	REP-P	03-09-005	388-155-090	AMD-P	03-06-092
388-148-0350	AMD-E	03-05-099	388-150-050	REP-P	03-09-005	388-155-090	AMD	03-09-074
388-148-0395	AMD-E	03-05-099	388-150-060	REP-P	03-09-005	388-165-130	REP-P	03-09-033
388-148-0427	NEW-E	03-05-099	388-150-070	REP-P	03-09-005	388-180-0100	NEW	03-04-013
388-148-0460	AMD-E	03-05-099	388-150-080	REP-P	03-09-005	388-180-0110	NEW	03-04-013
388-148-0462	NEW-E	03-05-099	388-150-085	REP-P	03-09-005	388-180-0120	NEW	03-04-013
388-148-0520	AMD-E	03-05-099	388-150-090	REP-P	03-09-005	388-180-0130	NEW	03-04-013
388-148-0542	NEW-E	03-05-099	388-150-092	REP-P	03-09-005	388-180-0140	NEW	03-04-013
388-148-0560	AMD-E	03-05-099	388-150-093	REP-P	03-09-005	388-180-0150	NEW	03-04-013
388-148-0585	AMD-E	03-05-099	388-150-094	REP-P	03-09-005	388-180-0160	NEW	03-04-013
388-148-0630	AMD-E	03-05-099	388-150-095	REP-P	03-09-005	388-180-0170	NEW	03-04-013
388-148-0700	AMD-E	03-05-099	388-150-096	REP-P	03-09-005	388-180-0180	NEW	03-04-013
388-148-0720	AMD-E	03-05-099	388-150-097	REP-P	03-09-005	388-180-0190	NEW	03-04-013
388-148-0722	NEW-E	03-05-099	388-150-098	REP-P	03-09-005	388-180-0200	NEW	03-04-013
388-148-0725	AMD-E	03-05-099	388-150-100	REP-P	03-09-005	388-180-0210	NEW	03-04-013
388-148-0785	AMD-E	03-05-099	388-150-110	REP-P	03-09-005	388-180-0220	NEW	03-04-013
388-148-0880	AMD-E	03-05-099	388-150-120	REP-P	03-09-005	388-180-0230	NEW	03-04-013
388-148-0892	NEW-E	03-05-099	388-150-130	REP-P	03-09-005	388-290-0075	AMD-E	03-06-045
388-148-0915	AMD-E	03-05-099	388-150-140	REP-P	03-09-005	388-290-0085	AMD-E	03-06-045
388-148-0995	AMD-E	03-05-099	388-150-150	REP-P	03-09-005	388-290-0190	AMD-E	03-06-045
388-148-1060	AMD-E	03-05-099	388-150-160	REP-P	03-09-005	388-290-0210	REP-E	03-06-045
388-148-1070	AMD-E	03-05-099	388-150-165	REP-P	03-09-005	388-292-0001	NEW-P	03-09-033
388-148-1076	NEW-E	03-05-099	388-150-170	REP-P	03-09-005	388-292-0003	NEW-P	03-09-033
388-148-1077	NEW-E	03-05-099	388-150-180	REP-P	03-09-005	388-292-0005	NEW-P	03-09-033
388-148-1078	NEW-E	03-05-099	388-150-190	REP-P	03-09-005	388-292-0010	NEW-P	03-09-033
388-148-1079	NEW-E	03-05-099	388-150-200	REP-P	03-09-005	388-292-0015	NEW-P	03-09-033
388-148-1115	AMD-E	03-05-099	388-150-210	REP-P	03-09-005	388-292-0020	NEW-P	03-09-033
388-148-1120	AMD-E	03-05-099	388-150-220	REP-P	03-09-005	388-292-0025	NEW-P	03-09-033
388-148-1140	NEW-E	03-05-099	388-150-230	REP-P	03-09-005	388-292-0030	NEW-P	03-09-033
388-148-1145	NEW-E	03-05-099	388-150-240	REP-P	03-09-005	388-292-0035	NEW-P	03-09-033
388-148-1150	NEW-E	03-05-099	388-150-250	REP-P	03-09-005	388-292-0040	NEW-P	03-09-033
