

WSR 06-12-004
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 06-117—Filed May 25, 2006, 11:51 a.m., effective May 25, 2006]

Effective Date of Rule: Immediately.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 220-56-25500D; 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 in Marine Areas 3 and 4 to allow for a two day recreational halibut opening. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 25, 2006.

J. P. Koenings
 Director

NEW SECTION

WAC 220-56-25500E Halibut—Seasons—Daily and possession limits. (1) Notwithstanding the provisions of WAC 220-56-255, effective immediately until further notice it is unlawful to fish for or possess halibut taken for personal use except from the areas or in excess of the amounts provided for in this section:

(a) Catch Record Card Area 1 - Open until further notice. By-catch restriction: It is unlawful during any vessel trip to bring into port or land bottomfish except sablefish or Pacific Cod if the vessel has brought halibut into port or landed halibut during that trip.

(b) Catch Record Card Area 2 - Closed.

(c) Catch Record Card Areas 3 and 4 - Closed, except open 12:01 a.m. through 11:59 p.m. June 22, and 12:01 a.m. through 11:59 p.m. June 24, 2006. The following area southwest of Cape Flattery is closed to fishing for halibut at all times:

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°N., 124°59'W.; thence to 48°N., 125°18'W.; thence to point of origin.

(i) Effective immediately until further notice, on days when halibut fishing is closed in Catch Record Card Areas 3 and 4 it is unlawful to fish for or possess rockfish and lingcod seaward of a line approximating the 20-fathom depth contour as defined by the following coordinates:

Beginning at the Bonilla-Tatoosh line, at 48°23.87'N; 124°44.17'W

Then to 48° 23.60' N; 124° 44.90' W

Then to 48° 19.10' N; 124° 43.40' W

Then to 48° 18.20' N; 124° 46.40' W (intersection with 3-mile line)

Then follow the 3-mile line south to the Queets River (47° 31.70' N)

(d) Catch Record Card Areas 6 through 11 and Catch Record Area 13 - Open through June 18, 2006, except closed to fishing for halibut 12:01 a.m. of each Tuesday through 11:59 p.m. of each Wednesday.

(e) Catch Record Card Area 5 - Open until further notice, except closed to fishing for halibut 12:01 a.m. of each Tuesday through 11:59 p.m. of each Wednesday.

(f) Daily limit one halibut. The possession limit is two daily limits of halibut in any form, except the possession limit aboard the fishing vessel is one daily limit.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-25500D Halibut seasons—Daily and possession limits. (06-107)

WSR 06-12-006
EMERGENCY RULES
UNIVERSITY OF WASHINGTON

[Filed May 26, 2006, 8:50 a.m., effective May 31, 2006]

Effective Date of Rule: May 31, 2006.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Per RCW 34.05.350(2), the University of Washington is actively undertaking permanent rule making for these rules as evidenced by its preproposal statement of inquiry (WSR 06-10-016) filed April 24, 2006.

Purpose: To amend the University of Washington's smoking policy and related rules in chapter 478-136 WAC consistent with the newly enacted provisions of I-901 (chapter 70.160 RCW).

Citation of Existing Rules Affected by this Order:
 Amending WAC 478-136-012 and 478-136-030.

Statutory Authority for Adoption: RCW 28B.20.130 and chapter 70.160 RCW.

Other Authority: University of Washington Board of Regent's Standing Orders, Chapter 1, Section 2.

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: Immediate adoption of the University of Washington's amended smoking policy is necessary to comply with the newly enacted I-901, Washington Clean Indoor Air Act (chapter 70.160 RCW). These emergency rules are adopted to protect students, faculty, staff, and visitors from exposure to second-hand smoke in their university-associated environments and to protect life and property against fire hazards.

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 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 1, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 23, 2006.

Mark A. Emmert
President

AMENDATORY SECTION (Amending WSR 02-06-020, filed 2/25/02, effective 3/28/02)

WAC 478-136-012 Definitions. (1) "Facilities" includes all structures, grounds, parking lots, waterfront, and airspace owned or operated by the University of Washington. Specific rules also apply to parking lots, bicycle and skateboard use (chapter 478-116 WAC), boat moorage facilities (chapter 478-138 WAC and *University Handbook*, Volume 4, Part VII, Chapter 3, Section 2), residence halls (chapter 478-156 WAC), airspace use (*University Handbook*, Volume 4, Part VII, Chapter 3, Section 5), nonuniversity speakers on campus (*University Handbook*, Volume 4, Part VII, Chapter 3, Section 4), ((smoking (*University Handbook*, Volume 4, Part VII, Chapter 6,)) and use of facilities by the Associated Students University of Washington (ASUW), Graduate and Professional Student Senate (GPSS), and other affected organizations (*University Handbook*, Volume 3, Part III, Chapter 5).

(2) "Use of facilities" includes, but is not limited to: The holding of events, the posting and removal of signs, all forms of advertising, commercial activities, and charitable solicitation.

(3) "Approved event" means a use of university facilities which has received preliminary approval from an academic or administrative unit and which has received final approval from the committee on the use of university facilities.

AMENDATORY SECTION (Amending WSR 05-21-133, filed 10/19/05, effective 11/19/05)

WAC 478-136-030 Limitations on use. (1) Freedom of expression is a highly valued and indispensable quality of university life. However, university facilities may not be used in ways which obstruct or disrupt university operations, the freedom of movement, or any other lawful activities. Additionally, use of university facilities may be subject to reasonable time, place and manner restrictions.

(2) University facilities may be used for events and forums regarding ballot propositions and/or candidates who have filed for public office so long as the event has received preliminary approval by an administrative or academic unit and final approval by the committee on the use of university facilities. There are, however, certain limitations on the use of university facilities for these political activities.

(a) First priority for the use of campus facilities shall be given to regularly scheduled university activities.

(b) University facilities may be used for political purposes such as events and forums regarding ballot propositions and/or candidates who have filed for public office only when the full rental cost of the facility is paid. However, use of state funds for payment of facility rental costs is prohibited.

(c) Forums or debates may be scheduled at full facility rental rates if all parties to a ballot proposition election or all candidates who have filed for office for a given position, regardless of party affiliation, are given equal access to the use of facilities within a reasonable time.

(d) No person shall solicit contributions on university property for political uses, except in instances where this limitation conflicts with applicable federal law regarding interference with the mails.

(e) Public areas outside university buildings may be used for political purposes such as events and forums regarding ballot propositions and/or candidates who have filed for public office, excluding solicitation of funds, provided the other normal business of the university is not disrupted and entrances to and exits from buildings are not blocked.

(f) University facilities or services may not be used to establish or maintain offices or headquarters for political candidates or partisan political causes.

(3) University facilities may not be used for private or commercial purposes such as sales, advertising, or promotional activities unless such activities serve an educational purpose, as determined by the committee on the use of university facilities.

(4) Nothing in these rules is intended to alter or affect the regular advertising, promotional, or underwriting activities carried on, by, or in the regular university media or publica-

tions. Policies concerning advertising, promotional or underwriting activities included in these media or publications are under the jurisdiction of and must be approved by their respective management or, where applicable, advisory committees, in accordance with applicable state and federal laws.

(5) In accordance with WAC 478-136-010, the university will make its facilities available only for purposes related to the educational mission of the university, as determined by the committee on the use of university facilities, including but not limited to instruction, research, public assembly, and student activities. When permission is granted to use university facilities for approved instructional or related purposes, as a condition of approval, the user of university facilities agrees to include in all materials nonendorsement statements in the form approved by the committee on the use of university facilities. "Materials" includes all communications, advertisement, and any other printed, electronic, or broadcast/tecast information related to the user's activities offered in university facilities. The committee will determine the content, size of print and placement of the nonendorsement language. The university will not make its facilities available for instructional or related purposes that compete with courses or programs offered by the university.

(6) Solicitation, or distribution of handbills, pamphlets and similar materials by anyone, whether a member of the university community or of the general public, is not permitted in those areas of campus to which access by the public is restricted or where such solicitation or distribution would significantly impinge upon the primary business being conducted.

(7) Solicitation and distribution of materials in university residence halls are governed by residence hall policies. No solicitation of a commercial nature is permitted in university residence halls. Commercial advertising may be allowed, and is restricted to certain designated areas of each residence hall, when it is related to the university's mission and approved by the department of housing and food services.

(8) Electronic amplification on the grounds of the campus is prohibited with the following exceptions:

(a) The lawn area immediately west of the Husky Union Building will be available for open-air speaking events using directional and volume-controlled speech amplification equipment provided by the university. Use of the Husky Union Building lawn site will be available to registered or official student organizations and faculty or staff groups on a first-come, first-served basis. The amplification system will be issued upon presentation of a currently valid student, faculty or staff identification card at the Husky Union Building Reservation Office.

(b) The committee on the use of university facilities may grant permission, under special circumstances, for the use of other amplification equipment on the lawn site west of the Husky Union Building or in other outdoor locations. Permission should be requested through:

University of Washington
Secretary to the Committee on the
Use of University Facilities
239M Gerberding Hall
Box 351241
Seattle, WA 98195-1241

(or phone: 206-543-9233), sufficiently in advance of the program to allow timely consideration.

(9)(a) No person may use university facilities to camp, except if permission to do so has been granted in accordance with the provisions of chapters 478-116 and 478-136 WAC or except as provided in (b) of this subsection. "Camp" means to remain overnight, to erect a tent or other shelter, or to use sleeping equipment, a vehicle, or a trailer camper, for the purpose of or in such ways as will permit remaining overnight. Violators are subject to arrest and criminal prosecution under applicable state, county and city laws.

(b) This provision does not prohibit use of the university residence facilities in accordance with chapter 478-156 WAC or the use of facilities where the employee remains overnight to fulfill the responsibilities of his or her position or where a student remains overnight to fulfill the requirements of his or her course of study.

(10) Within the limits of applicable laws, the University of Washington is committed to establishing and maintaining safe conditions for persons attending football games in Husky Stadium or other athletic events or concerts in campus facilities. Accordingly, the rules enumerated below will apply to all such events and be strictly enforced.

(a) The possession or consumption of alcoholic beverages or illegal drugs is prohibited, except for alcohol allowed under a permit or license obtained under subsection (13) of this section. In addition to having the beverages or drugs confiscated, violators may be subject to university disciplinary action and/or legal proceedings, and removal from the events.

(b) Air horns, glass bottles, cans, picnic baskets, bota bags, ice chests, and thermoses (in excess of two-quart capacity) are prohibited. Individuals possessing such will not be admitted to, or will be removed from, Husky Stadium or other athletic or concert facilities until the items have been stored temporarily at locations provided for that purpose or disposed of in some other manner.

(c) Except as provided in WAC 478-136-035, smoking is prohibited in the seating areas of all athletic stadia. ~~((Smoking is permitted on pedestrian concourses.))~~

(d) All persons entering events in Husky Stadium or other athletic venues or events in other campus auditoria or facilities shall be subject to having all containers, bags, backpacks, coolers, or similar items visually inspected. Security personnel shall first ask permission to visually inspect the item and advise the person that he/she may refuse. Persons who refuse to allow inspection shall be allowed to return the item to a vehicle or otherwise dispose of it, after which admission shall be allowed. Persons who refuse the visual inspection and refuse to dispose of the item shall be denied entry.

(11) Only public service announcements and acknowledgment of sponsors will be allowed on scoreboards at athletic venues.

(a) For purposes of this section, a public service announcement is defined as an announcement which promotes the activities or services of federal, state or local governments, including the University of Washington, or non-profit organizations, or generally contributes to the community's welfare and interests.

