

WSR 10-23-023
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed November 5, 2010, 11:14 a.m.]

Continuance of WSR 09-15-194.

Preproposal statement of inquiry was filed as WSR 06-22-105.

Title of Rule and Other Identifying Information: Chapter 308-110 WAC, Motorcycle safety program.

Hearing Location(s): Highways-Licenses Building, Conference Room 413, 1125 Washington Street S.E., Olympia, WA (check in at counter on first floor), on December 22, 2010, at 3:00 p.m.

Date of Intended Adoption: December 23, 2010.

Submit Written Comments to: Clark J. Holloway, P.O. Box 9030, Olympia WA 98507-9030, e-mail cholloway@dol.wa.gov, fax (360) 586-8351, by December 22, 2010.

Assistance for Persons with Disabilities: Contact Clark J. Holloway by December 22, 2010, TTY (360) 664-0116.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Create new chapter 308-110 WAC, to establish basic requirements governing the operations and scope of motorcycle skills education courses offered by commercial and noncommercial entities, under contract with the department of licensing. Establish policies and procedures for monitoring and ensuring the ongoing quality of the motorcycle safety program. Provide definitions, application requirements, and training requirements. Establish administration requirements. Provide for disciplinary action, suspension, and decertification.

Statutory Authority for Adoption: RCW 46.81A.020, 46.01.110.

Statute Being Implemented: RCW 46.20.520 and chapter 46.81A RCW.

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

Name of Proponent: Department of licensing, governmental.

Name of Agency Personnel Responsible for Drafting: Clark J. Holloway, Highways-Licenses Building, Olympia, Washington, (360) 902-3846; Implementation and Enforcement: Doron Maniece, Highways-Licenses Building, Olympia, Washington, (360) 902-3850.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.025(3).

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to this proposed rule under the provisions of RCW 34.05.328 (5)(a)(i).

November 5, 2010

Walt Fahrer
Rules Coordinator

NEW SECTION

WAC 308-110-010 Adoption—Authority. Pursuant to chapter 46.81A RCW, this chapter is adopted for the purpose of establishing basic requirements governing the operations and scope of motorcycle safety programs offered by commercial

businesses and non-commercial entities, under contract with the department, and includes policies and procedures for monitoring and ensuring the ongoing quality of the motorcycle safety program.

NEW SECTION

WAC 308-110-020 Definitions. The definitions of this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Chief Instructor" means an instructor maintaining WMSP Chief Instructor status certified as a Motorcycle Safety Foundation (MSF) RiderCoach Trainer, and/or Evergreen Safety Council (ESC) S/TEP Chief Instructor. Chief Instructors may be employed by WMSP or hold a contract with WMSP to perform, but not limited to, technical functions, training, and evaluations.

(2) "Curriculum" means the motorcycle skills education course(s) approved by the director that lead to motorcycle license testing and endorsement.

(3) "Department" means the department of licensing.

(4) "Director" means the director of the department of licensing.

(5) "Instructor" means a person approved by the director, to train students in motorcycle skills education.

(7) "Instructor candidate" means a person, approved by the director, under training to become an instructor.

(8) "Instructor preparation (IP) course" means a series of training events to prepare instructor candidates to certify as instructors.

(9) "Mentor Instructor" means an instructor maintaining certification by WMSP who assists the program with quality assurance and instructor development activities.

(10) "Motorcycle" means a 2-wheel or 3-wheel motorcycle, scooter, side-car equipped motorcycle, or trike as defined in RCW 46.04.330.

(11) "Motorcycle skills education program" means a motorcycle rider skills training program to be administered by the department.

(12) "Sponsor" means a person, business, organization, college, university, or club, who contracts with WMSP to provide rider skills training. Sponsors are not agents or employees of the department. Sponsors will conduct courses using only the approved curriculum and following their contract along with all policies and procedures of WMSP.

(13) "Sidecar/Trike Education Program" (S/TEP) means the approved curriculum for three-wheel training.

(14) "Student" means any person enrolled in a motorcycle skills education course.

(15) "Training motorcycle" means either:

(a) A motorcycle used for rider education that may be on loan from a motorcycle dealer, owned by the sponsor, or owned by the department; or

(b) A privately owned motorcycle used by a student.

(16) "Training site" means a physical address where instruction of motorcycle skills education is conducted. Training sites may include more than one range.

(17) "Washington Motorcycle Safety Program" (WMSP) means the department's motorcycle skills education program.

NEW SECTION

WAC 308-110-030 Instructor candidates—Application. (1) The department shall review the instructor candidate's application. A background check may be required if any conviction of a crime involving violence is noted on the application.

(2) The department shall review the instructor candidate's complete driving abstract at the time of application. A driving record may be considered unacceptable if it contains:

(a) An alcohol-related traffic violation within a seven-year period immediately preceding the time of application that resulted in:

(i) A conviction or finding that a traffic infraction was committed for violation of the following:

(A) RCW 46.61.502: Driving under the influence;

(B) RCW 46.61.504: Physical control of vehicle under the influence;

(C) RCW 46.61.519: Alcoholic beverages—Drinking or open container in vehicle on highway;

(D) RCW 46.61.5195: Disguising alcoholic beverage container;

(E) RCW 46.61.520 (1)(a): Vehicular homicide;

(F) RCW 46.61.522 (1)(b): Vehicular assault; or

(G) RCW 46.61.5249: Negligent driving—First degree;

or

(ii) An administrative action imposed under RCW 46.25.090 within a seven-year period immediately preceding the time of application;

(b) A driver's license suspension, cancellation, revocation, or denial any time within the five-year period immediately preceding the time of application; or

(c) More than three moving traffic violations within a twelve-month period or more than four moving traffic violations within a twenty-four-month period, as defined in WAC 308-104-160.

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

NEW SECTION

WAC 308-110-040 Instructor training. (1) Initial training for instructor candidates will prepare them to teach motorcycle rider safety courses as required under RCW 46.81A.020 (3)(a).

(2) The instruction course must be provided by or audited under the direct supervision of WMSP. The course shall meet the minimum standards of the approved curriculum including, but limited to include the following areas:

(a) Education principles and techniques;

(b) Motorcycle riding skills instruction;

(c) Classroom teaching techniques;

(d) Communication skills; and

(e) Course administration.

NEW SECTION

WAC 308-110-050 Instructor requirements. All instructor candidates shall meet the following minimum requirements:

(1) Be a high school graduate, or equivalent, and be at least twenty-one years of age.

(2) Possess a valid driver license with a motorcycle endorsement.

(3) Be a motorcyclist who owns and regularly operates a registered motorcycle, side-car equipped motorcycle, or trike.

(4) Be willing to maintain rules of professional conduct as defined by the director-approved curriculum and the WMSP policies and procedures.

(5) Be in good physical condition. Instructors can have no medical conditions inconsistent with the performance of all instructor duties.

(6) Have a current first aid certification approved by the program coordinator.

NEW SECTION**WAC 308-110-060 Disciplinary action—Suspension.**

(1) Instructors, Mentor Instructors, and Chief Instructors are responsible for knowing and complying with the requirements of WMSP's policies and procedures and curriculum.

(2) Documented behavior, failure to comply with these requirements, or unwillingness or inability to maintain standards or principles of the curriculum may lead to disciplinary action affecting an instructor's certification, or ability to otherwise provide rider skills education training.

(3) WMSP instructor certification may be suspended by the WMSP program manager for up to ninety days for documented behavior that is inappropriate, inadequate, or unwillingness/inability to maintain standards or principals of the curriculum and for failing to maintain standards as defined by WMSP policies and procedures, instructor standards and responsibilities, and/or curriculum design.

(4) To be reinstated, a suspended instructor must:

(a) Develop a written plan for corrective action in cooperation with the sponsor. The written corrective action plan must be approved by WMSP.

(b) The suspended instructor will teach a minimum of one novice rider course or basic sidecar/trike class, or more as necessary, under the supervision of a chief instructor or WMSP mentor. For each class, a mentor class report will be submitted.

(c) The suspended instructor must demonstrate a working knowledge of WMSP policies and procedures, instructor standards and responsibilities, and curriculum principles.

(d) Following the observed class, the sponsor will schedule a time with the WMSP coordinator or designee to evaluate the suspended instructor. The sponsor and WMSP coordinator or designee will review the course reports. The WMSP coordinator or designee will make a determination if the necessary corrections were implemented satisfactorily.

(5) Suspended instructors must have instructor status reinstated prior to being allowed to instruct any portion of a training course without the supervision of a mentor or WMSP representative.

NEW SECTION**WAC 308-110-070 Instructor—Decertification.** (1)

The WMSP program manager may decertify an instructor for the following actions:

- (a) A conviction of a crime involving violence.
- (b) An unacceptable driving record as defined in WAC 308-110-030.
- (c) Documented unprofessional conduct which is inappropriate.
- (d) An unwillingness or inability to maintain curriculum standards or principals or conduct inconsistent with the program standards, as defined in the WMSP policies and procedures.

(e) An inability to meet curriculum standards.

(2) Instructors may appeal a suspension or decertification by requesting a hearing before a department arbitrator. The arbitrator, following the hearing, will make his or her recommendations to the director, who will make a final determination in the matter.

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

permits dispensed by machine. These changes make it necessary to update and clarify the rules to reflect current practices.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: Not applicable.

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

Name of Proponent: YVCC, safety and security office, public.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Michael Lane, Palmer Hall, Room X100, Yakima Campus, Nob Hill and 16th Avenue, (509) 574-6820.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules apply only to vehicular traffic within the confines of the college's property. No impact to businesses in the area is anticipated.

A cost-benefit analysis is not required under RCW 34.05.328. The changes proposed do not meet the definition of "significant [significant] legislative rule" as defined in RCW 34.05.328 (5)(c)(iii).

November 2, 2010

Suzanne West

Rules Coordinator

WSR 10-23-031**PROPOSED RULES****YAKIMA VALLEY****COMMUNITY COLLEGE**

[Filed November 9, 2010, 9:28 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-19-015.

Title of Rule and Other Identifying Information: Yakima Valley Community College (YVCC) parking and traffic regulations, chapter 132P-116 WAC.

Hearing Location(s): M.L. King Jr Room, Hopf Union Building, YVCC Yakima Campus, South 16th Avenue and Nob Hill Boulevard, on January 6, 2011, at 3:00 p.m.

Date of Intended Adoption: February 3, 2011.

Submit Written Comments to: Teresa Holland, Vice-President for Administrative Services, YVCC, P.O. Box 22520, Yakima, WA 98908, e-mail tholland@yvcc.edu, fax (509) 574-4667, by January 3, 2011.

Assistance for Persons with Disabilities: Contact Marc Coomer, disability support services, by January 3, 2011, TDD (509) 574-4677 or (509) 574-4609.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the YVCC parking and traffic regulations is to protect pedestrians, control vehicular traffic, assure emergency access and minimize traffic disturbance. Changes to the existing rules will clarify some areas and bring the rule current with the variety of parking options now available at the college.

Reasons Supporting Proposal: The regulations were last updated thirteen years ago in 1997. In those intervening years, the college has grown substantially. In response to this growth, the college has added parking lots with a variety of parking options, such as metered parking and pay-by-the-day

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-020 Definitions. As used in this chapter, the following words shall mean:

(1) "College." Yakima Valley Community College, or any additional community college hereafter established with Community College District 16, state of Washington, and collectively, those responsible for its control and operations.

(2) "College community." Trustees, students, employees, and guests on college owned or controlled facilities.

(3) "College year." Unless otherwise designated, the time period commencing with the fall quarter of a community college academic year and extending through the immediately subsequent winter, spring, and summer quarters. The fall quarter shall be considered the first quarter of the college year for parking and traffic control purposes.

(4) "College facilities." ~~((Includes))~~ Any or all property owned or operated by the college.

~~((4))~~ (5) "Student." ~~((Includes))~~ All individuals enrolled at the college, or in any educational program operating on the college facilities, both full and part time.

~~((5))~~ (6) "Director of ~~((facilities))~~ facility operations." An employee of Yakima Valley Community College, District 16, state of Washington, who is responsible to the vice-president for administrative services for campus security, safety, parking and traffic control.

~~((6))~~ (7) "Vehicle." All modes of transportation including, but not limited to automobiles, trucks, motor-driven cycles, scooters, or any vehicle powered by a battery or engine, and also including bicycles and other nonengine vehicles.

~~((7))~~ (8) "Visitor." Any individual who comes to campus who is neither an employee nor a registered student of the college.

~~((8))~~ (9) "Permanent permits." Permits that are valid for a college year or quarter.

~~((9))~~ "Temporary permits." Permits valid for less than a quarter and/or a specific period designated on the permit.

~~(10)~~ "College year." Unless otherwise designated, the time period commencing with the fall quarter of a community college calendar year and extending through the immediately subsequent winter, spring, and summer quarters. The fall quarter shall be considered the first quarter of the college year for parking and traffic control purposes.

~~((11))~~ (10) "Special permits." Permits issued for specific purposes by campus security to enhance the business or operation of the college.

~~((12))~~ "Car pool permits." Permits issued to individuals by campus security to individuals driving a car pool consisting of a minimum of two adults.

~~(13)~~ "Resident student permits." Permits issued by campus security to students living in the student residence center.

~~((14))~~ (11) "Pay-by-the-day permits." Permits dispensed by machine located in parking lots.

(12) "Temporary permits." Permits issued by campus security for a designated period of time.

(13) "Paid reserved parking permits." Permits issued by campus security for a specified parking space reserved for that permit holder only.

~~((15))~~ (14) "Disabled ~~((person))~~ parking permit." A permit issued to a person with a physical, mental, or sensory impairment.

~~((16))~~ (15) "Designated permit areas." Designated areas of parking on college facilities requiring a permit to park.

~~((17))~~ (16) "Parking/traffic appeals board." Board responsible for hearing appeals of parking/traffic citations.

~~((18))~~ (17) "Business day." ~~((Set forth in RCW 42.04.060.))~~ Every working day of the week that includes Monday through Friday and excludes public holidays and weekends.

(18) "Hourly parking." Designated area with parking meters for individual stalls.

(19) "Properly displayed." In clear view, on front windshield, on rear window, face up on dashboard, or hung on inside rearview mirror.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-040 Permits required for vehicles in designated permit areas. Students, faculty and staff shall not stop, park or leave a vehicle, attended or unattended, in designated permit areas without a parking permit. All persons parking in designated permit areas must have the permit properly ~~((placed in or on the vehicle by the first business day of the second week of each quarter. Warning citations will be issued during the first week of the quarter))~~ displayed.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-050 Registration of student, faculty, staff, and visitors vehicles. Students shall register their vehicles per WAC 132P-116-060(1). Student permits are not

required unless the student is a resident of the student residence center per WAC 132P-116-060(3). Students, faculty, and staff shall obtain parking permits at the security office. Visitors shall park in areas designated as "visitor" parking and shall obtain a permit at the ~~((college information office or))~~ campus security office.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-060 Authorization for issuance of permits. The campus security office is authorized to issue parking permits to students, faculty and staff of the college pursuant to the following regulations:

(1) Students will register their vehicle(s) ~~((with the registration))~~ using a "Student Permit Application" form at the campus security office at the beginning of each academic quarter.

(2) Faculty and staff shall be issued a parking permit upon the registration of their vehicles at the beginning of fall quarter or at the time of their employment.

(3) Resident students shall obtain a parking permit at the campus security office within five business days of becoming a resident of the student residence center.

(4) Campus security may issue temporary and special parking permits when such permits are necessary to enhance the business or operation of the college.

(5) Any permit holder may obtain a temporary parking permit~~((s))~~ at the campus security office without charge for an unregistered vehicle when necessary due to the ~~((nonavailability))~~ unavailability of his or her registered vehicle. Issuance of such permit is left to the discretion of the campus security office.

(6) Permits are issued to an individual and are not transferable. If the individual is no longer attending or employed by the college, the permit is invalid.

(7) Any permit holder may obtain a replacement permit for a replacement fee from the campus security office upon request and explanation of the loss or destruction of the original permit.

(8) Pay-by-the-day permits are not transferrable between individuals.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-070 Valid permit. A valid parking permit is:

(1) An unexpired **permanent** permit registered and properly displayed.

(2) A **temporary unexpired** permit issued by campus security and properly displayed.

(3) A **special unexpired** permit issued by campus security and properly displayed.

~~((4))~~ ~~((A disabled person permit issued by campus security and properly displayed.~~

~~((5))~~ A valid **unexpired disabled ~~((person))~~ parking ~~((sticker))~~ placard, license plate or card** issued by the state of Washington and properly displayed.

~~((6))~~ ~~((A resident student permit issued by campus security and properly displayed.~~

~~(7) A **car pool** permit issued by campus security and properly displayed.~~

~~(8) A **reserved** permit issued by campus security and properly displayed.)~~ (5) Unexpired pay-by-the-day permit issued by machine with the current date and properly displayed.

(6) A paid reserved permit issued by campus security with the current quarter, lot designation, and properly displayed.

(7) Load zone permit issued by campus security and properly displayed.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-080 Display of permit. All parking permits shall be placed at a designated location within the vehicle in plain view. If the permit is not in plain view, a citation ~~((with))~~ may be issued.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-120 Responsibility of ~~((person))~~ current registered vehicle owner to whom permit is issued. The ~~((person))~~ current registered owner of the vehicle to whom a permit is issued is responsible for all violations of the parking and traffic rules and regulations involving the vehicle to which the permit is affixed. In the event that a vehicle in violation does not have a permit displayed, the current registered owner will be responsible for the violation(s).

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-130 Designation of parking spaces. The parking spaces available on campus shall be designated and allocated in such a manner as will best achieve the objective of the rules and regulations contained in this chapter and shall include, but not be limited to:

- (1) Faculty and staff spaces.
- (2) Student spaces.
- (3) Disabled ~~((person))~~ parking spaces.
- (4) ~~((Such parking spaces may be designated for other purposes as deemed necessary:))~~ Paid reserved spaces.
- (5) Pay-by-the-day spaces.
- (6) Hourly paid parking spaces (metered).
- (7) Such parking spaces may be designated for other purposes as deemed necessary.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-140 Parking within designated spaces. (1) Any person parking a vehicle at a college facility shall park the vehicle in designated parking areas only. These areas are marked by curbs, signs, or white or yellow line(s). Parking on or over a line constitutes a violation.

(2) No vehicle may be parked on any area that has been landscaped or designated as a walkway or pathway (paved or

unpaved), except for college vehicles, emergency vehicles, or approved agents.

(3) No vehicle may be stopped, parked, or left at a college facility in a designated permit area without a valid parking permit, with the exception of trucks or cars making deliveries.

(4) No vehicle shall be parked on campus for a period in excess of seventy-two hours, unless ~~((cleared through))~~ approved in advance by the campus security office. Vehicles which have been parked in excess of seventy-two hours shall be impounded and stored at the expense of either or both owner and operator.

~~((Staff who require parking longer than normal parking hours may apply through the campus security office for permission.~~

~~((6))~~ All vehicles shall ~~((follow))~~ obey traffic arrows and other markings established for the purpose of directing traffic on campus.

~~((7))~~ (6) No vehicle shall be parked ~~((so as to occupy))~~ in such a manner that it occupies any portion of more than one parking space as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle to occupy a portion or more than one space or stall shall not constitute an excuse for ~~((a violation of))~~ violating this section unless weather conditions ~~((are such as to))~~ make this impossible.

~~((8))~~ (7) No vehicle shall be parked in such a manner ~~((as to))~~ that it interferes with traffic, creates a hazardous condition, hinders maintenance~~((s))~~ or emergency vehicles, or otherwise interferes with the operation of the college.

~~((9) No vehicle shall back into parking stalls.)~~

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-170 Parking in prohibited places. (1) No person shall stop, stand, or park any vehicle so as to obstruct traffic along or upon any street or sidewalk.

(2) No vehicle shall be parked at any place where official signs or other markings prohibit parking, or within fifteen feet of a fire hydrant.

(3) No person shall park in a place where there is not a parking stall designated by lines or signs.

AMENDATORY SECTION (Amending Order 21-80, Resolution No. 21-80, filed 8/27/80)

WAC 132P-116-180 Control and regulation of traffic. Drivers shall comply with the directions given them by the campus ~~((patrol person in))~~ security personnel regarding the control and regulation of traffic.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-210 Two-wheeled motorbikes, bicycles, skateboards, ~~((or))~~ rollerblades, or roller skates. (1) All two-wheeled vehicles powered by a battery or engine, licensed by the state of Washington, shall park in ~~((a space designated for motorcycles))~~ designated parking areas only.

(2) Bicycles and other nonengine cycles shall be subject to the posted or published regulations as established.

(3) No bicycle shall be parked inside a building, near a building exit, or on a path or sidewalk. Bicycles must be secured to racks as provided.

(4) Skateboarding (~~(and)~~), rollerblading (~~(is)~~), and roller skating are not permitted on campus.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-220 Report of accident. The operator of any vehicle involved in an accident on campus resulting in injury to, or death of any person, or claimed damage to either or both vehicles in any amount, shall within twenty-four hours(~~(s)~~) report such accident to the campus security office. This does not relieve any person so involved in an accident from the responsibility to file a state of Washington motor vehicle accident report as required by state law.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-250 Issuance of traffic citations. Upon violation(s) of any of the rules and regulations contained in this document, security officers, or (~~(designee)~~) designated traffic patrol are authorized to issue traffic citations, setting forth the date, permit number, the approximate time, license number, name of permit holder, infraction, officer and schedule of fines. Such traffic citations may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the citation to the operator.