388-148-1155	NEW-E	03-05-099	388-150-260	REP-P	03-09-005	388-292-0045	NEW-P	03-09-033
388-148-1160	NEW-E	03-05-099	388-150-270	REP-P	03-09-005	388-292-0050	NEW-P	03-09-033
388-148-1165	NEW-E	03-05-099	388-150-280	REP-P	03-09-005	388-292-0055	NEW-P	03-09-033
388-148-1170	NEW-E	03-05-099	388-150-290	REP-P	03-09-005	388-292-0060	NEW-P	03-09-033
388-148-1175	NEW-E	03-05-099	388-150-295	REP-P	03-09-005	388-292-0065	NEW-P	03-09-033
388-148-1180	NEW-E	03-05-099	388-150-310	REP-P	03-09-005	388-292-0070	NEW-P	03-09-033
388-148-1185	NEW-E	03-05-099	388-150-320	REP-P	03-09-005	388-292-0075	NEW-P	03-09-033
388-148-1190	NEW-E	03-05-099	388-150-330	REP-P	03-09-005	388-292-0080	NEW-P	03-09-033
388-148-1205	NEW-E	03-06-091	388-150-340	REP-P	03-09-005	388-292-0085	NEW-P	03-09-033
388-148-1210	NEW-E	03-06-091	388-150-350	REP-P	03-09-005	388-292-0090	NEW-P	03-09-033
388-148-1215	NEW-E	03-06-091	388-150-360	REP-P	03-09-005	388-292-0095	NEW-P	03-09-033
388-148-1220	NEW-E	03-06-091	388-150-370	REP-P	03-09-005	388-292-0100	NEW-P	03-09-033
388-148-1225	NEW-E	03-06-091	388-150-380	REP-P	03-09-005	388-292-0102	NEW-P	03-09-033
388-148-1230	NEW-E	03-06-091	388-150-390	REP-P	03-09-005	388-292-0105	NEW-P	03-09-033
388-148-1235	NEW-E	03-06-091	388-150-400	REP-P	03-09-005	388-292-0110	NEW-P	03-09-033
388-148-1240	NEW-E	03-06-091	388-150-410	REP-P	03-09-005	388-292-0115	NEW-P	03-09-033
388-148-1245	NEW-E	03-06-091	388-150-420	REP-P	03-09-005	388-292-0120	NEW-P	03-09-033
388-148-1250	NEW-E	03-06-091	388-150-430	REP-P	03-09-005	388-292-0125	NEW-P	03-09-033
388-148-1255	NEW-E	03-06-091	388-150-440	REP-P	03-09-005	388-292-0130	NEW-P	03-09-033
388-148-1260	NEW-E	03-06-091	388-150-450	REP-P	03-09-005	388-292-0135	NEW-P	03-09-033
388-148-1265	NEW-E	03-06-091	388-150-460	REP-P	03-09-005	388-292-0140	NEW-P	03-09-033
388-148-1270	NEW-E	03-06-091	388-150-470	REP-P	03-09-005	388-292-0145	NEW-P	03-09-033
388-148-1275	NEW-E	03-06-091	388-150-480	REP-P	03-09-005	388-292-0150	NEW-P	03-09-033
388-148-1280	NEW-E	03-06-091	388-150-490	REP-P	03-09-005	388-292-0155	NEW-P	03-09-033
388-148-1285	NEW-E	03-06-091	388-150-500	REP-P	03-09-005	388-292-0160	NEW-P	03-09-033
388-148-1290	NEW-E	03-06-091	388-150-990	REP-P	03-09-005	388-295-0001	NEW-P	03-09-005
388-148-1295	NEW-E	03-06-091	388-150-991	REP-P	03-09-005	388-295-0010	NEW-P	03-09-005
388-148-1300	NEW-E	03-06-091	388-150-992	REP-P	03-09-005	388-295-0020	NEW-P	03-09-005
388-150-005	REP-P	03-09-005	388-150-993	REP-P	03-09-005	388-295-0030	NEW-P	03-09-005
388-150-010	REP-P	03-09-005	388-155-070	AMD-P	03-06-092	388-295-0040	NEW-P	03-09-005