(b) In acknowledgment of their sponsorship of the scoreboards or sponsorship of events and programs, sponsors may propose public service announcements for display on the scoreboard during athletic events. The public service announcement may be accompanied by a sponsor's name or logo, but in keeping with university policy may not directly promote the products or services of the company. The text and graphics of public service announcements must be submitted at least three days in advance to the department of intercollegiate athletics for approval by the university.

(c) In addition to these public service announcements, sponsors also may be acknowledged by the display of corporate logos, trademarks, or other approved messages upon panels located on the scoreboard.

~~(12) ((The University of Washington is committed to maintaining a safe and healthful work and educational environment for all faculty, staff, students, and visitors. Accordingly, the University of Washington establishes the following smoking policy to protect nonsmokers from exposure to smoke in their university-associated environments and to protect life and property against fire hazards:~~

~~(a) Except as provided in subsections (10)(e) and (12)(b) of this section, smoking is prohibited in all university vehicles, inside all buildings owned or occupied by the university and/or used by the university's faculty, staff or students and at any outside areas or locations that may directly or indirectly affect the air supply of buildings or carry smoke into buildings.~~

~~(b) Smoking may be permitted in student rooms in university residence halls and apartments in university student housing in accordance with smoking regulations established for those facilities by the vice-president for student affairs.~~

~~(c) The director of environmental health and safety may designate specific outdoor locations as no smoking areas.~~

~~(d) Any student, staff, or faculty member who violates the university smoking policy may be subject to disciplinary action. In addition, violations of the university smoking policy may be subject to enforcement by the University of Washington police department.~~

(13)) Alcoholic beverages may be possessed, sold, served, and consumed at university facilities only if the procedures set forth in this section are followed.

(a) The appropriate permits/licenses for possession, sale, service, and consumption of alcohol must be obtained from the Washington state liquor control board.

(b) Permits/licenses must be displayed during the event and all other guidelines and restrictions established by the Washington state liquor control board must be followed.

(c) Alcoholic beverages may be possessed, sold, served, and consumed at the faculty center, as so designated by the university board of regents to the Washington state liquor control board, pursuant to a spirits, beer, and wine private club license issued by the Washington state liquor control board.

(d) Alcoholic beverages may be possessed, sold, served, and consumed at university facilities leased to a commercial tenant under a lease that includes authorization for the tenant to apply and hold a license issued by the Washington state liquor control board.

(e) Except as provided in (c) and (d) of this subsection, alcoholic beverages may be possessed, sold, served, and consumed at university facilities only under permits/licenses issued by the Washington state liquor control board and only as follows:

(i) Events at which alcohol is to be sold must be approved by the committee on the use of university facilities and an application to the committee must be accompanied by a request for written authorization under (f) or (g) of this subsection or proof that the seller holds an appropriate license; and

(ii) Events at athletic venues at which alcohol is to be possessed, sold, served, or consumed must not be within the spectator viewing areas and must have restricted attendance, and a university unit, or an individual or organization applying for a permit/license must have obtained approval under (f) or (g) of this subsection; and

(iii) A university unit, or an individual or organization applying for a permit/license must have obtained approval under (f) or (g) of this subsection; and

(iv) Sale, service, and consumption of alcohol is to be confined to specified room(s) or area(s) specified on the license or permit. Unopen containers may not be sold or served. No alcohol is permitted to be taken off-premises.

(f) Written authorization to apply for a special occasion license to sell alcoholic beverages at university facilities must be obtained from the committee on the use of university facilities prior to applying for a special occasion license from the Washington state liquor control board. Authorization should be requested through the University of Washington, secretary to the committee on the use of university facilities, sufficiently in advance of the program to allow timely consideration. (Note: Some license applications must be filed with the Washington state liquor control board at least thirty days or more before the event.) Written authorization to apply for such license shall accompany the license application filed with the Washington state liquor control board.

(g) Written authorization to apply for a banquet permit to serve and consume alcoholic beverages at university facilities must be obtained from the vice-president for student affairs prior to applying for the permit from the Washington state liquor control board. Authorization should be requested through the University of Washington, office of the vice-president for student affairs, sufficiently in advance of the program to allow timely consideration. Written authorization to apply for such permit shall accompany the permit application filed with the Washington state liquor control board.

(h) Consumption, possession, dispensation, or sale of alcohol is prohibited except for persons of legal age.

NEW SECTION

WAC 478-136-035 Smoking policy for university facilities. (1) The University of Washington is committed to maintaining a safe and healthful work and educational environment for all faculty, staff, students, and visitors. Accordingly, the University of Washington establishes the following smoking policy, consistent with chapter 70.160 RCW (I-901), to protect nonsmokers from exposure to second-hand

smoke in their university-associated environments and to protect life and property against fire hazards.

(a) Except as provided in subsection (1)(b) and (c) of this section, smoking is prohibited in all university facilities, including but not limited to vehicles, inside all buildings owned or occupied by the university and/or used by the university's faculty, staff, or students, and at any outside areas or locations.

(b) Smoking may be permitted in university student housing in accordance with smoking regulations established for those facilities by the vice-provost for student life.

(c) Smoking may be permitted in specific designated outdoor locations approved by the director of environmental health and safety as smoking areas in accordance with chapter 70.160 RCW and published on the environmental health and safety web site. Signage will be placed to indicate the designated locations.

(2) Violations of the university smoking policy may be subject to enforcement by the University of Washington police department. In addition, any student, staff, or faculty member who violates the university smoking policy may be subject to disciplinary action.

WSR 06-12-007

EMERGENCY RULES

UNIVERSITY OF WASHINGTON

[Filed May 26, 2006, 8:52 a.m., effective June 5, 2006]

Effective Date of Rule: June 5, 2006.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: This emergency rule follows two similar previous emergency rules (see WSR 05-21-015 and 06-04-072). Per RCW 34.05.-350(2), the University of Washington is actively undertaking permanent rule making for these rules as evidenced by the university's filing of a preproposal statement of inquiry (WSR 05-20-006), a proposed rule making (WSR 06-04-039), and permanent rules adopted by the board of regents on May 18, 2006, that are not yet effective.

Purpose: To amend the eligibility and limitations for specific University of Washington tuition waivers in order to reflect new definitions established by SHB 1174 (RCW 28B.15.621), effective July 24, 2005. SHB 1174 repealed existing waivers for SE Asia veterans, Persian Gulf veterans, and children of POW/MIAs that had been authorized by RCW 28B.10.265, 28B.15.620, and 28B.15.628, and instead authorized a new permissive waiver for veterans who are Washington domiciles and who were called to active federal duty and who served in a conflict or war on foreign soil/international waters, or in support of such a conflict, and for his/her children or spouse if the veteran became totally disabled or lost his/her life while engaged in active federal military or naval service, or if the veteran was determined to be a POW/MIA. SHB 1174 also removed eligibility for members of the Washington National Guard and veterans of the Korean conflict to use the state employee tuition exemption, although those with qualifying service can apply for the amended veteran's waiver.

Citation of Existing Rules Affected by this Order: Amending WAC 478-160-163.

Statutory Authority for Adoption: Chapter 28B.15 RCW and RCW 28B.20.130.

Other Authority: University of Washington Board of Regent's Standing Orders, Chapter 1, Section 2.

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: Immediate adoption of this University of Washington WAC rule amendment is in the best public interest of those students whose tuition and student status would otherwise be jeopardized by the recently enacted state statute's new eligibility definitions for tuition waivers. It is critical to have the university's rule continue with these definitions in place while the permanent rule-making process is proceeding.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 23, 2006.

Mark A. Emmert
President

AMENDATORY SECTION (Amending WSR 02-06-021, filed 2/25/02, effective 3/28/02)

WAC 478-160-163 Waivers of tuition and fees. (1)

The board of regents is authorized to grant tuition and fee waivers to students pursuant to RCW 28B.15.910 and the laws identified therein. Each of these laws, with the exception of RCW 28B.15.543 and 28B.15.545, authorizes, but does not require, the board of regents to grant waivers for different categories of students and provides for waivers of different fees. The board of regents must affirmatively act to implement the legislature's grant of authority under each individual law. A list of waivers that the board has implemented can be found in the *University of Washington General Catalog*, which is published biennially. The most recent list may be found in the online version of the *General Catalog* at www.washington.edu/students/reg/tuition_exempt_reductions.html.

(2) Even when it has decided to implement a waiver listed in RCW 28B.15.910, the university, for specific rea-

sons and a general need for flexibility in the management of its resources, may choose not to award waivers to all students who may be eligible under the terms of the laws. Where the university has chosen to impose specific limitations on a waiver listed in RCW 28B.15.910, those limitations are delineated in subsection (5) of this section. If the university has not imposed specific limitations on a waiver listed in RCW 28B.15.910, the waiver is not mentioned in subsection (5) of this section. The university's description of the factors it may consider to adjust a waiver program to meet emergent or changing needs is found in subsection ~~((6))~~ (7) of this section. All waivers are subject to subsection ~~((6))~~ (7) of this section.

(3) The board of regents also has the authority under RCW 28B.15.915 to grant waivers of all or a portion of operating fees as defined in RCW 28B.15.031. Waiver programs adopted under RCW 28B.15.915 are described in the *General Catalog*. The most recent list may be found in the online version of the *General Catalog* at www.washington.edu/students/reg/tuition_exempt_reductions.html. Waivers granted under RCW 28B.15.915 are subject to subsection ~~((6))~~ (7) of this section.

(4) Waivers will not be awarded to students participating in self-sustaining courses or programs because they do not pay "tuition," "operating fees," "services and activities fees," or "technology fees" as defined in RCW 28B.15.020, 28B.15.031, 28B.15.041, or 28B.15.051, respectively.

(5) Specific limitations on waivers are as follows:

(a) Waivers authorized by RCW ~~((28B.10.265 for children of Washington domiciles who are prisoners of war or missing in action in Southeast Asia or Korea))~~ 28B.15.621 (2)(a) for eligible veterans and National Guard members, shall be awarded only to undergraduate students pursuing their first bachelor's degree to a maximum of 225 college-level credits, including credits transferred from other institutions of higher education.

(b) Waivers authorized by RCW 28B.15.621 (2)(b) and (c) for children or spouses of eligible veterans and National Guard members who became totally disabled, or lost their lives, while engaged in active federal military or naval service, or who are prisoners of war or missing in action, shall be awarded only to undergraduate students pursuing their first bachelor's degree to a maximum of 225 college-level credits, including credits transferred from other institutions of higher education.

(c) Waivers of nonresident tuition authorized by RCW 28B.15.014 for university faculty and classified or professional staff shall be restricted to four consecutive quarters from their date of employment with the University of Washington. The recipient of the waiver must be employed by the first day of the quarter for which the waiver is awarded. Waivers awarded to immigrant refugees, or the spouses or dependent children of such refugees, shall be restricted to persons who reside in Washington state and to four consecutive quarters from their arrival in Washington state.

~~((e))~~ (d) Waivers authorized by RCW 28B.15.380 for children of ~~((deceased or permanently disabled))~~ police officers or fire fighters who are deceased or permanently disabled, shall be awarded only to undergraduate students pursuing their first bachelor's degree to a maximum of 225 college-

level credits, including credits transferred from other institutions of higher education.

~~((d))~~ (e) Waivers authorized by RCW 28B.15.558 shall be awarded only to:

(i) University of Washington employees who are employed half-time or more, hold qualifying appointments as of the first day of the quarter for which the waivers are requested, are paid monthly, and, for classified staff new to the university, have completed their probationary periods prior to the first day of the quarter; or

(ii) State of Washington permanent employees who are employed half-time or more, are not University of Washington permanent classified employees, are permanent classified or exempt technical college paraprofessional employees, or are permanent faculty members, counselors, librarians or exempt employees at other state of Washington public higher education institutions~~((or~~

~~((iii) Members of the Washington National Guard.~~

~~(e) Waivers authorized by RCW 28B.15.620 shall be awarded only to Vietnam veterans pursuing their first bachelor's degree to a maximum of 225 college-level credits, including credits transferred from other institutions of higher education.~~

~~(f) Waivers authorized by RCW 28B.15.628 shall be awarded only to veterans of the Persian Gulf combat zone pursuing a first bachelor's degree to a maximum of 225 college-level credits, including credits transferred from other institutions of higher education).~~

(6) To qualify an individual as an "eligible veteran or National Guard member," the person seeking the waiver must present proof of domicile in Washington state and a DD form 214 (Report of Separation) indicating their service related to specific United States military operations or campaigns fought on foreign soil or in international waters.