Violation(s) of the campus traffic code include but are not limited to:

(1) **No parking permit displayed.** A college parking permit is necessary when parking in any designated permit area on college facilities. The permit must be displayed as set forth herein.

(2) **Failure to stop at stop signs/signals.** Failure to bring a vehicle to a complete stop at properly erected and identified stop signs/signals.

(3) **Failure to yield right of way.** The act of depriving another vehicle or pedestrian of the right of way at an intersection or crosswalk.

(4) **Improper parking.** Parking a vehicle in areas that are intended for purposes other than parking, i.e., fire lanes, driveways, sidewalk, lawns, or taking up more than one parking stall.

(5) **Permit violations.** Parking in designated permit areas without proper permit.

(6) **Negligent/reckless driving.** The operation of a vehicle in such a manner as to place persons or property in danger of injury or grievous harm.

(7) **Speeding.** The operation of a vehicle in excess of posted speed limits.

(8) **Other violations.** Such other actual violations of these regulations or city, county, or state laws or ordinances.

(9) **Impoundment.** Violations that create a hazardous condition, impede traffic or otherwise interfere with the oper-

ation of a college facility may result in the immediate impoundment (removal) of the vehicle.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-260 Fines and penalties. (1) Fines will be levied for violations of the rules and regulations contained in this chapter.

(2) In addition to fines imposed under these regulations, vehicles violating these regulations may be impounded. Impounded vehicles will be taken to a place for storage as designated by the administration. The expenses of such (~~(impoundings)~~) impoundment and storage of the vehicle shall be the responsibility of the registered owner or driver of the vehicle. The college shall not be liable for loss or damage of any kind resulting from such impounding and storage.

(3) An accumulation of traffic violations by a student shall be cause for disciplinary action as stated in WAC 132P-116-110 and in subsection (7) of this section.

(4) An accumulation of traffic violations by faculty and staff shall be cause for disciplinary action as stated in WAC 132P-116-100 and subsection (8) of this section.

(5) Parking and traffic violations will be processed by the college. Parking fines are to be paid at the college's cashier counter during business hours.

(6) A schedule of fines shall be reviewed annually by the director of (~~(facilities)~~) facility operations and the vice-president of administrative services or their designee. This schedule shall be a supplement to the parking and traffic rules and regulations and attached and printed on all college citation forms.

(7) In the event a (~~(student)~~) registered owner of a vehicle fails or refuses to pay a fine, the following may result:

(a) (~~The student shall not be eligible to register for any further courses.~~

(b) ~~The student shall not be able to obtain a transcript of his or her grades or credits.~~

(e)) The fine will be referred to a collection agency and additional fees may be added.

(b) The (~~(student)~~) registered owner of the vehicle may be denied future parking privileges.

(8) (~~In the event that faculty or staff fails to pay a fine, they may have their parking privileges on campus revoked.~~

(9)) In the event (~~(that)~~) a (~~(faculty member, staff member or student)~~) registered owner of the vehicle has multiple unpaid fines, the vehicle may be impounded or immobilized.

AMENDATORY SECTION (Amending WSR 97-19-026, filed 9/8/97, effective 10/9/97)

WAC 132P-116-300 Parking/traffic appeals board. The parking/traffic appeals board shall be appointed by the (~~(director of facilities operations)~~) campus security sergeant. The board shall include a minimum representation of one student, one faculty, and one classified staff. The board shall meet on a regular basis at such times as the (~~(director of facilities operations)~~) campus security sergeant shall designate. The board shall hear appeals of citations issued pursuant to these regulations and render a written decision within twenty

business days of the hearing. The board's decision shall be final.

WSR 10-23-070
WITHDRAWAL OF PROPOSED RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed November 15, 2010, 9:10 a.m.]

Please withdraw proposed rule CR-102 WSR 10-20-071 filed September 29, 2010. The proposal as filed will be refiled for a later hearing date.

David Brenna
Legislative Policy Coordinator

WSR 10-23-082
PROPOSED RULES
DEPARTMENT OF HEALTH
(Dental Quality Assurance Commission)

[Filed November 15, 2010, 2:02 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-03-108.

Title of Rule and Other Identifying Information: WAC 246-817-220 Inactive license, creating a new section to establish an inactive dentist license status.

Hearing Location(s): Department of Health, Point Plaza East, Room 152/153, 310 Israel Road S.E., Tumwater, WA 98501, on February 4, 2011, at 8:00 a.m.

Date of Intended Adoption: February 4, 2011.

Submit Written Comments to: Jennifer Santiago, P.O. Box 47852, Olympia, WA 98504-7852, web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 236-2901, by January 28, 2011.

Assistance for Persons with Disabilities: Contact Jennifer Santiago by January 28, 2011, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rule creates standards for an inactive dentist license status. Inactive license status is currently not available to dentists not practicing in Washington that want to keep their license in Washington. The proposed rule provides detailed requirements for obtaining and maintaining an inactive license and requirements for returning to active status. The department of health will establish the inactive license fee through a separate rule process.

Reasons Supporting Proposal: There is currently no license alternative for Washington licensed dentists not practicing in this state. Dentists asked for a license status alternative. RCW 18.32.185 allows dentists to obtain an inactive status. Creating an inactive license status may provide lower fees for dentists not currently practicing in Washington who still want to maintain a license in Washington.

Statutory Authority for Adoption: RCW 18.32.0365 and 18.32.185.

Statute Being Implemented: RCW 18.32.185.

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

Name of Proponent: Washington state dental quality assurance commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jennifer Santiago, 310 Israel Road S.E., Tumwater, WA 98501, (360) 236-4893.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Under RCW 19.85.025 and 34.05.310 (4)(g)(ii), a small business economic impact statement is not required for proposed rules that adopt, amend, or repeal a filing or related process requirement for applying to an agency for a license or permit.

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by contacting Jennifer Santiago, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4893, fax (360) 236-2901, e-mail jennifer.santiago@doh.wa.gov.

November 15, 2010

Andrew A. Vorono, D.D.S., Chair
Dental Quality Assurance Commission

NEW SECTION

WAC 246-817-220 Inactive license. (1) A dentist may obtain an inactive license by meeting the requirements of WAC 246-12-090 and RCW 18.32.185.

(2) An inactive license must be renewed every year on or before the practitioner's birthday according to WAC 246-12-100 and 246-817-990.

(3) If a license is inactive for three years or less, to return to active status a dentist must meet the requirements of WAC 246-12-110, 246-817-440, and 246-817-990.

(4) If a license is inactive for more than three years, and the dentist has been actively practicing in another United States jurisdiction, to return to active status the dentist must:

(a) Provide certification of an active dentist license, submitted directly from another licensing entity. The certification shall include the license number, issue date, expiration date and whether the applicant has been the subject of final or pending disciplinary action;

(b) Provide verification of active practice in another United States jurisdiction within the last three years; and

(c) Meet the requirements of WAC 246-12-110, 246-817-440, and 246-817-990.

(5) If a license is inactive for more than three years, and the dentist has not been actively practicing in another United States jurisdiction, to return to active status the dentist must provide:

(a) A written request to change licensure status;

(b) The applicable fees according to WAC 246-817-990;

(c) Proof of successful completion of an approved:

(i) Practical/practice examination according to WAC 246-817-120; or

(ii) A qualifying postgraduate residency program, approved by or administered under the direction of the DQAC;

(d) Written certification of all dental or health care licenses held, submitted directly from the licensing entity.

The certification shall include the license number, issue date, expiration date and whether the applicant has been the subject of final or pending disciplinary action;

(e) Written declaration that continuing education and competency requirements for the two most recent years have been met according to WAC 246-817-440;

(f) Proof of successful completion of an approved written jurisprudence examination within the past year;

(g) Proof of malpractice insurance if available, including dates of coverage and any claims history; and

(h) Proof of AIDS education according to WAC 246-817-110, if not previously provided.

WSR 10-23-089

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(By the Code Reviser's Office)

[Filed November 16, 2010, 9:18 a.m.]

WAC 388-535-1084, 388-535-1090, 388-535-1100, 388-535-1261, 388-535-1266, 388-535-1267, 388-535-1269 and 388-535-1271, proposed by the department of social and health services in WSR 10-09-055 appearing in issue 10-10 of the State Register, which was distributed on May 19, 2010, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 10-23-094

PROPOSED RULES SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed November 16, 2010, 11:49 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-19-027.

Title of Rule and Other Identifying Information: A new rule, WAC 392-400-226 School district rules defining harassment, intimidation and bullying prevention policies and procedures—Distribution of rules.

A district's harassment, intimidation and bullying policy and procedure shall be published and made available to all parents or guardians, students, employees, and volunteers on an annual basis. The district will publish, at a minimum, the following materials: Policy and procedure, an incident reporting form and current contact information for the district's harassment, intimidation and bullying compliance officer. If a school district chooses not to distribute such rules to all parents or guardians, students, employees, and volunteers, then notice which describes the contents of such rules and specifies the person(s) to contact for a copy shall be provided

to students and parents on an annual basis in a manner reasonably calculated to come to their attention.

Hearing Location(s): Office of Superintendent of Public Instruction (OSPI), 600 Washington Street S.E., Brouillet Conference Room, 4th Floor, Olympia, WA 98504, on January 4, 2011, at 1:00 p.m. - 2:30 p.m.

Date of Intended Adoption: January 4, 2011.

Submit Written Comments to: Jeff Soder, P.O. Box 47200, Olympia, WA 98504, e-mail jeff.soder@k12.wa.us, fax (360) 664-3575, by January 3, 2011.

Assistance for Persons with Disabilities: Contact Kristin Collins by January 3, 2011, TTY (360) 664-3631 or (360) 725-6270.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: A revision to RCW 28A.300.285 in the 2010 session requires OSPI to adopt rules regarding districts' notification of families and others regarding harassment, intimidation and bullying policies and procedures:

"It is the responsibility of each school district to share this policy with parents or guardians, students, volunteers, and school employees in accordance with rules adopted by the superintendent of public instruction" (RCW 28A.285 [28A.300.285] (4)(a)). The rule is designed to ensure that the required harassment, intimidation and bullying prevention policy and procedure is made available to the entire school community on an annual basis.

Reasons Supporting Proposal: The rule is required by statute.

Statutory Authority for Adoption: RCW 28A.300.285.

Statute Being Implemented: WAC 392-400-225(4).

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

Name of Agency Personnel Responsible for Drafting and Implementation: Jeff Soder, OSPI 151B, (360) 725-6044; and Enforcement: Martin Mueller, OSPI 301, (360) 725-6175.

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

A cost-benefit analysis is not required under RCW 34.05.328. No costs to OSPI.

November 16, 2010

Randy Dorn

State Superintendent
of Public Instruction

NEW SECTION

WAC 392-400-226 School district rules defining harassment, intimidation and bullying prevention policies and procedures—Distribution of rules. A district's harassment, intimidation and bullying policy and procedure shall be published and made available to all parents or guardians, students, employees, and volunteers on an annual basis. The district will publish, at a minimum, the following materials: Policy and procedure, an incident reporting form and current contact information for the district's harassment, intimidation and bullying compliance officer. If a school district chooses not to distribute such rules to all parents or guardians, students, employees, and volunteers, then notice

which describes the contents of such rules and specifies the person(s) to contact for a copy shall be provided to students and parents on an annual basis in a manner reasonably calculated to come to their attention.

WSR 10-23-100
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed November 16, 2010, 1:47 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-14-102.

Title of Rule and Other Identifying Information: Chapter 296-17 WAC, General reporting rules, audit and record-keeping, rates and rating system for Washington workers' compensation insurance and chapter 296-17B WAC, Retrospective rating.

Hearing Location(s): Tacoma Convention Center, 1500 Broadway, Tacoma, WA 98402, on January 4, 2011, at 10:00 a.m.; and at the CenterPlace Regional Event Center, 2426 North Discovery Place, Spokane Valley, WA 99216, on January 4, 2011, at 10:00 a.m.

Date of Intended Adoption: January 26, 2011.

Submit Written Comments to: Ronald C. Moore, Program Manager Employer Services, P.O. Box 41440, Olympia, WA 98504-4140, e-mail mooa235@lni.wa.gov, fax (360) 902-4748, by 5:00 p.m., on January 4, 2011.

Assistance for Persons with Disabilities: Contact office of information and assistance, TTY (360) 902-5797.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule proposal will amend the tables of classification base premium rates, experience rating plan parameters, experience modification factor calculation limitations and retrospective rating plan size groupings for the workers' compensation insurance program for calendar year 2011. Classification base rates were amended in order to base the rates on updated loss and payroll experience and the proposed decision to increase premium rates an overall average twelve percent per hour worked.

Amending WAC 296-17-855 Experience modification, 296-17-875 Table I, 296-17-880 Table II, 296-17-885 Table III, 296-17-890 Table IV, 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry, 296-17-89502 Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications, 296-17-89503 Farm internship program industrial insurance, accident fund and medical aid fund by class, 296-17-89504 Horse racing industry industrial insurance, medical aid, and supplemental pension by class and 296-17-920 Assessment for supplemental pension fund; repealing WAC 296-17-86502 Medical aid experience modification limitations; and new WAC 296-17B-900 Retrospective rating plans standard premium size ranges.

Reasons Supporting Proposal: The department's decision to increase rates twelve percent is intended to provide the lowest rates necessary to maintain solvency of the funds consistent with recognized insurance principles, and to attempt to limit fluctuations in the rates. Premiums must keep up with medical cost and wage inflation. Washington law provides that rates should be adjusted to reflect the hazards of each industry.

Statutory Authority for Adoption: RCW 51.16.035 (base rates), 51.32.073 (supplemental pension), 51.18.010 (retrospective rating), and 51.04.020(1) (general authority).

Statute Being Implemented: RCW 51.16.035, 51.32-073, 51.18.010.

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

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Jo Anne Attwood, Tumwater, Washington, (360) 902-4777; Implementation: Ronald C. Moore, Tumwater, Washington, (360) 902-4748; and Enforcement: Robert Malooly, Tumwater, Washington, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small business economic impact statement is required as the proposed rules are adjusting rates pursuant to legislative standards.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rules are adjusting rates pursuant to legislative standards.

November 16, 2010
 Judy Schurke
 Director

AMENDATORY SECTION (Amending WSR 09-24-086, filed 11/30/09, effective 1/1/10)

WAC 296-17-855 Experience modification. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the expected losses for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to weigh the extent to which the actual experience is credible, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification factor shall be calculated from the formula:

$$\text{EXPERIENCE MODIFICATION FACTOR} = \frac{(\text{Credible Actual Primary Loss} + \text{Credible Actual Excess Loss}) / \text{Expected Loss}}$$

Where

$$\begin{aligned} \text{Credible Actual Primary Loss} &= \text{Actual Primary Loss} \times \text{Primary Credibility} \\ &+ \text{Expected Primary Loss} \times (100\% - \text{Primary Credibility}) \\ \text{Credible Actual Excess Loss} &= \text{Actual Excess Loss} \times \text{Excess Credibility} \\ &+ \text{Expected Excess Loss} \times (100\% - \text{Excess Credibility}) \end{aligned}$$

The meaning and function of each term in the formula is specified below.

For each claim, the actual primary loss is the first dollar portion of the claim costs, which has been shown in actuarial studies, to have the greater credibility in predicting future experience. These amounts are summed over all claims. For each claim in excess of \$20,112 the actual primary loss shall be determined from the formula:

$$\text{ACTUAL PRIMARY LOSS} = \frac{50,280}{(\text{Total loss} + 30,168)} \times \text{total loss}$$

For each claim, less than \$20,112 the full value of the claim shall be considered a primary loss.

For each claim, the excess actual loss is the remaining portion of the claim costs, which have been shown in actuarial studies to have less credibility in predicting future experience. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss. These amounts are summed over all claims.

For any claim without disability benefits (time loss, partial permanent disability, total permanent disability or death) either actually paid or estimated to be paid, the total actual losses for calculating the primary loss and excess loss shall first be reduced by the lesser of \$((1,950)) 2,120 or the total cost of the claim. Here are some examples for these claims:

Total Loss	(after deduction)	Primary Loss	Excess Loss
200	-	-	-
2,000	50	50	-
20,000	18,050	18,050	-
200,000	198,050	43,634	154,416
2,000,000	220,638	44,232	176,406))

Total Loss	Type of Claim	Total Loss (after deduction)	Primary Loss	Excess Loss
200	Medical Only	0	0	0
2,500	Medical Only	380	380	0
2,500	Time Loss	2,500	2,500	0
25,000	Medical Only	22,880	21,686	1,194
25,000	Time Loss	25,000	22,785	2,215
100,000	PPD	100,000	38,627	61,373
2,000,000	TPD Pension	233,084	44,518	188,566

Note: The deduction, \$((1,950)) 2,120, is twice the average case incurred cost of these types of claims occurring during the three-year period used for experience rating. On average this results in reducing the average actual loss about seventy percent for these types of claims adjusted. This is done to help make the transition between the two different experience rating methods better by helping make the change in experience factor reasonable for small changes to the actual losses. The \$2,000,000 loss is limited by the Maximum Claim Value before the reduction of \$((1,950)) 2,120 is applied.

For each employer, the primary credibility and the excess credibility determines the percentage weight given to the corresponding actual primary losses and the actual excess losses, included in the calculation of the experience modifica-

tion, based on the volume of expected losses. Primary credibility and excess credibility values are set forth in Table II.

An employer's expected losses shall be determined by summing the expected loss for each of the three years of the experience period, which are calculated by multiplying the reported exposure in each classification during the year by the corresponding classification expected loss rate and rounding the result to the nearest cent. Classification expected loss rates by year are set forth in Table III.

Expected losses in each classification shall be multiplied by the classification "Primary-Ratio" to obtain "expected primary losses" which shall be rounded to the nearest cent. Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses rounded to the nearest cent. Primary-Ratios are also set forth in Table III.

AMENDATORY SECTION (Amending WSR 09-24-086, filed 11/30/09, effective 1/1/10)

WAC 296-17-875 Table I.

Primary Losses for Selected Claim Values Effective January 1, ((2010)) 2011

CLAIM VALUE	PRIMARY LOSS
5,000	5,000
10,000	10,000
15,000	15,000
20,112	20,112
29,834	25,000
44,627	30,000
69,102	35,000
100,000	38,627
117,385	40,000
200,000	43,690
((222,588))	((44,279))
233,084**	44,518

** Maximum claim value

AMENDATORY SECTION (Amending WSR 09-24-086, filed 11/30/09, effective 1/1/10)

WAC 296-17-880 Table II.