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388-295-0050	NEW-P	03-09-005	388-295-4030	NEW-P	03-09-005	388-448-0130	AMD-P	03-08-079
388-295-0055	NEW-P	03-09-005	388-295-4040	NEW-P	03-09-005	388-448-0140	AMD-P	03-08-079
388-295-0060	NEW-P	03-09-005	388-295-4050	NEW-P	03-09-005	388-450-0020	PREP	03-08-083
388-295-0070	NEW-P	03-09-005	388-295-4060	NEW-P	03-09-005	388-450-0045	AMD	03-03-071
388-295-0080	NEW-P	03-09-005	388-295-4070	NEW-P	03-09-005	388-450-0050	AMD-P	03-03-008
388-295-0090	NEW-P	03-09-005	388-295-4080	NEW-P	03-09-005	388-450-0050	AMD	03-06-095
388-295-0100	NEW-P	03-09-005	388-295-4090	NEW-P	03-09-005	388-450-0080	PREP	03-06-057
388-295-0110	NEW-P	03-09-005	388-295-4100	NEW-P	03-09-005	388-450-0080	AMD-P	03-09-073
388-295-0120	NEW-P	03-09-005	388-295-4110	NEW-P	03-09-005	388-450-0085	AMD-P	03-09-073
388-295-0130	NEW-P	03-09-005	388-295-4120	NEW-P	03-09-005	388-450-0156	AMD	03-05-030
388-295-0140	NEW-P	03-09-005	388-295-4130	NEW-P	03-09-005	388-452-0005	PREP	03-07-042
388-295-0150	NEW-P	03-09-005	388-295-4140	NEW-P	03-09-005	388-460-0005	AMD	03-03-072
388-295-1010	NEW-P	03-09-005	388-295-5010	NEW-P	03-09-005	388-470-0005	AMD	03-05-015
388-295-1020	NEW-P	03-09-005	388-295-5020	NEW-P	03-09-005	388-470-0010	REP	03-05-015
388-295-1030	NEW-P	03-09-005	388-295-5030	NEW-P	03-09-005	388-470-0012	AMD	03-05-015
388-295-1040	NEW-P	03-09-005	388-295-5040	NEW-P	03-09-005	388-470-0015	REP	03-05-015
388-295-1050	NEW-P	03-09-005	388-295-5050	NEW-P	03-09-005	388-470-0020	REP	03-05-015
388-295-1060	NEW-P	03-09-005	388-295-5060	NEW-P	03-09-005	388-470-0025	REP	03-05-015
388-295-1070	NEW-P	03-09-005	388-295-5070	NEW-P	03-09-005	388-470-0030	REP	03-05-015
388-295-1080	NEW-P	03-09-005	388-295-5080	NEW-P	03-09-005	388-470-0035	REP	03-05-015
388-295-1090	NEW-P	03-09-005	388-295-5090	NEW-P	03-09-005	388-470-0045	AMD	03-05-015
388-295-1100	NEW-P	03-09-005	388-295-5100	NEW-P	03-09-005	388-470-0050	REP	03-05-015
388-295-1110	NEW-P	03-09-005	388-295-5110	NEW-P	03-09-005	388-470-0055	AMD	03-05-015
388-295-1120	NEW-P	03-09-005	388-295-5120	NEW-P	03-09-005	388-470-0065	REP	03-05-015
388-295-2010	NEW-P	03-09-005	388-295-5140	NEW-P	03-09-005	388-474-0012	NEW	03-03-114
388-295-2020	NEW-P	03-09-005	388-295-5150	NEW-P	03-09-005	388-476-0005	PREP	03-04-086
388-295-2030	NEW-P	03-09-005	388-295-5160	NEW-P	03-09-005	388-478-0055	AMD	03-03-114
388-295-2040	NEW-P	03-09-005	388-295-5170	NEW-P	03-09-005	388-478-0075	PREP	03-06-058
388-295-2050	NEW-P	03-09-005	388-295-6010	NEW-P	03-09-005	388-478-0075	AMD-E	03-08-066
388-295-2060	NEW-P	03-09-005	388-295-6020	NEW-P	03-09-005	388-478-0080	PREP	03-08-085