(7) The university may modify its restrictions or requirements pursuant to changes in state or federal law, changes in programmatic requirements, or in response to financial or other considerations, which may include, but are not limited to, the need to adopt fiscally responsible budgets, the management of the overall levels and mix of enrollments, management initiatives to modify enrollment demand for specific programs and management decisions to eliminate or modify academic programs. The university may choose not to exercise the full funding authority granted under RCW 28B.15.910 and may limit the total funding available under RCW 28B.15.915.

**WSR 06-12-011
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 06-120—Filed May 26, 2006, 10:23 a.m., effective May 27, 2006, 11:59 p.m.]

Effective Date of Rule: May 27, 2006, 11:59 p.m.

Purpose: Amend personal use fishing 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: The recreational halibut fishery in Marine Area 1 has exceeded its early portion of the Pacific halibut quota. The Pacific Fishery Management Council's catch sharing plan for halibut was revised to split the halibut quota into two portions. 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.

Date Adopted: May 26, 2006.

J. P. Koenings
Director

NEW SECTION

WAC 220-56-25500F Halibut—Seasons—Daily and possession limits. (1) Notwithstanding the provisions of WAC 220-56-255, effective immediately until further notice it is unlawful to fish for or possess halibut taken for personal use except from the areas or in excess of the amounts provided for in this section:

(a) Catch Record Card Area 1 - Closed effective 11:59 p.m. May 27, 2006.

(b) Catch Record Card Area 2 - Closed.

(c) Catch Record Card Areas 3 and 4 - Closed, except open 12:01 a.m. through 11:59 p.m. June 22, and 12:01 a.m. through 11:59 p.m. June 24, 2006. The following area south-west of Cape Flattery is closed to fishing for halibut at all times:

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°N., 124°59'W.; thence to 48°N., 125°18'W.; thence to point of origin.

(i) Effective immediately until further notice, on days when halibut fishing is closed in Catch Record Card Areas 3 and 4 it is unlawful to fish for or possess rockfish and lingcod

seaward of a line approximating the 20-fathom depth contour as defined by the following coordinates:

Beginning at the Bonilla-Tatoosh line, at 48° 23.87' N; 124° 44.17' W

Then to 48° 23.60' N; 124° 44.90' W

Then to 48° 19.10' N; 124° 43.40' W

Then to 48° 18.20' N; 124° 46.40' W (intersection with 3-mile line)

Then follow the 3-mile line south to the Queets River (47° 31.70' N)

(d) Catch Record Card Areas 6 through 11 and Catch Record Area 13 - Open through June 18, 2006, except closed to fishing for halibut 12:01 a.m. of each Tuesday through 11:59 p.m. of each Wednesday.

(e) Catch Record Card Area 5 - Open until further notice, except closed to fishing for halibut 12:01 a.m. of each Tuesday through 11:59 p.m. of each Wednesday.

(f) Daily limit one halibut. The possession limit is two daily limits of halibut in any form, except the possession limit aboard the fishing vessel is one daily limit.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. May 27, 2006:

WAC 220-56-25500E Halibut seasons—Daily and possession limits. (06-117)

WSR 06-12-013 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 06-121—Filed May 26, 2006, 2:04 p.m., effective June 1, 2006]

Effective Date of Rule: June 1, 2006.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900L; 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: This regulation is needed to extend Wednesday closures on Drano Lake. Yakama Nation plans to continue ceremonial and subsistence fisheries on Wednesdays. 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.

Date Adopted: May 26, 2006.

J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 232-28-61900H Exceptions to statewide rules—Klickitat River, Drano Lake, White Salmon River and Wind River. Notwithstanding the provisions of WAC 232-28-619:

(1) **Klickitat River (Klickitat Co.)** Effective June 1 through July 31, 2006, open 7 days per week. Daily limit of six salmon no more than 2 adults except jacks only from 400 feet upstream from #5 fishway to boundary markers below Klickitat Salmon Hatchery. Trout daily limit is 2 fish. Release all wild Chinook and wild steelhead. Minimum size is 12 inches for both salmon and trout.

(2) **Little White Salmon River (Drano Lake)(Skamania Co.)** Effective immediately through June 30, 2006, it is lawful to fish for salmonids in those waters of the Little White Salmon River (Drano Lake) downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of the Highway 14 Bridge. Daily limit of two chinook salmon greater than 12 inches in length or two hatchery steelhead greater than 20 inches in length or a combination of one such salmon and one such steelhead. Night closure and non-buoyant lure restrictions in effect. Release all Wild Chinook and wild steelhead. Except closed Wednesdays June 7 and June 14, 2006.

(3) **White Salmon River (Klickitat/Skamania Co.)**

(a) Effective immediately through June 30, 2006, it is lawful to fish for salmonids in those waters of the White Salmon River from markers on the east and west shores and when buoys are in place southerly to the buoys and east-west between the buoys upstream to the powerhouse. Daily limit of two chinook salmon greater than 12 inches in length or two hatchery steelhead greater than 20 inches in length or a combination of one such salmon and one such steelhead. Release all wild Chinook and wild steelhead.

(b) Effective immediately through June 15, 2006, it is lawful to fish for salmonids from the powerhouse to 400 feet downstream from Northwestern (Condit) Dam. Daily limit of two chinook salmon greater than 12 inches in length or two hatchery steelhead greater than 20 inches in length or a combination of one such salmon and one such steelhead. Release all wild Chinook and wild steelhead.

(4) **Wind River (Skamania Co.)** Effective immediately through June 30, 2006, it is lawful to fish for salmonids in those waters of the Wind River from boundary line/markers to 400 feet below Shipherd Falls. Daily limit of two chinook

salmon greater than 12 inches in length or two hatchery steelhead greater than 20 inches in length or a combination of one such salmon and one such steelhead. Release all wild Chinook and wild steelhead. Night closure and non-buoyant lure restrictions in effect. Only fish hooked inside the mouth may be retained.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. June 1, 2006:

WAC 232-28-61900L Exceptions to statewide rules—Klickitat River, Drano Lake, and Wind River. (06-44)

WSR 06-12-014 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 06-118—Filed May 26, 2006, 2:04 p.m., effective June 1, 2006]

Effective Date of Rule: June 1, 2006.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900F; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Adult spring chinook straying from select area fishery evaluation sites are entering the Grays and Elochoman rivers. These fish are not needed for broodstock. Hatchery steelhead potentially straying into the lower river are also harvestable.

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.

Date Adopted: May 26, 2006.

J. P. Koenings
Director

NEW SECTION

WAC 232-28-61900F Exceptions to statewide rules—Elochoman and Grays rivers. Notwithstanding the provisions of WAC 232-28-619:

(1) Effective June 1 through July 31, 2006, it is lawful to fish for salmon in those waters of the Elochoman River from the mouth to Elochoman Hatchery Bridge located about 400 feet below the upper hatchery rack. Special daily limit of six salmon, of which no more than two may be adults. Minimum size is 12 inches in length. Release all wild Chinook.

(2) Effective June 1 through July 31, 2006, it is lawful to fish for salmon in those waters of the Grays River from the mouth to South Fork and West Fork Grays from the mouth to the hatchery intake/footbridge. Special daily limit of six salmon, of which no more than two may be adults. Minimum size is 12 inches in length. Daily limit two hatchery steelhead. Minimum size is 20 inches in length. Release all wild Chinook and wild steelhead.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. August 1, 2006:

WAC 232-28-61900F Exceptions to statewide rules—Elochoman and Grays rivers

**WSR 06-12-018
EMERGENCY RULES
DEPARTMENT OF REVENUE**

[Filed May 26, 2006, 3:02 p.m., effective May 26, 2006]

Effective Date of Rule: Immediately.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The stumpage value rule is required by RCW 84.33.091.

Purpose: WAC 458-40-660 contains the stumpage values used by harvesters of timber to calculate the timber excise tax. The department has discovered that the rule to be used during the first half of 2006 (filed December 22, 2005, as WSR 06-02-005) inadvertently included some incorrect stumpage values in the tables for stumpage value areas 4-8. The department previously revised the rule on an emergency basis to provide correct values (filed January 26, 2006, as WSR 06-04-035). The department is again adopting this revised rule on an emergency basis because the first emergency filing will expire before the close of the first half of 2006.

Citation of Existing Rules Affected by this Order: Amending WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments.

Statutory Authority for Adoption: RCW 82.01.060(2), 82.32.300, and 84.33.096.

Other Authority: RCW 84.33.091.

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 emergency adoption is necessary because the department cannot adopt a new permanent rule before the expiration of the first emergency rule filing.

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.

Date Adopted: May 26, 2006.

Janis P. Bianchi, Manager
Interpretations and Technical Advice Unit

AMENDATORY SECTION (Amending WSR 06-02-005, filed 12/22/05, effective 1/1/06)

WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments. (1) **Introduction.** This rule provides stumpage value tables and stumpage value adjustments used to calculate the amount of a harvester's timber excise tax.

(2) **Stumpage value tables.** The following stumpage value tables are used to calculate the taxable value of stumpage harvested from January 1 through June 30, 2006:

**TABLE 1—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 2006**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$480	\$473	\$466	\$459	\$452
		2	462	455	448	441	434
		3	424	417	410	403	396
		4	371	364	357	350	343
Western Redcedar ⁽²⁾	RC	1	597	590	583	576	569
Western Hemlock ⁽³⁾	WH	1	342	335	328	321	314
		2	278	271	264	257	250
		3	278	271	264	257	250

**TABLE 1—Stumpage Value Table
Stumpage Value Area 1**
January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		4	278	271	264	257	250
Red Alder	RA	1	390	383	376	369	362
		2	325	318	311	304	297
Black Cottonwood	BC	1	40	33	26	19	12
Other Hardwood	OH	1	178	171	164	157	150
Douglas-Fir Poles	DFL	1	653	646	639	632	625
Western Redcedar Poles	RCL	1	1193	1186	1179	1172	1165
Chipwood ⁽⁴⁾	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks ⁽⁵⁾	RCS	1	174	167	160	153	146
RC & Other Posts ⁽⁶⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁷⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁷⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

- (1) Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.
- (2) Includes Alaska-Cedar.
- (3) Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, Subalpine Fir, and all Spruce. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
- (4) Stumpage value per ton.
- (5) Stumpage value per cord.
- (6) Stumpage value per 8 lineal feet or portion thereof.
- (7) Stumpage value per lineal foot.

**TABLE 2—Stumpage Value Table
Stumpage Value Area 2**
January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$543	\$536	\$529	\$522	\$515
		2	514	507	500	493	486
		3	474	467	460	453	446
		4	440	433	426	419	412
Western Redcedar ⁽²⁾	RC	1	597	590	583	576	569

Emergency

**TABLE 2—Stumpage Value Table
Stumpage Value Area 2**
January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock ⁽³⁾	WH	1	384	377	370	363	356
		2	362	355	348	341	334
		3	333	326	319	312	305
		4	326	319	312	305	298
Red Alder	RA	1	390	383	376	369	362
		2	325	318	311	304	297
Black Cottonwood	BC	1	40	33	26	19	12
Other Hardwood	OH	1	178	171	164	157	150
Douglas-Fir Poles	DFL	1	653	646	639	632	625
Western Redcedar Poles	RCL	1	1193	1186	1179	1172	1165
Chipwood ⁽⁴⁾	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks ⁽⁵⁾	RCS	1	174	167	160	153	146
RC & Other Posts ⁽⁶⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁷⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁷⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

- (1) Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.
- (2) Includes Alaska-Cedar.
- (3) Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, Subalpine Fir, and all Spruce. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
- (4) Stumpage value per ton.
- (5) Stumpage value per cord.
- (6) Stumpage value per 8 lineal feet or portion thereof.
- (7) Stumpage value per lineal foot.