PRIMARY AND EXCESS CREDIBILITY VALUES Effective January 1, ((2010)) 2011

Maximum Claim Value = \$((222,588)) 233,084
 Average Death Value = \$((222,588)) 233,084

(Expected Losses)	Primary Credibility	Excess Credibility
± - 7,397	12%	7%
7,398 - 7,896	13%	7%
7,897 - 8,402	14%	7%
8,403 - 8,912	15%	7%

((Expected Losses		Primary- Credibility	Excess Credibility	((Expected Losses		Primary- Credibility	Excess Credibility
8,913	- 9,428	16%	7%	134,209	- 146,892	58%	11%
9,429	- 9,952	17%	7%	146,893	- 165,512	59%	11%
9,953	- 10,481	18%	7%	165,513	- 187,594	59%	12%
10,482	- 11,018	19%	7%	187,595	- 197,005	60%	12%
11,019	- 11,562	20%	7%	197,006	- 228,297	60%	13%
11,563	- 12,113	21%	7%	228,298	- 228,696	61%	13%
12,114	- 12,673	22%	7%	228,697	- 260,585	61%	14%
12,674	- 13,240	23%	7%	260,586	- 268,999	61%	15%
13,241	- 13,815	24%	7%	269,000	- 292,674	62%	15%
13,816	- 14,401	25%	7%	292,675	- 309,701	62%	16%
14,402	- 14,995	26%	7%	309,702	- 324,963	63%	16%
14,996	- 15,597	27%	7%	324,964	- 350,404	63%	17%
15,598	- 16,212	28%	7%	350,405	- 357,455	64%	17%
16,213	- 16,836	29%	7%	357,456	- 390,153	64%	18%
16,837	- 17,473	30%	7%	390,154	- 391,105	64%	19%
17,474	- 18,122	31%	7%	391,106	- 423,059	65%	19%
18,123	- 18,783	32%	7%	423,060	- 431,807	65%	20%
18,784	- 19,458	33%	7%	431,808	- 456,173	66%	20%
19,459	- 20,147	34%	7%	456,174	- 472,510	66%	21%
20,148	- 20,851	35%	7%	472,511	- 489,497	67%	21%
20,852	- 21,572	36%	7%	489,498	- 513,213	67%	22%
21,573	- 22,311	37%	7%	513,214	- 523,036	68%	22%
22,312	- 23,070	38%	7%	523,037	- 553,914	68%	23%
23,071	- 23,848	39%	7%	553,915	- 556,788	69%	23%
23,849	- 24,650	40%	7%	556,789	- 590,759	69%	24%
24,651	- 25,475	41%	7%	590,760	- 594,616	69%	25%
25,476	- 26,328	42%	7%	594,617	- 624,947	70%	25%
26,329	- 27,211	43%	7%	624,948	- 635,319	70%	26%
27,212	- 28,126	44%	7%	635,320	- 659,359	71%	26%
28,127	- 29,079	45%	7%	659,360	- 676,022	71%	27%
29,080	- 30,073	46%	7%	676,023	- 693,993	72%	27%
30,074	- 31,115	47%	7%	693,994	- 716,723	72%	28%
31,116	- 32,214	48%	7%	716,724	- 728,854	73%	28%
32,215	- 33,379	49%	7%	728,855	- 757,427	73%	29%
33,380	- 34,623	50%	7%	757,428	- 763,941	74%	29%
34,624	- 35,966	51%	7%	763,942	- 798,128	74%	30%
35,967	- 37,435	52%	7%	798,129	- 799,260	75%	30%
37,436	- 39,075	53%	7%	799,261	- 834,811	75%	31%
39,076	- 39,242	54%	7%	834,812	- 838,831	75%	32%
39,243	- 40,964	54%	8%	838,832	- 870,597	76%	32%
40,965	- 43,270	55%	8%	870,598	- 879,532	76%	33%
43,271	- 65,487	56%	8%	879,533	- 906,619	77%	33%
65,488	- 72,180	57%	8%	906,620	- 920,236	77%	34%
72,181	- 103,099	57%	9%	920,237	- 942,883	78%	34%
103,100	- 106,190	57%	10%	942,884	- 960,938	78%	35%
106,191	- 134,208	58%	10%	960,939	- 979,387	79%	35%

<u>Expected Losses</u>		<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>	<u>Expected Losses</u>		<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>
<u>17,510</u>	= <u>18,183</u>	<u>29%</u>	<u>7%</u>	<u>386,052</u>	= <u>421,365</u>	<u>64%</u>	<u>18%</u>
<u>18,184</u>	= <u>18,871</u>	<u>30%</u>	<u>7%</u>	<u>421,366</u>	= <u>422,393</u>	<u>64%</u>	<u>19%</u>
<u>18,872</u>	= <u>19,572</u>	<u>31%</u>	<u>7%</u>	<u>422,394</u>	= <u>456,904</u>	<u>65%</u>	<u>19%</u>
<u>19,573</u>	= <u>20,286</u>	<u>32%</u>	<u>7%</u>	<u>456,905</u>	= <u>466,352</u>	<u>65%</u>	<u>20%</u>
<u>20,287</u>	= <u>21,015</u>	<u>33%</u>	<u>7%</u>	<u>466,353</u>	= <u>492,667</u>	<u>66%</u>	<u>20%</u>
<u>21,016</u>	= <u>21,759</u>	<u>34%</u>	<u>7%</u>	<u>492,668</u>	= <u>510,311</u>	<u>66%</u>	<u>21%</u>
<u>21,760</u>	= <u>22,519</u>	<u>35%</u>	<u>7%</u>	<u>510,312</u>	= <u>528,657</u>	<u>67%</u>	<u>21%</u>
<u>22,520</u>	= <u>23,298</u>	<u>36%</u>	<u>7%</u>	<u>528,658</u>	= <u>554,270</u>	<u>67%</u>	<u>22%</u>
<u>23,299</u>	= <u>24,096</u>	<u>37%</u>	<u>7%</u>	<u>554,271</u>	= <u>564,879</u>	<u>68%</u>	<u>22%</u>
<u>24,097</u>	= <u>24,916</u>	<u>38%</u>	<u>7%</u>	<u>564,880</u>	= <u>598,227</u>	<u>68%</u>	<u>23%</u>
<u>24,917</u>	= <u>25,756</u>	<u>39%</u>	<u>7%</u>	<u>598,228</u>	= <u>601,331</u>	<u>69%</u>	<u>23%</u>
<u>25,757</u>	= <u>26,622</u>	<u>40%</u>	<u>7%</u>	<u>601,332</u>	= <u>638,020</u>	<u>69%</u>	<u>24%</u>
<u>26,623</u>	= <u>27,513</u>	<u>41%</u>	<u>7%</u>	<u>638,021</u>	= <u>642,185</u>	<u>69%</u>	<u>25%</u>
<u>27,514</u>	= <u>28,434</u>	<u>42%</u>	<u>7%</u>	<u>642,186</u>	= <u>674,943</u>	<u>70%</u>	<u>25%</u>
<u>28,435</u>	= <u>29,388</u>	<u>43%</u>	<u>7%</u>	<u>674,944</u>	= <u>686,145</u>	<u>70%</u>	<u>26%</u>
<u>29,389</u>	= <u>30,376</u>	<u>44%</u>	<u>7%</u>	<u>686,146</u>	= <u>712,108</u>	<u>71%</u>	<u>26%</u>
<u>30,377</u>	= <u>31,405</u>	<u>45%</u>	<u>7%</u>	<u>712,109</u>	= <u>730,104</u>	<u>71%</u>	<u>27%</u>
<u>31,406</u>	= <u>32,479</u>	<u>46%</u>	<u>7%</u>	<u>730,105</u>	= <u>749,513</u>	<u>72%</u>	<u>27%</u>
<u>32,480</u>	= <u>33,604</u>	<u>47%</u>	<u>7%</u>	<u>749,514</u>	= <u>774,061</u>	<u>72%</u>	<u>28%</u>
<u>33,605</u>	= <u>34,791</u>	<u>48%</u>	<u>7%</u>	<u>774,062</u>	= <u>787,162</u>	<u>73%</u>	<u>28%</u>
<u>34,792</u>	= <u>36,049</u>	<u>49%</u>	<u>7%</u>	<u>787,163</u>	= <u>818,021</u>	<u>73%</u>	<u>29%</u>
<u>36,050</u>	= <u>37,393</u>	<u>50%</u>	<u>7%</u>	<u>818,022</u>	= <u>825,056</u>	<u>74%</u>	<u>29%</u>
<u>37,394</u>	= <u>38,843</u>	<u>51%</u>	<u>7%</u>	<u>825,057</u>	= <u>861,978</u>	<u>74%</u>	<u>30%</u>
<u>38,844</u>	= <u>40,430</u>	<u>52%</u>	<u>7%</u>	<u>861,979</u>	= <u>863,201</u>	<u>75%</u>	<u>30%</u>
<u>40,431</u>	= <u>42,201</u>	<u>53%</u>	<u>7%</u>	<u>863,202</u>	= <u>901,596</u>	<u>75%</u>	<u>31%</u>
<u>42,202</u>	= <u>42,381</u>	<u>54%</u>	<u>7%</u>	<u>901,597</u>	= <u>905,938</u>	<u>75%</u>	<u>32%</u>
<u>42,382</u>	= <u>44,241</u>	<u>54%</u>	<u>8%</u>	<u>905,939</u>	= <u>940,245</u>	<u>76%</u>	<u>32%</u>
<u>44,242</u>	= <u>46,732</u>	<u>55%</u>	<u>8%</u>	<u>940,246</u>	= <u>949,895</u>	<u>76%</u>	<u>33%</u>
<u>46,733</u>	= <u>70,726</u>	<u>56%</u>	<u>8%</u>	<u>949,896</u>	= <u>979,149</u>	<u>77%</u>	<u>33%</u>
<u>70,727</u>	= <u>77,954</u>	<u>57%</u>	<u>8%</u>	<u>979,150</u>	= <u>993,855</u>	<u>77%</u>	<u>34%</u>
<u>77,955</u>	= <u>111,347</u>	<u>57%</u>	<u>9%</u>	<u>993,856</u>	= <u>1,018,314</u>	<u>78%</u>	<u>34%</u>
<u>111,348</u>	= <u>114,685</u>	<u>57%</u>	<u>10%</u>	<u>1,018,315</u>	= <u>1,037,813</u>	<u>78%</u>	<u>35%</u>
<u>114,686</u>	= <u>144,945</u>	<u>58%</u>	<u>10%</u>	<u>1,037,814</u>	= <u>1,057,738</u>	<u>79%</u>	<u>35%</u>
<u>144,946</u>	= <u>158,643</u>	<u>58%</u>	<u>11%</u>	<u>1,057,739</u>	= <u>1,081,771</u>	<u>79%</u>	<u>36%</u>
<u>158,644</u>	= <u>178,753</u>	<u>59%</u>	<u>11%</u>	<u>1,081,772</u>	= <u>1,097,426</u>	<u>80%</u>	<u>36%</u>
<u>178,754</u>	= <u>202,602</u>	<u>59%</u>	<u>12%</u>	<u>1,097,427</u>	= <u>1,125,728</u>	<u>80%</u>	<u>37%</u>
<u>202,603</u>	= <u>212,765</u>	<u>60%</u>	<u>12%</u>	<u>1,125,729</u>	= <u>1,137,380</u>	<u>81%</u>	<u>37%</u>
<u>212,766</u>	= <u>246,561</u>	<u>60%</u>	<u>13%</u>	<u>1,137,381</u>	= <u>1,169,688</u>	<u>81%</u>	<u>38%</u>
<u>246,562</u>	= <u>246,992</u>	<u>61%</u>	<u>13%</u>	<u>1,169,689</u>	= <u>1,177,605</u>	<u>82%</u>	<u>38%</u>
<u>246,993</u>	= <u>281,432</u>	<u>61%</u>	<u>14%</u>	<u>1,177,606</u>	= <u>1,213,647</u>	<u>82%</u>	<u>39%</u>
<u>281,433</u>	= <u>290,519</u>	<u>61%</u>	<u>15%</u>	<u>1,213,648</u>	= <u>1,218,102</u>	<u>83%</u>	<u>39%</u>
<u>290,520</u>	= <u>316,088</u>	<u>62%</u>	<u>15%</u>	<u>1,218,103</u>	= <u>1,257,606</u>	<u>83%</u>	<u>40%</u>
<u>316,089</u>	= <u>334,477</u>	<u>62%</u>	<u>16%</u>	<u>1,257,607</u>	= <u>1,258,873</u>	<u>84%</u>	<u>40%</u>
<u>334,478</u>	= <u>350,960</u>	<u>63%</u>	<u>16%</u>	<u>1,258,874</u>	= <u>1,299,920</u>	<u>84%</u>	<u>41%</u>
<u>350,961</u>	= <u>378,436</u>	<u>63%</u>	<u>17%</u>	<u>1,299,921</u>	= <u>1,301,561</u>	<u>84%</u>	<u>42%</u>
<u>378,437</u>	= <u>386,051</u>	<u>64%</u>	<u>17%</u>	<u>1,301,562</u>	= <u>1,341,248</u>	<u>85%</u>	<u>42%</u>

Expected Losses		Primary Credibility	Excess Credibility	Expected Losses		Primary Credibility	Excess Credibility		
<u>1,341,249</u>	=	<u>1,345,521</u>	85%	43%	<u>2,779,023</u>	=	<u>2,831,093</u>	100%	74%
<u>1,345,522</u>	=	<u>1,382,861</u>	86%	43%	<u>2,831,094</u>	=	<u>2,883,562</u>	100%	75%
<u>1,382,862</u>	=	<u>1,389,481</u>	86%	44%	<u>2,883,563</u>	=	<u>2,936,438</u>	100%	76%
<u>1,389,482</u>	=	<u>1,424,758</u>	87%	44%	<u>2,936,439</u>	=	<u>2,989,724</u>	100%	77%
<u>1,424,759</u>	=	<u>1,433,440</u>	87%	45%	<u>2,989,725</u>	=	<u>3,043,426</u>	100%	78%
<u>1,433,441</u>	=	<u>1,466,946</u>	88%	45%	<u>3,043,427</u>	=	<u>3,097,547</u>	100%	79%
<u>1,466,947</u>	=	<u>1,477,397</u>	88%	46%	<u>3,097,548</u>	=	<u>3,152,092</u>	100%	80%
<u>1,477,398</u>	=	<u>1,509,425</u>	89%	46%	<u>3,152,093</u>	=	<u>3,207,070</u>	100%	81%
<u>1,509,426</u>	=	<u>1,521,355</u>	89%	47%	<u>3,207,071</u>	=	<u>3,262,479</u>	100%	82%
<u>1,521,356</u>	=	<u>1,552,200</u>	90%	47%	<u>3,262,480</u>	=	<u>3,318,330</u>	100%	83%
<u>1,552,201</u>	=	<u>1,565,315</u>	90%	48%	<u>3,318,331</u>	=	<u>3,374,625</u>	100%	84%
<u>1,565,316</u>	=	<u>1,595,272</u>	91%	48%	<u>3,374,626</u>	=	<u>3,431,373</u>	100%	85%
<u>1,595,273</u>	=	<u>1,609,271</u>	91%	49%	<u>3,431,374</u>	=	<u>& over</u>	100%	86%
<u>1,609,272</u>	=	<u>1,638,646</u>	92%	49%					
<u>1,638,647</u>	=	<u>1,653,232</u>	92%	50%					
<u>1,653,233</u>	=	<u>1,682,326</u>	93%	50%					
<u>1,682,327</u>	=	<u>1,697,189</u>	93%	51%					
<u>1,697,190</u>	=	<u>1,726,312</u>	94%	51%					
<u>1,726,313</u>	=	<u>1,741,148</u>	94%	52%					
<u>1,741,149</u>	=	<u>1,770,610</u>	95%	52%					
<u>1,770,611</u>	=	<u>1,785,105</u>	95%	53%					
<u>1,785,106</u>	=	<u>1,815,222</u>	96%	53%					
<u>1,815,223</u>	=	<u>1,829,065</u>	96%	54%					
<u>1,829,066</u>	=	<u>1,860,151</u>	97%	54%					
<u>1,860,152</u>	=	<u>1,873,022</u>	97%	55%					
<u>1,873,023</u>	=	<u>1,905,401</u>	98%	55%					
<u>1,905,402</u>	=	<u>1,916,982</u>	98%	56%					
<u>1,916,983</u>	=	<u>1,950,977</u>	99%	56%					
<u>1,950,978</u>	=	<u>1,960,939</u>	99%	57%					
<u>1,960,940</u>	=	<u>1,996,881</u>	100%	57%					
<u>1,996,882</u>	=	<u>2,043,116</u>	100%	58%					
<u>2,043,117</u>	=	<u>2,089,686</u>	100%	59%					
<u>2,089,687</u>	=	<u>2,136,595</u>	100%	60%					
<u>2,136,596</u>	=	<u>2,183,848</u>	100%	61%					
<u>2,183,849</u>	=	<u>2,231,445</u>	100%	62%					
<u>2,231,446</u>	=	<u>2,279,393</u>	100%	63%					
<u>2,279,394</u>	=	<u>2,327,695</u>	100%	64%					
<u>2,327,696</u>	=	<u>2,376,355</u>	100%	65%					
<u>2,376,356</u>	=	<u>2,425,379</u>	100%	66%					
<u>2,425,380</u>	=	<u>2,474,768</u>	100%	67%					
<u>2,474,769</u>	=	<u>2,524,526</u>	100%	68%					
<u>2,524,527</u>	=	<u>2,574,660</u>	100%	69%					
<u>2,574,661</u>	=	<u>2,625,171</u>	100%	70%					
<u>2,625,172</u>	=	<u>2,676,066</u>	100%	71%					
<u>2,676,067</u>	=	<u>2,727,349</u>	100%	72%					
<u>2,727,350</u>	=	<u>2,779,022</u>	100%	73%					

AMENDATORY SECTION (Amending WSR 09-24-086, filed 11/30/09, effective 1/1/10)

WAC 296-17-885 Table III.

Expected Loss Rates and Primary Ratios
for Indicated Fiscal Year
Expected Loss Rates in Dollars Per Worker Hour
Effective January 1, (~~2010~~) 2011

(Class	2006	2007	2008	Primary Ratio
0101	1.1114	1.0759	0.9654	0.468
0103	1.5650	1.5168	1.3645	0.474
0104	0.8112	0.7861	0.7065	0.475
0105	1.1603	1.1243	1.0051	0.536
0107	1.1546	1.1158	1.0008	0.446
0108	0.8112	0.7861	0.7065	0.475
0112	0.6183	0.5990	0.5378	0.482
0201	2.2598	2.1766	1.9445	0.412
0202	2.7958	2.7091	2.4476	0.414
0210	1.0213	0.9855	0.8791	0.463
0212	1.1915	1.1512	1.0296	0.459
0214	1.2870	1.2420	1.1077	0.474
0217	0.9020	0.8723	0.7793	0.496
0219	1.0322	0.9998	0.8957	0.485
0301	0.6054	0.5875	0.5266	0.547
0302	1.7359	1.6757	1.4991	0.444
0303	1.5459	1.4927	1.3366	0.442
0306	0.8526	0.8237	0.7354	0.480
0307	0.8169	0.7906	0.7074	0.497
0308	0.5054	0.4913	0.4415	0.557
0403	1.5614	1.5117	1.3509	0.512
0502	1.1718	1.1319	1.0111	0.467
0504	1.5718	1.5270	1.3810	0.463
0507	2.6227	2.5479	2.3041	0.466
0508	1.6478	1.5919	1.4330	0.409
0509	1.7113	1.6581	1.5026	0.401
0510	1.5550	1.5088	1.3598	0.476
0511	1.4156	1.3669	1.2167	0.501

((Class	2006	2007	2008	Primary- Ratio	((Class	2006	2007	2008	Primary- Ratio
0512	1.3932	1.3500	1.2204	0.427	2105	0.5351	0.5190	0.4632	0.582
0513	0.6680	0.6462	0.5774	0.497	2106	0.4149	0.4036	0.3630	0.550
0514	1.7000	1.6434	1.4680	0.491	2201	0.2381	0.2317	0.2092	0.524
0516	1.3886	1.3451	1.2089	0.470	2202	0.6912	0.6706	0.6020	0.529
0517	1.8369	1.7838	1.6149	0.448	2203	0.4575	0.4447	0.3993	0.569
0518	1.2678	1.2266	1.1005	0.463	2204	0.2381	0.2317	0.2092	0.524
0519	1.7529	1.6999	1.5351	0.438	2401	0.5015	0.4829	0.4225	0.587
0521	0.5298	0.5129	0.4599	0.485	2903	0.6155	0.5987	0.5391	0.550
0601	0.5481	0.5306	0.4753	0.489	2904	0.6504	0.6327	0.5723	0.515
0602	0.6846	0.6603	0.5867	0.498	2905	0.5846	0.5682	0.5101	0.567
0603	0.9434	0.9131	0.8248	0.415	2906	0.3292	0.3203	0.2890	0.547
0604	0.9762	0.9500	0.8602	0.497	2907	0.5046	0.4898	0.4380	0.572
0606	0.5167	0.5008	0.4471	0.551	2908	0.9817	0.9529	0.8578	0.493
0607	0.5520	0.5339	0.4750	0.550	2909	0.3750	0.3652	0.3299	0.543
0608	0.3178	0.3084	0.2774	0.506	3101	0.7036	0.6819	0.6116	0.505
0701	1.7045	1.6400	1.4710	0.373	3102	0.2601	0.2526	0.2274	0.525
0803	0.4471	0.4335	0.3877	0.553	3103	0.5159	0.5011	0.4512	0.504
0901	1.2678	1.2266	1.1005	0.463	3104	0.5885	0.5706	0.5119	0.520
1002	0.9746	0.9462	0.8534	0.485	3105	0.6947	0.6759	0.6099	0.534
1003	0.7361	0.7150	0.6445	0.499	3303	0.4184	0.4059	0.3630	0.565
1004	0.5123	0.4949	0.4399	0.515	3304	0.4724	0.4602	0.4155	0.573
1005	7.6720	7.4154	6.6182	0.457	3309	0.3774	0.3668	0.3314	0.509
1007	0.3219	0.3110	0.2776	0.489	3402	0.5219	0.5067	0.4553	0.523
1101	0.7326	0.7100	0.6347	0.539	3403	0.1959	0.1905	0.1723	0.512
1102	1.3217	1.2784	1.1454	0.468	3404	0.4852	0.4716	0.4240	0.542
1103	1.1538	1.1196	1.0087	0.468	3405	0.2917	0.2836	0.2548	0.563
1104	0.5619	0.5462	0.4902	0.569	3406	0.2233	0.2170	0.1943	0.593
1105	0.7857	0.7610	0.6826	0.487	3407	0.7775	0.7523	0.6722	0.503
1106	0.3255	0.3181	0.2900	0.530	3408	0.1984	0.1919	0.1691	0.618
1108	0.5995	0.5814	0.5212	0.535	3409	0.1638	0.1587	0.1409	0.634
1109	1.4021	1.3606	1.2236	0.501	3410	0.2700	0.2624	0.2355	0.578
1301	0.5536	0.5328	0.4663	0.578	3411	0.4654	0.4509	0.4038	0.518
1303	0.2020	0.1956	0.1741	0.570	3412	0.5586	0.5404	0.4843	0.475
1304	0.0283	0.0274	0.0245	0.542	3414	0.5338	0.5175	0.4640	0.523
1305	0.4548	0.4407	0.3933	0.565	3415	0.7721	0.7518	0.6859	0.437
1401	0.4377	0.4281	0.3936	0.437	3501	1.0079	0.9780	0.8769	0.515
1404	0.7967	0.7724	0.6895	0.569	3503	0.2927	0.2865	0.2615	0.562
1405	0.6202	0.6000	0.5303	0.594	3506	0.8239	0.7957	0.7097	0.487
1407	0.4914	0.4787	0.4326	0.539	3509	0.4001	0.3888	0.3485	0.604
1501	0.5700	0.5511	0.4900	0.547	3510	0.3349	0.3251	0.2906	0.579
1507	0.5658	0.5478	0.4888	0.538	3511	0.6143	0.5977	0.5406	0.504
1701	0.8544	0.8282	0.7430	0.490	3512	0.3503	0.3416	0.3092	0.568
1702	1.7516	1.6925	1.5272	0.383	3513	0.4661	0.4564	0.4200	0.468
1703	0.7723	0.7427	0.6605	0.428	3602	0.1231	0.1196	0.1073	0.555
1704	0.8544	0.8282	0.7430	0.490	3603	0.4499	0.4377	0.3942	0.553
1801	0.4503	0.4386	0.4003	0.440	3604	0.7561	0.7406	0.6816	0.488
1802	0.6916	0.6714	0.6018	0.526	3605	0.5027	0.4867	0.4337	0.540
2002	0.7252	0.7049	0.6347	0.525	3701	0.2601	0.2526	0.2274	0.525
2004	0.8591	0.8341	0.7472	0.553	3702	0.4195	0.4071	0.3643	0.561
2007	0.5045	0.4905	0.4425	0.525	3708	0.5594	0.5413	0.4820	0.543
2008	0.3224	0.3137	0.2842	0.506	3802	0.1935	0.1881	0.1689	0.560
2009	0.3849	0.3748	0.3378	0.556	3808	0.3972	0.3851	0.3463	0.493
2101	0.6444	0.6266	0.5643	0.525	3901	0.1700	0.1658	0.1496	0.608
2102	0.5281	0.5135	0.4615	0.567	3902	0.4488	0.4372	0.3951	0.551
2104	0.3194	0.3126	0.2847	0.582	3903	1.0714	1.0470	0.9543	0.527