388-295-2070	NEW-P	03-09-005	388-295-6030	NEW-P	03-09-005	388-478-0085	AMD-E	03-08-065
388-295-2080	NEW-P	03-09-005	388-295-6040	NEW-P	03-09-005	388-478-0085	PREP	03-08-081
388-295-2090	NEW-P	03-09-005	388-295-6050	NEW-P	03-09-005	388-478-0085	PREP-W	03-10-051
388-295-2100	NEW-P	03-09-005	388-295-6060	NEW-P	03-09-005	388-484-0005	AMD	03-06-046
388-295-2110	NEW-P	03-09-005	388-295-7010	NEW-P	03-09-005	388-492	PREP	03-07-087
388-295-2120	NEW-P	03-09-005	388-295-7020	NEW-P	03-09-005	388-500	PREP	03-08-086
388-295-2130	NEW-P	03-09-005	388-295-7030	NEW-P	03-09-005	388-501	PREP	03-08-086
388-295-3010	NEW-P	03-09-005	388-295-7040	NEW-P	03-09-005	388-502	PREP	03-08-086
388-295-3020	NEW-P	03-09-005	388-295-7050	NEW-P	03-09-005	388-502-0010	PREP	03-03-017
388-295-3030	NEW-P	03-09-005	388-295-7060	NEW-P	03-09-005	388-502-0010	AMD-E	03-03-027
388-295-3040	NEW-P	03-09-005	388-295-7070	NEW-P	03-09-005	388-502-0010	AMD-P	03-10-091
388-295-3050	NEW-P	03-09-005	388-295-7080	NEW-P	03-09-005	388-502-0010	AMD-E	03-10-092
388-295-3060	NEW-P	03-09-005	388-310-0800	AMD-E	03-04-066	388-503	PREP	03-08-086
388-295-3070	NEW-P	03-09-005	388-310-0800	PREP	03-11-087	388-505	PREP	03-08-086
388-295-3080	NEW-P	03-09-005	388-400-0040	AMD	03-05-028	388-505-0210	PREP	03-06-055
388-295-3090	NEW-P	03-09-005	388-400-0045	AMD	03-05-028	388-505-0210	AMD-P	03-10-048
388-295-3100	NEW-P	03-09-005	388-406-0015	PREP-W	03-03-112	388-506	PREP	03-08-086
388-295-3110	NEW-P	03-09-005	388-408-0034	PREP	03-06-056	388-510	PREP	03-08-086
388-295-3120	NEW-P	03-09-005	388-408-0035	PREP	03-06-056	388-510-1005	REP-X	03-10-093
388-295-3130	NEW-P	03-09-005	388-408-0040	PREP	03-06-056	388-511	PREP	03-08-086
388-295-3140	NEW-P	03-09-005	388-408-0045	PREP	03-06-056	388-512	PREP	03-08-086
388-295-3150	NEW-P	03-09-005	388-408-0050	PREP	03-06-056	388-513	PREP	03-08-086
388-295-3160	NEW-P	03-09-005	388-410-0030	PREP	03-07-040	388-513-1340	PREP	03-08-083
388-295-3170	NEW-P	03-09-005	388-424-0005	PREP	03-03-007	388-513-1350	AMD-E	03-08-064
388-295-3180	NEW-P	03-09-005	388-424-0010	PREP	03-03-007	388-513-1350	PREP	03-08-082
388-295-3190	NEW-P	03-09-005	388-424-0015	PREP	03-03-007	388-513-1364	NEW	03-06-048
388-295-3200	NEW-P	03-09-005	388-424-0020	AMD	03-05-029	388-513-1365	AMD-P	03-09-117
388-295-3210	NEW-P	03-09-005	388-424-0025	AMD	03-05-029	388-513-1380	AMD-E	03-08-064
388-295-3220	NEW-P	03-09-005	388-436-0002	AMD-E	03-04-067	388-513-1380	PREP	03-08-082
388-295-3230	NEW-P	03-09-005	388-436-0002	PREP	03-11-089	388-515	PREP	03-08-086
388-295-4010	NEW-P	03-09-005	388-438-0110	PREP	03-10-088	388-515-1530	REP	03-08-067