**TABLE 3—Stumpage Value Table
Stumpage Value Area 3**
January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$486	\$479	\$472	\$465	\$458
		2	428	421	414	407	400

TABLE 3—Stumpage Value Table
Stumpage Value Area 3
 January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		3	428	421	414	407	400
		4	340	333	326	319	312
Western Redcedar ⁽³⁾	RC	1	597	590	583	576	569
Western Hemlock and Other Conifer ⁽⁴⁾	WH	1	384	377	370	363	356
		2	259	252	245	238	231
		3	259	252	245	238	231
		4	259	252	245	238	231
Red Alder	RA	1	390	383	376	369	362
		2	325	318	311	304	297
Black Cottonwood	BC	1	40	33	26	19	12
Other Hardwood	OH	1	178	171	164	157	150
Douglas-Fir Poles	DFL	1	653	646	639	632	625
Western Redcedar Poles	RCL	1	1193	1186	1179	1172	1165
Chipwood ⁽⁵⁾	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks ⁽⁶⁾	RCS	1	174	167	160	153	146
RC & Other Posts ⁽⁷⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁸⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁸⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

⁽¹⁾ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.

⁽²⁾ Includes Western Larch.

⁽³⁾ Includes Alaska-Cedar.

⁽⁴⁾ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, Subalpine Fir, and all Spruce. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

⁽⁵⁾ Stumpage value per ton.

⁽⁶⁾ Stumpage value per cord.

⁽⁷⁾ Stumpage value per 8 lineal feet or portion thereof.

⁽⁸⁾ Stumpage value per lineal foot.

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
 January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$543	\$536	\$529	\$522	\$515
		2	485	478	471	464	457
		3	482	475	468	461	454
		4	426	419	412	405	398
Lodgepole Pine	LP	1	250	243	236	229	222
			194	187	180	173	166
Ponderosa Pine	PP	1	387	380	373	366	359
		2	212	205	198	191	184
			307	300	293	286	279
			205	198	191	184	177
Western Redcedar ⁽³⁾	RC	1	597	590	583	576	569
Western Hemlock and Other Conifer ⁽⁴⁾	WH	1	384	377	370	363	356
		2	319	312	305	298	291
		3	313	306	299	292	285
		4	313	306	299	292	285
Red Alder	RA	1	390	383	376	369	362
		2	325	318	311	304	297
Black Cottonwood	BC	1	40	33	26	19	12
Other Hardwood	OH	1	178	171	164	157	150
Douglas-Fir Poles	DFL	1	653	646	639	632	625
Western Redcedar Poles	RCL	1	1193	1186	1179	1172	1165
Chipwood ⁽⁵⁾	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks ⁽⁶⁾	RCS	1	174	167	160	153	146
RC & Other Posts ⁽⁷⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁸⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁸⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

⁽¹⁾ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.

⁽²⁾ Includes Western Larch.

⁽³⁾ Includes Alaska-Cedar.

⁽⁴⁾ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, Subalpine Fir, and all Spruce. Pacific Silver Fir,

Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

- (5) Stumpage value per ton.
- (6) Stumpage value per cord.
- (7) Stumpage value per 8 lineal feet or portion thereof.
- (8) Stumpage value per lineal foot.

**TABLE 5—Stumpage Value Table
Stumpage Value Area 5**

January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$602	\$595	\$588	\$581	\$574
		2	511	504	497	490	483
		3	489	482	475	468	461
		4	426	419	412	405	398
Lodgepole Pine	LP	1	250	243	236	229	222
			194	187	180	173	166
Ponderosa Pine	PP	1	387	380	373	366	359
		2	242	205	198	191	184
			307	300	293	286	279
			205	198	191	184	177
Western Redcedar ⁽³⁾	RC	1	597	590	583	576	569
Western Hemlock and Other Conifer ⁽⁴⁾	WH	1	394	387	380	373	366
		2	330	323	316	309	302
		3	330	323	316	309	302
		4	330	323	316	309	302
Red Alder	RA	1	390	383	376	369	362
		2	325	318	311	304	297
Black Cottonwood	BC	1	40	33	26	19	12
Other Hardwood	OH	1	178	171	164	157	150
Douglas-Fir Poles	DFL	1	653	646	639	632	625
Western Redcedar Poles	RCL	1	1193	1186	1179	1172	1165
Chipwood ⁽⁵⁾	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks ⁽⁶⁾	RCS	1	174	167	160	153	146
RC & Other Posts ⁽⁷⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁸⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁸⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

- (1) Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.
- (2) Includes Western Larch.
- (3) Includes Alaska-Cedar.
- (4) Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, Subalpine Fir, and all Spruce. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
- (5) Stumpage value per ton.
- (6) Stumpage value per cord.
- (7) Stumpage value per 8 lineal feet or portion thereof.
- (8) Stumpage value per lineal foot.

**TABLE 6—Stumpage Value Table
Stumpage Value Area 6**

January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$358	\$351	\$344	\$337	\$330
			\$311	\$304	\$297	\$290	\$283
Lodgepole Pine	LP	1	250	243	236	229	222
			194	187	180	173	166
Ponderosa Pine	PP	1	387	380	373	366	359
		2	212	205	198	191	184
			307	300	293	286	279
			205	198	191	184	177
Western Redcedar ⁽³⁾	RC	1	496	489	482	475	468
True Firs and Spruce ⁽⁴⁾	WH	1	262	255	248	241	234
			208	201	194	187	180
Western White Pine	WP	1	336	329	322	315	308
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	496	489	482	475	468
Small Logs ⁽⁵⁾	SML	1	34	33	32	31	30
Chipwood ⁽⁵⁾	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks ⁽⁶⁾	RCF	1	76	69	62	55	48
LP & Other Posts ⁽⁷⁾	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁽⁸⁾	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁹⁾	DFX	1	0.25	0.25	0.25	0.25	0.25

- (1) Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.
- (2) Includes Western Larch.

- (3) Includes Alaska-Cedar.
- (4) Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, Subalpine Fir, and all Spruce. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
- (5) Stumpage value per ton.
- (6) Stumpage value per cord.
- (7) Stumpage value per 8 lineal feet or portion thereof.
- (8) Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
- (9) Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$358 <u>\$349</u>	\$354 <u>\$342</u>	\$344 <u>\$335</u>	\$337 <u>\$328</u>	\$330 <u>\$321</u>
Lodgepole Pine	LP	1	250	243	236	229	222
Ponderosa Pine	PP	1	387 <u>356</u>	380 <u>349</u>	373 <u>342</u>	366 <u>335</u>	359 <u>328</u>
		2	212	205	198	191	184
Western Redcedar ⁽³⁾	RC	1	496 <u>523</u>	489 <u>516</u>	482 <u>509</u>	475 <u>502</u>	468 <u>495</u>
True Firs and Spruce ⁽⁴⁾	WH	1	262 <u>261</u>	255 <u>254</u>	248 <u>247</u>	241 <u>240</u>	234 <u>233</u>
Western White Pine	WP	1	336 <u>343</u>	329 <u>336</u>	322 <u>329</u>	315 <u>322</u>	308 <u>315</u>
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	496 <u>523</u>	489 <u>516</u>	482 <u>509</u>	475 <u>502</u>	468 <u>495</u>
Small Logs ⁽⁵⁾	SML	1	26 <u>29</u>	25 <u>28</u>	24 <u>27</u>	23 <u>26</u>	22 <u>25</u>
Chipwood ⁽⁵⁾	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks ⁽⁶⁾	RCF	1	76	69	62	55	48
LP & Other Posts ⁽⁷⁾	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁽⁸⁾	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁹⁾	DFX	1	0.25	0.25	0.25	0.25	0.25

- (1) Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.
- (2) Includes Western Larch.
- (3) Includes Alaska-Cedar.
- (4) Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, Subalpine Fir, and all Spruce. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
- (5) Stumpage value per ton.
- (6) Stumpage value per cord.
- (7) Stumpage value per 8 lineal feet or portion thereof.
- (8) Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
- (9) Stumpage value per lineal foot.

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ⁽²⁾	DF	1	\$529	\$522	\$515	\$508	\$501
		2	471	464	457	450	443
		3	468	461	454	447	440
		4	412	405	398	391	384
Lodgepole Pine	LP	1	250 <u>194</u>	243 <u>187</u>	236 <u>180</u>	229 <u>173</u>	222 <u>166</u>
Ponderosa Pine	PP	1	387 <u>307</u>	380 <u>300</u>	373 <u>293</u>	366 <u>286</u>	359 <u>279</u>
		2	212	205	198	191	184
			205 <u>205</u>	198 <u>198</u>	191 <u>191</u>	184 <u>184</u>	177 <u>177</u>
Western Redcedar ⁽³⁾	RC	1	583	576	569	562	555
Western Hemlock and Other Conifer ⁽⁴⁾	WH	1	370	363	356	349	342
		2	305	298	291	284	277
		3	299	292	285	278	271
		4	299	292	285	278	271
Red Alder	RA	1	376	369	362	355	348
		2	311	304	297	290	283
Black Cottonwood	BC	1	26	19	12	5	1
Other Hardwood	OH	1	164	157	150	143	136
Douglas-Fir Poles	DFL	1	639	632	625	618	611
Western Redcedar Poles	RCL	1	1179	1172	1165	1158	1151
Chipwood ⁽⁵⁾	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks ⁽⁶⁾	RCS	1	174	167	160	153	146

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, 2006

Stumpage Values per Thousand Board Feet Net Scribner Log Scale⁽¹⁾

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
RC & Other Posts ⁽⁷⁾	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁽⁸⁾	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁽⁸⁾	TFX	1	0.50	0.50	0.50	0.50	0.50

- (1) Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.
- (2) Includes Western Larch.
- (3) Includes Alaska-Cedar.
- (4) Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, Subalpine Fir, and all Spruce. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
- (5) Stumpage value per ton.
- (6) Stumpage value per cord.
- (7) Stumpage value per 8 lineal feet or portion thereof.
- (8) Stumpage value per lineal foot.

(3) **Harvest value adjustments.** The stumpage values in subsection (2) of this rule for the designated stumpage value areas are adjusted for various logging and harvest conditions, subject to the following:

- (a) No harvest adjustment is allowed for special forest products, chipwood, or small logs.
- (b) Conifer and hardwood stumpage value rates cannot be adjusted below one dollar per MBF.
- (c) Except for the timber yarded by helicopter, a single logging condition adjustment applies to the entire harvest unit. The taxpayer must use the logging condition adjustment class that applies to a majority (more than 50%) of the acreage in that harvest unit. If the harvest unit is reported over more than one quarter, all quarterly returns for that harvest unit must report the same logging condition adjustment. The helicopter adjustment applies only to the timber volume from the harvest unit that is yarded from stump to landing by helicopter.
- (d) The volume per acre adjustment is a single adjustment class for all quarterly returns reporting a harvest unit. A harvest unit is established by the harvester prior to harvesting. The volume per acre is determined by taking the volume logged from the unit excluding the volume reported as chipwood or small logs and dividing by the total acres logged. Total acres logged does not include leave tree areas (RMZ, UMZ, forested wetlands, etc.,) over 2 acres in size.
- (e) A domestic market adjustment applies to timber which meet the following criteria:
 - (i) **Public timber**—Harvest of timber not sold by a competitive bidding process that is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber that must be processed

domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska-cedar. (Stat. Ref. - 36 C.F.R. 223.10)

State, and Other Nonfederal, Public Timber Sales: Western Redcedar only. (Stat. Ref. - 50 U.S.C. appendix 2406.1)

(ii) **Private timber**—Harvest of private timber that is legally restricted from foreign export, under the authority of The Forest Resources Conservation and Shortage Relief Act (Public Law 101-382), (16 U.S.C. Sec. 620 et seq.); the Export Administration Act of 1979 (50 U.S.C. App. 2406(i)); a Cooperative Sustained Yield Unit Agreement made pursuant to the act of March 29, 1944 (16 U.S.C. Sec. 583-583i); or Washington Administrative Code (WAC 240-15-015(2)) is also eligible for the Domestic Market Adjustment.