((Class	2006	2007	2008	Primary- Ratio	((Class	2006	2007	2008	Primary- Ratio
3905	0.1512	0.1476	0.1339	0.587	5201	0.3848	0.3731	0.3344	0.546
3906	0.4715	0.4588	0.4137	0.548	5204	0.8431	0.8189	0.7406	0.469
3909	0.2641	0.2574	0.2326	0.570	5206	0.3573	0.3467	0.3121	0.498
4002	1.1682	1.1292	1.0078	0.498	5207	0.1604	0.1566	0.1419	0.586
4101	0.3270	0.3175	0.2854	0.533	5208	0.7742	0.7522	0.6752	0.543
4103	0.4931	0.4795	0.4294	0.601	5209	0.6729	0.6542	0.5907	0.500
4107	0.1515	0.1473	0.1328	0.524	5300	0.1170	0.1133	0.1007	0.577
4108	0.1728	0.1677	0.1502	0.568	5301	0.0357	0.0346	0.0312	0.572
4109	0.1949	0.1896	0.1714	0.525	5302	0.0163	0.0159	0.0143	0.538
4201	0.6465	0.6226	0.5498	0.517	5305	0.0541	0.0526	0.0471	0.618
4301	0.6273	0.6113	0.5522	0.554	5306	0.0570	0.0556	0.0499	0.606
4302	0.6517	0.6320	0.5645	0.554	5307	0.5707	0.5513	0.4893	0.545
4304	0.9024	0.8800	0.7982	0.525	5308	0.0876	0.0855	0.0772	0.595
4305	1.1617	1.1197	0.9872	0.552	6103	0.0828	0.0808	0.0729	0.615
4401	0.3994	0.3904	0.3566	0.498	6104	0.3598	0.3498	0.3136	0.583
4402	0.8434	0.8175	0.7291	0.589	6105	0.3635	0.3523	0.3152	0.537
4404	0.5064	0.4929	0.4447	0.536	6107	0.1496	0.1466	0.1339	0.592
4501	0.1824	0.1781	0.1604	0.615	6108	0.4576	0.4459	0.4026	0.572
4502	0.0386	0.0377	0.0342	0.530	6109	0.1015	0.0985	0.0884	0.537
4504	0.1089	0.1064	0.0964	0.615	6110	0.5943	0.5775	0.5194	0.540
4601	0.7463	0.7244	0.6492	0.533	6120	0.2779	0.2695	0.2416	0.538
4802	0.3336	0.3257	0.2966	0.504	6121	0.3451	0.3347	0.3000	0.542
4803	0.3012	0.2944	0.2678	0.576	6201	0.2803	0.2727	0.2476	0.480
4804	0.4924	0.4794	0.4317	0.577	6202	0.5999	0.5844	0.5292	0.523
4805	0.2855	0.2780	0.2507	0.580	6203	0.1063	0.1039	0.0938	0.658
4806	0.0592	0.0577	0.0525	0.538	6204	0.1166	0.1137	0.1029	0.576
4808	0.4690	0.4582	0.4179	0.498	6205	0.2551	0.2480	0.2230	0.550
4809	0.3388	0.3308	0.3003	0.562	6206	0.2319	0.2255	0.2028	0.573
4810	0.1401	0.1370	0.1243	0.577	6207	1.1101	1.0905	1.0059	0.521
4811	0.3016	0.2950	0.2685	0.580	6208	0.2397	0.2342	0.2125	0.574
4812	0.3836	0.3732	0.3360	0.577	6209	0.3021	0.2948	0.2670	0.560
4813	0.1596	0.1558	0.1410	0.572	6301	0.1226	0.1186	0.1065	0.462
4900	0.1898	0.1839	0.1666	0.413	6302	0.2036	0.1980	0.1778	0.576
4901	0.0643	0.0625	0.0562	0.502	6303	0.0670	0.0650	0.0584	0.545
4902	0.1116	0.1081	0.0964	0.561	6304	0.3824	0.3734	0.3385	0.586
4903	0.1563	0.1512	0.1335	0.621	6305	0.1090	0.1062	0.0954	0.604
4904	0.0265	0.0259	0.0234	0.565	6306	0.2787	0.2710	0.2442	0.539
4905	0.3723	0.3639	0.3308	0.571	6308	0.0660	0.0642	0.0577	0.576
4906	0.0929	0.0900	0.0801	0.584	6309	0.2036	0.1980	0.1778	0.576
4907	0.0514	0.0502	0.0454	0.554	6402	0.2694	0.2617	0.2340	0.612
4908	0.0773	0.0765	0.0707	0.560	6403	0.1826	0.1781	0.1607	0.586
4909	0.0368	0.0367	0.0346	0.521	6404	0.2625	0.2558	0.2308	0.572
4910	0.4523	0.4398	0.3969	0.515	6405	0.5125	0.4972	0.4467	0.520
4911	0.0564	0.0548	0.0495	0.514	6406	0.1242	0.1211	0.1092	0.601
5001	6.2704	6.0760	5.4982	0.398	6407	0.2695	0.2623	0.2361	0.570
5002	0.5767	0.5580	0.4958	0.562	6408	0.3954	0.3838	0.3446	0.548
5003	1.9816	1.9178	1.7282	0.421	6409	0.6890	0.6669	0.5959	0.518
5004	0.7844	0.7649	0.6982	0.452	6410	0.2811	0.2736	0.2468	0.559
5005	0.5810	0.5634	0.5081	0.437	6501	0.1605	0.1558	0.1392	0.589
5006	1.3366	1.2943	1.1689	0.402	6502	0.0321	0.0312	0.0280	0.554
5101	0.8349	0.8084	0.7205	0.551	6503	0.0714	0.0691	0.0615	0.529
5103	0.7374	0.7183	0.6479	0.575	6504	0.3715	0.3626	0.3282	0.603
5106	0.7374	0.7183	0.6479	0.575	6505	0.1053	0.1034	0.0945	0.612
5108	0.8239	0.8014	0.7207	0.577	6506	0.1055	0.1029	0.0930	0.588
5109	0.4929	0.4778	0.4283	0.520	6509	0.3741	0.3648	0.3298	0.570

((Class	2006	2007	2008	Primary- Ratio	((Class	2006	2007	2008	Primary- Ratio
6510	0.4330	0.4197	0.3771	0.470	7201	1.4446	1.3944	1.2376	0.521
6511	0.3891	0.3787	0.3410	0.570	7202	0.0305	0.0295	0.0263	0.521
6512	0.1693	0.1644	0.1479	0.520	7203	0.1225	0.1207	0.1114	0.591
6601	0.1901	0.1851	0.1671	0.542	7204	0.0000	0.0000	0.0000	0.500
6602	0.5122	0.4986	0.4505	0.540	7205	0.0000	0.0000	0.0000	0.500
6603	0.3289	0.3191	0.2856	0.557	7301	0.4450	0.4341	0.3948	0.505
6604	0.0809	0.0787	0.0706	0.591	7302	0.9260	0.9037	0.8227	0.502
6605	0.3239	0.3165	0.2865	0.602	7307	0.4522	0.4409	0.3992	0.528
6607	0.1651	0.1606	0.1443	0.556	7308	0.3895	0.3803	0.3436	0.601
6608	0.4786	0.4616	0.4139	0.421	7309	0.2574	0.2514	0.2283	0.579
6620	3.1606	3.0426	2.6641	0.605	7400	1.4446	1.3944	1.2376	0.521))
6704	0.1452	0.1410	0.1262	0.576					
6705	0.8094	0.7911	0.7181	0.593					
6706	0.2975	0.2909	0.2660	0.525	<u>Class</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>Primary Ratio</u>
6707	4.3172	4.2003	3.7312	0.696	0101	1.2660	1.2449	1.1135	0.435
6708	8.1890	8.1121	7.6401	0.450	0103	1.6890	1.6651	1.4961	0.436
6709	0.2640	0.2576	0.2331	0.577	0104	0.8893	0.8753	0.7831	0.445
6801	0.6067	0.5856	0.5174	0.573	0105	1.2802	1.2550	1.1076	0.507
6802	0.5553	0.5382	0.4786	0.593	0107	1.1648	1.1431	1.0196	0.434
6803	0.8073	0.7821	0.7115	0.363	0108	0.8893	0.8753	0.7831	0.445
6804	0.3334	0.3242	0.2915	0.572	0112	0.6543	0.6436	0.5749	0.456
6809	4.6501	4.5504	4.1372	0.567	0201	2.3864	2.3392	2.0939	0.380
6901	0.0177	0.0187	0.0193	0.706	0202	2.9958	2.9506	2.6555	0.401
6902	0.8990	0.8687	0.7809	0.421	0210	1.0720	1.0490	0.9279	0.447
6903	6.3402	6.1802	5.7143	0.328	0212	1.2626	1.2371	1.0977	0.438
6904	0.4649	0.4461	0.3857	0.622	0214	1.3743	1.3470	1.1967	0.443
6905	0.3917	0.3780	0.3331	0.607	0217	1.0020	0.9820	0.8697	0.469
6906	0.1657	0.1675	0.1635	0.687	0219	1.1932	1.1688	1.0330	0.468
6907	1.2442	1.2076	1.0824	0.544	0301	0.6903	0.6784	0.6015	0.513
6908	0.4209	0.4088	0.3670	0.540	0302	1.9604	1.9234	1.7181	0.413
6909	0.1192	0.1161	0.1044	0.585	0303	1.6063	1.5767	1.4089	0.416
7100	0.0307	0.0300	0.0274	0.485	0306	0.9385	0.9194	0.8149	0.459
7101	0.0219	0.0214	0.0197	0.457	0307	0.8598	0.8427	0.7457	0.479
7102	4.1538	4.0954	3.7945	0.571	0308	0.5536	0.5455	0.4849	0.526
7103	0.6336	0.6108	0.5370	0.586	0403	1.7083	1.6746	1.4812	0.480
7104	0.0308	0.0300	0.0269	0.611	0502	1.2560	1.2308	1.0923	0.442
7105	0.0295	0.0287	0.0256	0.608	0504	1.6248	1.6052	1.4465	0.439
7106	0.2298	0.2233	0.1994	0.618	0507	2.9030	2.8678	2.5882	0.429
7107	0.2292	0.2244	0.2048	0.568	0508	1.7556	1.7266	1.5546	0.385
7108	0.2007	0.1957	0.1768	0.582	0509	1.7392	1.7153	1.5526	0.386
7109	0.1441	0.1403	0.1262	0.604	0510	1.7410	1.7150	1.5374	0.445
7110	0.3167	0.3067	0.2747	0.499	0511	1.4871	1.4543	1.2815	0.478
7111	0.3903	0.3776	0.3378	0.483	0512	1.4652	1.4434	1.2984	0.418
7112	0.6446	0.6276	0.5667	0.558	0513	0.7332	0.7178	0.6336	0.478
7113	0.3868	0.3768	0.3403	0.570	0514	1.7923	1.7560	1.5538	0.476
7114	0.4808	0.4686	0.4219	0.609	0516	1.5089	1.4847	1.3300	0.433
7115	0.5581	0.5441	0.4919	0.574	0517	2.0824	2.0557	1.8548	0.417
7116	0.6116	0.5948	0.5352	0.542	0518	1.3371	1.3122	1.1693	0.441
7117	1.6241	1.5771	1.4118	0.587	0519	1.7832	1.7562	1.5762	0.428
7118	1.4104	1.3725	1.2367	0.553	0521	0.5508	0.5414	0.4827	0.455
7119	1.3516	1.3087	1.1634	0.577	0601	0.5848	0.5731	0.5076	0.476
7120	5.8332	5.6693	5.1095	0.520	0602	0.7239	0.7065	0.6200	0.482
7121	5.4396	5.2875	4.7670	0.520	0603	0.9857	0.9700	0.8730	0.397
7122	0.5317	0.5175	0.4649	0.607	0604	1.0815	1.0675	0.9577	0.476
7200	1.2944	1.2467	1.0944	0.569	0606	0.5637	0.5518	0.4845	0.528
					0607	0.6295	0.6161	0.5414	0.517

<u>Class</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>Primary</u> <u>Ratio</u>	<u>Class</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>Primary</u> <u>Ratio</u>
0608	0.3432	0.3376	0.3006	0.482	3101	0.7330	0.7198	0.6391	0.491
0701	1.7750	1.7416	1.5681	0.353	3102	0.2765	0.2723	0.2429	0.508
0803	0.4982	0.4890	0.4321	0.525	3103	0.5497	0.5409	0.4820	0.479
0901	1.3371	1.3122	1.1693	0.441	3104	0.6360	0.6251	0.5556	0.494
1002	0.9940	0.9807	0.8815	0.450	3105	0.7595	0.7490	0.6691	0.509
1003	0.8052	0.7934	0.7094	0.477	3303	0.4738	0.4642	0.4077	0.542
1004	0.5560	0.5435	0.4776	0.489	3304	0.5219	0.5146	0.4580	0.545
1005	8.2496	8.0838	7.1655	0.434	3309	0.3984	0.3929	0.3521	0.475
1007	0.3481	0.3407	0.3010	0.473	3402	0.5507	0.5417	0.4818	0.497
1101	0.7627	0.7481	0.6610	0.509	3403	0.2102	0.2074	0.1859	0.488
1102	1.4415	1.4142	1.2576	0.446	3404	0.5019	0.4940	0.4392	0.512
1103	1.2337	1.2143	1.0863	0.443	3405	0.3037	0.2989	0.2655	0.533
1104	0.6363	0.6249	0.5511	0.545	3406	0.2441	0.2398	0.2116	0.565
1105	0.8332	0.8175	0.7261	0.463	3407	0.8322	0.8164	0.7242	0.474
1106	0.3500	0.3466	0.3122	0.509	3408	0.2269	0.2209	0.1904	0.590
1108	0.6380	0.6265	0.5545	0.517	3409	0.1752	0.1712	0.1487	0.598
1109	1.4646	1.4407	1.2837	0.472	3410	0.2755	0.2711	0.2405	0.543
1301	0.5946	0.5777	0.4980	0.551	3411	0.5120	0.5025	0.4453	0.491
1303	0.2183	0.2135	0.1870	0.545	3412	0.6022	0.5907	0.5248	0.458
1304	0.0298	0.0293	0.0259	0.511	3414	0.6004	0.5898	0.5237	0.495
1305	0.5257	0.5145	0.4512	0.540	3415	0.8365	0.8291	0.7544	0.420
1401	0.4616	0.4594	0.4203	0.417	3501	1.0816	1.0625	0.9419	0.489
1404	0.9263	0.9066	0.7940	0.550	3503	0.3205	0.3179	0.2863	0.534
1405	0.7038	0.6869	0.5966	0.568	3506	0.8531	0.8343	0.7357	0.477
1407	0.5361	0.5286	0.4710	0.515	3509	0.4253	0.4177	0.3680	0.571
1501	0.6296	0.6148	0.5374	0.527	3510	0.3702	0.3630	0.3194	0.554
1507	0.6079	0.5956	0.5249	0.512	3511	0.6332	0.6253	0.5620	0.467
1701	0.8809	0.8661	0.7713	0.463	3512	0.3954	0.3897	0.3462	0.553
1702	1.7754	1.7476	1.5793	0.363	3513	0.5140	0.5114	0.4667	0.457
1703	0.8710	0.8508	0.7547	0.402	3602	0.1288	0.1265	0.1119	0.532
1704	0.8809	0.8661	0.7713	0.463	3603	0.4816	0.4741	0.4214	0.525
1801	0.4636	0.4596	0.4186	0.417	3604	0.7972	0.7945	0.7277	0.467
1802	0.7568	0.7446	0.6619	0.507	3605	0.5443	0.5330	0.4689	0.514
2002	0.8182	0.8059	0.7187	0.497	3701	0.2765	0.2723	0.2429	0.508
2004	0.8643	0.8485	0.7493	0.526	3702	0.4462	0.4378	0.3861	0.532
2007	0.5531	0.5455	0.4878	0.497	3708	0.5888	0.5770	0.5087	0.516
2008	0.3562	0.3517	0.3158	0.485	3802	0.2106	0.2072	0.1837	0.535
2009	0.4073	0.4008	0.3552	0.538	3808	0.4288	0.4214	0.3751	0.471
2101	0.7347	0.7228	0.6416	0.515	3901	0.1824	0.1798	0.1594	0.576
2102	0.5838	0.5745	0.5097	0.530	3902	0.4746	0.4684	0.4183	0.531
2104	0.3286	0.3257	0.2922	0.567	3903	1.1545	1.1439	1.0314	0.502
2105	0.5695	0.5586	0.4919	0.553	3905	0.1591	0.1571	0.1401	0.564
2106	0.4657	0.4585	0.4071	0.522	3906	0.4890	0.4824	0.4308	0.514
2201	0.2465	0.2432	0.2177	0.496	3909	0.3038	0.2997	0.2673	0.536
2202	0.7794	0.7653	0.6776	0.511	4002	1.2574	1.2317	1.0899	0.473
2203	0.5017	0.4931	0.4355	0.549	4101	0.3558	0.3499	0.3107	0.509
2204	0.2465	0.2432	0.2177	0.496	4103	0.5661	0.5549	0.4868	0.569
2401	0.5266	0.5112	0.4397	0.549	4107	0.1614	0.1589	0.1416	0.504
2903	0.6637	0.6536	0.5813	0.521	4108	0.1952	0.1915	0.1685	0.548
2904	0.7046	0.6945	0.6211	0.489	4109	0.2080	0.2050	0.1832	0.503
2905	0.6760	0.6641	0.5866	0.543	4201	0.7100	0.6922	0.6057	0.488
2906	0.3571	0.3524	0.3152	0.514	4301	0.6812	0.6734	0.6032	0.520
2907	0.5345	0.5252	0.4646	0.531	4302	0.6994	0.6857	0.6036	0.528
2908	1.0963	1.0789	0.9625	0.471	4304	0.9374	0.9276	0.8340	0.495
2909	0.4032	0.3976	0.3546	0.518	4305	1.2500	1.2172	1.0578	0.522