388-295-4020	NEW-P	03-09-005	388-444-0035	AMD	03-05-031	388-515-1540	NEW-E	03-05-044

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388-515-1540	NEW-P	03-09-042	388-550-6000	PREP	03-04-087	388-818-0210	NEW	03-05-100
388-517	PREP	03-08-086	388-550-6000	PREP	03-10-050	388-818-0220	NEW	03-05-100
388-519	PREP	03-08-086	388-550-6800	NEW-P	03-06-111	388-818-0230	NEW	03-05-100
388-523	PREP	03-08-086	388-550-6900	NEW-P	03-06-111	388-818-0240	NEW	03-05-100
388-523-0120	PREP	03-04-085	388-551	PREP	03-08-086	388-818-0250	NEW	03-05-100
388-523-0120	AMD-P	03-10-089	388-552	PREP	03-08-086	388-818-0260	NEW	03-05-100
388-526	PREP	03-08-086	388-555	PREP	03-08-086	388-818-0270	NEW	03-05-100
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388-529	PREP	03-08-086	388-557-5000	NEW-P	03-09-119	388-818-0290	NEW	03-05-100
388-530	PREP	03-08-086	388-557-5050	NEW-P	03-09-119	388-818-030	REP	03-05-100
388-530-1270	NEW	03-05-043	388-557-5100	NEW-P	03-09-119	388-818-0300	NEW	03-05-100
388-530-1300	PREP	03-11-086	388-557-5150	NEW-P	03-09-119	388-818-0310	NEW	03-05-100
388-531	PREP	03-04-087	388-557-5200	NEW-P	03-09-119	388-818-0320	NEW	03-05-100
388-531	PREP	03-08-084	388-557-5250	NEW-P	03-09-119	388-818-0330	NEW	03-05-100
388-531	PREP	03-08-086	388-557-5300	NEW-P	03-09-119	388-818-0340	NEW	03-05-100
388-531-0050	AMD	03-06-049	388-561	PREP	03-08-086	388-818-0350	NEW	03-05-100
388-532	PREP	03-08-086	388-561-0001	AMD	03-06-048	388-818-0360	NEW	03-05-100
388-533	PREP	03-08-086	388-561-0100	AMD-P	03-09-117	388-818-0370	NEW	03-05-100
388-533	PREP	03-11-085	388-730-0010	AMD	03-03-070	388-818-0380	NEW	03-05-100
388-534	PREP	03-08-086	388-730-0060	AMD	03-03-070	388-818-0390	NEW	03-05-100
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388-538	PREP	03-08-086	388-805-005	AMD-E	03-06-059	388-818-060	REP	03-05-100
388-538	PREP	03-10-086	388-805-030	AMD-E	03-06-059	388-818-070	REP	03-05-100
388-539	PREP	03-08-086	388-805-035	NEW-E	03-06-059	388-818-080	REP	03-05-100
388-540	PREP	03-08-086	388-805-040	NEW-E	03-06-059	388-818-090	REP	03-05-100
388-542	PREP	03-08-086	388-805-065	AMD-E	03-06-059	388-818-110	REP	03-05-100
388-543	PREP	03-08-086	388-805-145	AMD-E	03-06-059	388-818-130	REP	03-05-100
388-543-1100	AMD-X	03-05-054	388-805-205	AMD-E	03-06-059	388-820-020	AMD-E	03-03-115
388-543-1225	NEW	03-05-051	388-805-300	AMD-E	03-06-059	388-820-020	AMD-E	03-10-026
388-544	PREP	03-08-086	388-805-710	AMD-E	03-06-059	388-820-060	AMD-E	03-03-115
388-545	PREP	03-08-086	388-805-720	AMD-E	03-06-059	388-820-060	AMD-E	03-10-026