The following harvest adjustment tables apply from January 1 through June 30, 2006:

TABLE 9—Harvest Adjustment Table
Stumpage Value Areas 1, 2, 3, 4, 5, and 10
 January 1 through June 30, 2006

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of 30 thousand board feet or more per acre.	\$0.00
Class 2	Harvest of 10 thousand board feet to but not including 30 thousand board feet per acre.	- \$15.00
Class 3	Harvest of less than 10 thousand board feet per acre.	- \$35.00
II. Logging conditions		
Class 1	Ground based logging a majority of the unit using tracked or wheeled vehicles or draft animals.	\$0.00
Class 2	Cable logging a majority of the unit using an overhead system of winch driven cables.	- \$30.00
Class 3	Applies to logs yarded from stump to landing by helicopter. This does not apply to special forest products.	- \$145.00
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00
IV. Thinning		
Class 1	A limited removal of timber described in WAC 458-40-610 (28)	-\$100.00

TABLE 10—Harvest Adjustment Table
Stumpage Value Areas 6 and 7
 January 1 through June 30, 2006

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	- \$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	- \$10.00
II. Logging conditions		
Class 1	The majority of the harvest unit has less than 40% slope. No significant rock outcrops or swamp barriers.	\$0.00
Class 2	The majority of the harvest unit has slopes between 40% and 60%. Some rock outcrops or swamp barriers.	-\$20.00
Class 3	The majority of the harvest unit has rough, broken ground with slopes over 60%. Numerous rock outcrops and bluffs.	-\$30.00
Class 4	Applies to logs yarded from stump to landing by helicopter. This does not apply to special forest products.	-\$145.00
Note: A Class 2 adjustment may be used for slopes less than 40% when cable logging is required by a duly promulgated forest practice regulation. Written documentation of this requirement must be provided by the taxpayer to the department of revenue.		
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00

TABLE 11—Domestic Market Adjustment

Class	Area Adjustment Applies	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
Class 1:	SVA's 1 through 6, and 10	\$0.00
Class 2:	SVA 7	\$0.00

Note: The adjustment will not be allowed on special forest products.

(4) **Damaged timber.** Timber harvesters planning to remove timber from areas having damaged timber may apply to the department of revenue for an adjustment in stumpage values. The application must contain a map with the legal descriptions of the area, an accurate estimate of the volume of damaged timber to be removed, a description of the damage sustained by the timber with an evaluation of the extent to which the stumpage values have been materially reduced from the values shown in the applicable tables, and a list of estimated additional costs to be incurred resulting from the removal of the damaged timber. The application must be received and approved by the department of revenue before the harvest commences. Upon receipt of an application, the department of revenue will determine the amount of adjustment to be applied against the stumpage values. Timber that has been damaged due to sudden and unforeseen causes may qualify.

(a) Sudden and unforeseen causes of damage that qualify for consideration of an adjustment include:

- (i) Causes listed in RCW 84.33.091; fire, blow down, ice storm, flood.
 - (ii) Others not listed; volcanic activity, earthquake.
- (b) Causes that do not qualify for adjustment include:

(i) Animal damage, root rot, mistletoe, prior logging, insect damage, normal decay from fungi, and pathogen caused diseases; and

(ii) Any damage that can be accounted for in the accepted normal scaling rules through volume or grade reductions.

(c) The department of revenue will not grant adjustments for applications involving timber that has already been harvested but will consider any remaining undisturbed damaged timber scheduled for removal if it is properly identified.

(d) The department of revenue will notify the harvester in writing of approval or denial. Instructions will be included for taking any adjustment amounts approved.

WSR 06-12-026

EMERGENCY RULES

DEPARTMENT OF FISH AND WILDLIFE

[Order 06-122—Filed May 30, 2006, 4:16 p.m., effective May 30, 2006]

Effective Date of Rule: Immediately.

Purpose: Amend commercial use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000I; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Prohibits shad nets on board when both salmon and shad fisheries are in place. Sets two additional commercial fishing periods for week twenty-three. Impacts allocated to the commercial fisheries remain available for both Willamette hatchery chinook and upriver chinook. The upriver run size was updated to 125,000 fish, allowing for the additional harvest of hatchery chinook and the opportunity to harvest sturgeon allocated to the commercial fishery. Season is consistent with the 2006 commercial salmon fishing plan. The select area fisheries (SAFE) are part of an on-going BPA funded study to design fisheries in areas outside of the mainstem Columbia River. Several stocks of salmon have been released from net pens in these select areas to provide for fisheries. All salmon returning to these net pens are harvestable. Impacts to ESA-listed stocks in these fisheries are covered under the biological opinion for the 2005-2007 interim management agreement. This rule is consistent with actions of the Columbia River compact hearings of January 26 and May 30, 2006, and conforms Washington and Oregon state rules. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 30, 2006.

J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-33-01000J Columbia River seasons below Bonneville. Notwithstanding the provisions of WAC 220-33-010, WAC 220-33-020, and WAC 220-33-030, it is unlawful for a person to take or possess salmon, sturgeon, and shad, taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E except during the times and conditions listed:

1. Area: SMCRA 1A, 1B, 1C, 1D and 1E.

Season: 7:00 p.m. May 30 through 7:00 a.m. May 31, 2006.

Season: 7:00 p.m. June 1 through 7:00 a.m. June 2, 2006.

a) Gear: Drift gill nets only. 8-inch minimum and 9 3/4 inch maximum mesh. Mono-filament is allowed. Gill nets that are fished at any time between official sunset and official sunrise must have lighted buoys on both ends of the net unless the net is attached to the boat then one lighted buoy on the opposite end of the net from the boat is required. Net length not to exceed 150 fathoms. Shad gear is not allowed on board the vessel during the above fishery.

b) Allowable Sale: Adipose fin-clipped salmon, sturgeon, and shad. An adipose fin-clipped salmon is defined as a hatchery salmon with a clipped adipose fin and having a healed scar at the location of the fin. A maximum of three (3) sturgeon total (white or green) may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday) that the fishery is open. The sturgeon possession/sales limit includes both mainstem and Select Area fisheries. The maximum green sturgeon size limit is 60 inches.

c) Sanctuaries: Grays River, Elokomin-B, Abernathy Creek, Cowlitz River, Kalama-B, Lewis-B and Sandy River.

d) Miscellaneous Regulations:

i. Quick reporting is in effect for Washington wholesale dealers, WAC 220-69-240.

ii. At least one fisher on each boat must have Columbia River tangle net certification.

iii. Soak times, defined as the time elapsed from when the first of the gill net web is deployed into the water until the gill net web is fully retrieved from the water, must not exceed 45 minutes.

iv. Red corks are required at 25 fathom intervals and red corks must be in contrast to the corks used in the remainder of the net.

v. Each boat will be required to have two operable recovery boxes or one box with two chambers, on board. Each box and chamber shall be operating during any time that the net is being retrieved or picked. The flow in the recovery box will be a minimum of 16 gallons per minute in each chamber of the box, not to exceed 20 gallons per minute. Each chamber of the recovery box must meet the following dimensions as measured from within the box; the inside length measurement must be at or within 39 1/2 inches to 48 inches, the inside width measurements must be at or within 8 to 10 inches, and the inside height measurement must be at or within 14 to 16 inches.

Each chamber of the recovery box must include a water inlet hole between 3/4 inch and 1 inch in diameter, centered horizontally across the door or wall of chamber and 1 3/4 inches from the floor of the chamber. Each chamber of the recovery box must include a water outlet hole opposite the inflow that is a least 1 1/2 inches in diameter.

The center of the outlet hole must be located a minimum of 12 inches above the floor of the box or chamber. The fisher must demonstrate to WDFW and ODFW employees, fish and wildlife enforcement officers, or other peace officers, upon request, that the pumping system is delivering the proper volume of fresh river water into each chamber.

vi. All non-legal sturgeon, non-adipose fin-clipped salmon, and steelhead must be released immediately to the river with care and the least possible injury to the fish or placed into an operating recovery box. Any salmonid that is bleeding or lethargic must be placed in the recovery box prior to being released. All fish placed in recovery boxes must be released to the river prior to landing or docking.

vii. As a condition of fishing, owners or operators of commercial fishing vessels must cooperate with Department observers or observers collecting data for the Department, when notified by the observer of their intent to board the commercial vessel for observation and sampling during an open fishery.

viii. Columbia River tangle net certification: Any individual meeting the qualifications of RCW 77.65.040(2) and obtained a tangle net certificate by attending and completing a WDFW/ODFW sponsored workshop concerning live captive commercial fishing techniques.

ix. Nothing in this section sets any precedent for any fishery after the 2006 spring Chinook fishery. The fact that an individual received a Columbia River tangle net certificate does not entitle the certificate holder to participate in any other fishery. If WDFW authorizes a tangle net fishery in any other time, WDFW may establish qualifications and requirements that are different from those established for 2006. In particular, WDFW may consider an individual's compliance with these rules in determining that individual's eligibility to participate in any future tangle net fisheries.

2. Blind Slough/Knappa Slough Select Area

a) Area: Open waters of Blind Slough extend from markers at the mouth of Gnat Creek located approximately 1/2 mile upstream of the county road bridge, downstream to

markers at the mouth of Blind Slough. Concurrent Washington/Oregon waters extend downstream of the railroad bridge

Knappa Slough is open to fishing in all waters bounded by a line from the northerly most marker at the mouth of Blind Slough westerly to a marker on Karlson Island downstream to a north-south line defined by a marker on the eastern end of Minaker Island to markers on Karlson Island and the Oregon shore.

b) Dates:

Spring Season: 7:00 p.m. Mondays to 7:00 a.m. Tuesdays and 7:00 p.m. Thursdays to 7:00 a.m. Fridays immediately until June 16, 2006.

Through June 16, the lower boundary of the Knappa Slough fishing area is extended downstream to boundary lines defined by markers on the west end of Minaker Island to markers on the Karlson Island and the Oregon Shore (fall-season boundary).

c) Gear: 8-inch maximum mesh. Monofilament nets are allowed. Nets restricted to 100 fathoms in length with no weight restriction on leadline. Use of additional weights or anchors attached directly to the leadline is allowed.

d) Allowable Sales: Salmon, sturgeon, shad. **Only Adipose fin clipped salmon may be retained effective 7:00 pm May 30 through midnight June 3.** A maximum of three sturgeon (green or white in aggregate) may be possessed or sold by each participating vessel during each open period. The maximum green sturgeon size limit is 60 inches.