<u>Class</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>Primary</u> <u>Ratio</u>	<u>Class</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>Primary</u> <u>Ratio</u>
4401	0.4302	0.4268	0.3865	0.480	6103	0.0891	0.0879	0.0782	0.589
4402	0.9040	0.8847	0.7749	0.556	6104	0.3954	0.3883	0.3426	0.557
4404	0.5634	0.5556	0.4957	0.512	6105	0.4067	0.3985	0.3517	0.511
4501	0.1983	0.1952	0.1727	0.586	6107	0.1655	0.1642	0.1476	0.570
4502	0.0414	0.0410	0.0366	0.507	6108	0.4995	0.4925	0.4380	0.545
4504	0.1281	0.1262	0.1115	0.595	6109	0.1110	0.1089	0.0965	0.516
4601	0.8045	0.7897	0.6983	0.506	6110	0.6452	0.6348	0.5634	0.519
4801	2.9958	2.9506	2.6555	0.401	6120	0.3033	0.2972	0.2620	0.520
4802	0.3556	0.3519	0.3169	0.490	6121	0.3681	0.3613	0.3196	0.514
4803	0.3132	0.3101	0.2776	0.560	6201	0.3063	0.3025	0.2722	0.469
4804	0.5148	0.5075	0.4514	0.547	6202	0.6426	0.6344	0.5680	0.500
4805	0.3139	0.3093	0.2743	0.554	6203	0.1167	0.1150	0.1017	0.630
4806	0.0646	0.0638	0.0573	0.515	6204	0.1308	0.1289	0.1145	0.560
4808	0.5085	0.5035	0.4536	0.480	6205	0.2761	0.2718	0.2413	0.530
4809	0.3503	0.3467	0.3113	0.531	6206	0.2513	0.2471	0.2190	0.543
4810	0.1471	0.1456	0.1305	0.546	6207	1.2356	1.2318	1.1242	0.499
4811	0.3394	0.3360	0.3011	0.556	6208	0.2649	0.2620	0.2342	0.553
4812	0.4054	0.3992	0.3548	0.545	6209	0.3312	0.3271	0.2921	0.536
4813	0.1772	0.1749	0.1560	0.550	6301	0.1318	0.1291	0.1145	0.460
4900	0.1758	0.1736	0.1570	0.400	6303	0.0774	0.0760	0.0674	0.517
4901	0.0660	0.0649	0.0579	0.481	6304	0.3981	0.3933	0.3511	0.561
4902	0.1223	0.1197	0.1052	0.539	6305	0.1182	0.1162	0.1024	0.577
4903	0.1676	0.1636	0.1419	0.589	6306	0.3022	0.2972	0.2641	0.515
4904	0.0278	0.0273	0.0244	0.546	6308	0.0724	0.0711	0.0627	0.550
4905	0.4054	0.4014	0.3601	0.542	6309	0.2227	0.2192	0.1943	0.544
4906	0.0990	0.0969	0.0847	0.560	6402	0.2977	0.2919	0.2561	0.587
4907	0.0562	0.0555	0.0496	0.534	6403	0.1934	0.1907	0.1694	0.565
4908	0.0874	0.0874	0.0796	0.548	6404	0.2851	0.2810	0.2500	0.542
4909	0.0406	0.0413	0.0388	0.526	6405	0.5396	0.5307	0.4724	0.495
4910	0.4852	0.4781	0.4263	0.496	6406	0.1374	0.1352	0.1196	0.580
4911	0.0613	0.0605	0.0539	0.493	6407	0.2963	0.2916	0.2584	0.549
5001	7.3796	7.2825	6.5926	0.377	6408	0.4450	0.4368	0.3862	0.526
5002	0.6259	0.6118	0.5355	0.534	6409	0.7265	0.7125	0.6307	0.491
5003	2.1501	2.1124	1.8921	0.405	6410	0.3093	0.3044	0.2704	0.538
5004	0.8100	0.8039	0.7318	0.425	6501	0.1672	0.1642	0.1445	0.556
5005	0.6818	0.6708	0.6007	0.421	6502	0.0328	0.0323	0.0287	0.531
5006	1.4000	1.3794	1.2445	0.381	6503	0.0759	0.0743	0.0655	0.507
5101	0.9268	0.9065	0.7957	0.517	6504	0.4089	0.4034	0.3586	0.581
5103	0.7860	0.7746	0.6892	0.540	6505	0.1196	0.1189	0.1069	0.599
5106	0.7860	0.7746	0.6892	0.540	6506	0.1166	0.1148	0.1019	0.564
5108	0.8758	0.8622	0.7651	0.545	6509	0.3967	0.3916	0.3490	0.547
5109	0.5483	0.5375	0.4750	0.500	6510	0.4628	0.4544	0.4040	0.457
5201	0.4114	0.4033	0.3561	0.523	6511	0.4121	0.4055	0.3594	0.538
5204	0.9140	0.9011	0.8092	0.450	6512	0.1684	0.1656	0.1474	0.494
5206	0.3974	0.3907	0.3481	0.488	6601	0.2080	0.2051	0.1830	0.513
5207	0.1647	0.1629	0.1458	0.549	6602	0.5686	0.5607	0.4999	0.522
5208	0.8146	0.8008	0.7094	0.520	6603	0.3516	0.3455	0.3057	0.531
5209	0.7119	0.7023	0.6295	0.478	6604	0.0862	0.0847	0.0750	0.561
5300	0.1268	0.1241	0.1088	0.538	6605	0.3779	0.3722	0.3293	0.581
5301	0.0379	0.0372	0.0328	0.549	6607	0.1785	0.1754	0.1550	0.533
5302	0.0169	0.0167	0.0147	0.510	6608	0.5059	0.4966	0.4453	0.396
5305	0.0606	0.0594	0.0522	0.591	6620	3.4169	3.3153	2.8477	0.572
5306	0.0572	0.0563	0.0498	0.573	6704	0.1493	0.1467	0.1298	0.544
5307	0.6315	0.6172	0.5413	0.518	6705	0.9066	0.8951	0.7965	0.575
5308	0.0988	0.0975	0.0867	0.578	6706	0.3141	0.3119	0.2826	0.496

<u>Class</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>Primary Ratio</u>
6707	4.9587	4.8517	4.2034	0.664
6708	8.7875	8.8803	8.3466	0.435
6709	0.2866	0.2828	0.2517	0.547
6801	0.6741	0.6569	0.5712	0.546
6802	0.6279	0.6139	0.5355	0.569
6803	0.8328	0.8238	0.7529	0.342
6804	0.3618	0.3562	0.3164	0.540
6809	5.0493	4.9940	4.4681	0.546
6901	0.0191	0.0205	0.0210	0.715
6902	0.9391	0.9234	0.8290	0.403
6903	6.6199	6.6055	6.1538	0.311
6904	0.5390	0.5205	0.4413	0.584
6905	0.4294	0.4183	0.3618	0.581
6906	0.1821	0.1874	0.1799	0.662
6907	1.3578	1.3332	1.1786	0.522
6908	0.4561	0.4484	0.3978	0.510
6909	0.1239	0.1222	0.1086	0.550
7100	0.0328	0.0326	0.0296	0.463
7101	0.0231	0.0230	0.0210	0.441
7102	4.4906	4.4901	4.1042	0.545
7103	0.6907	0.6721	0.5813	0.553
7104	0.0335	0.0329	0.0289	0.580
7105	0.0319	0.0312	0.0275	0.574
7106	0.2617	0.2564	0.2242	0.591
7107	0.2519	0.2496	0.2244	0.546
7108	0.2184	0.2156	0.1918	0.552
7109	0.1614	0.1586	0.1399	0.578
7110	0.3391	0.3327	0.2951	0.475
7111	0.4388	0.4303	0.3823	0.454
7112	0.7112	0.7009	0.6239	0.538
7113	0.4206	0.4147	0.3691	0.538
7114	0.6036	0.5940	0.5241	0.594
7115	0.5815	0.5737	0.5112	0.544
7116	0.6495	0.6391	0.5673	0.511
7117	1.5262	1.5004	1.3282	0.544
7118	1.5250	1.5040	1.3417	0.515
7119	1.4744	1.4421	1.2613	0.548
7120	6.2839	6.1882	5.5174	0.496
7121	5.8696	5.7810	5.1555	0.495
7122	0.5496	0.5408	0.4783	0.571
7200	1.4295	1.3898	1.2011	0.539
7201	1.6002	1.5632	1.3713	0.494
7202	0.0309	0.0303	0.0269	0.482
7203	0.1322	0.1319	0.1201	0.570
7204	0.0000	0.0000	0.0000	0.500
7205	0.0000	0.0000	0.0000	0.500
7301	0.4468	0.4423	0.3992	0.483
7302	0.9842	0.9743	0.8786	0.482
7307	0.4810	0.4751	0.4254	0.501
7308	0.4646	0.4578	0.4054	0.579
7309	0.2828	0.2795	0.2497	0.556
7400	1.6002	1.5632	1.3713	0.494

Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed

<u>Class</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>Primary Ratio</u>
0540	0.0173	0.0169	0.0152	0.471
0541	0.0105	0.0101	0.0091	0.444
0550	0.0211	0.0205	0.0184	0.394
0551	0.0136	0.0132	0.0118	0.411

<u>Class</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>Primary Ratio</u>
0540	0.0188	0.0185	0.0167	0.446
0541	0.0109	0.0107	0.0095	0.426
0550	0.0218	0.0214	0.0193	0.387
0551	0.0142	0.0138	0.0125	0.394

AMENDATORY SECTION (Amending WSR 09-24-086, filed 11/30/09, effective 1/1/10)

WAC 296-17-890 Table IV.

Maximum experience modifications for firms with no compensable accidents: Effective ((1/1/2010)) 1/1/2011

<u>((Expected Loss Range</u>	<u>Maximum Experience Modification</u>
0 - 6,698	0.90
6,699 - 8,180	0.89
8,181 - 9,061	0.88
9,062 - 9,877	0.87
9,878 - 10,737	0.86
10,738 - 11,638	0.85
11,639 - 12,432	0.84
12,433 - 13,237	0.83
13,238 - 14,075	0.82
14,076 - 14,947	0.81
14,948 - 15,854	0.80
15,855 - 16,794	0.79
16,795 - 17,772	0.78
17,773 - 18,783	0.77
18,784 - 19,831	0.76
19,832 - 20,914	0.75
20,915 - 22,033	0.74
22,034 - 23,189	0.73
23,190 - 24,383	0.72
24,384 - 25,613	0.71
25,614 - 26,881	0.70
26,882 - 28,187	0.69
28,188 - 29,529	0.68
29,530 - 30,911	0.67
30,912 - 32,328	0.66

Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

<u>(Expected Loss Range</u>	<u>Maximum Experience Modification</u>
32,329 - 33,786	0.65
33,787 - 36,057	0.64
36,058 - 39,146	0.63
39,147 - 42,717	0.62
42,718 - 49,659	0.61
49,660 & Over	0.60))

Base Rates Effective
January 1, ((2010)) 2011

Class	Accident Fund	Medical Aid Fund
((0101	1.4171	0.8290
0103	1.9338	1.2162
0104	1.0096	0.6354
0105	1.3556	0.9833
0107	1.5715	0.7938
0108	1.0096	0.6354
0112	0.7694	0.4834
0201	3.3385	1.3070
0202	3.7335	2.0036
0210	1.3643	0.6803
0212	1.5700	0.8234
0214	1.7231	0.8805
0217	1.1270	0.6759
0219	1.2680	0.8069
0301	0.6707	0.5364
0302	2.3884	1.1450
0303	2.1114	1.0183
0306	1.1288	0.6136
0307	1.0347	0.6405
0308	0.5270	0.4717
0403	1.8851	1.2485
0502	1.5522	0.8223
0504	1.8623	1.2855
0507	3.1354	2.1578
0508	2.3390	1.0577
0509	2.3461	1.1925
0510	1.8754	1.2515
0511	1.8230	1.0339
0512	1.8524	1.0148
0513	0.8355	0.5102
0514	2.1954	1.2756
0516	1.7452	1.0601
0517	2.2429	1.4494
0518	1.6739	0.9394
0519	2.2514	1.3304
0521	0.6528	0.4036
0601	0.7014	0.4297
0602	0.9119	0.4800
0603	1.3023	0.6556
0604	1.0991	0.8748
0606	0.5892	0.4476
0607	0.6405	0.4453

<u>Expected Loss Range</u>	<u>Maximum Experience Modification</u>
0 = 7.234	0.90
7.235 = 8.834	0.89
8.835 = 9.786	0.88
9.787 = 10.667	0.87
10.668 = 11.596	0.86
11.597 = 12.569	0.85
12.570 = 13.427	0.84
13.428 = 14.296	0.83
14.297 = 15.201	0.82
15.202 = 16.143	0.81
16.144 = 17.122	0.80
17.123 = 18.138	0.79
18.139 = 19.194	0.78
19.195 = 20.286	0.77
20.287 = 21.418	0.76
21.419 = 22.587	0.75
22.588 = 23.796	0.74
23.797 = 25.044	0.73
25.045 = 26.334	0.72
26.335 = 27.662	0.71
27.663 = 29.032	0.70
29.033 = 30.442	0.69
30.443 = 31.891	0.68
31.892 = 33.384	0.67
33.385 = 34.914	0.66
34.915 = 36.489	0.65
36.490 = 38.942	0.64
38.943 = 42.278	0.63
42.279 = 46.134	0.62
46.135 = 53.632	0.61
53.633 & Over	0.60

AMENDATORY SECTION (Amending WSR 09-24-086, filed 11/30/09, effective 1/1/10)

WAC 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry.

Base Rates Effective January 1, ((2010)) 2011			Base Rates Effective January 1, ((2010)) 2011		
Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
0608	0.3793	0.2749	2202	0.7879	0.5985
0701	2.6692	0.8643	2203	0.4773	0.4394
0803	0.5012	0.3928	2204	0.2549	0.2160
0901	1.6739	0.9394	2401	0.6002	0.3776
1002	1.1556	0.8052	2903	0.6590	0.5855
1003	0.8526	0.6326	2904	0.7282	0.5975
1004	0.6353	0.3850	2905	0.6153	0.5586
1005	10.0027	5.4183	2906	0.3636	0.3214
1007	0.4178	0.2336	2907	0.5502	0.4716
1101	0.8323	0.6186	2908	1.1640	0.8225
1102	1.6845	0.9535	2909	0.4014	0.3672
1103	1.3856	0.9186	3101	0.8596	0.5807
1104	0.5841	0.5301	3102	0.3026	0.2349
1105	0.9692	0.6107	3103	0.5839	0.4394
1106	0.3297	0.3397	3104	0.6910	0.4946
1108	0.6918	0.5210	3105	0.7751	0.6618
1109	1.6232	1.1602	3303	0.4543	0.3759
1301	0.6755	0.4030	3304	0.4710	0.4735
1303	0.2296	0.1777	3309	0.4301	0.3308
1304	0.0325	0.0245	3402	0.6066	0.4628
1305	0.5022	0.3979	3403	0.2269	0.1753
1401	0.4683	0.4139	3404	0.5421	0.4520
1404	0.8551	0.6952	3405	0.3139	0.2830
1405	0.6934	0.5449	3406	0.2340	0.2224
1407	0.5018	0.4713	3407	0.9562	0.5987
1501	0.6745	0.4526	3408	0.2141	0.1754
1507	0.6612	0.4698	3409	0.1607	0.1541
1701	1.0210	0.6847	3410	0.2693	0.2555
1702	2.5362	1.0757	3411	0.5572	0.3813
1703	1.1360	0.4290	3412	0.7240	0.4160
1704	1.0210	0.6847	3414	0.6268	0.4499
1801	0.5465	0.3923	3415	0.9404	0.6604
1802	0.8426	0.6411	3501	1.1501	0.8573
2002	0.7986	0.6569	3503	0.2669	0.3257
2004	0.9340	0.7782	3506	1.1081	0.6052
2007	0.5582	0.4592	3509	0.3939	0.3892
2008	0.3639	0.2948	3510	0.3614	0.3151
2009	0.4009	0.3796	3511	0.7003	0.5643
2101	0.7088	0.5904	3512	0.3638	0.3723
2102	0.5491	0.5042	3513	0.4852	0.4738
2104	0.2933	0.3622	3602	0.1356	0.1148
2105	0.5858	0.4942	3603	0.4839	0.4354
2106	0.4456	0.4007	3604	0.7954	0.7977
2201	0.2549	0.2160	3605	0.5918	0.4192

Base Rates Effective January 1, ((2010)) 2011			Base Rates Effective January 1, ((2010)) 2011		
Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
3701	0.3026	0.2349	4904	0.0279	0.0273
3702	0.4686	0.3837	4905	0.3406	0.3978
3708	0.6605	0.4568	4906	0.1024	0.0834
3802	0.2084	0.1845	4907	0.0545	0.0541
3808	0.4888	0.3266	4908	0.0806	0.1218
3901	0.1579	0.1826	4909	0.0382	0.0669
3902	0.4684	0.4432	4910	0.5009	0.4089
3903	1.0645	1.0981	4911	0.0634	0.0524
3905	0.1444	0.1662	5001	8.4242	4.3361
3906	0.4899	0.4481	5002	0.6681	0.4872
3909	0.2702	0.2707	5003	2.6380	1.3541
4002	1.4751	0.8685	5004	0.8890	0.6982
4101	0.3687	0.2912	5005	0.7338	0.4382
4103	0.5002	0.4946	5006	1.8037	0.9098
4107	0.1727	0.1409	5101	0.9643	0.7056
4108	0.1857	0.1589	5103	0.7549	0.7505
4109	0.2167	0.1816	5106	0.7549	0.7505
4201	0.8514	0.4386	5108	0.8738	0.8176
4301	0.6312	0.6235	5109	0.5952	0.4182
4302	0.7332	0.5802	5201	0.4450	0.3385
4304	0.9278	0.8790	5204	1.0081	0.6895
4305	1.4217	0.8551	5206	0.4385	0.2985
4401	0.4275	0.4082	5207	0.1522	0.1736
4402	0.8814	0.7486	5208	0.8554	0.7154
4404	0.5500	0.4857	5209	0.7818	0.6011
4501	0.1831	0.2083	5300	0.1327	0.1029
4502	0.0412	0.0392	5301	0.0393	0.0342
4504	0.1062	0.1284	5302	0.0180	0.0156
4601	0.8262	0.6540	5305	0.0544	0.0554
4802	0.3456	0.3288	5306	0.0569	0.0586
4803	0.2709	0.3226	5307	0.6843	0.4378
4804	0.5040	0.4945	5308	0.0910	0.0973
4805	0.2827	0.2909	6103	0.0785	0.0929
4806	0.0602	0.0591	6104	0.3692	0.3480
4808	0.4878	0.4655	6105	0.4232	0.3039
4809	0.3266	0.3530	6107	0.1442	0.1821
4810	0.1324	0.1525	6108	0.4638	0.4655
4811	0.2869	0.3416	6109	0.1177	0.0910
4812	0.3979	0.3819	6110	0.6429	0.5387
4813	0.1530	0.1654	6120	0.3149	0.2402
4900	0.2575	0.1366	6121	0.3910	0.2994
4901	0.0782	0.0555	6201	0.3403	0.2493
4902	0.1288	0.0962	6202	0.6530	0.5826
4903	0.1730	0.1435	6203	0.0925	0.1277

Base Rates Effective January 1, ((2010)) 2011			Base Rates Effective January 1, ((2010)) 2011		
Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
6204	0.1183	0.1208	6708	7.0901	10.5720
6205	0.2728	0.2393	6709	0.2563	0.2809
6206	0.2415	0.2228	6801	0.7462	0.4947
6207	1.0143	1.2759	6802	0.6026	0.5085
6208	0.2244	0.2592	6803	1.1557	0.5314
6209	0.3077	0.3166	6804	0.3567	0.3226
6301	0.1609	0.0880	6809	4.7521	5.4232
6303	0.0762	0.0610	6901	0.0000	0.0687
6304	0.3542	0.4100	6902	1.2346	0.5839
6305	0.1049	0.1123	6903	8.5839	4.8015
6306	0.3104	0.2629	6904	0.5686	0.3353
6308	0.0699	0.0643	6905	0.4538	0.3325
6309	0.2111	0.1985	6906	0.0000	0.3325
6402	0.2715	0.2652	6907	1.3582	1.0936
6403	0.1738	0.1925	6908	0.4740	0.3841
6404	0.2606	0.2635	6909	0.1230	0.1210
6405	0.6054	0.4414	7100	0.0332	0.0298
6406	0.1197	0.1319	7101	0.0256	0.0213
6407	0.2795	0.2637	7102	3.1418	5.3264
6408	0.4542	0.3596	7103	0.7334	0.4845
6409	0.8423	0.5516	7104	0.0317	0.0323
6410	0.3063	0.2770	7105	0.0298	0.0296
6501	0.1664	0.1496	7106	0.2208	0.2251
6502	0.0357	0.0308	7107	0.2138	0.2577
6503	0.0913	0.0569	7108	0.1890	0.2086
6504	0.3467	0.4042	7109	0.1393	0.1477
6505	0.0950	0.1352	7110	0.3825	0.2465
6506	0.1047	0.1099	7111	0.4967	0.2923
6509	0.3708	0.3856	7112	0.6743	0.6337
6510	0.5342	0.3342	7113	0.3770	0.3843
6511	0.3872	0.3769	7114	0.4426	0.5004
6512	0.1844	0.1476	7115	0.5418	0.5626
6601	0.1992	0.1824	7116	0.6358	0.5641
6602	0.5314	0.4813	7117	1.6923	1.5334
6603	0.3655	0.2939	7118	1.4536	1.3427
6604	0.0828	0.0818	7119	1.4657	1.1602
6605	0.3174	0.3731	7120	6.5297	5.2259
6607	0.1711	0.1566	7121	6.0861	4.8878
6608	0.6901	0.2936	7122	0.5045	0.5382
6620	3.7083	2.4009	7200	1.5557	0.9474
6704	0.1546	0.1354	7201	1.7720	1.0474
6705	0.7293	0.8933	7202	0.0377	0.0240
6706	0.2918	0.3046	7203	0.1054	0.1650
6707	4.0650	5.0433	7204	0.0000	0.0000