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388-550	PREP	03-08-086	388-818-001	REP	03-05-100	388-825-020	AMD-E	03-10-027
388-550	PREP	03-10-050	388-818-0010	NEW	03-05-100	388-825-055	AMD-E	03-03-115
388-550-1300	PREP	03-10-050	388-818-002	REP	03-05-100	388-825-055	AMD-E	03-10-027
388-550-1400	PREP	03-10-050	388-818-0020	NEW	03-05-100	388-825-100	AMD-E	03-03-115
388-550-1500	PREP	03-10-050	388-818-003	REP	03-05-100	388-825-100	AMD-E	03-10-027
388-550-2501	AMD	03-06-047	388-818-0030	NEW	03-05-100	388-825-120	AMD-E	03-03-115
388-550-2511	AMD	03-06-047	388-818-0040	NEW	03-05-100	388-825-120	AMD-E	03-10-027
388-550-2521	AMD	03-06-047	388-818-005	REP	03-05-100	388-825-180	AMD-E	03-03-115
388-550-2531	AMD	03-06-047	388-818-0050	NEW	03-05-100	388-825-180	AMD-E	03-10-027
388-550-2541	AMD	03-06-047	388-818-0060	NEW	03-05-100	388-825-205	AMD-E	03-03-115
388-550-2551	AMD	03-06-047	388-818-0070	NEW	03-05-100	388-825-205	AMD-E	03-10-027
388-550-2561	AMD	03-06-047	388-818-0080	NEW	03-05-100	388-825-252	AMD-E	03-03-115
388-550-2800	PREP	03-04-087	388-818-0090	NEW	03-05-100	388-825-252	AMD-E	03-10-027
388-550-3381	AMD	03-06-047	388-818-010	REP	03-05-100	388-825-254	AMD-E	03-03-115
388-550-3401	REP	03-06-047	388-818-0100	NEW	03-05-100	388-825-254	AMD-E	03-10-027
388-550-3700	AMD-P	03-09-118	388-818-0110	NEW	03-05-100	388-825-500	NEW-E	03-03-115
388-550-4500	AMD-P	03-06-111	388-818-0120	NEW	03-05-100	388-825-500	NEW-E	03-10-027
388-550-4800	PREP	03-04-087	388-818-0130	NEW	03-05-100	388-825-505	NEW-E	03-03-115
388-550-4900	AMD-P	03-06-111	388-818-0140	NEW	03-05-100	388-825-505	NEW-E	03-10-027
388-550-5000	AMD-P	03-06-111	388-818-0150	NEW	03-05-100	388-825-510	NEW-E	03-03-115
388-550-5100	AMD-P	03-06-111	388-818-0160	NEW	03-05-100	388-825-510	NEW-E	03-10-027
388-550-5150	AMD-P	03-06-111	388-818-0170	NEW	03-05-100	388-825-515	NEW-E	03-03-115
388-550-5200	AMD-P	03-06-111	388-818-0180	NEW	03-05-100	388-825-515	NEW-E	03-10-027
388-550-5400	AMD-P	03-06-111	388-818-0190	NEW	03-05-100	388-825-520	NEW-E	03-03-115
388-550-5450	PREP	03-04-087	388-818-020	REP	03-05-100	388-825-520	NEW-E	03-10-027

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388-825-525	NEW-E	03-03-115	388-865-0240	PREP	03-08-077	388-865-0510	PREP	03-07-041
388-825-525	NEW-E	03-10-027	388-865-0245	PREP	03-08-077	388-865-0515	PREP	03-07-041
388-825-530	NEW-E	03-03-115	388-865-0250	PREP	03-08-077	388-865-0525	PREP	03-07-041
388-825-530	NEW-E	03-10-027	388-865-0255	PREP	03-08-077	388-865-0530	PREP	03-07-041
388-825-535	NEW-E	03-03-115	388-865-0260	PREP	03-08-077	388-865-0535	PREP	03-07-041
388-825-535	NEW-E	03-10-027	388-865-0265	PREP	03-08-077	388-865-0540	PREP	03-07-041