3. Deep River Select Area

a) Area: From the markers at USCG navigation marker #16 upstream to the Highway 4 Bridge.

b) Dates: 7:00 p.m. Mondays to 7:00 a.m. Tuesdays and 7:00 p.m. Thursdays to 7:00 a.m. Fridays immediately through June 16, 2006

c) Gear: 8 inch maximum. Monofilament nets are allowed. Nets restricted to a maximum length of 100 fathoms and no weight restriction on leadline. Use of additional weights or anchors attached directly to the leadline is allowed. Nets cannot be tied off of any stationary structures. Nets may not fully cross the navigation channel.

d) Allowable sale: salmon, sturgeon and shad. **Only Adipose fin clipped salmon may be retained effective 7:00 pm May 30 through midnight June 3.** A maximum of three sturgeon (green or white in aggregate) may be possessed or sold by each participating vessel during each open period. The maximum green sturgeon size limit is 60 inches

e) Miscellaneous: Transportation or possession of fish outside the fishing area is unlawful, except fishers may transport their catch out of the fishing area with a permit issued by an authorized agency employee after examining the catch.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-01000I Columbia River seasons below Bonneville. (06-114)

The following section of the Washington Administrative Code is repealed effective June 17, 2006:

WAC 220-33-01000J Columbia River seasons below Bonneville.

WSR 06-12-027

EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 06-123—Filed May 30, 2006, 4:17 p.m., effective May 30, 2006]

Effective Date of Rule: Immediately.

Purpose: Amend commercial use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-03000B; 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: Prohibits salmon nets onboard the vessel when both the shad fishery and the salmon fishery are in place. Harvestable numbers of shad are expected in 2006. Incidental impacts to nontarget species are small. This rule is consistent with actions of the Columbia River compact hearing of January 26 and May 30, 2006, and is consistent with requirements of the ESA. There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 30, 2006.

J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-33-03000B 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:

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:

Immediately - June 2, 2006

June 5 - June 9, 2006

June 12 - June 16, 2006

June 19 - June 23, 2006

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. Salmon nets are not allowed on the vessel when both shad and salmon periods are opened.

Allowable Sale: During the fishing periods provided in this section, only shad may be kept and sold. All salmonids, walleye and sturgeon must be immediately returned to the water and those alive must be released unharmed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-03000A Commercial shad—Columbia River. (06-115)

The following section of the Washington Administrative Code is repealed effective 10:01 p.m. June 23, 2006:

WAC 220-33-03000B Commercial shad—Columbia River.

**WSR 06-12-030
EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed May 31, 2006, 9:18 a.m., effective May 31, 2006]

Effective Date of Rule: Immediately.

Purpose: Chapter 296-46B WAC, electrical safety standards, administration, and installation, the department adopted provisions from the 2005 National Electrical Code (NEC) regarding coordinated systems for new and existing buildings or structures. It was recently brought to the department's attention that upgrading existing buildings to a coordinated system is placing a significant economic burden on building owners and businesses. Also, due to the increased regulatory requirements associated with the coordinated systems, facilities such as hospitals and schools will have to be placed out-of-service for extended periods of time. The emergency rules will not require existing buildings to install a coordinated system. The emergency rules will provide building owners and businesses financial relief from having to upgrade the existing emergency systems without compromising public safety. The emergency adoption of these changes is necessary to address issues associated with general welfare and public safety. Amending WAC 296-46B-

700 Special conditions—Emergency systems and new WAC 296-46B-701 Legally required standby systems

Citation of Existing Rules Affected by this Order: Amending WAC 296-46B-700 Special conditions—Emergency systems.

Statutory Authority for Adoption: Chapter 19.28 RCW, Electricians and electrical installations.

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 emergency adoption of these changes is necessary to address issues associated with general welfare and public safety. It would be detrimental to the general welfare and public safety if hospitals and schools had to be shut down while the upgrades are being made or if such public facilities could not open because the cost of the upgrades would be a significant economic burden.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 1, Repealed 0.

Date Adopted: May 31, 2006.

Gary Weeks
Director

AMENDATORY SECTION (Amending WSR 05-10-024, filed 4/26/05, effective 6/30/05)

WAC 296-46B-700 ((Special conditions—))Emergency systems.

001 Emergency systems - general.

(1) In all health or personal care facilities defined in this chapter, educational facilities, institutional facilities, hotels, motels, and places of assembly for one hundred or more persons, all exit and emergency lights must be installed in accordance with Article 700 NEC and located as required in standards adopted by the state building code council under chapter 19.27 RCW.

009 Emergency systems - equipment identification.

(2) All exit and emergency lights, whether or not required by the NEC, must be installed in accordance with Article 700 NEC.

(3) All boxes and enclosures, for Article 700 NEC systems, larger than six inches by six inches, including transfer switches, generators, and power panels for emergency sys-

tems and circuits must be permanently identified with an identification plate that is substantially orange in color. All other device and junction boxes for emergency systems and circuits must be substantially orange in color, both inside and outside.

027 Coordination.

(4) The requirements for selective coordination described in NEC 700.27 are not required in existing buildings or structures. For new buildings or structures that are supplied from an existing building, structure, or system, the portion of the emergency system not within the existing building or structure must comply with NEC 700.27.

NEW SECTION

WAC 296-46B-701 Legally required standby systems.

018 Coordination.

The requirements for selective coordination described in NEC 701.18 are not required in existing buildings or structures. For new buildings or structures that are supplied from an existing building, structure, or system, the portion of the legally required standby system not within the existing building or structure must comply with NEC 701.18.

**WSR 06-12-041
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)**

[Filed May 31, 2006, 4:33 p.m., effective July 1, 2006]

Effective Date of Rule: July 1, 2006.

Purpose: The amended rule increases state supplemental payments (SSP) to individuals residing in nursing facilities by \$2.06 effective July 1, 2006, as mandated by the 2005-07 revised omnibus operating budget - 2006 supplemental (ESSB 6386), signed by Governor Christine O. Gregoire on March 31, 2006.

Citation of Existing Rules Affected by this Order: Amending WAC 388-478-0055.

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

Other Authority: Section 207, chapter 372, Laws of 2006.

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: Emergency rules are needed to implement the legislature's directive in section 207, chapter 372, Laws of 2006 (2005-07 omnibus operating budget - 2006 supplemental (ESSB 6386)) to raise SSP payment levels to eligible department clients effective July 1, 2006, while the department completes the permanent adoption of this rule.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: May 31, 2005.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 06-01-045, filed 12/15/05, effective 1/15/06)

WAC 388-478-0055 How much do I get from my state supplemental payments (SSP)? (1) The SSP is a payment from the state for certain SSI eligible people (see WAC 388-474-0012).

If you converted to the federal SSI program from state assistance in January 1974, because you were aged, blind, or disabled, and have remained continuously eligible for SSI since January 1974, the department calls you a grandfathered client. Social Security calls you a mandatory income level (MIL) client.

A change in living situation, cost-of-living adjustment (COLA) or federal payment level (FPL) can affect a grandfathered (MIL) client. A grandfathered (MIL) client gets a federal SSI payment and a SSP payment, which totals the higher of one of the following:

(a) The state assistance standard set in December 1973, unless you lived in a medical institution at the time of conversion, plus the federal cost-of-living adjustments (COLA) since then; or

(b) The current payment standard.

(2) The monthly SSP rates for eligible persons under WAC 388-474-0012 and individuals residing in an institution are:

SSP eligible persons	Monthly SSP Rate
Individual (aged 65 and older) - Calendar Year 2005	\$46.00
Individual (blind as determined by SSA) - Calendar Year 2005	\$46.00
Individual with an ineligible spouse - Calendar Year 2005	\$46.00
Grandfathered (MIL)	Varies by individual based on federal requirements. Pay- ments range between \$0.54 and \$199.77.

Medical institution	Monthly SSP Rate
Individual	\$((21.62))
	<u>23.68</u>

WSR 06-12-042**EMERGENCY RULES****PUBLIC DISCLOSURE COMMISSION**

[Filed May 31, 2006, 4:45 p.m., effective May 31, 2006]

Effective Date of Rule: Immediately.

Purpose: To provide clarification and guidance to candidates and candidate campaign committees on the filing requirements under chapter 348, Laws of 2006.

Statutory Authority for Adoption: RCW 42.17.370 and chapter 348, Laws of 2006.

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: The commission finds that campaigns are underway now and that candidates and campaigns are currently seeking guidance on what "spent" means for the purposes of section 4(2), chapter 348, Laws of 2006. The term "spent" is not defined in the new law, or in prior law.

The commission finds that there is a need to interpret this new law now to provide that guidance.

The commission is authorized to provide such interpretation through rule making pursuant to its authority in chapter 42.17 RCW, including RCW 42.17.370(1). The commission finds that the interpretation provided in this rule is consistent with prior guidance it has provided.

In addition, while full notice and opportunity for comment was not possible prior to the commission's May 31, 2006, meeting, notice of the proposed emergency rule was placed on the commission's web site at www.pdc.wa.gov on May 24, 2006; a mailing was sent on May 25, 2006, to eighty campaigns that are affected by the new law, and public testimony and written comments were taken at the commission's May 31, 2006, meeting, prior to adoption of the emergency rule.

Under RCW 34.05.350 (1)(b), the commission for good cause also finds that the immediate adoption of this rule is necessary in order to effectuate a new state law, section 4, chapter 348, Laws of 2006.

The new law provides in part that it applies to contributions "made and received before the effective date of this act..." section 4(2), chapter 348, Laws of 2006. The effective date of the act is June 7, 2006, but the act applies to contributions made and received before that date. In order to make the commission's rule consistent with the statute's provision that it applies to contributions "made and received before the

effective date of this act" the rule is being made effective immediately upon filing.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 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.

Date Adopted: May 31, 2006.

Vicki Rippie
Executive Director

NEW SECTION

WAC 390-05-527 Spent contributions. (1) The statute regarding contribution limits at RCW 42.17.700 was amended effective June 7, 2006 by Chapter 348, Laws of 2006. Section 4 of Chapter 348 amends the law to enact a subsection (2) to provide in part that "contributions that exceed the contribution limitations and that have not been spent by the recipient of the contribution by the effective date of this act must be disposed of in accordance with RCW 42.17.095 except for subsections (6) and (7) of that section."

(2) For the purposes of Section 4 of Chapter 348, "spent" means to pay for or obligate payment and consume the contribution in one of the following ways by 11:59 p.m. on June 6, 2006:

- (a) the service has been rendered;
- (b) the goods have been received;
- (c) the in-kind contribution has been utilized, applied or otherwise exhausted; or
- (d) the media buy has been used, or the political advertisement or electioneering communication has run.

(3) Here are some examples of what "spent" means for candidates subject to the new contribution limits of Chapter 348:

(a) **Example A.** A candidate used monetary contributions s/he received by 11:59 p.m. on June 6, 2006 to pay for brochures delivered on or before that date to the campaign. Those contributions were spent prior to June 7 because the brochures were in-hand and available for use by the campaign before the effective date of Chapter 348.

(b) **Example B.** A candidate retained a consultant and pre-paid that consultant for campaign services through June 30, 2006 using contributions received by 11:59 p.m. June 6, 2006. Only those contributions used to pay for the consultant's services provided before June 7, 2006 are considered spent by the campaign.

(c) **Example C.** A candidate subject to a \$700 per election contribution limit received on May 31, 2006 an in-kind

contribution of television airtime for the week of September 4, 2006. The airtime has a fair market value of \$1,000. Since the contribution has not been utilized by 11:59 p.m. on June 6, 2006 (the media buy has not been used by that time and date), the contribution has not been spent. Therefore, it is subject to the \$700 limit and must be returned to the contributor.

(d) **Example D.** A candidate picked up 500 yard signs on May 31, 2006 and charged them to the campaign's credit card. Even if the bill is not sent to the campaign by the credit card company until after 11:59 p.m. on June 6, and thus the bill has yet to be paid by that time and date, the contributions for this expenditure are considered spent before the effective date of Chapter 348.