Base Rates Effective January 1, ((2010)) 2011			Base Rates Effective January 1, ((2010)) 2011		
Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
7205	0.0000	0.0000	<u>0602</u>	<u>1.1677</u>	<u>0.4150</u>
7301	0.4802	0.4316	<u>0603</u>	<u>1.6954</u>	<u>0.5583</u>
7302	0.9712	0.8900	<u>0604</u>	<u>1.4682</u>	<u>0.8126</u>
7307	0.4627	0.4419	<u>0606</u>	<u>0.7735</u>	<u>0.4001</u>
7308	0.3701	0.4328	<u>0607</u>	<u>0.8759</u>	<u>0.4264</u>
7309	0.2372	0.2761	<u>0608</u>	<u>0.4980</u>	<u>0.2435</u>
7400	1.7720	1.0474))	<u>0701</u>	<u>3.4669</u>	<u>0.7652</u>
<u>0101</u>	<u>1.9913</u>	<u>0.7878</u>	<u>0803</u>	<u>0.6659</u>	<u>0.3675</u>
<u>0103</u>	<u>2.5351</u>	<u>1.1235</u>	<u>0901</u>	<u>2.1988</u>	<u>0.7991</u>
<u>0104</u>	<u>1.3529</u>	<u>0.5826</u>	<u>1002</u>	<u>1.4477</u>	<u>0.6931</u>
<u>0105</u>	<u>1.8059</u>	<u>0.8927</u>	<u>1003</u>	<u>1.1163</u>	<u>0.5836</u>
<u>0107</u>	<u>1.9321</u>	<u>0.6800</u>	<u>1004</u>	<u>0.8347</u>	<u>0.3468</u>
<u>0108</u>	<u>1.3529</u>	<u>0.5826</u>	<u>1005</u>	<u>13.1041</u>	<u>4.8573</u>
<u>0112</u>	<u>0.9852</u>	<u>0.4337</u>	<u>1007</u>	<u>0.5492</u>	<u>0.2097</u>
<u>0201</u>	<u>4.4299</u>	<u>1.1360</u>	<u>1101</u>	<u>1.0534</u>	<u>0.5356</u>
<u>0202</u>	<u>4.9314</u>	<u>1.8028</u>	<u>1102</u>	<u>2.2602</u>	<u>0.8662</u>
<u>0210</u>	<u>1.7341</u>	<u>0.6051</u>	<u>1103</u>	<u>1.8269</u>	<u>0.8111</u>
<u>0212</u>	<u>2.0374</u>	<u>0.7248</u>	<u>1104</u>	<u>0.7945</u>	<u>0.4966</u>
<u>0214</u>	<u>2.2476</u>	<u>0.7960</u>	<u>1105</u>	<u>1.2720</u>	<u>0.5289</u>
<u>0217</u>	<u>1.5258</u>	<u>0.6260</u>	<u>1106</u>	<u>0.4243</u>	<u>0.3002</u>
<u>0219</u>	<u>1.8060</u>	<u>0.7492</u>	<u>1108</u>	<u>0.8776</u>	<u>0.4661</u>
<u>0301</u>	<u>0.9229</u>	<u>0.5091</u>	<u>1109</u>	<u>2.0698</u>	<u>1.0129</u>
<u>0302</u>	<u>3.3552</u>	<u>1.0702</u>	<u>1301</u>	<u>0.8501</u>	<u>0.3735</u>
<u>0303</u>	<u>2.7012</u>	<u>0.8922</u>	<u>1303</u>	<u>0.2959</u>	<u>0.1575</u>
<u>0306</u>	<u>1.5059</u>	<u>0.5633</u>	<u>1304</u>	<u>0.0414</u>	<u>0.0214</u>
<u>0307</u>	<u>1.3203</u>	<u>0.5543</u>	<u>1305</u>	<u>0.6984</u>	<u>0.3746</u>
<u>0308</u>	<u>0.6746</u>	<u>0.4431</u>	<u>1401</u>	<u>0.6005</u>	<u>0.3679</u>
<u>0403</u>	<u>2.5384</u>	<u>1.1181</u>	<u>1404</u>	<u>1.1704</u>	<u>0.6736</u>
<u>0502</u>	<u>2.0327</u>	<u>0.7345</u>	<u>1405</u>	<u>0.9214</u>	<u>0.5132</u>
<u>0504</u>	<u>2.2999</u>	<u>1.1556</u>	<u>1407</u>	<u>0.6510</u>	<u>0.4292</u>
<u>0507</u>	<u>4.2765</u>	<u>2.0017</u>	<u>1501</u>	<u>0.8992</u>	<u>0.4120</u>
<u>0508</u>	<u>3.1091</u>	<u>0.9358</u>	<u>1507</u>	<u>0.8529</u>	<u>0.4210</u>
<u>0509</u>	<u>2.9627</u>	<u>1.0077</u>	<u>1701</u>	<u>1.2719</u>	<u>0.5943</u>
<u>0510</u>	<u>2.5862</u>	<u>1.1644</u>	<u>1702</u>	<u>3.2097</u>	<u>0.9132</u>
<u>0511</u>	<u>2.3325</u>	<u>0.9043</u>	<u>1703</u>	<u>1.6080</u>	<u>0.3934</u>
<u>0512</u>	<u>2.3533</u>	<u>0.9083</u>	<u>1704</u>	<u>1.2719</u>	<u>0.5943</u>
<u>0513</u>	<u>1.1211</u>	<u>0.4589</u>	<u>1801</u>	<u>0.6892</u>	<u>0.3369</u>
<u>0514</u>	<u>2.7704</u>	<u>1.1316</u>	<u>1802</u>	<u>1.1057</u>	<u>0.5906</u>
<u>0516</u>	<u>2.3543</u>	<u>0.9553</u>	<u>2002</u>	<u>1.0874</u>	<u>0.6184</u>
<u>0517</u>	<u>3.1373</u>	<u>1.3718</u>	<u>2004</u>	<u>1.1303</u>	<u>0.6476</u>
<u>0518</u>	<u>2.1988</u>	<u>0.7991</u>	<u>2007</u>	<u>0.7360</u>	<u>0.4253</u>
<u>0519</u>	<u>2.7689</u>	<u>1.1423</u>	<u>2008</u>	<u>0.4834</u>	<u>0.2730</u>
<u>0521</u>	<u>0.8247</u>	<u>0.3570</u>	<u>2009</u>	<u>0.5040</u>	<u>0.3296</u>
<u>0601</u>	<u>0.9101</u>	<u>0.3730</u>	<u>2101</u>	<u>0.9474</u>	<u>0.5639</u>

Base Rates Effective January 1, (2010) 2011			Base Rates Effective January 1, (2010) 2011		
Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
<u>2102</u>	<u>0.7349</u>	<u>0.4602</u>	<u>3513</u>	<u>0.6427</u>	<u>0.4365</u>
<u>2104</u>	<u>0.3455</u>	<u>0.3159</u>	<u>3602</u>	<u>0.1701</u>	<u>0.0990</u>
<u>2105</u>	<u>0.7380</u>	<u>0.4406</u>	<u>3603</u>	<u>0.6227</u>	<u>0.3812</u>
<u>2106</u>	<u>0.6018</u>	<u>0.3700</u>	<u>3604</u>	<u>1.0074</u>	<u>0.7053</u>
<u>2201</u>	<u>0.3165</u>	<u>0.1895</u>	<u>3605</u>	<u>0.7706</u>	<u>0.3759</u>
<u>2202</u>	<u>1.0588</u>	<u>0.5617</u>	<u>3701</u>	<u>0.3828</u>	<u>0.2103</u>
<u>2203</u>	<u>0.6146</u>	<u>0.4012</u>	<u>3702</u>	<u>0.5979</u>	<u>0.3340</u>
<u>2204</u>	<u>0.3165</u>	<u>0.1895</u>	<u>3708</u>	<u>0.8247</u>	<u>0.4088</u>
<u>2401</u>	<u>0.7634</u>	<u>0.3258</u>	<u>3802</u>	<u>0.2690</u>	<u>0.1670</u>
<u>2903</u>	<u>0.8534</u>	<u>0.5232</u>	<u>3808</u>	<u>0.6450</u>	<u>0.2869</u>
<u>2904</u>	<u>0.9650</u>	<u>0.5256</u>	<u>3901</u>	<u>0.2027</u>	<u>0.1609</u>
<u>2905</u>	<u>0.8463</u>	<u>0.5305</u>	<u>3902</u>	<u>0.5794</u>	<u>0.3970</u>
<u>2906</u>	<u>0.4727</u>	<u>0.2897</u>	<u>3903</u>	<u>1.3755</u>	<u>0.9846</u>
<u>2907</u>	<u>0.7022</u>	<u>0.4117</u>	<u>3905</u>	<u>0.1781</u>	<u>0.1443</u>
<u>2908</u>	<u>1.5599</u>	<u>0.7707</u>	<u>3906</u>	<u>0.6036</u>	<u>0.3939</u>
<u>2909</u>	<u>0.5186</u>	<u>0.3257</u>	<u>3909</u>	<u>0.3757</u>	<u>0.2539</u>
<u>3101</u>	<u>1.0666</u>	<u>0.5099</u>	<u>4002</u>	<u>1.9297</u>	<u>0.7811</u>
<u>3102</u>	<u>0.3828</u>	<u>0.2103</u>	<u>4101</u>	<u>0.4850</u>	<u>0.2625</u>
<u>3103</u>	<u>0.7510</u>	<u>0.3911</u>	<u>4103</u>	<u>0.6908</u>	<u>0.4482</u>
<u>3104</u>	<u>0.9005</u>	<u>0.4504</u>	<u>4107</u>	<u>0.2216</u>	<u>0.1219</u>
<u>3105</u>	<u>1.0063</u>	<u>0.5977</u>	<u>4108</u>	<u>0.2486</u>	<u>0.1483</u>
<u>3303</u>	<u>0.6155</u>	<u>0.3500</u>	<u>4109</u>	<u>0.2790</u>	<u>0.1610</u>
<u>3304</u>	<u>0.6206</u>	<u>0.4369</u>	<u>4201</u>	<u>1.1368</u>	<u>0.4010</u>
<u>3309</u>	<u>0.5616</u>	<u>0.2883</u>	<u>4301</u>	<u>0.8042</u>	<u>0.5812</u>
<u>3402</u>	<u>0.7696</u>	<u>0.4041</u>	<u>4302</u>	<u>0.9412</u>	<u>0.5135</u>
<u>3403</u>	<u>0.2959</u>	<u>0.1562</u>	<u>4304</u>	<u>1.1506</u>	<u>0.7729</u>
<u>3404</u>	<u>0.6782</u>	<u>0.3839</u>	<u>4305</u>	<u>1.8475</u>	<u>0.7679</u>
<u>3405</u>	<u>0.3876</u>	<u>0.2454</u>	<u>4401</u>	<u>0.5530</u>	<u>0.3660</u>
<u>3406</u>	<u>0.3000</u>	<u>0.2015</u>	<u>4402</u>	<u>1.1376</u>	<u>0.6595</u>
<u>3407</u>	<u>1.2442</u>	<u>0.5406</u>	<u>4404</u>	<u>0.7257</u>	<u>0.4496</u>
<u>3408</u>	<u>0.2879</u>	<u>0.1640</u>	<u>4501</u>	<u>0.2356</u>	<u>0.1804</u>
<u>3409</u>	<u>0.2046</u>	<u>0.1350</u>	<u>4502</u>	<u>0.0530</u>	<u>0.0342</u>
<u>3410</u>	<u>0.3235</u>	<u>0.2241</u>	<u>4504</u>	<u>0.1489</u>	<u>0.1163</u>
<u>3411</u>	<u>0.7420</u>	<u>0.3484</u>	<u>4601</u>	<u>1.0725</u>	<u>0.5809</u>
<u>3412</u>	<u>0.9478</u>	<u>0.3729</u>	<u>4802</u>	<u>0.4396</u>	<u>0.2937</u>
<u>3414</u>	<u>0.8479</u>	<u>0.4229</u>	<u>4803</u>	<u>0.3251</u>	<u>0.2871</u>
<u>3415</u>	<u>1.2348</u>	<u>0.6070</u>	<u>4804</u>	<u>0.6254</u>	<u>0.4329</u>
<u>3501</u>	<u>1.4885</u>	<u>0.7634</u>	<u>4805</u>	<u>0.3669</u>	<u>0.2637</u>
<u>3503</u>	<u>0.3506</u>	<u>0.2955</u>	<u>4806</u>	<u>0.0782</u>	<u>0.0538</u>
<u>3506</u>	<u>1.3806</u>	<u>0.5172</u>	<u>4808</u>	<u>0.6377</u>	<u>0.4155</u>
<u>3509</u>	<u>0.4988</u>	<u>0.3438</u>	<u>4809</u>	<u>0.4028</u>	<u>0.3064</u>
<u>3510</u>	<u>0.4737</u>	<u>0.2871</u>	<u>4810</u>	<u>0.1652</u>	<u>0.1335</u>
<u>3511</u>	<u>0.8914</u>	<u>0.4757</u>	<u>4811</u>	<u>0.3806</u>	<u>0.3139</u>
<u>3512</u>	<u>0.4860</u>	<u>0.3371</u>	<u>4812</u>	<u>0.5049</u>	<u>0.3338</u>

Base Rates Effective January 1, (2010) 2011			Base Rates Effective January 1, (2010) 2011		
Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
4813	<u>0.2013</u>	<u>0.1534</u>	6120	<u>0.4159</u>	<u>0.2155</u>
4900	<u>0.2935</u>	<u>0.1084</u>	6121	<u>0.5077</u>	<u>0.2620</u>
4901	<u>0.0977</u>	<u>0.0462</u>	6201	<u>0.4482</u>	<u>0.2248</u>
4902	<u>0.1667</u>	<u>0.0879</u>	6202	<u>0.8486</u>	<u>0.5149</u>
4903	<u>0.2185</u>	<u>0.1273</u>	6203	<u>0.1190</u>	<u>0.1134</u>
4904	<u>0.0347</u>	<u>0.0233</u>	6204	<u>0.1573</u>	<u>0.1105</u>
4905	<u>0.4368</u>	<u>0.3645</u>	6205	<u>0.3494</u>	<u>0.2169</u>
4906	<u>0.1301</u>	<u>0.0736</u>	6206	<u>0.3156</u>	<u>0.1986</u>
4907	<u>0.0711</u>	<u>0.0481</u>	6207	<u>1.3533</u>	<u>1.1700</u>
4908	<u>0.1046</u>	<u>0.1027</u>	6208	<u>0.2892</u>	<u>0.2404</u>
4909	<u>0.0484</u>	<u>0.0588</u>	6209	<u>0.4011</u>	<u>0.2843</u>
4910	<u>0.6414</u>	<u>0.3677</u>	6301	<u>0.2110</u>	<u>0.0781</u>
4911	<u>0.0833</u>	<u>0.0468</u>	6303	<u>0.1055</u>	<u>0.0576</u>
5001	<u>12.2018</u>	<u>4.3539</u>	6304	<u>0.4359</u>	<u>0.3565</u>
5002	<u>0.8691</u>	<u>0.4365</u>	6305	<u>0.1360</u>	<u>0.0995</u>
5003	<u>3.5793</u>	<u>1.1976</u>	6306	<u>0.4104</u>	<u>0.2294</u>
5004	<u>1.1143</u>	<u>0.6147</u>	6308	<u>0.0923</u>	<u>0.0568</u>
5005	<u>1.0563</u>	<u>0.4251</u>	6309	<u>0.2755</u>	<u>0.1803</u>
5006	<u>2.3288</u>	<u>0.8032</u>	6402	<u>0.3511</u>	<u>0.2432</u>
5101	<u>1.3201</u>	<u>0.6259</u>	6403	<u>0.2139</u>	<u>0.1705</u>
5103	<u>0.9733</u>	<u>0.6476</u>	6404	<u>0.3375</u>	<u>0.2372</u>
5106	<u>0.9733</u>	<u>0.6476</u>	6405	<u>0.7690</u>	<u>0.3874</u>
5108	<u>1.1126</u>	<u>0.7164</u>	6406	<u>0.1560</u>	<u>0.1197</u>
5109	<u>0.8092</u>	<u>0.3732</u>	6407	<u>0.3642</u>	<u>0.2415</u>
5201	<u>0.5756</u>	<u>0.2947</u>	6408	<u>0.6186</u>	<u>0.3278</u>
5204	<u>1.3306</u>	<u>0.6267</u>	6409	<u>1.0728</u>	<u>0.4862</u>
5206	<u>0.5788</u>	<u>0.2774</u>	6410	<u>0.4050</u>	<u>0.2482</u>
5207	<u>0.1868</u>	<u>0.1474</u>	6501	<u>0.2056</u>	<u>0.1309</u>
5208	<u>1.0667</u>	<u>0.6243</u>	6502	<u>0.0430</u>	<u>0.0264</u>
5209	<u>0.9967</u>	<u>0.5315</u>	6503	<u>0.1168</u>	<u>0.0499</u>
5300	<u>0.1750</u>	<u>0.0907</u>	6504	<u>0.4511</u>	<u>0.3708</u>
5301	<u>0.0500</u>	<u>0.0293</u>	6505	<u>0.1253</u>	<u>0.1286</u>
5302	<u>0.0232</u>	<u>0.0126</u>	6506	<u>0.1400</u>	<u>0.0983</u>
5305	<u>0.0721</u>	<u>0.0506</u>	6509	<u>0.4618</u>	<u>0.3430</u>
5306	<u>0.0682</u>	<u>0.0486</u>	6510	<u>0.6914</u>	<u>0.2977</u>
5307	<u>0.9034</u>	<u>0.4130</u>	6511	<u>0.4964</u>	<u>0.3297</u>
5308	<u>0.1178</u>	<u>0.0890</u>	6512	<u>0.2199</u>	<u>0.1241</u>
6103	<u>0.0970</u>	<u>0.0832</u>	6601	<u>0.2611</u>	<u>0.1658</u>
6104	<u>0.4796</u>	<u>0.3179</u>	6602	<u>0.6892</u>	<u>0.4561</u>
6105	<u>0.5779</u>	<u>0.2782</u>	6603	<u>0.4616</u>	<u>0.2673</u>
6107	<u>0.1881</u>	<u>0.1615</u>	6604	<u>0.1046</u>	<u>0.0723</u>
6108	<u>0.6024</u>	<u>0.4205</u>	6605	<u>0.4466</u>	<u>0.3399</u>
6109	<u>0.1541</u>	<u>0.0818</u>	6607	<u>0.2209</u>	<u>0.1396</u>
6110	<u>0.8319</u>	<u>0.4926</u>	6608	<u>0.9037</u>	<u>0.2611</u>

Base Rates Effective
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Class	Accident Fund	Medical Aid Fund
6620	4.8059	2.1491
6704	0.1886	0.1176
6705	0.9772	0.8269
6706	0.3719	0.2689
6707	5.3057	4.5925
6708	9.0627	9.6007
6709	0.3327	0.2475
6801	1.0011	0.4451
6802	0.8080	0.4691
6803	1.4912	0.4620
6804	0.4633	0.2922
6809	6.1440	4.6455
6901	0.0000	0.0556
6902	1.5697	0.5264
6903	11.1708	4.2851
6904	0.7841	0.3207
6905	0.5840	0.3035
6906	0.0000	0.3035
6907	1.7689	1.0013
6908	0.6193	0.3398
6909	0.1527	0.1049
7100	0.0430	0.0267
7101	0.0328	0.0187
7102	3.9953	4.7758
7103	0.9515	0.4477
7104	0.0413	0.0280
7105	0.0388	0.0257
7106	0.2962	0.2115
7107	0.2785	0.2329
7108	0.2421	0.1895
7109	0.1856	0.1356
7110	0.4979	0.2199
7111	0.6881	0.2689
7112	0.8836	0.5824
7113	0.4934	0.3486
7114	0.6384	0.5343
7115	0.6760	0.4897
7116	0.8163	0.4955
7117	1.9260	1.1988
7118	1.8834	1.2199
7119	1.8968	1.0593
7120	8.4798	4.6818
7121	7.9178	4.3832
7122	0.6200	0.4649

Base Rates Effective
January 1, ((2010)) 2011

Class	Accident Fund	Medical Aid Fund
7200	2.0381	0.8820
7201	2.3671	0.9828
7202	0.0466	0.0204
7203	0.1338	0.1458
7204	0.0000	0.0000
7205	0.0000	0.0000
7301	0.5904	0.3625
7302	1.2378	0.7953
7307	0.5858	0.3912
7308	0.5195	0.4157
7309	0.3086	0.2521
7400	2.3671	0.9828

AMENDATORY SECTION (Amending WSR 09-24-086, filed 11/30/09, effective 1/1/10)

WAC 296-17-89502 Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications. The base rates as set forth below are for classifications whose premium rates are based on units other than hours worked.

Base Rates Effective
January 1, ((2010)) 2011

Class	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
((0540	0.0220	0.0132	0.0008
0541	0.0141	0.0071	0.0008
0550	0.0295	0.0137	0.0008
0551	0.0193	0.0084	0.0008))
0540	0.0285	0.0124	0.0009
0541	0.0180	0.0063	0.0009
0550	0.0366	0.0124	0.0009
0551	0.0246	0.0074	0.0009

AMENDATORY SECTION (Amending WSR 10-17-028, filed 8/9/10, effective 9/9/10)

WAC 296-17-89503 Farm internship program industrial insurance, accident fund and medical aid fund by class.

Base Rates Effective
June 11, ((2010)) 2011

Class	Accident Fund	Medical Aid Fund
((4814	-0960	-1384
4815	-2042	-3300
4816	-3345	-4912))

Base Rates Effective
June 11, (~~2010~~) 2011

Class	Accident	Medical Aid
	Fund	Fund
<u>4814</u>	<u>0.1246</u>	<u>0.1241</u>
<u>4815</u>	<u>0.2651</u>	<u>0.2960</u>
<u>4816</u>	<u>0.4342</u>	<u>0.4406</u>

AMENDATORY SECTION (Amending WSR 09-24-086, filed 11/30/09, effective 1/1/10)

WAC 296-17-89504 Horse racing industry industrial insurance, medical aid, and supplemental pension by class.