388-825-540	NEW-E	03-03-115	388-865-0270	PREP	03-08-077	388-865-0545	PREP	03-07-041
388-825-540	NEW-E	03-10-027	388-865-0275	PREP	03-08-077	388-865-0546	PREP	03-07-041
388-825-545	NEW-E	03-03-115	388-865-0280	PREP	03-08-077	388-865-0550	PREP	03-07-041
388-825-545	NEW-E	03-10-027	388-865-0282	PREP	03-08-077	388-865-0555	PREP	03-07-041
388-825-546	NEW-E	03-03-115	388-865-0284	PREP	03-08-077	388-865-0557	PREP	03-07-041
388-825-546	NEW-E	03-10-027	388-865-0286	PREP	03-08-077	388-865-0560	PREP	03-07-041
388-825-550	NEW-E	03-03-115	388-865-0288	PREP	03-08-077	388-865-0565	PREP	03-07-041
388-825-550	NEW-E	03-10-027	388-865-0300	PREP	03-08-077	388-880	PREP	03-08-078
388-825-555	NEW-E	03-03-115	388-865-0305	PREP	03-08-077	390	PREP	03-04-095
388-825-555	NEW-E	03-10-027	388-865-0310	PREP	03-08-077	390-16-245	AMD-P	03-08-051
388-825-560	NEW-E	03-03-115	388-865-0315	PREP	03-08-077	390-17-100	AMD	03-08-052
388-825-560	NEW-E	03-10-027	388-865-0320	PREP	03-08-077	390-17-110	NEW-S	03-04-094
388-825-565	NEW-E	03-03-115	388-865-0325	PREP	03-08-077	390-17-110	NEW	03-08-050
388-825-570	NEW-E	03-03-115	388-865-0330	PREP	03-08-077	390-18-010	AMD-P	03-08-051
388-825-570	NEW-E	03-10-027	388-865-0335	PREP	03-08-077	391-08-001	AMD	03-03-064
388-825-571	NEW-E	03-03-115	388-865-0340	PREP	03-08-077	391-08-630	AMD	03-03-064
388-825-571	NEW-E	03-10-027	388-865-0345	PREP	03-08-077	391-08-670	AMD	03-03-064
388-825-575	NEW-E	03-03-115	388-865-0350	PREP	03-08-077	391-08-670	PREP	03-03-066
388-825-575	NEW-E	03-10-027	388-865-0355	PREP	03-08-077	391-08-670	AMD-P	03-07-093
388-825-576	NEW-E	03-03-115	388-865-0360	PREP	03-08-077	391-08-670	AMD	03-11-029
388-825-576	NEW-E	03-10-027	388-865-0363	PREP	03-08-077	391-25-001	AMD	03-03-064
388-825-580	NEW-E	03-03-115	388-865-0365	PREP	03-08-077	391-25-002	AMD	03-03-064
388-825-580	NEW-E	03-10-027	388-865-0400	PREP	03-08-077	391-25-011	AMD	03-03-064
388-825-585	NEW-E	03-03-115	388-865-0405	PREP	03-08-077	391-25-011	REP-P	03-07-093
388-825-585	NEW-E	03-10-027	388-865-0410	PREP	03-08-077	391-25-011	AMD-E	03-11-028
388-825-590	NEW-E	03-03-115	388-865-0415	PREP	03-08-077	391-25-011	REP	03-11-029
388-825-590	NEW-E	03-10-027	388-865-0420	PREP	03-08-077	391-25-032	NEW	03-03-064
388-825-591	NEW-E	03-03-115	388-865-0425	PREP	03-08-077	391-25-036	NEW	03-03-064
388-825-591	NEW-E	03-10-027	388-865-0430	PREP	03-08-077	391-25-037	NEW	03-03-064
388-825-592	NEW-E	03-03-115	388-865-0435	PREP	03-08-077	391-25-051	NEW	03-03-064
388-825-592	NEW-E	03-10-027	388-865-0436	PREP	03-08-077	391-25-076	NEW	03-03-064