WSR 06-12-043
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 06-124—Filed May 31, 2006, 4:57 p.m., effective June 1, 2006, 5:00 a.m.]

Effective Date of Rule: June 1, 2006, 5:00 a.m.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-56-32500M; 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: Harvestable amounts of non-spot shrimp are available in several marine areas. Depth restrictions and area closures are in effect to protect spot shrimp. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 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.

Date Adopted: May 31, 2006.

J. P. Koenings
Director

NEW SECTION

WAC 220-56-32500N Shrimp—Areas and seasons.
Notwithstanding the provisions of WAC 220-56-325:

1) Effective immediately, until further notice, it is unlawful to fish for or possess shrimp taken for personal use in all waters of Marine Area 7, except as provided for in this section.

(a) Marine Area 7 south of a line from the Initiative 77 marker on Fidalgo Island to Cape Saint Mary on Lopez Island, then south of a line from Davis Point on Lopez Island to Cattle Point on San Juan Island, then south of a line due west from Lime Kiln Point light to the international boundary is open daily to the harvest of all shrimp species.

(b) Marine Area 7 north of a line from the Initiative 77 marker on Fidalgo Island to Point Colville on Lopez Island, then north of a line from Davis Point to Cattle Point on San Juan Island, then north of a line due west from Lime Kiln Point light to the international boundary:

a. Open to the harvest of all shrimp species except Spot shrimp. It is unlawful to possess Spot shrimp, and all Spot shrimp must immediately be returned to the water immediately unharmed.

b. It is unlawful to set or pull shrimp gear in waters greater than 200 feet deep.

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 and the Port Angeles Shrimp District.

3) Effective immediately until further notice, all waters equal to or less than 150 feet in depth in Marine Areas 8-1, 8-2, 9 (excluding the Port Townsend Shrimp District), and Marine Area 11 are open daily to the harvest of all shrimp species except Spot shrimp. All Spot shrimp caught must be returned to the water immediately. It is unlawful to set or pull shrimp gear in waters greater than 150 feet deep.

4) Effective immediately, until further notice, all waters south of a line from Tukey Point to Contractors Point in the Discovery Bay Shrimp District are open, on a daily basis, to the harvest of all shrimp species except Spot shrimp. All Spot shrimp caught must be returned to the water immediately.

5) Effective immediately, until further notice, all waters south of a line from Walan Point to Kala Point in the Port Townsend Bay Shrimp District are open, on a daily basis, to the harvest of all shrimp species except Spot shrimp. All Spot shrimp caught must be returned to the water immediately.

REPEALER

The following section of the Washington Administrative Code is repealed effective 5:00 a.m. June 1, 2006:

WAC 220-56-32500M Shrimp—Areas and season
(06-116)

WSR 06-12-049
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 06-119—Filed June 1, 2006, 4:58 p.m., effective June 1, 2006]

Effective Date of Rule: Immediately.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:
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: Selective gear rules for the Tieton River was inadvertently omitted when the permanent rule was filed. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: June 1, 2006.

J. P. Koenings
 Director
 by Larry Peck

NEW SECTION

WAC 232-28-61900G Exceptions to statewide rules—Tieton River (Yakima Co.) Notwithstanding the provisions of WAC 232-28-619, effective immediately until further notice, Selective Gear Rules are in effect in those waters of the Tieton River.

WSR 06-12-061
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 06-125—Filed June 2, 2006, 4:10 p.m., effective June 2, 2006]

Effective Date of Rule: Immediately.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These emergency rules are necessary to implement the intent expressed by the fish and wildlife commission at the February 10, 2006, meeting. They will be permanently adopted in the 2007 regulation development process.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 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.

Date Adopted: June 2, 2006.

J. P. Koenings
 Director

NEW SECTION

WAC 232-28-61900I Exceptions to statewide rules—Kelsey Creek, Little Bear Creek, Swamp Creek, Thornton Creek and Tibbets Creek. (1) Notwithstanding the provisions of WAC 232-28-619, effective immediately through August 31, 2006 it is unlawful for persons other than juvenile anglers to fish for or possess game fish from the following waters:

- (a) Kelsey Creek (King Co.)
- (b) Little Bear Creek (Snohmish Co.)
- (c) Swamp Creek (Snohomish/King Co.)
- (d) Thornton Creek (King Co.)
- (e) Tibbets Creek (King Co.)

(2) Effective immediately until further notice, Lake Washington tributaries not otherwise provided for in this section or WAC 232-28-619 - Statewide rules in effect.

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

WSR 06-12-069
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 06-126—Filed June 5, 2006, 3:01 p.m., effective June 5, 2006]

Effective Date of Rule: Immediately.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-88E-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: Logbook information on this emerging commercial fishery shows no bycatch and a stable catch per unit effort. Permanent rules will be promulgated to increase the pot limit to 100. This emergency rule is necessary during the interim.

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.

Date Adopted: June 5, 2006.

J. P. Koenings
Director

NEW SECTION

WAC 220-88E-03000C Hagfish pot trial fishery—Season and gear. Notwithstanding the provisions of WAC 220-88D-030, effective immediately until further notice, it is lawful to use a maximum of 100 hagfish pots per permit. Pots may be fished individually or on a common ground line.

WSR 06-12-070
EMERGENCY RULES
DEPARTMENT OF LICENSING

[Filed June 6, 2006, 8:21 a.m., effective June 8, 2006]

Effective Date of Rule: June 8, 2006.

Purpose: Emergency rule is needed because SB 6287 passed, which adds legally blind to the list of disabilities eli-

gible for disabled parking privileges. Verbiage needs to be updated to correspond with respectful language guidelines.

Citation of Existing Rules Affected by this Order:
Amending WAC 308-56A-311.

Statutory Authority for Adoption: RCW 46.16.381.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: To include those that are legally blind and have limited mobility in those that may receive individuals with disability parking placards and/or license plates.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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.

Date Adopted: April 12, 2006.

Sharon L. Whitehead
for Liz Luce
Director

AMENDATORY SECTION (Amending WSR 05-07-151, filed 3/23/05, effective 4/23/05)

WAC 308-96A-311 General provisions. (1) How do I qualify for an individual with disabilities parking privilege?

In order to qualify for a temporary or permanent individual with disabilities parking privilege, a licensed physician or advanced registered nurse practitioner (ARNP) must certify, on a department approved application form, that you have a disability that limits or impairs your ability to walk and that you meet the requirements listed in RCW 46.16.381(1). (~~For the purpose of implementing this rule, a physician is defined as a health care provider to include: Chiropractor (DC), naturopath (ND), physician or surgeon (MD or DO), podiatrist (DPM). Licensed physician does not include persons licensed in the professions of dentistry and optometry.~~) The physician or ARNP as defined above must sign a declaration under penalty of perjury that you have a disability that limits or impairs the ability to walk and that you meet one of the following criteria allowed by RCW 46.16.381:

(a) Cannot walk two hundred feet without stopping to rest;

(b) Are severely limited in ability to walk due to arthritic, neurological, or orthopedic condition;

(c) ~~((Are so severely disabled.))~~ Has such a severe disability that you cannot walk without the use of or assistance from a brace, cane, another person, prosthetic device, wheelchair, or other assistive device;

(d) Use portable oxygen;

(e) Are restricted by lung disease to such an extent that forced expiratory respiratory volume, when measured by spirometry, is less than one liter per second or the arterial oxygen tension is less than sixty mm/hg on room air at rest;

(f) Are impaired by cardiovascular disease or cardiac condition to the extent that your functional limitations are classified as class III or IV under standards accepted by the American Heart Association; ~~((or))~~

(g) Have a disability resulting from an acute sensitivity to automobile emissions which limits or impairs your ability to walk. Your personal physician or advanced registered nurse practitioner must document that your disability is comparable in severity to the others listed in this subsection; or

(h) Is legally blind and has limited mobility.

The medical declaration is required for all original applications for permanent and temporary disability privileges and for permanent disability privileges that have been expired more than thirty days. Declaration is not required for renewal of existing Washington privileges for an individual with disabilities.

(2) How do I apply for an individual with disabilities parking privilege?

Once the licensed physician or ARNP portion of the application is completed, you must complete and sign your portion of the application and submit it to the department or file the form in person at most Washington vehicle licensing offices, as noted on the application.

(3) Who may sign the application for an individual with disabilities who is unable to sign or is a minor?

When an individual with disabilities is unable to sign or is a minor, the application may be signed by an authorized representative of the individual with disabilities. The application must then be accompanied by a copy of one of the following:

(a) A power of attorney;

(b) A Washington state court order or certification from the clerk of court confirming the court's action; or

(c) A declaration under penalty of perjury explaining why the applicant is unable to sign and explaining the signing person's association with the applicant. Example: Signature, Jane Doe, daughter.

(4) When is the individual with disabilities parking privilege no longer valid?

The individual with disabilities parking privilege is no longer valid:

(a) Upon expiration of the privilege;

(b) Upon death of the individual with disabilities;

(c) If the disability no longer exists; or

(d) If the privilege was issued in error.

(5) What happens if I do not renew my permanent parking privilege prior to the expiration date?

When an individual with disabilities parking privilege is expired for more than thirty calendar days, a new original

application with physician or ARNP's certification ~~((will be))~~ is required.

(6) What will I receive once my application is approved?

You will receive an individual with disabilities identification card and:

(a) If you have a temporary disability you will receive one red temporary placard;

(b) If you have a permanent disability you may choose to receive:

(i) Up to two blue permanent placards; or

(ii) One blue permanent placard and one set of individual with disabilities license plates. The individual with disabilities must be a registered owner to receive these special license plates.

(iii) In lieu of the individual with disabled parking license plates, a qualifying individual may request the issuance of an individual with disabilities year tab, which may be displayed on the following types of special license plates:

(A) Stadium plates authorized under RCW 46.16.301;

(B) Congressional Medal of Honor Plates authorized under RCW 46.16.305;

(C) Pearl Harbor survivor plates authorized under RCW 46.16.305;

(D) Collegiate plates authorized under RCW 46.16.324;

(E) Any plates created after January 1, 2003, per RCW 46.16.745;

(F) Disabled veteran plates authorized under RCW 73.04.110;

(G) Former prisoner of war plates authorized under RCW 73.04.110;

(H) Former prisoner of war plates for surviving spouses authorized under RCW 73.04.115;

(I) Square dancer plates authorized under RCW 46.16.301 as it existed before amendment by section 5, chapter 291, Laws of 1997;

(J) Purple heart plates authorized under RCW 46.16.301 as it existed before amendment by section 5, chapter 291, Laws of 1997.

(7) When can the individual with disabilities parking privileges be used?

The parking privileges may only be used when the person to whom the plate or placard is issued is being transported.

(8) Why is the individual with disabilities identification card issued?

The individual with disabilities identification card must be available for law enforcement or parking enforcement officials to verify the identity of the individual with disabilities and to ensure the parking privilege is only used by those who qualify for that privilege.

If you have just applied for and not yet received an individual with disabilities identification card, show the receipt you received at the time of application.

(9) How do I display the individual with disabilities parking placard?

(a) The placard is hung from the rearview mirror post; or

(b) In the absence of the rearview mirror post, the placard may be placed on the dashboard.

However displayed, the entire placard must be visible through the vehicle windshield.

WSR 06-12-080
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 06-127—Filed June 6, 2006, 2:04 p.m., effective June 6, 2006]

Effective Date of Rule: Immediately.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900I; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These emergency rules are necessary to implement the intent expressed by the fish and wildlife commission at the February 10, 2006, meeting. They will be permanently adopted in the 2007 regulation development process.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 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.

Date Adopted: June 6, 2006.