Base Rates Effective
January 1, (~~2010~~) 2011

Class	Accident	Medical Aid	Supplemental
	Fund	Fund	Pension Fund
(6614)	<u>59*</u>	<u>65*</u>	†
<u>6615</u>	<u>357*</u>	<u>377*</u>	†
<u>6616</u>	<u>13*</u>	<u>11*</u>	†
<u>6617</u>	<u>111*</u>	<u>98*</u>	†
<u>6618</u>	<u>99*</u>	<u>50*</u>	†
<u>6622</u>	<u>69**</u>	<u>75**</u>	†
<u>6623</u>	<u>22**</u>	<u>17**</u>	†))
<u>6614</u>	<u>83*</u>	<u>66*</u>	<u>1</u>
<u>6615</u>	<u>479*</u>	<u>340*</u>	<u>1</u>
<u>6616</u>	<u>18*</u>	<u>11*</u>	<u>1</u>
<u>6617</u>	<u>147*</u>	<u>87*</u>	<u>1</u>
<u>6618</u>	<u>99*</u>	<u>50*</u>	<u>1</u>
<u>6622</u>	<u>95**</u>	<u>74**</u>	<u>1</u>
<u>6623</u>	<u>30**</u>	<u>14**</u>	<u>1</u>

* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

** These rates are calculated on a per horse stall for parimutuel race tracks and are base rated.

AMENDATORY SECTION (Amending WSR 09-24-086, filed 11/30/09, effective 1/1/10)

WAC 296-17-920 Assessment for supplemental pension fund. The amount of (~~(48.5)~~) 53.9 mils (~~(\$((0.0485))~~) 0.0539) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-17-86502 Medical aid experience modification limitations.

NEW SECTION

WAC 296-17B-900 Retrospective rating plans standard premium size ranges.

RETROSPECTIVE RATING STANDARD PREMIUM SIZE RANGES

Effective January 1, 2011

Size Group Number	Standard Premium Range	
	From:	To:
1	\$ 5,610	\$ 6,559
2	6,560	7,419
3	7,420	8,349
4	8,350	9,359
5	9,360	10,429
6	10,430	11,569
7	11,570	12,799
8	12,800	14,099
9	14,100	15,479
10	15,480	16,929
11	16,930	18,489
12	18,490	20,129
13	20,130	21,879
14	21,880	23,729
15	23,730	25,679
16	25,680	27,759
17	27,760	29,949
18	29,950	32,279
19	32,280	34,729
20	34,730	37,339
21	37,340	40,109
22	40,110	43,049
23	43,050	46,169
24	46,170	49,489
25	49,490	53,009
26	53,010	56,759
27	56,760	60,749
28	60,750	64,999
29	65,000	69,529
30	69,530	74,359
31	74,360	79,529
32	79,530	85,069
33	85,070	91,009
34	91,010	97,379

Size Group Number	Standard Premium Range	
	From:	To:
35	97,380	104,199
36	104,200	111,599
37	111,600	119,699
38	119,700	128,199
39	128,200	137,499
40	137,500	147,499
41	147,500	158,199
42	158,200	169,799
43	169,800	182,199
44	182,200	195,799
45	195,800	210,399
46	210,400	226,299
47	226,300	243,599
48	243,600	262,499
49	262,500	283,299
50	283,300	305,999
51	306,000	331,199
52	331,200	359,199
53	359,200	390,299
54	390,300	424,999
55	425,000	464,199
56	464,200	508,599
57	508,600	558,899
58	558,900	616,899
59	616,900	683,699
60	683,700	761,699
61	761,700	853,499
62	853,500	962,999
63	963,000	1,094,999
64	1,095,000	1,257,999
65	1,258,000	1,460,999
66	1,461,000	1,723,999
67	1,724,000	2,070,999
68	2,071,000	2,554,999
69	2,555,000	3,268,999
70	3,269,000	4,446,999
71	4,447,000	6,664,999
72	6,665,000	12,199,999
73	12,200,000	31,209,999
74	31,210,000	and over

**WSR 10-23-107
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed November 17, 2010, 8:15 a.m.]

Original Notice.
Preproposal statement of inquiry was filed as WSR 10-18-104.

Title of Rule and Other Identifying Information: The department is proposing changes to the following WAC 388-418-0005 How will I know what changes I must report?

Hearing Location(s): Office Building 2, Auditorium, DSHS Headquarters, 1115 Washington, Olympia, WA 98504 (public parking at 11th and Jefferson. A map is available at <http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html> or by calling (360) 664-6094), on December 21, 2010, at 10:00 a.m.

Date of Intended Adoption: Not earlier than December 22, 2010.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, delivery 1115 Washington Street S.E., Olympia, WA 98504, e-mail DSHSRPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on December 21, 2010.

Assistance for Persons with Disabilities: Contact Jennisha Johnson, DSHS rules consultant, by December 7, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at jennisha.johnson@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing amendments to WAC 388-418-0005 to reflect reporting requirements for Basic Food categorically eligible households (as defined under WAC 388-414-0001) when their income exceeds two hundred percent of the federal poverty guidelines. Previously, households were required to report when income went over one hundred thirty percent of the federal poverty level. The proposed amendments under this filing will be consistent with federal regulations and guidance.

Reasons Supporting Proposal: The United States Department of Agriculture, Food and Nutrition Service (FNS) enforces the provisions of the federal food stamp program as set forth under the Food and Nutrition Act of 2008, guidance provided by FNS (12/15/2009), and the program requirements established in Title 7 of the United States Code of Federal Regulations. This change will help in the department's efforts to increase the Basic Food accuracy rate.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.010.

Statute Being Implemented: RCW 74.04.050, 74.04.-055, 74.04.057, 74.04.510, 74.08.090, 74.08A.010.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Holly St. John, P.O. Box 45470, Olympia, WA 98504-5470, (360) 725-4895.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These proposed rules do not have an economic impact on small businesses. The proposed amendments only affect DSHS clients by simplifying reporting requirements for Washington Basic Food program and clarifying reporting requirements for relative and nonrelative caregivers of children.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "This section does not apply to ... rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents." These rules affect the reporting requirements for Washington Basic Food program and reporting requirements for relative and nonrelative caregivers for children as outlined in WAC 388-416-0005 and 388-418-0005.

November 9, 2010
Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 10-07-007, filed 3/4/10, effective 4/4/10)

WAC 388-418-0005 How will I know what changes ~~(I must)~~ to report? You must report changes to the department based on the kinds of assistance you receive. We inform you of your reporting requirements on letters we send you about your benefits. ~~(Please)~~ Follow the steps below to determine the types of changes you must report:

(1) If you receive assistance from any of the programs listed in subsection ~~((a) through (e) of this section)~~ (1), you must report changes for people in your assistance unit under chapter 388-408 WAC, based on the **first** program you receive benefits from.

(a) If you receive **long term care** benefits such as a home and community based waiver (Basic, Basic Plus, CORE, Community Protection, COPEs, New Freedom, Medically Needy), care in a medical institution (nursing home, hospice care center, state veterans home, ICF/MR, RHC) or hospice, you must tell us if you have a change of:

- (i) Residence;
- (ii) Marital status;
- (iii) Living arrangement;
- (iv) Income;
- (v) Resources;
- (vi) Medical expenses; and

(vii) If we allow you expenses for your spouse or dependents, you must report changes in their income or shelter cost.

(b) If you receive **medical benefits based on age, blindness, ~~(or)~~ disability (SSI-related medical), or ADATSA** benefits, you need to tell us if:

- (i) You move;
- (ii) A family member moves into or out of your home;
- (iii) Your resources change; or
- (iv) Your income changes. This includes the income of you, your spouse or your child living with you.

(c) If you receive **cash** benefits, ~~((other than WorkFirst career services benefits,))~~ you need to tell us if:

- (i) You move;

- (ii) Someone moves out of your home;
- (iii) Your total gross monthly income goes over the:
 - (A) Payment standard under WAC 388-478-0030 if you receive general assistance; or

(B) Earned income limit under WAC 388-478-0035 and 388-450-0165 for all other programs;

(iv) You have liquid resources more than four thousand dollars; or

(v) You have a change in employment. Tell us if you:

(A) Get a job or change employers;

(B) Change from part-time to full-time or full-time to part-time;

(C) Have a change in your hourly wage rate or salary; or

(D) Stop working.

(d) If you are a relative or nonrelative caregiver and receive cash benefits on behalf of a child in your care but not for yourself or other adults in your household, you need to tell us if:

(i) You move;

(ii) The child you are caring for moves out of the home;

(iii) The child's parent moves into your home;

(iv) The child's earned or unearned income changes (see WAC 388-450-0070 for how we count the earned income of a child);

(v) The child has liquid resources more than four thousand dollars.

(e) If you receive **family medical** benefits, you need to tell us if:

(i) You move;

(ii) A family member moves out of your home; or

(iii) If your income goes up or down by one hundred dollars or more a month and you expect this income change will continue for at least two months.

(2) If you do not receive assistance from any of the programs listed in subsection ~~((a) through (e) of this section)~~ (1), but you do receive benefits from any of the programs listed in ~~((subsections (f) through (i) of this section))~~ subsection (2), you must report changes for the people in your assistance unit under chapter 388-408 WAC, based on all the benefits you receive.

~~((f))~~ (a) If you receive **Basic Food** benefits, you need to tell us if:

(i) If your household is a categorically eligible household as defined under WAC 388-414-0001, tell us if your total gross monthly income is more than ~~((the gross monthly income limit under WAC 388-478-0060))~~ two hundred percent of the federal poverty level; or

(ii) For all other households tell us if your total monthly income is more than the maximum gross monthly income as described in WAC 388-478-0060; or

(iii) Anyone who receives food benefits in your assistance unit must meet work requirements under WAC 388-444-0030 and their hours at work go below twenty hours per week.

~~((g))~~ (b) If you receive **children's medical** benefits, you need to tell us if:

(i) You move; or

(ii) A family member moves out of the house.

~~((h))~~ (c) If you receive **pregnancy medical** benefits, you need to tell us if:

- (i) You move; or
- (ii) You are no longer pregnant.
- ((+)) (d) If you receive **other medical** benefits, you need to tell us if:
 - (i) You move; or
 - (ii) A family member moves out of the home.

WSR 10-23-108
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed November 17, 2010, 8:24 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-16-151.

Title of Rule and Other Identifying Information: The community services division (CSD) is proposing to amend WAC 388-406-0030 Do I need to submit other information after I apply for benefits? and 388-490-0005 The department requires proof before authorizing benefits for cash, medical, and Basic Food.

Hearing Location(s): Office Building 2, Auditorium, DSHS Headquarters, 1115 Washington, Olympia, WA 98504 (public parking at 11th and Jefferson. A map is available at <http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html>, or by calling (360) 664-6094), on December 21, 2010, at 10:00 a.m.

Date of Intended Adoption: Not earlier than December 22, 2010.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, delivery 1115 Washington Street S.E., Olympia, WA 98504, e-mail DSHSRPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on December 21, 2010.

Assistance for Persons with Disabilities: Contact Jennisha Johnson, DSHS rules consultant, by December 7, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at johnsj14@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed amendments are needed to clarify when the department can allow clients more time to provide information needed to determine eligibility for benefits. The proposed rules changes would allow more time to send in proof of income and other documents when clients are cooperating with the application process rules. These changes will improve consistency between these and other related rules.

Reasons Supporting Proposal: The rule changes will clarify when the department can allow clients more time to provide information needed to determine eligibility for benefits.

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

Statute Being Implemented: RCW 74.04.005, 74.04.-050, 74.04.055, 74.04.057, 74.04.510, and 74.08.090.

Rule is necessary because of federal law, 7 C.F.R. § 273.2.

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Robert Thibodeau, 712 Pear Street S.E., Olympia, WA 98504, (360) 725-4634.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These proposed rules do not have an economic impact on small businesses. The proposed amendments only affect DSHS clients by changing the way income and resources may or may not be deemed to sponsored aliens that are otherwise eligible for federal supplemental nutrition assistance program (SNAP) benefits under the Basic Food program.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in part, "[t]his section does not apply to ... rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

November 9, 2010

Katherine I. Vasquez

Rules Coordinator

AMENDATORY SECTION (Amending WSR 02-11-137, filed 5/21/02, effective 7/1/02)

WAC 388-406-0030 Do I need to submit other information after I apply for benefits? (1) When we get your application for benefits, we decide if other information is needed to determine your eligibility for benefits. If so, we give you:

(a) A written request for what is needed and for proof if required under WAC 388-490-0005; and

(b) At least ten calendar days to give us the information.

(2) If you ask orally or in writing for additional time to give us requested information, then we give you at least ten additional calendar days.

(3) If your application is delayed beyond time limits under WAC 388-406-0040, and we can't determine your eligibility, we deny your application for benefits.

(4) If you give us some of the information we requested((-)) in subsection (1) above, but we can't determine if you are eligible, we allow you more time to turn in the rest of the information unless you are refusing to cooperate. We give you:

(a) A written request for what is still needed to determine eligibility; and

(b) At least ten (~~(additional)~~) more calendar days to give us the information.

((+)) (5) If we deny your application and you meet the conditions described under WAC 388-406-0065, we will reconsider your eligibility for benefits without requiring a new application.

(6) If you are eligible for necessary supplemental accommodation (NSA) services under chapter 388-472 WAC, we help you comply with the requirements of this section.

AMENDATORY SECTION (Amending WSR 09-02-057, filed 1/5/09, effective 2/5/09)

WAC 388-490-0005 The department requires proof before authorizing benefits for cash, medical, and Basic Food. This rule applies to cash, medical, and Basic Food.

(1) When you first apply for benefits, the department may require you to provide proof of things that help us decide if you are eligible for benefits. This is also called "verification." The types of things that need to be proven are different for each program.

(2) After that, we will ask you to give us proof when:

(a) You report a change;

(b) We find out that your circumstances have changed;

or

(c) The information we have is questionable, confusing, or outdated.

(3) Whenever we ask for proof, we will give you a notice as described in WAC 388-458-0020.

(4) You must give us the proof within the time limits described in:

(a) WAC 388-406-0030 if you are applying for benefits; and

(b) WAC 388-458-0020 if you currently receive benefits.

(5) We will accept any proof that you can easily get when it reasonably supports your statement or circumstances. The proof you give to us must:

(a) Clearly relate to what you are trying to prove;

(b) Be from a reliable source; and

(c) Be accurate, complete, and consistent.

(6) We cannot make you give us a specific type or form of proof.

(7) If the only type of proof that you can get costs money, we will pay for it.

(8) If the proof that you give to us is questionable or confusing, we may:

(a) Ask you to give us more proof, which may include providing a collateral statement. A "collateral statement" is from someone outside of your residence who knows your situation;

(b) Schedule a visit to come to your home and verify your circumstances; or

(c) Send an investigator from the Division of Fraud Investigations (DFI) to make an unannounced visit to your home to verify your circumstances.

(9) By signing the application, eligibility review, or change of circumstances form, you give us permission to contact other people, agencies, or institutions.

(10) If you do not give us all of the proof that we have asked for, and we have not granted you an extension to give us the rest of the information we need as described in WAC 388-406-0030, we will determine if you are eligible based on the information that we already have. If we cannot determine that you are eligible based on this information, we will deny or stop your benefits.

(11) For all Medicaid programs, you must provide proof of citizenship and identity as specified at Section 6036 of the Deficit Reduction Act of 2005 (PL 106-171 amending USC 1396b). Exempt from this requirement are recipients of:

(a) Title IV-B child welfare services, or Title IV-E adoption assistance or foster care payments;

(b) SSI benefits;

(c) Social Security benefits (based on their own disability); or

(d) Medicare.

WSR 10-23-109

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed November 17, 2010, 8:25 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-19-135.

Title of Rule and Other Identifying Information: The department is amending WAC 388-400-0040 Am I eligible for benefits through the Washington Basic Food program?, 388-424-0020 How does my alien status impact my eligibility for the federally funded Washington Basic Food program benefits?, and 388-489-0025 Can my transitional food assistance benefits end before the end of my five-month transition period?

The department is repealing WAC 388-400-0045 If I am not eligible for federal benefits through the Washington Basic Food program because of my alien status, can I receive state-funded Basic Food? and 388-424-0025 How does my alien status impact my eligibility for state-funded benefits under the Washington Basic Food program?

Hearing Location(s): Office Building 2, Auditorium, DSHS Headquarters, 1115 Washington Street S.E., Olympia, WA 98504 (public parking at 11th and Jefferson. A map is available at <http://www.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html> or by calling (360) 664-6094), on December 21, 2010, at 10:00 a.m.

Date of Intended Adoption: Not earlier than December 22, 2010.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, delivery 1115 Washington Street S.E., Olympia, WA 98504, e-mail DSHSRPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on December 21, 2010.

Assistance for Persons with Disabilities: Contact Jennisha Johnson, DSHS rules consultant, by December 7, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at johnsjl4@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The amendments and repeals will eliminate the food assistance program for legal immigrants (FAP).

Reasons Supporting Proposal: The governor mandated a 6.3 percent across-the-board reduction to general fund-state budget appropriations due to declining state revenue. These changes are needed to reduce general fund expenditures on DSHS programs to stay within budget limits.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.500, 74.04.510, 74.08.090, and 74.08A.120.

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.500, 74.04.510, 74.08.090, and 74.08A.120.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Camp, P.O. Box 45470, Olympia, WA 98504-5470, (360) 725-4616.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules do not have an economic impact on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to ... rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

November 9, 2010

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 09-07-054, filed 3/11/09, effective 4/11/09)

WAC 388-400-0040 Am I eligible for benefits through the Washington Basic Food program? The Washington Basic Food program (Basic Food) is a nutrition program to help low-income individuals and families buy food. This rule is a summary of the rules for Basic Food.

(1) When you apply for Basic Food, we decide who is in your assistance unit (AU) based on the requirements under WAC 388-408-0034 and 388-408-0035.

(2) To be eligible for Basic Food benefits, your AU must meet the eligibility requirements ~~((f))~~ for the federal supplemental nutrition assistance program (SNAP) including:

(a) The most current version of the Food and Nutrition Act of 2008;

(b) Federal regulations adopted by the U.S. Department of Agriculture, Food and Nutrition Services (FNS) related to ~~((the supplemental nutrition assistance program f))~~SNAP~~((s))~~; and

(c) Standards FNS publishes each year for income limits, resource limits, income deductions, and benefit amounts for SNAP.

(3) ~~((To be eligible for federal Basic Food benefits, each AU member must meet the citizenship or alien status requirements for federal benefits as described under WAC 388-424-0020.~~

(4) ~~An AU member who is not eligible for federal benefits may be eligible for state-funded Basic Food benefits if they meet the requirements described under WAC 388-400-0045.~~

~~((5))~~ To be eligible for ~~((federal or state))~~ Basic Food benefits, each AU member must:

(a) Meet the citizenship or alien status requirements for Basic Food benefits as described under WAC 388-424-0020.

(b) Be a resident of the state of Washington as required under WAC 388-468-0005;

~~((b))~~ Meet the citizenship or alien status requirements of either WAC 388-424-0020 or 388-424-0025;

(c) Give us their Social Security number as required under WAC 388-476-0005;

(d) Give us proof of identity as required under WAC 388-490-0005;

(e) Participate in the Basic Food employment and training program (BFE&T) if required under chapter 388-444 WAC; and

(f) Meet the eligibility criteria for strikers as described under WAC 388-480-0001.

~~((6))~~ (4) To be eligible for Basic Food, your AU must:

(a) Have total monthly income before taxes and deductions at or under the gross monthly income standard under WAC 388-478-0060. We don't use income that isn't counted under WAC 388-450-0015 as part of your AU's gross monthly income;

(b) Have net income at or under the net monthly income standard under WAC 388-478-0060. We subtract deductions allowed under WAC 388-450-0185 to determine your AU's net monthly income.

(c) Have resources we must count under WAC 388-470-0055 that are at or below your AU's resource limit under WAC 388-470-0005;

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

(e) Complete a mid-certification review and provide proof of any changes if required under WAC 388-418-0011.

~~((7))~~ (5) If your AU is categorically eligible for Basic Food under WAC 388-414-0001, your AU can have income over the gross or net income standard, and have resources over the resource limit and still be eligible for benefits.

~~((8))~~ (6) If your AU has income at or under the gross income standard or is categorically eligible for Basic Food, we determine if you are eligible for Basic Food and calculate your monthly benefits as described under WAC 388-450-0162.

~~((9))~~ (7) If an eligible person in your AU is elderly or disabled, some rules may help your AU to be eligible for Basic Food or to receive more Basic Food benefits. These include:

(a) Resources limits and excluding certain resources under chapter 388-470 WAC;

(b) An excess shelter deduction over the limit set for AUs without an elderly or disabled individual under WAC 388-450-0190;

(c) A deduction for a portion of the out-of-pocket medical expenses for the elderly or disabled individual ~~((if they are over thirty-five dollars a month))~~ as described under WAC 388-450-0200; and

(d) Being exempt from the **gross monthly income** standard under WAC 388-478-0060.

~~((10))~~ (8) For Basic Food, **elderly** means a person who is age sixty or older;

~~((11))~~ (9) For Basic Food, **disabled** means a person who:

(a) Receives SSI;

(b) Receives disability payments or blindness payments under Title I, II, XIV, or XVI of the Social Security Act;

(c) Receives disability retirement benefits from a state, local or federal government agency because of a disability considered permanent under section 221(i) of the Social Security Act;

(d) Receives disability benefits from the Railroad Retirement Act under sections 2 (a)(1)(iv) and (v) and:

(i) Meets Title XIX disability requirements; or

(ii) Is eligible for medicare.