388-825-600	NEW-E	03-03-115	388-865-0440	PREP	03-08-077	391-25-096	NEW	03-03-064
388-825-600	NEW-E	03-10-027	388-865-0445	PREP	03-08-077	391-25-136	NEW	03-03-064
388-850-035	AMD-E	03-03-115	388-865-0450	PREP	03-08-077	391-25-137	NEW	03-03-064
388-850-035	AMD-E	03-10-027	388-865-0452	PREP	03-08-077	391-25-197	NEW	03-03-064
388-850-045	AMD-E	03-03-115	388-865-0454	PREP	03-08-077	391-25-210	AMD-P	03-07-093
388-850-045	AMD-E	03-10-027	388-865-0456	PREP	03-08-077	391-25-210	AMD	03-11-029
388-865-0100	PREP	03-08-077	388-865-0458	PREP	03-08-077	391-25-216	NEW	03-03-064
388-865-0105	PREP	03-08-077	388-865-0460	PREP	03-08-077	391-25-216	PREP	03-03-066
388-865-0110	PREP	03-08-077	388-865-0462	PREP	03-08-077	391-25-216	REP-P	03-07-093
388-865-0115	PREP	03-08-077	388-865-0464	PREP	03-08-077	391-25-216	REP	03-11-029
388-865-0120	PREP	03-08-077	388-865-0466	PREP	03-08-077	391-25-217	NEW	03-03-064
388-865-0150	PREP	03-08-077	388-865-0468	PREP	03-08-077	391-25-396	NEW	03-03-064
388-865-0200	PREP	03-08-077	388-865-0470	PREP	03-08-077	391-25-416	NEW	03-03-064
388-865-0201	PREP	03-08-077	388-865-0472	PREP	03-08-077	391-25-426	NEW-E	03-03-065
388-865-0203	PREP	03-08-077	388-865-0474	PREP	03-08-077	391-25-426	PREP	03-03-066
388-865-0205	PREP	03-08-077	388-865-0476	PREP	03-08-077	391-25-426	NEW-P	03-07-093
388-865-0210	PREP	03-08-077	388-865-0478	PREP	03-08-077	391-25-426	NEW-E	03-11-028
388-865-0215	PREP	03-08-077	388-865-0480	PREP	03-08-077	391-25-426	NEW	03-11-029
388-865-0220	PREP	03-08-077	388-865-0482	PREP	03-08-077	391-25-427	NEW	03-03-064
388-865-0221	PREP	03-08-077	388-865-0484	PREP	03-08-077	391-25-476	NEW	03-03-064
388-865-0222	PREP	03-08-077	388-865-0500	PREP	03-07-041	391-25-496	NEW	03-03-064
388-865-0225	PREP	03-08-077	388-865-0501	PREP	03-07-041	391-35-001	AMD	03-03-064
388-865-0229	PREP	03-08-077	388-865-0502	PREP	03-07-041	391-35-002	AMD	03-03-064
388-865-0230	PREP	03-08-077	388-865-0504	PREP	03-07-041	391-35-026	NEW	03-03-064
388-865-0235	PREP	03-08-077	388-865-0505	PREP	03-07-041	391-35-326	NEW	03-03-064

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391-35-346	NEW	03-03-064	415-10-020	AMD-P	03-11-043	458-12-075	PREP	03-03-100
391-35-347	NEW	03-03-064	415-10-030	AMD-E	03-10-007	458-12-080	PREP	03-03-100
391-35-356	NEW	03-03-064	415-10-030	AMD-P	03-11-043	458-12-360	PREP	03-03-100
391-45-001	AMD	03-03-064	415-10-040	AMD-E	03-10-007	458-12-360	AMD-P	03-09-098
391-45-002	AMD	03-03-064	415-10-040	AMD-P	03-11-043	458-16-010	REP-P	03-03-099
391-45-056	NEW	03-03-064	415-103	PREP	03-07-063	458-16-010	REP	03-09-002
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