J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 232-28-61900J Exceptions to statewide rules—Big Bear Creek, Coal Creek, Issaquah Creek, Kelsey Creek, Little Bear Creek, May Creek, North Creek, Swamp Creek, Thornton Creek and Tibbets Creek. (1) Notwithstanding the provisions of WAC 232-28-619, effective immediately through August 31, 2006 it is unlawful for persons other than juvenile anglers to fish for or possess game fish from the following waters:

- (a) Big Bear Creek (Snohomish/King Co.)
- (b) Coal Creek (King Co.)
- (c) Issaquah Creek (King Co.)
- (d) Kelsey Creek (King Co.)
- (e) Little Bear Creek (Snohomish/King Co.)
- (f) May Creek (King Co.)
- (g) North Creek (Snohomish/King Co.)
- (h) Swamp Creek (Snohomish/King Co.)
- (i) Thornton Creek (King Co.)
- (j) Tibbets Creek (King Co.)

(2) Effective immediately until further notice, Lake Washington tributaries not otherwise provided for in this section or WAC 232-28-619 - Statewide rules in effect.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-61900I	Exceptions to statewide rules—Kelsey Creek, Little Bear Creek, Swamp Creek, Thornton Creek and Tibbets Creek. (06-125)
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WSR 06-12-095

EMERGENCY RULES

PUBLIC DISCLOSURE COMMISSION

[Filed June 6, 2006, 4:47 p.m., effective June 7, 2006]

Effective Date of Rule: June 7, 2006.

Purpose: To provide clarification and guidance to candidates and candidate campaign committees on the filing requirements under chapter 348, Laws of 2006. Amends WAC 390-16-050 Forms for contributions and expenditures of out-of-state political committees and new WAC 390-05-522 Place of business—Definition.

Statutory Authority for Adoption: RCW 42.17.370 and chapter 348, Laws of 2006.

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: Under RCW 34.05.350 (1)(a), the commission for good cause finds that the immediate adoption of this rule is necessary for the general welfare and that observing the time requirements of full notice and opportunity to comment would be contrary to the public interest.

Reasons for this finding: The commission finds that campaigns are underway now and are currently seeking guidance on reporting requirements for the purposes of section 4(2), chapter 348, Laws of 2006.

The commission finds that there is a need to interpret this new law now to provide that guidance.

The commission is authorized to provide such interpretation and reporting forms through rule making pursuant to its authority in chapter 42.17 RCW, including RCW 42.17.370(1).

Under RCW 34.05.350 (1)(b), the commission for good cause finds that the immediate adoption of these rules is necessary in order to effectuate a new state law, section 4, chapter 348, Laws of 2006.

Reasons for this finding: The new law provides in part for additional reporting requirements for out-of-state political committees "The name, address, and employer of each person or corporation residing outside the state of Washington who has made one or more contributions in the aggregate of more than two thousand five hundred dollars to the out-of-state committee..." Section (4)(2), chapter 348, Laws of 2006. The effective date of the act is June 7, 2006, and to accurately report under the new law an amended C-5 form is necessary.

In addition, to clarify RCW 42.17.093 (1)(f) as to "place of business in the state of Washington..." it is necessary to define "Place of business."

While full notice and opportunity for comment was not possible prior to the commission's May 31, 2006, meeting, notice of the proposed emergency rules was placed on the commission's web site at www.pdc.wa.gov on May 24, 2006, and there was opportunity for public testimony and for written comments at the commission's May 31, 2006, meeting, prior to adoption of the emergency rule.

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 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.

Date Adopted: May 31, 2006.

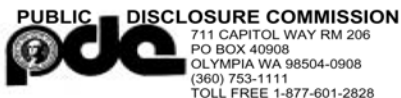
Douglas J. Ellis
Assistant Director

AMENDATORY SECTION (Amending WSR 04-01-131, filed 12/18/03, effective 1/18/04)

WAC 390-16-050 Forms for contributions and expenditures of out-of-state political committees. The official form for the report required by RCW 42.17.093 of contributions and expenditures of an out-of-state political committee organized for the purpose of supporting or opposing candidates or ballot propositions in another state that is not otherwise required to report under RCW 42.17.040 through 42.17.090 is designated "C-5," revised ((1/04)) 6/06. Copies of this form are available at the Commission Office, Room

206, Evergreen Plaza Building, Olympia, Washington 98504-0908. Any paper attachments shall be on 8 1/2" x 11" white paper.

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Form C5 1/04	This space for office use P M A R K R E C E I V E D
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OUT OF STATE COMMITTEE CONTRIBUTION TO WASHINGTON CANDIDATES OR COMMITTEES

1. Name and address of committee making the contribution Name Street address City / State / Zip	2. Check appropriate box <input type="checkbox"/> This is the first report submitted during 20__ <input type="checkbox"/> This shows new expenditures, contributions or information changed from reports submitted previously this calendar year.
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3. Provide the purpose of the committee and the identity of any business, union, association or person with which the committee is affiliated (e.g., A State Committee of the Oregon Democratic or Republican Party, Idaho committee of United Workers Union or XYZ Trade Assn.)

4. Officers or responsible leaders of committee: Name and address	Title
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5. Candidate contributions: List each Washington candidate for state or local office to whom you have made a contribution of more than \$50.00.

Candidate's name	Office sought	Political Party	Date	Amount given

6. Ballot measure committee contributions: List each Washington committee supporting or opposing a ballot measure to whom you have made a contribution of more than \$50.00.

Committee name and address	Ballot Number	For or Against?	Date	Amount given

7. Other contributions and expenditures: List each other contribution or expenditure of more than \$50.00 made to or on behalf of any Washington state or local candidate, ballot measure or political committee.

Recipient's name and address	Purpose	Date	Amount given

Check here if continued on an attached sheet

8. Total contributions and expenditures (Add parts 5, 6, 7)

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9. Contributions received from Washington residents: List all contributions of more than \$25.00 in the aggregate to this out of state, federal or other committee during the current calendar year from Washington residents or corporations with a place of business in Washington.

Name and address	Date	Amount
Check here <input type="checkbox"/> if continued on an attached sheet		

10. Eligibility to Give to State Office Candidates: During the six months prior to making a contribution to a legislative or statewide executive candidate, your committee must have received contributions of \$10 or more from at least ten persons registered to vote in Washington State.

A check here indicates your awareness of and pledge to comply with this provision. Absence of a check mark means your committee does not qualify to give to legislative and statewide executive office candidates.

11. Certification: I certify the information contained in this report is true, complete and correct to the best of my knowledge.

Signature of Committee Official

Name - Typed or Printed

Title

Daytime Telephone No. ()

E-Mail Address

INSTRUCTIONS
(Statutory reference: RCW 42.17.093)

WHO MUST REPORT

An out-of-state political committee organized for the purpose of supporting or opposing candidates or ballot propositions in another state that is not otherwise required to report under RCW 42.17.040 through 42.17.090 which has made contributions or expenditures to or on behalf of a state or local candidate or political committee in Washington state.

WHEN TO REPORT

A C-5 report is due no later than the 20th day of the month following any month in which a contribution or other expenditure of more than \$50 is made to or on behalf of a Washington state candidate or political committee. After filing an initial C-5 report, subsequent reports during the same calendar year shall be filed updating or amending the information previously reported. These follow-up reports are also due no later than the 20th day of the month following any month in which an additional contribution or other expenditure of more than \$50 is made.

The C-5 report, like other standard PDC reports, is considered filed as of the postmark date or, if electronically filed, on the file transfer date.

SEND REPORT TO

Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908

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Form <h1 style="margin: 0;">C5</h1> 6/06	This space for office use P M O A S R T K R E C E I V E D
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**OUT OF STATE COMMITTEE CONTRIBUTIONS
TO WASHINGTON CANDIDATES OR COMMITTEES**

1. Name and address of committee making the contribution Name Street address City / State / Zip	2. Check appropriate box <input type="checkbox"/> This is the first report submitted during 20__ <input type="checkbox"/> This shows new expenditures, contributions or information changed from reports submitted previously this calendar year.
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3. Provide the purpose of the committee and the identity of any business, union, association or person with which the committee is affiliated (e.g., a State Committee of the Oregon Republican Party, Idaho committee of United Workers Union or federal PAC of XYZ Trade Assn.)

4. Officers or responsible leaders of committee:

Name and address	Title
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5. Candidate contributions: List each Washington candidate for state, local or judicial office to whom you have made a contribution of more than \$50.00.

Candidate's name	Office sought	Political Party	Date	Amount given

6. Ballot measure committee contributions: List each Washington committee supporting or opposing a ballot measure to whom you have made a contribution of more than \$50.00.

Committee name and address	Ballot Number	For or Against?	Date	Amount given

7. Other contributions and expenditures: List each other contribution or expenditure of more than \$50.00 made to or on behalf of any Washington state, local or judicial candidate, ballot measure or political committee.

Recipient's name and address	Purpose	Date	Amount given

Check here if continued

8. Total contributions and expenditures (Add parts 5, 6, 7)

9. Contributions received from Washington residents: List all contributions of more than \$25.00 in the aggregate to this out-of-state committee during the current calendar year from Washington residents or corporations with their headquarters or a primary place of business in Washington.

Name and address	Date	Amount

Check here if continued on an attached sheet

10. Contributions received from persons residing outside of Washington. List the name, address, and employer of each person or corporation residing outside the state of Washington who has made contributions of more than \$2,500 in the aggregate to this out-of-state committee during the current calendar year.

Contributor's name, Address, City, State, Zip	Employer's Name, City and State	Date	Amount

Check here if continued on an attached sheet

11. Eligibility to Give to State Office Candidates: During the six months prior to making a contribution to a legislative or statewide executive candidate your committee must have received contributions of \$10 or more from at least ten persons registered to vote in Washington State.

A check here indicates your awareness of and pledge to comply with this provision. Absence of a check mark means your committee does not qualify to give to legislative and statewide executive office candidates.

12. Certification: I certify the information contained in this report is true, complete and correct to the best of my knowledge.

Signature of Committee Official	Name – Typed or Printed
_____	_____
Title	Daytime Telephone No. () _____
_____	E-Mail Address _____

INSTRUCTIONS**(Statutory reference: RCW 42.17.093)****WHO MUST REPORT**

An out-of-state political committee, including political committees filing with the Federal Election Commission, organized for the purpose of supporting or opposing candidates or ballot propositions in another state that is not otherwise required to report under RCW 42.17.040 through 42.17.090 which has made contributions or expenditures to or on behalf of a state, local or judicial candidate or political committee in Washington state.

A political committee is considered "out-of-state" if it maintains its office or headquarters in another state or the District of Columbia. If there is no office or headquarters, then the political committee is considered "out-of-state" if its treasurer resides in another state or the District of Columbia.

WHEN TO REPORT

A C-5 report is due no later than the 10th day of the month following any month in which a contribution or other expenditure of more than \$50 is made to or on behalf of a Washington state candidate or political committee. After filing an initial C-5 report, subsequent reports during the same calendar year shall be filed updating or amending the information previously reported. These follow-up reports are also due no later than the 10th day of the month following any month in which an additional contribution or other expenditure of more than \$50 is made.

The C-5 report is considered filed as of the postmark date.

SEND REPORT TO

**Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, Washington 98504-0908**

Questions?

Contract PDC at www.pdc.wa.gov, toll free at 1-877-601-2828 or 1-360-753-1111

NEW SECTION**WAC 390-05-522 Place of business—Definition. (1)**

"A place of business in the state of Washington" as that term is used in RCW 42.17.093 (1)(f) means the business is headquartered in or has a primary place of business in Washington state.

For example, if a national corporation headquartered outside of Washington state has retail outlets in Washington and that national corporation contributes two hundred fifty dollars to an out-of-state political committee that is subject to reporting under RCW 42.17.093, the out-of-state committee is not required to disclose the national corporation as a contributor under RCW 42.17.093 (1)(f).