(e) Receives disability-related medical assistance under Title XIX of the Social Security Act;

(f) Is a veteran and receives disability payments based on one hundred percent disability;

(g) Is a spouse of a veteran and:

(i) Either needs an attendant or is permanently housebound; or

(ii) Has a disability under section 221(i) of the Social Security Act and is eligible for death or pension payments under Title 38 of the USC.

~~((12))~~ (10) If a person in your household attends an institution of higher education and does not meet the requirements to be an eligible student under WAC 388-482-0005, we do not count this person as a member of your AU under WAC 388-408-0035.

~~((13))~~ (11) If your AU currently receives food benefits under WASHCAP or lives on or near an Indian reservation and receives benefits from a tribal food distribution program approved by ~~((Food and Nutrition Service-))~~ FNS~~(())~~, your AU is not eligible for food assistance benefits through the Washington Basic Food program.

~~((14))~~ (12) If a person in your AU is ineligible for any of the following reasons, we count the ineligible person's income as described under WAC 388-450-0140:

(a) Able-bodied adults without dependents who are no longer eligible under WAC 388-444-0030;

(b) Persons fleeing a felony prosecution, conviction, or confinement under WAC 388-442-0010;

(c) Persons who do not attest to citizenship or alien status as defined in WAC 388-424-0001;

(d) Persons who are ineligible aliens under WAC 388-424-0020;

(e) Persons disqualified for an intentional program violation under WAC 388-446-0015;

(f) Persons who do not provide a Social Security number when required under WAC 388-476-0005; or

(g) Persons who failed to meet work requirements under chapter 388-444 WAC.

AMENDATORY SECTION (Amending WSR 10-15-045, filed 7/13/10, effective 7/27/10)

WAC 388-424-0020 How does my alien status impact my eligibility for ~~((the federally funded))~~ Washington Basic Food program benefits? (1) If you are a U.S. citizen or U.S. national as defined in WAC 388-424-0001 and meet all other eligibility requirements, you may receive ~~((federal))~~ Basic Food benefits.

(2) If you are not a U.S. citizen or U.S. national, you must fall within (a) or (b) of this subsection, and meet all

other eligibility requirements, in order to receive ~~((federal))~~ Basic Food benefits:

(a) You are a member of one of the following groups of ~~(("qualified aliens" or similarly defined))~~ lawful immigrants as defined in WAC 388-424-0001:

(i) Amerasian;

(ii) Asylee;

(iii) Cuban or Haitian entrant;

(iv) Deportation or removal withheld;

(v) Refugee;

(vi) Special immigrant from Iraq or Afghanistan;

(vii) Victim of trafficking;

(viii) Noncitizen American Indian; or

(ix) Hmong or Highland Lao tribal member.

(b)(i) You are a member of one of the following groups of qualified aliens as defined in WAC 388-424-0001:

(A) Conditional entrant;

(B) Lawful permanent resident (LPR);

(C) Paroled for one year or more; or

(D) ~~((Victim of domestic violence))~~ Abused spouse or child or parent or child of ~~((a victim))~~ an abused spouse or child.

(ii) And, one of the following also applies to you:

(A) You have worked or can get credit for forty Social Security Administration (SSA) work quarters - as described in WAC 388-424-0008;

(B) You are an active duty personnel or honorably discharged veteran of the U.S. military or you are the spouse, unmarried surviving spouse, or unmarried dependent child of someone who meets this requirement, as described in WAC ~~((388-424-0007(1)))~~ 388-424-0007;

(C) You receive cash or medical benefits based on Supplemental Security Income (SSI) criteria for blindness or disability;

(D) You have lived in the U.S. as a "qualified alien" as described in WAC 388-424-0001 for at least five years;

(E) You are under age eighteen; or

(F) You were lawfully residing in the U.S. on August 22, 1996 and were born on or before August 22, 1931.

~~((3))~~ If you are ineligible for federal Basic Food benefits due to your alien status, you may be eligible for state Basic Food benefits ~~((see WAC 388-424-0025-))~~

AMENDATORY SECTION (Amending WSR 09-01-049, filed 12/10/08, effective 1/10/09)

WAC 388-489-0025 Can my transitional food assistance benefits end before the end of my five-month transition period? Your transitional food assistance benefits will end early if:

(1) Someone who gets transitional food assistance with you applies and is approved for temporary assistance for needy families while still living in your home. You may reapply to have your eligibility for Basic Food determined;

(2) We learn that you and your ~~((family))~~ household are no longer residing in the state of Washington; or

(3) **All members** of your household are ineligible to get Basic Food for any of the following reasons:

(a) Refusal to cooperate with quality assurance (WAC 388-464-0001);

- (b) Transfer of property to qualify for Basic Food assistance (WAC 388-488-0010);
- (c) Intentional program violation (WAC 388-466-0015 and 388-446-0020);
- (d) Fleeing felon or violating a condition of probation or parole (WAC 388-442-0010);
- (e) Alien status (WAC 388-424-0020 (~~and 388-424-0025~~));
- (f) Employment and training requirements (WAC 388-444-0055 and 388-444-0075);
- (g) Work requirements for able-bodied adults without dependents (WAC 388-444-0030);
- (h) Student status (WAC 388-482-0005);
- (i) Living in an institution where residents are not eligible for Basic Food (WAC 388-408-0040); or
- (j) Deceased.

REPEALER

The following section of the Washington Administrative Code is repealed:

- | | |
|------------------|--|
| WAC 388-400-0045 | If I am not eligible for federal benefits through Washington Basic Food program because of my alien status, can I receive state-funded Basic Food? |
| WAC 388-424-0025 | How does my alien status impact my eligibility for state-funded benefits under the Washington Basic Food program? |

**WSR 10-23-110
PROPOSED RULES
GAMBLING COMMISSION**
[Filed November 17, 2010, 8:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-19-105.

Title of Rule and Other Identifying Information: WAC 230-13-135 Maximum wagers and prize limitations at certain amusement game locations.

Hearing Location(s): State Investment Board, 2100 Evergreen Park Drive S.W., Olympia, WA 98504, on January 13 or 14, 2011, at 9:00 a.m. or 1:00 p.m. NOTE: Meeting dates and times are tentative. Visit our web site at www.wsgc.wa.gov and select public meeting about ten days before the meeting to confirm meeting date/location/start time.

Date of Intended Adoption: January 13 or 14, 2011.

NOTE: Meeting dates and times are tentative. Visit our web site at www.wsgc.wa.gov and select public meeting about ten days before the meeting to confirm meeting date/location/start time.

Submit Written Comments to: Susan Arland, P.O. Box 42400, Olympia, WA 98504-2400, e-mail SusanA@wsgc.wa.gov, fax (360) 486-3625, by January 1, 2011.

Assistance for Persons with Disabilities: Contact Gail Grate, executive assistant, by January 1, 2011, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Dave & Buster's Inc., a restaurant/amusement game business that does not currently operate in Washington is looking into opening a new location in Washington. The petitioner submitted a petition for rule change to increase amusement game wagering limits from \$0.50 to \$5 and prize limits from \$250 to \$500 for all locations listed in WAC 230-13-135. These locations include: Regional shopping centers, movie theaters, bowling alleys, miniature golf courses, skating facilities, amusement centers, restaurants, and department and grocery stores.

Reasons Supporting Proposal: According to the petitioner's letter, Dave & Buster's is currently operating restaurant/amusement venues in fifty-seven communities across twenty-four states. They have been engaging in negotiations to enter into a lease for a building in Tukwila to open a restaurant/amusement game business. However, the petitioner stated that their business model which has been successfully implemented in their other locations cannot adequately perform in Washington state due to the maximum \$0.50 per play limit. The petitioner also noted in the petition that all guests at their location who are under the age of eighteen must be accompanied by a guardian at least twenty-five years or older. They also have a policy that one adult can only supervise six minors. In addition minors are not allowed to "roam" freely in the building. The guardian must accompany the minors.

Statutory Authority for Adoption: RCW 9.46.070, 9.46.-0331, 9.46.0201.

Statute Being Implemented: Not applicable.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: **History of the rule, WAC 230-13-135:** Amusement games are played for entertainment only, require a material degree of skill, and operators may only award merchandise prizes (RCW 9.46.0201).

Amusement games operated at the following locations have a wager limit of \$0.50 and a prize limit of \$250 (WAC 230-13-135):

- (1) Regional shopping centers; and
- (2) Movie theaters; and
- (3) Bowling alleys; and
- (4) Miniature golf course facilities; and
- (5) Skating facilities; and
- (6) Family sports complexes; and
- (7) Amusement centers; and
- (8) Grocery or department stores; and
- (9) Any business whose primary activity is to provide food service for on premises consumption.

School aged minors are allowed to play at these locations. However, minors may not enter these locations during school hours or after 10:00 p.m. These locations are required

to have adult supervision on site (RCW 9.46.0331 and WAC 230-13-090).

Amusement games operated at other authorized locations do not have wager and prize limit restrictions (RCW 9.46.0331). These locations include:

- (1) Agricultural fair; and
- (2) Civic centers of a county, city, or town; and
- (4) World's fair or similar exposition that is approved by the bureau of international expositions at Paris, France; and
- (5) Community-wide civic festivals held not more than once annually and sponsored or approved by the city, town, or county in which it is held; and
- (6) Commercial expositions organized and sponsored by an organization or association representing the retail sales and service operators conducting business in a shopping center or other commercial area developed and operated for retail sales and service, but only upon a parking lot or similar area located in said shopping center or commercial area for a period of no more than seventeen consecutive days by any licensee during any calendar year; and
- (7) A location that possesses a valid license from the Washington state liquor control board and prohibits minors on their premises (Taverns and bars, where minors are not allowed to enter).

During the past thirteen years, the commission has received three petitions to increase wagering limits and/or prize limits for all locations listed in WAC 230-13-135 (see below).

Previous Petitions:

(1) At their February 2008 meeting, the commission filed a petition for rule change submitted by Music-Vend Distributing, an amusement game licensee, to increase the maximum wager from \$0.50 to \$1 for all locations listed in WAC 230-13-135. At the May 2008 meeting, the petition was up for final action and died for lack of a motion, after discussion about children playing amusement games. See minutes from the May 2008 commission meeting.

(2) At the March 2007 commission meeting, a petition for rule change submitted by Nickels and Dimes, an amusement game licensee, was up for filing. The petitioner was requesting that amusement game wagering limits be increased from \$0.50 to \$2 for all locations listed in WAC 230-13-135. The petitioner was also requesting to increase amusement game prize limits from \$200 to \$600. At the March meeting, the petitioner withdrew their request to increase prize limits and requested that only wagering limits be increased. The commission filed his request for further discussion. At their July 2007 meeting, the commission did not adopt the petitioner's request to increase amusement game wagering limits from \$0.50 to \$2. The commission was concerned about increasing wagering limits on games geared to children. See minutes from the April, May, and July 2007 commission meeting.

(3) In 1997, a petition for rule change from Music Vend and the Washington Amusement and Music Operators Association was filed by the commission. The petitioner requested wagering limits for amusement games be increased from \$0.50 to \$1 and prize limits be increased from \$100 to \$500. The commission was concerned about increasing wagering limits because minors were allowed to play. The

commission amended and adopted the petition to keep wagering limits at \$0.50, but agreed to increase prize limits to \$250. See minutes from the May 1997 commission meeting.

Impact on Licensees:

- Amusement game licensees operating games at the locations listed in WAC 230-13-135 would be able to set higher wagering limits up to \$5 on amusement games which is comparable to what agricultural fairs and carnivals are already doing.
- Amusement game licensees at these locations may be able to offer the newest types of amusement games. Modern amusement games are expensive to purchase and maintain. They cannot offer these games when they are only able to charge \$0.50 per play.
- Offering modern amusement games may increase adult players.
- These licensees would be able to offer prizes such as name brand electronics.
- If these licensees are able to charge more per play they will likely see an increase in gross receipts, which may increase taxes for local governments.

Regulatory Concerns: Most amusement game activities that have wager limits occur at places where there is no immediate supervision and minors have access to play (such as crane games at grocery stores).

We currently receive very few if any complaints about amusement games; however, there is a chance additional resources may be needed to respond to complaints with the higher limits. If we received many complaints, it would be difficult to timely respond to them and would require devoting resources from other regulatory programs.

Resource Impacts: Additional regulatory resources may be needed to monitor amusement games.

Policy Considerations: Higher wager and prize limits would be allowed at permanent locations where minors spend money on this activity. Although minors can play amusement games at agricultural fairs where there are no wager or prize limits, these are temporary locations.

The maximum cost for a pull-tab is \$1. Pull-tab games are operated in a supervised environment and are not accessible to minors. Pull-tab games are highly regulated and may offer cash or merchandise prizes. However, there is no skill involved in pull-tabs, while a player can improve their chance of winning playing an amusement game. Furthermore, pull-tabs can be bundled and sold at a higher price than \$1; however, operators must allow players to purchase a single ticket. Few players request an individual tab on games that offer bundled tickets.

Name of Proponent: Dave and Buster's, Inc., private.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement was not prepared because the proposed rule change does not impose more than minor costs, as defined in chapter 19.85 RCW, to licensees.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

November 5, 2010
Susan Arland
Rules Coordinator

AMENDATORY SECTION (Amending Order 650, filed 7/13/09, effective 8/13/09)

WAC 230-13-135 Maximum wagers and prize limitations at certain amusement game locations. The maximum wager is ~~((fifty cents))~~ five dollars and the maximum cost for a prize is ~~((two))~~ five hundred ~~((fifty))~~ dollars if school-aged minors are allowed to play amusement games at the following locations:

- (1) Regional shopping centers; and
- (2) Movie theaters; and
- (3) Bowling alleys; and
- (4) Miniature golf course facilities; and
- (5) Skating facilities; and
- (6) Family sports complexes.

~~((i))~~ (a) A "family sports complex" is a facility, at a permanent location, to which people go to play sports. A family sports complex must offer multiple sports activities, such as indoor soccer, outdoor soccer, lacrosse, baseball, Frisbee, and lawn bowling and the gross receipts must be primarily from these sports activities.

~~((ii))~~ (b) A family sports complex does not include a facility owned or operated by a school or school district; and

- ~~(7)~~ ~~((Amusement centers; and~~

~~(8))~~ Grocery or department stores. A "department or grocery store" means a business that offers the retail sale of a full line of clothing, accessories, and household goods, or a full line of dry grocery, canned goods, or nonfood items plus some perishable items, or a combination of these. A department or grocery store must have more than ten thousand square feet of retail and support space, not including the parking areas; and

~~((9))~~ (8) Any business whose primary activity is to provide food service for on premises consumption.

WSR 10-23-111
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed November 17, 2010, 8:46 a.m.]

Supplemental Notice to WSR 10-19-132.

Preproposal statement of inquiry was filed as WSR 10-16-149 and 10-01-161.

Title of Rule and Other Identifying Information: The department is proposing to amend WAC 388-436-0015 Consolidated emergency assistance program (CEAP), 388-436-0020 CEAP assistance unit composition, and 388-436-0030 Eligibility for CEAP depends on other possible cash benefits.

Hearing Location(s): Office Building 2, Auditorium, DSHS Headquarters, 1115 Washington, Olympia, WA 98504 (public parking at 11th and Jefferson. A map is available at <http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html> or by calling (360) 664-6094), on December 21, 2010, at 10:00 a.m.

Date of Intended Adoption: Not earlier than December 21, 2010.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 1115 Washington Street S.E., Olympia, WA 98504, e-mail DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on December 21, 2010.

Assistance for Persons with Disabilities: Contact Jennisha Johnson, DSHS rules consultant, by December 7, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at johnsj14@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is clarifying that CEAP is a program of last resort, available only when the applicant is not receiving or potentially eligible to receive benefits from other state or federal programs. The amendments also clarify that the department can issue CEAP benefits to families terminated from TANF/SFA for noncompliance, but who are currently reapplying for TANF and participating in the four week requirement.

Finally, the proposal clarifies that the department may terminate CEAP if the funds appropriated for the program are exhausted. These clarifications to the regulations do not alter existing department practices and offer clearer communication to the public.

Reasons Supporting Proposal: These changes are being proposed to ensure that CEAP operates as a program of last resort. Failing to refer applicants to more appropriate benefit programs may cause CEAP funds to deplete sooner than desired.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.660.

Statute Being Implemented: RCW 74.04.050, 74.04.-055, 74.04.057, 74.08.090, and 74.04.660.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kerry Judge-Kemp, P.O. Box 45470, Olympia, WA 98504-5470, (360) 725-4630.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules do not have an economic impact on small businesses. The proposed amendments clarify that TANF/SFA families who have their cash grant terminated under WAC 388-310-1600 may qualify for CEAP even when case closure hasn't occurred within the last six months.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in part, "[t]his section does not apply to ... rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

The proposed rules clarify that TANF/SFA families who have their cash grant terminated under WAC 388-310-1600 may qualify for CEAP even when case closure hasn't occurred within the last six months.

November 9, 2010
Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 07-07-103, filed 3/19/07, effective 4/19/07)

WAC 388-436-0015 Consolidated emergency assistance program (CEAP). (1) CEAP is available to the following ~~((persons))~~:

(a) A pregnant woman in any stage of pregnancy; or
(b) Families with dependent children, including ~~((within available funds.))~~ families who have stopped receiving their TANF grant ~~((within the last six months))~~ under WAC 388-310-1600 so long as:

(i) The dependent child is living with a parent or a relative of specified degree as defined under WAC 388-454-0010; or

(ii) The dependent child has lived with such a relative within six months of the request for assistance.

(2) Applicants must be residents of Washington state as defined in WAC 388-468-0005.

(3) Applicants must demonstrate a financial need for emergency funds for one or more of the following basic requirements:

(a) Food;
(b) Shelter;
(c) Clothing;
(d) Minor medical care;
(e) Utilities;
(f) Household maintenance supplies;
(g) Necessary clothing or transportation costs to accept or retain a job; or

(h) Transportation for a minor, not in foster care, to a home where care will be provided by family members or approved caretakers.

(4) Payment under this program is limited to ~~((not more than thirty consecutive days))~~ one time within ~~((a period of))~~ twelve consecutive months for a period covering no more than thirty consecutive days.

(5) The department may discontinue the program if state funds appropriated for CEAP are exhausted.

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

WAC 388-436-0020 CEAP assistance unit composition. (1) ~~((To be eligible for CEAP, a child must be living with:~~

~~((a) A parent or a relative of specified degree as defined under WAC 388-454-0010; or~~

~~((b) Has lived with such a relative within six months of the request for assistance.~~

~~((2))~~ The following persons living in the household must be included as members of the CEAP assistance unit:

(a) All full, half, or adopted siblings under eighteen years of age, including a minor parent; and

(b) The parent, adoptive parent, or stepparent living with the child or children.

~~((2))~~ (2) The following persons living in the household do not have to be included but may be included as members at the option of the applicant:

(a) One caretaker relative of specified degree when the child's parent does not live in the home;

(b) Stepbrothers or stepsisters to all children in the assistance unit.

~~((4))~~ (3) The following persons may make up a CEAP assistance unit without including others living in the home:

(a) The child of a parent who is a minor when the minor parent is not eligible due to the income and resources of his/her parents; or

(b) A pregnant woman when no other child is in the home.

~~((5))~~ (4) The following persons living in the household are not included as members of the CEAP assistance unit:

(a) A household member receiving Supplemental Security Income (SSI);

(b) A household member ineligible due to reasons stated in WAC ~~((388-436-0025 and))~~ 388-436-0030.

AMENDATORY SECTION (Amending WSR 07-07-103, filed 3/19/07, effective 4/19/07)

WAC 388-436-0030 Eligibility for CEAP depends on other possible cash benefits. (1) Before the department approves CEAP benefits, we must determine that all household members are ineligible for benefits from any of the following programs:

(a) Temporary assistance for needy families (TANF) or state family assistance (SFA), unless the family has had its cash grant terminated under WAC 388-310-1600 ~~((within the last six months))~~;

(b) Refugee cash assistance (RCA);

(c) Diversion cash assistance (DCA); or

(d) Disability lifeline (DL).

(2) ~~((To receive CEAP, the applicant must))~~ Before the department grants CEAP benefits, the department may require the applicant, or anyone in the assistance unit, to apply for and take any required action to receive benefits from the following programs:

(a) TANF or SFA, unless the family has had its case grant terminated ~~((under))~~ due to WAC 388-310-1600 within the last six months;

(b) RCA;

(c) Disability lifeline (DL);

(d) Supplemental security income (SSI);

~~((4))~~ (e) Medical assistance for those applicants requesting help for a medical need;

~~((5))~~ (f) Food assistance for those applicants requesting help for a food need;

~~((6))~~ (g) Housing assistance from any available source for those applicants requesting help for a housing need;

~~((7))~~ (h) Unemployment compensation, veteran's benefits, industrial insurance benefits, Social Security benefits,

pension benefits, or any other source of financial benefits the applicant is potentially eligible to receive.

(3) The department may not authorize CEAP benefits to any household containing a member who is:

(a) Receiving cash benefits from any of the following programs:

(i) TANF/SFA;

(ii) RCA;

(iii) DCA; or

(iv) DL.

(b) Receiving reduced cash benefits for failure to comply with program requirements of TANF/SFA, or RCA. ((This restriction does not apply to families who have stopped receiving TANF cash benefits under WAC 388-310-1600 within the last six months)).

(4) The department may authorize CEAP to families reapplying for TANF/SFA who are not eligible for TANF cash benefits under WAC 388-310-1600 until they complete the four week participation requirement.